

The original documents are located in Box 65, folder “10/18/76 S2398 Eugene O'Neill National Historic Site California” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library

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APPROVED

OCT 18 1976

Statement issued 10/19/76

8 10/18/69

THE WHITE HOUSE

WASHINGTON

October 16, 1976

ACTION

Last Day: October 19

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON *J. Cannon*

SUBJECT: S. 2398 - Eugene O'Neill National Historic Site, California

Attached for your consideration is S. 2398, sponsored by Senators Cranston and Tunney.

The enrolled bill establishes the Eugene O'Neill National Historic Site in California as a park for the performing arts and authorizes the Secretary of the Interior to accept by donation the Cherokee Strip Living Museum in Kansas.

A detailed discussion of the provisions of the enrolled bill is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Kilberg) and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign S. 2398 at Tab B.

Posted 10/19/76

archives 10/19/76



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EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

OCT 14 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 2398 - Eugene O'Neill
National Historic Site, California
Sponsors - Sen. Cranston (D) California
and Sen. Tunney (D) California

Last Day for Action

October 19, 1976 - Tuesday

Purpose

Establishes the Eugene O'Neill National Historic Site in California as a park for the performing arts and authorizes the Secretary of the Interior to accept by donation the Cherokee Strip Living Museum in Kansas.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Council on Environmental Quality	Approval(Informally)

Provisions of the enrolled bill

Eugene O'Neill National Historic Site -- Eugene O'Neill, winner of the Nobel prize for literature, is widely recognized as a leading figure in the evolution of modern American drama. The house and property known as Tao House located on the slopes of the Las Trampas Range outside of Oakland, California, served O'Neill from 1937 to 1944, during which he produced some of his most important dramatic writing.

Although much of the area near Tao House has been subject to increasing development, the property itself has remained relatively unchanged. The site was added to the National Register of Historic Places on May 19, 1971, and declared eligible for National Historic Landmark status later that year. A regional park has been established immediately adjoining the site, providing an additional measure of protection to the area. More recently, the State Legislature of California acted to appropriate funds to acquire the property and to assure its preservation through agreements with various private foundations which have been organized to protect the site.

The enrolled bill would authorize the Secretary of the Interior to accept the donation of, or purchase with funds donated for the acquisition of, all or any part of the O'Neill property (approximately 14 acres) for the purpose of establishing the area as the Eugene O'Neill National Historic Site. It would be administered by the Secretary of the Interior through the National Park Service as a park for the performing arts and for related educational purposes. The bill would further authorize the Secretary to enter into a cooperative agreement with the Eugene O'Neill Foundation for the use of the site for theatrical purposes provided that such an agreement be submitted for review by the Congressional Interior Committees.

Cherokee Strip Living Museum -- The enrolled bill would also authorize the Secretary of the Interior to accept the donation of the Cherokee Strip Living Museum located in Arkansas City, Kansas. The Secretary would be authorized to enter into a cooperative agreement with a responsible and competent organization for the management and operation of the Museum.

Discussion

In reports to the Congress, Interior opposed the enactment of separate bills that have now been combined to form the enrolled bill. With respect

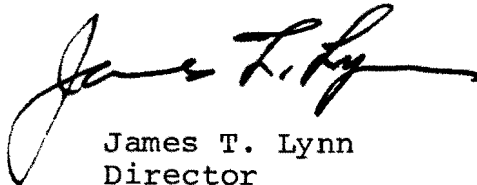
to the Eugene O'Neill National Historic Site, the Department recommended that congressional action be deferred pending the completion of Departmental studies to determine the suitability of the area for administration as a unit of the National Park System. The Department also expressed opposition to the acquisition of the Cherokee Strip Living Museum in an August 1974 report to the House Interior Committee noting that it was not of sufficient national significance in its own right for designation as a unit of the National Park System. However, the Department did not rule out its inclusion in a larger Cherokee Strip National Historical Park. This feature of S. 2398 was not considered in committee during the 94th Congress -- it was added as a floor amendment that Rep. Skubitz proposed shortly before adjournment.

