

COMMEMORATIVE WORKS—CONTINUED

Women in Military Service for America Memorial.—Pub. L. 99-500, §101(h) [title I, §117], Oct. 18, 1986, 100 Stat. 1783-242, 1783-266, and Pub. L. 99-591, §101(h) [title I, §117], Oct. 30, 1986, 100 Stat. 3341-242, 3341-266; Pub. L. 99-590, title IX, §§901, 902, Oct. 30, 1986, 100 Stat. 3339; Pub. L. 99-610, Nov. 6, 1986, 100 Stat. 3477; Pub. L. 103-321, §1(a)(2), Aug. 26, 1994, 108 Stat. 1793; Pub. L. 103-337, div. B, title XXVIII, §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, §652, Sept. 29, 1999, 113 Stat. 480; Pub. L. 106-117, title VI, §601(b), Nov. 30, 1999, 113 Stat. 1578; Pub. L. 107-11, May 28, 2001, 115 Stat. 19.

§ 8904. National Capital Memorial Advisory Commission

(a) ESTABLISHMENT AND COMPOSITION.—There is established the National Capital Memorial Advisory Commission, which shall be composed 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 Advisory Commission shall advise the Secretary of the Interior and the Administrator of General Services (as appropriate) 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 Advisory Commission shall meet at least twice annually.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1229; Pub. L. 108-126, title II, §203(d), Nov. 17, 2003, 117 Stat. 1351.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8904(a), (b)	40:1004(a).	Pub. L. 99-652, §4, Nov. 14, 1986, 100 Stat. 3651.
8904(c)	40:1004(b) (1st sentence).	
8904(d)	40:1004(b) (last sentence).	

AMENDMENTS

2003—Pub. L. 108-126, §203(d)(1), inserted “Advisory” before “Commission” in section catchline.

Subsec. (a). Pub. L. 108-126, §203(d)(2), substituted “There is established the National Capital Memorial Advisory Commission, which shall be composed of” for “There is a National Capital Memorial Commission.

The membership of the Commission consists of” in introductory provisions.

Subsec. (c). Pub. L. 108-126, §203(d)(3), inserted “Advisory” before “Commission shall” and substituted “Services (as appropriate)” for “Services”.

Subsec. (d). Pub. L. 108-126, §203(d)(4), inserted “Advisory” before “Commission”.

EFFECTIVE DATE OF 2003 AMENDMENT

Amendments by Pub. L. 108-126 not applicable to a commemorative work for which a site was approved in accordance with this chapter prior to Nov. 17, 2003, see section 205 of Pub. L. 108-126, set out as a note under section 8901 of this title.

TERMINATION OF ADVISORY COMMISSIONS

Advisory commissions established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a commission established by the President or an officer of the Federal Government, such commission is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a commission established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 8905. Site and design approval

(a) CONSULTATION ON, AND SUBMISSION OF, PROPOSALS.—A sponsor 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 sponsor must consult with the National Capital Memorial Advisory Commission regarding the selection of alternative sites and design concepts 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 sponsor, 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, and the Secretary or Administrator (as appropriate) 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, existing public use, and cultural and natural resources.

(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.