

107TH CONGRESS  
2D SESSION

# H. R. 3917

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IN THE SENATE OF THE UNITED STATES

JULY 23, 2002

Received; read twice and referred to the Committee on Energy and Natural  
Resources

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## AN ACT

To authorize a national memorial to commemorate the passengers and crew of Flight 93 who, on September 11, 2001, courageously gave their lives thereby thwarting a planned attack on our Nation's Capital, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Flight 93 National  
5       Memorial Act”.

6       **SEC. 2. FINDINGS AND PURPOSES.**

7       (a) FINDINGS.—Congress finds the following:

8               (1) Passengers and crewmembers of United  
9       Airlines Flight 93 of September 11, 2001, coura-  
10       geously gave their lives, thereby thwarting a planned  
11       attack on our Nation’s Capital.

12              (2) In the months since the historic events of  
13       September 11, thousands of people have visited the  
14       Flight 93 site, drawn by the heroic action and sac-  
15       rifice of the passengers and crew aboard Flight 93.

16              (3) Many are profoundly concerned about the  
17       future disposition of the crash site, including griev-  
18       ing families of the passengers and crew, the people  
19       of the region who are the current stewards of the  
20       site, and a broad spectrum of citizens across the  
21       United States. Many of these people are forming the  
22       Flight 93 Task Force as a broad, inclusive organiza-  
23       tion to provide a voice for all interested and con-  
24       cerned parties.

1           (4) The crash site commemorates Flight 93 and  
2           is a profound symbol of American patriotism and  
3           spontaneous leadership of citizen-heroes. The deter-  
4           mination of appropriate recognition at the crash site  
5           of Flight 93 will be a slowly unfolding process in  
6           order to address the interests and concerns of all in-  
7           terested parties. Appropriate national assistance and  
8           recognition must give ample opportunity for those  
9           involved to voice these broad concerns.

10           (5) It is appropriate that the crash site of  
11           Flight 93 be designated a unit of the National Park  
12           System.

13           (b) PURPOSES.—The purposes of this Act are as fol-  
14           lows:

15           (1) To establish a national memorial to honor  
16           the passengers and crew of United Airlines Flight  
17           93 of September 11, 2001.

18           (2) To establish the Flight 93 Advisory Com-  
19           mission to assist with consideration and formulation  
20           of plans for a permanent memorial to the passengers  
21           and crew of Flight 93, including its nature, design,  
22           and construction.

23           (3) To authorize the Secretary of the Interior  
24           (hereinafter referred to as the “Secretary”) to co-  
25           ordinate and facilitate the activities of the Flight 93

1       Advisory Commission, provide technical and finan-  
2       cial assistance to the Flight 93 Task Force, and to  
3       administer a Flight 93 memorial.

4   **SEC. 3. MEMORIAL TO HONOR THE PASSENGERS AND**  
5       **CREWMEMBERS OF FLIGHT 93.**

6       There is established a memorial at the September 11,  
7   2001, crash site of United Airlines Flight 93 in the  
8   Stonycreek Township, Somerset County, Pennsylvania, to  
9   honor the passengers and crew of Flight 93.

10   **SEC. 4. FLIGHT 93 ADVISORY COMMISSION.**

11       (a) **ESTABLISHMENT.**—There is established a com-  
12   mission to be known as the “Flight 93 Advisory Commis-  
13   sion” (hereafter in this Act referred to as the “Commis-  
14   sion”).

15       (b) **MEMBERSHIP.**—The Commission shall consist of  
16   15 members, including the Director of the National Park  
17   Service, or the Director’s designee, and 14 members ap-  
18   pointed by the Secretary from recommendations of the  
19   Flight 93 Task Force.

20       (c) **TERM.**—The term of the members of the Commis-  
21   sion shall be for the life of the Commission.

22       (d) **CHAIR.**—The members of the Commission shall  
23   select the Chair of the Commission.

1       (e) VACANCIES.—Any vacancy in the Commission  
2 shall not affect its powers if a quorum is present, but shall  
3 be filled in the same manner as the original appointment.

