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Monuments and Memorials Authorized Under the Commemorative Works Act in the District of Columbia: Current Development of In-Progress and Lapsed Works

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Summary

Under the Commemorative Works Act (CWA) of 1986, Congress may authorize commemorative works to be placed in the District of Columbia or its environs. Once a commemorative work has been authorized, Congress continues to be responsible for statutorily designating a memorial site location.

This report provides a status update on 10 in-progress memorials, 7 memorials with lapsed authorizations, and 1 with a repealed authorization. For each monument or memorial, the report provides a rationale for the work as expressed in the *Congressional Record* or a House or Senate committee report; its statutory authority; the group or groups sponsoring the commemoration; and the memorial's location (or proposed location), if known. A picture or rendering of each work is also included, when available.

For more information on the Commemorative Works Act, see CRS Report R41658, *Commemorative Works in the District of Columbia: Background and Practice*, by Jacob R. Straus; CRS Report R43241, *Monuments and Memorials in the District of Columbia: Analysis and Options for Proposed Exemptions to the Commemorative Works Act*, by Jacob R. Straus; and CRS Report R43743, *Monuments and Memorials Authorized and Completed Under the Commemorative Works Act in the District of Columbia*, by Jacob R. Straus.

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Introduction

Since November 1986, the Commemorative Works Act (CWA) has provided the legal framework for the placement of commemorative works in the District of Columbia. The CWA was enacted to establish a statutory process for ensuring "that future commemorative works in areas administered by the National Park Service (NPS) and the General Services Administration (GSA) in the District of Columbia and its environs (1) are appropriately designed, constructed, and located and (2) reflect a consensus of the lasting significance of the subjects involved."[1] Areas administered by other agencies are not subject to the CWA. Responsibility for overseeing the design, construction, and maintenance of such works was delegated to the Secretary of the Interior or the Administrator of the GSA,[2] the National Capital Planning Commission (NCPC), and the U.S. Commission of Fine Arts (CFA). Additionally, the CWA restricts placement of commemorative works to certain areas of the District of Columbia based on the subject's historic importance.

Pursuant to the CWA, locating a commemorative work on federally owned and administered land in the District of Columbia requires the federal government to maintain the memorial unless otherwise stipulated in the enabling legislation. In some cases, however, authorized memorials are ultimately sited on land that falls outside of CWA jurisdiction and outside the boundaries of the District of Columbia and its environs. For example, the Air Force Memorial was authorized by Congress for placement on land owned and administered by either NPS or GSA in the District of Columbia. Memorial organizers, however, chose a site near the Pentagon in Arlington, VA, that is owned and administered by the Department of Defense. Consequently, the Department of Defense, not the NPS or GSA, is responsible for maintenance.

This report highlights in-progress works and memorials with lapsed authorizations since the passage of the CWA in 1986. The report provides information—located within text boxes for easy reference—on the statute(s) authorizing the work; the sponsor organization; statutory legislative extensions, if any;[3] and the memorial's location or proposed location, if known. A picture or rendering of each work is also included, when available.

Commemorative Works Areas of the District of Columbia

The CWA divides areas administered by the NPS and the GSA in the District of Columbia and its environs into three sections for the placement of memorials: the Reserve, Area I, and Area II. For

[1] 40 U.S.C. §8901(4).

[2] Whether oversight of the design, construction, and maintenance of commemorative works authorized pursuant to the Commemorative Works Act falls to the Secretary of the Interior or the Administrator of the General Services Administration is determined by who administers the land on which the memorial is to be constructed. In all cases to date, the Secretary of the Interior has been the oversight official, as all authorized commemorative works have been placed or are scheduled to be placed on National Park Service land.

[3] Pursuant to the Commemorative Works Act (40 U.S.C. §8903(e)(1)), all sponsor groups are provided with a seven-year period to complete the work necessary to complete (i.e., dedicate) the memorial. This time period can be extended administratively if the Secretary of the Interior or the Administrator of General Services issues a construction permit, or if Congress amends the initial statute to provide for additional time to complete the memorial's design and construction. For more information, see CRS Report R41658, *Commemorative Works in the District of Columbia: Background and Practice*, by Jacob R. Straus.

each area, the standards for memorial placement are specified in law, and congressional approval of monument location is required.

Reserve

The Reserve was created in November 2003, by P.L. 108-126, to prohibit the addition of future memorials in an area defined as "the great cross-axis of the Mall, which generally extends from the United States Capitol to the Lincoln Memorial, and from the White House to the Jefferson Memorial."[4] Under the act, this area is considered "a substantially completed work of civic art."[5] Within this area, "to preserve the integrity of the Mall … the siting of new commemorative works is prohibited."[6]

Area I

Created as part of the original CWA in 1986, Area I is reserved for commemorative works of "preeminent historical and lasting significance to the United States."[7] Area I is roughly bounded by the West Front of the Capitol; Pennsylvania Avenue NW (between 1st and 15th Streets NW); Lafayette Square; 17th Street NW (between H Street and Constitution Avenue); Constitution Avenue NW (between 17th and 23rd Streets); the John F. Kennedy Center for the Performing Arts waterfront area; Theodore Roosevelt Island; National Park Service land in Virginia surrounding the George Washington Memorial Parkway; the 14th Street Bridge area; and Maryland Avenue SW, from Maine Avenue SW, to Independence Avenue SW, at the U.S. Botanic Garden.

Area II

Also created as part of the original CWA statute, Area II is reserved for "subjects of lasting historical significance to the American people."[8] Area II encompasses all sections of the District of Columbia and its environs not part of the Reserve or Area I.

Factors Potentially Influencing Commemorative Works' Completion

Several factors may affect a memorial foundation's ability to complete a memorial. These include settling on a desired site location, getting design approval, and raising the funds necessary to design and build a commemorative work.

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[4] 40 U.S.C. §8902.

[5] P.L. 108-126, §202(a), 117 Stat. 1348, November 17, 2003.

[6] 40 U.S.C. §8901 note; and 40 U.S.C. §8908(c). The placement of museums and visitors centers is also prohibited under 40 U.S.C. §8905(b)(5) and 40 U.S.C. §8908(c).

[7] 40 U.S.C. §8908 (b)(1). The Secretary of the Interior or the Administrator of General Services, after seeking the advice of the National Capital Memorial Advisory Commission, can recommend that a memorial be placed in Area I. If either the Secretary or the Administrator recommends placement in Area I, he or she must notify the House Committee on Natural Resources and the Senate Committee on Energy and Natural Resources. The Secretary or the Administrator notifies Congress by sending a letter to the Speaker of the House and the President of the Senate. If the recommendation is not enacted into law within 150 calendar days, the recommendation is not adopted and the memorial sponsor must consider sites in Area II.

[8] 40 U.S.C. §8908(b)(2).

Site Location

Choosing a memorial site location is one of the biggest tasks for all authorized sponsor groups. Many groups want locations on or near the National Mall. The creation of the Reserve in 2003,[9] however, makes placement of a future memorial on the National Mall difficult. Subsequently, many sponsor groups attempt to locate sites as close to the National Mall as possible in order to ensure that visitors have easy access to the memorial. For example, the Dwight D. Eisenhower Memorial is to be located on land directly south of the Smithsonian National Air and Space Museum, thus providing a prominent—just off the Mall—location.

Likewise, the foundation previously authorized to construct a memorial to honor John Adams and his family's legacy evaluated site locations as close to the National Mall as possible.

Design Approval

In 1986, as part of the CWA, Congress authorized the NCPC and the CFA to approve memorial designs. The NCPC and the CFA were tasked with carrying out the goals of the CWA, which are

> (1) to preserve the integrity of the comprehensive design of the L'Enfant and McMillan plans for the Nation's Capital; (2) to ensure the continued public use and enjoyment of open space in the District of Columbia and its environs, and to encourage the location of commemorative works within the urban fabric of the District of Columbia; (3) to preserve, protect, and maintain the limited amount of open space available to residents of, and visitors to, the Nation's Capital; and (4) to ensure that future commemorative works in areas administered by the National Park Service and the Administrator of General Services in the District of Columbia and its environs are … appropriately designed, constructed, and located; and … reflect a consensus of lasting national significance of the subjects involved.[10]

In some instances, sponsor groups have difficulty creating a memorial vision that meets the specifications of the NCPC, CFA, and the National Capital Memorial Advisory Commission (NCMAC). In these cases, groups will often have to present multiple designs to these bodies before getting final design approval. For example, the Eisenhower Memorial Commission has presented variations on the design for the Eisenhower Memorial to the NCPC multiple times.[11] In all instances, the NCPC gave feedback to the memorial design team and asked them to continue work to comply with NCPC guidelines for memorial construction.[12]

Fundraising

Perhaps the most challenging step in the commemorative works process for many sponsor groups is raising the necessary funds to design and build a commemorative work. Although most sponsor groups do not anticipate fundraising difficulties, some groups have experienced challenges. Failure to raise the necessary funds can be used as a reason not to extend a memorial's

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[9] P.L. 108-126, §202, 117 Stat. 1349, November 5, 2003.

[10] 40 U.S.C. §8901.

[11] For example, the National Capital Planning Commission's web page on the Eisenhower Memorial lists five formal presentations by the Eisenhower Memorial Commission. For more information, see National Capital Planning Commission, "Dwight D. Eisenhower Memorial," at https://www.ncpc.gov/projects/eisenhower/.

