

–CITE–

40 USC CHAPTER 89 – NATIONAL CAPITAL MEMORIALS AND
COMMEMORATIVE WORKS 01/06/03

–EXPCITE–

TITLE 40 – PUBLIC BUILDINGS, PROPERTY, AND WORKS

SUBTITLE II – PUBLIC BUILDINGS AND WORKS

PART D – PUBLIC BUILDINGS, GROUNDS, AND PARKS IN THE DISTRICT OF

COLUMBIA

CHAPTER 89 – NATIONAL CAPITAL MEMORIALS AND COMMEMORATIVE WORKS

–HEAD–

CHAPTER 89 – NATIONAL CAPITAL MEMORIALS AND COMMEMORATIVE WORKS

–MISC1–

Sec.

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8902. Definitions and nonapplication.

8903. Congressional authorization of commemorative works.

8904. National Capital Memorial Commission.

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8906. Criteria for issuance of construction permit.

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40 USC Sec. 8901 01/06/03

–EXPCITE–

TITLE 40 – PUBLIC BUILDINGS, PROPERTY, AND WORKS

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–HEAD–

Sec. 8901. Purposes

–STATUTE–

The purposes of this chapter are –

- (1) to preserve the integrity of the comprehensive design of the L'Enfant and McMillan plans for the Nation's Capital;
- (2) to ensure the continued public use and enjoyment of open space in the District of Columbia;
- (3) to preserve, protect and maintain the limited amount of open space available to residents of, and visitors to, the Nation's Capital; and
- (4) to ensure that future commemorative works in areas administered by the National Park Service and the Administrator of General Services in the District of Columbia and its environs –
 - (A) are appropriately designed, constructed, and located; and
 - (B) reflect a consensus of the lasting national significance of the subjects involved.

–SOURCE–

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1227.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

8901 40:1001. Pub. L. 99–652, Sec. 1, Nov.

14, 1986, 100 Stat. 3650.

–SECREP–

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 8903 of this title.

–End–

–CITE–

40 USC Sec. 8902 01/06/03

–EXPCITE–

TITLE 40 – PUBLIC BUILDINGS, PROPERTY, AND WORKS

SUBTITLE II – PUBLIC BUILDINGS AND WORKS

PART D – PUBLIC BUILDINGS, GROUNDS, AND PARKS IN THE DISTRICT OF

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–HEAD–

Sec. 8902. Definitions and nonapplication

–STATUTE–

(a) Definitions. – In this chapter, the following definitions

apply:

(1) Commemorative work. – The term "commemorative work" –

(A) means any statue, monument, sculpture, memorial, plaque, inscription, or other structure or landscape feature, including

a garden or memorial grove, designed to perpetuate in a

permanent manner the memory of an individual, group, event or

other significant element of American history; but

(B) does not include an item described in subclause (A) that

is located within the interior of a structure or a structure

which is primarily used for other purposes.

(2) Person. – The term "person" means –

(A) a public agency; and

(B) an individual, group or organization –

(i) described in section 501(c)(3) of the Internal Revenue

Code of 1986 (26 U.S.C. 501(c)(3)) and exempt from tax under

section 501(a) of the Code (26 U.S.C. 501(a)); and

(ii) authorized by Congress to establish a commemorative

work in the District of Columbia and its environs.

(3) The district of columbia and its environs. – The term "the

District of Columbia and its environs" means land and property

located in Areas I and II as depicted on the map numbered

869/86501, and dated May 1, 1986, that the National Park Service

and the Administrator of General Services administer.

(b) Nonapplication. – This chapter does not apply to

commemorative works authorized by a law enacted before January 3,

1985.

–SOURCE–

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1227.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

8902(a) 40:1002. Pub. L. 99–652, Sec. 2, Nov.

14, 1986, 100 Stat. 3650;

Pub. L. 103–321, Sec. 2(a),

Aug. 26, 1994, 108 Stat.

1793.

8902(b) 40:1010(e). Pub. L. 99–652, Sec. 10(e),

Nov. 14, 1986, 100 Stat.

3654.

In subsection (a), the text of 40:1002(a) and (b) is omitted as unnecessary because the complete names of the Secretary of the Interior and the Administrator of General Services are used the first time the terms appear in a section.

In subsection (a)(3), the words "notwithstanding any other provision of law" are omitted as unnecessary. The words "Administrator of General Services" are substituted for "General Services Administration" because of section 101(b) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 379), which is restated as section 302(a) of the revised title.

