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BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS
HOUSE COMMITTEE ON RESOURCES

CONCERNING H.R. 2134, A BILL TO ESTABLISH THE COMMISSION TO STUDY THE POTENTIAL CREATION OF
A NATIONAL MUSEUM OF THE AMERICAN LATINO COMMUNITY TO DEVELOP A PLAN OF ACTION FOR
THE ESTABLISHMENT AND MAINTENANCE OF A NATIONAL MUSEUM OF THE AMERICAN LATINO COMMUNITY
IN WASHINGTON, DC

March 30, 2006

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 H.R. 2134, a bill to establish the Commission to Study the Potential Creation of a National Museum of the American Latino Community to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, D.C.

The Department has no objection to the concept of establishing a commission to study the potential creation of a national museum for the American Latino community, and we would like the opportunity to work with the subcommittee to address some concerns described in the testimony. We note that other agencies, such as the Smithsonian Institution, may be able to provide more insight on the benefits as well as the significant budget implications of establishing and operating a separate museum in this time of constrained budgets.

The National Park Service is proud to be the steward of monuments along Virginia Avenue to commemorate Spanish General Bernardo de Galvez, ally to the American colonies during the American Revolution, and four South American heroes, Simon Bolivar, Jose de San Martin, Benito Pablo Juarez, and Jose Gervasio Artigas. All five statues were memorial gifts to the people of the United States from the people of Spain, Venezuela, Argentina, Mexico and Uruguay to recognize these liberators of Bolivia, Columbia, Ecuador, Peru, Venezuela, Argentina, Mexico, and Uruguay. These memorials celebrate the bonds between our nations; and while American Latinos have the opportunity to trace their ancestry back to these origins, there is no permanent historical context in Washington, D.C. that provides an opportunity to focus on the significant cultural events and contributions representing these citizens of the United States.

H.R. 2134 would establish a Commission to study and report on the potential creation of a museum, the availability and cost of collections to be acquired and housed in the museum, possible locations, the organizational structure from which the museum should operate, and how to engage the American Latino Community in the development and design of a museum. The Commission would consist of 23 voting and non-voting members appointed by the President and Congressional leadership. H.R. 2134 would require that the Commission convene a national conference on the museum no later than 9 months after the date of enactment of the Act and submit recommendations for a legislative plan to create and construct the museum based on the findings of its study no later than 18 months after the date of enactment of the Act. The bill would require the Secretary of the Interior to provide administrative services, facilities, and funds necessary for the operation of the Commission.

We have concerns about the bill and suggest several amendments. First, we suggest that the Commission examine the cost of constructing, operating, and maintaining the museum in its report. These considerations are vital to the success of a museum. Second, we are concerned that the time frames set forth in the bill for convening the conference and submitting the recommendations are unachievable, and we suggest they be reevaluated. Third, we suggest that the bill be amended to provide greater detail about the operation of the Commission. In particular, the bill does not specify whether the Commission is subject to the Federal Advisory Committee Act, the method by which the chairman is selected, the meeting location, and the number of members that constitute a quorum. Finally, we have some additional concerns about the bill requiring that the Secretary of the Interior provide administrative services, facilities, and funds necessary for the operation of the Commission. We suggest, alternatively, that the General Services Administration (GSA) provide such administrative support, since it is our understanding that the GSA has an office set up to provide such services for other Commissions. Regardless of which agency is given this role, we request that the bill be amended to add language stating that the administrative support is contingent on available funds appropriated for this purpose. We also would recommend that the bill be amended to state that these funds be made available to both the agency providing the administrative support and

the Commission prior to any meetings of the Commission.

We appreciate that H.R. 2134 has been improved over the past versions of the bill by providing the Commission with a full opportunity to consider a wide variety of potentially appropriate and worthy locations for the museum and directing the Commission to consult with the National Capital Planning Commission and the Commission of Fine Arts during such consideration. This requirement supports the purpose and follows guidelines provided by the "Memorials and Museums Master Plan," described further below. Previous proposals contained provisions limiting the study to specific sites to be considered including locations on or near the National Mall.

The location for a museum is of paramount importance to the Department of the Interior. In September 2001, the Commission of Fine Arts, the National Capital Planning Commission, and the Department of the Interior, through the Secretary's National Capital Memorial Advisory Commission, adopted the Memorials and Museums Master Plan to guide the location of new memorials, museums, and related structures in the Nation's Capital. The Plan states that future memorials and museums should be precluded from being located in "The Reserve," an area described as the great cross-axis of the National Mall extending from the United States Capitol to the Lincoln Memorial and from the White House to the Jefferson Memorial. Congress concurred with the need to protect The Reserve from overdevelopment, calling this area "a substantially completed work of civic art," and, on November 13, 2003, with enactment of amendments to the Commemorative Works Act, the Reserve was established by statute. The amendments also preclude museums from being located on parkland in Area I or in East Potomac Park.

We support, in concept, the proposal to further the education and interpretation of significant segments of American history and culture, however, we feel strongly that this Commission move forward in a way that does not contravene the thoughtful and comprehensive plans undertaken to govern the growth of the Nation's Capital or weaken the protections which Congress has provided to the National Mall.

We appreciate the opportunity to testify on H.R. 2134. We would like the opportunity to work with the subcommittee to address our concerns with the legislation, and we urge the subcommittee to consult with other relevant agencies as the bill moves forward. Mr. Chairman, this concludes my prepared testimony. I would be pleased to answer any questions you or other members of the subcommittee may have.