

MISCELLANEOUS NATIONAL PARKS BILLS

HEARING
BEFORE THE
SUBCOMMITTEE ON NATIONAL PARKS
OF THE
COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE
ONE HUNDRED NINTH CONGRESS
SECOND SESSION
ON

S. 1870

S. 1913

S. 1970

S.J. Res. 28

H.R. 318

H.R. 562

FEBRUARY 16, 2006



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MISCELLANEOUS NATIONAL PARKS BILLS

THURSDAY, FEBRUARY 16, 2006

U.S. SENATE,
SUBCOMMITTEE ON NATIONAL PARKS,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 1:29 p.m. in room SD-366, Dirksen Senate Office Building, Hon. Craig Thomas presiding.

OPENING STATEMENT OF HON. CRAIG THOMAS, U.S. SENATOR FROM WYOMING

Senator THOMAS. I think we will get started. It is kind of a busy day for everyone. This is the third hearing I have had and we will have another one shortly after this.

We appreciate you being here and we will try and get through a number of things here. I think it is important that we have this hearing. So I want to welcome John Parsons from the National Park Service—glad to have you here—and Chief Chad Smith from the Cherokee Nation. Thank you.

Our purpose today is to hear testimony on three Senate bills, one joint resolution, and two House bills: S. 1870, a bill to clarify the authorities for the use of certain national park properties within the Golden Gate National Recreation Area and the San Francisco Maritime National Historical Park, and for other purposes; S. 1913, a bill to authorize the Secretary of the Interior to lease a portion of the Dorothy Buell Memorial Visitor Center to be used as a visitor center for the Indiana Dunes National Lakeshore, and for other purposes; S. 1970, a bill to amend the National Trails System Act to update the feasibility and suitability study originally prepared for the Trail of Tears National Historic Trail and to provide for the inclusion of new trail segments, land components, campgrounds associated with that trail, and for other purposes; S.J. Res. 28, a joint resolution approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower; H.R. 318, a bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located in St. Croix, Virgin Islands, as a unit of the National Parks, and for other purposes; and H.R. 562, a bill to authorize the government of the Ukraine to establish a memorial on Federal land in the District of Columbia to honor the victims of the manmade famine that occurred in the Ukraine in 1932 and 1933.

So these are the issues that we have before us. Let me say a word just in general about the development on the National Mall. The initial concept of the Mall was planned in the late 1700's as the city of Washington was laid out. In 1901 Senator MacMillan responded to concerns of overdevelopment that resulted in the plan for the Mall as we know it today.

In 2003 we passed legislation establishing a reserve area, limiting future construction on the Mall. Last month we heard about the site selection of the African American Museum in the reserve area near the Washington Monument and today we are considering a resolution to locate the Eisenhower Memorial in Area I. Both of these projects are important, no doubt. But I would like to reiterate that the National Mall is a complete work of civic art that needs to be carefully managed for the enjoyment of future generations.

So I believe it is time we take another look at the Mall, as was done in 1901, and I will be introducing language soon to accomplish that. The National Mall has outgrown its britches and it will take more than a new belt and suspenders, I believe, to fix it.

In any event, we thank the witnesses for being here today. We will move directly into that area. As I said, we have Mr. Parsons from the service and Mr. Smith from the Cherokee Nation.

So, Mr. Parsons, if you would like to begin, sir.

[The prepared statements of Senators Menendez, Brownback and Coburn follow:]

PREPARED STATEMENT OF HON. ROBERT MENENDEZ, U.S. SENATOR
FROM NEW JERSEY, ON H.R. 562

Mr. Chairman, I would like first to thank you for bringing this resolution, which establishes a memorial in the District of Columbia to honor the victims of the man-made famine that occurred in Ukraine in 1932 and 1933, before the Subcommittee. I was a proud cosponsor of this resolution in the House, and I continue to support this resolution now in the Senate.

With this resolution, we acknowledge the incredible loss and suffering by the Ukrainian people as a result of intentional policies implemented by the former Soviet Union. With this resolution, we remember that this brutal act against the people of Ukraine happened only 60 years ago.

With this memorial we remember that the Soviet Union deliberately confiscated grain harvests and starved millions of Ukrainians in a policy of forced collectivization, to put down Ukrainian independence.

We remember that millions of Ukrainian children were orphaned and left to starve by the Soviet Union, because Ukrainians fought for self-determination and freedom of speech over oppression.

And in 2004, Ukrainians again chose freedom. For the first time since independence in 1991, free and fair democratic elections were held in the Ukraine. Ukrainians seized the opportunity to strengthen their nation's rightful place in our community of world democracies, and today continue to fortify those values of freedom and democracy. And that spirit of democracy resounds strongly not just in the Ukraine, but in this country as well.

PREPARED STATEMENT OF HON. SAM BROWNBACK, U.S. SENATOR FROM KANSAS,
ON S.J. RES. 28

Thank you, Mr. Chairman and Members of the Subcommittee, for conducting this hearing today and providing me the opportunity to speak in support of a resolution that I sponsored with Senators Stevens, Inouye, Roberts and Reed. It is with great pleasure that I speak to you not only on behalf of this resolution, but on behalf of a great leader and fellow Kansan, President Dwight D. Eisenhower.

Most people know Eisenhower as a courageous five-star general who served as the Supreme Commander of the Allied forces in Europe during World War II, led the D-day invasion in June 1944 and later was commander of NATO. Less often is Eisenhower recognized for his contributions as the 34th President of the United

States. Under his Administration from 1953 to 1961, President Eisenhower was the driving force behind bringing statehood to Alaska and Hawaii, strengthening the Social Security system for 10 million more Americans, and bringing the St. Lawrence Seaway to completion. He was also instrumental in the creation of the interstate highway system, the largest public works program in U.S. history that created a 41,000-mile highway system. Eisenhower was also a strong proponent of civil rights. He pressed for passage of the first two Civil Rights Acts since Reconstruction and ordered the complete desegregation of the Armed Forces. Furthermore, he showed his commitment to this cause by sending troops into Little Rock, Arkansas, to assure compliance with the orders of a Federal court. He once wrote, "There must be no second class citizens in this country."

Eisenhower believed America needed to be modernized in transportation, space and aviation. Drawing from his Kansas roots, he took our state motto, "Ad Astra per Aspera," meaning *to the stars through difficulties*, literally by creating the Federal Aviation Administration and the National Aeronautics and Space Administration (NASA). Quite appropriately, the proposed memorial site would be steps away from the Federal Aviation Administration and the National Air and Space Museum, which houses many artifacts donated by NASA.

President Eisenhower was one of the most dedicated public servants in American history. He is recognized for his role as a peacemaker, his diplomatic record and his faith in democracy. President Eisenhower's Administration saw the end of the Korean War, dealt with crises in Lebanon, Suez, Berlin and Hungary, established the basic national defense policies that kept our country safe during the Cold War, and prevented nuclear war. His commitment to democratic processes and international peace stand as his lasting legacy to the Nation.

This extensive list of accomplishments would have caused most men to boast. Dwight D. Eisenhower was not most men; at his core, he was and would always remain true to his Kansas values. Born October 14, 1890, Eisenhower was raised in Abilene, Kansas, the third of seven sons. Eisenhower was a great athlete, but his career came to an end after he injured his knee trying to tackle the legendary Jim Thorpe. With professional sports no longer a career option, Eisenhower found his place in the United States Army and performed his duties well. Although his administrative abilities had been noticed by the military, on the eve of the U.S. entry into World War II, he had never held an active command and was far from being considered a potential commander of a major operation. Eisenhower persisted, remained humble and hard-working, and continued to perform to the best of his abilities. General George Marshall took notice and recognized his great organizational and administrative abilities. In a few short years, Eisenhower was appointed Supreme Commander of the Allied Forces in Europe and left his mark on history for all time.

In his now famous speech that would have been delivered if the invasion of Normandy failed, Eisenhower took full responsibility and said that if any blame or fault is attached to the attempt at Normandy, it was his alone. He was offered the Medal of Honor for his leadership in the European Theater but refused it, saying that it should be reserved for bravery and valor. Eisenhower said, "Humility must always be the portion of any man who receives acclaim earned in blood of his followers and sacrifices of his friends." It is the humility, bravery and sacrifice of this man that we wish to honor with a memorial.

The United States Congress created the Dwight D. Eisenhower Memorial Commission to consider and formulate plans for a permanent memorial to Dwight D. Eisenhower, including its nature, construction and location. This Commission has worked tirelessly to research the most suitable memorial sites and, after months of consideration, voted in favor of a location across the street from the National Air and Space Museum at the intersection of Independence and Maryland Avenues, a site within the boundaries of Area 1. This resolution approves the Secretary of the Interior's recommendation that the Eisenhower Memorial be located within Area 1. This Area is reserved for commemorative works whose subjects are of "pre-eminent historical and lasting significance to the Nation." President Eisenhower's life and legacy certainly had and will continue to have a lasting significance and deserve a memorial site to perpetuate his memory and his contributions to the United States.

I am pleased to join with my colleagues and enthusiastically support this resolution before the Committee today. All over the United States and the world there are memorials that have been named in Eisenhower's remembrance. Schools, roads, bridges, buildings, hospitals and parks are named in his honor and organizations and programs have been created in his name. It is time that we honored him in our Nation's capital by creating a permanent memorial to acknowledge the lasting impression he left on this city, the state of Kansas, the United States and the world.

We want to ensure that the distinguished legacy of Dwight D. Eisenhower lives on and serves as a stirring reminder of the sacrifices and triumphs that created this Nation—a nation united in our past and looking boldly towards our future.

I again thank you for the opportunity to speak on behalf of this resolution and look forward to working with you in order to move this resolution through the Senate.

PREPARED STATEMENT OF HON. TOM COBURN, U.S. SENATOR FROM OKLAHOMA,
ON S. 1970

Chairman Thomas, Ranking Member Akaka, and distinguished members of this subcommittee, I want to thank you for holding this hearing today. I am particularly grateful that you will be considering S. 1970 a bill that I have introduced alongside Senators Frist and Alexander to amend the National Trails System Act to recognize newly discovered routes along the Trail of Tears.

The Trail of Tears—the forced removal of Cherokees from the Southeastern United States to present day Oklahoma—was a dark and shameful moment in our history.

Along the many routes used during this period of removal, lives were shattered and many lost, and entire families were destroyed forever. We can never forget that time, and it was this impetus that inspired the original Trail of Tears legislation in the 1980s.

Over time, our ability for historical perspective has grown with the development of our country. Today we have better means to increase our knowledge and understanding about our past. There are new discoveries highlighting the realities of the Trail of Tears, and, since that original Act passed in 1987, our knowledge of the Trail has grown immensely. We now know that there were additional routes on the Trail, more than those originally designated by the federal government. The bill before the committee today includes the Benge and Bell routes; various water routes in Alabama, Arkansas, Oklahoma, and Tennessee; and several other routes now known to be a part of the original Trail. The goal, as you will hear from Chief Chad Smith of the Cherokee Nation today, is to make sure that the full picture of the Trail of Tears is known.

When deciding to introduce this legislation, the seriousness of the matter weighed heavy on my heart. The Trail of Tears is forever linked to Oklahoma, my home. I believe the purpose of this bill is noble and true and it is a further step in reconciliation and healing in America. This bill will officially recognize more recent discoveries about the Trail of Tears that are long overdue and it will serve to honor the people who were forced West.

In contemplating the intent of this bill, I also realized potentially serious implications and considerations that I wanted to ensure remained protected upon its enactment.

I wanted to make sure that this bill will in no way restrict, impede or threaten private property rights on the lands pertaining to this designation. My sponsorship of the legislation was also contingent on the assurance that no new federal appropriations could be used toward these new designations. That is why I have incorporated into our bill a prohibition on new federal funding, and encouraged the development of private and non-profit support as well.

With these assurances, I believe that passage of this legislation is the right thing to do.

Therefore, I sponsor this legislation with profound reverence and sensitivity as I reflect on the reality of lives lost and the suffering endured by the Cherokee people on the Trail of Tears. We should approach this legislation and see it to fruition with a solemn respect and without political posturing for personal credit or gain. The new designations of routes of the Trail of Tears are important so that we as a people always remember the grave mistakes of our past, so that they may never be repeated.

Before closing, I again want thank my cosponsors, Senators Frist and Alexander. In addition, I thank Chief Chad Smith of the Cherokee Nation for agreeing to be our lead witness this afternoon. Finally, I pay tribute to Representative Zach Wamp for his tireless efforts to see this legislation through the process. Without his leadership, this legislation would not be before this committee today.

Again, I thank my colleagues for their consideration of S. 1970, and ask for your support.

