The original documents are located in Box 22, folder "1975/01/04 HR14689 Lowell (Mass.) Historic Canal District Commission" of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

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APPROVED
JAN 4-1975 STATEMENT ISSUED 114/75

ACTION

THE WHITE HOUSE

WASHINGTON

Last Day: January 4

January 2, 1975

MEMORANDUM FOR Portal 14/75

THE PRESIDENT

SUBJECT:

Enrolled Bill H.R. 14689 Lowell (Mass.) Historic Canal District Commission

Attached for your consideration is H.R. 14689, sponsored by Representative Cronin and 11 others which would establish a nine member commission to study, and make recommendations regarding a plan for the preservation, interpretation, development and use of the Historic Canal District in Lowell, Massachusetts.

The Commission would be required to submit its plan for the Canal District area within two years of the date of enactment and appropriations of not to exceed \$150,000 would be authorized to support the commission's work.

Interior, although having reservations about the national significance of the area, has no objection to the establishment of a study commission if no federal funding is involved. OMB agrees with Interior's views but does not believe that a \$150,000 appropriation authorization for the commission is sufficient basis for veto. OMB provides additional background information in its enrolled bill report (Tab A).

OMB recommends approval and recommends the issuance of a signing statement indicating your approval of the bill on the basis that the question of future Federal funding and participation be left completely open.

Max Friedersdorf (Loen) and Phil Areeda both recommend approval. Paul Theis has approved the text of the signing statement.

RECOMMENDATION

That you sign H.R. 14689 (Tab C).

Signing Statement (Tab B)

Disapprove

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 8 0 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 14689 - Lowell (Massachusetts)

Historic Canal District Commission

Sponsor - Rep. Cronin (R) Massachusetts and 11 others

Last Day for Action

January 4, 1975 - Saturday

Purpose

Establishes a nine member commission to study, and make recommendations, regarding a plan for the preservation, interpretation, development, and use of the Historic Canal District in Lowell, Massachusetts.

Agency Recommendations

Office of Management and Budget	Approval (Signing Statement	
	attached)	

Council on Environmental Quality Approval
Department of Transportation Approval
Civil Service Commission Approval

Department of the Interior No objection
Department of Housing and Urban

Development No objection
Department of Commerce No objection

General Services Administration No objection

Department of the Treasury No recommendation

Discussion

Lowell, Massachusetts, located on the falls of the Merrimack River, was an early site of the industrial revolution in America.



Prior to the Civil War, it obtained particular prominence and attention because of the then enlightened use of what would now be regarded as the paternalistic practices of the textile-mill managers toward their personnel. These practices were personified by the so-called "Lowell girls" whose lives and living habits both on and off the job were totally supervised by their employers. Lowell's long decline began after the Civil War and resulted from a combination of competition, lower wages elsewhere, and poor management.

The nine member study commission which H.R. 14689 would establish would consist of the Secretaries of the Interior, Commerce, HUD, and Transportation along with five other members to be appointed by the Secretary of the Interior from public and private life including the Director of the National Park Service and two persons nominated by the governor of Massachusetts and two by the manager of the city of Lowell. The commission, which appears to be contemplated as a continuing body, would be required to submit its plan for the Canal District area within two years of the date of enactment. Appropriations of not to exceed \$150,000 would be authorized to support the commission's work under the generally standard housekeeping provisions of the bill.

The original Canal District area was made up of the canal around the falls and the various factory and other structures required for the production of textiles and the housing of management and the employees. The canal is currently in a good state of preservation, but most if not all of the historic structures no longer exist.

Interior has previously studied the area snd does not regard it as having national historic significance. In 1972, the Departmental Advisory Board on National Parks, Historic Sites, Buildings, and Monuments recommended against its designation as a national historic landmark. In fact, the principal impetus behind the legislation seems to be the creation of a tourist attraction that will help alleviate the economic effects of high unemployment in the Lowell area.



When the bill was pending in committee, Interior, after pointing out its reservations about the national significance of the area, took the position it would have no objection to the establishment of a study commission if no Federal funding were involved.

We fully share Interior's views about the absence of any national significance to the area. However, since we also went along with Interior's position of not objecting to a commission, one issue presented by the bill is whether the fact that it provides for Federal funding of the commission warrants disapproval.

We do not believe that a \$150,000 appropriation authorization for the commission is a sufficient basis for veto. Federal funding is clearly limited to this amount not only under the provisions of the bill but also in light of the following excerpt from the report of the House Interior Committee:

"...Rather than commit the Congress to a plan which has yet to be written, the Committee amended the bill to authorize only the preparation of the plan. Congress would be required to take additional affirmative action before any federal commitment to the implementation of the plan would be made...."

The other issue raised by the bill is whether its enactment, its provisions, and the initial Federal involvement it authorizes will put irresistible pressure on the commission to propose a plan calling for further and greater Federal participation. We recognize this danger but do not believe that it constitutes a viable basis for disapproval -- in this connection it may be noted that Federal officials constitute a majority of the membership of the commission.

However, to assist in meeting pressures for a large Federal role in implementation of the plan, we recommend issuance of a signing statement along the lines of the one we have prepared and which is attached. In essence, that statement indicates that you are approving the bill on the basis that the question of future Federal funding and participation is left completely open.

