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Last day for action - October 1

APPROVED
OCT 1 - 1974

THE WHITE HOUSE
WASHINGTON
September 30, 1974

S. 210

Posted 10/1
To Archives
10/2

MEMORANDUM FOR THE PRESIDENT
FROM: KEN COLLE
SUBJECT: Enrolled Bill: Boston Historical Sites

BACKGROUND

This bill would authorize the Interior Department to purchase and maintain seven historical sites in Boston including Paul Revere House, the Old State House, Bunker Hill, the Charlestown Navy Yard and the U.S.S. Constitution. It authorizes appropriations of not to exceed \$2,740,000 and \$24,318,000, respectively, for land acquisition and development. The bill was sponsored by Senator Kennedy and has the strong support of Bicentennial proponents.

These properties are currently open to the public and are in no immediate danger of losing the protection they now have as historic sites.

ARGUMENTS FOR SIGNING

The Interior Department urges that you sign this bill, even though they argued against it during Committee hearings. They point out that the sites are of national significance and this legislation would give them the power of eminent domain if public access and preservation of these sites were to come to jeopardy.

ARGUMENTS FOR VETO

OMB argues that while the budget impact of this bill is not overwhelmingly large, the historical preservation purposes of the bill are being accomplished by non-federal means and, therefore, there is no advantage by putting these properties in federal ownership and thereby increasing demands on the Federal Treasury.



Bill Timmons points out that the bill passed by voice vote and he recommends for veto but cautions that this may be characterized as an anti-Kennedy and anti-Bicentennial action.

STAFF AND AGENCY POSITIONS

The following recommend that you sign:

Rog Morton

The following recommend veto:

Roy Ash
Ken Cole
Bill Timmons

Phil Buchen takes no position.

DECISION

Sign _____

Veto _____

If veto, issue attached veto statement.

Agree _____

Disagree _____

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

APPROVED
OCT 1 - 1974

SEP 26 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 210 - Boston National Historic
Site, Massachusetts
Sponsor - Sen. Kennedy (D) Massachusetts

Last Day for Action

October 1, 1974 - Tuesday

Purpose

Authorizes the Secretary of the Interior to establish the Boston National Historical Park in Massachusetts, and authorizes appropriations of not to exceed \$2,740,000 and \$24,318,000 respectively, for land acquisition and development.

Agency Recommendations

Office of Management and Budget	Disapproval (Veto Message attached)
Department of the Interior	No objection
Department of Defense	No objection
Council on Environmental Quality	No objection
General Services Administration	No objection (cites concerns)

Discussion

S. 210 would authorize the Secretary of the Interior to acquire by donation or purchase (condemnation generally not allowed) seven historic properties in Boston, Massachusetts -- including Paul Revere House, the Old State House, Bunker Hill, the Charlestown Navy Yard, and the U.S.S. Constitution -- for the purpose of establishing the

Boston National Historical Park. In addition, the Secretary would be required to study five other historic properties in the Boston area to determine the feasibility and suitability of including them within the Park -- addition of these properties would require an Act of Congress. The enrolled bill would enable the Secretary to enter into cooperative agreements for preservation and interpretation purposes with State and local governments and private owners, who would retain their ownership interests in the property subject to such an agreement (apparently most owners would use this option). An Advisory Commission would be established for a ten year period to advise the Secretary on matters relating to the development of the Park.

The enrolled bill would also authorize the acquisition of property to serve as a visitor center and development funds could be used on the property even if the Secretary has acquired less than full title. Administration of the Park would generally be in accordance with the National Park Service's authority for the preservation of historic properties.

S. 210 would authorize appropriations not to exceed \$2,740,000 and \$24,318,000, respectively, for land acquisition and development.

Interior, in reporting on S. 210, agreed that the properties are of national significance but opposed the legislation by noting that the two major objectives of the bill did not require or justify direct Federal involvement. First, while the properties are not currently maintained at National Park System standards for national historical parks, adequate and continuing preservation of the historical resources is already assured by the nature of their present ownerships. Second, a respectable program is in operation to assure the appropriate interpretation of these significant properties and no further legislative authority for this purpose is needed.

However, in its report, the House Interior Committee maintained that:

"Thanks to the remarkable continuing efforts of a great many past and present Boston citizens, a number of the most significant structures and other artifacts have survived to this day. Now there is an opportunity to further strengthen the protection of these touchstones of our heritage."

In its enrolled bill letter, Interior notes that it had earlier opposed the enactment of S. 210, but that it now has no objection to approval of the bill because:

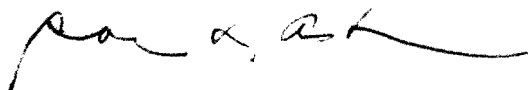
". . . the overwhelming national significance of these sites and the authority in section 3(b) to use the power of eminent domain if a binding, written cooperative agreement assuring the preservation and historical integrity of these sites no longer remains in force has led us to conclude that we would have no objection to the approval of this enrolled bill. In addition, in light of our public position in opposition to an increase in the Historic Preservation Fund, we see no viable alternative which would assure the preservation of these important historic properties."

It should also be pointed out that GSA in its enrolled bill letter expresses concern that establishment of the Park could limit vehicular and railroad access to the lower end of the Charlestown Navy Yard. This is because the Park would encompass the greater part of the isthmus of the peninsula on which the navy yard is located. If such access were to be terminated GSA points out that it would "materially effect the value of the remaining property which we currently plan to sell to the city of Boston for industrial use" (value placed at not less than \$7,000,000). However, Interior has informally advised this Office that both vehicular and railroad access will be available for the lower end of the navy yard until acceptable alternative access points can be provided and agreed to by GSA and the City of Boston.

The appropriation authorization in the bill provides \$2.7 million for land acquisition and \$24 million for development. As all of the properties are in downtown Boston and most of the owners are interested in selling, the Park Service may be forced to use condemnation where binding agreements with the owners cannot be reached. Thus, the actual acquisition cost could be considerably higher than \$2.7 million. Whether the final cost is \$2.7 million or greater, this is another example of the constant pressure on the Land and Water Conservation Fund to carry an ever-increasing burden of authorized but unacquired Federal areas. Constant authorizations of new areas are serving as an impetus for increasing the Land and Water Conservation Fund from the current \$300 million level.

The additional requirement for \$24 million by the Park Service to develop the area will serve to further add pressure to the recent increasing requests from Interior for larger construction budgets. Secretary Morton estimates a "backlog" of Park Service construction of about \$2 billion. While this figure is probably an overstatement, the recent authorization of numerous and costly new areas (e.g. Golden Gate, Gateway, Dismal Swamp) plus the pending Administration proposals on the Hill (e.g. Big Cypress, Big Thicket) will add even further to the need for greater construction budgets. To add another \$24 million to this problem for an area that is already being preserved is wasteful and unnecessary.

While the budget implications of this particular bill are not overwhelmingly large, they are unnecessary to meet the purpose of the bill. Therefore, the bill merits veto. We have prepared the enclosed draft of a veto message for your consideration.

A handwritten signature in cursive script, appearing to read "P. A. A.", is located in the lower right quadrant of the page.

TO THE SENATE

I am today returning to the Congress without my approval S. 210, a bill authorizing the Boston National Historical Park.

In its report to the Congress of May 28, 1974, recommending against enactment of the bill, the Department of the Interior specified that all the properties involved are preserved and open to the public, with the historical times and events relating to the structure sufficiently interpreted for the public.

Since the purposes which the bill seeks to achieve are currently being accomplished by non-Federal means, there is no advantage to be gained by putting these properties in Federal ownership and increasing the demands on the Federal treasury. To do so in these inflationary times would not only unnecessarily increase pressures on the Federal budget but would also divert funds from other worthwhile projects which are not presently protected and interpreted.

THE WHITE HOUSE

September , 1974



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

SEP 25 1974

Dear Mr. Ash:

This responds to your request for the views of this Department on the enrolled bill S. 210 "To authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts."

We would have no objection to the President's approving this enrolled bill.

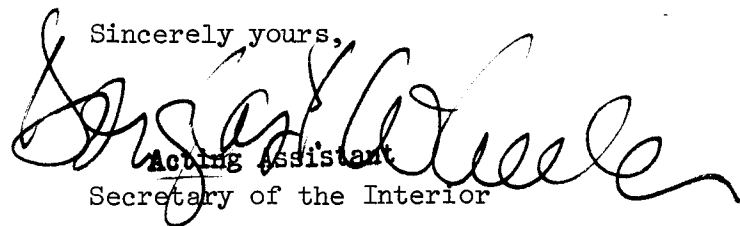
Enrolled bill S. 210 would authorize the Secretary of the Interior to acquire by donation or purchase with donated funds all lands and improvements thereon or interests therein certain areas of historical importance in the city of Boston, Massachusetts, for purposes of establishing a "Boston National Historical Park". The park would consist of seven areas of national historic significance: (Faneuil Hall; Paul Revere House; Old North Church; Old State House; Bunker Hill, Breeds Hill; and Charlestown Navy Yard.) plus a separate visitor center to be located in downtown Boston. These several units are now owned by different units of Government or by nonprofit corporations and are now open to the public. The bill would authorize the Secretary to enter into cooperative agreements for the protection, preservation, and operation of the properties and would provide the right of acquisition of the properties by eminent domain if such agreements should fail.

The bill also authorizes the Secretary to study the following areas for future inclusion into the park, such inclusion coming only by a specific act of Congress: Boston Common; Dillaway-Thomas House; Thomas Crease House; Dorchester Heights; and King's Chapel Granary and Copp's Hill. In addition, while all right, title and interest in the Federal properties and improvements included in that portion of the Charlestown Navy Yard which is designated as part of the park are to be transferred to the Secretary of the Interior, he is authorized to enter into a written agreement with the Secretary of the Navy for the transfer of sufficient funds from the Department of the Navy to cover the costs attributable to the services provided by the Department of the Interior. The bill also establishes a "Boston Historical Park Advisory Commission" and requires the Secretary to consult at least semiannually with the commission on matters relating to the development of the park. There are authorized to be appropriated \$2,740,000 for land acquisition, \$11,500,000 for development of the Charlestown Navy Yard portion of the park and \$12,818,000 for development of the other six units of the park.

The properties referred to for immediate inclusion in the proposed national historical park in this enrolled bill are of national significance. We believe, therefore, that these properties should be properly maintained and exhibited for the public benefit. However, because they are currently open to the public, and are not in any immediate danger of being lost due to significant structural impairment, we took the position at the congressional hearings on this legislation that little would be gained by the enactment of authorizing legislation specifically designed to provide funds for their rehabilitation in time for the celebration of the bicentennial. Moreover, we reviewed the alternatives pursuant to which the National Park Service of this Department could undertake to assist the owners of the various properties and concluded that no further legislative authority for this purpose was needed.

