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NATIONAL PARKS LEGISLATION

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS

OF THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

ON

S. 544
S. 1083
S. 1084
S. 1303
S. 1325
S. 1347
S. 1421
S. 1478
S. 1537

OCTOBER 19, 2011

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NATIONAL PARKS LEGISLATION

WEDNESDAY, OCTOBER 19, 2011

U.S. SENATE,
SUBCOMMITTEE ON NATIONAL PARKS,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:33 p.m. in room SD–366, Dirksen Senate Office Building, Hon. Mark Udall presiding.

OPENING STATEMENT OF HON. MARK UDALL, U.S. SENATOR FROM COLORADO

Senator UDALL. Subcommittee on National Parks will come to order. This afternoon the Subcommittee on National Parks is considering 9 bills authorizing studies of or designating new National Park's trails or memorials including the following:

S. 544 authorizing a study to determine the best way to commemorate the Buffalo Soldier's role in the early years of the National Parks.

S. 1083 authorizing a study of the Smoky Hill Trail which extends from Kansas to Colorado.

S. 1084 authorizing a study of the Shawnee Trail, a cattle trail out of Kansas. Both trails would be studied for potential additions to the National Trail System.

S. 1303 which would designate Fort Monroe in Virginia as a National Historical Park.

S. 1325 authorizing a study of the lower Mississippi River area in Louisiana for potential designation as a National Park.

S. 1347 which would designate Coltsville National Historical Park in Connecticut.

S. 1421 authorizing the Peace Corps Commemorative Foundation to establish a Memorial in Washington to commemorate the mission of the Peace Corps and the ideals on which the Peace Corps was founded.

S. 1478 modifying the boundary of Minuteman Missile National Historic Site in South Dakota.

S. 1537 authorizing the Secretary of the Interior to provide technical and financial assistance to the National September 11th Memorial and Museum in New York and authorizing the Secretary to accept the potential donation of title to the Memorial.

I would like to briefly note that I am an original co-sponsor of Senator Portman's bill to authorize the Peace Corps Commemorative Memorial here in Washington. The more than 200,000 men and women who volunteered since the creation of the Peace Corps

in 1961 have made significant contributions in improving the lives of countless individuals in communities around the world and have not only helped foster better understanding of America around the world, but have also broadened our understanding of other cultures.

Colorado has one of the strongest representations of return Peace Corps volunteers and I have even more personal connection. My mother once served as a Peace Corps volunteer in Nepal from the ages of 56–60, so I have a great deal of affection and respect for what the Peace Corps stands for and represents. So I look forward to working with Senator Portman in moving this bill through the committee and the Senate.

We have been joined by the Dean of the Senate, the Present Pro Tem of the Senate, the Chairman of the Appropriations Committee, Senator Inouye we appreciate you taking time out of your schedule. I would like to recognize you now for your statement, I think pertaining to S. 1531 which would authorize the Secretary of the Interior to provide technical and financial assistance to the 9/11 Memorial. We are glad to have you, the floor is yours.

STATEMENT OF HON. DANIEL K. INOUYE, U.S. SENATOR FROM HAWAII

Senator INOUYE. Thank you very much, Mr. Chairman for this opportunity to testify before your committee.

On December 7, 1941, I was a 17-year-old boy getting ready to go to church. The music I was listening to on the radio suddenly stopped and the disc jockey came on screaming that Pearl Harbor was being bombed. When I stepped out and saw the planes fly overhead, grey with red dots, I knew that the world had changed. Nearly 2,400 Americans military and civilians died that day. It signaled the beginning of World War II and Pearl Harbor became a monument to a day that the world changed forever.

On Tuesday morning, September 11, 2001, I was just walking into a hotel getting ready to give a speech. A stranger came up to me, grabbed my arm, and dragged me into the bar. I could not quite understand drinking early in the morning but he pointed to the TV set. On that TV set the second tower was being struck. Then all hell broke loose. Nearly 3,000 people lost their lives in the terrorist attack on New York City, on the Pentagon, and Shanksville. Once again this staggering loss of life changed our lives forever.

This past May at the invitation of the Mayor of the city of New York, I visited the September 11 Memorial and Museum at this Trade Center Site. It is a solemn structure, a worthy tribute to the victims and their families that will help educate future generations about the global circumstances that led to this tragic attack.

A few years, few days before the tenth anniversary of the September 11 attack, I was privileged to introduce legislation, S. 1537, to provide for an authorization of funds to support the operations and maintenance of the Memorial and the Museum. I did this out of a strong sense of recognition. This was from my experiences on December the 7th and later in the service of the military, that I believe it is our duty to help perpetuate this moment in American history.

I am also familiar with the logistical, financial and emotional difficulty that arises from working to build a Memorial because I took part in the establishment of the U.S.S. Arizona Memorial in Pearl Harbor. Calls for the Memorial began in 1943 in the midst of the war. But it was not until 1949 that the Delman of the Territory of Hawaii established the Pacific War Memorial Commission and that began the planning. At that time, the public sentiment stuck by emotions of the war, demanded a monument to honor the nearly 2,400 Sailors, Marines, Soldiers and civilians who died at Pearl Harbor. After much planning and discussion, the President, Dwight David Eisenhower addressed, authorized the construction and this was in 1958.

I remember the discussions that took place in the territorial legislature at the time I was serving there. The discussions went on with victims' families, the government of the United States, the State of Hawaii, to make this reality.

It was finally completed in 1961 and paid for with a mix of public funds, appropriated by this Congress, and moneys raised at private fund raising. Yes, the Congress first appropriated a large sum at that time, $150,000. Also Elvis Presley helped us raise some money, he had a concert there.

Finally more than 2 decades after the bombing of Pearl Harbor, the Memorial opened to visitors in 1962. Today we average more than 1 million visitors each year.

Today New York City, we have a stunningly new Memorial and soon to be open Museum that has been completed through the efforts of the elected leadership of New York and New Jersey, and is spearheaded by the Mayor of the city of New York and a private board there. I believe it is a magnificent achievement that deserves our full support.

This legislation will allow the U.S. through the Secretary of the Interior, to take ownership of the Memorial and the Museum if it ever deems suitable. We do not dictate and say that we take over. After the appropriate approvals are secured from the Memorial and Museum Board, which that Board includes members of families of those members who died, the Governor of New York, the Governor of New Jersey and the Mayor of the city of New York. This legislation would authorize appropriations of $20 million in fiscal year 2013. The first full fiscal year after which the Museum is scheduled to open to the public. All funds appropriated must be matched by non-Federal sources with the resulting Federal share being about 33 percent or less on the overall budget of the Museum and the Memorial.

In the decades since the terrorist attack on lower Manhattan, I think it would be interesting for us to note that this Nation has spent over $2 trillion in defense and homeland security. So I believe we can find Federal funds for this Memorial.

Mr. Chairman, it is my intention to establish a Federal presence that ensures reliable support and funding for this September 11 Memorial for generations to come. The details of the government's role will continue to be discussed and revised as circumstances change and the years pass. But like the actions initiated by Admiral Radford, Commander and Chief for the Pacific in 1950 when he put the flag of the United States over the Memorial in, the Arizona

Memorial, the Federal Government must establish their role in supporting the mission of the national September 11 Memorial and Museum. Because I think it is our duty to honor those who died, pay tribute to their families, and teach the lessons of September 11th so that those born in the world that began after the towers fell, would never witness a similar tragedy.

Mr. Chairman, 50 years after the bombing of Pearl Harbor, a national poll was taken among high school seniors in the United States and the question was a very simple one. What is the significance of December 7, 1941? Less than half of those polled could respond. They had no idea what December 7, 1941, is. I would be reluctant to take a poll at this time among high school seniors, it may be less than a quarter.

So I am compelled to do all I can to make certain that future generations do not forget what happened on September 11, 2001. So I would also like to submit, if I may with your permission, several sets of items for the record.

Senator UDALL. Without objection.

Senator INOUYE. These items include a section by section analysis of this bill. A personal statement from Tom Johnson, the 9/11 Board Member and father of Scott Johnson. A formal statement from the Board of the Memorial and Museum Foundation. A letter to the committee from all the family members on the board. I ask that this committee support this measure. I thank you very much, Sir.

Senator UDALL. We thank you Chairman Inouye for taking your time to join us. We know how busy you are. If you would like to stay we would welcome your presence, but we also know how much work is occurring on the floor. So thank you again.

Senator INOUYE. Thank you for excusing me.

Senator UDALL. Thank you.

Senator INOUYE. Thank you, sir.

Senator UDALL. We will now turn to members of the Energy Committee if they have initial remarks and then Senator Warner's joined us and we will look forward to hearing his testimony as well.

Senator Johnson.

STATEMENT OF HON. TIM JOHNSON, U.S. SENATOR FROM SOUTH DAKOTA

Senator JOHNSON. Thank you Chairman Udall for holding this hearing today. I appreciate the opportunity to speak on behalf of legislation. I have introduced to modify the boundary of the Minuteman Missile National Historic Site in South Dakota.

Minuteman Missile consists of 2 separate sites located about 11 miles from one another in Southwestern South Dakota. The Delta 1 Lodge Facility and the Delta 9 Missile Silo, these sites were part of the Air Force's Minuteman 2 Missile System during the cold war. When Minuteman Missile was signed as National Historic Site in 1989, it was the first unit of the National Park System dedicated to the history of the cold war.

By legislation, which is co-sponsored by my colleague, Senator Tom Thune, we transfer 2 parcels of land from the U.S. Forest Service to the National Park Service. A 25-acre parcel would be

used to locate a visitor facility an administration billing has called for in enabling legislation.

A second parcel of about 3 acres will be used for a visitor parking there at their Missile Silo. The visitor center and additional parking will allow the park service to more fully interpret the unique and important history of the site and enhance their visitor experience.

I look forward to working with my colleagues on the Energy and Natural Resources Committee to move as those legislation forward. I think that administrations for its support. Thank you, Mr. Chairman.

Senator UDALL. Thank you, Senator Johnson. Senator Landrieu is recognized.

STATEMENT OF HON. MARY L. LANDRIEU, U.S. SENATOR FROM LOUISIANA

Senator LANDRIEU. Thank you, Mr. Chairman, I will be brief. I know the Senator from Virginia is here to testify for one of his bills. But I want to thank you because I do have a tight deadline at a little after 3 today.

I want to thank you for including this bill, Mr. Chairman, on your agenda. This is the third Congress that I have introduced this bill and I am really hoping that the 3rd time will be the charm where we can put this bill in a package of other worthy parks and areas and try to get this passed for the people of Louisiana. We have been working on this, as I said, for quite some time.

This legislation would simply commence a study for the determination of national significance which of course you know is the first crucial step of the two-step process to becoming designated as a national park. The areas in Plaquemine Parish, Louisiana, which you may not be familiar with, it is a large parish geographically South of New Orleans. In fact, I was thinking if we do get to be a park, we will be the most Southern most park I think in the United States except for maybe some parts of Key West, Florida. But it is an important location as you can imagine on the Gulf Coast and there have been ten fortifications in the history of our Nation on this site and there still are to sites, Fort St. Philip and Fort Jackson. Fort St. Philip dates back to the war of 1812, Fort Jackson to the Civil War. They played a great role in the protection of the city of New Orleans which of course played a great role in the protection of our Nation and our expansion westward. I do not need to tell you that this part of our country is flown under many different flags, the French, the Spanish, we have a lot of Caribbean and African, Native American cultures, also the Vietnamese and others have moved in recently and it is really a mixing pot.

In addition, what is significant, Mr. Chairman, is that the Parish government feels so strongly about this, they are willing to pay for the study which sometimes can be a problem in getting, you know, the study conducted. So if you and the committee would allow and suggest, we can put up our own funding for the study and it should of course be someone that the Park Service and we agree would be, you know, fair in their assessment. But if that would help to move this forward, we actually can put up our own money. So I have submitted the legislation both using the Federal source and a non-Fed-

eral source for the study. I just hope that you will give us, you know, every consideration and include us in the next land's bill that is presented by the Energy Committee.

Thank you, Mr. Chairman.

Senator UDALL. Thank you, Senator Landrieu. I know we all have high hopes we can put a package together in this Congress. Particularly given there were a number of bills, there were tens of bills that did not make it to the finish line in the last Congress. Senator Warner, thank you for taking your time to come to the National Park Subcommittee. We look forward to your testimony, the floor is yours.

STATEMENT OF HON. MARK R. WARNER, U.S. SENATOR FROM VIRGINIA

Senator WARNER. Thank you, Mr. Chairman, Senator Landrieu, Senator Johnson. It is a real honor for me to be here today following obviously your comments on both of your worthy projects and Senator Inouye's comments. I know you have got a lot to cover. I know in a little while my good friend, the Secretary of Veterans Affairs and Homeland Security for the Commonwealth of Virginia, Secretary Terrie Suit will get a chance to make a presentation, a more, a longer presentation. I had the good fortune when I was Governor to then Delegate Suit served in our assembly and I hope you will pay close attention to her comments.

I am going to be very brief, I know you got a full agenda. But I hope the brevity of my comments will not make up for the passion I feel about the issue I am going to talk to you about. Demonstration of that passion is, you know, today is wear green for Fort Monroe day and you will see some of the fellow Virginian's here and let me assure you, trying to find a tie this vibrantly green other than St. Patrick's Day would be one demonstration of my commitment to this issue.

So, Mr. Chairman I ask that my full statement be included in the record.

Senator UDALL. Without objection.

Senator WARNER. So, let me say very brief I am here to speak on a bill I have co-sponsored with Senator Webb. The Fort Monroe National Historical Park Establishment Act of 2011. This legislation would authorize the park service to establish a national park presence at the Fort to preserve historic and natural resources for all to enjoy. I just want to make 3 quick points and fuller description in my full statement.

First, not unlike the 2 very worthy projects that Senator Johnson and Senator Landrieu mentioned, Fort Monroe has a unique and important history stretching back over 400 years. I am not sure even Senator Landrieu's presence goes back 400 years. The first fortifications at the site then known as Point Comfort were built by a colonist in 1609. In 1619 the first Africans to arrive in the New World landed at Old Point Comfort. Nearly 250 years later the site where slavery started in America helped shape the beginning of its end. During the Civil War Fort Monroe, which is for any of you who have ever travelled down to Virginia Beach and right before you go through the traffic in the tunnel, off to the left there

in the city of Hampton, good job, is this presence and we hope you will come back to, come to Virginia often.

But Fort Monroe had a strategic role as one of the few union military installations in the South that was never occupied by confederate forces. When the Fort's Commander, General Benjamin Butler, classified slaves who were able to reach Union lines as contraband of war, Fort Monroe became a site of hope for thousands of enslaved persons seeking freedom. General Butler's quote "contraband of war" declaration helped changed the course of the Civil War in our Nation's history and there is an extraordinary story of slaves and slave people who literally left building confederate embankments, got into the fort and this general who was there kind of making a legal opinion on the fly, decided rather than sending these individuals back which is, this was still before emancipation proclamations. These folks could have, he could have legally "legally" sent them back to incredible hardship and potentially death. Decided instead to classify individuals as contraband of war and by midway through the war literally thousands and thousands of enslaved individuals across the region escaped to Fort Monroe.

Subsequently after the Civil War, Fort Monroe became partial place for the imprisonment actually of Jefferson Davis and played an important role in World War I and World War II. Many, many were the locations vying for national park status, but we would put Fort Monroe, at least from Virginia's standpoint, at the top of that list. I would add the Governor and the Mayor would be here today but they are making this case personally, I believe, to the President who is in the city of Hampton today.

Second point I would just like to make is that the city of Hampton, the complete Bipartisan Congressional Delegation, our Governor and all of the local citizens are united in supporting a future National Park Service presence at Fort Monroe. A successful partnership at the local, State and Federal levels is critically important for future preservation of the site. The park service has strong partners in the Commonwealth of Virginia and the Fort Monroe Authority. This was recently until a few years back a military site that got turned back to the State through the last BRAC process, when the 69th Governor of Virginia was dealing with the Commonwealth.

Finally, you want to know who that was? That was, I will not mention who that was. Finally the creation of a National Park Service Unit at Fort Monroe would support local jobs, boost tourism and provide an urban park attractive to local and out of State visitors alike. Fort Monroe is a true cultural and historical treasure and the fitting home for a new National Park Service Unit. I am grateful for the committee for its opportunity to express my support for this legislation. I look forward to working with you to enact this legislation and to create a National Park at Fort Monroe.

Thank you, Mr. Chairman.

[The prepared statement of Senator Warner follows:]

PREPARED STATEMENT OF HON. MARK R. WARNER, U.S. SENATOR FROM VIRGINIA, ON S. 1303

I commend Chairman Udall and Senator Paul for holding this hearing, and I appreciate the opportunity to offer my strong support for one of the bills on the Committee's agenda for today, S. 1303, The Fort Monroe National Historical Park Estab-

lishment Act of 2011. I am pleased to co-sponsor this legislation with Senator Jim Webb.

Fort Monroe is a site of particular historic significance to the Commonwealth of Virginia and the nation. The site is in the process of being turned over to the Commonwealth of Virginia due to a 2005 BRAC recommendation. This legislation would authorize the Park Service to establish a national park presence at the Fort to preserve historic and natural resources for the benefit of present and future generations. The City of Hampton, the region's bipartisan Congressional delegation, the Governor of Virginia, and local citizens are united behind this approach. The creation of a National Park Service unit at Fort Monroe would support local jobs, encourage visitation to the area, and provide an urban park attractive to locals and tourists alike.

Let me take a moment to tell you a bit about this special place. This Fort was built in the early 1800s, but, actually, the fortifications go back much earlier than that. As early as 1608 Captain John Smith recognized the importance of building a fort at Point Comfort, as the English colonists called this land. In 1619, the first Africans to arrive in the New World landed at Old Point Comfort. From its very beginnings, Fort Monroe has been associated with many key figures in American history. Robert E. Lee supervised work on the fortress as a young U.S. Army lieutenant. Edgar Allan Poe was a soldier at Fort Monroe. Abraham Lincoln, during the midst of the Civil War, paid a critical visit to the Fort. And Harriet Tubman nursed wounded soldiers there in 1865. Jefferson Davis was at Fort Monroe on two very different occasions: first, as the U.S. Secretary of War, and later, as the former President of the Confederacy, he was imprisoned at Fort Monroe for 2 years.

By World War II, Fort Monroe was the headquarters of our military's successful efforts to protect the mid-Atlantic coast. After World War II and to the current day it has been home of the Army Command responsible for training our warfighters.

All of these various events alone, I would argue, would warrant the designation of Fort Monroe as part of the National Park Service. But its true historic significance goes back, actually, to a night in May of 1861.

During the Civil War, Fort Monroe had an important strategic role as one of the very few Union military installations located in the South that was never occupied by Confederate forces. On May 23, 1861, three slaves—Frank Baker, Shepard Mallory, and James Townsend—got into a small boat in Hampton, crossed the James River, and presented themselves at the front gate of Fort Monroe seeking safety and sanctuary. For the previous many weeks, Baker, Mallory, and Townsend had been forced by their owners to help construct a Confederate artillery post aimed directly at Fort Monroe. Obviously, that was not something these individuals wanted to be part of.

I want you to think a moment about the choices that were being made by these three men—these three slaves—Frank Baker, Shepard Mallory, and James Townsend. They left behind the community where they had spent most, if not all, of their lives. At least two of the three left behind wives and children. It was entirely possible that once these three men reached Fort Monroe, the Union soldiers would simply turn them around and send them back to their owners.

At that time, it was the official U.S. Government policy, even in the so-called Confederate States, after the Civil War had begun in April of 1861, to turn slaves back over to their owners. Baker, Mallory, and Townsend had to know if they were returned as runaways, they could expect the most Draconian of punishments. But they figured the choice should be theirs to make, so they made it. They soon found themselves standing before the new commander of Fort Monroe, Major General Benjamin Franklin Butler.

Deciding it might be easier to apologize later rather than seek permission beforehand, General Butler made a huge and historically courageous decision. He classified the three slaves as "contraband of war," a policy that was later adopted across the Union to protect any slaves who managed to reach Union lines. As a result, Virginia's Fort Monroe ultimately became a beacon of hope for thousands of enslaved people seeking freedom. In fact, Fort Monroe became known as the "Freedom Fortress."

The day after General Butler's edict, eight more slaves showed up at Fort Monroe. The day after that, 47 more appeared. By the war's end, thousands—literally thousands—had appealed for contraband status at Fort Monroe. General Butler's declaration of this decision of "contraband of war" helped change the course of the Civil War and our Nation's history.

The rich history of Fort Monroe, and particularly the site's role in African American history, is now at the forefront of public awareness as our nation commemorates the 150th anniversary of the of the Civil War.

The Fort's preservation by the Park Service will allow visitors to study, experience and celebrate this important history firsthand, while also providing additional tourism and economic development opportunities for the Hampton Roads region of Virginia. In addition to its important historical resources, Fort Monroe also has the potential to become a great urban park, as the site offers both open natural areas and beach access to the Chesapeake Bay. With the conservation of this portion of undeveloped Chesapeake Bay shoreline, visitors would be able to enjoy recreational opportunities including birding, boating, fishing, swimming and hiking along wildlife trails.

The National Park Service (NPS) has determined that "resources associated with Fort Monroe are nationally significant and likely to be found suitable for potential designation as a unit of the national park system." We appreciated having the assistance of NPS in drafting this legislation to reflect a site that not only preserves the site's history and provides public recreational resources, but that also best aligns with the ability of NPS to manage the site.

The Park Service has strong partners in the Commonwealth of Virginia and the Fort Monroe Authority, whose objective is to oversee the preservation, conservation, protection, and maintenance of the Commonwealth of Virginia's property interests at Fort Monroe. The Commonwealth has made clear its intent to protect the historic resources at Fort Monroe while also providing public access to the Fort's historic resources and recreational opportunities. Governor McDonnell has written Secretary Salazar voicing his strong support for a NPS unit at Fort Monroe, and the Virginia General Assembly has authorized the conveyance by donation of lands to NPS to support the creation of a NPS unit at the site. A successful partnership at the local, state and federal levels is critically important to the future preservation of the site.

Finally, it is important to note the outpouring of local support for the creation of a National Park Service unit at Fort Monroe. The public meetings that NPS held in Hampton over the summer, along with the thousands of comments NPS received, demonstrate the overwhelming public support that exists for a future NPS presence at this site. I hope the Committee will take into account the strong community support as well as the bipartisan support that exists at all levels.

Fort Monroe is a true cultural and historical treasure, and the fitting home for a new National Park Service unit. I am grateful to the Committee for this opportunity to express my support for this legislation. I look forward to working with each of you to enact this legislation to create a national park at Fort Monroe.