[12] National Capital Planning Commission, "Dwight D. Eisenhower Memorial," *Commission Action*, File No. 6694, at https://www.ncpc.gov/docs/actions/2017October/6694_Dwight_D._Eisenhower_Memorial_Modification_Staff_Report_Oct2017.pdf.

authorization beyond the initial seven-year period. In some cases, even though the CWA generally prohibits the use of federal funds for memorial design and construction,[13] Congress has authorized appropriations to aid sponsor groups in their fundraising efforts. For example, in 2005, Congress appropriated $10 million to the Secretary of the Interior "for necessary expenses for the Memorial to Martin Luther King, Jr."[14] The appropriation was designated as matching funds, making them available only after being matched by nonfederal contributions.[15]

Since the enactment of the Commemorative Works Act in 1986, 37 memorials and monuments have been authorized by statute. On a yearly basis, however, legislation is pending before Congress to consider a wide range of additional commemorative works. Pursuant to the CWA, future commemorative works will continue to be considered according to congressional guidelines. If new commemorative works are authorized or currently authorized commemorative works are completed, this report will be updated accordingly.

Authorized Commemorative Works

Since the passage of the Commemorative Works Act (CWA) in 1986, Congress has authorized 38 commemorative works to be placed in the District of Columbia or its environs. Of these works, 10 are in progress, 7 have lapsed authorizations, and 1 had its authorization repealed. **Table 1** lists commemorative works authorized by Congress since 1986 that are in progress, with authorizations that have lapsed, or with an authorization that has been repealed.

Table 1. In-Progress and Lapsed Memorials in the District of Columbia and Its Environs

Congress	Memorial	Authorizing Legislation
	In-Progress Commemorative Works	
107	John Adams and his Family's Legacy	P.L. 107-62, 115 Stat. 411, November 5, 2001[a]
112	Slaves and Free Black Persons Who Served in American Revolution[b]	P.L. 112-239, §2860, 126 Stat. 2164, January 3, 2013
113	World War II Memorial Prayer	P.L. 113-123, 128 Stat. 1377, June 30, 2014
113	World War I	P.L. 113-291, §3091(b), 128 Stat. 3858. December 19, 2014
113	Desert Storm and Desert Shield	P.L. 113-291, §3093, 128 Stat. 3879, December 19, 2014
113	Peace Corps[e]	P.L. 113-78, 127 Stat. 647, January 24, 2013
114	Korean War Memorial Wall of Remembrance	P.L. 114-230, 130 Stat. 947, October 7, 2016
115	Global War on Terrorism	P.L. 115-51, 131 Stat. 1003, August 18, 2017
115	Second Division Memorial Modifications	P.L. 115-141, Division G, §121(a)(1), 132 Stat. 661, March 23, 2018[c]
115	Emergency Medical Services Memorial	P.L. 115-275, 132 Stat. 4164, November 3, 2018
	Lapsed Authorizations for Commemorative Works[d]	

[13] For example, see the statute authorizing the American Veterans Disabled for Life Memorial (P.L. 106-348, 114 Stat. 1358, October 24, 2000).

[14] P.L. 109-54, §134, 119 Stat. 526, August 2, 2005.

[15] P.L. 109-54, §134, 119 Stat. 527, August 2, 2005.

Congress	Memorial	Authorizing Legislation
100	National Peace Garden	P.L. 100-63, 101 Stat. 379, June 30, 1987
102	Thomas Paine	P.L. 102-407, 106 Stat. 1991, October 13, 1992
105	Benjamin Banneker	P.L. 105-355, Title V, §512, 112 Stat. 3266, November 6, 1998
106	Frederick Douglass	P.L. 106-479, 114 Stat. 2184, November 9, 2000
108	Vietnam Veterans Memorial Visitors Center	P.L. 108-126, 117 Stat. 1348, November 17, 2003
110	Brigadier General Francis Marion	P.L. 110-229, §331, 122 Stat. 781, May 8, 2008
112	Gold Star Mothers[e]	P.L. 112-239, §2859, 126 Stat. 2164, January 3, 2013
	Repealed Authorization	
99	Black Revolutionary War Patriots[b]	P.L. 99-558, 100 Stat. 3144, October 27, 1986

Source: 40 U.S.C. §8903 note and CRS analysis of memorial legislation.

a. The memorial to John Adams and his family's legacy was reauthorized by P.L. 116-9, [§2406(l), 133 Stat. 749, March 12, 2019], until December 2025.

b. P.L. 112-239, §2860 repealed an authorization to the Black Revolutionary War Patriots Foundation to create a Black Revolutionary War Veterans Memorial that had been authorized by P.L. 99-558 (100 Stat. 3144, October 27, 1986). P.L. 112-239 provided a new authorization for the Slaves and Free Black Persons Who Served in the American Revolution Memorial to the National Mall Liberty Fund DC. The Liberty Fund commonly calls the memorial the National Liberty Memorial.

c. P.L. 115-141 incorporated S. 1460, §7130 (115th Congress; Energy and Natural Resources Act of 2017) to authorize modifications to the Second Division Memorial.

d. Authority for these memorials lapsed prior to construction permits being issued to the sponsoring group.

e. Legislation to reauthorize these memorials has been introduced in the 116th Congress.

In-Progress Commemorative Works

Currently, nine commemorative works have active authorizations and are in various stages of development. These include the following:

- Memorials Under Construction

  World War I

- Memorials Being Designed

  Slaves and Free Black Persons Who Served in the Revolutionary War Memorial,

  World War II Prayer plaque,

  Korean War Memorial Wall of Remembrance,

  Second Division Memorial modifications,

  Desert Storm and Desert Shield, and

  Peace Corps Memorial.

- Memorials Evaluating Site Locations
  - John Adams and his Family's Legacy Memorial,
  - Global War on Terrorism Memorial, and
  - Emergency Medical Services Memorial.

There is one memorial with a recently lapsed authorization, where legislation has been introduced to reauthorize it: the Gold Star Mothers memorial.[16]

Memorials Under Construction

Currently, one memorial authorized pursuant to the CWA is under construction—the World War I Memorial, which broke ground on November 2, 2017,[17] and is scheduled to be dedicated on December 11, 2020.[18]

World War I Memorial

In December 2014, as part of the FY2015 National Defense Authorization Act, Congress redesignated Pershing Park in the District of Columbia as "a World War I Memorial,"[19] and authorized the World War I Centennial Commission to "enhance the General Pershing Commemorative Work by constructing … appropriate sculptural and other commemorative elements, including landscaping, to further honor the service of members of the United States Armed Forces in World War I."[20] Pershing Park is located between E Street and Pennsylvania Avenue and 14th and 15th Streets, NW. Currently, the park contains a statue of General John J. Pershing.[21]

On January 26, 2016, the World War I Centennial Commission announced the winner of its design competition. Titled "The Weight of Sacrifice," the winning design envisions an "allegorical idea that public space and public freedom are hard won through the great sacrifices of countless individuals in the pursuit of liberty."[22] A ceremonial groundbreaking for the memorial

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[16] The Gold Star Mothers National Memorial Foundation's authority to construct a memorial expired in January 2020. In the 116th Congress (2019-2020), legislation has been introduced to reauthorize the memorial until January 24, 2028. For more information, see H.R. 2819 (116th Congress), passed the House on February 28, 2020; and S. 1673 (116th Congress), introduced May 23, 2019. For more information, see U.S. Congress, House Committee on Natural Resources, *Gold Star Families National Monument Extension Act*, report to accompany H.R. 2819, 116th Cong., 1st sess., October 18, 2019, H.Rept. 116-243 (Washington: GPO, 2019), at https://www.congress.gov/116/crpt/hrpt243/CRPT-116hrpt243.pdf.

[17] Michael S. Darnell, "Ground Broken for Long-Awaited WWI Memorial in DC," *Stars and Stripes*, November 9, 2017, at https://www.stripes.com/news/us/ground-is-broken-for-long-awaited-world-war-i-memorial-in-washington-dc-1.497127; and United States World War One Centennial Commission, "Ground Broken for Long-Awaited WWI Memorial in DC," at https://www.worldwar1centennial.org/index.php/communicate/press-media/wwi-centennial-news/3619-ground-broken-for-long-awaited-wwi-memorial-in-dc.html.

Dwight D. Eisenhower Memorial Commission, "Ground Is Broken on Dwight D. Eisenhower Memorial," press release, November 2, 2017, http://www.eisenhowermemorial.org/sites/default/files/public/press/Groundbreaking%20Pressrel%20FINAL%20PDF%202.pdf.

[18] Email from Sophia Kelly, memorial program manager, National Park Service, August 28, 2020.

[19] P.L. 113-291, §3091(b)(1), 128 Stat. 3858, December 19, 2014.

[20] P.L. 113-291, §3091(b)(3), 128 Stat. 3858, December 19, 2014.

[21] For more information on Pershing Park, see U.S. Department of the Interior, National Park Service, "Pershing Park," *National Mall & Memorial Parks*, at https://www.nps.gov/nama/planyourvisit/National-World-War-I-Memorial.htm.

[22] World War I Centennial Commission, "The Weight of Sacrifice: Project Overview," *Memorial Design Competition*,

was held on November 9, 2017,[23] and CFA and NCPC approved the final design in September and October 2019, respectively.[24] **Figure 1** shows the approved design for the World War I Memorial.

Figure 1. World War I Memorial

Approved Design

Source: National Capital Planning Commission, "NCPC Approves Final Plans for the National World War I Memorial," press release, October 4, 2019, at https://www.ncpc.gov/news/item/94/1/.

