

107TH CONGRESS
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H. R. 5725

To authorize a national memorial at, or proximate to, the World Trade Center site to commemorate the tragic events of September 11, 2001, to establish the World Trade Center Memorial Advisory Board, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 2002

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

A BILL

To authorize a national memorial at, or proximate to, the World Trade Center site to commemorate the tragic events of September 11, 2001, to establish the World Trade Center Memorial Advisory Board, 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 “World Trade Center
5 National Memorial Act”.

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

7 (a) FINDINGS.—Congress finds as follows:

1 (1) On September 11, 2001, terrorists hijacked
2 four civilian aircraft, causing two of them to crash
3 into the twin towers of the World Trade Center in
4 New York City, a third into the Pentagon, and a
5 fourth in rural southwest Pennsylvania.

6 (2) Nearly 3,000 people were killed at the
7 World Trade Center site in the most lethal terrorist
8 attack ever committed against the United States.

9 (3) In the months since the historic events of
10 September 11, 2001, thousands of people have vis-
11 ited the World Trade Center site to mourn the dead,
12 to pay tribute to the heroic action and sacrifice of
13 the firefighters, police, emergency personnel, and
14 other responders, and attempt to understand the na-
15 ture of this attack on the United States.

16 (4) The attack on the World Trade Center re-
17 sulted in great destruction and damage to homes,
18 churches, schools, and commercial and retail build-
19 ings, causing the loss of thousands of jobs and busi-
20 nesses in Lower Manhattan.

21 (5) The human and emotional toll of this attack
22 has been felt across the United States and through-
23 out the world.

24 (6) Many are profoundly concerned about the
25 future disposition of the World Trade Center site,

1 and many citizens, family members, professional or-
2 ganizations, local businesses and residents, and
3 State and local officials have formed coalitions and
4 held forums to provide a voice for all interested and
5 concerned parties.

6 (7) A broad and deep consensus has emerged in
7 the United States that this site is a sacred site that
8 cannot be forgotten and requires the highest form of
9 national recognition.

10 (8) It is appropriate that a national memorial
11 be established at, or proximate to, the World Trade
12 Center site to commemorate the internationally sig-
13 nificant events of September 11, 2001, and the lives
14 lost, and that the memorial be designated as a unit
15 of the National Park System.

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

18 (1) To establish a national memorial at, or
19 proximate to, the World Trade Center site in New
20 York City to commemorate the tragic events of Sep-
21 tember 11, 2001.

22 (2) To ensure the public has full access to and
23 significant involvement in decisions regarding the lo-
24 cation, planning, and design of the national memo-
25 rial.

1 (3) To authorize the Secretary of the Interior
2 to provide technical assistance to the Lower Manhat-
3 tan Development Corporation and to permanently
4 administer the national memorial as a unit of the
5 National Park System for present and future gen-
6 erations.

7 (4) To establish in the Department of the Inte-
8 rior the World Trade Center Memorial Advisory
9 Board to advise the Director of the National Park
10 Service on the management of the memorial.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) BOARD.—The term “Board” means the
14 World Trade Center Memorial Advisory Board es-
15 tablished in section 7.

16 (2) CORPORATION.—The term “Corporation”
17 means the Lower Manhattan Development Corpora-
18 tion, a public agency created to oversee the rebuild-
19 ing of the World Trade Center site and surrounding
20 area.

21 (3) GOVERNOR.—The term “Governor” means
22 the Governor of New York.

23 (4) MAYOR.—The term “Mayor” means the
24 Mayor of New York City.

1 (5) MEMORIAL.—The term “Memorial” means
2 a sculpture, structure, or landscape element, includ-
3 ing the real property on which it is sited, designed
4 to commemorate the significance to the Nation of
5 the events of September 11, 2001, at or proximate
6 to the World Trade Center site in New York City
7 and designated under section 4.

8 (6) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

10 **SEC. 4. WORLD TRADE CENTER NATIONAL MEMORIAL.**

11 (a) ESTABLISHMENT.— There is authorized to be es-
12 tablished as a unit of the National Park System, a na-
13 tional memorial at, or proximate to, the site of the World
14 Trade Center in New York City. The proposed design and
15 boundary of the Memorial shall be determined through a
16 public planning process established by the Corporation
17 and included in the report required by section 5. The final
18 design and boundary of the Memorial shall be approved
19 by the Secretary, the Governor, and the Mayor.

20 (b) ADMINISTRATION.—Upon transfer to the United
21 States by willing sellers of the land upon which the Memo-
22 rial is to be located, such land and the Memorial shall be
23 administered by the Secretary through the National Park
24 Service, as a unit of the National Park System, in accord-
25 ance with the provisions of this Act, the Act of August

1 25, 1916 (39 Stat. 535; 16 U.S.C. 1 through 4), and the
2 Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–
3 467).

4 **SEC. 5. REPORT.**

5 (a) CONTENTS.—Not later than 3 years after the
6 date of the enactment of this Act, the Corporation shall
7 submit a report to the Secretary, the Governor, and the
8 Mayor for approval. This report shall contain the fol-
9 lowing:

10 (1) The recommended design and boundary for
11 the Memorial.

12 (2) A description of those considerations incor-
13 porated into the boundary and design necessary to
14 permit the effective and efficient management of the
15 Memorial as a unit of the National Park System.

16 (3) A proposal and schedule for the transfer of
17 interests in property as is appropriate to the Sec-
18 retary. The transfer must ensure that the property
19 upon which the Memorial is to be located is trans-
20 ferred to the United States by willing sellers before
21 construction of the Memorial begins.

22 (4) A description of the processes and opportu-
23 nities provided for public participation in the devel-
24 opment of the report.

