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H.R. 271, H.R. 980, and H.R. 1668

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS, RECREATION, AND PUBLIC LANDS

OF THE

COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTH CONGRESS

FIRST SESSION

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LEGISLATIVE HEARING ON H.R. 271, TO DIRECT THE SECRETARY OF THE INTERIOR TO CONVEY A FORMER BUREAU OF LAND MANAGEMENT ADMINISTRATIVE SITE TO THE CITY OF CARSON CITY, NEVADA, FOR USE AS A SENIOR CENTER; H.R. 980, TO ESTABLISH THE MOCCASIN BEND NATIONAL HISTORIC SITE IN THE STATE OF TENNESSEE AS A UNIT OF THE NATIONAL PARK SYSSTEM; AND 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 FAMILY.

Tuesday, June 12, 2001
U.S. House of Representatives
Subcommittee on National Parks, Recreation, and Public Lands
Committee on Resources
Washington, DC

The Subcommittee met, pursuant to notice, at 10 a.m., in Room 1334, Longworth House Office Building, Hon. Joel Hefley [Chairman of the Subcommittee] presiding.

STATEMENT OF THE HONORABLE JOEL HEFLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO

Mr. HEFLEY. I would like to welcome everybody to the hearing today. This morning, the Subcommittee on National Parks, Recreation and Public Lands will hear testimony on three bills: H.R. 271, H.R. 980, and H.R. 1668. The first bill, H.R. 271, was introduced by Congressman Jim Gibbons of Nevada. This bill would direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the city of Carson City, Nevada, for use as a senior citizen center. The approximately

4.5 acres of currently uninhabitable buildings would be subject to reversion to the Federal Government if they are used for another purpose other than a senior citizens assisting living center or related public purpose.

The second bill, H.R. 980, was introduced by Congressman Zach Wamp of Tennessee. This bill would establish the 911-acre Moccasin Bend National Historic Site in Chattanooga, Tennessee as unit of the National Park Service System. I understand that the National Park Service completed its special resource study on the suitability and feasibility of establishing the National Historic Site and concluded that, indeed, the site is nationally significant and suitable for inclusion in the National Park Service. I also understand this bill is supported by the entire Tennessee delegation and the Intertribal Council of the Five Civilized Tribes.

The last bill, H.R. 1668, was introduced by Congressman Tim Roemer of Indiana. This bill would authorize the Adams Memorial Foundation to establish a commemorative work on Federal land in the District of Columbia in honor of former President John Adams and wife, Abigail, former President John Quincy Adams and his wife, Louisa, Charles Francis Adams, Henry Adams and their legacy of public service. The bill specifies that the memorial will be constructed in accordance with the Commemorative Works Act. The adoption of this bill would not result in any expense to the Federal Government since the Adams Memorial Foundation will be solely responsible for accepting contributions for and payment of the expenses associated with the memorial.

At this time I would like to ask unanimous consent that Congressman Wamp and Congressman Roemer and Congressman Delahunt be permitted to sit on the dais following their statements. Without objection, so ordered.

I would like to thank our witnesses today for being here to testify on these bills. Mrs. Christensen is not here at the moment, but she will have the opportunity to make an opening statement at such time as she would be here.

[The prepared statement of Chairman Hefley follows:]

Statement of The Honorable Joel Hefley, Chairman, Subcommittee on National Parks, Recreation, and Public Lands, on H.R. 271, H.R. 980 and H.R. 1668

Good morning and welcome to the hearing today. This morning, the Subcommittee on National Parks, Recreation, and Public Lands will hear testimony on three bills—H.R. 271, H.R. 980, and H.R. 1668.

The first bill, H.R. 271, was introduced by Congressman Jim Gibbons of Nevada. This bill would direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the city of Carson City, Nevada, for use as a senior citizens center. The approximately 4.5 acres of currently uninhabitable buildings and improvements would be subject to reversion to the federal government if they are used for another purpose other than a senior citizens assisted living center or related public purpose.

The second bill, H.R. 980, was introduced by Congressman Zach Wamp of Tennessee. This bill would establish the 911-acre Moccasin Bend National Historic Site in Chattanooga, Tennessee as a unit of the National Park System. I understand that the National Park Service completed its Special Resource Study on the suitability and feasibility of establishing the National Historic Site, and concluded that indeed the site is nationally significant and suitable for inclusion in the national park system. I also understand this bill is supported by the entire Tennessee Delegation and Inter–Tribal Council of the Five Civilized Tribes.

The last bill, H.R. 1668, was introduced by Congressman Tim Roemer of Indiana. This bill would authorize the Adams Memorial Foundation to establish a commemorative work on federal land in the District of Columbia to honor former President John Adams and his wife Abigail, former President John Quincy Adams and his wife, Louisa, Charles Francis Adams, Henry Adams, and their legacy of public service. The bill specifies that the memorial will be constructed in accordance with the Commemorative Works Act. The adoption of this bill would not result in any expense to the federal government since the Adams Memorial Foundation will be solely responsible for accepting contributions for and payment of expenses associated with the memorial.

At this time, I would like to ask unanimous consent that Congressman Wamp, Congressman Roemer and Congressman Delahunt be permitted to sit on the dias following their statements. Without objection, so ordered.

I would like to thank all of our witnesses for being here today to testify on these bills and now turn to the Ranking Member, Ms. Christensen.

Our first panel will be composed of Congressman Zach Wamp, Tim Roemer, and William Delahunt, and also Jim Gibbons. I am going to call on Jim first for comments on his bill, since that is the lowest number bill.

STATEMENT OF THE HONORABLE JIM GIBBONS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEVADA

Mr. GIBBONS. Thank you very much, Mr. Chairman. Mr. Chairman, members of the Subcommittee, thank you for scheduling this hearing on H.R. 271, a bill which I introduced to convey 4.5 acres of BLM land in Carson City for a much-needed senior citizen center, and I certainly appreciate this opportunity to discuss this very important piece of legislation to the constituents of Carson City.

A commonsense directive, H.R. 271, along with Senate Bill 230, a companion piece of legislation introduced by my colleagues, U.S. Senators Harry Reid and John Ensign from Nevada, has garnered much bipartisan support in Congress, as well as strong support in the area, and my home State of Nevada. The legislation directs the Secretary of Interior to convey a former Bureau of Land Management administrative site in our State's capital, Carson City, for use as a senior citizen center. The BLM has since moved to a new office in Carson City and is fully supportive of this land conveyance.

The approximate 4.5 acres of land we hope to provide for our growing senior population consists primarily of uninhabited buildings that have been vacant for over 4 years. Mr. Chairman, with nearly 89 percent of the State of Nevada currently owned and managed by the Federal Government, I cannot think of a better way or a better use of our disposable public land than to help provide a much-needed facility for our senior citizens in Nevada. The Carson City Senior Center, established in 1972 with the support of the Carson City Kiwanis Club and local community involvement, has seen many changes to its membership and, indeed, the center has changed its surrounding community in Carson City over the past 20 years, as well.

Since 1982, Nevada's population has grown by about 1.5 million people, many of these people consisting of senior citizens who see Nevada as an exceptional place to retire. This rate of growth, Mr. Chairman, one not seen anywhere else in the United States, requires our Federal, State, and local governments to act accordingly on matters of public service. At present, Carson City's population

is slightly more than 50,000 people with at least 20 percent of its residents age 60 or older. Mr. Chairman, that is one out of five in Carson City would be over 60 years old. That is—of a population of 50,000—that is 10,000 people that this senior citizen center has the ability to provide services to.

As a result, the current senior center in Carson City is one of the most highly-used public facilities in the region. Over the years, this facility has expanded to the point they are at today, which is overcrowded with simply no room left to grow. Consequently, new land is required to manage our growing community, and H.R. 271 is a step in the right direction for the senior citizens of northern Nevada. When completed, the newly constructed facility will provide our senior population with a modernized, state-of-the-art senior center. Furthermore, it will conveniently accommodate access to the Carson-Tahoe Rehabilitation Center Hospital and Assisted Living Center. With the additional space required through this land conveyance, the senior citizen center will be able to offer its most popular activities to a larger segment of the public, and without a doubt senior citizens throughout Nevada will greatly benefit from the passage of this bill.

Again, Mr. Chairman, I appreciate the Committee's time to consider this legislation. More importantly the senior citizens in Carson City appreciate the time of this Committee and its consideration, as well. It is my hope that we can report some good news to them in the very near future, and on behalf of the senior citizens of Carson City, I respectfully request this Subcommittee's full support for this legislation and I thank you for the time.

Mr. HEFLEY. Thank you, Mr. Gibbons. Let me step back just a moment and see if Mrs. Christensen has an opening statement that she would like to make

[The prepared statement of Mr. Gibbons follows:]

Statement of The Honorable Jim Gibbons, a Representative in Congress from the State of Nevada

Mr. Chairman, members of the committee, thank you for inviting me here today to discuss this very important legislation with you.

H.R. 271, along with S. 230 -- companion legislation introduced by U.S. Senators Harry Reid and John Ensign, is a common-sense directive that has achieved strong, bi-partisan support -- as well as strong support in my home state of Nevada.

This legislation directs the Secretary of the Interior to convey a former Bureau of Land Management administrative site to our State's Capital -- Carson City, Nevada -- for use as a senior citizens center. The BLM has since moved into a new office in Carson City and is fully supportive of the land conveyance.

The approximately 4.5 acres of land that we hope to provide for our growing senior population consists primarily of uninhabitable buildings that have been vacant for over four years. Mr. Chairman, with nearly 87% of Nevada currently owned and managed by the federal government, I cannot think of a better use of our disposable public lands than to help provide a much-needed facility for our senior citizens in Nevada.

The Carson City Senior Center, established in 1972 with the support of the Carson City Kiwanis Club and local community involvement, has seen many changes to its membership. And indeed, so has changed its surrounding community in Carson City over the last 20 years.

Since 1972, Nevada's population has grown by about 1.5 million people, many of these people consisting of senior citizens who see Nevada as an exceptional place to retire. This rate of growth, one not seen anywhere else in the United States, requires our federal, state and local governments to act accordingly on matters of public service.

At present, Carson City's population is slightly more than 50,000 people with at least 10,000 (or twenty percent) of these people being of age 60 or older. As a result, the current senior center in Carson City is one of the most highly used public facilities in the region.

Over the years, this facility has expanded to the point they are at today ... overcrowded with simply no room left to grow. For this, new land is required to manage our growing community and H.R. 271 is a step in the right direction for the senior citizens of Northern Nevada.

When completed, the newly constructed facility will provide our senior population with a modernized, state-of-the-art senior center. Further, it will conveniently accommodate access to the Carson Tahoe Rehabilitation Center Hospital, an assisted living center.

With the additional space acquired through this land conveyance, the Senior Citizens Center will be able to offer its most popular activities to a larger segment of the public. Without a doubt, senior citizens throughout Northern Nevada will greatly benefit from passage of this bill.

Again, Mr. Chairman, I appreciate the committee's time to take up this important legislation. More importantly, the senior citizens in Carson City appreciate this committee's time and consideration. It is my hope that we can report some very good news to them in the very near future.

On behalf of our senior citizens in Carson City, I respectfully request this committee's support for this legislation and thank each of you for your time.

STATEMENT OF THE HONORABLE DONNA M. CHRISTENSEN, A REPRESENTATIVE IN CONGRESS FROM THE VIRGIN ISLANDS

Mrs. CHRISTENSEN. Thank you very much, Mr. Chairman, and thank you for holding this hearing on the three bills that we are going to receive testimony on today. I want to welcome my three colleagues who are here to testify. The first measure, H.R. 271, directs the Bureau of Land Management to donate a piece of Federal property in Carson City, Nevada to the city for use as a senior citizens assisted living center. The four-acre site is no longer used by the BLM and is adjacent to the existing senior center. Given the prohibitive expense to the community where they would be forced to purchase a property, as well as the valuable purpose for which they intend to use the land, this transfer is quite appropriate.

The second bill, H.R. 980, would designate the Moccasin Bend National Site near Chattanooga, Tennessee. The area is listed on the National Register of Historic Places and is designated as a national historic landmark based on its archeological resources. Native Americans lived in Moccasin Bend as early as 12,000 B.C., until their forced removal by way of the Trail of Tears in 1838. Some have identified Moccasin Bend as one of the most important Native Americans sites inside any American city. Unfortunately, Moccasin Bend enjoys no uniform protected status and the land is home to a variety of uses, including a statewide mental health facility and a municipal golf course. The National Park Service has developed a plan to designate the area as a national historic park and phase out these inconsistent uses over time. However, this approach has led to some controversy.

The legislation before us which designates the area as Moccasin Bend National Historic Site excludes the parcel on which the golf course is located. It is our understanding that this parcel contained some of the most significant resources in the area and its exclusion from the site raises concerns, as well. It is our hope that today's hearing might help clarify the merits of these two competing proposals to protect this important historic area.

Finally, Mr. Chairman, and the reason that I ran over from my other hearing, I truly appreciate your holding a hearing on H.R. 1668, legislation I am pleased to be a co-sponsor with my friend, Tim Roemer. John Adams, our first Vice President and second President of the United States, was an early American statesman and patriot. I will leave it to our witnesses here today to describe in far greater detail the accomplishments of former President Adams and his family. As I have come to learn more about this President through Tim and the scholarly work of David McCullough, I am convinced of the appropriateness of establishing a memorial to their memory here in Washington, D.C.

Mr. Chairman, I hope you and my colleagues will bear with me. I do have to get back to another hearing, but I did want to come over and make my statement and support 1668, in particular, and I look forward to reading all of the testimony from the panelists this morning. Thank you very much.

Mr. HEFLEY. Thank you very much, Mrs. Christensen.

Zach Wamp. We will turn to you.

STATEMENT OF THE HONORABLE ZACH WAMP, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TENNESSEE

Mr. WAMP. To our distinguished Chairman and our distinguished ranking member, all of my colleagues here, and frankly, the staff that has worked so hard to bring us to this day, I want to thank you for this much-appreciated opportunity to testify on H.R. 980, the bill to establish Moccasin Bend National Historic Site in the State of Tennessee as a unit of the National Park Service. This bill is bipartisan. It includes co-sponsorships from all nine House members in Tennessee and Congressman Nathan Deal of North Georgia.

The process to develop H.R. 980 has been one of consensus building and compromise. There has not been a point, since I have been involved in the last 6 years, that we have had this much support for adding Moccasin Bend into the National Park Service around this compromise. I believe we have a good compromise that has taken all views into account throughout this process. The wide range of support for passage of this bill today includes the city of Chattanooga, where the property is; Hamilton County; the State of Tennessee; the Intertribal Council of the Five Civilized Tribes Cultural Preservation Committee; the Friends of Moccasin Bend, the Cherokee Nation; and both editorial boards of the Chattanooga Times and Free Press, who seldom agree. Although this may be the first step in the legislative process, it is a monumental move for those who have worked so diligently to see Moccasin Bend preserved. It is the first time in decades that a Committee has revisited the merits of adding Moccasin Bend in the National Park Service.

I will defer to Jack Baker, the president of the National Trail of Tears Association, and Jay Mills, the vice president of the Friends of Moccasin Bend, to explain in detail in their testimony the history and importance of adding this into the National Park Service. However, I would like to point out that, in 1950, Congress enacted legislation that authorizes the Secretary of Interior to accept a donation of no more than 1,400 acres of Moccasin Bend to the Chicka-

mauga-Chattanooga National Military Park. Although this legislation is still valid today, there have been many changes to the property over the years.

The site was also listed on the National Register of Historic Places in 1984. In 1986, a 956-acre area was designated as the Moccasin Bend Archeological District National Historic Landmark. In 1998, Congress appropriated funds, at my initiative, and the National Park Service conducted a feasibility study that determined that Moccasin Bend holds nationally-significant archeological and historical resources. This study discussed many alternatives, but only had two viable alternatives; either leave the bend as is or include it as a unit of the National Park Service.

The National Park Service study is very thorough and describes many of the threats to the resources that are included in the bend. The two most controversial areas are the Moccasin Bend Mental Health Institute and the Moccasin Bend Golf Course. During a number of discussions with all parties involved, I think we have brokered two very well-thought out compromises on each and have received broad support. In H.R. 980, there are two privately-owned parcels of land; the Rock 10 parcel and the Saradino and Clemish property are owned by willing sellers that would like their property to be part of the park. I have worked in my capacity as a member of Interior Appropriations Subcommittee to include $2 million in the National Park Service's Land and Water Conservation Fund to purchase these two properties, subject to authorization and the enactment of this bill.

I know that the National Park Service will have some initial concerns about 980 since the bill does not include all of their recommendations. I believe that as the bill moves through the legislative process we can address these concerns. President Bush's initiative to eliminate the deferred maintenance backlog should be commended. I look forward to working with this administration on this initiative. Throughout the appropriations process, for the last 5 years, on the Interior Subcommittee, I have worked to reduce the backlog and to find creative ways, like the fee-demonstration program, to fund these needed improvements.

