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Legislative History of the World War II Memorial and World War II Commemorative Legislation

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Legislative History of the World War II Memorial and World War II Commemorative Legislation

Summary

This report traces the legislative history of the World War II Memorial and related legislation, from 1985 until the present day. The legislative history of forty pieces of relevant legislation and the related public events occurring simultaneously with the legislative process are examined in this report.

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Legislative History of the World War II Memorial and World War II Commemorative Legislation

Background

This report provides a legislative history of the World War II Memorial (“Memorial”) and related legislation concerning the commemoration of World War II. Legislation which directly related to the Memorial was originally introduced in 1987 and other related proposals were introduced and enacted up through 2001. The site of the Memorial was dedicated on November 11, 1995. The groundbreaking ceremony was held on Veterans Day, November 11, 2000. On Memorial Day, May 28, 2001, President Bush signed Public Law No. 107-11¹ to expedite the construction of the Memorial.² Excavation work began at the Memorial site on the National Mall in late August 2001 and the project is reportedly progressing on schedule.³ Completion and dedication of the Memorial is planned for the spring of 2004.⁴

Forty bills were introduced in Congress during the period of 1985-2001 which were concerned with a World War II memorial or other related World War II commemorative activity.⁵ Key dates in the legislative history of the Memorial were: 1) 1987—the “first” legislation introduced for an all-encompassing World War II memorial in the District of Columbia by Representative Marcy Kaptur;⁶ 2) 1989—legislation introduced to produce and sell coins commemorating World War II; 3) 1992--legislation enacted to require the Secretary of the Treasury to mint World War II commemorative coins; 4) 1993- - legislation enacted to establish a Memorial in the District of Columbia or its environs, to honor members of the Armed Forces who served in World War II, and to commemorate the participation of the United

¹115 Stat. 19 (2001).

²See CRS InfoPack IP544W “World War II Memorial” for a compilation of news stories and other materials relating to the Memorial. Cited to hereinafter as “InfoPack.”

³Official Website of the National World War II Memorial at [<http://www.wwiimemorial.com>.] Cited to hereinafter as “Memorial website.”

⁴*Id.* There has been controversy over selection of a site and its design. That controversy is not addressed in this report, which focuses on legislative history and milestone events related to implementation of legislation.

⁵While this list may be considered to be comprehensive, certain bills which were peripherally related to World War II commemorative activities or other related functions were not included.

⁶Previously, legislation had been introduced and/or enacted to memorialize a particular fighting unit, battle, or branch of the armed services.

States in that War; 5) 2000--legislation enacted to provide certain authority to the American Battle Monuments Commission pursuant to the World War II Memorial; and 6) 2001--legislation enacted to expedite the construction of the Memorial.

Legislation Enacted into Law Relating to the Memorial and to World War II Commemoration

The following table summarizes those bills which were enacted into law which deal with the World War II Memorial and related World War II commemorative issues.

Public Law No.	Bill Number	Sponsor	Summary of Legislation
Pub. L. No. 102-502, 106 Stat. 3273 (1992)	H.J. Res. 271, 102d Cong., 2d Sess. (1992)	Representative Mineta	Authorized the "Go for Broke" National Veterans Association to establish a memorial to Japanese American Veterans in the District of Columbia or its environs.
Pub. L. No. 102-414, 106 Stat. 2106 (1992)	S. 3195, 102d Cong., 2d Sess. (1992)	Senator Glenn	Directed the Secretary of the Treasury to mint coins in commemoration of the 50 th anniversary of World War II, the Battle of Normandy, and "D-Day."
Pub. L. 103-32, 107 Stat. 90 (1993)	S. 214, 103d Cong., 1 st Sess. (1993)	Senator Thurmond	Authorized the construction of a memorial on Federal land in the District of Columbia or its environs to honor members of the Armed Forces who served in World War II and to commemorate the participation of the United States in that conflict.
Pub. L. 103-422, 108 Stat. 4356 (1994)	S.J. Res. 227, 103d Cong., 2d Sess. (1994)	Senator Ford	Approved the location of a Thomas Paine Memorial and H.Amdt. 925 provided congressional approval for the location in Washington D.C. of the World War II Memorial.
See Above	H.Amdt. 925 to S.J. Res. 227, 103d Cong., 2d Sess. (1994)	Representative Vento	Provided congressional approval for the location in Washington, D.C. of a memorial to Thomas Paine, and also the World War II Memorial.

Public Law No.	Bill Number	Sponsor	Summary of Legislation
Pub. L. 106-117, 113 Stat. 1545 (1999)	H.R. 2116, 106 th Cong., 1 st Sess. (1994)	Representative Stearns	Provided enhancements to programs to provide health care, education, memorial, and other benefits to veterans. Title IV dealt with memorial matters and authority was provided for certain activities concerning the World War II Memorial
Pub. L. 107-11, 115 Stat. 19 (2001)	H.R. 1696, 107 th Cong., 1 st Sess. (2001)	Representative Stump	The legislation was intended to expedite the construction of the World War II Memorial in the District of Columbia

Legislative History

The following is a chronological history of the legislation pertaining to authorization for the construction of the Memorial and other related World War II commemorative activity. It includes bills introduced but not enacted, along with those enacted. The latter, which are listed above, are indicate here with a triple asterisk (***)). Bills are discussed in the order in which they were introduced. Contemporaneous public events relating to the legislative activity are briefly summarized.

99th Congress—1985-1886

In the 99th Congress, legislation was introduced to honor three specific portions of the World War II combat forces. These bills all dealt with specific combat units: Third Infantry, combat glider pilots, and the forces involved in “Operation Tiger.” There was no legislation introduced which specifically proposed a unified World War II memorial.

H.R. 2440⁷ was introduced by Representative Ray on May 8, 1985 and was to authorize the Society of the Third Infantry Division to erect a memorial on public grounds in the District of Columbia or its environs in honor of the men of the “Rock of the Marne” of the Third Infantry Division who served in both World Wars, Korea, and on peace keeping missions. The bill was referred to the House Committee on House Administration and hearings were held by the Task Force on Libraries and Memorials on September 29, 1986. No further legislative activity occurred.