In subsection (b), the words "January 3, 1985" are substituted for "the commencement of the Ninety–ninth Congress" for clarity.

–End–

–CITE–

40 USC Sec. 8903 01/06/03

–EXPCITE–

TITLE 40 – PUBLIC BUILDINGS, PROPERTY, AND WORKS

SUBTITLE II – PUBLIC BUILDINGS AND WORKS

PART D – PUBLIC BUILDINGS, GROUNDS, AND PARKS IN THE DISTRICT OF COLUMBIA

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–HEAD–

Sec. 8903. Congressional authorization of commemorative works

–STATUTE–

(a) In General. – Commemorative works –

- (1) may be established on federal lands referred to in section 8901(4) of this title only as specifically authorized by law; and
- (2) are subject to applicable provisions of this chapter.

(b) Military Commemorative Works. – A military commemorative work may be authorized only to commemorate a war or similar major military conflict or a branch of the armed forces. A commemorative work commemorating a lesser conflict or a unit of an armed force may not be authorized. Commemorative works to a war or similar major military conflict may not be authorized until at least 10 years after the officially designated end of the event.

(c) Works Commemorating Events, Individuals, or Groups. – A

commemorative work commemorating an event, individual, or group of individuals, except a military commemorative work as described in subsection (b), may not be authorized until after the 25th anniversary of the event, death of the individual, or death of the last surviving member of the group.

(d) Consultation With National Capital Memorial Commission. – In considering legislation authorizing commemorative works in the District of Columbia and its environs, the Committee on House Administration of the House of Representatives and the Committee on Energy and Natural Resources of the Senate shall solicit the views of the National Capital Memorial Commission.

(e) Expiration of Legislative Authority. – Legislative authority for a commemorative work expires at the end of the seven–year period beginning on the date the authority is enacted unless the Secretary of the Interior or Administrator of General Services, as appropriate, has issued a construction permit for the commemorative work during that period.

–SOURCE–

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1228.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

8903(a) 40:1003(a). Pub. L. 99–652, Sec. 3, Nov.

14, 1986, 100 Stat. 3651;
Pub. L. 100–202, Sec. 101(f)
[title II, Sec. 3], Dec. 22,
1987, 101 Stat. 1329–196;
Pub. L. 100–230, Sec. 3,
Jan. 5, 1988, 101 Stat.
1564; Pub. L. 103–321, Sec.
2(b), Aug. 26, 1994, 108
Stat. 1793; Pub. L. 104–186,
title II, Sec. 221(18), Aug.
20, 1996, 110 Stat. 1750.
8903(b) 40:1003(b).
8903(c) 40:1003(c).
8903(d) 40:1003(d).
8903(e) 40:1010(b). Pub. L. 99–652, Sec. 10(b),
Nov. 14, 1986, 100 Stat.
3654; Pub. L. 102–216, Sec.
1, Dec. 11, 1991, 105 Stat.
1666.

In subsection (a)(1), the words "in the District of Columbia and
its environs" are omitted as unnecessary.

In subsection (d), the words "House Administration" are
substituted for "House Oversight" because the name of the Committee
was changed in the 106th Congress. See Rule X(1)(i) of the Rules of
the House of Representatives.

COMMEMORATIVE WORKS

Adams Memorial. – Pub. L. 107–62, Nov. 5, 2001, 115 Stat. 411;

Pub. L. 107–315, Dec. 2, 2002, 116 Stat. 2763.

African–Americans Civil War Union Memorial. – Pub. L. 102–412,

Oct. 14, 1992, 106 Stat. 2104.

Air Force Memorial. – Pub. L. 103–163, Dec. 2, 1993, 107 Stat.

1973; Pub. L. 106–302, Oct. 13, 2000, 114 Stat. 1062; Pub. L.

107–107, div. B, title XXVIII, Sec. 2863(a)–(e), Dec. 28, 2001,

115 Stat. 1330–1332.

American Armored Force Memorial. – Pub. L. 99–620, Nov. 6, 1986,

100 Stat. 3493.

Benjamin Banneker Memorial. – Pub. L. 105–355, title V, Sec. 512,

Nov. 6, 1998, 112 Stat. 3266.

Black Revolutionary War Patriots Memorial. – Pub. L. 99–500, Sec.