1 (5) Any other planning, scheduling, construc-
2 tion, and long-term management issues and rec-
3 ommendations which, in the opinion of the Corpora-
4 tion, merit inclusion in the report.

5 (b) APPROVAL PROCESS.—Not later than 90 days
6 after receiving notification by the Governor and the Mayor
7 of their respective approvals of the report, the Secretary
8 shall approve or disapprove the report. If the Secretary
9 disapproves the report, the Secretary shall advise the Cor-
10 poration, in writing, of the reasons for such disapproval
11 and shall indicate any recommendations for revisions. Not
12 later than 45 days after receiving any necessary revisions
13 to the report, the Secretary shall approve or disapprove
14 the revised report.

15 (c) FINAL REPORT.—The final report approved by
16 the Secretary, the Governor, and the Mayor shall be trans-
17 mitted to the Committee on Energy and Natural Re-
18 sources of the Senate, and the Committee on Resources
19 of the House of Representatives.

20 **SEC. 6. DUTIES OF THE SECRETARY.**

21 The Secretary is authorized to take the following ac-
22 tions:

23 (1) Upon request by the Corporation, to provide
24 assistance in conducting public meetings and fo-
25 rums.

1 (2) Provide project management assistance for
2 planning, design, and construction activities and in
3 particular, to provide consultation and information
4 permitting the plans and designs included within the
5 report as required in section 5 to incorporate such
6 elements necessary to facilitate the effective and effi-
7 cient management of the Memorial as a unit of the
8 National Park System.

9 (3) Provide other assistance related to docu-
10 mentation and interpretation of the site and preser-
11 vation of Memorial artifacts.

12 (4) Acquire from willing sellers the land or in-
13 terests in land for the Memorial site by donation,
14 purchase with donated or appropriated funds, or ex-
15 change.

16 (5) Administer, through the National Park
17 Service, the Memorial as a unit of the National Park
18 System in accordance with this Act and with the
19 laws generally applicable to units of the National
20 Park System.

21 (6) Prepare a charter for the Board established
22 in section 7 to clarify its role and its relationship
23 with the Department of the Interior and the Na-
24 tional Park Service.

1 **SEC. 7. ESTABLISHMENT OF THE WORLD TRADE CENTER**
2 **MEMORIAL ADVISORY BOARD.**

3 (a) ESTABLISHMENT.—Upon transfer of the com-
4 pleted Memorial to the National Park Service, there is es-
5 tablished an advisory Board to be known as the “World
6 Trade Center Memorial Advisory Board”.

7 (b) DUTIES.—The Board shall operate as an advisor
8 to the National Park Service on the management of the
9 Memorial, taking into consideration input from the public
10 and interested parties.

11 (c) MEMBERSHIP.—The Board shall be composed of
12 17 members appointed by the Secretary as follows:

13 (1) Two members appointed after consideration
14 of recommendations by each United States Senator
15 from the State of New York.

16 (2) One member appointed after consideration
17 of recommendations by the member of the United
18 States House of Representatives whose district shall
19 encompass the World Trade Center site.

20 (3) Four members appointed after consideration
21 of recommendations by the Mayor, to represent a
22 broad spectrum of interested citizens, agencies, and
23 organizations.

24 (4) Four members appointed after consideration
25 of recommendations by the Governor, to represent a

1 broad spectrum of interested citizens, agencies, and
2 organizations.

3 (5) Six members appointed after consideration
4 of recommendations by the President.

5 (d) TERMS.—Members of the Board shall serve for
6 a term of 3 years. Any member of the Board may continue
7 to serve after the expiration of his or her term, until such
8 time as a successor is appointed. Any vacancy in the
9 Board shall be filled in the same manner in which the
10 original appointment was made.

11 (e) CHAIR.—The members of the Board shall des-
12 ignate 1 of the members as Chair of the Board.

13 (f) MEETINGS.—The Board shall meet on a regular
14 basis, at least 4 times a year. Notice of meetings shall
15 be published in local newspapers. Board meetings shall be
16 held at locations and in such a manner as to ensure ade-
17 quate public involvement.

18 (g) QUORUM.—A majority of the members serving on
19 the Board shall constitute a quorum for the transaction
20 of any business.

21 (h) VOTING.—The Board shall act and advise by a
22 majority vote of the members present at any meeting at
23 which a quorum is in attendance.

24 (i) EXPENSES.—Members of the Board shall serve
25 without compensation, but while engaged in official busi-

1 ness shall be entitled to travel expenses, including per
2 diem in lieu of subsistence in the same manner as persons
3 employed intermittently in Federal Government service
4 under section 5703 of title 5, United States Code.

5 (j) TERMINATION.—The Board shall terminate 60
6 days after the date upon which the Memorial ceases to
7 be administered by the National Park Service.

8 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) CONSTRUCTION.—Upon approval of the report re-
10 quired by section 5, the Secretary is authorized to grant
11 such sums as may be necessary to the Corporation for the
12 construction of a permanent Memorial in accordance with
13 the approved report.

14 (b) MATCHING REQUIREMENT.—Funds made avail-
15 able pursuant to subsection (a) shall not exceed 50 percent
16 of the construction cost of the Memorial.

17 (c) TECHNICAL ASSISTANCE.—There is authorized to
18 be appropriated to the National Park Service, \$300,000
19 for fiscal year 2003 and each fiscal year thereafter to pro-
20 vide technical assistance to the Corporation and to other-
21 wise carry out this Act.

22 (d) BOARD.—There is authorized to be appropriated
23 to the Board such sums as may be necessary to perform
24 its responsibilities under this Act.

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