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GEORGE WASHINGTON BIRTHPLACE

OCTOBER 10 (legislative day, OCTOBER 2), 1998.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 2086]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2086) to revise the boundaries of the George Washington Birthplace National Monument, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. ADDITION TO NATIONAL MONUMENT.

(a) ADDITION.—The boundaries of the George Washington Birthplace National Monument are modified to include the property generally known as George Washington's Boyhood Home, Ferry Farm, located in Stafford County, Virginia, across the Rappahannock River from Fredericksburg, Virginia, comprising approximately 85 acres. The boundary modification is generally depicted on the map entitled "George Washington Birthplace National Monument Boundary Map", numbered 322/80,020 and dated April 1998. The Secretary of the Interior shall keep the map on file and available for public inspection in appropriate offices of the National Park Service.

(b) ACQUISITION OF EASEMENT.—After the enactment of this Act, the Secretary of the Interior may acquire a conservation easement for the property described in subsection (a) to ensure the preservation of this important cultural and natural resources associated with Ferry Farm.

SEC. 2. RESOURCE STUDY.

(a) IN GENERAL.—Not later than 18 months after the date on which funds are made available to carry out this section, the Secretary of the Interior shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a resource study of the property described in section 1(a).

(b) CONTENTS.—The study under subsection (a) shall—

(1) identify the full range of resources and historic themes associated with Ferry Farm, including those associated with George Washington's tenure at the

property described in section 1(a) and those associated with the Civil War period;

(2) identify alternatives for further National Park Service involvement at the property described in section 1(a) beyond those that may be provided for in the acquisition authorized under section 1(b); and

(3) include cost estimates for any necessary acquisition, development, interpretation, operation, and maintenance associated with the alternatives identified.

SEC. 3. AGREEMENTS.

Upon completion of the resource study under section 2, the Secretary of the Interior may enter into agreements with the owner of the property described in section 1(a) or other entities for the purpose of providing programs, services, facilities, or technical assistance that further the preservation and public use of the property.

PURPOSE OF THE MEASURE

The purpose of S. 2086, as ordered reported, is to authorize the Secretary of the Interior to expand the boundary of the George Washington Birthplace National Monument in Virginia to include approximately 85 acres, generally known as George Washington's Ferry Farm.

BACKGROUND AND NEED

The Ferry Farm, located in Stafford County, Virginia, is the childhood home of George Washington. George Washington was born at Pope's Creek, Virginia where he lived until he was three. The family then moved to Little Hunting Creek, onto a property later known as Mount Vernon. In 1738, when George was six, his family moved to Ferry Farm where he lived until 1754. Many of the cherished stories about George Washington are thought to have taken place at the Ferry Farm site.

The Ferry Farm consists of approximately 85 acres of mostly undeveloped land located on the east side of the Rappahannock River opposite the city of Fredericksburg. The site contains remnants of the Washington house and outbuildings.

In 1996, Kenmore Plantation and Gardens, a nonprofit organization, purchased the property for \$2.2 million to save the site from development. S. 2086 would adjust the boundaries of George Washington Birthplace National Monument to include the 85 acre site known as George Washington's Ferry Farm.

LEGISLATIVE HISTORY

S. 2086 was introduced by Senators Warner and Robb on May 15, 1998 and referred to the Committee on Energy and Natural Resources. Since the bill's introduction Senators Torricelli, Helms, Graham, Cochran, Roth, and Cleland have been added as cosponsors. The Subcommittee on National Parks, Historic Preservation, and Recreation held a hearing on S. 2086 on September 17, 1998.

At its business meeting on September 24, 1998, the Committee on Energy and Natural Resources ordered S. 2086 favorably reported, as amended.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on September 24, 1998, by a unanimous voice vote of

a quorum present, recommends that the Senate pass S. 2086, if amended as described herein.