On these bases we recommended against the enactment of S. 210 and a similar House bill H.R. 7486. However, the overwhelming national significance of these sites and the authority in section 3(b) to use the power of eminent domain if a binding, written cooperative agreement assuring the preservation and historical integrity of these sites no longer remains in force has led us to conclude that we would have no objection to the approval of this enrolled bill. In addition, in light of our public position in opposition to an increase in the Historic Preservation Fund, we see no viable alternative which would assure the preservation of these important historic properties.

Sincerely yours,



Acting Assistant
Secretary of the Interior

Honorable Roy L. Ash
Director, Office of
Management and Budget
Washington, D.C.



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20350

September 24, 1974

Dear Mr. Ash:

Your transmittal sheet dated September 19, 1974, enclosing a facsimile of an enrolled bill of Congress, S. 210 "To authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts," and requesting the comments of the Department of Defense, has been received. The Department of the Navy has been assigned responsibility for the preparation of a report thereon.

S. 210 provides for the establishment of the Boston National Historical Park. The Park would consist of seven acres of historical significance plus a separate visitors center to be located in downtown Boston. In addition, the Secretary of the Interior is directed to conduct studies at several other Historical properties in the Boston area to determine the suitability of such sites for addition to the National Historical Park. Further action of Congress will be required to actually add any of these properties to the Park.

The Act also includes provisions to allow interpretive markings of other significant properties in the Boston area, provide for an Advisory Commission to counsel with the Federal Park Service on the operation of the Park, and establishes authorization limits on funds which may be appropriated for acquisition and development of the Boston National Historical Park.

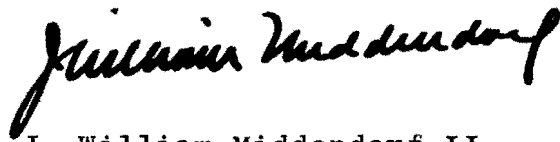
S. 210 provides authority for, but does not require, the Secretary of the Interior to acquire the following units: Faneuil Hall, Paul Revere House, Old North Church, the Old State House, Bunker Hill, Old South Meeting House, and the Charlestown Navy Yard. Section 2(d) further defines Charlestown Navy Yard to include, inter alia, the U.S.S. Constitution. The U.S.S. Constitution has been in a commissioned status for 170 years and is presently on the Register of Active Naval Vessels. House Report No. 93-1246 accompanying H.R. 7486, the bill from which the language of section 2(d) of S. 210 is derived, indicates that:

"Subsection 2(d) spells out the boundary for the portion of the Charlestown Navy Yard to be included, and specifically includes the U.S.S. Constitution within the Park. It directs the transfer between agencies of the property involved. A proviso is included which specifies the terms under which the Navy will continue to occupy portions of the site while in support of the U.S.S. Constitution. The Secretary is also directed to consult with State and local officials in solving access difficulties for the portion of the shipyard not included in the Park."

It is clear, therefore, that Congress intended that the U.S.S. Constitution be maintained "within the Park". (Public Law 83-523, July 23, 1954, 68 Stat. 527, has since 1954 required that the U.S.S. Constitution be maintained at Boston, Massachusetts.) However, there is nothing in the report to suggest that Congress intended to change the status of the U.S.S. Constitution as a commissioned ship.

Accordingly, the Department of the Navy, on behalf of the Department of Defense, interposes no objection to the approval of this Act since the Act in no way changes the current status of the U.S.S. Constitution as an active commissioned ship.

Sincerely yours,

A handwritten signature in black ink, reading "J. William Middendorf II". The signature is written in a cursive, flowing style with a large initial "J" and a long, sweeping underline.

J. William Middendorf II
Secretary of the Navy

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D.C. 20503

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

SEP 23 1974

MEMORANDUM FOR W. H. ROMMEL
OFFICE OF MANAGEMENT AND BUDGET

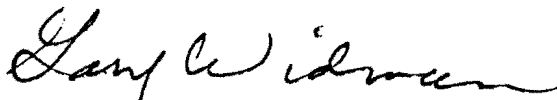
ATTN: Mrs. Garziglia

SUBJECT: Enrolled Bills:

- (a) H.R. 6395, To designate certain lands in the Okefenokee National Wildlife Refuge, Georgia, as wilderness.
- (b) S. 210, To authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts.

This is in response to your request of September 19, for our views on the two above-mentioned enrolled bills.

The Council has no objection to the approval and enactment of these bills.


Gary Widman
General Counsel

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION
WASHINGTON, DC 20405



SEP 25 1974

Honorable Roy L. Ash
Director, Office of
Management and Budget
Washington, DC 20503

Dear Mr. Ash:

By referral dated September 23, 1974, from the Assistant Director for Legislative Reference, your office requested the views of the General Services Administration on enrolled bill S. 210, 93rd Congress, an act "To authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts."

The proposed legislation establishes the Boston National Historical Park comprising among other areas a portion of the Charlestown Navy Yard all of which has been reported excess to GSA for disposal. The portion of the Navy Yard would be transferred by the Secretary of the Navy to the Secretary of the Interior to become a part of the Historical Park.

We note that the legislation, which we have not had a chance to comment on heretofore, makes no provision for the reservation of rail and vehicular access to the remaining portion of the yard. The only present access by rail to the remaining area is through the area to be transferred to the Department of the Interior. Furthermore, the most desirable access for vehicular traffic is through the same area which is to be transferred. This is most important to GSA's plans for the disposal of the remainder. Lack of access will materially effect the value of the remaining property which we currently plan to sell to the city of Boston for industrial use. We understand that the Department of the Interior is aware of the problem and is making plans for development of alternative access for vehicular traffic but expects to terminate railroad access. This is for purposes of the safety of visitors as well as maintaining the character of a Historical Park.

Keep Freedom in Your Future With U.S. Savings Bonds

Although we do not consider this to be sufficient grounds to warrant a recommendation of veto, we wish you to be informed of the probable effect of the bill on the possible use and value of the remainder of the yard, to weigh with all other considerations regarding the bill. As industrial property, with adequate access assured, the value of the property not to be included in the Historical Park is conservatively estimated at not less than \$7,000,000. This value would be drastically reduced by enactment of the bill and resultant effect on access to the property.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. F. Sampson", with a long horizontal flourish extending to the right.

Arthur F. Sampson
Administrator

TO THE UNITED STATES SENATE:

I am today returning to the Congress without my approval S. 210, a bill authorizing establishment of the Boston National Historical Park.

In its report to the Congress of May 28, 1974, recommending against enactment of the bill, the Department of the Interior specified that all the properties involved are preserved and open to the public, with the historical times and events relating to the structure sufficiently interpreted for the public.

Since the purposes which the bill seeks to achieve are currently being accomplished by non-Federal means, there is no advantage to be gained by putting these properties in Federal ownership and increasing the demands on the Federal treasury. To do so in these inflationary times would not only unnecessarily increase pressures on the Federal budget but would also divert funds from other worthwhile projects which are not presently protected and interpreted.

THE WHITE HOUSE,

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

SEP 26 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 210 - Boston National Historic
Site, Massachusetts
Sponsor - Sen. Kennedy (D) Massachusetts

Last Day for Action

October 1, 1974 - Tuesday

Purpose

Authorizes the Secretary of the Interior to establish the Boston National Historical Park in Massachusetts, and authorizes appropriations of not to exceed \$2,740,000 and \$24,318,000 respectively, for land acquisition and development.

Agency Recommendations

Office of Management and Budget	Disapproval (Veto Message attached)
Department of the Interior	No objection
Department of Defense	No objection
Council on Environmental Quality	No objection
General Services Administration	No objection (cites concerns)

Discussion

S. 210 would authorize the Secretary of the Interior to acquire by donation or purchase (condemnation generally not allowed) seven historic properties in Boston, Massachusetts -- including Paul Revere House, the Old State House, Bunker Hill, the Charlestown Navy Yard, and the U.S.S. Constitution -- for the purpose of establishing the

To-
Harmon Henderson
9-26-74

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 605

Date: September 27, 1974

Time: 10:30 a. m.

FOR ACTION: Michael Duval
 Phil Buchen
 Bill Timmons - note comments
 Paul Theis

cc (for information): Warren K. Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, September 27, 1974

Time: 2:00 p. m.

SUBJECT: Enrolled Bill S. 210 - Boston National Historic Site,
Massachusetts

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

Date: September 27, 1974

Time: 10:30 a. m.

FOR ACTION: Michael Duval
 Phil Buchen
 Bill Timmons
 Paul Theis

cc (for information): Warren K. Hendriks
 Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: ~~Friday, September 27, 1974~~ Time: ~~2:00 p. m.~~

SUBJECT: Enrolled Bill S. 210 - Boston National Historic Site,
Massachusetts

ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

W.K.H.
W.C.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
 For the President

THE WHITE HOUSE
WASHINGTON
September 27, 1974

MEMORANDUM FOR: MR. WARREN HENDRIKS
FROM: WILLIAM E. TIMMONS *wt*
SUBJECT: Action Memorandum - Log No. 605
Enrolled Bill S. 210 - Boston National
Historic Site, Massachusetts

The Office of Legislative Affairs concurs in the recommendation of OMB. However, the President should be advised of the following:

- a) Criticism of a veto may be tied to the Bicentennial and an attempt may be made to suggest that he lacks a commitment to its success.
- b) There may be an anti-Kennedy interpretation placed on the decision.
- c) The bill passed the House and Senate by voice vote.

ACTION MEMORANDUM

Date: September 27, 1974

Time: 10:30 a. m.

FOR ACTION: ~~Michael Duval~~
~~Phil Buchen~~
✓ Bill Timmons
Paul Theis

cc (for information): Warren K. Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, September 27, 1974

Time: 2:00 p. m.

SUBJECT: Enrolled Bill S. 210 - Boston National Historic Site,
Massachusetts

ACTION REQUESTED:

_____ For Necessary Action

XX For Your Recommendations

_____ Prepare Agenda and Brief

_____ Draft Reply

_____ For Your Comments

_____ Draft Remarks

REMARKS:

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Warren K. Hendriks
For the President

THE WHITE HOUSE
WASHINGTON

RUSH
LOG NO.: 605

ACTION MEMORANDUM

Date: September 27, 1974

Time: 10:30 a. m.

FOR ACTION: Michael Duval
Phil Buchen
Bill Timmons
Paul Theis

cc (for information): Warren K. Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, September 27, 1974

Time: 2:00 p. m.

SUBJECT: Enrolled Bill S. 210 - Boston National Historic Site,
Massachusetts

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

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Warren K. Hendriks
For the President

RUSH

Date: September 27, 1974

Time: 10:30 a. m.

FOR ACTION: Michael Duval
Phil Buchen
Bill Timmons
✓ Paul Theis

cc (for information): Warren K. Hendriks
Jerry Jones

1974 SEP 27 AM 11 07

FROM THE STAFF SECRETARY

DUE: Date: Friday, September 27, 1974

Time: 2:00 p. m.

