

STATEMENT OF SUE MASICA, ASSOCIATE DIRECTOR, ASSOCIATE DIRECTOR FOR PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, HOUSE COMMITTEE ON RESOURCES, CONCERNING H.R. 5145, A BILL TO AUTHORIZE THE NATIONAL WAR DOGS MONUMENT, INC. TO ESTABLISH A NATIONAL MONUMENT IN HONOR OF MILITARY WORKING DOG TEAMS

June 28, 2006

Mr. Chairman, thank you for the opportunity to appear before you today to present the Department of the Interior's views on H.R. 5145, a bill to authorize the National War Dogs Monument, Inc. to establish a monument in honor of military working dog teams.

The Department opposes the establishment of a National War Dogs Monument on National Park Service land in the District of Columbia. We believe that such a monument, however meritorious, is contrary to the provisions of the Commemorative Works Act and would set an unwise precedent.

H.R. 5145 would authorize the National War Dogs Monument, Inc. to establish a monument in the District of Columbia to honor the sacrifice and service of the United States Armed Forces working dog teams (war dogs and their handlers) that participate in the military endeavors of the United States. The bill would direct that the monument be located in Area II and otherwise would provide for its establishment in accordance with the Commemorative Works Act. The bill would prohibit the United States government from paying any expense for the establishment or maintenance of the monument.

The Commemorative Works Act identifies the types of commemorative works appropriate for placement on lands and properties administered by the National Park Service or the General Services Administration in the District of Columbia and its environs and establishes a comprehensive process for their establishment. H.R. 5145 would run contrary to provisions in the Commemorative Works Act. First, the Commemorative Works Act explicitly states that a military commemorative work should be authorized only to commemorate a war or similar major military conflict or a branch of the armed forces and prohibits the authorization of military commemorative works solely commemorating a limited military engagements or a unit of an armed force. Second, the Commemorative Works Act provides that commemorative works for events, individuals, or groups 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. A monument for military working dogs and their handlers, as authorized by H.R. 5145, would not fit into the category of authorized military commemorative works nor would it meet the 25 year requirement.

For over 20 years, since the enactment of the Commemorative Works Act, Congress has approved military memorials on National Park Service land to branches of the Armed Forces such as the United States Navy and Air Force Memorials and to major military conflicts such as World War II, the Korean War, and the Vietnam War, but not to lesser units or professions. On the basis of the advice from the National Capital Memorial Advisory Commission on memorials to divisions, officers, and military groups, and our experience and understanding of the legislative history of the Commemorative Works Act, we believe that Congress intended that

future military memorials, other than those explicitly allowed by the Act, be placed on military land.

We also are concerned about the precedent set forth by H.R. 5145. We anticipate that a National War Dogs Monument would engender similar memorial proposals for other military service animals and their handlers on National Park Service land in the Nation's Capital under the Commemorative Works Act. Congress was faced with a proliferation of memorial proposals shortly after it authorized the establishment of the Vietnam Veterans Memorial. Seventeen proposals followed suit in the 96th Congress to establish memorials, mostly for military units and divisions, military officers, and military and quasi-military professions. Considering the fact that scores of divisions across all branches of the Service could potentially seek separate memorials, the Commemorative Works Act was enacted in 1986 to create a process whereby memorials could continue to be established without immediately consuming the limited parkland available for memorials in the Nation's Capital to past and future persons and events of historic significance to the nation. The process to direct division and unit memorials to sites outside the jurisdiction of the National Park Service has worked well and we believe it is important to adhere to that process.

Several memorials to war dogs and their handlers currently exist that are not located on National Park Service land in the Nation's Capital. The oldest, dedicated in 1918, is in Hartsdale Pet Cemetery in New York. "Always Faithful" is a memorial to war dogs of World War II in the Marine Corps War Dog Cemetery in Guam. A replica of this memorial has been erected at the University of Tennessee. A memorial to war dog teams in all branches of the Service who

served in Vietnam has been placed in Port Neches, Texas. There are also memorials to war dogs of all eras and services at March Air Force Base in Riverside, California, and at Fort Benning in Georgia. Congress could, as an alternative, designate one of these special places as the “National War Dogs Memorial.” Congressional designation established the National Prisoner of War/Missing in Action National Memorial in Riverside National Cemetery, California; the National Fallen Firefighters Memorial at the National Fire Academy in Emmitsburg, Maryland; the National D-Day Memorial in Bedford, Virginia; the National Memorial to Astronauts who Die in the Line of Duty at the John F. Kennedy Space Center; and the National Native American Veterans Memorial within the National Museum of the American Indian, which is on land under the jurisdiction of the Smithsonian Institution.

The Department recognizes the important contributions of military war dogs and their handlers; however, we feel H.R. 5145 would contravene the Commemorative Works Act and set an unwise precedent. We believe that a National War Dogs Monument to honor military working dog teams, if authorized, would be more appropriately located on military lands. We would be happy to work with the Secretary of the Defense and the subcommittee on such amendments.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks, and I will be happy to answer any questions you or other subcommittee members might have.