

107TH CONGRESS
2D SESSION

S. 2136

AN ACT

To establish a memorial in the State of Pennsylvania to honor the passengers and crewmembers of Flight 93 who, on September 11, 2001, gave their lives to prevent a planned attack on the Capital of the United States.

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”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

3 (1) on September 11, 2001, passengers and
4 crewmembers of United Airlines Flight 93 coura-
5 geously gave their lives to prevent a planned attack
6 on the Capital of the United States;

7 (2) thousands of people have visited the crash
8 site since September 11, 2001, drawn by the heroic
9 action and sacrifice of the passengers and crew-
10 members aboard Flight 93;

11 (3) many people in the United States are con-
12 cerned about the future disposition of the crash site,
13 including—

14 (A) grieving families of the passengers and
15 crewmembers;

16 (B) the people of the region where the
17 crash site is located; and

18 (C) citizens throughout the United States;

19 (4) many of those people are involved in the
20 formation of the Flight 93 Task Force, a broad, in-
21 clusive organization established to provide a voice for
22 all parties interested in and concerned about the
23 crash site;

24 (5) the crash site commemorates Flight 93 and
25 is a profound symbol of American patriotism and

1 spontaneous leadership by citizens of the United
2 States;

3 (6) a memorial of the crash site should—

4 (A) recognize the victims of the crash in
5 an appropriate manner; and

6 (B) address the interests and concerns of
7 interested parties; and

8 (7) it is appropriate that the crash site of
9 Flight 93 be designated as a unit of the National
10 Park System.

11 (b) PURPOSES.—The purposes of this Act are—

12 (1) to establish a memorial to honor the pas-
13 sengers and crewmembers aboard United Airlines
14 Flight 93 on September 11, 2001;

15 (2) to establish the Flight 93 Advisory Commis-
16 sion to assist in the formulation of plans for the me-
17 morial, including the nature, design, and construc-
18 tion of the memorial; and

19 (3) to authorize the Secretary of the Interior to
20 administer the memorial, coordinate and facilitate
21 the activities of the Flight 93 Advisory Commission,
22 and provide technical and financial assistance to the
23 Flight 93 Task Force.

24 **SEC. 3. DEFINITIONS.**

25 In this Act:

1 (1) COMMISSION.—The term “Commission”
 2 means the Flight 93 Advisory Commission estab-
 3 lished by section (4)(b).

4 (2) CRASH SITE.—The term “crash site” means
 5 the site in Stonycreek Township, Somerset County,
 6 Pennsylvania, where United Airlines Flight 93
 7 crashed on September 11, 2001.

8 (3) MEMORIAL.—The term “Memorial” means
 9 the memorial to the passengers and crewmembers of
 10 United Airlines Flight 93 established by section
 11 4(a).

12 (4) PASSENGER OR CREWMEMBER.—

13 (A) IN GENERAL.—The term “passenger
 14 or crewmember” means a passenger or crew-
 15 member aboard United Airlines Flight 93 on
 16 September 11, 2001.

17 (B) EXCLUSIONS.—The term “passenger
 18 or crewmember” does not include a terrorist
 19 aboard United Airlines Flight 93 on September
 20 11, 2001.

21 (5) SECRETARY.—The term “Secretary” means
 22 the Secretary of the Interior.

23 (6) TASK FORCE.—The term “Task Force”
 24 means the Flight 93 Task Force.

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

3 (a) **ESTABLISHMENT.**—There is established as a unit
4 of the National Park System a memorial at the crash site
5 to honor the passengers and crewmembers of Flight 93.

6 (b) **ADVISORY COMMISSION.**—

7 (1) **ESTABLISHMENT.**—There is established a
8 commission to be known as the “Flight 93 Advisory
9 Commission”.

10 (2) **MEMBERSHIP.**—The Commission shall be
11 composed of—

12 (A) the Director of the National Park
13 Service; and

14 (B) 14 members, appointed by the Sec-
15 retary, from among persons recommended by
16 the Task Force.

