



To: House Committee on Natural Resources Republican Members
From: Subcommittee on National Parks, Forests, and Public Lands Republican Staff;
Aniela Butler (Aniela@mail.house.gov) and Terry Camp
(Terry.Camp@mail.house.gov)
Date: December 6, 2021
Subject: Legislative Hearing on Three Bills

The Subcommittee on National Parks, Forests, and Public Lands will hold a hybrid legislative hearing on three bills: H.R. 1117 (Rep. DeSaulnier), the “Rosie the Riveter National Historic Site Expansion Act”; H.R. 3525 (Rep. Meng), the “Commission to Study the Potential Creation of a National Museum of Asian Pacific American History and Culture Act”; and H.R. 5230 (Rep. Katko), the “9/11 Memorial and Museum Act” on **Tuesday, December 7, 2021, at 10:30 am EST** in person and via Cisco WebEx.

Member offices are requested to notify Terry Camp (Terry.Camp@mail.house.gov) **no later than Monday, December 6, at 4:30 pm EST** if their Member intends to participate in person in the hearing room or remotely from his/her laptop from another location. Submissions for the hearing record must be submitted through the Committee’s electronic repository at HNRCDocs@mail.house.gov. Please contact David DeMarco (David.DeMarco@mail.house.gov) or Everett Winnick (Everett.Winnick@mail.house.gov) should any technical difficulties arise.

I. KEY MESSAGES

- This year marks the 20th anniversary of the attacks of September 11th. Representative Katko’s bill helps sustain the 9/11 Memorial and Museum in New York City, which has recently had a devastating drop in revenues due to COVID-19 shutdowns and restrictions.
- As gas prices continue to increase and supply chain issues threaten the economy (and Christmas), Committee Democrats are in disarray and focused on bills that are completely unrelated to addressing the real problems Americans are facing.
- Both Democrat bills considered in the hearing will need to be carefully evaluated to ensure they don’t further stretch finite agency resources or contribute to the maintenance backlog on our federal lands.

II. WITNESSES

Panel I:

- **Representative Mark DeSaulnier**, California, 11th District



- **Representative John Katko**, New York, 24th District
- **Representative Grace Meng**, New York, 6th District
- **Representative Jerrold Nadler**, New York, 10th District

Panel II:

- **Ms. Debra Burlingame**, Board Member, 9/11 Memorial & Museum, and sister of Charles “Chic” Burlingame (Flight 77/Pentagon Victim) [*Republican Witness*] (H.R. 5230)
- **Mr. Theodore S. Gonzalves**, Acting Director, Asian American Program, Smithsonian Institution (H.R. 3525)
- **Dr. Russell Jeung**, Professor, Asian American Studies, San Francisco State University and Co-Founder, Stop AAPI Hate (H.R. 3525)
- **Ms. Lisa Ling**, Executive Produce & Host, CNN (H.R. 3525)
- **Tom Butt**, Mayor of Richmond, California (H.R. 1117)

III. BACKGROUND

[H.R. 1117 \(DeSaulnier\)](#)

In 2000, Congress established the Rosie the Riveter/World War II Home Front National Historical Park in Richmond, California. The park commemorates the contributions of those who supported World War II on the home front: workers, including women and minorities, in the war industries and those who stayed stateside and saved, collected, recycled, and made enormous personal sacrifices.¹ The park is a partnership park, with many different entities involved in both preserving the Richmond World War II home front resources and providing various visitor experiences throughout the park. The park’s physical sites and structures include industrial landscapes such as the Ford Assembly Building and Oil House and Shipyard No. 3; human service locales such as the Kaiser Field Hospital, the Maritime Child Development Center, and Fire Station 67; and residential areas such as Atchison Village, which was built to house the booming World War II work force.²

The park presently consists of 145.19 acres, all non-federal.³ The site’s enabling legislation provided authority to the National Park Service to acquire the World War II day care centers, worker housing, the Kaiser Field Hospital, and Fire Station 67 from willing sellers through donation, purchase with donated or appropriated funds, transfer from any other federal agency, or exchange.⁴

This bill adds additional sites to the boundary of the park including Nystrom Elementary School, the Maritime Building, and other areas as the Department of the Interior deems appropriate. The bill also authorizes the Department of the Interior to acquire lands, improvements, waters, or

¹ Foundation Document, Rosie the Riveter/World War II Home Front National Historical Park. National Park Service, U.S. Department of the Interior. 3 (2017).

² *Id.*

³ The National Parks: Index 2012-2016. National Park Service. U.S. Department of the Interior. 35 (2016). <https://www.nps.gov/aboutus/upload/NPIndex2012-2016.pdf> (last visited Dec 1, 2021).

⁴ *Supra* note 1, at 11.

interests therein, within the boundaries of the park, by donation, purchase, exchange, or transfer. Any lands, or interests therein, owned by the State of California or any political subdivision of California may be acquired only by donation. Although this legislation authorizes additional federal land acquisition, it is unclear which sites, if any, the National Park Service wishes to acquire now or in the future for federal ownership and management. **Staff contact: Terry Camp (x67736)**

[H.R. 3525 \(Meng\)](#)

In 1997, the Smithsonian Institution established the Asian Pacific American Center to encourage the inclusion of Asian-Pacific American culture across the Smithsonian. The Center's activities include temporary and traveling exhibitions; educational resources; public programming; and digital initiatives. Since the 114th Congress, Representative Grace Meng has sponsored legislation that would establish a commission to study the potential creation of an Asian Pacific American Museum within the Smithsonian.