101(h) [title I, Sec. 118], Oct. 18, 1986, 100 Stat. 1783–242,

1783–266, and Pub. L. 99–591, Sec. 101(h) [title I, Sec. 118],

Oct. 30, 1986, 100 Stat. 3341–242, 3341–266; Pub. L. 99–558, Oct.

27, 1986, 100 Stat. 3144; Pub. L. 99–590, title VIII, Secs. 801,

802, Oct. 30, 1986, 100 Stat. 3339; Pub. L. 100–265, Mar. 25,

1988, 102 Stat. 39; Pub. L. 103–321, Sec. 1(a)(1), Aug. 26, 1994,

108 Stat. 1793; Pub. L. 104–333, div. I, title V, Sec. 506, Nov.

12, 1996, 110 Stat. 4155; Pub. L. 105–345, Sec. 1, Nov. 2, 1998,

112 Stat. 3205; Pub. L. 106–442, Nov. 6, 2000, 114 Stat. 1926.

Disabled Veterans' LIFE Memorial. – Pub. L. 106–348, Oct. 24,

2000, 114 Stat. 1358.

Dwight D. Eisenhower Memorial. – Pub. L. 106–79, title VIII, Sec.

8162, Oct. 25, 1999, 113 Stat. 1274; Pub. L. 107–117, div. A,

title VIII, Sec. 8120(a), (b), Jan. 10, 2002, 115 Stat. 2273, 2274.

Francis Scott Key Memorial. – Pub. L. 99–531, Oct. 27, 1986, 100

Stat. 3022.

Frederick Douglass Memorial and Gardens. – Pub. L. 106–479, Nov.

9, 2000, 114 Stat. 2184.

George Mason Memorial. – Pub. L. 101–358, Aug. 10, 1990, 104 Stat.

419; Pub. L. 102–277, Apr. 28, 1992, 106 Stat. 127; Pub. L.

105–182, Sec. 1, June 19, 1998, 112 Stat. 516.

Japanese American Patriotism in World War II Memorial. – Pub. L.

102–502, Oct. 24, 1992, 106 Stat. 3273; Pub. L. 104–333, div. I,

title V, Sec. 514, Nov. 12, 1996, 110 Stat. 4165.

Korean War Veterans Memorial. – Pub. L. 99–572, Oct. 28, 1986, 100

Stat. 3226; Pub. L. 100–202, Sec. 101(f) [title II, Secs. 1, 2],

Dec. 22, 1987, 101 Stat. 1329–195, 1329–196; Pub. L. 100–230,

Secs. 1, 2, Jan. 5, 1988, 101 Stat. 1563; Pub. L. 100–267, Mar.

28, 1988, 102 Stat. 41; Pub. L. 105–262, title VIII, Sec. 8122,

Oct. 17, 1998, 112 Stat. 2332.

Lincoln Memorial, "I Have a Dream Speech" Commemorative Plaque. –

Pub. L. 106–365, Oct. 27, 2000, 114 Stat. 1409.

Mahatma Gandhi Memorial. – Pub. L. 105–284, Sec. 1, Oct. 26, 1998,

112 Stat. 2701.

Martin Luther King, Jr. Memorial. – Pub. L. 104–333, div. I, title

V, Sec. 508, Nov. 12, 1996, 110 Stat. 4157; Pub. L. 105–201, Sec.

1, July 16, 1998, 112 Stat. 675; Pub. L. 106–176, title I, Sec.

108, Mar. 10, 2000, 114 Stat. 26.

National Peace Garden. – Pub. L. 100–63, June 30, 1987, 101 Stat.

379; Pub. L. 103–321, Sec. 1(a)(3), (b), Aug. 26, 1994, 108 Stat.

1793; Pub. L. 105–202, July 16, 1998, 112 Stat. 676.

Thomas Paine Memorial. – Pub. L. 102–407, Oct. 13, 1992, 106 Stat.

1991; Pub. L. 102–459, Oct. 23, 1992, 106 Stat. 2268; Pub. L.

103–422, Oct. 25, 1994, 108 Stat. 4356; Pub. L. 106–113, div. B,

Sec. 1000(a)(3) [title I, Sec. 142], Nov. 29, 1999, 113 Stat.

1535, 1501A–171.

Tomas G. Masaryk Memorial. – Pub. L. 107–61, Nov. 5, 2001, 115

Stat. 410.

Victims of Communism Memorial. – Pub. L. 103–199, title IX, Sec.