S. 1107⁸ was introduced by Senator Nunn on May, 8, 1985 and was the companion bill to H.R. 2440. The bill was to authorize the Society of the Third Infantry Division to erect a memorial in the District of Columbia or its environs. The

⁷99th Cong., 1st Sess. (1985).

⁸99th Cong., 1st Sess. (1985)

bill was referred to the Senate Committee on Energy and Natural Resources (“Committee”) and referred to the Subcommittee on Public Lands and Reserved Water (“Subcommittee”). The Subcommittee held hearings.⁹ The Committee requested executive comment from the Department of the Interior (“Department”). The Committee received unfavorable executive comments from the Department on November 5, 1985, which was the last action on this bill.

S.J. Res. 200¹⁰ was introduced by Senator Thurmond on September 16, 1985 and was to provide for the erection of an appropriate statue or other memorial in or near the Arlington National Cemetery to honor individuals who were combat glider pilots during World War II. The resolution was referred to the Senate Committee on Veterans on September 16, 1985 and did not emerge from the Committee.

H.R. 5534¹¹ was introduced by Representative Byron on September 16, 1986 and was to authorize the Secretary of Defense to prepare a plaque honoring American servicemen who lost their lives during “Operation Tiger” in April 1944. The bill was referred to the House Committee on Armed Services. Executive comment was requested from the Department of Defense. On September 22, 1986, the bill was referred to the Subcommittee on Military Personnel and Compensation which was the last activity on this bill.

100th Congress—1987-1988

Legislation was introduced in the 100th Congress which commemorated certain specified fighting units of the World War II era. For the first time, legislation was introduced to provide for a unified memorial which would honor all members of the armed forces who served in World War II and commemorate the participation of the United States in the War. None of this legislation was enacted into law in the 100th Congress.

H.R. 314¹² was introduced by Representative Byron on January 1, 1987 and was to authorize the Secretary of Defense to prepare a plaque honoring American servicemen who lost their lives during “Operation Tiger” in April 1944. The bill was referred to the House Committee on Armed Services and executive comment was requested from the Department of Defense. The last action taken on the bill was its referral to the House Subcommittee on Military Personnel on February 10, 1987.

H.J. RES. 243¹³ was a joint resolution to authorize the Philippine Scouts and the United States Veterans’ Association of American to establish a memorial on federal lands in the District of Columbia or its environs to honor the Philippine Scouts and to honor Filipino veterans who served in the United States Army during World War

⁹S. Hrg. 99-424, 99th Cong. 1st Sess. (1985)

¹⁰99th Cong., 1st Sess. (1985).

¹¹99th Cong., 2d Sess. (1986).

¹²100th Cong., 1st Sess. (1987).

¹³100th Cong., 1st Sess. (1987).

II. The resolution was referred to the Committee on House Administration and referred to the Subcommittee on Libraries and Memorials. Subcommittee hearings were held on March 10, 1988. This was the last action on the resolution.

H.R. 3742¹⁴ was introduced by Representative Kaptur on December 10, 1987.¹⁵ As originally introduced, the bill was to amend title 38 of the United States Code to authorize the erection of a memorial and museum on federal land in the District of Columbia or its environs to honor members of the Armed Forces who served in World War II and to commemorate the participation of the United States in that conflict. Following various changes to the bill, the revised bill directed the American Battle Monuments Commission to establish, in the District of Columbia area, a memorial and museum to honor World War II veterans and to commemorate the participation of the United States in that conflict.

This is generally considered the first bill to deal with the creation of the Memorial as it is currently conceived. There was extensive committee activity occurred on the bill. On December 10, 1987, the bill was referred to the House Committee on House Administration and on December 15, 1987 was referred to the Subcommittee on Libraries and Memorials. Also on December 10, 1987, the bill was referred to the House Committee on Veterans' Affairs. On April 21, 1988, it was referred to the House Subcommittee on Housing and Memorial Affairs and Subcommittee hearings were held.¹⁶ On June 21, 1988, there was Subcommittee consideration and a mark-up session was held and the amended bill was forwarded by the Subcommittee to the Full Committee.¹⁷ On June 17, 1988, executive comment was requested from the Commission of Fine Arts of the National Capitol Planning Commission. This executive comment was received from the Commission of Fine Arts on June 23, 1988. On June 28, 1988, a Committee mark-up session was held.¹⁸ The bill was ordered to be reported as amended on June 28, 1988. On June 30, 1988, executive comment was received from the National Capital Planning Commission.

¹⁴100th Cong., 1st Sess. (1987)

¹⁵Representative Kaptur has explained her inspiration for sponsoring legislation for the authorization of a World War II Memorial on various occasions. "The concept of a World War II Memorial in Washington springs from a dogged Army veteran, my constituent, Roger Durbin of Berkey, Ohio, who fought with the 101st Armored Division in the Battle of the Bulge. It was Roger's question to me about why there was no memorial to World II in Washington that inspired the historic project that is before us today." (Unpublished testimony of Representative Kaptur before the Commission of Fine Arts on the Approval of the Architectural Design and Landscaping of the National World War II Memorial, July 20, 2000).

¹⁶*H.R. 3742—A Bill to Authorize Erection of a World War II Veterans' Memorial and Museum: Hearing before the Subcomm. on Housing and Memorial Affairs of the House Comm. on Veterans' Affairs*, 100d Cong. (1988).

¹⁷H.Rept. No. 100-755, pt. 1, at 4 (1988).

¹⁸*Id.*

The amended bill was reported to the House by the House Committee on Veterans' Affairs.¹⁹ No further legislative activity on this bill occurred in the 100th Congress.

S. 2734²⁰ was introduced by Senator Thurmond on August 11, 1988. This legislation paralleled the revised version of H.R. 3742. The bill called for the construction of a memorial on Federal land in the District of Columbia or its environs to honor members of the Armed Forces who served in World War II and to commemorate the participation of the United States in that conflict.

The bill was read twice and referred to the Senate Committee on Energy and Natural Resources on August 11, 1988 and was referred to the Subcommittee on Public Lands, National Parks on August 12, 1988. No further action was taken on the bill in the 100th Congress.

