

105TH CONGRESS
2^D SESSION

H. R. 4354

To establish the United States Capitol Police Memorial Fund on behalf of the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 1998

Mr. GINGRICH (for himself, Mr. ARMEY, Mr. DELAY, Mr. HASTERT, Mr. BOEHNER, Ms. DUNN, Ms. PRYCE of Ohio, Mr. THOMAS, Mr. GEPHARDT, Mr. BONIOR, Mr. FAZIO of California, Mrs. KENNELLY of Connecticut, Mr. GEJDENSON, Mr. DAVIS of Virginia, and Mr. WYNN) introduced the following bill; which was referred to the Committee on House Oversight, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the United States Capitol Police Memorial Fund on behalf of the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police.

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. ESTABLISHMENT OF UNITED STATES CAPITOL**
2 **POLICE MEMORIAL FUND.**

3 There is hereby established in the Treasury of the
4 United States the United States Capitol Police Memorial
5 Fund (hereafter in this Act referred to as the “Fund”).
6 All amounts received by the Capitol Police Board which
7 are designated for deposit into the Fund shall be deposited
8 into the Fund.

9 **SEC. 2. PAYMENTS FROM FUND FOR FAMILIES OF DETEC-**
10 **TIVE GIBSON AND PRIVATE FIRST CLASS**
11 **CHESTNUT.**

12 Subject to the regulations issued under section 4,
13 amounts in the Fund shall be paid to the families of De-
14 tective John Michael Gibson and Private First Class Jacob
15 Joseph Chestnut of the United States Capitol Police as
16 follows:

17 (1) 50 percent of such amounts shall be paid to
18 the widow and children of Detective Gibson.

19 (2) 50 percent of such amounts shall be paid to
20 the widow and children of Private First Class Chest-
21 nut.

22 **SEC. 3. TAX TREATMENT OF FUND.**

23 (a) CONTRIBUTIONS TO FUND.—For purposes of the
24 Internal Revenue Code of 1986, any contribution or gift
25 to or for the use of the Fund shall be treated as a con-
26 tribution or gift for exclusively public purposes to or for

1 the use of an organization described in section 170(e)(1)
2 of such Code.

3 (b) TREATMENT OF PAYMENTS FROM FUND.—Any
4 payment from the Fund shall not be subject to any Fed-
5 eral, State, or local income or gift tax.

6 (c) EXEMPTION.—For purposes of such Code, not-
7 withstanding section 501(c)(1)(A) of such Code, the Fund
8 shall be treated as described in section 501(e)(1) of such
9 Code and exempt from tax under section 501(a) of such
10 Code.

11 **SEC. 4. ADMINISTRATION BY CAPITOL POLICE BOARD.**

12 The Capitol Police Board shall administer and man-
13 age the Fund (including establishing the timing and man-
14 ner of making payments under section 2) in accordance
15 with regulations issued by the Board, subject to the ap-
16 proval of the Committee on Rules and Administration of
17 the Senate and the Committee on House Oversight of the
18 House of Representatives. Under such regulations, the
19 Board shall pay any balance remaining in the Fund upon
20 the expiration of the 6-month period which begins on the
21 date of the enactment of this Act to the families of Detec-
22 tive John Michael Gibson and Private First Class Jacob
23 Joseph Chestnut in accordance with section 2, and shall

- 1 disburse any amounts in the Fund after the expiration of
- 2 such period in such manner as the Board may establish.

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