SUBJECT: Enrolled Bill S. 210 - Boston National Historic Site,
Massachusetts

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

Research MUP
PT CAT

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If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President

TO THE SENATE

I am today returning to the Congress without
my approval S. 210, a bill authorizing the Boston
National Historical Park.

In its report to the Congress of May 28, 1974,
recommending against enactment of the bill, the
Department of the Interior specified that all the
properties involved are preserved and open to the
public, with the historical times and events relating
to the structure sufficiently interpreted for the
public.

Since the purposes which the bill seeks to
achieve are currently being accomplished by non-Federal
means, there is no advantage to be gained by putting
these properties in Federal ownership and increasing
the demands on the Federal treasury. To do so in
these inflationary times would not only unnecessarily
increase pressures on the Federal budget but would
also divert funds from other worthwhile projects which
are not presently protected and interpreted.

THE WHITE HOUSE

September , 1974

Interior
report
5/28/74

Senate
report
93-599

**AUTHORIZING THE ESTABLISHMENT OF THE BOSTON
NATIONAL HISTORICAL PARK IN THE COMMON-
WEALTH OF MASSACHUSETTS**

JULY 31, 1974.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

MR. HALEY, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany H.R. 7486]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 7486) to authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 1, beginning on line 3, strike the present text and insert in lieu thereof the following:

That this Act may be cited as the "Boston National Historical Park Act of 1974".

SEC. 2. (a) In order to preserve for the benefit and inspiration of the people of the United States as a national historical park certain historic structures and properties of outstanding national significance located in Boston, Massachusetts, and associated with the American Revolution and the founding growth of the United States, the Secretary of the Interior (hereinafter referred to as the "Secretary") may, in accordance with the provisions of this Act, acquire by donation or by purchase with donated funds, all lands and improvements thereon or interests therein comprising the following described areas:

- (1) Faneuil Hall, located at Dock Square, Boston;
- (2) Paul Revere House, 19 North Square, Boston;
- (3) The area identified as the Old North Church area, 193 Salem Street, Boston;

(4) The Old State House, Washington and State Streets, Boston;

(5) Bunker Hill, Breeds Hill, Boston;

(6) Old South Meeting House, Milk and Washington Streets, Boston; and

(7) Charlestown Navy Yard.

(b) In the event that the properties described in this section are not donated to the United States or purchased with donated funds, they may be acquired by the Secretary with appropriated funds: *Provided*, That, except for privately held lands within the Charlestown Navy Yard as described in subsection (d) of this section, the Secretary shall not acquire any such properties by eminent domain so long as he determines that a binding, written cooperative agreement, assuring the preservation and historical integrity of such properties remains in force and effect. Lands owned by the Commonwealth of Massachusetts, or any of its political subdivisions, may be acquired only by donation.

(c) At such time as the Secretary determines that sufficient lands, improvements, and interests therein have been acquired or that cooperative agreements satisfying the preservation and historical objective of this Act have been executed, he may establish the Boston National Historical Park by publication of notice to that effect in the Federal Register, together with a detailed description or map setting forth the properties included therein.

(d) As used in this section, the Charlestown Navy Yard shall include the United States Ship Constitution and the lands generally depicted on the map entitled "Boundary Map: Charlestown Naval shipyard—U.S.S. Constitution, Boston National Historical Park", numbered BONA 20,000 and dated March 1974 which shall be on file and available in the offices of the Director of the National Park Service, Department of the Interior, Washington, D.C. All right, title, and interest in the Federal properties and improvements included therein shall be transferred to the Secretary of the Interior: *Provided*, That he may, by written agreement with the Secretary of the Navy, permit the continued use of any such buildings and facilities as the Secretary of Interior determines to be necessary for the preservation and maintenance of the *Constitution*, which agreement shall provide that the Department of the Navy shall transfer to the Department of the Interior funds sufficient to cover the costs attributable to the functions and services which are provided by the Department of the Interior. The Secretary shall consult with representatives of the City of Boston and the Commonwealth of Massachusetts concerning the development of suitable transportation plans consistent with the purposes for which the Navy Yard was included in the historical park.

SEC. 3. (a) In addition to the properties described in section 2 of this Act, the Secretary shall study the properties de-

scribed in this section to determine the feasibility and suitability of including them within the Boston National Historical Park. In making such studies, he may enter into tentative agreements with any owners thereof for their inclusion in said park and he may enter into options, for a nominal consideration, for the purchase of such properties, but no additional properties may be added to the park except by an act of the Congress. Studies shall be made of the following properties:

(1) Boston Common;

(2) Dillaway-Thomas House;

(3) Thomas Crease House (old Corner Book Store);

(4) Dorchester Heights; and

(5) the following burying grounds: King's Chapel, Granary, and Copp's Hill.

(b) In furtherance of the general purposes of this Act as prescribed in section 2, the Secretary is authorized to enter into cooperative agreements with the city of Boston, the Commonwealth of Massachusetts, or any private organization to mark, interpret, restore, and/or provide technical assistance for the preservation and interpretation of any properties listed in section 2, or portions thereof, which, in his opinion, would best be preserved in private, municipal, or State ownership, in connection with the Boston National Historical Park. Such agreements shall contain, but shall not be limited to, provisions that the Secretary, through the National Park Service, shall have right of access at all reasonable times to all public portions of the property covered by such agreement for the purpose of conducting visitors through such properties and interpreting them to the public, that no changes or alterations shall be made in such properties except by mutual agreement between the Secretary and the other parties to such agreements, except that no limitation or control of any kind over the use of any such properties customarily used for church purposes shall be imposed by any agreement. The agreements may contain specific provisions which outline in detail the extent of the participation by the Secretary in the restoration, preservation, and maintenance of such historic properties.

(c) The Secretary may identify other significant sites of the colonial and Revolutionary periods of American history in the City of Boston, Massachusetts, and its environs which are related to the historical park created by this Act and, with the consent of the owner or owners thereof, may mark them appropriately and make reference to them in any interpretive literature.

SEC. 4 (a) There is established a Boston National Historical Park Advisory Commission (hereinafter referred to as the "Commission") which shall be composed of members appointed by the Secretary as follows:

(1) Three members appointed from recommendations submitted by the Governor of Massachusetts;

(2) Three members appointed from recommendations submitted by the Mayor of the City of Boston; and

(3) One member to represent each owner with which the Secretary has concluded a cooperative agreement pursuant to section 3 of this Act, to be appointed from recommendations submitted by each such owner.

(b) The Commission shall terminate ten years from the date of establishment of the Boston National Historical Park.

(c) A vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment (and for the balance of the unexpired term). The Chairman of the Commission shall be designated by the Secretary.

(d) The Commission shall act and advise by affirmative vote of a majority of its members.

(e) The Secretary or his designee shall from time to time, but at least semiannually, consult with the Commission with respect to matters relating to the development of the Boston National Historical Park.

(f) The members of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act upon presentation of vouchers signed by the Chairman.

Sec. 5. The Secretary may acquire property or any interest therein by donation, purchase, or exchange for the visitor center, and notwithstanding any other provision of law, funds appropriated for the development and operation of the visitor center may be expended on property in which the Secretary has acquired less than the fee simple interest therein, including a leasehold interest.

Sec. 6. When established as provided in section 2 of this Act, the Boston National Historical Park shall be administered by the Secretary in accordance with the provisions of this Act, the Act of August 25, 1916 (39 Stat. 533), as amended and supplemented (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467).

Sec. 7. For the acquisition of lands or interests in lands designated by section 2 of this Act as components of the Boston National Historical Park, there is authorized to be appropriated not to exceed \$2,740,000. For development of the components designated as paragraphs 1 through 6 in section 2, there is authorized to be appropriated not more than \$12,818,000. For the development of the component designated as paragraph 7 in section 2, there is authorized to be appropriated not more than \$11,500,000.

PURPOSE

H.R. 7486,¹ as amended, provides for the establishment of the Boston National Historical Park. The Park would consist of seven areas

of historic significance, plus a separate visitor center to be located in downtown Boston. In addition, the Secretary of the Interior is directed to conduct studies of several other historic properties in the Boston area to determine the suitability of such sites for addition to the National Historical Park. Further action of Congress would be required to actually add any of these properties to the Park.

The amended bill also includes provisions to allow interpretive marking of other significant properties in the Boston area, provides for an Advisory Commission to counsel with the National Park Service on the operation of the Park, and establishes authorization limits on funds which may be appropriated for acquisition and development of the Boston National Historical Park.

BACKGROUND AND NEED FOR LEGISLATION

Perhaps no other part of our country can match the claim of the Boston, Massachusetts, area as "the cradle of the American Revolution." Any schoolchild knows of the Boston Tea Party or Paul Revere's ride. More importantly, the reaction against the policies of a far distant king, the resentment over burdensome and seemingly arbitrary taxation, and the determination to act against such conditions, all were nurtured, debated, and acted upon here, often in structures which have survived to this day.

While much of our attention centers on the drama of the Revolution itself, Boston represents a broader continuum of events and ideas that shaped our nation. As a major port and population center, the city was a hub of colonial life. There are still traces of 17th century Boston, of a time when loyal British subjects lived, worked, and were somehow transformed into people with a sense of place and identity distinct from the mother country.

The events occurring in the Boston area which we associate with the Revolution itself are too numerous to list here. But to the colonists themselves, the incidents, such as the Boston Massacre, galvanized the rebel sentiment that led to the pitched battle on Breed's Hill, the first full-scale military action of the American Revolution. The evolution of thought, the spread of ideas, and the chain of events occurring in Boston, all were central to the rebellion itself and the structuring of the new nation.

Beyond the Revolution itself, the continuing role of Boston in the early years of the new nation is important to the visitor. The early development of the state government took place in the same structure which had previously been the seat of the provincial government of the colony. The *U.S.S. Constitution*, built in Boston and the core of the fledgling United States Navy, fought the famous battles that have made "Old Ironsides" one of our national treasures.

The need to preserve and interpret those sites which are so vital a part of our early history led to the introduction of H.R. 7486. While the coming Bicentennial of the nation will undoubtedly cause additional interest and visitation in the Boston area, there is a concern for the protection of the historic sites beyond the immediate future. Thanks to the remarkable and continuing efforts of a great many past and present Boston citizens, a number of the most significant structures and other artifacts have survived to this day. Now there is an

¹ H.R. 7486 was introduced by Mr. O'Neill and cosponsored by Mr. Burke of Massachusetts and Mr. Moakley. The bill as amended by the Committee also incorporates the general provisions of H.R. 12359, also introduced by Mr. O'Neill and cosponsored by Mr. Moakley.

opportunity to further strengthen the protection of these touchstones of our heritage.