The time to add Moccasin Bend into the Park System is now. From the early Native Americans to Hernando DeSoto on the way to the Mississippi, from the Cherokees beginning the Trail of Tears to the brave soldiers of the Civil War, the history of the bend calls us to action now. We must do both, preserve significant sites like Moccasin Bend, and deal with the backlog of maintenance needs at our national treasures.

In closing, I would urge the Subcommittee to move forward on H.R. 980. I stand ready to work with you, Chairman Hefley, and the other members of the Subcommittee to make sure we that we perfect this bill as it moves through the legislative process. Thank you for the opportunity to testify today. I would look forward to any questions, and I would ask unanimous consent to include in the record the full written statement of Bobby Davenport the project director of the Trust for Public Land in Chattanooga, a letter of support for H.R. 980 from the Intertribal Council of the Five Civilized Tribes Cultural Preservation Committee, and two newspaper editorials supporting H.R. 980 by the two editorial boards of the

Chattanooga Times and Free Press. I will be happy to answer questions and I yield back the balance of my time.

Mr. HEFLEY. Without objection, these items will be included.

[The prepared statement of Mr. Wamp follows:]

Statement of the Honorable Zach Wamp, a Representative in Congress from the State of Tennessee, on H.R. 980

Chairman Hefley, Ranking Member Christensen and members of the Subcommittee:

I want to thank you for this much appreciated opportunity to testify before you today on H.R. 980, a bill to establish the Moccasin Bend National Historic Site in the State of Tennessee as a unit of the National Park System. This bill is bipartisan and includes the nine House members from the State of Tennessee and Congressman Nathan Deal as original cosponsors.

The process to develop H.R. 980 has been one of consensus building and compromise. There has never been a point since I have been involved in preserving Moccasin Bend that we have had this much support for adding Moccasin Bend into the National Park system. I believe we have a good compromise that has taken all views into account throughout this process. This wide range of support for passage of H.R. 980 includes the City of Chattanooga, Hamilton County, the State of Tennessee, the Inter–Tribal Council of the Five Civilized Tribes Cultural Preservation Committee, the Friends of Moccasin Bend, the Cherokee Nation, and both editorial boards of the Chattanooga Times and Free Press, who don't always agree.

Although this may be the first step in the legislative process, this is a monumental move for those that have worked so diligently to see Moccasin Bend preserved. This is the first time in decades that a Committee has revisited the merits of adding Moccasin Bend into the National Park System. I will defer to Jack Baker, the president of the National Trail of Tears Association and Jay Mills, the vice-president of the Friends of Moccasin Bend, to explain in detail in their testimony the history and importance of adding this into the National Park system. However, I would like to point out that in 1950, Congress enacted legislation that authorized the Secretary of the Interior to accept a donation of no more than 1,400 acres of Moccasin Bend to Chickamauga and Chattanooga National Military Park. Although this legislation is still valid today, there have been many changes to the property over the years. The site was also listed on the National Register of Historic Places in 1984 and in 1986, a 956-acre area was designated as the Moccasin Bend Archeological District National Historic Landmark.

In 1998, Congress appropriated funds, and the National Park Service conducted a feasibility study that determined that Moccasin Bend holds nationally significant archeological and historical resources. This study discussed many alternatives but only had two viable alternatives—leave the Bend as is or include it as a unit of the National Park System. The NPS study is very thorough and describes many of the "Threats to the Resources" that are included in the Bend. The two most controversial areas on the Bend have been the Moccasin Bend Mental Health Institute and the Moccasin Bend Golf Course. During a number of discussions with all parties involved, I think we have brokered two very well thought out compromises on each and have received broad support.

Also, in H.R. 980 there are two privately owned parcels of land. Both the Rock–Tenn parcel and the Serodino and Klimsch property are owned by willing sellers that would like their property to be part of the park. I have worked in my capacity as a member of the Interior Appropriations Subcommittee to include $2 million in the National Park Services Land and Water Conservation Fund to purchase these two properties, subject to the enactment of H.R. 980.

I know that the National Park Service will have some initial concerns about H.R. 980 since the bill doesn't include all of the Park Service's recommendations. I believe that as this bill moves through the legislative process that we can address these concerns. President Bush's initiative to eliminate the deferred maintenance backlog should be commended. I look forward to working with this administration on this initiative throughout the appropriations process. For the last five years on the interior subcommittee, I have also worked to reduce the backlog and to find creative ways like the "Fee Demonstration" program to fund needed improvements. But the time to add Moccasin Bend to the park system is now. From the early native Americans to Hernando de Soto on his way to the Mississippi; from the Cherokees beginning the Trail of Tears to the brave soldiers of the Civil War—the history of "The Bend" calls us to action now. We must do both—preserve significant sights like

Moccasin Bend and deal with the backlog of maintenance needs at our national treasurers.

In closing, I would urge the Subcommittee to move forward on H.R. 980. I stand ready to work with you, Chairman Hefley, and the other members of the subcommittee to make sure that we perfect this bill as it moves through the legislative process.

Thank you for the opportunity to testify today, and I look forward to any questions you may have.

[The articles referred to follow:]

Chattanooga Times

Established 1869 Adolph S. Ochs, Publisher 1878-1935

WALTER E. HUSSMAN JR. Publisher | HARRY AUSTIN Editorial Page Editor | WES HASDEN Associate Editor

EDITORIALS

Park status for Moccasin Bend

All the effort by many citizens here in recent years to resurrect the prospect of a Moccasin Bend National Park will be transformed today into tangible reality. That significant leap forward, built on a hard-won consensus and the unfaltering dedication of die-hard advocates, will occur when Rep. Zach Wamp finally introduces legislation in Congress to create the Moccasin Bend National Historic Site as a unit of the National Park system.

The legislation is supported by the Park Service, local constituencies and Native American tribal organizations, and endorsed by the state's congressional delegation and by North Georgia's Rep. Nathan Deal. It represents the best chance in decades — and possibly the last chance this community will have — to preserve the Bend's heritage legacy, and to reap the vast social, educational and economic benefits that would attend an important national park by an urban center.

Rep. Wamp's proposal has been awaited by several generations of park advocates who recognize the Bend's unique nexus of historic, culturally significant sites that remain available for preservation under the Park Service.

The Moccasin Bend peninsula should become a national park. With ruins and artifacts of Indian civilizations dating back 12,000 years, it possesses some of the nation's most important Native American archaeological sites. It contains a portion of the Federal Road along which Southeastern Indians were removed, on the Trail of Tears, to Oklahoma in 1838-39, and on which supplies were later routed to Union troops to break the Confederate siege of Chattanooga. Remnants of Civil War battle emplacements are yet visible.

Mr. Wamp's legislation, however, marks the first congressional rebirth of the park proposal since the original plan imploded in a political breakdown in 1950. That disaster — ultimately the decision of Gov. Frank Clement — occurred after Congress had approved legislation and funding for creation of the park on 1,400 acres. Since then, large chunks of the original park site have been consumed for other purposes — a sewage treatment plant, a state mental health hospital and a golf course. Continuing erosion of the site could kill the park initiative for the future if Rep. Wamp's new bill for a 911-acre park fails.

Controversy over the hospital and golf course properties has stymied park efforts in recent years. It is fresh consensus on those two tough issues — and the addition of two other important sites — that now gives the initiative compelling force.

The Moccasin Bend Mental Health Hospital would be accepted in the park until the state ceases to use the land for the hospital. That open-ended grandfather clause should dispel local officials' fears that the state would use creation of the park as a reason to close the hospital, and allow the city and county at last to vigorously support the park.

Mr. Wamp's legislation disappoints in leaving the golf course out of the park. Still, it creatively leaves the door open to city and county government to transfer the golf course property to the Park Service in the future. Under the political circumstances, that's a reasonable compromise. The golf course operators' lease on the city-and-county-owned property expires in 2005. There's plenty of time for park advocates to persuade local officials that the important Indian heritage sites within the golf course outweigh the golf course's value.

The park proposal is strengthened by the addition of the 97-acre Rock-Tenn site north of the golf course, which includes a portion of the Federal Road, and the 14-acre Serodino-Klimsch riverfront property, which would provide an aesthetic and historically valuable entry point to the park. The latter property could introduce visitors to the park by car, by river taxi or by Riverwalk, and could house a Trail of Tears interpretive center that would provide a nationally significant educational resource. Such a facility, options for which are contained in the legislation, could substantially boost visitorship to the city and serve as an unparalleled economic generator and standing advertisement for the city's development.

Much hard work, of course, remains to assure passage of Mr. Wamp's bill. He reasonably has kept it sparse and focused on the big concept, and that should help. There is little to argue with, much to support, and ample option for public-private partnerships that would richly endow the park. The important groundwork is now done. The city and region should now unite in support.

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EDITORIALS

Moccasin Bend for national park

"That picture" — you know the one — of magnificent Moccasin Bend from Point Park on Lookout Mountain is surely one of the best-known scenic views in our nation.

It has been on magazine covers, major book dust jackets, in newspapers and on TV so much that it is as recognizable as the national park scenes of the Grand Canyon, the "Old Faithful" geyser, Yellowstone and other great national parks.

But Moccasin Bend, unfortunately, is not yet a national park. Now is the time to take decisive action to make it one.

Chattanooga's U.S. Rep. Zach Wamp — having sought consensus with every possible local interest — is introducing a bill in the U.S. House of Representatives today to get the ball officially rolling toward preserving Moccasin Bend forever as a national park, with financing from federal land and water funds generated by offshore oil drilling.

Is this important?

As Chattanooga rapidly accelerates its progress, we believe national park development of Moccasin Bend would be comparable in positive effects to those of the Tennessee Aquarium and Southside development.

Focused on the history of our early American Indian tribes and the War Between the States, Moccasin Bend interpretative developments would appeal to millions of visitors.

Just consider tying the Riverwalk to Moccasin Bend, having water taxis departing from the Tennessee Aquarium to sites where Indian villages once prospered, where their inhabitants in 1540 encountered Hernando De Soto's Spanish explorers, where those pre-Chattanoogans departed on the tragic 1838 "Trail of Tears" to Oklahoma.

Hiking and nature trails and more could bring our people into close contact with nature and history near the heart of our city, even better than New York City's Central Park.

Yes, making Moccasin Bend a national park would create new jobs and have tremendous positive economic impact on our community. A great burst of new energy could come during several years of development and beyond.

Rep. Wamp's carefully crafted bill seeks to provide a park of 911.5 acres — including Rock-Tenn, Serodino and Klimsch private property. It would encompass the campus of Tennessee's Moccasin Bend Mental Health Institute — but would "grandfather" in its valuable use for mental health services as long as they are provided.

The publicly owned, privately leased Moccasin Bend Golf Course, one of the most popular in our area, would not be included, but would be left for local determination for possible future park expansion if its recreational use is later discontinued.

It is very important that officials of five Indian nations have expressed their support of the park plan. It is encouraging that all nine of Tennessee's congressmen and Rep. Nathan Deal of neighboring North Georgia have signed their approval. The efforts of Mayor Jon Kinsey and County Executive Claude Ramsey, and of Mickey Robbins, Bob Hunter, Jay Mills and others of Friends of Moccasin Bend, and Supt. Pat Reed and his co-workers at Chickamauga and Chattanooga National Military Park have contributed.

Now let's support Rep. Wamp's bill to make this overdue dream come true.

Mr. HEFLEY. Congressman Roemer?

STATEMENT OF THE HONORABLE TIM ROEMER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA

Mr. ROEMER. Thank you, Mr. Chairman. I ask unanimous consent to have my entire statement entered into the record along with facsimiles and explanations of historic documents that we have from the Library of Congress.

Mr. HEFLEY. Without objection.

Mr. ROEMER. Mr. Chairman, let me appropriately quote John Adams to start my testimony, "I never shall shine till some animating occasion calls forth all my powers." I never shall shine till some animating occasion calls forth all my powers. We haven't had any shining on John Adams for over 200 years and this omission needs to be addressed, hopefully by July 4th of this year, which would be an appropriate date, given John Adams' and Abigail Adams' and their family's contributions to our independence movement.

Also, as he talks about an animating occasion, I hope that you will find that with the distinguished scholars and historians that we have here today, David McCullough and Joseph Ellis, that they certainly will be animating and very powerful in their explanations as to why we should build this monument. Our powers—Mr. Chairman, I hope that we have bipartisan powers here today to pass this bill, to get it on the suspension calendar, encourage the Senate to go forward in an expeditious fashion and get this bill passed into law.

I want to start by thanking you and your staff for all your help and all your cooperation. I want to thank Mrs. Christensen for her help and I want to thank the co-sponsors, some of which we have here today, Mr. McGovern from the State of Massachusetts, Mr. Souder from my home State of Indiana, for their bipartisan support as well, too.

Many people ask me, Mr. Chairman, how is a guy from Indiana interested in this issue? Several years ago, while doing some research at the Library of Congress, I asked for a book that was referred to in a famous Adams-Jefferson letter as Simple Homespun. They told me they had to bring it out in the rare book collection, so I went to the rare book collection and they presented me with the very book that John Adams presented to Thomas Jefferson, to rekindle their friendship that had been soured politically after about 12 years. The book was written by none other than John Quincy Adams, and was a book on rhetoric and oratory.

This ignited the most important correspondence between two leaders of our country in the history of our country, the famous Adams-Jefferson letters. I became fascinated, not just with John and Abigail Adams, but with the rest of the family and the successive contributions that these public servants have made. From the founding of the country to the independence efforts, to keeping us out of war with France, to John Quincy Adams writing the Monroe Doctrine, serving as President, serving as a Member of Congress for 18 years—Charles Francis Adams, running as a Vice Presidential candidate after he had bolted one party—I guess we have to be a little bit careful about bolting parties around here these

days—bolting one party and running as a Free Soil candidate, and then serving in Congress and then being appointed by Abraham Lincoln to be the diplomat to keep the English out of the Civil War, keep the Confederacy from being supported by England. He was personally responsible for that, from an appointment from Abraham Lincoln.

Then, from that family, Henry Adams was born, pre-eminent historian, writing on Presidential administrations, and probably wrote what many scholars say is the best autobiography in the history of the country, The Education of Henry Adams—successive generations of public servants, Presidents, Vice Presidents, congressman, historians, men, women. We talked, and you will hear a lot from Mr. Ellis and Mr. McCullough about John Adams and Abigail Adams, and the 54-year marriage they had, and the love and the passion and the politics that they engaged in, unlike maybe any other relationship and marriage in the history of our public servants.

They go on to have a child that is the sixth President of the United States and who serves in three careers, as public policy diplomat, as President, and as congressman. The history here is so dazzling, so brilliant, so filled with virtue and character and honesty, virtues that America needs to hear more about, that I hope this memorial is built, not only soon, to commemorate the contributions of this wonderful and talented family, but I hope the educational efforts help bring us along to talk about these kinds of virtues and characters and honesty in public service that, quite frankly, causes a great deal of cynicism on the part of many people in our electorate.

These documents that the Library of Congress has so graciously brought today—Gerry Gawalt has brought them—are three letters; one letter, from John Adams to Thomas Jefferson, which talks about the two pieces of Homespun that I talked about, that actually was the two volumes, the two books, from John Quincy Adams, that he sent in the mail that were delayed and later delivered to Thomas Jefferson, that started their friendship.

Another letter is a letter from John Adams to the Federal servants, public servants, at the time, telling them to pack up and move all their belongings from Philadelphia to the new capital in Washington, D.C. Again, an original document from the Library of Congress. The third letter is a letter from John Adams to Thomas Jefferson, talking with some degree of trepidation, but also with a lot of excitement, about his first meeting with King George III. This takes place when John Adams, the victorious rebel of the American Revolutionary movement, is meeting with the former oppressor. He buys a new coat and, I think, new buckles for his shoes to go meet with him, and has what he thinks is a respectful and kind meeting with the former oppressor.

Three wonderful documents of many documents that the library has that they have graciously provided here today to catch up with some of the history that we have in this Adams family. I also want to conclude, and you cannot scratch the service in a 5-minute testimony about the importance of this family—the Colossus of Independence, as Jefferson called Adams, his contributions with his wife, Abigail, without mentioning my good friend, Bill Delahunt.

Bill graciously hosted me up in Quincy, Massachusetts a few months ago, to better acquaint me with the history, the homes, the history of the family, the wonderful contributions that they have made. I want to thank him personally for all his help in putting this legislation together.

Let me conclude with another John Adams quote. He was speaking to the determination that Great Britain had at the time of fighting the so-called colonists in America and trying to defeat the United States and keep them a colonial power. This caused Adams a great deal of resolve in his attitudes, and he said, "Great Britain was determined on her system, but that very determination determined me on mine." And I quote, "Swim or sink, live or die, survive or perish, I am with my country. You may depend on it." We depended on him and his family, his wife and his family, for our independence, our Revolution, the founding of the country and the foreign policy. It is time we deliver for this family and create this memorial. I look forward to, I hope, a lively discussion on this. I know you look forward to Mr. McCullough and Mr. Ellis testifying. Thank you, again, for the time and your support, Mr. Chairman.