Melfiel H Rommel
Assistant Director for
Legislative Reference

STATEMENT BY THE PRESIDENT

I have today approved H.R. 14689, a bill "to provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes."

This legislation establishes a nine-member commission for the purposes outlined with an authorization of \$150,000 to support the work of the commission.

In signing this bill into law, I associate myself fully with the view of the House Interior Committee that "Congress would be required to take additional affirmative action before any federal commitment to the implementation of the plan would be made."

This view makes it clear that none of the provisions of this bill, or its authorization of Federal funds to support the work of the commission, constitutes any commitment to future Federal funding or participation in the Canal District project. Enactment of the bill does not alter the criteria determining whether Federal support will be provided areas such as the Lowell Historic Canal District.

In my judgment, the foregoing considerations should guide the commission in the preparation of its plan, and I have approved the measure on that basis.



I have today approved H.R. 14689, a bill "To provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes."

This legislation establishes a nine-member commission to prepare a plan for the preservation, development, and use of the Lewell Historic Canal District area in Lowell, Massachusetts. Appropriations of the true authorized to support the work of the commission.

In signing this bill into law, I want to associate myself fully with the view of the House Interior Committee that "Congress would be required to take additional affirmative action before any federal commitment to the implementation of the plan would be made."

This view makes it entirely clear that none of the provisions of H.R. 14689 or its authorization of Federal funds to support the work of the commission constitutes any commitment to future Federal funding or participation in the Canal District project. Nor do I consider that the enactment of the bill in any way alters the criteria or determining whether to Federal support will be provided areas such as the Lowell Historic Canal District.

In my judgment, the foregoing considerations should guide the commission in the preparation of its plan, and I have approved H.R. 14699 on this basis.

930

ACTION MEMORANDUM

WASHINGTON

LOG NO .:

Date. December 30, 1974 Time:

10:00 p.m.

FOR ACTION: Mike Duval

cc (for information): Warren Hendriks

Max Friedersdorf

Phil Areeda

ol | PAT Paul Theis

Jerry Jones Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date:

Tuesday, December 31

Time:

1:00 p.m.

SUBJECT:

Enrolled Bill H.R. 14689 - Lowell (Mass.) Historic Canal District Commission

ACTION REQUESTED:

___ For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

For Your Comments

Draft Remarks

REMARKS:

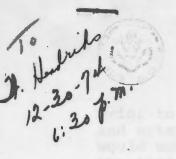
Please return to Judy Johnston, Ground Floor West Wing

00

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. Hendrike For the President



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC & 0 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 14689 - Lowell (Massachusetts)
Historic Canal District Commission
Sponsor - Rep. Cronin (R) Massachusetts and 11 others

Last Day for Action

January 4, 1975 - Saturday

Purpose

Establishes a nine member commission to study, and make recommendations, regarding a plan for the preservation, interpretation, development, and use of the Historic Canal District in Lowell, Massachusetts.

Agency Recommendations

Office	of	Management	and	Budget
--------	----	------------	-----	--------

Council on Environmental Quality
Department of Transportation
Civil Service Commission
Department of the Interior
Department of Housing and Urban
Development
Department of Commerce
General Services Administration

General Services Administration
Department of the Treasury

Approval (Signing Statement attached)

Approval Approval Approval No objection

No objection No objection No objection No recommendation

Discussion

Lowell, Massachusetts, located on the falls of the Merrimack River, was an early site of the industrial revolution in America. WASHINGTON

930 LOG NO .:

Date: December 30, 1944 Time: 10:00 p.m.

FOR ACTION:

cc (for information): Warren Hendtiks Mike Duval Max Friedersdorf

Jerry Jones Phil Areeda No ob Jack Marsh Paul Theis '

FROM THE STAFF SECRETARY

DUE: Date: Time: 1:00 p.m. Buesday, December 31

SUBJECT:

Enrolled Bill H.R. 14689 - Lowell (Mass.) Historic Canal District Commission

ACTION REQUESTED:

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

REMARKS:

Please return to Judy Johnston, Ground Floor 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 K. R. COLE. IR. telephone the Staff Secretary immediately.

For the President

WASHINGTON

LOG NO .:

930

Date: December 30, 1974 Time: 10:00 p.m.

FOR ACTION:

Mike Duval

Max Friedersdorf

Phil Areeda Paul Theis

cc (for information): Warren Hendriks

Jerry Jones Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date:

Tuesday, December 31

Time:

1:00 p.m.

SUBJECT:

Enrolled Bill H.R. 14689 - Lowell (Mass.) Historic Canal District Commission

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

__ Draft Reply

For Your Comments

_ Draft Remarks

REMARKS:

Muhe Dand Please return to Judy Johnston, Ground Floor West Wing

OK- norm

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

December 31, 1974

MEMORANDUM FOR:

WARREN HENDRIKS

FROM: Ven Joen for MAX L. FRIEDERSDORF

SUBJECT:

Action Memorandum - Log No. 930

The Office of Legislative Affairs concurs with the Agencies that the enrolled bill should be signed.

Attachments

930

CTION MEMORANDUM

WASBINGTON

LOG NO.:

Date: December 30, 1974

Time: 10:00 p.m.

