

would only strengthen the central message of the memorial.

To his credit, Secretary of the Interior Ken Salazar testified during a hearing last year that he personally disagreed with his own Department's testimony on the legislation. However, since his testimony, neither the Department of the Interior nor the administration has changed their official position on this legislation. I am hopeful after a bipartisan vote today on this legislation that the administration may have a change of heart.

Fortunately, you don't have to just take my word for it because today we are honored to be joined by George "Poppy" Fowler of Coolville, Ohio. Poppy is 88 years young and served 3 years, 10 days, 1 hour and 10 minutes in the United States Navy during World War II. He flew 35 missions in Air Group 15 on a SB2C Helldiver as both a rear gunner and photographer.

I had the pleasure of escorting Poppy last fall on an honor flight trip to visit the World War II Memorial, and he and I became friends.

□ 1240

When the Natural Resources Committee scheduled a hearing on this legislation, I invited Poppy to come testify before the committee, and he graciously accepted the offer and came out to testify at his own personal expense.

Here is a brief excerpt of Poppy's testimony at the hearing: "I feel, with no doubt, that it would be appropriate that this prayer be inscribed in some manner at the World War II Memorial. Those reading this prayer will be able to recall the sacrifices made by our military, also those on the homefront. This prayer came at a perilous time, yet it was answered in victory at a dear cost of lives. Today, this prayer can pertain to any military action. Under present circumstances, it is also appropriate."

Now, I don't think anybody or anyone in this body could be more succinct and articulate than Mr. Fowler, and I thank him again for coming to Washington to testify on behalf of this legislation and for being here for today's debate and final vote in the House.

Before I close, I also want to thank my fellow Ohioan, Chris Long, for his tireless efforts to gain support and momentum for this legislation. This legislation wouldn't be on the House floor today without Chris' efforts.

Like Poppy, I have no doubt that the prayer should be included among the tributes to the Greatest Generation memorialized on the National Mall, and I strongly urge all of my colleagues to support this legislation.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. SABLON. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SABLON asked and was given permission to revise and extend his remarks.)

Mr. SABLON. Mr. Speaker, H.R. 2070 would direct the Secretary of the Inte-

rior to install at the World War II Memorial a plaque or inscription with the text of President Franklin Delano Roosevelt's prayer on June 6, 1944—D-day. The committee considered this legislation in November. We have no objections.

I yield to the gentleman from Ohio (Mr. KUCINICH) as much time as he may consume.

Mr. KUCINICH. I want to thank my friend, Mr. SABLON, and the Members for pursuing this important legislation. I rise on behalf of not just myself but of a now departed World War II combat veteran by the name of Frank J. Kucinich, Sr. He was proud to serve this country. He served in the Pacific theater. But all veterans come together to pay respect not only to those who served but to a President who on June 6, 1944, as the Nation was preparing for that D-day invasion, said the following, "With Thy blessing, we shall prevail over the unholy forces of our enemy. Help us to conquer the apostles of greed and racial arrogances. Lead us to the saving of our country, and with our sister nations, into a world unity that will spell a sure peace—a peace invulnerable to the schemings of unworthy men. And a peace that will let all of men live in freedom, reaping the just rewards of their honest toil. Thy will be done, Almighty God. Amen."

Those words by President Franklin Roosevelt, upon the occasion of D-day, June 6, 1944, should not only be inscribed—as my friend in his work will make sure of it, with the consent of this Congress—on a plaque for a suitable presence in the memorial, but should also be reflected upon on a daily basis to remind us of the sacrifices that people have made for this country and to remind us that the ultimate objective of those sacrifices is peace, peace within our Nation and peace among people around the world.

And so it is in that spirit of human unity and in recognition of the importance of this legislation that I ask all of our colleagues to join with us in approving it.

Mr. JOHNSON of Ohio. Mr. Speaker, I want to thank my colleagues for their support. May I ask if the minority bill manager has any additional speakers? We do not.

Mr. SABLON. No, I don't, Mr. Speaker. I yield back the balance of my time.

Mr. JOHNSON of Ohio. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 2070, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. JOHNSON of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further pro-

ceedings on this question will be postponed.

WAR MEMORIAL PROTECTION ACT

Mr. JOHNSON of Ohio. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 290) to amend title 36, United States Code, to ensure that memorials commemorating the service of the United States Armed Forces may contain religious symbols, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 290

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "War Memorial Protection Act".