Senator UDALL. Thank you, Senator Warner. I want to see if any of my colleagues have any comments or questions of Senator Warner.

Senator LANDRIEU. No, but I would love to be helpful.

Thank you, Senator Warner. Thank you for sharing the history of this wonderful asset and we look forward to working with you.

Senator WARNER. Thank you, Mr. Chairman.

Senator UDALL. As Senator Warner leaves, I know we have two individuals who are going to be on the next panel. Please if you would come forward, we look forward to your testimony and we will let you get settled and we will recognize you in a minute.

[Pause.]

Senator UDALL. While you are taking your seats, I have some statements for the record. The subcommittee has received several written statements relating to bills on today's agenda. Including ones from Senator Lieberman on S. 1347, his bill to designate the Coltsville National Historical Park. Senator Webb on S. 1303, his bill to designate the Fort Monroe National Historical Park. Kevin Quigley, the Chairman of the Board of Trustees of the Peace Corps Commemorative Foundation on S. 1421. Mayor Molly Ward of Hampton, Virginia on S. 1303, the Fort Monroe bill along with letters from the National Park's Conservation Association and the Chesapeake Conservancy. Several letters from family members of September 11th victims on S. 1537, the September 11th Memorial bill. These statements along with any others the subcommittee receives will be included in the official hearing record.

We have been joined by Mr. William Shaddox who is the acting Associate Director for Park Planning Facilities and Lands, the National Park Service, Department of Interior. By the Honorable Terrie Suit, Secretary of Veterans Affairs and Homeland Security, the Commonwealth of Virginia. We are excited to hear your testimony.

Mr. Shaddox, why don't we start with you and you have appeared, I believe, in the past. You have approximately 5 minutes to run through this important list of bills. The floor is yours. Actually, I should say, if you need a little longer please take it, because this is an important list of bills to be considered.

STATEMENT OF WILLIAM D. SHADDOX, ACTING ASSOCIATE DIRECTOR FOR PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. SHADDOX. Thank you, Mr. Chairman, I appreciate that. Mr. Chairman, thank you for this opportunity to appear before this distinguished committee to present the Department of the Interior's views on 9 bills.

I would like to submit our full statements on each of these subjects for the record and summarize the Department's position on these bills.

Senator UDALL. Without objection.

Mr. SHADDOX. Thank you very much. S. 544 would 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. This study would help determine the most effective way to increase understanding and public awareness of the critical role that these segregated units composed of African American Cavalrymen played in protecting National Parks. The Department supports this legislation.

S. 1083 would authorize the study of the Smoky Hill Trail for potential addition to the National Trail System. This was an overland trail across the Great Plains during pioneer days, extending approximately 600 miles from Atchison and Leavenworth, Kansas to Denver, Colorado. The Department supports S. 1083 if the bill is amended to delete sections 3 and 4. These sections add requirements for the study that are unnecessary and unworkable.

S. 1084 would authorize a study of the Shawnee Cattle Trail for potential addition to the National Trail System. This trail is the oldest of the major Texas Cattle trails extending from near Austin, Texas to Baxter Springs, Kansas. The Department supports S. 1084 if the bill is amended to, again, to delete sections 3 and 4. These sections add requirements for the study that are unnecessary or unworkable.

S. 1303 would establish Fort Monroe National Historical Park in Hampton, Virginia as a unit of the National Park System. The Department supports enactment of this legislation with some technical amendments. Fort Monroe has served as one of the country's major military posts from the time of its establishment since its construction in the early 1800s, and the site itself has an older history. It was an active Army base until its deactivation this year. The State authority that was established to recommend the base's reuse plan recommended, in 2009, having key historic parts of the

Fort established as a National Park. The State has taken several actions since then toward that end and we have determined that a National Park Service presence at Fort Monroe would be appropriate under certain conditions including the donation of property interest by the State, the institution of other protective mechanisms within the boundary of the park, and the provision of maintenance, utilities and other services for NPS assets by the State authority.

S. 1325 would authorize a special resource study for the lower Mississippi River area, in Plaquemines Parish, Louisiana. The study would be centered on Fort Jackson and Fort St. Philip, which are both National Historic Landmarks. The Department supports this legislation with several amendments which are described in our written testimony.

S. 1347 would authorize the Secretary of the Interior to establish Coltsville National Historical Park in Hartford, Connecticut after certain conditions are met. This park unit would preserve and interpret the important contributions to manufacturing technology by Samuel Colt and the industrial enterprise he founded in 1855. The Department supports enactment of this legislation. Under S. 1347, the park unit could not be established until the Secretary is satisfied that adequate public access to the site and its financial viability are assured. The authority to review the financial resources of public and private property owners associated with this project is unprecedented in similar park establishment legislation. We believe that these conditions will assure the park is established only when the development is moving forward, and the public will have the ability to learn about the manufacturing process that took place at this site.

S. 1421 would authorize the Peace Corps commemorative Foundation to establish a Commemorative work in the District of Columbia. The Department supports this legislation. We note that S. 1421 reflects suggestions that were made to strengthen the legislation in the Department's testimony on last Congress's version of the bill in the House and that were also made by the National Capital Memorial Advisory Commission.

S. 1478 would modify the boundary of the Minuteman Missile National Historic Site in Philip, South Dakota. The bill would transfer 2 parcels of land in the Buffalo Gap National Grasslands from the U.S. Forest Service to the National Park Service for use at Minuteman Missile National Historic Site. A 25-acre parcel would be used to establish a visitor facility and administrative site, and another 3.65-acre parcel would be used for the construction and use of a parking lot and other administrative uses. The Department supports this bill.

S. 1537 would authorize the Secretary of the Interior to accept the title to the National September 11th Memorial and Museum at the World Trade Center in New York City. It would authorize annual appropriations of $20 million for the memorial. The Department appreciates the enormous significance of the events of September 11, 2001, and supports memorializing and providing educational opportunities to learn about that day and its effects on our country and on the world. However, we would like to continue to work with the committee and Senator Inouye to address issues in

order to clarify the role of the National Park Service, the appropriate funding mechanisms and the source of those funds.

Mr. Chairman, this concludes my statement. I would be pleased to answer any questions that you or others may have.

[The prepared statements of Mr. Shaddox follow:]

PREPARED STATEMENT OF WILLIAM D. SHADDOX, ACTING ASSOCIATE DIRECTOR FOR PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

S. 544

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. 544, 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 Department supports S. 544. However, we feel that priority should be given to the 37 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic River System that have not yet been transmitted to Congress.

S. 544 would authorize a study to determine the most effective ways to increase understanding and public awareness of the critical role that the Buffalo Soldiers, segregated units composed of African-American cavalrymen, played in the early years of the National Parks. It would evaluate the suitability and feasibility of a National Historic Trail along the routes between their post at the Presidio of San Francisco and the parks they protected, notably Yosemite and Sequoia. The study would also identify properties that could meet the criteria for listing in the National Register of Historic Places or designation as National Historic Landmarks. We estimate that this study will cost approximately $400,000.

African-American 19th and 20th century Buffalo Soldiers were an important, yet little known, part of the history of some of our first National Parks. These cavalry troops rode more than 320 miles from their post at the Presidio to Sequoia and Yosemite National Parks in order to patrol and protect them. The journey across the state took sixteen days of serious horseback riding averaging over twenty miles a day. Once in the parks, they were assigned to patrol the backcountry, build roads and trails, put a halt to poaching, suppress fires, halt trespass grazing by large herds of unregulated cattle and sheep, and otherwise establish roles later assumed by National Park rangers.

The U.S. Army administered Sequoia and Yosemite National Parks from 1891 to 1914, when it was replaced by civilian management. The National Park Service was not created until 1916, 25 years after these parks were established. Commanding officers became acting military superintendents for these national parks with two troops of approximately 60 cavalry men assigned to each. The troops essentially created a roving economy—infusing money into parks and local businesses—and thus their presence was generally welcomed. The presence of these soldiers as official stewards of park lands prior to the National Park Service's establishment brought a sense of law and order to the mountain wilderness.

Less well known, however, is the participation of African-American troops of the 24th Infantry and 9th Cavalry, the Buffalo Soldiers, who protected both Sequoia and Yosemite National Parks in 1899, 1903, and 1904. These troops and their contributions should be recognized and honored, and this bill does just that.

When the new military superintendent for the summer of 1903 arrived in Sequoia National Park he had already faced many challenges. Born in Kentucky during the Civil War, Charles Young had already set himself a course that took him to places where a black man was not often welcome. He was the first black to graduate from the white high school in Ripley, Ohio, and through competitive examination he won an appointment to the U.S. Military Academy at West Point in 1884. He went on to graduate with his commission, only the third black man to do so.

In 1903, Young was serving as a captain in the cavalry commanding a segregated black company at the Presidio of San Francisco when he received orders to take his troops to Sequoia National Park for the summer. Young and his troopers arrived in Sequoia after a 16-day ride to find that one of their major assignments would be the extension of the wagon road. Hoping to break the sluggish pattern of previous military administrations, Young poured his considerable energies into the project. During the summer of 1903, Young and his troops built as much road as

the combined results of the three previous summers, as well as building a trail to the top of Mt. Whitney—the highest point in the contiguous United States.

The soldiers also protected the giant sequoias from illegal logging, wildlife from poaching, and the watershed and wilderness from unauthorized grazing by livestock. A difficult task under any circumstances, the intensity was undoubtedly compounded by societal prejudice common at the turn of the century.

Although Colonel Charles Young only served one season as Acting Superintendent of a National Park, he and his men have not been forgotten. The energy and dignity they brought to this national park assignment left a strong imprint. The roads they built are still in use today, having served millions of park visitors for more than eighty years. The legacy they left extends far beyond Sequoia National Park, as they helped lay the foundation for the National Park System, which continues to inspire and connect people of all backgrounds to public lands and natural treasures to this day.

In recent years the National Park Service has made an effort to chronicle the achievements of these men in San Francisco and in Sequoia and Yosemite National Parks. In the Presidio of San Francisco, Golden Gate National Recreation Area and the Presidio Trust have developed an education program using the historic stables that the Buffalo Soldiers actually used to house their horses. In Yosemite National Park, Ranger Shelton Johnson portrays one of the U.S. Army's Buffalo Soldiers as part of his interpretation of Yosemite's history. Sequoia National Park has a giant sequoia named for Colonel Young in honor of his lasting legacy in that park. These isolated, but important efforts to educate the public on the important role of the Buffalo Soldiers could be heightened by this consolidated study.

There is a growing concern that youth are becoming increasingly disconnected with wild places and our national heritage. Additionally, many people of color are not necessarily aware of national parks and the role their ancestors may have played in shaping the national park system. NPS can help foster a stronger sense of awareness and knowledge about the natural and cultural history preserved in our natural parks by connecting people, especially these audiences, to the critical roles of African-American Buffalo Soldiers in the protection and development of natural treasures like Sequoia and Yosemite National Parks. By amplifying the story of the Buffalo Soldiers, this bill could help bridge cultural divides and expand opportunities to appeal to an all-inclusive audience. As the 2016 centennial of the National Park Service 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.

Mr. Chairman, this concludes my testimony. I would be glad to answer any questions that you or other members if the subcommittee may have.

S. 1083

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. 1083, to amend the National Trails System Act to designate the route of the Smoky Hill Trail, an overland trail across the Great Plains during pioneer days in Kansas and Colorado, for study for potential addition to the National Trails System.

The Department supports S. 1083, if amended in accordance with this statement. However, we feel that priority should be given to the 37 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic Rivers System that have not yet been transmitted to the Congress.

S. 1083 would authorize the Secretary of the Interior to conduct a study of the route of the Smoky Hill Trail for consideration for inclusion in the National Trails System. The bill includes a prohibition on considering alternatives that might adversely affect private property rights. It also requires notification of private property owners of land that would be studied for the potential trail prior to the start of the study. The usual cost of this type of study is approximately $200,000 to $350,000.

If the study results in the recommendation to designate a new National Historic Trail, and if Congress enacts that designation, the trail would join the network of scenic and historic trails that has been created since the enactment of the National Trails System Act in 1968. These trails provide for outdoor recreational needs and the enjoyment and appreciation of historic resources which, in turn, promotes good health and well-being. They connect us to history and provide an important opportunity for local communities to become involved in a national effort by encouraging public access and citizen involvement.

The Smoky Hill Trail extended approximately 600 miles from Atchison and Leavenworth, Kansas, to Denver, Colorado, running parallel to the Smoky Hill River.

After gold was discovered near Denver in 1859, thousands of gold diggers used the route to the Rocky Mountains. Homesteaders and soldiers also traveled the trail and, for five years, commercial stage coach companies maintained lines on the Smoky Hill Trail. Fort Downer, Fort Harker, Fort Monument, Fort Wallace and other stops provided protection and supplies for travelers.

The arrival of the Kansas-Pacific Railroad in Denver in 1870 signalled the end of the Smoky Hill Trail for long-distance travel.

In 1994, the National Park Service completed a study entitled "Special Report on Eight Kansas Forts." Five of the forts were located along the Smoky Hill Trail. The study recommended that further research for interpretation, resource protection, and management be carried out on the trails and connections between the forts.

The Department's support for S. 1083 is contingent upon the deletion of sections 3 and 4. Section 3(a) specifies that certain requirements may not be contained in any alternatives considered under the study. This language is unnecessary as trail studies do not include alternatives that affect private property rights in the manner described in this subsection. Section 3(b) requires the study to include an analysis and documentation regarding whether each alternative proposed has potential or actual impact on private property within or abutting the trail area. This language is unnecessary because any potential impacts are covered through the National Environmental Policy Act (NEPA) process, to which trail studies are subject.

Section 4 would require notification prior to conducting the study of all private property owners whose land would be studied. Trail studies, which are conducted by the National Park Service with local partners, are publicized within the affected communities. Study teams work hard to involve all interested parties in trail studies, and try to contact all affected property owners through the course of a study. However, it would be almost impossible to locate and contact the owner of every piece of property along approximately 600 miles of potential trail routes, and making the effort to do so would substantially increase the cost of the study and the time it would take to complete the study.

Mr. Chairman, this concludes my prepared remarks. I would be pleased to answer any questions you or other members of the subcommittee might have.

S. 1084

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. 1084, to amend the National Trails System Act to designate the routes of the Shawnee Cattle Trail, the oldest of the major Texas Cattle Trails, for study for potential addition to the National Trails System, and for other purposes.

The Department supports S. 1084, if the bill is amended in accordance with this statement. However, we feel that priority should be given to the 37 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic Rivers System that have not yet been transmitted to the Congress.

S. 1084 would authorize the Secretary of the Interior to conduct a study of the routes of the Shawnee Trail for consideration for inclusion in the National Trails System. This bill includes a prohibition on considering alternatives that might adversely affect private property rights. It also requires notification of private property owners of land that would be studied for the potential trail prior to the start of the study. The usual cost of this type of study is approximately $200,000 to $350,000.

If the study results in the recommendation to designate a new National Historic Trail, and if Congress enacts that designation, the trail would join the network of scenic and historic trails that has been created since the enactment of the National Trails System Act in 1968. These trails provide for outdoor recreational needs and the enjoyment and appreciation of historic resources, which in turn, promote good health and well-being. They connect us to history and provide an important opportunity for local communities to become involved in a national effort by encouraging public access and citizen involvement.

The Shawnee Trail extended from near Austin, Texas, to Baxter Springs, Kansas. It was first developed by the Osage Indians of Oklahoma in the early 1800s. Known as the Osage Trace, the trail became the principal highway linking the young colony at Austin to the Midwest. As settlers used the trail to immigrate to Texas, the trail became known as the Texas Road. By 1854, the trail was an important cattle route, and cattle drivers called it the Kansas Trail and the East Shawnee Trail. Over 50,000 head of cattle were driven to the Burlington railhead at St. Joseph, Missouri, by way of the Shawnee Trail in 1859.

Over time, however, the Shawnee Trail was considered to be undesirable, due to heavily forested territory along the trail route and the presence of bandits. As the railroads expanded to the West, cattle drivers used the Chisolm and Western Trails, which lie west of the Shawnee Trail.

In 1975, the Bureau of Outdoor Recreation completed a study entitled "Old Cattle Trails of the Southwest, a National Scenic Trail Study." In that study, several trails were examined, including the Shawnee Trail. The study determined that the trail did not meet the criteria for establishment as a National Scenic Trail. However, the study was conducted before the category of "National Historic Trails" existed. The Department believes that it would be appropriate to reassess the trail for its potential as a National Historic Trail.

The Department's support for S. 1084 is contingent upon the deletion of sections 3 and 4. Section 3(a) specifies that certain requirements may not be contained in any alternatives considered under the study. This language is unnecessary as trail studies do not include alternatives that would affect private property rights in the manner described in this subsection. Section 3(b) requires the study to include an analysis and documentation regarding whether each alternative proposed has potential or actual impact on private property within or abutting the trail area. This language is unnecessary because any potential impacts are covered through the National Environmental Policy Act (NEPA) process, to which trail studies are subject.

Section 4 would require notification prior to conducting the study of all private property owners whose land would be studied. Trail studies, which are conducted by the National Park Service with local partners, are publicized within the affected communities. Study teams work hard to involve all interested parties in trail studies, and to contact all affected property owners through the course of a study. However, it would be almost impossible to locate and contact the owner of every piece of property along hundreds of miles of potential trail routes, and making the effort to do so would substantially increase the cost of the study and the time it would take to complete the study.

Mr. Chairman, this concludes my prepared remarks. I would be pleased to answer any questions you or other members of the subcommittee might have.

S. 1303

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 1303, the Fort Monroe National Historical Park Establishment Act of 2011.

The Department supports enactment of S. 1303 with some technical amendments.

S. 1303 would establish Fort Monroe National Historical Park as a unit of the National Park System. The legislation authorizes the Secretary of the Interior (Secretary) to enter into cooperative agreements with the Commonwealth of Virginia (Commonwealth) or any other party under which the Secretary may identify, interpret, and provide assistance for the preservation of non-federal properties within the boundary of the park or in the historic area, including the operation of a joint visitor center. It authorizes the Secretary to provide technical assistance and public interpretation of resources within the historic area and at any sites in close proximity to the park that are related to events or persons associated with the fort. Additionally, the Secretary may coordinate interpretation between the park and the Captain John Smith Chesapeake National Historic Trail. Long-term protection and public interpretation of the Old Point Comfort Lighthouse would be provided for through an interagency agreement between the Secretary and the Secretary of Homeland Security.

Fort Monroe is located in Hampton, Virginia, where the James River meets the Chesapeake Bay, in close proximity to Yorktown, Jamestown, and Williamsburg. Constructed between 1819 and 1834, Fort Monroe has served as one of the country's major military posts from the time of its establishment. However, the peninsula's strategic location was recognized much earlier in 1608, by Captain John Smith. Later, the site was the first landing point for enslaved captives arriving from Africa to the English Colony. After the burning of Washington during the War of 1812, the need for improved fortifications led to the construction of Fortress Monroe. During the Civil War, the fort was a staging area for Union land and naval expeditions and the site of the "Contraband Decision" when three escaped enslaved men were not returned to their Confederate commander. From May 1865 to May 1867, the fort was the site for the imprisonment of Confederate President Jefferson Davis. The fort remained an active Army base until its deactivation in 2011 as a result of the 2005 Base Realignment and Closure Commission findings. The deed to several parcels at Fort Monroe has a reverter clause that states, if the land is no longer needed for military purposes, it reverts to the Commonwealth of Virginia.

In December 1960, the Secretary of the Interior (Secretary) designated Fort Monroe as a National Historic Landmark. At the request of former Representative Thelma Drake, the NPS conducted a reconnaissance level study of the fort. The 2008 study concluded that the fort, while hosting resources of national significance, would not be feasible to administer in its entirety because of extensive costs. The need for NPS management could not be determined until a reuse plan had been completed and further decisions were made about which agency would administer the reuse plan in the future.

The Fort Monroe Federal Area Development Authority (FMFADA) was established as a political subdivision of the Commonwealth to serve as the official redevelopment authority recognized by the DOD in order to study, plan, and recommend the best use of the resources that would remain when the base was deactivated. The reuse plan identified as a key to consideration of a national park, was completed after the 2008 NPS reconnaissance study. In November 2009, the FMFADA voted to support having parts of the fort established as a unit of the national park system including the historic fort structure, the moat, some historic structures within the fort and two outlying batteries. The Fort Monroe Authority (FMA) was established to administer the reuse plan. The FMA entered into a programmatic agreement for future treatment of historic resources and development of design standards for the properties within the NHL.

In 2010, members of the Virginia congressional delegation requested that the NPS conduct a site visit as a follow-up to the 2008 reconnaissance study. A NPS team conducted a week-long site visit to Fort Monroe in July of 2010. The team conducted stakeholder meetings and gathered information on fort resources. With the reuse plan and programmatic agreement in place and Commonwealth legislation providing adequate management authority to administer the properties, the issues raised in the 2008 reconnaissance study are resolved. The 2010 site visit determined that a NPS presence at Fort Monroe would be appropriate under certain conditions including the donation of property interests by the State, the institution of other protective mechanisms within the boundary of the park, and the provision of maintenance, utilities, and other services for NPS park assets by the FMA.

The National Trust for Historic Preservation, local elected leaders, and many others have expressed support for establishment of a park. Preliminary estimates identified initial capital investment costs of $5 million and initial start up operational costs of $700,000 to $800,000. Additional costs for managing the beach and other operations will eventually require an annual operating budget of $1.6 million. If the park were established, a comprehensive planning process would assess the actual visitor services and staffing needs, further defining the park's operational budget.

The Department appreciates the opportunity to testify on this bill. I will be glad to answer any questions.

S. 1325

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 1325, a bill to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes.

The Department supports this legislation with amendments that are described later in this statement. However, we feel that priority should be given to the 37 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic Rivers System that have not yet been transmitted to Congress.

S. 1325 would authorize a study of natural, cultural, historical, and recreational resources in Plaquemines Parish, located south of the City of New Orleans, for potential designation as a unit of the National Park System. The study area would include Fort St. Philip and Fort Jackson, located on opposite sides of a bend in the Mississippi River about eight miles upstream from the town of Venice, Louisiana, and approximately 73 river miles downstream from New Orleans at an ancient "Head of Passes" site. The term "Head of Passes" refers to the site where the main stem of the Mississippi River branches off to the east, the south, and the southwest at its mouth in the Gulf of Mexico. The present day Head of Passes is just south of the town of Venice. The study is estimated to cost between $200,000 and $400,000.