101st Congress—1989-1990

The 101st Congress focused on legislation to authorize a unified World War II memorial in the District of Columbia. Representative Kaptur and Senator Thurmond continued their legislative efforts toward the enactment of such legislation.

H.R. 537²¹ was introduced by Representative Kaptur on January 19, 1989 and continued the legislative efforts from the prior Congress. The bill was to provide for the establishment of a memorial and museum on Federal land within the District of Columbia to honor members of the Armed Forces who served in World War II and to commemorate the participation of the United States in that conflict.

The bill was referred to the House Committee on House Administration on January 19, 1989 and was referred to the Subcommittee on Libraries and Memorials. Also on January 19, 1989, the bill was referred to the House Committee on Veterans' Affairs. On June 15, 1989 it was referred to the Subcommittee on Housing and Memorial Affairs. Subcommittee hearings were held on June 15, 1989 which was the last activity of this bill in the 101st Congress.²²

S. 160²³ was introduced by Senator Thurmond on January 1, 1989 and was parallel legislation to H.R. 437. S. 160 was to require the construction of a memorial on Federal land in the District of Columbia or its environs to honor members of the Armed Forces who served in World War II and to commemorate the participation of the United States in that conflict.

¹⁹H. Rept. No. 100-755, pt. 1 (1988).

²⁰100th Cong., 2d Sess. (1988).

²¹101st Cong., 1st Sess. (1989).

²²*H.R. 88 and H.R. 537—Hearing Before the Subcommittee on Housing and Memorial Affairs of the House Committee on Veterans' Affairs*, 101st Sess. (1989). Note: H.R. 88 dealt with burial sites for cremated remains at Arlington National Cemetery and was not related to World War II commemoration.

²³101st Cong., 1st Sess. (1989).

The bill was referred to the Senate Committee on Energy and Natural Resources on January 25, 1989, and was referred to the Subcommittee on Public Lands, National Parks on January 26, 1989. No further action occurred on this legislation.

H.R. 2807²⁴ was introduced by Representative Kaptur on June 29, 1989, and reflected provisions in prior legislation. This bill was to provide a memorial on Federal land within the District of Columbia to honor members of the Armed Forces who served in World War II, and to express the sense of Congress concerning the participation of the United States in that conflict.

On June 29, 1989, the bill was referred to the House Committee on House Administration. It was referred to the Subcommittee on Libraries and Memorials on July 10, 1989, and discharged by the subcommittee on September 19, 1990. The House Committee on House Administration had a mark-up session on September 19, 1990, and ordered the bill to be reported as amended.

Also on June 29, 1989, the bill was referred to the House Committee on Veterans' Affairs. On September 12, 1989, it was referred to the Subcommittee on Housing and Memorial Affairs. The Subcommittee held a mark-up session, and forwarded the bill to the full Committee. On September 20, there was a mark-up session held and the bill was ordered to be reported. On September 26, 1989, the bill was reported to the House.²⁵ No further action occurred on this bill in the 101st Congress.

H.R. 4365²⁶ was introduced by Representative Kaptur on March 22, 1990. The bill was to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the United States' involvement in World War II.

On March 22, 1990, the bill was referred to the House Committee on Banking, Finance, and Urban Affairs. On April 16, 1990, it was referred to the Subcommittee on Consumer Affairs and Coinage. Hearings were held by the Subcommittee on Consumer Affairs and Coinage on April 4, 1990 (prior to the actual referral to the Subcommittee on April 16, 1990).²⁷ No further action occurred on this legislation in the 101st Congress.

S.J. Res. 298²⁸ was introduced by Senator Thurmond on April 24, 1990. This joint resolution was to provide for the erection of a memorial in Arlington National Cemetery to honor American combat glider pilots of World War II. On April 24, 1990, the resolution was referred to the Senate Committee on Veterans' Affairs and

²⁴ 101st Cong., 1st Sess. (1989).

²⁵H. Rept. No. 101-257, pt 1 (1989).

²⁶101st Cong., 2d Sess. (1990).

²⁷*World War II 50th Anniversary Commemorative Coin Act and the Laurance Spelman Rockefeller Congressional Gold Medal Act: Hearing before the Subcomm. on Consumer Affairs and Coinage of the House Comm. on Banking, Finance and Urban Affairs*, 101st Cong. (1990).

²⁸101st Cong., 2d Sess. (1990).

on April 27, 1990, the Committee requested executive comment from the Department of Defense. No further action occurred.

102^d Congress—1991-1992

This Congress saw the continuation of efforts to enact legislation to authorize a unified World War II memorial. Legislation was enacted to provide for the minting of coins commemorating the anniversary of United States' involvement in World War II and the passage of a joint resolution which authorized the "Go for Broke" National Veterans Association to establish a memorial to Japanese American Veterans in the District of Columbia or its environs.

H.R. 1623²⁹ was introduced by Representative Kaptur on March 22, 1991. This was a bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the United States' involvement in World War II.

Substantial legislative activity occurred on this proposal. The bill was referred to the House Committee on Banking, Finance and Urban Affairs on March 22, 1991. On April 1, 1991, it was referred to the Subcommittee on Consumer Affairs and Coinage. The Subcommittee held hearings on July 17, 1991³⁰ and a mark-up session on June 9, 1992. On June 18, 1992, the bill was discharged by the Subcommittee, marked up by the full Committee, and ordered to be reported as amended. On June 30, 1992, the bill was called up by the House under suspension of the rules. An amended version of the bill passed the House by voice vote on June 30, 1992. The bill was received in the Senate on July 2, 1992 and was read twice and referred to the Committee on Banking.

Although this legislation was not enacted, companion legislation, S. 3195,³¹ was enacted on September 29, 1992.³²

H.R. 1624³³ was introduced by Representative Kaptur on March 22, 1991. This bill mirrored earlier legislative attempts to provide for the establishment of a memorial on Federal land within the District of Columbia to honor members of the Armed Forces who served in World War II, and to express the sense of Congress concerning the United States' participation in that conflict.

On March 22, 1991, the bill was referred to the House Committee on House Administration and subsequently to its Subcommittee on Libraries and Memorials on April 9, 1991. Also on March 22, 1991, the bill was referred to the House Committee on Veterans' Affairs. On July 11, 1991 the bill was referred to the Subcommittee on

²⁹102d Cong., 1st Sess. (1991).