In spite of its earlier objections, Interior now recommends approval of S. 2398. In its attached enrolled bill letter, the Department notes, concerning the O'Neill and Cherokee Strip provisions, respectively, the following:

" ... S. 2398 received considerable support from Members of Congress, theater personalities, and the East Bay Regional Park District. In view of the support evidenced, historical authenticity of the site and absence of acquisition costs, we have no objection to this provision of the bill."

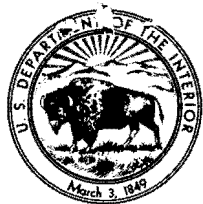
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"Since this bill provides for the donation and leaves the acceptance of the donation of the museum to the discretion of the Secretary, we have no objection to this provision."



James T. Lynn
Director

Enclosure



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

OCT 8 - 1976

Dear Mr. Lynn:

This is in response to your request for the views of this Department with respect to S. 2398, an enrolled bill "To authorize the establishment of the Eugene O'Neill National Historic Site, and for other purposes," which is before the President for approval.

We recommend that the President approve the bill.

S. 2398 would authorize the Secretary of the Interior to acquire by donation or purchase with donated funds, Tao House, the home of Eugene O'Neill in Danville, California, to be designated as the Eugene O'Neill National Historic Site. Tao House, now registered as a national historic landmark, consists of approximately 14 acres with improvements.

Title II of this bill would authorize the Secretary to accept the donation of the Cherokee Strip River Museum in Arkansas City, Kansas, in the event the Secretary enters into a cooperative agreement with a responsible and competent organization for the administration of such museum.

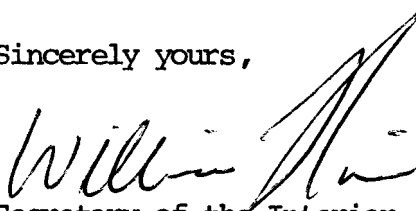
During Congressional consideration of S. 2398 this Department recommended that action on the bill be deferred until we conducted studies to determine the suitability and feasibility of administering Tao House as a unit of the National Park System. Despite this recommendation, S. 2398 received considerable support from Members of Congress, theater personalities, and the East Bay Regional Park District. In view of the support evidenced, historical authenticity of the site and absence of acquisition costs, we have no objection to this provision of the bill.

Title II was an amendment offered during floor consideration by Representative Skubitz of Kansas. In the 93rd Congress, this Department opposed a bill with a similar provision which would have directed the Secretary to acquire and administer the Cherokee Strip Museum, because the museum was not nationally significant as a



separate entity. A National Park Service alternative study had recommended the acquisition of the museum, if it were combined with the acquisition of a nearby significant area of tall grass prairie. Since this bill provides for the donation and leaves the acceptance of the donation of the museum to the discretion of the Secretary, we have no objection to this provision. Accordingly, we recommend that the President approve the enrolled bill.

Sincerely yours,


Acting Secretary of the Interior

Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D. C.

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

OCT 14 1976

MEMORANDUM FOR JAMES M. FREY
OFFICE OF MANAGEMENT AND BUDGET


ATTN: Ms. Ramsey

SUBJECT: Enrolled Bill, S. 2398

The Council on Environmental Quality has reviewed the enrolled bill, S. 2398, "To authorize the establishment of the Eugene O'Neill Historic Site, and for other purposes."

The proposed legislation authorizes the Secretary of the Interior to accept donation of or purchase with donated funds property previously owned by Eugene O'Neill in Danville, California, as a memorial to his contributions to American literature and drama and as a park for the performing arts and related educational programs. The Secretary of Interior is authorized to preserve, interpret, restore, program, adapt for public use and/or provide technical assistance in accordance with a cooperative agreement with the Eugene O'Neill Foundation whether or not the property is acquired. The Secretary of Interior is also authorized to accept the donated Cherokee Strip Living Museum in Arkansas City, Kansas.

This legislation would encourage the recognition of important cultural aspects of our national heritage. We concur with its provisions and recommend that it be signed.