Fort St. Philip was originally built in 1749, and the construction of Fort Jackson, named for Andrew Jackson, the hero of the Battle of New Orleans in 1815, began in 1822. Fort St. Philip played an important defensive role in the Battle of New Or-

leans and both forts were employed unsuccessfully to defend New Orleans and the Confederacy from Admiral Farragut's union fleet during the Civil War. Both Fort St. Philip and Fort Jackson have been designated as National Historic Landmarks, which attests to their national significance. Fort St. Philip, privately owned at the present time, is in ruins and overgrown with vegetation. Fort Jackson was operated by Plaquemines Parish as a historical museum until Hurricane Katrina caused extensive damage, and it has been closed to the public ever since.

While the Department supports S. 1325, we would like to recommend some amendments to the bill. We would be pleased to work with the committee and the bill's sponsor to develop language for these amendments.

First, we recommend tightening the definition of the study area in section 3(1). While it appears that the focus of the study is on the two historic forts and related resources, the bill defines the study area as the "Lower Mississippi River area in the State of Louisiana," which could be interpreted as a much broader area than what is intended. The scope of the study would be clarified by limiting the study area to the two forts and related and supporting resources in Plaquemines Parish.

Second, we recommend providing a three-year period for completing the study, rather than 18 months, as provided for in section 4(a). This change would provide for the full three years that a special resource study usually requires, and it would make the bill consistent with most of the other special resource study bills Congress has enacted in recent years.

Third, we are concerned about the reference in section 4(a) to "non-Federal sources" of funds made available to carry out the study, which suggests that the study could be privately funded. We would like to carefully consider the issues that might arise from conducting a privately funded special resource study and, if we determine that any changes to the legislation are necessary, make the appropriate recommendation.

Finally, we recommend removing language in section 4(a)(1)(B) that suggests a specific designation for the area, the "Lower Mississippi River National Park," before the study is conducted. A special resource study that finds that an area meets the criteria for designation as a unit of the National Park System would also, as part of those findings, identify the most appropriate type of designation for the area. A study might also find that options other than designation of a new park unit might be more suitable or feasible.

Mr. Chairman, this concludes my statement. I would be happy to answer any questions that you may have.

S. 1347

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior regarding S. 1347, a bill to establish Coltsville National Historical Park in Hartford, Connecticut, and for other purposes.

The Department supports enactment of S. 1347.

S. 1347 would authorize the establishment of a new unit of the National Park System at Coltsville in Hartford, Connecticut. The bill would provide for several conditions to be met before the Secretary may establish the park:

1. Donations of land or interests in land within the boundary of the park have been accepted;
2. A written agreement donating at least 10,000 square feet of space in the East Armory;
3. A written agreement ensuring future uses of land within the historic district are compatible with the park; and
4. Financial resources of the owners of private and public property within the boundary park are reviewed to ensure viability.

The legislation also authorizes agreements with other organizations for access to Colt-related artifacts to be displayed at the park and cooperative agreements with owners of properties within the historic district for interpretation, restoration, rehabilitation and technical assistance for preservation. It provides that any federal financial assistance would be matched on a one-to-one basis by non-federal funds.

S. 1347 also provides for the establishment of a commission to advise the Secretary on the development and implementation of a general management plan for the unit. The advisory commission would terminate ten years after the date of enactment of the legislation unless extended for another ten years by the Secretary of the Interior (Secretary).

The Secretary designated Coltsville Historic District a National Historic Landmark on July 22, 2008. The manufacturing complex and associated resources constitute the site of nationally important contributions to manufacturing technology

by Samuel Colt and the industrial enterprise he founded in 1855—Colt's Patent Firearms Manufacturing Company. It includes, among other resources, the armories where firearms and other products were made, the home of Samuel and Elizabeth Colt, Colt Park, and housing used by factory workers.

Samuel Colt is most renowned for developing a revolver design which revolutionized personal firearms. The Colt Peacemaker, a six-shot revolver, became known as "the gun that won the West." Colt was a major innovator in the "American System" of precision manufacturing, replacing the practice of individually crafting each component of a product with the use of interchangeable parts. After his death in 1862, his wife Elizabeth owned and directed the manufacturing complex for 39 years, becoming a major entrepreneur in an age when women rarely occupied positions of importance in manufacturing.

During both World War I and World War II, the Colt Firearms Company was one of the nation's leading small arms producers and made vital contributions to U.S. war efforts. The company applied its interchangeable-parts techniques to a wide variety of consumer products and the Colt complex became an "incubator" facility for other inventors and entrepreneurs. Coltsville is also noteworthy as a fully integrated industrial community that includes manufacturing facilities, employee housing, community buildings, and landscape features that were built largely under the personal direction of Samuel and Elizabeth Colt. Colt, whose labor practices were advanced for their time, attracted highly skilled laborers to his manufacturing enterprise.

Pursuant to Public Law 108-94, the Coltsville Study Act of 2003, the National Park Service (NPS) conducted a special resource study of the resources associated with the Coltsville Historic District. Based on Coltsville's National Historic Landmark designation in 2008, the study concluded that Coltsville meets the national significance criterion. An analysis of comparability to other units of the national park system and resources protected by others demonstrated that Coltsville is suitable for designation as a unit of the national park system. The study was unable, however, to conclude that Coltsville was feasible to administer at that time due to the lengthy duration of financial issues surrounding the site. In concert with the lack of feasibility, the study was also unable to determine the need for NPS management, or specifically what the NPS would manage.

S. 1347 addresses concerns the Department expressed concerning financial issues and questions involving ownership and financing of the Coltsville properties. The special resource study did not conclude that the site absolutely failed to meet feasibility criteria or require NPS management, but rather that that it did not meet feasibility criterion with the circumstances present at the time of the study and that it was impossible to determine, at that time, the need for NPS management of the site. In both cases, the uncertainty of public access and financial viability of the financial developer of the privately owned portion of the site were at issue.

Since the time of the study, much progress has occurred at Coltsville that holds significant promise for the future of the site and preservation of the resources. During a recent visit to the Coltsville property, the Secretary noted the progress made in the area since the study was completed, while stating that, "Coltsville again promises to be an economic engine, producing jobs and spurring growth in the Hartford area." Significant re-development has already begun. Several of the buildings have been rehabilitated and are occupied as educational facilities, residential housing, and businesses. Negotiations are underway between the developer and the city on an agreement for the East Armory building, which would serve as the focal point for park visitors. We have been advised the plan has designated benchmarks for the project as well as projected funding for the development.

Under S. 1347, the park unit could not be established until the Secretary is satisfied that adequate public access to the site and its financial viability are assured. The authority to review the financial resources of public and private property owners associated with the project is unprecedented in similar park establishment legislation. We believe that these conditions will assure the park is established only when the development is moving forward and the public will have the ability to learn about the manufacturing process that took place at the site. A 2008 Visitor Experience Study developed a range of visitor service alternatives identifying potential operating costs for a very minimal operation estimated at $720,000 to a more robust operation of $9.3 million. If a park were established, a comprehensive planning process would assess the actual needs for visitor services and staffing, further defining the park's operational budget. In addition, there could be significant Federal costs in providing financial assistance to restore or rehabilitate the properties, as authorized in Section 4(c)(1). All funding would be subject to NPS priorities and the availability of appropriations.

Mr. Chairman, this concludes my testimony. I would be glad to answer any questions that you or other members of the subcommittee may have.

S. 1421

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 1421, a bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and environs, and for other purposes.

The Department supports S. 1421, which would authorize a memorial commemorating the formation of the Peace Corps and the ideals of world peace and friendship upon which the Peace Corps was founded. This proposal provides that no federal funds be used for establishing the memorial.

Although this proposal does not seek any exceptions to the Commemorative Works Act (CWA), it should be noted that this proposal to honor the ideals upon which the Peace Corps was founded does not fit the typical mold for commemoration. The concept of establishing a memorial to "ideals" is not explicitly described in the CWA. When testifying on H.R.4195, a similar bill introduced in the 111th Congress, we identified our concerns that a bill such as that could set an unwelcome precedent for any and all future concepts identified only as "ideals," resulting in an untenable influx of memorial proposals. However, there is precedent for such commemoration: specifically, the National Peace Garden, which Congress authorized in 1987, and the Memorial to Japanese American Patriotism in World War II, which was authorized in 1992.

Our support for this proposal is based upon our understanding that this memorial will recognize the establishment of the Peace Corps and the significance of the ideals it exemplifies, not the organization's members. The CWA precludes a memorial to members of the Peace Corps as the commemoration of groups may not be authorized until after the 25th anniversary of the death of the last surviving member of a group.

The Department notes that S. 1421 reflects suggestions made to strengthen the language in this proposal as recommended in our testimony on H.R. 4195 in the 111th Congress, and by the National Capital Memorial Advisory Commission (NCMAC) at its meeting on April 21, 2010. The National Capital Memorial Advisory Commission has not reviewed S. 421, but in their June 23, 2011 review of the companion bill H.R. 854, which is almost identical to this bill, they expressed support for the concept of a memorial to the ideals of the Peace Corps. NCMAC found that the provisions of H.R. 854 connect the ideals to the exceptional aspects of American character that are exhibited in the ideals of the Peace Corps. We share the Commission's support for the idea of commemorating volunteerism and international cooperation as worthy ideals and practice of the Peace Corps.

Finally, S. 1421 provides that unspent funds raised for the construction of the memorial be provided to the National Park Foundation for deposit in an interest-bearing account as stated in 40 U.S.C. Section 8906(b)(3), as recommended in our testimony on H.R. 4195 in the 111th Congress. We appreciate the inclusion of this provision, and would like to work with the committee on an additional technical amendment to the language.

That concludes my testimony, Mr. Chairman. I would be pleased to respond to any questions from you and members of the committee.

S. 1478

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 1478, a bill to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota.

The Department supports S. 1478. This bill would transfer administrative jurisdiction over two parcels of Buffalo Gap National Grasslands from the U.S.D.A. Forest Service (FS) to the National Park Service (NPS) for administration as part of Minuteman Missile National Historic Site in Philip, South Dakota. Of the land transferred, 25 acres would be used for a visitor facility and administrative site and an additional 3.65 acres would be used for the construction of a parking lot and other administrative uses.

The new visitor facility and administrative site would be located north of exit 131 on Interstate 90 in Jackson County, South Dakota. Minuteman Missile's enabling legislation states, "On a determination by the Secretary of the appropriate location for a visitor facility and administrative site, the boundary of the historic site shall be modified to include the selected site." The enabling legislation also included a map of the visitor center site indicating that the proposed area would be 10 acres

in size. Later planning indicated that a minimum size for the visitor center site would require 25 acres. National Park Service (NPS) and FS personnel, in consultation with our respective solicitors, have determined that in view of the increase in acreage, it would be appropriate to provide for that increase in new legislation. There would be no cost involved in this land transfer.

The 3.65 acres is located directly adjacent to the Delta 1 Launch Control Facility. The parking lot will be used to accommodate visitors to this facility. Currently, visitors must park inside in the fence of the launch facility, but this is an intrusion on the cultural landscape. In addition, the parking lot is not large enough to accommodate all visitors to this site.

The FS is in agreement with the recommended land transfers and has provided Minuteman Missile National Historic Site with an outline of the land transfer process. The NPS architects and engineers conducted an on-site visit in March 2009 to determine the number of acres necessary for the land transfer. They met with representatives from the FS and agreed to the transfer.

Public Law 106-115 established the Minuteman Missile National Historic Site. The General Management Plan/Environmental Impact Statement (GMP/EIS) scoping began in 2001 and the record of decision was signed on July 2, 2009. The GMP's preferred alternative included the development of a visitor center/administrative facility and a land transfer from the FS to the NPS for the site of the facility and recommended the preferred location at I-90 South Dakota Exit 131 with up to 25 acres for the complete facility. The GMP also recommended the development of an unpaved parking lot and other support functions on the 3.65 acres at the Delta 1 Launch Control Facility to provide for additional opportunities for visitors arriving in commercial and school groups, RVs and passenger vehicles.

The estimated cost to build the visitor center and administrative site is $4.4 million, and the estimated cost of annual operations and maintenance of both facilities would be approximately $750,000. All funds would be subject to NPS priorities and the availability of appropriations.

The transfer between the NPS and the FS would be conducted in accordance with applicable laws, regulations, and policies.

Mr. Chairman, this concludes my testimony. I look forward to working with the Committee on a technical issue with the map reference. I am prepared to answer any questions from members of the Committee.

S. 1537

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 1537, a bill to authorize the Secretary of the Interior to accept from the Board of Directors of the National September 11 Memorial and Museum at the World Trade Center Foundation, Inc., the donation of title to The National September 11 Memorial and Museum at the World Trade Center, and for other purposes.

The Department appreciates the enormous significance of the events of September 11, 2001, to the nation and supports memorializing and providing educational opportunities to learn about that day and its effects on our country and on the world. We would like to continue to work with the committee and Senator Inouye to address issues noted below in order to clarify the role of the National Park Service (NPS), the appropriate funding mechanism, and the source of those funds.

On September 11, 2001, the United States was attacked by terrorists and nearly 3,000 innocent people at the World Trade Center in New York City, the Pentagon, and in a field in Shanksville, Pennsylvania, were killed. Since that day, millions of people from around the country and the world have visited "Ground Zero" in New York City. In 2003, the World Trade Center Memorial Foundation, renamed the National September 11 Memorial and Museum at the World Trade Center Foundation, Inc. (Foundation) in 2007, was established as a nonprofit organization dedicated to raising funds for and overseeing the design, construction, and operation of the National September 11 Memorial and Museum at the World Trade Center site. The memorial was envisioned to remember and honor the those who died in both the World Trade Center bombing of February 26, 1993, and in the September 11, 2001, attacks. After an extensive design competition, the Michael Arad and Peter Walker design, consisting of two pools in the footprints of the original Twin Towers surrounded by a plaza of oak trees, was selected. Through private contributions and government grants, a portion of the memorial site was constructed and opened to the public on the tenth anniversary of the terrorist attacks on September 11, 2001. The museum is scheduled to open to the public in 2012. The museum will display artifacts associated with the events of February 26, 1993, and September 11, 2001.

S. 1537 authorizes the Secretary of the Interior (Secretary) to accept the title to the National September 11 Memorial and Museum at the World Trade Center in New York City, New York. The donation of the title is contingent upon the agreement of the Board of Directors of the Foundation, the Governor of the State of New York, the Governor of the State of New Jersey, the Mayor of the City of New York, and the Secretary. The Secretary would be authorized to provide both technical and financial assistance to the Foundation and to consult with the Secretaries of Defense, Education, Homeland Security, and Housing and Urban Development, and the Administrator of General Services to provide assistance to the Foundation. Further, the bill authorizes $20,000,000 to be appropriated annually, provided that they are matched with funds from non-Federal sources, beginning in fiscal year 2013.

As discussed with the sponsors of the legislation, it appears the objective of the bill is to have the NPS assume title for the site and provide an annual payment for its operation without any federal involvement in the design, construction or operation of the memorial. There are very few circumstances, if any, within the NPS where the agency holds title to a property, but has no administrative function. The legislation has no provisions for the site to be administered in accordance with the laws generally applicable to units of the National Park System, including the National Park Service Organic Act (16 U.S.C. 1 et seq.).

In addition, the $20 million in annual appropriations authorized by S. 1536 would likely come out of the NPS budget, reducing the amount of operational funding available for the numerous needs of the 395 designated units of the National Park System. The National Park Service does not have a program that is appropriate or capable of absorbing an offset of the magnitude proposed in this bill. The $20 million in annual funding is larger than that appropriated for nearly 99% of the units of the National Park System. There are no other circumstances where NPS provides annual operating funds to a site not managed in accordance with NPS standards except for some affiliated areas which receive relatively small amounts. A more appropriate mechanism for accomplishing the purpose of this legislation may be to establish grant authority through an appropriate federal agency.

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

Senator UDALL. Thank you, Mr. Shaddox. We have been joined, as I mentioned earlier, by the Honorable Terrie Suit who is the Secretary of Veterans Affairs and Homeland Security wearing a green ribbon and we look forward to your testimony.

STATEMENT OF TERRIE SUIT, SECRETARY OF VETERANS AFFFAIRS & HOMELAND SECURITY, COMMONWEALTH OF VIRGINIA

Ms. SUIT. Thank you, Mr. Chairman. I am here also to direct my comments as Senator Warner did, toward S. 1303. It is really hard to add to or pend any of the wonderful, eloquent comments that the Senator made. I have submitted verbal testimony or for the record and I rather than trespass on your time and go through all of that, let me just underscore the historic significance of Fort Monroe is really something that no other location in this country has. It began in 1609, you know, a Captain Smith identified that location as a place for a fortress for fortifications.

We have an incredible Native American history there, incredible African American history, I do not think there is any other site in America that is as iconic for the history of our African American community as Fort Monroe, given that is where slavery began, that is where the first ships landed, that is where slavery began to end. It is just an incredible site. We have just begun the process of the reuse of Fort Monroe. There is no time like now to look at making this a National Park and working with the partnership of the Park and the State to really guide the telling of the story of this incredible place. I just hope that the committee under your leadership,

Mr. Chairman, will seriously consider this legislation and see it to a successful passage.

[The prepared statement of Ms. Suit follows:]

PREPARED STATEMENT OF TERRIE SUIT, SECRETARY OF VETERANS AFFFAIRS & HOMELAND SECURITY, COMMONWEALTH OF VIRGINIA, ON S. 1303

INTRODUCTION

Chairman Udall, Ranking Member Paul and distinguished members of the National Parks Subcommittee, on behalf of the Commonwealth of Virginia, I thank you all for the opportunity to testify today. This hearing to consider a National Park at Fort Monroe, Virginia represents the next major step in a process that began several years ago when the United States Army first learned it would be leaving this historic site. Since that time, the citizens of the Commonwealth, led by Governor, Bob McDonnell, have passionately advocated the telling of Fort Monroe's great American story, one that everyone in our nation should know and cherish.

HISTORY

Historic Fort Monroe is located in the City of Hampton, Virginia on Old Point Comfort peninsula, part of Hampton Roads Harbor. It has a deep, rich military history dating back to the early 1600's. Over the course of 200 years, multiple forts called Old Point Comfort home until construction of Fort Monroe was ultimately completed in 1834. From that time, it began to serve as the assembly, training, and embarkation point for U.S. forces involved in multiple conflicts on US soil.

Fort Monroe is one of the most important cultural treasures not only in the Commonwealth of Virginia, but in the entire nation. This geographically significant location served as the site for one of the darkest parts of our nation's history, the tragic beginning of slavery in America. While this darkness remained for over 240 years, in 1861 Fort Monroe, in a rare chance at redemption, yielded it most compelling virtue by claiming its unique status as the birthplace of the Civil War-era "Contraband" decision. This decision created for the first time, a pathway to freedom from slavery for African Americans. "Freedom's Fortress" bore witness to the struggles and triumphs of African American men, women and children who courageously self-emancipated themselves from the hideous institution of slavery. Through tremendous adversity and at great risk, their efforts ultimately paved the way for the Emancipation Proclamation, granting freedom to all.

NATIONAL PARK SERVICE

With this amazing history in mind, the 2005 BRAC decision to close Fort Monroe immediately sparked discussions regarding a National Park Service presence at this historical landmark. Governor McDonnell fully embraced this initiative and with his election in 2010 directed his administration's support to this cause. Since that time the McDonnell Administration has worked closely with Mayor Molly Ward of the city of Hampton and our bi-partisan congressional delegation toward this mutually supported goal. The legislation before you today is a direct by-product of those combined efforts.

Recent public hearings in south-eastern Virginia, known as Hampton Roads, resulted in more than 1,000 citizens coming forward to passionately support a National Park at Fort Monroe. More than twenty-five different organizations were represented at these meetings as well, including:

- National Trust For Historic Preservation
- National Parks Conservation Association
- Hampton Contraband Slave Society
- Citizens for a National Park at Fort Monroe
- Chesapeake Bay Foundation

There continues to be strong, bipartisan support at the federal and state levels for a National Park at Fort Monroe. Hampton Mayor Molly Ward has been a stalwart for the Fort Monroe Authority working tirelessly as the representative for the City of Hampton. Mayor Ward could not attend today's hearing as her city is hosting the President's visit, but she continues to work with the Governor and the citizens to make sure the President, who is visiting Hampton today, is fully aware of the tremendous support for a National Park at Fort Monroe. Though she couldn't be here, she has presented written testimony to the committee.

FORT MONROE AUTHORITY

The Fort Monroe Authority has diligently identified the most appropriate footprint for the park, carving out 324 acres which includes 4 historical structures, so that the National Park both compliments and supports the concept of a vibrant community working and living at Fort Monroe. The Authority believes the footprint identified in this legislation is most desirable from a fiscal perspective rather than making the entire Fort a National Park.

The Fort Monroe Authority has also established the Fort Monroe Foundation, which will function as a non-profit, fundraising organization to support educational programs. These programs will ensure that the marvelous history of Fort Monroe is told for generations to come.

In addition, the Fort Monroe Authority has worked meticulously with the Army and other stakeholders to create a Programmatic Agreement that sets forth criteria to maintain the historic nature and coastal views at Fort Monroe. This Agreement along with any easements which may be required by the National Park Service will provide a National Park at Fort Monroe with open spaces for all to enjoy and will also play a critical economic role in sustaining the vibrant community being planned. It is the declared policy of the Commonwealth of Virginia to exercise exemplary stewardship in protecting the historic resources at Fort Monroe while also providing public access to the Fort's historic resources and recreational opportunities.

CLOSING

The Governor along with the leaders and citizens of Virginia truly believe Fort Monroe is a rare and essential national treasure, one whose history and beauty must be shared with current and future generations of Americans. We feel this can best be accomplished through the efforts of the National Park Service, in whom the American people have long entrusted the nation's historical landmarks for preservation of history and heritage.µ It is therefore in the public interest to preserve Fort Monroe and its surrounding lands and buildings with dignity, integrity and with the level of excellence that only the National Park Service can offer.

Senator UDALL. Thank you, Secretary Suit. We will move to questions at this point. Let me start, Mr. Shaddox, with S. 1421. You testified that the Interior Department supports the bill. I would like to clarify one issue in your testimony. You have indicated that the Department's support is based on your understanding that the Memorial will recognize the establishment of the Peace Corps and not its individual Members. My understanding of the Memorial is, proposed Memorial I should say, slightly different, this is not a Memorial to the Peace Corps itself or even the individual volunteers who served in the Peace Corps but rather the Memorial will Commemorate the mission and the ideals of the Peace Corps. Now this is a subtle difference, but I think it is an important distinction. I wonder if you agree.

Mr. SHADDOX. Yes, Mr. Chairman. That is correct, we support the mission and the ideals of the Peace Corps.

