

110TH CONGRESS
1ST SESSION

H. R. 4258

To establish the St. Augustine 450th Commemoration Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2007

Mr. MICA introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To establish the St. Augustine 450th Commemoration Commission, and for other purposes.

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 “St. Augustine 450th
5 Commemoration Commission Act of 2007”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

9 (1) The founding of the city of St. Augustine,
10 Florida, in 1565 established the first permanent Eu-

1 ropean colony and the birthplace of the Christian re-
2 ligion (particularly Roman Catholicism) in the New
3 World.

4 (2) The settlement of St. Augustine brought
5 people from throughout the Atlantic Basin together
6 to form a multicultural society, including peoples
7 from Spain, England, and the rest of Europe as well
8 as Native Americans and Africans.

9 (3) The economic, political, religious, and other
10 social institutions that have developed over the 4½
11 centuries of the continuous, uninterrupted existence
12 of St. Augustine, the oldest city in North America,
13 continue to have profound effects on the United
14 States, on cross-cultural relationships, and on the
15 economic structure, status, and international influ-
16 ence of the United States.

17 (4) The National Park Service, the State of
18 Florida, the city of St. Augustine, and the Univer-
19 sity of Florida collectively own and operate signifi-
20 cant resources related to the history of St. Augus-
21 tine.

22 (5) The city of St. Augustine has existed con-
23 tinuously since 1565 and is the governmental entity
24 responsible for planning and implementing the com-

1 memoration of the 450th anniversary of the found-
2 ing of St. Augustine.

3 (6) The city of St. Augustine has created a
4 committee to prepare for the 450th anniversary
5 commemoration, and planning for the commemora-
6 tion has been initiated.

7 (b) PURPOSE.—The purpose of this Act is to estab-
8 lish the St. Augustine 450th Commemoration Commission
9 to—

10 (1) ensure a suitable national observance of the
11 450th anniversary of the city of St. Augustine by
12 complementing the programs and activities of the
13 State of Florida and the city of St. Augustine;

14 (2) cooperate with and assist in the programs
15 and activities of the State of Florida in observance
16 of the 450th anniversary of St. Augustine;

17 (3) assist in ensuring that the St. Augustine
18 450th anniversary observances provide an excellent
19 visitor experience and beneficial interaction between
20 visitors and the natural and cultural resources of the
21 St. Augustine sites;

22 (4) assist in ensuring that the St. Augustine
23 450th anniversary observances are inclusive and ap-
24 propriately recognize the experiences of all peoples in
25 St. Augustine's history;

1 (5) provide assistance in the development of St.
2 Augustine-related programs and activities;

3 (6) facilitate international involvement in the
4 St. Augustine 450th anniversary observances;

5 (7) support and facilitate marketing efforts for
6 a commemorative coin, stamp, and related activities
7 for the St. Augustine 450th anniversary observ-
8 ances; and

9 (8) assist in the appropriate development of
10 heritage tourism and economic benefits to the
11 United States through the commemoration of the
12 450th anniversary of the city of St. Augustine.

13 **SEC. 3. DEFINITIONS.**

14 In this Act—

15 (1) **COMMEMORATION.**—The term “commemo-
16 ration” means the commemoration of the 450th an-
17 niversary of the founding of the settlement of St.
18 Augustine.

19 (2) **COMMISSION.**—The term “Commission”
20 means the St. Augustine 450th Commemoration
21 Commission established by section 4.

22 (3) **GOVERNOR.**—The term “Governor” means
23 the Governor of the State of Florida.

24 (4) **SECRETARY.**—The term “Secretary” means
25 the Secretary of the Interior.

1 (5) STATE.—

2 (A) IN GENERAL.—The term “State”
3 means the State of Florida.

4 (B) INCLUSION.—The term “State” in-
5 cludes agencies and entities of the State of
6 Florida.

7 **SEC. 4. ESTABLISHMENT.**

8 There is established a commission to be known as the
9 St. Augustine 450th Commemoration Commission.

10 **SEC. 5. DUTIES.**

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

12 (1) plan, develop, and execute programs and ac-
13 tivities appropriate to commemorate the 450th anni-
14 versary of the founding of St. Augustine, Florida;

15 (2) generally facilitate St. Augustine commemo-
16 ration-related activities throughout the United
17 States;

18 (3) encourage civic, patriotic, historical, edu-
19 cational, religious, economic, and other organizations
20 throughout the United States to organize and par-
21 ticipate in anniversary activities to expand under-
22 standing and appreciation of the significance of the
23 founding and continuing history of St. Augustine;

1 (4) coordinate and facilitate scholarly research
2 on, publication about, and interpretation of, St. Au-
3 gustine for the education of the public; and

4 (5) ensure that the 450th anniversary of St.
5 Augustine provides a lasting legacy and long-term
6 public benefit for the United States by assisting in
7 the development of appropriate programs and facili-
8 ties to accommodate those programs.