Gary Widman
General Counsel

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 15

Time: noon

FOR ACTION: George Humphreys *GH* cc (for information): Jack Marsh
Max Friedersdorf Ed Schmults
Bobbie Kilberg *BK* Steve McConahey *SM*

FROM THE STAFF SECRETARY

DUE: Date: October 16

Time: noon

SUBJECT:

S.2398-Eugene O'Neill National Historic Site, Calif.

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 telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE

ON MEMORANDUM

WASHINGTON

LOG NO.:

3

Date: October 15

Time: noon

FOR ACTION: George Humphreys
Max Friedersdorf
Bobbie Kilberg

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 16

Time: noon

SUBJECT:

S.2398-Eugene O'Neill National Historic Site, Calif.

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

No objection -- Ken Lazarus 10/15/76

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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.

James M. Cannon
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

3

Date: October 15

Time: noon

FOR ACTION: George Humphreys
Max Friedersdorf
Bobbie Kilberg

mb

(for information): Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 16

Time: noon

SUBJECT:

S.2398-Eugene O'Neill National Historic Site, Calif.

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

sign

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James M. Cannon
For the President

THE WHITE HOUSE

MEMORANDUM

WASHINGTON

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Date: October 15

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FOR ACTION: George Humphreys
Max Friedersdorf
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FROM THE STAFF SECRETARY

DUE: Date: October 16

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SUBJECT:

S.2398-Eugene O'Neill National Historic Site, Calif.

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

I recommend approval

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.

James M. Cannon
For the President

THE TERMINAL FILE SYSTEM

THE WHITE HOUSE
WASHINGTON

October 18, 1976

Mr. President,

Attached are four brief statements which we suggest you record this afternoon at the same time you record the tape for a Veterans' Day message.

They concern four bills, three of which have been signed; the fourth will be ready for your review tonight.

Each of these bills has a great deal of local interest. If you agree to the recording, we will make the tape available to the PFC and they will beam it into the local radio stations in California, Indiana, and South Carolina.

Jim Cavanaugh

S. 2398 - 10/18/76

EUGENE O'NEILL NATIONAL HISTORIC SITE

ONE OF THE FINEST TRIBUTES THAT A COUNTRY CAN
PAY TO ITS GIANTS IN ART AND LITERATURE IS TO ERECT
LIVING MEMORIALS IN THEIR NAMES. EUGENE O'NEILL
WILL ALWAYS BE A GIANT OF AMERICAN LITERATURE, SO
TODAY I TAKE SPECIAL PLEASURE IN SIGNING LEGISLATION
ESTABLISHING HIS HOME AND PROPERTY NEAR OAKLAND,
CALIFORNIA AS A NATIONAL HISTORIC SITE AND AS A
HOME FOR THE PERFORMING ARTS.

EUGENE O'NEILL WAS DEDICATED TO THE THEATRE.
THIS PARK WILL REMIND AMERICANS FOR YEARS TO
COME NOT ONLY OF HIS CONTRIBUTIONS BUT THOSE OF
MANY OTHER ARTISTS WHO HAVE ADDED IMMEASURABLY
TO THE WISDOM AND PLEASURE OF ALL MANKIND.



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

OCT 14 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 2398 - Eugene O'Neill
National Historic Site, California
Sponsors - Sen. Cranston (D) California
and Sen. Tunney (D) California

Last Day for Action

October 19, 1976 - Tuesday

Purpose

Establishes the Eugene O'Neill National Historic Site in California as a park for the performing arts and authorizes the Secretary of the Interior to accept by donation the Cherokee Strip Living Museum in Kansas.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Council on Environmental Quality	Approval (Informally)

Provisions of the enrolled bill

Eugene O'Neill National Historic Site -- Eugene O'Neill, winner of the Nobel prize for literature, is widely recognized as a leading figure in the evolution of modern American drama. The house and property known as Tao House located on the slopes of the Las Trampas Range outside of Oakland, California, served O'Neill from 1937 to 1944, during which he produced some of his most important dramatic writing.

