

# NEW BEDFORD WHALING NHP LOWELL NHP ACT AMENDMENT

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HEARING  
BEFORE THE  
SUBCOMMITTEE ON  
NATIONAL PARKS, FORESTS AND PUBLIC LANDS  
OF THE  
COMMITTEE ON NATURAL RESOURCES  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED THIRD CONGRESS  
SECOND SESSION

ON

**H.R. 3898**

TO ESTABLISH THE NEW BEDFORD WHALING NATIONAL HISTORIC  
PARK IN NEW BEDFORD, MASSACHUSETTS

**H.R. 4448**

TO AMEND THE ACT ESTABLISHING LOWELL NATIONAL HISTORICAL  
PARK

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HEARING HELD IN WASHINGTON, DC

JUNE 14, 1994

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**Serial No. 103-94**

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June 14, 1994

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**H.R. 3898—ESTABLISHING THE NEW BEDFORD  
WHALING NATIONAL HISTORIC PARK IN  
NEW BEDFORD, MA; AND H.R. 4448—AMEND-  
ING THE ACT ESTABLISHING LOWELL NA-  
TIONAL HISTORICAL PARK**

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**TUESDAY, JUNE 14, 1994**

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS  
AND PUBLIC LANDS,  
COMMITTEE ON NATURAL RESOURCES,  
*Washington, DC.*

The subcommittee met, pursuant to call, at 10:00 a.m. in room 1324, Longworth House Office Building, Hon. Bruce F. Vento (chairman of the subcommittee) presiding.

**STATEMENT OF HON. BRUCE F. VENTO**

Mr. VENTO. H.R. 4448 introduced by Representative Meehan would amend the Act establishing the Lowell National Historic Park. The New Bedford establishes, as I suggested, a new unit to the National Park System, some 15 square blocks, I understand, in size, but it has a lot of historic fabric. So I look forward to hearing about it.

And the Lowell bill extends the existing Park Commission in Lowell—which, of course, has been a tremendous success—for an additional five years. This is the third time, or the second time we are revisiting an extension.

It increases the authorization for development, includes certain provisions concerning payments of loans from the commission to the Treasury, and provides for the transfer of authorities from the commission to the National Park Service upon the termination of the commission.

[Text of the bills, H.R. 3898 and H.R. 4448, and background information follow:]

103D CONGRESS  
2D SESSION

# H. R. 3898

To establish the New Bedford Whaling National Historical Park in New Bedford, Massachusetts, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 1994

Mr. FRANK of Massachusetts (for himself, Mr. MOAKLEY, Mr. MARKEY, Mr. STUDDS, Mr. BLUTE, Mr. KENNEDY, Mr. TORKILDSEN, Mr. MEEHAN, Mr. NEAL of Massachusetts, Mr. OLVER, and Mr. FALCOMAVEGA) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To establish the New Bedford Whaling National Historical Park in New Bedford, Massachusetts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS AND PURPOSES.**

4 (a) FINDINGS.—The Congress finds that—

5 (1) the New Bedford National Historic Land-  
6 mark District and associated historic sites as de-  
7 scribed in section 3(b), including the Schooner  
8 Ernestina, are National Historic Landmarks and are

1 listed on the National Register of Historic Places as  
2 historic sites associated with the history of whaling  
3 in the United States;

4 (2) the city of New Bedford was the 19th cen-  
5 tury capital of the world's whaling industry and re-  
6 tains significant architectural features, archival ma-  
7 terials, and museum collections illustrative of this  
8 period;

9 (3) New Bedford's historic resources provide  
10 opportunities for illustrating and interpreting the  
11 whaling industry's contribution to the economic, so-  
12 cial, and environmental history of the United States  
13 and provide opportunities for public use and enjoy-  
14 ment; and

15 (4) the National Park System presently con-  
16 tains no sites commemorating whaling and its con-  
17 tribution to American history.

18 (b) PURPOSES.—The purposes of this Act are—

19 (1) to preserve, protect, and interpret the re-  
20 sources that comprise the New Bedford Whaling Na-  
21 tional Historical Park, including its architecture,  
22 setting, and associated archival and museum collec-  
23 tions;

24 (2) to collaborate with the city of New Bedford  
25 and with local historical, cultural, and preservation

1 organizations to further the purposes of the park;  
2 and

3 (3) to provide opportunities for the inspirational  
4 benefit and education of the American people.

5 **SEC. 2. DEFINITIONS.**

6 For the purposes of this Act:

7 (1) The term “park” means the New Bedford  
8 Whaling National Historical Park established by  
9 section 3.

10 (2) The term “Secretary” means the Secretary  
11 of the Interior.

12 **SEC. 3. NEW BEDFORD WHALING NATIONAL HISTORICAL**  
13 **PARK.**

14 (a) ESTABLISHMENT.—In order to preserve for the  
15 benefit and inspiration of the people of the United States  
16 as a national historical park certain districts, structures,  
17 and relics located in New Bedford, Massachusetts, and as-  
18 sociated with the history of whaling and related social and  
19 economic themes in America, there is established the New  
20 Bedford Whaling National Historical Park.

21 (b) BOUNDARIES.—(1) The boundaries of the park  
22 shall be those generally depicted on the map entitled “Pro-  
23 posed Park Boundaries (Map 4)”, in the document pub-  
24 lished by the National Park Service entitled “Special Re-  
25 source Study, New Bedford, Massachusetts”, dated No-

1 vember 1993. Such map will be on file and available for  
2 public inspection in the appropriate offices of the National  
3 Park Service. The boundaries shall include the following:

4 (A) The area included within the New Bedford  
5 National Historic Landmark District, known as the  
6 Bedford Landing Waterfront Historic District, as  
7 listed within the National Register of Historic Places  
8 and in the Massachusetts State Register of Historic  
9 Places.

10 (B) The National Historic Landmark Schooner  
11 Ernestina, with its home port in New Bedford.

12 (C) The land along the eastern boundary of the  
13 New Bedford National Historic Landmark District  
14 over to the east side of MacArthur Drive from the  
15 Route 6 overpass on the north to an extension of  
16 School Street on the south.

17 (D) The land north of Elm Street in New Bed-  
18 ford, bounded by Acushnet Avenue on the west,  
19 Route 6 (ramps) on the north, MacArthur Drive on  
20 the east, and Elm Street on the south.

21 (2) In addition to these sites, areas and relies, the  
22 Secretary may assist in the interpretation and preserva-  
23 tion of the following:

24 (A) The southwest corner of the State Pier.

1 (B) Waterfront Park, immediately south of land  
2 adjacent to the State Pier.

3 (C) The Rotch-Jones-Duff House and Garden  
4 Museum, located at 396 County Street.

5 (D) The Wharfinger Building, located on Piers  
6 3 and 4.

7 (E) The Bourne Counting House, located on  
8 Merrill's Wharf.

9 **SEC. 4. ADMINISTRATION OF PARK.**

10 (a) IN GENERAL.—The park shall also be adminis-  
11 tered by the Secretary in accordance with this Act and  
12 in accordance with the provisions of law generally applica-  
13 ble to units of the national park system, including the Act  
14 entitled “An Act to establish a National Park Service, and  
15 for other purposes”, approved August 25, 1916 (39 Stat.  
16 535; 16 U.S.C. 1, 2, 3, and 4) and the Act of August  
17 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

18 (b) COOPERATIVE AGREEMENTS.—The Secretary  
19 may consult and enter into cooperative agreements with  
20 the New Bedford National Park Citizens' Partnership and  
21 other interested entities and individuals to provide for ap-  
22 propriate activities related to the preservation, develop-  
23 ment, interpretation, and use of the park.

24 (c) ACQUISITION OF REAL AND PERSONAL PROP-  
25 erty AND SERVICES.—The Secretary may acquire by do-

1 nation, exchange, lease or purchase with donated or appro-  
2 priated funds personal property and lands and improve-  
3 ments in New Bedford, Massachusetts, for the purposes  
4 of the park.

5 (d) OTHER PROPERTY, FUNDS, AND SERVICES.—

6 The Secretary may accept and use donated funds, prop-  
7 erty, and services to carry out this Act.

8 **SEC. 5. GENERAL MANAGEMENT PLAN.**

9 Not later than the end of the second fiscal year begin-  
10 ning after the date of enactment of this Act, the Secretary  
11 shall submit to the Committee on Natural Resources of  
12 the House of Representatives and the Committee on En-  
13 ergy and Natural Resources of the Senate a general man-  
14 agement plan for the park and shall implement such plan.  
15 The plan shall be prepared in accordance with section  
16 12(b) of the Act of August 18, 1970, and other applicable  
17 law.

18 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

19 There is authorized to be appropriated such sums as  
20 may be necessary to carry out this Act.

**BACKGROUND ON H.R. 3898,  
NEW BEDFORD WHALING NATIONAL HISTORICAL PARK**

The City of New Bedford, located at the mouth of the Acushnet River in southeastern Massachusetts, became the center of the whaling industry at its peak between 1820 and 1860. The City was also home to a culturally diverse population drawn by the opportunities associated with whaling and the tolerance of the Quakers prominent in the business. The expansion of trade and exploration, as well as the conservation of natural resources are also whaling-related themes represented by the resources remaining in New Bedford.

The National Park Service in cooperation with the Waterfront Historic Area League (WHALE) in New Bedford, has prepared a draft special resource study which concludes that the area meets the criteria for national significance, as well as suitability and feasibility for inclusion in the National Park System. According to the study, "The New Bedford National Historic Landmark District and adjacent sites represent an outstanding example of buildings, sites, and streets associated with the whaling industry, a subtheme not fully represented in the National Park System."

New Bedford's Waterfront Historic District contains many significant historic buildings related to the city's history as a center of whaling. A collection of artifacts related to whaling is maintained at the Whaling Museum, and the New Bedford Public Library and the Whaling Museum contain a comprehensive collection of primary and secondary materials documenting the whaling industry. The schooner Ernestina, while built after the peak of the whaling industry in New Bedford, represents the subsequent rise of the fishing industry, further exploration and immigration.

H.R. 3898, introduced by Representative Frank on February 24, 1994, establishes the New Bedford Whaling National Historical Park in New Bedford, Massachusetts to interpret the history of whaling and related social and economic themes. The park would consist of the current New Bedford National Historical Landmark District, the Schooner Ernestina, also a National Historical Landmark, and additional property adjacent to the Landmark district as described by the legislation. The bill provides for the management of the newly established park, and authorizes such sums as may be necessary for the purposes of the Act.

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4448

To amend the Act establishing Lowell National Historical Park, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MAY 18, 1994

Mr. MEEHAN introduced the following bill; which was referred to the Committee on Natural Resources

---

## A BILL

To amend the Act establishing Lowell National Historical Park, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENTS.**

4       (a) IN GENERAL.—This Act entitled “An Act to pro-  
5 vide for the establishment of the Lowell National Histori-  
6 cal Park in the Commonwealth of Massachusetts, and for  
7 other purposes” approved June 5, 1978 (92 Stat. 290;  
8 16 U.S.C. 410cc et seq.), is amended as follows:

1           (1) In section 1(b), by striking “to preserve and  
2           interpret” and inserting “to preserve, interpret, and  
3           promote”.

4           (2) In section 103(a)(2), by striking  
5           “\$33,600,000” and inserting “\$43,930,000”.

6           (3) In section 201(b), by adding at the end  
7           thereof the following new paragraph.

8           “(3) The Secretary shall submit to the Con-  
9           gress a revised park management plan within 2  
10          years after the date of enactment of this para-  
11          graph.”.

12          (4) In section 203, by adding at the end thereof  
13          the following new subsection:

14          “(c) The Secretary, acting through the National Park  
15          Service, shall assume all responsibilities for administration  
16          and oversight of the loan and grant agreements under sec-  
17          tion 303 of this Act as were previously ascribed to the  
18          Commission, upon its termination.”.

19          (5) In section 205, by adding at the end thereof  
20          the following new subsections:

21          “(e) Any revenues or other assets acquired by the  
22          Secretary by donation, the lease or sale of property or fees  
23          for services shall be available to the Secretary, without fis-  
24          cal year limitation, to be used for any function of the Sec-  
25          retary authorized under this Act. The Secretary shall keep

1 financial records fully disclosing the amount and source  
2 of revenues and other assets acquired by the Secretary.

3 “(f) The Secretary shall provide for audits of the fi-  
4 nancial records of the park to be conducted not less fre-  
5 quently than once each year in order to ensure that reve-  
6 nues and other assets of the park are being used in a man-  
7 ner authorized under this Act.”.

8 (6) In section 301(i), by striking “seventeen”  
9 and inserting “twenty-two”.

10 (7) In section 303(a), by amending paragraph  
11 (1) to read as follows:

12 “(1) The loan to the corporation shall have a  
13 maturity of thirty-five years. At the end of such pe-  
14 riod, the corporation shall repay to the Secretary of  
15 the Treasury (in a lump sum) for deposit in the gen-  
16 eral fund of the Treasury the full amount of the  
17 loan and any additional amounts accruing to the  
18 corporation pursuant to this subsection excepting  
19 principal and interest losses occasioned by loan de-  
20 faults after all reasonable efforts at collection have  
21 been completed plus those amounts expended by the  
22 Corporation for reasonable administrative expenses.  
23 The Commission is further authorized to renegotiate  
24 the terms and conditions respecting loan repayment

1 of the agreement dated December 8, 1980, with the  
2 Lowell Development and Financial Corporation.”.

3 (8) In section 305(g), by inserting before the  
4 period at the end thereof “for administration by the  
5 National Park Service in accordance with the gen-  
6 eral management plan”.

7 (9) By adding after section 307 the following:

8 “ADVISORY COMMITTEE

9 “SEC. 308. (a) Upon the termination of the Commis-  
10 sion on the date specified in section 301(i), the Secretary  
11 shall establish a committee to be known as the Lowell Na-  
12 tional Historical Park Advisory Committee (hereinafter in  
13 this section referred to as the ‘Advisory Committee’).

14 “(b) The Advisory Committee shall be composed of  
15 15 members appointed by the Secretary as follows:

16 “(1) Three members who are members of the  
17 city council of Lowell, appointed from recommenda-  
18 tions made by the mayor of Lowell.

19 “(2) Four members appointed from rec-  
20 ommendations made by the city manager of Lowell  
21 of persons who are representative of organized labor,  
22 the business community, local neighborhoods, and  
23 cultural institutions, and who are not elected offi-  
24 cials.

25 “(3) One member appointed from recommenda-  
26 tions made by the Lowell Historical Society.

1           “(4) One member appointed from recommenda-  
2           tions made by the chancellor of the University of  
3           Massachusetts at Lowell.

4           “(5) Three members appointed from rec-  
5           ommendations made by the Governor of the Com-  
6           monwealth of Massachusetts of persons who must be  
7           employees of the Massachusetts Historical Commis-  
8           sion, the Massachusetts Cultural Council, and the  
9           Massachusetts Department of Environmental Man-  
10          agement.

11          “(6) One member appointed from recommenda-  
12          tions made by the New England Foundation for the  
13          Arts.

14          “(7) One member appointed from recommenda-  
15          tions made by the National Trust for Historic Pres-  
16          ervation.

17          “(8) One member qualified to serve on the  
18          Commission because of his or her familiarity with  
19          programs of the Department of the Interior involv-  
20          ing national parks and historic preservation and who  
21          shall be an employee of the Cultural Resources Cen-  
22          ter of the National Park Service.

23          “(c) The Advisory Committee shall designate one of  
24          its members as Chairperson.

1       “(d) Eight members of the Advisory Committee shall  
2 constitute a quorum. The Advisory Committee shall act  
3 and advise by affirmative vote of a majority of the mem-  
4 bers voting at a meeting at which a quorum is present.  
5 The Advisory Committee shall meet on a regular basis.  
6 Notice of meetings and agenda shall be published in local  
7 newspapers which have a distribution which generally cov-  
8 ers the area affected by the park and preservation district.  
9 Advisory Committee meetings shall be held at locations  
10 and in such a manner as to ensure adequate public in-  
11 volvement.

12       “(e) The Advisory Committee shall advise the Sec-  
13 retary on the operation, maintenance, development, and  
14 programming of the park and preservation district.

15       “(f) In order to provide staff support and technical  
16 services to assist the Advisory Committee in carrying out  
17 its duties under this Act, upon request of the Advisory  
18 Committee, the Secretary of the Interior is authorized to  
19 detail any personnel of the National Park Service to the  
20 Advisory Committee.

21       “(g) Members of the Advisory Committee shall serve  
22 without compensation but shall be entitled to travel ex-  
23 penses, including per diem in lieu of subsistence, in the  
24 same manner as persons employed intermittently in Gov-

1 ernment service under section 5703 of title 5, United  
2 States Code.

3 “(h) The provisions of section 14(b) of the Federal  
4 Advisory Committee Act (5 U.S.C. Appendix; 86 Stat.  
5 776), are hereby waived with respect to the Advisory Com-  
6 mittee.

7 “(i) Any vacancy in the Advisory Committee shall be  
8 filled in the same manner in which the original appoint-  
9 ment was made. Any member may serve after the expira-  
10 tion of his term until his successor is appointed.”.

11 (b) GENERAL EFFECTIVE DATE.—Except as pro-  
12 vided in subsection (c), the amendments made by sub-  
13 section (a) shall take effect on the date of the enactment  
14 of this Act.

15 (c) EFFECTIVE DATE OF AUTHORIZATION OF AP-  
16 PROPRIATION.—The amendment made by subsection  
17 (a)(2) shall take effect on October 1, 1994.

BACKGROUND ON  
H.R. 4448, LOWELL NATIONAL HISTORICAL PARK

Public Law 95-290, enacted in 1978, established the Lowell National Historical Park to preserve and interpret the nationally significant historical and cultural sites, structures, and districts in Lowell, Massachusetts. That same law established the Lowell National Historical Park Commission to complement and coordinate the efforts of the park and various other state, local and private entities in developing and managing the historic and cultural resources of Lowell.

At that time, Congress also authorized the Commission to provide \$750,000 to the Lowell Development and Financial Corporation to make low-interest loans for the protection, restoration, or development of properties listed on the Commission's index of properties to be protected both for their intrinsic values or because of their proximity to significant properties. The initial fund plus interest accrued on loans made from the fund was to be returned to the U.S. Treasury 35 years from the date on which it was provided.

Public Law 100-134, enacted in 1987 extended the Commission for an additional seven years, and increased the authorization levels of the establishing Act. The Commission is now scheduled to terminate June 5, 1995. While the Commission has implemented and facilitated many key components of the park, the Commission has indicated that additional time and funds are needed to complete its work.

H.R. 4448, introduced by Representative Meehan on May 18, 1994, makes several changes in the establishing Act for the purposes of extending the Commission and increasing the authorization level for the Park, as well as for facilitating the transfer of the Commission's authorities to the Park.

The legislation extends the Commission for an additional five years, and increases the development authorization by \$10.33 million. This bill directs the National Park Service to assume all responsibilities for loan and grant agreements previously ascribed to the Commission, and authorizes any revenues or assets acquired accordingly to be used for park purposes. A provision in the bill also requires the Lowell Development and Financial Corporation to repay to the Secretary of the Treasury loans and interest from the low-interest loan fund set up in 1978, except for any losses taken after all reasonable efforts at collection have been completed.

Finally, H.R. 4448 establishes an advisory committee composed of specified representatives of state, local, and federal governments as well as interested organizations and individuals to advise the Secretary on the operation, maintenance, development, and programming of the park and preservation district.

Mr. VENTO. The bills and the information are before the members, so I will dispense with any further comments and recognize Congressman Hansen if he has any remarks this morning.

**STATEMENT OF HON. JAMES V. HANSEN**

Mr. HANSEN. I thank you, Mr. Chairman.

Mr. Chairman, I am working with Dan Glickman on an aviation bill that is getting very exciting right now, and so I thought I would come over and support you and welcome our colleagues who are here. I know Mr. Frank is supporting that, which I appreciate.

Mr. FRANK. Thank you. I just wanted to say my most important testimony is I signed it—

[Laughter.]

Mr. HANSEN. Well, I appreciate that, and I appreciate your support on that particular piece of legislation.

I welcome our colleagues here and ask unanimous consent that my opening statement may be included in the record.

Mr. VENTO. Yes. Without objection, your statement and the statement of all the witnesses in their entirety, the formal statements, will be made part of the record.

Hearing no objection, so ordered.

Let's hear from our colleagues Congressman Frank and Congressman Meehan who are here.

Barney, your statement has been made a part of the record, so you can feel free to summarize or proceed as you wish.

**STATEMENT OF HON. BARNEY FRANK, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF MASSACHUSETTS**

Mr. FRANK. Thank you, Mr. Chairman. I very much appreciate the advice you have given, and your staff, as to how we should proceed appropriately. I know you have been a strong advocate of regular procedures with regard to the Park Service and we haven't always had those. I think we have benefited, those of us in the New Bedford area, and those concerned with the history of whaling in America, from the advice you have given, and I think—we hope we can make this an example of the advantages and benefits of going through the regular procedures.

New Bedford is an extraordinarily important place from the historical standpoint. Anybody who is familiar with American literature obviously knows about *Moby Dick*, which is set, in part, in New Bedford.

The whaling industry was a very important one for the U.S., and New Bedford was the center of it. And what is important, I think, is that New Bedford continues to be a working waterfront. Fishing continues to be a major activity.

So, we have a rare opportunity here to meld history with the present and to present people really with a sense of continuity, because we have chosen as a site a place that is redolent of history—and I suppose in this case “redolent” is exactly the appropriate word—but at the same time continues to be a very active center of activity in a similar way. It is still getting resources from the sea, and the problems in how you do that continue to be there.

It is, I think, a great bargain for the Federal Government. There is no requirement here for any significant land acquisition. We are

hoping for a visitor's center to be built. The city has been very cooperative, but we are not talking about any great cost of land acquisition. We have a city and State government that are very cooperative.

I know one of the concerns people have had, people in the Park Service—from whose advice and guidance we have benefited enormously, and for which we are very grateful. I think this is an example of the kind of quality public service the American taxpayers get that they don't always appreciate, and I think everybody who worked on this feels very favorably about the quality of work and the degree of commitment that the Park Service employees showed.

But one of the concerns we heard was the cost of maintaining the schooner *Ernestina*, which is of tremendous cultural significance for New Bedford in general, and for the Cape Verden-American population in particular. I was recently at a swearing-in ceremony in New Bedford where our Governor appointed the State *Ernestina* Commission, and the State has appropriated \$300,000 for that.

So, this is not a situation where local people are coming to the Federal Government and saying "You are responsible." The State and the city have both committed significant resources both in terms of personnel and financially.

The *Ernestina* has now been officially adopted by the Commonwealth of Massachusetts and there is an ongoing financial commitment there. So, I think that when you take into account the \$300,000 already voted and the ongoing commitment to the *Ernestina*, the potential financial problem to the Federal Government is not nearly what it was.

You will have several people testifying who are expert in this, who have been working on this. I came to this project in 1993, thanks to redistricting, and found a very constructive operation well along, and I am delighted to be able to present it to you. I think it is an extraordinary opportunity to present a park.

I would just note one thing. The degree of unanimity of support here is just very impressive. In some cases we run into, and your committee or subcommittee often has to kind of mediate, disputes between people who believe that their ongoing economic interest might somehow be infringed upon by celebrating and preserving our cultural and historical heritage.

I come to you today with a project where both of those groups are enthusiastically in support. The people in the fishing industry who make a living on the waterfront are eager participants in this proposal, so I think we have a chance here to show people how, in fact, preserving America's culture and history can enhance and not in any way interfere with the present.

I am therefore hopeful that this project will go forward.

Let me just also add that I am a co-sponsor of Mr. Meehan's bill. His bill, of course, the Lowell National Park, is a prototype for the kind of thing we are trying to do in an older urban area, and I am very supportive of his reasonable proposal for modification and updating of it.

Mr. VENTO. Well, thanks for your comments and your work on this, Barney. I think that we are going to hear from the Park Service. They favor it. I may have a few, just a few questions, like the pronunciation of the river.

Mr. FRANK. Acushnet.

Mr. VENTO. Acushnet.

Mr. FRANK. If you have any other pronunciation questions, just ask me. [Laughter.]

Mr. VENTO. I appreciate that.

Let me invite your colleague to make his presentation at this time with regard to Lowell, and then I will ask both of you a question or two and we will be on to the other witnesses.

Thanks for being here.

Mr. VENTO. Congressman Meehan?

**STATEMENT OF HON. MARTIN T. MEEHAN, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF MASSACHUSETTS**

Mr. MEEHAN. Mr. Chairman, first of all, I also am a co-sponsor of Congressman Frank's bill and want to enter into the record strong support for that initiative as well.

Mr. Chairman, I appreciate the opportunity to testify on behalf of H.R. 4448, a bill to amend the Act establishing the Lowell National Historic Park Commission.

Let me first of all express gratitude to you on behalf of the people of the city of Lowell for your past support for the Lowell project. You have been in the forefront of support for Lowell and we are very, very appreciative. I know you have been up to Lowell and are very familiar with what is going on there.

I also am pleased that the Lowell Park panel includes Mayor Richard Howe, who has been a strong advocate for the park and for the preservation of Lowell's heritage; Bob Gilman, the President of the Lowell Development and Financial Corporation, and a Senior Vice President of Enterprise Bank and Trust; and Nellie Longworth, the Executive Director of Preservation Action, Inc.

I am grateful to them for coming to Washington to tell Congress and to tell you about the Lowell experience and the tremendous progress that has been made. And I commend the panelists and the countless others who have made Lowell a success.

Mr. Chairman, Lowell is my hometown. It is a proud city. It is the birthplace of the American Industrial Revolution. It has played an important part in our Nation's heritage.

As in the 1800s, today the city is the birthplace of new industries and technologies, and Lowell still serves as a home for immigrants who come to America seeking an opportunity for a better life. It continues to enrich our Nation through its many cultural events that reflect our Nation's strength, which is our ethnic diversity.

As you know, Congress recognized the national significance of Lowell and its role in the American Industrial Revolution when it enacted the original legislation to establish the Lowell National Historic Park, and Congress re-established that support for the Lowell Park in 1987. It extended the term of the commission and provided additional authority to complete the development and the preservation of Lowell's historic assets.

This subcommittee should be proud of the actions that it took. Let me explain why by explaining the types of examples of historic preservation which the commission has accomplished. The Mogen Cultural Center, for example, opened in 1989. It is a dramatic re-

habilitation of the Mill Girl's Boarding House that houses the national park exhibits and historic documents, and the archives there are part of the University of Massachusetts library system.

The commission has completed the restoration and reconstruction of the trolley system that transports visitors to each of the major resources of the park.

Boarding House Park was opened to the public in 1990. This outdoor performance stage and passive recreation area has been the site of summer ethnic concert series which have attracted nearly 100,000 visitors. The National Park Service has completed the Boott Mill Museum. It offers visitors a fascinating and powerful presentation of life in the textile mills.

The facility also is home to the park—such park cooperatives such as the Lowell Historic Society, the Tsongas Industrial History Center—an innovative university science and history program—and New England Folk Life Center, a program that was recently transferred from the commission to Middlesex Community College.

The commission's last available space is a market-mills complex which will soon be occupied by the newly formed Lowell Public Access Television Station.

The preservation commission has made significant construction progress towards the completion of the congressionally mandated Canal Development Program. The canal system was a source of water power for Lowell's mills in the 1800s. Thus the reason Lowell has been founded has been the primary focus of the commission's work.

The canalway project that has included completion of the Lucy Larkin Park which is adjacent to the Merrimack Canal, the Boott Way Canal, Kerouac Park, the Lowell Locks Extension, and Prescott Way, all are part of the inner loop of the canal system.

The preservation commission is also making progress with the canalway-related planning and design work. The design is complete for two sections of the outer canal loop. Construction bids are being solicited for construction work to commence this summer at the Swamp Locks and the northern canal. The commission has completed approximately 40 percent of the remaining design work.

Lastly, the preservation commission took the appropriate action with the Federal Energy Regulatory Commission to assure that a collapsed section of the canal wall was reconstructed by the responsible hydroelectric project.

While these are significant achievements, there remains much that needs to be done. Let me recite briefly four major issues.

One, the Canalway Development Program is incomplete. While design work has progressed, major segments of the outer loop construction work remain to be done.

Also, several critical examples of symbols of the Industrial Revolution are endangered due to the serious structural problems, and no other public or private entity has the resources or the incentive to save them.

The National Park Service lacks the authority to assume administrative and functional responsibilities of the preservation commission, thus jeopardizing significant history assets and programs that benefit the park.

My legislation would allow many of these projects to continue. It, number one, would extend the commission for five years. Second, it provides \$10.3 million in additional authorization that is needed to make sure that these projects are completed.

Third, when the Commission would terminate, in the year 2000, it provides for the orderly transition of commission rights and authorities to the National Park Service, including the ability to retain revenues from two existing commission projects and the right to administer the loan agreement with the Lowell Development and Financial Corporation.

Fourth, it corrects some outstanding technical issues regarding loan guarantees to the Federal Government by the LDFC.

We are also seeking the authority to call for administrative functions, including the updating of the General Management Plan and the creation of an unpaid advisory commission to succeed the Lowell Commission.

Mr. Chairman, I know that the subcommittee is facing difficult challenges with regard to requests for increases in funding with decreasing financial resources. I want to let you know that the Park Service has been working with the Lowell National Park Commission and they have spent their money very, very wisely. You will hear that the investment of private sector money has been a 9-to-1 ratio. That is, \$9 for every \$1 that is invested publicly.