³⁰*Commemorative Coin Hearing: Hearing before the Subcomm. on Consumer Affairs and Coinage of the H. Comm. on Banking, Finance and Urban Affairs*, 102d Cong. (1991).

³¹102d Cong., 2d Sess. (1992).

³²Pub. L. 102-414, 106 Stat. 2106 (1992). See discussion below.

³³102d Cong., 1st Sess. (1991)

Housing and Memorial Affairs where hearings were held that day. On July 18, 1991 the Subcommittee on Housing and Memorial Affairs held a mark-up session and the bill, as amended, was forwarded to the Committee on Veterans' Affairs. On July 23, 1991 the Committee on Veterans' Affairs held a mark-up session and the amended bill was reported to the House by the House Committee on Veterans' Affairs.³⁴ On June 22, 1992, the bill was considered by the House and was passed that day by voice vote.

On July 23, 1992, the bill was received in the Senate and referred to the Committee on Rules. On October 7, 1992, the Senate Committee on Rules discharged the bill by unanimous consent and the bill was laid before the Senate by unanimous consent. The Senate struck the bill language after the Enacting Clause and substituted the language of S. 2244, as amended (discussed below). The measure passed the Senate in lieu of S. 2244 with an amendment by voice vote on October 7, 1992. On October 8, 1992, a message on the Senate's action was sent to the House. No further action on this bill occurred.

*****H.J. Res. 271**³⁵ was introduced by Representative Mineta on June 12, 1991. The joint resolution authorized the "Go for Broke" National Veterans Association to establish a memorial to Japanese American Veterans in the District of Columbia or its environs.

On June 12, 1991, the legislation was referred to the House Committee on House Administration and to its Subcommittee on Libraries and Memorials. It was discharged by the Subcommittee on June 23, 1992, and the full Committee held a mark-up session and ordered the bill to be reported by voice vote on the same day. On June 25, 1992, the previous action of June 23 (ordering the bill to be reported) was vacated in Committee. The Committee marked up an amended version of the bill and on July 28, 1992, the resolution was called up by the House under the suspension of rules and was agreed to in the House by voice vote.

On July 29, 1992, the resolution was received in the Senate and referred to the Committee on Energy and Natural Resources. The Committee ordered the resolution to be reported favorably, without amendment on September 22, 1992. On September 24, the resolution was reported to the Senate by Senator Johnston for the Committee on Energy and Natural Resources without an amendment.³⁶ The bill was placed on the Senate Legislative Calendar under General Orders.³⁷ On October 7, 1992, the resolution passed the Senate without amendment by voice vote. The resolution was presented to the President on October 19, 1992, and signed on October 24, 1992.³⁸

³⁴H. Rept. No. 102-179, pt.1 (1991).

³⁵102d Cong., 1st Sess. (1991).

³⁶There was no written report.

³⁷Calendar No. 737, 102d Cong (1992).

³⁸Pub. L. 102-502, 106 Stat. 3273 (1992).

S. 2244³⁹ was introduced by Senator Thurmond on February 20, 1992. This bill paralleled the previously discussed bill, H.R. 1624 to require the construction of a memorial on Federal land in the District of Columbia or its environs to honor members of the Armed Forces who served in World War II. The bill was referred to the Committee on Energy and Natural Resources on February 20, 1992, and to its Subcommittee on Public Lands, National Parks on February 21, 1992. The Subcommittee held hearings on August 6, 1992. On July 23, 1992, the Committee on Energy and Natural Resources requested executive comment from the Department of the Interior and the Office of Management and Budget. On September 22, 1992, the Committee ordered the bill to be reported favorably with an amendment in the nature of a substitute. On September 24, 1992, the bill was reported to the Senate by Senator Johnston, the Committee Chairman, with an amendment in the nature of a substitute;⁴⁰ and was placed on the Senate Legislative Calendar under General Orders.⁴¹ On October 7, 1992, the measure was laid before the Senate by unanimous consent. The committee substitute was agreed to by voice vote and the Senate incorporated this measure into H.R. 1624 as an amendment. The Senate passed the companion measure H.R. 1624 by voice vote and further consideration of S. 2244 was postponed by the Senate by unanimous consent. On October 8, 1992, Senator Johnston, on behalf of the Committee on Energy and Natural Resources filed a written report.⁴²

H.R. 5437⁴³ was introduced by Representative Dickinson on June 18, 1992. The bill was to require the construction of a memorial on Federal land in the District of Columbia to honor members of the Armed Forces who served in World War II. The bill was referred to the House Committee on House Administration on June 18, 1992 and to its Subcommittee on Libraries and Memorials on June 23, 1992. There was no further legislative activity on this bill.

H.J. Res. 556⁴⁴ was introduced by Representative Panetta on September 30, 1992. The joint resolution was to authorize the Philippine Boy Scouts and the United States Veterans' Association of America to establish a memorial in the District of Columbia or its environs to honor Filipino veterans who served in the United States Army during World War II. The bill was referred to the House Committee on House Administration on September 30, 1992 and to its Subcommittee on Libraries and Memorials on October 2, 1992. No further action occurred on this measure.

*****S. 3195**⁴⁵ was introduced by Senator Glenn on August 12, 1992. It directed the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of World War II, the Battle of Normandy, and "D-Day."

³⁹102d Cong., 2d Sess. (1992).

⁴⁰There was no written report.

⁴¹Calendar No. 712, 102d Cong. (1992).

⁴²S, Rept. No. 192-476 (1992).

⁴³102d Cong., 2d Sess. (1992).

⁴⁴102d Cong., 2d Sess. (1992).

⁴⁵102d Cong., 2d Sess. (1992).

The bill was referred to the Committee on Banking of August 12, 1992. On September 19, 1992, the bill was discharged by the Senate Committee on Banking by unanimous consent and was passed by the Senate without an amendment by voice vote. On September 22, 1992, the message on Senate action was sent to the House.