Senator UDALL. Thank you for that clarification. If I might, let me now turn to S. 1083 and 1084, the Smoky Hill and Shawnee Trail Studies. As I understand your testimony, the Department supports the idea of the new Trail Studies with a caveat of noting that you have far more studies already authorized than you will be able to complete in the near future. However, you noted concerns with the private property language in the 2 bills which I believe is something that has not been typically included in these types of bills. Could you please elaborate how the National Park Service handles private property issues when doing Trail Studies?

Mr. SHADDOX. Yes, Sir. Yes, that language is normally not included in bills. When they do studies for trails of this nature, it is through the NEPA process, it is a very public process, the public is involved at all levels—local communities, constituent groups,

citizens, whoever else wants to be involved. Usually they incorporate several local groups when they do the study to make sure that they do outreach to almost everyone they can get to, to have comment into the process so that all of their concerns can be addressed. The language in the bills would put an undue burden on the Service in that it would require a more expensive and costly process and also be very labor intensive. So we feel that our normal processes which are very extensive already would take care of those issues for those folks out there that are involved in the trail.

As well, private property rights are already protected because everything that would be accomplished through these efforts would be through, for example, a willing seller, or a willing donor. The land owners would be participating only on a willing basis. So it would be up to them to come to the table and participate in this process.

Senator UDALL. Thank you for that clarification. As this moves forward, we may need to continue the conversation based on what additional feedback we hear from the participants and these 2 studies.

Mr. SHADDOX. Sure.

Senator UDALL. But that is an important starting point, thank you for that. Let me turn to Fort Monroe, and I am going to start with you, Mr. Shaddox, then I will turn to the Secretary. If the legislation is passed does the Park Service anticipate that it would acquire all of the property within the boundary or do you anticipate there would be some non-Federal properties remaining?

Mr. SHADDOX. There would be some non-Federal properties remaining. The property would actually go to the State of Virginia and then the State of Virginia would donate only those properties that would be necessary for interpretive purposes or for historic purposes, properties that the National Park Service could help manage as some kind of a fundamental unit to help interpret the story of Fort Monroe.

Senator UDALL. What kind of timeframe do you anticipate it will take to get the Fort open to the public once it is designated as a National Historical Park?

Mr. SHADDOX. Once legislation passes, Sir, and it is designated, we could have almost an immediate presence. We would look for some management types, a superintendant or some type of management service to get in there as soon as possible.

Senator UDALL. Your testimony indicated that the service estimates initial capital investments will total around 5 million dollars. Do you have any estimate on what the long-term maintenance and upkeep costs associates with a historic set of structures like the Fort would be?

Mr. SHADDOX. Yes Sir. Preliminarily, through our studies to date, we think that the operational cost is going to be somewhere around $700,000–1.6 million per year and that would include operations and maintenance.

Senator UDALL. Thank you for that. Secretary Suit, let me turn to you. Thanks again for being here. I am looking at this wonderful aerial photograph of the Fort, it is quite striking.

Ms. SUIT. Yes.

Senator UDALL. Including the waterway that surrounds the fort and the setting, I can see why there is such affection for the fort as a physical presence but also the history is quite important. I understand the Army's mission ended last month at Fort Monroe and that several parcels within the fort boundary will convey to the Commonwealth of Virginia. Can you provide more detail about the current status of the fort? Has the site now been transferred to the Commonwealth or is that still in progress?

Ms. SUIT. That is still in progress. The Army is still finalizing their deactivation while the mission has been deactivated. There is still a number of things, housekeeping items they are doing at the buildings. So we anticipate receiving the reversionary property around January, February 2012. There are 3 parcels, 2 parcels that are in dispute as to whether or not they revert. The Commonwealth when we turned the post over to the Federal Government in the 1800s put a reverter clause in the deed, saying if you ever stop using it, it comes back to the Commonwealth of Virginia. So we know clearly what parcels revert.

We have 2 areas that are filled bottom lands that had later deeds conveyed to the Army. The Army and the Commonwealth are disputing whether those revert and we are going through what is called an economic development conveyance negotiation. Rather than litigating the title to those deeds, we are negotiating the transfer of the 2 parcels. Then there is a final parcel that is the long natural area that you see on that map that has the very nice access to the bay front and the beaches. That parcel is called is Dog Beach. That parcel does not revert. That parcel was acquired through condemnation and through direct purchases by the Army. That parcel is one of the parcels the National Park Service is very interested in from the standpoint of an urban natural area as a part of the National Park. When you asked the question as to the cost of maintenance, having a natural area as the predominant acreage in the park, gives you a little bit lower maintenance than having a whole lot of buildings.

We are keeping most likely, the preponderance of the buildings. The National Park Service has indicated an interest in the natural area and quarters where building 1, which is the old headquarters and the building 50, which is the oldest building and was a bachelor quarters. In building 17, which were the Lee quarters and that was where the contraband decision was made and then on the parade ground. Then we are looking at easements that we would convey to the National Park Service to control usage, making sure that usage in all the other areas are compatible with the mission of the National Park Service. So, hopefully that kind of answers your maintenance question. They are not taking a lot of historic buildings, we are keeping the burden of those in the event that this were to pass. As far as the process, 2012 is when we anticipate receiving the bulk of the reverter deed and then negotiating with the Army on the other parcels.

Senator UDALL. That detail is very helpful. Let me follow on. You reference, I am sorry, the bill references Fort Monroe Authority and you referred it in your testimony as having an instrumental role in determining the boundaries. Can you provide a little more

information about the Authority? Is it a State entity? Is its role essentially to oversee the economic development of the property?

Ms. SUIT. Sure. So, Mr. Chairman, the Federal Government requires in a BRAC transaction that you have a Federal Development Authority that receives the property. In, for the purpose of Fort Monroe, by statute, the Commonwealth created the Fort Monroe, originally a Development Authority, the Fort Monroe FADA. We have now, as of 2010 legislation, converted that to the Fort Monroe Authority, the FMA is how it is referred to. That Authority has Gubernatorial Appointees, it has legislators who represent the Fort Monroe area and it has representatives from the city of Hampton which is the jurisdiction that the Fort rests within. So it is a very active board, a very bipartisan board and I chair the board.

Senator UDALL. Any steps being taken to ensure that development of the Fort properties outside the park boundary will be complimentary or consistent with the designation of the National Park?

Ms. SUIT. Several steps. The first step, any national landmark has to, that has transferred by the Federal Government to another entity, because it is a National Historic Landmark has to have a programmatic agreement to insure the continued preservation of that property. That programmatic agreement was agreed to, not sure the, it was probably 2 years ago or a year ago by the former Governor, Governor Cain. He was a Signatory of the National Park Service, I believe, was the signatory. The FADA at the time was a signatory, the Fort Monroe FADA and a number of other interested parties were signatories to that programmatic agreement which serves as a contract between the Commonwealth of Virginia and the Federal Government, which very, very succinctly lays out the protections that have to be put in place. We are now working on developing and completing requirements of the programmatic agreement, which include design standards. Standards which will dictate exactly what kinds of structures could be built, the adaptive reuse materials that can be utilized during reuse.

Of course view sheds are protected in the programmatic agreement. Then beyond that we are working on easement language should the National Park Service establish a presence. They have requested that we actually record easements that would pretty much put, codify if you will, the in perpetuity, the programmatic agreement. The programmatic agreement is very difficult to change but it could be changed. Very difficult, but it could be changed. An easement, once that easement is recorded, that is it, that runs with the land. So we will be working on that. Not only for the National Park Service, but also for our own purposes in preservation.

Senator UDALL. I am not a lawyer so I can ask questions I do not know the answer to. Walker Field, I know here, was at one point or another an active air field. Are there plans to return it to a more natural state? Would it be left as an air field? What is in the plan for the field?

Ms. SUIT. Our hope, Mr. Chairman, is that will be a part of the parcel that conveys to the National Park Service once they have the authority to receive it. The Governor has written a letter to the Secretary of Interior expressing his intent to convey that parcel, that area of property, should all of this effort be successful. So our

hope would be that we would turn that over to the National Park Service and they would determine the usage. We do not have any plans on the books to turn that back into an airstrip.

Senator UDALL. Yes, you can clearly see from the maps in the photographs that this spit of land performs multiple functions, I am sure. It is a form of a barrier island but that those areas that give access to the public to the bay would be a great natural area.

Thank you for your testimony and further clarification. I am going to turn back to a couple of the other bills. I may have further question for you so if you would stay that would be great.

Ms. SUIT. Not a problem.

Senator UDALL. Mr. Shaddox, let us turn to Coltsville National Historical Park, that is S. 1347. Last Congress the Park Service testified on a similar proposal. At that time you did not support the legislation stating that while the Coltsville site met the test of national significance and suitability, it simply was not feasible to designate due to financial issues. Can you elaborate on what happened to resolve this issue?

Mr. SHADDOX. Yes, Sir. Through a lot of work since that time, language was included in this bill to give the Secretary contingencies. In other words, he would be able to establish the park if he could ensure that enough land was going to be donated to make a sufficient site for a park. It has always been nationally significant but some of the barriers were cost and things like that, and so the work has been to overcome some of those barriers. There has been an agreement on behalf of the locals to donate 10,000 square feet for a visitor contact station. The part about reviewing finances to make sure that everything is going to be financially feasible is very important. Also the contingency clauses that allow the Secretary to make sure that there is appropriate access for visitors to the historical sites and parts of the site, is very important. So, because the Congressional sponsors included those provisions in this bill, we feel that we can support it based on those contingencies.

Senator UDALL. I understand the Coltsville site will have a mix of commercial and residential uses. Does that potential set of uses cause any park management problems?

Mr. SHADDOX. No, Sir, it does not.

Senator UDALL. OK.

Mr. SHADDOX. In fact it is a very desirable asset at this site.

Senator UDALL. Let me turn, finally, to your testimony relating to S. 1537, the September 11 Memorial bill. Your testimony notes the Park Service is assuming that intent of the bill sponsors is to have the Park Service assume nominal title and provide financial assistance, but have no management role or authority. As I read the bill, though, it seems to simply authorize the Secretary of the Interior to accept donation of title to the Memorial subject to any terms and conditions agreed to by the parties. I read this as a discretionary act by the Secretary. He is not required to accept the donation. Why can't the Department make sure its management concerns are addressed prior to accepting the donation of title to the Museum?

Mr. SHADDOX. It would help, Chairman, if the ability to do that would be expressed in the legislation so that we could work out all these contingencies prior to accepting title. We found very few cir-

cumstances, if any, where agencies accept title to property but the agency has no administrative function. We are looking forward to working with the committee and others to try to establish or clarify what role the National Park Service will play in this memorial and identify those appropriate funding mechanisms.

Senator UDALL. So to clarify, you are continuing to want to further find what this might mean. Is this a unique arrangement? You said the Park Service is generally not in the business of accepting a title under such circumstances. Are there any other analogs? Are there any other situations that are similar to this.

Mr. SHADDOX. We do not normally accept title to areas where we have no jurisdictional control or where there is no provision for us to follow the Organic Act or things like that. We would like to have those mechanisms in place so that we could administer the site appropriately for the people.

Senator UDALL. OK. Let me keep following this line of discussion. Assuming there was a desire by the Board of Directors of the memorial to donate it to the Park Service, do you know if the agency has made any assessment of whether this site would be appropriate for National Park Service management?

Mr. SHADDOX. I am not aware of that right now, but I would be glad to provide that at a later date.

Senator UDALL. You express concern that the proposed $20 million annual funding would likely have an adverse affect on the Park Service's budget. Are your concerns lessened if the funds are appropriated in a way that does not reduce the Park Service's budget?

Mr. SHADDOX. Yes. We would be glad to work with the committee to find ways in which the money could be provided through mechanisms that would not reduce the Park Service budget in any way. Twenty million dollars is a lot of money. There are only about 6 units in the National Park system that actually get that kind of money to operate. So almost 99 percent of our units get far less to operate. We would be interested in finding the appropriate Federal agency—whether it is a Park Service or some other agency—to administer those funds, perhaps through a grant or some other mechanism. Again, we would like to work with the committee on those issues.

Senator UDALL. Those are legitimate concerns the Park Service has expressed and this is a very important Memorial as we heard from Senator Inouye and we are going to continue to work to figure out the right way to do this.

I want to thank you both, Secretary Suit I wanted to give you any further opportunity to say anything else that you did not have a chance to say, so I want to recognize you for one last time if you would like.

Ms. SUIT. Thank you, Mr. Chairman, we really appreciate you giving of the Commonwealth of Virginia an opportunity to speak before you today. The Governor, again, would be here but he was called down to Hampton due to the visit by the President. I can tell you that this probably a very unique situation because it is a bipartisan effort. There is no known opposition to this effort to take part of Fort Monroe and make it National Park Service. I mean, we are all holding hands on this. Our Mayor who is a Democratic Mayor

of Hampton, our Governor who is a Republican, our local Congressman Rigell who is a Republican, Congressman Scott who is a Democrat and then of course our 2 Senators. So, as you can tell we were all holding hands and it is a very, very much a joint effort and something that we are hoping will come about. It would be good for America, it would be good for this Country, it would be good for, of course, the world to know that we have preserved, we have really taken the time now before it is too late to preserve such an incredible piece of the American story.

Senator UDALL. That is a wonderfully articulate and eloquent way to end the hearing. I want to thank you both. I want to also note that some members of the committee may submit additional questions in writing. If so we might ask you 2 to submit answers for the record. We will keep the hearing record open for 2 weeks to receive any additional comments and with that, the subcommittee is adjourned.

Mr. SHADDOX. Thank you.

[Whereupon, at 3:28 p.m., the hearing was adjourned.]

APPENDIXES

APPENDIX I

Responses to Additional Questions

RESPONSES OF WILLIAM D. SHADDOX TO QUESTIONS FROM SENATOR BARRASSO

Currently the Park Service has a maintenance backlog of approximately 10 billion dollars. The overall annual budget of the Park Service is 3 billion.

That means if the Park only performed maintenance, it would take over 3 years to get the current park units properly cared for.

Eight of the nine bills before us today involve the expansion or possible expansion of National Parks.

Question 1. How does the National Park Service reconcile its support of creating new parks before the maintenance backlog is paid down?

Answer. We will continue to address maintenance needs on several fronts. Funding proposed for line-item construction will be targeted primarily to addressing critical health and safety projects, especially if the project involves the repair of a facility for which corrective maintenance has been deferred. The National Park Service (NPS) will also continue to use other sources of funding for similar projects, including repair and rehabilitation funds, housing funds, and recreational fee revenue. The NPS will use operational maintenance funding, including cyclic maintenance, to help slow the deterioration of assets awaiting rehabilitation and to maintain the improved condition of repaired assets so that these projects do not become deferred. We will continue to target funding toward strengthening assets' critical systems (e.g. roofs, utility systems, foundations), which are the highest priorities because an overall asset will become further damaged and potentially non-functional if the critical system is impaired. We will also continue to work toward disposing of more low-priority assets that are contributing to the maintenance backlog. We do not believe that designations of new units of national parks or other public lands, which will help protect valuable natural and cultural resources for future generations, should be postponed because there is a maintenance backlog within existing units of public lands.

Question 2. Does the National Park Service estimate the maintenance costs of new land acquisitions before making the decision to purchase additional land? If so, how does this factor into the decision-making process?

Answer. Yes, the NPS estimates the costs of maintenance for new lands before proposing to acquire the lands. Estimated maintenance costs are one of the factors that are considered in the priority-setting process for the Administration's annual budget requests. Most of the land the NPS acquires for existing parks is undeveloped, so there is relatively little contribution to the maintenance backlog from these new acquisitions.

The majority of the NPS FY 2012 land acquisition request was for inholdings—isolated parcels of non-federal land that lie within the boundaries of parks. Acquisition of inholdings does not generally require any significant additional operating costs as usually no new staff or equipment are required to manage new lands within existing boundaries. In addition, these acquisitions greatly simplify land management issues for federal managers and neighboring landowners, thereby further reducing operational costs.

Question 3. Shouldn't the National Park Service use land exchanges to acquire sensitive lands rather than paying to acquire any additional lands?

Answer. The NPS considers all possible avenues to address the most urgent needs for recreation; species and habitat conservation; and the preservation of landscapes, and historic and cultural resources. The NPS has used land exchanges to acquire

needed land in certain situations. However, in many situations, land exchanges are not a viable option, and therefore the NPS uses other means to acquire lands from willing sellers.

S. 1537

In regard to S. 1537, I think it is imperative to take the time to determine if National Park Service involvement is in the best interest of the National Park Service, American citizens, and most importantly 9/11 families.

Question 4. Will you describe what is and what is not being transferred to the National Park Service in terms of decision authority, control, responsibility, management, and ownership regarding the museum and memorial?

Answer. The bill would allow for the donation of the title to the memorial and museum to the United States for management by the Department of the Interior, contingent upon the agreement of the Board of Directors of the Foundation, the Governor of the State of New York, the Governor of the State of New Jersey, the Mayor of the City of New York, and the Secretary of the Interior. The bill does not address any change in decision authority, control, responsibilities, or management of the museum and memorial from its current state.

Question 5. Has this type of arrangement been done before with the NPS?

Answer. There are very few circumstances, if any, within the NPS where the agency holds title to a property, but has no administrative function.

Question 6. In your testimony, you stated the $20 million in annual appropriations authorized by S. 1536 would likely come out of the NPS budget, reducing the amount of operational funding available for the numerous needs of the 395 other designated units of the National Park System.

Will you elaborate on what type of "needs" would be affected for the balance of the National Park System units?

Answer. Given the current budgetary situation, the NPS would likely be required to redirect funds from existing parks if Congress passes legislation requiring us to provide funds toward the annual operation of the Memorial. A $20 million annual contribution to the Memorial would require a redirection of about 1.5 percent of operating funds from each of the other existing park units. A reduction of this magnitude would most likely be taken through a reduction in seasonal operations at all other parks and deferral of maintenance projects. The reduction to fund the operation of the Memorial would be in addition to a number of similar reductions enacted in recent years.

Question 7. Most memorial bills that come before this subcommittee seek to accomplish the completion of the respective memorials through private funding, such as the Oklahoma City National Memorial and Museum.

Can you please address why this particular memorial requires federal tax dollars?

Answer. It is our understanding that the federal funds are for operation of the site and not completion of its construction.

Question 8. Wasn't the original plan to only use private funds?

Answer. It is our understanding that private funds along with federal grants have contributed to the construction of the site.

APPENDIX II

Additional Material Submitted for the Record

STATEMENT OF HON. JOSEPH I. LIEBERMAN, U.S. SENATOR FROM CONNECTICUT, ON S. 1347

Mr. Chairman, thank you for the opportunity to submit a statement in support of this important legislation, the Coltsville National Historical Park Act.

In 1990, I had the privilege of introducing and successfully fighting for the legislation that established the Weir Farm National Historic Site as Connecticut's first and, as yet, only contribution to the National Park System. Over two decades later, I am honored to strive for the same outcome for Coltsville. I reintroduced legislation this past June, this time joined by my colleague Senator Blumenthal and Congressman Larson, which would designate Coltsville as a National Historical Park.

Located on the banks of the Connecticut River in Hartford, Coltsville is at the heart of a cluster of historical landmarks of great significance for Connecticut and our entire nation. A newly established national park in Coltsville would span more than 200 acres and beckon tourists to such Hartford destinations as the homes of Mark Twain and Harriet Beecher Stowe, as well as to the great events organized by Riverfront Recapture along our beautiful waterfront.

Coltsville's past is as compelling as its future possibilities. Samuel Colt, born in Hartford, was first famous for developing the revolving-breech pistol, which became one of the standard small arms of the world in the last half of the nineteenth century. Production of that firearm helped build a model town on the banks of the Connecticut River, including the Colt Armory, worker housing, Colt Park, the Church of the Good Shepherd, and the Colt family home, known as "Armsmear". At its peak during the twentieth century, the factory at Coltsville employed over 10,000 people and made a significant contribution to the country's efforts during the Second World War.

But the legacy of the Colt operation goes well beyond the manufacturing of guns. Colt himself invented a submarine battery used in harbor defense, a submarine telegraph cable, and other innovations. The success of Samuel and Elizabeth Colt's precision firearms business led to other industrial advancements in Connecticut and throughout New England, including the manufacture of sewing machines and typewriters. Ultimately, the spirit of innovation fostered at Coltsville was crucial to establishing Connecticut's proud tradition of manufacturing everything from small arms to jet engines, and even the submarines that our service members use to defend our freedoms.

I believe that memorializing Sam and Elizabeth Colt and their movement is particularly important as Americans struggle to emerge from a deep recession. The way we are going to revitalize our economy is to invest in people, to invest in and inspire innovation that will pioneer new industries that will create millions of new jobs. Coltsville is a historic landmark and a living reminder of the extraordinary advances in technology and innovation that have been America's story for over 400 years.

Last month, Secretary Salazar visited the old Colt factory, and was shown many of the important and distinguishing features that make Coltsville a perfect candidate to be named a National Historical Park. During the tour, Secretary Salazar announced that the National Park Service would support our legislation, and I look forward to working with Secretary Salazar's excellent team, along with Senator Blumenthal and Congressman Larson, to advance Coltsville's status as a National Historical Park.

Thank you, Mr. Chairman.

STATEMENT OF HON. JIM WEBB, U.S. SENATOR FROM VIRGINIA, ON S. 1303

Thank you, Chairman Udall, Ranking Member Paul, and members of the National Parks Subcommittee of the Senate Energy and Natural Resources Committee. I appreciate the Subcommittee's attention to legislation I have introduced: the Fort Monroe National Historical Park Establishment Act of 2011 (S. 1303).

I would also like to welcome our witness supporting this legislation, Terrie Suit, Governor Bob McDonnell's Secretary of Veterans Affairs & Homeland Security. In her capacity as a member of the Governor's Cabinet, Ms. Suit is also a member of the Fort Monroe Authority and point of contact on Fort Monroe for his administration. I am confident she will be able to answer any of your questions and demonstrate strong bipartisan support for this legislation.

The site of Fort Monroe and Old Point Comfort, located in Hampton, Virginia, has been witness to centuries of American history. This history, from the approach of Captain John Smith to the region's emergence as the pre-eminent naval and maritime center on the Eastern seaboard, has helped shape the Commonwealth of Virginia and Hampton Roads as a region. The military component of the Fort Monroe peninsula alone has provided invaluable training and defense of our country.

Fort Monroe has also played an important role in African-American history as well. Fort Monroe was a location where many of the first slaves came to in the New World. Centuries later, the site saw multiple significant events of the Civil War that tore our country apart. In 1861, the Fort Monroe's acceptance of escaped slaves led to the pivotal "Contraband Decision" by General Benjamin Butler, earning the Fort the moniker "Fortress Freedom." This decision by General Butler would identify slaves as enemy contraband, and thus define them as property for 'capture' by Union forces.