In addition, the preservation commission has reviewed this budget and has requested very carefully to avoid the unnecessary spending on unmerited projects. Given the commission's impressive track record, I am confident that the \$10.3 million authorized is warranted.

I would like to amplify the reasons for requesting the five-year extension and the additional budget authority. In 1987, you remember, Mr. Chairman, the commission asked for a ten-year reauthorization. This request was reduced to 7 years, and the \$12.1 million based on that commission experience turned out to be correct.

As to the commission's inability to complete the job within the seven years, delays were encountered. However, these were due to conditions that the commission could not foresee or control.

For example, the passage of three pieces of State legislation was required to secure Federal development rights to portions of the canalway. Structural conditions of major sections of the canalways were substantially worse than anticipated, thus requiring more structural studies and design work.

Hazardous waste throughout in minor amounts was discovered on many of the sites which led to other construction delays.

The commission has demonstrated its intent to phase out its operation. It has terminated programs and transferred others to park co-operators where appropriate. It has the expertise to complete its ongoing projects.

Allowing the commission to terminate without providing for the orderly transfer of authority to the Park Service will be a costly setback both financially and in terms of capacity to preserve the historic assets which the Federal Government had made a commitment for.

This commission was the first of its type that was created by Congress, and I ask for your support so that it will be the first

commission to go out of business. But let's make sure that it does so in a manner that will not waste the substantial investment of time and money and effort that has been made to date.

I thank you for your consideration.

Mr. VENTO. Well, thanks, Marty, for your statement. I read it last night and it is a good statement. It touches on a lot of the different issues.

I also noticed attached to your statement that I had last night was the testimony from the regional, or at least the Assistant Director, Legislative and Congressional Affairs material. So do you want that placed in the record with your statement?

Mr. MEEHAN. Mr. Chairman, if I could.

Mr. VENTO. Yes.

Mr. MEEHAN. In addition to that I have a number of support letters from the Lowell city manager, the Lowell Plan, which is a local business organization, and a number of other letters which I would like to submit for the record.

Mr. VENTO. Yes, without objection.

I have two letters from Senator Kennedy, one supporting the New Bedford Whaling National Park and the other the Lowell matter. Senator Kennedy has been before the committee this year on an earlier occasion for a matter, and had himself appeared along with others, Senator Kerry, some years ago when we extended the commission in 1987 for Lowell.

So, I know that there is a deep interest in Lowell by Senator Kennedy as well as enthusiasm for the New Bedford whaling site. Both of these measures touch on the historic fabric. These buildings that exist in Lowell, we have a tremendous amount of fabric and resource.

I note in looking at the proposed \$10 million increase that at least \$3 million of it is for stabilization of endangered industrial structures. Of course, there is a tremendous wealth of material in that area that needs to be—these dollars are necessary. I know you don't know all of the details, perhaps, of each of these buildings. But obviously, that is based on the completion of a general plan that they have.

The plan that they talk about, the General Management Plan, is designed to be changed—as I was conferring with staff—so that the Park Service can take over from the commission. That is the change in the plan.

But the basic structure is to be preserved, and what is intended to be done there in terms of visitor experience remain the same, as far as I understand. Is that your understanding, Congressman Meehan?

Mr. MEEHAN. Yes, that is my understanding, Mr. Chairman.

Mr. VENTO. Congressman Frank, I am not as familiar with New Bedford, but obviously the report from the Park Service is very encouraging in terms of it as a center. What is the population of New Bedford about?

Mr. FRANK. The city is 99,000.

Mr. VENTO. So this area, can you characterize this area for me? You have obviously been there.

Mr. FRANK. It is an urban area with a long history of industry in the Northeast. There is a textile and garment base that has

been declining, unfortunately, as international trade conditions have affected it in general. There is some other manufacturing.

And there is a very active waterfront. It continues to be, I believe, in the latest numbers by value the largest port that we have. It catches more fish, by value, not by volume. It has been hurt by the conservation measures required recently.

It is a community of a whole variety of ethnic strains. The "17th of May" button that I wore to your colleague's event was given to me by Norwegian Americans from——

Mr. VENTO. Sulitjelma.

Mr. FRANK. Sulitjelma—from there. There is large Portuguese-American, Cape Verde-American community. The *Ernestina* has particular relevance to the Cape Verdean immigration.

It is the center of a metropolitan area.

Mr. VENTO. This specific area, well, I appreciate the insight into that. This was in Mr. Studds' district at one time.

Mr. FRANK. It was, yes, until last year. And he began working on this. The original legislation about this came from Mr. Studds and Mr. Kennedy.

Mr. VENTO. The area that is covered now is already set aside as a historic district? It has some sort of characterization such as that? That is a voluntary activity?

Mr. FRANK. Yes. It is protected.

Mr. VENTO. The city is controlling the zoning within there in terms of what can and how it should be constructed in terms of preservation of fabric.

Mr. FRANK. Many of the structures that had particular significance, a couple that are mentioned in *Moby Dick* are still there, and the city and the State have been putting money and legal protections into the area.

Mr. VENTO. One of the things we look to is what we call adaptive use, existing older buildings that are turned into lawyers' offices.

We blame everything on the lawyers, as you know. Some of it they have actually deserved.

Mr. FRANK. Well, in this case you find, because this has continued in existence as an active waterfront, my guess is you have more of the buildings in continuous use, or at least very strongly related use.

Mr. VENTO. Similar utilization.

Mr. FRANK. Yes. People who were selling—ship chandlers.

Mr. VENTO. What about the impact of the JFK Memorial Highway that is there? Is that an elevated roadway? Or what is the case with it?

As I look at it compared to the riverfront——

Mr. FRANK. Oh. No, that is a surface road. There is some talk about redoing the access there with the State's funds. The city administration is interested in trying to redesign that. But it is a surface road. It is not elevated.

Mr. VENTO. Obviously, it represents, as I say, a barrier between the waterfront—the Acushnet?

Mr. FRANK. Acushnet River.

Mr. VENTO. The Acushnet River and the historic district.

Mr. FRANK. I have already participated in meetings with the city and the State Department of Public Works, and there is an effort to redesign that and to improve the access underway.

Mr. VENTO. Well, I think too often our urban areas have lent themselves too willingly to automobiles and other things.

In any case, that is interesting. Obviously, you are including a good piece of that in the boundaries of the park, and I will ask the Park Service why. I think it is probably in terms of trying to control signage and other activities which may in fact, detract.

Mr. FRANK. Right. There are no acquisition costs or anything, obviously. It is already publicly—

Mr. VENTO. No. That is right. All of this is—in fact, I don't anticipate any public ownership.

Mr. FRANK. No.

Mr. VENTO. That is, of course, the case in Lowell. We don't have much there other than a visitor center, do we, Marty?

Mr. FRANK. Yes. That is all we are looking for here.

Mr. VENTO. This is sort of a unique position for the Park Service to be in, in terms of relying on the State and local governments to carry out the task.

Mr. FRANK. This mistake of walling off your waterfront by a highway is unfortunately one that was common in Massachusetts, and probably elsewhere.

Mr. VENTO. Everywhere, yes.

Mr. FRANK. One of the things that is happening in Boston now with the depression of the central artery is to try and unlock, because that is a much more imposing physical barrier to the waterfront.

Mr. VENTO. Yes. I had an architect that was explaining something to us and showed us all of these green trees, and we said, "Well, what happens to the road?" And he said, "Well, if you don't see it, you know, it is there if you want it to be there or it isn't there." So they don't really take on these issues. They leave them for us to address.

But obviously, I don't know what the nature of the traffic is, if this carries a pattern. I don't know anything about it except that whether or not you have to have a three-lane road or a two-lane road there, of course, is something that remains to be seen. Probably could, the impact.

Mr. FRANK. You have the economic development director of the city who is here and I think he will address that.

Mr. VENTO. Well, we will, in any case, as we go down that policy path. I am certain that the Park Service will be weighing in.

There is somewhat of an elevated road, it looks like, to the north on this map. This map is sort of a little different, I believe, in the sense that it is not, you know, it is to the north. You see that elevated roadway is there.

But there are a lot of older buildings. And here is some parking and the site for the visitor center is what you expect to be constructed, plus, of course, the designation as a national park.

We have some of these historic parks. One of these is the National Maritime Historic Park in San Francisco which has quite a few different ships and boats, I would say, that is characteristic of

the West Coast activities. But the only schooner that we have here is the *Ernesta*—

Mr. FRANK. Ernestina.

Mr. VENTO. Are there any other likely candidates, do you know?

Mr. FRANK. I don't think so.

Mr. VENTO. Of course, we don't need much more, I guess.

Mr. FRANK. No. The waterfront is full of boats right now. They are active fishing vessels of various kinds.

Mr. VENTO. Does this attract a lot of people in any case? They have some restaurants and so forth there, or what is the case?

Mr. FRANK. Yes. I think the city can address it.

Mr. VENTO. It is a tourist—

Mr. FRANK. But the waterfront is open. There is a hotel and a motel and restaurant on the waterfront. There are a number of facilities right nearby.

And the tourism, I mean the city has had an active tourism program and promotion of visitors all along. So the city has been actively trying to share this with people.

Mr. VENTO. How old is the museum that is present there?

Mr. FRANK. Ninety-one years, I am told. It is a great museum.

Mr. VENTO. So, it is a good resource.

Marty, the issue with regards to Lowell, of course, there is a number of things in this bill that you have proposed that would be a departure from what the Park Service has done historically, such as the issue of promotion.

One of the things we have tried to stay away from in most of the park designations is this entire notion of economic development, although some have tried to slide under the ambit of designation. And, in fact, now we have, of course, admitted to it with regard to something called the American Heritage Areas Partnership Act, and so we are recognizing the economic development as legitimate.

But in terms of this issue both in Lowell and, of course, in the case of New Bedford, because these are being proposed as parks, we really are oblivious to that. Not that we are not unaware and unhappy if something positive happens. But we are really looking at the fabric and trying to not engage in that particular issue.

Lowell has been engaged and caught up in some of the problems that have taken place with the bust in terms of commercial buildings and the businesses even in the area, unhappily. So we are going to be looking at that.

We have to resolve this issue with regards to the loan fund. We have to resolve that, and we have some, as you will note from the Park Service's testimony, there are some scoring problems with regards to the budget in terms of the 1990 Budget Act.

So, I mean even the good judgment I think that I would have would be hesitant to pick up or make good on that. But that specifically with the loan fund I think that that has been pretty successful in terms of not being a complete loss to the Park Service or the Federal Government. So the question of the payback I think is something that we want to look at and we want to be realistic about it. We don't want to cause a demise of the park by virtue of an impossible situation.

But if there are losses there, recognize them. But I think, by and large, it has been a good success.

I note that in the appropriation you seek additional dollars for that particular purpose too—yes, \$1.7 million. So, it is a pretty good working program we will be looking at.

I don't know if there is more money for the loan program. It was for the targeted preservation grant, so I misspoke. That is a different function.

So that is continual. In other words, you are able to use the \$900 million for loans—for interest rate subsidies, I think, as I recall.

Mr. MEEHAN. Right. Let me make a couple of points. One is with regard to the advertising or promotional monies—there are some charts that the mayor will present which show, because Lowell is such a unique park within the system, we have found, obviously, that if we are able to get some kind of promotion to let people know it is there, and it is a little more difficult because it is an urban park—

Mr. VENTO. Well, I think that that issue is going to be—I mean what we historically have depended upon is for the foundations or for others to pick up that piece of the action, not to get the Park Service—

Mr. MEEHAN. Right.

Mr. VENTO. Because I think that we can make the same case in Voyagers in Northern Minnesota. And there are numerous parks that would compete.

In any case, I think that I understand your concern. I think it is a real one, and it is a problem that faces a good number of destination parks, some of which are not as well known as what we would say are the more traditional parks like the Yellowstones or Yosemite or Everglades.

So I understand the purpose of it. I am just suggesting that it is an area where we would have a lot of precedent set, and no doubt Acadia and other parks, including some in Massachusetts, would lay claim.

So, it is a concern. But anyway, I have really no further questions for you. You both have been very patient this morning.

You are welcome to join me at the dais. We are going to hear from other witnesses. Unless you have any concluding remarks, I will—

Mr. FRANK. I just wanted to say, Mr. Chairman, if I could—and this is for the edification of the people who are here—they should know that you have taken the time to do this in the midst of working on a major piece of environmental legislation, the California Desert bill, which is a somewhat difficult piece of legislation to manage.

So we are especially appreciative of your finding time for us when you spend all Friday and Monday—

Mr. VENTO. To say nothing of the housing markup tomorrow.

Mr. FRANK. That is true.

Mr. VENTO. And I want you to co-sponsor the McKinney legislation.

Mr. FRANK. And Mr. Vento has been a major advocate of the homeless in Federal policy.

Mr. VENTO. So it has been a busy week, but I am enjoying it.

Mr. FRANK. Thanks.

Mr. VENTO. But most of all what I enjoyed was that baseball game that occurred last night at Fenway Park. [Laughter.]

Mr. VENTO. Minnesota is on a tear, you know. They are doing pretty well.

Mr. FRANK. Fenway Park was in my district when I was in the State legislature, but it is not anymore.

Mr. VENTO. Yes. Well, when they are doing well I can enjoy it. Thanks very much, guys.

Mr. VENTO. We are pleased to welcome Denis Galvin, who has an important role with the Park Service. Denis is the Associate Director for Planning, National Park Service, and he is accompanied by Sara Peskin, whose statement Congressman Meehan placed in the record, but she can quote from it; and Peter Aucella, the Executive Director of the Lowell Historic Preservation Commission; and Mr. Richard Rambur, the Superintendent of Lowell, who has been there for a while. We are pleased to have you.

You can join Mr. Galvin, all of you, at the table. I am sure he would want you to do so and be available to respond to questions or to augment his answers.

Mr. Galvin, I appreciate getting the testimony yesterday, and I was actually able to look at it. I know that you had special problems unexpectedly with the testimony on Lowell because of the financing issues. Anyway, we did have it last night late, and appreciate receiving it.

So both the statements will be placed in the record. Why don't you begin with the New Bedford issue, as it is, perhaps, more straightforward and requires less of a memory issue with regards to questions.

Mr. Galvin, your statements have been made a part of the record, so you can summarize them if you choose. Please proceed.

**STATEMENT OF DENIS P. GALVIN, ASSOCIATE DIRECTOR FOR PLANNING AND DEVELOPMENT, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ACCOMPANIED BY SARA PESKIN, CHIEF OF PLANNING, NORTH ATLANTIC REGIONAL OFFICE, NATIONAL PARK SERVICE; PETER J. AUCELLA, EXECUTIVE DIRECTOR, LOWELL HISTORIC PRESERVATION COMMISSION; AND RICHARD RAMBUR, SUPERINTENDENT, LOWELL NATIONAL HISTORICAL PARK**

Mr. GALVIN. Yes, Mr. Chairman, I will just summarize my statement.

I am here today to present the National Park Service view on H.R. 3898, which would establish the New Bedford Whaling National Historical Park in New Bedford, Massachusetts. We support the enactment of H.R. 3898, if amended.

The proposed park represents the nationally significant story of 19th century whaling and its associated social, economic, and environmental themes.

This judgment is based on a completed New Bedford Special Resource Study that was done in cooperation with the local Historic League in November 1993. That study concluded, and I am quoting from it, the "New Bedford National Historic Landmark District and adjacent sites represent an outstanding example of building sites and streets associated with the whaling industry, a subtheme not

fully represented in the National Park System. The District and historic sites also have exceptional value in representing the theme of maritime history.”

The study concludes that the landmark district and the National Historic Landmark Schooner *Ernestina* meet the criteria for national significance as well as suitability and feasibility for inclusion in the National Park System.

As Congressman Frank said, there is significant public support for establishment of this park in New Bedford and the approach here is to have the National Park Service work with these local and State interests to protect, preserve, and interpret the resources associated with the whaling heritage in New Bedford.

We recommend that section 4(b) on cooperative agreements be altered to delete the reference to the specific New Bedford National Park Citizens Partnerships and others and retain references to interested entities so that broader cooperation can be promoted.

H.R. 3898 would make New Bedford a unit of the National Park System by establishing the park, by assuring the preservation of associated resources, by establishing a partnership with the city of New Bedford and local interests to promote these interests, by authorizing the Secretary to enter into cooperative agreements as the device that would achieve those purposes, and it authorizes the Secretary to acquire property, lands, and improvements in New Bedford by a variety of methods to enhance the purposes of the park.

It authorizes the Secretary to accept and use donated funds, property and services to carry out the Act. And it directs the Secretary to prepare a General Management Plan within two years of authorization.

The study area comprising 13 city blocks and the resources involved represent a broad array of business, residential, and institutional structures that convey the importance, cultural diversity, and financial power of the whaling industry.

New Bedford as a national historic landmark district and the *Ernestina* as a national landmark have already met the criteria for national significance. “If the story of whaling is to be told in the National Park System, New Bedford is the logical and most suitable location to do so,” and that is a quote from the study.

The conclusion of the study is there is no other location in the United States that possesses the concentration of resources to comprehensively interpret the whaling era better than New Bedford. Furthermore, it passes the test of feasibility in that it is of sufficient size and configuration to accommodate public use.

Finally, we find that the resources are to a degree threatened by economic disinvestment and deferred maintenance.

There is a presence of strong local institutions and intensive public interest that will promote a partnership approach to enhance and expand the service’s efforts.

We recommend that section 3(b) in the bill referring to the boundaries of the park be modified to use a standard National Park Service map numbering system. It currently refers to the map by the study number.

If H.R. 3898 were enacted, funding for the proposed project would be contingent upon Federal budgetary constraints and the Administration's funding priorities.

Director Kennedy is not able to appear. He is out of town today, but he wanted me to convey to you and the subcommittee his own strong support for the enactment of this legislation as amended.

That concludes my summary.

Mr. VENTO. Let's go to a few questions on this because then we will maintain better continuity, because I note all the other associates you have with you are on that issue, as is the next—well, I guess not the next panel. We have a mixture. That is okay.

Let me just ask a few questions about this issue. I understand the map now has been drawn, so that is probably the reason it wasn't numbered. It was not drawn at the time the bill was, perhaps, introduced. But it is now, so we will change that reference.

What is the nature of the partnership agreement that you had come forth in terms of the General Management Plan? Do you actually accomplish an agreement with the city, a joint powers agreement in terms of the management of New Bedford?

Mr. GALVIN. The theory here is, Mr. Chairman, that many of these historic resources will remain in the ownership of others, and that the National Park Service presence will be a coordinating and interpretive presence.

The alternative in the Special Resource Study calls for a visitor center. Likely that would be in a historic building, although there is a site on which a visitor center could be constructed in a contemporary building if that is the alternative chosen.

But the theory of the cooperative agreements here is very much similar to the theory advanced in the Boston National Historic Park legislation that allows us to complement the preservation of resources rather than owning and operating them.

Mr. VENTO. But do you achieve an agreement with the city in terms of its actions with regard to development within this area; that is, really picks up on the historic district designation?

Mr. GALVIN. That is correct. An agreement with the city would be a logical outcome.

Mr. VENTO. But it is, of course, obvious in this case it has different legal ramifications than simply that with regard to a historic district. Is that accurate?

Mr. GALVIN. That is correct.

Mr. VENTO. So that is the main basis for the assurance that these properties would be protected under a designation. You would then have some powers to act in the event that there is a variation which is adverse to that, is that correct?

Mr. GALVIN. That is correct. And that would depend on the nature of the individual cooperative agreements.

Mr. VENTO. I don't like to get into the dark side of this, but it is, as it were, in some people's views. But our concern, of course, is what could happen through lack of investment and resources. We had the Martin Luther King Park in Atlanta, and we had one of the structures there that fell down because it needed repair. And it was clearly a case, at least represented a case, where we had not made the types of investment for stabilization that is necessary.

Of course, when you are dealing with older buildings, things like this happen. The point isn't to make it a point of argumentation here, but simply to point out the nature of the types of problems that occur. And, of course, sometimes they get a little help from somebody who decides this is the place that they can put up their pizza shop or something.

One of the things I would suggest, Mr. Galvin—and Mr. Frank isn't here now—but the authorization of appropriation in such sums. I know that we want a more definitive number with regard to what our expenditures would be on the visitor center. I think principally and whatever other authorizations we will need.

There is no need to, obviously, once we designate we authorize the management and operation, and that is a regular appropriation each year. So once designated that is a sum that is governed by the presentation of the Park Service before the appropriators in the Congress.

But we do need to have some better direction as to the amounts that would be involved here.

I note that with regard to study of Plan A and B, are they materially different? Can you explain to me what the principal differences are and/or what the policy path is that you are going to pursue?

Mr. GALVIN. The scheme advanced in this bill represents Alternative A, Mr. Chairman, which is a National Park Service presence in a downtown visitor center and cooperative agreements with others that would include some operating funds, for instance, for other entities. And the numbers in the study are \$10.4 million for capital expenditures. That is a one-time expenditure.

Mr. VENTO. That is principally for the visitor center, actually.

Mr. GALVIN. That is principally for the visitor center, that is correct.

Mr. VENTO. That parking that is adjacent, will we have parking responsibilities?

Mr. GALVIN. No. The parking within the district is owned by others and would continue to be owned by others. But the visitor would have access to parking there.

The annual operating costs in Alternative A are estimated at roughly \$3 million of which about half of that would be cooperative agreements, for instance, to assist in the operation of the *Ernestina*, which, as Congressman Frank pointed out, has recently gotten an appropriation from the State. So, that is kind of the nature of the agreement we envision here.

Mr. VENTO. That cost for the *Ernestina*, is that in terms of an annual maintenance and operation, having Park Service personnel doing interpretations and so forth?

Mr. GALVIN. Not necessarily. It might be the personnel supplied by others and we would provide funds through a cooperative agreement to enhance educational programs. We may have roving interpreters in town, wayside exhibits, other things.

Mr. VENTO. Well, that is the whole \$3 million. But you specifically said half of it was for the *Ernestina*.

Mr. GALVIN. No. Half of it would be for cooperative agreements. About \$300,000 for the *Ernestina*.

Mr. VENTO. Okay. Well, I misunderstood.

Now, I note the figure was \$300,000, and, of course, those are on-going interpretation, operation, maintenance, and, of course, part of that would be offset, and already, I mean, this \$300,000 would be your part of the matching agreement. Other dollars would be coming from the State and/or nonprofit groups.

Mr. GALVIN. That is correct. And, in fact, there has been a considerable sum expended over the years by those groups already.

Mr. VENTO. The overhead on that is high. I don't know how that compares. Obviously, the nature of this schooner is far different than those that we have in the Maritime National Historic Museum in San Francisco.

Mr. GALVIN. Yes. This particular ship is one of only two remaining in the United States, according to the landmark nomination forms, and it is not a type that is represented at the San Francisco Maritime Park. As you point out, that is largely West Coast vessels.

Mr. VENTO. Yes. They were much smaller, I think. I don't know what the—this is a pretty—I notice the photo of it. It is a pretty significant craft.

In the bill, just going over it, I notice that you have the 1935, I believe it is the Act of August 1935. Looks like the historic sites Act to me.

Why is that—do we need to reference that in here at some point?

Mr. GALVIN. Generally that Act and the National Historic Preservation Act are frequently referenced in the creation of Historic Sites. It may be redundant in this instance. It does authorize broad cooperative powers.

Mr. VENTO. Sometimes too broad according to some of the interpretations I have. So we might want to—if there was a need for it, Mr. Galvin, I would like to be aware of it. If there isn't, I would like to so modify that.

Let me stop at this point. I don't really have further questions on the New Bedford. I think it is pretty straightforward, the designation. It obviously is a question of responsibility here, but the Park Service obviously feels keen about the involvement and the background work they have done on it.

Mr. Duncan, did you have any questions on the New Bedford issue?

Mr. DUNCAN. Thank you, Mr. Chairman.

Mr. Galvin, last week the Interior Appropriations Committee marked up the National Park Service bill and reduced the budget by \$820 million from 1994 to 1995. And what I am wondering about, sir, we are continually told that we have a several billion dollar shortfall in the National Park Service construction budget and a several hundred million dollar operating shortfall, and I think it is a 37-year backlog. And yet every week we come in here and people want us to create a new park each week.

Where does this stop? Or does it? I mean how do we afford all these things when people tell us that we can't even—we are not even properly taking care of the parks that we have now?

Mr. GALVIN. Well, you pose a very real dilemma, Mr. Duncan, and we sit on the horns of that dilemma. We are, through a variety of directions, asked to study areas. When we do those studies, we

try to provide a professional opinion of the resources that we are directed to study.

In this instance we found resources according to our professional opinion that are nationally significant and meet the test of suitability and feasibility for a unit of the National Park System.

So, with respect to the professional judgment on the quality of the resources, I think we can do little else but to express that opinion. As you may know, over a long period of time, three out of four of our studies find something different; that is, we don't find areas that meet all the criteria for units of the National Park System.

To be sure, your observations on our budget, the National Park Service budget and the national budget, are accurate. And yet we have here resources that are important to the country that need to be preserved, and I believe it is important to express timely Federal interest in those resources even if money will not be forthcoming in the near future.

Mr. DUNCAN. Well, let me ask you this. As bad a shape financially as most cities are and as most States are in, still none of them are in as bad a shape as the Federal Government is with a \$4.5 trillion national debt. And we are losing hundreds of millions of dollars more each day. Is there any law that you would know of that would prevent the city of New Bedford from establishing this area as a park itself?

Mr. GALVIN. Well, in many respects they have taken a number of steps to do that. It was established as a national historic landmark earlier in its history, and the city has enacted zoning ordinances that protect the historic character of the city.

I believe what we find here is an interest in a Federal presence to enhance the preservation, the significant preservation measures already taken by the town.

Mr. DUNCAN. Well, naturally everybody wants somebody else to pay the bill if they possibly can. I understand that the city established this as a park at one point and then—or the State did, and walked away from it. Is that correct?

Mr. GALVIN. This was part of what was called the State Heritage Park System. The State Heritage Park System is still in existence in Massachusetts, but because of the State's financial difficulties essentially they have greatly reduced the resources applied to all of these parks. In some instances they are no longer supplying resources at all.

Mr. DUNCAN. Of the total cost of this project, how much for future costs have the city of New Bedford pledged?

Mr. GALVIN. I don't have an answer to that question, Mr. Duncan. Perhaps one of the later witnesses can provide that.

Mr. DUNCAN. How much has the State pledged?

Mr. GALVIN. The State, for instance, on the—I don't know what the total investment earlier was in the state heritage park, but on the *Ernestina* they are putting up half the money, 50 percent.

Mr. DUNCAN. All right. Well, thank you very much. I will say this. This is something that I am sure will pass, but we can't afford it. We have got 368 units of the national park system that we are not adequately taking care of now.

And it is my feelings, and the feeling of a growing number of people in this country, that we need to take better care of the parks

that we have now instead of just continually expanding, expanding, expanding and getting into other park areas that we also don't have any money for, and spread the money in an even thinner fashion than already.

Thank you very much.

Mr. VENTO. Mr. Galvin, how much rehabilitation is needed at the historic buildings? There probably is an assessment in the city, but with regards to the New Bedford proposal for a national historic park?

Mr. GALVIN. I don't have a direct answer to that question, Mr. Chairman, but some of the—first off, the principal responsibility for maintenance and rehabilitation of those buildings will reside with the people who now own the buildings, and it is not our anticipation that the Park Service will be largely into that. My assumption is that some of the cooperative agreement money, that is, \$1 million per annum, would go for purposes like that.

Mr. VENTO. So, that would be a further inducement. Obviously, they get the historic preservation tax credit, but that isn't adequate in order to encourage them to, in fact, repair or maintain those buildings.

When you are talking about a visitors center, are you talking about an adaptive use of an existing structure or are you talking about a new construction?

Mr. GALVIN. Either possibility is open here, but the likely possibility is adaptive use of an existing structure. There is, however, a site where a contemporary visitor center could be built. That decision would be made through the general management planning process.

Mr. VENTO. Is the museum now sort of a center where people come to when they go there? I expect the museum does attract some people?

Mr. GALVIN. Yes.

Mr. VENTO. Does it not have space or can it not accommodate a visitor center role as well?

Mr. GALVIN. I would make a distinction between a visitor center and a museum. A museum is specially devoted to the history of whaling in the United States, and particularly in New Bedford. The visitor center would help to coordinate people's visit to a larger series of resources in the historic district in New Bedford, would provide information to visitors, would provide an overview of the whaling story and associated themes in New Bedford. So I think that there are complementary but different roles for those two facilities.

Mr. VENTO. Do you anticipate the visitation at this site, if designated, to be seasonal?

[A voice from the audience says "No."] [Laughter.]

Mr. VENTO. Well, what do you think, Mr. Galvin?

Mr. GALVIN. In this segment of Massachusetts there is a heavy influx of visitors in the summer for sure. I mean typically, what we have seen in terms of patterns of national visitation is 50 percent of the visitors in the three months of the summer, and I would think some variant on that percent. And obviously we are getting growth in the other seasons as well, but I would think we would get most of our visitors in the summer.

Mr. VENTO. What do you anticipate is the visitation here? Do you know?

Mr. GALVIN. About 200,000 per annum based on a comparison with similar National Park Service sites elsewhere. Current visitation, I believe, is about 80,000. I think I read that.

Mr. VENTO. Well, it is an interesting site and one we will give careful consideration to. Obviously, the dilemma posed by Congressman Duncan is real in any case. So I think that there also is a need to move ahead when we have resources of this nature and attempt to get the—I think that depends on how you score your assets. I think that if what we do here obviously isn't being put in a black hole somewhere. It does add up to the accrued benefit of the American people.