FOR ACTION:

Mike Duval

Max Friedersdorf'

Phil Areeda Paul Theis cc (for information): Warren Hendriks

Jerry Jones Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Tuesday, December 31

Time: 1:00 p.m.

SUBJECT:

Enrolled Bill H.R. 14689 - Lowell (Mass.) Historic Canal District Commission

ACTION REQUESTED:

____ For Mecessary Action

.___ For Your Recommendations

Propare Agenda and Brief

Druft Renly

___ For Your Commonis

____ Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a daisy in submitting the sequired material, please telephone the intel Secretary immediately.

Warren R. Wendriks For the President

LOG NO.:

Doio. December 30, 1974

Time: 10:00 p.m.

FOR ACTION: Mike Duval

Max Friedersdorf

Phil Areeda Paul Theis

cc (for information): Warren Hendriks

Jerry Jones Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Tuesday, December 31

Time:

1:00 p.m.

SUBJECT:

Enrolled Bill H.R. 14689 - Lowell (Mass.) Historic Canal District Commission

ACTION REQUESTED:

____ For Necessary Action ____ For Your Recommendations

Prepare Agenda and Brief

Fredt Regis

____ For Your Comments

____ Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a driay in submitting the required material, please water R. Estarits delephone the Staff Secretary immediately. Per the President

EXECUTIVE OFFICE OF THE PRESIDENT COUNCIL ON ENVIRONMENTAL QUALITY

722 JACKSON PLACE, N. W. WASHINGTON, D. C. 20006

DEC 2 3 1974

MEMORANDUM FOR W. H. ROMMEL

OFFICE OF MANAGEMENT AND BUDGET

ATTN: Mrs. Mohr

SUBJECT: Enrolled Bill, H.R. 14689, "To provide for a

plan for the preservation, interpretation,

development, and use of the historic, cultural,

and architectural resources of the Lowell

Historic Canal District in Lowell, Mass., and

for other purposes."

This is in response to your request of December 19, 1974, for our views on the subject enrolled bill.

The Council recommends that the President sign the proposed legislation.

Steven D. Jellinek

Staff Direct



OFFICE OF THE SECRETARY OF TRANSPORTATION WASHINGTON, D.C. 20590

DEC 2 0 1974

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

Dear Mr. Ash:

Reference is made to your request for the views of the Department of Transportation concerning H.R. 14689, an enrolled bill

"To provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes."

The Department of Transportation, in its programs, encourages the preservation of the nation's unique historic landmark heritage.

The Department supports the signing of enrolled bill H.R. 14689 by the President.

Rodney E. Ayster General Counsel



UNITED STATES CIVIL SERVICE COMMISSION WASHINGTON, D.C. 20415

CHAIRMAN

December 24, 1974

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

Attention: Assistant Director for

Legislative Reference

Dear Mr. Ash:

This is in reply to your request for the views of the Civil Service Commission on enrolled bill H.R. 14689, a bill "To provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes."

The Commission has not previously had the opportunity to report on this legislation. Our comments are limited to the personnel provisions of H.R. 14689.

Section 1 of the bill provides for the establishment of the Lowell Historic Canal District Commission. Under section 2, the Commission would consist of nine members. Four would be Government agency heads, and the remaining five would be Federal or Massachusetts State and local employees, or private citizens, appointed by the Secretary of Interior. Those members not employed by the Federal, State or local governments would be compensated at the rate of \$100 per day. There is no objection to this provision.

Section 3(a) provides that the Commission shall use the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments. We have no problem with this provision, but we are not clear why it is necessary.

Under section 3(b), the Commission would be authorized to appoint and fix the compensation of additional personnel without regard to the civil service laws and the Classification Act of 1949. We have no objection to this provision. When the life-span of a temporary agency is of short duration, we do not object to the exemption of its employees from the competitive service and the General Schedule. The stated purpose of this Commission is to develop a plan for the Lowell Canal District which must be submitted to the Congress within two years of the effective date of the Act.

It should be noted, though, that, as sections 5 and 6 indicate, the Commission could continue indefinitely (after submission of the plan) for the purpose of implementing and administering the plan. Presumably, this would require an additional appropriations act, since section 8 only allocates funds for the preparation of the plan. If the life of the Commission is indeed to be extended beyond the two years indicated in this bill, we would strongly favor making the Commission's employees subject to the appointment, classification and pay provisions of title 5, United States Code.

Section 3(c) would authorize the Commission to employ experts and consultants without regard to the civil service laws and the Classification Act of 1949 as authorized by section 15 of the Administrative Expenses Act of 1946. This is an incorrect citation. Section 15 has been codified as 5 U.S.C. 3109. We do not object, though, to this provision.

Section 3(c) would also authorize the Commission to pay these experts and consultants at rates not to exceed \$100 per day. We do not believe this maximum rate is appropriate. The maximum rate which agencies are generally authorized to pay experts and consultants is the daily rate for GS-18 (now \$138.48).

Although we express reservations to certain personnel provisions of the enrolled bill, they are not such as to warrant a recommendation of a veto. Therefore, insofar as the personnel provisions are concerned, the Commission recommends that the President sign enrolled H.R. 14689.