Accordingly, H.R. 7486, as amended, proposes to include the following units in a Boston National Historical Park:

Faneuil Hall.—Originally constructed in 1740–42, served a dual purpose as a marketplace and town meeting hall. Although practically destroyed by fire in 1761, the structure was rebuilt, and became the forum for such firebrand revolutionaries as Samuel Adams and James Otis. From these activities the building has come to be called “the Cradle of Liberty.” Enlarged in 1805–06, the hall continued to be much used for public meetings and continued its dual role, serving as a marketplace as well. Even today, the visitor finds the area a center of market activity that contributes to the sense of the vitality of Faneuil Hall during the past two centuries.

Paul Revere House.—As the home of the patriot and craftsman, the structure speaks to the personal life of a man who has become an American legend. Revere lived there for approximately 30 years. Walk through the rear door of the house, and it is likely that you have followed in Revere’s footsteps as he left for his ride into history on April 18, 1775. His purpose was to warn the rebels that British troops were moving out of Boston. Events would lead to the skirmish at Concord, “the shots heard round the world.”

Interestingly, the house itself is the oldest surviving structure in Boston, dating back to around 1676. The building has been extensively restored to a 17th century appearance. Thus there are two themes to follow here, for the house has great value as it represents an earlier stage of colonial history, as well as contributing to the story of Paul Revere and the struggle for independence.

The *Old North Church* plays a similar dual role, as it dates to 1723 and has a long and fascinating history of its own. Architecturally, the church is priceless. It was constructed from designs based on the great London churches of Christopher Wren. The church, with its tall, graceful steeple, oblong floor plan and main entrance at one end, became the prototype for the classic New England church. With its distinguished history as Boston’s oldest surviving church and its architectural significance, the structure has much to recommend it.

But the church is best known for the single night in April, 1775, when Robert Newman, climbing through the darkness of the empty church, carried two lanterns to hang from the belfry. The signal was for the patriots across the Charles River. The British were moving, heading out of Boston by water. The events were in motion that would lead to Lexington and Concord, and culminate in a new nation.

The *Old State House*, constructed in 1713, served as the seat of the provincial government of Massachusetts before the Revolution. It then served as the State House for the Commonwealth of Massachusetts from the time of the Revolution until 1798. As the structure was also used by the colonial courts, it has an important story to tell of the functioning of both the colonial and Commonwealth governments around the time of the Revolution. Although the building has been much modified and restored to a later period than that of the Revolution itself, it is still architecturally important as an early and significant example of Georgian architecture.

Bunker Hill, Breed’s Hill is listed in this manner because of an anomaly of history. Although “the Battle of Bunker Hill” is familiar as the first major battle between rebel militia and British troops, the engagement actually took place on Breed’s Hill. Therefore, the “Bunker Hill Monument” stands on the summit of Breed’s Hill. The battle itself pitted about 1,500 rebel militiamen against an attacking force of some 2,000 “redcoats.” The British made three assaults on the ragged defenders in place on Breed’s Hill. Although they took their objective on the last assault, when the Americans ran low on ammunition, the victory was pyrrhic, as the British casualties were more than double the patriot losses.

There is currently a four-acre park on the crest of Breed’s Hill. The site is dominated by the Bunker Hill Monument, a granite obelisk some 220 feet high, which may be climbed for views of the Boston area. Next June 17 will mark the 200th anniversary of the battle.

The *Old South Meeting House* is a structure very much affected by the events of the American Revolution. The building was constructed in 1729, and in addition to its purpose as a church, became a focal point for mass meetings in the revolutionary period. Protest meetings were held here after the Boston Massacre of 1770. A meeting in 1773 adjourned to the harbor and became the Boston Tea Party. This association of the building with the rebel cause was not lost on the British. During the occupation of Boston in 1775, General John Burgoyne ordered the pulpit, pews, and other interior items torn out and destroyed. The church building was then used by the British cavalry as a riding school. The interior was restored in 1783, and since that time some further restoration work has been accomplished within the structure.

The *Charlestown Navy Yard* has a rich and varied history in its own right. Founded in 1800, the Yard pioneered in technological innovations in shipbuilding. Its drydocks and structures represent a rich chapter of American industrial and military history. Ships constructed here saw service in the War of 1812. The shipyard also was the source of the *Merrimac*, which was later converted to an ironclad by Confederate forces in the Civil War and used in the famous action against the Union ironclad *Monitor*. The story of shipbuilding can be carried through to modern times, with the peak activity of the Yard during World War II as an example.

But most visitors come to the Navy Yard for one thing: “Old Ironsides.” Constructed in Boston in 1797, the *U.S.S. Constitution* quickly became a legend in her own time. Engaging the Barbary Pirates in 1803–04, the vessel first earned her nickname, her wooden armor reportedly repelling the enemy cannon fire. In the War of 1812, the duel of the *U.S.S. Constitution* with the British frigate *Guerrriere* has become a classic encounter. Today, the ship is maintained as the oldest commissioned vessel in the United States Navy, and is currently visited by nearly one million people annually. H.R. 7486 includes the ship and about 30 acres of the oldest portion of the Navy Yard within the Park.

LEGISLATIVE HISTORY

The Subcommittee on National Parks and Recreation held its initial hearings on H.R. 7486 in Washington on January 28, 1974. It was

apparent to the Members that the involvement of the citizens of Boston over the past 200 years had been the condition that was necessary for these historic structures to have been preserved until this time. This local interest was a major factor in the amendments made by the Committee to the proposal. The Members were concerned with finding a way to retain community participation while assuring that any Federal investment in the structures would be safeguarded. The ultimate consideration was that these priceless buildings be given the necessary permanent protection they deserve.

This impression was reinforced by a field inspection of the Boston area made by the Subcommittee in April. Several of the sites are operated by nonprofit associations which could not have succeeded in protecting these areas without the selfless dedication of many citizens of Boston over the past two centuries.

Further Washington hearings were then conducted on May 30, 1974. This session was intended primarily to receive further information from the Interior Department, the United States Navy, and the City of Boston, particularly in regard to the Charlestown Navy Yard.

The amendments adopted by the Committee deal with the issue of local involvement by suspending the power of eminent domain with respect to the historical properties in the area. The Secretary of Interior may negotiate cooperative agreements with the various organizations which will assure their continued role in the area, while guaranteeing the preservation of the structures themselves. Only if the agreement should break down at some time in the future would the Secretary act to preserve a property through condemnation proceedings. The Committee also amended the bill to include establishment of an Advisory Commission for the Park which would meet at least twice a year to consult with the Secretary or his representative. Among other members, the Commission includes a representative from each of the historic properties included in the Park.

The Committee also spent considerable time on the matter of the funding requirements for the proposed Park. It was recognized that the total development figures submitted by the Department represented long-range restoration costs for many of the historic structures. Obviously, a large portion of this development funding would be intended for work in future years. The development figures for the Charlestown Navy Yard were first submitted at a level of almost \$20,000,000. This represented long-range funding including cost estimates for highly developed interpretative programs and exhibits. The Committee adopted a reduced development figure of \$11,500,000 for the Navy Yard, as funding at this level will allow the National Park Service to conduct the primary restoration and development needed to make the Navy Yard fully available to visitors.

COST

The Committee adopted an authorization limit of \$2,740,000 for land acquisition in the Park. This is intended for use in acquiring several small parcels adjacent to the Charlestown Navy Yard entrance, and for a site for a visitor center in the downtown area. All other properties will either be acquired by donation or operated under cooperative agreements.

A development limit of \$12,818,000 is authorized for the entire Park with the exception of the Navy Yard. A separate authorization limit of \$11,500,000 is authorized for development of the Navy Yard unit of the proposed Park. This separation is to ensure that funds intended for the downtown sites would not be diverted to the Navy Yard. No acquisition or development funds are authorized for any of the areas contained in the study provisions of the bill.

SECTION-BY-SECTION ANALYSIS

Section 1 would allow the Act to be cited as the "Boston National Historical Park Act of 1974." This is in conformance with existing units of the National Park System, such as Independence National Historical Park.

Section 2 lists the seven areas which the Secretary of the Interior may acquire or enter into cooperative agreements for administration as the Boston National Historical Park:

- (1) Faneuil Hall (presently owned by the City of Boston).
- (2) Paul Revere House (owned by the Paul Revere Memorial Association).
- (3) Old North Church (owned by the Episcopal Diocese of Massachusetts).
- (4) Old State House (owned by the City of Boston).
- (5) Bunker Hill, Breeds Hill (owned by the Commonwealth of Massachusetts, Metropolitan District Commission).
- (6) Old South Meeting House (owned by the Old South Association).
- (7) Charlestown Navy Yard (owned by U.S. Navy, General Services Administration).

The Navy Yard was originally included in the study provision of the bill. The Subcommittee amended the language to give the U.S.S. *Constitution* and its surroundings equal status with the other units to be included in the Park.

Section 2, as amended, also addresses the issue of acquisition. Donation, or purchase with donated funds, is specified as the preferred means of acquisition. Subsection 2(b) states that if appropriated funds are used for acquisition, the Secretary shall not invoke the power of eminent domain so long as a binding cooperative agreement assuring the preservation of the historic property is in effect. The intent here is to allow the Secretary to cooperate with the local historical societies and governmental units which have worked for so many years to protect the various sites. Eminent domain would only be used if a cooperative agreement was violated to the extent that the historical integrity or preservation of a structure would be threatened or in cases where a "friendly" condemnation action would be required to secure clear title. The cooperative agreement arrangement allows the local unit to retain title to the property and yet permit the National Park Service to be involved in management of the structure. Independence Hall in Philadelphia is operated by the National Park Service under a similar cooperative agreement.

The specific exemption to the restriction on eminent domain refers to several small parcels of land on the periphery of the Charlestown

Navy Yard. These properties do not contain significant structures, but are located at the entrance to the Navy Yard itself and are needed for protection of the integrity of the site and to complete the management objectives of this component of the historical park.

Subsection 2(c) sets forth the process for establishing the Park at the time that such cooperative agreements have been negotiated and acquisitions completed as will satisfy the objectives of this bill.

Subsection 2(d) spells out the boundary for the portion of the Charlestown Navy Yard to be included, and specifically includes the U.S.S. *Constitution* within the Park. It directs the transfer between agencies of the property involved. A proviso is included which specifies the terms under which the Navy will continue to occupy portions of the site while in support of the U.S.S. *Constitution*. The Secretary is also directed to consult with State and local officials in solving access difficulties for the portion of the shipyard not included in the Park.

Section 3 designates a list of additional properties which shall be studied for possible future inclusion in the Park. None of these study properties may be included in the Park except by an Act of Congress, however. The following sites are to be studied under this section:

- (1) Boston Common.
- (2) Dillaway-Thomas House.
- (3) Thomas Crease House (Old Corner Book Store).
- (4) Dorchester Heights.
- (5) King's Chapel, Granary, and Copp's Hill burying grounds.

The Secretary may enter into tentative agreements or options for purchase of the listed sites, pending further action of Congress.