Authorization Statute:	P.L. 113-291, §3091, 128 Stat. 3858, December 19, 2014.
Sponsor Organization:	World War I Centennial Commission (http://worldwar1centennial.org)
Statutory Extension:	N/A
Location:	Area I (Pershing Park)
Dedication:	Scheduled for December 11, 2020

at http://www.worldwar1centennial.org/index.php/stage-ii-design-development/the-weight-of-sacrifice.html.

[23] World War I Centennial Commission, "Commission Hosts Ceremonial Groundbreaking for WWI Memorial," press release, November 9, 2017, http://www.worldwar1centennial.org/index.php/communicate/press-media/wwi-centennial-news.html.

[24] National Capital Planning Commission, "NCPC Approves Final Plans for the National World War I Memorial," press release, October 4, 2019, at https://www.ncpc.gov/news/item/94/1/; and Letter from Thomas E. Luebke, secretary, U.S. Commission of Fine Arts, to Lisa Mendelson-Ielmini, Acting Regional Director, National Park Service, National Capital Region, September 27, 2019, https://www.cfa.gov/records-research/project-search/cfa-19-sep-19-1.

Memorials Being Designed

World War II D-Day Prayer

In June 2014, Congress authorized the placement of a plaque containing President Franklin D. Roosevelt's D-Day prayer at the "area of the World War II Memorial in the District of Columbia.... "[25] During debate on the bill in the 112th Congress (H.R. 2070), Representative Bill Johnson summarized why he believed the prayer should be added to the World War II Memorial.

> This legislation directs the Secretary of the Interior to install at the World War II Memorial a suitable plaque or an inscription with the words that President Franklin Roosevelt prayed with the Nation on the morning of the D-day invasion. This prayer, which has been entitled "Let Our Hearts Be Stout,'' gave solace, comfort and strength to our Nation and our brave warriors as we fought against tyranny and oppression. The memorial was built to honor the 16 million who served in the Armed Forces of the United States during World War II and the more than 400,000 who died during the war ... I have no doubt that the prayer should be included among the tributes to the Greatest Generation memorialized on the National Mall, and I strongly urge all of my colleagues to support this legislation.[26]

The prayer plaque will be located at the "Circle of Remembrance" on the northwest side of the World War II Memorial.[27] The NCPC and the CFA both favor an "asymmetrical" design for the prayer plaque.[28] **Figure 2** shows the proposed location of the plaque at the Circle of Remembrance.

[25] P.L. 113-123, 128 Stat. 1377, June 30, 2014.

[26] Rep. Bill Johnson, "World War II Memorial Prayer Act of 2011," remarks in the House, *Congressional Record*, daily edition, vol. 158 (January 24, 2012), pp. H131-H132.

[27] National Capital Planning Commission, "President Franklin D. Roosevelt Prayer Plaque," *Commission Action*, File No. 7727, July 13, 2017, at https://www.ncpc.gov/docs/actions/2017July/7727_President_Franklin_D._Roosevelt_Prayer_Plaque_Commission_Action_Jul2017.pdf.

[28] Letter from Thomas E. Luebke, secretary, U.S. Commission of Fine Arts, to Robert Vogel, regional director, National Park Service, National Capital Region, June 22, 2017, at https://www.cfa.gov/records-research/project-search/cfa-15jun17-1; and National Capital Planning Commission, President Franklin D. Roosevelt Prayer Plaque," *Commission Action*, File No. 7727, July 13, 2017, at https://www.ncpc.gov/docs/actions/2017July/7727_President_Franklin_D._Roosevelt_Prayer_Plaque_Commission_Action_Jul2017.pdf.

Figure 2. World War II D-Day Prayer Plaque Proposed Design and Location

Source: National Capital Planning Commission, "President Franklin D. Roosevelt Prayer Plaque," *Submission Materials*, File No. 7727, July 13, 2017, p. 14, at https://www.ncpc.gov/files/projects/2017/7727_Submission_Materials_Jul2017.pdf.

Authorization Statute:	P.L. 113-123, 128 Stat. 1377, June 30, 2014
Sponsor Organization:	Secretary of the Interior
Statutory Extension:	N/A
Location:	Reserve (Area of the World War II Memorial)
Dedication:	TBD

Slaves and Free Black Persons Who Served in the Revolutionary War

In December 2012, as part of the National Defense Authorization Act for Fiscal Year 2013, Congress authorized the National Mall Liberty Fund DC to establish a commemorative work "to honor the more than 5,000 courageous slaves and free Black persons who served as soldiers and sailors or provided civilian assistance during the American Revolution."[29] Additionally, P.L. 112-239 repealed a 1986 authorization to the Black Revolutionary War Patriots Foundation to establish a commemorative work for black Revolutionary War veterans (discussed further in the section below on "Repealed Authorization").[30]

In prepared remarks to the Senate Energy and Natural Resources Committee, Senator Joseph Lieberman summarized the need, from his perspective, for a memorial to African Americans who served in the Revolutionary War:

> Throughout our history the sacrifices of these remarkable patriots have often been relegated to a mere footnote. This is unfortunate not only because it overlooks their service, but also because it prevents us from taking an honest, nuanced view of our nation's history. By establishing a memorial to honor African Americans' contributions to our nation's

[29] P.L. 112-239, §2860, January 2, 2013. The Liberty Fund commonly calls the memorial the National Liberty Memorial.

[30] P.L. 112-239, §2860(f) repeals P.L. 99-558 (100 Stat. 3144, October 27, 1986), as amended by P.L. 99-590 (100 Stat. 3330, October 30, 1986); and P.L. 99-591 (100 Stat. 3341, October 30, 1986), which authorized the Black Revolutionary War Patriots Foundation to establish a memorial in the District of Columbia "the estimated five thousand courageous slaves and free black persons who served as soldiers and sailors or provided civilian assistance during the American Revolution and to honor countless black men, women, and children who ran away from slavery or filed petitions with courts and legislatures seeking their freedom."

> founding, we will broaden all Americans' understanding of the diversity of the patriots who helped to secure our independence.[31]

Further, in the Senate report accompanying the 2012 authorization (S. 883, 112th Congress), the Senate Committee on Energy and Natural Resources summarized the history of memorializing Black Revolutionary War veterans in the District of Columbia.

> In 1986, Congress authorized the Black Revolutionary War Patriots Memorial Foundation to establish the Black Revolutionary War Patriots Memorial to honor the 5,000 courageous slaves and free Black persons who served as soldiers or provided civilian assistance during the American Revolution (P.L. 99-558).
>
> In 1987 Congress enacted a second law, P.L. 100-265, authorizing placement of that memorial within the monumental core area as it was then defined by the Commemorative Works Act. In 1988, the National Park Service, the Commission of Fine Arts, and the National Capital Planning Commission approved a site in Constitution Gardens for the Black Revolutionary War Patriots Memorial and, in 1996, approved the final design. Despite four extensions of the memorial's legislative authorization over 21 years, the Foundation was unable to raise sufficient funds for construction, the authority (and associated site and design approvals) finally lapsed in October 2005, and the Foundation disbanded with numerous outstanding debts and unpaid creditors.
>
> S. 883 would authorize another nonprofit organization, the National Mall Liberty Fund D.C., to construct a commemorative work honoring the same individuals as proposed by the Black Revolutionary War Patriots Memorial Foundation, subject to the requirements of the Commemorative Works Act.[32]

On September 26, 2014, President Obama signed H.J.Res. 120 to provide the memorial with a location in Area I.[33] The sponsor group publicly expressed interest in three sites: the National Mall at 14th Street and Independence Avenue, NW; Freedom Plaza; and Virginia Avenue and 19th Streets, NW,[34] with a strong preference for the National Mall site, which is currently under the jurisdiction of the U.S. Department of Agriculture. In the 114th Congress (2015-2016), legislation was introduced to designate the Secretary of Agriculture as the officer "responsible for the consideration of the site and design proposals and the submission of such proposals on behalf of the sponsor to the Commission of Fine Arts and the National Capital Planning Commission"[35] in order to apply the CWA to the memorial.[36] No further action was taken on the measure. **Figure 3** shows a memorial concept design.

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[31] U.S. Congress, Senate Committee on Energy and Natural Resources, *Miscellaneous National Park Bills*, hearing on S. 264, S. 265, S. 324, S. 764, S. 864, S. 883, S. 888, S. 925, S. 970, S. 1063, and S. 1134, 112th Cong., 1st sess., July 28, 2011, S.Hrg. 112-214 (Washington: GPO, 2012), p. 7.

[32] U.S. Congress, Senate Committee on Energy and Natural Resources, *Establishment of a Memorial to Honor Contributions of Free Persons and Slaves During the American Revolution*, report to accompany S. 883, 112th Cong., 2nd sess., January 13, 2012, S.Rept. 112-118 (Washington: GPO, 2012), pp. 1-2.

[33] P.L. 113-176, 128 Stat. 1910, September 26, 2014. See also, "Approval of Memorial to Commemorative Slaves and Free Black Persons who Fought in the American Revolution," *Congressional Record*, daily edition, vol. 160 (September 8, 2014), pp. H7273-H7274; and "Approving the Location of an American Revolution Memorial," *Congressional Record*, daily edition, vol. 160 (September 11, 2014), p. S5518.

[34] National Liberty Memorials, "The Sites," at http://libertyfunddc.com/site-selection-2.