Also during the Civil War, the Fort and its inhabitants were witnesses to the one of the first great naval battles during the legendary 1862 battle of the earliest ironclad vessels, the CSS Virginia and USS Monitor, and at one time or another played host to the likes of Robert E. Lee, Jefferson Davis, and Abraham Lincoln.

Fort Monroe was officially "deactivated" on September 15, 2011 by direction of a 2005 Base Realignment and Closure recommendation. On that day, the U.S. Army relinquished its control (though it is still there performing final environmental cleanup) and the bulk of land at the site has reverted to the Commonwealth of Virginia. The legislation Senator Warner and I have introduced, to create the Fort Monroe National Historical Park, is vital to the local community, the Commonwealth, and to historic preservation in Virginia. Time is of the essence for this legislation because of the deadline mandated by BRAC. The sooner the legislation is considered and passed, the sooner the National Parks Service can coordinate with the Army's final efforts and thereby ensure the most cost effective transition and implementation of a new NPS site.

As I stressed before, creation of the National Park outlined in our legislation is supported by a wide range of elected officials from both parties, numerous local and national groups, ranging from conservation organizations to churches, and thousands of local residents of the Hampton Roads area. These constituents submitted over eight thousand comments of support during and after the Department of Interior's public hearings in July. In an additional show of bipartisan support for this concept, Representative Scott Rigell from Virginia has introduced the companion bill to S. 1303 (H.R. 2456) in the House of Representatives. This legislation is a prime example of federal, state and local cooperation though all levels of government and engagement with local residents. I have attached a list of supportive legislators, local officials and various organizations,* from prominent Civil War entities to various historic preservation groups who endorse a National Park designation at Fort Monroe.

Our legislation is straightforward; it establishes, and specifically defines the boundary of the proposed Fort Monroe National Historical Park, authorizing the Secretary of the Interior to complete a general management plan for the Park. It authorizes the Secretary to enter into cooperative agreements outlining the further preservation of additional non-federal properties within the boundary of the Park, as well as those in close proximity to the Park that are related to events associated with the site. And S. 1303 provides for cost effective management of the park, including the cost share of a visitors center and coordination with a Fort Monroe Foundation to aid with future funding possibilities.

From the National Park Service's perspective, during a study to consider the creation of a potential National Park, their staff determined that "resources associated with Fort Monroe are nationally significant and likely to be found suitable for poten-

* List has been retained in subcommittee files.

tial designation as a unit of the national park system." With this interpretation, we have worked carefully to utilize the Park Service's valuable technical assistance and drafting services, which included discussions with the Director of the National Park Service himself, Jon Jarvis.

The Fort Monroe National Historical Park will provide jobs, tourism and public recreation in a scenic urban park to not only Hampton Roads, but to our state and nation at large. S. 1303 will allow Fort Monroe to serve as a unique National Park addition to an already superb set National Park Service sites within Virginia.

In conclusion, members of the Subcommittee, this legislation provides obvious long term preservation and economic benefits, and I again respectfully urge the National Parks Subcommittee and the full Senate Energy and Natural Resources Committee to advance S. 1303 as expeditiously as possible. I look forward to working with my colleagues in the Senate towards final passage on the Senate floor.

Thank you.

STATEMENT OF EILEEN TALLON, MOTHER, AND ROSALEEN TALLON DAROS, SISTER OF 9-11 FIREFIGHTER SEAN PATRICK TALLON, YONKERS, NY, ON S. 1537

We lost our only son and brother, Sean Patrick Tallon on September 11, 2001. He was a probationary firefighter for the City of New York. The memorialization of Sean and all those innocents who perished on 9-11 has been a very important issue for us. We regret that we will not be able to attend tomorrow's Senate hearing on the proposal H.R. 2882 for a federal grant of $20 million to the NYC 9-11 Memorial and Museum. We feel that if federal money is given to this memorial and museum, the current private organization operating the 9-11 memorial and museum should be replaced by the National Parks Service. If the federal government is going to attach itself to this project financially and assume the projected financial burdens of the future, the National Park Service should be directing the operations, not a private organization.

However, if complete replacement of the private entity is not possible, at the very minimum, there should be full oversight of the operations of the 9-11 Memorial and Museum by the federal government. For example, the Holocaust Museum receives federal funding but the President of the United States appoints the head of the museum and there is complete oversight.

If the American taxpayer will be paying for the memorial and museum for posterity, they deserve to oversee its operations.

STATEMENT OF GLENN CORBETT, WALDWICK, NJ, ON S. 1537

I have attached a copy of my op-ed article which appeared in today's The Record of northern New Jersey. In addition, the newspaper printed an editorial in the same edition dealing with S. 1537. Here is a link to the newspaper's editorial: http://www.northjersey.com/news/opinions/132032998 9 11 oversight.html

I respectfully request that both documents be included in the official record.

Thank you very much for your assistance.

ATTACHMENT 1.—THE RECORD: 9/11 OVERSIGHT

Tuesday, October 18, 2011.

EVERYTHING about the 9/11 Memorial has been complicated: its design, its location and its costs. Now that it is open, how it will be funded in perpetuity is subject to a debate.

Congress may provide $20 million annually to defray a third of the operating costs. For that money, Congress should gain oversight on how the memorial and museum, which has yet to open, are run. Anything less is unacceptable.

There are several funding options for the memorial. At present, the National September 11 Memorial and Museum at the World Trade Center Foundation runs the memorial. About two-thirds of the construction costs of the memorial and museum were raised from private donations: $400 million of the total $650 million. The nonprofit foundation could retain full control while receiving the $20 million. This is a recipe for mismanagement.

Another option would give the federal government oversight, as it has at the U.S. Holocaust Museum in Washington. That museum receives about 56 percent of its annual $90 million budget from the federal government. The museum is run by a panel whose members are appointed by the president, its books are open to the public, and its staff includes federal employees whose salaries are set by pay scales.

Four 9/11 Memorial foundation executives received total compensation of more than $300,000 each in 2009. The president of the foundation, Joe Daniels, was paid $371,000. By comparison, the president of the Smithsonian Institution is paid more than $520,000. It's hard to believe that running the national 9/11 Memorial and museum is akin to running the Smithsonian.

The last option would involve ceding the memorial and museum to the federal government and making it part of the National Parks Service. The Port Authority of New York and New Jersey owns the land.

The former World Trade Center site is a tangle of infrastructure, ego and conflicting commercial and public-use interests. The last thing that should happen is to cede a piece of this intricate puzzle to the federal government. The Flight 93 National Memorial near Shanksville, Pa., is a national park. But it does not have a PATH train running around it, or subways running near it, or commercial office towers. If Congress wants to ensure that the Trade Center site remains mired in bureaucracy forever, then it should make the 9/11 Memorial and museum a national park. This is a bad idea. So is no oversight whatsoever.

An arrangement similar to the National Holocaust Museum makes the most sense. In the decades to come, private fund-raising will not be as robust. The patriotic fervor felt after Sept. 11, 2001, has diminished after 10 years; after 50, it will not exist. It may be a bitter pill to swallow, but the more time passes, the greater the need for the federal government to step in to ensure that the memorial and museum are well-maintained.

There has always been tension between the families of Sept. 11 victims and the officials charged with creating a proper memorial. We do not see federal assistance as a "bailout." We do not see how the memorial and museum could ever have been self-sustaining, given its design. We do not believe that it should be self-sustaining. The memorial is free and the museum fees must remain affordable to the millions of visitors who will come there to gain perspective about that tragic day.

But the federal government should have oversight of how a $20 million annual subsidy is spent. This museum should not be a place where top administrators make huge salaries. It should be a place where workers are fairly paid, but where administrators realize they are overseeing something unique. It is not just a museum that explains how people died on Sept. 11, 2001; it is the place where they died.

It is part of America's history, its legacy to future generations. This is one place where federal oversight is not only needed, but expected.

NO PUBLIC BAIL OUT FOR THE 9/11 MEMORIAL AND MUSEUM WITHOUT RESPECT AND FISCAL RESPONSIBILITY

The recent opening of the 9/11 memorial at the World Trade Center has brought thousands of people to the site of America's worst terrorist attack. Many left in awe of the pair of 200 foot square waterfalls, an impressive and striking sight indeed.

The world's largest man-made waterfalls are an engineering marvel. They are also an economic albatross.

Recently, bills were introduced into the United States House of Representatives and Senate to provide an annual $20 million handout to the foundation representing the National September 11th Memorial and Museum. The congressional bills allow for the Department of Interior to accept a "gift" of the property of the memorial and museum in return for the annual stipend. In addition, the existing foundation, with it's incredibly highly paid senior staff (the President of the memorial was reportedly paid $371,307 in 2009), would continue to run the memorial and museum, with no oversight.

Essentially, the federal government will be given the mortgage, ownership, and responsibility for this sacred site, but have virtually no control over it.

How is it possible that the whopping $60 million in total annual operating costs were forgotten? Were they ever even considered? Who was supposed to pay for the waterfalls that will operate 24 hours a day, 365 days a year?

Many of the 9/11 families that I have worked with are opposed to the plan. They do not feel the federal government should pay for an enormously expensive memorial and museum in which the federal government had virtually no role in. The $700 million design was never selected by the 9/11 families either. No one would argue that a dignified, high-quality memorial was appropriate. Yet, these same families never asked for such an expensive and elaborate memorial—they were hopeful that a simple and inspiring monument would be built. That never happened.

For several years now, these families have fought a long and contentious battle with the National September 11th Memorial and Museum over a variety of issues. Although their fight for displaying the ranks of emergency responders and military personnel, the titles of clergy, and the ages of all 9/11 victims on the memorial has

been rejected by Memorial officials, there are several remaining issues. These include such things as:

- Placement of the victims' photographs crammed into a "river of faces" in the basement of the museum, 7 stories below ground, with some victims' photos 12 feet above the floor in the museum. The terrorists, on the other hand, will be placed in their own nearby corridor with their photos at eye level. In addition, the terrorists will be provided with printed martyrdom quotes next to the photos and artifacts in some cases (Mohammad Atta's visa, for example). While the information about the terrorists will be right next to their images, 9/11 victim information and photos of artifacts must be looked up in a handful of computer kiosks.
- The unidentified human remains of 9/11 will be placed in the middle of the museum, in the basement area, seven stories below ground. Victims' families will have great difficulty, jostling with tourists trying to enter the museum and access this location; extended family members will have to pay a $20 admission fee to get access to this area.
- There are significant safety and security concerns surrounding the placement of over 2,000 people seven stories under the ground at the nation's most significant terrorist target. The memorial and museum have been built under the fire and building code immunities enjoyed by the Port Authority of New York and New Jersey.
- Despite the fact that the 9/11 memorial site is the location of the nation's worst attack on American soil since the Civil War—the historical and patriotic nature of the site has been completely erased at street level. The promised single American flag was never even installed in the center of the memorial plaza as the 9/11 family members were assured—and the single remaining aboveground historical object from 9/11, the Koenig Sphere piece of art, has been banned from the site completely.

If the proposed Congressional bills are to become law, it is critical that they first be amended to correct these serious problems. The Department of the Interior's National Park Service must be put in complete charge of the 9/11 Memorial & Museum by disbanding the entire existing "National September 11 Memorial & Museum at the World Trade Center Foundation." The National Park Service must also review and reduce the operating budget, conduct a complete safety and security assessment, review and redesign the victims photographs as an eye level display on an upper floor of the museum, and relocate the terrorists to a computer kiosk in the basement where they belong. Most importantly, remove the unidentified human remains from the basement of the museum to a respectful, aboveground repository akin to the Tomb of the Unknown Soldier as the 9/11 family members were assured nearly a decade ago. People all across this country believe in honor and respect as well as fiscal responsibility. Shouldn't these same abiding ideals extend to the 9/11 Memorial and Museum as well?

ATTACHMENT 2.—CONCERNS OVER 9/11 MEMORIAL FUNDING

Monday, October 17, 2011.

BY SHAWN BOBURG, STAFF WRITER.
The Record

The 9/11 Memorial in lower Manhattan was built mostly with private donations. But the non-profit that runs the memorial says tax dollars are needed to maintain it.

The debate over proposed federal legislation that would provide the memorial's private foundation with $20 million in federal money each year, or about one-third of its operating budget, begins this week with hearings in Washington.

Proponents say the federal money is needed to ensure the site of a national tragedy does not fall into disrepair decades from now, when private fund raising will get more difficult. The non-profit wants to maintain full control over the operations of the memorial and museum.

But critics, including some 9/11 victims' family members, equate the legislation to a "bailout" of the private non-profit and are calling for the National Park Service to run the memorial if federal money is contributed. They say that would bring more transparency and spending oversight.

"To have a bailout with no strings attached is not responsible and not what the public wants," said Sally Regenhard of the 9/11 Parents & Families of Firefighters and WTC Victims, who lost her firefighter son.

The federal government's national park agency runs several other large memorials—the World War II Valor in the Pacific National Monument at Pearl Harbor,

which draws nearly 1.5 million visitors a year, and the Flight 93 National Memorial near Shanksville, Pa. It also operates the Statue of Liberty.

Officials at the 9/11 Memorial envision an arrangement more akin to the U.S. Holocaust Museum in Washington, D.C., a public-private partnership that relies heavily on federal money. The federal government supplies about 56 percent of the Holocaust Museum's $90 million budget. But it also has oversight. The museum is controlled by a panel whose members are appointed by the president, its financial books are open to the public and its staff includes federal employees whose salaries are set by pay scales.

Joe Daniels, the president of the 9/11 Memorial Foundation, acknowledged that the arrangement would be unique.

"I think it's groundbreaking legislation in the sense that it recognizes the federal government has a role here," he said. The difference between the 9/11 Memorial and the Holocaust Museum, he said, is that the museum in Washington, D.C., was created by the federal government, whereas the memorial "exists already."

The 9/11 Memorial is run by the National September 11 Memorial and Museum at the World Trade Center Foundation, a tax-exempt organization. New York City Mayor Michael Bloomberg heads its board of directors. The actual land the memorial is built on is owned by the Port Authority of New York and New Jersey.

MUSEUM WILL CHARGE

About $400 million of the $650 million used to construct the memorial and museum came from private donations, the rest from the federal government, Daniels said.

The memorial, an 8-acre plaza with two large reflecting pools in the footprints of the original towers, opened last month on the 10th anniversary of the attacks. Admission is free. The museum, which is being built under the memorial, will open next year and visitors will be charged a fee.

A Senate committee will hold a hearing Wednesday on the proposed legislation, filed by Hawaii's Daniel K. Inouye, who heads the chamber's powerful Appropriations Committee.

Regenhard and a small group of vocal family members have been sending letters to legislators, arguing the plan would tie a "permanent albatross around the neck of the American taxpayer" if operations continue under the current management. Regenhard has criticized the foundation in the past for a lack of transparency and for not seeking input from family members—claims denied by memorial officials.

The group of family members also says the salaries of the non-profit's executives are excessive. Four received total compensation of more than $300,000 in 2009—including Daniels, who was paid $371,000—and four more earned more than $200,000, according to tax records.

Memorial officials point out that the Holocaust Museum director's base pay is around $450,000 and the president of the federally funded Smithsonian Institution makes more than $520,000.

Federal employees who run the nation's largest parks and memorials make a fraction of that.

Salaries for directors of the National Park Service's two large facilities in the New York area—the Statue of Liberty and the Gateway National Recreation Area—range from $128,000 to $155,000 depending on years on the job, according to the park service.

Daniels said the equivalent of 300 full-time employees work at the memorial and he said the $60 million budget was lean given the estimated 5 million visitors expected each year. The museum is expected to draw another 2.5 million people, he said.

"We have proven not only to the city and the country, but to the world, that we're running the memorial well," he said.

Virginia Bauer, who sits on the memorial foundation's board of directors and lost her husband on 9/11, agreed and called federal assistance "essential."

"It was an attack on our country and considering the economic climate, we've done a great job of getting donations from individuals and private organizations," she said. "We've been very prudent."

She said the memorial would not survive on fund raising alone in the coming decades.

"People say they'll never forget, but things change," she said. "It's human nature."

A provision in the proposed bill would also allow the federal government to take ownership of the memorial, but an Inouye aide said the $20 million in federal money was not contingent on a transfer in ownership. The Port Authority, the governors of New York and New Jersey, and the New York City mayor would have to

approve the transfer to the secretary of the interior, who oversees the National Park Service.

"I don't foresee that," Daniels said of the ownership transfer. "It's an extra safety net that says if there are some circumstances, if we are unable to maintain this site, the land would transfer and trigger the federal government's help."

CALL FOR CONTROLS

Critics like Regenhard say that could mean that, decades from now, the federal government might be asked to pay for costly repairs if the private foundation runs out of money. She and others want stronger financial controls now.

"This legislation is in its infancy and many of the details of how the federal presence will be established and managed are subject to ongoing discussions," said Peter Boylan, a spokesman for Inouye. He said the final bill will address "the concerns of all stakeholders while ensuring that this lasting tribute to the victims of 9/11 is adequately funded and maintained."

Find this article at: http://www.northjersey.com/news/business/131964888_Concerns_over_9_11_Memorial_funding.html?page=all

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STATEMENT OF ALBERT AND SALLY REGENHARD, NEW YORK CITY, NY, ON S. 1537

Many 9/11 families have grave concerns regarding the current version of this plan—they do not feel the federal government should pay for an enormously expensive memorial and museum in which the federal government—as well as the families of the victims—had virtually no role in the $700 million design and planning. The majority of families who tried to become involved in the process of selecting a suitable memorial design—overwhelmingly rejected the current design—yet their wishes were disregarded. Taking ownership of the memorial & museum and annually funding a large portion of its operating costs—with no strings attached - does not have the checks and balances of fiscal responsibility that is so important not only to 9/11 families, but to the future of our beloved country.

If any payout is given to this Memorial, I feel it is time for the highly respected and experienced stewardship of the National Parks Service to be mandated. It is a matter of deep concern that the WTC Memorial site is the only major 9/11 memorial that is not run with the full faith and stewardship of the US government. The Shanksville, PA memorial , in partnership with the families of the victims, was conceived, built, and is operated by the National Parks Service. The Pentagon Memorial , acting in concert with the families, is under the guidance and expertise of the Department of Defense. Yet the WTC 9/11 Memorial is being run by a private, nonprofit corporation, which reports to the Mayor of New York and has excluded the vast majority of the families in the planning & design of the Memorial and future museum at Ground Zero.

One of the greatest examples of why a private corporation should not have free reign over such an historically important site—to the exclusion of family input and consultation—is the sad and unpatriotic fact that on 9/11/11—after ten years of planning and hundreds of millions of dollars spent—there was not even one solitary on-site American Flag on the entire eight acre site of the 9/11Memorial ! Compare that to the magnificent, patriotic and multi American flag Memorial at Pearl Harbor ! Can you imagine an American Memorial of this importance without a flag? That is only one example of many re".hy a private corporation should not be running the 9/11 Memorial at Ground Zero, and why oversight of the federal government is sorely needed.

I would like to ask the National Parks subcommittee—what are the guidelines for permitting the term "National Memorial" to be used—when they have nothing to do with it? Why is the name: "The National September 11th Memorial And Musuem" permitted to be used when it gives the erroneous impression to the public that it is somehow connected to the federal government's Park Service?

Finally, if funding is given to the 9/11 Memorial, it is imperative that it should be done with the comprehensive oversight of the federal government. The greatest loss of life on American soil since the Civil War, and the implications of this site, which was an attack on America—demand the careful stewardship and the full faith and guidance of the United States of America. My son, all the other US veterans who perished there, and the nearly 3,000 people who were murdered for our American ideals—deserve nothing less.

Thank you.

STATEMENT OF JAMES MCCAFFREY, LT/FDNY, 9/11 FAMILY MEMBER, ON S. 1537

I would like all concerned to be aware that I am strongly opposed to the $20 million grant for the 9/11 Memorial/ Museum at Ground Zero in New York City. Not only would this be an extreme waste of taxpayer dollars in this depressed economy, but it would reward the mismanagement and waste that has been all too prevalent at that site since re-development began.

If officials cannot operate this MM on what is already an obscenely bloated budget, throwing more good money after bad certainly will not cause them to suddenly become fiscally responsible. A more logical decision would be to grant oversight to The National Parks Service for what many have called "America's Memorial". Allowing complete and unsupervised control of budgetary and management decisions to the 9/11MM Foundation is a recipe for future disaster. Please inform the members of the committee to deny this superfluous and misguided course of action.

STATEMENT OF DEPUTY CHIEF JIM RICHES, FDNY, FATHER OF 9/11 FIREFIGHTER JIMMY RICHES, ENGINE 4, ON S. 1537

As the father of fallen firefighter Jimmy Riches ,Engine 4 FDNY 9/11/01, I am deeply concerned about Senate bill S1537, The National 9/11 Memorial and Museum Act of 2011. The 9/11 national Memorial and Museum is a private, non -Profit organization, which has treated the museum as a revenue generating tourist attraction , rather than as a place of reverence, respect and remembrance. It is 95% museum and 5% Memorial. We have a National 9/11 M and M that sanctioned and sponsored the marketing of bottles of "./11 WINE" to raise funds. How disrespectful is that!!

Joe Daniels , as President of National 9/11 M and M has seen his salary balloon to close to $400,000.00 The entire staff's salaries are far too generous, close to 8 million dollars. The USA is in dire financial straits and the economy is reeling with over 14 million Americans unemployed and millions more UNDER-employed, but yet the National 9/11 M and M has a severely bloated $60 million dollar ANNUAL budget. Can't anyone show a little restraint? Some people have NO shame.

My group, Parents and Families of 9/11 Firefighters, have had some very serious issues with the National 9/11 M and M. Both the civilian and first responder families asked to have ranks of first responders and ages of all on the Memorial wall near the waterfalls. Who was in charge and who is in charge now? Was it Mayor Bloomberg,Gov Cuomo of NY, Gov Christie of NJ ,Joe Daniels of 9/11 M and M , or the Port Authority of NY & NJ?. No one knows. Mayor Bloomberg denied our request, even though we don't know if he was in charge. That is one reason we need the National Parks Service to assume total control and run the National 9/11 Memorial and Museum with the great expertise that it presently does at many American memorials.