4       (f) MEETINGS.—The Commission shall meet at the  
5 call of the Chairperson or a majority of the members, but  
6 not less often than quarterly. Notice of the Commission  
7 meetings and agendas for the meetings shall be published  
8 in local newspapers in the vicinity of Somerset County and  
9 in the Federal Register. Meetings of the Commission shall  
10 be subject to section 552b of title 5, United States Code  
11 (relating to open meetings).

12       (g) QUORUM.—A majority of the members serving on  
13 the Commission shall constitute a quorum for the trans-  
14 action of any business.

15       (h) NO COMPENSATION.—Members of the Commis-  
16 sion shall serve without compensation, but may be reim-  
17 bursed for expenses incurred in carrying out the duties  
18 of the Commission.

19       (i) DUTIES.—The duties of the Commission shall be  
20 as follow:

21               (1) Not later than 3 years after the date of the  
22 enactment of this Act, the Commission shall submit  
23 to the Secretary and Congress a report containing  
24 recommendations for the planning, design, construc-

1       tion, and long-term management of a permanent me-  
2       morial at the crash site.

3           (2) The Commission shall advise the Secretary  
4       on the boundaries of the memorial site.

5           (3) The Commission shall advise the Secretary  
6       in the development of a management plan for the  
7       memorial site.

8           (4) The Commission shall consult and coordi-  
9       nate closely with the Flight 93 Task Force, the  
10      Commonwealth of Pennsylvania, and other inter-  
11      ested parties, as appropriate, to support and not  
12      supplant the efforts of the Flight 93 Task Force on  
13      and before the date of the enactment of this Act to  
14      commemorate Flight 93.

15          (5) The Commission shall provide significant  
16      opportunities for public participation in the planning  
17      and design of the memorial.

18      (j) POWERS.—The Commission may—

19          (1) make such expenditures for services and  
20      materials for the purpose of carrying out this Act as  
21      the Commission considers advisable from funds ap-  
22      propriated or received as gifts for that purpose;

23          (2) subject to approval by the Secretary, solicit  
24      and accept donations of funds and gifts, personal  
25      property, supplies, or services from individuals, foun-

1       dations, corporations, and other private or public en-  
2       tities to be used in connection with the construction  
3       or other expenses of the memorial;

4           (3) hold hearings, enter into contracts for per-  
5       sonal services and otherwise;

6           (4) do such other things as are necessary to  
7       carry out this Act; and

8           (5) by a vote of the majority of the Commis-  
9       sion, delegate such of its duties as it determines ap-  
10      propriate to employees of the National Park Service.

11      (k) TERMINATION.—The Commission shall terminate  
12      upon dedication of the completed memorial.

13      **SEC. 5. DUTIES OF THE SECRETARY.**

14      The Secretary is authorized to—

15           (1) provide assistance to the Commission, in-  
16       cluding advice on collections, storage, and archives;

17           (2) consult and assist the Commission in pro-  
18       viding information, interpretation, and the conduct  
19       of oral history interviews;

20           (3) provide assistance in conducting public  
21       meetings and forums held by the Commission;

22           (4) provide project management assistance to  
23       the Commission for planning, design, and construc-  
24       tion activities;

1           (5) provide programming and design assistance  
2           to the Commission for possible memorial exhibits,  
3           collections, or activities;

4           (6) provide staff assistance and support to the  
5           Commission and the Flight 93 Task Force;

6           (7) participate in the formulation of plans for  
7           the design of the memorial, to accept funds raised  
8           by the Commission for construction of the memorial,  
9           and to construct the memorial;

10          (8) acquire from willing sellers the land or in-  
11          terests in land for the memorial site by donation,  
12          purchase with donated or appropriated funds, or ex-  
13          change; and

14          (9) to administer the Flight 93 memorial as a  
15          unit of the National Park System in accordance with  
16          this Act and with the laws generally applicable to  
17          units of the National Park System such as the Act  
18          of August 25, 1916 (39 Stat. 585).

1 **SEC. 6. CLARIFICATION OF PASSENGERS AND CREW.**

2       For the purposes of this Act, the terrorists on United  
3 Airlines Flight 93 on September 11, 2001, shall not be  
4 considered passengers or crew of that flight.

Passed the House of Representatives July 22, 2002.

Attest:

JEFF TRANDAHL,

*Clerk.*