EUGENE O'NEILL NATIONAL HISTORIC SITE

MAY 11, 1976.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany S. 2398]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 2398) to authorize the establishment of the Eugene O'Neill National Historic Site, and for other purposes, having considered the same, reports favorably thereon with amendments to the text and recommends that the bill as amended do pass.

AMENDMENTS

1. Page 1, beginning on line 9 and continuing to Page 2, line 2, delete "and shall be used as a national public memorial and community cultural center".

2. Page 2, line 7, delete "(16 Stat. 461-467)" and insert in lieu thereof:

and the Act of August 21, 1935 (49 Stat. 666), as amended, as a memorial to Eugene O'Neill and a park for the performing arts and related educational programs.

3. Page 2, line 8, delete "to enter into" and insert in lieu thereof "directly or by means of".

4. Page 2, line 12, delete the period "." and insert in lieu thereof:

Provided, That prior to entering into any cooperative agreement the Secretary shall transmit a copy of the proposed agreement together with a report explaining the reasons for the agreement to the Committees on Interior and Insular Affairs of the Senate and House of Representatives.

PURPOSE

The purpose of S. 2398 is to authorize the Eugene O'Neill National Historic Site as a memorial to Eugene O'Neill and a park for the performing arts and related educational programs.

BACKGROUND AND NEED

Tao House, which overlooks the San Ramon Valley and is nestled on a small plateau high up the slopes of Las Trampas Ridge near Oakland, California, was the home of Eugene O'Neill from 1937 to 1944. During this period, O'Neill completed some of his most dramatic writing. "The Iceman Cometh" (1939), "Long Day's Journey Into Night" (1940), "Hughie" (1941), and "A Moon for the Misbegotten" (1943).

O'Neill, who won the Nobel Prize for literature, was perhaps the single most important force in the evolution of theater into drama in the United States. He considered Tao House to be his "final home and harbor". The House was designed to express the O'Neill's concept of a serene Oriental existence (hence the name Tao).

Since the O'Neills left in 1944, suburbia has encroached upon the San Ramon Valley, while on the estate itself barns have been built and a large part of the acreage enclosed for pasturage to accommodate its present role as a working ranch. The site, nonetheless preserves to a remarkable degree the mood which its first occupants sought.

The site was added to the National Register of Historic Places on May 19, 1971 and declared eligible as a National Historic Landmark by Secretary Morton on August 16, 1971. The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, in recommending Landmark status for the site on April 21, 1971, concluded "The Board believes that Tao House in Contra Costa, California, merits further consideration for possible addition to the National Park System."

The immediate area of the site has been preserved by the East Bay Regional Park District of Contra Costa County which has set aside 2,000 acres along the Las Trampas Ridge as a regional park. The 14 acre site is being purchased by the Eugene O'Neill Foundation, Tao House for donation to the National Park System.

The site not only offers the integrity necessary for proper historical interpretation but also, in cooperation with the Eugene O'Neill Foundation, offers the potential for active cultural interpretation as a center for the performing arts.

The National Park System is the primary Federal land management agency with a specific mandate to preserve and interpret not only the natural and historic resources of this country, but also the cultural and aesthetic features which are a part of our heritage. Through legislation such as Boston National Historical Park (88 Stat. 1184), Chamizal National Memorial (80 Stat. 232), Chesapeake and Ohio Canal National Historical Park (84 Stat. 1978), Cuyahoga National Recreation Area (88 Stat. 1784), Fire Island National Seashore (78 Stat. 928), Ford's Theater National Historic Site (84 Stat. 322), Gateway National Recreation Area (86 Stat. 1308), Golden Gate National Recreation Area (86 Stat. 1299), Independence National Historical Park (62 Stat. 1061), Indiana Dunes National Lakeshore (80 Stat. 1309),

Kennedy Center for the Performing Arts (86 Stat. 216), National Visitor Center (82 Stat. 43), Saint Gaudens National Historic Site (78 Stat. 749), and Wolf Trap Farm Park (80 Stat. 950), the Congress has specifically directed National Park Service involvement in urban and cultural programs.