On September 29, 1992, the bill was called up by the House under suspension of the rules and passed the House by voice vote and cleared for the White House. The bill was presented to the President on October 6, 1992 and signed into law.⁴⁶

103^d Congress—1993-1994

Various legislation relating to a World War II memorial was considered in the 103^d Congress. Legislation was enacted which authorized the World War II Memorial and was signed into law by President Clinton on May 25, 1993. Legislation was also enacted concerning the location of the Memorial in Washington, D.C.

On September 30, 1994, President Clinton appointed a 12 member Memorial Advisory Board (“MAB”), as authorized by Public Law 103-32, to advise the American Battle Monuments Commission (“ABMC”) on the site selection and design, and to promote donations to support the Memorial construction.⁴⁷

***S. 214⁴⁸ was introduced by Senator Thurmond on January 16, 1993 to authorize the construction of a World War II memorial on Federal land in the District of Columbia.

The bill was referred to the Committee on Energy and Natural Resources on January 27, 1993 and on March 2, 1993, the Committee requested executive comment from the Department of the Interior and the Office of Management and Budget. On March 3, 1993, the Committee ordered the bill to be reported favorably, without amendment. On March 11, 1993, it was reported to the Senate without amendment by Senator Johnston for the Committee on Energy and Natural Resources⁴⁹ and placed on the Senate Legislative Calendar under General Orders.⁵⁰ The bill passed the Senate without amendment by voice on March 17, 1993.

On March 18, 1993, the bill was received in the House and referred to the House Committee on House Administration. On March 25, 1993, the bill was referred to that committee’s Subcommittee on Libraries and Memorials.

The following actions all occurred on May 4, 1993. The bill was discharged by the Committee on House Administration and considered by unanimous consent. The House struck all of the text after the enacting clause and inserted in lieu thereof the

⁴⁶Pub. L. 102-414, 106 Stat. 2106 (1992).

⁴⁷See InfoPack and Memorial website, *supra* notes 2, 3.

⁴⁸103^d Cong., 1st Sess. (1992).

⁴⁹S. Rept. No. 103-11 (1993).

⁵⁰Calendar no. 25, 103d Cong. (1993).

provisions of a similar measure, H.R. 682 (discussed below) which was agreed to without objection. The bill passed without objection. H.R. 682 was laid on the table without objection.

On May 5, 1993, the message on House action was received in the Senate and on May 12, 1993, the Senate agreed to the House amendment by voice vote. On May 13, 1993, the bill was presented to the President. The bill was signed by the President on May 25, 1993 and became Public Law No. 103-32.⁵¹

H.R. 682⁵² was introduced by Representative Kaptur on January 27, 1993. It paralleled the language of S. 214. The bill was to authorize the American Battle Monuments Commission to establish a World War II memorial in the District of Columbia.

On January 27, 1993, the bill was referred to the House Committee on House Administration and to its Subcommittee on Libraries and Memorials. On March 31, 1993, the Committee held a mark-up session and ordered the bill to be reported by voice vote.

On May 4, 1993, Representative Clay moved to suspend the rules and pass the bill; the bill was considered under suspension of rules and agreed to by voice vote.⁵³

H.R. 3666⁵⁴ was introduced on November 22, 1993 by Representative Murphy. The bill was to require the Secretary of the Treasury to mint and issue \$1 coins in commemoration of the 50th anniversary of the end of World War II and George C. Marshall's service therein. The bill was referred to the House Committee on Banking, Finance, and Urban Affairs on November 22, 1993 and to its Subcommittee on Consumer Credit and Insurance on December 6, 1993. No further action was taken on the bill.

S. 2007⁵⁵ was introduced by Senator Wofford on April 11, 1994. This bill parallels the provisions of H.R. 3666. The bill was referred to the Committee on Banking on April 11, 1994 and did not emerge from Committee.

S.J. Res. 217⁵⁶ was introduced by Senator Johnston on August 15, 1994. The bill was to approve a specific location on Federal land in the District of Columbia for a World War II Memorial. The resolution was identical to H.J. Res. 406, discussed below. On August 16, 1994, the bill was referred to the Committee on Energy and Natural Resources, and to its Subcommittee on Public Lands, National Parks. On September 21, 1994, the Committee on Energy and Natural Resources ordered the

⁵¹107 Stat. 90 (1993).

⁵²103d Cong., 1st Sess. (1993)

⁵³See discussion of S. 214 above.

⁵⁴103d Cong., 1st Sess. (1993).

⁵⁵103d Cong., 2d Sess. (1994).

⁵⁶103d Cong., 2d Sess. (1994).

bill to be favorably reported without amendment. On September 27, 1994, Senator Johnston for the Committee on Energy and Natural Resources reported the bill to the Senate without an amendment and with a preamble.⁵⁷ The resolution was placed on the Senate Legislative Calendar under General Orders.⁵⁸

H.J. Res. 406⁵⁹ was introduced by Representative Kaptur on August 21, 1994 and was identical to S.J. Res. 217, discussed above. The bill was referred to its House Committee on Natural Resources on August 21, 1994 and on October 5, 1994 was referred to its Subcommittee on National Parks, Forests and Public Lands. On October 6, 1994, the provisions of the resolution were incorporated into S.J. Res. 227, discussed below.

*****S.J. Res. 227**⁶⁰ was introduced by Senator Ford on September 30, 1994 to approve the location of a Thomas Paine Memorial. H. Amdt. 925, discussed below, provided congressional approval for the location in Washington D.C. of the World War II Memorial. On September 3, 1994, the resolution passed the Senate without amendment by voice vote.

On October 7, 1994, H.Amdt. 925 to S.J. Res. 227 was offered by Representative Vento in the House. The Amendment provided congressional approval for the location in Washington, D.C. of the World War II Memorial. The Amendment was agreed to without objection. Also on October 7, 1994, another Amendment, H. Amdt. 926 was offered and agreed to without objection.

On October 8, 1994, the Senate agreed to the House amendments by voice vote and the resolution was cleared for the White House. The resolution was presented to the President on October 18, 1994 and signed on October 25, 1994.⁶¹

104th Congress—1995-1996

Legislation was introduced concerning various parcels of real estate in the District of Columbia for a possible site for the Memorial and also a possible site for a memorial to Japanese American patriotism in World War II. No legislation was enacted in the 104th Congress.