9 (b) PLANS; REPORTS.—

10 (1) STRATEGIC PLAN; ANNUAL PERFORMANCE
11 PLANS.—In accordance with the Government Per-
12 formance and Results Act of 1993, the Commission
13 shall prepare a strategic plan and annual perform-
14 ance plans for the activities of the Commission car-
15 ried out under this Act.

16 (2) FINAL REPORT.—Not later than December
17 31, 2015, the Commission shall complete a final re-
18 port that contains—

19 (A) a summary of the activities of the
20 Commission;

21 (B) a final accounting of funds received
22 and expended by the Commission; and

23 (C) the findings and recommendations of
24 the Commission.

1 **SEC. 6. MEMBERSHIP.**

2 (a) IN GENERAL.—The Commission shall be com-
3 posed of 16 members, of whom—

4 (1) 3 members shall be appointed by the Sec-
5 retary, taking into consideration the recommenda-
6 tions of the St. Augustine City Commission;

7 (2) 3 members shall be appointed by the Sec-
8 retary, taking into consideration the recommenda-
9 tions of the Governor;

10 (3) 1 member shall be an employee of the Na-
11 tional Park Service having experience relevant to the
12 historic resources relating to the city of St. Augus-
13 tine and the commemoration, to be appointed by the
14 Secretary;

15 (4) 1 member shall be the Mayor of the city of
16 St. Augustine (or a designee);

17 (5) 1 member shall be an employee of the State
18 University System of Florida, to be appointed by the
19 Secretary; and

20 (6) 5 members shall be individuals who are non-
21 residents of the State of Florida who have an inter-
22 est in, support for, and expertise appropriate to the
23 commemoration, to be appointed by the Secretary,
24 taking into consideration the recommendation of
25 Congress.

1 (b) TIME OF APPOINTMENT.—Each initial appoint-
2 ment of a member of the Commission shall be made before
3 the expiration of the 120-day period beginning on the date
4 of the enactment of this Act.

5 (c) TERM; VACANCIES.—

6 (1) TERM.—A member of the Commission shall
7 be appointed for the life of the Commission, unless
8 a designee is appointed pursuant to subsection
9 (a)(4).

10 (2) VACANCIES.—

11 (A) IN GENERAL.—A vacancy on the Com-
12 mission shall be filled in the same manner in
13 which the original appointment was made.

14 (B) PARTIAL TERM.—A member appointed
15 to fill a vacancy on the Commission shall serve
16 for the remainder of the term for which the
17 predecessor of the member was appointed.

18 (3) CONTINUATION OF MEMBERSHIP.—If a
19 member of the Commission was appointed to the
20 Commission as Mayor of the city of St. Augustine
21 or as an employee of the National Park Service or
22 the State University System of Florida, and ceases
23 to hold such position, that member may continue to
24 serve on the Commission for not longer than the 30-

1 day period beginning on the date that member
2 ceases to hold such position.

3 (d) MEETINGS.—

4 (1) IN GENERAL.—The Commission shall
5 meet—

6 (A) at least 3 times each year; or

7 (B) at the call of the Chairperson or the
8 majority of the members of the Commission.

9 (2) INITIAL MEETING.—Not later than 30 days
10 after the date on which all members of the Commis-
11 sion have been appointed, the Commission shall hold
12 the initial meeting of the Commission.

13 (e) VOTING.—

14 (1) IN GENERAL.—The Commission shall act
15 only on an affirmative vote of a majority of the
16 members of the Commission.

17 (2) QUORUM.—A majority of the Commission
18 shall constitute a quorum.

19 (f) CHAIRPERSON.—The Secretary shall appoint a
20 Chairperson of the Commission, taking into consideration
21 any recommendations of the Governor.

22 (g) COMPENSATION.—

23 (1) IN GENERAL.—Except as provided in para-
24 graph (2), a member of the Commission shall serve
25 without compensation.

1 (2) FEDERAL EMPLOYEES.—A member of the
2 Commission who is an officer or employee of the
3 Federal Government shall serve without compensa-
4 tion other than the compensation received for the
5 services of the member as an officer or employee of
6 the Federal Government.

7 (3) TRAVEL EXPENSES.—A member of the
8 Commission shall be allowed travel expenses, includ-
9 ing per diem in lieu of subsistence, at rates author-
10 ized for an employee of an agency under subchapter
11 I of chapter 57 of title 5, United States Code, while
12 away from the home or regular place of business of
13 the member in the performance of the duties of the
14 Commission.

