

Calendar No. 627

105TH CONGRESS }
2d Session }

SENATE

{ REPORT
{ 105-404

ADAMS NATIONAL HISTORICAL PARK ACT OF 1998

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. 2240]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2240) to establish the Adams National Historical Park in the Commonwealth of Massachusetts, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 4, strike lines 1 through 6 and insert the following:

“(1) HISTORICAL PARK.—The term ‘historical park’ means the Adams National Historic Park established in section 4.”

2. On page 4 strike section 4 in its entirety and insert the following:

“SEC. 4. ADAMS NATIONAL HISTORICAL PARK.

“(a) ESTABLISHMENT.—In order to preserve for the benefit and inspiration of the people of the United States as a national historical park certain properties in Quincy, Massachusetts, associated with John Adams, second President of the United States, his wife, Abigail Adams, John Quincy Adams, sixth President of the United States, and his wife, Louisa Adams, there is established the Adams National Historical Park as a unit of the National Park System.

“(b) BOUNDARIES.—

“(1) The historical park shall be comprised of the following:

“(A) all property administered by the National Park Service in the Adams National Historic Site as of the date of enactment of this Act, as well as all property previously authorized to be acquired by the Secretary for inclusion in the Adams National Historic Site, as generally depicted on

the map entitled “Adams National Historical Park”, numbered NERO 386/80,000, and dated April 1998; and

“(B) all property authorized to be acquired for inclusion in the historical park by this Act or other law enacted after the date of the enactment of this Act.

“(c) VISITOR AND ADMINISTRATIVE SITES.—To preserve the historical character and landscape of the main features of the historical park, the Secretary may acquire up to 10 acres for the development of visitor, administrative, museum, curatorial, and maintenance facilities adjacent to or in the general proximity of the property depicted on the map identified in subsection (b)(1)(A).

“(d) MAP.—The map of the historical park shall be on file and available for public inspection in the appropriate offices of the National Park Service.”.

3. On page 6 following subsection (c) insert the following new subsections:

“(d) REPEAL OF SUPERCEDED ADMINISTRATIVE AUTHORITIES.—

“(1) Section 312 of the National Parks and recreation Act of 1978 (Public Law 95–625; 92 Stat. 3479) is amended by striking ‘(a)’ after ‘SEC. 312’; and strike subsection (b) in its entirety.

“The first section of Public Law 96–435 (94 Stat. 1861) is amended by striking ‘(a)’ after ‘That’; and strike subsection (b) in its entirety.

“(e) REFERENCES TO THE HISTORIC SITE.—Any reference in any law [other than this Act], regulation, document, record, map, or other paper of the United States to the Adams National Historic Site shall be considered to be a reference to the historical park.”.

4. On page 6, strike lines 10 through 15, and insert in lieu thereof: “There is authorized to be appropriated such sums as may be necessary to carry out this Act.”.

PURPOSE OF THE MEASURE

The purpose of S. 2240 is to expand the boundaries of Adams National Historical Site in the Commonwealth of Massachusetts by approximately ten acres and to redesignate the Adams National Historical Site as the “Adams National Historical Park”.

BACKGROUND AND NEED

The Adams National Historic Site (Historic Site) was established in 1946 and commemorates the Adams family’s political contributions to the United States. The site consists of the birthplaces of John Adams and John Quincy Adams, the second and sixth U.S. Presidents, and the family’s Old House that was occupied by four generations of the Adams family. The site contains over 30,000 artifacts, including original furnishings.

The Adams National Historic Site General Management Plan (Plan) recommends that the park acquire property for a permanent visitor center in the city of Quincy, in order to provide visitor services for the Historic Site. The plan notes that there are no appropriate sites for development within the current boundary due to the integrity of the cultural and historic landscape, historic landmark status, and the adjacent floodplain. The National Park Service has

missed several opportunities to accept lands or property by donation, or acquire buildings that have become available in the city of Quincy, due to legislative restrictions. This legislation would allow the Secretary of the Interior to acquire up to 10 acres in Quincy, Massachusetts to develop administrative facilities.

Since the establishment of the Historic Site, several properties have been added including the Beale Estate, the Adam's Birthplaces, and the United First Parish Church containing the Adams Crypt. S. 2240 would re-designate the Historic Site as Adams National Historical Park to more accurately reflect the site's current configuration.

