

HERSHEL “WOODY” WILLIAMS NATIONAL MEDAL OF
HONOR MONUMENT LOCATION ACT

NOVEMBER 3, 2023.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 2717]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2717) to authorize the National Medal of Honor Museum Foundation to establish a commemorative work on the National Mall to honor the extraordinary acts of valor, selfless service, and sacrifice displayed by Medal of Honor recipients, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Hershel ‘Woody’ Williams National Medal of Honor Monument Location Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Congress in 2021 unanimously passed, and the President signed, Public Law 117–80 (40 U.S.C. 8903 note), which authorized the National Medal of Honor Museum Foundation to establish on Federal land in the District of Columbia a commemorative work to honor the acts of valor, selfless service, and sacrifice displayed by Medal of Honor recipients.

(2) The Medal of Honor was established by President Abraham Lincoln and first awarded 160 years ago on March 25, 1863, and is part of Lincoln’s lasting and living legacy.

(3) In 1991, during the administration of President George H.W. Bush, this legacy was extended further when National Medal of Honor Day was established as March 25th of each year.

(4) The Medal of Honor is awarded to all branches of the United States Armed Forces as our nation’s highest recognition for valor in combat.

(5) The number of living Medal of Honor recipients has been steadily declining, making it even more crucial to honor and recognize their heroic sacrifices and inspire future generations.

(6) Hershel “Woody” Williams, the last World War II Medal of Honor recipient, passed away in 2022 and laid in honor at the United States Capitol.

(7) The Medal of Honor represents the very best of our Nation—ordinary citizens, who took extraordinary action above and beyond the call of duty and became heroes of our Republic.

(8) These examples inspire all citizens and ignite within us the very spirit of America.

(9) The Medal of Honor rises to the level of supreme national and historical importance necessary to warrant representation on the National Mall.

(10) Locating the National Medal of Honor Monument in close proximity to the Lincoln Memorial within the Reserve would be a respectful extension of his enduring legacy and recognition of what ordinary people can accomplish when working for the greater good.

SEC. 3. NATIONAL MEDAL OF HONOR MONUMENT LOCATION.

(a) SITE.—Notwithstanding section 8908(c) of title 40, United States Code, the commemorative work authorized by section 1(a) of Public Law 117–80 (40 U.S.C. 8903 note) shall be located within the Reserve (as defined in section 8902(a) of title 40, United States Code).

(b) APPLICABILITY OF COMMEMORATIVE WORKS ACT.—Except as provided in subsection (a), chapter 89 of title 40, United States Code (commonly known as the “Commemorative Works Act”), shall apply to the commemorative work.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 2717 is to authorize the National Medal of Honor Museum Foundation to establish a commemorative work on the National Mall to honor the extraordinary acts of valor, selfless service, and sacrifice displayed by Medal of Honor recipients.

BACKGROUND AND NEED FOR LEGISLATION

The Medal of Honor is our nation’s highest medal for valor in combat awarded to members of the U.S. Armed Forces. The medal was first authorized in 1861 for U.S. Navy Sailors and Marines, and the following year for U.S. Army Soldiers. 2023 marked the 160th anniversary of the awarding of the first Medal of Honor by President Abraham Lincoln in the midst of the Civil War. Since its establishment, 3,516 Medals of Honor have been awarded to members of all Department of Defense services. Medals of Honor are awarded sparingly by Presidents, and only bestowed upon the bravest of the brave. Their courage and valor in combat must be well documented. There are only 65 living recipients of the Medal of Honor.

Under the Commemorative Works Act (CWA), any new monument or memorial in the District of Columbia or the surrounding area must be approved by an Act of Congress. Typically, once approved, a private organization will have seven years to raise the required funding for the commemorative work’s construction and design. The CWA also established the “Reserve,” which broadly encompasses what is known as the National Mall. The CWA found that the Reserve was “a substantially completed work of civic art” where the siting of new commemorative works should be prohibited. In order to place a new commemorative work in or near the Reserve, an additional Act of Congress is required. While this is somewhat rare, most recently Congress authorized a location within the Reserve for the Global War on Terrorism Memorial in 2021.