By direction of the Commission:

Chairman



United States Department of the Interior

OFFICE OF THE SECRETARY WASHINGTON, D.C. 20240

DEC 2 3 1974

Dear Mr. Ash:

This responds to your request for the views of this Department on enrolled bill H.R. 14689, "To provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes."

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

Enrolled bill H.R. 14689 would establish a commission to prepare a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts. The commission would be composed of nine members including, ex officio, the Secretaries of the Interior, Housing and Urban Development, Commerce, and Transportation. The other five members would be appointed by the Secretary of the Interior, one of whom would be the Director of the National Park Service and the others to be appointed on the basis of recommendations submitted by the Mayor of Lowell and the Governor of Massachusetts. Payment for the financial and administrative services of the commission including those relating to budgeting, accounting, financial reporting, personnel and procurement would be provided by the General Services Administration.

The commission would be authorized to prepare the plan and submit to the Congress recommendations regarding the anticipated types of uses for the area, ownership of lands and structures, cooperative agreements and procedures for implementing the plan. Following approval of all or part of the plan, the commission would be able to acquire lands and buildings by purchase, lease, or other transactions and to borrow money from the Treasury as authorized to be appropriated to cover obligations of the commission. There are authorized to be appropriated not to exceed \$150,000 for the preparation of the plan authorized by the bill.



The provisions of the bill relating to the commission are patterned somewhat after the Pennsylvania Avenue Development Corporation, as established by the Act of October 27, 1972 (86 Stat. 1266), even though the Lowell Canal District has not been designated a national historic site. The Secretary's Advisory Board, in its October 1972 meeting, considered a proposal to designate the canal district as a national historic landmark. The Board, in its recommendations to the Secretary of the Interior, stated that it did not believe the area possesses the requisite national historical significance for such designation, an essential prerequisite for including an historic area in the National Park System.

This Department reported to the 93rd Congress that while we had no objection to the establishment of a commission to study methods to preserve, interpret and use the resources of the Lowell area, we did not believe that payment for the financial services of the commission or the financial responsibility for establishment of such an undertaking as a Lowell Park, was an appropriate responsibility of the Department of the Interior as provided in H.R. 14689 as introduced. The Department did not oppose, however, legislation authorizing further study by the National Park Service to determine what alternatives exist for preservation of the area.

As enrolled H.R. 14689 authorizes such a study by the commission established in the bill and we are prepared to assist the commission in developing a plan which would recognize such historical resources as may be present in the area. In addition, the financial services of the Commission are to be furnished by the General Services Administration under the enrolled bill. For these reasons, we would have no objection to the President's approving enrolled bill H.R. 14689.

Sincerely yours.

Acting Assistant Secretary of the Interior

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



THE GENERAL COUNSEL OF HOUSING AND URBAN DEVELOPMENT WASHINGTON, D. C. 20410

December 24, 1974

Mr. Wilfred H. Rommel
Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D. C. 20503

Attention: Ms. Mohr

Dear Mr. Rommel:

Subject: H. R. 14689, 93d Congress, Enrolled Enactment

This is in response to your request for our views on the enrolled enactment of H. R. 14689, "To provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts and for other purposes."

The enrolled enactment would establish the Lowell Historic Canal District Commission to prepare a plan for the preservation, development and use of the Lowell Historic Canal District in Lowell, Massachusetts. The Commission's membership would include the Secretary of this Department and the Secretaries of Interior, Transportation and Commerce, as well as members recommended by the City and State.

The plan for the District would include consideration and recommendations for the objectives and types of programs and uses for the area, design criteria and proposed ownership of its structures, facilities and lands, and cost estimates and proposed procedures for implementing the plan. The Commission would be required to submit the plan to Congress within two years of enactment of the enrolled bill.

Although further affirmative Congressional action would be required for any Federal commitment regarding implementation of the plan, the plan could make proposals regarding the Commission's acquisition, lease or sale of land and facilities, and its borrowing from the Treasury to carry out the plan.

The enactment would require the General Services Administration to furnish financial and administrative services to the Commission at the Commission's expense. The Departmental Secretaries represented on the Commission would be directed to provide the Commission with needed facilities and services on a reimbursable basis.

Appropriations not to exceed \$150,000 would be authorized for the preparation of this plan.

It is our understanding that Lowell, Massachusetts, the site of early nineteenth century industrial development, was the first area in this country to be developed as a planned industrial community.

This Department would have no objection to the President's approving the enactment of H. R. 14689. The Federal nature of the Commission as well as other provisions of the bill may be interpreted as contemplating continued Federal involvement in development of the area. However, we defer to the Department of the Interior regarding this issue as well as the degree of historic significance of the Lowell area. We also defer to Interior as well as the General Services Administration as to the desirability and necessity of the administrative and funding measures provided under the enactment for developing the plan.

Sincerely,

Robert R. Elliott

Daylo M Park

UNITED STATES OF AMERICA GENERAL SERVICES ADMINISTRATION

WASHINGTON, DC 20405



DEC 20 1974

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

Dear Mr. Ash:

By referral dated December 19, 1974, from the Assistant Director for Legislative Reference, your office requested the views of the General Services Administration on enrolled bill H.R. 14689, 93rd Congress, an act "To provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes."