In any case, I have no further questions. Congressman Meehan, without objection, did you have any questions on the New Bedford issue? If not, then let's move ahead, Director Galvin, with the testimony on the issue of Lowell, which is, of course, Congressman Meehan's principal concern today.

Mr. GALVIN. Mr. Chairman, I will simply summarize my statement which you have put in the record.

We present our views on H.R. 4448 which amends the Act establishing the Lowell National Historical Park, and we support enactment of this bill if amended in conformance with our testimony.

The bill would grant authority to promote the park, increase the development ceiling by \$10.3 million, and require a revised park management plan within two years.

Several elements of the bill address the need for an orderly transition from the Lowell National Historical Park Commission to the National Park Service, and we are contemplating here the expiration of the commission.

Upon its expiration, the loan and grant program will still be in place and require the National Park Service to assume program administration of existing agreements.

Furthermore, in the original legislation, the commission was allowed to retain revenue from leasing of properties in order to cover management expenses. That has been a successful program, and there are existing leases and there is revenue that the commission uses to maintain those properties. Upon the expiration of the commission, it will be required to transfer that authority to the Secretary.

To promote this orderly transition and to allow the commission to complete its ongoing responsibilities, the legislation extends the life of the commission for five years until June 5, 2000, and upon its termination a new advisory committee would be established.

As you mentioned in your opening statement, Mr. Chairman, Lowell National Historical Park has been a great success and has won international acclaim. It is a place which dignifies the history of average Americans, industrial workers, immigrants, builders of canals, and railroads.

The innovative formula devised by the Congress to achieve this purpose in the downtown urban area resulted in the creation of the Lowell Historic Preservation Commission. As I mentioned, there will be a need for a smooth termination and we do recommend a few amendments to the bill and urge its early passage.

Lowell was one of the most significant planned industrial cities of the 19th century and retains a large proportion of buildings, structures, and other resources that date to that period, including original mill complexes and a 5.6 mile power canal system.

The park was established in 1978 and it has become a model of cooperation between local interests, State government and the private sector. Private investment in the historic area since 1978 is estimated at \$400 million. The Commonwealth of Massachusetts has spent over \$19 million in park-related preservation during the same period. Current annual visitation is 750,000 visitors per year.

If this legislation fails to pass, the Lowell commission would be unable to complete some ongoing projects, notably the canalway, a linear park authorized by Congress and now under construction.

Furthermore, NPS would inherit facilities and responsibilities without the authority necessary to manage or maintain them. Among those is a successful preservation loan program developed jointly between the commission and a nonprofit banking consortium, the Lowell Development and Financial Corporation.

The total Federal appropriation for this loan program was \$750,000 in fiscal year 1981, and these funds plus any income must be repaid to the United States Treasury by the year 2016, 35 years from the date of the original loan.

Under the corporation's management, the loan fund grew to \$1.2 million by 1989; 12 loans were made under this program totaling \$865,000, three of those have been fully repaid. Today, the loan fund stands at roughly \$985,000, which comprises \$700,000 in cash and \$285,000 in receivables.

There are four defaulted loans, and it was the purpose of the language in this bill to deal with responsibility for those defaults.

As was mentioned in previous testimony, there are PAYGO problems with the provisions in the bill. The language on the loan fund that would exempt the corporation from repaying principal and interest losses due to defaults constitutes a modification under the Credit Reform Act of 1990. The amounts that are not collected would constitute a subsidy cost which would be scored under the PAYGO provisions of the Budget Enforcement Act.

In addition, the language that authorizes the renegotiation of the terms and conditions of the agreement could also result in additional PAYGO costs. Under credit reform such modifications may be made only if appropriation for the subsidy cost have been provided in advance.

We do not have a solution to this problem here this morning, Mr. Chairman, but I have been assured by the Office of Management and Budget that it is a technical language problem that can be solved, and we will endeavor to present that technical language to you prior to the markup on this bill.

We recommend that the bill be amended to delete the section providing for the establishment of a new advisory board consistent with the Administration's position on showing restraint in the creation of new or extension of existing committees. We believe here in Lowell that the pattern of cooperation has been so well established that the National Park Service can work with State and local officials to assure public input without establishing a formal advisory committee.

We support the provision of the bill which extends the existence of the commission for 25 years to allow for a smooth termination. This is not an advisory commission, as you know. It is a fully functional operating body which has certain management responsibilities. We strongly support the idea that this board should sunset in five years, but have an extension to allow time to complete its ongoing projects and provide for an orderly transition. To transfer these responsibilities to the park at this time would result in additional expenses to the park operating budget and inefficiencies for picking up jobs that are well on their way to completion.

We recommend that section 1(a)(1) providing new authorities to promote the park be deleted, as it is not appropriate, as you pointed out in your earlier remarks. We believe it is the responsibility of local interests to provide advertising and promotion and is consistent with our position at other units of the National Park System.

We recommend that section 1(a)(3) be deleted as any changes to the General Management Plan can—we have authority to make those changes and do not need congressional direction to do so.

As I said, we will provide a report on recommended language for the loan program after consultation with credit reform specialists.

Again, Mr. Chairman, as you point out in your opening remarks, Lowell has been an outstanding success story. This legislation will provide important administrative provisions to allow the park to continue to serve as a unit of the National Park System.

That concludes my summary, Mr. Chairman. We would be happy to answer questions on Lowell.

[Prepared statement of Mr. Galvin on H.R. 4448 follows:]

STATEMENT OF DENIS GALVIN, ASSOCIATE DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS, COMMITTEE ON NATURAL RESOURCES CONCERNING H.R. 4448, A BILL TO THE ACT ESTABLISHING LOWELL NATIONAL HISTORICAL PARK

JUNE 14, 1994

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Mr. Chairman, it is a pleasure to appear here today to present our views on H.R. 4448, a bill to amend the Act establishing Lowell National Historical park, and for other purposes.

We support enactment of this legislation if amended in conformance with our testimony.

If enacted, the bill would grant authority to promote the park, increase the development ceiling by \$10.33 million, and require a revised park management plan within 2 years after enactment of the legislation.

There are several elements of the bill which address the need to provide for an orderly transition from the Lowell National Historical Park Commission to the National Park Service when the commission sunsets. Upon expiration, the loan and grant program will still be in place requiring the National Park Service to assume program administration of the existing agreements.

To further the purposes of the program the bill would authorize the NPS to retain revenue from the leasing of property in order to cover management expenses at those properties. This is the same as

the commission's current authority and the transfer would allow the program to be continued in a manner that would not adversely affect park administration. In order for the Commission to complete its ongoing responsibilities the bill proposes to extend the life of the Commission for 5 years, until June 5, 2000. Upon its termination a new advisory committee would be established.

Lowell National Historical Park has won international acclaim as a model partnership where government and the private sector have worked together to preserve and interpret a place which dignifies the history of average Americans: industrial workers, immigrants, builders of canals and railroads. Key to this partnership has been the Lowell Historic Preservation Commission (LHPC), which will terminate in 1995. We support H.R. 4448 because it will allow for a smooth termination of the LHPC, transferring certain of its authorities to NPS, and will assure completion of projects now under way in the most efficient and cost effective manner. This bill includes several administrative changes that are important to the operation of the park. We do recommend a few amendments to the bill and urge its early passage.

Lowell, Massachusetts, considered by historians to be America's most significant planned industrial city of the nineteenth century, has a very large proportion of buildings, other structures, and districts that date to the period of the Industrial Revolution. Lowell's nationally significant historical resources include seven

original mill complexes, a five and six-tenths mile power canal system as well as significant examples of early housing, commercial structures, transportation facilities, and buildings associated with labor and social institutions. Since establishment of Lowell National Historical Park in 1978, Lowell has become a model for successful historic preservation involving local and state government and the private sector. Private investment in the historic area since 1978 is estimated at \$400 million. The Commonwealth of Massachusetts has spent over \$19 million in park related preservation during the same period. The park serves some 750,000 visitors each year, offering tours and educational programs on the themes of labor, capital, waterpower, immigration, and the industrial city.

If this legislation fails to pass, the LHPC would be unable to complete the Canalway, the linear park authorized by Congress and now under construction. Furthermore, NPS would inherit facilities and responsibilities without the authority necessary to manage or maintain them.

The Commission has also run a successful preservation loan program jointly with a local non-profit banking consortium, the Lowell Development and Financial Corporation. The total Federal appropriation for this program was \$750,000 in FY-1981. These funds, plus any income to the fund must be repaid to the U.S. Treasury by the year 2016, which is 35 years from the date loaned

to the Corporation.

Under the Corporation's management, the loan fund grew to \$1.2 million by 1989. Twelve loans totalling \$865,000, were made, three of which have since been fully repaid.

Today, the loan fund stands at \$984,494 (\$700,006 cash plus \$284,488 receivables) despite four loans that defaulted for a total of \$340,312 during New England's real estate depression of 1990-93. The original legislation was silent as to the issue of defaults on individual loans. The proposed language is designed to correct that oversight and clarify that defaults on individual loans are not the Corporation's responsibility.

The language on the loan fund that would exempt the corporation from repaying principal and interest losses due to defaults constitutes a modification under the Credit Reform Act of 1990. Under credit reform, the amounts that are not collected would constitute a subsidy cost which would be scored under the PAYGO provisions of the Budget Enforcement Act of 1990. In addition, the language that authorizes the renegotiation of the terms and conditions of the agreement could also result in additional PAYGO costs depending on the amount of losses which would not be repaid by the corporation. Under credit reform, such modifications may be made only if appropriation for the subsidy cost have been provided in advance.

We recommend that the bill be amended to delete the section providing for the establishment of a new advisory board. On May 5th, the President submitted the Administration's first annual report on Federal Advisory Committees in accordance with Executive Order 12838 and indicated that the Administration will soon forward to the Congress a legislative proposal to terminate 30 advisory committees required by statute, but for which compelling needs no longer exist. Toward that end, the President requested the Congress to show restraint in the creation of new or extension of existing statutory committees beyond their stated time span. The National Park Service can work with State and local officials and other interested parties to assure public input without establishing a formal advisory committee.

We support the provision of the bill which extends the existence of Lowell Historic Preservation Commission for five years to allow for a smooth termination. This is not an advisory commission, rather it is a fully functional operating board which assumes management responsibility for several of the important programs at the park. We strongly support that this board should sunset in 5 years. The purpose of the extension is to allow the board time to complete its ongoing projects and provide for an orderly transition. Without LHPC, the NPS would be forced to contract out for design and construction management for projects that are ongoing and partially complete. To transfer these responsibilities to the park at this time would result in a much more expensive program.

We recommend that section 1(a)(1) providing new authority to promote the park be deleted, as it is not appropriate.

We further recommend that section 1(a)(3) be deleted as it is not necessary or appropriate. Any changes to the General Management Plan should occur in an order determined on relative need compared with other units of the National Park System.

We will provide a report on recommended language for the loan program after consultation with credit reform specialists.

Mr. Chairman, Lowell National Historical Park has been an outstanding success story providing for the protection of nationally significant resources, renovation and adaptive use of historic structures, and interpretation of our nation's industrial heritage. This legislation will provide important administrative provisions to allow the park to continue to serve as a units of the National Park System.

I would be pleased to answer any questions.

Mr. VENTO. Yes, thank you, Mr. Galvin.

You then concur in the increase in authorization, the \$10.3 million sought here?

Mr. GALVIN. Yes, Mr. Chairman. That, as was mentioned I believe in Congressman Meehan's statement, that comprises four specific areas of activity which are required, which are the responsibility of the commission, not the park, and we believe it is appropriate to raise the ceiling to see that these are completed.

Mr. VENTO. They have a number of components, the smallest of which is this trolley system handicap access. The system is in place but it does not comply with the Disability Act, is that correct?

Mr. GALVIN. Yes. The trolleys themselves are designed for handicapped—handicapped people can ride on the trolleys. The problem is some of the stops are not handicapped accessible, and a design is being completed to allow hydraulic lifts at some of the stops along the trolley route so that disabled people will be able to access the trolley system at all of the stops.

Mr. VENTO. So we don't own the trolley system. That is a non-profit group that owns it. Is that correct or is that ours?

Mr. GALVIN. Yes. The Park Service does own it, Mr. Chairman.

Mr. VENTO. We do. Okay. So, it is basically not something we could lean on others to accomplish in this case?

Mr. GALVIN. That is correct.

Mr. VENTO. The issue, of course, the Canalway Development Program, all of this is essential to maintain the—because the canal is in worse condition than what was anticipated, I understand?

Mr. GALVIN. That is correct. Now, this project does not maintain the canals per se, but there have been instances where to build the canalway some maintenance work has had to be done on retaining walls on the canal.

This particular project we are mentioning here is actually a trailway along the 5.6 mile canal system. And since the canal system really is the heart of the Lowell story, it provides a very significant enhancement to both the visitor experience and also to enable visitors to access the canal system at points where they cannot now do so.

Mr. VENTO. Of course, the grant issue, the targeted grant program, all of this is identified in the General Management Plan as to where these grants will be going, or generally where they are going?

Mr. GALVIN. Generally where they are going. That is, they are all within the Preservation District which was defined both in the General Management Plan and at least authorized in the original Act.

Mr. VENTO. When you talk about stabilization and endangered industrial structures you are talking about structures that are in the ownership of the Park Service? What is the ownership arrangement here?

Mr. GALVIN. Let me let Peter Aucella answer that question.

Mr. VENTO. Mr. Aucella?

Mr. GALVIN. We are talking specifically about Lowell's historic smokestacks here.

Mr. AUCELLA. Mr. Chairman, can you hear me?

Mr. VENTO. Yes.

Mr. AUCELLA. Okay. The smokestacks are primarily in private ownership. The Boston and Maine Railroad depot is an unusual case. It is the only case in which the commission has accepted a donation of a threatened building that it felt was in a critical situation and should be taken on by the commission. So, it is a Federally owned property in that particular case.

Mr. VENTO. That is, that accounts for the amount of money that is being sought here. There is \$3.2 million being sought for stabilization of endangered industrial sites. So, if you, in fact, stabilize the structure, then it comes into control of the Park Service, is that correct, at that time?

Mr. AUCELLA. Preservation, legal preservation restrictions and rights flow to the government.

Mr. VENTO. So that is your covenant. That you receive back in lieu of—

Mr. GALVIN. Generally speaking, that is the way the grant program has worked, Mr. Chairman. And, in fact, some of the administrative responsibilities that would transition to the National Park Service is administration of those covenants, so that when people have received a grant here under this program they have generally surrendered an easement or a covenant to maintain the preservation interest represented by the grant. And so this is an extension of that program.

But it is one example of a program that will have to transition to the Park Service after the commission goes out of business.

Mr. VENTO. Some of them are obvious, I suppose, like public access and so forth. But others are more difficult to monitor. That, of course, is one of the difficulties with not owning and having the covenant, holding covenants. But it is the essence of how no doubt Lowell will be preserved.

The issue of the small loan program has probably taken on more significance. There is great hope for it. It was \$750,000 to be paid in 2016, as you point out in your statement. There are 12 loans that have been made, according to your statement.

The fact is that there is a lot of capacity that isn't being used right now; is that correct? That is to say, you say today the loan fund stands at \$700,000 in cash and about \$300,000 in receivables, so that the fact is that there is some of that capacity that isn't being used in that loan fund today.

Mr. GALVIN. That is correct. Let me let Peter again expand on that. But the loan program has been a success. While there have been defaults on individual loans, overall the loan program has worked.

Mr. AUCELLA. There were no problems with this program, no defaults for the first ten years. When the corporation realized that there was a risk, or that there was a problem and potential risk and liability to its other funds from not resolving this problem, it put the program essentially on hold. It is not making any new loans until we can resolve the nature of the appropriate language.

Mr. VENTO. The issue with regards to how defaults will be treated. The point though is that it suggests that it had been—were you using the entire capacity then in 1989, or practically the entire capacity of whatever payments had come back in?

There is a certain cyclic nature to this, obviously. You loan out money, you get it back with interest. You have interest accruing on what sum you are not using in terms of the dollars. So it, you know, to one looking at it now, was it working at capacity? Had you absorbed or used all of the loan capacity.

Mr. GALVIN. We had actually made \$890,000.

Mr. VENTO. Okay.

Mr. GALVIN. Or \$865,000 worth of loans in total.

Mr. VENTO. Well, the fact is that since the defaults occurred in late 1989 and 1990 you haven't. And what was the resolution of those four defaults? Were they a complete loss or were they just a loss in terms of less received for the property that was the security, or was it a complete loss? What is the nature of the loan here.

Mr. GALVIN. The amounts that had not been repaid were lost. We are a second mortgage incentive program.

Mr. VENTO. Yes.

Mr. GALVIN. Therefore the first mortgage took the—I am sorry?

Mr. VENTO. Absorbed whatever.

Mr. GALVIN. The buildings where, however, restored, just to be clear on that. The buildings were restored.

Mr. VENTO. In other words the objective was to preserve the buildings, and the fact is that whatever covenants that were transferred were limited or did limit, in spite of the fact that you lost, apparently, according to your numbers here, Mr. Galvin gave me, \$340,000.

Mr. GALVIN. Correct.

Mr. VENTO. So, there have been about 12 of these. So, I guess it is a question of not having stated in the initial legislation how we are going to treat defaults. Your concern is that if a default occurs there is no recourse. In other words, where do you get the \$340,000.

Mr. GALVIN. That is correct. And it is particularly a concern of the corporation that is administering the loans from a credit standpoint. The original legislation simply was silent on the subject of default.

Mr. VENTO. It just said whatever the Treasury rate is at 2016 you will pay that back based on the compounded interest, I guess, something like that.

Mr. GALVIN. Actually, I think it just said we pay back the principal and any other revenues derived from the principal.

Mr. VENTO. So, one might say that if enough revenue is derived and there are the losses against the revenue derived, that it would be equal to \$750,000 in 2016. You would obviously—or somewhat in excess of that, I guess. By that point you would be all right.

Mr. GALVIN. Yes, that is correct. That is the way I would read the legislation.

Mr. VENTO. Yes. I mean I understand it if you are going to be involved. In other words, if we set up this corporation it was because apparently the banks wouldn't loan money for this purpose.

Mr. GALVIN. Yes. And it is at that level that it is the concern. The concern is not necessarily at the payment back to the Federal level. It is putting other funds available to the corporation at risk with respect to the matter of default.

Mr. VENTO. This is a dilemma. I don't know how to—I mean my judgment would be that it is a small amount. I think it is important not to have had it grown and probably stabilizing by not loaning until this is resolved. It is important. But it also means that some of the work the loan fund could be doing it isn't doing today because you have got \$700,000 sitting in the bank because of this issue.

Mr. GALVIN. That is correct.

Mr. VENTO. The loans that are out there in force and effect you are servicing. The servicing of these loans in terms of the transfer of responsibility is a concern. But it is the Lowell Development and Financial Corporation that actually is doing the servicing. Is that correct?

Mr. GALVIN. That is correct.

Mr. VENTO. And so the responsibility being transferred to the Park Service will not materially change that. You will just stand in the place of the commission in six years.

Mr. GALVIN. That is correct. And there is a separation of duties there with respect to the creditworthiness of the loan, the corporation is responsible for making judgments on the creditworthiness.

The role of the commission has been to make a judgment on the value of the historic preservation received by the loan program. So that there are really two judgments made. One judgment is made by the commission with respect to the historic significance of the building, and the character of the work proposed. Whether or not the lender is credit worthy is a decision that has been made by the corporation. And so it is that first judgment that would pass to the Park Service, is the preservation project that is represented by the loan worth doing?

Mr. VENTO. One of the problems, of course, with Lowell has been that it has been especially hard hit by a couple of single industry issues, which have skewed the results. Not that they are the only community in the New England area that has had that one industry type of problem. But in any case, what is the condition, the economic conditions today vis-a-vis loans and commercial properties that have represented the problem here?

Mr. GALVIN. Well, we do have a banker on our panel who can testify more specifically, but there is no question that there are a lot of challenges out there to accomplish preservation of these resources when the industrial and the retail, et cetera, climate is so adverse, as it remains. We have seen a little break from that in the last year or so that is allowing us to get a few projects done.

Mr. VENTO. Obviously, I note that you do not see the need to legislate a requirement for a new General Management Plan. You do not agree with the issue of providing promotion. You do not agree with statutorily establishing an advisory commission after the fact of the other commission.

In other words, that is something that can be set up in the normal course of events rather than to legislate it at this point. Is that correct?

Mr. GALVIN. That is correct. In the instance of promotion, as you pointed out, that has been traditionally our policy call and the precedent with other units of the National Park System. That pro-

motion in the form of advertising generally should be done by others.

With respect to the General Management Plan, we have authority to do General Management Plans subject to priorities and existing funds.

And with respect to the advisory board, as we have consistently testified recently, and particularly with respect to the fine relationships that have been established in Lowell, we don't see the need to extend our activity.

Mr. VENTO. One of the concerns, of course, of members is that the commission had a mission, it was ten years, and additional authority was sought. We had seven years, so it has gone on now for some 18 years.

And, of course, the point—not 18 years, but 16 years. The point is that, is five years going to complete this task or are we going to be back in four years having, or five years having the same discussion again?

Mr. GALVIN. Well, we have had fairly intense discussions with all parties involved, and I think everybody agrees this is it on Lowell with respect to the commission.

Mr. VENTO. The concern, of course, is that it has been a remarkable resource in terms of helping. I think the commission here, perhaps more than in other cases, has played an active role. I think I have concerns about commissions generally, but, you know, I don't know what the transition time is.

Have plans been made for transferring all the assets? What type of assets are going to be transferred to the Park Service in this period, physical assets? Obviously, we know you are going to get the loan program.

Mr. GALVIN. Generally speaking there are both real property interests and covenants and the administration of the grant and loan program. But let me let Peter elaborate.

Mr. AUCELLA. Well, that is exactly right. There are canalway easements so that the government has rights to the lands where a Federal investment is being made and the Park Service would succeed to those rights. The grant and loan agreements, we initially were perhaps too shy with regard to the term of some of the restrictions, although our maximum restriction was 40 years. We now have imposed perpetual restrictions. On any grants or loans that we provide, we make sure that those restrictions are just there. And they will require some oversight by the Park Service.

There are the operations of the Market Mills and the Mogen Cultural Center, which are facilities that we developed, sometimes jointly with other parties, and the Park Service has the visitor center at the Market Mills and exhibits at the Mogen Center. These are rights and assets and responsibilities that the Park Service would manage in the process.

Mr. VENTO. You will have a new problem in terms of where the commission is interfaced with the local government. You now will have to do that in a very real sense. Part of it is monitoring we are talking about here, and some of the other activities are fundamental to that point.

Mr. GALVIN. That is correct, Mr. Chairman. Although, I think to some extent in some of these programs we see the end of them in

the sense that the major capital investment has been or will have been made at the end of this five-year period. So, some of this activity becomes much more of a management activity than it has been in the earlier years of this project. It will be monitoring and oversight of existing programs in place rather than development of new investment.

Mr. VENTO. What is the operations budget for Lowell—I see the Superintendent is here—per year?

Mr. GALVIN. Rich Rambur can answer that question, Mr. Chairman.

Mr. VENTO. Mr. Rambur?

Mr. RAMBUR. Our operating budget is about \$5.3 million.

Mr. VENTO. It is high, with the trolley and the other activities, and the buildings that have to be maintained. So, this is the overall, not just the operation but the maintenance budget as well, I take it. Is that correct?

Mr. RAMBUR. That includes interpretation. Boott Mill alone has over 450 windows in it, old windows, so maintenance costs are high.

Mr. VENTO. Yes. So, the point is the monitoring of these, some of these tasks will be largely, I suppose, in agreement with the community, so the city as it is going through its zoning, if they have an agreement, these are in force and effect.

Obviously, we have a specific responsibility in terms of someone doing something to the exterior of a building and/or a tower or a stack that would be of immediate concern to you.

Superintendent, what has been the relationship in terms of monitoring these by the commission to date?

Mr. RAMBUR. Well, I think in my short time there—I have been there about one year—I can tell you that I think the cooperation and the partnership between the commission, the park, the city, and the State, has just been outstanding. And I don't see any problems.

Obviously, when it comes to a commission of some kind regardless of what we have through this legislation there will continue to be a real strong working relationship, particularly with the city.

Mr. VENTO. If I purchase a building or something, I want to get an answer, I go to the commission or I go to the Park Service. Is there a frustration sometimes in not being able to get clear answers, or are you pretty much working in sync?

Mr. RAMBUR. Oh, sync it is—I think Peter would agree. Again, from my short experience there, I think it is in sync. It is a good operation.

Mr. VENTO. Yes. Well, one of the—this is what really, I think, frustrates, you know. If you can get an answer it is a clear answer. Obviously, it is the correct answer.

It is important, in terms of the type of investment that has gone on here, the type of operation and maintenance costs we face, that it err on the side of at least the resource that is present there. That it doesn't evolve into a series of conflicts or misunderstandings.

A city like Lowell, obviously, has a tough time economically like many communities, but especially this community, and so we look forward to working on this measure.

Congressman Meehan, without objection, do you have any questions for Mr. Galvin or the other witnesses? You have been very patient.

Mr. MEEHAN. Thank you, Mr. Chairman.

First of all, I want to thank Mr. Galvin for his testimony in support of this legislation and also for his support of the Lowell project over the years. I am extremely appreciative and I know that officials in Lowell have been appreciative.

Regarding the proposed advisory committee, I wonder if you could tell us how you feel the preservation commission makeup, whether it has been a positive or negative effect in terms of development in the park.

And assuming that it has been positive, has it helped forge partnerships with the various levels that Rich Rambur had been talking about with the local government?

Mr. GALVIN. Oh, absolutely. No question about it.

Mr. MEEHAN. My concern in terms of having an advisory commission with nonpaid people who would advise would be that the park would be adversely affected if there was no commission or no advisory commission. I am looking down the road to make sure, because I know, for example, Concord is in my district and Minute-man Park, there have been in the past, some discussions between the community and the Park Service which might lead one to believe that there wasn't the type of partnership at different periods of time.

What I am looking for is down the road, years down the road to make sure there is the partnership which I think all of you would agree has really been a prototype of the way partnerships should exist between the Park Service and the community.

Mr. GALVIN. Well, there needs to be some kind of mechanism to ensure that all interests have an opportunity to express their interest in achieving the objectives of the Lowell National Historical Park, and in many parks we have had advisory committees, some of which have sunsetted.

An advisory committee is a useful device in an intensely urban area like Lowell. On the other hand, I think you could make an argument that the partnerships have been so well forged in Lowell that some other mechanism, perhaps a State chartered mechanism or a city chartered mechanism could achieve those objectives as well.

Mr. MEEHAN. As I indicated, I am concerned long after all of us are gone—regarding the provision for updating the General Management Plan, I wonder if it ever has been updated, and if not, wouldn't it be a productive exercise to do so given the changes and the additions that have occurred at the park?

Mr. GALVIN. Yes. It has never been updated since it was originally done. My sense is that the changes that are required here would be by nature of an amendment to the plan. I think most of the basic objectives of the plan originally done, remain in place.

I don't see the changes, which I think you could correctly assert need to be made, I don't see that as a major effort. I think we could do it by amending the plan.

And I think those changes need to be made. Obviously, our decision on whether or not to do them is complicated by the competition of other priorities nationwide.

Mr. MEEHAN. And briefly, Mr. Chairman, regarding the promotion of the park, I remember not too long ago when the Lowell Plan sponsored the "I came to Lowell" advertising campaign. I am wondering if you are aware, and I am sure you are aware, the way it affected the number of visitors to the park.

Wouldn't it be beneficial to at least allow the park to participate with public and private organizations to promote Lowell? I am wondering what the impact of that would be, if there could be this kind of partnership to promote Lowell.

Obviously, Lowell is a lot different than Yellowstone and other areas where you have a natural influx of visitors each year, and I think that all of us who went through that "I came to Lowell" project, that the promotion resulted in many, many more visitors coming in.

Mr. GALVIN. I don't think there is any question about the success of that program and the success of any future program. I guess the point where we draw the line there is participation and promotion is one thing but paying for it is another, and that is the essence of our objection here.

That certainly the National Park Service can cooperate with respect to providing information, publications, et cetera. But with respect to hiring commercial advertising, that is simply a line we have never crossed.

Mr. MEEHAN. Thank you, Mr. Chairman.

Mr. VENTO. The concern is the character of the type of promotion that the Park Service would be involved with in terms of using their symbol or any other. But I think that obviously, you know, how do you select between Mesa Verde and Lowell?

I don't know which one should get the promotion dollars. If we get down that road we have got problems.

Mr. MEEHAN. I probably have an opinion on that, Mr. Chairman.

Mr. VENTO. Well, I am certain that my colleagues in Arizona or New Mexico would have an opinion too.

The one question that I have is that I note that the commission today apparently, Mr. Galvin, the legislation authorizes the Secretary to use the park purposes revenue or other assets accrued from the lease or sale of property or fees or services which the commission now receives. The commission can do that today.

Mr. GALVIN. Right.

Mr. VENTO. But the leases and properties—it would transfer this function to the Secretary upon termination. This is unusual because it permits the sale of an asset, the rent from the asset to be expended right in the park to offset whatever the costs are. We, of course, are doing special legislation for Presidio. Fort Wadsworth also has a similar problem in Gateway National Park in the sense that they are taking over buildings which will have a commercial use and special authority is being granted. I am certain that some of our friends on the other committees, including myself, would be concerned.

