

105TH CONGRESS
2D SESSION

H. R. 4064

To provide for a Native American Veterans' Memorial.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 1998

Mr. REDMOND (for himself, Mrs. CHENOWETH, Mr. CRAPO, Mr. SKEEN, Mr. TOWNS, Mr. CONDIT, Mr. ROMERO-BARCELÓ, Mr. HASTINGS of Florida, Mr. WATTS of Oklahoma, Mrs. MINK of Hawaii, and Mr. CALVERT) introduced the following bill; which was referred to the Committee on Resources

A BILL

To provide for a Native American Veterans' Memorial.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Native American Vet-
5 erans’ Memorial Act of 1998”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Native Americans across the Nation have a
9 long, proud, and distinguished tradition of service in
10 the Armed Forces of the United States.

1 (2) Native Americans have historically served in
2 the Armed Forces of the United States in numbers
3 which far exceed their representation in the popu-
4 lation of the United States.

5 (3) Native American veterans count among
6 themselves a number of Medal of Honor recipients
7 and those who have received other decorations for
8 valor and distinguished service.

9 (4) Native Americans have lost their lives in the
10 service of their Nation and in the cause of peace.

11 (5) The National Museum of the American In-
12 dian was established as a living memorial to Native
13 Americans. Its mission is to advance knowledge and
14 understanding of Native American cultures, includ-
15 ing art, history, language, and the contributions that
16 Native Americans have made to our society.

17 (6) The National Museum of the American In-
18 dian is an extraordinary site and an ideal location to
19 establish a Native American Veterans' Memorial.

20 (7) A Native American Veterans' Memorial
21 would further the purposes of the National Museum
22 of the American Indian by giving all Americans the
23 opportunity to learn of the proud and courageous
24 tradition of service of Native Americans in the
25 Armed Forces of the United States.

1 **SEC. 3. DEFINITIONS.**

2 For the purposes of this Act:

3 (1) The term “Native American” means any in-
4 dividual who is a member of an Indian tribe or who
5 is a Native Hawaiian.

6 (2) The term “Native Hawaiian” means any in-
7 dividual who is a descendant of the aboriginal people
8 who, prior to 1778, occupied and exercised sov-
9 ereignty in the area that now comprises the State of
10 Hawaii.

11 (3) The term “Indian tribe” has the meaning
12 given that term in section 4 of the Indian Self-De-
13 termination and Education Assistance Act (25
14 U.S.C. 450b).

15 (4) The term “Memorial” means the Native
16 American Veterans’ Memorial authorized by section
17 5.

18 (5) The term “Museum” means the National
19 Museum of the American Indian established by the
20 National Museum of the American Indian Act (20
21 U.S.C. 80q et seq.).

22 (6) The term “Commission” means the commis-
23 sion established by section 5.

24 (7) The term “Director” means the Director of
25 the Museum.

1 **SEC. 4. AUTHORIZATION FOR ESTABLISHMENT OF MEMO-**
2 **RIAL.**

3 (a) MEMORIAL.—The Director, in consultation with
4 the Commission, shall construct and maintain a Native
5 American Veterans' Memorial in accordance with a design
6 selected by the Commission in accordance with section
7 5(b)(1).

8 (b) SITE.—The Memorial shall be located within the
9 interior structure or the exterior grounds of the Museum
10 mall facility described in section 7(a) of the National Mu-
11 seum of the American Indian Act (20 U.S.C. 80q–5(a)).

12 (d) GIFTS, BEQUESTS, AND DEVICES.—The Museum
13 may accept, use, and dispose of gifts, bequests, or devises
14 of services or property, both real and personal, for the pur-
15 pose of designing, construction, or maintaining the Memo-
16 rial. Gifts, bequests, or devises of money and proceeds
17 from sales of other property received as gifts, bequests,
18 or devises shall be deposited in the Treasury and shall be
19 available for disbursement upon the order of the Director.

20 (e) PAYMENT OF COSTS.—

21 (1) IN GENERAL.—Except as provided in this
22 section, no Federal funds shall be used to pay any
23 of the costs directly related to design and construc-
24 tion of the Memorial other than providing the site
25 referred to in subsection (b).

1 (2) PAYMENT REQUIRED BEFORE COMMENCE-
2 MENT OF CONSTRUCTION.—Funds may not be obli-
3 gated and construction may not begin on the Memo-
4 rial until non-Federal sources have paid to the Mu-
5 seum funds necessary to pay the costs which Direc-
6 tor estimates will be incurred to construct the Me-
7 morial.

