

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5401  
OFFERED BY MR. WESTERMAN OF ARKANSAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “9/11 Memorial and  
3 Museum Act”.

**4 SEC. 2. DEFINITIONS.**

5 In this Act:

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

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

17 (A) operates the National September 11  
18 Memorial & Museum; and

1 (B) is an organization described in section  
2 501(c)(3) of the Internal Revenue Code of 1986  
3 and exempt from taxation under section 501(a)  
4 of such Code.

5 (3) SECRETARY.—The term “Secretary” means  
6 the Secretary of Homeland Security.

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

9 (a) IN GENERAL.—Subject to the availability of ap-  
10 propriations made in advance for such purpose to the Of-  
11 fice of the Secretary and Executive Management of the  
12 Department of Homeland Security, the Secretary shall  
13 award to the eligible entity a grant in an amount deter-  
14 mined by the Secretary subject to subsection (e), to be  
15 used by such entity solely for the purposes described in  
16 subsection (b), if upon review of the application submitted  
17 pursuant to subsection (d), the Secretary makes a deter-  
18 mination pursuant to subsection (e) that such entity satis-  
19 fies the criteria required under subsection (f).

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

1 (c) GRANT AMOUNT.—The one-time grant under this  
2 section may not be for less than \$5,000,000 or more than  
3 \$10,000,000.

4 (d) APPLICATION.—To be considered for an award of  
5 the one-time grant under this section, the eligible entity  
6 shall submit to the Secretary an application at such time,  
7 in such manner, and containing such information as the  
8 Secretary may require.

9 (e) REVIEW; DEADLINE FOR AWARD.—If the Sec-  
10 retary, after review of the application from the eligible en-  
11 tity, determines that the eligible entity satisfies the cri-  
12 teria under subsection (f), the Secretary shall award the  
13 one-time grant to the eligible entity, not later than 90 days  
14 after the date of receipt by the Secretary of the completed  
15 application submitted by such entity.

16 (f) CRITERIA.—In determining the amount of the  
17 one-time grant consistent with subsection (c), the Sec-  
18 retary shall consider the following:

19 (1) The needs of the eligible entity, and ability  
20 and commitment of such eligible entity to use grant  
21 funds, with respect to ensuring the security and  
22 safety of visitors at the National September 11 Me-  
23 morial & Museum.

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

1           (3) The ability and commitment of the eligible  
2           entity to use grant funds to—

3                   (A) preserve the facilities and grounds of  
4           the National September 11 Memorial & Mu-  
5           seum; and

6                   (B) educate future generations.

7           (4) The ability and commitment of the eligible  
8           entity to use grant funds to increase the numbers of  
9           economically disadvantaged visitors to the National  
10          September 11 Memorial & Museum.

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

14                  (1) provide for—

15                          (A) free admission to all facilities and mu-  
16                  seums associated with the National September  
17                  11 Memorial & Museum for active and retired  
18                  members of the Armed Forces, individuals who  
19                  were registered first responders to the attacks  
20                  of September 11, 2001, and family members of  
21                  victims of such attacks; and

22                          (B) dedicated free admission hours for the  
23                  general public at least once a week; and

24                  (2) allow for annual Federal audits of the fi-  
25          nancial statements of such entity, including revenues

1 associated with ticket sales, charitable donations,  
2 grants, and all expenditures on salaries and oper-  
3 ations, which shall be subject to review by the Sec-  
4 retary and made available to the public.

5 (h) REPORTS.—Not later than 90 days after the end  
6 of each fiscal year for which the recipient obligates or ex-  
7 pends funds made available to the recipient pursuant to  
8 this section, the recipient shall submit to the Committees  
9 on Natural Resources and Homeland Security of the  
10 House of Representatives and the Committees on Energy  
11 and Natural Resources and Homeland Security and Gov-  
12 ernmental Affairs of the Senate a report that includes, for  
13 the fiscal year covered by the report, each of the following:

14 (1) Information relating to the amount of grant  
15 funds obligated or expended for the preceding fiscal  
16 year.

17 (2) Information relating to any purposes for  
18 which such funds were obligated or expended.

19 (3) Any other information the Secretary may  
20 require to effectively administer the one-time grant  
21 program under this section, as determined by the  
22 Secretary, if not later than the last day of the fiscal  
23 year the Secretary notified such entity of such re-  
24 quested information.

1           (i) NO ADDITIONAL FUNDS AUTHORIZED.—No addi-  
2           tional funds are authorized to carry out the requirements  
3           of this section, and the activities authorized by this section  
4           are subject to the availability of appropriations made in  
5           advance for such purposes.