LEGISLATIVE HISTORY

S. 2240 was introduced on June 26, 1998 by Senator Murkowski at the request of the administration, and referred to the Committee on Energy and Natural Resources. The Subcommittee on National Parks, Historic Preservation, and Recreation held a hearing on S. 2240 on September 17, 1998.

At its business meeting on September 24, 1998, the Committee on Energy and Natural Resources ordered S. 2240, favorably reported as amended.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

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. 2240, if amended as described herein.

COMMITTEE AMENDMENT

During the consideration of S. 2240, the Committee adopted an amendment which made technical corrections needed to clarify the bill including revised definitions, boundary descriptions and related reference maps.

SECTION-BY-SECTION ANALYSIS

Section 1 designates the bill's short title as the "Adams National Historical Park Act of 1998."

Section 2 lists the findings and purposes of the bill. In addition, the section states the purpose of the bill is to establish the Adams National Historical Park.

Section 3 defines certain key terms in the Act comprising the Adams National Historical Site.

Section 4 designates certain properties in Quincy, Massachusetts, the Adams National Historical Park as a unit of the National Park System. Section 4 states the historical park shall be comprised of all property currently owned by the National Park Service as well as all property previously authorized to be acquired, as generally depicted on the map entitled Adams National Historical Park, numbered NERO 386/80,000 and dated April, 1998. Property authorized to be acquired by this act or other law enacted after this act will be included in the Historical Park.

This section also authorizes the Secretary of the Interior (Secretary) to acquire up to 10 additional acres for the development of visitor, administrative, museum, curatorial, and maintenance facilities adjacent to or in the general proximity of the property depicted on the map identified in this section. The map will be on file with the National Park Service and available to the public.

Section 5 states the park shall be administered by the Secretary in accordance with this section and the provisions of law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2, 3, and 4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467), as amended.

Subsection (b) allows the Secretary to consult and enter into cooperative agreements with interested entities and individuals to provide for the preservation development, interpretation, and use of the park. Section 5 also provides that any payment made by the Secretary pursuant to a cooperative agreement be subject to an agreement that conversion, use, or disposal of the project for purposes contrary to the purposes of this Act shall result in a right of the United States to reimbursement of all funds made available to such a project or the proportion of the increased value of the project at the time of such conversion, use, or disposal, whichever is greater.

Subsection (c) authorizes the Secretary to acquire property with appropriated or donated funds, by donation, or by exchange, within the boundaries of the park.

Subsection (d) amends Public Law 95–625 and Public Law 96–435 repealing administrative authority to manage the area as a historical site.

Subsection (e) clarifies that reference in any written document to the Adams National Historic Site will be considered to be a reference to the Adams National Historical Park.

Section 6 authorizes appropriations necessary to carry out this Act.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimates 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 advice 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. 2240. 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. 2240, as ordered reported.

EXECUTIVE COMMUNICATIONS

S. 2240 was introduced at the request of the Administration. On February 23, 1998, the Department of the Interior transmitted a letter to the Energy and Natural Resources Committee requesting that the bill be introduced and passed. A copy of the letter and the testimony of the National Park Service follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, February 23, 1998.

Hon. ALBERT GORE, Jr.,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Enclosed is a draft bill "To establish the Adams National Historical Park in the Commonwealth of Massachusetts and for other purposes."

We recommend the bill be introduced, referred to the appropriate committee, and enacted.

The legislation would establish the Adams National Historical Park in Quincy, Massachusetts. Currently the proposed Adams National Historical Park is designated as a National Historic Site. It was established by Secretarial Order in 1935 based on the Historic Sites Act. It was expanded in 1952 again by Secretarial Order. In 1972, 1978 and 1980, Congress added more acreage to the site and authorized the addition of two separate properties to the historic site. The continued expansion of the historic site with the addition of separate properties all focused on the life and history of John Adams, Abigail Adams, John Quincy Adams, and their descendants, qualifies the existing National Park System unit for designation as a national historical park.