**STATEMENT OF JOHN PARSONS, ASSOCIATE REGIONAL
DIRECTOR FOR LANDS, RESOURCES AND PLANNING,
NATIONAL CAPITAL REGION, NATIONAL PARK SERVICE,
DEPARTMENT OF THE INTERIOR**

Mr. PARSONS. I am John Parsons, the Associate Regional Director of the National Capital Region of the National Park Service here in Washington, DC, and I thank you for the opportunity to appear before you to present the Department of the Interior's view on these measures that you have just outlined. With your permission, I will briefly summarize our prepared testimony and submit that material to you for the record.

Senator THOMAS. Thank you.

Mr. PARSONS. S.J. Res. 28 is a joint resolution approving the location of a commemorative work within the monumental core of the District of Columbia honoring former President Dwight D. Eisenhower. The Department strongly supports enactment of this measure and transmitted a similar proposal to Congress just this January, January 31. We are pleased to report that the National Capital Memorial Advisory Commission has met on this matter and unanimously concluded that Dwight Eisenhower made an extraordinary contribution in his lifetime of public service to this country and had a profound effect on all Americans, which will continue through history.

Under the provisions of the Commemorative Works Act, of course, the location will be deemed disapproved unless Congress approves by law the location within 150 days, which would be July 2. So we urge timely and favorable action on this measure.

The Department also supports enactment of S. 1870, which is based on an administration proposal that was submitted to Congress last year. This involves the Golden Gate National Recreation Area and the San Francisco Maritime National Historical Park. Both have had longstanding authority to spend revenue generated from certain properties for maintenance of park facilities.

S. 1870 would enable the National Park Service to ensure that the revenue from those properties could be used for multi-year rehabilitation and maintenance projects. It would also separate the property use and admission fee authorities for the parks and it would provide for a modest boundary adjustment between them.

S. 1913 would authorize the Secretary of the Interior to lease a portion of the Dorothy Buell Memorial Visitor Center for use as a visitor center for the Indiana Dunes National Lakeshore. The Department transmitted a similar proposal to Congress last September and strongly supports enactment of this measure.

The bill would authorize the Park Service to use federally appropriated funds to lease space in the Dorothy Buell Visitor Center, a new facility being built by the Porter County Convention, Recreation, and Visitor Commission outside the boundary of the lakeshore. This jointly operated facility will be located on the heavily used, heavily traveled route into the park. This concept was generated through a general management plan which concluded that we would better serve park visitors at this location.

S. 1970 would amend the National Park System Act to update the feasibility and suitability study of the Trail of Tears National Historical Trail. The enabling legislation—enabling the examina-

tion of additional routes, land components, and campgrounds associated with the trail which were not included in the initial study done in the 1980's.

S. 1970 would authorize the Secretary to make a determination if any of these additional routes, land components and campgrounds were eligible for inclusion in the Trail of Tears National Historical Trail and then to designate these as additions to the national historic trail.

While we support updating the feasibility and suitability study of the Trail of Tears, we recommend that S. 1970 be amended to remove the language providing that a studied route shall automatically be designated as an addition to the original trail upon the study's determination that the route is eligible for inclusion in the original trail. That is, we would return to Congress with the study and Congress then would authorize its designation rather than the Secretary.

H.R. 562 would authorize the government of the Ukraine to establish a memorial on Federal land in the District of Columbia to honor the victims of the manmade famine that occurred in the Ukraine in 1932 and 1933. The Department opposes enactment of this measure because in our judgment it duplicates efforts currently under way to establish a memorial that would honor all victims of communism worldwide. This memorial, the Victims of Communism Memorial, was authorized by Congress in 1993. The Victims of Communism Memorial Foundation is proposing a memorial to the victims of communism worldwide that will be supplemented by a virtual museum to tell the history of the impact of the communism.

Because the Victims of Communism Memorial will encompass the history of the Ukraine famine as well as that of 120 nationalities, ethnic groups and countries that were also victims of communism, we feel that a separate specific recognition of this or other national or ethnic groups should not be authorized. We believe that creating separate memorials for individual groups would detract from the overall message of the Victims of Communism Memorial and could potentially create an unfortunate competition amongst various groups for limited sites in the Nation's capital.

H.R. 318 would authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms, located on St. Croix in the Virgin Islands, as a unit of the National Park System. The Department does not oppose H.R. 318, if amended to allow the study to evaluate all alternatives for preservation and interpretation, including what role, if any, might be just played by the National Park Service or other partners.

We recommend that H.R. 318 be amended to specify that the study should explore all options. This study would determine if the resources present at Castle Nugent Farm are nationally significant, if the site would be suitable and feasible to National Park System, whether direct NPS management or alternative protection by other agencies or the private sector is appropriate for the site, and what management alternative would be most effective and efficient in protecting the resources and allowing for public enjoyment. We feel a modest amendment will accomplish this and we have attached that to our testimony.

That concludes my testimony here today. I would be glad to answer any questions you may have.

[The prepared statements of Mr. Parsons follow:]

PREPARED STATEMENT OF JOHN PARSONS, ASSOCIATE REGIONAL DIRECTOR FOR LANDS, RESOURCES AND PLANNING, NATIONAL CAPITAL REGION, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

ON S.J. RES. 28

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S.J. Res. 28, a joint resolution approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower. The Department strongly supports enactment of S.J. Res. 28. The Administration transmitted a similar proposal to Congress on January 31, 2006.

This joint resolution would approve the location of a proposed memorial to Dwight D. Eisenhower in Area I of the District of Columbia and its environs. Legislation authorizing the Dwight D. Eisenhower Memorial Commission to establish this memorial on Federal lands in the District of Columbia or its environs was signed into law on January 10, 2002.

The Commemorative Works Act governs the establishment of memorials. It sets forth strict requirements for locating a memorial in the central monumental core of the Capital City, which is designated as "Area I." After seeking the advice of the National Capital Memorial Advisory Commission, the Secretary of the Interior determines that the subject of the memorial is of preeminent historical and lasting significance to the Nation. The Secretary must then notify Congress of the determination that the memorial should be located in Area I. The location of the commemorative work in Area I is authorized only if the recommendation is approved by law within 150 calendar days after the Secretary's notification is received by Congress.

Dwight D. Eisenhower served with distinction in the United States Army as Supreme Allied Commander of the Army in Europe, Commander of Allied Forces landing in North Africa, the General of the Army, and as Commander of NATO forces. General Eisenhower left military service to become the 34th President of the United States in 1952. Among President Eisenhower's accomplishments were the establishment of the interstate highway system and the completion of the St. Lawrence Seaway. He also established the Federal Aeronautics Administration, and his interest in space led to the creation of the National Aeronautics and Space Administration. He established the United States Information Agency and made the Voice of America a principal component of that agency. His strong belief in education and his social and economic advantages led to the creation of the Department of Health, Education, and Welfare the predecessor agency to today's Departments of Education and Health and Human Services.

Mr. Chairman, the National Capital Memorial Commission met on March 1, 2002, to consider the appropriateness of placing this memorial on a site within Area I, and unanimously endorsed this proposal to the Secretary. The Secretary has recommended authorization of a location in Area I. However, under the Commemorative Works Act, the location will be deemed authorized only if the recommendation is approved within 150 days of February 2, or by July 2, 2006. We, therefore, urge timely and favorable action on S.J. Res. 28.

That concludes my prepared testimony and I would be happy to answer any questions you may have.

ON S. 1870

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 1870, a bill to clarify the authorities for the use of certain National Park Service properties within Golden Gate National Recreation Area and San Francisco Maritime National Historical Park.

The Department supports enactment of S. 1870, which is based on an Administration proposal that was submitted to Congress last year. Golden Gate National Recreation Area (NRA) and San Francisco Maritime National Historical Park (NHP) both have had longstanding authority to spend revenue generated from certain properties for the maintenance of park property. S. 1870 would enable the National Park Service to more effectively manage these properties by ensuring that the revenue from those properties could be used for multi-year rehabilitation and maintenance projects. This legislation also would separate intermingled authorities of the

two parks and, therefore, ensure that each park has its own property-use and admission-fee authorities. In addition, S. 1870 would provide for a modest boundary adjustment between them.

Since 1978, Golden Gate NRA has had authority to retain the revenue from the use of the Haslett Warehouse, the Cliff House properties and Louis' Restaurant, which the National Park Service owns. Under this authority, the park may use the revenues for certain infrastructure expenses, "provided that surplus funds, if any, will be deposited into the Treasury of the United States." This provision has been interpreted to mean that funds that are not spent within the fiscal year in which they are collected cannot be spent by the park. Without the ability to retain revenues over a longer period of time, the park cannot use the funds for projects that cost more than the park receives in one year. This legislative proposal would allow revenue to remain available until expended, giving the park the authority to enter into longer-term rehabilitation and maintenance contracts.

The property-use authority granted to Golden Gate NRA was extended to San Francisco Maritime NHP when that park was established in 1988 as a separate unit from property within Golden Gate NRA. However, the authority for revenue use was provided by a reference to the Golden Gate NRA law. Instead of relying on this reference, S. 1870 would explicitly include in the law that established the maritime park, the authority for administering contracts for, and revenues received from, the use of the Haslett Warehouse and other San Francisco Maritime NHP properties. San Francisco Maritime NHP, like Golden Gate NRA, would have the ability to retain the revenue beyond the current fiscal year, allowing the park to enter into multi-year contracts for the rehabilitation and maintenance of its historic ships and other assets.

Revenue generated from the use of properties at both parks would be available for use as in current law—for administration, maintenance, repair, and related expenses of the properties under a management contract or lease. Thus, the revenues generated by these properties would be used to reduce the deferred maintenance backlog at the parks, rather than for broader park purposes.

In addition, S. 1870 would transfer the authority for retaining revenue from admission fees to the ships owned by San Francisco Maritime NHP from the law governing Golden Gate NRA to the law governing San Francisco Maritime NHP. And, it would adjust the boundary between the two parks by moving San Francisco's Municipal Pier from Golden Gate NRA to San Francisco Maritime NHP. The maritime park already administers Municipal Pier by direction of the Regional Director of the Pacific West Region; this provision would simply conform the two parks' boundaries to the existing administrative arrangement. This boundary adjustment, along with the division of legislative authority for administering leased properties and admission fees, would complete the separation of the two park units that began with the formal establishment of San Francisco Maritime National Historical Park in 1988.

There are no additional costs to the National Park Service associated with S. 1870.

Mr. Chairman, this concludes my statement. I would be happy to answer any questions you or other members of the subcommittee may have.

ON S. 1913

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S. 1913, a bill to authorize the Secretary of the Interior to lease a portion of the Dorothy Buell Memorial Visitor Center for use as a visitor center for the Indiana Dunes National Lakeshore. The Department strongly supports enactment of S. 1913. The Administration transmitted a similar proposal to Congress on September 30, 2005.

S. 1913 would authorize the National Park Service (NPS) to use federally appropriated funds to lease space in the Dorothy Buell Memorial Visitor Center, a new visitor facility being built by the Porter County Convention, Recreation and Visitor Commission (PCCRVC) outside the boundary of Indiana Dunes National Lakeshore (national lakeshore). It would also authorize the Secretary of the Interior to enter into a Memorandum of Understanding with the Porter County Convention, Recreation and Visitor Commission prior to entering into a lease agreement. The Memorandum of Understanding would outline the terms of the joint partnership, including cooperative management of the new visitor facility and sharing of operational activities.

The new Dorothy Buell Memorial Visitor Center is located approximately three quarters of a mile south of the national lakeshore boundary on IN 49, the principal north/south artery into the national lakeshore. It will be owned by the PCCRVC and space will be leased to the national lakeshore. The two parties will jointly plan and

staff the new visitor center and offer “one-stop shopping” for the visitor with exhibits and theater space to educate them about the resources found in the park, aspects of threatened and endangered species management, habitat preservation, and wetlands restoration.

In 1998, the national lakeshore and the PCCRVC began to explore the concept of a joint visitor center to be shared by the PCCRVC, the national lakeshore, and the Indiana Dunes State Park. Both the national lakeshore and the PCCRVC suffer from low visitation at their respective visitor centers due to their poor locations away from the primary thoroughfares. Only about 66,000 visitors to the national lakeshore, just 3 percent of the park’s 2 million visitors, travel to the existing visitor center each year. Because of the existing visitor center’s inconvenient location, size, and layout, the national lakeshore’s General Management Plan recommended relocating the existing visitor center to the more heavily traveled IN 49 corridor. The old visitor center would then be used exclusively for school programs, which the national lakeshore currently hosts for over 50,000 students per year.

A partnership to acquire land for a new site was initiated. A more prominent location outside the national lakeshore but within the primary travel corridor to the dunes was selected. Using a series of Transportation Enhancement grants, the PCCRVC purchased the land and secured a contract for construction. The site for the new facility will be the cornerstone of a small commercial center.