Our group also met with Joe Daniels and staff when we discovered in 2009 that they intended to place over 9,000 unidentified human remains of 9/11 victims 70 feet (seven stories) below grade in the 9/11 Museum. In 2003, we were promised that remains would be returned to WTC, in a memorial -akin to the Tomb of the Unknowns—separate and distinct from the museum and any visitor's center. We requested that a letter informing the families of this placement of remains at the bottom of the Museum, be sent out seeking input of the 9/11 families.. They refused. We went to court and this week,because of the Judge's ruling, they are informing the families via letter, but there will be no input allowed from 9/11 families whose loved remains will be 70 feet below grade level. In order to visit their loved ones, families will have to pass a 9/11 Gift shop, selling all things 9/11, and thousands of tourists, in order to pay their respects. Shanksville and Pentagon families don't have this injustice and were consulted with, and treated with great respect by National Parks Service and Dept. of Defense.

The National 9/11 M and M , is a private, NON-PROFIT organization with its outrageous salaries and should not be in charge. They want $20 million dollars from the federal government annually, with no strings attached, where the federal government and National Parks Service is responsible for the project , but Joe Daniels and company will continue to draw huge six figure salaries. Let them draw salaries equal to National Parks service museum employees. The American taxpayer shouldn't bear the burden of the National 9/11 Memorial and Museum's fiscal irresponsibility.

The National 9/11 M and M shouldn't be handled by numerous future mayors, governors or 9//11 M and M presidents. It should be operated and managed by National Parks Service who have the experience and full faith and confidence of the American public. They professionally and beautifully manage many great American memorials throughout the USA. If the $20 million dollars is given to the National

9/11 Memorial and Museum, the 9/11 Parents and Families of Firefighters hope that the National Parks Service takes over the full operation and management of the National 9/11 Memorial and Museum.

STATEMENT OF MICHAEL BURKE, BRONX, NY ON S. 1537

My name is Michael Burke. On 9/11 my brother FDNY Capt. William F. Burke, Jr., Eng. Co. 21 gave his life. My brother's rig will be part of the 9/11 museum at the WTC.

I support the federal bill to provide $20 million per year ot support the "National September 11 Memorial and Museum at the World Trade Center."

With federal oversight.

It is impossible that the memorial foundation can possibly take federal monies without accountability to the people. As of right now this is not so. They respond to the vested interests of a handful, despite their claims to the contrary.

I urge the Senate that federal oversight must be conditional to any grant of federal funds to the memorial.

Thank you.

STATEMENT OF KEVIN F. F. QUIGLEY, CHAIRMAN, BOARD OF TRUSTEES, PEACE CORPS COMMEMORATIVE, ON S. 1421

My name is Kevin Quigley, and as Chairman of the Peace Corps Commemorative Foundation (PCCF), I am pleased to submit this statement in support of S.1421. I want to begin by thanking Chairman Udall and Senator Portman for introducing this bill. PCCF is a 501(c)(3) nonprofit organization that was created to conceptualize and develop a commemorative (the "Commemorative") here in the nation's capital honoring the founding of the Peace Corps and the values it represents. I am submitting this on behalf of my fellow PCCF board members Bonnie S. Gottlieb, a lawyer and commercial real estate trade association executive, and Roger K. Lewis, a practicing architect, University of Maryland professor emeritus of architecture, and author since 1984 of The Washington Post column, "Shaping the City." Like Bonnie and Roger, I am a Returned Peace Corps Volunteer (RPCV).

I am also the President of the National Peace Corps Association (NPCA), the nation's leading 501(c)(3) nonprofit organization supporting RPCVs and the Peace Corps community through networking and mentoring to help guide former Volunteers through their continued service back home. It is a long-standing advocate for the values of international service to promote peace and friendship. The NPCA Board and the Peace Corps community enthusiastically support S.1421 and urge the Congress to provide the authority for this Commemorative during this 50th anniversary year of the Peace Corps.

This bi-partisan bill authorizes commemoration of an historic event, the establishment of the Peace Corps in 1961, as well as the fundamental American ideals of peace and friendship, its founding represents. Paramount among these ideals are humanitarian service motivated by compassion; belief in the right of all to pursue life, liberty and opportunity; commitment to help eliminate barriers of poverty, ignorance and disease; and an unwavering optimism about building a better world for all humankind.

This Commemorative will NOT be a memorial to the Peace Corps as a federal agency or to Peace Corps administrative officials and Peace Corps management past, present and future. It will NOT be a memorial to Peace Corps programs or volunteers past, present and future. It will NOT, in fact, be a memorial to the "mission" of the Peace Corps, as stated in Section I(a) of the bill, and we would like to work with the Committee to amend that section to accurately reflect the intent of the Commemorative in this bill. Rather this modest Commemorative, to be funded entirely by private donations, will honor the Peace Corps' inspired creation half a century ago and the enduring American ideals and values its historic creation embodied.

My fellow board member, Roger Lewis, is an authority on commemoratives, which helped shaped our plans for the Commemorative. In 1986, Roger provided expert testimony in support of the Commemorative Works Act (CWA), the law governing all memorials built on federal land in Washington, DC. As this Committee knows well, the CWA states that a commemorative work is intended to "perpetuate in a permanent manner the memory of an event or other significant element of American history." The CWA further states that "commemorating an event may not be authorized until after the 25th anniversary of the event." Finally, under the CWA, a com-

memorative work near Washington's monumental core must be of "preeminent historical and lasting significance to the United States."

The proposed Commemorative meets all CWA standards, as evidenced by the unanimous approval of H.R. 4195, a bill very similar version to S.1421, which was approved by the House of Representatives in the last Congress. A similar bill, H.R. 854, is currently under consideration in the House. It now has 147 cosponsors. Last year and again this year in the House of Representatives, The National Capital Memorial Advisory Commission (NCMAC) testified endorsing this proposed Commemorative.

WHY THIS COMMEMORATIVE?

Establishment of the Peace Corps in 1961 is an "event" that occurred more than 25 years ago. It is a unique and "significant element of American history" of "preeminent historical and lasting significance to the United States." Three of the nation's most eminent historians—Doris Kearns Goodwin, Elizabeth Cobbs Hoffman and David M. Kennedy—have eloquently affirmed that founding of the Peace Corps in 1961 is a seminal event of lasting significance in American history. (Their statements endorsing this Commemorative are included at the end of this statement).

Establishment of the Peace Corps occurred at a pivotal moment nationally and internationally. The world was engaged in a Cold War. Cultural, ideological and economic divisions between America and many independent, post-colonial nations of the Third World were deepening. Lack of mutual understanding between Americans and people of other countries was a serious barrier to world peace and prosperity.

The Peace Corps concept, while entailing risks, was an unprecedented opportunity to break down barriers and profoundly change perceptions of the United States by expressing America's true character and motivation. It marked a major turning point in American foreign policy and history, and in particular how our country engaged with the rest of the world. Embarking on a new path, the United States directly harnessed the power of American ideals and values by sending its own citizens to help meet the needs of people in developing countries through nonpolitical, nonmilitary volunteer service abroad.

Despite profound geopolitical changes in the world since 1961, the original principles on which the Peace Corps was founded have never changed and will never change. That is because they are timeless American principles. And the very term "Peace Corps" has become iconic, an enduring symbol of American outreach and humanitarianism recognized and understood throughout the world. Some 20 other countries have created Peace Corps-type programs reflecting the power of this icon.

Many memorials in Washington honor events and individuals whose valor, vision and sacrifice embody the nation's identity, history and experience, especially during war. Yet these inspiring works give an incomplete picture of America's ideals, values and role in the world. By taking its place near these memorials, this Commemorative will help complete that picture, adding a missing chapter—an essential element—in the evolving American story for millions, from home and abroad, who annually visit the nation's capital.

WHY ENACT THIS LEGISLATION NOW?

Because 2011 is the 50th anniversary of the Peace Corps, Senate passage of S.1421 during the current Congressional session would be especially appropriate. It would allow the PCCF to embark on the 17 remaining steps of the rigorous 24-step memorial-building process, which can proceed only after S.1421 is passed by Congress and signed into law by the President.

Another reason to authorize this Commemorative during this Congressional session is to remind American citizens and the rest of the world of our country's sustained commitment, as a matter of national policy carried out through the service of individual Americans, to make the world a better place. Because today's world is increasingly troubled by poverty, conflict and misunderstanding between and among nations, the need for America to enunciate and augment its positive, people-to-people outreach is greater than ever. Promoting intercultural understanding and improving the lives of others through international service is part of the enduring values of the Peace Corps and of American history. Thus enactment of S.1421, in honoring the ideals and values inherent in establishment of the Peace Corps in 1961, can make a tangible contribution to enhancing America's global image.

COMMEMORATIVE'S SIZE, SCOPE, LOCATION

The Commemorative proposed by the PCCF will be modest in size and cost. Financed entirely by private sector charitable contributions, it will require no federal funds for design, construction or maintenance. As requested by the National Park

Service, any excess funds will be turned over to the National Park Foundation. The PCCF will seek a small site near—but not on—the National Mall. No buildings, grandiose structures, heroic sculptures or elaborate fountains will be erected. Rather the Commemorative will be an intimate, restful, environmentally sustainable place—a kind of urban garden—fostering reflection and contemplation on this significant element in American history.

When authorized, the PCCF will seek a small, little used yet visible site-less than half an acre-in Area I of the nation's capital. Area I encompasses federal land beyond but not far from the National Mall. To be located in Area I, a commemorative work must be of "preeminent historical and lasting significance to the United States," a standard which the Commemorative will meet.

OTHER CONSIDERATIONS

Some have observed that, by commemorating ideals along with a historic event, this Commemorative would be unprecedented. But all memorials authorized under the CWA are unique and unprecedented in what they commemorate and symbolize, and they frequently commemorate ideals. For example, the Vietnam memorial does not honor an unsuccessful war, but rather honors both the Americans who served and sacrificed their lives in that war, and the American ideals and values-patriotism, loyalty, courage, valor-symbolized by that service and sacrifice. Congress has set other precedents by approving commemoratives to "elements" that are neither events nor figures. Two such commemoratives are the National Peace Garden, authorized by Congress in 1987 but never completed, and the memorial to Japanese-American Patriotism in World War II, authorized in 1992 and built in 2000. These and other memorials do not set unwanted precedents, and they all represent and honor American ideals and values. In a similar manner, this Commemorative will honor an historic event as well as fundamental American ideals and values mentioned earlier in this statement.

Some have also wondered if this Commemorative might motivate unwanted commemorative proposals from federal agencies. Any commemorative authorized by Congress under the CWA may potentially encourage governmental agencies, NGOs or other groups to propose similar memorials. Yet every commemorative proposed for authorization must be judged on its own merits by Congress according to CWA standards, as interpreted by Congress, and with advice from the National Capital Memorial Advisory Commission. Applying the CWA standards, Congress and the regulatory agencies will continue to diligently make their determinations and eliminate unjustifiable commemorative proposals.

A few have asked if the Peace Corps and the ideals and values upon which it was founded are indistinguishable from other volunteer or international assistance organizations-for example, CARE, VISTA, American Friends Service, AmeriCorps, USAID-and the ideals they represent. Again, this Commemorative does not commemorate an organization, but rather a significant historic event inspired by ideals and values that transcend NGO volunteerism, public service or diverse forms of technical and economic assistance. Equally important, establishment of the Peace Corps in 1961 is a preeminent historic event without peer. There are no comparable events, organizations or initiatives in American history. Founding of the Peace Corps was a manifestation of an American idea that today is understood and recognized worldwide as the ultimate symbol of humanitarian service in the cause of human development, international understanding and peace. There being no better time than now for Congress to authorize this Commemorative, so we respectfully urge the Subcommittee to recommend passage of S.1421. Thank you very much for your interest and serious consideration.

Brief Statements from Eminent Historians Endorsing the Peace Corps Commemorative

At the apex of American wealth and power during the Cold War, concerned politicians of both parties called for government to define what the nation stood for, not just what it stood against, in the "American Century." The establishment of the Peace Corps marked a critical moment when, for the first time, the U.S. government appealed to citizens to serve their country in the cause of international development and peace. The Peace Corps stretched the capacity of the nation to accept that others' interests have a place in foreign policy, even if a small one. It challenged cynicism as naive and allowed Americans to give practical expression to the finest ideals of the Declaration of Independence. In doing so, it demonstrated to the world and to Americans alike that self interest and service to others are not mutually exclusive. The Peace Corps gave expression to a fundamental American ideal, the idea that the power to do good is not inconsistent with geopolitical power even in the most difficult times. What gave this message its unusual potency in 1961 was that

President Kennedy and the Congress did not create the Peace Corps alone. It grew out of popular demand. Called into being at the behest of citizens from around the nation, the Peace Corps enshrined the hope, going back to the nation's founding, that ordinary citizens, working alongside others, and motivated by the American values of voluntarism, personal responsibility, civic cooperation, and international respect for the dignity of human life, could help to create a better future. It captured the imagination of the world.

—Elizabeth Cobbs Hoffman[1]

In all the impressive array of American international initiatives in the post-war world—including the United Nations, the International Monetary Fund, the World Bank, NATO, and the Marshall Plan—few if any better expressed Churchill's idea of America's responsibilities than the Peace Corps. And none offered a comparable opportunity for ordinary Americans to contribute to their nation's relations with the rest of the world. The Peace Corps was a unique product of a unique moment in time, when American power was infused with idealism and purpose, and American foreign policy was guided by citizen engagement and citizen participation. The Peace Corps materially benefitted countless peoples in developing countries. Less measurably, but no less importantly, Peace Corps volunteers carried abroad—say rather, lived abroad—some of the republic's highest and best aspirations for itself and for "all men in all lands" as well. And they brought home with them some invaluable gifts, too—like a heightened perception of what America looks like through the eyes of others, a deepened sense of membership in the global family of man, and a renewed respect for the values and institutions that have long made America itself so favored among nations.

—David M. Kennedy[2]

Since 1961, despite changes in political mood and economic conditions, despite changes in numbers of volunteers serving and countries served, the Peace Corps mission and meaning have remained immutable. Establishment of the Peace Corps nearly a half century ago has positively affected millions of people in Africa, Asia, the western Pacific, Latin America and Europe. But it has achieved more. It has produced an enduring American legacy of service in the cause of peace a timeless symbol of some of America's most honorable ideals and aspirations.

—Doris Kearns Goodwin[3]

CITY OF HAMPTON VIRGINIA,
COUNCIL OFFICE,
Hampton, VA, October 19, 2011.

Hon. MARK UDALL,
Chairman, National Parks Subcommittee.

Hon. RAND PAUL,
Ranking Member, National Parks Subcommittee, Senate Energy and Natural Resources Committee, 304 Dirksen Senate Office Building, Washington, DC.

DEAR MR. UDALL AND MR. PAUL: On behalf of the more than 145,000 citizens of Hampton, Virginia, I have the high honor and privilege to submit this letter urging the United States Congress to pass legislation enacting the establishment of a National Park Service Unit at Fort Monroe in the City of Hampton. As Mayor of the City of Hampton, I can assure you that establishing a National Park Service Unit at Fort Monroe has the full support of our City Council and is one of our cities' top priorities.

The City of Hampton has a long-standing appreciation and respect for Fort Monroe's history, and we know that preserving and interpreting that history to the American public is of national importance. It is this history, which dates back to the founding of our country and includes General Benjamin Butler's contraband slave declaration which transformed the Civil War into a war for freedom, that is the reason why this place should be a National Park. Further, the site's beauty and its proximity to the Chesapeake Bay and saltwater marshlands create unparalleled

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[1] Elizabeth Cobbs Hoffman is the Dwight Stanford Professor of American Foreign Relations at San Diego State University and the author of All You Need is Love: The Peace Corps and the Spirit of the 1960s (Harvard University Press).

[2] David M. Kennedy is the Donald J. McLachlan Professor of History, Emeritus, at Stanford University. He is the author, among other works, of Freedom From Fear: The American People in Depression and War, 1929-1945, which was awarded the 2000 Pulitzer Prize for History.

[3] Doris Kearns Goodwin is a Pulitzer Prize winning historian. Among her books are No Ordinary Time, Wait Till Next Year, The Fitzgeralds and the Kennedys, and Lyndon Johnson. Her most recent book is Team of Rivals: The Political Genius of Abraham Lincoln.

opportunities for Hampton Roads' 1.7 million residents, as well as visitors from across this country, to enjoy and become active in Great American Outdoors, offers further justification.

Today, however, I want to discuss another reason that we support the creation of a National Park Service Unit at Fort Monroe: It will bring significant economic revitalization to our city, boosting tourism and creating spinoff jobs in the private section.

As a result of the 2005 Base Realignment and Closure (BRAC) decision to cease the United States Army mission at Fort Monroe and close the installation, Hampton's economy has declined by 7 percent. We have seen a loss of 5,524 jobs and a decline in population of 3,404. As we continue to weather extremely challenging economic conditions, the closure of Fort Monroe compounds the difficulties in working to provide core services to our citizens.

Since the BRAC announcement, many of our citizens—as well as national organizations—rallied and began the process of working together to establish a National Park Service Unit at Fort Monroe. For example, the local Citizens for a National Park at Fort Monroe group has engaged local, state and federal officials to garner support. Grassroots efforts like these have brought us to this important juncture, where Senator Mark Warner and Senator Jim Webb, along with Representative Scott Rigell, have introduced legislation that create a National Park Service Unit at Fort Monroe. Along our journey, we have had unwavering bipartisan support from citizens in Hampton, Hampton Roads, and across the country, as well as at all levels of local, state and federal government.

The goal of establishing a National Park Service Unit at Fort Monroe has built unprecedented support in our city and unified citizens of all ages, race and walks of life from across Hampton Roads and the Commonwealth of Virginia. At public hearings held by the National Park Service, more than 1,000 citizens lined up to speak unanimously in support of creating a National Park Service Unit at Fort Monroe. Many traveled long distances from other states across America to join in uniting with others in this important activity. Thousands more have sent in emails and letters.

The key issue in this country is creating jobs and revitalizing the economy, and we know that establishing a National Park Service Unit at Fort Monroe is a key step in accomplishing that mission. A recent study released on the Historic Triangle of Jamestown, Colonial Williamsburg, and Yorktown here in the Commonwealth of Virginia indicated that over 363,000 visitors spent an estimated $327 million, which supported 1,184 local private sector jobs as well as an 81-member National Park Service staff. Because of Fort Monroe's proximity to the historic triangle, many believe that creating a National Park Service Unit will significantly add to the numbers of tourists visiting the region, thus bringing more spending and jobs.

In addition to creating jobs, we also know it is critical in a BRAC to bring back economic vitality through the highest and best reuse of the properties being vacated. The combination of establishing a National Park Service Unit at Fort Monroe with building rehabilitation will also generate new jobs and stimulate the economy. Dollar for dollar, historic preservation is one of the highest job-generating economic development options available. For example, we know that 3.4 more jobs are created for each $1 million spent on rehabilitation than on new construction. Further, each $1 million spent on rehabilitation adds $53,500 more to household income in Virginia than the equivalent amount spent on new construction. As a National Historic Landmark, Fort Monroe must be sustained and maintained to ensure it remains a vibrant part of America's history. Working together in partnership, a National Park presence will boost the state's effort to attract educational and high-tech resources to create a campus on the historic base to ensure its future.

Throughout America's history, we have been faced with many challenges and opportunities that continue to set a course for future generations. Establishment of a National Park Service Unit at Fort Monroe in Hampton, Virginia, will ensure all Americans have the opportunity to visit and learn about the many untold stories that played a critical part in shaping our nation and the importance of preserving our past so future generations can build a brighter future. It will ensure that a rare, unspoiled beach remain accessible as an active park within an urban area. And it will spur the economic vitality that will grow jobs and investment for Hampton and the surrounding areas.

Sincerely,

MOLLY JOSEPH WARD,
Mayor.

NATIONAL PARKS CONSERVATION ASSOCIATION®,
GOVERNMENT AFFAIRS,
Washington, DC, October 18, 2011.

Hon. JEFF BINGAMAN,
Chairman, Senate Committee on Energy & Natural Resources, 304 Dirksen Senate Building, Washington, DC.

DEAR CHAIRMAN BINGAMAN: On behalf of our more than 600,000 members and supporters, I want to express the very strong support of the National Parks Conservation Association for S. 1303, a bill authorizing the Secretary of the Interior to establish Fort Monroe National Historical Park in the Commonwealth of Virginia. Passage of this bill would add to our National Park System a place of both great historic significance and natural beauty, providing the public access to unique cultural and natural resources. NPCA commends Senators Webb and Warner for their leadership on this matter and we hope that Congress will move to pass this important piece of legislation in the timeliest manner possible.

Located at the mouth of the Chesapeake Bay at the point where the James River and the Atlantic Ocean converge, Fort Monroe and the Old Point Comfort Peninsula have played consistently seminal roles in the history and development of this nation. In the early 17th century, after years of habitation by American Indians, Captain John Smith explored the Old Point Comfort Peninsula and described it as "a little isle fit for a castle." Appreciating the peninsula's strategic location, the English built a series of defensive posts there beginning with Fort Algernourne (1609-1612), Point Comfort Fort (1632-1667), and Fort George (1727-1749).

It was during this period that the first documented Africans to land in Virginia arrived on the Old Point Comfort peninsula as enslaved people (1619). "Twenty and odd Africans" were traded from Dutch to English masters for food. Records suggest that among the first Africans to live in the region were Anthony, Isabell, and their son William, who was likely, the first black child born in the Hampton Roads region.

After British forces burned the City of Washington in 1814, Congress sought to improve the nation's coastal defenses to prevent future depredations. Simon Bernard, former Aide de Camp to the Emperor Napoleon, was engaged to design the "star" fort. When construction began in 1819 the work was overseen for a time by a young lieutenant named Robert E. Lee. The "Gibraltar of the Chesapeake" was completed in 1834 at a cost in excess of $1.8 million.

Fort Monroe served as the staging area and point of departure for U.S. troops engaged in the suppression of Nat Turner's rebellion (1831), various Indian wars (1832-1836), and the U.S. War with Mexico (1846-1848). The epic Battle of Hampton Roads, the first naval engagement between two ironclad ships (the U.S.S. Monitor and C.S.S. Virginia), took place just off shore of the Old Point Comfort Peninsula. An active U.S. military presence has been maintained at Fort Monroe from the antebellum period through the modern-era; the Unites States Army having officially completed its mission at the fort on September 15, 2011.

Yet the most significant aspect of Fort Monroe's history is related to the story of three enslaved black men—Frank Baker, Shephard Mallory, and James Townsend. On May 23, 1861, the trio made their way to Fort Monroe seeking freedom. Union General Ben Butler refused to return the men to their Confederate owner instead declaring them to be "contraband of war." Upon hearing that "Freedom's Fortress" was open for business 10,000 more enslaved black men and women followed the footsteps of those courageous pathfinders and made their way from slavery to freedom at Fort Monroe. In this one location by the Chesapeake Bay slavery in Virginia got its start and (242 years later) began its long overdue demise.