COMMITTEE AMENDMENT

During the consideration of S. 2086, the Committee adopted an amendment in the nature of a substitute, which authorizes the Secretary of the Interior to expand the boundaries of George Washington Birthplace National Monument to include George Washington's boyhood, Ferry Farm. The Secretary may purchase a conservation easement for the property to ensure the preservation of the resources associated with the site.

In addition, the amendment directs the Secretary of the Interior to complete a resource study of the Ferry Farm property identifying alternatives for further National Park Service involvement including cost estimates for these alternatives. The Secretary will then present the findings to Congress. The amendment is explained in detail below.

SECTION-BY-SECTION ANALYSIS

Section 1 expands the boundary of the George Washington Birthplace National Monument to include the area comprising approximately 85 acres, generally known as George Washington's Ferry Farm, in Stafford County, Virginia, and located across the Rappahannock River from Fredericksburg, Virginia, as generally depicted on the map entitled George Washington Birthplace National Monument Boundary Map, numbered 322/80020 and dated April 1998. The Secretary of the Interior will keep the map on file and available to the public.

Subsection (b) authorizes the Secretary of the Interior to purchase a conservation easement for the Ferry Farm property to ensure the preservation of the cultural and natural resources associated with the site.

Section 2 directs the Secretary of the Interior, within 18 months after the date of enactment, to complete a resource study and transmit it to Congress. The resource study will identify historical themes identified with Ferry Farm and George Washington's tenure at the property; alternatives for further National Park Service involvement; and cost estimates for any acquisition, development, operations, and maintenance associated with the alternatives.

Section 3 authorizes the Secretary of the Interior to enter into agreements with the owner of the property or other entities for the purpose of providing programs, services, facilities, or technical assistance that further the preservation of the property.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the report is available, the Chairman will request it to be printed in the Congressional Record for the advise of the Senate.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2086. The bill is not a regulatory measure in the sense of imposing Government-established standards of significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from enactment of S. 2086, as ordered reported.

EXECUTIVE COMMUNICATIONS

On September 3, 1998, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 2086. These reports had not been received at the time the report on S. 2086 was filed. When these reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony of the Department of the Interior at the Subcommittee hearing follows:

STATEMENT OF DESTRY JARVIS, ASSISTANT DIRECTOR FOR
EXTERNAL AFFAIRS, NATIONAL PARK SERVICE, DEPARTMENT
OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the views of the National Park Service on S. 2086, a bill to modify the boundaries of George Washington Birthplace National Monument. S. 2086 would modify the boundaries of the George Washington National Monument to include Ferry Farm, the site of Washington's boyhood home, insuring the preservation of its cultural and natural resources as well as their interpretation. The Department supports the bill if amended as proposed in this testimony.

The bill is intended to protect the site of George Washington's boyhood home, known as Ferry Farm, located on the Rappahannock River across from Fredericksburg, Virginia. It is one of only three domestic properties associated with Washington. Washington lived here from the age of 6 until he was 19, when he moved to Mount Vernon.

Mr. Chairman, the Congress and the nation are concerned about the potential loss of the resources of Ferry Farm. Attempts to protect and preserve Ferry Farm date back to the 1920's. In the past, the National Park Service objected to assuming management of Ferry Farm due to the lack of standing structures at the site. Recently new information has become known indicating the significance of Ferry Farm's archaeological resources. The National Park Service, however, has not had the opportunity or the resources to conduct a special resources study of the site, our official evaluation necessary to recommend a site for inclusion as a unit of the National Park System. The Na-

tional park Service has also objected to assuming the burden of additional operation costs at this site, and cannot say, without further study, whether a park operation at the site is feasible. Therefore, we recommend first that the National Park Service be authorized and funded to conduct a special resource study of Ferry Farm. Second we recommend that the National Park Service be authorized to acquire a conservation easement on the Ferry Farm property. Until completion of the study, the acquisition of a conservation easement by the National Park Service would provide sufficient protection from the current threats to the property: road widening and development. Acquisition of a conservation easement would also assist the owners of Ferry Farm, Kenmore Association, Inc., in completing its purchase of Ferry Farm, thus insuring its long-term protection.