The American Battle Monuments Commission (“ABMC”) and the Memorial Advisory Board (“MAB”) held their first joint site selection session which was attended by representatives from the Commission of Fine Arts (“CFA”), the National Capital Planning Commission (“NCPC”), the National Capital Memorial Commission (“NCMC”) the National Park Service (“NPS”), and the U.S. Army Corps of

⁵⁷There was no written report.

⁵⁸Calendar No. 653, 103d Cong. (1994).

⁵⁹103d Cong., 2d Sess. (1994).

⁶⁰103d Cong., 2d Sess. (1994).

⁶¹Pub. Law 103-422, 108 Stat. 4356 (1994).

Engineers on January 20, 1995.⁶² From May 9 to June 30, 1995, the NCMC held public hearings on the site of the World War II Memorial. On September 19, 1995, the CFA unanimously approved the Rainbow Pool site with the understanding that the design guidelines would be developed in consultation with them.⁶³ During a public meeting on October 5, 1995, the NCPC approved the Rainbow Pool site on the condition that the Mall's east-west vista formed by the elm trees bordering the Reflecting Pool would be preserved.⁶⁴ On November 11, 1995, President Clinton dedicated the Memorial site in a formal ceremony that concluded the commemorations of the 50th anniversary of World War II. A plaque marked the site as the future location of the Memorial.⁶⁵

On April 19, 1996, the ABMC and the General Services Administration ("GSA") which acted as the agent for the ABMC, announced an open design competition for the Memorial.⁶⁶ Following extensive review, the design committee unanimously recommended the design of Friedrich St. Florian. The ABMC approved this recommendation on November 20, 1996.⁶⁷

H.R. 2636⁶⁸ was introduced by Representative Oberstar on October 11, 1995 to transfer jurisdiction over certain parcels of Federal real property located in the District of Columbia. The bill also contained provisions to assist in the effort to timely establish within the District of Columbia a national memorial to Japanese American patriotism in World War II and provided that certain parcels transferred by the legislation be considered as a possible site for a national memorial to Japanese American patriotism in World War II.

On November 15, 1995, the bill was referred to the House Committee on Resources. On November 17, 1995, the bill was referred to the Subcommittee on National Parks, Forests and Lands. Subcommittee hearings were held on May 9, 1996; a Subcommittee mark-up session was held on June 13, 1996, and the bill was forwarded by the Subcommittee to the Full Committee by voice vote on June 13.

On November 17, 1995, executive comment was requested from the Department of the Interior. On June 26, 1996, the House Resources Committee held a mark-up session and the bill was ordered to be reported, as amended, by voice vote.

The bill was referred to the House Transportation and Infrastructure Committee on November 15, 1995. On November 16, 1995, there was Committee consideration

⁶²InfoPack and Memorial website, *supra* notes 2, 3.

⁶³*Id.*

⁶⁴*Id.*

⁶⁵*Id.*

⁶⁶*Id.*

⁶⁷*Id.*

⁶⁸104th Cong., 1st Sess. (1995).

and a mark-up session was held. On November 28, 1995, the bill, as amended by the Committee on Transportation, was reported.⁶⁹

On November 15, 1995, the bill was referred to the House Government Reform and Oversight Committee and referred to the Subcommittee on the District of Columbia on November 20, 1995.

On July 26, 1996, the Committee on Government Reform and Oversight discharged the bill. On the same day, the amended bill was reported by the Committee on Resources⁷⁰ and was placed on the Union Calendar.⁷¹ The bill was passed on July 31, 1996 by voice vote.⁷²

On August 1, 1996, the bill was received in the Senate and referred to the Committee on Energy and Natural Resources and the Subcommittee on Parks, Preservation, and Recreation. On September 12, 1996, the Committee on Energy and Natural Resources ordered the bill to be reported favorably, without amendment. On September 16, 1996, Senator Murkowski reported the bill for the Committee on Energy and Natural Resources⁷³ and the bill was placed on the Senate Legislative Calendar under General Orders.⁷⁴ Senator Murkowski filed a written report from the Committee on Energy and Natural Resources.⁷⁵

105th Congress—1997-1998

In the 105th Congress, there was only one piece of legislation dealing with a World War II memorial. This bill concerned the maintenance of the Memorial and was not enacted.

On January 17, 1997, President Clinton announced the St. Florian winning Memorial design at a White House ceremony.⁷⁶ The ABMC announced at the Rainbow Pool site that Senator Bob Dole would serve as the National Chairman of the World War II Memorial Campaign on March 19, 1997. Various modifications to the design were requested by the CFA and the NCPC during July 1997. On August 19, the ABMC announced that Frederick W. Smith, chairman, president, and chief executive officer of the Federal Express Corporation, was to serve with Senator Dole as National Co-Chairman of the World War II Memorial Campaign.⁷⁷

⁶⁹H. Rep. No. 104-368, pt. 1 (1995).

⁷⁰H. Rept. No. 104-368, pt. 2 (1996)

⁷¹Calendar No. 376, 104th Cong. (1996).

⁷²142 Cong. Rec. H20764 (daily ed. July 31, 1996).

⁷³There was no written report.

⁷⁴Calendar No. 614, 104th Cong. (1996).

⁷⁵S. Rept. No. 104-391 (1996).

⁷⁶InfoPack and Memorial website, *supra* notes 2, 3.

⁷⁷*Id.*

On April 7, 1998, the ABMC approved St. Florian’s revised design concept and forwarded it to the Commission of Fine Arts (“CFA”), the National Capital Planning Commission (“NCPC”), and the District of Columbia’s Historic Preservation Office for their action. On May 21, 1998, in a public hearing, the CFA approved the location, site plan, and revised design concept. In a public hearing on July 9, 1998, the NCPC approved the revised design concept.⁷⁸

S.Res. 296⁷⁹ was introduced by Senator Kerry on October 9, 1998. The resolution expressed the sense of the Senate that, on completion of construction of a World War II Memorial in Area I of the District of Columbia and its environs, Congress should provide funding for the maintenance, security, and custodial and long-term care of the memorial by the National Park Service.

On October 9, 1998, the resolution was submitted to the Senate and was agreed to without amendment by unanimous consent. No further action occurred on the resolution.

