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SENATE

{ REPORT
107-77

ADAMS MEMORIAL

OCTOBER 1, 2001.—Ordered to be printed

Mr. BINGAMAN, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 1668]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 1668) to authorize the Adams Memorial Foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor former President John Adams and his legacy, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE

The purpose of H.R. 1668 is to authorize the Adams Memorial Foundation to establish a commemorative work in the District of Columbia or its environs to honor former President John Adams, his wife Abigail Adams, their son, former President John Quincy Adams, and the family's legacy of public service.

BACKGROUND AND NEED

The family including our second President John Adams, his wife Abigail Adams, and their son, the sixth President John Quincy Adams has made a distinguished contribution to American history. Historian and author David McCullough contends that the force of John Adams' argument on the floor of the Second Continental Congress was critical in securing sufficient support for the Declaration of Independence. During the Revolutionary War, Adams negotiated a loan from the Dutch that allowed the former colonists to carry on the fight for independence, and he later helped to negotiate the Treaty of Paris, ending the American Revolution. Following his service as the Nation's first Vice President, John Adams was elected President in 1797, the first to live in the White House. As Presi-

dent, John Adams managed to avoid a potentially disastrous military confrontation with France, despite considerable political pressure to declare war.

John Adams' wife, Abigail Smith Adams, was an early advocate of women's rights, a fierce patriot, and a staunch abolitionist. She is still regarded as one of the most influential first ladies. Their son John Quincy Adams was the only former president to be elected to the House of Representatives. Prior to his election as President in 1825, John Quincy Adams served in the Senate and later as Secretary of State under the Monroe Administration. During his tenure in the House of Representatives, John Quincy Adams was known as "Old Man Eloquent" for championing unpopular causes with distinction and for his leadership in opposition to slavery.

H.R. 1668 would honor the family's legacy of public service by authorizing the Adams Memorial Foundation to construct a commemorative work in the District of Columbia or its environs in accordance with the requirements of the Commemorative Works Act.

LEGISLATIVE HISTORY

H.R. 1668 was introduced by Representative Roemer on May 1, 2001. The Act passed the House of Representatives by a voice vote on June 25. The Subcommittee on National Parks held a hearing on the bill on July 17, 2001. At its business meeting on August 2, 2001, the Committee on Energy and Natural Resources ordered H.R. 1668 favorably reported without amendment.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on August 2, 2001, by a voice vote of a quorum present, recommends that the Senate pass H.R. 1668 as described herein.

SECTION-BY-SECTION ANALYSIS

Section 1(a) contains congressional findings.

Subsection (b) authorizes the Adams Memorial Foundation to establish a commemorative work in the District of Columbia or its environs to honor former President John Adams, his wife Abigail Adams, their son, former President John Quincy Adams, and the family's legacy of public service.

Subsection (c) requires that the memorial be established in accordance with the Commemorative Works Act (40 U.S.C. 1001 et seq.).

Subsection (d) precludes the use of Federal funds to pay for any expense relating to the establishment of the memorial. The Commemorative Works Act requires the sponsoring entity to raise the entire cost of construction, plus an additional 10 percent to be used to fund perpetual maintenance of the commemorative work.

Subsection (e) provides that if the Adams Memorial Foundation raises funds beyond the amount required, including the maintenance reserve, then any additional funds are to be transmitted to the Treasury in accordance with section 8(b)(1) of the Commemorative Works Act.

Section 2 states that the terms “commemorative work” and “the District of Columbia and its environs” have the same meaning as they are defined in the Commemorative Works Act.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 17, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1668, an act to authorize the Adams Memorial Foundation to establish a commemorative work on federal land in the District of Columbia and its environs to honor former President John Adams and his legacy.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

ROBERT A. SUNSHINE
(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 1668—An act to authorize the Adams Memorial Foundation to establish a commemorative work on federal land in the District of Columbia and its environs to honor former President John Adams and his legacy

H.R. 1668 would authorize the Adams Memorial Foundation to establish (without the use of federal funds) a memorial in accordance with the Commemorative Works Act. Under that act, any association that receives a permit to construct a memorial in the District of Columbia or its environs must deposit an amount equal to 10 percent of the memorial’s estimated construction cost in the U.S. Treasury. The funds deposited are then available without further appropriation for maintenance and preservation of the memorial.

CBO estimates that enacting H.R. 1668 would have no significant impact on federal discretionary spending. Because the act would affect offsetting receipts (from the payment of 10 percent of construction funds) and direct spending (from using a portion of this money for annual maintenance), pay-as-you-go procedures would apply. CBO cannot estimate the effect of these transactions because a design or concept for the memorial does not exist at this time. Based on the experience with similar commemorative projects, however, we expect that no amounts would be received or spent by the federal government for several years after the legislation is enacted and that such collections and spending would offset each other over time.

The legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 1668. The Act is not a regulatory measure in the sense of imposing government-established standards or significant responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 1668

EXECUTIVE COMMUNICATIONS

On July 27, 2001, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on H.R. 1668. These reports had not been received at the time this report was filed. The testimony provided by the National Park Service and the National Capital Planning Commission at the Subcommittee hearing follows:

STATEMENT OF JOHN G. PARSONS, ASSOCIATE REGIONAL DIRECTOR FOR LANDS, RESOURCES, AND PLANNING, NATIONAL CAPITAL REGION, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 1668, which would authorize the Adams Memorial Foundation to establish a memorial in the District of Columbia and its environs to honor former President John Adams, along with his wife Abigail Adams and his son, former President John Quincy Adams, and the family's legacy of public service.

The Department supports enactment of H.R. 1668 as amended and passed by the House of Representatives on June 25, 2001. This position is consistent with the recommendation of the National Capital Memorial Commission, which endorsed the proposed legislation by a unanimous vote on April 26, 2001.

H.R. 1668 authorizes the establishment of the Adams memorial in accordance with the Commemorative Works Act of 1986. The Act established a process under which, following authorization of the subject matter by Congress, the Secretary of the Interior submits a plan for the site and design of the memorial for approval by the National Capital Planning Commission and the Commission of Fine Arts. The bill also provides that no Federal funds shall be used to pay any expense of the establishment of the commemorative work. The Adams Memorial Foundation would be responsible for not only the cost of construction of the memorial, but also for establishing a fund in the Treasury

equal to ten percent of the cost of construction for catastrophic maintenance and preservation, as provided for in Section 8(b) of the Commemorative Works Act.

A memorial to John Adams, Abigail Adams, and John Quincy Adams in the Nation's Capital would be quite appropriate. As one of the findings in H.R. 1668 states, "Few families have contributed as profoundly to the United States as the family that gave the Nation its second president, John Adams; its sixth president, John Quincy Adams; first ladies Abigail Smith Adams and Louisa Catherine Johnson Adams; and succeeding generations of statesmen, diplomats, advocates, and authors." One of the three Library of Congress buildings is named after John Quincy Adams but, otherwise, there is no major public work in the District of Columbia that recognizes or memorializes John Adams or John Quincy Adams. We agree with the sponsors of this bill that these father-and-son presidents and their family's legacy of public service deserve a memorial in Washington.

As noted above, this legislation simply authorizes the process for developing an Adams memorial to move forward. The Adams Memorial Foundation has not yet proposed a design or site for the memorial, nor have there been any decisions made by the National Capital Memorial Commission, the Commission of Fine Arts, or the National Capital Planning Commission other than endorsement of H.R. 1668 by the National Capital Memorial Commission. However, because the three commissions have established policies against siting any more memorials in the "reserve," the area that represents the Mall east to west and the White House to the Jefferson Memorial north to south, the memorial would not be located there. Instead, the recommended site would likely be one of the 100 sites that have been identified in a master plan for memorials and museums in the District of Columbia and its environs by the three commissions as sites that are appropriate for new memorials.

Mr. Chairman, that concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.

TESTIMONY OF PATRICIA E. GALLAGHER, EXECUTIVE
DIRECTOR, NATIONAL CAPITAL PLANNING COMMISSION

Mr. Chairman, thank you for this opportunity to speak on behalf of the National Capital Planning Commission regarding the proposal to construct a memorial honoring former President John Adams; his wife, Abigail; and his son and former President John Quincy Adams. The Commission recognizes the enduring legacy and remarkable contributions the Adams family made to the social and political life of our nation. Commemorating John Adams and his family's life and work in our Nation's Capital is a fitting and appropriate tribute.

The Commission is particularly pleased to support this proposal because this is among the first memorials whose

location and development will be guided by the new Memorials and Museums Master Plan. The Commission developed the master plan in cooperation with the Commission of Fine Arts and the National Capital Memorial Commission and released it in draft form several months ago. The plan is the result of a two-year collaborative effort to preserve the historic open space of Washington's Monumental Core while identifying sites for new cultural and commemorative facilities.

A key feature of the master plan is a Commemorative Zone Policy that establishes a Reserve in the central cross-axis of the Mall in which the three commissions have agreed to approve no new memorial sites. The area immediately adjacent—Area I—is a sensitive area designated for memorials of preeminent and historic national significance. Finally, the Commemorative Zone Policy delineates an Area II that encompasses the rest of the city and where the review agencies will encourage development of future commemorative works. The plan integrates key natural features—rivers, ridges, overlooks—with the avenues, parks and squares created by Pierre L'Enfant and subsequent planning. Although it builds on these earlier plans, it also introduces new elements that strengthen Washington's symbolic and commemorative character.

The master plan identifies approximately 100 sites for new museums and memorials and provides general guidelines for how these facilities should be developed. The plan seeks to reach public consensus on locations in the National Capital that are appropriate for these important public spaces and offers memorial sponsors suitable locations for their projects. The plan is also intended to ensure that future generations of Americans have a sufficient supply of desirable sites for their own commemorative and cultural needs. For your information, we have provided maps of the Commemorative Zone Policy and the proposed master plan sites.