[The prepared statement of Mr. Roemer follows:]

Statement of The Honorable Tim Roemer, a Representative in Congress from the State of Indiana

We are here today because the question has been asked: why is there no fitting memorial to John Adams and his family's tremendous legacy in American politics. We are joined by two Pulitzer Prize winning authors and historians who have asked the same question and concluded that it is time to build it—and honor the most distinguished family in American history.

This morning, the case will be made that John Adams's contributions as a colossus of independence; as an equal partner with Washington and Jefferson as a creator of our country; as the first Vice President and second President; as a skilled diplomat negotiating peace with England and later with France; as an author of one of the most important diaries, and perhaps the most important letters with Thomas Jefferson, are too great not to be immortalized among his colleagues.

As a public servant, my fascination with Adams extends through three generations of his descendants. As a family, the Adamses were the guardians of our republic, from its creation through adolescence. Their courage and prophetic wisdom kept us out of war, built the foundation of American foreign policy, transcended party politics, and displayed independence in critical times. It is time to embrace their contributions with a proper memorial in our capital city.

As a member of Congress, I am particularly intrigued by John Quincy Adams, the quintessential public servant, and son of John Adams. John Quincy Adams began his career as a diplomat, skillfully serving America's national interests in Russia, the Netherlands, Portugal, Prussia, and Great Britain. Under President Madison he negotiated the Treaty of Ghent, and as Secretary of State during the Monroe Administration, he helped create the most important and decisive foreign policy statement of its time, The Monroe Doctrine.

John Quincy Adams's Presidency was ambitious. Like his father, he believed that the government should invest in education and science for the betterment of its citizens. He proposed a national university and observatory. He pursued his agenda with tenacity and initiative, and like his father, enjoyed negligible political support. Like his father, he served only one term as President.

A true public servant, John Quincy Adams returned to public life after a brief hiatus to serve in the U.S. House of Representatives from his hometown of Quincy, Massachusetts. In his nine terms, he spoke of no issue more often—or with more vigor—than slavery. Like his parents, John Quincy Adams was a stolid abolitionist, known to his colleagues as "old man eloquent." He died at the "post of duty" as a dedicated public servant, suffering a stroke on the floor of the House. He passed away two days later in the U.S. Capitol.

John Quincy Adams's son, Charles Francis Adams, spent his formative years in Washington, learning through the examples of his distinguished predecessors. As he entered into politics, Charles Francis Adams became increasingly disenchanted with

the insincerity and outright corruption of his generation of leaders in Washington. He soon bolted the Whigs in favor of the Free Soil Party, which organized around the principles of a profound opposition to slavery. He received the Party's Vice Presidential nomination in 1848, and eventually held his father's old seat in the U.S. Congress. In 1860, President Lincoln tapped Charles Francis Adams—now a member of the new Republican Party, and widely known for his sharp intellect and persuasive powers—to act as Ambassador to England in order to prevent British military support for the Confederacy. His logic, reserve and directness achieved functional neutrality from Britain, which helped to preserve the integrity of our Union.

Charles Francis Adams's son, Henry Adams, shared his father's frustration with politics and corruption in Washington. His observations steered him towards journalism, where he described the shortcomings of modern politics without falling prey to them. A "liberal Republican," Henry Adams wrote pointed, brilliant essays exposing political fraud and dishonesty. He shared the idealism and independence of his heritage, never putting politics above his convictions. Henry Adams was also an accomplished academic, teaching Medieval History at Harvard, and the first American to employ the "seminar" method of instruction. Henry Adams is best known for his acclaimed autobiography, The Education of Henry Adams. Some have called it the greatest autobiography in American history.

The Adamses occupy a position in American history unequaled by any other family. They helped create our nation as champions of freedom; they helped defend and guide it during its vulnerable, early days; and they helped preserve it through the most divisive battle in American history. They devoted their lives to our Republic, and it is time to recognize and celebrate their genius, sacrifices, and significance, here in our nation's capital.

Mr. HEFLEY. Thank you, Mr. Roemer. I think you are really onto something here. I appreciate the enormous effort that you have given to this and the fact that you have pushed it so hard and have brought it to my attention and the Committee's attention, and we are delighted to have you here today for the open hearing.

Mr. Delahunt, we will turn to you now, but as we do that I wonder, Mr. Roemer, if it would be possible for the representative from the Library of Congress to walk around with those documents. We are not going to touch them, but if you would walk around the dais with those and let us get a little closer look at them, they are very significant documents, and it would be fun to do that.

Mr. Delahunt?

STATEMENT OF THE HONORABLE WILLIAM DELAHUNT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

Mr. DELAHUNT. Thank you, Mr. Chairman. I am pleased to be here with Tim Roemer in introducing this legislation. As you just indicated, I, too, to want to join in acknowledging Congressman Roemer's initiative in this legislation. As a native of Quincy, Massachusetts, which has been home to many generations of this remarkable family, and as the current occupant of the congressional seat once held by John Quincy Adams himself, it is my hope to enhance public appreciation of the contributions of the Adams family to our Nation.

It is not an easy thing to do when the objects of your admiration do so little to cooperate, for they displayed a humility and selflessness that was as endearing as it is rare in public life. In 1776, John Adams wrote a famous letter to Abigail, in which he said, and I am quoting, "Let me have my farm, family and goose quill, and all the honors and offices of this world can bestow me go to those who deserve them better and desire them more. I covet them not," un-

quote. So, maybe we can blame John Adams for the lack of appropriate recognition for his contributions to our country.

While his modesty was becoming, it was certainly unwarranted, for the Adams family legacy represents what is best about America, a profound sense of civic consciousness, and a biting belief in the perfectibility of democracy, and a commitment to service and particularly sacrifice for the common good. I am sure David McCullough will amplify on that final phrase. With so many lawyers and legislators in this room, I would be remiss if I did not also say a brief word about the colossal contributions of John Adams and John Quincy Adams, also, to the development of the rule of law, both here in America and to many other nations that have followed the American example.

It is a living legacy, as we observe emerging democracies everywhere adapting the Adams model. As a lawyer, John Adams had a passion for justice. In 1770, he took the enormous personal risk of defending the eight British soldiers who had fired upon the crowd in what became known as the Boston Massacre, and won the acquittal of six of the eight defendants. As early as 1776, Adams wrote that the surest way, again quoting Adams, "To secure an impartial and exact execution of the laws," unquote, was by guaranteeing an independent judiciary. Judges, he said, should be subservient to none, no more complicit to one than another.

Four years later, in 1780, Adams had the opportunity to put these concepts, these principles, into action as the framer of the Constitution of the Commonwealth of Massachusetts, the oldest written constitution still enforced and the first to enshrine the concept of a co-equal and independent judiciary peopled by judges and again quoting Adams, "As free, impartial and independent as the lot of humanity will admit." Nine years later, when the United States adopted the Federal Constitution, the framers adopted the design conceived by Adams, including a system for ensuring the independence of judges through life tenure, fixed compensation, and removal only by impeachment.

When, in 1801, his presidency was drawing to a close, John Adams appointed John Marshall as the 4th Chief Justice of the United States, an appointment that would do more than any other in the history of our Nation to confirm the power and the independence of the judicial branch of government.

The story did not end there. In 1841, Adams' son, John Quincy, by then a former President and a member of the House of Representatives, stood before Marshall's successor, Chief Justice Taney, to argue the famous case of the Amistad, in which the Supreme Court ruled that a group of Africans, illegally taken from Africa and seized off the coast of New York, were entitled to their liberty, a decision firmly rooted in the rule of law which John Adams had done so much to assure. Over the last 160 years since that decision, the Adams vision of the rule of law, that a truly independent judiciary is essential to a healthy and vibrant democracy, has been embraced by countless other nations throughout the world.

I submit that it is high time we celebrated here at home, as well. The people of Quincy have long honored these achievements. As you know, a recently critically-acclaimed biography on John Adams

was released by Pulitzer Prize-winning historian David McCullough, whom we will be hearing from shortly. Senator Kennedy and myself are also encouraging Massachusetts State officials to more properly honor the Adams legacy with a commemorative tribute in Boston, as well. As a result of the McCullough biography and a previous work by another eminent historian, Joseph Ellis, there is a new wave of public interest which reflects the purpose of today's hearing.

John Adams, John Quincy Adams and other members of the family served such a critical role in American history that there should be a publicly-accessible memorial to educate the hundreds of thousands who visit our Nation's capital each year. The city of Quincy and its residents, its citizens, want to share with the rest of America and visitors from oversees the enormous magnitude of this family's contribution to American democracy. I thank you, Mr. Chairman, and obviously urge quick and swift approval of this legislation.

[The prepared statement of Mr. Delahunt follows:]

Statement of The Honorable William D. Delahunt, a Representative in Congress from the State of Massachusetts

I am pleased to join Congressman Roemer in introducing legislation to authorize a commemorative work in our nation's capital honoring Presidents John Adams, John Quincy Adams and their First Ladies.

As a native of Quincy, Massachusetts, which has been home to many generations of this remarkable family -- and as the current occupant of the congressional seat once held by John Quincy Adams himself -- it is my hope to enhance public appreciation of the contributions of the Adams family to our nation.

This isn't an easy thing to do, when the objects of your admiration do so little to cooperate. For they displayed a humility and selflessness that was as endearing as it is rare in public life.

In 1776, John Adams wrote a famous letter to Abigail in which he said, "Let me have my Farm, Family, and Goose Quill, and all the Honours and Offices this World can bestow may go to those who deserve them better, and desire them more. I covet them not."

His modesty was becoming, but unwarranted. For the Adams family legacy represents what's best about America—a profound civic consciousness, an abiding belief in the perfectibility of our democracy, and a commitment to service and sacrifice for the common good.

With so many lawyers and legislators in the room, I would be remiss if I didn't also say a brief word about the colossal contributions of John and John Quincy Adams to the development of the rule of law, both here in America and in the many other nations that have adopted the American example. It is a living legacy that continues to a have a profound influence in the 21st century as we observe emerging democracies adapting the Adams model.

As a lawyer, John Adams had a passion for justice. In 1770, he took the enormous personal risk of defending the eight British soldiers who had fired upon the crowd in what became known as the Boston Massacre, and won the acquittal of six of those defendants.

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And when, nine years later, the United States adopted the Federal Constitution, the framers adopted the design conceived by Adams—including his system for ensuring the independence of judges through life tenure, fixed compensation, and removal only by impeachment.

When, in 1801, his presidency was drawing to a close, John Adams appointed John Marshall as the fourth Chief Justice of the United States—an appointment

that would do more than any other in the history of our nation to confirm the power and independence of the judicial branch of government.

Nor did the story end there. In 1841, Adams' son, John Quincy, by then a former president and a member of the House of Representatives, stood before Marshall's successor, Chief Justice Taney, to argue the famous case of the Amistad, in which the Supreme Court ruled that a group of Africans illegally taken from Africa and seized off the coast of New York were entitled to their liberty—a decision firmly rooted in the rule of law which John Adams had done so much to assure.

Over the last 160 years since that decision, the Adams vision of the rule of law—that a truly independent judiciary is essential to a healthy and vibrant democracy—has been embraced by countless other nations throughout the world. It is high time we celebrated it here at home as well.

The people of Quincy have long honored these achievements. As you know, a critically-acclaimed biography on John Adams was recently released by Pulitzer-prize wining historian David McCullough whom we are fortunate to have with us today. We are also encouraging Massachusetts state officials to more properly honor the Adams legacy with a commemorative tribute to these native sons in Boston as well.

In short, there is a new wave of public interest which reflects the purpose of today's hearing. John Adams, John Quincy Adams, and other members of the family served such a critical role in American history that there should be a public, accessible memorial to educate the hundreds of thousands who visit our nation's capitol each year. Quincy wants to share with the rest of America and visitors from overseas the enormous magnitude of this family's contribution to American democracy.

It seems incredible that there isn't already such a tribute, which should be a highlight of the pilgrimage to DC that is part of almost every American schoolchild's experience. H.R. 1668 would begin the process of addressing this omission.

Not so long ago, we celebrated the 200th anniversary of the arrival of John and Abigail Adams as the first occupants of the White House. With the remarkable parallels to the 41st and 43rd Presidents, this is a particularly appropriate time to honor the Adams legacy. I urge my colleagues to help seize this opportunity to do so.

Mr. HEFLEY. Well, thank you very much, Mr. Delahunt, for your testimony.

Questions? Mr. Holt?

Mr. HOLT. Thank you, Mr. Chairman, and I commend the sponsor of this, Mr. Roemer, for preparing this and for the research that he put into it, and I, too, hope that this will receive swift approval. One thing that I hope you and the others will talk about even more is the valor shown by John Adams. We here in Washington often celebrate the military valor in monument and otherwise. John Adams showed a quiet valor that was every bit as admirable as what we celebrate elsewhere here in Washington, and I hope that you will address that.

I know David McCullough has talked about the fact that he and the others who were active at this tumultuous time, 225 years ago, had no idea where they were heading, whether it was toward the gallows or not. So, it is certainly worthy to celebrate his intellectual accomplishments, his judicial accomplishments, and the crafting of the greatest invention in humankind, the Government of the United States. We should also, I think, be celebrating his valor, and I hope that as you carry this forward, you will talk more about that. Thank you, Mr. Chairman.

Mr. ROEMER. Mr. Chairman, may I respond, please?

Mr. HEFLEY. Certainly, Mr. Roemer.

Mr. ROEMER. Thank you. First of all, I want to thank my good friend who serves with me on the Education Committee about his kind comments about the research. Nobody appreciates research more than you do, given your great background as a scientist and your contributions on the Education Committee to those efforts.

I could not agree with you more, Mr. Holt. One of the great virtues of this man is certainly his valor and his honesty and his integrity. Whether it is the bravery and valor that he shows in being Jefferson's voice in the Continental Congress—to really get this done. Jefferson was not a good speaker. He had a squeaky voice and did not like to speak. He had a great pen, but Adams was the voice. He was the chair of many of the Committees, most of the Committees that got this done. As you mentioned, being in that kind of prominent role could very well have resulted in him being hung and going to the gallows.

He not only showed it then, he showed it as President when it would have been very popular to declare a war against France. He resisted that popular temptation, probably cost him another term as a President, but probably helped us preserve the country. A costly war may have bankrupt us and sent us to an early grave. So, I think that is absolutely a character that needs celebration. I think you will hear plenty from Joseph Ellis, who wrote The Passionate Sage; and from David McCullough, who now has the best-seller out there with his book on John Adams.

Mr. HOLT. Mr. Chairman, may I have one moment? I think it is also important that we mention at this hearing the courage, if you will, of John Adams' wife, Abigail Adams. One only has to read the first 100 pages of the McCullough biography to truly appreciate the heroism of this leading figure. I do not base that on her gender, but clearly a leading figure in the early history of America. She was truly a remarkable woman.

Mr. HEFLEY. Mr. Duncan?

Mr. DUNCAN. Thank you, Mr. Chairman, and I want to welcome all of our colleagues and thank them for their good work. We have these three bills before us today which vary widely in the scope and what they do, but all three are very interesting and very significant pieces of legislation. I took almost all of my undergraduate electives in history and I have always especially loved American history, and I have told many, many people, on tours of the Capitol, the story of John Quincy Adams and how he served first as President and came back and served from 1831-1848 in the House, and how many people feel that he did some of his greatest work when he was in the House of Representatives.

This is a very significant and important family in the history of this Nation. Congressman Roemer, I was fascinated by your recitation of all of the important things that they had been involved in and I commend you for this legislation, and I especially appreciate the fact that when most of the groups that come before us are seeking money, and admire and respect the fact that this foundation is willing to establish this memorial on its own. I think that is very good.

I especially want to comment at this time about Congressman Wamp's legislation, because he had and I represent adjoining districts and have worked very closely together on many, many things. In fact, I have said that I do not believe that any member that I know of in Tennessee has done more for our State or more for his district than Zach Wamp has. I greatly respect the work that Congressman Wamp has done, and he has, I know, worked very hard to forge a compromise, a consensus, on this legislation

on Moccasin Bend. I know the Park Service has some problems with it; the fact that there is a mental hospital and a golf course that will remain there under this legislation. They call it incompatible, but we have a similar situation in my hometown of Knoxville.

The Lakeshore Mental Health Institution, for many years, was fenced and nobody was allowed in and it was a place of very high security, but a few years ago, when the movement started to mainstream people with mental illness—we opened up the Lakeshore grounds. They were turned into a park with a walking and jogging trail, and several little league ballfields, and all kinds of activities; picnics, baseball games, hiking or jogging and walking go on throughout those grounds all the time. There is not a golf course there, but all of those things go on, and we have turned that into probably the most popular city park in the city of Knoxville. It is not a part of the National Park Service. It does not have the Native American history and background that Moccasin Bend does, but I appreciate what Congressman Wamp has done in regard to this legislation.

