

Union Calendar No.

118TH CONGRESS
2^D SESSION

H. R. 5401

[Report No. 118-]

To provide a one-time grant for the operation, security, and maintenance of the National September 11 Memorial & Museum at the World Trade Center to commemorate the events, and honor the victims, of the terrorist attacks of September 11, 2001, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2023

Mr. D'ESPOSITO (for himself, Mr. CARTER of Louisiana, Ms. CLARKE of New York, Mr. CRENSHAW, Mr. FITZPATRICK, Mr. GARBARINO, Mr. GOLDMAN of New York, Mr. GOTTHEIMER, Mr. GUEST, Mr. HIGGINS of Louisiana, Mr. KEAN of New Jersey, Mr. LALOTA, Mr. LANGWORTHY, Mr. LAWLER, Ms. MALLIOTAKIS, Mr. MCCAUL, Mr. NADLER, Mr. RYAN, Mr. PFLUGER, Mr. TONKO, Mr. WILLIAMS of New York, and Mr. MOLINARO) introduced the following bill; which was referred to the Committee on Natural Resources

DECEMBER --, 2024

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 italics]

[For text of introduced bill, see copy of bill as introduced on September 12, 2023]

A BILL

To provide a one-time grant for the operation, security, and maintenance of the National September 11 Memorial & Museum at the World Trade Center to commemorate the events, and honor the victims, of the terrorist attacks of September 11, 2001, 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 “9/11 Memorial and Mu-*
5 *seum Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *NATIONAL SEPTEMBER 11 MEMORIAL & MU-*
9 *SEUM.—The term “National September 11 Memorial*
10 *& Museum” means the National September 11 Memo-*
11 *rial & Museum at the World Trade Center Founda-*
12 *tion, Inc., established to commemorate the events of,*
13 *and honor the victims of, the terrorist attacks on the*
14 *World Trade Center on September 11, 2001, at the*
15 *site of such attacks.*

16 (2) *ELIGIBLE ENTITY.—The term “eligible enti-*
17 *ty” means the official organization, as in existence on*
18 *the date of enactment of this Act, that—*

19 (A) *operates the National September 11 Me-*
20 *morial & Museum; and*

21 (B) *is an organization described in section*
22 *501(c)(3) of the Internal Revenue Code of 1986*
23 *and exempt from taxation under section 501(a)*
24 *of such Code.*

1 (3) *SECRETARY.*—*The term “Secretary” means*
2 *the Secretary of Homeland Security.*

3 **SEC. 3. ONE-TIME GRANT FOR NATIONAL SEPTEMBER 11**
4 **MEMORIAL & MUSEUM.**

5 (a) *IN GENERAL.*—*Subject to the availability of appro-*
6 *priations made in advance for such purpose to the Office*
7 *of the Secretary and Executive Management of the Depart-*
8 *ment of Homeland Security, the Secretary shall award to*
9 *the eligible entity a grant in an amount determined by the*
10 *Secretary subject to subsection (c), to be used by such entity*
11 *solely for the purposes described in subsection (b), if upon*
12 *review of the application submitted pursuant to subsection*
13 *(d), the Secretary makes a determination pursuant to sub-*
14 *section (e) that such entity satisfies the criteria required*
15 *under subsection (f).*

16 (b) *PURPOSE.*—*The one-time grant awarded under*
17 *subsection (a) shall be used by the eligible entity for the*
18 *operation, security, and maintenance of the National Sep-*
19 *tember 11 Memorial & Museum.*

20 (c) *GRANT AMOUNT.*—*The one-time grant under this*
21 *section may not be for less than \$5,000,000 or more than*
22 *\$10,000,000.*

23 (d) *APPLICATION.*—*To be considered for an award of*
24 *the one-time grant under this section, the eligible entity*
25 *shall submit to the Secretary an application at such time,*

1 *in such manner, and containing such information as the*
2 *Secretary may require.*

3 (e) *REVIEW; DEADLINE FOR AWARD.*—*If the Sec-*
4 *retary, after review of the application from the eligible enti-*
5 *ty, determines that the eligible entity satisfies the criteria*
6 *under subsection (f), the Secretary shall award the one-time*
7 *grant to the eligible entity, not later than 90 days after*
8 *the date of receipt by the Secretary of the completed applica-*
9 *tion submitted by such entity.*

10 (f) *CRITERIA.*—*In determining the amount of the one-*
11 *time grant consistent with subsection (c), the Secretary*
12 *shall consider the following:*

13 (1) *The needs of the eligible entity, and ability*
14 *and commitment of such eligible entity to use grant*
15 *funds, with respect to ensuring the security and safety*
16 *of visitors at the National September 11 Memorial &*
17 *Museum.*

18 (2) *The number of visitors to the National Sep-*
19 *tember 11 Memorial & Museum who would benefit.*

20 (3) *The ability and commitment of the eligible*
21 *entity to use grant funds to—*

22 (A) *preserve the facilities and grounds of*
23 *the National September 11 Memorial & Museum;*
24 *and*

25 (B) *educate future generations.*

1 (4) *The ability and commitment of the eligible*
2 *entity to use grant funds to increase the numbers of*
3 *economically disadvantaged visitors to the National*
4 *September 11 Memorial & Museum.*

5 (g) *CONDITION ON RECEIPT OF GRANT.—As a condi-*
6 *tion on receipt of a grant under this section, the eligible*
7 *entity shall—*

8 (1) *provide for—*

9 (A) *free admission to all facilities and mu-*
10 *seums associated with the National September 11*
11 *Memorial & Museum for active and retired*
12 *members of the Armed Forces, individuals who*
13 *were registered first responders to the attacks of*
14 *September 11, 2001, and family members of vic-*
15 *tims of such attacks; and*

16 (B) *dedicated free admission hours for the*
17 *general public at least once a week; and*

18 (2) *allow for annual Federal audits of the finan-*
19 *cial statements of such entity, including revenues as-*
20 *sociated with ticket sales, charitable donations,*
21 *grants, and all expenditures on salaries and oper-*
22 *ations, which shall be subject to review by the Sec-*
23 *retary and made available to the public.*

24 (h) *REPORTS.—Not later than 90 days after the end*
25 *of each fiscal year for which the recipient obligates or ex-*

1 *pend funds made available to the recipient pursuant to*
2 *this section, the recipient shall submit to the Committees*
3 *on Natural Resources and Homeland Security of the House*
4 *of Representatives and the Committees on Energy and Nat-*
5 *ural Resources and Homeland Security and Governmental*
6 *Affairs of the Senate a report that includes, for the fiscal*
7 *year covered by the report, each of the following:*

8 (1) *Information relating to the amount of grant*
9 *funds obligated or expended for the preceding fiscal*
10 *year.*

11 (2) *Information relating to any purposes for*
12 *which such funds were obligated or expended.*

13 (3) *Any other information the Secretary may re-*
14 *quire to effectively administer the one-time grant pro-*
15 *gram under this section, as determined by the Sec-*
16 *retary, if not later than the last day of the fiscal year*
17 *the Secretary notified such entity of such requested*
18 *information.*

19 (i) *NO ADDITIONAL FUNDS AUTHORIZED.—No addi-*
20 *tional funds are authorized to carry out the requirements*
21 *of this section, and the activities authorized by this section*
22 *are subject to the availability of appropriations made in*
23 *advance for such purposes.*