A transportation study indicated that the new visitor facility would increase revenue to the area by \$24 million and visitor center visitation by over 300 percent. Commercial tour bus operators would be advised of the new visitor center and could include it as the first stop on their way into the national lakeshore or state park for information and orientation to the area. Local schools also would be directed to the new visitor facility to begin their educational trips to the national lakeshore. Visitor contact facilities and waysides within both the national lakeshore and the state park would provide information regarding the new visitor facility and list its location.

S. 1913 would provide authority to Indiana Dunes National Lakeshore to expend federally appropriated funds outside the boundaries of the park in order to lease space for exhibits, offices, a book store, and a theatre from PCCRVC. It would also authorize the expenditure of funds for the planning, design and development of exhibits to be placed in the new facility in the NPS-leased space and provide NPS staff for visitor information and education.

Passage of S. 1913 would have minimal impact on the park’s current budget. The space that would be leased by the NPS includes room for exhibits, offices, a theatre, and a bookstore that would be operated by the national lakeshore’s cooperating association. Park staff would be relocated to the new visitor facility to provide education and information, so no additional FTEs are required or expected as a result of this proposal. The national lakeshore will continue to participate in the development of the new visitor facility’s design plans, providing input for enhancing visitor flow and sustainability and offering technical advice on issues such as native landscaping.

A one-time cost of approximately \$1,200,000 would be needed to design, construct, and install exhibits in space leased for the national lakeshore. The NPS would include the project in the next update of its five-year construction plan. Annual lease payments would be approximately \$70,000. This cost increase would be offset within the park’s base budget with a reduction in lower priorities, so no additional operational funding would be requested or expected.

Two million visitors travel to Indiana Dunes National Lakeshore each year. Many of them are from the Chicago metropolitan area and are often unaware that the national lakeshore is a unit of the National Park System. By relocating the primary visitor contact point to a more prominent location, the park would have the opportunity to contact and educate four times as many visitors regarding the national lakeshore’s programs and resources as well as helping them understand the mission of the National Park Service.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks and I will be happy to answer any questions you or other committee members might have.

ON S. 1970

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior’s views on S. 1970. The bill would amend the National Trails System Act to update the feasibility and suitability study of the Trail of Tears National Historic Trail (NHT).

We thank Senators Tom Coburn, Bill Frist, and Lamar Alexander for their interest in and support of the commemoration of the Trail of Tears NHT. The Department supports updating the feasibility and suitability study for the Trail of Tears NHT; however, we recommend that S. 1970 be amended to remove the automatic designation of any additions to the original trail the study determines to be eligible. In a time of austere budgets and a refocusing on the core mission of the National Park Service (NPS), we believe that available funding should be first directed toward taking care of what we already own.

S. 1970 would update the feasibility and suitability study for the Trail of Tears NHT through the examination of additional routes, land components, and campgrounds associated with that trail not included in the initial study. The Secretary of the Interior would determine if some or all of these components are eligible additions to the trail at the completion of the study. Further, it would authorize the Secretary to make designations of any of these additional routes, land components and campgrounds that she found eligible. The National Trails System Act does not provide for additions to trails subsequent to their designation by Congress.

A network of 24 scenic and historic trails has been created since the enactment of the National Trails System Act in 1968. These trails provide for outdoor recreation needs, providing enjoyment and appreciation, which in turn, promotes good health and well-being. They traverse resources that connect us to history and provide an important opportunity for local communities to become involved in a national effort by encouraging public access and citizen involvement.

In 1987, Congress designated the Trail of Tears National Historic Trail. The trail encompassed the primary water route and northern land route used during the forced removal of the Cherokee Nation from its homelands in the southeast to Indian Territory (present day Oklahoma). The trail is administered by the NPS.

The Indian Removal Act of 1830 mandated the removal of all Indian tribes from east of the Mississippi River to lands west of Arkansas and Missouri. Of the Five Civilized Tribes, the Cherokee were perhaps the most successful at resisting the Act's implementation. But their fate was sealed in 1838 when the U.S. government was determined to complete the Removal. The roundup began in May, as thousands of Cherokee families were brought by force to nearby military forts or camps, and subsequently marched to the principal emigration depots at Ross's Landing or Fort Cass in Tennessee, or Fort Payne in Alabama. From there, they either walked overland or rode river steamboats, flatboats, and keelboats to Indian Territory. By the spring of 1839, nearly the entire Cherokee Nation, comprising some 16,000 individuals from all levels of society, had been removed west.

The 1992 Comprehensive Management and Use Plan for the Trail of Tears NHT identified the need to study two additional major routes of Cherokee Removal, the Bell and Bengie Routes in the states of Tennessee, Alabama, Missouri, Arkansas, and Oklahoma as possible additions to the existing trail. Both of these routes are included in S. 1970. Subsequently, the Cherokee Nation, the Eastern Band of Cherokee Indians, the Trail of Tears Association, and other trail supporters have urged the NPS to include additional important routes of Cherokee Removal in Georgia, North Carolina, Alabama, Tennessee, and Oklahoma. These routes lead from the many removal forts established by the military during the roundup of the Cherokee to the major embarkation sites from which the Cherokee people left on their tragic journey to Indian Territory. The roundup of the Cherokee is a major part of the story of the Trail of Tears, and it is not adequately represented by the current trail.

The Department recognizes the importance of telling the complete story of the Trail of Tears. Updating the feasibility and suitability study would cost approximately \$175,000. Also, the NPS estimates that it would require an additional \$295,000 per year to adequately provide funding for staff, travel, supplies, and other costs to administer the new routes.

Historic trails cross public and private lands, and the intent of the National Trails System Act is one of respecting private property rights. In so doing, the development of strong partnerships is critical to administering and managing the historic trails and achieving preservation of trail resources and interpretation of the trail to the public. The Trail of Tears NHT demonstrates the results of this type of effort.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks and I will be happy to answer any questions you or other committee members might have.

ON H.R. 562

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on H.R. 562, a bill to authorize the Government of Ukraine to establish a memorial on Fed-

eral land in the District of Columbia to honor the victims of the man-made famine that occurred in Ukraine in 1932-1933.

The Department opposes enactment of this legislation because it duplicates efforts currently underway to establish a memorial that would honor all victims of communism worldwide. This memorial, the Victims of Communism Memorial, was authorized by P.L. 103-199 on December 17, 1993.

H.R. 562 would authorize the Government of Ukraine to establish a memorial on Federal land in the District of Columbia to honor the men, women, and children who perished by famine under communist rule in Ukraine from 1932-1933. The bill would require that the establishment of the memorial comply with the major provisions of the Commemorative Works Act, but contains minor exceptions to four provisions. Two provisions require a commemorative work to have significance to the American Experience, and two relate to the requirement that the Secretary maintain and preserve the memorial. As a memorial gift from a foreign nation, the Government of Ukraine would be responsible for establishing, constructing, maintaining and preserving the memorial.

The people of Ukraine were brought to the verge of physical extinction in 1932-1933 when a man-made disaster resulted in the deaths of millions of innocent men, women, and children. The Soviet Government, under the political control of Joseph Stalin, used food as a weapon to annihilate or suppress the political and cultural identity of the Ukrainian people. To fill impossibly high grain quotas, assigned brigades seized the 1932 crop from one of the world's most fertile farmlands. Those who resisted giving up their crops were killed. Millions of people starved while stockpiles of seized grain rotted by the tons. Attempts were made by the United States Government to intercede at the height of the famine to provide food and other necessary supplies to help the starving people of Ukraine. In 1988, the United States Commission on the Ukraine Famine reported that the people of Ukraine were victims of genocide, or "starved to death in a man-made famine."

The National Capital Memorial Advisory Commission (Commission), established in 1986 to review proposals to establish memorials and provide its recommendation to the Secretary of the Interior and committees of Congress, reviewed this proposal on March 15, 2005. While it supported a similar proposal in the 108th Congress, the Commission has since considered revisions made by the Victims of Communism Memorial Foundation (Foundation) to expand its effort as a two-fold commemoration. The Foundation is proposing a memorial to victims of communism worldwide that would be supplemented by a virtual museum to tell the history of the impact of communism. The Commission also concluded that because the Victims of Communism Memorial would encompass the history of the Ukraine Famine as well as that of 120 different nationalities, ethnic groups, and countries that were also victims of communism, it would not endorse legislation proposed to provide a separate, specific recognition of this or other national or ethnic groups that already would be recognized in the Victims of Communism Memorial.

We agree with the approach of commemorating the millions of victims of communism worldwide, including those who suffered immeasurably during the horrific Ukraine Famine, through the Victims of Communism Memorial. While the victims of the Ukraine Famine obviously deserve recognition, we believe that creating separate memorials for individual groups would detract from the overall message of the Victims of Communism Memorial and could, potentially, create an unfortunate competition amongst various groups for limited memorial sites in our Nation's Capital. The Foundation envisions the Victims of Communism Memorial as a visible symbol for all those who have suffered atrocities to human rights and perished. The Foundation secured site approvals for placement of the Victims of Communism Memorial within sight of the United States Capitol and design approvals in 2005. The Foundation plans to begin construction on the memorial this spring.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks and I will be happy to answer any questions you or other committee members might have.

ON H.R. 318

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R. 318, a bill to authorize the Secretary of the Interior (Secretary) to study the suitability and feasibility of designating Castle Nugent Farms on St. Croix, Virgin Islands, as a unit of the National Park System.

The Department does not oppose H.R. 318, if amended as described in this testimony. This study would provide an opportunity to determine the appropriate way to preserve and interpret resources associated with the plantation period in the Virgin Islands. The National Park Service (NPS) currently manages three units on the

island of St. Croix—Christiansted National Historic Site, Buck Island Reef National Monument, and Salt River Bay National Historical Park and Ecological Preserve. In a time of tight budgets and a refocusing on the core mission of the National Park Service (NPS), we believe that funding should be directed first toward completing the 25 previously authorized studies.

In light of the President's commitment to devote more resources to maintaining existing units of the National Park System, we have made an effort to curtail taking on new responsibilities. For this reason, we believe any study should evaluate all alternatives for preservation and interpretation, including what role, if any, might best be played by the NPS or other partners. We recommend that H.R. 318 be amended to specify that the study explore all options. Our proposed amendment is attached to this testimony.

The NPS is in various stages of progress on 25 studies previously authorized by Congress, 17 of which are being funded through the special resource study budget. We transmitted three studies in FY 2005, and there are seven studies in the transmittal process. Our highest priority is to complete these pending studies, though we expect to start newly authorized studies as soon as funds are made available. We estimate that the costs of completing this study will be approximately \$250,000 to \$350,000.

H.R. 318 would direct the Secretary to carry out a study of the Castle Nugent Farms, which consists of approximately 1,400-acres located on the arid southeastern shore of St. Croix. The property is believed to be the largest parcel of privately held land in the U.S. Virgin Islands.

The farm's rolling terrain consists of a mixture of dry forest, native vegetation, and rangeland that slopes down from an elevation of 750 feet to the sea, fronting on a coastline that includes cobble beaches. One of the largest and healthiest fringing coral reef systems in the Virgin Islands extends only a few hundred feet offshore. The property also provides nesting areas for sea turtles, blackcrowned night herons, and a host of other migrating and resident birds.

Castle Nugent Farms has a long and diverse history of farming dating back to the 1730's when the property was first established as a cotton and sugar plantation after the Danish West Indies Company purchased St. Croix from France. For many years, sugar cane, indigo, and cotton were the main crops.

After Emancipation in 1848, the plantation began breeding N'Dama cattle, which had earlier been brought to St. Croix from Africa. This breed was a prominent part of the farm's operations until the 1960s when attention shifted towards raising an N'Dama cross breed of cattle known as Senepol. Introduced to Castle Nugent Farms in 1957 the Senepol breed has been able to flourish due to its tolerance to tropical, dry climates and its ability to survive in near-desert conditions, thus making the cattle an ideal match for St. Croix' climate. Today, the farm is well-known for its production of high quality Senepol beef, which is both consumed locally and exported to world markets.

Castle Nugent Farms contains a cluster of buildings from the colonial plantation era including a great house that dates from the plantation's establishment, a converted chapel, the remains of a sugar mill, slave quarters, and a converted cotton storage shed. The buildings are situated in close proximity to each other on a hill with views towards the Caribbean Sea. The current owner lives on-site and also operates the buildings and grounds as a bed and breakfast. According to the owner, other cultural resources on the grounds include recent discoveries of pottery shards and other artifacts left over from either slave shanties or Arawak Indian campsites.

If authorized by Congress, and if funds are made available, a study would be able to determine if the resources present at Castle Nugent Farms are nationally significant, if the site would be a suitable and feasible addition to the National Park System, whether direct NPS management or alternative protection by other public agencies or the private sector is appropriate for the site, and what management alternative would be most effective and efficient in protecting the resources and allowing for public enjoyment of the site.

