

RONALD REAGAN MEMORIAL ACT OF 2000

SEPTEMBER 22, 2000.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 4800]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 4800) to require the Secretary of the Interior to identify appropriate lands within the area designated as section 1 of the Mall in Washington, DC, as the location of a future memorial to former President Ronald Reagan, to identify a suitable location, to select a suitable design, to raise private-sector donations for such a memorial, to create a Commission to assist in these activities, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Ronald Reagan Memorial Act of 2000”.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Ronald Reagan is an American hero deserving of recognition by this and future generations of Americans and visitors from around the world.

(2) As President, Ronald Reagan initiated policies that won the Cold War, protected and restored freedom and democracy around the globe, lowered taxes on American citizens, tamed the economic threats of inflation and economic stagnation, and ushered in an unprecedented era of peace and prosperity across the nation, and his contributions merit permanent memorialization.

(3) The legacies of Ronald Reagan include restoring faith in our system of democracy and capitalism, returning pride in being an American, and renewing

the honor and decency of the American Presidency, and are deserving of national recognition.

(4) The contributions of former President Ronald Reagan, and his status as a preeminent twentieth-century American statesman and one of the greatest American Presidents, merit and require a permanent memorialization alongside the other great American leaders memorialized on the Mall in the District of Columbia.

SEC. 3. AUTHORIZATION OF RONALD REAGAN MEMORIAL; LOCATION AND DESIGN.

(a) **AUTHORIZATION OF RONALD REAGAN MEMORIAL.**—

(1) **IN GENERAL.**—The Ronald Reagan Memorial Commission is authorized to establish the Ronald Reagan Memorial in accordance with this Act, on Federal lands administered by the National Park Service in the District of Columbia.

(2) **LOCATION.**—The memorial shall be situated in a location that is—

(A) recommended by the Ronald Reagan Memorial Commission; and

(B) in the area on the Mall west of the Capitol and east of the Lincoln Memorial, and within the area referred to in the Commemorative Works Act (40 U.S.C. 1001 et seq.) as Area I.

(b) **DUTIES OF THE NATIONAL CAPITAL MEMORIAL COMMISSION AND THE SECRETARY OF THE INTERIOR.**—The National Capital Memorial Commission and the Secretary of the Interior shall assist the members of the Ronald Reagan Memorial Commission—

(1) in the preparation of a recommendation to the Congress of a permanent location for the memorial; and

(2) the selection of a design for the memorial and the grounds of the memorial.

(c) **DETAIL OF DEPARTMENT OF THE INTERIOR EMPLOYEES.**—The Secretary of the Interior shall detail to the Ronald Reagan Memorial Commission such support staff as are necessary to assist the members of the commission in carrying out its responsibilities.

(d) **BEGINNING OF PROCESS.**—The Ronald Reagan Memorial Commission shall begin the process of recommending a location and selecting a design for the memorial no later than six months after the date of enactment of this Act.

(e) **MARKER.**—

(1) **IN GENERAL.**—The Secretary shall erect, at the site approved by the Congress for the memorial, a suitable marker designating the site as the “Future Site of the Ronald Reagan Memorial”.

(2) **REQUIREMENTS.**—The marker shall be—

(A) installed by the Secretary no later than 3 months after the date of the enactment of a law approving the location for the memorial;

(B) no smaller than 3 feet square and constructed of durable material suitable to the outdoor environment; and

(C) maintained at the location by the Secretary until the memorial is completed, dedicated, and open to the public.

(f) **RELATIONSHIP TO THE COMMEMORATIVE WORKS ACT.**—Sections 3(c), 7(a)(2), and 8(a)(1) of the Commemorative Works Act (40 U.S.C. 1003(c), 1007(a)(2), 1008(a)(1)) shall not apply to the memorial.

SEC. 4. RONALD REAGAN MEMORIAL COMMISSION.

(a) **ESTABLISHMENT.**—There is established a commission, to be known as the Ronald Reagan Memorial Commission. The commission shall—

(1) be comprised of—

(A) the Chairman of the National Capital Memorial Commission;

(B) one member appointed by the Speaker of the House of Representatives by no later than 6 months after the date of the enactment of this Act; and

(C) one member appointed by the majority leader of the Senate by no later than 6 months after the date of the enactment of this Act;

(2) be chaired by one of its members, to be designated jointly by the Speaker of the House of Representatives and the majority leader of the Senate;

(3) meet no later than one month after its members are appointed, and at such other times as may be necessary; and

(4) be exempt from the Federal Advisory Committee Act (5 U.S.C. App).