[35] H.R. 1949 (114th Congress), passed the House on September 16, 2015. On March 17, 2016, the Senate Energy and Natural Resources Committee, Subcommittee on National Parks held a hearing on H.R. 1949. Additionally, the provisions of H.R. 1949 are also included as a House amendment to S. 2012, the North American Energy Security and Infrastructure Act of 2016. S. 2012 passed the Senate and the House in different forms, and a conference was held. No further action on S. 2012 occurred in the 114th Congress.

[36] The Commemorative Works Act (CWA) only applies to land under the jurisdiction of the National Park Service or

Figure 3. Slaves and Free Black Persons Who Served in the Revolutionary War

Concept Design

Source: Liberty Mall Fund DC, "Conceptual Design—National Liberty Memorial," *National Liberty Memorial Site Selection Report*, presentation to the National Capital Memorial Advisory Commission, July 23, 2013, at http://libertyfunddc.com/wp-content/uploads/2015/01/PRINTED-VERSION-National-Liberty-Memorial-Site-Selection-Report-SITE-NC.... pdf.

Authorization Statute:	P.L. 112-239, §2860, January 2, 2013
Sponsor Organization:	National Mall Liberty Fund DC (http://www.libertyfunddc.com)
Statutory Extension:	N/A
Location:	Area I[37]
Dedication:	TBD

Korean War Memorial Wall of Remembrance

In October 2016, Congress authorized a wall of remembrance, which "shall include a list of names of members of the Armed Forces of the United States who died in the Korean War" to be added to the Korean War Memorial in the District of Columbia.[38] The wall of remembrance is to be located "at the site of the Korean War Veterans Memorial."[39] During debate on the bill (H.R. 1475, 114th Congress) in the House, Representative Sam Johnson summarized why he believed it was important to add a wall of remembrance to the Korean War Veterans Memorial.

> My fellow Korean war veterans and I believe that the magnitude of this enormous sacrifice is not yet fully conveyed by the memorial in Washington, DC.... Similar to the Vietnam Veterans Memorial Wall, the Korean War Veterans Memorial Wall of Remembrance would eternally honor the brave Americans who gave their lives in defense of freedom during the Korean War. It would list their names as a visual record of their sacrifice.[40]

Figure 4 shows the concept design for the Korean War Memorial Wall of Remembrance.

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the General Services Administration (40 U.S.C. §8901(4)). Since the Liberty Memorial Fund's preferred site is under the jurisdiction of the Department of Agriculture, the CWA would not apply to the memorial. Legislation (H.R. 1949 and an amendment to S. 2012) applying the CWA to the Department of Agriculture for this particular memorial passed the House in the 114th Congress (see footnote 21).

[37] P.L. 113-176, 128 Stat. 1910, September 26, 2014.

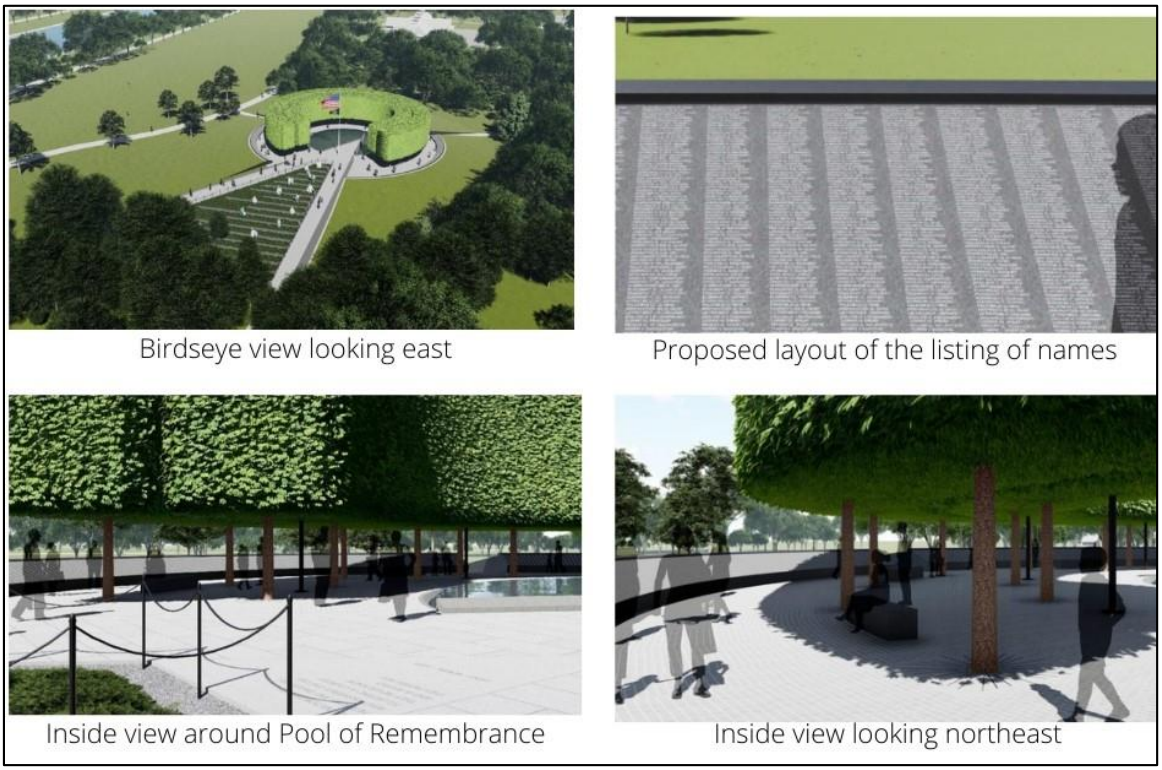
[38] P.L. 114-230, 130 Stat. 947, October 7, 2016.

[39] P.L. 114-230, §2(a)(1).

[40] Rep. Sam Johnson, "Korean War Veterans Memorial Wall of Remembrance Act of 2016," House debate, *Congressional Record*, daily edition, vol. 162 (February 24, 2016), p. H878.

Figure 4. Korean War Memorial Wall of Remembrance

Concept Design



Source: Korean War Veterans Memorial Foundation, "The Wall of Remembrance," at https://www.koreanwarvetsmemorial.org/wall-of-remembrance/.

Authorization Statute:	P.L. 114-230, October 7, 2016
Sponsor Organization:	Korean War Veterans Memorial Foundation, Inc. (http://www.koreanwarvetsmemorial.org)
Statutory Extension:	N/A
Location:	Reserve
Dedication:	TBD

Second Division Memorial Additions

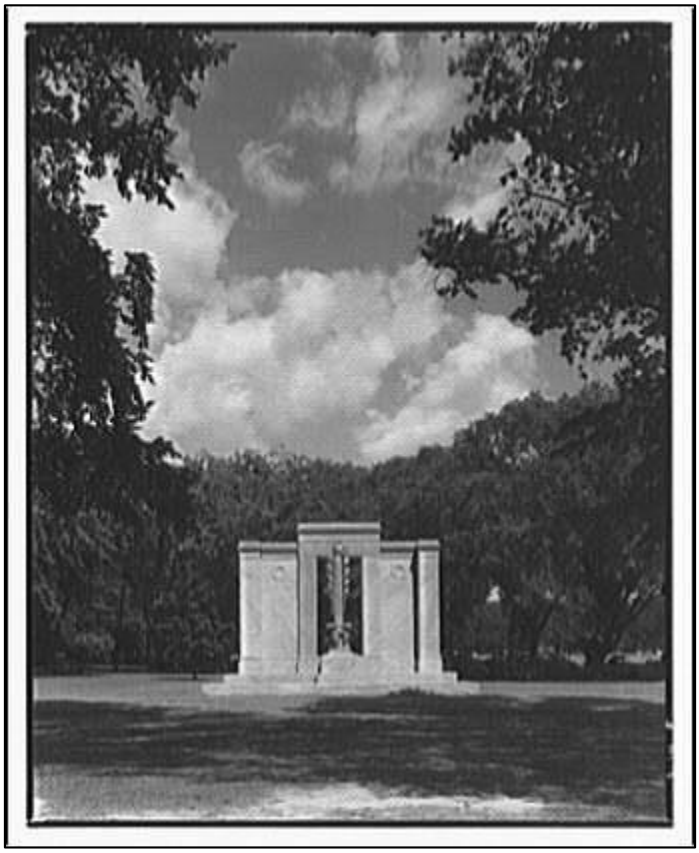
On March 23, 2018, as part of the Consolidated Appropriations Act, 2018 (P.L. 115-141), modifications to the Second Division Memorial were authorized.[41] The Second Division Memorial was initially dedicated on July 18, 1936, to commemorate the division's World War I casualties, and "two wings were dedicated on June 20, 1962, with significant battles of World War II inscribed on the west and of the Korean War on the east."[42] P.L. 115-141 authorizes the placement of "additional commemorative elements or engravings on the raised platform or stone work of the existing Second Division Memorial … to further honor the members of the Second

[41] P.L. 115-141, Division G, §121(a)(1), March 23, 2018. P.L. 115-141 incorporated by reference Section 7130 of S. 1460, the Energy and Natural Resources Act of 2017.

[42] U.S. Department of the Interior, National Park Service, "Second Division Memorial," *President's Park: Explore the Southern Trail*, at https://www.nps.gov/whho/planyourvisit/explore-the-southern-trail.htm#CP_JUMP_2801870/

Infantry Division who have given their lives in service to the United States."[43] **Figure 5** shows the current design of the Second Division Memorial.

