

108TH CONGRESS  
2D SESSION

# S. 2656

To establish a National Commission on the Quincentennial of the discovery  
of Florida by Ponce de Leon.

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IN THE SENATE OF THE UNITED STATES

JULY 14, 2004

Mr. GRAHAM of Florida (for himself and Mr. NELSON of Florida) introduced  
the following bill; which was read twice and referred to the Committee  
on Energy and Natural Resources

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## A BILL

To establish a National Commission on the Quincentennial  
of the discovery of Florida by Ponce de Leon.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ponce de Leon Dis-  
5 covery of Florida Quincentennial Commission Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the Quincentennial of the founding of Flor-  
9 ida by Ponce de Leon occurs in 2013, 500 years

1 after Ponce de Leon landed on its shores and ex-  
2 plored the Keys and the west coast of Florida;

3 (2) evidence supports the theory that Ponce de  
4 Leon was the first European to land on the shores  
5 of Florida;

6 (3) Florida means “the land of flowers” and  
7 the State owes its name to Ponce de Leon;

8 (4) Ponce de Leon’s quest for the “fountain of  
9 youth” has become an established legend which has  
10 drawn fame and recognition to Florida and the  
11 United States;

12 (5) the discovery of Florida by Ponce de Leon,  
13 the myth of the “fountain of youth”, and the subse-  
14 quent colonization of Florida encouraged other Eu-  
15 ropean countries to explore the New World and to  
16 establish settlements in the territory that is cur-  
17 rently the United States;

18 (6) Florida was colonized under 5 flags; and

19 (7) commemoration of the arrival in Florida of  
20 Ponce de Leon and the beginning of the colonization  
21 of the Americas would—

22 (A) enhance public understanding of the  
23 impact of the discovery of Florida on the his-  
24 tory of the United States; and

1 (B) provide lessons about the importance  
2 of exploration and discovery.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) COMMISSION.—The term “Commission”  
6 means the National Commission on the Quincenten-  
7 nial of the discovery of Florida by Ponce de Leon es-  
8 tablished under section 4(a).

9 (2) QUINCENTENNIAL.—The term “Quin-  
10 centennial” means the 500th anniversary of the dis-  
11 covery of Florida by Ponce de Leon.

12 **SEC. 4. ESTABLISHMENT OF COMMISSION.**

13 (a) ESTABLISHMENT.—There is established a com-  
14 mission to be known as the “National Commission on the  
15 Quincentennial of the discovery of Florida by Ponce de  
16 Leon”.

17 (b) DUTIES.—The Commission shall plan, encourage,  
18 coordinate, and conduct the commemoration of the Quin-  
19 centennial.

20 (c) MEMBERSHIP.—

21 (1) COMPOSITION.—The Commission shall be  
22 composed of 12 members—

23 (A) of whom 5 members shall be Repub-  
24 licans and 5 members shall be Democrats, in-  
25 cluding—

1 (i) 6 members, of whom 3 members  
2 shall be Republicans and 3 members shall  
3 be Democrats, appointed by the President;

4 (ii) 2 members, of whom 1 member  
5 shall be a Republican and 1 member shall  
6 be a Democrat, appointed by the Presi-  
7 dent, on the recommendation of the Major-  
8 ity Leader and the Minority Leader of the  
9 Senate; and

10 (iii) 2 members, of whom 1 member  
11 shall be a Republican and 1 member shall  
12 be a Democrat, appointed by the Presi-  
13 dent, on the recommendation of the Speak-  
14 er of the House of Representatives, in con-  
15 sultation with the Minority Leader of the  
16 House of Representatives; and

17 (B) including the Director of the National  
18 Park Service and the Secretary of the Smithso-  
19 nian Institution.

20 (2) CRITERIA.—A member of the Commission  
21 shall be chosen from among individuals that have  
22 demonstrated a strong sense of public service, exper-  
23 tise in the appropriate professions, scholarship, and  
24 abilities likely to contribute to the fulfillment of the  
25 duties of the Commission.

1           (3) INTERNATIONAL PARTICIPATION.—Not later  
2 than 60 days after the date of enactment of this  
3 Act, the President shall invite the Government of  
4 Spain to appoint 1 individual to serve as a nonvoting  
5 member of the Commission.

