

## Calendar No. 386

109TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
{ 109-227

---

---

### PRESIDENT DWIGHT D. EISENHOWER COMMEMORATIVE WORK

---

APRIL 3, 2006.—Ordered to be printed

---

Mr. DOMENICI, from the Committee on Energy and Natural  
Resources, submitted the following

### R E P O R T

[To accompany S.J. Res. 28]

The Committee on Energy and Natural Resources, to which was referred the joint resolution (S.J. Res. 28) approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower, having considered the same, reports favorably thereon without amendment and recommends that the resolution do pass.

#### PURPOSE OF THE MEASURE

The purpose of S.J. Res. 28 is to approve the location of a memorial honoring Dwight D. Eisenhower in Area I of the District of Columbia.

#### BACKGROUND AND NEED

Dwight David Eisenhower served as the Supreme Commander of Allied Forces in Europe during World War II and as the 34th President of the United States. As Commander, he led the Allied Forces to victory in the largest armed conflict the world has ever seen. As President of the United States, he championed policies that helped to define the United States in the years following World War II. His accomplishments include setting a strategy for the Cold War, creating the National Interstate Highway System, creating the National Space Agency (later NASA) during the Soviet-American space race, and advancing laws, court appointments, and policies that improved civil rights for Americans.

The Defense Appropriations Act of 2000 (Public Law 106-79) established the Dwight D. Eisenhower Memorial Commission to plan

the design and location of a memorial honoring President Eisenhower. The Commission has selected a location along Maryland Avenue, adjacent to the Department of Education and the Air and Space Museum. This location is partially within "Area I", defined as the "monumental core area" by the Commemorative Works Act.

Pursuant to the Commemorative Works Act, proposals to locate memorials within Area I can only be authorized by an Act of Congress. Only proposals approved within 150 days of their submission to Congress are considered authorized. In accordance with the Commemorative Works Act, the Secretary of the Interior has determined the subject to be of "pre-eminent historical and lasting significance to the nation" and recommends that Congress approve the location of the memorial in Area I.

#### LEGISLATIVE HISTORY

S.J. Res. 28 was introduced by Senator Stevens and others on February 7, 2006. The Subcommittee on National Parks held a hearing on S.J. Res. 28 on February 16, 2006. At its business meeting on March 8, 2006, the Committee on Energy and Natural Resources ordered S.J. Res. 28 favorably reported.

#### COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on March 8, 2006, by unanimous voice vote of a quorum present, recommends that the Senate pass S.J. Res. 28, as described herein.

#### COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the report is available, the Chairman will request it to be printed in the Congressional Record for the advice of the Senate.

#### REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S.J. Res. 28. The resolution is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S.J. Res. 28, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

The views of the Administration on S.J. Res. 28 were included in testimony received by the Committee at a hearing on the bill on February 16, 2006. This testimony follows:

STATEMENT OF JOHN PARSONS, ASSOCIATE REGIONAL DIRECTOR, NATIONAL CAPITAL REGION, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

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.



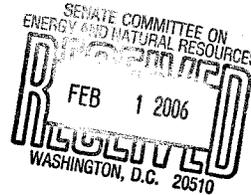
## United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, D.C. 20240

JAN 31 2006

L58 (0120)

Honorable Richard B. Cheney  
President of the Senate  
Washington, DC 20510



Dear Mr. President:

There is enclosed a draft of a joint resolution entitled, "Approving the location of a Dwight D. Eisenhower Memorial in the Nation's Capital."

We recommend that the joint resolution be introduced, referred to the appropriate committee for consideration, and enacted.

Public Law 106-79, section 8162, as amended by Public Law 107-117, section 8120, authorized the Dwight D. Eisenhower Memorial Commission to establish a memorial to Dwight D. Eisenhower in the District of Columbia pursuant to the Commemorative Works Act, now codified at 40 U.S.C. §§ 8901-8909.

The Dwight D. Eisenhower Memorial Commission has requested that the memorial project be able to consider locations in Area I. Area I is now the area comprising the central Monumental Core outside the Reserve in the District of Columbia and its environs, which is depicted on the map referenced in section 8908(a) of the Commemorative Works Act. Section 8908(b)(1) of that Act provides that the Secretary of the Interior, after seeking the advice of the National Capital Memorial Advisory Commission, may recommend locating a commemorative work in Area I only if the Secretary determines that the subject of the memorial is of preeminent historical and lasting significance to the Nation. If a determination of preeminent historical and lasting significance is made, this section further provides that the Secretary shall notify the Congress and others and recommend that the memorial be located in Area I.

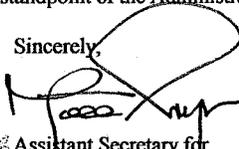
Following its public meeting on March 1, 2002, the National Capital Memorial Advisory Commission advised that Dwight D. Eisenhower, the Supreme Commander of the Allied Forces in Europe (1942-1945), the first Commander of the North Atlantic Treaty Organization's (NATO) military forces in Europe, and the 34th President of the United States, has made extraordinary contributions in a lifetime of public service to his country and has had a profound effect on all Americans which will continue through history. At a meeting on November 8, 2005, the National Capital Memorial Advisory Commission considered potential sites within Area I, in furtherance of its 2002 recommendation.

I have considered the advice and find the subject to be of preeminent historical and lasting significance to the Nation. The Dwight D. Eisenhower Memorial Commission should be granted the authority to consider potential sites within Area I for the memorial to Dwight D. Eisenhower.

In accordance with section 8908(b)(1) of the Act, notice is hereby given that I have, through my designee, sought the advice of the National Capital Memorial Advisory Commission, and recommend that the memorial be authorized within Area I. Under section 8908(b)(1) of that Act, my recommendation to locate this memorial in Area I shall be deemed authorized only if approved by law not later than 150 days after this notification.

The Office of Management and Budget has advised that there is no objection to the enactment of the enclosed draft joint resolution from the standpoint of the Administration's program.

Sincerely,



Acting Assistant Secretary for  
Fish and Wildlife and Parks

Enclosure

## CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the resolution S.J. Res. 28, as ordered reported.