Subsection 3(b) authorizes the Secretary to enter into cooperative agreements with the owners of those properties listed in section 2 which remain outside of Federal ownership. Any such cooperative agreements must contain:

1. Right of access of the National Park Service to all public portions of a property so covered.
2. Restrictions against any alterations of the property, except by mutual consent.
3. No limitations on use of any properties customarily used for church purposes.
4. Specific provisions detailing the extent of participation of the Secretary in restoration, preservation, and maintenance.

Subsection 3(c) allows the Secretary to identify other significant sites in the Boston area and, by consent of the owners, mark them and refer to them in interpretive materials.

Section 4 establishes an Advisory Commission with members appointed from commonwealth and local governments, and from those areas covered by cooperative agreements. The section describes the manner of operation of the Commission in general. Included are provisions that the Commission members shall serve without pay, that the Commission meet at least semi-annually, and that the Commission shall terminate after ten years from the date of establishment of the Park. The Commission acts to advise the Secretary, but has no management responsibility.

Section 5 permits acquisition of the property for use as a visitor center by donation, purchase, or exchange. It also specifies that de-

velopment funds for the visitor center may be used on property in which the Secretary has acquired less than full title, specifically including a lease. This would allow the Park Service to lease, or lease with option to buy, property which could be used expeditiously for the central visitor contact facility in the downtown Boston area.

Section 6 simply directs the Secretary to administer the Boston National Historical Park in accordance with the Acts establishing the National Park Service and providing for the preservation of historic properties, as well as according to the specific provisions of this bill.

Section 7 deals with authorization limits. A maximum of \$2,740,000 may be appropriated for land acquisition. This is based on an estimate of \$1,000,000 for the tracts adjoining the Charlestown Navy Yard, and \$1,740,000 for property for a downtown visitor center.

The development authorization limit of \$24,318,000 is broken down as follows:

- (1) Breed's Hill—\$1,954,000.
- (2) Old South Meeting House—\$1,056,000.
- (3) Old State House—\$2,373,000.
- (4) Faneuil Hall—\$3,388,000.
- (5) Paul Revere House—\$25,000.
- (6) Old North Church—\$325,000.
- (7) Off-site Interpretive Facilities—\$400,000.
- (8) Downtown Visitor Center—\$3,297,000.
- (9) Charlestown Navy Yard—\$11,500,000.

These costs are from the estimates made by the National Park Service in conducting studies of the area. In the case of the downtown historic properties, the totals include estimates of long-range restoration of the structures. In the case of the Charlestown Navy Yard, the total includes a restoration and development schedule which would include new facilities for visitor use as well as urgently needed restoration.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs, by voice vote, ordered H.R. 7486, as amended, to be reported favorably to the House on July 10, 1974.

EXECUTIVE COMMUNICATION

The recommendations of the Department of the Interior concerning this legislation received by the Committee on November 28, 1973, and a supplemental report received on May 28, 1974, are both printed here in full.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., November 28, 1973.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 7486, a bill "To authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts."

We recommend that action on H.R. 7486 by the Congress be deferred for the reasons given in this report.

The bill authorizes the Secretary of the Interior to acquire by purchase or donation, but only with the consent of the owner, six areas: Faneuil Hall; Paul Revere House; the Old North Church area; the Old State House; Bunker Hill, Breeds Hill; and the Old South Meeting House. The Secretary is also authorized to study additional areas for addition to the park, including Boston Common, Charlestown Navy Yard, the Thomas Crease House, Dorchester Heights, and three burying grounds, and to acquire these by donation or by purchase with the consent of the owner. The bill would authorize not only acquiring sites, also entering into cooperative agreements with the city of Boston, the Commonwealth of Massachusetts, and private organizations, under which the property would remain in non-Federal ownership. The agreements must, however, give the National Park Service access to the properties to conduct tours, and must provide for concurrence in any changes made to properties other than church properties. The bill also establishes an advisory commission, authorizes a program of historical markers, and authorizes a visitor center for the park. The bill contains an open-ended appropriation authorization.

The sites included in H.R. 7486, with the exception of the Charlestown Navy Yard, were listed as areas of historical importance in the final report of the Boston National Historical Sites Commission, made on March 15, 1961. In addition, all the sites listed by the bill for acquisition without further study, are listed on the National Register of Historic Places.

The Boston National Historic Sites Commission was established by Congress in 1955 to recommend the role that the Federal Government, State and local governmental bodies, and private organizations should assume with regard to the preservation of historical sites relating to the Colonial and Revolutionary periods in Boston and the general vicinity. The Commission's final report suggested essentially the same approach taken by H.R. 7486, providing for a combination of acquisition by the Federal Government and negotiation of cooperative agreements between the Federal Government and existing owners. The proposal of the Commission was "heartily endorsed" by the Advisory Board on National Parks, Historic Sites, Buildings and Monuments, at its 51st meeting in October 1964.

While the sites included in this proposal were studied at length by the Commission prior to 1961, and while some parts of this study have been updated since that time, we believe that a new study of the proposal should be made. Cost estimates will have to be updated, and changes that have taken place in the area since 1961 may require revision of some recommendations.

New studies are now underway and should be completed within fiscal year 1974. In addition, a study of the Boston Naval Shipyard was undertaken by the National Park Service last June at the request of the Secretary to determine whether a portion of the shipyard should be preserved as a national historic site. It is expected that a recommendation will be made as a result of this study in early 1974.

We therefore request that action on H.R. 7486 be deferred until these studies have been completed.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

CURTIS BOHLEN,
Acting Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 28, 1974.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This supplements our report to your Committee on November 28, 1973, on H.R. 7486, a bill "To authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts", in which we recommended that action on the bill be deferred.

In that report we advised your Committee that cost estimates will have to be updated, and that new studies were under way and should be completed within the current (1974) fiscal year. On January 28, 1974, the Subcommittee on National Parks and Recreation held a hearing on H.R. 7486 and S. 210, a similar bill which passed the Senate on December 7, 1973. At that time we advised the Subcommittee that we would be unable to complete our evaluation of the various provisions of the bill, including the cost estimates necessary to arrive at a substantive position, before July 1, 1974.

We have now had an opportunity to review the cost and other implications attendant to the enactment of H.R. 7486 or S. 210. Based on our preliminary review, we recommend against the enactment of either bill.

In reviewing our prospective role in any commemoration of the historical events that occurred in connection with the Bicentennial in Boston, we considered two major purposes for involvement directly by this Department. First, direct preservation of the historical resources; and second, interpretation of those resources, regardless of ownership. The pending bills focus on these two main objectives, in that they would authorize financial assistance to the owners of historical properties for preservation and rehabilitation work as well as interpretation by the Secretary of the Interior pursuant to cooperative agreements, and they would authorize the acquisition of property for and development of, a visitor center in the city of Boston for interpretive purposes. Our concerns in implementing these two major purposes of the legislation are discussed below.

Preservation of historic properties.—The properties referred to for immediate inclusion in the proposed national historical park in both bills are of national historical significance. We believe, therefore, that these properties should be properly maintained and exhibited for the public benefit. Based on a preliminary estimate, figures were supplied in November 1973 to the Senate Committee on Interior and

Insular Affairs in response to that Committee's request for cost data for the areas that would be made part of the national historical park. We have completely reviewed all of the costs attendant to the rehabilitation and development of these properties, and we find that the preliminary figures furnished to the Senate Committee were inadequate.

We estimate land acquisition costs at more than \$1.7 million, and development costs at more than \$12.3 million for the properties that would be included initially within the park. Based on the preliminary estimates we provided earlier to the Senate Committee, S. 210, as passed by the Senate, contains appropriation limitations of \$360,000 for land acquisition and \$8,067,000 for development.

If the properties referred to in the bills for inclusion in the national historical park were in danger of deterioration and collapse, or otherwise in serious disrepair, we believe there would be some justification for direct Federal expenditures to assure the preservation of these properties. Our studies indicate, however, that this is not the case.

Faneuil Hall is owned by the city of Boston. The city has indicated that it prefers to retain ownership of the property but would make it available to the National Park Service for a 25-year term, renewable for another 25 years. The estimated cost for Federal development including rehabilitation to National Park Service standards is approximately \$3,388,000.

Paul Revere House, which is the second of the six specific properties identified for immediate establishment within the park in H.R. 7486, is owned and operated by the Paul Revere Memorial Association. It is open to the public for a small charge. The Association would prefer to retain ownership of the property. Estimated Federal cost for rehabilitation and development is \$25,000.

Old North Church is the third property identified in the bill for immediate inclusion in the park. This property is owned and operated by the Episcopal Church of Massachusetts. It is open to public visitation daily, and expenses are defrayed by voluntary contributions and operation of a museum-sales facility on the property. The church proposes to retain ownership of the property. Federal cost in developing this property is estimated at \$325,000.

Old State House is the fourth site referred to in the initial section of the bill. This property is owned by the city of Boston and operated under a lease to the Bostonian Society. The society maintains an exhibit display, library, and objects pertaining to the history of Boston. It is open to the public for a small admission fee, and a sales facility is also operated by the society. The city has indicated it desires to retain ownership of the property but will lease the structure and sidewalks to the National Park Service for a 25-year term, renewable for an additional 25 years. Federal development costs are estimated to be \$2,373,000.

Bunker Hill, the fifth property identified in the bill for immediate inclusion in the park, is owned by the State Metropolitan District Commission, and would be donated to this Department for operation by the National Park Service. Estimated Federal costs for development of this property are \$1,954,000.

Old South Meeting House is the sixth property identified in the bill for immediate inclusion. This property is owned and operated by the Old South Association of Boston, and is open to the public for a small fee. The association has an ongoing interpretive program and continues a tradition of free expression by allowing a variety of meetings to be held within the House. The association desires to retain ownership of the property. Estimated Federal costs of rehabilitation of the property are \$960,000.

The foregoing estimates were prepared based on the assumption that the properties must be brought up to National Park System standards in order for their inclusion within a national historical park to be fully justified. However, the properties are generally in good repair, and they are currently open to the public.

If the purpose of the legislation is to provide Federal financial assistance in time for the properties to be brought to National Park System standards by the Bicentennial, we have great doubts as to whether, in view of the costs indicated above, this can be accomplished. Assuming that the funds were authorized and appropriated before the commencement of the next fiscal year (FY 1975), rehabilitation work needed to bring these properties up to the required standard would still be in progress during calendar years 1975 and 1976. Because these properties are now open to the public, and are not in any danger of being lost due to significant structural impairment, we believe that little would be gained by the enactment of authorizing legislation specifically designed to provide funds for their rehabilitation in time for the celebration of the Bicentennial.