6           (4) DATE OF APPOINTMENTS.—Not later than  
7 60 days after the date of enactment of this Act, the  
8 members of the Commission described in paragraph  
9 (1) shall be appointed.

10         (d) TERM; VACANCIES.—

11           (1) TERM.—A member shall be appointed for  
12 the life of the Commission.

13           (2) VACANCY.—A vacancy on the Commis-  
14 sion—

15                 (A) shall not affect the powers of the Com-  
16 mission; and

17                 (B) shall be filled in the same manner as  
18 the original appointment was made.

19         (e) INITIAL MEETING.—Not later than 30 days after  
20 the date on which all members of the Commission have  
21 been appointed, the Commission shall hold the initial  
22 meeting of the Commission.

23         (f) MEETINGS.—The Commission shall meet at the  
24 call of the co-chairpersons described under subsection (h).

1 (g) QUORUM.—A quorum of the Commission for deci-  
2 sion making purposes shall be 7 members, except that a  
3 lesser number of members, as determined by the Commis-  
4 sion, may conduct meetings.

5 (h) CO-CHAIRPERSONS AND VICE CO-CHAIR-  
6 PERSONS.—

7 (1) CO-CHAIRPERSONS.—The President shall  
8 designate 2 of the members of the Commission, 1 of  
9 whom shall be a Republican and 1 of whom shall be  
10 a Democrat, to be co-chairpersons of the Commis-  
11 sion.

12 (2) CO-VICE-CHAIRPERSONS.—The Commission  
13 shall select 2 co-vice-chairpersons, 1 of whom shall  
14 be a Republican and 1 of whom shall be a Democrat,  
15 from among the members of the Commission.

16 **SEC. 5. DUTIES.**

17 (a) IN GENERAL.—The Commission shall—

18 (1) conduct a study regarding the feasibility of  
19 creating a National Heritage Area or National  
20 Monument to commemorate the discovery of Florida;

21 (2) plan and develop activities appropriate to  
22 commemorate the Quincentennial including a limited  
23 number of proposed projects to be undertaken by the  
24 appropriate Federal departments and agencies that  
25 commemorate the Quincentennial by seeking to har-

1 monize and balance the important goals of ceremony  
2 and celebration with the equally important goals of  
3 scholarship and education;

4 (3) consult with and encourage appropriate  
5 Federal departments and agencies, State and local  
6 governments, elementary and secondary schools, col-  
7 leges and universities, foreign governments, and pri-  
8 vate organizations to organize and participate in  
9 Quincentennial activities commemorating or exam-  
10 ining—

11 (A) the history of Florida;

12 (B) the discovery of Florida;

13 (C) the life of Ponce de Leon;

14 (D) the myths surrounding Ponce de  
15 Leon's search for gold and for the "fountain of  
16 youth";

17 (E) the exploration of Florida; and

18 (F) the beginnings of the colonization of  
19 North America; and

20 (4) coordinate activities throughout the United  
21 States and internationally that relate to the history  
22 and influence of the discovery of Florida.

23 (b) REPORTS.—

24 (1) IN GENERAL.—Not later than 1 year after  
25 the date of enactment of this Act, the Commission

1 shall submit to the President and the Committee on  
2 Energy and Natural Resources of the Senate and  
3 the Committee on Resources of the House of Rep-  
4 resentatives a comprehensive report that includes  
5 specific recommendations for—

6 (A) the allocation of financial and adminis-  
7 trative responsibility among participating enti-  
8 ties and persons with respect to commemoration  
9 of the Quincentennial; and

10 (B) the commemoration of the Quincenten-  
11 nial and related events through programs and  
12 activities, including—

13 (i) the production, publication, and  
14 distribution of books, pamphlets, films,  
15 electronic publications, and other edu-  
16 cational materials focusing on the history  
17 and impact of the discovery of Florida on  
18 the United States and the world;

19 (ii) bibliographical and documentary  
20 projects, publications, and electronic re-  
21 sources;

22 (iii) conferences, convocations, lec-  
23 tures, seminars, and other programs;

24 (iv) the development of programs by  
25 and for libraries, museums, parks and his-

1           toric sites, including international and na-  
2           tional traveling exhibitions;

3                   (v) ceremonies and celebrations com-  
4           memorating specific events;

5                   (vi) the production, distribution, and  
6           performance of artistic works, and of pro-  
7           grams and activities, focusing on the na-  
8           tional and international significance of the  
9           discovery of Florida; and

10                   (vii) the issuance of commemorative  
11           coins, medals, certificates of recognition,  
12           and stamps.