The preservation and interpretation of this Nation's cultural heritage is integral to a concept of environmental education. Section 4(b) of the Act creating Saint Gaudens National Historic Site in New Hampshire provided: "In order that the Saint Gaudens National Historic Site may achieve more effectively its purpose as a living memorial, the Secretary of the Interior is authorized to cooperate with the Saint Gaudens Memorial, the American Academy of Arts and Letters, and other organizations and groups in the presentation of art exhibitions and festivals and other appropriate events that are traditional to the site."

In various units of the National Park System, the Park Service, either directly, or through agreements or grants, has engaged in a wide range of cultural activities under the general rubric of environmental education. These programs, in the arts, crafts, theater, and other areas, have brought new awareness to millions of park visitors of the artistic and cultural heritage of this country. Programs for the blind and the handicapped, as well as for the poor and the ethnic groups have greatly expanded the knowledge and awareness of disadvantaged persons. The use of the Eugene O'Neill National Historic Site as a location for active theatrical production and experiment via co-operative agreement with the Eugene O'Neill Foundation is not only consistent with the interpretation of the site as a memorial to Eugene O'Neill, but is essential to fully provide the total environmental education program for which the Park System exists.

The Committee wishes to emphasize that although it fully supports and endorses the continuation and full development of environmental education programs to interpret our cultural heritage, it does not contemplate direct Park Service involvement in the production of legitimate theater. The support functions of the Park Service at Wolf Trap offer the precedent the Committee drew on, and the Committee notes with approval the free cultural enrichment program sponsored by the Park Service at Wolf Trap.

LEGISLATIVE HISTORY

Similar legislation has been introduced in the 90th, 91st, 92nd, and 93rd Congresses. Previous legislation has also included the 2,000 acre Las Trampas Ridge as a National Park. S. 2398 was introduced on September 24, 1975, and hearings were held before the Subcommittee on Parks and Recreation March 24, 1976.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Interior and Insular Affairs, in open business session on April 28, 1976, by unanimous vote of a quorum present recommends that the Senate pass S. 2398, if amended, as described herein.

COMMITTEE AMENDMENTS

1. "and shall be used as a national public memorial and community cultural center" was deleted because the language is imprecise and because the concept would be more appropriate in the management section.

2. This amendment eliminates an incorrect citation to the Organic Act of 1916 and adds the basic management provisions of the Historic Site Act of 1935. In addition to the language rephrases the concept of a center for the performing arts implicit in the language deleted by amendment 1 by inserting the appropriate language from the Wolf Trap Farm Park Act.

3. This amendment clarifies the authority of the Secretary of the Interior and the appropriate role of the Eugene O'Neill Foundation in the interpretation of the site and provision of environmental education programs. The Committee wishes to emphasize that the Park Service is not to engage directly in the production of legitimate theater, but, similar to Wolf Trap, should enter into a cooperative agreement with the Eugene O'Neill Foundation for that activity. Related cultural and artistic programs are authorized, however, as part of the cultural interpretation of the site although they may also be a part of any co-operative agreement.

4. The purpose for the final amendment is to ensure Committee oversight of any co-operative agreement entered into by the Secretary. The agreement together with an explanation is to be submitted to the Committee for review. The Committee wishes to emphasize that the Secretary is not to enter into the agreement until the Committee has concurred in the same form in which it agrees to the filing of a declaration of taking.

SECTION-BY-SECTION ANALYSIS

Section 1. This section authorizes the Secretary to accept the donation of Tao House, or purchase it with donated funds, and once acquired to designate it as the Eugene O'Neill National Historic Site.

Section 2. This section provides that the site will be administered under the basic management provisions of the 1916 Organic Act of the Park Service and the 1935 Historic Sites Act as a memorial to Eugene O'Neill and as a center for the performing arts. The section also authorizes the Secretary to enter into a cooperative agreement with the Eugene O'Neill Foundation for the use of the site for theatrical production provided the agreements are first approved by the respective Congressional Interior Committees.