905, Dec. 17, 1993, 107 Stat. 2331; Pub. L. 105–277, div. A, Sec.

101(e) [title III, Sec. 326], Oct. 21, 1998, 112 Stat. 2681–231,

2681–291.

Vietnam Women's Memorial. – Pub. L. 100–660, Nov. 15, 1988, 102

Stat. 3922; Pub. L. 101–187, Nov. 28, 1989, 103 Stat. 1350.

Women in Military Service for America Memorial. – Pub. L. 99–500,

Sec. 101(h) [title I, Sec. 117], Oct. 18, 1986, 100 Stat.

1783–242, 1783–266, and Pub. L. 99–591, Sec. 101(h) [title I, Sec.

117], Oct. 30, 1986, 100 Stat. 3341–242, 3341–266; Pub. L. 99–590,

title IX, Secs. 901, 902, Oct. 30, 1986, 100 Stat. 3339; Pub. L.

99–610, Nov. 6, 1986, 100 Stat. 3477; Pub. L. 103–321, Sec.

1(a)(2), Aug. 26, 1994, 108 Stat. 1793; Pub. L. 103–337, div. B,

title XXVIII, Sec. 2855, Oct. 5, 1994, 108 Stat. 3073.

World War II Memorial. – Pub. L. 103–32, May 25, 1993, 107 Stat.

90; Pub. L. 103–422, Oct. 25, 1994, 108 Stat. 4356; Pub. L.

106–58, title VI, Sec. 652, Sept. 29, 1999, 113 Stat. 480; Pub. L.

106–117, title VI, Sec. 601(b), Nov. 30, 1999, 113 Stat. 1578;

Pub. L. 107–11, May 28, 2001, 115 Stat. 19.

–End–

–CITE–

40 USC Sec. 8904 01/06/03

–EXPCITE–

TITLE 40 – PUBLIC BUILDINGS, PROPERTY, AND WORKS

SUBTITLE II – PUBLIC BUILDINGS AND WORKS

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–HEAD–

Sec. 8904. National Capital Memorial Commission

–STATUTE–

(a) Establishment and Composition. – There is a National Capital
Memorial Commission. The membership of the Commission consists of –

- (1) the Director of the National Park Service;
- (2) the Architect of the Capitol;
- (3) the Chairman of the American Battle Monuments Commission;
- (4) the Chairman of the Commission of Fine Arts;
- (5) the Chairman of the National Capital Planning Commission;
- (6) the Mayor of the District of Columbia;
- (7) the Commissioner of the Public Buildings Service of the

General Services Administration; and

(8) the Secretary of Defense.

(b) Chairman. – The Director is the Chairman of the National Capital Memorial Commission.

(c) Advisory Role. – The National Capital Memorial Commission shall advise the Secretary of the Interior and the Administrator of General Services on policy and procedures for establishment of, and proposals to establish, commemorative works in the District of Columbia and its environs and on other matters concerning commemorative works in the Nation's Capital as the Commission considers appropriate.

(d) Meetings. – The National Capital Memorial Commission shall meet at least twice annually.

–SOURCE–

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1229.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

8904(a), 40:1004(a). Pub. L. 99–652, Sec. 4, Nov.

(b) 14, 1986, 100 Stat. 3651.

8904(c) 40:1004(b) (1st sentence).

8904(d) 40:1004(b) (last

sentence).

–End–

–CITE–

40 USC Sec. 8905 01/06/03

–EXPCITE–

TITLE 40 – PUBLIC BUILDINGS, PROPERTY, AND WORKS

SUBTITLE II – PUBLIC BUILDINGS AND WORKS

PART D – PUBLIC BUILDINGS, GROUNDS, AND PARKS IN THE DISTRICT OF
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–HEAD–

Sec. 8905. Site and design approval

–STATUTE–

(a) Consultation on, and Submission of, Proposals. – A person authorized by law to establish a commemorative work in the District of Columbia and its environs may request a permit for construction of the commemorative work only after the following requirements are met:

(1) Consultation. – The person must consult with the National Capital Memorial Commission regarding the selection of alternative sites and designs for the commemorative work.

(2) Submittal. – Following consultation in accordance with clause (1), the Secretary of the Interior or the Administrator of General Services, as appropriate, must submit, on behalf of the person, site and design proposals to the Commission of Fine Arts

and the National Capital Planning Commission for their approval.