13           (2) ANNUAL REPORT.—The Commission shall  
14           submit an annual report that describes the activities,  
15           programs, expenditures, and donations of or received  
16           by the Commission to—

17                   (A) the President; and

18                   (B) the Committee on Energy and Natural  
19           Resources of the Senate and the Committee on  
20           Resources of the House of Representatives.

21           (3) FINAL REPORT.—Not later than December  
22           31, 2013, the Commission shall submit a final re-  
23           port that describes the activities, programs, expendi-  
24           tures, and donations of or received by the Commis-  
25           sion to—

1 (A) the President; and

2 (B) the Committee on Energy and Natural  
3 Resources of the Senate and the Committee on  
4 Resources of the House of Representatives.

5 (c) ASSISTANCE.—In carrying out this Act, the Com-  
6 mission shall consult, cooperate with, and seek advice and  
7 assistance from appropriate Federal departments and  
8 agencies, including the Department of the Interior.

9 **SEC. 6. POWERS OF THE COMMISSION.**

10 (a) IN GENERAL.—The Commission may provide  
11 for—

12 (1) the preparation, distribution, dissemination,  
13 exhibition, and sale of historical, commemorative,  
14 and informational materials and objects that will  
15 contribute to public awareness of, and interest in,  
16 the Quincentennial, except that any commemorative  
17 coin, medal, or postage stamp recommended to be  
18 issued by the United States shall be sold only by a  
19 Federal department or agency;

20 (2) competitions and awards for historical,  
21 scholarly, artistic, literary, musical, and other works,  
22 programs, and projects relating to the Quincenten-  
23 nial;

24 (3) a Quincentennial calendar or register of  
25 programs and projects;

1           (4) a central clearinghouse for information and  
2           coordination regarding dates, events, places, docu-  
3           ments, artifacts, and personalities of Quincentennial  
4           historical and commemorative significance; and

5           (5) the design and designation of logos, sym-  
6           bols, or marks for use in connection with the com-  
7           memoration of the Quincentennial and shall estab-  
8           lish procedures regarding their use.

9           (b) **ADVISORY COMMITTEE.**—The Commission may  
10          appoint such advisory committees as the Commission de-  
11          termines necessary to carry out the purposes of this Act.

12          **SEC. 7. ADMINISTRATION.**

13          (a) **LOCATION OF OFFICE.**—

14                 (1) **PRINCIPAL OFFICE.**—The principal office of  
15                 the Commission shall be in St. Augustine, Florida.

16                 (2) **SATELLITE OFFICE.**—The Commission may  
17                 establish a satellite office in Washington, D.C.

18          (b) **STAFF.**—

19                 (1) **APPOINTMENT OF DIRECTOR AND DEPUTY**  
20                 **DIRECTOR.**—

21                         (A) **IN GENERAL.**—The co-chairpersons,  
22                         with the advice of the Commission, may appoint  
23                         and terminate a director and deputy director  
24                         without regard to the civil service laws (includ-  
25                         ing regulations).

1 (B) DELEGATION TO DIRECTOR.—The  
2 Commission may delegate such powers and du-  
3 ties to the director as may be necessary for the  
4 efficient operation and management of the  
5 Commission.

6 (2) STAFF PAID FROM FEDERAL FUNDS.—The  
7 Commission may use any available Federal funds to  
8 appoint and fix the compensation of not more than  
9 4 additional personnel staff members, as the Com-  
10 mission determines necessary.

11 (3) STAFF PAID FROM NON-FEDERAL FUNDS.—  
12 The Commission may use any available non-Federal  
13 funds to appoint and fix the compensation of addi-  
14 tional personnel.

15 (4) COMPENSATION.—

16 (A) MEMBERS.—

17 (i) IN GENERAL.—A member of the  
18 Commission shall serve without compensa-  
19 tion.

20 (ii) TRAVEL EXPENSES.—A member  
21 of the Commission shall be allowed travel  
22 expenses, including per diem in lieu of sub-  
23 sistence, at rates authorized for an em-  
24 ployee of an agency under subchapter I of  
25 chapter 57 of title 5, United States Code,

1 while away from the home or regular place  
2 of business of the member in the perform-  
3 ance of the duties of the Commission.