For instance, we have had similar instances where the Park Service, the Forest Service, and the National Forest Service wanted

to sell or trade a piece of the forest for a building and then, you know, to actually work on a barter basis to accomplish something. And the concern is, of course, that it represents a decision where we want to be involved.

Shouldn't we be involved or shouldn't there be closer—is there a reason for closer oversight here? Why is it necessary in this case, or why would you say it is necessary or special in this case to achieve this type of power as you are seeking in Presidio and apparently in Fort Wadsworth?

Mr. GALVIN. This is a different situation, I think, than the Presidio and Fort Wadsworth. What we have are some existing assets that generate revenue. My recollection is it is about \$300,000 a year. For instance, the main visitor center at Lowell is in a structure that is—

Mr. AUCELLA. No, it is a privately owned mill complex.

Mr. GALVIN. It is a privately owned complex. But if the Secretary cannot retain these revenues, it will require an increase in operating funds. It is not that we seek to go out and sell anything. It is that this revenue currently is being generated to support certain buildings in Lowell through the commission and that revenue, when the commission goes out of business, if the Park Service does not have authority, that revenue will go to general receipts, and the expenses of running those assets will be required to be put in the park operating base.

Mr. VENTO. Yes. Well, the concern, of course, and I don't think that in Presidio they are selling anything either. But at least my legislative description here, my question, talks about the sale, and I just think that, obviously, that would be of concern.

We are going to look at the specific authority. Any revenue or assets acquired by the Secretary by donation or lease or sale of property or fees for services shall be available to the Secretary without fiscal year limitations to be used for any function of the Secretary authorized under this Act.

So it is fairly broad reaching. It is the typical example of the Administration wanting all of the flexibility it can get, and all the money, incidentally, for a project.

We obviously have had a lot of experience with dollars staying in parks for concessions, for fee revenue. You know, the debate that is going on even about that right now, the various and sundry fees, and I am certain that we can accomplish, I hope we can accomplish this. But I would look to tighten that language up and wanted to alert you to that.

Mr. GALVIN. We would be happy to work with you on that, Mr. Chairman.

Mr. VENTO. And Mr. Meehan. Because that obviously solves your problem in terms of keeping it. But it may go beyond. It may make some problems in the end.

I have no further questions of the panel. I regret that—we do have your statement, Ms. Peskin. Did you have any comments today to advise me?

You have done a good job advising Mr. Galvin. But we hate to have you—

Ms. PESKIN. It is always a pleasure to work with this committee.

Mr. VENTO. Well, most people say that. [Laughter.]

Sometimes they don't always like what we end up doing, though. At least this side of it. It pays to be optimistic.

Thank you very much, all of you, for your efforts and contribution at Lowell.

We have a panel of witnesses, Mr. Antone Souza, the Director of the city of New Bedford, Office of Business and Urban Development and Chair of the New Bedford Historic Commission; Jean Bennett—I don't know, Jean, if I am pronouncing your name correctly or not, I hope so—Chair of the New Bedford National Park Citizens Partnership; Mr. Carl Cruz, a member of the Schooner Ernestina Commission, a citizen's partnership group; and finally, Mrs. Annie Brengle, the Director of the Rotch-Jones-Duff House and Garden Museum, New Bedford, Massachusetts.

So, this is the New Bedford panel. Well, thank you very much for your patience this morning. Your statements will be made part of the record, and I would appreciate it if you would summarize them. And then I will ask a question or two if I have any.

I think we will just go in the order in which I had introduced you to the panel, or called you to the panel. Mr. Souza? Director?

**PANEL CONSISTING OF ANTONE G. SOUZA, JR., EXECUTIVE DIRECTOR, CITY OF NEW BEDFORD, OFFICE OF BUSINESS AND URBAN DEVELOPMENT AND CHAIR, NEW BEDFORD HISTORICAL COMMISSION; JEAN BENNETT, CHAIR, NEW BEDFORD NATIONAL PARK CITIZENS' PARTNERSHIP; CARL J. CRUZ, MEMBER, SCHOONER ERNESTINA COMMISSION, NEW BEDFORD NATIONAL PARK CITIZENS' PARTNERSHIP; AND ANNE B. BRENGLE, EXECUTIVE DIRECTOR, ROTCH-JONES-DUFF HOUSE AND GARDEN MUSEUM, NEW BEDFORD, MA, REPRESENTING THE NOT-FOR-PROFIT ORGANIZATIONS OF THE NEW BEDFORD NATIONAL PARK CITIZENS' PARTNERSHIP**

**STATEMENT OF ANTONE G. SOUZA, JR.**

Mr. SOUZA. Thank you, Mr. Chairman. Thank you for having us here today.

My name is Antone Souza and I am also chairman of the New Bedford Historical Commission. I have served on that commission for the past 18 years, the last eight years as chairperson.

If you will permit me, we all come here because we love our city, and it is something that we are very proud of, but I think I would like to reiterate to you a quotation by someone else about New Bedford that was said in the 19th century. It came from Herman Melville.

What he said was, "The town itself is perhaps the dearest place to live in in all New England. Nowhere in all America will you find more patricianlike houses, parks, and gardens more opulent than in New Bedford. Whence came they? All these brave houses and flowery gardens came from the Atlantic, Pacific, and Indian Oceans. One and all they were harpooned and dragged up hither from the bottom of the sea."

Mr. Chairman, the sea has brought our people to New Bedford and it has brought us great wealth through our history. It particularly brought to us the industry of whaling in the early 19th cen-

ture, an industry that began in Nantucket, as a vocation on that island, but became a world industry in the city of New Bedford.

New Bedford was a welcoming place for people. It welcomed as early as the first settlers who came here the Plymouth settlers, and they were welcomed by the Wampanoags. Later the Quakers welcomed runaway slaves, among them Frederick Douglass.

Portuguese Jews came to New Bedford to teach the trade of candlemaking to the local merchant trade. And later Portuguese, Cape Verdians, Irish, West Indians, Norwegians, French Canadians, Germans, et cetera, came, many aboard ships, to seek their fortunes in this new place that they called home.

New Bedford was noted for its whaling. Whaling, of course, in the 19th century was a major industry in the United States. The product was used to literally light the entire world. New Bedford has always been farmers of the sea.

In 1857, in fact, New Bedford, because of whaling, became the wealthiest city per capita in the United States. Much of the streetscape that one sees in the city still remains and is a legacy from that era, most notably, the style of the Greek revival, which is the first style in American history which represents our democracy, is represented by some of the most famous architects in America, among them Alexander Jackson Davis, Russell Warren, and perhaps the most important recent discovery that Richard Upjohn, who was the founder of the American Institute of Architects, lived in New Bedford from 1830 to 1836 and, in fact, designed many buildings, among them the Rotch-Jones-Duff House and Garden Museum which will be part of the study.

Preservation, however, has been a long-term fight in New Bedford since the early 60's. Even before the waterfront historic district was proclaimed a national historic landmark, a group called WHALE, the Waterfront Historic Area League, was formed to then stop the New Bedford Redevelopment Authority from putting a highway through the waterfront and taking down many significant 18th and 19th century buildings.

That was followed in the early 70's by the creation of the New Bedford Preservation Society, again fighting the public sector and widening of streets and tearing down elm trees, the seeds of which were given to the town in the 19th century by Audubon.

Preservation has always been a fight there, but it succeeded. Unfortunately, in both the aforementioned cases both groups lost the battle but the preservation war was won.

In the mid-1970s a private-public sector partnership was formed between the city of New Bedford and this group called WHALE to begin the restoration of the original ten acres that was purchased in 1765, which was part of the Old Bedford Village, and it was really the area that seduced whaling to New Bedford.

At the time a large public investment of over \$5 million was invested using Community Development Block Grant funds, Economic Development Administration, city, State, and Interior funds to restore public improvements in that area, such as replacing water lines which were so old they were made out of wood.

In addition to that, there are 65 buildings within that historic district. Approximately 95 percent of those have been totally restored and most have been adaptively reused over that time.

The area is protected within Massachusetts State law under chapter 40(c) of the general laws and is considered to be a local historical district.

In addition to the \$35 million that was spent in public funds in that district at the time that generated an additional private investment of more than \$10 million. Much of the infrastructure is in place. We are very proud of the work that was done there with the public and private sector and we feel that it is one of the places in America that truly represents a major industry in another time.

You might ask us why we did this at that time. We did not do it for economic development reasons. We did not do it for tourism reasons. We did it because the people of New Bedford needed to have some pride restored.

New Bedford, as I mentioned, was one of the wealthiest cities per capita in the United States. But it lost most of that after 1928 when most of our textile mills closed. We feel that a city without a heart has no character and the attempt at the time was to put the heart back into the city.

The creation of that historic district was so successful that immediately six other national register districts were formed. They represent all the periods in American history, in New Bedford especially.

There were many prominent people and many fine architects who had buildings in those areas. Among some of the things that happened that are represented, for instance, an old Baptist church where *Robert's Rules of Order* were written; a pre-Civil War fortress designed by Robert E. Lee; a mansion where lived Hetty Robinson Green, the famous witch of Wall Street who left an estate of over \$100 million in 1916. She had a controlling share of the American railroad industry.

More important, Sergeant William Carney, who was the first African-American ever to receive the Congressional Medal of Honor as a Civil War hero.

In this time, though, we have seen a disconnection between New Bedford's downtown historic district and our harbor or working waterfront because of the fight that we began in the 1960s over a highway that has severely dissected us from our beginnings.

We feel that that is so important that the city, with city funds, has already hired an engineering firm and has begun the process of redesigning that highway for easier access both for pedestrian and vehicular access.

The design will include two new intersections which will route traffic in both directions across the highway to the waterfront, slowing traffic down, allowing pedestrians to be able to freely flow on both sides of the highway. We feel that that is so important that the State of Massachusetts has already approved the project. The work is to begin in October 1994 and is to be completed by May 1995.

The design is so critical that our mayor, Rosemary Tierney, was recently invited to the Mayor's Institute on City Design in Baltimore, an institute held at the University of Maryland, which is sponsored by the National Endowment for the Arts.

The group of architects at that meeting thought that the urban design problem of the highway was so important that they have as-

signed to us for the next three months a full-time architect who will be working with our own engineers on really putting in the historic preservation character along the highway as well as the necessary vehicular access.

Funds for the second phase, it has been suggested that perhaps Intermodal Surface Transportation Act funds (ISTEA) can be used for the rerouting of the roadway. There is a certain percentage of that money that must be used for historic preservation activities.

For instance, in Massachusetts that portion over the next two years is set aside to be approximately \$18.5 million.

I think you can understand that New Bedford has a very important place in American history. It is a place where we are all proud to be from, and a place that deserves recognition, not money, not economic development. It deserves recognition for the place where it falls in American history.

In a time where in both the 19th and 20th century where we still send our people down to the sea in ships to farm the sea, a national park in New Bedford would be a most fitting tribute to a most surprising seaport.

Thank you.

Mr. VENTO. Thank you.

[Prepared statement of Mr. Souza follows:]

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ROSEMARY S. TIERNEY  
 MAYOR  
 ANTONIO G. SOUZA, JR.  
 EXECUTIVE DIRECTOR

A National Urban Park for New Bedford, Massachusetts

Testimony of: Antone G. Souza, Jr.  
 Executive Director  
 City of New Bedford  
 Office of Business and Urban Development  
 Chairman  
 New Bedford Historical Commission  
 June 14, 1994

A National Urban Park in New Bedford is the recognition of the significance of one of the great American Industries of the 19th Century - **Whaling**. The City of New Bedford has been, and is, renowned for sending its citizens "Down to the Sea in Ships" to farm the Oceans for products which provided light to the World and food for her people. By 1830, Whaling brought prominence and great wealth to the growing seaport of New Bedford, making it the Whaling Capital of the World, as well as the wealthiest city, per capita, in the United States by 1857.

Much of the City's history is tied to the water which has always provided her with a global connection to other cultures and industries. Whether it was the Wampanoags who welcomed the early settlers from Plymouth who came here to escape religious persecution; the Quakers who provided shelter to Slaves, among them Frederick Douglass, who escaped the South through the "Underground Railroad"; the Portuguese Jews who taught the trade of manufacturing Candles, from Spermaceti, to the prominent Rodman family; The Portuguese, Cape Verdeans, Irish, West Indians and others who boarded vessels in their native lands to seek new fortunes and a new World aboard a whale ship; or the Norwegians and others who shipped out to fish the oceans, New Bedford became "Home".

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Much of the City's streetscape is still made up of 19th architecture which exhibits some of the finest work of American Architects in the country. The most prominent style, "Greek Revival" represents not only new Bedford's Golden Age, but, indeed, was the symbol of the celebration of an earlier Democracy. Noted Architects like Alexander Jackson Davis, Russell Warren, Peabody & Sterns and numerous others molded the face of the City. Perhaps the single most important legacy is the 1834 Rotch-Jones-Duff House. Now a museum, the 26 Room Greek Revival Mansion retains all the ambiance of the great wealth the Whaling Industry left to the City. Its magnificent formal parterre gardens are said to be the design of James Arnold, of New Bedford, who gave it to William Rotch, Jr, his father-in-law and the original owner of the estate. He also gave to the residents of New England the renowned Arnold Arboretum in Boston. Most significant, however, was the discovery that the home was designed by Richard Upjohn, who resided in New Bedford from 1830 to 1836 working for a housewright. Upon leaving New Bedford, Mr. Upjohn founded the American Institute of Architects and gave professional attribution to the profession as well as his personal contribution to American History.

In 1979, this National Landmark was nearly obliterated after the death of the last owner, Beatrice Duff. But for the outcry of nearly 500 neighbors, a majority of Cape Verdean ancestry, and the purchase by the Waterfront Historic Area League of New Bedford, Inc. (W.H.A.L.E.), a local Preservation organization, this remnant of the past would be gone. The saving of streetscapes, buildings and neighborhoods has been a sustained preservation battle for the past 30 years in New Bedford.

The recognition of the City's heritage began in the 1960's when W.H.A.L.E. was created to fight the New Bedford Redevelopment Authority's plan to demolish several historically important structures in the path of the then proposed John F. Kennedy Highway (Route 18). Unfortunately the case was lost but W.H.A.L.E. survived to become the leading private force in the recognition and preservation of the history and architecture of New Bedford.

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1972 saw the founding of the New Bedford Preservation Society, formed to prevent the widening of County Street, laid out before 1717, where most of the important Whaling era estates were later constructed at the crest of the hill overlooking New Bedford harbor. The street vistas were so beautiful with Elm trees grown with seeds given to the City by Audubon, that in 1861, Herman Melville wrote "... The town itself is perhaps the dearest place to live in, in all New England ... nowhere in all America will you find more patrician-like houses; parks and gardens more opulent, than in New Bedford. Whence came they? ... All these brave houses and flowery gardens came from the Atlantic, Pacific, and Indian Oceans. One and all they were harpooned and dragged up hither from the bottom of the sea."

In 1975, the City and W.H.A.L.E. formed a private/public partnership to restore the original 10 Acre Old Bedford Village which seduced the Whaling Industry from the Island of Nantucket in 1765. While Whaling was a romantic vocation on the Island, it established itself as a World class business in New Bedford.

The Bedford Landing Waterfront Historic District was named in 1966 as a National Historic Landmark District, listed in the National register of Historic Places. More than \$5M in public funds (CDBG, EDA, City State, Dept of Interior) were spent on the replication of gas streetlights, the reconstruction of historic streets and sidewalks constructed mostly of original materials that had been rediscovered below the blacktop. The replacement of aged infrastructure with new public utilities, antique water pipes constructed of wood (cyprus), brick sewer lines and mains brought the area, sensitively, into the 20th Century. The planting of trees, restoration of all 65 buildings within 15 blocks, and the addition of accurate signage completed the project and added several Million dollars in private investment. In 1971, the area was approved by the Commonwealth of Massachusetts, under Massachusetts General Laws, Chapter 40C, as a local historic district, monitored for appropriateness, by the New Bedford Historical Commission. The entire district is included within the boundaries of the proposed National Urban Park.

The intent of the restoration was not, as might be suspected, for the purpose of Economic Development or Tourism, but rather the re-establishment of lost pride in a City that had seen its last Hurrah in 1928 before most of the Textile Mills closed, creating long term economic malaise, loss of self esteem, and "tarnish" to the gem that New Bedford once was.

Testimony: Antone G. Souza, Jr.  
National Urban Park  
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Page 4 of 5

The restoration was so instantly accepted and successful that six (6) additional National Register Districts were created in short order. These districts exhibit the history and architecture that made New Bedford a "draw" for many cultures of the world building its population to approximately 130,000 in the 1920's. (Pop. 1994 = 100,000)

Within the other historic areas are buildings that were occupied by some of the most prominent figures of this Nation. Among them are: an 1829 Baptist Church where a meeting was held which generated the promulgation of "Roberts Rules of Order": a pre-Civil War Fortress designed by Robert E. Lee; a Mansion where lived Hetty Robinson Green, the "Witch of Wall Street" who owned a controlling share of the American Railroad Industry, leaving a 1916 estate in excess of \$100M; the restored home of Sgt. William Carney, a Civil War hero, who saved the American colors and was the first African American to be awarded the Congressional Medal of Honor; a Courthouse which held the trial of Lizzie Borden.

With the advent of a "park", the City is completing engineering plans and specifications for the Phase 1 renovation of the John F. Kennedy Highway. This project, approved by the Commonwealth of Massachusetts, will be funded with City funds. The project will greatly improve pedestrian and vehicular access between the Historic District, Downtown and the commercial working waterfront. These improvements which begin in October, 1994 and will be completed in May, 1995 will reconnect areas, dissected by the highway, with a new intersection at Elm Street and two-way traffic along Union Street to the State Pier (waterfront).

The design is so critical to the success of a National Park that Mayor Rosemary S. Tierney, by invitation, presented the design problem to the Mayor's Institute on City Design in Baltimore MD in May, 1994. The Institute, held at the University of Maryland, is supported by the Design Arts Program of the National Endowment for the Arts. The project received such interest that, this month, the Institute will be providing a full time Urban Designer, on site in New Bedford, to oversee the Phase 2 Design that will sensitively knit the broken fabric of the disconnected area while paying attention to historic character, pedestrian and traffic movement and preserving the integrity and use of the industrial waterfront.

Testimony: Antone G. Souza, Jr.  
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The Design Institute has suggested that funding should be sought from ISTEA (Intermodal Surface Transportation Act of 1991) which provides that each state must expend 10% of its appropriation on eligible enhancement activities over the six year life of the program. Historic Preservation activities are eligible under the enhancement category and it is expected that Massachusetts will have over \$18.5M available annually for these projects over a period of two years. New Bedford currently supports two (2) visitor centers, one on each side of Route 18, to provide convenient information and direction to guests in the City.

On behalf of the Mayor, City Government, and the New Bedford Historical Commission, we overwhelmingly support the plan for a park. In a City that continues to send our people "Down to the Sea in Ships" to farm the Sea, A National Urban Park for New Bedford is a fitting tribute ... to a **Surprising Seaport**.

Mr. VENTO. And, Ms. Bennett. I am sorry I had one fewer "t" and so I thought it may have been pronounced differently.

Ms. BENNETT. You made me French rather than English.

Mr. VENTO. That is right.

Ms. BENNETT. Or my husband.

#### STATEMENT OF JEAN BENNETT

Ms. BENNETT. Thank you, Mr. Chairman, for allowing me to testify for all of the people of New Bedford. I am the co-chairperson for the National Historic Partnership. I am a resident, a lifelong resident of New Bedford, and I am a wife and a mother and a grandmother and a businesswoman. But I found myself over the past 20 years being a preservationist. I think I became a preservationist because I began to realize and recognize the importance of New Bedford's history, the heritage of this great Nation.

I have a message today that—there are two parts of my message, and my message is very simple but it is extremely important.

The first one, you have heard Mr. Souza talk about all of the resources in New Bedford. I think it is terribly important to understand that in New Bedford we have a vast amount of resources.

We are not looking for the National Park Service to come into New Bedford and create a park for us. We already have a number of world-class museums: a whaling museum that is second to none in this country; the Rotch-Jones-Duff House and Garden Museum; a very effective preservation society. We have the Seaman's Bethel. We have the landmark *Ernestina*. We have a landmark historic district that is complete with beautifully scaled buildings and cobblestoned streets, brick sidewalks, and vintage lighting—everything seems to us to be in place.

We haven't been sitting here waiting for the national park to happen. And, as a matter of fact, just over the past year it is significant to me to look at the accomplishments. In the past year we have developed an interpretive trail with the cooperation of the department of environmental management.

We have created a new waterfront park, almost completely as a result of just regular folk going down there and planting gardens. We have opened a second visitor center, staffed completely by volunteers. We have begun the restoration of an old bank building as an art gallery. We have developed a little court we call Wings Court. It is going to be an open space for leisure and entertainment.

All of these things have been done in spite of the fact that a great many of us have been working very hard toward this effort that we sit here to talk about today.

That is my first message. That we indeed have something there for Americans to come and to appreciate.

The second message is in the vein of, in my opinion—I am listening to Mr. Duncan today and I appreciate where he is coming from. However, I would like to say, and this is not in my testimony, but there is going to be the biggest bang for the buck the Park Service has ever seen. We are a community of voluntarism. We have saved so many buildings.

We have a performing arts center called the Zeiterion that was originally a vaudeville house. And we were about to lose this, the

last surviving theater in New Bedford, and a group of people got together, and together with the city and funds from the lottery council, we have been able to save that theater. Forty thousand school children from lower and moderate income families attend live performances every year at the Zeiterion theater.

We have a group of volunteers who are called docents, and they are volunteer docents educated every year by volunteers. They guide people through the Rotch-Jones-Duff House, through the whaling museum, and through the Seaman's Bethel.

We have a visitor center. Now we have two visitor centers, but we have a visitor center that lost funding more than three years ago, and it is being operated totally by volunteers seven days a week.

In the same spirit of that incredible voluntarism, six years ago the mayor called for a group of people to get together to talk about a heritage state park. We thought we would get a handful of interested people, particularly those from the museums and the artists in the area and the educators.

But instead we have got 125 people—I was asked to co-chair that effort—and the result was astounding. We produced the very best master plan of any heritage state park in the State. Unfortunately, it was at the same time that Massachusetts hit upon hard times, and it wasn't fashionable to fund State parks anymore.

In that process we learned how important our heritage was. I think we all took it so for granted, we didn't really appreciate it as we should. We appealed to the Massachusetts congressional delegation to fund a special resource study to see if New Bedford could indeed be a national historic park.

Less than a year later, we found ourselves in a cooperative agreement with the department of environmental management, the National Park Service, the city of New Bedford, and the group that I was still chairing, the citizens group. And WHALE.

WHALE, the Waterfront Historic Area League, came to this effort with a 500-strong member organization dedicated to preservation, had a 20-year history, a 20-year track record. They had been the moving force toward creating the national historic landmark district.

WHALE in the effort of this whole thing about unity listened and asked for the guidance of the citizens advisory committee through the whole process. By now the citizens advisory group represented every major nonprofit in the State.

Besides the nonprofits we also had people from the city, from the park department, the person in charge of the harbor, harbor development, was on our committee. We even had a city councillor. People said again and again it is so hard to get all of these people to work in a partnership. Because we all worked so well together, we became known as the National Park Partnership.

Together, we set out to include as many community groups as possible. This process gained momentum, and in the past three and a half months my group has collected more than 150 endorsements.

One of these is an endorsement from major businesses and minor businesses. We have somebody from The Hair Group and we also have Titleists and Polaroid in this business collection.

In the groups representing nonprofit organizations we have some as prestigious as the Kendall Whaling Museum, Mystic Seaport—I am forgetting one, I am sure.

We also have testimony from Senator Robert Durand, the chairperson of the Historic Preservation Commission in Massachusetts.

I am going to request, respectfully, that I submit to you, rather than this whole book, I have two lists of all of these endorsements.

Mr. VENTO. Yes. No, I noticed them.

Ms. BENNETT. And I also have a couple of testimonies of Downtown New Bedford, Incorporated, who is the business group that is going to be most directly affected by a national park and has written a very strong letter of endorsement, as well as the person in charge—the president of the Chamber of Commerce.

Mr. VENTO. Well, we will place those in the record if they are not duplicative. Mr. Meehan has put some of these in.

That was with regards to Lowell. So we will place those in the record.

Ms. BENNETT. Great.

[The information follows:]



CITY OF NEW BEDFORD

IN CITY COUNCIL

October 14, 1993

RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO RECOGNIZE THE SIGNIFICANCE OF CREATING A NATIONAL HISTORIC PARK IN THE CITY OF NEW BEDFORD, MASSACHUSETTS, IN ORDER TO INTERPRET AND RELATE THE HISTORY OF THE WHALING INDUSTRY IN AMERICA

WHEREAS, During the 19th century, because of its whaling industry, New Bedford was one of the richest and most famous cities in the world, well deserving of its motto: "WE LIGHT THE WORLD"; and

WHEREAS, The whalermen and whaleships of New Bedford traveled the world and provided the inspiration for Herman Melville's "MOBY DICK," one of the best known and greatest of the American novels; and

WHEREAS, Its importance in American history extended beyond whaling into areas such as immigration and black history, exemplified by the National Historic Landmark Schooner ERNESTINA, a gift of the Republic of Cape Verde to the people of the United States which symbolizes both the city's maritime history and its ethnic diversity; and

WHEREAS, New Bedford has restored its Historic District to the cobblestone streets, slate sidewalks, old gas lights and historic Whaling Era buildings which it displayed in the 19th century; and

WHEREAS, Its Whaling Museum houses the world's foremost collection of whaling artifacts and documents and an extensive collection of glass and paintings created in New Bedford by artists drawn to the city by whaling-era prosperity, as well as a full half-size model of the LAGODA, the largest ship model in the world; and

WHEREAS, The National Park Service has determined that the theme of whaling is significant enough in American history to merit a unique National Park in New Bedford, which has been determined by the Park Service to be the best single place to present the story of whaling; and

WHEREAS, A report evaluating the economic impact of a National Park on the Greater New Bedford area concludes that such a park would spur the creation of hundreds of new jobs and add millions of dollars annually to the local economy;

NOW, THEREFORE, BE IT RESOLVED, That the New Bedford City Council respectfully requests that the Congress of the United States recognize the value of a Whaling National Historic Park in New Bedford, Massachusetts, and that it do all things possible to further this goal; and

BE IT FURTHER RESOLVED, That a copy of these Resolutions be forwarded by the Clerk of the House of Representatives to the presiding officer of each branch of Congress and to members thereof from this Commonwealth.

*David Gerwatowski*  
Councillor Ward One David Gerwatowski

*[Signature]*  
City Council President

*[Signatures of other council members]*

Presented to the Mayor for approval October 18, 1993.  
Approved October 18, 1993. Rosemary S. Tierney, Mayor

31-192A

A TRUE COPY ATTEST  
*J. A. D.* C.M.C.  
CITY CLERK-NEW BEDFORD, MA

May 28, 1993

## CONGRESSIONAL RECORD—Extensions of Remarks

E1407

In 1820, Stepany Parish submitted a petition to the Connecticut General Assembly requesting separation from Wethersfield. Following numerous failed attempts, leaders like as Rev. Calvin Chapin, the Minister of the Congregational Church, Elias Robbins, and other finally succeeded in obtaining legislative approval on June 10, 1843. In accordance with the charter, Stepany Parish became Rocky Hill. With its first town meeting held on June 23, 1843, the town of Rocky Hill was established. On that historic day, its population totalled about 1,000.

Over the next 150 years, Rocky Hill prospered. It remained an agricultural community, although a few manufacturing concerns sprang up. Because it is only 6 miles from the city of Hartford, Rocky Hill also became home for hundreds of residents who worked in Connecticut's capital city. By 1943, Rocky Hill had grown to 3,000 residents.

Today, Rocky Hill is a thriving suburban town, that has fortunately retained much of its rural and historic character. While housing has developed where farms once stood, there still remain thousands of acres of still-cultivated agricultural land, some adjacent to modern office and commercial complexes.

Rocky Hill has been blessed with steady cultural, religious, and governmental leadership throughout its history. From settlement to development, these individuals have always remained centered on what was best for Rocky Hill. Since the days of George Washington, Rocky Hill has distinguished itself as a dynamic and progressive community. Those virtues hold steadfast today.

Mr. Speaker, I am honored to mark the sesquicentennial anniversary of the incorporation of the town of Rocky Hill, CT.

MARTHA CAROLINE GROTE  
HONORED

HON. CHRISTOPHER COX  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1993

Mr. COX. Mr. Speaker, I rise today to pay a birthday tribute to a strong and gracious lady whose life has spanned this century. Born in Zumrota, MN on May 29, 1903, Martha Caroline Grote's life is a model of dedication to family and neighbors, and it exemplifies the American work ethic.

After attending school in a one-room schoolhouse, she graduated from the eighth grade and went on to work on a registered dairy farm near Red Wing, MN. Her tasks varied widely, 1 day plowing fields, the next cleaning barns, another milking the cows. Her work ethic sprung from the influence of her first employer, a woman who helped in molding her life.

Marriage led to a relocation in Fairbault, MN, where she worked as an instructor and sample maker in a shoe factory. Moving to St. Paul, she transferred to the employ of H. Harris Manufacturing, as both a supervisor and instructor.

Eventually, her hard work paid off, and she was able to purchase her lifelong home on Beechwood Ave., where she still resides. Now celebrating her 90th birthday, she continues to sew, repair, and alter clothing for her friends

and neighbors. May Good bless Martha Grote as she begins her 10th decade.