Section 3. This section authorizes the appropriation of such sums as may be necessary to achieve the purposes of this Act.

COST AND BUDGETARY CONSIDERATIONS

This measure involves no land acquisition costs and will involve between \$200,000 to \$400,000 for operations and maintenance (including the salaries of park service personnel) per year.

EXECUTIVE COMMUNICATIONS

The pertinent legislative reports and communications received by the Committee from the Office of Management and Budget and from the Department of the Interior setting forth Executive agency recommendations relating to S. 2398 are set forth below:

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., March 24, 1976.

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

DEAR MR. CHAIRMAN: This is in response to your request of February 26, 1976, for the views of the Office of Management and Budget on S. 2398, a bill "To authorize the establishment of the Eugene O'Neill National Historic Site, and for other purposes."

The Office of Management and Budget concurs in the views of the Department of the Interior on S. 2398, and accordingly, recommends that action on the bill be deferred.

Sincerely yours,

JAMES M. FREY,
Assistant Director for Legislative Reference.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 23, 1976.

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. 2398, a bill "To authorize the establishment of the Eugene O'Neill National Historic Site, and for other purposes."

We recommend that action on S. 2398 be deferred, since we have not conducted the necessary studies to determine the suitability and feasibility of administering this site as a unit of the National Park System.

S. 2398 would authorize the Secretary of the Interior to acquire the home of Eugene O'Neill in Danville, California, to be designated as the Eugene O'Neill National Historic Site.

The Eugene O'Neill House, which is also known as the Tao House, is registered as a national historic landmark. At the present time, the National Park Service has not conducted the studies needed to determine the suitability and feasibility of administering this site as a unit of the National Park System.

It should be noted that the Eugene O'Neill Foundation is presently involved in a fund raising project to purchase Tao House to be used as a working setting for theatrical talent. We believe such a use of the Tao House would be fitting commemoration of the contribution of Eugene O'Neill to American literature and drama. We support and encourage such private efforts to preserve this historic landmark.

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 KYL,
Assistant Secretary of the Interior.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 2398 as reported.

○

AUTHORIZING THE ESTABLISHMENT OF THE EUGENE O'NEILL NATIONAL HISTORIC SITE, AND FOR OTHER PURPOSES

SEPTEMBER 24, 1976.—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. 9126]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 9126) to authorize the establishment of the Eugene O'Neill National Historic Site, and for other purposes, 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 out all after the enacting clause and insert in lieu thereof the following:

That the property (comprising approximately fourteen acres) and improvements thereon at Danville, California, formerly owned by Eugene O'Neill, is recognized for its historic significance, and is found to be an appropriate location for commemorating the contribution of Eugene O'Neill to American literature and drama. The Congress finds that this property should be protected and maintained as a National Historic Site to serve as a lasting public memorial to the life and work of Eugene O'Neill.

SEC. 2. The Secretary of the Interior is authorized to enter into an agreement, satisfactory to him, with the Governor of the State of California providing for the acquisition, protection, and maintenance of the property as described in section one of this Act by the State of California, a political subdivision thereof, or any competent and responsible organization, acceptable to both the State and the Secretary. Upon conclusion of that agreement, the Secretary is authorized to designate the property as the Eugene O'Neill National Historic Site by publication of notice thereof in the Federal Register.

SEC. 3. In conjunction with the development and operation of the historic site provided for by this Act, the Secretary is authorized to render to the operating agency such assistance, including but not limited to, technical advice and planning assistance, as he deems appropriate to promote public understanding and appreciation of the significant role of Eugene O'Neill in the history of American literature and drama; *Provided*, That before any such assistance is rendered by the Secretary, the agreement referred to in section 2 of this Act shall have been concluded.

SEC. 4. The Secretary shall not obligate or expend any Federal funds for the acquisition, development or operation of the Eugene O'Neill National Historic

Site. No provision of this Act, however, shall be construed as to limit in any way the ability of the managing agency of the historic site to request other Federal funding which may be available for the purposes of protecting and maintaining the site.