You could never satisfy government's appetite for money or land. You cannot do it. If we gave every agency twice as much money as we give them now, within a short time, they would be coming back to us for more, and we all recognize that. You cannot satisfy government's appetite for land, but the Park Service should be happy to get this—is it 911 acres?

Mr. WAMP. Yes, sir.

Mr. DUNCAN. I know this is very difficult from a highway project and also from a bridge project in my district—it is very hard to work many of these thing out when you have these Native American artifacts and burial grounds and so forth. But, this is a compromise that has been worked out. I know you said that the Chattanooga Times and the Chattanooga News Free Press almost never agree on anything, and I know that to be true. I don't really have any questions at this point. I will simply say that I think all three of these bills are good legislation and deserve our support, and if Mr. Gibbons gets his senior citizen center for his district, I am going to try the same thing for a county in my district, too.

Mr. GIBBONS. I will support you for that.

Mr. DUNCAN. Thank you.

Mr. HEFLEY. Mr. McGovern?

Mr. MCGOVERN. I, too, want to commend all my colleagues for their testimony and I would like to submit a longer statement for the record. I also want to ask unanimous consent that a statement by ranking member, Mr. Rahall, in support of H.R. 1668, be part of the record.

Mr. HEFLEY. Without objection.

[The prepared statement of Mr. Rahall follows:]

Statement of The Honorable Nick Rahall, Ranking Democrat, Committee on Resources

As this bill's language points out, somewhere along the way, we lost sight of the extraordinary national contributions of John Adams and those of his wife Abigail and their offspring. Among the gleaming marble facades of our presidential constellation along our national mall, among the many sites where we pay homage to individuals throughout America's history here in our Nation's Capital, there is a void, an Adams void, that should be filled.

I want to thank historians Joseph J. Ellis and David McCullough for being here today to make the case for an Adams Memorial, and also for reigniting interest in the life and legacy of John Adams and his family. I am pleased to take this opportunity to reinforce their message with some other voices from our history.

Though we as a Nation are reacquainting ourselves with the Adams family, primarily thanks to the two gentlemen testifying today, near and at the end of John Adams' life, Adams was remembered along side the other founders as part and parcel to their ultimate success.

Former Librarian of Congress Daniel Boorstin has highlighted for me a passage in a letter Thomas Jefferson sent Adams recalling the joint efforts of the two old revolutionaries, "We were fellow-laborers in the same cause... Laboring always at the same oar, with some wave ever ahead, threatening to overwhelm us, and yet passing harmless under our bark, we knew not how we rode through the storm with heart and hand, and made a happy port... and so we have gone on, and shall go on puzzled and prospering beyond example in the history of man."

In 1826, Daniel Webster commemorating the lives of Adams and Jefferson on their demise, placed them side by side. Webster proclaimed, "They live in their example: and they live, emphatically, and will live, in the influence which their lives and efforts, their principles and opinions, now exercise, and will continue to exercise, on the affairs of men, not only in their own country but throughout the civilized world."

"A truly great man," Webster continued, "is no temporary flame." Rather he concluded it is "a spark of fervent heat, as well as radiant light, with power to rekindle the common mass of human kind; so that when it glimmers in its own decay, and finally goes out in death, no night follows, but it leaves the world all light, all on fire from the potent contact of its own spirit."

It is time we reignited the flame of Adams genius and work. Our flint and steel will be an interpretive memorial for generations to visit, perpetually sparking their curiosities of this great American, John Adams, and his family.

Joseph Ellis has called Adams, "the supreme political realist of the revolutionary generation" and cautions, "Adams tells us what we need to know. Perhaps now, and only now, are we prepared to listen."

David McCullough reminds us of Adams' clarity and vision for America's tomorrow, when upon the fiftieth anniversary of our independence Adams chose precisely two words: Independence forever!

As an American, and as the Ranking Democrat of the House Resources Committee, I can only humbly add to the efforts to create an Adams Memorial two words: Build it.

Mr. MCGOVERN. I want to commend, in particular, my colleagues, Mr. Roemer and Mr. Delahunt, for their really eloquent testimony and for their advocacy for this important memorial to John Adams, and indeed, to the Adams family. I also want to thank them, and Dr. Ellis and David McCullough, for giving this Committee and giving the Nation an important history lesson. I think many are just beginning to appreciate what an incredible man John Adams was, and what an incredible family that he belonged to. We are grateful for your advocacy and making us aware of that.

Honoring John Adams is long overdue. I think this is an important piece of legislation. I am glad I am a co-sponsor and I hope that we can meet the challenge that Mr. Roemer and Mr. Delahunt have put before our Committee, that we report this legislation out and get it enacted upon before July 4th. I think that is the best way we can pay tribute to the second President of the United States and to his family. I thank you for the time, and I yield back.

[The prepared statement of Mr. McGovern follows:]

Statement of The Honorable James P. McGovern, a Representative in Congress from the State of Massachusetts

I would like to thank the distinguished Chairman, Mr. Hefley for holding today's hearing on H.R. 1668, a bill authorizing the Adams Memorial Foundation to estab-

lish a commemorative work on Federal land in the District of Columbia to honor former President John Adams and his family. I would like to thank Mr. Roemer and my distinguished colleague from the Commonwealth of Massachusetts Mr. Delahunt for introducing this bill, and I urge this committee to report H.R. 1668 to the House before the July 4th recess. I would also like to thank the distinguished panelists for being here today.

John Adams was not just a noble president, but he was also a great man. The son of a farmer in Quincy, Massachusetts, he attended Harvard College. After graduation, he took a position teaching grade school in my home town of Worcester, Massachusetts, where he quickly became preoccupied with other legal matters. After finishing an apprenticeship under James Putnam, a distinguished Worcester lawyer, he moved back to Braintree to practice law. In 1770, John Adams took a courageous stance by defending the British soldiers who were involved in the Boston Massacre.

As we all know, Adams was not just a great attorney, but a great writer and statesman as well. While he lived in Massachusetts, Adams drafted the Massachusetts Constitution, our nation's first State Constitution. This document served as a model for the United States Constitution. Adams was extremely patriotic and attended the second Continental Congress. He influenced the actual creation of the United States by delivering a speech at the second Continental Congress to support the Declaration of Independence that Jefferson exclaimed "" moved us from our seats." And his support for the United States did not waiver during the American Revolutionary War.

Although Adams did not fight in the war, his enormous contributions to the United States during the Revolutionary war helped save the Union. During this time, John Adams went to the Netherlands to negotiate a treaty. This treaty provided the United States with much needed money and the recognition that the allowed the United States to secure other loans. As the Revolutionary War ended, John Adams also helped negotiate the Treaty of Paris that ended the Revolutionary War. The young nation started to develop under the Articles of Confederation, but they did not provide for a strong unified National government. The founding fathers then started to draft a new Constitution, and after much debate and discussion, they agreed on the current Constitution. It was written in 1787 and finally ratified by all 13 states in 1790.

In 1789, John Adams was elected Vice President under George Washington. When Washington decided not to run for a third term, Adams ran and was elected as the second President of the United States and he was the first President to serve in Washington D.C.

During Adams presidency, there was a great deal of tension between the United States and France. Both sides were prepared to go to war over the commercial and political problems that existed at the beginning of Adams' term, a war that surely would have been disastrous for the United States. Adams was able to negotiate a peace treaty and prevent a war, but only at the cost of his own political popularity. Adams did not win a second term.

While the main focus of this legislation is to provide John Adams with the admiration and attention he deserves, it also acknowledges the contribution of the entire Adams family. Abigail Adams was a strong patriot and promoted women's rights. She was also an extraordinary writer. Her legacy, while not as well known as her husband, should also be given the gifted tribute that she deserves. And contributions of the Adams family do not stop with John and Abigail Adams. John Quincy Adams, the son of John and Abigail Adams, served as ambassador to the Netherlands and to Russia. Before being elected president, John Quincy Adams was Secretary of State under President James Monroe. As Secretary of State, he helped negotiate the Treaty of Ghent that ended the War of 1812. He also helped move the United States into a position of power by authoring the Monroe Doctrine that declared that the Western Hemisphere was off limits to European expansion. As president, he started conservation and other projects that would enhance the country. These enhancements included the building of the C&O canal, a university, and an observatory. John Quincy Adams was an extremely influential president who was critical in uniting the country, and the only president to be elected to the U.S. House of Representatives after he left the presidency. While he was in the House of Representatives, he fought against the congressionally imposed "Gag rule" that was Congress' attempt to end all debates on slavery and prevent the topic from surfacing again. John Quincy Adams used his power as a representative to get this rule removed. John Quincy Adams collapsed from a stroke on the House floor and died a couple of days later.

I am certain the addition of a monument for John Adams will finally give honor to the legacy of a family that has played a significant role in the foundation of the

United States. Again, I urge the committee to report this bill before the July 4th recess.

Thank you, Mr. Chairman, and I request that my statement be included in the record of this hearing.

Mr. HEFLEY. Thank you very much.

Mr. Gibbons?

Mr. GIBBONS. Thank you very much, Mr. Chairman, and to my colleagues who have presented this Adams family memorial proposal. I think when I talk to children, this type of memorial, which would educate a great deal of our American public about the successes and wonderful contributions this family gave to our country, would go a long way to dispel the TV concept of the Adams family. You have to get children to understand that. I think it is a great idea. It is a wonderful idea. I wish we could make individual memorials to each of the members rather than a memorial to a family. We do memorials to Presidents, great Presidents like Jefferson and Lincoln, and we should be able to do the same for John Adams, John Quincy Adams, as well, but this is a great contribution.

I know my colleague from Tennessee has worked long and hard on this compromise process for his bill, and I think it is very meritorious. I joined with my colleague, also from Tennessee, in support of your effort in that regard. With that, Mr. Chairman, I have no other questions and yield back.

Mr. HEFLEY. Thank you, Mr. Gibbons.

Mr. Souder?

Mr. SOUDER. First, I want to congratulate my friend from Indiana in his tremendous pushing of this bill. I think it is very important. I am an enthusiastic co-sponsor. I read Peter Shaw's book on the character of John Adams probably 25 years ago and it had a major impact on me—Nagel's book—in addition to the two tremendous authors you managed to bring today, they are kind of my rock stars. If they had been real rock stars, I would still be home with my family this morning rather than here in Washington. They are my rock stars and my type of heroes from a whole series of books that you both have brilliantly written in addition to the Adams books.

Also, I could not resist the chance to come with my friend, Bill Delahunt, back when Massachusetts produced conservatives—it is just so thrilling to see the party of Jefferson pushing the Adams leaders. I had one substantive question related to the Adamses, and that is, do either of you have an idea of what type of memorial you are thinking? Would it combine a museum with it? Could you elaborate a little bit on that, knowing there would be a commission to research that?

Mr. ROEMER. First of all, I want to thank my good friend from our great State of Indiana, not only for his interest in the sponsorship of the legislation, but his ongoing interest in history throughout. He and I, over our career, have had many, many discussions about the history of Indiana, and you were one of the people I sought out in a bipartisan way to support this legislation. You came on right away and we appreciate that.

Mr. Chairman, just to make a point on that, Mr. Souder and Mr. McGovern, who probably agree on nothing else, agree that we need

to do this, hopefully, before July 4th, and hopefully, we can get that done.

To my good friend from Indiana, as he knows, this legislation simply authorizes the three commissions—the Fine Arts, the Planning and the Memorial Commissions—to then go forward and design a fitting tribute to this family. You know, in my wildest fantasies, what do I see happening with regard to what this could or might or should look like? Could it be in the Tidal Basin, near Thomas Jefferson's and George Washington's monument? I think he deserves it historically, with his contributions, called the Colossus of Independence with his virtue and character.

Might it have some attachment to Abigail, his wife of 54 years, who wrote letters, probably of equal content and intelligence of John Adams and maybe Thomas Jefferson? I think it should include her.

Might it include John Quincy Adams and other dissidents? I think it should have that possibility. I would, however, caution a museum. I do not think that we should probably go that route. Mr. Delahunt, do you have any comments?

Mr. DELAHUNT. Yes, I concur with Tim's comments. Again, in terms of specific contributions by John Adams, and to a lesser degree, John Quincy Adams, his efforts in behalf of an independent judiciary are just simply of such a magnitude that somehow they have to be recognized. I am confident that in Boston, for example, the supreme judicial court there is fully cognizant of the fact that there has been an omission in terms of recognition of his contribution to the judicial branch. Now, again, as Tim indicated, we all have our own fantasies. I do not know if there is any particular area over by the United States Supreme Court, but clearly, his contribution to the judicial system, in some way, in some venue, it is mandatory, it is compelling to be recognized. I also agree with him about the museum concept.

Mr. ROEMER. I love the comment in the beginning of Passionate Sage where Adams, they said, if he wanted a memorial, he wanted it to be able to cast a shadow over Jefferson's and Jefferson's over his, because that is what they did much of their career.

Mr. Chairman, I would like to ask a question of Mr. Wamp, if I may, as well. I am pleased to hear your testimony and presentation today as a fellow classmate. We have done many things together. I have two particular questions as I look to understand the bill more. You are not necessarily advocating that it is a park itself, but something within the Park Service; is that correct?

Mr. WAMP. A separate unit, because it has its own identity. I respect all of my colleagues' position about not adding any more land into the Park Service because of the backlog maintenance. I, too, have been fighting that challenge and dealing with that for a number of years, but this has such individual historical context that it needs to be a separate unit. So, it would be a separate unit standing on its own.

Mr. ROEMER. It would be a separate unit, but it could be, for example, a historical park, a historical—they each have slightly different—a park has a much more purist position, that in the areas of where there is a golf course and a mental health institute, are you proposing that the unit itself would currently include those, or

only when those are removed, or could the park be noncontiguous, such that it goes around those? Boston, for example is not all contiguous. I know that is one of the concerns. The ideal thing is to have it be a perfect unit, but I have some concerns if these would be brought inside of a park unit and not under their control. I did not fully understand that.

Mr. WAMP. The boundary of the park, as the bill proposes, would include the hospital, but the hospital would be grandfathered in under its current use, as long as it continues to be a mental health center run by the State of Tennessee. If the State ever closes it, the State would clean the site up and the property would be returned to its original condition. It would be within the park boundary, because the national historical significance of this site really must include the footprint of the hospital. The reason Governor Clement did not sign the legislation 51 years ago, adding this, was he had plans to build a mental health center out there. At that time, they put them in places where people could not escape. The bend is surrounded by water, so people could not swim across the river, which today would not even be an acceptable alternative.

The hospital must remain open to meet the needs of nearly 2,000 people that have to have that hospital. We cannot have a squeeze play from the Federal Government to force the State out of the mental health services business, so we crafted a compromise that grandfathers it in under its current use, and at whatever point the State provides an alternative to Moccasin Bend, it will be closed and cleaned up by the State. Then it will just be raw land as part of the National Park.

The golf course was left out, because it is owned by the city and county, but we put a unique provision in that if it ceases to be a golf course run by the city and county, it can be added at that time. Under both of these compromises, it allows or creates the support from all the stakeholder groups that simply is not going to be there without it. Our local government will not support this proposal if it closes the hospital, even 14 years from now, because the State has no new land for a new facility. They have not initiated any plans to build a new facility, and our criminal justice system has to have a place to send prisoners who need mental health services. That place has to be in our county.

This is a big issue. Frankly, it is one that the planning team does not understand. There are people from other places in this country that come and present their findings, and I respect that, but they are not sensitive to local needs and the consensus-building process that is necessary for us to honor the stakeholders' interest. That is what we have done, built consensus. We came up with a compromise that people from the far left to the far right, logical, sensitive, local people support, and while I respect the Park Services planning recommendations, frankly, if we stuck by the letter of their recommendations we would not have local support. Thank you.

Mr. SOUDER. Thank you.

Mr. HEFLEY. Mr. Gibbons, let me ask you, is everybody on board on this transfer of the 4.5 acres?

Mr. GIBBONS. Yes, from a delegation standpoint, all of the members of the State of Nevada are on board. The communities of Carson City and the Governor, as well, are in support of this transfer.

Mr. HEFLEY. Bureau of Land Management?

Mr. GIBBONS. Bureau of Land Management would like, of course, for the city to pay fair market value, but absent that, they are in support of the conveyance.

Mr. ROEMER. Mr. Chairman, could I have 20 seconds as you get ready to introduce these next two witnesses? Let me just say—a play on the old, if you build it, they will come—if you write it well, they will read it. We have two historians here that I am so grateful took time out of their busy schedule to come to talk about the Adams family. David McCullough has a bestseller out there right now at the top of the list selling like hot cakes. It is rich in its history and thorough in its research and Americans are running to the bookstores to buy it and to read it. What a wonderful thing to see in this country.