EXCESSIVE BANKING  
REGULATIONS

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1993

Mr. RAMSTAD. Mr. Speaker, Congress should act now to spur the creation of jobs by lifting the regulatory burden on America's banks.

We've seen the Federal Register of government regulations grow by 27,000 pages already this year.

In 1980, there was one regulator for every three banks in this country—but by the end of the decade, there will be three regulators for each bank. This regulatory overkill means higher costs for consumers and few loans for small businesses.

I recently visited Richfield Bank & Trust in my district to witness the paperwork required by regulatory agencies. I was stunned by the endless paperwork and unnecessary redtape involved in the approval of a simple business loan.

Referring to the Clinton administration's plan to ease some of these regulations, a former head of the FDIC, said, "I don't think the administration's plan will change anything."

Mr. Speaker, Congress must address the problem of regulatory overkill. Congress must quit stifling business growth and job creation.

Congress must act to ease banking regulations now.

THE CASE OF JONATHAN  
POLLARD

HON. DAVID A. LEVY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1993

Mr. LEVY. Mr. Speaker, in November 1985 Jonathan Pollard was arrested and charged with spying on behalf of Israel. Seven months later and pursuant to an arrangement with the prosecutors, Mr. Pollard entered a plea of guilty. In exchange for the plea, prosecutors were not to seek the maximum penalty of life imprisonment and were to advise the court of Pollard's cooperation during the investigation. Notwithstanding this agreement, Mr. Pollard was sentenced to a life term.

I certainly do not condone the activities in which Mr. Pollard has engaged and to which he has admitted. Espionage is a serious offense and penalties for those convicted on espionage charges should fit the crime. I do believe, however, that the punishment meted out in the Pollard case was excessive. Further, it completely violated the plea arrangement to which Mr. Pollard agreed.

Mr. Speaker, the case concerning Jonathan Pollard is mind boggling. One hour before Mr. Pollard was to be sentenced in 1987, then Secretary of Defense Casper Weinberger sent a hand-delivered letter to the judge, urging the stiffest possible sentence "commensurate with the enduring quality of treason"—totally ignor-

ing the fact that Mr. Pollard was never accused of treason. At a hearing in 1991, one of the judges asked the prosecutor "How in God's name can you justify Weinberger's use of the word 'treason' in his memorandum to the sentencing judge?" In turn, the prosecutor admitted that the word "treason" in Mr. Weinberger's memorandum was regrettable.

Mr. Speaker, I was assured recently that Mr. Pollard's application for commutation of his life sentence is being considered by the Justice Department. I am hopeful that the administration will soon discern this fundamental miscarriage of justice and grant Mr. Pollard the fairness and equity that is afforded every American citizen.

PRESIDENT CLINTON  
CONGRATULATED

HON. JIM LIGHTFOOT

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1993

Mr. LIGHTFOOT. Mr. Speaker, I congratulate the President on his decision to renew MFN to China for another year. I find it ironic Mr. Speaker, that President Clinton constantly criticized President Bush for his foreign policy decisions in China and Bosnia but when it comes time to do something he always seems to "stay the course" set by Mr. Bush.

Mr. Clinton's decision represents a victory for people who believe in doing more than grandstanding and showboating to make it look like they care. That's why we won't see MFN bills on the floor of the House this year, they simply were not serious solutions. Our relations with China are complicated and we must pursue separate policies for each problem.

Mr. Speaker, I hope at the least, Mr. Clinton will pursue the concept of annual high level talks on human rights, similar to the annual human rights talks between China and Australia. I also hope he will consider formalizing such talks by establishing a bilateral Human Rights Commission with China, similar in concept to my proposal, H.R. 2254.

NATIONAL HISTORIC PARK IN NEW  
BEDFORD, MA

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1993

Mr. FRANK of Massachusetts. Mr. Speaker, the Massachusetts House of Representatives recently passed a very important resolution, dealing with a subject on which I am working very hard in Congress. That subject is the creation of a National Historic Park in New Bedford, MA, making the great waterfront of that city more widely known to the public in a manner that will allow more and more people to enjoy it and learn from it.

The waterfront in New Bedford has been an important part of America's economy for nearly all of our country's history. From the whaling days of the 19th century to today, it has been a vibrant, working part of our regional economy, while at the same time it is today an extraordinarily vivid example of American history preserved.

E1408

## CONGRESSIONAL RECORD—Extensions of Remarks

May 28, 1993

An extremely dedicated and thoughtful group of people who have come together in the Waterfront Historic Area League, known as WHALE, brought to my attention the strong arguments for creating a national park here, and with the active help of the city administration, I have been working closely with WHALE to get approval from the appropriate Federal entities, both the executive and legislative, of a national park here.

As an example of the wide support which this project has in New Bedford, the three State Representatives who represent the city of New Bedford in the Massachusetts House—Joseph McIntyre, Antonio Cabral, and Robert Koczera—combined to secure passage of a resolution memorializing us to act on this. The resolution does an excellent job of stating the strong case for movement here, and I ask that this memorial be printed at this point in the RECORD so that my colleagues will be able to see it and understand the case.

## RESOLUTION

Whereas, New Bedford during the nineteenth century was known far and wide for the whaling capital of the world and in this role provided both the oil that fueled the Nation's lamps and the lubricants that kept the wheels of the industrial revolution turning; and

Whereas, its whaleships and whalers furnished the inspiration for Herman Melville's "Moby Dick," considered by many the greatest of all American novels; and

Whereas, its importance in American history extended beyond whaling into areas such as immigration and black history; and

Whereas, the people of New Bedford have over the years lovingly preserved and restored a host of fine nineteenth century buildings, including the Seaman's Bethel, immortalized in "Moby Dick," and the Rutch-Jones-Duff House and Garden Museum, one of the finest monuments to Greek revival architecture in the country; and

Whereas, the city's twenty-acre national historic landmark district has become a model for historic preservation and economic revitalization, successfully integrating tourism and industry in an environment of restored whaling era buildings, streets and sidewalks; and

Whereas, its national historic landmark schooner *Essexina*, gift of the Republic of Cape Verde to the people of the United States, serves as a symbol both of our country's maritime heritage and of its ethnic diversity; and

Whereas, its whaling museum houses the world's foremost collection of whaling artifacts and documents as well as an extensive collection of art glass and painting created in New Bedford by artists drawn to the city by whaling era prosperity; and

Whereas, the National Park Service has determined that the theme of whaling is significant enough in American history to merit a national park; and

Whereas, no such park exists in the National Park System today; and

Whereas, New Bedford meets all established Park Service criteria and has been determined by the Park Service to be the best single place to present the story of whaling; and

Whereas, a report evaluating the economic impact of a national park on the Greater New Bedford area concludes that such a park would spur the creation of hundreds of new jobs and add millions of dollars annually to the local economy; therefore be it

Resolved, That the Massachusetts House of Representatives respectfully memorializes the Congress of the United States to recog-

nize the significance of creating a National Historic Park in the city of New Bedford, Massachusetts, in order to interpret and relate the history of the whaling industry in America, and be it further

Resolved, That a copy of these resolutions be forwarded by the Clerk of the House of Representatives to the presiding officer of each branch of Congress and to the members thereof from this commonwealth.

## BANKRUPTCY AMENDMENTS OF 1993

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1993

Mr. SYNAR. Mr. Speaker, today I am introducing legislation that will streamline the often lengthy and costly consumer bankruptcy process by resolving several problem areas in the administration of the Bankruptcy Code. This measure reforms the Code by strengthening and clarifying the bankruptcy rights of individual debtors, including homeowners and businesses, while addressing numerous creditors' concerns with the present Code.

As a Member who has been involved in bankruptcy issues over the years, my primary goal in reform legislation is to ensure that the Bankruptcy Code remains balanced between the needs of the debtor and the rights of the creditor. Because much time has passed since Congress has addressed this substantive bankruptcy issue, the law's balance has become endangered and the need for reform is critical. Some of the Code's provisions are outdated, while other problems stem from court interpretations of particular sections.

The problems with the Code have been further exacerbated by the rise in individual bankruptcy filings which in itself is a matter for concern and examination. In addition, the ability of retailers, small businesses, and lending institutions to conduct business will be negatively impacted without bankruptcy reform.

The bill I introduce today takes direct aim at the Bankruptcy Code problems facing consumers. The legislation's major provisions will expand a debtor's eligibility to file under chapter 13; clarify the definition of household goods exempted from the bankruptcy estate; clarify the definition of fraudulent transactions; liberalize reaffirmation agreements; protect purchase-money secured creditors from avoidable transfers by conforming the Code with state laws; eliminate cramdowns for residential mortgages and extend the payment period from 3 to 5 years without having to show good cause.

It is time for the Bankruptcy Code to be updated and streamlined in a fair and balanced manner that allows debtors and creditors to use the Code to its fullest advantage. This bill accomplishes that goal and I urge my colleagues to strongly support the legislation.

GRAPHIC POSTCARD ACT OF 1993  
INTRODUCED

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1993

Mrs. JOHNSON of Connecticut. Mr. Speaker, today I rise to urge your support for legislation that I have introduced, the Graphic Postcard Act of 1993. My bill, formulated after postcards showing a dismembered fetus were sent unsolicited to four towns in Connecticut, requires that material depicting violent or sexually explicit acts sent through the U.S. Postal Service be enclosed in an envelope emblazoned with a large print warning.

It is not unusual for parents to allow small children to open the mailbox and examine the contents. Bills, letters, and most advertisements pose no threat to young children. Sexually explicit material is already required to be covered when sent through the mail.

The right to free speech is one we all cherish. This legislation will not interfere with free speech; it does not prohibit graphic materials to be mailed, but instead places a simple requirement on their mailing in order to protect children. Like it or not, those responsible for these postcards have every legal right to use the U.S. mail to express their viewpoints. However, I believe that parents have an equal right to protect their children from graphic presentations of frightening violent acts. Requiring an envelope and warning does not infringe on the sender's freedom of speech, it simply guarantees protection for our Nation's children.

This is rational action to stop dangerous behavior. Hundreds of my constituents have called or written to let me know they were outraged by these postcards. The level of violence in our society has reached an unprecedented level and is eroding the values that have made us a strong society. We have a special obligation to protection and this is step one.

I, therefore, urge my colleagues to join me in support of the Graphic Postcard Act of 1993.

## THE GROWING IRANIAN THREAT

HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1993

Mr. McCOLLUM. Mr. Speaker, today I would like to take this opportunity to call to the attention of the House an article dealing with the State Department's Iranian policy which appeared on the front page of the May 27 New York Times. The article cites recent State Department remarks on Iran, reflecting a shift in both attitude and policy. State Department officials have wisely pointed out the ever increasing danger posed by the belligerent policies of Iran toward the United States.

As chairman of the House Republican Task Force on Terrorism and Unconventional Warfare, I am pleased by the State Department's change of attitude toward Iran. For several years, the task force has documented Iran's irresponsible and threatening behavior. For example, the task force reported almost 2 years

New Bedford Standard-Times -- May 14, 1994

## Waterfront park will honor contributions of Norwegian immigrant to local fishing

By Jack Stewardson  
Standard-Times staff writer

**NEW BEDFORD** — Groundbreaking ceremonies will be held today for a waterfront park named in the memory of longtime waterfront figure Rasmus Tonnesen.

The small pocket park is named for the founder of New Bedford Ship Supply Co., the ship chandlery business the late Mr. Tonnesen founded back in the 1930s. Mr. Tonnesen, who died in 1991 at the age of 83, has been credited with helping scores of fishermen get their start in the fishing industry.

Rep. Barney Frank, D-New Bedford, will be among the guest speakers and the Sons of Norway is planning on hosting a reception with Norwegian pastries at the city wharfinger building after the 2 p.m. ceremony.

The park is located at the site of the former Coast Guard geodesic dome along the northwest corner of the State Pier, adjacent to the New Bedford lightship.

According to Michael Barkstein, an architectural

### NEW BEDFORD

staffer with the city Office of Community Development, some \$25,000 in federal community development funds have been set aside for the project.

He said work will include landscaping, putting up new fencing, lighting, adding park benches and reactivating the fishermen's fountain.

He said several groups, such as the Buzzards Bay Coalition, the First Unitarian Church, and the local Norwegian community have already been working to clean up the grounds and beautify the site.

Born in Aakrahavn, Norway, Mr. Tonnesen came to the United States in 1929, settling in Brooklyn and moved to the New Bedford area in the early 1930s after visiting the city as a fisherman. He met and married a local woman, Sarah Ellis, and founded New Bedford Ship Supply.

c1

## Friends and Gardeners of Tomnessen Park

We are a group of volunteers, working to improve this long neglected area located on the waterfront at the State Pier. We are working with the cooperation of the office of Community Development, Dept of Public Works and the City gardner.

Our goal is to make this park a source of pride within our Community by making it a pleasant place to visit by citizens and tourists. Many improvements will be made in the coming months. Those involved are; the Unitarian Church, the Coalition of Buzzards Bay, friends and relatives of Rasmus Tomnessen (for whom the park was named), and other private citizens.

If you wish to join us, your participation and ideas will be appreciated. Contact Bob Cook at 508 998-3999.

Many plants have already been planted. However we could use more. Below is a list of plants needed.

<u>Perennials</u>	<u>Herbs</u>	<u>Grasses</u>
Hosta	Chamomile	Japanese blood
Fern	ell	Blue fescue
Summer Phlox	Cucury	fourteen grass
Asters daisy	Catmint	feather top
Viv	Rue	Cord grass
Mums	Comfrey	Blue Oats
Lily	lavender	Pampas
Rockcress	Tarragon	
Columbine	Spearmint	
Heath + Heather	sage	
Russian sage	thyme	
Gambel's eye		
Ornamental poppy		
Yarrow		
Black-eyed Susan		

\* We will accept any others you think will grow in this area.  
Thank You, Bob Cook

Ms. BENNETT. In spite of the accomplishments over the past decades, we can no longer do it alone. The Federal Government must begin to realize the national historical significance of our city.

We have preserved and we have interpreted, but now we have a need to protect the resources for our future generations. If you would allow me to just read the last paragraph of my testimony.

Only Congress can create a national park. I don't know how many times I have repeated those words over the past several months as I have appeared before groups and attempted to explain the new answers of the park process.

But, as I sat writing my remarks a few days ago, it struck me that the statement is not actually true. Only Congress can designate a national park. It takes people to create one.

What I have been trying to make clear to you for the past few minutes is that despite difficult economic times, the people of New Bedford have already gone a long way toward creating their national park and they stand ready to shoulder more than their share of the load and the work that remains.

But we do need help. We cannot continue to go it alone. We respectfully ask this committee to approve legislation that would designate New Bedford as the site of a national park, and in doing so make an investment both in our Nation's past and in our city's future.

Thank you.

Mr. VENTO. Thank you, Ms. Bennett.

[Prepared statement of Ms. Bennett follows:]

**Testimony of Jean Bennett, Representing the Citizens of Greater New Bedford, before the House Subcommittee on National Parks, Forests, and Public Lands**

**June 14, 1994**

Mr. Chairman and members of the Subcommittee, thank you for this opportunity to testify on behalf of the people of Greater New Bedford. My name is Jean Bennett, and I am a lifelong resident of New Bedford. I am a wife, mother, grandmother and a businesswoman. I also find that over the past 20 years I have become a preservationist because I have come to recognize the importance of the role New Bedford has played in American history and have grown committed to saving the city's heritage so that it can be passed on to future generations.

My message to you this morning is a very simple one. I have really only two points to make, but I think they are critical to the decision facing you regarding a national park for New Bedford.

The first point is this: The effort to bring a national park to New Bedford is not the work of small group of people. It has the unified support of the entire Greater New Bedford community.

And second, it is important for you who may never have visited our city to understand that the materials for a national park are already present in New Bedford. The buildings, the cultural institutions, the museums, the archives, the nineteenth century cobblestone streets and brick sidewalks already exist there. They exist because the people of New Bedford have committed themselves over the decades to saving the best of their cultural and architectural heritage. We are definitely not sitting back and asking the federal government to create something for us. We are just not that type of

Jean Bennett p.2

people. What we are asking is that the federal government officially recognize the important role our city has played in American history and do its share to preserve this important piece of our country's past.

Let me give you some recent evidence of the commitment the people of New Bedford have demonstrated toward preserving the best of their past.

Six years ago, New Bedford's mayor initiated an effort to make the city part of the Massachusetts Heritage Park System. An announcement appeared in the local newspaper inviting anyone interested in the prospect of creating a New Bedford Heritage State Park to attend a meeting. One hundred and twenty-five people—I repeat, 125 interested residents—showed up. I was chosen as chairperson of that group.

For the next two and a half years this committee of dedicated, enthusiastic supporters—members of historic and cultural organizations, artists, preservationists, museum professionals, city department heads, representatives of the State Department of Environmental Management, and just plain interested private citizens worked to create a New Bedford Heritage Park plan.

The plan they produced was excellent. Some at the state level called it the finest they had seen. Unfortunately, just as the plan was completed, economic recession hit. The state ran out of money. No more funds were available for Heritage State Parks in Massachusetts.

But because they believed in the plan they had created, the group refused to see it placed on the shelf to gather dust. Instead, they decided to seek the aid of the federal government. With the help of the Massachusetts Congressional delegation, \$125,000 in funding was obtained for a National Park Service Special Resource Study to determine whether the city met the criteria for national park status, and within a year we found ourselves in a cooperative agreement with the Park Service, the City of New Bedford, the State Department of Environmental Management and WHALE, the

Waterfront Historic Area League.

WHALE, a 500-member New Bedford organization with a 30-year track record in preservation, was designated by the Park Service as its local representative in carrying out the study. But what I want to stress to you here is the depth and breadth of community participation. WHALE worked hand-in-hand with our Citizens Advisory Group and with representatives of city government, cultural groups, civic and social organizations, preservation societies, museums, the fishing industry and the business community. Open meetings were held and an active effort made to involve as much of the community as possible.

As a result of this effort to secure broad participation, we can today boast a list of more than 150 area organizations and businesses that have formally endorsed the proposed park: cultural organizations from the New Bedford Symphony to the historic Zeiterion Theatre, civic groups from the Prince Henry Society to the New Bedford NAACP, museums from the Old Dartmouth Historical Society to the New Bedford Fire Museum, businesses from small hair salons and print shops to industry leaders like Titleist and Polaroid.

Further, more than 1600 individual New Bedford area citizens recently responded to an editorial in the New Bedford Standard-Times by taking the time to express their own personal support for the park.

In addition, we have the formal support of the Governor of Massachusetts, the State Legislature, and various state and national organizations such as Historic Massachusetts, Inc.; the Kendall Whaling Museum of Sharon, MA; the Mystic Seaport Museum of Mystic, CT, and the Melville Society. With reference to the last group, we have not only received the endorsement of the Society's board of directors; we have also received letters of support from individual members as far away as Wiesbaden, Germany.

Jean Bennett p. 4

I mentioned earlier that we in New Bedford are not people who sit back and wait for others to come to our rescue. There are times when I think there must be something in the sea air which makes natural volunteers out of so many of us. For instance, our National Landmark Historic District—the site of our proposed park—exists today only because of the dedication and commitment of local people who saw this site and all its priceless architectural heritage threatened by Urban Renewal and rallied the community in a difficult but successful effort to save it some 30 years ago.

Another example I might mention is the Zeiterion Theatre, a restored twentieth-century vaudeville house which was saved from the wrecker's ball a dozen years ago and is now—thanks largely to dedicated volunteers—one of the finest performing arts centers in New England, a theater which, among its other accomplishments, brings live performances to more than 40,000 low and middle-income school children every year.

There are literally dozens of other similar examples. Volunteers staff our two visitors' centers seven days a week. Trained volunteers offer daily walking tours of our Historic District and working waterfront during the summer months. Volunteers serve as docents at the Whaling Museum and at the Rotch-Jones-Duff House and Garden Museum. And volunteers guide visitors through the Seaman's Bethel, made famous in Herman Melville's *Moby-Dick*.

I go on at length about New Bedford's volunteer spirit because I want to be sure you understand that that spirit is there now, awaiting the advent of a New Bedford National Park. Only a few Sundays ago, a local minister suggested to his congregation that they might want to take an active part in renewing New Bedford by sprucing up Tonnessen Park on the city's waterfront—a memorial to a Norwegian American philanthropist credited with helping scores of New Bedford fisherman. Typical of New Bedford, dozens of local people became involved in the effort, and it is still going on. The shrubs have been trimmed, the gardens raked, mulched and planted. We now even have flowers growing along the adjacent unused railroad right-of-way!

Jean Bennett p. 5

This same energy and volunteer spirit are eager now for the opportunity to participate with the National Park Service in making New Bedford's National Historic Park one the city and the country can be proud of.

"Only Congress can create a National Park." I don't know how many times I have repeated those words over the past several months as I have appeared before groups and attempted to explain the nuances of the park process. But as I sat writing these remarks a few days ago, it struck me that the statement is not actually true. Only Congress can designate a National Park. It takes people to create one. What I have been trying to make clear to you for the past few minutes is that despite difficult economic times, the people of New Bedford have already gone a long way toward creating their National Park and they stand ready to shoulder more than their share of the load in the work that remains. But we need help. We cannot continue to go it alone. We respectfully ask this committee to approve legislation that would designate New Bedford as the site of a National Historic Park and in so doing make an investment both in our nation's past and in our city's future.

## New Bedford area organizations and governmental bodies that have formally endorsed the proposed New Bedford Whaling National Historical Park

AGLAS  
 Ahavath Achim Synagogue  
 Allen's Neck Friends Meeting  
 ArtWorks!  
 Bethel African Methodist Episcopal Church  
     of New Bedford  
 Bierstadt Society  
 Bristol County Convention & Visitors' Bureau  
 Buttonwood Park Zoological Society  
 Buzzards Bay Action Committee  
 Cape Verdean-American Veterans  
 Coalition for Buzzard's Bay  
 Coastline Elderly Services  
 Congregational Church of South Dartmouth  
 Dartmouth Historical Commission  
 Dartmouth School Committee  
 Dartmouth Selectmen  
 Downtown New Bedford, Inc.  
 Ernestina/Morrissey Historic Association  
 Fairhaven Historical Commission  
 Fairhaven/New Bedford-Tosashimizu Sister City  
     Committee  
 Fairhaven Selectmen  
 First Church of the Nazarene  
 First Congregational Church of Fairhaven  
 First Unitarian Church of New Bedford  
 Friends Academy Board of Trustees  
 Friends New Bedford Monthly Meeting  
 Grace Episcopal Church  
 Greater New Bedford Association of Realtors, Inc.  
 Greater New Bedford Industrial Foundation  
 Greater New Bedford Vocational Technical High  
     School Committee  
 Greater New Bedford Zoo & Aquarium Corporation  
 Hands Across the River  
 Independent Insurance Agents of New Bedford  
 Inter-Church Council of Greater New Bedford  
 Latino Access Center  
 Long Plain United Methodist Church  
 The Luncheon Club  
 Martha Briggs Educational Society  
 MassTAC  
 Mattapoisett Historical Society  
 Merchant Marine Association  
 NAACP of New Bedford  
 New Bedford Area Chamber of Commerce  
 New Bedford Child and Family Service  
 New Bedford City Council  
 New Bedford Committee for Music  
 New Bedford Council on Aging  
 New Bedford Educators' Association  
 New Bedford Festival Theatre  
 New Bedford Fire Museum  
 New Bedford First Night Committee  
 New Bedford Free Public Library Trustees  
 New Bedford Harbor Development Commission  
 New Bedford Historical Commission  
 New Bedford Mayor Rosemary S. Tierney  
 New Bedford Park Board  
 New Bedford Port Society  
 New Bedford Post Number One, American Legion  
 New Bedford Preservation Society  
 New Bedford Public Schools  
 New Bedford Symphony  
 New Bedford Visitors' Center Volunteers  
 New Bedford Walking Tour Guides  
 New Bedford Whaleboats  
 New Bedford Women's Center  
 North End Business Association  
 Opportunity Center of Greater New Bedford  
 PACE  
 Pacific Union Congregational Church  
 Pilgrim-United Church of Christ  
 Portuguese Continental Union, Lodge No. 4  
 Prince Henry Society of Massachusetts, Inc.  
 Rotch-Jones-Duff House & Garden Museum  
 St. Paul's Methodist Church  
 St. Peter's Episcopal Church of South Dartmouth  
 The Salvation Army  
 South End Business Association  
 Spinner Publications  
 Tifereth Israel Synagogue  
 Trinity Lutheran Church of Fairhaven  
 Union Baptist Church  
 Unitarian Society of Fairhaven  
 United Way of Greater New Bedford  
 University of Massachusetts Dartmouth  
 Wareham Garden Club  
 Westport River Watershed Alliance  
 Westport Selectmen  
 WHALE  
 Whaling City Festival, Inc.  
 Whaling Museum  
 YMCA  
 YWCA  
 Zeiterion Theatre

## **New Bedford area businesses that have formally endorsed the proposed New Bedford Whaling National Historical Park**

A-1 Asphalt Co., Inc.  
 Acushnet Company  
 Acushnet Company, Rubber Division  
 Advanced Water Technology  
 Acrowox  
 Alden Buick-Pontiac-GMC Truck  
 Alphagraphics of New Bedford  
 AWT Environmental, Inc.  
 Bank of Boston  
 BayBank  
 Bedspread Mill Outlet  
 Billy Woods Wharf/Ferry Alert  
 Brewer Banner Design  
 Brittany Dyeing and Printing Corporation  
 Buymhaus Associates  
 Calvin Clothing  
 Cameco Curtains of New Bedford, Inc.  
 Citizens Bank of Massachusetts  
 Cliftex Corporation  
 Commonwealth Electric Company  
 Commonwealth Gas Company  
 Compass Bank  
 Dartmouth Finishing Corporation  
 Dermatology Services, Inc.  
 Design & Conservation, Architects  
 First Federal Savings Bank of America  
 Freestone's, Inc.  
 Glen Park Oil Company  
 The Hair Group

Highlights Hair Salon  
 IDS Financial Services (6 individual Managers)  
 Julius Koch USA  
 J.S. Luiz, Inc., General Contractors  
 Luzzo Community Bank  
 Macedo's Pharmacy, Inc.  
 R.A. Mitchell Co., Inc.  
 Moore & Isherwood, Inc.  
 National Bank of Fairhaven  
 New Bedford Engineering Associates  
 New Bedford Seafood Co-op  
 New England Ropes  
 NYNEX Yellow Pages, North Dartmouth Branch  
 PCI Group, Inc.  
 Polaroid Corporation, New Bedford  
 Prescott, Bullard & McLeod  
 Robert J. Rapoza, CPA  
 Rogers Gallery and Framery  
 Rutkowski & Kestenbaum Insurance Agency, Inc.  
 Satkin Mills, Inc.  
 SEA Tourism/Travel/Research  
 Shawmut Bank  
 Sippican Corporation  
 The Standard-Times  
 Teledyne Rodney Metals  
 Titleist and Foot-Joy Worldwide  
 Twenty Acre Purchase Corporation  
 US Ring Binder  
 William Rodman Associates

**Individuals and groups from outside the New Bedford area that have formally endorsed the proposed New Bedford Whaling National Historical Park**

Historic Massachusetts, Inc.

The Kendall Whaling Museum

Sharon, Massachusetts

Massachusetts Governor William Weld

Massachusetts State Legislature

The Melville Society, as well as individual members of the  
Society from as far away as Wiesbaden, Germany

Mystic Seaport Museum

Mr. VENTO. We will turn to Mr. Cruz now. And looking at your statement, if you could summarize it, it would be helpful to me.

Mr. CRUZ. I will try to do that.

Mr. VENTO. I know you have come down today and made a special effort to be here. But if you could summarize it, it would be helpful.

#### STATEMENT OF CARL J. CRUZ

Mr. CRUZ. Thank you. I will try to summarize it.

Little did I know 33 years ago when I was writing about my own family history, and more specifically, about my great-great-uncle, William H. Carney, who became this Nation's first African-American to receive the Congressional Medal of Honor, never in my wildest imagination did I think that I would be before a committee like this talking about the history of New Bedford and the history of African-Americans, Cape Verde-Americans, and Native Americans. So I am particularly honored and humbled to come today to talk a little bit about New Bedford's African-American, Cape Verde-American, and Native American history.

A whaling national park in New Bedford is an American story, deeply rooted in the American dream. It is about slavery. It is about integration. It is about immigration. It's about opportunity. Whaling produced this opportunity that could not be found elsewhere in this country.

Because there was a need for a large work force we saw in New Bedford blacks, whites, Cape Verdians, and Native Americans working together, working together in a sense—not isolated, together—where they owned their own businesses. I mean in 1848 to think that a Louis Temple, an African-American, a runaway slave from Richmond, Virginia, would invent the Louis Temple toggle iron that revolutionized the whaling industry, that a Captain Paul Cuffe could not only build his own ships but provide the crews for his ships, and those crews included captains who were African-American and Native Americans. Where else but in a city like New Bedford where a Fred Douglass who left Baltimore through the Underground Railroad would come to New Bedford and talk about how comfortable he felt and how easy it was for him to find work on the wharves of New Bedford. In New Bedford his wildest imagination was that he also could be elected Governor of Massachusetts because at the time people of color could be elected to office.

Where else but in New Bedford could a John Mashow own his own business building whaling ships and be the architect. So you see this is not just a New Bedford story. This is a story about our great Nation.

As we look around the world in trying to bring us closer together as human beings we can see this in New Bedford, and a national park would assure that happening.

We are not asking, as was said earlier, for money, because the history is there. Some of my own ancestors already paved the way. And all we want to do is to show the story so that we can give other people hope and realize that possibilities are still able to be made in the United States.