SEC. 2. INCLUSION OF RELIGIOUS SYMBOLS AS PART OF MILITARY MEMORIALS.

(a) AUTHORITY.—Chapter 21 of title 36, United States Code, is amended by adding at the end the following:

"§ 2115. Inclusion of religious symbols as part of military memorials

"(a) INCLUSION OF RELIGIOUS SYMBOLS AUTHORIZED.—To recognize the religious background of members of the United States Armed Forces, religious symbols may be included as part of—

"(1) a military memorial that is established or acquired by the United States Government; or

"(2) a military memorial that is not established by the United States Government, but for which the American Battle Monuments Commission cooperated in the establishment of the memorial.

"(b) MILITARY MEMORIAL DEFINED.—In this section, the term 'military memorial' means a memorial or monument commemorating the service of the United States Armed Forces. The term includes works of architecture and art described in section 2105(b) of this title."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

"2115. Inclusion of religious symbols as part of military memorials."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. JOHNSON) and the gentleman from the Northern Mariana Islands (Mr. SABLON) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. JOHNSON of Ohio. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JOHNSON of Ohio. Mr. Speaker, I yield myself such time as I may consume.

H.R. 290, introduced by the gentleman from California (Mr. HUNTER), will allow the inclusion of religious symbols as part of military monuments.

In 1913, a memorial that included a 43-foot tall cross was placed on Mt. Soledad in San Diego, California, as a tribute to the members of the Armed Forces who sacrificed their lives to defend the United States. In 1989, the city of San Diego was sued over the cross, with critics claiming it violated the First Amendment to the U.S. Constitution and to the California Constitution.

Several remedies were attempted over the years to avoid the cross being removed by the courts. These included transferring the property to a non-profit organization, but this, too, led to a lawsuit. The property was also declared a national memorial by Congress in 2004. In 2006, Congress enacted Public Law 109-272 to transfer the memorial to the Department of Defense. The Federal Government was sued, and the Ninth Circuit Court of Appeals ruled that the cross was unconstitutional.

While the legislation does not specifically resolve the constitutionality of the Mt. Soledad cross, this legislation will, for the first time, statutorily protect religious symbols in all war memorials and make clear Congress' intent in the U.S. Code.

I urge adoption of H.R. 290, and I reserve the balance of my time.

Mr. SABLON. Mr. Speaker, I yield myself as much time as I may consume.

(Mr. SABLON asked and was given permission to revise and extend his remarks.)

Mr. SABLON. Mr. Speaker, H.R. 290 is a bill that would allow religious symbols to be included as part of memorials commemorating the service of the United States armed services. The legislation, sponsored by my good friend Congressman HUNTER of California, was considered by the Committee on Natural Resources in July. I commend my colleague, Mr. HUNTER, for moving this legislation forward.

We have no objections to the bill, and I reserve the balance of my time.

Mr. JOHNSON of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. HUNTER), the author of the bill.

Mr. HUNTER. I thank the gentleman from Ohio for yielding and for his service as a veteran and for what he has done for this country. I also thank the gentleman from the Northern Mariana Islands.

□ 1250

One of the most common ways that this Nation honors its military and war dead is with monuments and memorials. Across the Nation, from Fort Rosecrans National Cemetery in San Diego to Arlington National Cemetery, there are countless markers paying tribute to America's war heroes and the brave men and women who never came home. In many cases, these markers display symbols of religion and personal faith—representing not just individuals, but the shared commitment and sacrifice of those who serve and those who made the ultimate

sacrifice to protect others and us here at home.

I'm reminded of headstones at Arlington National Cemetery or images of Normandy where symbols of personal faith and religion are prominently displayed. And even then, these symbols never overshadow the purpose and message of honoring our military and veterans.

Now this time-honored tradition is under attack. Civil liberty groups have taken offense to the presence of religious symbols on war memorials. They are going after a cross sitting atop a hill at Camp Pendleton in San Diego. It's not an official site sanctioned by the Marine Corps or the Federal Government, and the cross can't even be seen by the public. But groups are pushing the Marine Corps to remove the cross from Camp Pendleton even when the base is contributing much of the manpower to the fight in Afghanistan and more recently Iraq.

