

Calendar No. 348

116TH CONGRESS
1ST SESSION

S. 389

To authorize the Society of the First Infantry Division to make modifications to the First Division Monument located on Federal land in Presidential Park in the District of Columbia, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2019

Mr. MORAN (for himself and Mr. ROBERTS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

DECEMBER 17, 2019

Reported by Ms. MURKOWSKI, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To authorize the Society of the First Infantry Division to make modifications to the First Division Monument located on Federal land in Presidential Park in the District of Columbia, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “First Infantry Rec-
3 ognition of Sacrifice in Theater Act” or the “FIRST Act”.

4 **SEC. 2. MODIFICATION TO FIRST DIVISION MONUMENT.**

5 (a) **AUTHORIZATION.**—

6 (1) **IN GENERAL.**—The Society of the First In-
7 fantry Division, an organization described in section
8 501(c)(3) of the Internal Revenue Code of 1986 and
9 exempt from taxation under section 501(a) of that
10 Code, may make modifications, including construc-
11 tion of additional plaques and stone plinths on which
12 to put plaques, to the First Division Monument lo-
13 cated on Federal land in Presidential Park in the
14 District of Columbia that was set aside for memorial
15 purposes of the First Infantry Division, to honor the
16 members of the First Infantry Division who made
17 the ultimate sacrifice during United States oper-
18 ations, including Operation Desert Storm, Operation
19 Iraqi Freedom and New Dawn, and Operation En-
20 during Freedom.

21 (2) **COLLABORATION.**—The First Infantry Divi-
22 sion at the Department of the Army shall collaborate
23 with the Department of Defense to provide to the
24 Society of the First Infantry Division the list of
25 names to be added to the First Division Monument
26 under paragraph (1).

1 (b) ~~NONAPPLICABILITY OF COMMEMORATIVE WORKS~~
 2 ~~ACT.~~—Subsections (b) and (c) of section 8903 of title 40,
 3 United States Code (commonly known as the “Commemo-
 4 rative Works Act”), shall not apply to any activity carried
 5 out pursuant to subsection (a).

6 (c) ~~FUNDING.~~—Federal funds may not be used to pay
 7 any expense of the activities of the Society of the First
 8 Infantry Division authorized by this section.

9 **SECTION 1. SHORT TITLE.**

10 *This Act may be cited as the “First Infantry Recogni-*
 11 *tion of Sacrifice in Theater Act” or the “FIRST Act”.*

12 **SEC. 2. MODIFICATION TO FIRST DIVISION MONUMENT.**

13 (a) *AUTHORIZATION.*—*The Society of the First Infan-*
 14 *try Division may make modifications to the First Division*
 15 *Monument located on Federal land in President’s Park in*
 16 *the District of Columbia to honor the dead of the First In-*
 17 *fantry Division, United States Forces, in—*

- 18 (1) *Operation Desert Storm;*
 19 (2) *Operation Iraqi Freedom and New Dawn;*
 20 *and*
 21 (3) *Operation Enduring Freedom.*

22 (b) *MODIFICATIONS.*—*Modifications to the First Divi-*
 23 *sion Monument may include construction of additional*
 24 *plaques and stone plinths on which to put plaques.*

1 (c) *APPLICABILITY OF COMMEMORATIVE WORKS*
 2 *ACT.*—Chapter 89 of title 40, United States Code (com-
 3 monly known as the “Commemorative Works Act”), shall
 4 apply to the design and placement of the commemorative
 5 elements authorized by this Act, except that subsections (b)
 6 and (c) of section 8903 shall not apply.

7 (d) *COLLABORATION.*—The First Infantry Division of
 8 the Department of the Army shall collaborate with the Sec-
 9 retary of Defense to provide to the Society of the First In-
 10 fantry Division the list of names to be added to the First
 11 Division Monument in accordance with subsection (a).

12 (e) *FUNDING.*—Federal funds may not be used for
 13 modifications of the First Division Monument authorized
 14 by this Act.

Amend the title so as to read: “A bill to authorize the Society of the First Infantry Division to make modifications to the First Division Monument located on Federal land in President’s Park in the District of Columbia, and for other purposes.”.

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