And the *Ernestina* becomes a very important vehicle as we try to tell that story because it is history under sail. It is history that

not only includes Cape Verde-Americans but it was Cape Verde-Americans who gave back not to just the people of Massachusetts, not to the people of New Bedford, but to the people of the United States.

At the time that this ship was given to this country, here is a Third World nation who had just for the last 15 years fought for its own independence from Portugal. But in the midst of all of that said it is still important for us to save this ship so it is not condemned to a world all by itself.

And so in 1975 for almost eight years, the people of the Cape Verde Islands worked diligently to prepare this ship as a gift of good will to the people of the United States, and in 1982 that reality was seen in the ship coming to the United States.

But that small country didn't do it all by itself. It did it with the help of Friends of *Ernestina* who today are known as the *Ernestina/Morrissey* Historical Association of which I am the president. And more recently I have been appointed by Governor Weld of Massachusetts as one of a nine-member board to oversee the *Ernestina*.

I don't want to belabor on the history of *Ernestina/Morrissey* because it is a rich history. It is a rich history that is really, as I said earlier, all of this history is deeply rooted in the American dream. Because if you look at the history of *Ernestina* during its *Morrissey* days, during the Antarctic and during the fishing, and during World War II, then we see how it was used during the North Pole when the African-American who we just recently buried in Arlington Cemetery, Matthew Henson, was a part, and *Ernestina/Morrissey* is a part of that exploration.

So, all we are asking is that you designate, just as this committee designated *Ernestina* as a historical landmark, just as the National Trust gave *Ernestina* an award in 1986 for its historic preservation, and just like the Massachusetts Legislature voted it a part of the national landmark of the Commonwealth of Massachusetts, so we ask that you consider this national park.

The Commonwealth of Massachusetts recently, as a way to ensure as we look at the full history of the *Ernestina* ensured it by giving us \$320,000. The city of New Bedford along with giving us berthing rights—which amounts in the neighborhood of \$50,000—has also given us another \$50,000. The city of New Bedford has done this for the last 12 years that *Ernestina* has been in this country, and more specifically in New Bedford.

Our Friends group, since 1975, have raised over \$700,000. The Commonwealth of Massachusetts, since *Ernestina* has been in the United States, has given almost \$2 million. We are not here asking for money, because money has really been given to *Ernestina*. What we want is this recognition because we really can tell this story.

We were proud in the 1980s during the 100th anniversary of the Statue of Liberty that the *Ernestina* was chosen to lead the tall ships because it was the only ship in the United States still sailing that brought immigrants to these shores.

So in closing, I would just like to emphasize again that it is not about money, it is about designation. And I think that is probably the littlest thing that you could do for us.

I want to thank you very much for allowing me, as I said, to come before you. If there are any other questions I might be able to answer as relates to monies that have already been appropriated to the *Ernestina*, I would be more than happy to do that.

I would also like to include, because I did not, the recent legislation that Governor Weld signed in January 1994, discussing the nine-member body who now have the responsibility for overseeing the schooner.

Mr. VENTO. Yes. Without objection, Mr. Cruz, the Massachusetts legislation will be made a part of the record. And we appreciate your testimony, and I know that I will have some comments about the testimony generally in a moment.

[Prepared statement of Mr. Cruz follows:]

Mr. Chairman:

My name is Carl J. Cruz, and I am a life long resident of the city of New Bedford, Massachusetts. I am honored to come before you today to express my feelings on why I feel the City of New Bedford should be designated as a Whaling National Park.

As a Cape Verdean, African American, I can trace some of my own family genealogy to slavery and the Whaling Industry. For the last 25 years I have been working to preserve and present this rich history. In 1993, I developed New Bedford's Black Heritage Trail (see attached Exhibit). My roots can be traced back to Cuff Slocum (1718 - 1772), who in 1728 came to these shores in bondage, and obtained his freedom in 1742. His son Captain Paul Cuffe (1759 - 1817), a whaling captain, ship builder, maritime trader became one of America's early African-American entrepreneur and philanthropist. In 1780, Captain Paul Cuffe and his brother John petitioned the Massachusetts Legislature to allow African Americans the right to vote if they paid taxes. This petition eventually changed the Massachusetts Constitution. In 1789, he built what is believed to be the first integrated school in the United States with his own funds.

In the early 1800's Alexander Howard and Richard Johnson, African-American business men in New Bedford, set up a successful whaling outfitting business as a result of their contacts with Captain Paul Cuffe. Richard Johnson owned and manned his own whaling ship (Rising States) which consisted of an all black crew.

John Mashow (1805-1893) who was an African-American, was a master shipbuilder in New Bedford from 1840-1860. Contributing greatly to the U.S. maritime industry and to maritime architecture, he is credited with drafting and modeling some 100 ocean vessels, supervising the construction of some 60 whale and merchant vessels, and building more than 25 schooners. He built his first whale ship, the Nimrod, in 1842.

By the early 1800's Cape Verdean seamen were settling in New Bedford, which had come to replace Nantucket as New England's foremost whaling port. Crew lists of the mid-nineteenth century show that they were coming from all over the Cape Verde Islands, notably from Sao Nicolau, Santo Antao, Maio, and Brava.

Between stints at sea, the Cape Verdeans worked as riggers, dock workers, and coopers, among other things. In addition, they provided the bulk of the work force in the New Bedford rope works. All this was possible because of

the Quaker sentiments in this area and there views on anti-slavery.

In 1838, Frederick Augustus Washington Bailey left his birthplace of Maryland with his new bride to seek his freedom.

It was New Bedford, Massachusetts he chose, which at the time, was an important station on the underground railroad. Young Frederick was befriended by Mr. and Mrs. Nathan Johnson agent for the underground railroad and well known African-American businessman in Bedford Village (as New Bedford was known then). It was Nathan Johnson who gave Frederick his new name Frederick Douglass, who would become the well known abolitionist and orator.

In his book, "Life and Time of Frederick Douglass" he states: "On the wharves of New Bedford I received my first light. I saw there industry without bustle, labor without noise, toil-honest, earnest and exhaustive-without the whip". "I could not have landed in a part of the United States where I should have found a more striking and gratifying contrast, not only to life generally in the South, but in the condition of the colored people there, than in New Bedford. No colored man was really free while residing in a slave state. He was ever more or less subject to the condition of his slave brother. In his color was his badge of bondage. I saw in New Bedford the nearest approach to freedom and equality that I had ever seen. I was amazed when Mr. Johnson told me that there was nothing in the laws or constitution of Massachusetts that would prevent a colored man from being governor of the State, if the people should see fit to elect him".

Lewis Temple - (1800-1854) was an African American Blacksmith who invented the Temple Toggle Harpoon which single handedly revolutionized the whaling industry.

My great grand parents in 1855, would also choose New Bedford as their new home. They would leave slavery through the underground railroad as did Frederick Douglass. Their son, my great great grand uncle, was Sargent William H. Carney, who became this nations first African-American to receive the Congressional Medal of Honor for his bravery exhibited during the battle of Fort Wagner in 1863. It was there he saved the union colors though severely wounded. New Bedford, one of the recruitment stations, formed Co. C. of the 54th Mass. Colored Infantry and Carney was one of its first members to enlist. This regiment was the first all black regiment to be raised in the North. Its Officers were all white and Colonel Robert Gould Shaw was its leader. The deeds of this regiment were shown in the movie "Glory" and facing the State House in Boston is the now famous Robert Gould Shaw Monument by Augustus St. Gaudens.

William H. Johnson, a former slave, would become this nation's third African-American lawyer to be admitted to a bar to practice law in 1863. He became New Bedford's first African-American lawyer the same year President Lincoln signed the Emancipation Proclamation abolishing slavery in the United States.

The above illustrates some of the profound and unique circumstances which justify, in my opinion, why New Bedford should be designated as a Whaling National Park.

And, the Schooner Ernestina/Morrissey is another vehicle which will allow us to tell the story of the men and women who worked on the wharves of New Bedford. The story of the Schooner Ernestina/Morrissey is a story deeply rooted in history, accomplished preservation, and cultural diversity. The following Historical perspective is from the Ernestina/Morrissey Sail Training Handbook.

#### The Schooner Ernestina/Morrissey. A Century of Adventure

The Schooner ERNESTINA ex-EFFIE M. MORRISSEY, of long-standing fame, is a sailing vessel of superlatives. She was famous at the turn of the century as a Grand Banks fishing schooner; now she is the longest-lived example of her class. Before and during World War II she was an acclaimed Arctic exploration vessel; now she is the oldest ship still afloat that explored the Arctic under sail and navigated within six hundred miles of the north pole. She was a celebrated transatlantic sailing packet in the postwar years; now she is the last Cape Verde packet in existence, the last sailing ship to have brought immigrants to the United States. Today the ERNESTINA is unique again in that she is an historic ship, with broad based, multi-ethnic support, that has been mandated to continue operating under sail.

The story of the ERNESTINA is the story of human skill and perseverance, from the Essex ship-builders who first hewed her timbers to the Cape Verdean seafarers who plied the Atlantic on her decks and kept her spirit alive.

#### EFFIE M. MORRISSEY AND THE GRAND BANKS

The fishing industry of the United States, while spread throughout the nation and found on every waterway and coast, was born in New England waters some 300 years ago. Since then, from the fishing ports of Massachusetts, particularly Gloucester, hailed the nation's largest fleet of fishing schooners. From Gloucester and other small towns fishing fleets sailed to work the Grand Banks of Newfoundland and other fishing grounds off the eastern seaboard where shoal water hosted tremendous numbers of cod, haddock, hake, halibut, pollock, cusk, skate, catfish, whiting, monk-fish, and lumpfish. To meet the conditions of the trade,

shipyards in Gloucester and nearby towns designed and built the American fishing schooners of the 19th and 20th centuries, among them the most famous type, those modeled after Edward Burgess's schooner *Fredonia* of 1889, which came to epitomize the "typical" fishing schooner to most Americans. The schooner, built in 1894 for the John F. Wonson Co. of Gloucester and Captain William Morrissey, "exemplified the best of the *Fredonia*-type Gloucestermen--the finest working fore-and-aft sailing vessels--with a design that felicitously combined speed, carrying capacity, maneuverability, sea kindness and elegance in a balance that is rarely achieved." Laid down at the Essex yard of John F. James and Washington Tarr, who together built 139 vessels, the schooner was designed by George M. McClain after the *Fredonia* model.

Launched February 1, 1894, the schooner was christened *EFFIE M. MORRISSEY* in honor of part-owner and skipper William Morrissey's daughter. Quickly outfitted, *EFFIE M. MORRISSEY* sailed for the Banks for the first time on March 14, returning on July 28, 1894, to commence a 20-year career as a fishing schooner. A salt banker, she fished for cod, which was headed, split, gutted, and salted in her fish hold, at times bringing back as much as 320,000 pounds of fish packed in salt.

The schooner was sold in March 1905 to Captain Ansel Snow of Digby, Nova Scotia, but retained her American registry through the employment of an American "paper" captain, though she sailed out of Digby with a Canadian crew to sell her catch in the United States. In 1908, she landed 200,000 pounds of shuck at Gloucester, while in 1911 she sold her catches at Portland, Maine. In 1912 the schooner was joined for a voyage by Frederick William Wallace, who wrote of his experiences abroad in widely-read accounts of his adventures among the Bankers.

*EFFIE M. MORRISSEY* was described by Wallace as:

"...a hard-looking packet...much of her paint work had vanished from off her deck and sides, and her rails and houses showed the scars of eighteen years of seafaring...Around Digby, they called her 'an old plug of a vessel,' but the men who had sailed in her allowed that she wasn't much of a sailer 'by the wind,' but 'slap it to her with the wind aft, fellers, and she'd run like a bull moose!'"

Wallace helped the schooner earn a reputation as a fast and lucky ship. A ballad he wrote and published in the 1914 *Canadian Fisherman* about his trip aboard her, "The Log of the Record Run," recounted a 225-mile, 18-and-a-half hour passage that at times reached 16 knots in gale force winds that once hove her down, blew out sails, and snapped the fore-gaff, with only the foresail set for the last eight

hours. Widely reproduced and sung up and down the banks, the ballad is now a firm part of Grand Banks folklore.

In 1914 EFFIE M. MORRISSEY was sold to Captain Harold Bartlett of Brigus, who converted her to a cargo carrier, sailing between Newfoundland and Labrador with general cargo and coal, while occasionally making a sailing trip out to the Banks. In this capacity, in 1921 the schooner was featured in a National Geographic article by old friend Frederick William Wallace, "Life on the Grand Banks," which described EFFIE M. MORRISSEY and her mates as:

"...the handsomest commercial sailing craft afloat...Their lines are fine and designed for speed, but weatherliness has been so well combined in the model that neither quality has been sacrificed."

The schooner remained in service for four more years until 1925, when Bartlett sold her to his nephew, Robert A. Bartlett, already a noted Arctic explorer, who would spend his last years aboard the sturdy little schooner, making himself and EFFIE M. MORRISSEY legends.

#### ARCTIC

#### CAPTAIN BOB BARTLETT AND "HIS LITTLE MORRISSEY"

Robert A. Bartlett was born in Brigus, Newfoundland, on August 15, 1875. Naturalized as a citizen of the United States in 1911, he died in New York City on April 28, 1946, not long after he wrote, "My first love is the EFFIE M. MORRISSEY, my schooner; my second, the Arctic, whose icy waters I have sailed for nigh on to half a century." One biographer has termed Bartlett "the greatest Canadian ice captain who ever lived--the greatest, by general consent, of any nationality in this century."

In his prolific lifetime, Bartlett made twenty-two voyages into Canadian Arctic, six to other parts of the Arctic, a voyage to Siberia, KARLUN, for two of the most noted Arctic explorers, Robert E. Peary and Vilhjalmur Stefansson, and accompanied Peary to as far as 87 degrees, 47 minutes, 150 from the North Pole in 1909 before turning back, leaving Peary and Matthew Henson to press on. Peary described Bartlett as "tireless, faithful, enthusiastic, true as the compass," and noted in his account of the conquest of the Pole that:

"I have given him the post of honor in command of my last supporting party for three reasons: first, because of his magnificent handling of the ROOSEVELT; second, because he had cheerfully and gladly stood between me and every possible minor annoyance from the start of the expedition to that day; third, because it

seemed to me right that, in view of the noble work of Great Britain in arctic exploration, a British subject should, next to an American, be able to say that he had stood nearest the North Pole."

After piloting vessels for other men and their expeditions, beginning in 1898, Bartlett acquired a vessel of his own--EFFIE M. MORRISSEY and made sixteen voyages to the Arctic on his own account, with another four for the United States government, which "produced, in the period between the World Wars, an immense wealth of scientific knowledge. He was the first arctic explorer to place science ahead of exploration."

Fame from his earlier exploits, including a 1913 walk across frozen wastes to find help after pack ice crushed his ship and marooned the crew, had nearly destroyed Bob Bartlett by 1924.

On the beach and down on his luck and finances, Bartlett had recovered from alcoholism and a near-fatal accident in New York City in 1925 when James B. Ford, vice president of United States Rubber, purchased EFFIE M. MORRISSEY for him, thus providing Bartlett with a purpose and platform for greatness. After trying his hand in the summer of 1925 fishing the Banks with MORRISSEY, Bartlett took the advice of several friends, notable publisher George Palmer Putman, and decided to outfit the schooner for arctic exploration. Work began in the spring of 1926, and included sheathing the hull in greenheart to protect it for the north, beginning a 20-year tradition of an annual voyage, sailing from Rye, New York, each June, and returning by September.

The voyages were in part sponsored by various institutions, such as the American Geographical Society, the American Museum of Natural History, the Chicago Zoological Society, the Cleveland Museum of Natural History, the Heye Foundation, Museum of the American Indian, Vassar College, the Philadelphia Academy of Natural Sciences, the Smithsonian Institution, and the New York Zoological Society, to name a few. Beginning in 1930, Bartlett also took aboard college boys who were molded by their arctic adventures with "Cap'n Bob," as he was then known, who operated on the philosophy that going to sea was "good tonic for folks....getting their hands dirty, their muscles hard and their minds cleaned out with the honest experiences of the sea and far places."

Bartlett's voyages were widely covered in the press, and were popularized with boys when George Putman's 14-year-old son David, after sailing with Cap'n Bob, penned two immensely successful books, David goes to Greenland and David goes to Baffin Land.

Hundreds of hours of motion picture footage were shot by Bartlett aboard the schooner, and Pathe News newsreels shown in theaters across the nation brought the adventures of Cap'n Bob and "his little MORRISSEY" to eager audiences. Magazine articles frequently mentioned both, and National Geographic again featured the schooner, this time in a color spread entitled, "Voyage of the MORRISSEY."

Bartlett wrote two books about his adventures, The Log of Bob Bartlett and Sails Over Ice, and some eighteen articles in journals and newspapers.

As war loomed on the horizon in 1941, the U.S. Bureau of Standards sponsored an expedition north in EFFIE M. MORRISSEY to measure radio wave transmission in the Arctic. During the war, under Bartlett's command, the schooner surveyed the Greenland Coast for the U.S. Navy; after 1942, she set up and supplied military and weather stations in the Arctic, making one voyage to Murmansk. Returning to the United States in 1945, EFFIE M. MORRISSEY sailed no more for Cap'n Bob, who died ashore at a New York City hospital in April 1946. His schooner was sold to two brothers in New York City in 1946 who intended to sail her to the south seas. Then, in November 1947, a fire below decks damaged MORRISSEY, which was saved at the last moment by scuttling her to put out the flames. Derelict and seemingly at the end of her career, EFFIE M. MORRISSEY was saved, however, when she was sold to Captain Henrique Mendes and his sister, Louise Mendes of Egypt, Massachusetts, for a new career as a Cape Verde packet.

#### IMMIGRATION/RESTORATION

##### ERNESTINA AND THE LAST IMMIGRANTS BY SAIL

The Cape Verde Islands lie 300 miles off the West coast of Africa, near Senegal. Formerly a colony of Portugal, the islands have been associated with New England's maritime trades since the early 19th century, when Yankee whalers stopped at the islands and shipped hands. Cape Verdeans who swallowed the anchor after a whaling life often did so in New England, settling down to work ashore in maritime industries. As a result, a regular maritime traffic between the islands and New England, particularly New Bedford, which was home to many of the Cape Verdean immigrants, began. Captain Henrique Mendes bought his first ship in 1902 and joined this already flourishing trade, carrying immigrants and general cargo to and from the United States and the Cape Verde Islands. Mendes continued in the trade through the years as master of several of the "Cape Verde packets," until he bought his last ship, EFFIE M. MORRISSEY.

With the help of his sister, an American citizen,

Captain Mendes purchased the schooner, brought her to New Bedford, and outfitted her for a new career in 1948. The schooner's name was changed to ERNESTINA, in honor of her new owner and master's daughter. Her engine removed, the schooner sailed for Cape Verde for the first time on August 18, 1948, with 50 tons of food and clothing as cargo and one passenger.

Thus ERNESTINA entered into a career as an immigrant vessel, serving as a connective link between the Cape Verdean community in America and the home islands, transporting Christmas presents, food, and other items, while at the same time bringing to the United States family members and friends wishing to emigrate. As the Schooner ERNESTINA Commission's research show us that:

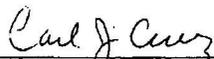
"Although 300 years separated the two ventures, ERNESTINA was carrying on essentially the same work as had the MAYFLOWER, and in conditions which have striking similarities to those of the earlier ship. Captain Mendes removed the engine to meet obscure rules of maritime commerce, and she sailed with neither radar nor radio aboard. But for the Cape Verdean community, it still made sense, in the middle of the 20th century, to make their trip to the New World under sail."

Through the 1950s the schooner carried passengers and cargo between Cape Verde and the United States, the last time immigrants arrived on a regularly operating sail vessel. After remaining in the islands for four years, between 1959 and 1963, due to increased economic pressure from the Belgian Line, which provided seven-day steamship service between New England and Cape Verde, ERNESTINA returned to New Bedford in 1964 and 1965, but without passengers. The husband of namesake, Ernestina Mendes Randall, sold the schooner to Captain Alberto Lopes in 1967, and for the next few years, ERNESTINA, once again seemingly at the end of her life, was used in the inter-island trade. She worked as a "school bus" of sorts, ferrying students from the other islands to the only high school located on the island of Sao Vicente. Following an armed struggle with Portugal, ERNESTINA was donated as a gift to the United States by the newly independent West African Republic of Cape Verde in 1975 as a token of goodwill. ERNESTINA was restored and returned to the land of her construction in 1982, where additional restoration ensued that she has retained the schooner's exceptional integrity.

As we enter the Fourth Chapter of this Historical Vessel "History Under Sail," the Honorable William Weld, Governor of the Commonwealth of Massachusetts insured its future by signing into law new Legislation on January 13, 1994, which formed a nine member broad based Commission to oversee the operation of this vessel. The Legislature designated New Bedford as the home port and the Ernestina as Official Ship of the Commonwealth of Massachusetts.

Dated: June 14, 1994

Respectfully Submitted:



Carl J. Cruz, President  
Ernestina/Morrissey  
Historical Association Inc.

Massachusetts Schooner  
Ernestina Commissioner

## HISTORY

## SCHOONER ERNESTINA CHRONICLE

- 1894 -- Launched, Essex, Massachusetts. Long, lean Fredonia-type Gloucester fishing schooner EFFIE M. MORRISSEY. Twenty grueling years in the North Atlantic fisheries lay ahead--winter and summer.
- 1914 -- Freighting coal and cargo around Nova Scotia, New Foundland and Labrador, Canada. Homeport: Brigus, Newfoundland.
- 1925 -- Famous Arctic navigator, Captain Bob Bartlett, gets the MORRISSEY, beginning twenty years of exploring the North.
- 1943 -- Captain Bob and the Schooner join the U.S. Navy World War II effort.
- 1947 -- Captain Henrique Mendes buys the ship and, as the ERNESTINA, she begins 28 years of trans Atlantic trade between New England and the isle of Cape Verde, making her the longest lived Cape Verdean packet.
- 1975 -- The Ernestina was given in good will to the American people by the newly independent West African Republic of Cape Verde.
- 1977 -- Governor Michael Dukakis signed legislation authorizing a five member Commission to be known as Schooner Ernestina Commission.
- 1982 -- After a major hull overhaul in Cape Verde, the ERNESTINA/MORRISSEY is returned to the U.S.A. as a gift from the Republic of Cape Verde, forty-two days, no engine, under sail with Captain Marcos Lopes.
- 1985 -- Schooner ERNESTINA, ex EFFIE M. MORRISSEY, entered on the National Register of Historic Places.
- 1986 -- Statue of Liberty Centennial. Operation Sail. 250 Tall Ships from around the World, millions of viewers. ERNESTINA is in the front of Parade of Sail because she was the only ship at the celebration that actually brought people to our shores as immigrants.
- 1987 -- 6,000-mile Heartland of America tour into the Great Lakes. National Governors Conference, Canada.

Midwest port stops bring thousands aboard. The Commission received the National Trust for Historic Preservation's Honor Award for the quality of historical restoration.

- 1988 -- Return to Brigus, Newfoundland, first time in 43 years. Thousands greet her from the shores of Bartlett's hometown. Hundreds of Bartlett relatives and crew, as well as Canadian visitors. First sail-training program with the Massachusetts Department of Youth Services as a Coast Guard certified Sailing School Vessel on Oceans.
- 1990 -- The United States Department of Interior, National Park Service, designates Ernestina a National Historic Landmark.
- 1993 -- Legislation filed to establish a 9 member Commission known as the Schooner ERNESTINA Commission at New Bedford. Designated as home port.
- 1994 -- ERNESTINA celebrated 100 year birthdate. Governor Weld signed new 9 member Commission into law.

Mr. VENTO. But, finally on this panel we have Anne Brengle. I hope I am getting that right, Anne.

Ms. BRENGLE. That is right. You have got it right.

Mr. VENTO. And so you can summarize. I had begun to read it, your testimony, it is very good.

#### STATEMENT OF ANNE B. BRENGLE

Ms. BRENGLE. I will try to abbreviate my remarks.

I want to thank you, Mr. Chairman, for the opportunity to testify today. I am here representing the not-for-profit organizations included in the National Park Citizen's Partnership, while Carl Cruz is here as president of the *Ernestina/Morrissey* Historic Association. There are an additional five not-for-profit organizations included in the partnership and represented by the presidents of their respective boards of trustees or boards of directors.

Included in my testimony submitted to you today are letters of support from these organizations. I respectfully ask that these letters be included in the record of this meeting.

Mr. VENTO. Yes, without objection. If they have not already been included, we will include them.

Okay, thank you. Pass them over to the clerk. Thank you.

Ms. BRENGLE. The organizations would participate in the National Park Citizen's Partnership and are actively engaged in efforts to preserve, protect, and interpret the resources that make up the proposed New Bedford Whaling National Park today. Collectively they generate \$1.5 million in annual operating funds to support these activities.

Over 4,000 active members participate in these organizations. Their combined visitorship is in excess of 100,000 a year. The oldest organization is 164 years old and the youngest is ten years old. Together they have made the tens of millions of dollars of investment in capital improvements which will become the existing infrastructure of the proposed national park.

The missions of these organizations, the structures they maintain, the artifacts they preserve, and the histories they interpret represent different aspects of the central theme of the park, whaling, and the various subthemes that are proposed.

It is due to the very existence of these organizations that the Special Resources Study for the park concluded that there is no other site in the United States that has a better or more comprehensive resource to interpret the whaling era than does New Bedford.

I want to focus for a moment on the two museums. The Old Dartmouth Historical Society New Bedford Whaling Museum can only be understood as the jewel in the crown of the proposed New Bedford Whaling Historic Park. The collections, artifacts and archives of this 91-year-old organization are of national importance. When a gas explosion threatened the security of the museum's collection in 1975, the Smithsonian Institution immediately contacted the museum to offer assistance.

The museum's whaling collection is the largest in the United States. The museum's library has over 1,100 logbooks of whaling voyages as well as 750 linear feet of business records of people and organizations associated with the whaling trade and with local his-

tory. Many of these documents have been useful in recent years in tracking the migration patterns of whales and charting their populations for conservation purposes.

In addition, the museum's local history collection amply lends itself to the subthemes identified in the Special Resources Study.

The Old Dartmouth Historical Society New Bedford Whaling Museum has long recognized the ability of the history of American whaling to capture the spirit and the imagination of the American people. The historical society is in the process of preparing for its 100th anniversary. As part of that process, it has developed a long range plan to develop exhibits of excellence and relevance to its mission. This presents a not-to-be-missed opportunity for a national park to interface interpretive projects with a wealth of resources that are contained and being developed by this anchor institution.

Another important resource represented in the New Bedford National Park Citizens Partnership is the Rotch-Jones-Duff House and Garden Museum. This property is the only surviving whaling era mansion open to the public with its original garden and grounds intact. It is considered to be one of the finest examples of wood frame, Greek revival residential architecture in America. The property is now under study for landmark designation by the National Park Service.

As a designated site outside the boundaries of the proposed New Bedford Whaling National Historic Park, the Rotch-Jones-Duff House and Garden Museum interprets the period in New Bedford history when there was immense prosperity due to whaling. Today, the museum houses 3,299 items dating from the early 19th century to the early 20th century.

When the museum was acquired in 1981 there were no interior furnishings or artifacts. It is a testament to the New Bedford community's belief in the national importance of its local history that the museum has come so far in ten years. The Rotch-Jones-Duff House and Garden Museum, the national landmark district, the Special Resource Study, and, in fact, the grassroots effort to establish a whaling national park in New Bedford would simply not exist were it not for the Waterfront Historic Area League, WHALE. Throughout its 31-year history it has served to preserve, protect, and promote the unique physical character of New Bedford and surrounding communities.

Not only has it helped to save numerous historically and architecturally significant 18th and 19th century buildings as well as the schooner *Ernestina* from obscurity and demolition, but it has committed millions of dollars and leveraged millions of dollars more for restoration and public improvements.

WHALE has, by surveying, studying, planning, fund raising, financing, and creating public and private partnerships, restored much of the infrastructure that will be the proposed national park. In recognition of these activities and its significant contribution to America's national architectural heritage, the National Trust for Historic Preservation presented WHALE with a Preservation Honor Award in 1981.

All of the organizations represented in the New Bedford Park Citizens Partnership represent the critical mass of quality historic

and cultural resources already in place. These organizations recognize the collective impact of the stories they have to tell and they are currently working hard in partnership to promote New Bedford as a destination in a national heritage tourism market.

We have said before that during the 19th century New Bedford rose to become, per capita, one of the wealthiest cities in the world. It was cosmopolitan and culturally diverse. The city's architecture, furnishings, and gardens were considered, like her ships, to be the finest examples of their kind in the world.

Culture and the arts flourished in New Bedford and were held in high esteem. It is out of this tradition that the partnership organizations came to be established.

If we are to continue this tradition and grow, we must foster involvement and visitor activity with a philosophy of respect for the city of New Bedford, for its region, its proud history, and its people. We must energize our community by teaching constituents about what makes New Bedford a nationally important place worth preserving and presenting to all people.

The partnership organizations recognize that they must form alliances and partnerships not only among themselves but with city government, State government, business, transportation, and tourism professionals who can help us realize the area's unique appeal and potential. What better endorsement and enhancement of these efforts than to have them recognized, protected, and further advanced by the creation of a New Bedford National Historic Park.

Thank you again for the opportunity to testify.

Mr. VENTO. Well, thank you.