Figure 5. Second Division Memorial



Source: Teodor Horydczak, photographer. Monuments & memorials. Second Division monument, World War One III. Washington DC, ca. 1920-ca. 1950. Photograph. Retrieved from the Library of Congress, https://www.loc.gov/item/thc1995011855/PP/.

Authorization Statute:	P.L. 115-141, Division G, §121(a)(1), March 23, 2018
Sponsor Organization:	Second Division Indianhead Division Association, Inc. (http://2ida.org)
Statutory Extension:	N/A
Location:	Reserve
Dedication:	TBD

Desert Storm and Desert Shield

In December 2014, as part of the FY2015 National Defense Authorization Act, Congress authorized the National Desert Storm Memorial Association to establish a National Desert Storm and Desert Shield Memorial in the District of Columbia to "commemorate and honor those who, as a member of the Armed forces, served on active duty in support of Operation Desert Storm or

[43] P.L. 115-141, Division G, §121(a)(1), March 23, 2018.

Operation Desert Shield."[44] During debate on the House version of the bill (H.R. 503), Representative Doc Hastings, chair of the House Natural Resources Committee, summarized the need for a memorial:

> Over 600,000 American servicemen deployed for Operations Desert Storm and Desert Shield and successfully led a coalition of over 30 countries to evict an invading army to secure the independence of Kuwait.
>
> This memorial will recognize their success, but it will also serve as a commemoration of those nearly 300 Americans who made the ultimate sacrifice on our behalf.[45]

On March 31, 2017, President Trump signed S.J.Res. 1, to provide the memorial with a location in Area I.[46] The memorial will be located at the southwest corner of Constitution Avenue, NW, and 23rd Street, NW. **Figure 6** shows a rendering for the National Desert Storm Veteran's War Memorial.

Figure 6. National Desert Storm War Memorial

Concept Design

Source: National Desert Storm War Memorial Association, "Birds-Eye-View," at http://www.nationaldesertstormwarmemorial.org/.

Authorization Statute:	P.L. 113-291, §3093, December 19, 2014.
Sponsor Organization:	National Desert Storm Memorial Association (http://www.ndswm.org)
Statutory Extension:	N/A
Location:	Area I
Dedication:	TBD

[44] P.L. 113-291, §3093(b)(1), 128 Stat. 3858, December 19, 2014.

[45] Rep. Doc Hastings, "National Desert Storm and Desert Shield War Memorial Act," House debate, *Congressional Record*, daily edition, vol. 160 (May 28, 2014), p. H4858. In August 2016, Secretary of the Interior Sally Jewell notified Congress of her recommendation that the memorial be placed in Area I (Letter from Sally Jewell, Secretary of the Interior, to Vice President Joe Biden, August 31, 2016).

[46] P.L. 115-18, 131 Stat. 82, March 31, 2017.

Peace Corps

In January 2014, Congress authorized the Peace Corps Memorial Foundation to establish a commemorative work in the District of Columbia to "commemorate the mission of the Peace Corps and the ideals on which the Peace Corps was founded."[47] During House debate on the bill (S. 230), Representative Raúl Grijalva, ranking member of the House Natural Resources Committee, Subcommittee on Public Lands and Environmental Regulations, summarized his understanding of the aims of the Peace Corps Memorial:

> Last November, we marked the 50th anniversary of President Kennedy's tragic assassination. Losing President Kennedy left a lasting scar on the American psyche, but his legacy lives on through his words and ideas, including the establishment of the Peace Corps, an institution that has sent over 200,000 Americans to 139 countries in its 52-year history.
>
> S. 230 authorizes construction of a memorial to commemorate the mission of the Peace Corps and the values on which it was founded. I cannot think of a better way to celebrate President Kennedy's legacy and the tremendous accomplishments of the Peace Corps.
>
> With the passage of S. 230, we will be sending a worthwhile bill to the President's desk. I am glad we have been able to put our differences aside and pass such a meaningful bill in the first few weeks of the new year.[48]

To be located between 1st Street, NW, Louisiana Avenue, NW, and C Street, NW, in the District of Columbia, the Peace Corps Memorial Foundation presented its design concept to the CFA and NCPC in early 2019. In March 2019, the CFA approved the memorial's concept design with comments to be addressed as the design moves forward toward a final design.[49] In May 2019, the NCPC stated "that the proposed concept design does not adequately embrace the site's strengths or adequately respond to these challenges, particularly as they relate to visual resources, visitor use and experience, or natural resources."[50] In September 2020, the Peace Corps Memorial Foundation presented a revised concept design to the CFA.[51]

The Peace Corps Commemorative Foundation's authority to construct a memorial will expire in January 2021. In the 116th Congress (2019-2020), legislation has been introduced to reauthorize the memorial until January 24, 2028.[52]

Figure 7 shows the concept design for the Peace Corps Memorial as presented to CFA and NCPC.

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[47] P.L. 113-78, §1(a), January 24, 2014.

[48] Rep. Raúl Grijalva, "Peace Corps DC Commemorative Work Act," House debate, *Congressional Record*, daily edition, vol. 160 (January 13, 2014), p. H168.

[49] Letter from Thomas E. Luebke, Secretary, U.S. Commission of Fine Arts, to Lisa Mendelson-Ielmini, Acting Regional Director, National Park Service, National Capital Region, March 28, 2019, at https://www.cfa.gov/records-research/project-search/cfa-21-mar-19-2.

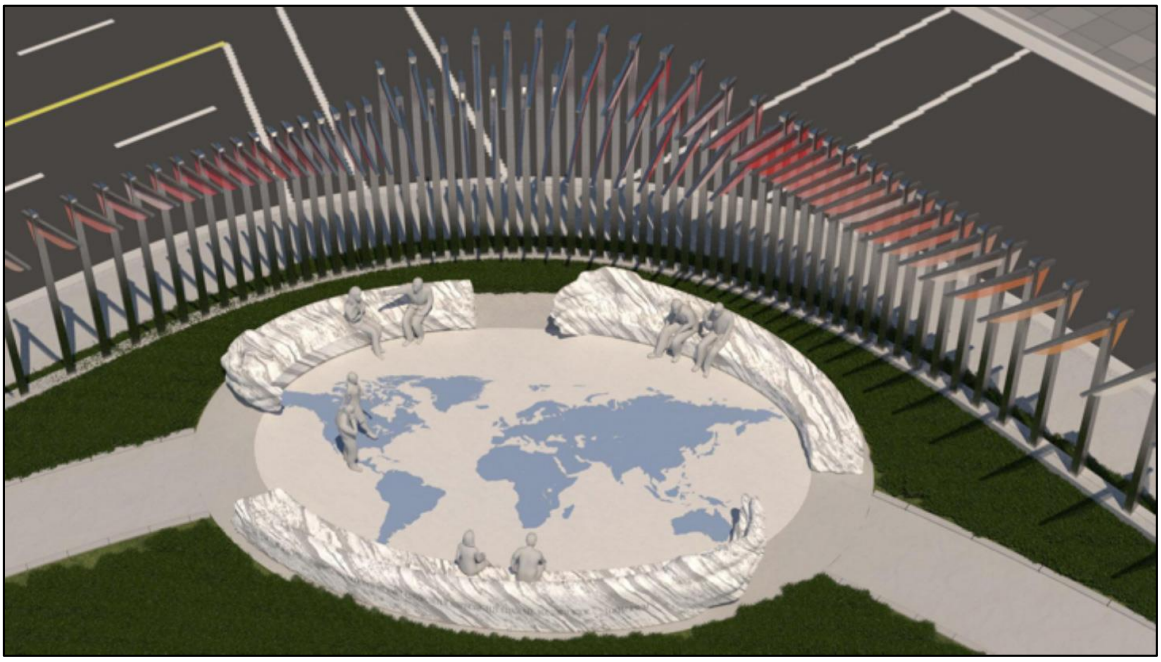
[50] National Capital Planning Commission, "Executive Director's Recommendation, Commission Meeting: May 2, 2019," *Peace Corps Commemorative Work*, NCPC File Number 7623, p. 4, at https://www.ncpc.gov/docs/actions/2019May/7623_Peace_Corps_Commemorative_Work_Staff_Report_May2019.pdf.

[51] U.S. Commission of Fine Arts, "CFA Meeting—19 September 2019," at https://www.cfa.gov/records-research/record-cfa-actions/2019/09/cfa-meeting.

[52] S. 4128 (116th Congress), introduced July 1, 2020; and H.R. 7460 (116th Congress), introduced July 1, 2020.

Figure 7. Peace Corps Memorial

Concept Design



Source: Peace Corps Commemorative Foundation, "Commemorative Concept," at http://www.peacecorpsdesign.net/commemorative/.

Authorization Statute:	P.L. 113-78, 127 Stat. 647, January 24, 2014
Sponsor Organization:	Peace Corps Commemorative Foundation (http://www.peacecorpsdesign.net/)
Statutory Extension:	N/A
Location:	Area II
Dedication:	TBD

Site Locations to Be Determined

John Adams and His Family's Legacy

In November 2001, Congress authorized the Adams Memorial Foundation to "establish a commemorative work on Federal land in the District of Columbia and its environs to honor former President John Adams, along with his wife Abigail Adams and former President John Quincy Adams, and the family's legacy of public service."[53] In remarks during debate on the bill (H.R. 1668, 107th Congress), Representative Joel Hefley summarized the importance of the Adams family to American history:

> Perhaps no American family has contributed as profoundly to public service as the family that gave the Nation its second President, John Adams; his wife, Abigail Adams; and their son, our sixth President, John Quincy Adams, who was also, by the way, a member of this body. The family's legacy was far reaching, continuing with John Quincy Adams's son,

[53] P.L. 107-62, 115 Stat. 411-412, November 5, 2001.