Joseph Ellis, Dr. Ellis, who wrote the Passionate Sage, laying the groundwork for John Adams, has come out recently with his Pulitzer prize-winning book, Founding Brothers, that has been on the bestseller list now for 25 weeks, going on 26 weeks. Americans are buying it and reading it. I think this is a real tribute to our scholarship in this country, but also to our citizens; that if we produce good history, they will buy it and read it. I hope that this hearing leads to even more researchers out there writing the kind of history that Mr. McCullough and Dr. Ellis have been doing for years. Thank you.

Mr. DELAHUNT. Mr. Chairman, could I just make a concluding comment? As Tim indicated, he had the opportunity to visit the venue where so much of American history was crafted by visiting the Adams historic park. I would like to make a formal invitation to yourself and to members of the Committee to come, to visit, to see Quincy, Massachusetts. It would certainly be my pleasure to host you and your colleagues on the Committee. Maybe we can even make a side trip to America's hometown, Plymouth, Massachusetts, and even spend some time on Cape Cod. Thank you.

Mr. HEFLEY. Thank you very much. Let me ask before this panel leaves. Zach, I think you gave an excellent explanation of this. It appears to me that the Park Service is willing to give up the good because they are not getting the perfect. Would you comment on that?

Mr. WAMP. That is my notes, literately, that this is a perfect example of the perfect being the enemy of the good. They have not been involved, the Park Service Planning Team, in the consensus-building process. They wrote the study. They did a great job, and that has been months and literately years ago since they finished their study. Since then we have had to build consensus from all these different groups: the Five Civilized Tribes, frankly, Local Government, State Government, the mental health community, and 1,200 golfers signed a petition saying do not close our golf course. Well, these are legitimate people. I have a lot of Cherokee blood in my veins, Chairman Hefley, and the Cherokees loved games. They used sticks and balls and played games. I do not think my Cher-

okee ancestors would say to forcibly close this golf course, when no one here has talked about what is next to the golf course.

There is a sewage treatment facility, a massive, multimillion dollar smelly, stinky sewage treatment facility on the other side of the golf course, and the golf course serves as a perfect buffer between the National Park proper and this smelly sewage treatment facility. Why in the world would you spend $2 million to tear the golf course down, when the golf course is a perfectly good and not , in my view—they say it is nonconforming use. I disagree. I have been to Yosemite Valley. There is a golf course in Yosemite Valley. I do not think that golf is necessarily Anti-National Park Service.

I do think they are letting the perfect be the enemy of the good, and we have built consensus, and they have not been involved in that consensus. They are professionals, and in this case, they are just bureaucrats. We have to deal with reality. We have to deal with people and we forged consensus. Now everybody that is thoughtful, that is on the ground in our local community is favor of it, and I thank you for pointing that out.

Mr. HEFLEY. Mr. Wamp, the record will show that it is your feeling that the Cherokee invented golf rather than the Scots; is that correct?

Mr. WAMP. There are some days I wish they would not have.

Mr. HEFLEY. Mr. Roemer and Mr. Delahunt, I am somewhat embarrassed, had you not brought this to my attention, and I had to prepare for this particular hearing—and I am a lover of American history, as Mr. Duncan indicated he was, and yet how little I know about John Adams. You know he was one of the founding fathers and all that kind of thing, but in the specific sense, how little I know. So, what you are pursuing here, I think, has tremendous value in terms of educating us about, not only John Adams, but a tremendous family of public servants. Let me ask you, why not sooner? Where did he fall between the cracks of recognition? Obviously, the contribution was so enormous, why have we not done this sooner?

Mr. ROEMER. I would simply say that you are probably going to get a better answer from the two people after me than you will from me, but just as a guess, I would say; one, that he was overshadowed by people like Thomas Jefferson and George Washington, certainly two eminent people deserving of where they are, although in some of the later scholarship, I think there are some various opinions coming out and some conflicts coming out on Thomas Jefferson. Certainly, George Washington remains at the apex of the mountain and John Adams should have been up there, but was overshadowed by some other people.

I think, secondly, John Adams had an inaccurate reputation as being overly cranky and self-absorbed, and maybe speaking too quickly without letting a filter, probably politically correct some of the things he was going to say. Actually, he had one of the best senses of humor of any of the founding brothers, as Joseph Ellis calls them, and if you read the correspondence that he engages in, you cannot help but love this man. He is an extraordinary individual in every sense of the word. So, I think he has been overshadowed and I think accurately portrayed in some ways, and I think it is high time that we corrected those two problems.

Mr. DELAHUNT. If I may add, Mr. Chairman, I think and I refer back to the quote that I made in my opening remarks, it is clear that John Adams did not seek notoriety, and he made efforts I would suggest, and you can pose that same question to these two historians that will succeed us at the witness table, but he did not covet, if you will, the attention and the accoutrements of recognition. Maybe he needed a better communications director than the one he had, but certainly has done very well with Joseph Ellis and David McCullough. I think their efforts will serve as a catalyst to raise public awareness of the contributions, not just of John Adams, but as Tim has indicated, John Quincy Adams and a number of generations of the Adams family, and hopefully, give them their proper place in American history.

Mr. HEFLEY. None of you mentioned that John Adams is credited with introducing the distinctive manner of speech of folks from Massachusetts, particular from Boston; is that correct?

Mr. DELAHUNT. That is absolutely correct, Mr. Hefley. He had trouble with his r's.

Mr. HEFLEY. Thank you very much, and please feel free to join us on the dais for the remainder of the hearing. We are going to have a panel of administration officials very briefly, first, before we go to the historians.

Mr. HOLT. Mr. Chairman, just very quickly I wanted to thank the gentleman from Massachusetts, Mr. Delahunt, for the invitation. In fact, I intend to be in your area this weekend and would appreciate a tour guide. Thank you.

Mr. DELAHUNT. I would be happy to do it.H.R. 271, 980 and 1668

Mr. HEFLEY. The second panel is Mr. Carson "Pete" Culp, Assistant Director for Minerals, Realty and Resource Protection, Bureau of Land Management; and Mr. Denis Galvin, Acting Director of the National Park Service. If they will join us at the table.

Mr. Culp, we will start with you and try to hold your testimony to 5 minutes, if you would, and your entire statement will be put into the record.

STATEMENT OF CARSON "PETE" CULP, ASSISTANT DIRECTOR FOR MINERALS, REALTY AND RESOURCE PROTECTION, BUREAU OF LAND MANAGEMENT, WASHINGTON, D.C.

Mr. CULP. Thank you, Mr. Chairman. I will be very brief. You and Mr. Gibbons and Mrs. Christensen certainly summarized H.R. 271 very well. The bill would transfer what to us is an isolated parcel of land, which we once used as a wareyard for one of our local offices to the city of Carson City for use in senior citizens facility. BLM in Nevada is in favor of this legislation, and the administration is not opposed. The proposed use of the land is certainly a higher and better use than its retention for no Federal purpose at this point.

The only other thing I would add is, there might be a question about why legislation is necessary. Normally, we would use of vehicle called the Recreation and Public Purposes Act for a transfer of this nature, where we can do a below-market value long-term lease or sale. It is a bit of a quirk of that law that since this is in-part

a residential facility, we cannot use that act. Hence, the legislation is appropriate. Thank you.

[The prepared statement of Mr. Culp follows:]

Statement of Carson Pete Culp, Assistant Director of Minerals, Realty and Resource Protection, Bureau of Land Management, on H.R. 271

Mr. Chairman and members of the subcommittee, I appreciate the opportunity to appear before you today to testify on H.R. 271, a bill to direct the Secretary of the Interior to convey a former Bureau of Land Management (BLM), administrative site in Carson City, Nevada, for use as a senior center.

Generally the BLM does not support the transfer of federal land to an entity that possess the ability to acquire the property at fair market value. Such transfers could deny other parties the opportunity to acquire the land for recreational or public purposes. Nonetheless, the BLM may have no objection to a transfer where (1) the entity has demonstrated limited funding capability, (2) the land is being used for the intended public purposes, and (3) the monetary value of the land is not likely to be significant. Likewise, the BLM may not oppose a transfer where a general, yet meritorious public benefit has been identified. Such is the case here. H.R. 271 presents an opportunity to address the community's need to care for its senior citizens by transferring property which is no longer of use to the BLM. The BLM, therefore, does not oppose this conveyance or this legislation.

The administrative site described in H.R. 271 was previously used by the BLM as a vehicle and supply storage facility in conjunction with the BLM's Carson City Field Office. In the autumn of 1997, it ceased to be used for these purposes and has since been vacant. The City of Carson City wishes to acquire the parcel for use as an assisted living center in conjunction with existing city-operated health care facilities. An existing Senior Center and intensive care facility are located adjacent to the subject property. In May 1998, the City submitted an application under the Recreation and Public Purposes Act (R&PP) for a residential facility to provide extended care to Senior Citizens. However, the residential aspect of the assisted living facility did not qualify under the R&PP Act. In response, BLM considered selling the property to the City by direct sale at fair market value. However, the City indicated that it could not afford to purchase the parcel as the subject property is located in downtown Carson City where real estate values could easily exceed $300,000.

I will be pleased to answer any questions you may have.

Mr. HEFLEY. Thank you very much.

Now, Mr. Galvin?

STATEMENT OF DENIS GALVIN, ACTING DIRECTOR, NATIONAL PARK SERVICE, WASHINGTON, D.C.

Mr. GALVIN. Thank you, Mr. Chairman. I have testimony on two bills, H.R. 980 and H.R. 1668, and I will simply summarize my statements and submit them for the record. H.R. 980, as has been amply testified to this morning, would establish the Moccasin Bend National Historic Site as a separate unit of the National Park Service. The department recommends that the Committee defer action on H.R. 980 during this session of Congress, so that the National Park Service is able to make further progress on the President's initiative to eliminate the deferred maintenance backlog.

Furthermore, even without that policy, the department does not support H.R. 980 in its current form. We believe that if a National Historic Site is to be established at Moccasin Bend, it should be done in accordance with the preferred alternative presented in the National Park Service's Cooperative Management Plan Environmental Assessment for Moccasin Bend. Earlier testimony has pointed out that there are a couple of incompatible uses in the area, and the National Park Service would like to see some ar-

rangement that insures the long-term removal of those sites, so that important archeological resources and public use can be accommodated.

Most of the area of Moccasin Bend is already a national historic landmark. It includes an incredible layer of important history. The Federal road between Ross Landing and Brown's Ferry, that was part of Trail of Tears, it was used during the Civil War by the Union Army. The bill also includes a small, private parcel known as the Saradino and Clemish property.

The State of Tennessee and local authorities own most of the land within Moccasin Bend, although there are some private holdings. Most of the authorization would be acquired by donation, exchange or purchase from willing sellers. It specifically provides that the Secretary may not accept a donation of the parcel containing the Moccasin Bend Mental Health Institute, one of the two major incompatible uses, until after the facility is no longer used to provide health care services. H.R. 980 excludes from the boundary of the National Historic Site, part of the archeological district that is currently leased for a golf course. In fact, the bill prohibits the Secretary from proposing that the golf course be included in the boundary until it is no longer used as a public or municipal golf course. The bill includes authority for the Secretary to enter into cooperative agreements, which is useful, allows the Secretary to use a portion of the visitor center proposed to commemorate the Trail of Tears, which is part of a long distance historic trail.

Mr. Wamp adequately pointed out that previous legislation authorized the Governor of Tennessee in 1950 to donate 1,400 acres of Moccasin Bend to the Department of Interior to make it part of Chickamauga and Chattanooga National Military Park. There was no development on the site at the time, but as Mr. Wamp pointed out in his history, development has taken place since then.

There is no question about the national significance of the resources on the site. In fact, it contains an unusually rich medley of historic resources, including archeological remains as much as 10,000 years old. They include transitional paleoarchaic and archaic sites, woodland period settlement sites and burial mounds, fortified protohistoric villages, Spanish exploration and settlement of the southeastern United States, contact between native and nonnative peoples, part of the Trail of Tears National Historic Trail, and the location of union earthworks from the Civil War. It was listed on the National Register of Historic Places in 1984 and 956 acres—the bill proposes 911—was designated as the Moccasin Bend Archeological District National Historic Landmark in 1986.

The National Park Service study, completed in 1999, found the site nationally significant. It found the site suitable as a unit of the National Park Service since no other site in the National Park Service currently contains such a diverse record of human habitation in North America. It is a feasibility question that raises our reservations about the bill as currently drafted, and that is, specifically, the incompatible uses of the mental health hospital and the adjacent golf course. I would point out that we are not anti-golf. It is just that the golf course contains important archeological resources, including a site along the southern boundary where adjacent archeology indicates 10,000-year-old settlements occurred.

The study recommended, not that the incompatible uses be stopped immediately, but that a date be set at some time in the future when those incompatible uses were terminated. Mr. Wamp has indicated in a conversation prior to this hearing that that is not acceptable to the State and local interests. Perhaps there is some middle ground that we can craft with Mr. Wamp and with this Committee so that there is more assurance that the incompatible uses will end someday, while not removing them at the present time.

I would just like to reiterate that this is a very significant natural resource that has potential if certain conditions are met, to be an important addition to the National Park System. That concludes my summary of statement on Moccasin Bend. I can go on to the Adams testimony, if that is the chair's pleasure.

H.R. 1668, as eloquently testified to earlier, authorizes the Adams Memorial Foundation to establish a memorial in the District of Columbia and its environs to honor former President John Adams and his wife, Abigail, former President John Quincy Adams and his wife, Louisa, and their legacy of public service. The department supports enactment of H.R. 1668. This position is consistent with the recommendation of the National Capital Memorial Commission, which endorsed the bill by a unanimous vote on April 26, 2001.

The bill is in accordance with the provisions of the Commemorative Works Act of 1986, which establishes a process in which a plan is submitted for the site and design of the memorial at a future date. The bill also provides that no Federal funds shall be used to pay any expense of the establishment of the commemorative works. The Adams Memorial Foundation would be responsible for, not just the cost of the construction of the memorial, but also for establishing a fund in the Treasury equal to 10 percent of the cost of construction for catastrophic maintenance and preservation. That is also consistent with Section 8(B) of the Commemorative Works Act.

I believe the previous witnesses and subsequent witnesses would be far better qualified than I to point out the significance of the Adams and Adams family in American history. I would only say that it was my privilege when I was stationed in Boston to work closely with the Adams National Historic Site, the Adams birthplace and the churches in Quincy that were important to the Adams family. That experience acquainted me with current members of the Adams family, who are still prominent American citizens in their own right, and gave me an opportunity to know the important contributions that this family has made to the United States over two centuries.

That concludes my summary statement, Mr. Chairman. I would be happy to answer questions on either of these bills.

[The prepared statements of Mr. Galvin follows:]

Statement of Denis P. Galvin, Acting Director, National Park Service, U.S. Department of the Interior, on H.R. 980

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 980, which would establish the Moccasin Bend National Historic Site in Chattanooga, Tennessee as a unit of the National Park System.

The Department recommends that the Committee defer action on H.R. 980 during this session of Congress so that the National Park Service is able to make further progress on the President's Initiative to eliminate the deferred maintenance backlog. In order to focus staff and resources on existing national park units and other types of designated areas, the Department will not support new designations at this time. We will reevaluate our progress on fulfilling this commitment during the second session of the 107th Congress.

Furthermore, even without our policy regarding designations of new units, the Department does not support H.R. 980 in its current form. We believe that if a national historic site is to be established at Moccasin Bend, it should be done so in accordance with the preferred alternative presented in the National Park Service's Cooperative Management Plan/Environmental Assessment for Moccasin Bend. That document, which served as a special resource study of the area, supports establishing the area as a unit of the National Park System only if current incompatible uses of the area are removed so that the National Park Service has the ability to ensure the long-term protection of the resources and to accommodate public use. H.R. 980 as introduced does not adequately address incompatible uses at Moccasin Bend.

H.R. 980 would establish the Moccasin Bend National Historic Site comprised of most of the area that has been designated the Moccasin Bend Archeological District National Historic Landmark. It would also include a portion of the Federal Road between Ross Landing and Browns Ferry that was part of the "Trail of Tears" traveled by the Cherokee Indians during their removal from their ancestral lands to Oklahoma during 1838 and 1839, and that was used during the Civil War by the Union Army to break the Confederate siege of Chattanooga. And, it would include a small private parcel known as the Serodino and Klimsch property.

The State of Tennessee and local authorities own most of the land within Moccasin Bend, although there are some private holdings in the area. H.R. 980 would authorize the land within the proposed boundary of the national historic site to be acquired by donation, exchange, or purchase from willing sellers. It specifically provides that the Secretary may not accept a donation of the parcel containing the Moccasin Bend Mental Health Institute—one of two major incompatible uses at Moccasin Bend—until after the facility is no longer used to provide health care services. H.R. 980 excludes from the boundary of the national historic site the part of the Archeological District that is currently leased for a golf course—the other major incompatible use—and it prohibits the Secretary of the Interior from proposing that the golf course area be included in the boundary until it is no longer used as a public or municipal golf course.