New Smithsonian museums are typically preceded by the establishment of commissions authorized to study the proposals. Since 2001, Congress authorized three such commissions:

- 1) The National Museum of African American History and Culture Plan for Action Presidential Commission in 2001 (P.L. 107-106);
- 2) 2) The Commission to Study the Potential Creation of a National Museum of the American Latino in 2008 (P.L. 110-229); and
- 3) 3) The Commission to Study the Potential Creation of a National Women's History Museum in 2014 (P.L. 113-291).

Each of these commissions issued its respective reports and recommended the creation of a national museum within the Smithsonian Institution. Most recently, during the 116th Congress, President Trump enacted legislation to establish the National Museum of the American Latino and the American Women's History Museum within the Smithsonian.

The Smithsonian is facing major facilities issues including a facilities maintenance backlog approaching \$1 billion; identified collections storage needs (a Smithsonian study found 47 percent of storage space is considered inadequate); a \$900 million renovation of the National Air and Space Museum expected to conclude in 2022; and rehabilitation of the Smithsonian's Castle and Arts & Industries buildings.⁵ Adding yet another new museum to the Smithsonian portfolio could pose a significant additional challenge. In the past, David Skorton, former Secretary of the Smithsonian, stated that the Smithsonian did not have the capacity to handle a new museum given these challenges.⁶ Current Smithsonian Secretary Bunch has been less emphatic, testifying

⁵ Cathy L. Helm. Statement of Cathy L. Helm, Inspector General, Smithsonian Institution, Before the U.S. House of Representatives Committee on House Administration. Sep 18, 2019. <https://docs.house.gov/meetings/HA/HA00/20190918/109929/HHRG-116-HA00-Wstate-HelmC-20190918-U1.pdf> (last visited Dec 1, 2021).

⁶ David J. Skorton. Statement of Dr. David J. Skorton, Secretary of the Smithsonian Institution Before the House of Representatives Committee on House Administration. March 28, 2017. <https://docs.house.gov/meetings/HA/HA00/20170328/105769/HHRG-115-HA00-Wstate-SkortonD-20170328.pdf> (last visited Dec 1, 2021).

that any additional museum must not “impact our existing priorities” and that adequate funding is necessary for construction, operations and care of the collections.⁷

This bill establishes a Commission to Study the Potential Creation of a National Museum of Asian Pacific American History and Culture. The commission will report recommendations for a plan of action for the establishment and maintenance of a National Museum of Asian Pacific American History and Culture in Washington, D.C., develop a fundraising plan, and submit a legislative plan of action to establish and construct the museum. The commission may also convene a national conference relating to the museum. The bill authorizes such sums as may be necessary to carry out the Act. **Staff contact: Terry Camp (x67736)**

[H.R. 5230 \(Katko\)](#)

The National 9/11 Memorial, located in New York City, is the principal tribute of remembrance and honor to the nearly 3,000 people killed in the terror attacks at the World Trade Center site on September 11, 2001, as well as the six people killed in the World Trade Center bombing in February 1993. More than 50 million people have visited the Memorial since it opened in September 2011 and more than 17 million people have visited the museum since it opened in 2014.⁸

The 9/11 Memorial and Museum is operated by the National September 11 Memorial & Museum at the World Trade Center Foundation, Inc, a private, not-for-profit organization. Construction of the 9/11 Memorial and Museum totaled roughly \$700 million, with ongoing annual operating costs of roughly \$111 million.⁹ The cost for security at the memorial is approximately \$1 million per month, and security must constantly remain at a high level. High-profile visitors such as the Pope or foreign heads of state can add millions in additional security costs. In 2016, Congress passed the “9/11 Memorial Act,” sponsored by former Representative Tom MacArthur (R-NJ), which established a competitive grant program for 9/11 Memorials. The grant program primarily provides funding for the 9/11 Memorial and Museum in New York. The program was expected to provide 9/11 memorials with \$25 million annually, but so far, the program is only funded at roughly \$2 million annually beginning in FY 2020.¹⁰

The 9/11 Memorial and Museum was hit especially hard by the COVID-19 pandemic, as visitation dropped by 85-90 percent due to COVID-related closures and restrictions.¹¹ This has

⁷ Lonnie G. Bunch III. Statement of Lonnie G. Bunch III, Secretary, Smithsonian Institution, Before the House of Representatives Committee on House Administration. September 18, 2019. <https://docs.house.gov/meetings/HA/HA00/20190918/109929/HHRG-116-HA00-Wstate-BunchL-20190918-U1.pdf> (last visited Dec 1, 2021).

⁸ Financial & Legal Information, National September 11 Memorial & Museum, <https://www.911memorial.org/financial-legal-information> (last visited Oct 18, 2021).

