

Committee on Natural Resources

Rob Bishop Chairman
Markup Memorandum

August 31, 2018

To: All Natural Resources Committee Members

From: Majority Committee Staff— Terry Camp
Subcommittee on Federal Lands (x6-7736)

Markup: **H.R. 6287 (Rep. Tom MacArthur)**, To provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001.
September 5, 2018, 10:15 am; 1324 Longworth House Office Building

H.R. 6287, "9/11 Memorial Act"

Summary of the Bill

H.R. 6287, introduced by Representative Tom MacArthur (R-NJ-03), authorizes the Secretary of the Interior to award grants, through a competitive process, to tax-exempt, nonprofit organizations for the operation and maintenance of memorials located within the United States established to commemorate the events of, and honor the victims of, the terrorist attacks on the World Trade Center, the Pentagon, and United Airlines Flight 93 on September 11, 2001, at the site of the attacks.

Cosponsors

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Background

The National September 11 Memorial in New York City commemorates the attacks of September 11, 2001. The memorial is the principal tribute of remembrance and honor to the 2,977 people killed in the terror attacks at the World Trade Center site, near Shanksville, Pennsylvania, at the Pentagon, as well as the six people killed in the World Trade Center bombing in February 1993.¹

The National September 11 Memorial plaza opened on September 11, 2011, the 10th anniversary of the attacks. Since 2011, more than 37 million people visited the plaza.² The Memorial plaza is located on the western side of the former World Trade Center complex. The memorial's twin reflecting pools, each nearly an acre in size, sit within the footprints where the

¹ "About the Memorial." National September 11 Memorial & Museum. Accessed August 27, 2018. <http://www.911memorial.org/about-memorial>.

² "Year in Review: 2017 at the 9/11 Memorial & Museum." National September 11 Memorial & Museum. December 29, 2017. Accessed August 27, 2018. <https://www.911memorial.org/blog/year-review-2017-911-memorial-museum>.

Twin Towers once stood. The names of every person who died in the 2001 and 1993 attacks are inscribed into bronze panels edging the memorial pools. Entrance to the Memorial plaza is free and open to the public year-round.

The National September 11 Museum serves as the country's principal institution for examining the implications of the events of 9/11, documenting the impact of those events and exploring the continuing significance of September 11, 2001. The museum's 110,000 square feet of exhibition space is located within the archaeological heart of the World Trade Center site and tells the story of 9/11 through multimedia displays, archives, narratives and a collection of monumental and authentic artifacts.³ The museum opened in May of 2014. Since opening, more than 10 million people have visited, with an average daily visitation of 9,000.⁴



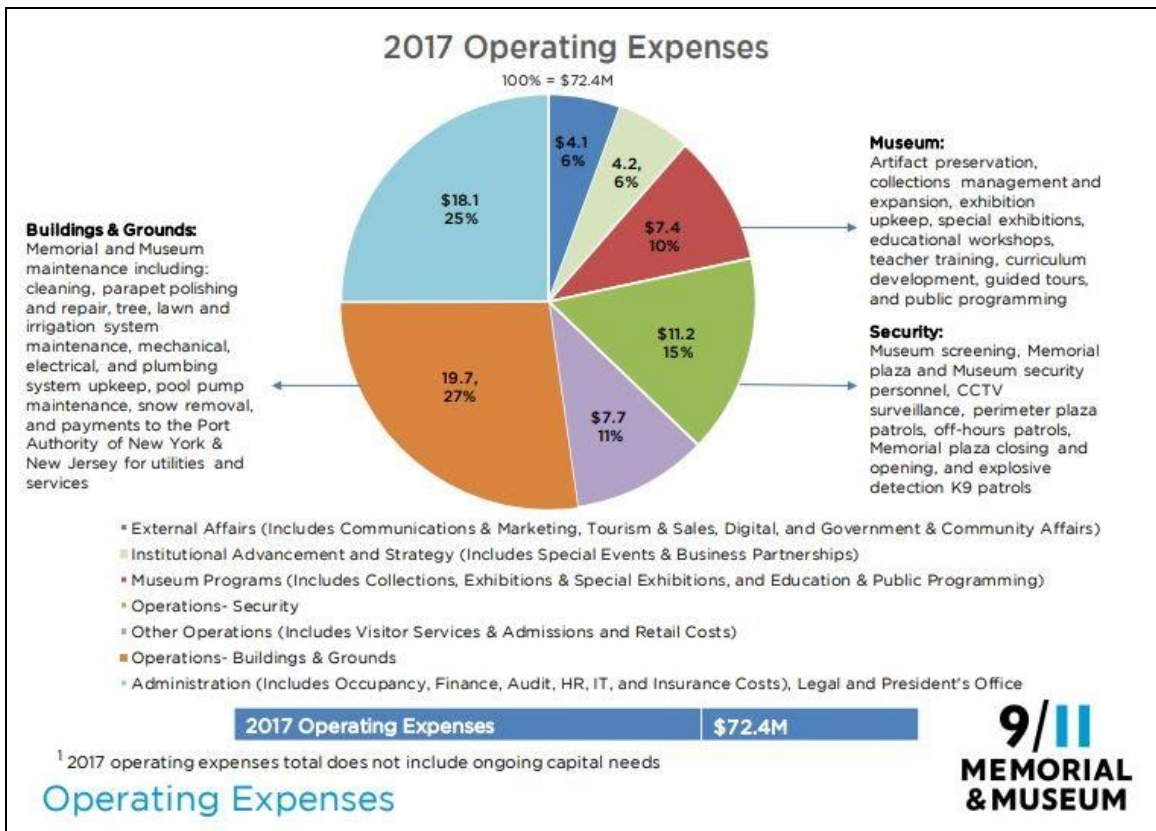
³ "About the Museum." National September 11 Memorial & Museum. Accessed August 27, 2018. <https://www.911memorial.org/about-museum>.