That concludes my testimony. I would be happy to answer any questions you or other members of the subcommittee may have.

Proposed Amendment—H.R. 318, Castle Nugent Farms Study

Insert a new subsection (c) as follows and redesignate the existing subsection (c) as subsection (d).

“(c) **MANAGEMENT ALTERNATIVES.**—In completing the study authorized in subsection (b), the Secretary shall examine whether the National Park Service, the territorial government, or other public or private groups will be the most appropriate entity to provide for the management and preservation of Castle Nugent Farms.”

Senator THOMAS. Thank you.

I think maybe, Mr. Smith, we will go ahead and have your testimony and then we will have some questions.

**STATEMENT OF CHADWICK SMITH, PRINCIPAL CHIEF,
CHEROKEE NATION, TAHLEQUAH, OK**

Mr. SMITH. Thank you very much.

In 1838 one of the darkest chapters of American history was written. This event was the forced removal of 16,000 Cherokees, pursuant to the Treaty of New Echota of 1835, which was fraudulent on its face, violated a U.S. Supreme Court decision in *Worcester v. Georgia* in 1832, and undermined the constitutional government of the Cherokee Nation. This episode in American history will be forever remembered as the Cherokee Trail of Tears.

The Cherokee people were forced from their homes in Georgia and Tennessee and made to walk to Indian Territory 800 miles away in the dead of winter. The most vulnerable, those elderly, frail and young, were the first to perish. More than 4,000 died.

Seventeen thousand Cherokees wanted to stay in the land where their ancestors were buried, preserve their national character, and maintain their communities and way of life. They signed their names in the Cherokee language on a petition to be presented to Congress protesting the Senate's ratification by one vote of the Treaty of New Echota. The cruel irony is best evidenced by John Ross, Principal Chief, describing in an 1838 letter to his brother Lewis Ross the effort to present this petition.

He wrote: "Dear Brother: . . . Our friend in the Senate has thus long deferred the presentation of our memorial . . . in reference to the Execution of the spurious "treaty" [of 1835] . . . On Saturday last, the 24th, instituted a duel with rifles, was fought between Mr. [William] Graves of Kentucky and Mr. [Jonathan] Cilly of Maine, both of the House of Representatives in Congress. On the third fire, the latter fell and expired. Upon the meeting of the Congress this morning and the annunciation of the death of Mr. Cilly, both Houses adjourned, the funeral [taking] place tomorrow—and perhaps nothing will be done, until the next day when it is supposed a motion will be made by Mr. [John Quincy] Adams to expel all the members of the House who were in any way engaged in this tragical affair. Should this motion be made, it will unquestionably produce much excitement among the members, and perhaps lead to further acts of hostility, if not to the use of powder and ball, to blows in some other way—if so, let them go according to their own sense of honor through the scientific refinements of civilized life."

As a result of the "civilized" action of those members, the delivery of this protest was delayed.

I have filed for the record a copy of the protest written in the Cherokee language for demonstration; this is but one small portion. It was created in a scroll that laid out 17,000 names of Cherokees protesting their removal from their homelands.

The causes for removal were simple. At first, in 1827 the Cherokees had the audacity to create a constitutional government, formed in response to instructions by Thomas Jefferson given in 1803 to create a regular set of laws. Second, gold was found in Dahlonegah, Georgia, in 1829.

One of the public arguments to disguise this great national sin of fraud and forced removal was that the Indians could move to Indian Territory, where the game was plentiful and the water pure. It would be a place where the Cherokees could live, never to be disturbed again or have State or Federal governments thrust over them. Of course, the Cherokees asked the most obvious question: If Indian Territory was so nice, why did the white people not move there and leave the Cherokees in their ancestral homeland, as guaranteed by the United States in 23 treaties? In fact, David Crockett, a Congressman from Tennessee, introduced a bill which provided to move the Tennesseans to Indian Territory and advised the Georgians to move to Tennessee.

Why is S. 1970, this bill recognizing the Trail of Tears expansion, so important? There are three reasons. The U.S. Government must not repeat the mistakes it made in the past. It must honor its word and remember the inspiring story of the Cherokee spirit. At stake is the integrity of the United States and its word. Supreme Court Justice Hugo Black once said: "Great nations, like great men, should keep their word." The value of this Trail of Tears designation is that it will remind us of our obligations and duties and of the potentials and opportunities in the covenants of those treaties.

The Trail of Tears reminds us of our first lesson of history: The greed of individuals and the power of the U.S. Government should never be used as instruments to defraud and rob a people of their homeland and government. Our second history lesson is that legal treaties of the past are still binding, both on the United States and the Cherokee Nation, even though they are not honored or acknowledged at times, and they still are the supreme law of the land.

Our third history lesson is that, in contrast to the horrific episode that is the Trail of Tears, the Cherokee Nation and its people have continuously demonstrated our great legacy. The Cherokee Nation and its people know that this legacy is that we face adversity, survive, adapt, prosper, and excel. We continued our legacy in Indian Territory by building a sophisticated government and society through institutions of higher education, obedience to the law, and cohesive cultural communities. These lessons should never be forgotten, lest the mistakes of the past be repeated.

Since the Trail of Tears, we have faced a number of other challenges to the Cherokee Nation. I can tell you, with the spirit of our ancestors and the conviction of our people, our government, and our history, we will be here for centuries to come to pass on this legacy.

Thank you for the opportunity to attend. We support S. 1970.

[The prepared statement of Mr. Smith follows:]

PREPARED STATEMENT OF CHADWICK SMITH, PRINCIPAL CHIEF, CHEROKEE NATION,
TAHLEQUAH, OK

In 1838, one of the darkest chapters of American history was written. This event was the forced removal of 16,000 Cherokees pursuant to the Treaty of New Echota of 1835, which was fraudulent on its face, violated a U.S. Supreme Court decision (*Worcester v. Georgia*, 1832), and undermined the constitutional government of the Cherokee Nation. This episode in American history will forever be remembered as the Cherokee Nation's Trail of Tears.

Cherokee people were forced from their homes in Georgia and Tennessee and made to walk to Indian Territory, 800 miles away, in the dead of winter. The most

vulnerable, those elderly, frail and young, were the first to perish. More than 4,000 died.

Seventeen thousand Cherokees wanted to stay in the land where their ancestors were buried, to preserve their national character and to maintain their communities and way of life. They signed their names in the Cherokee language on a petition to be presented to Congress protesting the Senate's ratification—by one vote—of the Treaty of New Echota. The cruel irony is best evidenced by John Ross, Principal Chief, describing in an 1838 letter to his brother, Lewis Ross, the effort to present this petition:

“Washington City February 26th, 1838

Dear Brother . . . Our friend in the Senate has thus long deferred the presentation of our Memorial . . . in reference to the Execution of the spurious “treaty” [1835] . . . On Saturday last the 24th inst. a duel with rifles was fought between Mr. [William J] Graves of Ky. and Mr. [Jonathan] Cilly [Cilley] of Maine both of the House of Reps. in Congress. On the 3'd fire the latter fell and expired. Upon the meeting of Congress this morning and the announcement of the death of Mr. Cilly, both Houses adjourned, the funeral will take place on tomorrow—and perhaps nothing more will be done, until the next day when it is supposed a motion will be made by Mr. [John Quincy] Adams to expel all the members of the House who were in any way engaged in the tragical affair. Should this motion be made it will unquestionably produce much excitement among the members, and perhaps lead to further acts of hostility, if not to the use of powder and ball, to blows in some other way—if so, let them go according to their own sense of honor through the scientific refinements of civilized life.”

As a result of the “civilized” action of those members, this delivery of this protest was delayed.

I present to you a copy of the 1836 memorial of 17,000 Cherokees protesting the Treaty of New Echota which resulted in the Trail of Tears.

The causes for removal were simple. First, in 1827, the Cherokees had the audacity to create a constitutional government, formed in response to instructions Thomas Jefferson gave in 1803 to create a regular set of laws. Second, gold was discovered at Dahlonega, Georgia, in 1829.

One of the public arguments used to disguise these great national sins of fraud and forced removal was that the Indians could move to Indian Territory, where the game was plentiful and the water pure. It would be a place where the Cherokees would never be disturbed again or have state or federal governments thrust over them. Of course, the Cherokees asked the most obvious question: If Indian Territory was so nice, why didn't white people move there and leave the Cherokees in their ancestral homeland, as guaranteed by the United States in 23 treaties? In fact, David Crockett, Congressman from Tennessee proposed to move Tennesseans to Indian Territory and advise Georgians to move into Tennessee.

Why is this bill recognizing the Cherokee Nation Trail of Tears important? There are three reasons. The United States government must not repeat the mistakes it made in the past, it must honor its word, and forever remember the inspiring story of Cherokee spirit. At stake is the integrity of the United States and its word. Supreme Court Justice Hugo Black once said, “Great nations, like great men, should keep their word.” The value of this Trail of Tears designation is that it will remind us of our obligations and duties and of our potentials and opportunities in the covenant of those treaties.

The Trail of Tears reminds us of our first history lesson: The greed of individuals and the power of our United States government should never be used as instruments to defraud and rob a people of their homeland and government.

Our second history lesson is that legal treaties of the past are still binding, both on the United States and the Cherokee Nation, even though often they are not honored or acknowledged and sometimes are even viewed as primitive agreements even though they are the supreme law of the land. In spite of such willful misinterpretations, these treaties are equally as sacred to Indian nations as our U.S. Constitution is to all of us.

Our third history lesson is that, in contrast to the horrific episode that is the Trail of Tears, the Cherokee Nation and its people have continuously demonstrated our great legacy: We are a people who face adversity, survive, adapt, prosper and excel. We continued our legacy in Indian Territory by building a sophisticated government and society through institutions of higher education, obedience to the law and cohesive cultural communities.

These lessons should never be forgotten, lest the mistakes of the past be repeated.

At stake here is the integrity of the United States and its word. Supreme Court Justice Hugo Black once said, "Great nations, like great men, should keep their word."

The value of this Trail of Tears designation is that it will remind us of our obligations and duties and of our potentials and opportunities in the covenant of those treaties.

Since the Trail of Tears, we have faced and are facing a number of other challenges to the Cherokee Nation. I can tell you, with the spirit of our ancestors and the conviction of our people, our government, and our history, we will be here for centuries to come to pass on this legacy.

I am extremely fortunate to be here today and to advocate on behalf of Representative Zach Wamp (R-TN), Marion Berry (D-AR) and 17 cosigners, including the Oklahoma delegation, on H.R. 3085 ("Trail of Tears Documentation Act") and Senator Thomas Coburn (R-OK) Bill S. 1970, to memorialize and to protect the physical remnants of the Trail of Tears.

Senator THOMAS. Thank you very much, Chief. Would you care to go over those signatures with us?

[Laughter.]

Mr. SMITH. I would love to, sir. We can have the election commission verify them.

Senator THOMAS. That is very interesting. Thank you so much for being here.

Let me go back then to Mr. Parsons and a couple of the areas we discussed. On the proposal for the Eisenhower Memorial, where is that now in relation to the Mall and so on?

Mr. PARSONS. You mean the location?

Senator THOMAS. Yes, the location.

Mr. PARSONS. The location that we are currently dealing with? The location has not yet been approved because we need the legislation we are talking about here today.

Senator THOMAS. Where is the proposal?

Mr. PARSONS. The Eisenhower Commission looked at a dozen sites, and we focused on one that is on Maryland Avenue at the intersection with Constitution. It is directly across the street from the Air and Space Museum and is one of the sites that is identified in the monuments and memorials master plan that I believe you are familiar with; a series of traffic islands, not a very attractive location. We have all looked forward for a long time to creating a sense of place here.

Senator THOMAS. That is a traffic island now, with streets on three sides of it; is that it?

Mr. PARSONS. Yes. It also is complicated by multiple jurisdictions. We have a piece, the District of Columbia has a piece, and GSA has a piece, but we are working with all three agencies to try to bring them together and get it under one jurisdiction, hopefully the National Park Service.

Senator THOMAS. So this is what, in Area I?

Mr. PARSONS. It is just on the edge of Area I. Actually, half of it is in Area II.

Senator THOMAS. I see.

Mr. PARSONS. It is simply the northern piece that is in Area I.

Senator THOMAS. Now, what is the long part of the Mall? That is reserved area?

Mr. PARSONS. Yes. This map, I think you are familiar with. It is the one in the Commemorative Works Act that you sponsored.

Senator THOMAS. Yes. This is not in that area?

Mr. PARSONS. Not at all, no.

Senator THOMAS. I see.

This is always kind of confusing. Who actually has jurisdiction over what is on the Mall?