In addition, H.R. 980 provides authority for the Secretary to enter into cooperative agreements with other parties for the preservation, development, interpretation, and use of the historic site, and allows the Secretary to use a portion of the visitor center established for the historic site as an additional interpretive center for the Trail of Tears National Historic Trail.

Mr. Chairman, efforts to include Moccasin Bend in the National Park System date back to 1950, when Congress, at the recommendation of Interior Secretary Oscar L. Chapman, enacted legislation that authorized by donation the addition of 1,400 acres of Moccasin Bend to the Chickamauga and Chattanooga National Military Park. At that time, Moccasin Bend was devoid of incompatible development. State, county, and city governments acquired property, but did not transfer any of the land to the National Park Service. Instead, much of the land was made available for other purposes.

Since then, Moccasin Bend has been recognized for its nationally significant cultural resources in addition to its scenic values that were the basis for the 1950 legislation. Surrounded on three sides by the Tennessee River, Moccasin Bend possesses a special collection of continuous prehistoric and historic sites that chronicle important aspects of human history on the North American continent, including (1) transitional Paleo–Archaic and Archaic sites, (2) woodland period settlement sites and burial mounds, (3) fortified proto-historic villages, (4) Spanish exploration and settlement of the southeastern United States, (5) contact between native and nonnative peoples, (6) part of the Trail of Tears National Historic Trail, and (7) the location of Union earthworks, such as cannon emplacements, rifle pits, bivouac pads, and access roads, which were of strategic importance in breaking the Confederate siege of Chattanooga in the fall of 1863.

The site was listed on the National Register of Historic Places in 1984, and a 956-acre area was designated as the Moccasin Bend Archeological District National Historic Landmark in 1986.

In 1998 and 1999, at the direction of Congress, the NPS prepared the Cooperative Management Plan/Environmental Assessment for Moccasin Bend in accordance with

guidelines for special resource studies. This process followed other Moccasin Bend planning efforts in the 1990's, including a Chattanooga citizen involvement planning process called "Revision 2000," and a battlefield preservation plan for Civil War resources within the national historic landmark prepared by the Friends of Moccasin Bend National Park. The study was called a cooperative management plan to emphasize the close working relationships that had developed among local, regional, state, federal, and tribal governments as well as the extensive public participation involved in the effort. As is standard procedure for special resource studies, this study examined the national significance, suitability, and feasibility of adding this site to the National Park System.

The determination of national significance had already been established through the designation of the Moccasin Bend Archeological District National Historic Landmark in 1986 because of its significance to American Indian and U.S. military history. According to the study, the area has the best intact concentration of archeological resources known to exist in the entire main 650-mile Tennessee River valley, and the quality, diversity, and broad accessibility of these resources cannot be matched in any other American metropolitan area. The study also found that the extant earthworks of the Battle of Chattanooga within the archeological district are the best preserved of all physical remnants of that battle and the only recognized unit of Union army gun emplacements, trenches, and support areas remaining extant from that costly campaign.

The study also found that the Moccasin Bend Archeological District met the test of suitability for a unit of the National Park System, in that it represented a theme or resource that is not already adequately represented in the National Park System nor is comparably represented and protected for public enjoyment by another land-managing entity. Although American Indian archeological sites are represented in the National Park System, none of the designated units possess the extensive range of excavated archeological resources as well as unexcavated subsurface resources for which Moccasin Bend is significant. The length of continuous cultural occupation at Moccasin Bend—10,000 years—is not duplicated anywhere else within the National Park System.

With respect to the test of feasibility, however, the study found that certain conditions needed to be met for the area to be considered feasible as a new unit of the National Park System. To be feasible for inclusion, an area's natural systems and/or historic settings must be of sufficient size and appropriate configuration to ensure long-term protection of the resources and to accommodate public use, and it must have potential for efficient administration at reasonable cost. The study found that unless the incompatible uses within the Moccasin Bend Archeological District were removed and the land was restored to resemble the way it looked at the time of the 1950 legislation, the area would not be feasible as a unit of the National Park System. Those uses need to be removed in order to provide visitors a quality experience in a landscape reminiscent of its past, comprehensively protect archeological resources and provide for additional research opportunities, and attract tourists to visit Moccasin Bend in large numbers.

This does not mean that the restoration of the area would need to occur before the site could be established. The study offers a phasing plan that provides for an orderly and timely removal of uses and restoration of the cultural landscape, calling for the National Park Service to receive the land in four phases over ten years. This may be an ambitious plan because of the complex issues surrounding the mental health institute, the golf course, and funding for land acquisition and restoration of the cultural landscape. It may be more reasonable to complete land acquisition by 2015 or some other mutually agreed-upon timetable. These provisions are extremely important in ensuring the integrity of the site. So long as any of the 956 acres remain under the jurisdiction of entities that do not have resource preservation as a primary goal, there is always the risk that future management actions could damage or destroy subsurface cultural resources.

For these reasons, we would not support establishing a national historic site at Moccasin Bend without substantial revisions to H.R. 980. Most importantly, the Moccasin Bend Golf Course, which contains vital archeological resources and is a key part of the national historic landmark, should be included in the boundary, along with a reasonable date (preferably 2010) by which the golf course would be transferred to the Secretary of the Interior.

Second, the legislation should require the State to donate to the Secretary of the Interior the Moccasin Bend Mental Health Institute no later than 2015, or some other mutually agreed-upon date. In both cases, we believe that by including deadlines in the legislation, the State and city would hasten efforts to seek alternative locations for these facilities.

Third, the legislation should provide a timetable for the removal of other incompatible uses within the national historic site, including a model airplane flying facility and a law-enforcement firearms training range, along with the removal of any hazardous waste, and the restoration of the land base to resemble the area's 1950 appearance, at no cost to the Federal government.

Fourth, the legislation should contain language that requires the National Park Service to consult with the culturally affiliated Federally recognized Tribes on any interpretation of the site.

Mr. Chairman, Moccasin Bend is a very significant national resource that has the potential, if certain conditions are met, to be an important addition to the National Park System. If the time comes when the Department is no longer asking Congress to defer action on legislation designating new units of the National Park System, we would be pleased to work with the committee to develop legislation that establishes the Moccasin Bend National Historic Site in accordance with the provisions outlined above.

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

Statement of Denis P. Galvin, Acting Director, National Park Service, U.S. Department of the Interior, on H.R. 1668

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 and his wife Abigail, former President John Quincy Adams and his wife Louisa, and their legacy of public service.

The Department supports enactment of H.R. 1668. This position is consistent with the recommendation of the National Capital Memorial Commission, which endorsed the bill 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 President John Adams, President John Quincy Adams, and their wives and their legacy of public service 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 Nation's Capital that recognizes or memorializes John Adams or John Quincy Adams. We agree with Congressman Roemer and the other sponsors of this bill that these father-and-son presidents and their 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.

Mr. HEFLEY. Thank you very much, Mr. Galvin. Just a couple of questions for each of you. The incompatibility is a little bit hard for me to understand. Are you saying that you would give up—you are not going to get what you want here, the perfect, it appears at this time. I think Mr. Wamp has eloquently pointed out that the coalition that supports this would fly apart like crazy. So you are not going to get the perfect. Would you give up the good in order—because you are not getting the perfect? Would you rather not have it done at all?

Mr. GALVIN. First, let me just repeat that the administration recommends deferral of this bill on other grounds, and then let's get into the substance of it. Our study proposed a date certain for the termination of these uses. Mr. Wamp's bill proposes essentially open-ended continuation of these. Perhaps there is someplace in the middle or some language we can agree on that will better ensure that eventually—eventually—even the study does not recommend that these uses be terminated tomorrow—but that eventually this all becomes part of an important National Historic Site.

Mr. HEFLEY. I visited Valley Forge last summer, and I noticed that in one area around Valley Forge, it was hard for me to tell sometimes whether I was on park property or on private property. So it is not like many parks do not have what you might call incompatible uses, but it works out very well and no one seems to object to that.

Mr. GALVIN. Well, in the case of Valley Forge, I am not sure I agree with you that it works out very well. We have had and we have right now proposals in Valley Forge to build major highways through the park. Private property within the park boundaries has frequently proposed development that is inimical to the historic scene there. We essentially inherited a State park there with much of the uses that you point out.

Mr. HEFLEY. Mr. Culp, will Carson City be required to spend any money for this land if it is transferred?

Mr. CULP. No, not under the terms of this legislation, Mr. Chairman.

Mr. HEFLEY. And the BLM used this land for what prior to that?

Mr. CULP. It was a wareyard for our local office, storage of vehicles and materials that we used in our programs to manage the public lands.

Mr. HEFLEY. Are there any hazardous materials on the site?

Mr. CULP. Not to my knowledge. There are some old buildings that would be, I believe, demolished.

Mr. HEFLEY. Thank you. Any further questions, Committee?

Mr. Souder?

Mr. SOUDER. I had first a brief comment and than a follow-up question. I want to say for the record again that I do not support the administration's position of a complete freeze to catch up with the backlog and I do not believe that is as sustainable position for this year. All of us, particularly those of us who are conservative Republicans, had a concern about major annexations of territories that were not supported at the local community level that seemed to be, at times, at whim; but it is another thing to say we are not going to add anything.

There have been these historic battles for 100 years nearly in the Park Service about Congress—I know fellow Hoosier and former Parks Director, Mr. James Ridenour, believes that Congress pork barrels. Well, of course they do. That is how the Park Service got started. That is what Albright and Mather and all these people did, is they put together coalitions to try to get support for the Park Service, and if the Park Service does not incorporate things that communities and States and Members of Congress desire, then we are going to get a proliferation of heritage areas and the monies are going to go away from the Park Service and we will have inconsistent development like is occurring right now in the Forest Service and the BLM.

We do not know who has wilderness. We do not know who has recreation. We do not know who has historical areas. Secondly, we have a different problem east of the Mississippi than we have west of the Mississippi, because we cannot do in Indiana the type of swaps with BLM like they are doing in Nevada, because we have 3 percent public land, including State, county and Federal. Therefore, almost all of our historic sites have things built over the top and built over the top; and trying to figure out how to do transition processes and how to do compatibility and yet have the east as our environmental and historical and cultural awareness increases, because historically we wanted to preserve the things in the West. That is why they have 70-to-90 percent public lands, but in the East we do not have many of these things.

We are going to have this battle in Tennessee in almost every area, in almost every park question that comes up to do that. As you heard from my earlier questions, I have some concerns about how this works through, too, and would encourage the Park Service to continue to work with Congressman Wamp and others in Tennessee as to how to do a logical transition, what can and cannot be included in the properties, how you do a transition, how you preserve and make sure nobody tampers with the historically significant parts of the mental health site while it is still a mental health site.

I am not totally convinced that it should be part of the Park Service thing, but obviously if there are historically significant things there, we do not want them damaged. But I would encourage you to look forward to that, and I wanted to make a statement for the record that I have. I understand that we still do not have a confirmed new parks director. The administration—I can understand why they are concerned about this session of Congress, but it is unlikely this Congress will completely hold back any more than any other Congress in American history has completely held back.

Mr. GALVIN. Without taking a position on that, Mr. Souder, your observation of history is certainly correct, and certainly the history of the National Park Service System is closely aligned with congressional action, since the property clause of the Constitution gives Congress the authority to create units of the National Park System I certainly recognize that, having been a frequent witness before this Committee over a number of administrations.

The growth of the Park Service, I think, over time is organic. In recent Congresses, we have gotten sites that we would not have

considered 20 or 30 years ago, sites that really add to the richness of the system, like Manzanar, Martin Luther King and others, that add to the important story of America as that story is made. So, ultimately, I believe the growth of the Park System has to be organic and it has to be at the direction of Congress.

To answer your last question, I have committed to Mr. Wamp that I will work with him to try to remove this impasse on the incompatible uses.

Mr. SOUDER. Thank you.

Mr. HEFLEY. Mr. Wamp?

Mr. WAMP. Thank you, Mr. Chairman. I have three questions for Mr. Galvin. First, does the language in H.R. 980 prohibit the Secretary from including the acreage on the golf course in the park by 2010?

Mr. GALVIN. I believe it says that the—well, I could look at it, but it is not within the boundaries; but it comes into the park when the golf course is ended. So it does not, no. If the golf course use ends, it comes into the park.

Mr. WAMP. The golf course lease is up in 2005. If local government decides to not extend the lease of the golf course, the Secretary may add the golf course to this site. That is a decision that we left to local government because they own the land. This is their asset. To me, this is not an egregious, non-conforming use, and that is the point that I am making.

Secondly, there have been no remains found under the golf course. On the excavation of the golf course 30 years ago, there were no remains. We asked this question during the public consensus-building process of the archeologist that did the study, and they said, "Well, they were next-door," and I heard what you said about that. But there is a huge difference between finding remains under the golf course and finding them next-door; and frankly we are going to have an archeologist testify to why the property at the end of the bend must be included, based on Mr. Souder's question, because wherever there are remains, absolutely include them. But this is not one of the most significantly historical sites on the bend.

It is important and I hope it can be added at some time, but not with a baseball bat, saying to local government, "We are going to take this against your will, and do not forget what is next to it, and that is that big asset of the sewage treatment facility."

Second question: Your testimony says that the National Park Service believes that by including deadlines for closure in the legislation, the State and city would hasten efforts to seek alternative locations for these facilities. Now, that approach is like a squeeze play for the mentally ill; and I would just ask you, what is your solution to 1,900 patients that rely on this hospital for their mental health services, because your whole notion is if we do this, we will force them to move. Well, move where?

Mr. GALVIN. Well, we are proposing a unit of the National Park System here, and it is not usual for mental health hospitals to be in a unit of the National Park System. If there is strong support for a unit of the National Park System, perhaps cooperatively we can work out a solution to that. I recognize that is a problem.

Mr. WAMP. Has your planning team or your organization been in negotiation with the State of Tennessee, which runs the mental

health center, the city or the county governments which use the mental health center to take care of their prisoners and their population, about this approach of seeking an alternative?

Mr. GALVIN. Well, the study was done with public involvement and there were local planners on the study team.

Mr. WAMP. I can answer your question. The answer is no, you have not been involved. You have not been involved in the consensus-building process. Your expert planners came in from out of town and made these recommendations and then they left. Basically, they have not been involved in building consensus, and that is the problem. We have to be involved in building consensus, and basically you are out in a vacuum, making recommendations without the understanding; and this brings me to my third and final point.

I read the summary of the National Parks Legacy Project that the President rolled out in California 2 weeks ago. It says in it that the Park Service should be a partner with State and local governments on behalf of our parks in urban areas.

Mr. Galvin, this is in the middle of the city of Chattanooga. This is a perfect urban setting. If there is any place that the Park Service should be willing to negotiate and compromise with local governments to see an urban park setting, it is this. It is a perfect case. If you have been to Chattanooga, you will see public space, public walks, river walks, people come and melt and mix, and it is wonderful. If we do not turn this property over to the Park Service and integrate this over time and let the local government have a voice in this process, it will not happen. That is what this consensus-building process did, and I am sorry that it is a fact that local government will not support the plan that your planning team recommended, but they have endorsed H.R. 980 as a compromise, and at some point you have got to compromise; and that is exactly what I came to appeal to the Subcommittee for today, and I appreciate your willingness. But if it is your way or the highway, I hope the Committee will take the highway.

Mr. GALVIN. Well, we serve at the pleasure of Congress. You pass the laws and we will do the best we can with them; but we would—this is an undeniably rich site that would make a fine unit of the National Park System, and we are interested in the long-term to some solution to these uses that do not have anything to do with the history of the site.

Mr. HEFLEY. Any further questions? Hearing none, thank you very much, gentlemen. I am going to break up the next panel, if I could. I know there are some time constraints Dr. Ellis and David McCullough. I am going to ask Dr. Ellis and David McCullough to join us. We are going to get the rest of this panel following their testimony.

Mr. HEFLEY. Thank you for being here today. It is a privilege to have both of you here. It is always a privilege to have people that are the very best at what they do testify before us. I am going to ask the TV cameraman to get his pictures and move as quickly as possible, because I can hardly see the witnesses.

Dr. Ellis, we are going to start with you, I believe, and we will turn it over to you at this point.

STATEMENT OF JOSEPH ELLIS, Ph.D., PROFESSOR AND AUTHOR, MOUNT HOLYOKE COLLEGE, SOUTH HADLEY, MASSACHUSETTS

Mr. ELLIS. Mr. Chairman, I appreciate that. I had a statement, which I think you have copies of, and rather than read that statement, which contains information designed to inform anyone who knows very little about John Adams why, in my judgment, he is worthy of the memorial and why he is probably the most unappreciated great man in American history, and it suggests that if, in fact, instead of calling David McCullough and Joseph Ellis as expert witnesses, we might be able to call George Washington and Thomas Jefferson. They would, I think, be able to testify even more eloquently as to the fact that Adams was an essential person in their own lives and now they have got their own places in this National Capital, and the most sacred space imaginable, and Adams really deserves his, as well.