PURPOSE

The purpose of H.R. 9126¹, as reported by the Committee on Interior and Insular Affairs, is to authorize as the Eugene O'Neill National Historic Site those lands and improvements at Danville, California, which were once the home of the late playwright. The site is to be acquired, operated and maintained through State and local action, although the Secretary of the Interior is authorized to offer planning and technical assistance for the area.

BACKGROUND

Eugene O'Neill, winner of the Nobel Prize for literature, is one of the central figures in the evolution of modern American drama. The home and property known as Tao House served O'Neill during the period from 1937 to 1944, while he produced some of his most important dramatic writing.

Although much of the area near Tao House has been subject to increasing development, the property itself has been retained with little change. In addition, a regional park has been established adjoining the site, thus protecting the character of the area. The State Legislature of California has now acted to appropriate funds to acquire the property, and its continued protection is to be assured through agreements between the State and the appropriate foundations which have been organized to protect the site.

H.R. 9126, as amended by the Committee, is intended to support the action taken by the State of California. The Federal Government would not be responsible for acquiring or maintaining the property, but the Secretary of the Interior would be authorized to offer technical and planning assistance to the agency or foundation which would administer the site. When agreements have been reached that will ensure the continued preservation of this property, the Secretary is also authorized to designate Tao House as the Eugene O'Neill National Historic Site.

SECTION-BY-SECTION ANALYSIS

The Committee amended H.R. 9126 by adopting a substitute text as follows:

Section 1 recognizes the Tao House property for its historic significance, and finds it to be an appropriate location for commemorating the contributions made by Eugene O'Neill to American literature and drama. The Congress finds that this property should be protected as a national historic site and as a memorial to O'Neill.

Section 2 directs the Secretary of the Interior to negotiate a cooperative agreement with the appropriate agency or administering organization which will ensure the continuing protection of the site. Once a satisfactory agreement has been reached, the Secretary is authorized to designate the property as the Eugene O'Neill National Historic

¹ H.R. 9126 was introduced on July 31, 1975, by Representative George Miller of California. Also considered was S. 2398, a bill approved by the Senate on May 17, 1976.

Site, the designation to be accomplished by publication of a notice to that effect in the Federal Register.

Section 3 authorizes the Secretary, following the conclusion of the cooperative agreement provided for in section 2, to offer appropriate assistance to the administrator of the site. Such assistance could take the form of planning, exhibit design, resource surveys, or any other assistance which will promote the understanding and appreciation of the contributions of Eugene O'Neill in literature and drama.

Section 4 prohibits the Secretary from expending any funds for the acquisition, development, or operation of the property. Other Federal funding, such as matching grants under the Historic Preservation Act of 1966, is not to be precluded by any provision of this legislation.

LEGISLATIVE HISTORY

The Subcommittee on National Parks and Recreation conducted public hearings on H.R. 9126 in April of 1976. Testimony was heard from congressional, administrative and other public witnesses.

Since the time of the hearings, the California State Legislature has acted to appropriate funds necessary to acquire the Tao House property from its present owner. The State Legislature then provides for agreements to be negotiated for local operations and maintenance of the site. The substitute text adopted by the Committee in its deliberations is intended to support the initiative of the State and to assure that the Secretary will be in a position to give appropriate assistance in the planning and interpretation of this area. The Committee wishes to commend the action taken by the State and the willingness expressed by residents of the area near Tao House in moving ahead with the protection of this important site which has already been designated as a national landmark. The national historic site designation contemplated by H.R. 9126 and the assistance offered by the Secretary are intended to support this initiative.

COST

No funds are authorized by enactment of H.R. 9126 for land acquisition development or operation purposes. Such planning and interpretative assistance as the Secretary may provide will occur as a feature of ongoing National Park Service operations.

BUDGET ACT COMPLIANCE

No impact on the Federal budget will occur as the result of the enactment of H.R. 9126.

INFLATIONARY IMPACT

As amended by the Committee, this measure will not have any significant impact on the economy.