The legislation would authorize the acquisition of ten additional acres for development of visitor and administrative facilities to protect the historical setting and integrity of the historical park. The legislation directs that the historical park be managed in accord with the laws applicable to units of the National Park System, in particular the National Park Service Organic Act of 1916 and the Historic Sites Act of 1935. The legislation also provides specific cooperative agreement authority to the historical park to work with outside entities and individuals on the preservation, development, interpretation, and use of the site.

The redesignation of Adams National Historic Site to Adams National Historical Park is the important recognition that the collection of sites in Quincy, Massachusetts, related to the lives of John Adams, 2nd President of the United States, his wife Abigail and their descendants, including their son, John Quincy Adams, 6th President of the United States, properly deserves. The authorities for land acquisition and cooperative agreements are critical for the successful protection, development, interpretation and use of the Adams National Historical Park.

The Office of Management and Budget has advised that there is no objection to the enactment of the enclosed draft legislation from the standpoint of the Administration's program.

Sincerely,

DONALD BARRY,
*Acting Assistant Secretary for
Fish and Wildlife and Parks.*

STATEMENT OF DESTRY JARVIS, ASSISTANT DIRECTOR FOR
EXTERNAL AFFAIRS, NATIONAL PARK SERVICE, DEPART-
MENT OF THE INTERIOR

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you to present the Department of the Interior's views on S. 2240, a bill to establish Adams National Historical Park in the Commonwealth of Massachusetts. The Department of the Interior strongly supports this bill.

Senator Murkowski introduced S. 2240 at the request of the Administration. If enacted, S. 2240 would rename the Adams National Historic Site, more accurately reflecting its multi-unit status, and would authorize acquisition of ten additional acres to improve visitor services, curatorial and maintenance facilities. The bill would also authorize appropriations for annual operations and maintenance of the historical park and reaffirm its cooperative agreement authorities.

The expansion of park programs has resulted in a great need for additional administrative, interpretive and maintenance workspace to adequately manage programs. Authorizing this land acquisition increase will afford the park the opportunity to remove inappropriate uses from historic structures, as well as to correct unsafe working conditions, by removing administrative and maintenance functions from the 1873 Adams Carriage House, located at the Old House Unit of the historic site.

Adams National Historic Site was established in 1946, to preserve and protect the cultural landscape, home and possessions of four generations of the Adams family including Presidents John Adams and John Quincy Adams, and to educate the general public about their significance to future generations. A deed of gift transferred the "Old House" (Adams Mansion) from the Adams family to the National Park Service. Originally designated Adams Mansion National Historic Site, the boundary was expanded legislatively in 1952 and the site renamed as Adams National Historic Site. Subsequent legislation (in 1972, 1978, and 1980) further expanded the site such that it now comprises three separate units within a 1.5-mile radius of the Old House, all within the city of Quincy, Massachusetts.

The park provides national and international visitors, researchers, and students a unique opportunity to explore the presidency and the Adams family from the cradle

(their two birthplaces and summer White House) to the grave (the final resting place of two presidents and their wives in the Adams' crypt). The homes reflect the residency of one of America's most distinguished families; two Presidents of the United States (the only father and son presidents in this country), diplomats, legislators, literary figures, and economic leaders.

The Old House, a fine wooden structure purchased by John and Abigail Adams in 1787 contains some 78,000 artifacts once owned by the Adams family during their occupancy, which extended from 1788 to 1927. The collections of furniture, paintings, books, and documents help to tell the story of the Adams family and their important roles in our national history from the colonial period through the industrial age.

The Stone Library (the first presidential library), adjacent to the Old House, contains some 14,000 volumes including original documents relating to our country's history including George Washington's Farewell Address, and the Mendi Bible, given to President John Quincy Adams while he served in Congress and defended the Mendi captives on board the *Amistad*.

Through previous acquisition of the adjacent Beale Estate, the historic property has been protected against encroachment. Including a 1792 Georgian structure surrounded by five landscaped acres, the Beale Estate protects the park boundary from inappropriate development and insures that the cultural landscape remains open, as it was when John Adams lived at the Old House.

The birthplace homes of John Adams and John Quincy Adams, 18th century wooden frame structures, were transferred to the National Park Service from the City of Quincy in 1979. The United First Parish Church, a National Historic Landmark, is the burial place of Presidents John Adams and John Quincy Adams and their first ladies, Abigail and Louisa Catherine. The church is authorized for conveyance to the National Park Service. This active parish is accessible to the public, and forms an integral part of the park's interpretive programs through a memorandum of understanding.