It says all that, but what I thought I would do is be reasonably brief and turn it over to David, and then allow for conversation so that we can respond to the congressmen's questions, and what I want to do is—it is, in some sense, an attempt to answer why does Adams speak to us at this moment in time, as we enter the 21st century, why is this coming up now? Both David and I think it probably should have come up at least 100—David thinks 200 years ago—why is it coming up now?

What I have done is draft, in my own hand, if you will, the Declaration of Independence, if Adams written it; and, in fact, it was highly likely that Adams would have written it. He was chair of the Committee on which Jefferson served in May and June of 1776, and he delegated the drafting of the declaration to Mr. Jefferson. In his old age, Adams rued the day that he did that, because his own reputation did not grow as Jefferson's did, but all that.

Here is Adams' Declaration of Independence, and I think it begins to highlight the differences between Adams and Jefferson, and begin to suggest why Adams is coming back: "We hold these truths to be self-evident; that all men and women are created equal—Abigail would insist upon that—that they are endowed by their Creator with mutually dependent rights and responsibilities; that among these rights are life, liberty and the pursuit of virtue; and among these responsibilities are self-denial, duty to the Commonwealth, and a decent respect for the wisdom of the ages; that to secure these rights and enforce these responsibilities governments are instituted in all civilized societies, deriving their just powers from the consent of the governed and from the accumulated experience of proceeding generations."

"Prudence indeed will dictate that governments long-established should not be changed for light and transient causes and the lamp of experience will demonstrate that human passions aligned with dreams of perfection ought not seduce governments to embrace revolutionary change when imperfect evolution is possible, or listen to the tribunes of the people who ignore the abiding interests of the public. Accordingly, all experience has shown that mankind must resist the tyranny of despots and the tyranny of majorities; must balance their urge for freedom and their obligation to others; must contain their pursuit of personal happiness within the covenant of

the collective; must, in sum, strive to subordinate the selfish impulses that animate our expectations to the better angels of our nature."

"Let these principles be declared to a candid world at this propitious moment with a firm reliance on the protection of Divine Providence and the civic sense that our mutual pledge binds us together within the expansive limits of our lives, our fortunes and our sacred honor."

Mr. Chairman, that is my statement.

[The prepared statement of Dr. Ellis follows:]

Statement of Dr. Joseph J. Ellis, Professor and Author, Mount Holyoke College, South Hadley, Massachusetts

If, by some miracle, this congressional committee were able to call George Washington and Thomas Jefferson as expert witnesses, instead of David McCullough and yours truly, they would almost surely express amazement that this hearing was occurring at all. From their perspective, John Adams was a leading member of the "band of brothers" that won American independence and then secured it with a national government. Like them, he was "present at the creation." Like them, his public career stretched across the most critical years of the infant American republic. Like them, his revolutionary credentials were impeccable. Like them, he served as president.

If there were a Mount Olympus in American history where the American gods gathered; everyone knew that Washington occupied the pinnacle, but Adams, along with Jefferson and Benjamin Franklin, were accorded a niche just below the summit. The leading members of the revolutionary generation would have presumed that a fitting monument to Adams had long ago been constructed on a prominent site in this capital city. These hearings, in effect, should have occurred about a century ago.

Adams himself, on the other hand, if permitted to testify, would have said, "I told you so." In 1790 he predicted that, "Mausoleums, statues, monuments will never be erected to me," explaining that he lacked what he called "the gift of taciturnity," a roundabout way of saying that he could not keep his mouth shut. In his conversation and voluminous correspondence, he always spoke his mind. In his diaries, he always spoke his heart. His extreme candor made him the most colorful member of the revolutionary generation, and therefore a favorite among professional historians. But it also made him difficult to mythologize as a demi-god, because he made a point of displaying his own human ambitions, vanities, and psychic edges for all to see.

He was also a lifelong contrarian, meaning that he instinctively embraced unpopular causes whenever he thought that popular opinion was at odds with the long-term public interest. Defending the British troops after the Boston Massacre is the classic example in this mode. But refusing to declare war against France in 1799, the first implementation of Washington's isolationist advice in The Farewell Address, was another example. He was, in fact, proudest of this decision, which subsequent history proved correct, though it cost him the presidential election of 1800. I think this contrarian streak should actually have helped him win the election with posterity, but it has obviously worked against him. Jefferson tells us what we want to hear. Adams tells us what we need to know. Perhaps now, and only now, are we prepared to listen.

If the case for Adams needs to be made, simply to place it on the congressional record, my version would go like this: he was the acknowledged "atlas of independence" in the Continental Congress, the statesman who insisted most firmly that reconciliation with Great Britain was impossible; he nominated Washington to head the Continental Army and chose Jefferson to draft the Declaration of Independence; his "Thoughts on Government" provided the model for most of the first state constitutions; he almost singlehandedly wrote the Massachusetts Constitution, which, in its emphasis on separation of powers and an independent judiciary, greatly influenced the shape of the United States Constitution; along with Franklin, he led the negotiations that produced the Treaty of Paris in 1783; he was America's most effective diplomat in Europe during the 1780s, winning recognition of our sovereignty as a nation and a loan from Dutch bankers that consolidated our foreign debt; he was the first Vice–President and second President of the United States; his correspondence with Jefferson from 1812 to 1826 became the literary capstone for the

American Revolution and the greatest exchange of letters between statesmen in American history.

Finally, along with Abigail, he founded a family dynasty that, in terms of public service and intellectual brilliance, is without peer in all of American history. In a sense, Adams never needed marble statues to memorialize his name, since John Quincy, Charles Francis and Henry Adams became living embodiments of his legacy.

If this current initiative bears fruit, as I fervently hope it does, Adams would surely like to be accompanied by his beloved Abigail and John Quincy in their stroll towards immortality. They are all in fact already there, waiting for us to catch up. And while no American statesman was more politically incorrect than John Adams, even he was enough of a politician to recognize that a group design might appeal to congressional devotees of family values. If he could choose he location, it would be on the Tidal Basin, so that he and Jefferson could take turns casting shadows over each other's facades.

Enough special pleading. It is high time, indeed long past time, for the nation to memorialize its most independent, most pungent, most politically profound founder. . Washington and Jefferson required his company during their lifetimes. They need him now in their repose. And so do we.

Mr. HEFLEY. Thank you, Dr. Ellis.

Mr. McCullough?

STATEMENT OF DAVID McCULLOUGH, AUTHOR, WEST TISBURY, MASSACHUSETTS

Mr. MCCULLOUGH. Mr. Chairman and members of the Committee, I am delighted to be here, very pleased to be asked to appear before you. I come to you as one who, 6 years ago, knew relatively little about John Adams. I now feel, and I feel this as strongly as I possibly can and hope I can express it adequately, that John Adams was one of our best ever. He was brave. He was honest. His devotion to service, to the service of the country, to the public good, is beyond almost any other example.

Except for George Washington, no other figure of the time played a greater part in the winning of independence and the establishment of what we call our balanced or republican form of government. He was a true patriot in every sense of the word, serving the country for more than 25 years as a Member of Congress, as a diplomat, as Vice President, and President of the United States. He was the only Founding Father who never owned a slave as a matter of principal. He was the author of the oldest written constitution still in use in the world, the constitution of the Commonwealth of Massachusetts, which was passed into the law in Massachusetts 10 years before our national Constitution and is, in effect, a model of the national Constitution.

He was separated from his family for more than 10 years in the service of the country, traveling farther than any other American leader of the day by far, over terrible seas and mountains, again in the service of the Nation, and secured while he was in Europe during the war, vitally-needed financial help to make the war possible, from the Netherlands, an initiative that he took under his own responsibility against all the odds and, with extraordinary determination, succeeded in bringing about.

He was the man who urged the French to commit their navy to our cause, and it was because the French navy was there when the armies of Rochambeau and Washington converged on Yorktown,

that the Battle of Yorktown was decisively decided by our forces, and Cornwallis' famous surrender resulted.

John Adams was one of the three who signed for us and negotiated for us, the new United States of America, the Treaty of Paris, that ended the Revolutionary War in 1783. He played a very vital part in what has been judged by many historians as perhaps the most advantageous treaty ever signed by the United States of America. It not only established us as an independent Nation, but it set the boundaries of the Nation at the Mississippi.

He was the first American to stand before King George III as our first minister to Great Britain, a farmer's son, standing before the monarch of Great Britain, to represent the new independent Nation, surely one of the greatest moments, greatest scenes in American history. As Vice President, he was in the chair virtually every day, casting more deciding votes, tie votes, breaking more tie that any Vice President in our history. As little as he thought of the insignificant role in which he was cast, as he said privately, he was, again, as dutiful as anyone who ever served in that position.

As President, he kept us out of a very unnecessary war with France, which he thought was his greatest service to his country. But his greatest service, if we may say so, and if we only remember him for this, was the part he played in Philadelphia in 1776. He was the decisive voice. If Jefferson was the pen, Adams was the voice. He drove the Declaration of Independence through the Congress, made it happen when it happened, and the key word there is when; for in the first week of July, 1776, the time of the declaration, the time when the Declaration of Independence was voted on, the British landed 32,000 troops on Staten Island. That is more troops that the entire population of the largest city in the colonies at the time, which was Philadelphia, 30,000 people.

When I saw those statistics, Mr. Chairman, when I realized here was the foe landing more troops—and not just troops, they were the best troops in the world, tough, well-experienced and ready to march, and they were only a day-and-a-half's march from Philadelphia, it suddenly struck home to me as never before that when they were pledging their lives, their fortunes, their sacred honor, those were not mere words.

In our rotunda, sir, hangs the great painting of the signing of the Declaration of Independence by John Trumbull, seen by thousands of tourists, thousands of visitors from all over the world, millions of people, year after year. If you study the painting, at the exact center, the focal point, with all of the devices that an artist uses to train the eye to come to the focal point clearly in evidence, clearly at work, at the exact center is John Adams, because those who were there knew that he was the man who made it happen.

As Jefferson said himself, John Adams was the colossus of independence. The idea that we have forgotten this man, that he has stood in the shadows all these years, does not reflect well on any of us. The time is long past due to give him his place in the American pantheon and in our American hearts. We owe him more than we can ever express. We owe all of that generation more than we can ever express. We can never, ever know enough about them, and we must carry that attitude to our children and grandchildren.

We are raising in this country, alas, disgracefully, a generation of young Americans who, to a very large degree, are historically illiterate; and we must be able to come to this city and be reminded, not just of Washington and Lincoln and Jefferson, but of John Adams. If we can do this now, what better timing and what better timing especially if it could be done before the Fourth of July?

Thank you, Mr. Chairman.

[The prepared statement of Mr. McCullough follows:]

Statement of David McCullough, Author, West Tisbury, Massachusetts

The CHAIRMAN. Let it be said for the record that John Adams was the driving force who made the Declaration of Independence happen when it happened, in the fateful first days of July, 1776; that while Thomas Jefferson was the pen of independence, John Adams was the all important voice.

His speech to the Second Continental Congress on July 1st, behind closed doors, was not only the greatest speech of his life, but one of the greatest in American history, in that it carried the day. In Jefferson's words, "[His] power of thought and expression...moved us from our seats." To Jefferson, John Adams was unquestionably the "colossus of independence."

In the aftermath of the Declaration, in the midst of war, no patriot traveled farther in the service of the American cause, over winter seas and mountain ranges, and often at extreme risk of life.

It was Adams, acting almost wholly alone and on his own initiative, who secured vitally needed support from the Netherlands to finance the Revolution—an accomplishment of almost superhuman determination and ingenuity, the benefits of which are almost beyond reckoning.

And in 1783, it was again John Adams, with Benjamin Franklin and John Jay, who negotiated the Treaty of Paris that ended the Revolution, established a new independent United States of America, and fixed our western boundary at the Mississippi. In all, it was as advantageous to our country as any treaty in history.

On June 1, 1785, two hundred and sixteen years ago this month, in one of the most memorable scenes in history, it was John Adams, a farmer's son, who stood before King George III as the first minister to the Court of St. James's representing the new American nation.

It was John Adams who was later elected our first Vice President. As the second President he was the first to live in the White House, the first to address a joint session of Congress here at the Capitol, and to his everlasting credit, at great risk of his political fortunes, he managed to avoid war with France when that would have been both popular and advantageous to his own career. History has shown it to have been a true "profile in courage." Adams himself would write to a friend, "I desire no other inscription over my gravestone than: "Here lies John Adams, who took upon himself the responsibility of peace with France in the year 1800." "

But there is more.

It was John Adams who drafted the oldest written constitution still in use in the world today, the Constitution of the Commonwealth of Massachusetts enacted in 1779, fully ten years before our national Constitution. Moreover, the Constitution of the Commonwealth of Massachusetts contains a ringing clause unlike that of any ever included in such a document before and that speaks to us eloquently today. It declares it the "duty" of the government to educate everyone.

It was John Adams, more than anyone, who championed the creation of an American navy. Indeed, if there was a father of the American Navy, it was Adams and his memory might well be honored for that alone.

He was, furthermore, the only founding father who never owned a slave as a matter of principle.

He was the first college graduate to become President, the first published author to become President, and he was besides, the husband of the extraordinary Abigail Adams, one of the most remarkable Americans of the time. And he was the first to father a President.

Beyond all that, it was John Adams as much as anyone who spoke for and insisted upon the balance of a three-part system of government—legislative, executive, and judicial—and he who stressed with a persistence equaled by nobody that there must be an independent judiciary.

Let us remember that the American Revolution was made by individual men and women who, by our modern way of seeing things, were very few in number. The

war they fought was the most important in our history, as it gave birth to our nation and our free way of life.

But the revolution began well before the war. As John Adams observed famously, "The revolution was in the minds and the hearts of the people." He himself, in 1765, ten years before blood flowed at Lexington and Concord, declared to his fellow Americans:

Government is a plain, simple, intelligent thing, founded in nature and reason. Quite comprehensible by common sense...The true source of our suffering has been our timidity. We have been afraid to think...Let us dare to read, think, speak and write.

There was no American nation then, no army at the start of the war, no sweeping popular support for rebellion, no promise of success. Had they taken a poll in the colonies, the Declaration of Independence and the war would have been scrapped as unpopular. Only about a third were for the revolution, another third were adamantly against it, while the rest, in the old human way, were waiting to see which side would prevail.

No rebelling people had ever broken free from the grip of a colonial empire. Those we call patriots were also clearly traitors to the King. And so as we must never, never forget, when they pledged "their lives, their fortunes, their sacred honor," it was in no mere manner of speaking.

We call them our Founding Fathers in tribute, but see them as distant and a bit unreal, like figures in a make-believe costume pageant. Or worse, we forget them. Yet real they were, as real as all that stirred their "minds and hearts."

In one of her most poignant letters to her husband in far off Philadelphia, Abigail Adams wrote, "I wonder if future generations will ever know what we have suffered in their behalf."

With the end of the war came the no less difficult and uncertain task of building a new nation. And in this, too, John Adams played a lead part. Indeed, it may be fairly said that with the exception of George Washington, no American played a greater part in winning independence and establishing a republican form of government than John Adams.

Yet curiously, sadly, unfairly, we have neglected him.

As a people, we claim to believe in giving credit where credit is due. But public acclaim and honor for John Adams is now more than two centuries past due. That such is the case is irrefutable and does not reflect well on all of us. But better late than never. It is time to do something about it.

And wouldn't it be fitting to move the measure to the House Floor before the July 4th recess? Timing is everything after all and the timing would be perfect.

Mr. HEFLEY. Thank you very much.

Mr. McCullough, in your testimony you indicate that 6 years ago, you knew very little about him. Why did you choose him? I can understand why you chose Teddy Roosevelt. I can understand, because he is very prominent in the American mind—why you chose Harry Truman. But why did you choose Adams when you started out?

Mr. MCCULLOUGH. As you know, Mr. Chairman, John Adams and Thomas Jefferson incredibly, unbelievably, died on the same day, and not just any day, but their day of days, July 4, 1826, the 50th anniversary of the Declaration of Independence. The idea that these two extraordinary men, so different in so many ways, such opposites in many ways, had led the intertwining lives that they had, first as friends, then as political rivals, then political enemies who did not speak to each other for 10 or 11 years, and then as friends again, struck me as one of the most interesting stories in our past, and my initial thought was to do a dual biography, giving them, in effect, each equal time.

But I soon found very early in my work and reading that John Adams was the man I wanted to write about, because of the vast collection of papers, diaries letters, and particularly those between John and Abigail Adams. The letters between John and Abigail

Adams, for example, number more than 1,000. I felt as if I had walked into a cave full of treasure, and there it was, all waiting, I felt, for me to dig in and follow a life, the likes of which is almost without comparison, because it is so full of adventure, full of uncertainty.