[Prepared statement of Ms. Brengle and attachments follow:]

*Testimony of*  
Anne B. Brengle  
*representing the*  
Not-for-Profit Organizations  
of the New Bedford National Park  
Citizens' Partnership  
*before the*  
Sub-Committee on National Parks, Forests, and Public Land  
Committee on Natural Resources  
United States House of Representatives  
June 14, 1994

Chairman Vento and members of the sub-committee: I want to thank you for the opportunity to testify on behalf of the legislation before you to establish the New Bedford Whaling National Historic Park. I would also like to take this opportunity to thank Congressman Frank for his tremendous support for this effort and for his sponsorship of this Bill.

I am the Executive Director of the Rotch-Jones-Duff House and Garden Museum. I am a member of the New Bedford Historic District Commission representing local historical societies. I am also a member of the National Park Citizens Advisory Committee. I am here today representing the not-for-profit organizations included in the New Bedford National Park Citizens' Partnership. While Carl Cruz is here today as President of the Ernestina/Morrissey Historic Association, there are an additional five, not-for-profit organizations, included in the partnership and represented by the Presidents of their respective Boards of Trustees or Boards of Directors. Included in my testimony submitted to you today, are letters of support from William Reed, President of the New Bedford Port Society, Gilbert Shapiro, President of the Old Dartmouth Historical Society, New Bedford Whaling Museum, Ellse Mock, President of the Rotch-Jones-Duff House and

Garden Museum, and John Gamache, President of the Waterfront Historic Area League. I respectfully ask that these letters be included in the records of this meeting.

In addition to the organizations I represent, the Greater New Bedford not-for-profit community has offered over-whelming support for the New Bedford Whaling National Historic Park effort. There have been 78 additional letters of endorsement from a wide range of organizations located within a 15 mile radius of the site of the proposed Park.

The organizations which participate in the National Park Citizens Partnership are actively engaged in efforts to preserve, protect, and interpret the resources that make up the proposed New Bedford Whaling National Park today. Collectively, they generate \$1.5 million dollars in annual operating funds to support these activities. Over 4,000 active members participate in these organizations. Their combined visitorship is in excess of 100,000 a year. The oldest organization is 164 years old and the youngest is 10 years old. Together they have made tens of millions of dollars of investment in capital improvements which will become the existing infrastructure of the proposed National Park. The missions of these organizations, the structures they maintain, the artifacts they preserve, and the histories they interpret, represent different aspects of the central theme of the Park, **whaling, and the various sub-themes which are proposed: New Bedford's role in America's social and economic history; its cultural diversity advanced by patterns in immigration developed from whaling routes; and its unique contribution to the arts and literature of this Nation.**

It is due to the very existence of these organizations that the special resources study for the Park concluded that "The New Bedford National Historic Landmark District and adjacent sites represent an outstanding example of buildings, sites and streets associated with the whaling industry; a sub-theme not fully represented in the National Park system" and "There is no other site in the United States that has better or more comprehensive resources to interpret the whaling era than does New Bedford."

The New Bedford Port Society was established in 1830 for the moral improvement of seamen. Since that time it has furnished relief for needy seamen by fulfilling their religious needs and offering professional instruction. As part of this mission, the Society owns the Mariner's Home and Seamen's Bethel, two significant structures located in New Bedford's National Landmark Historic District.

The Mariner's Home was built, circa 1790, by William Rotch, Jr., a prominent whaling merchant. This Federal style building is one of the oldest in the district with many fine architectural features reflecting Quaker sensibilities and restraint. It was moved from its original location at William and North Water Streets and donated to the Port Society by Mr. Rotch's daughter, Sarah Arnold. Beginning in 1857, it offered (and still offers) safe, moral, and clean lodging to visiting sailors, providing for the concerns of modern day ordinary seamen.

Next to the Mariner's Home is the Seamen's Bethel, described in *Moby Dick*. This church was built in 1832 and rebuilt in 1867 after a fire. Everything about this structure, in which worship services are still offered, reminds us of the sea and its challenges. It is one of the oldest surviving mariner's churches. The walls are lined with memorials to men lost at sea; some date back to before Herman Melville's visit to New Bedford in 1840. Others are only a few years old. The Bethel is preserved today, as a critical part of the Port Society's effort to continue to interpret the needs of seamen as it has for 164 years.

The New Bedford Preservation Society was founded in 1975 to foster the preservation of New Bedford's historic resources through special projects, programs and the distribution and dissemination of information. The Preservation Society has been instrumental in making individual building owners aware of the historic and architectural significance of structures throughout New Bedford. Toward this end, they have sponsored a building marker program which identifies the original owners and construction dates of many of the more important buildings in the city. The Preservation Society has also published a series of walking tours for various historic neighborhoods, including the National Historic Landmark District. These

tours are generously made available through distribution at visitor centers and attractions throughout New Bedford. More recently, the Preservation Society has formed partnerships with other organizations to present historic house tours, garden tours, and historic preservation "how to" lecture series. More than any other organization in the city of New Bedford. The Preservation Society has brought the importance of preserving New Bedford's historic structures to a grass roots level.

The Old Dartmouth Historical Society (New Bedford Whaling Museum) can only be understood as the "jewel in the crown" of the proposed New Bedford Whaling National Historic Park. The collections, artifacts, and archives of this 90 year old organization are of national importance. When a gas explosion threatened the security of the Museum's Collection in 1975, the Smithsonian Institution immediately contacted the Museum to offer assistance.

The Museum's whaling collection, the largest in the United States, is dominated by the 89 foot, half-scale model of the whaling bark, *Lagoda*, which visitors can board. In addition to two full sized whale boats and an extensive collection of whaling gear, the Museum displays a 90 foot mural of sperm whales by the noted marine artist, Richard Ellis, and two sections of the Russell Purrington "Panorama of a Whaling Voyage 'Round the World", painted in 1848. Included in the whaling collection are over 500 paintings, prints, and drawings by important marine artists, Albert Bierstadt, William Bradford, Benjamin Russell, Clifford Ashley, and R. Swain Gifford, to name a few. There are over 15,000 photographs and negatives relating to whaling in the Museum's Collection, along with 150 ship models and carvings and 1200 ethnological objects brought primarily from the Pacific and Arctic regions by New Bedford sailors. There are more than 2,000 examples of scrimshaw, the art of carving and decorating whalebone and whales teeth, which was the whaleman's art and answer to boredom during voyages, which often extended over four to five years at sea.

The Museum's library has over 1,100 log books of whaling voyages, made from 1747-1927, as well as, 750 linear feet of business records of people and organizations associated with the whaling trade and with local history.

Many of these documents have been useful in recent years tracking the migration patterns of whales and charting their populations for conservation purposes. Also available for research at the Museum library, are some 15,000 books, charts and maps. In keeping with its mission which is in part "...to interest all the public in the history of American whaling and in the history of old Dartmouth and adjacent communities and in regional maritime activities."

The Museum's Collection amply lends itself to the sub themes identified in the special resources study. The Museum's local history collection includes over 900 portrait paintings and drawings of subjects of local historical interest. The Collection also contains 300 lamps and lighting objects which were manufactured locally and tell the story of the period when whale oil from this city's port lit lamps all over the world. Also included in the Collection are 150 pieces of furniture made in the area or owned by local citizens, as well as, other decorative objects. The Museum recently acquired most of the New Bedford Glass Society's important collection of locally made art glass, and on file are 10,000 photographs and negatives of buildings, people, and events of local historical importance.

The Old Dartmouth Historical Society, New Bedford Whaling Museum has long recognized the ability of the history of American whaling to capture the spirit and imagination of the American people. The Society is in the process of preparing for its 100th anniversary. As part of that process, it has developed a long-range plan to develop exhibits of excellence and relevance to its mission. The Society is committed to enhancing its position as a major cultural resource in the area by restoring and enhancing its facilities and through the preservation and interpretation of its Collection. This presents a-not-to-be missed opportunity for a National Park to interface interpretive projects with the wealth of resources that are contained in and being developed by this anchor institution.

Another important resource represented in the New Bedford National Parks Citizens' Partnership is The Rotch-Jones-Duff House and Garden Museum. This property is the only surviving whaling era mansion open to the public with its original garden and grounds intact. The property is the best

example of the "brave houses and flowery gardens" in New Bedford, as described by Herman Melville in *Moby Dick*. The house was built in 1834 for William Rotch, Jr. It was designed by Richard Upjohn, founder of the American Institution of Architects, and it is considered to be one of the finest examples of wood frame Greek Revival residential architecture in America. The property is now under study for landmark designation by the National Park Service.

As a designated site outside the boundaries of the proposed New Bedford Whaling National Historic Park, the Rotch-Jones-Duff House and Garden Museum is committed to interesting the public in local history through the interpretation and dissemination of information using educational and cultural programs, and to recapturing the special quality of life which flourished in New Bedford during the time the three families lived in the house. As such, the Museum interprets the period in New Bedford history when there was immense prosperity, due to the whaling industry. The property also chronicles the economic, social, religious, and political evolution of New Bedford as evidenced in the lives of the families of William Rotch, Jr (whaling merchant), Edward Coffin Jones (whaling merchant), and Mark M. Duff (industrialist).

The Museum's primary mission is to hold, preserve, and maintain its house and gardens. Within the landscape collection of the Museum, there is a restored wild flower walk, a boxwood parterre rose garden, and an inventory of 253 original plants from turn of the century importers. To date, the Museum houses 3,299 items dating from the early 19th century to the early 20th century which were originally in the house or which are appropriate to the historic periods in which the three families resided there. The Museum was acquired in 1981 with no interior furnishings or artifacts. It is a testament to the New Bedford community's belief in the national importance of its local history that the Museum has come so far.

The Rotch-Jones-Duff House and Garden Museum, The New Bedford National Landmark District, the Special Resource Study and, in fact, the grass roots effort to establish a Whaling National Park in New Bedford, would simply not exist were it not for the Waterfront Historic Area League

(WHALE). Throughout its 31 year history it has served to preserve, protect, and promote the unique physical character of New Bedford and surrounding communities. Not only has it helped to save numerous historically and architecturally significant 18th and 19th century buildings, as well as, the schooner *Ernestina* from obscurity and demolition, but it has committed millions of dollars and leveraged millions of dollars more for restoration and public improvements. WHALE has, by surveying, studying, planning, fund raising, financing, and creative private/public partnerships, restored much of the infrastructure that will be the proposed National Park. In recognition of these activities and its significant contribution to America's National Architectural Heritage, the National Trust for Historic Preservation presented WHALE with a Preservation Merit award in 1981.

Through its good works, the Waterfront Historic Area League (WHALE) has demonstrated its belief in New Bedford and its pride in the role that this city played in shaping this great Nation. WHALE's good works mirror the entrepreneurial spirit of New Bedford which played a significant role in this country's industrial revolution. As WHALE President John Gamache puts it, "Whale oil from New Bedford lubricated the machinery and lit the lamps in the factories that transformed the United States from a fledgling nation to a world power". The New Bedford City motto is *Lucem diffundo*, "we spread light". More than any single organization, WHALE has lit the way for the city's physical re-connection with its proud past.

All of the organizations represented in the New Bedford Park Citizens Partnership represent a critical mass of quality, historic, and cultural resources already in place. These organizations recognize the collective impact of the stories they have to tell, and they are currently working hard in partnership to promote New Bedford as a destination in a National Heritage Tourism market. The American Association for State and Local History and The American Association of Museums, recognize Heritage Tourism as an international tourism trend which is in search of "America's real places, regions that have a distinctive sense of place, often involving a major historical or natural resource...in most cases they incorporate various types of properties, private and public, and join urban with rural, scenic with industrial, and preservation with development".

During the 19th century, New Bedford rose to become, per capita, one of the wealthiest cities in the world. It was cosmopolitan and culturally diverse. The city's architecture, furnishings, and gardens were considered, like her ships, to be the finest examples of their kind in the world. Culture and the arts flourished in New Bedford and were held in high esteem. It is out of this tradition the partnership organizations came to be established. If we are to continue in this tradition and grow, we must foster involvement and visitor activity with a philosophy of respect for the city of New Bedford, for its region, its proud history, and its people. We must energize our community by teaching constituents about what makes New Bedford a nationally important place worth preserving and presenting to all people.

The Partnership organizations continue to recognize that they must form alliances and partnerships, not only among themselves, but with city government, business, transportation and tourism professionals who can help us realize this area's unique appeal and potential. What better endorsement and enhancement of these efforts than to have them recognized, protected, and further advanced by the creation of a New Bedford Whaling National Historic Park.



THE ROTCH-JONES-DUFF HOUSE & GARDEN MUSEUM

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Charlotte B. Underwood

Executive Director  
Anne B. Brengle

Assistant to the Director  
Kate Corkum

June 11, 1994

Chairman Vento  
Sub-Committee on National Parks, Forests, and Public Land  
Committee on Natural Resources  
United States House of Representatives

Dear Chairman Vento:

As President of the Board of Trustees of the Rotch-Jones-Duff House and Garden Museum, I write in strong support of establishing the New Bedford Whaling National Historic Park. From its inception, the Rotch-Jones-Duff House and Garden Museum has been committed to involving the people of New Bedford in its proud history in ways that will also insure its future, both cultural and economic. I am committed to the idea that psychological factors play an important part in economic well-being and that the New Bedford Whaling National Historic Park would be a tremendous boost to local morale and to an often beleaguered economy.

The entrepreneurs of the whaling industry who brought enormous prosperity to New Bedford, as well as, financial support of the arts and of institutions to care for those in need, faced obstacles in their day just as we do today. A New Bedford Whaling National Historic Park will be a spotlight on the best of man's ability and energy to succeed despite adversity. Nothing is more needed by the people of New Bedford today than such a beacon of hope.

Sincerely,

Elise Mock  
President



OLD DARTMOUTH HISTORICAL SOCIETY  
 WHALING MUSEUM

18 JOHNNY CAKE HILL — NEW BEDFORD, MASSACHUSETTS 02740

June 9, 1994



To Whom It May Concern:

The Old Dartmouth Historical Society which is the whaling museum in New Bedford enthusiastically endorses the National Park Plans for the New Bedford Whaling National Historic Park. The Whaling Museum is an organization that just had its 90th annual meeting. The museum has a wealth of artifacts which are concerned with both the local area and the whaling industry. The whaling collection is acknowledged as the largest of its type in the United States. The museum is an historic authority known nationwide for its artifacts that tells the story of the whaling industry. The museum has an outstanding library of historic documents and research facilities that are available to the public and for scholarly research.

We welcome the opportunity to work with both the National Park Service and other local organizations for the development and then the maintenance of the National Park in our area.

Sincerely,

*Gilbert L. Shapiro*  
 Gilbert L. Shapiro, M.D.  
 Chairman of the Board

GLS:as

RECEIVED  
MAY 19 1961



SEAMEN'S BETHEL

HARTNER HOME  
BUILT 1787

**NEW BEDFORD PORT SOCIETY**  
18 JOHNNY CAKE HILL  
NEW BEDFORD, MASS.

June 7, 1994

To the House subOcommittee of the  
United States COngress overseeing  
the National Park Service

AS President of the New Bedford Port Society, I urge you to favorably consider the establishment of a National Park in New Bedford, in an urban setting that would be a connecting link between the long established National Historic District and the working ensconced waterfront area.

The New Bedford Port Society was established in 1830 for the moral improvement of seaman and the furnishing of material relief to needy seamen and their families. We also administer, protect and care for the Hartner's Home where we provide overnight accomodations for any seaman in need of room, and likewise look after the historic Seamen's Bethel famed worldwide by Herman Melville's "Moby Dick".

This National Park is needed to properly portray the whaling industry of the 1800's which is not known to many. New Bedford is fortunate to host many, many, many visitors to this interesting and historic port. In addition to the Bethel, we have the Whaling museum, the Notch-Jones-Duff whaling mansion, the schooner Ernesting, numerous historic homes and other important buildings, an established historic district and an active waterfront business area.

The establishment of a National Park would be a boost to the city, bring in more visitors to our area, and be an asset to the entire area. I strongly urge positive action by your committee.

Sincerely,

William J. Reed  
President

Mr. CRUZ. Mr. Chairman, could we just lastly say that we would like to dedicate all of our remarks to our former United States Congressman from New Bedford, who was Joseph Grinnell, from 1843 to 1851, during the whaling era.

Mr. VENTO. I see. Well, okay. You can do that.

I am impressed with the panel's testimony, the detail, and the amount of effort that has been put into it, and the work that you have done in New Bedford. Obviously, this indicates a strong commitment as a historic district and as nonprofit groups and businesses to the preservation of these resources.

And obviously, it has, I think, a very strong message in terms of providing some depth and some recognition of continuity, with the people that live there today and, really, throughout the country.

You know, historically, or traditionally I should say, sites like this have been designated as parks, but obviously without the cooperation, substantial cooperation, of local groups, of communities, and of the States, it would be impossible to accomplish the goals inherent in a designation.

And, of course, you are correct, Ms. Bennett, the use of the word is always better to designate than to create. We kind of give that to somebody else when we look at the landscapes, and as far as the cultural ones we will give credit for that to the people, not the spirit.

But in any case, we really have few, if any, questions, but I am very impressed with the testimony. It is really a quality effort on your part and that of the community to put it together.

Obviously, you heard the comments about the dollars and the cost here. But on the other hand, I think it is sort of the ledger and the way we add things up. If it is an asset in terms of what we are doing that is important to people I think in the end that is the most important, I think.

I don't know if Geraldine Ferraro took it from somebody else, but she said, "Some know the cost of everything and the value of nothing."

So, I think as we look at this we have to recognize the commitment and the expectations that you have in terms of your own community. And the legacy and the culture of the American people that we have entrusted to us. It is a tremendous responsibility, one that too often we have taken for granted.

But I think in this instance, I feel very comfortable after the testimony and the events and questions today in the fact the policy path established here is the proper one and a responsible one, and that we are going to have to place and forge ahead with regards to the challenges with regards to the financing and other mechanisms that were placed in the Park Service, these responsibilities.

But it isn't time to say, "Well, if we get designation it is all on the Park Service," because that isn't going to work. It is going to take the continued involvement of your group.

I thank you for your work, your nonprofit groups, and the work you are doing in terms of the resource, and look forward to working with you all as we try to fashion the final legislative measure.

Thank you all very much.

Mr. VENTO. Finally, we have a panel made up of Mayor Richard Howe from the city of Lowell; Mr. Robert Gilman, the President of the Lowell Development and Financial Corporation; and Ms. Nellie Longworth, the President of Preservation Action, who has been last on the committee witness list before.

We appreciate though very much your patience, all of your patience and understanding as we have tried to respond to the demands of these measures and witnesses this morning in terms of the questions elicited.

Mayor, welcome. Your statement, the statements of all of the witnesses on this panel have been made a part of the record, so you can proceed to summarize your statement.

**PANEL CONSISTING OF HON. RICHARD P. HOWE, ESQ., MAYOR, CITY OF LOWELL; ROBERT GILMAN, PRESIDENT, LOWELL DEVELOPMENT FINANCIAL CORP.; AND NELLIE L. LONGSWORTH, EXECUTIVE DIRECTOR, PRESERVATION ACTION, INC.**

**STATEMENT OF HON. RICHARD P. HOWE, ESQ.**

Mayor HOWE. Thank you, Mr. Chairman, for the opportunity to present testimony in support of House Bill H.R. 4448, sponsored by Congressman Meehan.

I don't think anyone can dispute the fact that Lowell has an extraordinary history, one that has been told to millions of Americans over the past decade and a half. Congressman Meehan in his earlier remarks alluded to it and I want to briefly comment on it myself, and that relates to your involvement in Lowell's National Park over the past 17 years.

I simply want to convey to you on behalf of all Lowellians our sincere appreciation for your recognition of the significance of the city of Lowell as a national treasure, and we just want to make you all aware of our attitude towards this committee and to you as chairman. So we sincerely appreciate it.

What I would like to do is just briefly review with you what has happened as far as the city of Lowell, the private and the public sector's concern since the inception of this legislation. When the legislation became law, the preservation plan was not only implemented by the city but it became part of its Master Plan, and it became also a part of the bylaws and the zoning laws of the city of Lowell, and specifically the preservation district.

We also contribute a number of employees from the department of planning and development who would oversee the implementation of the preservation plans.

We have also adopted the resolutions concerning the design controls that were contained in the 1977 legislation.

In looking at the city of Lowell, we have invested over the past decade and a half \$60 million in the development and the improvement of our infrastructure within the city. We have established and constructed street lighting. We have constructed four parking garages within the planning district to serve the needs of the national park visitors. We have certainly created a hotel in the downtown area, a 251-room Sheraton Inn, that we are very proud of.

We have enticed the private sector to invest \$120 million into the rehabilitation of the various mills. We have mills that are adjacent to the six miles of canals that travel throughout the center of Lowell.

And we have started with the Market Mills. We invested \$12 million in that mill. The Massachusetts Mill was \$45 million. The Wannalancit Mills was \$35 million. The total was well in excess of \$120 million.

In addition, Mr. Chairman, we have presently on board a \$130 million development of the Lawrence Mills. That is another 24-acre site that is right in the middle of the preservation district. That is designed and hopefully will develop into an Alzheimers Research Center. We are negotiating presently with the Boston University Medical School and their Hospital to establish a center where there will not only be a study but a great deal of research in dealing with this particular problem.

As you know, in the State of Massachusetts and throughout the country—the Nation—that particular illness is devastating on the individual as well as families. So it is an issue that we hope to address and hopefully develop in the very near future.

We recognize the comments and the consensus that Lowell is struggling economically. We are. But we are working very hard and very diligently in trying to turn that problem around and doing something about it.

I think overall you will find that this request is reasonable. It is prudent, and it is something that will fulfill your commitment and my commitment, and I think those who had the faith in the city of Lowell to follow through on the national park.

Ten million dollars—\$10.3 million is a modest amount to complete a capital improvement program that is, as I recall, 75 percent complete. We feel that with the additional funds over the five-year period, we can achieve our ultimate goal of making the Lowell National Historical Park one of the number one parks in the Nation.

Thank you very much.

Mr. VENTO. Thank you, Mayor Howe.

[Prepared statement of Mayor Howe follows:]

**Testimony of Richard P. Howe, Esq.**  
**Mayor of the City of Lowell, MA.**  
**to the Subcommittee on National Parks and Public Lands**  
**June 14, 1994**

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to testify on H.R. 4448, the bill filed by Congressman Meehan to complete the work of the Lowell Historic Preservation Commission and to transfer certain powers to the Lowell National Historical Park. I am here to testify on behalf of both the Lowell City Council and the Lowell City Administration.

Lowell has a great history that has now been told to millions of Americans thanks to the efforts of the National Park Service. I am told, Mr. Chairman, that without your personal support and leadership over the last seventeen years, there would not be a National Historical Park in Lowell nor would the Commission have been able to accomplish what it has in the last seven years. For that, the people of Lowell and the nation owe you a debt of thanks.

The City government in Lowell recognizes the great history and the significant assets we have in our community. We have tried our best to fulfill our responsibilities within the Preservation District. Like many older urban cities, we have serious structural financial difficulties that make it difficult to do the many things that need to be done. Nonetheless, I would like to tell you about some of the things we've done to meet our obligations as part of the partnership with the Lowell Historic Preservation Commission and the Lowell National Historical Park:

- First and foremost, we have adopted the Commission's *Preservation Plan* as part of the City's master plan, setting the tone for all development in the Preservation District.
- We have assigned the professional staff in our Planning and Development Office to work on development consistent with this Plan.
- We have adopted design controls, as required by the 1978 Act that created the Park and Commission, to augment our building, zoning and sign codes.
- We have implemented extensive infrastructure improvements at a capital cost in excess of \$60 million over the last 15 years. This investment includes installation of Victorian street lighting, park and landscape projects, street work, and building four parking garages adjacent to the mill complexes to encourage their reuse and to service visitors to Park facilities.
- We aggressively courted a hotel to locate in the historic district and today we have a 251-room Sheraton Inn at the Lower Locks of the Pawtucket Canal.

- We have aggressively advocated for the rescue of the mill complexes and have succeeded in seeing \$12 million in private investment at the Market Mills, \$28 million at the Boott Mills, \$35 million at the Wannalancit Mills and \$45 million at the Massachusetts Mills. We hope to see further phases of work in the next few years to complete the private investment in the Boott and Massachusetts Mills. This could represent another \$50 million toward progress on these important preservation projects.
- Thanks to the joint efforts of the City, the Commission and several private sector organizations, we have attracted over \$425 million in private investment to the Preservation District.
- We are currently working with prospective developers for the Lawrence Mills complex, where we have lost half of the one million square feet to a major fire a few years ago. The developer team would reuse some buildings and add others to create a cutting edge research facility for Alzheimer's Disease.
- We participated in the formation of the Lowell Plan, Inc., a public-private partnership that has raised millions over the years to assist development complementary to the Park and Commission.
- We have instituted a hotel tax to generate revenues to support tourism promotion and have created a new Convention and Visitors Bureau to try to improve upon past efforts to attract visitors to Lowell.
- And the City has been a significant contributor in cash and manpower to the phenomenal success of the Lowell Folk Festival each year.

I must also give proper credit to the efforts of our State Government. In 1977, testimony before your Subcommittee included a commitment from the Commonwealth of Massachusetts to provide \$8 million in state funds for capital improvements to the Lowell Heritage State Park, which is located within the Lowell Historic Preservation District. I am pleased to tell you that the Commonwealth not only met that commitment, but that their actual capital expenditures in this regard total \$19.5 million, more than double the amount that was committed to you. In addition, the state has made over \$50 million in grants to other projects within the Preservation District and has recently committed an additional \$30 million toward a \$45 million, 6,000 to 8,000-seat sports arena and convention/exhibition facility to be located near the Wannalancit Mills in the Preservation District.

During the recession of the last five years, however, the City of Lowell has experienced substantial declines in real estate values and a stagnant or eroding tax base as a result of the New England recession. Clearly, the urban areas of our state have been hit hardest by these economic conditions. In addition, the City leadership has been hamstrung by the limits imposed by Proposition 2 1/2, which restricts the growth of property tax income to the city. We are allocating as much of our resources as we can to support the efforts of the Park and Commission, but because of these extraordinary fiscal constraints, we simply cannot do more.

We need the Preservation Commission to continue as our partner in this endeavor for a bit longer. We need their expertise to complete their Canalway Project and to assist in the stabilization and preservation of some of the most difficult remaining historic resources. We believe the five year time period and the \$10.33 million funding level are



Mr. VENTO. We are pleased to welcome Robert Gilman, the Senior Vice President of Enterprise Bank and Trust. And he, more importantly, is the President of the Lowell Development and Financial Corporation that oversees these grants and the loan program.

Mr. Gilman, welcome.

#### STATEMENT OF ROBERT GILMAN

Mr. GILMAN. Thank you, Mr. Chairman.

Mr. Chairman, I will endeavor to be brief, and let me commence by expressing my appreciation for the opportunity to testify today as a representative of Lowell's business and banking communities, and in asking your support for H.R. 4448 and the work of the Lowell Historic Preservation Commission.

One of the most important reasons for the designation of Lowell as a national historical park is the critical mass of nationally significant historic structures from the period of the American Revolution. These structures are located within a 583-acre area known as the Lowell Historic Preservation District, established by the same legislation that created the national park that we have discussed this morning.

Based on the most up-to-date numbers, \$9.60 in private investment has been generated for every \$1 of commission funds in the grant and loan program. That translates into almost \$52 million of private dollars for the \$5.4 million in commission funds. I believe that this ratio compares well with any other Federal program that requires a private match.

More importantly, the LHPC projects have set a high standard for quality, design, and preservation. They have been a model for other owners of historic properties and these standards have been embraced by the private sector. Approximately 200 other projects have occurred in the historic district without LHPC support. The city of Lowell, as the mayor has just testified, has done its part by implementing design standards as part of its permitting process and to assure that these other investments are consistent with the Federal investment in the Lowell Historic Preservation District.

For this reason, the commission is requesting authorization of \$1.7 million for the preservation grant program. These funds would be targeted to the historic structures most severely at risk before this grant authority expires with the termination of the commission.

These funds will be used as effectively and yield as much private investment as previously accomplished. The business and banking community is strongly supportive of these programs.

I am also here today as President of the Lowell Development and Financial Corporation, which was designated by the original legislation to operate the Preservation Loan Program. And there has been much discussion on this this morning, so again I will summarize my comments.

The LDFC is a quasi-public corporation established in 1975 under a special State statute to provide incentive financing for economic development in Lowell. The corporation's executive committee makes the loan decisions and is comprised of five senior bankers, the city manager, two community representatives, and the Executive Director of the Lowell Historic Preservation Commission,

who has been added to this committee to assure proper oversight of the Federal funds being administered by the corporation.

Today, the total assets of the corporation exceed \$26 million, and some 270 loans have been made for commercial, residential, and industrial projects throughout the city. Despite tough economic times the corporation is proud that its overall default rate is less than five percent of the loans that it has made, which reflects a better performance than many leading lending institutions in the area.

My written testimony, Mr. Chairman, goes into detail as to how the loans are processed. I will defer that to later on should you have any questions or any follow-up on that particular area.

But in summary, for the LDFC, it is our belief that the funds that have been provided to us for the loan program have been administered in a good manner. We have protected the funds that have been turned over to us. We have made some wise decisions notwithstanding the fact that four of the loans have defaulted.

The loan program is currently on hold pending resolution of the technical matter discussed earlier today. With your support we will reactivate the program and generate the kind of results that were intended when the program was authorized by the Congress.

I thank you for the opportunity to provide this testimony, and I thank you for your support of our efforts at the Lowell National Historical Park and the Lowell Historic Preservation District.