> Charles Francis Adams, who was also a member of this body and an ambassador to England during the Civil War; and his son, Henry Adams, an eminent writer and scholar, and it goes on and on.[54]

In March 2019, as part of the enactment of the John D. Dingell, Jr. Conservation, Management, and Recreation Act, Congress created the Adams Memorial Commission.[55] The Adams Memorial Commission replaces the Adams Memorial Foundation as the memorial's sponsor. Moving forward, the commission will be responsible for all aspects of the memorial's siting, design, and construction.

Previously, in December 2013, the Adams Memorial Foundation's authorization expired. Prior to its lapse of authorization, the Adams Memorial Foundation was working with the NCMAC on the potential recommendation of Area I.[56] While the commission had not endorsed any particular site location, it had recommended that the foundation continue its examination of numerous sites in the District of Columbia in order to find a suitable location.[57]

Authorization Statute:	P.L. 107-62, 115 Stat. 411, November 5, 2001
Sponsor Organization:	Adams Memorial Commission
Statutory Extensions:	
Authorization extended through September 30, 2010	P.L. 111-88, §130, 123 Stat. 2933, October 30, 2009
Authorization extended through December 2, 2013	P.L. 111-169, 124 Stat. 1192, May 24, 2010
Authorization extended through December 2, 2020	P.L. 113-291, §3094, December 19, 2014
Authorization Extended through December 2, 2025	P.L. 116-9, §2406(l), 133 Stat. 749, March 12, 2019
Location:	Area I[58]
Dedication:	TBD

Global War on Terrorism Memorial

In August 2017, Congress authorized the Global War on Terrorism Memorial Foundation to establish a commemorative work in the District of Columbia to "commemorative and honor the members of the Armed Forces that served on active duty in support of the Global War on Terrorism."[59] During debate on the bill (H.R. 873) in the House, Representative Tom McClintock, chair of the Federal Lands Subcommittee of the House Committee on Natural Resources, stated

[54] Rep. Joel Hefley, "Authorizing Adams Memorial Foundation to Establish Commemorative Work Honoring Former President John Adams," remarks in the House, *Congressional Record*, vol. 147, part 8 (June 25, 2001), p. 11757.

[55] P.L. 116-9, §2406, March 12, 2019. The commission consists of 12 members: four appointed by the President; four Senators appointed by the President pro tempore of the Senate in consultation with the Senate majority leader and the Senate minority leader; and four Members of the House of Representatives appointed by the Speaker of the House in consultation with the House majority leader and the House minority leader.

[56] National Park Service, "National Capital Memorial Advisory Committee Meeting," 76 *Federal Register* 32986, June 7, 2011.

[57] Author's notes of National Capital Memorial Advisory Commission Meeting, June 23, 2011, National Building Museum, Washington, DC.

[58] P.L. 107-315, 116 Stat. 2763, December 2, 2002.

[59] P.L. 115-51, 121 Stat. 1003, August 18, 2017.

why a memorial to the Global War on Terrorism is important, despite a statutory prohibition against war memorials for ongoing conflicts.[60]

> The Commemorative Works Act requires that a war be ended for at least 10 years before planning can commence on a national memorial. There is good reason for this requirement: it gives history the insight to place the war in an historic context and to begin to fully appreciate its full significance to our country and future generations.
>
> But the war on terrorism has been fought in a decidedly different way than our past wars. We are now approaching the 16th anniversary of the attack on New York and Washington. The veterans who sacrificed so much to keep that war away from our shores deserve some tangible and lasting tribute to their patriotism and altruism while they, their families, and their fellow countrymen can know it. The Gold Star families of our fallen heroes for whom the war will never end deserve some assurance that their sons and daughters will never be forgotten by a grateful Nation.
>
> We should remember that many of our Nation's heroes from World War II never lived to see the completion of the World War II Memorial, which was completed 59 years after the end of that conflict.
>
> For these reasons, this measure suspends the 10-year period in current law. It doesn't repeal it. It merely sets it aside for the unique circumstances of the current war on terrorism.[61]

Authorization Statute:	P.L. 115-51, 131 Stat. 1003, August 18, 2017
Sponsor Organization:	Global War on Terrorism Memorial Foundation (https://www.gwotmemorialfoundation.org)
Statutory Extension:	N/A
Location:	TBD
Dedication:	TBD

Emergency Medical Services Memorial

In October 2018, Congress authorized the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia to "commemorate the commitment and service represented by emergency medical services."[62] During House debate on the bill (H.R. 1037), Representative Tom McClintock, chair of the Federal Lands Subcommittee of the House Committee on Natural Resources, stated why he considered a memorial to the emergency medical services providers to be important:

> Mr. Speaker, each year 850,000 EMS providers answer more than 30 million calls to serve 22 million patients in need at a moment's notice and without reservation. For these heroes who serve on the front lines of medicine, sacrifice is a part of their calling. EMTs and paramedics have a rate of injury that is about three times the national average for all occupations, and some pay the ultimate price in the service of helping others.
>
> The men and women of the emergency medical services profession face danger every day to save lives and help their neighbors in crisis. They respond to incidents ranging from a single person's medical emergency to natural and manmade disasters, including terrorist

[60] 40 U.S.C. §8903(b) and (c).

[61] Rep. Tom McClintock, "Global War on Terrorism Memorial Act," *Congressional Record*, daily edition, vol. 163 (July 28, 2017), p. H6544.

[62] P.L. 115-275, November 3, 2018.

> attacks. But while their first responder peers in law enforcement and firefighting have been honored with national memorials, EMS providers have not.[63]

Authorization Statute:	P.L. 115-275, November 3, 2018
Sponsor Organization:	National Emergency Medical Services Memorial Foundation (http://emsmemorial.com/)
Statutory Extension:	N/A
Location:	TBD
Dedication:	TBD

Commemorative Works with Lapsed Authorizations

Since 1986, at least seven commemorative works authorized by Congress were not completed in the time allowed by the CWA. One of these memorials—the Gold Star Mothers—has had reauthorization legislation introduced in the 116th Congress. The other six commemorative works have not, as of this writing, had reauthorization legislation introduced in the 116th Congress.[64] These six memorials were to be constructed to honor Thomas Paine, Benjamin Banneker, Frederick Douglass, and Brigadier General Francis Marion; to create a National Peace Garden; and to build a Vietnam Veterans Visitor Center. The following section describes the initial authorization for each of these memorials and congressional extensions of memorial authorization, if appropriate. Additionally, one memorial had its authorization lapse and then subsequently be repealed in legislation creating a new memorial authorization.

Lapsed Authorization with Reauthorization Legislation Introduced in the 116th Congress

Gold Star Mothers

In December 2012, as part of the National Defense Authorization Act for Fiscal Year 2013, Congress authorized the Gold Star Mothers National Monument Foundation to establish a commemorative work to "commemorate the sacrifices made by mothers, and made by their sons and daughters who as members of the Armed Forces make the ultimate sacrifice, in defense of the United States."[65] In testimony before the House Committee on Natural Resources Subcommittee on National Parks, Forests, and Public Lands, the legislation's (H.R. 1980's) sponsor, Representative Jon Runyan, explained why he thought a memorial to Gold Star Mothers was needed:

> During World War I, mothers of sons and daughters who served in the Armed Forces displayed flags bearing a blue star to represent pride in their sons or daughters and their hope that they would return home safely.
>
> For more than 650,000 of these brave mothers, that hope was shattered, and their children never returned home. Afterwards many of them began displaying flags bearing gold stars to represent the sacrifice that their sons and daughters made in heroic service to our country.

[63] Rep. Tom McClintock, "Authorizing National Emergency Medical Services Memorial Foundation to Establish a Commemorative Work," *Congressional Record*, daily edition, vol. 164 (July 17, 2018), p. H6338.

[64] P.L. 99-652, 100 Stat. 3654, November 14, 1986.

[65] P.L. 112-239, §2859, January 2, 2013.

> Over the years the gold star has come to represent a child who was killed while serving in the Armed Forces, during either war or peacetime.[66]

In December 2013, the Gold Star Mothers National Monument Foundation presented its site analysis to the National Capital Memorial Advisory Commission. In that informational presentation, they expressed a preference for a site location adjacent to Arlington National Cemetery.[67] In January 2015, the NCPC expressed support for a site next to the Arlington National Cemetery Visitor's Center on Memorial Drive,[68] and the CFA approved that site location.[69]

The Gold Star Mothers National Memorial Foundation's authority to construct a memorial expired in January 2020. In the 116th Congress (2019-2020), legislation has been introduced to reauthorize the memorial until January 24, 2028.[70]

Figure 8 shows the Gold Star Mothers National Monument Foundation's concept design.

[66] Testimony of Congressman Jon Runyan, in U.S. Congress, House Committee on Natural Resources, Subcommittee on National Parks, Forests, and Public Lands, *Legislative Hearing on* H.R. 1980, H.R. 2070, H.R. 2621, and H.R. 3155, 112th Cong., 1st sess., November 3, 2011, at http://naturalresources.house.gov/uploadedfiles/runyanstatement11.03.11.pdf.