⁴ "Year in Review: 2017 at the 9/11 Memorial & Museum." National September 11 Memorial & Museum. December 29, 2017. Accessed August 27, 2018. <https://www.911memorial.org/blog/year-review-2017-911-memorial-museum>.

Construction & Ongoing Operation of the 9/11 Memorial and Museum

The National September 11 Memorial & Museum at the World Trade Center Foundation, Inc, is a private, not-for-profit organization, that operates the National September 11 Memorial and Museum. The Foundation began formal operations in the spring of 2005 and worked with the Lower Manhattan Development Corporation on the design and construction management plan. In the summer of 2006, the organization assumed responsibility for overseeing the design and working with The Port Authority of New York and New Jersey, the construction manager on the project. Construction of the memorial and museum totaled roughly \$700 million.⁵

The memorial and museum do not receive federal, State, or city funding for their operations. The current cost of operating the memorial and museum is over \$72 million annually. A breakdown of the 2017 estimated operating costs, as well as a table showing annual visitation to the memorial and museum compared to other memorial areas around the country, can be seen below:



(Chart provided by the 9/11 Memorial & Museum)

⁵ Maloney, Jennifer. "9/11 Memorial to Seek Funds From New York's Mayor." The Wall Street Journal. January 15, 2014. Accessed August 27, 2018. <https://www.wsj.com/articles/911-memorial-to-seek-funds-from-new-york8217s-mayor-1389751154>.

INSTITUTION	YEAR	ATTENDANCE	TOTAL OPERATING EXPENSE	OPERATING EXPENDITURE PER VISITOR
Statue of Liberty/Ellis Island	2017	4,400,000	\$15,700,000	\$3.56
World War II Valor in the Pacific National Monument (USS Arizona)	2017	1,600,000	\$3,600,000	\$2.25
9/11 Memorial (9/11 Memorial Museum: 3,100,000 visitors in 2017)	2017	6,800,000	\$72,400,000	\$10.64
Oklahoma City National Memorial & Museum	2016	350,000	\$6,200,000	\$17.71
Gettysburg National Military Park & Eisenhower National Historic Site (Gettysburg Foundation)	2017	1,136,000	\$18,000,000	\$15.84
American Museum of Natural History	2016	5,000,000	\$165,000,000	\$33.00
U.S. Holocaust Memorial Museum	2017	1,600,000	\$116,500,000	\$72.81
Museum of Modern Art (MoMA, MoMA PS1)	2016	3,100,000	\$202,270,000	\$65.24
Metropolitan Museum of Art	2017	6,700,000	\$395,000,000	\$58.95
Kennedy Center for the Performing Arts	2015	2,000,000	\$209,000,000	\$104.50

Table reflects data available based on public information, audited financial statements and Form 990s.

Museum Comparables Expenses

9/11 MEMORIAL & MUSEUM

(Chart provided by the 9/11 Memorial & Museum)

Major Provisions of H.R. 6287

- Requires the Secretary of the Interior to award grants of varying amounts, through a competitive process, to tax-exempt, charitable nonprofit organizations (eligible entities) for the operation and maintenance of any memorial located within the United States established to commemorate the events of and honor the victims of, the terrorist attacks on the World Trade Center, the Pentagon, and United Airlines Flight 93 on September 11, 2001, at the site of the attacks.
- Requires the Secretary, in awarding such grants, to give greatest weight in the selection of eligible entities using the following criteria:
 - (1) The needs of the eligible entity, and ability and commitment of the eligible entity to use grant funds, with respect to ensuring the security and safety of visitors of the covered memorial.
 - (2) The ability of the eligible entity to match the amount of the grant, on at least a 1-to-1 basis, with non-Federal assets from non-Federal sources, including cash or durable goods and materials fairly valued, as determined by the Secretary.
 - (3) The greatest number of visitors that would benefit.

- (4) The ability and commitment of an eligible entity to use grant funds--
 (A) to preserve the grounds at the covered memorial; and
 (B) to educate future generations.
- (5) The ability and commitment of an eligible entity to use grant funds to increase the numbers of economically disadvantaged visitors to the covered memorial.

- Prohibits grants from being awarded to a covered memorial that does not provide for free admission for active and retired members of the military, registered 9/11 first responders, and family members of victims, and does not provide dedicated free admission hours for the general public at least once a week.
- Prohibits grants from being awarded to an eligible entity that does not allow for Federal audits of financial statements.
- Requires eligible entities to submit to the Secretary and to Congress a report each year that a grant is received that specifies the amount of the grant expended, purposes for which funds were obligated or expended, and any additional information the Secretary may require.
- Authorizes up to \$25 million dollars to be appropriated for each of the fiscal years 2019 through 2023.

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

Administration Position

The Administration's position is currently unknown.

Anticipated Amendments

None.

Effect on Current Law (Ramseyer)

None.