Mr. VENTO. Thank you, Mr. Gilman.

[Prepared statement of Mr. Gilman follows:]

**Testimony of Robert Gilman, Senior Vice President**  
**Enterprise Bank & Trust Company, Lowell, MA,**  
**and President, Lowell Development and Financial Corporation**  
**to the Subcommittee on National Parks and Public Lands**

**June 14, 1994**

Mr. Chairman and members of the Subcommittee, I would like to thank you for the opportunity to testify today. As a representative of Lowell's business and banking communities, I ask your support for H. R. 4448 and the work of the Lowell Historic Preservation Commission.

One of the most important reasons for the designation of Lowell as a National Historical Park is the critical mass of nationally significant historic structures from the period of the American Industrial Revolution. These structures are located within a 583-acre area known as the Lowell Historic Preservation District, established by the same legislation that created the National Park. These nationally significant historic structures are eligible for grant and loan support from the Commission, but only when other non-federal funds are committed to augment this federal investment.

The Commission Grant and Loan Programs are effective tools in stimulating the rehabilitation of a number of deteriorated nationally significant historic buildings. Since its inception, the Commission has awarded sixty grants and loans. Based on the most up to date numbers, \$9.60 in private investment was generated for every \$1.00 of Commission funds. That translates into almost \$52 million private dollars for the \$5.4 million in Commission funds. I believe that this ratio compares well with any other federal program that requires a private match.

More importantly, the LHPC projects have set a high standard for quality in design and preservation. They have been a model for other owners of historic properties and these standards have been embraced by the private sector. Approximately 200 other projects have occurred in the Historic District without LHPC support. The city of Lowell has done its part by implementing design standards as part of its permitting process to assure that these other investments are consistent with the federal investment in the Lowell Historic Preservation District.

However, the virtual depression in the New England banking and real estate markets has stalled a number of very important projects over the past four years. The buildings which concern the Commission are the "hardcore" properties that resisted rehabilitation in the 1980's due to the impact of costs or economic feasibility. These pose an even greater challenge in today's economy. Yet, the future of these buildings will have a great impact on the eventual image and condition of the Park and Preservation District.

For this reason, the Commission is requesting authorization of \$1.7 million for the Preservation Grant Program. These funds would be targeted to the historic structures most severely at risk before this grant authority expires with the termination of the Commission. These funds will be used as effectively and yield as much private investment as previously accomplished. The business and banking community is strongly supportive of this program.

I also am here today as President of the Lowell Development and Financial Corporation, which was designated by the original legislation to operate the Preservation Loan Program in cooperation with the Commission. The LDFC is a quasi-public corporation established in 1975 under a special state statute to provide incentive financing for economic development in Lowell. The Corporation's Executive Committee makes the loan decisions and is comprised of five senior bankers, the City Manager, two community representatives, and the Executive Director of the Lowell Historic Preservation Commission, who has been added to this Committee to assure proper oversight of the federal funds being administered by the Corporation.

Today, total assets of the Corporation exceed \$26 million and some 270 loans have been made for commercial, residential and industrial projects throughout the City. Despite tough economic times, the Corporation is proud that its overall default rate is less than 5%, which reflects a better performance than many lending institutions in the region.

Let me tell you how we process applications under the LHPC's Loan program. The first step is that the Preservation Commission reviews the eligibility of the property as to national significance, historic integrity and the details of the proposed design. By vote of the Commissioners, a loan application is referred to our Corporation, which then evaluates the creditworthiness of the borrower before the loan is formally approved. It is important to remember that this program is an incentive program to help defray the premium costs of meeting the Commission's stringent design standards. Under the Agreement between the Commission and the Corporation, these loans are structured as second mortgages, whose terms mirror or exceed the terms imposed by the first mortgage lender. As an incentive and second mortgage program, there is clearly a higher risk factor involved than with conventional first mortgages.

Once the loan is approved, the borrower may begin work on the project. The loan proceeds are not paid to the borrower by the corporation until the project is complete and approved as to design compliance by the Commission's staff architect. Most developers borrow construction monies as part of their first mortgage and pay it down with the proceeds from the second mortgage, which then remains in place at the incentive interest rate of 5%. The Corporation then services the loan and handles all collections.

The total federal investment in this program is \$750,000 and was made in 1981. Under the LDFC's management, this fund has grown. The LDFC has made \$865,000 in loans. Today, the total assets of this Loan Fund are over \$984,000 (this reflects \$700,000 in cash on hand and just over \$284,000 in loan receivables). This growth has occurred despite the the New England banking and real estate recession of 1990-93.

The original legislation that created this program was quite detailed in many respects, but was silent on the issue of individual loan defaults. This is a significant issue for the LDFC. Under the legislation, the LDFC must to return the entire \$750,000 plus all interest income less administrative expenses to the United States Treasury in the year 2016. Since the original law failed to make provision for loan losses, the LDFC is now at risk to the Federal Government for loans that were defaulted by the original borrowers. Essentially, this requires the LDFC to be a guarantor of each loan. This requirement

would violate our fiduciary duty and agreements pertaining to the other assets of our Corporation. We simply cannot allow the other accounts that we manage to be put at risk in this manner.

The proposed language in H.R. 4448 is designed to correct this technical oversight in the original law. We have no objection to the Park Service proposal that this relief apply only to loans which have been adjudicated through a legal process under Massachusetts law. It is our intent and expectation that the Corporation will return to the Federal Government far more than the \$750,000 originally provided. This loan program is "on hold" pending resolution of this technical matter. With your support, we will reactivate the program and generate the kind of results that were intended when the program was authorized by the Congress.

I thank you for the opportunity to provide this testimony and I thank you for your support of our efforts in the Lowell National Historical Park and the Lowell Historic Preservation District.

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Mr. VENTO. We are pleased to welcome Ms. Longsworth from Preservation Action.  
Nellie?

#### STATEMENT OF NELLIE L. LONGSWORTH

Ms. LONGSWORTH. Thank you very much, Mr. Chairman. Again, I am here to testify on Lowell. And maybe I am the last person testifying on the program today but I was one of the first to be in Lowell, in 1977, and walk the streets with Paul Tsongas and Patrick Mogen and see their dream and their vision for what it could be, and certainly a lot of that has come to pass.

It fascinated me at that time that we were all very deeply into Alex Haley's "Roots" and somehow we were being told that our roots were in Lexington and Concord. And I sort of surmised that there were many more of us in this Nation who probably could find our roots in the Lowell experience, and I felt it a very valued one to become a national park.

When people throw around the word "partnership," I doubt they can ever conceive the depth of the public-private partnership that we have been hearing about today, and when they talk about leverage, which is certainly something those of us in Washington care deeply about, I think that this program shows an entrepreneurial approach that can be surpassed by very few.

I want to go over some of the numbers on the historic preservation side to share with you the cost. For instance, I think it is important for you to realize, and the committee to realize, that there are under 1,000 buildings in the Lowell Historic Preservation District, 951 to be exact. Of that number, 363 are nationally significant. Many others have been designated as locally significant or contributing to the district.

Today, we have heard that the commission has been directly involved in providing incentive financing to 60 of the nationally significant buildings. This represents 16 percent of the nationally significant structures, and about six percent of the structures in the district.

These statistics indicate that the commission's role is targeted at a limited portion of Lowell's key nationally significant resources and focuses incentive financing on the most important buildings to get them done, and get them done right. But the job is not complete.

The commission has a proven track record. However, the Park Service is not authorized to complete their task. National Parks do not have grant-making authority. Another \$1.7 million in grant capacity will allow the commission to facilitate the restoration of another 20 to 25 key buildings.

If the commission terminates without addressing these needs, the Park Service will have a serious problem. No incentive program to address these particularly prominent but threatened historic resources.

The request is not unreasonable. Even with these additional dollars, no more than nine percent of the buildings in the Lowell Historic Preservation District will have received some level of commission assistance. It seems to me that this is a significantly appropriate level for Federal support in a place as significant as Lowell.

Congressman Meehan has wisely requested another \$3.2 million in authority to deal more aggressively with several essential elements of Lowell's industrial landscape that are clearly at risk and threaten the historic integrity of the Lowell National Historic Park. The most prominent of these are the eight textile mill smokestacks. We mentioned them early, and just to give you more details about this they are red brick monuments and they are aging and deteriorating. None is in active use. They generate no income to the mill owners, who therefore have no stake in preserving them.

The estimated cost is some \$300,000 to stabilize one smokestack. It cost just \$60,000 to tear it down. There must be some economic incentive to assure that these important components of Lowell's story and image are to survive.

If smokestacks are included in Historic Massachusetts' 1994 Top Ten Most Endangered Properties List and they have been nominated to the National Trust 11 Most Endangered Historic Places List. They are the industrial reverence of the State of Massachusetts and of the Lowell project.

Another endangered property is the vacant Boston and Maine Railroad Depot. The commission prevented a private owner from demolishing this historic 1976 structure. His plan for a parking lot would have destroyed the architectural integrity of the square where it is located.

The building owner donated the depot to the commission in 1989 and because of its importance the commission accepted. In fact, this is the only donation of an endangered property that the commission has ever accepted.

The depot requires substantial structural work and rehabilitation. A feasibility study prepared for the commission estimated \$1.1 to \$1.4 million in costs to restore its occupancy. I think it was hoped that this building might qualify for ISTEA enhancement monies coming out of transportation.

However, the building has been empty for over ten years and the tracks are gone, plus the fact that much of the money for enhancements is going towards a central artery project and other depots which are currently in transportation use. So, it would not be advisable to sit aside and wait for these funds when the job needs to be done.

The commission is seeking \$850,000 in authority for architectural design work and to undertake substantial rehabilitation. Its plan is to improve the building, to bring the remaining project costs into line with the local real estate market, and then the building can be leased or sold at fair market value to a private developer who would finish the project.

Mr. Chairman, your committee and you had the foresight to allow the successes in Lowell to happen. I hope this subcommittee will give Lowell the opportunity once again to show us what they can do in preserving a unique and critical part of our Nation's history.

Thank you for allowing me to testify today.

[Prepared statement of Ms. Longsworth follows:]

Testimony of Nellie L. Longworth  
Executive Director of Preservation Action, Inc.  
to the Subcommittee on National Parks and Public Lands

June 14, 1994

Mr. Chairman and members of the Subcommittee, I appreciate the opportunity to testify today on Mr. Meehan's bill, H.R.4448, to complete the work of the Lowell Historic Preservation Commission and to transition certain authorities to the Lowell National Historical Park in anticipation of the Commission's sunset.

Being here today reminds me of the very first time I ever testified in Congress. It was in 1977 before this very Subcommittee and I testified in favor of the original Lowell legislation. That bill as you will remember, Mr. Chairman, was enacted over some great objections and some very long odds.

As I listened to Mr. Meehan, the National Park Service, the Mayor of Lowell and the representative of Lowell's business and banking communities, I was struck by the incredible Lowell success story. The Lowell Park is truly a model. When people throw around the word "partnership," I doubt that they can even conceive of the depth of the public-private partnership that we have heard about today. When they talk about "leverage" and the need for government to have a more "entrepreneurial approach," I doubt that they have seen the accomplishments that were discussed today.

I'm sure that we could be dazzled further by the anecdotes and the details of the individual projects. How do you get so many people to buy into a concept and begin to work in the same direction? After all, isn't that what the National Heritage Areas effort is all about?

And look at what the community has done for itself. Look at the City's investment. Look at the assistance they have been able to attract from their state government. But the most dramatic achievement of all is the success of these organizations in getting the private sector to invest so much in saving historic assets in an extremely dilapidated urban core.

I think that the other speakers have effectively made the case for reauthorizing the Commission. I would like to focus for a moment on the remaining preservation work that needs to be done before the Commission goes out of business. Some facts about the Preservation District may provide the context we need for this discussion:

- First, it is important to understand that there are just under a thousand buildings in the Lowell Historic Preservation District. (951 to be exact.)
- Of that number, 363 are nationally significant. Many others have been designated as "locally significant" or "contributing to the district."

- Today, we've heard that the Commission has been directly involved in providing incentive financing for 60 of the nationally significant buildings.
- This represents 16% of the nationally significant structures and about 6% of the structures in the district overall.

These statistics indicate that the Commission's role is targeted at a limited portion of Lowell's key nationally significant resources. It focuses incentive financing on the most important buildings to get them done and get them done right. But the job is not complete.

The Commission has a proven track record. On the other hand, that National Park Service is not authorized to complete the task. National Parks do not have grant-making authority. Another \$1.7 million in grant capacity will allow the Commission to facilitate the restoration of another 20 to 25 key buildings. If the Commission terminates without addressing these needs, the Park Service will have a serious problem: no incentive program to address these particularly prominent, but threatened, historic assets.

This request is not unreasonable. Even with these additional dollars, no more than 9% of the buildings in the Lowell Historic Preservation District will have received some level of Commission assistance. It seems to me that this is an appropriate level of federal support in a place as significant and important as Lowell.

Congressman Meehan has wisely requested another \$3.2 million in authority to deal more aggressively with several essential elements of Lowell's industrial landscape that are clearly at risk and threaten the historic integrity of the Lowell National Historical Park. The most prominent of these are the eight textile mill smokestacks. On every Park Service tour, every visitor can see these impressive smokestacks. These red brick monuments are visible testimony to Lowell's heritage and to our nation's industrial development. However, these structures and the story they symbolize may be lost. They are aging and deteriorating. None are in active use. They generate no income to the mill owners, who, therefore, have no stake in preserving them. The estimated cost is some \$300,000 to stabilize one smokestack, but just \$60,000 to tear one down. There must be some economic incentive to assure that these important components of Lowell's story and image are to survive.

Historic Massachusetts, Inc., a statewide nonprofit preservation advocacy group, has recently added Lowell's Mill Smokestacks to its *1994 Top Ten Most Endangered Properties List*. They have also been nominated for inclusion on the National Trust's *Most Endangered Historic Places List*. I urge this Subcommittee to support the Commission's goal to assure the proper protection of Lowell's "industrial redwoods" for future generations.

Another endangered property is the vacant Boston and Maine Railroad Depot. The Commission prevented a private owner from demolishing this historic and important 1876 structure. His plan for a parking lot would have destroyed the architectural integrity of the square where it is located by severely altering the streetscape. The building owner donated the Depot to the Commission in 1989 and, because of its importance, the Commission accepted. In fact, this is the only donation of an endangered property that the Commission has ever accepted.

This depot requires substantial structural work and rehabilitation. A feasibility study prepared for the Commission estimated \$1.1 to \$1.4 million in costs to restore it for occupancy. The Commission is seeking \$850,000 in authority for architectural design

work and to undertake substantial rehabilitation. Its plan is to improve the building to bring the remaining project costs into line with the local real estate market so that the building can be leased or sold at fair market value to a private developer who would finish the project. Upon completion, it will be one of the most dramatic success stories of the many in this Park and Preservation District. I want to emphasize that the Dept is a very important project and warrants federal assistance.

The Commission has substantial expertise in the preservation field and I feel certain that if anyone can make these projects happen, they can. I hope that the Subcommittee will support H.R.4448.

Mr. Chairman, your foresight allowed the successes in Lowell to happen. I hope this Subcommittee will give Lowell the opportunity once again to show us what they can do to preserve a unique and critical part of our nation's history. Thank you for allowing me to testify today.

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Mr. VENTO. Yes, thank you for your testimony, Nellie.

Mayor and the other witnesses on the panel, we are pleased with your testimony in terms of responding to, obviously, some of the questions precisely in terms of how the \$10.3 million will be used. I think that that is going to be, obviously, very important with the type of demands that we are having from and requests we are having from other Members that want to designate something new in the case of New Bedford or other sites.

With regards to the loan, you had pointed out, Mr. Gilman, on page two that you had made—I think it is page two—some 270 loans. Yes, \$26 million.

Now, those loans have been for commercial, residential, and industrial, through the assets, exceed \$26 million. Can you give us a little further articulation?

We had this statement about the assisted program, that is the \$700,000, that has only been used for the 12 loans. Do you agree with the language?

Mr. GILMAN. That is correct.

Mr. VENTO. So what is the difference? Can you give me the difference between these two very quickly?

Mr. GILMAN. In 1975 when the LDFC was created, Mr. Chairman, the local banks banded together and bought stock in the LDFC, and I believe the amount at that time was approximately \$350,000. That became the seed money for a very modest loan program that was aimed primarily at the rehabilitation of properties in the central business district, which today happens to be in part of the Lowell Historic Preservation District.

We started making some very modest loans as an incentive to get the property owners to renovate from the 1950s plastic and aluminum storefronts to bring them back to the architectural integrities of the buildings.

Over the years since 1975, a number of funds have come into the LDFC from various sources including a second level of funding provided by the local banks and also some private sector funding that came in. In addition to that the LDFC was contracted by the city of Lowell to manage some Urban Development Action Grant funds, and instead of providing the funds for infrastructure improvements, those UDAG funds were loaned to developers for projects in the Lowell area.

The LDFC has managed those funds, substantially recouped many of those funds, and have lent them out to other projects, other projects in the Lowell area.

Mr. VENTO. Well, they keep getting—UDAG funds also get recycled, as I recall.

Mr. GILMAN. That is correct.

Mr. VENTO. Another one of Paul Tsongas' little things I worked with him on on the Banking Committee—UDAG.

Mr. GILMAN. I believe at the time that UDAG utilization was unique, at that particular time. And some of the funds have been used, Mr. Chairman, for first-time homebuyers in the city of Lowell in an attempt to stabilize our housing stock, also.

Mr. VENTO. Well, very good. We are concerned. We have to deal with this default issue, and the question of how that is going to be

resolved. I will be looking to the Park Service and to you, Mr. Gilman, for any feedback on this as we get further language.

The solution here is one, but it is apparently gone amok of the budget process, and so we will have to resolve or reconcile that.

Mr. MEEHAN, did you have any questions or comments? You have been very patient here.

Mr. MEEHAN. Briefly, Mr. Chairman. I just want to compliment Mayor Howe for his support and for the commitment that the city has demonstrated to this endeavor.

Ironically enough, during the time when the UDAG grant was awarded I was a staff assistant for Jim Shannon and worked with Bob Gilman on that project at the time, and I think that the LDFC has done an outstanding job providing private investment in many of Lowell's businesses as well as historic preservation.

Ms. Longsworth I think raises some excellent points in her testimony, specifically relevant to endangered structures, the Boston and Maine Railroad Depot, which the LHPC owns and is seeking to preserve.

The only question I have, if in fact the commission were terminated, Ms. Longsworth, in your estimation what would happen to the project with regard to the Boston and Maine?

Ms. LONGSWORTH. I can't see any funds at the moment that would be on the scene. Since it has been vacant for ten years it is becoming an endangered building in its own right, and it does need stabilization and I would think that this would be the best way.

And it is in such a central location, I think it is critical that we keep it there and we don't suddenly have an open space where we have an important structure.

Mr. MEEHAN. And regarding the smokestacks, you have obviously indicated how significant they are. How would, in your research and in your experience, are there any other mechanism to preserve these industrial redwoods for future generations if, in fact, the commission were to terminate at this point?

Ms. LONGSWORTH. I guess, you know, we did back in the mid-1980s have historic rehabilitation tax credits. Unfortunately, these do not exist in a really usable way at this time, so we really are limited. I will say that the preservation community continues its battles to get these back on the books, so that we could have some incentives for a private initiative.

At the moment, I think the idea of some government incentive picked up by the private sector and then turned back to the private sector for the sale of the property is a very reasonable, good way to do business.

Mr. MEEHAN. And, Mr. Gilman, you will be available to work with the committee relative to technical language corrections that need to be made with regard to the loan program?

Mr. GILMAN. Certainly.

Mr. MEEHAN. Thank you, Mr. Chairman.

Mr. VENTO. Well, thank you.

Thank you, mayor, for your compliment earlier. I had been on the committee when Paul Tsongas was on both the Banking and this Natural Resources, then the Interior Committee, and we had worked both on UDAG and on, of course, Lowell. But I was quite new to the committee at that time, and the UDAG program was

new, and this really was a step in a new way in terms of partnership. It has been very successful.

We have had many commissions, I might add, that have not been as steadfast in terms of the focus and gaining the type of leverage and goal that we had in mind. And, obviously, the commission extension is a major issue here with the Congress in the sense that we want to be certain that in acting that we provide for a proper transition and a proper evolution to the Park Service role.

I note the differences of opinion with regard to a statutory advisory group. In any case, the Park Service has the authority to establish advisory groups, notwithstanding the fact that it may not be in legislation. So that is not an issue that needs to be legislated.

They are reluctant to do so legislatively because it doesn't offer the flexibility in terms of who is on and how that is accomplished. But clearly the goal of the Park Service is recognized here in terms of achieving the type of continuity and the type of the cooperation that has been a hallmark to the success of Lowell.

So, in any case we will be looking to that, and it is good to have an issue before the committee which does represent the type of success that has been achieved here, although with its own special problems and challenges even today.

Thank you very much, mayor, and Mr. Gilman, Nellie Longworth, for your testimony.

That concludes the business of the committee. The committee stands adjourned. Thank you.

[Whereupon, at 12:45 p.m., the subcommittee was adjourned.]

# A P P E N D I X

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JUNE 16, 1994

ADDITIONAL MATERIAL SUBMITTED FOR THE HEARING RECORD

*Sen. Kennedy*

Hearing on H.R. 3898  
New Bedford Whaling National Park

House Subcommittee on National Parks, Forests and Public Lands  
Chairman Bruce Vento

June 14, 1994

Thank you Chairman Vento for the opportunity to present testimony to your Subcommittee on behalf of Congressman Frank's legislation to establish a Whaling National Historical Park in New Bedford, Massachusetts. As you may know, Senator John Kerry and I introduced an identical bill in the Senate on February 24, 1994.

The legislation follows the recommendations of a National Park Service Special Resource Study begun in 1990, which evaluated the historic resources of New Bedford for possible inclusion in the National Park System. That study, completed in November 1993, noted the important role of whaling in nineteenth century American history. It found that this theme is not currently represented in the National Park System, and that New Bedford would be the ideal site for a park commemorating that history. As the former whaling capital of the world, New Bedford provided the oil that fueled the nation's lamps and kept the wheels of the Industrial Revolution turning. So prosperous was the whaling industry that, by the mid-nineteenth century, it had made New Bedford the wealthiest city, per capita, in the world.

New Bedford's whaling history raises many social and economic themes that are essential to a full understanding of our American heritage. Among these are the spirit of technological progress, the entrepreneurial drive that motivated daring men and women to risk their lives and fortunes on the seas, and the many cultures that took root here, brought by immigrants drawn from every corner of the globe. It was this diversity which contributed to New Bedford's position as a center of the Abolitionist Movement and made it a key stop for fugitive slaves on the underground railroad. Frederick Douglass spent his first three years of freedom in New Bedford, working as a caulker on the hulls of whaleboats.

New Bedford is also the port from which Herman Melville set sail aboard the whaler "Acushnet" in 1841, the voyage which inspired "Moby Dick," one of the greatest of all American novels. The streets that Melville and Ishmael wandered can still be visited in New Bedford today, as can the famous Seamen's Bethel, where the whalers attended religious services before setting off on their voyages.

Much of New Bedford's whaling waterfront still exists in the city's National Historic Landmark District, and the twenty-acre site has become a model for historic preservation. Businesses, residents and tourists move comfortably in an environment of restored buildings, cobblestone streets, and brick sidewalks from the whaling era.

New Bedford also is the site of the Rotch-Jones-Duff House and Garden Museum, one of the finest examples of Greek Revival residential architecture in the country and the only surviving whaling era mansion open to the public complete with its original gardens and grounds.

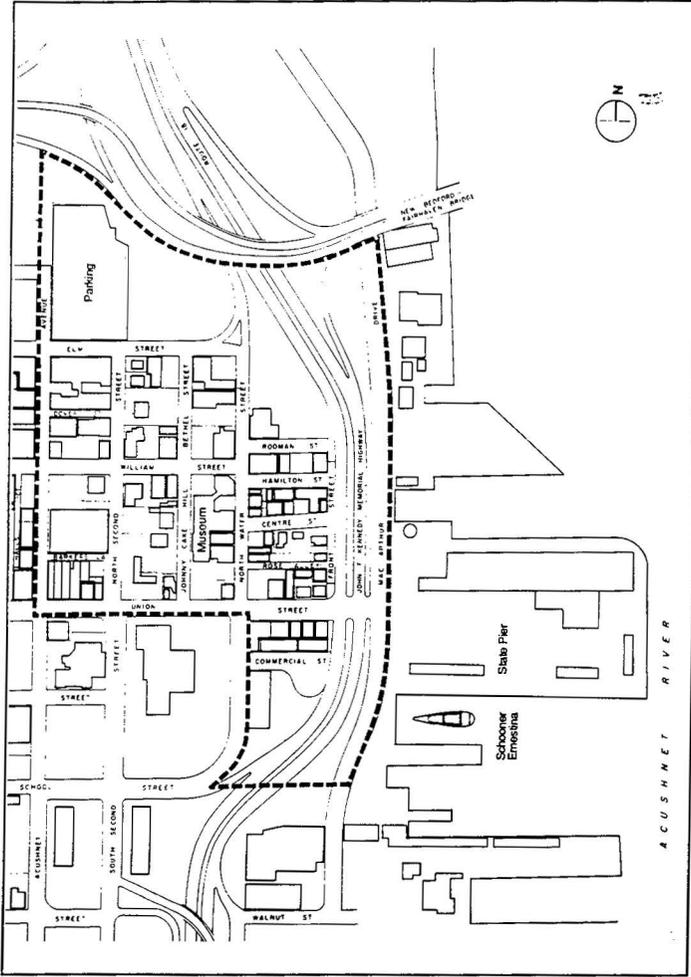
New Bedford's historical and cultural assets are not limited to its streets and buildings. They also include outstanding collections of artworks and archives associated with the whaling era located at the city's public library and at its renowned whaling museum. The museum houses a half-size model of the whaling bark "Lagoda" that can be boarded by visitors.

The city is also home port to the restored, hundred-year-old National Historic Landmark vessel "Ernestina," which is the oldest Grand Banks schooner in existence and which has had a distinguished maritime career as a fishing vessel, as an Arctic explorer under Captain Bob Bartlett, and as a packet plying the route between the Cape Verde Islands and the United States. In her packet role, she was the last sailing vessel to bring immigrants to our shores.

National Park designation will be a valuable economic stimulus for tourism and associated development for the city. A report prepared to evaluate the economic impact of the proposed National Park indicates it will lead to the creation of hundreds of jobs in the coming years and add millions of dollars annually to the local economy.

I commend you, Mr. Chairman, for holding this hearing today and giving this bill your consideration. The Whaling Park in New Bedford will protect a nationally significant historic treasure and stimulate the economy of a city in need. It is an investment in America's past and in a city's future. I urge the Subcommittee to move expeditiously to approve this important legislation.

Map 4



# Proposed Park Boundaries



THE COMMONWEALTH OF MASSACHUSETTS  
 EXECUTIVE DEPARTMENT  
 STATE HOUSE • BOSTON 02133  
 (617) 727-3600

WILLIAM F. WELD  
 GOVERNOR

ARGEO PAUL CELLUCCI  
 LIEUTENANT-GOVERNOR

7/29/94

July 29, 1994

The Honorable Bruce F. Vento  
 United States House of Representatives  
 812 O'Neill House Office Building  
 Washington, DC 20515

Dear Chairman Vento:

On behalf of the Commonwealth of Massachusetts, I am writing in support of the city of New Bedford's application for designation as a National Historic Park.

The areas of New Bedford under consideration--downtown and the waterfront--have a rich history of whaling, shipping, and fishing, which have been an inspiration for national treasures such as Herman Melville's *Moby Dick*. Designation as a National Historic Park will allow the city to showcase its two centuries of maritime history.

I understand that members of Congress have had concerns in the past about vessels located in National Historic Parks. While the federal government has been forced to take responsibility for a number of these historic vessels, I assure you that this will not occur in the case of the Schooner *Ernestina*.

The Schooner *Ernestina*, which is berthed in New Bedford harbor, is owned by the Commonwealth of Massachusetts. A symbol of New Bedford's shipping heritage, it was used as both a fishing boat and a shipping vessel to transport goods and people from the Islands of Cape Verde to New Bedford. Cape Verde graciously donated the vessel to the people of Massachusetts several years ago.

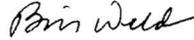
The Massachusetts Legislature recently created a Schooner Ernestina Commission to manage the use and upkeep of the ship. The Massachusetts Department of Environmental Management has provided a \$200,000 grant to retire existing debt on the *Ernestina*, and to improve the ship to meet the United States Coast Guard Code. The city of New Bedford and the Massachusetts Office of Travel and Tourism have provided \$120,000 in grant monies for operating costs. The University of Massachusetts and the Massachusetts Department of Youth Services have each committed \$50,000 for educational program costs.

We expect that the *Ernestina* will meet its operating budget needs through ongoing training, education, and research programs. Moreover, the Schooner Ernestina Commission has undertaken an aggressive fund-raising effort to meet potential future renovation requirements.

The Commonwealth of Massachusetts and the city of New Bedford are proud of the *Ernestina*, and see enormous potential in the areas of both tourism and training. The Schooner Ernestina Commission is committed to prudent management of the vessel, and will maintain it as a valuable part of the New Bedford waterfront.

Again, the Weld-Cellucci Administration strongly supports the city of New Bedford's application for National Historic Park designation. Thank you for your consideration.

Sincerely,



William F. Weld

Best personal regards!  
BW





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