[67] National Capital Memorial Advisory Commission, "Agenda," December 12, 2013, at http://parkplanning.nps.gov/document.cfm?documentID=50005.

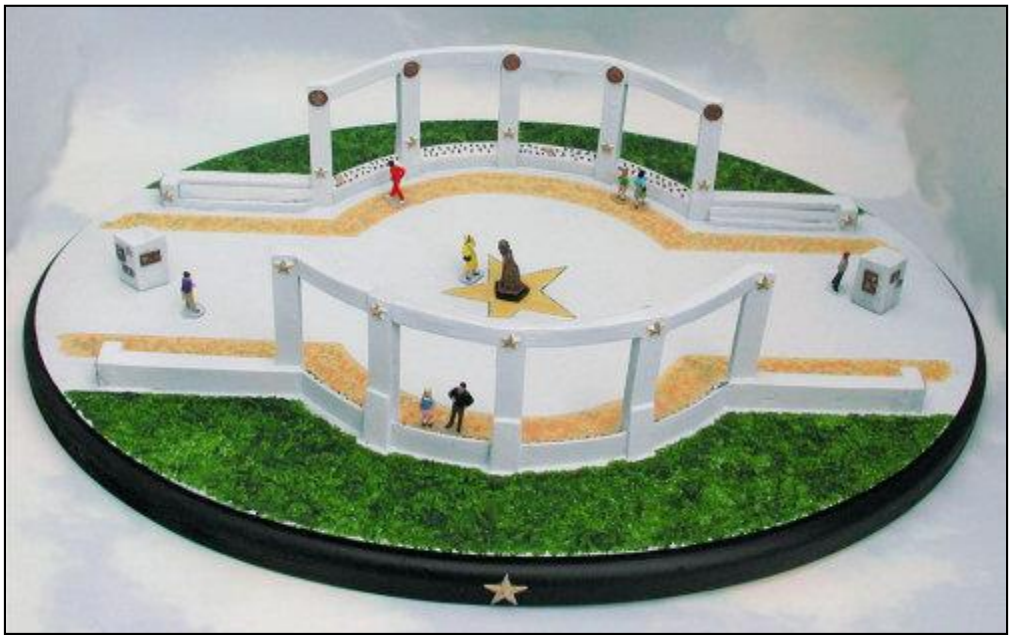
[68] National Capital Planning Commission, "Proposed Site for the Gold Star Mothers National Monuments," *Commission Action*, at https://www.ncpc.gov/docs/actions/2015December/Gold_Star_Mothers_National_Monument_Recommendation_7731_December2015.pdf.

[69] U.S. Commission of Fine Arts, "CFA 19/NOV/15-2, Gold Star Mothers National Monument," at https://www.cfa.gov/records-research/project-search/cfa-19nov15-2.

[70] H.R. 2819 (116th Congress), passed the House on February 28, 2020; and S. 1673 (116th Congress), introduced May 23, 2019. For more information, see U.S. Congress, House Committee on Natural Resources, *Gold Star Families National Monument Extension Act*, report to accompany H.R. 2819, 116th Cong., 1st sess., October 18, 2019, H.Rept. 116-243 (Washington: GPO, 2019), at https://www.congress.gov/116/crpt/hrpt243/CRPT-116hrpt243.pdf.

Figure 8. Gold Star Mothers Memorial

Concept Design



Source: Gold Star Mothers National Memorial Foundation, "Proposal," at http://www.gsmmonument.org/Proposal/Proposal.htm.

Authorization Statute:	P.L. 112-239, §2859, January 2, 2013
Sponsor Organization:	Gold Star Mothers National Memorial Foundation (http://www.gsmmonument.org)
Statutory Extension:	N/A
Location:	TBD
Dedication:	TBD

Lapsed Authorization with No Current Reauthorization Legislation

National Peace Garden

In June 1987, Congress authorized the Director of the National Park Service to enter into an agreement with the Peace Garden Project to "construct a garden to be known as the 'Peace Garden' on a site on Federal land in the District of Columbia to honor the commitment of the people of the United States to world peace."[71] In remarks during debate on the bill (H.R. 191, 100th Congress), Representative Steny Hoyer summarized the need for a memorial to peace:

> No one or nation can ever doubt the commitment of the American people to protecting our freedoms when threatened by foreign aggressors. Our Nation's Capital rightfully honors our heroic defenders of freedom—Americans who served their country courageously, gallantly, and at great risk to their lives.
>
> Our citizens have also exhibited an equal commitment for world peace and international law and justice. The creation of a Peace Garden is an appropriate symbol of our efforts to

[71] P.L. 100-63, 101 Stat. 379, June 30, 1987.

> continuing to seek peaceful resolution of world conflict and the institution of the rule of law.
>
> Certainly, this century has been one of bloodiest and most violent in man's history. We have seen countless battles, wars, rebellions, massacres, and civil and international strife of all kinds—continuing examples of man's inhumanity toward his fellow man.
>
> At the same time, against this terrible backdrop, there have been encouraging strides toward world peace. As we honor those who have made sacrifices in war, through monuments, so, too, should we honor them by striving to ensure that the world they have left us will be a peaceful one. A garden would be a living monument to our efforts.[72]

In 1988, a site was approved for the Peace Garden at Hains Point in Southwest Washington, DC.[73] Since its initial authorization in 1987, the National Peace Garden was reauthorized twice.[74] The authorization expired on June 30, 2002.[75]

Thomas Paine

In October 1992, Congress authorized the Thomas Paine National Historical Association to establish a memorial to honor Revolutionary War patriot Thomas Paine.[76] In remarks summarizing the need for a memorial to Thomas Paine, Representative William Lacy Clay stated:

> Thomas Paine's writings were a catalyst of the American Revolution. His insistence upon the right to resist arbitrary rule has inspired oppressed peoples worldwide, just as it continues to inspire us. It is time that a grateful nation gives him a permanent place of honor in the capital of the country he helped build.[77]

Since its initial authorization in 1992, the authorization for the Thomas Paine memorial was extended once. Authorization for the memorial expired on December 31, 2003.[78]

Benjamin Banneker

In November 1998, Congress authorized the Washington Interdependence Council of the District of Columbia to establish a memorial to "honor and commemorate the accomplishments of Mr. Benjamin Banneker."[79] Adopted as part of a larger bill to create a national heritage area in Michigan, the authorization for the Benjamin Banneker Memorial passed the House and Senate without debate and by voice vote in October.[80] In 2001, the National Park Service reported that

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[72] Rep. Steny Hoyer, "Authorizing the Establishment of a Peace Garden," remarks in the House, *Congressional Record*, vol. 133, part 4 (March 10, 1987), p. 5205.

[73] National Park Service, "New Memorials Update," press release, March 14, 2001.

[74] P.L. 103-321 (108 Stat. 1793, August 26, 1994) extended the Peace Garden's authorization until 10-years after enactment (1997). P.L. 105-202 (112 Stat. 676, July 16, 1998) extended the authorization until June 30, 2002.

[75] P.L. 105-202, 112 Stat. 676, July 16, 1998.

[76] P.L. 102-407, 106 Stat. 1991, October 13, 1992; and P.L. 102-459, 106 Stat. 2268, October 23, 1992.

[77] Rep. William Lacy Clay, "Authorizing Construction of a Monument to Honor Thomas Paine," remarks in the House, *Congressional Record*, vol. 138, part 13 (July 21, 1992), p. 18660.

[78] P.L. 106-113, §142, 113 Stat. 1501A-171, November 29, 1999.

[79] P.L. 105-355, Title V, §512, 112 Stat. 3266, November 6, 1998.

[80] "Automobile National Heritage Area Act of 1998," *Congressional Record*, daily edition, vol. 144 (October 10, 1998), p. H10423; and "Automobile National Heritage Area," *Congressional Record*, daily edition, vol. 144 (October 14, 1998), p. S12533.

the memorial was to be sited on the L'Enfant Promenade in Southwest Washington and be under the jurisdiction of the District of Columbia.[81]

Since its initial authorization, the Washington Interdependence Council has not been granted an extension to its original authorization, which expired in 2005. A bill (S. 3886) was introduced in the 111th Congress (2009-2010) to reauthorize a Benjamin Banneker Memorial. S. 3886 was referred to the Senate Committee on Energy and Natural Resources, but no further action was taken.[82]

Frederick Douglass

In November 2000, Congress authorized the Frederick Douglass Gardens, Inc., "to establish a memorial and gardens on lands under the administrative jurisdiction of the Secretary of the Interior in the District of Columbia or its environs in honor and commemoration of Frederick Douglass."[83] During debate, Representative James Hansen provided a summary of why a memorial to Frederick Douglass was important:

> Mr. Speaker, Frederick Douglass was one of the most prominent leaders of the 19th century abolitionist movement. Born into slavery in eastern Maryland in 1818, Douglass escaped to the North as a young man where he became a world-renowned defender of human rights and eloquent orator, and later a Federal ambassador and advisor to several Presidents. Frederick Douglass was a powerful voice for human rights during the important period of American history, and is still revered today for his contributions against racial injustice.[84]

Early in 2001, the Frederick Douglass Memorial Gardens, Inc., expressed its preference for a site location near the Douglass Memorial Bridge in Southeast Washington,[85] but no further action was taken by Congress to approve the site location. The Frederick Douglass Memorial's authorization expired in 2008. One attempt was made to reauthorize a Frederick Douglass Memorial during the 110th Congress (2007-2008), but the bill was not reported by the House Committee on Natural Resources.[86]

Brigadier General Francis Marion

In May 2008, Congress authorized the Marion Park Project to establish a commemorative work to honor Brigadier General Francis Marion.[87] In testimony before the Senate Committee on Energy and Natural Resources, Subcommittee on National Parks, Daniel N. Wenk, deputy director for operations, National Park Service, supported the enactment of legislation authorizing a Brigadier General Francis Marion Memorial and explained why such a memorial meets criteria for commemoration in the District of Columbia.