106th Congress—1999-2000

Various measures dealing with the World War II Memorial were considered in the 106th Congress. Among the issues under consideration were a perceived need for expeditious construction of the Memorial, and its maintenance. Legislation was enacted concerning the powers of the ABMC relating to the Memorial.

On May 20, 1999, in a public hearing, the CFA unanimously approved the preliminary design.⁸⁰ On June 4, 1999, the NCPC approved the Memorial preliminary design in a public hearing. On July 20, 2000, in a public hearing, the CFA approved the Memorial’s final architectural design. The NCPC approved the Memorial’s final architectural design on September 21, 2000. On November 11, 2000, a groundbreaking ceremony attended by 12,000 people was held at the Memorial’s Rainbow Pool site.⁸¹

H.R. 1247⁸² was introduced by Representative Stump on March 24, 1999. The bill was to expand the fund raising authorities of the American Battle Monuments Commission, to expedite the establishment of the World War II Memorial in the District of Columbia, and to ensure adequate funds for the repair and long-term maintenance of the Memorial, and for other purposes.

⁷⁸*Id.*

⁷⁹105th Cong., 2d Sess. (1998).

⁸⁰InfoPack and Memorial website.

⁸¹*Id.*

⁸²106th Cong., 1st Sess. (1999).

The bill was referred to the House Committee on Veterans' Affairs and on May 20, 1999 was referred to its Subcommittee on Benefits. The Subcommittee held hearings on June 16, 1999.⁸³ No further action occurred on the measure.

*****H.R. 2116⁸⁴** was introduced by Representative Stearns on June 9, 1999 and authorized enhancements to programs to provide health care, education, memorial, and other benefits for veterans, to authorize major medical facility projects for the Department of Veterans Affairs, and for other purposes. Title IV of the enacted legislation⁸⁵ dealt with veterans memorial matters. Authority was provided to the ABMC concerning certain functions related to the World War II Memorial including: solicitation and acceptance of contributions, creation of a memorial fund, use of the fund, special borrowing authority, and various other functions.⁸⁶

On June 9, 1999 the bill was referred to the Committee on Veterans' Affairs. On June 30, 1999, hearings were held by the Subcommittee on Health.⁸⁷ On July 15, 1999, the Committee held a mark-up session, and the bill was ordered to be reported, as amended, by voice vote. On July 16, 1999, the amended bill was reported by the Committee on Veterans' Affairs,⁸⁸ and placed on the Union Calendar.⁸⁹

On September 21, 1999, Representative Stump moved to suspend the rules and pass the amended bill. The bill as amended was agreed to.⁹⁰

On September 22, 1999, the bill was received in the Senate and referred to the Committee on Veterans' Affairs. The bill was discharged by the Committee by unanimous consent on November 5, 1999. On November 5, 1999, the measure was laid before the Senate by unanimous consent and Amendment 2541, which consisted of a substitute bill incorporating various revisions, was proposed by Senator Domenici for Senator Specter and was agreed to in the Senate by unanimous consent. The bill passed the Senate with an amendment by voice vote.⁹¹ On November 6, 1999, the

⁸³*H.R. 1247, The World War II Memorial; H.R. 1476, The National Cemetery Act of 1999; H.R. 1484, Authorization of Appropriations for Homeless Veterans Projects; H.R. 1603, The Selected Reserve Housing Loan Fairness Act of 1999; H.R. 1663, The Medal of Honor Memorial Act; and H.R. 2040, the Veterans' Cemetery Assessment Act of 1999: Hearing before the Subcomm. on Benefits of the House Comm. on Veterans' Affairs, 106th Cong. (1999).*

⁸⁴106th Cong., 1st Sess. (1999).

⁸⁵Pub. L. 106-117, 113 Stat. 1545 (1999).

⁸⁶See 113 Stat. 1576, codified at 36 U.S.C. § 2113.

⁸⁷*Cost Estimates for H.R. 2116, The Veterans' Millennium Health Care Act: Hearing before the Subcomm. on Health of the House Comm. on Veterans' Affairs, 106th Cong. (1999).*

⁸⁸H. Rept. No. 106-237 (1999).

⁸⁹Calendar No. 135, 106th Cong. (1999).

⁹⁰Roll No. 427 (369-46); 145 Cong. Rec. H8440 (daily ed. Sept. 21, 1999).

⁹¹145 Cong. Rec. S14202 (daily ed. Nov. 5, 1999).

Senate insisted on its amendment and asked for a conference and appointed conferees Specter, Thurmond, and Rockefeller.

On November 8, 1999, a message on Senate action was sent to the House and the conference was held; the Speaker appointed conferees: Stump, Smith (NJ), Quinn, Stearns, Evans, Brown (FL), and Doyle. On November 16, 1999, the conference report was filed⁹² and agreed to in the House. On November 19, 1999, the Senate agreed to the conference report by unanimous consent and the bill was cleared for the White House. The bill was presented to the President on November 23, 1999 and was signed by the President on November 30, 1999 and became Public Law 106-117.⁹³

H.R. 2319⁹⁴ was introduced by Representative McHugh on June 23, 1999. The bill was to make the American Battle Monuments Commission and the World War II Memorial Advisory Board eligible to use nonprofit standard mail rates of postage.

The bill was referred to the House Committee on Government Reform on June 23, 1999 and to its Subcommittee on the Postal Service on June 30, 1999. On August 4, 1999, the Subcommittee held a mark-up session and forwarded the bill to the full Committee by voice vote. No further action occurred.

S. 2739⁹⁵ was introduced by Senator Lautenberg on June 15, 2000. The bill was to amend title 39, United States Code, to provide for the issuance of a semipostal stamp in order to afford the public a convenient way to contribute to funding for the establishment of the World War II Memorial. The bill was referred to the Committee on Governmental Affairs on June 15, 2000. On June 20, 2000, the bill was referred to the Subcommittee on International Security, Proliferation and Federal Services. No further action occurred.

S. 2932⁹⁶ was introduced by Senator Lautenberg on July 26, 2000. The bill was to amend title 39, United States Code, to provide for the issuance of a semipostal stamp in order to afford the public a convenient way to contribute to funding for the establishment of the World War II Memorial. The bill was referred to the Committee on Governmental Affairs and did not emerge.