The Mt. Soledad Veterans Memorial in San Diego is also a cause for their outrage. The memorial, first erected to honor veterans of the Korean war, displaying a 29-foot concrete cross, is now under the full ownership of the Department of Defense. At the base of the cross are more than 3,000 plaques with images and statements paying tribute to the veterans of all wars and religions. Last year, the runaway Ninth Circuit Court ruled that the memorial is unconstitutional, overturning a lower-court ruling.

The future of the Mt. Soledad Veterans Memorial is uncertain, even though the memorial, for all its years as a fixture of the San Diego community, had one stated purpose: to remember those who have fought and died for this Nation. H.R. 290 ensures Mt. Soledad and any other war memorial will withstand these attacks by allowing the inclusion of all symbols of religion and personal faith on war memorials established and under control of the Federal Government.

For the 131 national cemeteries under the purview of the Department of Veterans Affairs, there are currently 48 emblems, I believe, authorized. There is no preference for one symbol over another—the way that things should be. In the face of persistent legal challenges and the threat of more to come, it's important that we install the right protection for war memorials in Federal law, allowing the spirit and tradition of honoring our Nation's military to continue.

I urge my colleagues to support this legislation.

Mr. SABLON. Mr. Speaker, some Members may be aware of specific situations regarding religious symbols located on public land in California. In fact, the committee report for H.R. 290 mentions one of these ongoing controversies.

It is important to note that the committee report also makes clear “this legislation does not specifically address the Mt. Soledad situation.” Fur-

ther, the report includes analysis of the legislation by the Congressional Budget Office, which found, “under current law, religious symbols are not barred from being used in any military memorials; thus, H.R. 290 would codify current practice. According to the Department of Defense, the National Park Service, and the American Battle Monuments Commission, implementing H.R. 290 would not require any new memorials to be built or current memorials to be changed.”

H.R. 290 is not necessary and does not appear to change current law. As a result, we do not oppose it.

At this time, I reserve the balance of my time.

Mr. JOHNSON of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, I am truly honored and proud to be here today as a cosponsor of this bill. This is a bill that will protect and defend religious symbols on war memorials from Washington to San Diego.

I think we need to remember that one thing that was a foundation of this country was religious tolerance. And this bill is addressing the fact that there are those who refuse to express religious tolerance and are actually after any symbol, no matter how traditionally accepted and how universally accepted by the community as a general recognition of service and devotion and memorial, that they would attack it if they could find a religious connotation in any form.

Mind you, our Constitution protects the freedom of religion, not from it. But I think that this issue is one that has gone so far that we're actually talking about tearing crosses down over war memorials, and I don't think any American across the board who really believes in tolerance would support that.

I'm very honored to have four plaques at this memorial in San Diego. Frankly, I have a father, a stepfather, a brother, and a stepbrother whose plaques are at the memorial at Mt. Soledad. This is a family effort. I remember as a child, my father pointing up at the cross at Mt. Soledad and that memorial that it symbolizes and said it's one of the few in the country to the men and women who died in Korea. Now, I also was very privileged in 2006 to be the cosponsor of a bill with another Duncan Hunter, DUNCAN's father, that specifically had Congress and the Federal Government come in to save this war memorial.

Mr. Speaker, if you're not going to support this bill, if your attitude is that any religious connotation anywhere in the world that is on Federal-controlled property needs to be torn down and destroyed, then you can take that position, but don't stand in these Chambers and point at religious symbols all over in Europe or in San Diego and say they must come down or you will not defend them.

If you're going to sit in these Chambers with Moses at one side, Pope Innocent and Pope Gregory on the other, and Calvin, in these Chambers, if you're not going to stand up and demand that this Congress tear those plaques off these walls, then for God sakes, leave our war memorials alone, and don't tear down religious symbols just because you're intolerant and can't stand the fact that there are some of us that respect our war service and respect their faith, but most importantly, respect the heritage that has made America what it is today.

Mr. SABLAN. Mr. Speaker, I yield back the balance of my time.

Mr. JOHNSON of Ohio. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 290.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BUFFALO SOLDIERS IN THE NATIONAL PARKS STUDY ACT

Mr. JOHNSON of Ohio. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1022) to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1022

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Buffalo Soldiers in the National Parks Study Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) In the late 19th century and early 20th century, African-American troops who came to be known as the Buffalo Soldiers served in many critical roles in the western United States, including protecting some of the first National Parks.