8 **SEC. 5. NATIVE AMERICAN VETERANS’ MEMORIAL COMMIS-**
9 **SION.**

10 (a) ESTABLISHMENT.—There is established a com-
11 mission to be known as the “Native American Veterans’
12 Memorial Commission”.

13 (b) DUTIES.—The Commission shall—

14 (1) conduct a competition for a design for the
15 Memorial that is consistent with—

16 (A) the purpose of the Museum, as set
17 forth in section 3(b) of the National Museum of
18 the American Indian Act (20 U.S.C. 80q–1);
19 and

20 (B) any existing design plans for the Mu-
21 seum’s structure and its surroundings;

22 (2) not later than 1 year after the date of the
23 enactment of this Act, select a design for the Memo-
24 rial from entries submitted in the competition de-
25 scribed in paragraph (1); and

1 (3) consult with the Director regarding selec-
2 tion of the design for and placement and construc-
3 tion of the Memorial.

4 (c) MEMBERSHIP.—

5 (1) IN GENERAL.—The Commission shall con-
6 sist of 12 members as follows:

7 (A) The President Pro Tempore of the
8 Senate shall appoint 5 individuals who are Indi-
9 ans.

10 (B) The Speaker of the House of Rep-
11 resentatives shall appoint 5 individuals who are
12 Indians.

13 (C) The Director or a designee of the Di-
14 rector.

15 (D) The individuals who are initial mem-
16 bers of the Commission pursuant to subpara-
17 graphs (A) through (C) shall appoint 1 individ-
18 ual who has expertise in the establishment of
19 national memorials.

20 (2) CHAIRPERSON.—The Director shall select
21 the Chairperson of the Commission from among the
22 other members of the Commission.

23 (d) DEADLINE FOR INITIAL APPOINTMENTS.—The
24 initial appointment of individuals appointed pursuant to
25 subparagraphs (A) through (C) of paragraph (1) shall be

1 made not later than 30 days after the date of the enact-
2 ment of this Act. The initial appointment of the individual
3 appointed pursuant to subparagraph (D) of paragraph (1)
4 shall be made at the initial meeting of the Commission.

5 (e) TERMS; VACANCY.—Each member shall serve for
6 the life of the Commission. Any vacancy shall be filled in
7 the manner of the original appointment.

8 (f) QUORUM.—A majority of the members of the
9 Commission then in office shall constitute a quorum.

10 (g) PAY.—The members of the Commission shall not
11 be paid for their service as members of the Commission.

12 (h) EXPENSES.—Each member of the Commission
13 shall receive travel expenses, including per diem in lieu
14 of subsistence, in accordance with sections 5702 and 5703
15 of title 5, United States Code.

16 (i) EXPERTS AND CONSULTANTS.—With the ap-
17 proval of the Commission, the Chairperson may procure
18 temporary and intermittent services under section 3109(b)
19 of title 5, United States Code.

20 (j) STAFF OF FEDERAL AGENCIES.—Upon request of
21 the Commission, the head of any Federal department or
22 agency may detail, on a reimbursable basis, any of the
23 personnel of that department or agency to the Commission
24 to assist it in carrying out its duties under this Act.

1 (k) ADMINISTRATIVE SUPPORT SERVICES.—Upon
2 the request of the Commission, the Administrator of Gen-
3 eral Services shall provide to the Commission, on a reim-
4 bursable basis, the administrative support services nec-
5 essary for the Commission to carry out its responsibilities
6 under this Act.

7 (l) GIFTS, BEQUESTS, AND DEVISES.—The Commis-
8 sion may accept, use, and dispose of gifts, bequests, or
9 devises of services or property, both real and personal, for
10 the purpose of aiding or facilitating the work of the Com-
11 mission. Gifts, bequests, or devises of money and proceeds
12 from sales of other property received as gifts, bequests,
13 or devises shall be deposited in the Treasury and shall be
14 available for disbursement upon the order of the Commis-
15 sion.

16 (m) TERMINATION.—The Commission shall termi-
17 nate 30 days after the completion of the construction of
18 the Memorial.

19 (n) COSTS OF COMMISSION.—Except as provided in
20 this section, no Federal funds shall be used to pay any
21 expense of the Commission.

○