Mr. PARSONS. We manage 90 percent of the acreage of the Mall, the National Park Service. The District of Columbia manages streets going through it North-South—Third, Fourth, Seventh, and Fourteenth Streets. And the Smithsonian of course has the museums along the way. But the bulk of it is under the jurisdiction of the Park Service.

Senator THOMAS. So future development, particularly on the reserve area, would be up to the authority of the Park Service?

Mr. PARSONS. Correct.

Senator THOMAS. It seems like it always takes the Park Service, the city of Washington, the Smithsonian and everybody to get involved in these decisions. I'm a little concerned that we are going to be able—in fact, I think I am going to recommend that we have a study again as to how we preserve that Mall. There are always ideas about having some more buildings on there and now here are two relatively new ones; right?

Mr. PARSONS. Yes. Well, I would not characterize the Eisenhower Memorial as being on the Mall. It is across the street, as it were. Not the Mall that you and I are so concerned about protecting through the reserve. But you are absolutely right about the African American Cultural Museum, Congress exempted the reserve and indeed the Smithsonian picked it.

If you recall the hearings that we had last summer regarding this very subject with the Planning Commission, the Commission of Fine Arts, and the Coalition to Save Our Mall, we outlined at that time what we intend to do now that we have the reserve in place, and that is to do a two-fold planning process. One is the Park Service is going to do a comprehensive management plan for the Mall, which will deal with it from a sustainability standpoint, not a development plan, not where we are going to build more things, but how are we going to protect what we have. At the same time, the National Capital Planning Commission is going to do a framework plan surrounding the Mall. That is all of the real estate in Area I. The reason they are doing that is it is beyond our jurisdiction. So these two companion planning processes will be going on at the same time and we feel that will give you what you have in mind.

I think the main difference between 1901 and today is that the L'Enfant Plan was being ignored. There was chaos on the Mall, a train station in the middle of it. At the same time, the Corps of Engineers was filling all of East and West Potomac Park and there was no plan for that. Senator MacMillan decided that there should be somebody that did this, so they created the plan that we are all familiar with.

One of the important recommendations of that plan was to create Federal agencies to steward this, and they created—the Congress in turn created this Commission of Fine Arts and the National Capital Planning Commission. So here we have two Federal agencies, including ourselves, that are charged with protecting this. I think that I would like to talk more about this, not today obviously,

but that that is the appropriate mechanism to get a good plan for this area.

Senator THOMAS. Good. Well, I feel very strongly about it, as most people do. But unfortunately, as you know, or fortunately, when something comes up that has a lot of merit, no one argues with the merit of things. Well, then someone wants it on the Mall. The next thing you know, you have got a hassle going on again.

So I think if our plan is current and clear, why, that would help a good deal. So that's good, I am glad you are working on that.

Mr. PARSONS. All right. I look forward to more discussion about this.

Senator THOMAS. This visitor center at the Buell Memorial, is that going to be an additional responsibility of the Park Service?

Mr. PARSONS. We have an existing visitor center. It is off the beaten path. What we will be doing is relocating our personnel there. So from an operational standpoint, it is a wash. There will be lease payments of about \$70,000 a year maximum that would be an additional cost, but we are rearranging the priorities in the park so that we will not be seeking an operational increase.

Senator THOMAS. I see.

Mr. PARSONS. There is also a cost of \$1.2 million to prepare exhibits, desks, the kind of thing you need in a normal visitor center. That is a one-time cost. With this authority, we would be seeking appropriations over the next 5 years to do that.

Senator THOMAS. Really? What a surprise. No, I understand.

This farm thing in St. Croix, would that be part of an existing park or would that be a new designation, if that should happen?

Mr. PARSONS. As we understand the measure, it is being studied as a stand-alone. It is not a boundary expansion, if you will. It is a stand-alone unit that is across the island from our current facilities.

Senator THOMAS. I see.

What is the status of this, what do you call it, the existing plan for a memorial on—

Mr. PARSONS. Victims of Communism?

Senator THOMAS. Victims of Communism.

Mr. PARSONS. They hope to start—it is all approved, that is through the various approval processes here in Washington. They hope to start construction this spring and be completed by November.

Senator THOMAS. Oh, really. I see.

What have you heard—is this going to fulfill the hopes of some of the people who have recommended this additional one, or do you know?

Mr. PARSONS. No, I think they feel pretty strongly that the Victims of Communism Memorial will not represent what they are trying to tell.

Senator THOMAS. I see.

Chief Smith, now, is this an expansion, is this a study, or is there authorization for an addition to the study, or how do you define that?

Mr. SMITH. If I could, I will just defer to the Park Service. As I understand, it is a study for the designation of additional routes of the Trail of Tears. Basically there were four routes. The primary

one has been designated and the study is to expand the other three routes.

Senator THOMAS. Someone suggested, however, in addition to the study, that it also designates some routes before the study; is that correct?

Mr. PARSONS. Yes, the study—the way the measure is structured now, we are suggesting it be changed. Rather than us—what it says is we will study it; if we think it is worth designating, it would automatically be designated. Highly unusual. We usually return to the Congress with such a study saying what we think should be designated, how much it would cost, and those kinds of things. So that is the amendment we are seeking.

Senator THOMAS. Oh, I see. So the bill does not authorize it. It just says if the study recommends it, it can automatically be done.

Mr. PARSONS. Yes.

Senator THOMAS. You are suggesting, if the study recommends it, it then has to go through the regular process?

Mr. PARSONS. Correct.

Senator THOMAS. Is that a problem for you, Chief?

Mr. SMITH. No.

Senator THOMAS. Okay, good.

Well, gentlemen, we are trying to see if we can do things fairly quickly today.

Mr. PARSONS. I think you broke a record today.

Senator THOMAS. Is that a record?

Mr. PARSONS. It must be.

Senator THOMAS. Well, we appreciate very much your being here. I think you have covered all the issues here pretty well and we will try to move them on. I do not have any further questions. If you would both be willing, we will have some time for other members that were not able to be here, if they have questions to submit to you within the next couple of days.

Mr. PARSONS. Certainly.

Senator THOMAS. Otherwise, thank you very much.

Mr. PARSONS. Thank you.

Senator THOMAS. The committee is adjourned.

[Whereupon, at 1:57 p.m., the hearing was adjourned.]

APPENDIX
ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

U.S. SENATE,
Washington, DC, February 13, 2006.

Hon. CRAIG THOMAS,
Chairman, Subcommittee on National Parks, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: As Commissioners of the Dwight D. Eisenhower Memorial Commission, we respectfully request that S.J. Res 28, a resolution approving an Area I location for the Dwight D. Eisenhower Memorial, be placed on the hearing agenda for February 16, 2006. This resolution, introduced on February 7, 2006, was referred to the Senate Committee on Energy and Resources.

S.J. Res 28 approves the Secretary of the Interior's recommendation that the Eisenhower memorial be located within the boundaries of Area 1, as defined by the Commemorative Works Act (40 U.S.C. §§ 8901-8908). This area is reserved for commemorative works whose subjects are of "pre-eminent historical and lasting significance to the Nation." It is outside the National Mall, but close to the central core of the city.

Dwight D. Eisenhower served as the 34th President of the United States. President Eisenhower helped lead the victorious resolution of World War II, and was one of the most dedicated public servants in American history. His commitment to democratic processes and international peace stand as his lasting legacy to the Nation. President Eisenhower deserves a memorial location that speaks to his life and legacy.

Accordingly, we respectfully request that S.J. Res. 28 be placed on the February 16, 2006 hearing agenda, and favorably reported as soon as possible, in order to ensure that the memorialization be on schedule.

Thank you for your consideration of our request.

Sincerely,

TED STEVENS,
U.S. Senator From Alaska.
DANIEL K. INOUE,
U.S. Senator From Hawaii.
PAT ROBERTS,
U.S. Senator From Kansas.
JACK REED,
U.S. Senator From Rhode Island.
SAM BROWNBACK,
U.S. Senator From Kansas.

STATEMENT OF HON. SANDER M. LEVIN, U.S. REPRESENTATIVE
FROM MICHIGAN, ON H.R. 562

Chairman Thomas, Ranking Member Akaka and Members of the Subcommittee, thank you for the opportunity to testify on behalf of H.R. 562. H.R. 562 would allow the Government of Ukraine to donate a memorial in the District of Columbia honoring the victims of the manmade famine that killed millions of Ukrainians in 1932-33. This is important legislation to the 1.5 million Ukrainian-Americans throughout the United States, to the people of Ukraine who have embarked on a courageous effort to build a free, democratic, open society, and indeed to all of us who value freedom.

The famine of 1932-33 resulted from criminal acts and deliberate, criminal decisions by political officials, not from the forces of nature. Yet it is also one of the least known of human tragedies. Despite efforts by the Soviet government at the

time and afterward to hide the planned and systematic nature of this famine-genocide, the Ukrainian Diaspora has struggled to preserve its memory.

By introducing unrealistically high quotas on grain and other agricultural products, which were strictly enforced by Red Army troops, the Soviet government deliberately starved 7 to 10 million Ukrainians. The harvest of 1932 was only 12% below 1926-1930 average, but millions of Ukrainians died a slow, agonizing death of hunger.

In his book "The Harvest of Sorrow", British historian Robert Conquest provided a vivid picture of the devastating effects of the Famine-Genocide in Ukraine: "A quarter of the rural population, men, women, and children, lay dead or dying, the rest in various stages of debilitation with no strength to bury their families or neighbors."

This effort was systematic and premeditated. Having sealed the borders of Ukraine to prevent any outward migration or outside relief efforts, the Soviet Union proceeded to confiscate grain and summarily execute anyone found taking even a handful of grain that was considered "social property." The result was devastating, and exactly what the Soviet government intended. Materials now being found in KGB archives have shown the pre-meditated, political nature of the famine.

Nearly a quarter of the Ukrainian rural population paid for their love of freedom with their lives.

The United States and its people must persist in standing with those living under oppressive and tyrannical regimes as they struggle for their freedom. Part of this struggle is to remember the brutal acts of these regimes and their victims. Preventing the recurrence of crimes against humanity such as the Ukrainian Famine-Genocide begins with remembering the tragedies of the past.

That is why I believe it is so important for there to be a monument remembering the millions of innocent victims of this Famine-Genocide. This memorial will not only honor the victims of this horrible period of history, but also serve as a reminder to all of us that we must work together to prevent such tragedies in the future. This reminder is particularly poignant given the renewed commitment of Ukraine to freedom and democracy as demonstrated during last year's Orange Revolution.

Some hold the view that a memorial to the victims of the Ukrainian Famine-Genocide would detract from the planned Victims of Communism Memorial, and potentially lead to a competition among other groups for separate memorials. My understanding is that this planned monument will not make reference to individual countries and events. Specifically remembering the grievous events of the Famine-Genocide makes the brutality of Communism even more clear. Far from detracting from the message of the Victims of Communism Memorial, this would reinforce it.

The large Ukrainian-American Community, in cooperation with the people of Ukraine, has been working publicly toward a memorial with the involvement of other concerned citizens for many years now. This effort to commemorate a tragic, massive loss of 7 to 10 million lives has not led to a plethora of requests from other countries or groups for a memorial as a gift to the United States.

This bill specifies that no costs would be incurred by the U.S. government. I also want to make clear that there is no expectation that this Memorial would be placed on the National Mall.

This tragedy is more than worthy of, it is crucial to, our remembrance. The House of Representatives approved this legislation by voice vote on November 16th, 2005, and I believe it would enjoy similarly broad support in the full Senate. I thank you again for this hearing and urge the members of the subcommittee to support H.R. 562.

STATEMENT OF HON. ZACH WAMP, U.S. REPRESENTATIVE
FROM TENNESSEE, ON S. 1970

Thank you Chairman Thomas, Senator Akaka and ladies and gentlemen of the committee, I appreciate being given the opportunity to express my support for S. 1970, sponsored by Senator Coburn and cosponsored by Senators Frist and Alexander.

S. 1970 is the companion bill to H.R. 3085 introduced by me and cosponsored by 20 of my House colleagues. The intent of both of these bills is to study an expansion of the current Trail of Tears National Historic Trail to include additional documented components into the National Trails System Act. The proposed additions have been well documented by National Park Service historians, military journals and newspaper accounts. When the original Trail was designated only primitive research existed, leaving two main arteries-Ross and Bell missing, as well as many water routes and emigration depots.

The designation and interpretation of the sites and trails associated with the Cherokee Removal will enhance public understanding of American history. Our greatness as a nation is our ability to look at our own history objectively and in proper perspective, being mindful of the errors of the past in order not to repeat them. Through this legislation we will honor the historic footsteps taken by the Cherokee and celebrate our future as we remember the past.