(2) Based at the Presidio in San Francisco, Buffalo Soldiers were assigned to Sequoia and Yosemite National Parks where they patrolled the backcountry, built trails, stopped poaching, and otherwise served in the roles later assumed by National Park rangers.

(3) The public would benefit from having opportunities to learn more about the Buffalo Soldiers in the National Parks and their contributions to the management of National Parks and the legacy of African-Americans in the post-Civil War era.

(4) As the centennial of the National Park Service in 2016 approaches, it is an especially appropriate time to conduct research and increase public awareness of the stewardship role the Buffalo Soldiers played in the early years of the National Parks.

(b) PURPOSE.—The purpose of this Act is to authorize a study to determine the most ef-

fective ways to increase understanding and public awareness of the critical role that the Buffalo Soldiers played in the early years of the National Parks.

SEC. 3. STUDY.

(a) IN GENERAL.—The Secretary of the Interior shall conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks.

(b) CONTENTS OF STUDY.—The study shall include—

(1) a historical assessment, based on extensive research, of the Buffalo Soldiers who served in National Parks in the years prior to the establishment of the National Park Service;

(2) an evaluation of the suitability and feasibility of establishing a national historic trail commemorating the route traveled by the Buffalo Soldiers from their post in the Presidio of San Francisco to Sequoia and Yosemite National Parks and to any other National Parks where they may have served;

(3) the identification of properties that could meet criteria for listing in the National Register of Historic Places or criteria for designation as National Historic Landmarks;

(4) an evaluation of appropriate ways to enhance historical research, education, interpretation, and public awareness of the story of the Buffalo Soldiers' stewardship role in the National Parks, including ways to link the story to the development of National Parks and the story of African-American military service following the Civil War; and

(5) any other matters that the Secretary of the Interior deems appropriate for this study.

(c) REPORT.—Not later than 3 years after funds are made available for the study, the Secretary of the Interior shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing the study's findings and recommendations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. JOHNSON) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. JOHNSON of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JOHNSON of Ohio. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1022 authorizes the National Park Service to study alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the national parks.

The Buffalo Soldiers were a segregated Army unit composed of African American cavalymen. For nearly 25 years before the creation of the National Park Service, Yosemite National Park was administered by the U.S. Army. The Buffalo Soldiers played

a key role protecting those park resources that have since been enjoyed by millions of Americans. Their success will be examined by this study that will focus on existing resources inside current national parks.

I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1022 would direct the Secretary of the Interior to study ways the National Park Service could commemorate the role of Buffalo Soldiers.

Buffalo Soldiers were African American troops who served in the first national parks, including Yosemite and Sequoia National Park, prior to the establishment of the National Park Service.

□ 1300

The legislation, sponsored by Congresswoman SPEIER of California, was considered by the Committee on Natural Resources in May. I commend my colleague, Congresswoman SPEIER, for introducing this legislation and for her leadership on this issue. We strongly support this legislation.

I reserve the balance of my time.

Mr. JOHNSON of Ohio. I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, at this time, I yield such time that she may consume to the Congresswoman from California (Ms. SPEIER), the sponsor of this legislation.

Ms. SPEIER. I thank my friend from the Northern Mariana Islands for yielding.

I rise today in support of this legislation, the Buffalo Soldiers in the National Parks Study Act, which will allow the Department of the Interior to study the role of Buffalo Soldiers and how they defended our first national parks. This is a key step in preserving the legacy of the Army's first African American infantry and cavalry units and the contributions they made to our Nation.

This bill will evaluate the feasibility of a National Historic Trail along the Buffalo Soldiers' route from their historic military post at the San Francisco Presidio to Yosemite and Sequoia National Parks. The study would also identify properties that could be listed in the National Register of Historic Places or designations as National Historic Landmarks.

For several years, Buffalo Soldier regiments traveled 320 miles along this route to patrol the parklands for loggers and poachers, build new trails, and escort visitors. The Buffalo Soldiers were among our very first park rangers, a challenging task these troops took on with pride after serving bravely in the Civil War.

Because of the color of their skin, the Buffalo Soldiers were all too often marginalized instead of respected for their service to our Nation, both on and off the battlefield. However, during their time protecting the parks, they not only confronted racism and discrimination, they overcame it. They