Interpretation of significant properties.—We have reviewed the alternatives pursuant to which the National Park Service of this Department could undertake to assist the owners of the various properties referred to above, as well as the owners of other significant historic properties in Boston also referred to in the legislation, in interpreting their historical significance for the public. In our view, no further legislative authority for this purpose is needed. The Act of August 21, 1935 (49 Stat. 666), authorizes the Secretary of the Interior to cooperate with the owners of sites that are nationally significant in interpreting them for the benefit of the public.

Earlier plans indicated that a downtown interpretive center in the city of Boston would be an advantageous central location from which the National Park Service could interpret the various properties established as parts of the national historical park pursuant to either Federal acquisition or cooperative agreement with the owners. From such a center it was contemplated that Federal employees would guide visitors to the various sites covered by cooperative agreements, and such employees would also be on the site to greet the visitor and interpret the historic theme of the particular properties. In reviewing this aspect of the proposal, however, we believe that there would be little benefit in establishing a central visitor center without at least two prerequisites: Firm agreements with the owners of the historical properties, and rehabilitation of the properties to National Park System standards, as contemplated by the bill. The acquisition and development of a special National Park Service visitor center, at an estimated

cost of about \$5,037,000, would not in our judgment be warranted without assurances that the properties to be interpreted would be available and maintained at National Park Service standards at such time as the visitor center was completed. These assurances are not provided in the bill, inasmuch as the agreements with the owners contemplated in the bill would take some time to implement as noted above, and outright acquisition by the Federal Government of all these properties and direct Federal rehabilitation of them, would take many years.

For the foregoing reasons, we recommend against the enactment of either H.R. 7486 or S. 210, as passed by the Senate.

The Office of Management and Budget has advised that there is no objection to the presentation of this supplemental report from the standpoint of the Administration's program.

Sincerely yours,

JOHN H. KYL,
Assistant Secretary of the Interior.

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BOSTON NATIONAL HISTORICAL PARK, MASS.

DECEMBER 5, 1973.—Ordered to be printed

Mr. KENNEDY (for Mr. BIBLE), from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany S. 210]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 210) to authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

The Subcommittee on Parks and Recreation held an open field hearing on S. 210 in Boston, Massachusetts, on September 10, 1973, and an additional open hearing in Washington, D.C. on October 5, 1973.

PURPOSE OF THE BILL

S. 210, as amended, authorizes the Secretary of the Interior to acquire by purchase or donation, but only with the consent of the owners, five areas of historical importance in Boston, Massachusetts. These areas are Faneuil Hall; the Paul Revere House; the Old State House; Bunker Hill, Breeds Hill; and the Old South Meeting House. The Secretary is also authorized to study additional areas for future addition to the Park, including the Thomas Dillaway House, Boston Common, Charlestown Navy Yard, the Thomas Crease House, Dorchester Heights, the Old North Church and three burying grounds, and to acquire these by donation or by purchase with the consent of the owners.

DESCRIPTION OF THE AREAS

Following is a general description of the areas to be included in the Boston National Historical Park:

FANUEIL HALL

Often called "the cradle of liberty" Faneuil Hall was a focal point in the organization of Colonial resentment and protest against acts

of the British Parliament the years immediately prior to the Revolution. Here James Otis, Samuel Adams, and other leaders of the opposition to the Crown, welded Colonial dissent into a powerful sentiment for American self government. In the nineteenth century it heard the voices of the most notable leaders in the fight for the abolition of slavery and it remains today a significant symbol of the struggle for American freedom. The original Hall was given to Boston by Peter Faneuil, a wealthy merchant of the city, to serve as a public market. Perhaps to allay opposition to the market, Faneuil arranged for a room above the market place to serve for town meetings and municipal purposes. The building was designed by John Smibert, a noted painter turned amateur architect. Originally two stories high, 40' by 100', the Hall was Georgian in style with open arcades to the public market on the ground floor. The large center cupola on the roof was topped by the famous weather vane, a huge grasshopper with green glass eyes and long antennae. The Hall was destroyed by fire on January 17, 1761 with only its brick walls remaining. It was rebuilt a short time later and became the scene of many of the mass meetings which were the prelude to revolution. The building was tripled in size by Charles Bulfinch in 1805-06 and a third story was added. The cupola also was moved to the east end of the building and a series of barrel shaped dormers were added. The whole was reconstructed according to the Bulfinch plan in 1898-99.

PAUL REVERE HOUSE

The Paul Revere House, although extensively restored, retains its original framework and, in addition to its significance as the home of the Revolutionary patriot, is important as downtown Boston's only surviving 17th century dwelling. The house was occupied by Revere about 5 years before the outbreak of the Revolution and was his home until 1800.

The original portion of the house was built probably by John Jeff, soon after the Boston fire of 1676, on the site of the Increase Mather Parsonage. Architectural investigation indicates that the house originally was of the simple and characteristic one-room type. By the time Revere moved into the house almost a century after its construction, the structure had already been enlarged to a full three stories. In the nineteenth century the house degenerated into a tenement and store and was considerably altered. In 1908 the structure was studied and restored by the architect Joseph Everett Chandler and it stands today as an excellent example of the urban house of the 17th century. This architectural significance, and the house's intimate association with the patriot and craftsman, Paul Revere, make it a treasured landmark in downtown Boston.

The house consists of the main portion fronting on North Square and an early kitchen ell at the rear. It was through the back door in the kitchen ell that Revere probably passed for his famous ride on the night of April 18, 1775. The front door would have not been safe, as North Square was full of British soldiers. The main house has a deeply recessed fireplace in the hall and a small porch and winding stair in front of the chimney. The ceiling of the large room or hall is spanned by the summer beams. The main house has the character-

istic 17th century overhang and the pendants, windows, front door and roof have been restored in 17th century style. The first floor interior has been restored in 17th century fashion but the second floor chamber is plastered, panelled and painted as it might have been when occupied by the Reveres. The house is well maintained and is open to the public.

OLD STATE HOUSE, WASHINGTON STREET AND STATE STREET

The Old State House, built in 1713, was the seat of government for the province of Massachusetts and the meeting place for colonial courts, as well as for civic and military affairs. Here James Otis argued against the legality of the writs of assistance in 1761. After the outbreak of the American Revolution, the building served as the State House of the Commonwealth of Massachusetts from 1776 to 1798. This Georgian building, which occupies the site of its predecessor, was once the focal point of Dock Street, a major thoroughfare in eighteenth-century Boston. The Old State House is the home of the Bostonian Society. The City of Boston, assisted by the Department of Housing and Urban Development, is in the process of repairing and restoring the Old State House.

BUNKER HILL MONUMENT, BREED'S HILL

The Battle of Bunker Hill, actually fought on nearby Breed's Hill on June 17, 1775, was the first full-scale action between American militia and British troops in the American Revolution. The British sailed to Charlestown's east shore, disembarked, and marched up Breed's Hill three times. Their red coats and strict marching formation made them easy targets for the colonials, so that of the 2,000 British attackers, 226 were killed and 828 wounded. Of the 1,500 colonials, 115 were killed and over 300 wounded. Although the battle ended in defeat for the inexperienced Americans, who had run out of ammunition, the costly victory convinced the British that defeating the Americans would not be an easy task.

Designed by Willard Soloman, the Bunker Hill Monument marks the approximate center of the American redoubt on Breed's Hill. The hollow shaft includes a spiral flight of 295 stone steps ascending to a chamber which offers dramatic views of Boston. The cornerstone for this monument was laid by Lafayette in 1825 at a ceremony which included an oration by Daniel Webster. Paid for by public subscription from all parts of the United States, the monument was completed in 1842 and dedicated in 1843. It is surrounded by a four-acre park in which there is a statue of the American commander, Colonel William Prescott, at the spot where he allegedly said, "Don't fire 'til you see the whites of their eyes."

Bunker Hill Monument is owned by the Metropolitan District Commission, which is planning restoration of the monument and grounds.

OLD SOUTH MEETING HOUSE, MILK STREET AND WASHINGTON STREET

The Old South Meeting House was the scene of many protest meetings prior to the American Revolution. One such meeting led to the Boston Tea Party on the night of December 16, 1773. The building

was erected in 1729 by Joshua Blanchard, the mason who later built the Thomas Hancock House and the original Faneuil Hall. This two-story brick building with gabled roof is among the few pre-Revolutionary meeting houses still standing. It has a side brick tower and wood steeple. The interior, featuring a three-sided gallery and raised pulpit with a suspended sounding board, was restored after the British had used the interior for a riding school during their occupation of Boston in 1775.

Descriptions of those areas to be studied by the Secretary for possible future inclusion in the Park are also set forth as follows:

BOSTON COMMON, CHARLES STREET, BOYLSTON STREET, PARK STREET,
BEACON STREET

In the early seventeenth century, all of the land on the narrow Boston peninsula was owned by Reverend William Blackstone (Blaxton) as a grant from the king. In 1630 he invited the settlers on the other side of the Charles River (Charlestown) to join him, and these Puritans "gave" him fifty acres of his own land. In 1634, Blackstone sold back all but six acres for thirty pounds. Each colonist contributed six shillings or more for the purchase, and thus Blackstone's forty-four acres became common property, a "place for a trayning field" and for the "feeding of cattell." Boston Common remains the oldest public park in the country.

The Common has always been a center of activity. Executions were held here in the seventeenth century, and it was a drill ground for British troops before the American Revolution, during the siege of Boston, and before they set off for Lexington and Concord on April 19, 1775. Many of the British soldiers killed in this opening battle of the Revolution were buried in a trench at the foot of the Common. American militiamen who died at the Battle of Bunker Hill and during the British occupation were buried in the Central Burying Ground.

More recently, Presidents from John Adams to Franklin Roosevelt have spoken to large crowds under the Common's trees, Oliver Wendell Holmes used to stroll almost daily along the Common's "Long Path," the first football club in the United States played all comers between 1862 and 1865 on the Common's turf, and the section known as General MacArthur Mall has become known as a meeting place for young people. In addition, the Common continues to be the setting for large public gatherings, demonstrations, and rallies. Each year the Office of Cultural Affairs and the Boston Parks and Recreation Department holds a festival on the Common which is called June-Art-in-the-Park; local artists exhibit and sell their work, while music is played and hundreds of colored balloons float in the sky. The annual Christmas Festival, sponsored by the Office of Cultural Affairs, includes beautiful, gaily colored lights which are festooned over the Common's trees.

Boston Common is a natural park of fine old elm trees, small hills, benches, lawns, and walking paths. Particular points of interest include: the Central Burying Ground, which contains—among others—the grave of noted portrait painter Gilbert Stuart (1775-1828); the Football Tablet commemorating the Oneida Club and the beginnings

of organized football between 1862 and 1865 (the inscription proudly states that "the Oneida goal was never crossed"); the Army and Navy Monument, an ornate granite obelisk designed by Martin Milmore and located on Flag Staff Hill; Frog Pond, near Flag Staff Hill, which is often used for swimming in summer; and a bandstand, located along the "long walk" from Joy Street to Boylston Street, where Summer thing now presents Sunday afternoon concerts.

