

REPUBLIC OF TEXAS LEGATION MEMORIAL ACT

MAY 27, 2020.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 3349]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3349) to authorize the Daughters of the Republic of Texas to establish the Republic of Texas Legation Memorial as a commemorative work in the District of Columbia, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Republic of Texas Legation Memorial Act”.

SEC. 2. AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.

(a) **IN GENERAL.**—The Daughters of the Republic of Texas may establish a commemorative work on Federal land in the District of Columbia and its environs to commemorate and honor those who, as representatives of the Republic of Texas, served in the District of Columbia as diplomats to the United States and made possible the annexation of Texas as the twenty-eighth State of the United States.

(b) **COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.**—The establishment of the commemorative work under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the “Commemorative Works Act”).

(c) **PROHIBITION ON THE USE OF FEDERAL FUNDS.**—

(1) **IN GENERAL.**—Federal funds may not be used to pay any expense of the establishment of the commemorative work under this section.

(2) **RESPONSIBILITY OF THE DAUGHTERS OF THE REPUBLIC OF TEXAS.**—The Daughters of the Republic of Texas shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the commemorative work under this section.

(d) **DEPOSIT OF EXCESS FUNDS.**—

(1) **IN GENERAL.**—If upon payment of all expenses for the establishment of the memorial (including the maintenance and preservation amount required by sec-

tion 8906(b)(1) of title 40, United States Code), there remains a balance of funds received for the establishment of the commemorative work, the Daughters of the Republic of Texas shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

(2) ON EXPIRATION OF AUTHORITY.—If upon expiration of the authority for the commemorative work under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the commemorative work, the Daughters of the Republic of Texas shall transmit the balance to a separate account with the National Park Foundation for memorials, to be available to the Secretary of the Interior or the Administrator (as appropriate) following the process provided in section 8906(b)(4) of title 40, United States Code, for accounts established under section 8906(b)(2) or (3) of title 40, United States Code.

PURPOSE OF THE BILL

The purpose of H.R. 3349 is to authorize the Daughters of the Republic of Texas to establish the Republic of Texas Legation Memorial as a commemorative work in the District of Columbia and its environs, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

In 1836, the Republic of Texas declared its independence from Mexico. As an independent country, the Republic of Texas sent diplomats to several countries, including the United States, France, and England, to represent the Republic's interests. While the Texas Legation in Paris and London had permanent locations, the diplomats in Washington, D.C., worked out of their boarding houses.¹ From 1836 to 1845, the Texas Legation negotiated the terms by which Texas would join the United States and, in 1845, the United States annexed the Republic of Texas. Although a plaque in London and a carved stone in Paris have been erected to recognize the role the Texas Legation played in each country, no such commemorative work exists in the United States.

H.R. 3349 would authorize the Daughters of the Republic of Texas to establish a commemorative work on federal land in the District of Columbia and its environs in honor of the Texas Legation. The legislation stipulates that the monument would be established in accordance with the Commemorative Works Act and without the use of federal funds.

COMMITTEE ACTION

H.R. 3349 was introduced on June 19, 2019, by Representative Lloyd Doggett (D–TX). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests, and Public Lands. On December 4, 2019, the Subcommittee held a hearing on the bill. On March 11, 2020, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Chair Raúl M. Grijalva (D–AZ) offered an amendment in the nature of a substitute. The amendment was agreed to by unanimous consent. The bill, as amended, was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

¹Tom Benning, *Republic of Texas Diplomats Are Honored in Paris and London. Why Not in Washington?*, DALLAS MORNING NEWS (Aug.28, 2018, 6:45 AM), <https://www.dallasnews.com/news/texana/2018/08/28/republic-of-texas-diplomats-are-honored-in-paris-and-london-why-not-in-washington/>.

HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—the following hearing was used to develop or consider H.R. 3349: legislative hearing by the Subcommittee on National Parks, Forests, and Public Lands held on December 4, 2019.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL
BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 4, 2020.

Hon. RAÚL M. GRIJALVA,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3349, the Republic of Texas Legation Memorial Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is David Hughes.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

| H.R. 3349, Republic of Texas Legation Memorial Act | | | |
|--|------|-------------------------------------|---------------|
| As ordered reported by the House Committee on Natural Resources on March 11, 2020 | | | |
| By Fiscal Year, Millions of Dollars | 2020 | 2020-2025 | 2020-2030 |
| Direct Spending (Outlays) | 0 | * | * |
| Revenues | 0 | 0 | 0 |
| Increase or Decrease (-) in the Deficit | 0 | * | * |
| Spending Subject to Appropriation (Outlays) | 0 | 0 | not estimated |
| Statutory pay-as-you-go procedures apply? | Yes | Mandate Effects | |
| Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2031? | No | Contains intergovernmental mandate? | No |
| | | Contains private-sector mandate? | No |
| * = between -\$500,000 and zero. | | | |

H.R. 3349 would authorize the nonprofit Daughters of the Republic of Texas to establish a commemorative work in or near Washington, D.C. The bill would prohibit the use of federal funds to establish the memorial.

The project would be subject to the provisions of the Commemorative Works Act. Under that act, any entity that receives a construction permit for a commemorative work must donate an amount equal to 10 percent of the memorial's estimated construction costs to the National Park Foundation, a nonprofit organization whose subsequent donations to the National Park Service are recorded on the budget. That donation and any project funds remaining after construction would be available for maintenance of the memorial without further appropriation.

Based on similar projects, CBO expects that any amounts collected by the federal government for maintenance of the monument would not be received for several years and would be offset by expenditure soon thereafter. Thus, CBO estimates that the bill's net effect on direct spending would be negligible.

The CBO staff contact for this estimate is David Hughes. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to authorize the Daughters of the Republic of Texas to establish the Republic of Texas Legation Memorial as a commemorative work in the District of Columbia and its environs.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

This bill contains no unfunded mandates.

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes to existing law.

SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS

None.