An interim visitor center is located in Quincy Center in a rented portion of an office building. It serves a critical role as the place where visitors are oriented to the park, and as the hub of the trolley bus system that connects the three sites. Current authorizing legislation does not permit fee acquisition of this space, making the National Park Service subject to the whims of the marketplace and private owners who may or may not share the mission of the NPS. This bill would allow the NPS to secure permanent space in a suitable location near the three sites and guarantee that investments made would have a longer useful life. Several suitable locations were identified during preparation of the park's recently adopted General Management Plan, and this bill would allow the managers to work

with the City of Quincy to act quickly should one of the appropriate properties become available. Land acquisition or construction projects would be subject to the availability of funding for NPS priorities.

In addition, the park is in great need of curatorial work and storage space. It seeks to meet this need by developing space in conjunction with the Museum Services Center, an NPS technical office about to be displaced from another location in the Boston metropolitan area. A small increase in land acquisition authority would enable the park to accept in donation or to purchase a suitable building for this purpose, possibly in the same structure as a permanent visitor center. The Museum Services Center serves the Northeast Region whose National Park sites contain collections, as wide-ranging as FDR's wheelchair and George Washington's campaign tent. These priceless objects preserve the nation's heritage and the Northeast Museum Services Center helps the parks to fulfill their cultural resource management, conservation and preservation responsibilities.

Cooperative agreement authority will reaffirm the park's ability to work in partnership with its community in areas of mutual concern such as education and tourism. This in turn will help the park with its facility expansions, transportation system, and operational needs.

All of the proposed authorities contained in this bill are consistent with the park's approved 1996 General Management Plan, and are supported by the Adams Memorial Society, consisting of members of the Adams family.

Subsequent to transmittal of the Administration's proposal, we determined that there were technical corrections needed to clarify the bill. These amendments include clearer definitions, issues concerning the boundary descriptions and related reference maps, and technical amendments conforming this bill language to existing laws. The proposed text of these amendments is attached to this testimony.

Mr. Chairman, that concludes my prepared remarks. I would be happy to answer any questions you may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 2240, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

(Public Law 95-625, November 10, 1978)

SEC. 312. **[(a)]** In order to preserve for the benefit, education, and inspiration of present and future generations the birthplace of John Adams and John Quincy Adams, the Secretary is authorized to accept the conveyance, without monetary consideration, of the property known as the John Adams Birthplace at 133 Franklin

Street, and the property known as the John Quincy Adams Birthplace at 141 Franklin Street, in Quincy, Massachusetts, together with such adjacent real property as may be desirable, for administration as part of the Adams National Historic Site in Quincy, Massachusetts. Together with, or following such conveyance, the Secretary is authorized to accept the conveyance, without monetary consideration of furnishings and personal property relating to such birthplaces, after consultation with appropriate officials of the city of Quincy and with the owner or owners of such furnishings and personal property.

[(b) The Secretary shall administer the properties acquired pursuant to subsection (a) of this section as part of the Adams National Historic Site in accordance with this section and the provisions of law generally applicable to national historic sites, including the Act of August 25, 1916 (39 Stat. 535) and the Act of August 21, 1935 (49 Stat. 666).]

* * * * *

(Public Law 96-435, October 10, 1980)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That [(a)] in order to preserve for the benefit, education, and inspiration of present and future generations the church in which John Adams, John Quincy Adams, and Abigail Adams are buried, the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") is authorized to accept the conveyance, without monetary consideration, of the following for administration as part of the Adams National Historic Site in Quincy, Massachusetts:

(1) The property known as the United First Parish Church, at 1306 Hancock Street, Quincy, Massachusetts, together with such adjacent real property as the Secretary considers desirable.

(2) The furnishings and personal property located in the United First Parish Church, after consultation with the chairman of the board of the United First Parish Church and with the owners of such furnishings and personal property.

[(b) The Secretary shall administer the property acquired pursuant to subsection (a) of this section as part of the Adams National Historic Site in accordance with this section and the provisions of law generally applicable to national sites, including the Act of August 25, 1916 (16 U.S.C. 1 et seq.) and the Act of August 21, 1935 (16 U.S.C. 461 note).]