The bill would establish the Lowell Historic Canal District Commission to prepare a plan for the preservation, interpretation, development, and use, by public and private entities, of the resources of the district, and submit the plan together with any recommendations for additional legislation to the Congress within two years.

GSA has no objection to Presidential approval of the enrolled bill.

Sincere

Arthur F. Sampson

Administrator



DEC 26 1974

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

Attention: Assistant Director for Legislative Reference

Dear Mr. Ash:

This is in reply to your request for the views of this Department concerning H.R. 14689, an enrolled enactment

"To provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes."

The purpose of H.R. 14689 is to establish the Lowell Historic Canal District Commission (with an authorized appropriation of not to exceed \$150,000) to prepare and submit to Congress a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts. The Commission would consist of nine members, including the Secretaries of Interior, Housing and Urban Development, Transportation, and Commerce as ex officio members.

This Department would have no objection to approval by the President of H.R. 14689.

Enactment of this legislation will not involve any increase in the budgetary requirements of this Department.

Sincerely.

Jo**l**n K. Tabor



THE GENERAL COUNSEL OF THE TREASURY WASHINGTON, D.C. 20220

DEC 24 1974

Director, Office of Management and Budget Executive Office of the President Washington, D.C. 20303

Attention: Assistant Director for Legislative

Reference

Sir:

Reference is made to your request for the views of this Department on the enrolled enactment of H.R. 14689, "To provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes."

The enrolled enactment would establish the "Lowell Historic Canal District Commission", composed of five ex-officio Federal officials and four private members, to prepare a plan for the preservation of the historic, cultural, and architectural resources of the Lowell Historic Canal District in the city of Lowell, Massachusetts. Section 6 states that "it is contemplated that the plan to be developed may propose that the Commission may be authorized to," among other things, acquire lands, develop or operate buildings, facilities, and other properties, and to borrow money from the Treasury to finance its activities. The language of section 6 does not appear to be sufficient to actually authorize any borrowings from Treasury, and the legislative history indicates that section 6 is to serve simply as a guide to the Commission in developing its plan.

The Department would question the Federal interest in preserving Lowell historic resources. In this connection, the report of the Department of the Interior, which is set out in the House Committee report on the bill, notes that the question of designation of the canal district as a national historic landmark has been considered, but that it was found that the area does not possess the national

historical significance for such designation, which is an essential prerequisite for including an historic area in the National Park System.

The Department's views on this legislation have not been previously requested, and we have no recommendation to make with respect to the enrolled enactment.

Sincerely yours,

General Counsel



PROVIDING FOR A PLAN OF THE PRESERVATION, INTERPRETATION, DEVELOPMENT, AND USE OF THIS HISTORIC, CULTURAL, AND ARCHITECTURAL RESOURCES OF THE LOWELL HISTORIC CANAL DISTRICT IN LOWELL, MASS., AND FOR OTHER PURPOSES

OCTOBER 4, 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. 14689]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 14689) to provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendents are as follows:

Page 2, line 6, strike out "and implement".

Page 3, lines 20 and 21, strike out "Department of the Interior," and insert in lieu thereof "General Services Administration.".

Page 3, line 4, strike out "Secretary of the Interior:" and insert in lieu thereof "Administrator, General Services Administration:".

Page 6, lines 1 through 16, strike out all of Section 5(a) and renumber subsection 5(b) as "Sec. 5.".

Page 6, lines 25 and 26, strike out the present text and insert in lieu thereof:

Sec. 6. It is contemplated that the plan to be developed may propose that the Commission may be authorized to—.

Page 8, lines 4 through 6, strike out all of Section 8 and insert in lieu thereof:

Sec. 8. There are authorized to be appropriated not to exceed \$150,000 for the preparation of the plan authorized by this Act.

PURPOSE

H.R. 14689,¹ by Representative Paul W. Cronin, establishes the Lowell Historic Canal District Commission, which is directed to prepare a plan for the preservation, development, interpretation, and use of the historic, cultural, and architectural resources of Lowell, Massachusetts. The nine member Commission, composed of private citizens as well as government officials, is to produce a plan for protecting and restoring the historic properties in Lowell and make specific recommendations for its implementation. The completed plan is to be submitted to Congress within two years. Further Congressional action will then be necessary to authorize any federal commitment in implementing the recommendations.

BACKGROUND AND NEED FOR LEGISLATION

Lowell, Massachusetts, represents an important and often neglected chapter of American history. The coming of the industrial revolution, with all its concomitant social and economic effects, is the story to be told here.

The falls of the Merrimack River attracted the attention of the pioneering New England industrialists in the early 19th century. They realized the power of the water falling through the locks of a transportation canal which bypassed the rapids could be harnessed to drive the textile machinery that was then being developed. The Merrimack Manufacturing Company pioneered the growth of Lowell, improving the canal and constructing the first of the major industries to locate in what was then a remote and thinly settled area.

Of signal importance in this process was that the industrialists, recognizing the need for a stable labor source as well as the water power Lowell had to offer, developed the area as a planned industrial community. Their intent was to dispell the fears of the evils of industrial change which had grown out of the early factory complexes in England. To accomplish this, the companies constructed a model community in which even the off-duty hours of employees were supervised.