> Brigadier General Francis Marion commanded the Williamsburg Militia Revolutionary force in South Carolina and was instrumental in delaying the advance of British forces by leading his troops in disrupting supply lines. He is credited for inventing and applying

[81] National Park Service, "New Memorials Update," press release, March 14, 2001.

[82] S. 3886 (111th Congress), introduced September 29, 2010.

[83] P.L. 106-479, 114 Stat. 2184, November 9, 2000.

[84] Rep. James Hansen, "Authorizing Memorial and Gardens in Honor and Commemoration of Frederick Douglass," *Congressional Record*, vol. 146, part 14 (October 3, 2000), p. 20630.

[85] National Park Service, "New Memorials Update," press release, March 14, 2001.

[86] H.R. 3935 (110th Congress), introduced October 25, 2007.

[87] P.L. 110-229, §331, 122 Stat. 781, May 8, 2008.

> innovative battle tactics in this effort, keys to an ultimate victory for the American Colonies in the Revolutionary War. Additionally Brigadier General Marion's troops are believed to have been the first racially integrated force fighting for the United States.[88]

The Marion Park Project identified its preferred site location for the memorial at Marion Park in southeast Washington, DC. In December 2014, the National Capital Planning Commission expressed its support for the Marion Park site.[89] Since its initial authorization, the Marion Memorial was reauthorized once.[90] Authorization for the memorial expired on May 8, 2018.

Vietnam Veterans Memorial Visitors Center

In November 2003, Congress authorized the Vietnam Veterans Memorial Fund to create a visitor center at the Vietnam Veterans Memorial to "better inform and educate the public about the Vietnam Veterans Memorial and the Vietnam War."[91] In the House report accompanying the legislation (H.R. 1442, 108th Congress), the Committee on Resources summarized the need for a visitor center at the Vietnam Veterans Memorial:

> Since its dedication in 1982, the Vietnam Veterans Memorial, known to many as simply "The Wall," has done much to heal the nation's wounds after the bitterly divisive experience of the Vietnam War. For those who served, that year marked a sea change in the country's view of the Vietnam veteran. Americans began to understand and respect the Vietnam veterans' service and sacrifice. Today, over 4.4 million people visit The Wall every year—making it the most visited Memorial in the Nation's Capital. Today, most visitors to The Wall were not alive during the "Vietnam Era." Many veterans' organizations and many others believe today's visitor is shortchanged in his/her experience. Many leave The Wall not fully understanding its message. To that end, a visitor center would provide an educational experience for visitors by facilitating self-guided tours, collecting and displaying remembrances of those whose names are inscribed on the Memorial, and displaying exhibits discussing the history of the Memorial and the Vietnam War. The visitor's center would eventually replace a 168-foot National Park Service kiosk currently at the site.[92]

The visitor center was to be constructed underground and located across the street from the Vietnam Veterans Memorial and the Lincoln Memorial.[93] In 2015, the NCPC and CFA approved the visitor center's design.[94] On September 21, 2018, the Vietnam Veterans Memorial Fund

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[88] Testimony of National Park Service Deputy Director for Operations Daniel N. Wenk, in U.S. Congress, Senate Committee on Energy and Natural Resources, Subcommittee on National Parks, *Miscellaneous National Park Bills*, hearing on S. 169, S. 312, S. 580, S. 686, S. 722, S. 783, S. 890, H.R. 497, and H.R. 1047, 110th Cong., 1st sess., April 26, 2007, S.Hrg. 110-88 (Washington: GPO, 2007), p. 12.

[89] The Marion Park Project, "Site Selection & Design Process," at http://www.swampfoxmemorial.org/siteselection.html. On December 4, 2014, the National Capital Planning Commission officially expressed its support for the placement of the Francis Marion Memorial within Marion Park. For more information, see National Capital Planning Commission, "Commission Action: Francis Marion Memorial," NCPC File #7615, December 4, 2014, at https://www.ncpc.gov/docs/actions/2014December/Francis_Marion_Memorial_Recommendation_7615_December_2014.pdf.

[90] P.L. 114-92, §2852, 129 Stat. 1184, November 25, 2015.

[91] P.L. 108-126, 117 Stat. 1348, November 16, 2003.

[92] U.S. Congress, House Committee on Resources, *To Authorize the Design and Construction of a Visitor Center for the Vietnam Veterans Memorial*, report to accompany H.R. 1442, 108th Cong., 1st sess., October 2, 2003, H.Rept. 108-295 (Washington: GPO, 2003), p. 2.

[93] P.L. 108-126, §6(b), 117 Stat. 1348, November 17, 2003.

[94] National Capital Planning Commission, "Vietnam Veterans Memorial Visitor Center," *Commission Action*, File No. 6597, July 9, 2015, at https://www.ncpc.gov/docs/actions/2015July/

announced their intention not to seek an extension to its authorization to build the visitor center, which expired on November 17, 2018.[95] At that time, legislation had been introduced, but not considered, to extend the fund's authorization into 2022.[96] Previously, the fund had received two statutory extensions.[97]

Repealed Authorization

Since 1986, one commemorative work's authorization was repealed by Congress—the Black Revolutionary War Patriots Memorial.

Black Revolutionary War Patriots

In October 1986, Congress authorized the Black Revolutionary War Patriots Foundation to establish a memorial in the District of Columbia to honor "the estimated five thousand courageous slaves and free black persons who served as soldiers and sailors or provided civilian assistance during the American Revolution and to honor countless black men, women, and children who ran away from slavery or filed petitions with courts and legislatures seeking their freedom."[98] In remarks introducing the memorial legislation, Representative Mary Rose Oakar summarized the need for a memorial to Black Revolutionary War Veterans:

> Mr. Speaker, as early as 1652 blacks were fighting as members of the Militia in Colonial America, thus beginning their history of achievement and heroism for our country. Yet, history books in American schools have for the most part omitted the contributions of black soldiers since the Revolutionary War, to our most recent conflict in Vietnam.
>
> This memorial to these black Americans is a small tribute to their bravery and valor, an important part of the founding of our country.[99]

Vietnam_Veterans_Memorial_Visitor_Center_Recommendation_6597_July2015.pdf; Letter from Thomas E. Luebke, secretary, U.S. Commission of Fine Arts, to Robert Vogel, regional director, National Park Service, National Capital Region, May 15, 2015, https://www.cfa.gov/records-research/project-search/cfa-21may15-2; and National Capital Planning Commission, "Vietnam Veterans Memorial Visitor Center," *Commission Action*, File No. 6597, at https://www.ncpc.gov/docs/actions/2012July/ Vietnam_Veterans_Memorial_Visitor_Center_Recommendation_6597_July2012_.pdf.

[95] Vietnam Veterans Memorial Fund, "Vietnam Veterans Memorial Fund Changes Direction of Education Center Campaign," press release, September 21, 2018, http://www.vvmf.org/news/article=Vietnam-Veterans-Memorial-Fund-changes-direction-of-Education-Center-campaign.

[96] S. 3298 (115th Congress), introduced July 30, 2018. The Senate Energy and Natural Resources Committee, Subcommittee on National Parks held a hearing on S. 3298 on August 15, 2018. For more information, see U.S. Congress, Senate, Committee on Energy and Natural Resources, Subcommittee on National Parks, "Legislative Hearing," August 15, 2018, at https://www.energy.senate.gov/public/index.cfm/hearings-and-business-meetings?ID= B763CF41-B503-4EF2-9B06-CD734A00DBB8.

[97] P.L. 111-270, 124 Stat. 2851, October 12, 2010 (extended through November 17, 2014); and P.L. 113-21, 127 Stat. 490, July 18, 2013 (extended through November 17, 2018).

[98] P.L. 99-558, 100 Stat. 3144, October 27, 1986; P.L. 99-590, 100 Stat. 3330, October 30, 1986; and P.L. 99-591, 100 Stat. 3341, October 30, 1986.

[99] Rep. Mary Oakar, "Black Revolutionary War Patriots Memorial," *Congressional Record*, vol. 131, part 22 (November 4, 1985), p. 30373.

Following its initial authorization in 1986, the memorial was reauthorized three times.[100] Authorization for the memorial expired in 2005,[101] and it was repealed when the National Mall Liberty Fund DC was authorized to build a memorial to "Slaves and Free Black Persons Who Served in the Revolutionary War" in 2013 (discussed above in the section on "In-Progress Commemorative Works").[102]

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[100] P.L. 103-321 (108 Stat. 1793, August 26, 1994) extended the authorization to 10 years from the date of enactment (1996). P.L. 105-345 (112 Stat. 3205, November 2, 1988) extended the authorization until 2000, and P.L. 106-442 (114 Stat. 1926, November 6, 2000) extended the authorization until 2005.

[101] P.L. 106-442, 114 Stat. 1926, November 6, 2000.

[102] P.L. 112-239, §2860, January 2, 2013.