(b) Decision Criteria. – In considering site and design proposals, the Commission of Fine Arts, National Capital Planning Commission, Secretary, and Administrator shall be guided by, but not limited by, the following criteria:

(1) Surroundings. – To the maximum extent possible, a commemorative work shall be located in surroundings that are relevant to the subject of the work.

(2) Location. – A commemorative work shall be located so that –

(A) it does not interfere with, or encroach on, an existing commemorative work; and

(B) to the maximum extent practicable, it protects open space and existing public use.

(3) Material. – A commemorative work shall be constructed of durable material suitable to the outdoor environment.

(4) Landscape features. – Landscape features of commemorative works shall be compatible with the climate.

–SOURCE–

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1229.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

8905(a) 40:1007(a). Pub. L. 99–652, Sec. 7, Nov.

14, 1986, 100 Stat. 3652;

Pub. L. 103-321, Sec. 2(d),

Aug. 26, 1994, 108 Stat.

1794.

8905(b) 40:1007(b).

-End-

-CITE-

40 USC Sec. 8906 01/06/03

-EXPCITE-

TITLE 40 – PUBLIC BUILDINGS, PROPERTY, AND WORKS

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CHAPTER 89 – NATIONAL CAPITAL MEMORIALS AND COMMEMORATIVE WORKS

-HEAD-

Sec. 8906. Criteria for issuance of construction permit

-STATUTE-

(a) Criteria for Issuing Permit. – Before issuing a permit for

the construction of a commemorative work in the District of

Columbia and its environs, the Secretary of the Interior or

Administrator of General Services, as appropriate, shall determine

that –

(1) the site and design have been approved by the Secretary or

Administrator, the National Capital Planning Commission and the

Commission of Fine Arts;

(2) knowledgeable individuals qualified in the field of preservation and maintenance have been consulted to determine structural soundness and durability of the commemorative work and to ensure that the commemorative work meets high professional standards;

(3) the person authorized to construct the commemorative work has submitted contract documents for construction of the commemorative work to the Secretary or Administrator; and

(4) the person authorized to construct the commemorative work has available sufficient amounts to complete construction of the project.

(b) Donation for Perpetual Maintenance and Preservation. –

(1) Amount. – In addition to the criteria described in subsection (a), a construction permit may not be issued unless the person authorized to construct the commemorative work has donated an amount equal to 10 percent of the total estimated cost of construction to offset the costs of perpetual maintenance and preservation of the commemorative work. The amounts shall be credited to a separate account in the Treasury.

(2) Availability. – The Secretary of the Treasury shall make any part of the donated amount available to the Secretary of the Interior or Administrator for maintenance at the request of the Secretary of the Interior or Administrator. The Secretary of the Interior or Administrator shall not request more from the separate account than the total amount deposited by persons establishing commemorative works in areas the Secretary of the

Interior or Administrator administers.

(3) Inventory of available amounts. – The Secretary of the Interior and Administrator shall maintain an inventory of amounts available under this subsection. The amounts are not subject to annual appropriations.

(4) Nonapplicability. – This subsection does not apply when a department or agency of the Federal Government constructs the work and less than 50 percent of the funding for the work is provided by private sources.

(c) Suspension for Misrepresentation in Fundraising. – The Secretary of the Interior or Administrator may suspend any activity under this chapter that relates to the establishment of a commemorative work if the Secretary or Administrator determines that fundraising efforts relating to the work have misrepresented an affiliation with the work or the Federal Government.

(d) Annual Report. – The person authorized to construct a commemorative work under this chapter must submit to the Secretary of the Interior or Administrator an annual report of operations, including financial statements audited by an independent certified public accountant. The person shall pay for the report.

–SOURCE–

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1230.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

8906(a) 40:1008(a). Pub. L. 99-652, Sec. 8, Nov.

14, 1986, 100 Stat. 3652;

Pub. L. 103-321, Sec. 2(e),

Aug. 26, 1994, 108 Stat.

1794.

8906(b)(1) 40:1008(b) (words

before proviso),

cl. (1).

8906(b)(40:1008(b)(2).

2), (3)

8906(b)(4) 40:1008(b)

(proviso).

8906(c) 40:1008(c)(1).

8906(d) 40:1008(c)(2).

In subsection (b)(1), the words "Notwithstanding any other provision of law" are omitted as unnecessary.

In subsection (b)(2), the words "Congress authorizes and directs that" are omitted as unnecessary.