OVERSIGHT STATEMENT

The hearings conducted on this matter were legislative in nature and no oversight function was specifically performed by the Committee in its deliberations. No recommendations were submitted to the Committee pursuant to rule X, clause 2(b) (2).

COMMITTEE AMENDMENT

The substitute text adopted by the Committee with respect to H.R. 9126 is discussed in the legislative history of this report.

COMMITTEE RECOMMENDATION

On September 15, 1976, after adopting the amendment as discussed, the Committee on Interior and Insular Affairs, meeting in open session, reported H.R. 9126 by voice vote and recommends that the bill, as amended, be approved.

DEPARTMENTAL REPORT

The report of the Department of the Interior, dated April 23, 1976, is here printed in full:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 23, 1976.

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. 9126, a bill "To authorize the establishment of the Eugene O'Neill National Historic Site, and for other purposes."

We recommend that action on H.R. 9126 be deferred, since we have not conducted the necessary studies to determine the suitability and feasibility of administering this site as a unit of the National Park System.

H.R. 9126 would authorize the Secretary of the Interior to acquire the home of Eugene O'Neill in Danville, California, to be designated as the Eugene O'Neill National Historic Site.

The Eugene O'Neill House, which is also known as the Tao House, is registered as a national historic landmark. At the present time, the National Park Service has not conducted the studies needed to determine the suitability and feasibility of administering this site as a unit of the National Park System.

It should be noted that the Eugene O'Neill Foundation is presently involved in a fund raising project to purchase Tao House to be used as a working setting for theatrical talent. We believe such a use of the Tao House would be a fitting commemoration of the contribution of Eugene O'Neill to American literature and drama. We support and encourage such private efforts to preserve this historic landmark.

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,

NATHANIEL REED,
Assistant Secretary of the Interior.



Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

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

An Act

To authorize the establishment of the Eugene O'Neill National Historic Site,
and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to accept the donation of, or purchase with funds donated for the acquisition of, all or any part of the property (comprising approximately fourteen acres) and improvements thereon at Danville, California, formerly owned by Eugene O'Neill. Such property is hereby designated as the Eugene O'Neill National Historic Site in commemoration of the contribution of Eugene O'Neill to American literature and drama.

SEC. 2. The national historic site established pursuant to this Act if acquired by the Secretary of the Interior shall be administered by him in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666), as amended, as a memorial to Eugene O'Neill and a park for the performing arts and related educational programs. Whether acquired or not, the Secretary of the Interior is authorized directly or by means of cooperative agreements with the Eugene O'Neill Foundation, Tao House, to preserve, interpret, restore, program, adapt for public use and/or provide technical assistance for the Eugene O'Neill National Historic Site in accordance with the provisions of this Act: *Provided*, That prior to entering into any cooperative agreement the Secretary shall transmit a copy of the proposed agreement together with a report explaining the reasons for the agreement to the Committees on Interior and Insular Affairs of the Senate and House of Representatives.

TITLE II

SEC. 201. The Secretary of the Interior is authorized to accept, subject to the consummation of the cooperative agreement referred to in Section 202, the donation of the Cherokee Strip Living Museum in Arkansas City, Kansas, and may administer such museum in accordance with such authorities as are available to him.

SEC. 202. The Secretary may enter into a cooperative agreement with any responsible and competent organization satisfactory to him for

S. 2398—2

the management and operation of the museum, and is authorized to render such technical advice and operating assistance as he may deem appropriate, the conditions of which are to be provided for in the cooperative agreement.

Speaker of the House of Representatives.

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

FOR IMMEDIATE RELEASE

OCTOBER 19, 1976

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT
ON THE SIGNING OF S. 2398

One of the finest tributes that a country can pay to its giants in art and literature is to erect living memorials to their names.

Eugene O'Neill will always be a giant of American literature, so I take special pleasure in signing legislation establishing his home and property near Oakland, California as a national historic site and as a home for the performing arts.

Eugene O'Neill was dedicated to the theatre. This park will remind Americans for years to come not only of his contributions but those of many other artists who have added immeasurably to the wisdom and pleasure of all mankind.

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