In addition to its rich historic legacy a Fort Monroe National Historical Park would provide public access to natural resources and recreational opportunities in a region where both are limited. The Old Point Comfort Peninsula contains more than two miles of rare, undeveloped Chesapeake shoreline that the establishment of a national park would secure in perpetuity from incompatible development. Possible recreational opportunities include birding, wildlife trail hiking, boating, fishing, swimming, and camping. Both the Captain John Smith and Star Spangled Banner National Trails are located along the peninsula and would allow visitors an immediate connection to the history of our country's early exploration.

S. 1303 has been carefully crafted over the past several months to incorporate a variety of views and priorities from local, state, federal, and national agencies, organizations, and stakeholders. As the concept of adding Fort Monroe to the National Park System enjoys unprecedented consensus and widespread, bi-partisan support, so too does S. 1303. The bill introduced by Senators Webb and Warner empowers the National Park Service and the Fort Monroe Authority (FMA), the entity designated to represent the interests of the Commonwealth of Virginia, to act in part-

nership to protect the natural and cultural resources on the Old Point Comfort Peninsula. Companion legislation (H.R. 2456) has been introduced in the House by Representative Scott Rigell.

S. 1303 states that preservation and interpretation at a Fort Monroe National Historical Park will be maintained at levels that conform to the standards set forth by the Secretary of the Interior. The bill also allows the FMA to adaptively reuse or compatibly develop areas in and around the fort to accommodate new or continuing residential, business, or commercial use to generate profits to offset the cost of establishing a new park unit. S. 1303 will maintain the "integrity of the historic resources and natural and recreational resources of the Park" while allowing for common sense, compatible development that will make the site a world-class destination and an economic engine that generates jobs and income for Hampton Roads, for Virginia, and the nation.

There is no dispute about the historic significance of Fort Monroe and the Old Point Comfort Peninsula. Several hundred citizens warmly greeted the Secretary of the Interior Ken Salazar during his visit and fact-finding mission to Fort Monroe in June 2011. More than 1,000 citizens, the vast majority of whom expressed strong support for the establishment of a national park unit at Fort Monroe, turned out one month later to attend a series of listening sessions hosted by the National Park Service. NPCA believes that Fort Monroe's remarkable history deserves to be a part of a 21" century National Park System and a source of learning and inspiration for generations to come.

Sincerely,

CRAIG D. OBEY,
Sr. Vice President.

9/11 PARENTS AND FAMILIES OF FIREFIGHTERS AND WTC VICTIMS

October 17, 2011.

DEAR SENATOR BINGAMAN,
Chair, Energy & Natural Resources Committee.

As Chairman of 9/11 Parents & Families of Firefighters and WTC Victims, I am writing to you regarding the 9/11 Memorial and Museum and its relationship to an October 19th Committee meeting on a proposed Congressional bill which is currently on your desk: Senate Bill: S.1537: National September 11 Memorial and Museum Act of 2011.

Many 9/11 families are opposed to this bill—unless one change can be made—and this change could have a very positive effect for the 9/11 Memorial, New York City and indeed for the entire Nation. We, as 9/11 Families, respectfully request that you make one very important and critical change to your Bill—that the National Park Service take over the complete management and operation of the 9/11 Memorial.

Recently, these bills were introduced into the Senate and United States House of Representatives to provide an annual $20 million payout to the foundation representing the September 11th Memorial and Museum.

These Congressional bills allow for the Department of the Interior (National Park Service) to accept a "gift" of the property of the 9/11 Memorial and Museum in return for the annual stipend, which would continue for an unlimited period of time into future decades. In addition, the existing foundation (with its incredibly highly paid six-figure staff) would continue to run the Memorial and Museum, with no strings attached, regarding fiscal responsibility.

Many 9/11 families are opposed to this plan—they do not feel the federal government should pay for an enormously expensive memorial and museum in which the federal government—as well as the families of the victims—had virtually no role in the $700 million design and planning. Taking ownership of the memorial & museum and annually funding a large portion of its operating costs will be a permanent albatross around the neck of the American taxpayer—unless the highly respected and experienced stewardship of the National Parks Service can be mandated in this Bill.

Within our group are registered Democrats, Republicans, Conservatives, and Right to Life voters who feel it is prudent to advocate for the same fiscal responsibility that so many Americans have been calling for. We feel it would be wise to oppose any bailout without fiscal responsibility. Therefore, We would like to ask you to consider not lending support to this Bill unless the National Park Service can assume complete stewardship & operation of the 9/11 Memorial and Museum as they do for numerous other National Memorials across this country.

If this is indeed a "National Memorial" which deserves federal funding, then it is essential that it be given the honor, respect, patriotism and time-honored stew-

ardship of the National Park Service. It is also important that those running the 9/11 Memorial and Museum do not continue to receive ever increasing salaries on the dime of the American taxpayer. I plan to attend your Committee meeting on Oct 17th with a few other 9/11 Parents of Firefighters, and I would greatly appreciate the opportunity to meet with you prior to the hearing.

We would like to make a statement to the Committee, but have been informed that we cannot speak. Therefore, i respectfully request that the following questions be raised at your meeting:

1. Why is it that the National September 11th Memorial and Museum is asking for such a large annual sum of money for operating expenses even before the complex is completed? Why were the annual operating expenses so significantly underestimated when it was designed?
2. Why is the National September 11th Memorial and Museum asking the federal government to take ownership of the memorial and museum complex along with providing a large, $20m annual stipend, yet the federal government would have no control over the facility and its operations?
3. Why can't the National Park Service simply take over the entire ownership and operations as has been done with numerous other memorials throughout the nation? Wouldn't that be a much more cost effective arrangement given the very high salaries currently being paid to the management of the National September 11th MM?

Thank you for your service to our country.

Sincerely,

CHIEF JIM RICHES, FDNY (RET.),
Chairman, 9/11 Parents and Families of Firefighters and WTC Victims.
Father of FF Jimmy Riches, E4, WTC/9/11.

SALLY REGENHARD, VICE CHAIR,
9/11 Parents and Families of Firefighters and WTC Victims,
Mother of FF Christian Regenhard, L131, WIC/9/11.

ROSALEEN TALLON, ED. D.,
Family Liaison, Advocates for a 9/11 Fallen Heroes Memorial,
Sister of FF Sean Tallon, Ladder 10, WTC/9/11.

JIM MCCAFFREY, LT/FDNY,
Co-chair, Advocates for a 9/11 Fallen Heroes Memorial,
Bother-in-law of FDNY Battalion Chief Orio Palmer, Batt 7, WTC/9/11.

MAUREEN AND AL SANTORA, (DC/FDNY-RET),
9/11 Parents and Families of Firefighters and WTC Victims.
Parents of Christopher Santora, E-54, WTC/9/11.

JOYCE AND RUSSELL MERCER AND CHRISTINE MERCER,
9/11 Parents and Families of Firefighters and WTC Victims,
Parents and Sister of Scott Kopytko, L-15, WTC/9/11.

ROSEMARY CAIN,
9/11 Parents and Families of Firefighters and WTC Victims,
Mother of George Cain, L-7, WTC/9/11.

STATEMENT OF THOMAS JOHNSON, ON S. 1537

There will not be another day in history that will affect me the same way as did September 11, 2001. Every single day since, I am painfully reminded of the untimely death of our son, Scott. He was 26 when he was brutally murdered, but even though it is hard to deal with the anguish of our loss, we will never forget what a gift it was to have him for those 26 years, as our son. He was a generous and caring young man who had an insatiable appetite for exploring what the whole world had to offer. We all know that many, many people were 'robbed' of their loved ones on September 11 and on February 26, 1993 by those senseless acts of violence and we must strive to educate any who wish to follow in those cruel footsteps that there can be no reward for such brutality.

With faith and work, you find you are able to cope with the loss. You do not 'move on,' which is what so many ask about, because moving on would imply that you can get over the loss. You cannot—and you do not want to—but you can continue to build your life around all your experiences, interests, and obligations, perhaps with a slightly sharper focus and selectivity resulting from your loss.Working with the dedicated and passionate members of the National 9/11 Board of Directors has helped me to work on the healing process. I have said, on many occasions, that I

was fortunate to have been still working as CEO of a financial company, and after the numbness began to recede, I returned to my responsibilities, which gave me strength and the motivation to rebuild our family life without Scott.

Finding ways to cope has been a challenge, but one of the best things about my work with the National 9/11 Memorial and Museum Foundation is my association with so many wonderful leaders who are determined that good must come out of the horror of 9/11. Some are civic leaders who did not experience personal loss while others, like me, do the work out of devotion to the family members who are no longer with us.

I have learned over the years how many more people than I had ever imagined have suffered grievous loss. A few are unable to go on, but most find a way to continue their lives, to be productive and to provide comfort to others, even while dealing with their own grief. For the other 'family members of 9/11' I have had the privilege of getting to know, I am very grateful. The diversity of their responses to their tragic loss, ranging from anger, to eloquence, to generosity, has given me a greater appreciation of the nobility of the human spirit. They and all our fellow citizens who have helped on the 9/11 work provide a continuing reminder of the precious gift Scott was to us and to the world.

The National September 11 Memorial & Museum, established in 2003, is a perfect example of a true public-private partnership. I have from the beginning been one of a number of family members of those who perished on 9/11 serving on the Board. Today, there are 11 of us family members on the Board representing each of the attack sites—the World Trade Center, the Pentagon and the crash of Flight 93—just as the Memorial itself lists the names of all who were killed at the three sites on both dates.

While the World Trade Center is of course in New York City, the Memorial acknowledges that 9/11 was an attack on our entire nation and—with citizens lost from more than 90 nations—the world.

There has been public involvement in this project at all levels from the start. The plan for rebuilding was itself shaped by the public; thousands participated in open forums and meetings beginning in early 2002 and the design competition for the Memorial was the largest in the world's history, receiving 5,201 submissions from 49 states and 63 countries. The federal government, through HUD, stepped up to ensure all this could happen, providing funding through the Lower Manhattan Development Corporation.

In 2006, our Foundation, the National September 11 Memorial & Museum, assumed responsibility for overseeing the design, working with the project's construction manager, the Port Authority of New York and New Jersey: a bi-state agency established through an act of Congress in 1922.

It was also in 2006 that Mayor Michael Bloomberg became our chairman and Joe Daniels became president of our private 501(c)(3), and few deserve as much credit as they for making this national tribute a reality.

We have raised $400 million of private funds, made up of almost 800,000 donations from all 50 states and more than 100 countries. That amounts to nearly 60% of our total funds for planning, design, construction, exhibitions, and operations through 2012.

Thousands participated in building this tribute and hundreds more now operate the Memorial and welcome visitors every day. I know each one of them sees this as more than a job: from the construction workers who literally built the Memorial pools and plaza stone by stone, to the foundation's Board and staff who have worked with this project's many stakeholders—families of those killed, survivors, first responders, and others—each step of the way.

Every aspect of our planning and operations has been to enable all of our visitors—be they family members, local residents, Americans from all 50 states, or international tourists—to pay their respects at a place where tragic loss was suffered and where heroic sacrifices were made.

The pain of 9/11 cannot be erased, and certain images will live on in our minds: of the Twin Towers under attack and then falling, of the heartbreaking 9-month recovery effort, of what was then described as the pit" that remained. But to have the site transformed today into a place of remembrance is something that, as a family member and a Board member, I'm extremely proud of.

We knew that the eyes of the world would be fixed on the World Trade Center on the 10th anniversary of 9/11. It was up to us to deliver a Memorial that inspires, and as media and press coverage of that day showed, our commitment has been fulfilled.

I believe I can speak for the thousands of family members who have visited when I say that the Memorial is as beautiful and as meaningful as it could possibly be.

Many have written letters and emails expressing their gratitude that the Memorial is now open. One was from Sally Tartre, the sister of James Michael Roux, who was aboard Flight 175. "Like so many families we never recovered anything of his," she said. "Being able to finally go where he was killed brought much pain, but also some peace. Thank you so much for being so diligent and informative with the families, you have done a wonderful job out of something so horrible." I would add that this sacred place represents for many of us, including my family, who did not recover our loved one's remains, their final resting place.

Attached are images* taken on the 10th anniversary of the attacks, when the Memorial was dedicated and opened for the family members of the victims. This was the first time we were able to touch the names of our sons and daughters, now forever inscribed on hallowed ground.

The following day, the Memorial opened to the public. Already, we've welcomed almost 200,000 visitors from across the country and around the world. The Memorial is quickly becoming one of the most visited sites in our nation—with millions of visitors projected annually. In fact, more than 1,000,000 visitor pass reservations have already been made from all 50 states and more than 85 foreign countries.

And when our visitors stand beside one another, ringing where the Twin Towers once stood before the names inscribed in bronze, they do so in the spirit of unity we all remember from the days and months after 9/11.

Beyond how far we've already come, we have our sights now on another important goal: the opening of the 9/11 Memorial Museum in just 328 days. The Museum will be the global focal point for preserving the history of September 11, 2001.

It will be a place that recounts the heroism of the more than 400 first responders who died performing their sworn duties and all the others, including our son, who were carrying on the business of America by simply doing their jobs. It will commemorate the sacrifices of the thousands of men and women who appeared at the site in the aftermath to help in every way they could. All these are parts of American history that must never be forgotten.

The Museum spaces at bedrock of the World Trade Center are taking shape and already the largest artifacts are in place.

These items represent the stories behind them, like the story of FDNY Captain William F. Burke of Engine 21. After the south tower collapsed, he ordered his men to make their way out of the north tower, promising them he would meet them back at the rig. His men followed his command, but Captain Burke did not meet them as he promised, having stayed behind to assist those in need He was the only member of his company killed that day and Engine 21 will be featured in the Museum in his honor.

The Memorial is how we fulfill our mission to commemorate the lives lost and the Museum will be how we fulfill our equally important mission to educate future generations.

The history of 9/11 is still unfolding and yet many of our nation's children and grandchildren are already too young to recall what happened first-hand.

In protecting the World Trade Center and its history, the educational value of the Museum can be the greatest investment of all. As recollections become more distant, future generations must see the human cost of terrorism and must be shown the moral vanity of those who attacked not just iconic buildings but the very fabric of our national identity.

I feel it's important that the Board of Directors—so many of us with personal connections to 9/11 and having been with this project from the start—remain at the helm of this landmark institution.

The opening of the Memorial marked the start of a new chapter in our nation's history, a history that is rooted at the World Trade Center. We can't forget that this is a site that has been attacked twice and security will always be a primary concern.

We'll never falter in our commitment to keep our visitors safe, but we need federal support in order to balance this commitment with others so that a safe experience can also be a meaningful one. As you know, historic sites like the Statue of Liberty and Ellis Island have been taken on by the Secretary of the Interior and certainly that may be fitting at some time in the future.

At this moment, the Memorial and Museum require both the guiding hand of the current Board and the support of our nation's government to realize fully the unbreakable promise to honor my son Scott and the thousands of others who were killed.

This is one of the most important things we can do as a nation in response to terrorism. We remember individuals taken from their families too soon not for how they died, but for how they lived. We honor the heroes who made the ultimate sac-

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* Images have been retained in subcommittee files.

rifice that day and those who continue to keep our country safe. We educate so that lessons learned will never be forgotten and so that the incredible compassion that emerged in the wake of 9/11 can live on and become its true legacy.

The National September 11 Memorial & Museum are now the sacred heart of New York City, and a place for generations to come to honor our nation's core principles. A place where we can show the world our unity, our resiliency, and our resolve to preserve freedom in the wake of the despicable actions of those who sought to destroy it.

I thank you for your support of National September 11 Memorial and I encourage you to support this legislation.

STATEMENT OF THE NATIONAL SEPTEMBER 11 MEMORIAL & MUSEUM, ON S. 1537

The National September 11 Memorial & Museum (9/11 Memorial) is a tribute of remembrance and honor to the nearly 3,000 people killed in the terror attacks of September 11, 2001 at the World Trade Center, the Pentagon and on flight 93 near Shanksville, Pennsylvania, as well as the six people killed in the World Trade Center bombing in February 1993. The site is located in the footprint of the fallen towers at the World Trade Center in New York City. The 9/11 terrorist attacks represent the largest loss of life from a foreign attack on American soil.

The 9/11 Memorial was designed to create a public space to remember and reflect on the lives lost, to recognize the endurance of those who survived, the courage of those who risked their lives to save others, and the compassion of all who supported them and our nation. The Memorial's mission statement ends: "May the lives remembered, the deeds recognized, and the spirit reawakened be eternal beacons, which reaffirm respect for life, strengthen our resolve to preserve freedom, and inspire an end to hatred, ignorance, and intolerance." In the five weeks since its dedication on September 11, 2011, the Memorial has welcomed over 250,000 visitors from across the country and around the world.

The 9/11 Memorial Museum's mission is two-fold: to commemorate and to educate. The Museum honors the victims of the attacks and tells the history of what happened on 9/11, including stories of those who risked their lives to save others. It also recounts the aftermath of the attacks, providing an authoritative source of this essential part of our nation's history. The Museum's exhibits, programming and research components will document the history of 9/11 far into the future, demonstrating the consequences of terrorism on individual lives and its impact on communities at the local, national, and international levels. Primary exhibition space for the Museum is located beneath the Memorial in the archaeological heart of the World Trade Center, and includes access to nationally recognized historic assets of the site, including the slurry wall that held back the Hudson River during the attacks, the sawed off box columns that outline the footprints of the Twin Towers, and the Survivor Staircase that was used by many as a route to safety on 9/11. The Museum is expected to open in 2012.

HISTORY OF THE PROJECT

The National September 11 Memorial & Museum was established in 2003 as a private 501(c)(3) tax exempt organization, and began full-fledged operations in 2005. The organization is a true public-private partnership with an esteemed board of directors that includes 11 victims' family members, as well as leaders from both the public and private sector. While located in New York, the Memorial represents those lost at all three attack sites, recognizing these attacks as assaults on our entire nation and—with citizens lost from more than 90 nations—the world.

The project has involved public and private participation at all levels from the start. The plan for rebuilding was itself shaped by the public; thousands participated in open forums and meetings beginning in early 2002 and the open design competition for the Memorial was the largest in the world's history.

Funding for the Memorial and Museum includes a mix of public and private contributions, including approximately 800,000 private donations, funding from New York State and the Port Authority of New York and New Jersey, and federal support through the Department of Housing and Urban Development in conjunction with the Lower Manhattan Development Corporation (LMDC).

In 2006, the 9/11 Memorial assumed responsibility from the LMDC for overseeing the design and working with the project's construction manager, the Port Authority of New York and New Jersey: a bi-state agency established through an act of Congress in 1922. That same year, New York Mayor Michael R. Bloomberg became

chairman and Joe Daniels became president of the 9/11 Memorial. A full list of the Board of Directors is included as an appendix.*

To date, the 9/11 Memorial has raised over $400 million privately, made up of approximately 800,000 contributions from all 50 states and more than 100 countries. That amounts to nearly 60% of the total funds needed for planning, design, construction, exhibitions, and operations through 2012.

Thousands participated in building this tribute and hundreds more are dedicated to operating the Memorial and welcoming visitors each single day. Each one sees this as more than job: from the construction workers who literally built the Memorial pools and plaza stone by stone, to the Memorial & Museum's Board of Directors and staff who have worked with this project's many stakeholders—the families and friends of those killed, the survivors, first responders, recovery workers, and many others—each step of the way.

Every aspect of planning and operations has been in service of allowing all visitors to the Memorial & Museum—be they family members, residents, Americans from all 50 states, or international tourists—to pay their respects at a place where tragic loss was suffered and where heroic sacrifices were made.

THE MEMORIAL DESIGN

The 9/11 Memorial is located at the site of the former World Trade Center complex and occupies approximately half of the 16-acre site. The 9/11 Memorial features two enormous waterfalls and reflecting pools, each about an acre in size, set within the footprints of the original Twin Towers. The surrounding plaza is one of the most eco-friendly plazas ever constructed. A forest of more than 400 trees surrounds the two massive reflecting pools. Its design conveys a spirit of hope and renewal, and creates a contemplative space separate from the usual sights and sounds of a bustling metropolis.

An international competition was held in 2003 to select the design for the memorial. Over 5,200 design submissions were received from 63 nations.

The winning design, by Michael Arad with landscape architect Peter Walker, was chosen by an eminent panel comprised of artists, architects, community leaders, and a victim's family member. The jury panel included:

Members of the Memorial Design Selection Jury

Paula Grant Berry, 9/11 Memorial Board Member whose husband died in the 9/11 attacks
Susan K. Freedman, President of the Public Art Fund
Vartan Gregorian, President of the Carnegie Corporation of New York
Patricia Harris, First Deputy Mayor of New York City
Maya Lin, world-renowned architect of the Vietnam Veterans Memorial in Washington, D.C.
Michael McKeon, former communications director for Gov. George Pataki of New York
Julie Menin, Chairperson of Community Board 1 in lower Manhattan
Enrique Norten, Mexican architect & principal of the design firm TEN Arquitectos
Martin Puryear, acclaimed American sculptor
Nancy Rosen, public art pioneer
Lowery Stokes Sims, Curator of Museum of Arts and Design
Michael Van Valkenburgh, New York City landscape artist
James E. Young, professor at the University of Massachusetts

The following excerpt is from the winning design statement of 9/11 Memorial architects Michael Arad and Peter Walker:

> This memorial proposes a space that resonates with the feelings of loss and absence that were generated by the destruction of the World Trade Center and the taking of thousands of lives on September 11, 2001 and February 26, 1993. It is located in a field of trees that is interrupted by two large voids containing recessed pools. The pools are set within the footprints of the Twin Towers. A cascade of water that describes the perimeter of each square feeds the pools with a continuous stream. They are large voids, open and visible reminders of the absence.
>
> The surface of the memorial plaza is punctuated by the linear rhythms of rows of deciduous trees, forming informal clusters, clearings and groves. This surface consists of a composition of stone pavers, plantings and low

* List has been retained in subcommittee files.

ground cover. Through its annual cycle of rebirth, the living park extends and deepens the experience of the memorial.

Surrounding the pools on bronze parapets are the names. The enormity of this space and the multitude of names underscore the vast scope of the destruction. Standing there at the water's edge, looking at a pool of water that is flowing away into an abyss, a visitor to the site can sense that what is beyond this parapet edge is inaccessible.

The memorial plaza is designed to be a mediating space; it belongs both to the city and to the memorial. Located at street level to allow for its integration into the fabric of the city, the plaza encourages the use of this space by New Yorkers on a daily basis. The memorial grounds will not be isolated from the rest of the city; they will be a living part of it.

