

Statement for the Record
U.S. Department of the Interior
before the
House Committee on Natural Resources
Subcommittee on Public Lands and Environmental Regulation

Concerning H.R. 863, to establish the commission to study the potential creation of a National Women's History Museum, and for other purposes.

March 25, 2014

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R. 863, to establish the commission to study the potential creation of a National Women's History Museum, and for other purposes.

The Department does not oppose H.R. 863, but recommends an amendment discussed below.

H.R. 863 would establish a Commission to study and report on the potential creation of a national women's history museum. H.R. 863 directs the Commission to submit to the President and Congress a report containing recommendations on the availability and cost of collections to be acquired and housed in the museum, the impact the museum may have on regional women's history-related museums, possible locations within Washington, D.C., or its environs, whether the museum should be part of the Smithsonian Institution, the governance and organizational structure from which the museum should operate, how to engage women in the development and design of a museum, and the cost of constructing, operating, and maintaining the museum.

The Commission, consisting of eight members appointed by the congressional leadership, would convene a national conference on the museum no later than eighteen months after its appointment and submit recommendations for a plan of action for the establishment and maintenance of a museum no later than eighteen months after its first meeting.

Section 4(a)(2)(C) of H.R. 863 directs the Commission to recommend potential locations, including the location on land bounded by Independence Avenue SW., 14th Street SW., 15th Street SW., and Jefferson Drive SW., in Washington, D.C. This area has several constraints. First, it is located on the Washington Monument grounds, an area treasured for its open space and natural setting. Second, the museum's development potential will likely be significantly constrained by the area's size and configuration. Third, this location is also within the Reserve as defined by the Commemorative Works Act (CWA), 40 U.S. Code, Section 89 (Section 8902(a)(3)). In the 2003 Amendments to the CWA, Congress declared the Reserve a "substantially completed work of civic art," where no new memorials may be located. The Reserve continues to protect the National Mall's historic open space character enjoyed by millions of Americans and visitors. Fourth, Section 8905(b)(5) of the CWA provides that memorials that are primarily museums are not to be placed even in Area I and parts of Area II on lands under the jurisdiction of the

Secretary. Finally, museum development on this site is also precluded in the 2001 Memorials and Museums Master Plan (Chapter 3, page 32), which continues to guide the location of new memorials, museums, and related structures in the Nation's capital. This plan was the result of a multi-year effort by the National Capital Planning Commission, the U.S. Commission of Fine Arts, the National Capital Memorial Advisory Commission and the National Park Service. We recommend amending the bill by deleting this specific location as a potential site for the museum. There are a number of sites within the monumental core that are worthy of consideration for a museum of this importance, as identified in the Monumental Core Framework Plan which notes preferred sites for new museums.

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 CWA.

Mr. Chairman, thank you for the opportunity to present the views of the Department of Interior on H.R. 863. We would like the opportunity to work with the subcommittee to address our proposed amendment, and we urge the subcommittee to consult with other relevant agencies as the bill moves forward.

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Concerning H.R. 4120, to amend the National Law Enforcement Museum Act to extend the termination date.

March 25, 2014

Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 4120, a bill to amend the National Law Enforcement Museum Act to extend the termination date.

The Department has no objection to this legislation. H.R. 4120 would amend section 4(f) of Public Law 106-492, enacted November 9, 2000, to authorize construction of the Museum to begin up to 16 years after the date of enactment. If this legislation is enacted, the authority to construct the Museum would expire on November 9, 2016.

Public Law 106-492 authorizes the National Law Enforcement Officers Memorial Fund (the Fund) to design, plan, construct, and maintain a National Law Enforcement Museum on Federal land within U.S. Reservation 7 in the District of Columbia south of the National Law Enforcement Officers Memorial. Reservation 7 is one of the original public reservations of the City of Washington. The museum site has been under the jurisdiction of the District of Columbia since 1970.

The Act for the new museum requires that the design be approved by the Secretary of the Interior, the National Capital Planning Commission (NCPC), and the U.S. Commission of Fine Arts (CFA). The Fund has coordinated extensively with the National Park Service (NPS), on behalf of the Secretary of the Interior, the NCPC, the CFA, the D.C. State Historic Preservation Office (DC SHPO), and the District of Columbia government, as well as the adjacent court buildings.

When the Department testified on the original legislation, a bill to establish a National Law Enforcement Museum on Federal land in the District of Columbia, on April 27, 2000, we had been concerned, from an historic preservation standpoint, about the impact of locating a new building within this complex of six historic public buildings dating from 1820 to 1939. However, the careful design and placement of the museum has resolved these concerns, as evidenced by the execution of a Memorandum of Agreement on June 23, 2008, among DC SHPO, the Fund, the NPS, and the NCPC, and its extension on February 22, 2013. This fulfills the requirement of Section 106 of the National Historic Preservation Act. Final site and building plans for the museum were approved by the CFA on January 17, 2013, and by the NCPC on

April 4, 2013.

The National Law Enforcement Museum Act prohibits the Fund from beginning construction of the museum unless the Secretary of the Interior "determines that sufficient amounts are available to complete construction of the Museum." The Secretary was unable to make this determination by November 9, 2013. Should the extension be approved, we look forward to verifying the funding, which is our remaining task in this project as required by Section 4(e) of Public Law 106-492. By law, no federal funding will be used in the construction of the Museum.

Mr. Chairman, thank you for the opportunity to present the views of the Department of Interior on this legislation.