

***In the Senate of the United States,***

*May 21, 2001.*

*Resolved*, That the bill from the House of Representatives (H.R. 1696) entitled “An Act to expedite the construction of the World War II memorial in the District of Columbia.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. APPROVAL OF WORLD WAR II MEMORIAL SITE***  
2 ***AND DESIGN.***

3 *Notwithstanding any other provision of law, the World*  
4 *War II memorial described in plans approved by the Com-*  
5 *mission of Fine Arts on July 20, 2000 and November 16,*  
6 *2000, and selected by the National Capital Planning Com-*  
7 *mission on September 21, 2000 and December 14, 2000, and*  
8 *in accordance with the special use permit issued by the Sec-*  
9 *retary of the Interior on January 23, 2001, and numbered*  
10 *NCR–NACC–5700–0103, shall be constructed expeditiously*  
11 *at the dedicated Rainbow Pool site in the District of Colum-*

1 *bia in a manner consistent with such plans and permits,*  
2 *subject to design modifications, if any, approved in accord-*  
3 *ance with applicable laws and regulations.*

4 **SEC. 2. APPLICATION OF COMMEMORATIVE WORKS ACT.**

5 *Elements of the memorial design and construction not*  
6 *approved as of the date of enactment of this Act shall be*  
7 *considered and approved in accordance with the require-*  
8 *ments of the Commemorative Works Act (40 U.S.C. 1001*  
9 *et seq.).*

10 **SEC. 3. JUDICIAL REVIEW.**

11 *The decision to locate the memorial at the Rainbow*  
12 *Pool site in the District of Columbia and the actions by*  
13 *the Commission of Fine Arts on July 20, 2000 and Novem-*  
14 *ber 16, 2000, the actions by the National Capital Planning*  
15 *Commission on September 21, 2000 and December 14, 2000,*  
16 *and the issuance of the special use permit identified in sec-*  
17 *tion 1 shall not be subject to judicial review.*

Attest:

*Secretary.*

107TH CONGRESS  
1ST SESSION

**H. R. 1696**

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**AMENDMENT**