

105TH CONGRESS  
2D SESSION

# H. R. 4752

To prohibit the construction of any monument, memorial, or other structure at the site of the Iwo Jima Memorial in Arlington, Virginia, until such time as an environmental impact statement is prepared for the construction.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 1998

Mr. SOLOMON introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To prohibit the construction of any monument, memorial, or other structure at the site of the Iwo Jima Memorial in Arlington, Virginia, until such time as an environmental impact statement is prepared for the construction.

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. ENVIRONMENTAL IMPACT STATEMENT RE-**  
4 **QUIRED FOR ADDITIONAL CONSTRUCTION AT**  
5 **IWO JIMA MEMORIAL.**

6 (a) IN GENERAL.—After the enactment of this Act  
7 no person (including any governmental entity) may con-

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1 struct any monument, memorial, or other structure of any  
2 kind (whether above grade or below grade) on the parcel  
3 of Federal land located south of Rosslyn, Virginia, and  
4 north of the Arlington National Cemetery that is bounded  
5 on the west by Meade Street, on the north by Arlington  
6 Boulevard (U.S. Route 50), on the east by Jefferson Davis  
7 Highway (Virginia Route 110), and on the south by Mar-  
8 shall Drive, until the person has prepared and made avail-  
9 able a statement regarding the construction in accordance  
10 with section 102(2)(C) of the National Environmental Pol-  
11 icy Act of 1969 (42 U.S.C. 4332(2)(C)).

12 (b) CONSTRUCTION COMMENCED PRIOR TO ENACT-  
13 MENT.—Any person (including any governmental entity)  
14 who commenced construction of any monument, memorial,  
15 or other structure prior to the enactment of this Act on  
16 the parcel described in subsection (a) shall immediately  
17 cease such construction upon the enactment of this Act.

18 (c) EXISTING MEMORIALS AND STRUCTURES.—  
19 Nothing in subsection (a) or (b) shall apply to the United  
20 States Marine Corps (Iwo Jima) Memorial or to the Neth-  
21 erlands Carillon.

22 (d) UTILITIES.—Nothing in subsection (a) or (b)  
23 shall apply to the construction, reconstruction, or repair  
24 by any person of any below-grade utility facilities, includ-

1 ing sewer, electrical, water supply, and communications  
2 facilities.

3 (e) ENFORCEMENT.—Any person may bring a civil  
4 action in the appropriate United States district court  
5 against any person (including the United States) to en-  
6 force the provisions of subsection (a) and (b), and such  
7 court shall have jurisdiction in any such action, without  
8 regard to the citizenship of the parties or the amount in  
9 controversy, to issue such orders as may be necessary to  
10 restrain any violation of the prohibition set forth in sub-  
11 section (a) and to enforce the requirements of subsection  
12 (b).

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