

H.R. 3465 Analysis

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H. R. 3465/ S. 1969	BACKGROUND AND BILL STATUS
<p>To authorize the Fallen Journalists Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.</p> <p>IN THE HOUSE OF REPRESENTATIVES June 25, 2019</p> <p>Mrs. Napolitano (for herself, Mr. Cole, Mr. Sarbanes, Mr. McGovern, Mr. Cárdenas, Mr. Huffman, Mr. Cisneros, Mr. Carbajal, Ms. Brownley of California, Ms. Castor of Florida, Mr. Kind, Ms. Matsui, Mr. Grijalva, Mr. Thompson of California, Mr. Luján, Ms. Speier, and Mr. Sherman) introduced the following bill; which was referred to the Committee on Natural Resources</p> <p>A BILL</p> <p>To authorize the Fallen Journalists Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.</p> <p>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</p> <p>SECTION 1. SHORT TITLE.</p> <p>This Act may be cited as the “Fallen Journalists Memorial Act of 2019”.</p> <p>SEC. 2. ESTABLISHMENT OF MEMORIAL TO COMMEMORATE AMERICA’S COMMITMENT TO A FREE PRESS BY HONORING JOURNALISTS WHO HAVE SACRIFICED THEIR LIVES IN SERVICE TO THAT CAUSE.</p> <p>(a) Commemorative Work Authorized.—The Fallen Journalists Memorial Foundation may establish a commemorative work on Federal land depicted as “Area I” or “Area II” on the map numbered 869/86501 B and dated June 24, 2003 (not including the Reserve as defined in section</p>	<p>H.R. 3465 was introduced by Congresswoman Grace Napolitano (D-CA-32) on June 25, 2019. It was referred to the House Natural Resources Committee, Subcommittee on National Parks, Forests, and Public Lands. Companion bill S. 1969 was introduced in the Senate on June 25, 2019 by Senator Ben Cardin (D-MD) on behalf of himself, Senator Chris Van Hollen (D-MD), and Senator Rob Portman (R-OH). No further action has been taken on either bill.</p> <p>This legislation was introduced on the 1-year anniversary of the shooting of seven employees of the Annapolis Gazette newspaper. Five people died, two others were wounded.</p> <p>ANALYSIS</p> <p>The bill authorizes the Fallen Journalists Memorial (FJM) Foundation to establish a commemorative work--a memorial--in the District of Columbia or its environs honoring journalists killed in the line of duty, defending freedom of the press.</p>

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<p>8902(a) of title 40, United States Code) to commemorate the sacrifices made by journalists working as guardians of democracy and for a free and independent press.</p> <p>(b) Compliance With Standards For Commemorative Works.—Chapter 89 of title 40, United States Code, and other applicable Federal laws and regulations shall apply to the establishment of the commemorative work authorized by this section.</p> <p>(c) Prohibition On Use Of Federal Funds; Payment Of Expenses.—</p> <p>(1) IN GENERAL.—The Fallen Journalists Memorial Foundation may not use Federal funds to establish the commemorative work authorized by this section.</p> <p>(2) RESPONSIBILITY OF THE FALLEN JOURNALISTS MEMORIAL FOUNDATION.—The Fallen Journalists Memorial Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the commemorative work under this section.</p> <p>(d) Deposit Of Excess Funds.—</p> <p>(1) UPON ESTABLISHMENT OF COMMEMORATIVE WORK.—If, upon payment of all expenses for the establishment of the commemorative work authorized by this section (including the maintenance and preservation amounts required by section 8906(b)(1) of title 40, United States Code), there remains a balance of funds received for the establishment of the commemorative work, the Fallen Journalists Memorial Foundation shall transmit the amount of the balance to the account provided for in section 8906(b)(3) of such title.</p> <p>(2) UPON EXPIRATION OF AUTHORITY TO ESTABLISH COMMEMORATIVE WORK.—If, upon expiration of the authority for the commemorative work under section 8903(e) of title</p>	<p>The legislation does not comply with the CWA requirement that “a commemorative work commemorating an event, individual, or group of individuals, may not be authorized until after the 25th anniversary of the event, death of the individual, or death of the last surviving member of the group”. The commemorative work would honor all fallen journalists, regardless of their death date.</p>

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40, United States Code, there remains a balance of funds received for the establishment of the commemorative work, the Fallen Journalists Memorial Foundation shall transmit the amount of the balance to a separate account with the National Park Foundation for memorials, to be available to the Secretary of the Interior or Administrator of General Services (as appropriate) following the process provided in section 8906(b)(4) of such title for accounts established under section 8906(b)(3) of such title.