The following excerpt is from the Memorial Jury's January 2004 statement on selecting the design:

Of all the designs submitted, we have found that "Reflecting Absence" by Michael Arad, in concert with landscape architect Peter Walker, fulfills most eloquently the daunting but absolutely necessary demands of this memorial. In its powerful, yet simple articulation of the footprints of the Twin Towers, "Reflecting Absence" has made the voids left by the destruction the primary symbols of our loss. By allowing absence to speak for itself, the designers have made the power of these empty footprints the memorial. At its core, this memorial is anchored deeply in the actual events it commemorates-connecting us to the towers' destruction, and more important, to all the lives lost on that day....

While the footprints remain empty, however, the surrounding plaza's design has evolved to include beautiful groves of trees, traditional affirmations of life and rebirth. These trees, like memory itself, demand the care and nurturing of those who visit and tend them. They remember life with living forms, and serve as living representations of the destruction and renewal of life in their own annual cycles. The result is a memorial that expresses both the incalculable loss of life and its consoling regeneration.

THE 9/11 MEMORIAL DESIGN

The names of the nearly 3,000 men, women, and children killed in the attacks of September 11, 2001 and February 26, 1993 are inscribed into bronze panels edging the twin Memorial pools, a powerful reminder of the largest loss of life resulting from a foreign attack on American soil and the greatest single loss of rescue personnel in American history.

The display of these names is the very heart of the Memorial. The design of the names parapet provides a direct relationship between the visitor, the names, and the water, allowing for a feeling of quiet reverence between the visitor and the Memorial.

Names are stencil-cut into the parapets, allowing visitors to look through the names at the water, and to create paper impressions or rubbings of individual names. At night, light shines up through the voids created by each letter of a name.

Swamp white oak trees create a rustling canopy of leaves over the plaza. This grove of trees bring green rebirth in the spring, provide cooling shade in the summer and show seasonal color in fall. A small clearing in the grove, known as the Memorial Glade, designates a space for gatherings and special ceremonies.

With its grove of trees, the Memorial's plaza is an actual green roof for the structure housing the 9/11 Memorial Museum, a train station and other facilities 70 feet below street level. Landscape architecture firm Peter Walker and Partners designed the plaza and a "suspended paving system" to support the swamp white oak trees growing on the plaza.

Arborists selected and harvested trees from within a 500-mile radius of the World Trade Center site, with additional trees coming from locations in Pennsylvania and near Washington, D.C. (Maryland), areas impacted on September 11, 2001.

Swamp white oaks were picked because of their durability and leaf color. In fall, the leaf color ranges from amber to a golden brown—and sometimes pink. The trees can grow to reach heights as tall as 60 feet in conditions similar to those on the plaza. The trees will never be identical, growing at different heights and changing leaves at different times, a physical reminder that they are living individuals.

SUSTAINABLE DESIGN

The Memorial plaza has been created as one of the most sustainable, green plazas ever constructed. Its irrigation, storm water and pest management systems will conserve energy, water and other resources.

Rainwater will be collected in storage tanks below the plaza surface. A majority of the daily and monthly irrigation requirements will be met by the harvested water.

The project is on target to achieve Gold certification in the U.S. Green Building Council's LEED for New Construction program. LEED is a third party certification program for green building, design and construction. The plaza is also built to meet requirements of New York State Executive Order 11 and the WTC Sustainable Design Guidelines, which both promote environment-friendly practices.

This urban forest will flourish near adjacent green spaces, including Battery Park City, City Hall Park, Liberty Plaza, the churchyards at Liberty Church and St. Paul's Chapel as well as the planned Liberty Park just south of the Memorial.

THE 9/11 MEMORIAL MUSEUM DESIGN

Visitors to the Memorial Museum will be presented with a sequence of experiences that allow for individual and personal encounters within an overall context of a historical narrative. The nature of the Museum is such that the shell of the space, comprising existing foundations, the slurry wall and other in-situ elements of the site is as much an artifact as the content of the exhibitions.

Visitors to the Museum will enter through a pavilion that houses an auditorium for public programming, a multi-purpose area for contemplation and refreshment and a private suite reserved for victims' family members. Two of the original steel tridents from the Twin Towers are enclosed within the pavilion's grand glass atrium, standing as references to the past, while signaling hope for the future.

The Museum's entry pavilion was designed by the Norwegian architecture firm Snohetta. The Museum space below the Memorial is designed by the architecture firm Aedas. An introductory exhibit leads to a gently ramped "ribbon," toward the core exhibitions at bedrock, the archeological heart of the World Trade Center site. This descent echoes the ramp that once was used by construction workers to help build the World Trade Center and the one used in the aftermath of the attacks for the recovery and clean-up of the site and by victims' family members to access bedrock on anniversaries of 9/11. From the ramp, vistas will provide a sense of the vastness of the site and the scale of the original Towers.

Visitors will be able to stand between the footprints of the original Twin Towers and experience their scale, which will be referenced by two metal-clad, ethereal volumes. The ramp that brings visitors to the core Museum exhibitions has already been framed in steel and concrete.

The final descent to the base of the site takes visitors alongside the Vesey Street Stair remnant—also known as the "Survivor Stairs," used by hundreds to escape the destruction of the Towers on 9/11.

Here the visitor arrives at bedrock level of the Museum which contains the foundations of the original World Trade Center. To the greatest extent possible the original column bases and concrete footings that supported the Twin Towers are exposed in the floor slab of the Museum, and they define a clear outline of the towers. Also on this level are the permanent and temporary exhibit galleries which tell the story of the events of 9/11 through artifacts, narratives, oral histories and multi-media displays.

A powerful experience within the Museum is Foundation Hall an enormous space created by large sheer walls and long span trusses. This area references both the absence of the buildings and the enormity of the site. A preserved portion of the original World Trade Center slurry wall, which withstood the collapse of the towers and prevented the site from being flooded by the Hudson River, is displayed in here.

At the center of Foundation Hall is the "Last Column"—which was returned to the site in late August 2009 for permanent installation. The massive "Last Column" was covered in tributes from members of the construction trades, rescue personnel, and family members before the column was removed from the site, marking the end of the nine-month recovery efforts in May 2002.

Visitors seeking a deeper encounter with the history, context, and documentation of September 11 may take advantage of activities in the classrooms or the auditorium.

The Museum will be home to an ever-enlarging permanent collection of objects, memorabilia, documents, images, oral histories, film, and digitally-conceived artifacts. The collection will serve the needs of researchers, educators, curators, and members of the general public interested in the historical record of September 11,

2001. In addition, a searchable, digital Artists Registry provides web visitors with a virtual gallery of art created in response to the attacks of September 11, and includes contributions made by a diverse artistic community using varied media—visual, tactile, and auditory.

THE MUSEUM EDUCATION CENTER

The Museum's Education Center will be comprised of four fully-wired classrooms, an orientation lobby and a screening room, all located adjacent to the core exhibitions in the archaeological heart of the World Trade Center site. In addition, educational programming is planned for the Museum's elegant auditorium, located on the 2". floor of the Museum Pavilion building. The auditorium will be the locus of a wide variety of program offerings during public hours and also for special evening events. Among the planned array of programs are historical lectures, film screenings, and "first person" interview programs with first responders and survivors of the 9/11 attacks.

The Education Center will be used variously for reception of visiting school groups, pre-visit orientation and post-visit debriefings, teacher training, seminars, and other activities making use of access to all museum data bases, archives and digital museum exhibitions.

Committed to ensuring quality teaching of 9/11 in secondary and undergraduate classrooms, the Education Center will be the focal point for a vast array of educational programming, helping teachers to understand how they can best teach the history of 9/11 in the classroom, and a resource for the more than 600 September 11 memorials established throughout the United States, providing information and context on the attacks and their impact to communities across the nation.

FINANCING THE MEMORIAL AND MUSEUM

To date, over $700 million has been raised to support the building of the Memorial and Museum, including $250 million from the U.S. Department of Housing and Urban Development through the Lower Manhattan Development Corporation and $80 million from the State of New York. The organization has raised over $400 million from approximately 800,000 contributions from all 50 states and 100 foreign countries. These funds have primarily been used for construction—bricks and mortar, as well as design and planning for the Museum, with remaining funds used for initial operations and maintenance.

Future funds, including those raised through private donations, and revenue from Museum entrance fees or suggested donations and retail sales, provided by state and local governments, and those received through a Federal authorization and appropriations, will provide operating, maintenance and educational programming expenses. With full operations including site maintenance, administrators and security for a site twice attacked by terrorists, staffing the Memorial and Museum in its permanent state is projected to require several hundred full-time employees; jobs that will include security officers, visitor center personnel, admission attendants, visitor service workers, retail attendants, custodial and maintenance personnel, historians, museum educators, exhibit coordinators, developers, researchers, and administrative functions such as fundraising, communications, accounting, human resources and information technology.

In 2013, the first full year of Museum operations, total operating costs for the Memorial and Museum is budgeted at $50 to 60 million, 20-30% of which are security-related costs. Of this, the 9/11 Memorial anticipates raising 2/3 of all income through donations and sales from visitors, private donors, state and local resources and is seeking authorization of Federal appropriations of $20 million annually providing in excess of a 100% non-Federal match.

THE FEDERAL ROLE IN SUPPORTING THE MEMORIAL AND MUSEUM

Throughout our nation's history, Congress has stepped forward to authorize operating funds—in public/private partnership with non-governmental organizations—for memorials and museums of national significance. Similar to congressional authorizations of the United States Holocaust Memorial Museum, Pentagon Memorial and the Kennedy Center, a Federal authorization of funds for the National September 11 Memorial and Museum will help advance core national priorities at a site of international importance.

With one million Memorial visitor passes from every state and more than 85 foreign countries already reserved and an anticipated five million visitors each year, it is projected that the Memorial and Museum will be one of the country's most visited venues, reflecting the profound impact the attacks had on our nation and the

world. Yet the enormity of this project compares favorably to the budgets and cost-sharing arrangements of other sites of national significance.

- The non-profit Board of Directors of the United States Holocaust Memorial Museum operates with annual expenses of approximately $90 million. Current funding provides a 56% Federal to 44% non-Federal matching arrangement with annual Federal appropriations around $50 million.
- The John F. Kennedy for the Performing Arts, a living memorial to our 35th president, was constructed with a combination of private contributions ($34.5 million), Federal matching funds ($23.0 million), and $20.4 million in long-term revenue bonds held by the U. S. Department of Treasury. Its Board of Directors receives annual federal operating appropriations in excess of $22 million.
- In addition to federal appropriations to support its construction, the Pentagon Memorial Fund, a 501(c)(3) non-profit organization, has received Defense Department grants to maintain the memorial's operations. The Pentagon Memorial further benefits from the ongoing services of the Defense Washington Headquarters Services for site maintenance and visitor support, and the Pentagon Force Protection Agency for security.

The National September 11 Memorial and Museum has raised nearly $500 million from nonfederal sources to take its place among these national shrines, and is committed to raising at least 2/3 of its needs from non-federal sources into the future. The authorization provided by S. 1537 will support our operations by supplementing private funding to provide security and screening at the World Trade Center site—a venue twice attacked by terrorists—and ensure the history of 9/11 and its implications for our nation and the future continue to be told.

We urge your support for this legislation.

9/11 MEMORIAL,
New York, NY, October 19, 2011.

Hon. MARK UDALL,
Chairman, Energy and Natural Resources, Subcommittee on National Parks, U.S. Senate, Washington, DC.

DEAR SENATOR UDALL: As family members of the victims of the September 11, 2001 attacks and members of the Board of Directors of the National September 11 Memorial & Museum, it is an honor to lend our voices in support of the National September 11 Memorial & Museum Act of 2011 (S.1537), the proposed legislation that would provide federal funding to this vital organization.

Thousands of people across the country and around the world lost loved ones during the terrorist attacks on September 11, 2001 and February 23, 1993. The 2,983 people who perished were beloved husbands and wives, sons and daughters, whose lives were tragically cut short in the midst of everyday activities. And for many of us, the 9/11 Memorial is the final resting place of our loved ones. It is also our nation's tribute to those taken too soon in the largest foreign attack ever perpetrated on American soil. It is absolutely necessary that we preserve this place of remembrance for generations to come.

In addition to providing solace to family members and friends of those killed, the 9/11 Memorial has already shown that it is a place where people from around the world are uniting to pay their respects and mourn the tremendous loss America suffered during these attacks. It is a tribute to people from every attack site—the World Trade Center, the Pentagon, and Flight 93—and it ensures that we will never forget those who perished, whose names are now forever inscribed in bronze around the twin reflecting pools.

Since its opening just a little over a month ago, the Memorial has welcomed over a quarter of a million visitors, and those numbers will only continue to increase over the next year and as the Memorial Museum opens in 2012. The legislation Senator Inouye has introduced is vital to ensuring the ongoing care of the Memorial and Museum through a true public-private partnership.

Approximately 800,000 private donations have already been made to the 9/11 Memorial and Museum, and through that incredible support we were able to open the 9/11 Memorial in time for the 10th anniversary of the attacks. In order to sustain daily operations and remain a world-class monument and institution for education and learning, federal funding is crucial. The proposed legislation would account for approximately one-third of the organization's operating budget, with our organization continuing to maintain responsibility for the remaining two-thirds of funding, ensuring that our loved ones are remembered and honored for generations to come. Since opening the 9/11 Memorial, our organization has received thousands of touch-

ing messages from our visitors, many of whom have come to visit the names of those they knew and loved. They speak of finding peace, of feeling deep gratitude for this beautiful national monument that will commemorate the 2,983 for all time. So many of these messages convey the heartfelt connection we all feel to this sacred space, conveying the comfort of knowing this tribute will be here for their grandchildren to find the names of those who came before them and learn about the heroes of our country.

It has been overwhelming to see the outpouring of public support for the National September 11 Memorial & Museum over the years. Now, it is crucial that the federal government take a stake in this site and the future of our national tribute. Thank you for your consideration.

Sincerely,

VIRGINIA BAUER,
Wife of David Bauer, North Tower.

DAVID BEAMER,
Father of Todd Beamer, United Flight 93.

DEBRA BURLINGAME,
Sister of Charles F. Burlingame, III, Flight 77.

PAULA GRANT BERRY,
Wife of David Berry, South Tower.

CHRISTY A. FERER,
Wife of Neil Levin, North Tower.

LEE A. IELPI,
Father of Jonathan Ielpi, New York City Fire Department.

MONICA IKEN,
Wife of Michael Iken, South Tower.

THOMAS JOHNSON,
Father of Scott Johnson, South Tower.

ANTHOULA KATSIMATIDES,
Sister of John Katsimatides, North Tower.

THOMAS ROGER,
Father of Jean Roger, Flight 11.

STATEMENT OF JOYCE & RUSSELL MERCER, MOTHER & STEPFATHER OF FF SCOTT KOPYTKO E4, L15, ON S. 1537

When this country is at a time in it's history when they can't afford to pay their bills, and a point in history when elected officials are talking about reducing S/S and Medicare for its senior constituents.

We are now learning that Congress and the Senate will be voting on a bill to give the 9/11 Memorial Museum 20 million dollars a year to start off with and raising it to a higher figure each year, to support it's existence. This is insane, where is the check and balance for the 9/11 Memorial Museum Foundation??? (Who will be watching the store?)

When the top four (4) executives make more than $320,000 a year in salaries each. This is a crime!!!

The President of the United States makes only $400,000 a year. Please check the figures of the staff that runs the day to day business, 5.3 million dollars for 87 personnel. If this was a private corporation somebody would be going to jail.

STATEMENT OF JOEL E. DUNN, EXECUTIVE DIRECTOR, CHESAPEAKE CONSERVANCY, ON S. 1303

Chairman Udall, Mr. Paul, and members,

Thank you for the opportunity to enter a statement today. I am Joel Dunn, executive director of the Chesapeake Conservancy, a non-profit group that supports the conservation of the Chesapeake region's ecological, cultural and historically significant landscapes and the development of the Capt. John Smith Chesapeake National Historic Trail.

The Chesapeake Conservancy wholeheartedly supports Senate Bill 1303—a bill to authorize the Secretary of the Interior to establish Fort Monroe National Historical Park in the Commonwealth of Virginia and for other purposes.

Four hundred and four years ago, Captain John Smith and the Jamestown settlers named the peninsula near the mouth of the Chesapeake Bay on which Fort

Monroe is located. They called it Point Comfort, for it offered them sheltered waters after their arduous journey to the New World.

Today the Fort and point continue to offer valuable benefits to the nation and the region around Hampton Roads.

Fort Monroe, and the 565-acre peninsula on which it sits, now known as Old Point Comfort, is steeped in history and rich in natural beauty.

The Jamestown settlers put their first outpost here. Called Fort Algernourne, it was constructed here in 1609 to watch for an expected attack from Spanish ships. Algernourne was the first of several forts to be built at the site. The last was Fort Monroe.

During the War of 1812, the British fleet had easy entry to the Chesapeake. Following the war, construction of Fort Monroe began to prevent a similar invasion. It is the largest stone fort ever built in the United States and was named in honor of President Monroe.

The first ship carrying African slaves disembarked its cargo at Point Comfort in 1619.

Two centuries later, early in the Civil War, Fort Monroe's commander, General Butler, received three men who had fled their enslavement and sought refuge at the fort. When asked by a lawyer representing their owner to return them, Butler enunciated a policy declaring them "contraband of war," an act that was arguably the beginning of the end of slavery.

Many celebrated figures of American history lived, worked or were imprisoned here. Harriet Tubman and Booker T. Washington worked here. Edgar Alan Poe and Robert E. Lee were stationed at the Fort as young soldiers. President Lincoln and General Ulysses S. Grant visited the Fort. Jefferson Davis and Chief Black Hawk were imprisoned here.

But just as important as its history, is the Fort's location. Old Point Comfort's beaches offer a rare natural refuge for the Hampton Roads region's residents. The peninsula is a significant stop for birds migrating across the Chesapeake Bay. Stands of live oaks, some of them old enough to have witnessed the Jamestown settlers' landing, grace the Fort's grounds and the peninsula. These historic and natural resources provide a wealth of opportunities to local residents and to the nation.

A bipartisan coalition of area citizens, Federal, state and local elected officials, and not-for-profit organizations, has enthusiastically supported making the Fort and the peninsula a National Park. It has called on the President to designate the property a National Monument under the Antiquities Act and has supported S. 1303.

By making the Fort and Old Point Comfort a National Park, Congress would secure the economic and employment engine that the Fort Monroe military installation provided to the Hampton area and the Commonwealth of Virginia through responsible reuse of the property. A park here would increase tourism and create a great urban park for the Hampton Roads area.

A Fort Monroe National Park would advance commitments made under Chesapeake Executive Order #13508 to expand public access to waters and open spaces of the Chesapeake Bay and its tributaries from Federal lands and to conserve the Chesapeake's iconic landscapes.

The Point is directly on The Capt. John Smith Chesapeake National Historic Trail. A National Park here would afford much-needed access to the trail.

We urge you to support S. 1303 and make Fort Monroe a National Park. By doing so, you would conserve a vital part of the Nation's and the Chesapeake's history.

Thank you for the opportunity to address you today and to put this statement into the hearing record.

STATEMENT OF HON. PAUL STRAUSS, U.S. SENATOR ELECTED BY THE VOTERS OF THE DISTRICT OF COLUMBIA, ON S. 544

Chairman Udall and Members of the Senate Energy and Natural Resources Subcommittee on National Parks, I am Paul Strauss, the U.S Senator elected by the voters of the District of Columbia. In this capacity, I appreciate the opportunity to provide this statement on behalf of my constituents in the District of Columbia. I wish to express my support for bill S. 544 authorizing 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.

In 1866, an act of Congress created six African-American units, identified as the 9th and 10th cavalry and the 38th, 39th, 40th, and 41st infantry regiments. The infantry units were later reorganized to form the 24th and 25th infantry regiments. According to the Buffalo Soldiers National Museum, the name Buffalo Soldiers dates back to 1867, when the Cheyenne warriors gave the 10th cavalry the nickname of

"Wild Buffalo." The name referred to their fierce fighting ability and became a generic term for all the African-American soldiers who bravely and courageously served America during times of war. The important role they played in our nation's history is currently commemorated by the Buffalo Soldiers National Museum, which received a certificate of congressional recognition from the United States in 2001.

The role of the African-American Buffalo Soldiers is not just restricted to the defense of the United States as they also made outstanding contributions towards the development of our first National Parks. Before civilian management, the United States Army was administrating Sequoia and Yosemite Parks. The participation of the Buffalo Soldiers from the 24th Infantry and the 9th Cavalry in protecting both Parks in 1899, 1903 and 1904 has been nearly forgotten and is little known by our people and our youth. Approximately 500 Buffalo Soldiers served in protecting these parks, with duties ranging from building roads, preventing illegal logging, evicting poachers and extinguishing forest fires. Despite the added burden of racism that plagued society, their contributions to our National Parks is reflective of African-American dedication to our country in a historical transition period. I feel it is vital to promote their legacy and accomplishments in the protection and development of our National Parks in the Post-Civil War era.

Even though the Buffalo soldiers wore the United States Army uniform, they were still part of racially segregated units. Colonel Charles Young was one of the only black men to serve as a Captain in the Cavalry commanding a segregated black company. In 1903, he received the order to take his troops to Sequoia National Park for the summer. As lead park rangers, Young and his troops performed outstanding work during this period. The roads they built are still in use today and have served millions of visitors. The strong imprint they left in our National Parks has to be widely recognized and carefully preserved. They are a deep reflection of black men who with courage, honor and distinction successfully spawned their way and overcame the prejudices of a racially segregated society. They remain an inspiration to anyone who faces life challenges and sets a strong example for millions of African-Americans. National memory is the duty of each citizen. Authorizing this study will connect our citizens with our national heritage and National Parks. I believe a future commemoration of the Buffalo Soldiers in the early years of the National Parks will promote greater understanding of our history, national unity and preservation of our natural resources.

While S. 554 is about commemorating past history, not redressing present wrongs, the Buffalo Soldiers in many ways bear striking similarities to the brave men and women from District of Columbia who put on a uniform and fight in this nation's armed forces today. Although they no longer fight in racially segregated units, these DC residents serve their nation at home and abroad while the jurisdiction that sends them is the subject of continued political segregation, based on DC's lack of Statehood. Bill S. 554 is an important and positive step in commemorating the history of African-Americans who fought for a country that denied them equal rights. The story of these brave troops should be commemorated as a reminder to us all that there are still American soldiers from predominately African-American jurisdictions like the District of Columbia and other territorial jurisdictions that fight for this nation, but lack voting members of Congress on the decision to send them off to war. In closing, I would like to thank Ms. Solene Jeanjean, a member of my legislative staff for her assistance in the preparation of this prepared statement for the record.

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