The early years of this industrial development saw Lowell hailed as an industrial utopia. The management of the town by the companies, while classified by modern standards as paternalistic, represented a major departure from many of the exploitative aspects of the industrial growth of that era. Lowell drew admiring visitors from both the United States and abroad, and the area drew wide attenion for its success in combining industrial and social values.

The experiment that was Lowell at last began to change. Following the Civil War, increased competition, lower labor costs in other areas, and poor management all played a part in leading to the decline in prominence of the Lowell area.

Now there is widespread support from the citizens of Lowell as well as historians and other interested parties for preserving and restoring the structures and areas which interpret the significance of Lowell. Perhaps the single event which catalyzed this interest was the de-

molishing of the original Merrimack Manufacturing Company mill to make way for a high rise structure. It became apparent that without some organized approach, the important reminders of Lowell as a part of our growth as a nation will disappear through attrition. H.R. 14689 is the vehicle through which a plan that takes account of the history and the present and future needs of this area can be developed.

LEGISLATIVE HISTORY

In April of this year, members of the Subcommittee on National Parks and Recreation visited the City of Lowell, inspected the area, and met with local persons and officials interested in this legislation. Public hearings were held on August 19, 1974, in Washington, D.C.

A considerable amount of work has already been accomplished by local entities in the form of various studies and plans closely allied to the objectives of this legislation. With knowledge of this, the Committee expressed concern that full advantage be taken of this material in assisting in the preparation of the plan to be developed in accordance with this legislation.

The Committee was also gratified to know that the State of Massachusetts has pledged \$9,700,000 in support of the project associated with this legislation.

SECTION-BY-SECTION ANALYSIS, AS AMENDED

Section 1 establishes the Lowell Historic Canal District Commission to prepare a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowel Historic Canal District in Lowell, Massachusetts.

Section 2 details the membership of the nine-member Commission, which is to include the Secretaries of Interior, Housing and Urban Development, Transportation, and Commerce. The Director of the National Park Service, two members appointed from recommendations made by the Mayor of Lowell, and two members from recommendations of the Governor of Massachusetts complete the membership. Members who are not officers or employees of any of the involved levels of government may be compensated at up to \$100 per day, while engaged in Commission activities.

Section 3 makes provision for financial and administrative support services to be provided by the General Services Administration. Applicable regulations of the Department of the Interior to the conduct of business by the Commission are referenced. Also included are specific exemptions to the usual civil service regulations and laws applying to hiring to be done by the Commission. The Secretaries listed in section 2 are also directed to provide the Commission with needed available facilities and services on a reimbursable basis. Within the limits of its appropriations, the Commisson may also purchase or rent other property or services as needed. All assets shall be transferred to the Department of the Interior upon termination of the Commission.

Section 4 directs the Commission to prepare and submit the plan to the Congress within two years from the date of enactment. Also listed are a number of specific concerns which are to be considered in preparing the plan.

¹H.R. 14689 was also sponsored by Representatives O'Neill, Boland, Burke, Conte, Donohue, Drinan, Harrington, Mrs. Heckler, Macdonald, Moakley, and Studds, all of Massachusetts

Section 5 provides for termination of the Commission when its members determine that there is no further need for its existence, or at the end of two years from enactment of the bill, if no plan has been submitted to the Congress.

Section 6 states possible future activities which the Commission may pursue in carrying out the plan. The intent is that this listing could act as a guide to the Commission in preparing the plan.

Section 7 states that the Commission may hold title to property, and that any such property will not be subject to Federal, State, or munic-

ipal taxes.

Section 8 authorizes the appropriation of not more than \$150,000 for the preparation of the plan.

COST

The bill as amended by the Committee authorizes up to \$150,000 to be appropriated for preparation of the plan.

COMMITTEE AMENDMENTS

H.R. 14689 as originally introduced contained language to implement as well as prepare the plan. Rather than commit the Congress to a plan which has yet to be written, the Committee amended the bill to authorize only the preparation of the plan. Congress would be required to take additional affirmative action before any federal commitment to the implementation of the plan would be made. The Committee also provided that administrative support services would be furnished for the Commission by the General Services Administration, rather than by the Department of the Interior.

COMMITTEE RECOMMENDATION

On October 3, 1974, the Committee on Interior and Insular Affairs, in open session, by voice vote, ordered H.R. 14689 favorably reported in amended form to the House of Representatives.

DEPARTMENTAL REPORT

The report of the Department of the Interior, dated August 16, 1974, which was before the Committee during deliberation on the legislation, follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 16, 1974.

H. R. 1430

Hon. James A. Haley.

Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

Dear Mr. Chairman: Your Committee has requested the views of this Department on H.R. 14689, a bill to provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes.

H.R. 14689 would establish a commission to prepare a plan for the preservation, interpretation, development, and use of the historic, cul-

tural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts. The commission would be composed of nine members including, ex officio, the Secretaries of the Interior, Housing and Urban Development, Commerce, and Transportation. The other five members would be appointed by the Secretary of the Interior, one of whom would be the Director of the National Park Service and the others to be appointed on the basis of recommendations submitted by the Mayor of Lowell and the Governor of Massachusetts. Payment for the financial and administrative services of the commission including those relating to budgeting, accounting, financial reporting, personnel and procurement would be provided by the Secretary of the Interior.

