



A Message from the Flight 93 National Memorial Partners – May 15, 2009:

In order to keep the promise that a fitting and substantial memorial be dedicated and that the final resting place of the remains of the 40 heroes on Flight 93 be permanently protected by September 11, 2011, the 10th anniversary of the 9/11 attacks, the National Park Service (NPS) has given notice of its intent to exercise eminent domain for land associated with the Flight 93 National Memorial.

- Since 2003, even before the NPS had land acquisition funds for the permanent Flight 93 National Memorial, the agency was working with its partners to acquire land within the core area. Once the memorial design was chosen, the NPS and its partners focused land acquisition efforts on the 11 tracts of land needed to construct the memorial and protect the heroes' remains at the Sacred Ground.
- Under federal land acquisition guidelines, the NPS cannot negotiate a purchase price with landowners in the way that private parties negotiate land sales. The NPS is only able to offer the landowner the government approved appraised value, which by law can only be accepted or rejected, not negotiated.
- The NPS needs to obtain ownership of all these lands by the end of May in order to receive the NPS Director's approval to proceed with construction contract advertising, a necessary step towards meeting the September 11, 2011 dedication date.
- With the exception of one parcel, which involves a complex access or "right-of-way" discussion, every other landowner has received at least one purchase offer since 2003, from either the NPS, the Families of Flight 93 or their partners, all of which were rejected.
- The NPS, the Families of Flight 93 and other partners have worked extensively, over many years, with all the landowners whose properties are needed to construct the memorial and preserve the Sacred Ground. While all of these landowners are willing sellers, the prices at which they are willing to sell are higher than the NPS (following federal land acquisition guidelines) is able to offer or the Families of Flight 93 and other partners are able to afford.
- Because of the need to acquire these lands so construction may begin, the NPS has requested the Department of Justice to exercise eminent domain authority. Under eminent domain, the landowners are entitled to "just compensation," which ensures that they will be paid fair market value for their properties. Once each case is filed in U.S. District Court, any further negotiation will be handled by the Department of Justice, which has greater flexibility in structuring a settlement and is not limited to a value based solely on the properties' last appraised value.
- The Families of Flight 93 are dedicated to continuing to work with the landowners. Negotiations between the Families of Flight 93 and the landowners can continue until the Department of Justice's court filing.
- Through this action, the NPS is ensuring the permanent protection of the remains of the 40 passengers and crew in a cemetery for these national heroes, as well as keeping the promise made to the nation, partners and community that the memorial be dedicated by September 11, 2011.
- The NPS and the Families of Flight 93 are sensitive to the community's concerns regarding the use of eminent domain and will work hard to alleviate those concerns.