-End-

-CITE-

40 USC Sec. 8907 01/06/03

-EXPCITE-

TITLE 40 – PUBLIC BUILDINGS, PROPERTY, AND WORKS

SUBTITLE II – PUBLIC BUILDINGS AND WORKS

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–HEAD–

Sec. 8907. Temporary site designation

–STATUTE–

(a) Criterion for Designation. – If the Secretary of the Interior, in consultation with the National Capital Memorial Commission, determines that a site where commemorative works may be displayed on a temporary basis is necessary to aid in the preservation of the limited amount of open space available to residents of, and visitors to, the Nation's Capital, a site may be designated on land the Secretary administers in the District of Columbia.

(b) Plan. – A designation may be made under subsection (a) only if, at least 120 days before the designation, the Secretary, in consultation with the Commission, prepares and submits to Congress a plan for the site. The plan shall include specifications for the location, construction, and administration of the site and criteria for displaying commemorative works at the site.

(c) Risk and Agreement To Indemnify. – A commemorative work displayed at the site shall be installed, maintained, and removed at the sole expense and risk of the person authorized to display the work. The person shall agree to indemnify the United States for any liability arising from the display of the commemorative work

under this section.

–SOURCE–

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1231.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

8907(a) 40:1009(a) (1st Pub. L. 99–652, Sec. 9, Nov.

sentence). 14, 1986, 100 Stat. 3653;

Pub. L. 103–321, Sec. 2(f),

Aug. 26, 1994, 108 Stat.

1795.

8907(b) 40:1009(a) (2d,

last sentences).

8907(c) 40:1009(b).

–End–

–CITE–

40 USC Sec. 8908 01/06/03

–EXPCITE–

TITLE 40 – PUBLIC BUILDINGS, PROPERTY, AND WORKS

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CHAPTER 89 – NATIONAL CAPITAL MEMORIALS AND COMMEMORATIVE WORKS

–HEAD–

Sec. 8908. Areas I and II

–STATUTE–

(a) Availability of Map. – The Secretary of the Interior and Administrator of General Services shall make available, for public inspection at appropriate offices of the National Park Service and the General Services Administration, the map numbered 869/86501, and dated May 1, 1986.

(b) Specific Conditions Applicable to Area I and Area II. –

(1) Area i. – After seeking the advice of the National Capital Memorial Commission, the Secretary or Administrator, as appropriate, may recommend the location of a commemorative work in Area I only if the Secretary or Administrator decides that the subject of the commemorative work is of preeminent historical and lasting significance to the United States. The Secretary or Administrator shall notify the Commission, the Committee on House Administration of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate of the recommendation that a commemorative work should be located in Area I. The location of a commemorative work in Area I is deemed to be authorized only if the recommendation is approved by law not later than 150 calendar days after the notification.

(2) Area ii. – Commemorative works of subjects of lasting historical significance to the American people may be located in Area II.

–SOURCE–

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1231.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

8908(a) 40:1005. Pub. L. 99–652, Sec. 5, Nov.

14, 1986, 100 Stat. 3651.

8908(b) 40:1006. Pub. L. 99–652, Sec. 6, Nov.

14, 1986, 100 Stat. 3651;

Pub. L. 103–321, Sec. 2(c),

Aug. 26, 1994, 108 Stat.

1794.

In subsection (b)(1), the words "the Committee on House Administration of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate" are substituted for "the committees of Congress specified in section 1003(b) [sic] of this title" for clarity. The reference to section 1003(b) should be to section 1003(d).

–End–

–CITE–

40 USC Sec. 8909 01/06/03

–EXPCITE–

TITLE 40 – PUBLIC BUILDINGS, PROPERTY, AND WORKS

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Sec. 8909. Administrative

–STATUTE–

(a) Maintenance of Documentation of Design and Construction. –

Complete documentation of design and construction of each commemorative work located in the District of Columbia and its environs shall be provided to the Secretary of the Interior or Administrator of General Services, as appropriate, and shall be permanently maintained in the manner provided by law.

(b) Responsibility for Maintenance of Completed Work. – On completion of any commemorative work in the District of Columbia and its environs, the Secretary or Administrator, as appropriate, shall assume responsibility for maintaining the work.

(c) Regulations or Standards. – The Secretary and Administrator shall prescribe appropriate regulations or standards to carry out this chapter.

–SOURCE–

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1231.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

8909(a) 40:1010(a). Pub. L. 99-652, Sec. 10(a),

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