The commission would be authorized to prepare the plan and submit to the Congress recommendations regarding the anticipated types of uses for the area, ownership of lands and structures, cooperative agreements and procedures for implementing the plan. Following approval of all or part of the plan, the commission would be able to acquire lands and buildings by purchase, lease, or other transactions and to borrow money from the Treasury as authorized to be appropriated to cover obligations of the commission. There is an open-ended appro-

priation authorization.

The provisions of the bill relating to the commission are patterned somewhat after the Pennsylvania Avenue Development Corporation, as established by the Act of October 27, 1972 (86 Stat. 1266). However, the Pennsylvania Avenue Corporation may not be a suitable precedent for a Lowell canal district commission, primarily because the latter has not been designated a national historic site, whereas much of Pennsylvania Avenue was so designated in 1965. The Secretary's Advisory Board, in its October 1972 meeting, considered a proposal to designate the canal district as a National Historic Landmark. The Board, in its recommendations to the Secretary of the Interior, stated that it did not believe the area possesses the requisite national historical significance for such designation, an essential prerequisite for including an historic area in the National Park System.

While we would have no objection to the establishment of a commission to study methods to preserve, interpret and use the resources of the Lowell area, we do not believe that payment for the financial services of the commission, as provided by section 3(a) of H.R. 14689, or the financial responsibility for establishment of such an undertaking as a Lowell Park, is an appropriate responsibility of the Department of the Interior. The Department would not oppose, however, legislation authorizing further study by the National Park Service to determine what alternatives exist for preservation of the area. Should a study commission be established by law, we would be prepared to assist the commission in developing a plan which would recognize such

historical resources as may be present in the area.

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,

John H. Kyl., Assistant Secretary of the Interior.

Ainety-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 provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving and interpreting for the educational and inspirational benefit of present and future generations the unique and significant contribution to our national heritage of certain historic and cultural lands weterways and edifferent the riter of Levell. Magnetherette lands, waterways, and edifices in the city of Lowell, Massachusetts (the cradle of the industrial revolution in America as well as America's first planned industrial city) with emphasis on harnessing this unique urban environment for its educational value as well as for recreation, there is hereby established the Lowell Historic Canal District Commission (hereinafter referred to as the "Commission"), the purpose of which shall be to prepare a plan for the preservation, interpretation, development and property and the preservation of the preservation. development, and use, by public and private entities, of the historic, cultural, and architectural resources of the Lowell Historic Canal District in the city of Lowell, Massachusetts.

Sec. 2. (a) The Commission shall consist of nine members, as

follows:

(1) the Secretary of the Interior, the Secretary of Housing and Urban Development, the Secretary of Transportation, and

the Secretary of Commerce, all ex officio; and
(2) five members appointed by the Secretary of the Interior, one of whom shall be the Director of the National Park Service two of whom shall be appointed from recommendations submitted by the manager of the city of Lowell, and two of whom shall be appointed from recommendations submitted by the Governor of the Commonwealth of Massachusetts. The members appointed pursuant to this paragraph shall have knowledge and experience in one or more of the fields of history, architecture, the arts, recreation planning, city planning, or government.

(b) Each member of the Commission specified in paragraph (1) of beaution (a) and the Director of the National Bank Service may

subsection (a) and the Director of the National Park Service may designate an alternate official to serve in his stead. Members appointed pursuant to paragraph (2) of subsection (a) who are officers or employees of the Federal Government, the city of Lowell, or the Commonwealth of Massachusetts, shall serve without compensation as such. Other members, when engaged in activities of the Commission, shall be entitled to compensation at the rate of not to exceed \$100 per diem. All members of the Commission shall receive reimbursement for necessary travel and subsistence expenses incurred by them in the performance of the duties of the Commission.

Sec. 3. (a) The Commission shall elect a Chairman from among its members. Financial and administrative services (including those relating to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided for the Commission by the General Services Administration, for which payments shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator, General Services Administration: *Provided*, That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Secretary for the administrative control of funds shall apply to appropriations of the Commission: And provided further, That the Commission shall

not be required to prescribe such regulations.

(b) The Commission shall have power to appoint and fix the compensation of such additional personnel as may be necessary to carry out its duties, without regard to the provisions of the civil service laws and the Classification Act of 1949.

(c) The Commission may also procure, without regard to the civil service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the executive departments by section 15 of the Administrative Expenses Act of 1946, but at rates not to exceed \$100 per diem for individuals.

(d) The members of the Commission specified in paragraph (1) of section 2(a) shall provide the Commission, on a reimbursable basis, with such facilities and services under their jurisdiction and control as may be needed by the Commission to carry out its duties, to the extent may be needed by the Commission to carry out its duties, to the extent that such facilities and services are requested by the Commission and are otherwise available for that purpose. To the extent of available appropriations, the Commission may obtain, by purchase, rental, donation, or otherwise, such additional property, facilities, and services as may be needed to carry out its duties. Upon the termination of the Commission all property, personal and real, and unexpended funds shall be transferred to the Department of the Interior.