(b) **DUTIES.**—The Ronald Reagan Memorial Commission shall—

(1) raise necessary funds from private sector sources to design, construct, and maintain the memorial;

(2) in cooperation with the National Capital Memorial Commission and the Secretary of the Interior, determine and recommend to the Congress a permanent location for the memorial;

(3) select a design for the memorial from proposals solicited and accepted from qualified American architects; and

(4) issue a report to the Congress and the President on its activities every six months after its first meeting, and issue a final report to the Congress and the President, including a recommended location and final design for the memorial, no later than February 6, 2002.

SEC. 5. DEFINITIONS.

In this Act:

(1) **MEMORIAL.**—The term “memorial” means the Ronald Reagan Memorial authorized by this Act.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

Amend the title so as to read:

A bill to authorize the establishment of a memorial to former President Ronald Reagan within the area in the District of Columbia referred to in the Commemorative Works Act as “Area I”, to provide for the design and construction of such memorial, and for other purposes.

PURPOSE OF THE BILL

As reported from the Committee on Resources, the purpose of H.R. 4800 is to authorize the establishment of a memorial to former President Ronald Reagan within the area in the District of Columbia referred to in the Commemorative Works Act as “Area I”, to provide for the design and construction of such memorial, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 4800 would begin the process of establishing a Presidential memorial for Ronald Wilson Reagan, the 40th President of the United States. As President, Ronald Reagan initiated policies that helped win the Cold War, tamed the economic stagnation of the early 1980s by cutting taxes and increasing funding for the national defense, and helped to return the United States as leader on the world front. In doing so, President Reagan helped restore the American people’s faith in our system of government and capitalism and returned pride in being an American.

As reported, the bill creates the Ronald Reagan Memorial Commission, which is to establish a memorial to President Reagan on lands administered by the National Park Services on the National Mall in Washington, D.C. The Commission is to recommend to Congress a location and select a design for the memorial. The process of selection of a suitable location and design for the future memorial would begin no later than six months after enactment and a final design shall be selected and reported to Congress and the President no later than February 6, 2002.

The Commission is to consist of three members: (1) the Chairman of the National Capitol Memorial Commission; (2) one member appointed by the Speaker of the House; and (3) one member appointed by the Majority Leader of the Senate. The Commission would be responsible for raising appropriate funds from private sector resources for the design, construction and maintenance of the memorial, and is to issue a report to Congress and President on its activities every six months from its first meeting, along with a final report of its findings.

COMMITTEE ACTION

H.R. 4800 was introduced by Congressman Don Young (R-AK) on June 29, 2000. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks and Public Lands. On September 13, 2000, the Resources Committee met to consider the bill. The Subcommittee on National Parks and Public Lands was discharged from further consideration of the bill by unanimous consent. Congressman James V. Hansen offered an amendment in the nature of a substitute which simplified and clarified language in the introduced bill, including the responsibilities and duties for the Ronald Reagan Memorial Commission, the Secretary of the Interior, and the National Memorial Commission. The amendment was adopted by voice vote. No further amendments were offered and the bill, as amended, was ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

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

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, credit authority, or an increase or decrease in tax expenditures. According to the Congressional Budget Office, enactment of this bill could increase revenues and increase direct spending.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office.

U.S. CONGRESS,
 CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 20, 2000.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
 House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4800, the Ronald Reagan Memorial Act of 2000.

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

Sincerely,

BARRY B. ANDERSON
 (For Dan L. Crippen, Director).

Enclosure.

H.R. 4800—Ronald Reagan Memorial Act of 2000

H.R. 4800 would establish the Ronald Reagan Memorial Commission and would authorize the commission to plan for the establishment of a memorial to the former President on federal lands in the District of Columbia. The three-member commission would raise funds from the private sector to design, construct, and maintain the memorial. It would choose a design for the memorial from proposals submitted by American architects and recommend to the Congress a location for the final structure. (The Congress would have to approve the site in subsequent legislation.) The bill would direct the National Capital Memorial Commission and the Secretary of the Interior to assist the commission in preparing a recommendation for the memorial's location and carrying out other responsibilities under the bill. Such assistance would include providing the commission with support staff.