Perhaps the most famous landmark on Boston Common is the Boston Massacre Monument on Lafayette Mall, which was designed by Robert Kraus and erected in 1828. A bronze plaque memorializes the people who died in the Massacre, including Crispus Attucks, a black from Nassau, who was the first to fall. An unusual feature of the monument is Attucks' hand, which stands out in bold relief from the plaque; like kissing the blarney stone, shaking hands with Attucks has become a symbol of good luck.

Unfortunately, deterioration of Boston Common is reaching crisis proportions. Since the city seeks to preserve the historic integrity and natural beauty of the Common, restoration is now being carried out through the Boston Parks and Recreation Department and the Boston Redevelopment Authority, with the assistance of the Department of Housing and Urban Development and the Bureau of Outdoor Recreation of the Department of the Interior.

THOMAS CREASE HOUSE (OLD CORNER BOOK STORE), CORNER OF
WASHINGTON STREET AND SCHOOL STREET

Built in 1712 on the site of the home of Anne Hutchison, this brick house was owned by Thomas Crease, an apothecary. As the only surviving eighteenth-century house in this part of Boston, it is a valuable neighbor to the Old South Meeting House of 1729. The structure was remodeled into a bookstore by the firm of Carter and Hendee in 1828.

Under the guidance of the successor firm, Ticknor and Fields, the book store became the favorite meeting place for authors during New England's golden age of letters in the mid-nineteenth century. Here, poets and philosophers like Emerson, Hawthorne, Whittier, and Holmes met visiting British authors, among them Dickens and Thackeray. While James T. Fields, editor of *The Atlantic Monthly* and publisher, held court here, the Corner Book Store acquired the popular name of "Parnassus Corner."

The exterior of the Old Corner Book Store was restored in the spring of 1964. The Boston Globe and Historic Boston, Inc. now maintain this building.

DORCHESTER HEIGHTS

In March 1776, the first American army won its first victory on the heights of Dorchester. After General George Washington fortified the area, using cannon brought by Henry Knox from Fort Ticonderoga on Lake Champlain, the British troops (commanded by General William Howe) were intimidated and sailed out of Boston Harbor on March 17, 1776, never again to set foot on Massachusetts soil. The evacuation of Boston marked a significant change in the patriot cause, from a defense of colonists' rights to a full-scale war for independence.

Today, Dorchester Heights includes a small park and a monument that commemorates the evacuation. It has the distinction of being listed on the National Register of Historic Places.

BOSTON NAVAL SHIPYARD, EAST OF CHELSEA STREET

The Boston Naval Shipyard is one of the oldest in the country, having built, repaired, and serviced countless naval vessels since its founding around 1800. Among the famous ships launched here were the "Merrimac" and the "Monadnock." The installation introduced the use of shelters for shipways, built one of the first dry docks in the United States, made all of the Navy's rope for more than a century, and pioneered in modern ship construction. Its principal attraction for visitors is the restored U.S.S. "Constitution."

Better known as "Old Ironsides" (because shot from the British frigate "Guerrière" did not break through her oak sides), the frigate "Constitution" is the oldest commissioned ship of the United States Navy. Built in Boston in 1797, the vessel was involved in the undeclared naval war with France (1798-1800), the sea battles with the Barbary pirates (1801-1805), and the War of 1812. She was condemned as unseaworthy in 1830, but Oliver W. Holmes's poem "Old Ironsides" aroused such public interest that appropriations were authorized to rebuild the ships. The square-rigged wooden vessel is 204 feet long with a 43½-foot beam.

KING'S CHAPEL BURYING GROUND, TREMONT STREET AND SCHOOL STREET

King's Chapel Burying Ground is the oldest cemetery in Boston, dating from the earliest days of the colonial settlement, 1631. The land first belong to Isaac Johnson, who requested burial in the upper part of his garden near the present corner of School and Tremont Streets. Others soon asked to be buried "alongside Brother Johnson in his garden" and thus it became the town cemetery.

In 1686, Governor Andros arbitrarily appropriated a corner of the burying ground for a small wooden chapel. In 1749 the present King's Chapel, designed by Peter Harrison, was erected on the site of the early wooden structure.

King's Chapel Burying Ground contains the graves of Governor John Winthrop, and his son and grandson, who were governors of Connecticut; Minister John Cotton; Governor William Shirley; John Davenport, founder of New Haven, Connecticut; Charles Bulfinch; William Dawes, Jr., who rode with Paul Revere on April 17, 1775; and Mary Chilton, first woman Pilgrim to step ashore on Plymouth rock. The cemetery was closed for burials in 1796. During the first half of the nineteenth century, some of the gravestones were moved from their original places and placed in orderly rows to "beautify" the grounds. Thus it is now impossible to know the true location of many graves.

Today, King's Chapel Burying Ground is beautifully shaded by five towering Little-Leaf Linden trees, which are approximately 125 to 150 years old.

GRANARY BURYING GROUND, TREMONT STREET, OPPOSITE BROMFIELD STREET AND BESIDE THE PARK STREET CHURCH

The Granary Burying Ground was established in 1660. Originally part of the Boston Common, this cemetery takes its name from the town granary which once stood on the side of Park Street Church. It is of extreme importance to early American history, containing the remains of more distinguished Bostonians than any other cemetery in the city. Eminent Bostonians who are buried here include: eight early Governors of Massachusetts—Richard Bellingham, William Dummer, John Hancock, Samuel Admas, James Bowdoin, James Sullivan, William Eustis, and Increase Sumner; three signatories of the Declaration of Independence—Hancock, Adams, and Robert Treat Poine; victims of the Boston Massacre, including Crispus Attacks; Paul Revere; the parents of Benjamin Franklin; and Peter Faneuil. The most conspicuous visual feature within the Granary Burying Ground is the granite obelisk over the Franklin tomb.

Perhaps the most heavily visited cemetery in Boston, the Granary Burying Ground is a peaceful crescent-shaped area enclosed by buildings and an ornate iron fence. The public entrance is defined by an imposing granite archway fashioned by architect Solomon Williard; carved on the cornerposts on each side of the entrance are inverted torches—"flying dumbbells"—which represent an old type of hourglass illustrating the classic "tempus fugit" or "time flies" theme. Winding paths, linden and oak trees, and myriads of squirrels and pigeons make the Granary Burying Ground a beautiful, serene retreat in the heart of downtown Boston.

COPP'S HILL BURYING GROUND AND COPP'S HILL TERRACE, CHARTER STREET AND COMMERCIAL STREET

Copp's Hill Burying Ground and Copp's Hill Terrace are surviving elements of Copp's Hill, one of the original dominant hills of Boston which was named after William Copp, a shoemaker and early settler. The first colonists of the North End used Copp's Hill as a promenade and recreation area until the hill's summit was levelled in 1807, leaving only the burying ground untouched.

First established in 1659, when it was known as the "North Burying Place," Copp's Hill Burying Ground is the second oldest cemetery in Boston and bears a close resemblance in the layout of its paths and arrangement of the gravestones to its antecedent, King's Chapel Burying Ground. Over 10,000 have been buried here, many of them prominent and wealthy citizens from colonial times when the North End was an exclusive residential area.

In the years around the American Revolution, British troops occupied Copp's Hill and used it as a military station. Many gravestones show bullet marks from British muskets, as the soldiers often fired upon the stones for sport and target practice. Among those buried here are: Increase, Cotton, and Samuel Mather, who were all prominent preachers, authors, and educators; Edward Hartt, builder of the U.S.S. Constitution; Dr. Joseph Warren, killed at the Battle of Bunker Hill; Captain Robert Newman, who hung the lanterns in the Old

North Church before Paul Revere's ride; Prince Hall; and Andrew and John Eliot.

THE THOMAS DILLAWAY HOUSE

This house which is located on the John Eliot Square in Roxbury was built by the Reverend Oliver Peabody, a pastor of the First Church, and is a fine example of Georgian-style architecture of the 1750 period.

OLD NORTH CHURCH

Historically and architecturally, Old North Church is one of the nation's most cherished landmarks. The signal lanterns hung in the church's belfry—"one if by land and two if by sea" as Longfellow put it—were not intended for Paul Revere, who already knew what was afoot. Nevertheless, despite the almost legendary quality of the story today, the lanterns did hang in the belfry on the night of April 18 to notify patriots on the opposite side of the Charles River that British troops were moving out of Boston by water. In addition to its role as a signal station on the eve of the Revolution, Old North possesses further distinction as Boston's oldest surviving church. Old North Church was built in 1723 by William Price, a print seller, from designs based on Wren's great London churches. Its brick walls were laid in English bond 51' wide by 70' long, with two tiers of arched windows. A projecting square brick tower almost 100 feet high was added in 1724-37 and topped by a wooden steeple 191' high in 1740. This first steeple was blown down in 1804 and replaced several years later by a similar one designed by Charles Bulfinch. This second tower was toppled by hurricane Carol on August 31, 1954, and has since been replaced.

"The interior of Old North reveals the new 'church' plan, with longitudinal aisles separating the groups of square box pews. The two-story architectural scheme, with square paneled pillars below and fluted one above, is echoed in this country only in Trinity Church, Newport, but Wren had employed a similar arrangement in three London churches. The arched bays of the galleries and the elliptically vaulted plaster ceiling of the nave follow Wren's St. James, Piccadilly. The total effect is somewhat amateurish compared with Peter Harrison's superb interior at King's Chapel, built a generation later, but the intimate scale and the old woodwork have much charm. The church was thoroughly restored in 1912. Old North Church and the equestrian statue of Paul Revere adjacent to it constitute a memorable evocation of the night when the call to arms went out on the eve of the War for Independence. The church is well maintained although, its run down surroundings detract from the setting and constitute a fire hazard to the building. The church is open to the public and attracts more than 100,000 visitors each year.

PROVISIONS OF BILL

S. 210 would authorize the Secretary of the Interior to acquire the sites to be included with the consent of the owners and also to enter into cooperative agreements with the city of Boston, the Commonwealth of Massachusetts and private organizations, under which the property would remain in non-Federal ownership. The agreements must, however, give the National Park Service access to the properties

to conduct tours, and must provide for concurrence in any changes made to properties other than church properties.

Because the Committee has been assured that the property to be acquired for construction of a downtown Interpretation Center can be acquired by donation or by purchase from "willing sellers", the bill contains no condemnation authority. The Committee has taken this action with the understanding and expectation that if the National Park Service is unable to acquire the property at a reasonable price, the Department of the Interior will bring the matter back to the Congress for appropriate action.

COMMITTEE AMENDMENTS AND COSTS

The Committee amended S. 210 by adding to the areas to be studied by the Secretary of the Interior for possible future inclusion in the Historic Site the Thomas Dillaway House which is located in Roxbury. The Old North Church area, located at 193 Salem Street in Boston, was removed from section 2(a) and inserted in section 2(c) for further study instead of being designated as a part of the Historic Site upon enactment as called for under S. 210 as introduced.