Because of historical significance, S. 1970 and H.R. 3085, enjoy broad support not only within Congress, but also with the Cherokee Nation, Eastern Band of Cherokee and associated trail organizations such as the Trail of Tears Association. The legislation is a wonderful example of how Congress can better understand a national event through commemoration of the Cherokee's story. I believe the Secretary of Interior will find that the additional routes meet the historical significance, suitability and feasibility required by the National Park Service for designation as part of the Trail of Tears National Historic Trail. I thank you for today's hearing and I look forward to working further with Senator Coburn and the Committee.

STATEMENT OF HON. DONNA M. CHRISTENSEN, DELEGATE, U.S. VIRGIN ISLANDS,
ON H.R. 318

Thank you, Chairman Thomas and Ranking Member Akaka, for scheduling a hearing on my bill, H.R. 318 to provide for a study to determine the feasibility and suitability of designating Castle Nugent Farms in the U.S. Virgin Islands as a unit of the National Park System.

Castle Nugent Farms is a unique 1350-acre property located on the southeastern shore of my home island of St. Croix. It contains natural and cultural resources, which could provide an unparalleled insight into the plantation period of the Virgin Islands.

I was asked to introduce H.R. 318 by the owners of Castle Nugent Farms, which is presently operated as a cattle ranch, because they are very interested in preserving and interpreting the natural and cultural resources of the area. Caroline Gasperi, whose family members have been the stewards of this land for more than 50 years, has been an enthusiastic supporter for the preservation of the site.

This hearing on this bill today brings her one step closer to her long held and hard fought for dream.

The owners are justifiably proud of their ranch, which contains more than four miles of pristine oceanfront with a large and healthy fringing coral reef. The interior of the property consists of Caribbean dry forest and pasture lands with cultural resources from both pre-Columbian and post-European settlement.

A large Danish estate house, dating to the 1730's, sits on the property. That house is listed on the National Register of Historic Places.

At various points in its history Castle Nugent Farm has been operated as a cotton plantation and a sugar cane plantation. Its current use as a cattle ranch involves raising unique Senepol cattle, a breed which is well suited to the climate and vegetation of the area.

H.R. 318 is a non-controversial bill. Identical legislation passed the House in the last Congress. The National Park Service has no objections to the legislation and the property's owners not only support a park study of the site but also are enthusiastic about the opportunity to preserve the natural and cultural resources of the farm.

Mr. Chairman, it is my hope that the park study will provide the blueprint by which we can preserve and interpret this unique piece of island history and resources for the benefit of present and future generations. I strongly support adoption of H.R. 318 by your committee and the full U.S. Senate.

Thank you again for holding a hearing on H.R. 318. I look forward to working with you to secure its passage in the Senate.

DWIGHT D. EISENHOWER
MEMORIAL COMMISSION,
Washington, DC, February 14, 2006.

Hon. CRAIG THOMAS,
Chairman, Subcommittee on National Parks, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE: On behalf of the Eisenhower Memorial Commission I would like to thank you for holding this hearing and for the opportunity to convey our support for S.J. Res. 28, a resolution approving

location of the Eisenhower Memorial in Area I, as defined by the Commemorative Works Act.

The Eisenhower Memorial Commission was created by Public Law 106-79 and was fully appointed in 2001. The Commission consists of four Representatives, four Senators, and four public members and is completely bipartisan. I am the Commission's Chairman, and Senator Daniel Inouye is the Vice Chairman. The other Senators are Senator Ted Stevens, Senator Pat Roberts, and Senator Jack Reed. According to the law, the Commission is charged with creating an "appropriate permanent memorial to Dwight David Eisenhower" to perpetuate his "memory and his contributions to the United States." S.J. Res. 28 is an important part of the process that we hope will fulfill the mandate of the law.

As you know, only memorials whose subjects are of "pre-eminent historical and lasting significance to the Nation" may be located in Area I. The Secretary of the Interior, with the consultation of the National Capital Memorial Advisory Commission, has deemed that the Dwight Eisenhower Memorial meets these criteria and has recommended that Congress approve her determination.

The Eisenhower Memorial Commission supports the Secretary's determination and believes that an appropriate memorial to Dwight Eisenhower must have a prominent location. The remarkable life and legacy of Dwight D. Eisenhower is only partly known to the American public. He is recognized as an exceptional General, but sometimes regarded as only an average President. Only now are his extraordinary accomplishments as President—in maintaining peace, fostering democracy, and modernizing America—being understood and recognized.

I served in the European Theatre in World War II and later worked as a special assistant to President Eisenhower in the White House. It is evident to me and many of my generation that Eisenhower was a pre-eminent figure in the Allied victory in World War II, as Supreme Commander Allied Forces Europe, and in the successful and peaceful years of his presidency. It is my hope that this memorial will show future generations not only this historical import, but also his legacy of public service, deep commitment to the freedom of our country, and love of the Constitution and democratic processes that together comprise his lasting significance to the Nation.

It is a great privilege on my part to be able at this point in my life to spend time pursuing the goals of building this memorial. The attached document is a brief summary of Dwight Eisenhower's legacy and specific contributions to the United States of America.

Sincerely,

ROCCO C. SICILIANO,
Chairman.

[Enclosure.]

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

THE NATIONAL MEMORIALIZATION OF DWIGHT D. EISENHOWER

Dwight D. Eisenhower (October 14, 1890-March 28, 1969) served as the 34th President of the United States and ranks as one of the preeminent figures in the global history of the twentieth century. Eisenhower was a central leader in the victorious resolution of World War II but his lasting significance in history lies in his deep commitment to freedom, the Constitution, democracy, economic progress and international peace.

An officer in World War I, Eisenhower's unusual abilities led to accelerated promotions at the outset of World War II and his selection in December 1943 as Supreme Commander of the Allied Expeditionary Forces. General George C. Marshall endorsed him for this position and President Franklin D. Roosevelt appointed him. He commanded the largest and most complex amphibious assault in world history on D-Day, June 6, 1944. He tirelessly worked to achieve cooperation among the allied nations and commanders and became one of the most beloved military leaders in American history and most respected international figures of that time.

Toward the end of World War II, Eisenhower was nominated by President Roosevelt and approved by Congress for the rank of five-star General. Upon retiring from military service, he served as President of Columbia University from October 1948 to January 1951. While in that position, President Truman regularly sought his advice and counsel and then recalled him to active duty, appointing him in December 1950 as the first commander of the North Atlantic Treaty Organization's (NATO) military forces in Europe.

Eisenhower's many contributions to our nation's security included his oversight of the peacetime demobilization of American military forces, his guidance in creating

the armed forces needed to resist Communist aggression, and his many efforts to promote the unification of the armed forces.

As Eisenhower's two-term presidency began, American democratic values and national security were threatened by powerful adversaries in Europe and Asia. Passionately devoted to national security through alliances with other nations, President Eisenhower insisted on acquiring the modern military forces needed to contain the Soviet Union and other Communist nations without weakening America's capitalist economy and trading partners. Through crises and controversies, he kept the nation focused on the long-term strategy that would, he was certain, eventually win the Cold War. He understood the political economy of warfare better than most of his contemporaries and realized that excessive military expenditures could undermine the nation and its allies. Knowing that nuclear war was un-winnable and a threat to civilization, President Eisenhower promoted the peaceful uses of atomic energy, while skillfully and willingly deploying the most advanced electronic and photographic technologies to ensure American security. Simultaneously, he sustained strategic nuclear deterrence. President Eisenhower inaugurated the national security policies that guided the nation for the next three decades, leading to the peaceful end of the Cold War in 1989.

While advancing these strategic Cold War measures, President Eisenhower assiduously pursued balanced budgets, fiscal responsibility, and those public works that were essential to the nation and its citizens. He introduced lasting innovations to the institution of the presidency, creating the first White House chief of staff, the first congressional relations office, the first presidential assistant for national security affairs and the first presidential science advisor. He dramatically improved the transportation infrastructure of the country with construction of the interstate highway system and the St. Lawrence Seaway. During his presidency, the United States added two stars to its flag, symbolizing the addition of the important new states of Alaska (January 3, 1959) and Hawaii (August 21, 1959).

To address the increasing complexity of the social needs of the American people, President Eisenhower created the Department of Health, Education and Welfare in 1953, improved Social Security by increasing benefits and placing an additional ten million Americans in the Social Security system, and dispensed free polio vaccines. In 1957, he led Congress to enact the first civil rights legislation since Reconstruction.

Like Washington, Eisenhower became president and commander in chief after leading his countrymen and their allies to military victory and then served through perilous times. Eisenhower's extraordinary accomplishments as president and military leader can be followed through the public record and a series of memorable addresses and speeches including—the Guildhall Address (London, 1945), Chance for Peace (Washington, 1953), Atoms for Peace (United Nations, 1953), Open Skies (Geneva Summit, 1955) and his Farewell Address (1961). His preeminent historical and national significance is assured. The challenge in our memorialization of Dwight D. Eisenhower will be to honor in a distinct, unique and enduring manner all of the facets of his extraordinary career of service to this nation.

STATEMENT OF JACK D. BAKER, PRESIDENT, TRAIL OF TEARS ASSOCIATION,
OKLAHOMA CITY, OK, ON S. 1970

My name is Jack D. Baker and I am a citizen of both the United States and the Cherokee Nation. I am president of the National Trail of Tears Association. I am also an eighth generation Oklahoman due to the Trail of Tears.

Congress designated the Trail of Tears National Historic Trail as such in 1987. This trail commemorates the tragic removal of the Cherokee people and encompasses two of the routes followed during the removal—one follows the principal land route and the other the water route. While this trail is specific to the Cherokee it represents the removal policy of the U.S. Government as it relates to several Southeastern tribes. The Trail of Tears Association was formed in 1993 as a support organization to the National Park Service to further research both the events leading up to removal and the removal routes, to identify significant sites along the trail, and to help preserve and protect these sites. It quickly became evident that the Trail as designated was inadequate to portray the various events of the forced removal.

At the time of our forced removal, the Cherokee owned farms and even large plantations much the same as their white neighbors. A constitution was adopted in 1827 patterned after that of the United States. With Sequoyah's invention of his syllabary a few years before virtually every family had at least one literate member. (This compared with a 10% literacy rate in the states surrounding the Cherokee Nation.)

With the publication beginning in 1828 of their newspaper, the *Cherokee Phoenix*, the Cherokees became well informed on the issues of removal. By 1819 my people had ceded 90% of their original lands. They only had about 8 million acres left of their original 80 million. These remaining lands they sought to keep while their white neighbors being desirous of the Cherokee's farms sought to have them removed. The U.S. Supreme Court in its 1832 decision in the case of *Worcester v. Georgia* recognized the sovereignty of the Cherokee Nation. Yet even this did not save them from a fraudulent treaty signed by a handful of Cherokees in 1835. The signers had no authority to speak for the Cherokee Nation. Yet Congress ratified this Treaty on May 23, 1836 by only a single vote. The Cherokees were given two years from that date to remove to the West.

Our Principal Chief and Tribal Council continued in their efforts to oppose removal but to no avail. In late May of 1838 General Winfield Scott and his troops began to round up my people. The troops with their rifles and bayonets drove families from their homes. They were only allowed to grab a few items to take with them. Families were frequently separated with mothers not knowing where their children were or husbands not knowing the whereabouts of their wives or children. In this manner the entire Cherokee Nation became homeless and frequently destitute in a matter of days. They were first taken to 31 stockades constructed throughout the Cherokee Nation. The conditions in these stockades were deplorable. The people had no shelter, only a few blankets that some of the people were able to grab as they were being forced from their homes, and inadequate food. These stockades were referred to as concentration camps and this may well be the first time that this term was used.

From these holding stockades the Cherokee were taken to 11 internment camps. Ten of these were in Tennessee and the remaining one was in Alabama. The Trail of Tears National Historic Trail as it is now designated begins at these internment camps in Tennessee. It does not extend into Georgia where 54% of the Cherokees lived at the time of removal or into North Carolina where 22% of the Cherokees lived. These two states comprising more than three-fourths of the Cherokee population and containing many historic sites relating to removal are not included as part of the Trail of Tears National Historic Trail. This legislation would correct that oversight and allow for the placing of Trail markers along the routes from the stockades to the internment camps. It would also include other Trail segments that the Cherokees used in their removal and, particularly, the one from the internment camp in Alabama to present Oklahoma.

It is important that the American public remember the Trail of Tears. It is an example of what can happen when prejudice combines with greed. It warns the American people that a nation founded on the principles of equality can fall prey to greed and racism and cautions us to be ever vigilant to prevent such an event from happening again.

It is also important that my people, the Cherokee, remember the Trail of Tears where it has been estimated as many as one-fourth of our people died. While we faced a great adversity in the forced removal we did survive. We were able to adapt to our new lands and prosper in them. Survival and adaptability are major attributes of our heritage and our young people need to be reminded of this.