Assuming appropriation of the necessary amounts, CBO estimates that the commission and the National Park Service (NPS) would spend less than \$500,000 over the next two years to solicit and choose a design for the memorial and prepare a recommendation for its location. The commission would probably begin collecting and spending private donations during this period, but the total amount of revenues that the federal government would receive would depend on the design chosen for the memorial as well as the success of fundraising efforts. Based on the cost of similar federal projects, CBO estimates that revenues from contributions could exceed \$50 million. We expect that contributions would be received over several years and would probably not exceed \$500,000 annually until a design is chosen. Spending of most of the revenues would require additional legislation to approve or select a site for the memorial. This estimate is based on information provided by NPS and the Office of Management and Budget.

Because the bill could affect revenues and direct spending, pay-as-you-go procedures would apply. This bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

This bill is not intended to preempt State, local, or tribal law.

CHANGES IN EXISTING LAW

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

DISSENTING VIEWS

H.R. 4800 is the most recent in a series of numerous legislative proposals to add new memorials to the National Mall. In this instance, the memorial would honor former President Ronald Reagan. We oppose this legislation because it is an unwise deviation from current law which establishes a formal process for the selection and placement of such memorials.

In an attempt to resolve the growing conflict between the proliferation of memorial proposals and ever-shrinking space on the Mall, Congress passed the Commemorative Works Act of 1986, or CWA (40 U.S.C. 1001 et seq.), signed into law by President Reagan. The purpose of the CWA was to create both a standard approval process and clear criteria governing future monuments. The process involves approval by three bodies, the National Capitol Memorial Commission (NCMC), the National Capitol Planning Commission (NCPC) and the Commission on Fine Arts (CFA) to insure that all aspects of a proposed memorial are considered carefully. Each of these bodies offers a unique and important perspective.

In addition to this approval process, the CWA includes, among others, a prohibition on any memorial to an individual being placed on the Mall until after the 25th anniversary of the individual's death. This insures that no memorial will join those honoring Washington, Jefferson and Lincoln until the clear judgment of history supports such placement.

In an attempt to honor former President Reagan, H.R. 4800 destroys these critical elements of the CWA he signed into law. The bill supplants both the National Capitol Planning Commission and the Commission on Fine Arts with yet another body, the Ronald Reagan Memorial Commission, invested with virtually unchecked authority. Such a deviation from current law not only deprives this process of critical input from the NCPC and the CFA but also destroys any possibility that the merits of this proposal might be judged objectively.

H.R. 4800 also specifically exempts this proposal from the 25-year waiting period. In so doing, the legislation highlights the reason such a waiting period is important. Former President Reagan inspires passionate yet divergent feelings in millions of Americans and such a divergence is precisely why the Commemorative Works Act requires a waiting period. No part of the Mall should be set aside until the passage of time has removed all influence of shifting political opinion from the approval process and H.R. 4800 needlessly abandons this reasoned approach. This requirement has been applied to numerous memorials, including one honoring the Reverend Martin Luther King, Jr. and that recently completed honoring former President Franklin D. Roosevelt. The proposal to memorialize a living former President on the Mall is unprecedented.

Furthermore, it has been recent practice to locate memorials, when possible, near areas with some nexus to the person being honored. There are several such sites in the Washington area which would require no waiting period. The Ronald Reagan Trade Center Building in downtown Washington is a beautiful and massive building that would serve as a perfect setting for a memorial just as the Kennedy Center houses the memorial to former President Kennedy. Placement at the Ronald Reagan Washington National Airport might also be appropriate. Memorials could be placed at these sites now and, if in 25 years it is felt that a third memorial is required, the CWA process exists to guide placement of a memorial on the Mall.

This legislation has been rushed through the Resources Committee without subcommittee hearings or markup. Both the National Capitol Planning Commission and the National Capitol Memorial Commission oppose H.R. 4800. Insisting on a memorial that destroys the existing process and faces such strong opposition threatens to cast a shadow of divisiveness over an area that is today a symbol of unity and a testament to people and events revered around the world. We urge our colleagues to amend this proposal to either select another site or comply with existing law.

GEORGE MILLER.
GRACE NAPOLITANO.
ROBERT A. UNDERWOOD.
DALE KILDEE.
DONNA CHRISTENSEN.
PETER DEFAZIO.
TOM UDALL.