The Committee further amended the bill by limiting the sum to be authorized for land acquisition for the Interpretation Center to \$360,000 and the development costs for the project to \$8,067,000. These figures reflect the estimated costs of the areas designated for inclusion in the Historic Site but do not include the areas contained in the study section of the bill.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs in Executive Session on November 30, 1973, unanimously ordered S. 210, as amended, reported favorably to the Senate.

DEPARTMENTAL REPORTS

The reports of the Department of the Interior and the Office of Management and Budget on S. 210 are set forth in full as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 4, 1973.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs, U.S. Senate,
Washington, D.C.*

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on S. 210, a bill "To authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts."

We recommend that action on S. 210 by the Congress be deferred for the reasons given in this report.

The bill authorizes the Secretary of the Interior to acquire by purchase or donation, but only with the consent of the owner, six areas: Fanueil Hall; Paul Revere House; the Old North Church area; the Old State House; Bunker Hill, Breeds Hill; and the Old South Meet-

ing House. The Secretary is also authorized to study additional areas for addition to the park, including Boston Common, Charlestown Navy Yard, the Thomas Crease House, Dorchester Heights, and three burying grounds, and to acquire these by donation or by purchase with the consent of the owner. The bill would authorize not only acquiring sites, but also entering into cooperative agreements with the city of Boston, the Commonwealth of Massachusetts, and private organizations, under which the property would remain in non-Federal ownership. The agreements must, however, give the National Park Service access to the properties to conduct tours, and must provide for concurrence in any changes made to properties other than church properties. The bill also establishes an advisory commission, authorizes a program of historical markers, and authorizes a visitor center for the park. The bill contains an open-ended appropriation authorization.

The sites included in S. 210, with the exception of the Charlestown Navy Yard, were listed as areas of historical importance in the final report of the Boston National Historic Sites Commission, made on March 15, 1961. In addition, all the sites listed by the bill for acquisition without further study, are listed on the National Register of Historic Places.

The Boston National Historic Sites Commission was established by Congress in 1955 to recommend the role that the Federal Government, State and local governmental bodies, and private organizations should assume with regard to the preservation of historic sites relating to the Colonial and Revolutionary periods in Boston and the general vicinity. The Commission's final report suggested essentially the same approach taken by S. 210, providing for a combination of acquisition by the Federal Government and negotiation of cooperative agreements between the Federal Government and existing owners. The proposal of the Commission was "heartily endorsed" by the Advisory Board on National Parks, Historic Sites, Buildings and Monuments, at its 51st meeting in October 1964.

While the sites included in this proposal were studied at length by the Commission prior to 1961, and while some parts of this study have been updated since that time, we believe that a new study of the proposal should be made. Cost estimates will have to be updated, and changes that have taken place in the area since 1961 may require revision of some recommendations.

New studies are now underway and should be completed within fiscal year 1974. In addition, a study of the Boston Naval Shipyard was undertaken by the National Park Service last June at the request of the Secretary to determine whether a portion of the shipyard should be preserved as a national historic site. It is expected that a recommendation will be made as a result of this study in early 1974.

We therefore request that action on S. 210 be deferred until these studies have been completed.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

JACK O. HORTON,
Assistant Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., October 5, 1973.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs, U.S. Senate,
New Senate Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your requests for the views of the Office of Management and Budget on the following bills:

1. S. 210, "To authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts" (requested February 5, 1973);

2. S. 262, "To provide for the establishment of the Tuskegee Institute National Historical Park, and for other purposes" (requested May 24, 1973);

3. S. 417, "To amend the Act of June 28, 1948, to provide for the addition of certain property in Philadelphia, Pennsylvania, to Independence National Historical Park" (requested September 25, 1973); and,

4. S. 584, "To amend the Act entitled, 'An Act to provide for the establishment of the Indiana Dunes National Seashore, and for other purposes', approved November 5, 1966" (requested May 24, 1973).

The Office of Management and Budget concurs in the views of the Department of the Interior in its reports on these bills and accordingly recommends that action on S. 210 be deferred by the Congress. We recommend enactment of S. 262, S. 417, and S. 584, if amended as suggested by the Department.

Sincerely,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

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Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

To authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Boston National Historical Park Act of 1974".

SEC. 2. (a) In order to preserve for the benefit and inspiration of the people of the United States as a national historical park certain historic structures and properties of outstanding national significance located in Boston, Massachusetts, and associated with the American Revolution and the founding and growth of the United States, the Secretary of the Interior (hereinafter referred to as the "Secretary") may, in accordance with the provisions of this Act, acquire by donation or by purchase with donated funds, all lands and improvements thereon or interests therein comprising the following described areas:

- (1) Faneuil Hall, located at Dock Square, Boston;
- (2) Paul Revere House, 19 North Square, Boston;
- (3) The area identified as the Old North Church area, 193 Salem Street, Boston;
- (4) The Old State House, Washington and State Streets, Boston;
- (5) Bunker Hill, Breeds Hill, Boston;
- (6) Old South Meeting House, Milk and Washington Streets, Boston; and
- (7) Charlestown Navy Yard.

(b) ~~In the event that the properties described in this section are~~ not donated to the United States or purchased with donated funds, they may be acquired by the Secretary with appropriated funds: *Provided*, That, except for privately held lands within the Charlestown Navy Yard as described in subsection (d) of this section, the Secretary shall not acquire any such properties by eminent domain so long as he determines that a binding, written cooperative agreement, assuring the preservation and historical integrity of such properties remains in force and effect. Lands owned by the Commonwealth of Massachusetts, or any of its political subdivisions, may be acquired only by donation.

(c) At such time as the Secretary determines that sufficient lands, improvements, and interests therein have been acquired or that cooperative agreements satisfying the preservation and historical objective of this Act have been executed, he may establish the Boston National Historical Park by publication of notice to that effect in the Federal Register, together with a detailed description or map setting forth the properties included therein.

(d) As used in this section, the Charlestown Navy Yard shall include the United States Ship Constitution and the lands generally depicted on the map entitled "Boundary Map: Charlestown Naval Shipyard—U.S.S. Constitution, Boston National Historical Park", numbered BONA 20,000 and dated March 1974 which shall be on file and available in the offices of the Director of the National Park Service, Department of the Interior, Washington, D.C. All right, title, and interest in the Federal properties and improvements included therein shall be transferred to the Secretary of the Interior: *Provided*, That he may, by written agreement with the Secretary of the Navy, permit the continued use of any such buildings and facilities as the Secretary of the Interior determines to be necessary for the preservation and maintenance of the Constitution, which agreement shall pro-

vide that the Department of the Navy shall transfer to the Department of the Interior funds sufficient to cover the costs attributable to the functions and services which are provided by the Department of the Interior. The Secretary shall consult with representatives of the city of Boston and the Commonwealth of Massachusetts concerning the development of suitable transportation plans consistent with the purposes for which the Navy Yard was included in the historical park.

SEC. 3. (a) In addition to the properties described in section 2 of this Act, the Secretary shall study the properties described in this section to determine the feasibility and suitability of including them within the Boston National Historical Park. In making such studies, he may enter into tentative agreements with any owners thereof for their inclusion in said park and he may enter into options, for a nominal consideration, for the purchase of such properties, but no additional properties may be added to the park except by an act of the Congress. Studies shall be made of the following properties:

- (1) Boston Common;
- (2) Dillaway-Thomas House;
- (3) Thomas Crease House (old Corner Book Store);
- (4) Dorchester Heights; and
- (5) the following burying grounds: King's Chapel, Granary, and Copp's Hill.

(b) In furtherance of the general purposes of this Act as prescribed in section 2, the Secretary is authorized to enter into cooperative agreements with the city of Boston, the Commonwealth of Massachusetts, or any private organization to mark, interpret, restore, and/or provide technical assistance for the preservation and interpretation of any properties listed in section 2, or portions thereof, which, in his opinion, would best be preserved in private, municipal, or State ownership, in connection with the Boston National Historical Park. Such agreements shall contain, but shall not be limited to, provisions that the Secretary, through the National Park Service, shall have right of access at all reasonable times to all public portions of the property covered by such agreement for the purpose of conducting visitors through such properties and interpreting them to the public, that no changes or alterations shall be made in such properties except by mutual agreement between the Secretary and the other parties to such agreements, except that no limitation or control of any kind over the use of any such properties customarily used for church purposes shall be imposed by any agreement. The agreements may contain specific provisions which outline in detail the extent of the participation by the Secretary in the restoration, preservation, and maintenance of such historic properties.

(c) The Secretary may identify other significant sites of the colonial and Revolutionary periods of American history in the city of Boston, Massachusetts, and its environs, which are related to the historical park created by this Act, and, with the consent of the owner or owners thereof, may mark them appropriately and make reference to them in any interpretive literature.

SEC. 4. (a) There is established a Boston National Historical Park Advisory Commission (hereinafter referred to as the "Commission") which shall be composed of members appointed by the Secretary as follows:

- (1) Three members appointed from recommendations submitted by the Governor of Massachusetts;
- (2) Three members appointed from recommendations submitted by the mayor of the city of Boston; and

(3) One member to represent each owner with which the Secretary has concluded a cooperative agreement pursuant to section 3 of this Act, to be appointed from recommendations submitted by each such owner.

(b) The Commission shall terminate ten years from the date of establishment of the Boston National Historical Park.

(c) A vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment (and for the balance of the unexpired term). The Chairman of the Commission shall be designated by the Secretary.

(d) The Commission shall act and advise by affirmative vote of a majority of its members.

(e) The Secretary or his designee shall from time to time, but at least semiannually, consult with the Commission with respect to matters relating to the development of the Boston National Historical Park.

(f) Members of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act upon presentation of vouchers signed by the Chairman.

SEC. 5. The Secretary may acquire property or any interest therein by donation, purchase, or exchange for the visitor center, and notwithstanding any other provision of law, funds appropriated for the development and operation of the visitor center may be expended on property in which the Secretary has acquired less than the fee simple interest therein, including a leasehold interest.

SEC. 6. When established as provided in section 2 of this Act, the Boston National Historical Park shall be administered by the Secretary in accordance with the provisions of this Act, the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467).

SEC. 7. For the acquisition of lands or interests in lands designated by section 2 of this Act as components of the Boston National Historical Park, there is authorized to be appropriated not to exceed \$2,740,000. For development of the components designated as paragraphs 1 through 6 in section 2, there is authorized to be appropriated not more than \$12,818,000. For the development of the component designated as paragraph 7 in section 2, there is authorized to be appropriated not more than \$11,500,000.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

September 19, 1974

Dear Mr. Director:

The following bills were received at the White House on September 19th:

H.R. 6395 ✓

H.R. 12000 ✓

H.R. 13595 ✓

S. 210 ✓

S. 3301 ✓

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.