H.Con.Res. 419⁹⁷ (identical to S.Con.Res.145) was introduced by Representative Stump on October 6, 2000. The bill expressed the sense of Congress on the propriety and need for expeditious construction of the National World War II Memorial at the Rainbow Pool on the National Mall in the Nation's Capitol. The bill was referred to the House Committee on Resources on October 6, 2000 and was

⁹²H.Rept. No. 196-470 (1999).

⁹³113 Stat. 1545 (1999).

⁹⁴106th Cong., 1st Sess. (1999).

⁹⁵106th Cong., 2d Sess. (2000).

⁹⁶106th Cong., 2d Sess. (2000).

⁹⁷106th Cong., 2d Sess. (2000).

referred to the Subcommittee on National Parks and Public Lands on September 11, 2000. No further action occurred.

S. Con. Res. 145⁹⁸ (identical to H.Con. Res. 419), was introduced by Senator Warner on October 6, 2000. The resolution expressed the sense of Congress on the propriety and the need for the expeditious construction of the National World War II Memorial at the Rainbow Pool on the National Mall in the Nation's Capitol.

On October 6, 2000, the bill was considered, and agreed to without amendment, by unanimous consent. The resolution was agreed to in the House by voice vote on October 17, 2000.

107th Congress–2001-present

The most recent legislation concerning the World War II Memorial focused on the expedition of its construction and the POW/MIA flag being flown at the Memorial. Legislation was enacted to expedite the construction of the Memorial.⁹⁹ Litigation has arisen concerning the Memorial location and design elements.¹⁰⁰

The construction permit was issued for the Memorial by the National Park Service on January 23, 2001.¹⁰¹ On March 9, 2001, construction which was to begin in March, was delayed indefinitely pending resolution of a lawsuit filed by an opposition group in Washington, D.C., and a procedural issue concerning the NCPC.¹⁰²

Because of concern regarding the delays in the Memorial construction, Congress enacted H.R. 1696¹⁰³. The legislation directed the memorial to be constructed expeditiously at the dedicated Memorial site, in a manner consistent with previous commission approvals and permits. President Bush signed the legislation into law on Memorial Day, May 29, 2001. The project continues on schedule, and completion and dedication is planned for the spring of 2004.¹⁰⁴

S. 580¹⁰⁵ was introduced by Senator Hutchinson on March 20, 2001. The bill would expedite the construction of the World War II Memorial in the District of

⁹⁸106th Cong., 2d Sess. (2000).

⁹⁹For a discussion of the legislation to expedite the construction of the World War II Memorial, *see*, CRS Rept. RS20912 (May 15, 2001).

¹⁰⁰*See* news articles in InfoPack.

¹⁰¹InfoPack and Memorial website, *supra* notes 2, 3.

¹⁰²For a discussion of the opposition to the Memorial and the legal activities concerning the Memorial, *See*: [<http://www.savethemall.org>]. *See* InfoPack and Memorial website.

¹⁰³107th Cong., 1st Sess. (2001).

¹⁰⁴InfoPack and Memorial website, *supra* notes 2, 3.

¹⁰⁵107th Cong., 1st Sess. (2001).

Columbia. The bill was referred to the Committee on Governmental Affairs and has not emerged from Committee.

*****H.R. 1696**¹⁰⁶ was introduced by Representative Stump on May 3, 2001 to expedite the construction of the World War II Memorial in the District of Columbia.

The bill was referred to the Committee on Resources, in addition to the Committee on Veterans' Affairs. Following its referral to the House Resources Committee, it was referred to the Subcommittee on National Parks, Recreation and Public Lands on May 4, 2001.

On May 15, 2001, Representative Stump moved to suspend the rules and pass the bill. A motion to suspend the rules and pass the bill was agreed to by the yeas and nays.¹⁰⁷

On May 16, 2001, the bill was received in the Senate. On May 21, 2001, the bill was referred to the Committee on Energy and Natural Resources; was discharged by the Committee by unanimous consent; and laid before the Senate by unanimous consent. Later on May 21, S. Amdt. 745 proposed by Senator Warner for Senator Stevens was introduced as a complete substitute; the Amendment was agreed to in the Senate by unanimous consent. The message on the Senate action was sent to the House.

On May 22, 2001, Representative Stump moved that the House suspend the rules and agree to the Senate Amendment. The House agreed by voice vote to the Senate amendment.¹⁰⁸

The bill was cleared for the White House on May 22, 2001, was presented to the President on May 23, 2001, and signed by the President on May 28, 2001 and became Public Law No. 107-11.¹⁰⁹

S. 1226¹¹⁰ was introduced by Senator Campbell on July 24, 2001. The bill would require the display of the POW/MIA flag at the World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial. The bill was referred to the Committee on the Judiciary on July 24, 2001 and has not emerged from Committee.

H.R. 3177¹¹¹ was introduced by Representative Hefley on October 29, 2001. The bill would require the display of the POW/MIA flag at the World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial

¹⁰⁶107th Cong., 1st Sess. (2001).

¹⁰⁷Roll No. 109 (400 - 15), 147 Cong. Rec. H2170-H2171 (daily ed. May 15, 2001).

¹⁰⁸147 Cong. Rec. H2396 (daily ed. May 22, 2001).

¹⁰⁹115 Stat. 19 (2001).

¹¹⁰107th Cong., 1st Sess. (2001).

¹¹¹107th Cong., 1st Sess. (2001).

in the District of Columbia. The bill is the companion bill to S. 1226, discussed above. The bill was referred to the House Committee on Resources on October 29, 2001, and was referred to the Subcommittee on National Parks, Recreation and Public Lands on November 7, 2001, and has not emerged from Committee.

Conclusion

From 1987-2001, Congress was involved in the consideration and the enactment of legislation to provide for a unified World War II memorial. Legislation was enacted in 1993 which authorized such a Memorial. Subsequent legislation has been enacted concerning the location of the Memorial and the expeditious construction of the Memorial.

Congress also considered other legislation to commemorate various groups, battles, individuals, and activities related to World War II. Legislation was enacted concerning the commemoration of certain specific World War II veterans' groups and the minting of commemorative coins.

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