

Public Law 93-431

AN ACT

October 1, 1974
[S. 210]

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

Boston National
Historical Park
Act of 1974.
16 USC 410z
note.
Property ac-
quisition.
16 USC 410z.

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

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

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

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

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

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

Boston National
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Establishment.

Publication in
Federal Register.

Description.

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

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

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

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

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

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

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

Transfer of funds.

Transportation plans, consultation with city and state representatives.

Studies.
16 USC 410z-1.

Preservation and restoration, cooperative agreements.

Significant sites, identification.

Boston National Historical Park Advisory Commission.
Establishment.
16 USC 410z-2.
Membership.

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

Termination
date.

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

Vacancies.

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

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

Consultation
with Commission.

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

Expenses.

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

Land acquisition.
16 USC 410z-3.

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

Administration.
16 USC 410z-4.

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

Appropriation.
16 USC 410z-5.

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

Approved October 1, 1974.

Public Law 93-432

October 4, 1974
[H. R. 5507]

AN ACT

To authorize the conveyance to the city of Salem, Illinois, of a statue of William Jennings Bryan.

Salem, Ill.
William Jennings
Bryan, statue,
conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to donate, by appropriate cooperative agreement, and without monetary consideration, to the city of Salem, Illinois, all right, title, and interest of the United States in and to the statue of William Jennings Bryan authorized by the Act of June 18, 1930 (46 Stat. 783). Such donation shall be on condition that the city of Salem, Illinois, shall suitably display and maintain within such city such statue as a memorial to William Jennings Bryan, onetime Member of the House of Representatives of the United States,