I personally support and the Trail of Tears Association supports the legislation expanding the Trail of Tears National Historic Trail. I would appreciate your support of Senate Bill 1970.*

THE TRUST FOR PUBLIC LAND,
WASHINGTON OFFICE,
Washington, DC, March 1, 2006.

Hon. CRAIG THOMAS,
Chairman, Subcommittee on National Parks, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: On February 16, 2006, your subcommittee held a hearing on H.R. 318, a bill to authorize a study to designate Castle Nugent Farms in St. Croix, Virgin Islands, as a unit of the National Park System.

Attached with this letter is testimony to be submitted for the record on behalf of The Trust for Public Land in support of this important legislation.

*The attached table has been retained in subcommittee records.

I thank you for holding the hearing and for considering our testimony.

Sincerely,

ALAN FRONT,
Senior Vice President.

[Enclosure.]

IN SUPPORT OF H.R. 318

Mr. Chairman and Members of the Subcommittee, I appreciate the opportunity to express support for H.R. 318, a bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System.

The Trust for Public Land (TPL) conserves land for people to enjoy as parks, gardens, and natural areas, ensuring livable communities for generations to come. Since 1972, TPL has helped protect more than 2.1 million acres of land in 46 states, the District of Columbia, Puerto Rico, the Virgin Islands, and Canada.

Currently TPL is working with the landowner of Castle Nugent Farms to explore the different opportunities available in order to conserve the Castle Nugent Farms property. Because of the unique historical aspects and ecological nature of the property and the benefits to the economy of the island of St. Croix, TPL enthusiastically supports this legislation. This tract is the largest privately held property in the Virgin Islands, and its conservation would be of great benefit to the residents of and visitors to St. Croix.

The 1,350-acre Castle Nugent property is a window into the plantation history of St. Croix. The property has a long agricultural history dating back to the 1730s, when the Danish estate house, now listed on the National Register of Historic Places, was constructed. In addition to the pasturelands where prized Senepol cattle graze, Caribbean dry forest extends over the rolling terrain up from the ocean shoreline. These forests contain cultural resources from pre-Columbian and post-European settlement periods.

Beyond the historical significance of the property, the ecological treasures of Castle Nugent Farms are remarkable. A few hundred feet offshore of the property's four miles of scenic and pristine coastline is one of the healthiest and largest fringing coral reef systems in the Virgin Islands. The property is also habitat for sea turtles and many migratory and resident birds.

We are pleased that this legislation passed the House of Representatives on November 15, 2005, and we look forward to the passage of this bill by the Senate.

I thank you again, Mr. Chairman, for this opportunity to provide testimony in support of a study to determine whether Castle Nugent Farms should become a unit of the National Park System.

STATEMENT OF H.E. DR. OLEH SHAMSHUR, AMBASSADOR OF UKRAINE
TO THE UNITED STATES, ON H.R. 562

Mr. Chairman, distinguished members of the Subcommittee, first of all, let me express my deep gratitude for the attention you are paying to the issue of raising a memorial to the victims of the manmade Famine in Ukraine in 1932-33.

In Ukrainian language this tragedy is referred to as "Holodomor", meaning "Total Starvation". Holodomor is an unparalleled disaster in the history of my nation, similar to Holocaust in scale, cruelty and cynicism of its perpetrators. A crime officially recognized by U.S. Congress in 1986 as an act of genocide against Ukrainian people.

Although Holodomor has taken away from 7 to 11 million innocent lives, it remains barely known to the world. Stalin and the Soviet regime employed every possible tool in order to make this atrocious crime fall into oblivion. And yet, as the Gospel says "there is nothing hidden, except that it should be made known; neither was anything made secret, but that it should come to light". The truth about the cold-blooded starving to death of millions of human beings in the centre of Europe, in the midst of the 20th century has been revealed, although it is yet to receive a due historical tribute. The pain and bitter memory of Holodomor are alive in practically every Ukrainian family, they make our hearts ache and remind us what a monster died when the Soviet empire fell apart 15 years ago.

There is at least one thing that has been always well known about Ukraine: its richness in agricultural resources that earned it the name of the "bread basket of Europe". In early 1930s Ukraine was still largely an agricultural country. It was inhabited by hard working, peaceful and diligent people. The state forced them into so-called *kolkhozy*, collective farms where they toiled to satisfy the agricultural appetites of the Soviet regime. They were natural born farmers deprived of earth and instruments of production. Yet, even after 15 years of the communist rule they still

knew how to grow wheat, breed cattle, plow their fertile land. Respect to private property and independent spirit were in their blood. This was their crime in the eyes of the tyrant who ruled the country. This was the reason why Ukraine and its people were considered dangerous by Stalin and his henchmen.

I shall be honored to provide you with some background information to explain what a horrible tragedy occurred in my country 73 years ago and why it deserves to be commemorated in the capital of the U.S. In my testimony I will rely upon the book "Harvest of Sorrow" by British historian Robert Conquest, works of the British researcher James E. Mace, Canadian scholar Roman Serbyn and British journalist Askold Krushelnysky.

The disaster started in 1932 when the Soviet authorities increased the grain procurement quota for Ukraine by 44%. They were aware that this extraordinarily high quota would cause grain shortage, resulting in the inability of the Ukrainian peasants to feed themselves. Soviet law was quite explicit: no grain could be given to feed the peasants until the state quota was met. Communist party officials with the aid of military troops and NKVD secret police units were used to move against peasants who may be hiding grain from the Soviet government. An internal passport system restricted movement of Ukrainian peasants so that they could not travel in search of food. Ukrainian grain was collected and stored in grain elevators that were guarded by military units & NKVD while Ukrainians were starving in the vicinity.

After it turned out in 1932 that Ukraine couldn't fulfill the quota set by Moscow, draconian measures were taken. On the highest level, the grown wheat was declared inviolate "socialist property" and anyone who gleaned even an ear of wheat or bit off a sugar beet was declared an "enemy of people" and could be executed or sentenced to not less than 10 years in Gulag.

In Ukraine, the decree of December 6, 1932 singled out six villages that allegedly sabotaged the grain procurement campaign. They were placed on the "blacklist", which was soon extended in a wholesale fashion. The blacklist meant a complete economic blockade of the villages listed, including an immediate closing of stores with all the food therein; a complete ban on trade in the village, including trade in most essential goods; immediate halting and calling in of all credits and advances; combing neighborhood for so-called "foreign agents" and "saboteurs". At that time it was equivalent to a sentence of death by starvation.

Only those who survived famine can describe adequately what it was like. They tell of the entire village population swelling up from starvation. They tell of the "dead wagons" day after day picking up dead bodies to dump them later in pits. They tell of whole villages becoming deserted, of homeless children roaming the country in search for food and of railroad stations flooded with starving peasants who had to beg lying down for they were too weak to stand. Many tried to cross the border to the Russian Federation where bread was available. But the secret police established border checkpoints to prevent anyone from carrying food from Russia to Ukraine. This meant *de facto* blacklisting of entire Ukraine.

Graphic portraits of the horrors of village life during Holodomor emerge from testimonies of eyewitnesses gathered by British journalist Askold Krushelnysky.

Oleksa Sonipul was 10 in 1933 and lived in a village in northern Ukraine. She said by the beginning of that year, famine was so widespread people had been reduced to eating grass, tree bark, roots, berries, frogs, birds, and even earthworms. Desperate hunger drove people to sell off all of their possessions for any food they could find. At night, an eerie silence fell over the village, where all the livestock and chickens had long since been killed for food and exhausted villagers went to bed early. But requisition brigades looking to fulfill the impossibly high grain quotas continued to search even those villages where inhabitants were already dying from starvation. Brigade members, fueled by Soviet hate campaigns against the peasants, acted without mercy, taking away the last crumbs of food from starving families knowing they were condemning even small children to death. Any peasant who resisted was shot. Rape and robbery also took place.

Sonipul described what happened when a brigade arrived at her home.

"In 1933, just before Christmas, brigades came to our village to search for bread. They took everything they could find to eat. That day they found potatoes that we had planted in our grandfather's garden, and because of that they took everything from grandfather and all the seeds that grandmother had gathered for sowing the following autumn. And the next day, the first day of Christmas, they came to us, tore out our windows and doors and took everything to the collective farm."

As villages ran out of food, thousands of desperate people trekked to beg for food in towns and cities. Food was available in cities, although strictly controlled through ration coupons. But residents were forbidden to help the starving peasants and doc-

tors were not allowed to aid the skeletal villagers, who were left to die in the streets.

Fedir Burtianski was a young man in 1933 when he set out by train to Ukraine's Donbas mining area in search of work. He says thousands of starving peasants, painfully thin with swollen bellies, lined the rail track begging for food. The train stopped in the city of Dnipropetrovsk and Burtianski says he was horrified by what he saw there.

"At Dnipropetrovsk we got out of the carriages. I got off the wagon and I saw lots of people swollen and half-dead. And some who were lying on the ground in convulsions. Probably they were going to die within a few minutes. Then the railway NKVD quickly herded us back into the wagons."

Grain and potatoes continued to be harvested in Ukraine, driven by the demand of Stalin's quotas. But the inefficiency of the Soviet transportation system meant that tons of food literally rotted uneaten sometimes in the open and within the view of those dying of starvation.

The scene Burtianski described was repeated in towns and cities all over Ukraine. In the countryside, entire villages were being wiped out. The hunger drove many people to desperation and madness. Many instances of cannibalism were recorded, with people living off the remains of other starvation victims or in some instances resorting to murder. Most peasant families had five or six children, and some mothers killed their weakest children in order to feed the others.

Burtianski said at one point, he avoided buying meat from a vendor because he suspected it was human flesh. When the authorities heard about the incident, he was forced to attend the trial of a man and his two sons who were suspected of murdering people for food. Burtianski says during the trial one of the sons admitted in chilling terms to eating the flesh of his own mother, who had died of starvation.

He said, "Thank you to Father Stalin for depriving us of food. Our mother died of hunger and we ate her, our own dead mother. And after our mother we did not take pity on anyone. We would not have spared Stalin himself."

Mykhaylo Naumenko was 11 years old in 1933. His father was executed for refusing to join a nearby collective farm. Mykhaylo was left with his mother and siblings to face the famine without a provider. He said people were shot for trying to steal grain or potatoes from the local collective farm, which was surrounded by barbed wire and guarded by armed men. He said people were executed even for trying to pick up a few loose seeds dropped on the ground.

"A tragedy developed. People became swollen, they died by the tens each day. The collective farm authorities appointed six men to collect and bury the dead. From our village of 75 homes, by May 24 houses were empty where all the inhabitants had died."

Many people met their deaths with quiet resignation, praying and comforting their starving children with fairy tales.

Teodora Soroka, who lost nearly every member of her family to "dekulakization" and famine, says such memories can never be erased. Nor does she want to forget them.

"My baby sister died of hunger in my arms. She was begging for a piece of bread, because to have a piece of bread in the house meant life. She pleaded for me to give her a bit of bread. I was crying and told her that we didn't have any. She told me that I wanted her to die. Believe me, it's painful even now. I was little myself then. I cried, but my heart was not torn to shreds because I couldn't understand why this was all happening. But today, and ever since I became an adult, I haven't spent a day in my life when I haven't cried. I have never gone to sleep without thinking about what happened to my family."

Let us think about this little girl. Visualize this Ukrainian martyr forced to see her dear ones die one after another from starvation. Multiply her suffering by at least 7 million—those are the most modest estimates of human losses Ukraine suffered during Holodomor.

Today I am adding my voice to many others who ask you to provide Ukrainians with an opportunity to commemorate the immeasurable suffering and horrid death of millions of their kin and to condemn this act of genocide by erecting a solemn memorial in the heart of America which has always been so attentive to pain and injustice inflicted upon the others.

By doing so you will also pay tribute to over one million Ukrainian Americans making an outstanding contribution to the prosperity of this country. This memorial will be yet another sign of the developing partnership between Ukraine and the United States now standing together for democracy and against tyranny and oppression.

Thank you.

STATEMENT OF MICHAEL SAWKIW, JR., PRESIDENT,
UKRAINIAN CONGRESS COMMITTEE OF AMERICA

As a representative organization of the 1.5 million Americans of Ukrainian descent, the Ukrainian Congress Committee of America would like to thank the National Parks Subcommittee of the Senate Energy and Natural Resources Committee for this opportunity to provide written testimony regarding H.R. 562, a bill to erect a monument to the victims of the Ukrainian Famine-Genocide in Washington, D.C. The subject of the Ukrainian Famine-Genocide is of great importance to the Ukrainian American community as it is one of the most tragic pages of Ukraine's recent history. It acquires even more significance in the next several years as communities worldwide will commemorate the 75th Anniversary of the Famine-Genocide in 2008. For years, the Ukrainian American community has been educating the general public and speaking out about one of the most horrific cases of genocide in the 20th century.