15 **SEC. 7. DIRECTOR AND STAFF.**

16 (a) IN GENERAL.—The Chairperson of the Commis-
17 sion may, without regard to the provisions of title 5,
18 United States Code, appoint and terminate an executive
19 director and such other additional personnel as are nec-
20 essary to enable the Commission to perform the duties of
21 the Commission.

22 (b) CONFIRMATION OF EXECUTIVE DIRECTOR.—The
23 employment of an executive director shall be subject to
24 confirmation by the Commission.

25 (c) COMPENSATION.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), the Chairperson of the Commission may
3 fix the compensation of the executive director and
4 other personnel without regard to the provisions of
5 chapter 51 and subchapter III of chapter 53 of title
6 5, United States Code, relating to classification of
7 positions and General Schedule pay rates.

8 (2) MAXIMUM RATE OF PAY.—The rate of pay
9 for the executive director and other personnel shall
10 not exceed the rate payable for level V of the Execu-
11 tive Schedule under section 5316 of title 5, United
12 States Code.

13 (d) DETAIL OF GOVERNMENT EMPLOYEES.—

14 (1) FEDERAL EMPLOYEES.—

15 (A) IN GENERAL.—At the request of the
16 Commission, the head of any Federal agency
17 may detail, on a reimbursable or non-reimburs-
18 able basis, any of the personnel of the agency
19 to the Commission to assist the Commission in
20 carrying out the duties of the Commission
21 under this Act. Any reimbursement under this
22 paragraph shall be credited to the appropria-
23 tion, fund, or account used for paying the
24 amounts reimbursed.

1 (B) CIVIL SERVICE STATUS.—The detail of
2 an employee under subparagraph (A) shall be
3 without interruption or loss of civil service sta-
4 tus or privilege.

5 (2) STATE EMPLOYEES.—The Commission
6 may—

7 (A) accept the services of personnel de-
8 tailed from the State; and

9 (B) reimburse the State for services of de-
10 tailed personnel.

11 (e) VOLUNTEER AND UNCOMPENSATED SERVICES.—
12 Notwithstanding section 1342 of title 31, United States
13 Code, the Commission may accept and use voluntary and
14 uncompensated services as the Commission determines
15 necessary.

16 (f) SUPPORT SERVICES.—The Director of the Na-
17 tional Park Service shall provide to the Commission, on
18 a reimbursable basis, such administrative support services
19 as the Commission may request. Any reimbursement
20 under this paragraph shall be credited to the appropria-
21 tion, fund, or account used for paying the amounts reim-
22 bursed.

23 (g) PROCUREMENT OF TEMPORARY AND INTERMIT-
24 TENT SERVICES.—The Chairperson of the Commission
25 may procure temporary and intermittent services in ac-

1 cordance with section 3109(b) of title 5, United States
2 Code, at rates for individuals that do not exceed the daily
3 equivalent of the annual rate of basic pay prescribed for
4 level V of the Executive Schedule under section 5316 of
5 such title.

6 (h) FACA NONAPPLICABILITY.—Section 14(b) of the
7 Federal Advisory Committee Act (5 U.S.C. App.) shall not
8 apply to the Commission.

9 (i) NO EFFECT ON AUTHORITY.—Nothing in this
10 section supersedes the authority of the State, the National
11 Park Service, the city of St. Augustine, or any designee
12 of the foregoing, concerning the commemoration.

13 **SEC. 8. POWERS.**

14 (a) IN GENERAL.—The Commission may—

15 (1) accept donations and make dispersions of
16 money, personal services, and real and personal
17 property related to St. Augustine and the signifi-
18 cance of St. Augustine in the history of the United
19 States;

20 (2) appoint such advisory committees as the
21 Commission determines to be necessary to carry out
22 this Act;

23 (3) authorize any member or employee of the
24 Commission to take any action that the Commission
25 is authorized to take by this Act;

1 (4) procure supplies, services, and property, and
2 make or enter into contracts, leases, and other legal
3 agreements, to carry out this Act (except that any
4 contracts, leases, and other legal agreements made
5 or entered into by the Commission shall not extend
6 beyond the date of termination of the Commission);

7 (5) use the United States mails in the same
8 manner and under the same conditions as other
9 Federal agencies;

10 (6) make grants in amounts not to exceed
11 \$10,000 per grant to communities and nonprofit or-
12 ganizations to develop programs to assist in the
13 commemoration;

14 (7) make grants to research and scholarly orga-
15 nizations to research, publish, or distribute informa-
16 tion relating to the early history of St. Augustine;
17 and

18 (8) provide technical assistance to States, local-
19 ities, and nonprofit organizations to further the com-
20 memoration.

21 (b) TERMINATION.—The Commission shall terminate
22 on December 31, 2015.

23 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

24 There are authorized to be appropriated such sums
25 as are necessary to carry out this Act, and such appro-

1 priated sums shall not expire and shall remain until ex-
2 pended.

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