4 (B) STAFF.—

5 (i) IN GENERAL.—The co-chair-  
6 persons of the Commission may fix the  
7 compensation of the director, deputy direc-  
8 tor, and other personnel without regard to  
9 the provisions of chapter 51 and sub-  
10 chapter III of chapter 53 of title 5, United  
11 States Code, relating to classification of  
12 positions and General Schedule pay rates.

13 (ii) MAXIMUM RATE OF PAY.—

14 (I) DIRECTOR.—The rate of pay  
15 for the director shall not exceed the  
16 rate payable for level IV of the Execu-  
17 tive Schedule under section 5315 of  
18 title 5, United States Code.

19 (II) DEPUTY DIRECTOR.—The  
20 rate of pay for the deputy director  
21 shall not exceed the rate payable for  
22 level V of the Executive Schedule  
23 under section 5316 of title 5, United  
24 States Code.

1 (III) STAFF MEMBERS.—The  
2 rate of pay for staff members ap-  
3 pointed under paragraph (2) shall not  
4 exceed the rate payable for grade GS-  
5 15 of the General Schedule under sec-  
6 tion 5332 of title 5, United States  
7 Code.

8 (c) DETAIL OF FEDERAL GOVERNMENT EMPLOY-  
9 EES.—

10 (1) IN GENERAL.—On request of the Commis-  
11 sion, the head of any Federal agency or department  
12 may detail any of the personnel of the agency or de-  
13 partment to the Commission to assist the Commis-  
14 sion in carrying out this Act.

15 (2) REIMBURSEMENT.—A detail of personnel  
16 under this subsection shall be without reimburse-  
17 ment by the Commission to the agency from which  
18 the employee was detailed.

19 (3) CIVIL SERVICE STATUS.—The detail of the  
20 employee shall be without interruption or loss of civil  
21 service status or privilege.

22 (d) OTHER REVENUES AND EXPENDITURES.—

23 (1) IN GENERAL.—The Commission may pro-  
24 cure supplies, services, and property, enter into con-

1 tracts, and expend funds appropriated, donated, or  
2 received to carry out contracts.

3 (2) DONATIONS.—

4 (A) IN GENERAL.—The Commission may  
5 solicit, accept, use, and dispose of donations of  
6 money, property, or personal services.

7 (B) LIMITATIONS.—Subject to subpara-  
8 graph (C), the Commission shall not accept do-  
9 nations—

10 (i) the value of which exceeds \$50,000  
11 annually, in the case of donations from an  
12 individual; or

13 (ii) the value of which exceeds  
14 \$250,000 annually, in the case of dona-  
15 tions from a person other than an indi-  
16 vidual.

17 (C) NONPROFIT ORGANIZATION.—The lim-  
18 itations in subparagraph (B) shall not apply in  
19 the case of an organization that is—

20 (i) described in section 501(c)(3) of  
21 the Internal Revenue Code of 1986; and

22 (ii) exempt from taxation under sec-  
23 tion 501(a) of the Internal Revenue Code  
24 of 1986.

1           (3) ACQUIRED ITEMS.—Any book, manuscript,  
2           miscellaneous printed matter, memorabilia, relic, and  
3           other material or property relating to the time pe-  
4           riod of the discovery of Florida acquired by the  
5           Commission may be deposited for preservation in na-  
6           tional, State, or local libraries, museums, archives,  
7           or other agencies with the consent of the depository  
8           institution.

9           (e) POSTAL SERVICES.—The Commission may use  
10          the United States mail to carry out this Act in the same  
11          manner and under the same conditions as other agencies  
12          of the Federal Government.

13       **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

14          (a) IN GENERAL.—Subject to subsection (b), there  
15          are authorized to be appropriated to carry out the pur-  
16          poses of this Act such sums as may be necessary for each  
17          of fiscal years 2005 through 2013.

18          (b) AVAILABILITY OF FUNDS.—Amounts appro-  
19          priated under this section for any fiscal year shall remain  
20          available until December 31, 2013.

21       **SEC. 9. TERMINATION OF AUTHORITY.**

22          The authority provided by this Act terminates effec-  
23          tive December 31, 2013.

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