17 (3) **TERM; VACANCIES.**—

18 (A) **TERM.**—A member of the Commission
19 shall be appointed for the life of the Commis-
20 sion.

21 (B) **VACANCIES.**—A vacancy on the
22 Commission—

23 (i) shall not affect the powers of the
24 Commission; and

25 (ii) shall be filled in the same manner
26 as the original appointment was made.

1 (4) MEETINGS.—

2 (A) IN GENERAL.—The Commission shall
3 meet at the call of the Chairperson or a major-
4 ity of the members.

5 (B) FREQUENCY.—The Commission shall
6 meet not less than quarterly.

7 (C) NOTICE.—Notice of meetings and the
8 agenda for the meetings shall be published in—

9 (i) newspapers in and around Som-
10 erset County, Pennsylvania; and

11 (ii) the Federal Register.

12 (D) OPEN MEETINGS.—Meetings of the
13 Commission shall be subject to section 552b of
14 title 5, United States Code.

15 (5) QUORUM.—A majority of the members of
16 the Commission shall constitute a quorum.

17 (6) CHAIRPERSON.—The Commission shall se-
18 lect a Chairperson from among the members of the
19 Commission.

20 (7) DUTIES.—The Commission shall—

21 (A) not later than 3 years after the date
22 of enactment of this Act, submit to the Sec-
23 retary and Congress a report that contains rec-
24 ommendations for the planning, design, con-

1 struction, and long-term management of the
2 memorial;

3 (B) advise the Secretary on—

4 (i) the boundaries of the memorial;

5 and

6 (ii) the development of a management

7 plan for the memorial;

8 (C) consult with the Task Force, the State
9 of Pennsylvania, and other interested parties,
10 as appropriate;

11 (D) support the efforts of the Task Force;

12 and

13 (E) involve the public in the planning and

14 design of the memorial.

15 (8) POWERS.—The Commission may—

16 (A) make expenditures for services and

17 materials appropriate to carry out the purposes

18 of this section;

19 (B) accept donations for use in carrying

20 out this section and for other expenses associ-

21 ated with the memorial, including the construc-

22 tion of the memorial;

23 (C) hold hearings and enter into contracts,

24 including contracts for personal services;

1 (D) by a vote of the majority of the Com-
 2 mission, delegate any duties that the Commis-
 3 sion determines to be appropriate to employees
 4 of the National Park Service; and

5 (E) conduct any other activities necessary
 6 to carry out this Act.

7 (9) COMPENSATION.—A member of the Com-
 8 mission shall serve without compensation, but may
 9 be reimbursed for expenses incurred in carrying out
 10 the duties of the Commission.

11 (10) TERMINATION.—The Commission shall
 12 terminate on the dedication of the memorial.

13 (c) DUTIES OF THE SECRETARY.—The Secretary
 14 shall—

15 (1) administer the memorial as a unit of the
 16 National Park Service in accordance with—

17 (A) this Act; and

18 (B) the laws generally applicable to units
 19 of the National Park System;

20 (2) provide advice to the Commission on the
 21 collection, storage, and archiving of information and
 22 materials relating to the crash or the crash site;

23 (3) consult with and assist the Commission
 24 in—

25 (A) providing information to the public;

1 (B) interpreting any information relating
 2 to the crash or the crash site;

3 (C) conducting oral history interviews; and

4 (D) conducting public meetings and fo-
 5 rums;

6 (4) participate in the development of plans for
 7 the design and construction of the memorial;

8 (5) provide to the Commission—

9 (A) assistance in designing and managing
 10 exhibits, collections, or activities at the memo-
 11 rial;

12 (B) project management assistance for de-
 13 sign and construction activities; and

14 (C) staff and other forms of administrative
 15 support;

16 (6) acquire from willing sellers the land or in-
 17 terests in land for the memorial by donation, pur-
 18 chase with donated or appropriated funds, or ex-
 19 change; and

1 (7) provide the Commission any other assist-
2 ance that the Commission may require to carry out
3 this Act.

Passed the Senate September 10, 2002.

Attest:

Secretary.

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