Sec. 4. It shall be the duty of the Commission to prepare the plan referred to in the first section of this Act, and to submit the plan

referred to in the first section of this Act, and to submit the plan together with any recommendations for additional legislation, to the Congress not later than two years from the effective date of this Act. The plan for the Lowell Historic Canal District shall include considerations and recommendations, without limitation, regarding (1) the objectives to be achieved by the establishment, development, and operation of the area; (2) the types of use, both public and private, to be accommodated; (3) criteria for the design and appearance of huildings facilities open spaces, and other improvements: (4) ance of buildings, facilities, open spaces, and other improvements; (4) a program for the staging of development; (5) the anticipated interpretive, cultural, and recreational programs and uses for the area; (6) the proposed ownership and operation of all structures, facilities, and lands; (7) areas where cooperative agreements may be anticipated; (8) estimates of costs, both public and private, of implementing the plan; and (9) procedures to be used in implementing and insuring continuing conformance to the plan.

Sec. 5. The Commission shall be dissolved (1) upon the termination as determined by its members of need for its certifications.

tion, as determined by its members, of need for its continued existence for the implementation of the plan and the operation or coordination of the entity established by the plan, or (2) upon expiration of a two-year period commencing on the effective date of this Act, whereupon the completed plan has not been submitted to the Congress, whichever

occurs first.

Sec. 6. It is contemplated that the plan to be developed may propose that the Commission may be authorized to—

(1) acquire lands and interests therein within the Lowell Historic Canal District by purchase, lease, donation, or exchange;
(2) hold, maintain, use, develop, or operate buildings, facilities, and any other properties;

(3) sell, lease, or otherwise dispose of real or personal property

as necessary to carry out the plan;
(4) enter into and perform such contracts, leases, cooperative agreements, or other transactions with any agency or instrumentality of the United States, the Commonwealth of Massachusetts, and any governmental unit within its boundaries, or any person, firm, association, or corporation as may be necessary;

H. R. 14689-3

(5) establish (through covenants, regulations, agreements, or otherwise) such restrictions, standards, and requirements as are necessary to assure development, maintenance, use, and protection of the Lowell Historic Canal District in accordance with

the plan; and

(6) borrow money from the Treasury of the United States in such amounts as may be authorized in appropriation Acts on the basis of obligations issued by the Commission in accordance with terms and conditions approved by the Secretary of the Treasury. The Secretary of the Treasury is authorized and directed to purchase any such obligations of the Commission.

Sec. 7. Title to property of the Commission shall be in the name of the Commission, but it shall not be subject to any Federal, State, or municipal taxes.

municipal taxes.

SEC. 8. There are authorized to be appropriated not to exceed \$150,000 for the preparation of the plan authorized by this Act.

Speaker of the House of Representatives.

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

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

I have approved H.R. 14689, a bill "to provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes."

This legislation establishes a nine-member commission for the purposes outlined with an authorization of \$150,000 to support the work of the commission.

In signing this bill into law, I associate myself fully with the view of the House Interior Committee that "Congress would be required to take additional affirmative action before any federal commitment to the implementation of the plan would be made."

This view makes it clear that none of the provisions of this bill, or its authorization of Federal funds to support the work of the commission, constitutes any commitment to future Federal funding or participation in the Canal District project. Enactment of the bill does not alter the criteria determining whether Federal support will be provided areas such as the Lowell Historic Canal District.

In my judgment, the foregoing considerations should guide the commission in the preparation of its plan, and I have approved the measure on that basis.

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December 24, 1974

Dear Mr. Director:

The following bills were received at the White House on December 24th:

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S.J. Res. 40	8. 3481	H.R. 8958	H.R. 14600
S.J. Res. 133 L		H.R. 8981V /	H.R. 14689
S.J. Res. 262 U	8. 3934 V	H.R. 9182	H.R. 14718
S. 251//	B. 3943	H.R. 9199	H.R. 15173
s. 356	8. 3976	H.R. 9588	H.R. 15223
s. 521/	s. 4073V	H.R. 9654	H.R. 15229
S. 544 V	5. 4206	H.R. 10212	H.R. 15322
s. 663 //	H.J. Res. 1178	A.R. 10701	H.R. 15977
S. 754	H.J. Res. 1180	H.R. 10710	H.R. 16045
S. 1017	H.R. 421	H.R. 10827	H.R. 16215
s. 1083	H.R. 1715	H.R. 11144	M.R. 16596
s. 1296 //	H.R. 1820	H.R. 11273	H.R. 16925
s. 1418	H.R. 2208	H.R. 11796	H.R. 17010
s. 2149	H.R. 2933	H.R. 11802	H.R. 17045
8. 2446	H.R. 3203 V	H.R. 11847	H.R. 17085
s. 28071/	H.R. 3339 V	H.R. 11897	H.R. 17468
s. 2854	H.R. 5264 C	H.R. 12044	H.R. 17558
S. 2888	H.R. 5463	H.R. 12113	H.R. 17597
S. 2904	H.R. 5773	H.R. 12427	H.R. 17628
s. 3022	H.R. 7599	H.R. 12884	H.R. 17655
5. 3289 V	H.R. 7684	H.R. 13022	•
s. 3358	H.R. 7767	H.R. 13296	
S. 3359	H.R. 8214	H.R. 13869	
S. 3394	H.R. 8322	H.R. 14449	
s. 34330	H.R. 8591	H.R. 144611	

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.