Ferry Farm is an archaeological site. In accordance with a survey, actually conducted by George Washington himself, the tract is the 85-acre historic core of mostly undeveloped land of what was once a 600-acre farm. The northern end of the tract contains the site of the Washington home and outbuildings. Immediately north of the home site is an 18th Century road cut that leads down to and includes one of the historic ferry crossings into Fredericksburg. Valuable flood plains and upland fields are remaining elements of this rural-agricultural site.

In 1991 a panel of leading archaeologists was organized to select and guide archaeological investigation of the property. Investigations were conducted at the site believed to be the location of the Washington House. The remains of a horse destroyed by fire were located.

Below the destruction level it was largely intact and dated no later than 1770 and no earlier than 1730. Washington family correspondence seems to offer proof that the fire actually occurred on Christmas Eve of 1740. The Washington family was in residence at the time. Highly significant material dating to the Washington occupancy was revealed, including the cellar and its contents, which the National Park Service archaeologist who served on the panel considered "of National Historic Landmark"—or nationally significant—quality.

Although the history related to George Washington is the primary significance of the site, it has significance to the Civil War as well. Last year further study at the site raised exciting hopes for additional archaeological finds when it was learned that in 1871 the Corps of Engineers deposited fill along Ferry Farm's riverfront. Archaeologist Gary Norman working at the site reported "the implications are astounding * * * it is possible we can find the preserved remains of the Feery Landing and that every thing thrown into the river at Ferry Farm prior to 1871 might still be buried in the meadow. (There is) even the remote possibility of finding remains of one of the ships

wrecked by the Confederates in the river” during the Civil War.

During the Civil War pontoon bridges were twice constructed across the Rappahannock at the site’s old ferry crossing during the two battles of Fredericksburg. Letters from soldiers crossing here indicate their awareness of Ferry Farms association with the founder of the Nation and the myths of the boy who “could not tell a lie” and the young man who could throw a coin across the river. National Park Service researchers involved at the site were impressed by the powerful interpretive setting created by the combination of these two sets of material resources. National Park Service Archaeologist Dr. David G. Orr noted that “the fact that Washington’s boyhood home witnessed the fraternal strife and horrific acts of civil violence less than a century after the creation of the Republic” testifies eloquently to the struggles necessary to form and protect our Nation.

The National Park Service also recognizes the upcoming bicentennial of George Washington’s death in 1999, as an important historical event for our nation. The ensuing celebration of his life and its essential importance to the creation of this nation mirrors the 1932 bicentennial of his birth which resulted in the creation of George Washington Birthplace National Monument, the first historical park in the eastern United States associated with the National Park System. In recognition of the 1999 celebration of George Washington’s life we feel it is appropriate to support and assist the preservation of the Ferry Farm.

Mr. Chairman, Ferry Farm has been a frequent target for development. Although the site was purchased by a foundation seeking to protect Ferry Farm, all the funds necessary to secure protection of the site have not been obtained. There is an additional threat of a taking in the near future for the purposes of widening the roads bordering the site. We understand that the protection of Ferry Farm is being brought before the Congress now in an effort to secure the funds needed for protection while preventing a potential taking for road construction.

The NPS has previously objected to assuming operational costs at this site, and the largest remaining gap in our information is that we have no basis for determining if a park operation here is feasible. The acquisition of an easement only would protect the resources from development, avoid National Park Service management and operations, and provide the opportunity to provide sufficient funding to complete the purchase by the foundation. Upon completion of the special resources study we would be in a better position to comment on the feasibility of more extensive National Park Service management responsibilities.

We will be happy to work with the Committee to prepare amendatory language to address our concerns. This com-

pletes my remarks, I will be happy to answer any questions the Committee may have on this matter.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 2086, as ordered reported.

