

# Union Calendar No. 360

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3917

[Report No. 107-597]

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.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2002

Mr. MURTHA introduced the following bill; which was referred to the Committee on Resources

JULY 22, 2002

Additional sponsors: Mr. GEKAS, Mr. SMITH of New Jersey, Ms. LEE, Mr. FRANK, Mrs. THURMAN, Ms. HART, Mrs. TAUSCHER, Mr. GEORGE MILLER of California, Mr. SERRANO, Mr. HOLT, Mr. SHUSTER, Mr. KING, Mr. HOEFFEL, Mr. KENNEDY of Rhode Island, Mr. RAMSTAD, Mr. WATTS of Oklahoma, Mr. KANJORSKI, Mr. MORAN of Virginia, Mrs. MALONEY of New York, Mr. HONDA, and Mr. HASTINGS of Florida

JULY 22, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on March 7, 2002]

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## A BILL

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 Me-*  
5 *morial Act".*

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

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

8 *(1) Passengers and crewmembers of United Air-*  
9 *lines Flight 93 of September 11, 2001, courageously*  
10 *gave their lives, thereby thwarting a planned attack*  
11 *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 fu-*  
17 *ture disposition of the crash site, including grieving*  
18 *families of the passengers and crew, the people of the*  
19 *region who are the current stewards of the site, and*  
20 *a broad spectrum of citizens across the United States.*  
21 *Many of these people are forming the Flight 93 Task*  
22 *Force as a broad, inclusive organization to provide a*  
23 *voice for all interested and concerned 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 in-*  
9           *involved to voice these broad concerns.*

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

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

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

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

22           (3) *To authorize the Secretary of the Interior*  
23           *(hereinafter referred to as the “Secretary”) to coordi-*  
24           *nate and facilitate the activities of the Flight 93 Ad-*  
25           *visory Commission, provide technical and financial*

1        *assistance to the Flight 93 Task Force, and to admin-*  
2        *ister a Flight 93 memorial.*

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

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

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

10        *(a) ESTABLISHMENT.—There is established a commis-*  
11        *sion to be known as the “Flight 93 Advisory Commission”*  
12        *(hereafter in this Act referred to as the “Commission”).*

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

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

20        *(d) CHAIR.—The members of the Commission shall se-*  
21        *lect the Chair of the Commission.*

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

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

9           (g) *QUORUM.*—*A majority of the members serving on*  
10 *the Commission shall constitute a quorum for the trans-*  
11 *action of any business.*

12          (h) *NO COMPENSATION.*—*Members of the Commission*  
13 *shall serve without compensation, but may be reimbursed*  
14 *for expenses incurred in carrying out the duties of the Com-*  
15 *mission.*

16          (i) *DUTIES.*—*The duties of the Commission shall be*  
17 *as follow:*

18               (1) *Not later than 3 years after the date of the*  
19 *enactment of this Act, the Commission shall submit to*  
20 *the Secretary and Congress a report containing rec-*  
21 *ommendations for the planning, design, construction,*  
22 *and long-term management of a permanent memorial*  
23 *at the crash site.*

24               (2) *The Commission shall advise the Secretary*  
25 *on the boundaries of the memorial site.*

1           (3) *The Commission shall advise the Secretary*  
2 *in the development of a management plan for the me-*  
3 *memorial site.*

4           (4) *The Commission shall consult and coordinate*  
5 *closely with the Flight 93 Task Force, the Common-*  
6 *wealth of Pennsylvania, and other interested parties,*  
7 *as appropriate, to support and not supplant the ef-*  
8 *forts of the Flight 93 Task Force on and before the*  
9 *date of the enactment of this Act to commemorate*  
10 *Flight 93.*

11           (5) *The Commission shall provide significant op-*  
12 *portunities for public participation in the planning*  
13 *and design of the memorial.*

14           (j) *POWERS.—The Commission may—*

15           (1) *make such expenditures for services and ma-*  
16 *terials for the purpose of carrying out this Act as the*  
17 *Commission considers advisable from funds appro-*  
18 *priated or received as gifts for that purpose;*

19           (2) *subject to approval by the Secretary, solicit*  
20 *and accept donations of funds and gifts, personal*  
21 *property, supplies, or services from individuals, foun-*  
22 *dations, corporations, and other private or public en-*  
23 *tities to be used in connection with the construction*  
24 *or other expenses of the memorial;*

1           (3) *hold hearings, enter into contracts for per-*  
2           *sonal services and otherwise;*

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

5           (5) *by a vote of the majority of the Commission,*  
6           *delegate such of its duties as it determines appro-*  
7           *priate to employees of the National Park Service.*

8           (k) *TERMINATION.—The Commission shall terminate*  
9           *upon dedication of the completed memorial.*

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

11           *The Secretary is authorized to—*

12           (1) *provide assistance to the Commission, includ-*  
13           *ing advice on collections, storage, and archives;*

14           (2) *consult and assist the Commission in pro-*  
15           *viding information, interpretation, and the conduct of*  
16           *oral history interviews;*

17           (3) *provide assistance in conducting public meet-*  
18           *ings and forums held by the Commission;*

19           (4) *provide project management assistance to the*  
20           *Commission for planning, design, and construction*  
21           *activities;*

22           (5) *provide programming and design assistance*  
23           *to the Commission for possible memorial exhibits, col-*  
24           *lections, or activities;*

1           (6) *provide staff assistance and support to the*  
2           *Commission and the Flight 93 Task Force;*

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

7           (8) *acquire from willing sellers the land or inter-*  
8           *ests in land for the memorial site by donation, pur-*  
9           *chase with donated or appropriated funds, or ex-*  
10          *change; and*

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

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

17          *For the purposes of this Act, the terrorists on United*  
18          *Airlines Flight 93 on September 11, 2001, shall not be con-*  
19          *sidered passengers or crew of that flight.*



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