⁹ National September 11 Memorial & Museum at the World Trade Center Foundation, Inc. IRS Form 990 2019. <https://911memorial.org/sites/default/files/inline-files/2019%20NaI911%20Form%20990%20-%20Public%20Inspection%20Copy.pdf> (last visited Oct 18, 2021).

¹⁰ President Trump announces \$2 million grant for 9/11 memorial, National Park Service (2020), <https://www.nps.gov/orgs/1207/07-18-20-president-trump-announces-2-million-grant-for-9-11-memorial.htm#:~:text=The%20National%20September%2011%20Memorial%20in%20New%20York%20City.&text=The%20funding%20through%20the%20National.of%20the%20memorial%20and%20museum> (last visited Oct 18, 2021).

¹¹ Internal numbers provided to Committee staff by the National September 11 Memorial & Museum at the World Trade Center Foundation, Inc.

been financially devastating for the Foundation, which suffered a 95 percent revenue loss in 2020.¹² Since March 2020, the Foundation has implemented austerity measures to reduce the operating budget, eliminate consultants and marketing programs, and reduce staff levels. The Foundation also laid off 60 percent of its staff (roughly 200 people) in July 2020.¹³

This bill provides a one-time grant (ranging between \$5 million to \$10 million) from the Department of Homeland Security to help the 9/11 Memorial and Museum recover from losses due to the pandemic. Grant funding would come out of appropriations to the Department of Homeland Security. *Staff contact: Terry Camp (x67736)*

MAJOR PROVISIONS & ANALYSIS

[H.R. 1117 \(DeSaulnier\)](#)

Sec. 1. Rosie the Riveter/World War II Home Front National Historical Park Additions

- Expands the boundary of the Rosie the Riveter/World War II Home Front National Historical Park to include the Nystrom Elementary School, the Maritime Building, as listed on the National Register of Historic Places, other areas that the Secretary of the Interior deems appropriate.
- Authorizes the Secretary of the Interior to acquire lands, improvements, waters, or interests therein by donation, purchase, exchange, or transfer.
- Limits lands, or interests therein, owned by the State of California or any political subdivision thereof to acquisition solely by donation.

[H.R. 3525 \(Meng\)](#)

Sec. 2. Establishment of Commission

- Establishes a commission of 8 Members appointed by bipartisan congressional leadership to study the potential creation of a National Museum of Asian Pacific American History and Culture.

Sec. 3. Duties of the Commission

- Requires the commission to submit to the President and Congress a plan of action for the establishment and maintenance of the proposed museum within 18 months.
- Requires the report address collections; impact on regional Asian-Pacific American museums; location; whether the museum should be part of the Smithsonian. governance; best practices for engaging Asian-Pacific Americans in the development and design of the museum; and the cost of constructing and operating the museum.
- Requires the commission develop a fundraising plan to support the establishment, operation and maintenance of the museum using private funds as well as a legislative plan of action.
- Authorizes the commission to hold a national conference.

¹² *Id.*

¹³ Colin Moynihan, September 11 memorial lays off staff members and furloughs others The New York Times (2020), <https://www.nytimes.com/2020/06/21/arts/design/september-11-museum-layoffs.html> (last visited Oct 18, 2021).

Sec. 4. Administrative Provisions

- Provides for compensation of commission members who are not employees of the Federal government.
- Authorizes the Department of the Interior to support the work of the commission.
- Provides for reimbursement of travel expenses of commission members.

Sec. 5. Termination

- Requires that the commission terminate 30 days after the date on which the final reports are submitted.

Sec. 6. Authorization of Appropriations

- Authorizes such sums as may be necessary to carry out the Act to remain available until expended, or until the termination of the Commission, whichever comes first.

H.R. 5230 (Katko)

Sec. 3. One-Time Grant for National September 11 Memorial & Museum

- Requires the Secretary of Homeland Security to award a grant to the National September 11 Memorial & Museum for the operation, security, and maintenance of the Memorial and Museum.
- Authorizes a one-time grant of not more than \$10 million and not less than \$5 million.
- Requires the National September 11 Memorial & Museum to submit an application to the Secretary.
- Requires the National September 11 Memorial and Museum to use grant money to provide: 1) free admission to the museum to active and retired members of the Armed Forces, first responders to the attacks of September 11, 2001, and family members of victims of the attacks; and 2) dedicated free admission hours for the general public at least once a week.
- Requires the National September 11 Memorial and Museum to allow for annual Federal audits of financial statements, including revenues associated with ticket sales, charitable donations, grants, and all expenditures on salaries and operations.
- Requires the National September 11 Memorial and Museum to submit to Congress a report that includes information relating to the amount of grant funds obligated or expended the preceding fiscal year, information relating to any purposes for which such funds were obligated or expended, and any other information the Secretary may require to effectively administer the one-time grant program.

IV. COST

None of the bills on this hearing have received a Congressional Budget Office (CBO) cost analysis.

V. ADMINISTRATION POSITION

The Biden administration's position on each of these bills is unknown at this time.

VI. EFFECT ON CURRENT LAW (RAMSEYER)

[H.R. 1117](#)