

STATEMENT OF ROBERT VOGEL, ACTING DEPUTY DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY & NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 926, A BILL TO AUTHORIZE THE GLOBAL WAR ON TERROR MEMORIAL FOUNDATION TO ESTABLISH THE NATIONAL GLOBAL WAR ON TERRORISM MEMORIAL AS A COMMEMORATIVE WORK IN THE DISTRICT OF COLUMBIA, AND FOR OTHER PURPOSES.

July 19, 2017

Chairman Daines, Ranking Member Hirono, and members of the subcommittee, thank you for the opportunity to present the Department of the Interior's views on S. 926, a bill to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

The Department supports S. 926, as we believe it is important to commemorate the sacrifices made by Members of the Armed Forces who have fought and died in the Global War on Terror. Although the subject matter of the proposed memorial is not consistent with the Commemorative Works Act, we believe that in this case exempting the memorial from time-period requirements for commemorative works, as this bill does, is appropriate.

S. 926 would authorize the Global War on Terror Memorial Foundation (Foundation) to establish the National Global War on Terrorism Memorial (Memorial) as a commemorative work, on Federal land in the District of Columbia. This Memorial would commemorate and honor the members of the Armed Forces who served on active duty in support of the Global War on Terror. This bill also prohibits the use of federal funds to establish this Memorial and directs the Foundation to be solely responsible for accepting contributions for, and paying the expenses of, the establishment of the Memorial. Once the memorial is completed, the National Park Service will be responsible for its operation. The annual cost of such operation has not been determined but, as with other recent memorials, would be estimated during the design process, should the memorial be authorized. The Foundation is a 501(c)(3) corporation organized under the laws of the State of Pennsylvania whose mission is to establish a national memorial to this conflict.

After September 11, 2001, when the Islamic extremist group al-Qaeda initiated a series of four coordinated terrorist attacks on the United States that killed nearly 3,000 people, President George W. Bush declared a worldwide "war on terror." The initial objectives of the Global War on Terror included defeating the terrorists responsible for the September 11 attacks, battling terrorists and dismantling their organizations, and defending U.S. citizens at home and abroad. The War on Terror includes conflicts in Afghanistan (Operation Enduring Freedom and Operation Freedom's Sentinel) and in Iraq (Operation Iraqi Freedom, Operation Inherent Resolve, and Operation New Dawn) as well as conflicts throughout the Middle East, Asia, Europe, North America, and Africa. In recent years, the fight against the Islamic terrorist organization ISIS has been included in the Global War on Terror.

The Department notes that Section 3(b) of this bill requires the establishment of the Memorial to generally comply with Chapter 89 of Title 40, United States Code, commonly known as the “Commemorative Works Act” (CWA). The CWA provides a process for the establishment of new memorials on certain Federal lands within the District of Columbia. However, the bill exempts the Memorial from the sections of the CWA that require the passage of specific periods of time before a commemorative work may be established. In the case of military conflicts, the period is ten years.

On October 4, 2016, the National Capital Memorial Advisory Commission (Commission) reviewed the previous House version of this bill, H.R. 5999, which was introduced in the 114th Congress. On November 29, 2016, the Commission reported to the House Natural Resources Committee that the Global War on Terror was a subject deserving of commemoration, either now or in the future, but that a proposal for commemorating a conflict that had not yet ended was inconsistent with the CWA. However, the Commission also recognized that the nature of warfare has changed since the CWA became law, and that modern conflicts may not have distinct end dates, making it difficult for memorials to these conflicts to comply with the waiting period requirements of the CWA.

The Department supports the concept of a waiting period prescribed by the CWA, as it allows for fuller understanding of the importance of a particular military conflict or other event in the long continuum of our nation’s history. However, the waiting period that commences upon the conclusion of the Global War on Terror may not even begin for many years or decades. This is a situation where we believe it is appropriate to waive the waiting period so as to not delay the commemoration of the brave men and women who fought and died many years ago, along with those who continue to fight and die on our behalf today, in the long-lasting War on Terror.

Chairman Daines, this concludes my statement. I would be pleased to answer any questions you or other members of the subcommittee may have.