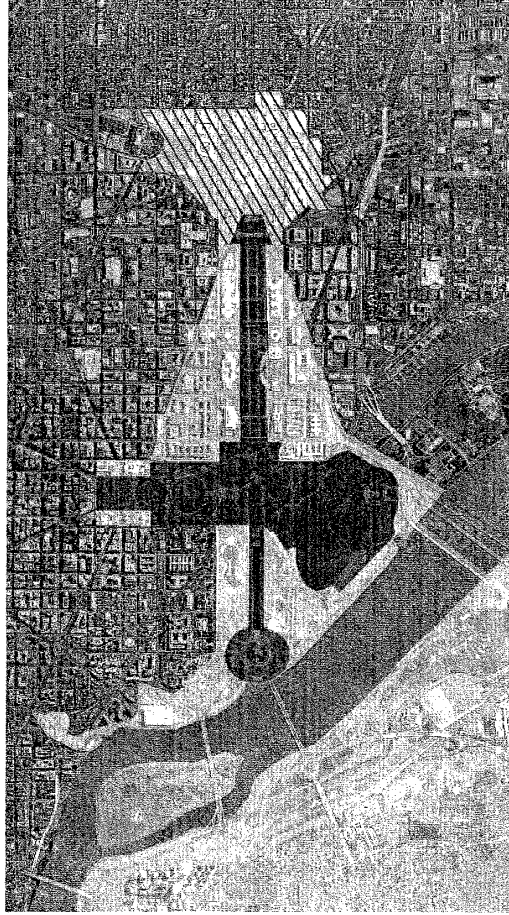
In preparing the master plan, we have consulted with a team of nationally recognized planning and design professionals and with the District of Columbia government and local and community and professional groups. Released in draft form for public comment this past December, the plan has enjoyed broad public acceptance. Benjamin Forgey, the Architecture Critic of the Washington Post has called the plan "a brilliant piece of work." The Washington Chapter of the American Institute of Architects has applauded the plan, and the Virginia Chapter of the American Planning Association has recognized it with its highest award. We are now incorporating the comments we received from the public and expect to release the final version in September.

The Commission believes that with the help of the master plan, the Adams Memorial Foundation will be able to identify several highly desirable possible locations for its project. We look forward to working with the Adams Memorial Foundation to identify a location of beauty and sig-

nificance and to approve a design that is worthy of this remarkable family. We believe that the Memorials and Museums Master Plan offers a new landscape of commemoration in the Nation's Capital and that this memorial will permit us to demonstrate that we can pay tribute to our national history in a way that makes us all proud.

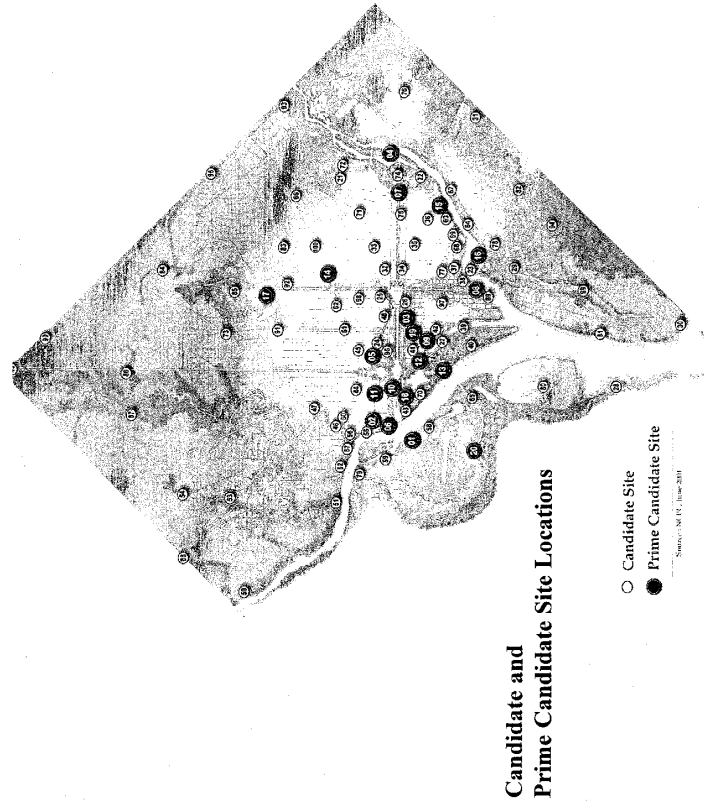
Mr. Chairman, that concludes my statement and I will be happy to answer any questions.

Commemorative Zone Policy



Memorial Zones

-  The Reserve
-  Area I
-  Area II
-  Architect of the Capitol



CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act H.R. 1668 as ordered reported.