PURPOSE OF THE UKRAINIAN CONGRESS COMMITTEE OF AMERICA

The Ukrainian Congress Committee of America (UCCA) is a national umbrella organization representing the interests of the Ukrainian community in the United States. Founded by the First Congress of Ukrainians in America in 1940 in Washington, DC, the main purpose of the UCCA is to support cultural, educational, and humanitarian activities that emphasize the Ukrainian American heritage and to effectively coordinate the work of the community. These goals are achieved through a nationwide network of over 75 branches, member organizations, and a variety of internal UCCA commissions that are tasked with specific projects.

As a not-for-profit, educational and charitable institution, the UCCA has a long history of actively pursuing issues that affect the Ukrainian American community, particularly in the arena of U.S.-former Soviet and now U.S.-Ukraine relations. The hopes and dreams of Ukrainians worldwide came to fruition when Ukraine restored its independence on August 24, 1991. With the collapse of the Soviet Union, the UCCA redirected its efforts toward supporting Ukraine's democratic development and economic rebirth while sustaining a vibrant Ukrainian community in the United States. In 2004, the UCCA organized the largest NGO election monitoring team for Ukraine's presidential elections, with over 2,400 international elections observers traveling to Ukraine during the Christmas holiday to ensure that Ukraine's re-runoff of the presidential elections were held in a free, fair, and transparent manner. The results became known as the "Orange Revolution" with the nation of Ukraine democratically electing their next president, Viktor Yushchenko.

However, the most important task of the UCCA was, and continues to be, educating the American public about Ukraine, its history, culture, and political development. Pursuant to this mission, the UCCA has raised U.S. awareness of Ukraine, as well as represented the interests of Ukrainian Americans before the U.S. government by organizing various conferences, seminars, commemorations, cultural events and the like. The UCCA also strives to educate the American public about the long, rich, and sometimes tragic history of the Ukrainian people through various publications including *The Ukrainian Quarterly*, the only English language scholarly journal of Ukrainian and international affairs. In our efforts to disseminate information, one of the most important projects of the UCCA is the on-going educational campaign about Ukraine's Famine-Genocide of 1932-1933.

HISTORY AND INTEGRITY OF THE UKRAINIAN FAMINE-GENOCIDE

The Ukrainian Famine-Genocide has been called many things—"the *Forgiven Holocaust*", "the *Forgotten Holocaust*", "the *Unknown Holocaust*". These titles spring from the fact that most individuals were and continue to be unaware of what happened in Ukraine during 1932-1933. It is largely because of a successful cover-up effort on the part of the Soviet Union, assisted by Western journalists such as Pulitzer Prize-winner Walter Duranty, that this tragic event has failed to enter into Western consciousness.

In an effort to industrialize the Soviet Union as quickly as possible and transform Ukraine so that it resembled the Socialist paradigm, Stalin began to forcibly collectivize agriculture. As a preliminary step, Stalin ordered the liquidation of "kulaks" (individual peasants), who, according to party doctrine, had traditionally exploited

rural workers. In reality, however, this title came to be applied to anyone considered undesirable by those in the party apparatus. Even the richest peasants, at this time, had only two or three cows and up to ten hectares of sowing area.¹ So, in effect, the most prosperous peasants were executed, deported, or sent to labor camps in Siberia.

After the draconian dekulakization, the remaining peasants were bullied into joining collective farms, whose harvests belonged to the state. Having been put into this vulnerable position, the remaining peasants now bore the brunt of Moscow's assault.

In 1932, Stalin ordered the grain quota for Ukraine to be raised by 44%. In August of that year came a decree that "stealing Socialist property" (taking even a handful of grain from a collective farm) was an offense punishable by death.² As it became apparent that the grain quota could not be met, party leaders were given the legal right to seize whatever grain or food could be found. Robbed of their last remaining grain, Ukrainian peasants began to eat anything they could get their hands on. It is estimated that upwards of 7 million people starved to death in Ukraine proper and in the largely ethnically Ukrainian Kuban region.³

Even as the famine situation deteriorated, the Soviet Union continued to refute claims that Ukraine was experiencing a famine and refused international offers of assistance for the starving peasants. The authorities claimed that there was no famine and showed off Potemkin villages to visiting dignitaries, such as French premier Edouard Herriot.⁴ Despite the many letters sent from Ukraine to relatives abroad pleading for any kind of help, the Soviet border remained sealed both to relief efforts and to peasants attempting to travel to other parts of the USSR in search of food. "Clear orders existed to stop Ukrainian peasants entering Russia where food was available . . . and to confiscate any food they were carrying when intercepted on their return."⁵

Why were peasants living in Ukraine subjected to this horrifically cruel policy that could only result in their death by starvation? The answer lies in the national politics of the Soviet leadership. It is well known that Stalin had an acute fear of Ukrainian separatism. As Soviet newspaper *Proletarska Pravda* (Proletarian Truth) stated in 1930, "collectivization in Ukraine has a special task . . . to destroy the social basis of Ukrainian nationalism."⁶ If Ukrainian resistance to collectivization could be destroyed, Ukrainian national aspirations could be similarly done away with. Indeed, being that the majority of the Famine-Genocide victims were Ukrainians it seems that the party knew only too well whom they were supposed to target.

Ukraine suffered tremendously during this time. A few statistics will illustrate this:

- Ukrainian villages were dying at the rate of 25,000 per day or 1,000 per hour or 17 per minute;
- The Soviet regime dumped 1.7 million tons of grain on the Western markets—nearly a quarter of a ton of grain for every Ukrainian who starved to death;
- Among the children, one in three perished as a result of rapid collectivization and the forced famine-genocide; and,
- The 1933 Famine-Genocide was geographically focused for political ends as it stopped precisely at the Ukrainian-Russian ethnographic border.

The economic, demographic and cultural results of the Famine-Genocide are immeasurable. Ukrainian agriculture to this day has yet to reclaim its reputation as "the breadbasket of Europe" after the imposition of the grossly inefficient collective farm system (although recently, the farming sector has seen some positive trends). Also, together with the Great Terror of the 1930's, the Famine-Genocide terrified the population and broke down the trust necessary to maintain civil society. People were never allowed to mention the Famine-Genocide, much less to mourn their dead. Even the word "Famine-Genocide" [Holodomor—sic] was banned.⁷

Along with the damage done to Ukrainian society and the economy, the Famine-Genocide represented the final crackdown on a cultural revitalization that had been going on in Ukraine during the 1920's. After the purge of the Ukrainian intelligentsia and the destruction of the Ukrainian Autocephalous Orthodox Church, the Soviet authorities turned their attention to the larger body of Ukrainian peasants where the Ukrainian national idea remained strong. Given the background of out-

¹ Robert Conquest, *Harvest of Sorrow*, New York, 1986, p. 75.

² Orest Subtelny, *Ukraine: A History*, Toronto, 1988, p. 414.

³ Taras Kuzio, "Soviet Crimes Remain Unpunished", *The Kyiv Post*, 3 October 2002.

⁴ Conquest, p. 314-316

⁵ Conquest, p. 328.

⁶ Subtelny, 416.

⁷ Yevhen Sverstiuk, "Prayer and Memory . . . The Church and Denying the Famine", *The Day*, Kyiv, 3 April, 2001.

right destruction of Ukrainian cultural institutions, the Famine-Genocide can only be considered the culmination of the genocidal policies of the USSR towards non-Russian nationalities.

WORLDWIDE RESPONSE TO THE FAMINE-GENOCIDE

Due to confluence of circumstances, the world did not make any substantial efforts to assist or relieve the Ukrainian nation or dispute the genocidal policies of the Soviets. Prominent journalists of the time, such as *ew York Times* correspondent Walter Duranty, aided the Soviets in concealing their crimes by proliferating their propaganda in the West and slandering those who reported on the Famine-Genocide in Ukraine. Mr. Duranty was even awarded the Pulitzer Prize for 'Excellence in Journalism' for his reports on the Soviet Union and its "successful development," while in private admitting that up to 10 million people might have starved.

One of the heroes who attempted to inform the world of the incredible belligerence to which the Ukrainians were subjected is Gareth Jones, a Welsh journalist and diplomat, who made it his mission to promote the truth about Soviet policies in Ukraine despite great harm to his career and personal life. After his first article on Ukraine's situation was published, *New York Times*' Walter Duranty published a response denying Jones' analysis. Many others joined Duranty in his attacks as evidenced by Eugene Lyons, a Moscow based correspondent, who wrote in his 1937 book *Assignment in Utopia*: "Throwing down Jones was as unpleasant a chore as fell to any of us in years of juggling facts to please dictatorial regimes—but throw him down we did, unanimously and in almost identical formulas of equivocation. Poor Gareth Jones must have been the most surprised human being alive when the facts he so painstakingly garnered from our mouths were snowed under by our denials."

Nevertheless, Mr. Jones refuted their allegations and published a response in which he recounted his travels and observations:

. . . I stand by my statement that Soviet Russia [Ukraine—sic] is suffering from a severe famine . . . My first evidence was gathered from foreign observers. Since Mr. Duranty introduces consuls into the discussion, a thing I am loath to do, for they are official representatives of their countries and should not be quoted, may I say that I discussed the Russian situation with between twenty and thirty consuls and diplomatic representatives of various nations and that their evidence supported my point of view. But they are not allowed to express their views in the press, and therefore remain silent.

Journalists, on the other hand, are allowed to write, but the censorship has turned them into masters of euphemism and understatement. Hence they give "famine" the polite name of "food shortage" and "starving to death" is softened down to read as "widespread mortality from diseases due to malnutrition." Consuls are not so reticent in private conversation.

May I in conclusion congratulate the Soviet Foreign Office on its skill in concealing the true situation in the U.S.S.R.? Moscow is not Russia, and the sight of well-fed people there tends to hide the real Russia.

Unfortunately, Mr. Jones was nearly alone in this overwhelming struggle against Soviet propaganda.

IMPORTANCE OF CONSTRUCTING A MONUMENT IN WASHINGTON, D.C.

The Ukrainian American community is proud and fortunate to live in one of the world's most developed democracies. Because of the freedoms guaranteed by the United States, the Ukrainian community has had the opportunity to voice our opinions, as well as those of the 50 million Ukrainians who were trapped behind the Iron Curtain for over 70 years of Soviet oppression.

In 1988, the U.S. Congress *Commission on the Ukraine Famine*, having conducted an extensive study of this episode in Ukraine's history, concluded: "One or more actions specified in the [United Nations] Genocide Convention was taken against the Ukrainians in order to destroy a substantial part of the Ukrainian people and thus to neutralize them politically in the Soviet Union." Furthermore, in its "Investigation of the Ukraine Famine of 1932-1933," the Commission concluded that "Joseph Stalin and those around him committed genocide against Ukrainians in 1932-1933." Standing in Washington, D.C., a symbol of democracy and liberty, a monument dedicated to the 7-10 million victims of the 1932-1933 Ukrainian Famine-Genocide will serve as a reminder to all who have, or continue to, suffer under oppressive regimes. It is crucial that such chapters of world history be understood and remembered.

In the broader context of memorializing the victims of the Ukrainian Famine-Genocide of 1932-1933, this monument would enhance the scope and message of a

true victim of communism. Their ultimate sacrifice was as a result of an inhumane ideology—food as a weapon. Their sacrifice was unlike any other under communism, which resulted in an act of genocide perpetrated against the Ukrainian nation. Though other atrocities have afflicted many nations of the world, the sheer magnitude and gravity of the Ukrainian Famine-Genocide remains little known to the world.

Without American taxpayer's funds, this monument would serve not only as a memorial to those who perished but also as a tool to help educate the global community of such heinous crimes. Support for this bill has also been expressed in the U.S. House of Representatives, which unanimously voted on H.R. 562 in November 2005.

The United States is a bastion of freedom and democracy. It is our task to keep the beacon of hope, freedom, and liberty alive for all to admire. In this context, in a statement on the occasion of the 69th anniversary of the Ukrainian Famine-Genocide in 2002, President George W. Bush wrote: "Now better than ever, we recognize the Ukrainian people's heroic struggle nearly 70 years ago, in which millions died because they resisted Stalin's brutal regime. We honor their memory and pledge to never forget their suffering. As we remember their struggle, we also condemn all authoritarian governments who have terrorized their people in the past and continue to do so, thus continuing the fight for freedom and safety of all people."

The Ukrainian Congress Committee of America requests the support of the Natural Parks Subcommittee of the Senate Energy and Resources Committee to look favorably upon passage of H.R. 562.