During the 117th Congress, Congress passed H.R. 1664 to authorize the National Medal of Honor Museum Foundation (Founda-

tion) to establish a commemorative work, such as a monument or memorial, on federal land in the District of Columbia or its environs to recognize Medal of Honor recipients. The bill required the Foundation to follow the standard legal framework established by the Commemorative Works Act (CWA), prohibited the use of federal funds for the commemorative work, and required that sufficient funds be provided to the National Park Service for maintenance of the commemorative work. Proponents of the Medal of Honor National Monument (Monument) are now looking to place the Monument in a prominent location in the Reserve, requiring a new Act of Congress.

H.R. 2717 would authorize the location of the National Medal of Honor Monument within the Reserve. This bipartisan legislation is being co-led by Representative Veasey (D-TX). At markup, an amendment was offered to the legislation creating additional flexibility in the placement of the Monument on the National Mall. While the original legislation required the commemorative work to be within 1,000 feet of the Lincoln Memorial, the amendment removed this provision to ensure flexibility for the Foundation. However, the amendment maintained language recognizing that this Monument “would be a respectful extension of [President Lincoln’s] enduring legacy and recognition of what ordinary people can accomplish when working for the greater good.” Debate during the markup also made it clear that the Committee intends for the National Park Service to work with the Foundation to place the Monument as close as possible to the Lincoln Memorial, to enhance the interpretation of both the Medal of Honor Monument and the Lincoln Memorial. The Committee also encourages the National Park Service to work closely with the Foundation to ensure this Monument can be constructed and completed in time for the United States Semiquincentennial in 2026.

COMMITTEE ACTION

H.R. 2717 was introduced on April 19, 2023, by Rep. Blake D. Moore (R-UT). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. On July 13, 2023, the Subcommittee on Federal Lands held a hearing on the bill. On July 26, 2023, the Committee on Natural Resources met to consider the bill. The Subcommittee on Federal Lands was discharged from further consideration of H.R. 2717 by unanimous consent. Chairman Bruce Westerman (R-AR) offered an amendment designated Westerman 037. The amendment offered by Chairman Westerman was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by a roll call vote of 29 yeas to 0 nays, as follows:

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Federal Lands held on July 13, 2023.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 establishes the short title of the bill as the “Hershel ‘Woody’ Williams National Medal of Honor Monument Location Act”.

Section 2. Findings

Section 2 provides a history of the Medal of Honor and specifically notes that Congress intends to place this Monument within the vicinity of the Lincoln Memorial, as an extension of his legacy as the first President to award the Medal of Honor.

Section 3. National Medal of Honor Monument location

Section 3 authorizes the location for the National Medal of Honor Monument on the Reserve in Washington, D.C. under the CWA.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND
CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

H.R. 2717, Hershel “Woody” Williams National Medal of Honor Monument Location Act			
As ordered reported by the House Committee on Natural Resources on July 26, 2023			
By Fiscal Year, Millions of Dollars	2023	2023-2028	2023-2033
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Statutory pay-as-you-go procedures apply?	No
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 2717 would authorize the National Medal of Honor Memorial to be located within the Reserve in Washington, D.C. The Reserve is the public land between the Lincoln Memorial and the Capitol that includes the White House and the Jefferson Memorial.

Public Law 117–80, enacted in December 2021, authorized the National Medal of Honor Museum Foundation to establish a commemorative work on federal land in Washington, D.C., but not on the National Mall. Because H.R. 2717 would only change the location of the monument, CBO estimates that implementing the bill would not significantly affect federal spending over the 2023–2028 period.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was reviewed by Chad Chirico, Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

Honor Museum Foundation to establish a commemorative work on the National Mall to honor the extraordinary acts of valor, selfless service, and sacrifice displayed by Medal of Honor recipients.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

According to the Congressional Budget Office, H.R. 2717 contains no unfunded mandates as defined in the Unfunded Mandates Reform Act.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

As ordered reported by the Committee on Natural Resources, H.R. 2717 makes no changes in existing law.