The hardest thing in writing history and teaching history, and maybe the most important thing, is to convey the essential truth that nothing ever had to happen the way it happened; that things could have gone off in almost any direction at any time for any number of different reasons. Those brave people, men and women, who set off on the course of independence and revolution, had no way of knowing how it was going to come out. Adams said we were about one-third Tories, one-third timid and one-third true blue.

He was true blue if any of them ever was, and I felt privileged to keep company with him and to learn from him, and to find again what we all should really understand, that the ideas and ideals for which they were willing to risk their lives and fortunes, were at the heart of one of the great moments in world history. If we do not know that, if we do not honor that, then we are not just negligent in our duties, we are really failing those people.

I think one of the most poignant moments in the letters of Abigail Adams is when she writes to her husband at a time of great suffering and travail for both of them, "I wonder if future generations will ever know all that we have suffered in their behalf."

Mr. HEFLEY. Dr. Ellis, I might ask you the same question. Several years ago, you wrote The Passionate Sage, an outstanding work. Why did you choose Adams for that?

Mr. ELLIS. Similar reasons to David. As a historian, you are looking for colorful material that also has historical resonance and significance. The late 18th century is the moment when the United States creates the institutions that still abide, the basic institutions of this Republic in which we are participating now; and it was an act of improvisation in the late 18th-century. They did not know what they were doing, except on a day-by day-basis.

So to be able to go back to that moment and to study the greatest generation, all apologies to Mr. Brokaw, and to recognize that it wasn't that there was something special in the water back then, it was not that God shed his grace on thee, it was that a set of historical circumstances created a true gallery of greats that probably is the greatest leadership in the history of United States, politically. Alfred Lord North Whitehead said that, as far as he could tell, there are only two moments in all of Western history when an emerging elite or an elite in an emerging nation behaved about as well as one could ever expect; one was Rome under Caesar Augustus, and the other was the United States under this group called the Founding Fathers. I am trying to get us to call them Founding Brothers.

Then, within that group, Adams—as I started to read their papers, Adams became the most colorful, the most pungent, the most—well, the most truthful. If we are looking for ways in which we can have windows back into the past, can look back and really come to terms with the minds and the hearts of those people, let us know what they really thought, what they really felt, no one does that as effectively as John Adams, and the materials that the

Adams papers contain affords the storyteller, as I think David can attest, kind of an incalculable advantage.

Both of us are lucky enough to have books on the bestseller list, and it just so happens we have the best subject. So once you begin to encounter Adams and the Adams family, there is a kind of electromagnetic field that establishes itself and that I think you are forever living within. I started a crusade back in the early 1990's to suggest that there should be a memorial, and I think it is the arrival of David's book that has pushed us over the top; and I want to thank him for the major contribution he has made to that particular cause.

Mr. HEFLEY. Have any one of you considered at all about writing a book about the great American leaders sitting around this dais?

Mr. ELLIS. I am open to that suggestion, Mr. Chairman.

Mr. HEFLEY. Questions, Committee?

Mr. Holt?

Mr. HOLT. : Thank you, Mr. Chairman. It is, I think, a good idea to remind ourselves why we spent taxpayer money or, in this case, foundations would spend money to honor deceased patriots. It is not to recognize historians or their work, but really to raise a standard to which the more meager talents of the day can repair. You have both, particularly in your recent works, I think have made a very good case that we can learn for today a great deal from the way Adams and some of his contemporaries approached the problems, recognizing—if we recognize that they had little idea of where the road was taking them.

I find it particularly meaningful to remember the remark that Mr. McCullough, you have extracted from Adams' writings, that I guess this was a saying of the day, that we cannot guarantee success. We can do something better. We can deserve it. It is, I think, that idea which would serve us all well, and I certainly hope that this monument to Adams and the Adamses will proceed quickly and in a way that will allow us to draw lessons for the day from their work.

Mr. MCCULLOUGH. May I respond to that, Mr. Chairman?

Mr. HEFLEY. Surely.

Mr. MCCULLOUGH. That very line is a particularly interesting point. We cannot guarantee success, but we can deserve it. When I first read that line, it just made me come up out of my chair. I thought, "Isn't that amazing, that we live in a time when coming in first or winning is all that matters? He is saying something quite different," and then I found out that George Washington said the same thing in some of his letters, and then I found out that for neither of them was it original. It comes from a play, the play, "Cato," by Joseph Addison; and the point of that, it seems to me, is that they all knew the line. It was part of the culture. That play, Washington saw it, I think, something like six or seven times.

It was almost like saying to you, "Well, I guess you'll have to follow the Yellow Brick Road." It was a line everybody knew; and I think what that shows is that we cannot understand those people unless we understand the culture in which they lived, and we ought to take a tip from that, that the culture we are making is what is going to shape our outlook, and a statue or a memorial may seem like a small thing, but a statue or a memorial can move

the minds of a nation and of a society, and it can help in the right direction.

Mr. HOLT. Particularly, I might add, if the memorial will make part of modern-day culture this idea that we cannot guarantee success, we can do something better, we can deserve it; and make that a part of our culture even more than the Yellow Brick Road.

Mr. MCCULLOUGH. Yes.

Mr. ELLIS. Could I just briefly—very briefly say that I think the notion that this should go on the fast track—we have had recent discussions about another memorial on the mall that is somewhat controversial. This would permit us to come together in a way that brings the Congress into a truly bipartisan mode, because Adams is a person who stands astride both conservative and liberal political traditions; both political parties have legitimate claim on his legacy and could join together in, in effect, writing the wrong that is at least 100 years old.

Mr. HEFLEY. Further questions?

Mr. HOLT. If I may use the remaining few seconds, I believe the current witnesses were out of the room when earlier I commented that I think a particularly important reason to have such a memorial is to recognize not just John Adams' judicial wisdom and constitutional wisdom, but also to recognize his valor. We have so many monuments in this town that recognize military valor. I think the valor that he and some of the others at the time showed was every bit as great and every bit as important for us to recognize as the military valor that we have commemorated around this city.

Mr. HEFLEY. Mr. Souder?

Mr. SOUDER. Thank you, Mr. Chairman. First, one thing that was prompted earlier by a comment from Mr. Delahunt, as well, that one of the things we have worked out in the Andean region is, in Columbia and Peru, they struggle with the drug question and the rule of law, because it seems to me some of what we could do in our embassies is to, for example, at St. Petersburg and at Paris, is that we ought to work to try to get some of our famous people who were in other places and be able not just to have something at the embassy that is a statue of them, but to work this in; and if we evolve this as a way to extend and make our American roots in a more simple way than just we are exporting capitalism and the complexity behind it, I hope that you would continue to stay interested in that and a way to extend it internationally, as well.

The second thing, I mean, you have exciting subjects and every one of the subjects you have done in your books are exciting subjects. The plain truth is I have plenty of other books on Adams and other subjects that you have that did not make the bestseller list. Both of you deserve tremendous credit for making your subjects interesting and engaging the general public, because too often the history is disconnected; and the question I have and the challenge is how we can make the memorials more interesting for our era.

Often, while we want to highlight the valor and the outstanding characteristics and hold up a model, they, I do not think, have the same inspirational value. Part of your success in your books, whether it is the Mornings on Horseback, you said let us look at Roosevelt as a boy, and got people to think in an approach; and in

the Founding Brothers, you engage the people with something that gets them thinking about the dual, and they get engaged in the dual; and with younger people today, that is an increasing challenge for history; and how can our memorials in some way pick up this Adams as just this bundle of contradictions, the fear that you mentioned that we lose. When we see a marble statue, you lose all that.

Saving Private Ryan made World War II different for so many Americans because you could feel it, and what could we do as we evolve this? You have clearly figured that out, from other biographers and other historians, how to make your books more interesting by getting the personality. How do we do that in our memorials?

Mr. ELLIS. I will take a first crack at that idea and then give David a chance to think and offer probably a wiser answer. I think that text and a monument are different things, and therefore—I have a chance in my narrative to develop in ways that a sculptor does not. I do think that both from my citizen's point of view that the Vietnam Memorial and he Korean Memorial are extraordinarily powerful works created within the past 20 years or so, and so that their legacy is not totally barren.

I think that there ought to be some thought to the question. In other words, the decision about the design for this memorial is something that ought to have your goals very much at the center; that it is still, I believe, undecided. David and I are not going to be determinative in that decision. If you were going to ask me, I would say—I mean, I have joked about this in the past. I said at the end of the Adams book that we need an Adams monument on the Tidal Basin in such a location that Jefferson and Adams can take turns casting shadows across each other's facades.

I would love it on the Tidal Basin. I would love Adams—Abigail—as reasonably young people in the 1770's, at the height of his power in the Continental Congress, with John Quincy Adams trailing as a young boy behind him. I think that gives you feminist values. It gives you family values and it gives you John Adams at the moment of his greatest power. But that is my opinion and in some sense the words around it will need to be used. There are words on the Jefferson Memorial, the Lincoln Memorial. The words will need to be chosen to reflect the power of Adams, and believe me there are plenty of words that we can find to put on such a memorial.

David, have you thought of something better?

Mr. MCCULLOUGH. No. I would say to me as moving a place as there is in Washington is the Lincoln Memorial, when you see the words of the Second Inaugural Address. As Professor Ellis has said, the words that one might draw from John Adams and Abigail Adams are a surplus of riches. I think the answer to it is talent, to make sure that the project is taken up by people of extraordinarily talent. Don't settle for second-best. Don't let compromise become such that it is a stultifying experience for whoever is the person who has the opportunity to create something of this kind.

This could be a testimony to our creativity, as well as to the courage and valor, which is an absolutely perfect word, of those brave people. This is a worthy, worthy project. There is no question

whatsoever that it is long overdue and should be an exciting, creative enterprise undertaken by the most talented people possible.

Mr. HEFLEY. Thank you very much. Let me ask—and you, Dr. Ellis, have already stated what you thought would be a dramatic depiction. You think it is better to do something that commemorates the Adams family, rather than John Adams, individually?

Mr. ELLIS. In the end, Adams deserves a monument or memorial of his own, and yet my own view is that in Adams' political career, his most important political confidant and ally was Abigail, that during his Presidency she was effectively his one-woman Cabinet. He did not listen to anybody else. So her inclusion does not, in some sense, detract. I would hesitate to make it a monument in which the entire Adams family is, in some sense, replicated, because it seems to diminish and dilute, if you will, Adams' singular contribution.

But I am prepared to put John Quincy in there as a recognition that perhaps one of Adams' most important legacies is his family, which is arguably the greatest political and intellectual family in American political history. So I would not want to go beyond those three, and if somebody wanted to knock it down to one or two, I would go along with that. I would opposed expanding it to numbers greater than that.

Mr. MCCULLOUGH. I agree. It is impossible to understand John Adams without understanding Abigail and the part she played. It further is impossible to understand Adams' attitude toward women and the part women played in the Revolution. Thomas Payne famously said, "These are the times that try men's souls." John Adams reminded Benjamin Rush, "These were the times that tried women's souls, too." Years ago, Anne Morrow Lindbergh said to me that true love is not just gazing at each other, true love is also gazing out in the same direction together; and if ever a couple, ever a husband and wife ever exemplified that approach, it is John and Abigail Adams.

We tend to think of the patriots of that day as men. You cannot understand her unless you realize that she was a profound patriot. "I would not have you be an idle spectator," she says. "We have too many high-sounding words and too few actions to correspond with them," what a line and what a line that could be underneath a statue.

Mr. HEFLEY. Why do you suppose that when the planners around this town were planning the Washington, the Lincoln, and the Jefferson, that Adams was completely overlooked?

Mr. ELLIS. I tried to answer that on several occasions, and the answer I have come up with is never completely satisfactory. Adams himself predicted that would occur, and there is a famous line in a letter to Benjamin Rush, "Mausoleums, monuments and statues will never be erected to me. I wish them not," but he then goes on to say if they are going to have a memorial, he wants it to represent him as he really was, "All but the last I loathe."

The quippy, clever answer is that Jefferson tells us what we want to hear and Adams tells us what we need to know, and most of the time we do not want to hear it; that Adams is short and stout, cantankerous; he does not stay on script; he refuses to listen to spinners; he is maddeningly idiosyncratic, and so he does not fit

into mythical heroic terms. He himself said the reason is because he talked too much, that he did not have the gift of taciturnity; that Washington and Jefferson and Franklin had the gift of taciturnity, meaning they kept their mouth shut and everybody presumed that they understood everything that was going on in the room, which, of course, they seldom did.

I think it partly has to do with the demise of the Federalist party in the early part of the 19th century, so that the party that would otherwise have brought him forward for commemoration was essentially out of existence; but it is mostly because he himself refused to be a person of party, and so the Hamiltonians will get their statue and the Jeffersonians will get their statue, but there is nobody to represent Adams because he does not fit neatly into any of the grooves. I think that one of the things that we are saying is it is precisely because he does not fit into the ideological political groups, that he is the ultimate symbol of American independence.

But it still—it is a statement about us more than about him, that it has not happened; and, David, maybe you can follow file up.

Mr. MCCULLOUGH. I really have nothing more to add, except that we have never celebrated—for some reason, we do not celebrate one-term Presidents unless they have been assassinated in office. There is something about the fact that they lose, we do not want to honor them, and we do not honor Presidents for what they did not do, the fact that he did not take us into that war with France, and it would seem to me that we in this generation especially, especially, should understand the importance of that. He said, "Great is the guilt of an unnecessary war." What a line. Like everything he said, it is exactly what he meant.

Mr. HEFLEY. We are very mindful of your time constraints and we appreciate it. Are there any further comments?

Mr. MCCULLOUGH. Yes, I have one more. He had the best sense of humor of almost anybody who ever occupied a position of importance in our government. He was a warm, affectionate, greathearted person, who would have been the best company imaginable, were we to have the chance to be with him.

Mr. HEFLEY. Yes, Mr. McGovern?

Mr. MCGOVERN. I am mindful of your time, as well, but I did not want you to leave without saying thank you for giving us a history lesson today. Thank you for introducing this generation to John Adams and the Adams family, and thanks to both of you, and Mr. Roemer and Mr. Delahunt, for helping to create a sense of urgency, I think, here, for us to do something and to do it now; and hopefully, given the fact that everybody is in agreement here, that perhaps we can get this reported out of Committee and enacted on before July 4th, which I think would be a fitting tribute. But I wanted you to know how grateful we all are that you were here today. Thank you.

Mr. ELLIS. Thank you, sir.

Mr. HEFLEY. Tim?

Mr. ROEMER. Thank you, Mr. Chairman. I, too, want to join in thanking both you in bringing this up, Mr. Chairman. You have been a pleasure to work with through this process, and I appreciate the bipartisan support that I have received in the spirit of John

Adams, from this Committee. We have cosponsors from both sides of the aisle, and the staffs have been wonderful to work with on both sides; and I want to join in thanking our distinguished witnesses today, David McCullough and Dr. Ellis, for their time and patiently waiting, not only to testify, but waiting for this memorial as this country is, as well.

I think that their testimony today and their suggestions about a monument, in addition to John, that it is very important that Abigail Adams be an integral part of this and that John Quincy Adams be an integral part of this; but that we are so much richer and wiser in this country when we have the kind of people writing for us that David and Joe provide. Number one on the list, number four on the list, oftentimes ahead of the mud wrestlers and the get-rich schemes that many people want to read about.

If it is written the right way, and informed and educated verse, and compelling prose, tethered to research, the American people will read it; and I think even better than reading it is coming to this historic city and feeling it and seeing it and learning it, the virtues and the valor and the honor and the character of this family. These two have brought it alive and will bring it alive to hundreds of thousands of people in their books, and I am very, very grateful that they took the time to come here today.

Mr. HEFLEY. Mr. Delahunt?

Mr. DELAHUNT. Yes, Mr. Chairman; I want to specifically thank Professor Ellis for pointing out, for the benefit of my friend and colleague from Indiana, that both parties have a claim on John Adams. But, seriously, to both of you, I think it was David's comment that he learned from John Adams during these past 6 years. Well, again, to echo the sentiments of others, we are profoundly grateful and learn from both of you every day.

Thank you.

Mr. HEFLEY. I, too, would thank you for being here today, for writing the books that you did, for pushing the concept of the recognition of the Adams family that we should have. I would thank again—thank Tim Roemer for his champion of this cause—Mr. Delahunt. I have a theory about politicians and speeches, and that is it is a sin to bore a crowd. If you are asked to speak to a rotary club, if you go in there and bore them, it is a sin. Obviously, you all—the both of you—you all? You can tell I came from the South—obviously, with your writing, you must feel it is a sin to bore a reader; just because you are historians, you do not have to make it dull and dusty, and both of you are excellent storytellers and you tell a story and, in the process, we get an awful lot of history out of that, and we appreciate that very much.

Do either one of you have any further comments?

Mr. MCCULLOUGH. No, sir.

Mr. ELLIS. No, sir.

Mr. MCCULLOUGH. Go forward.

Mr. HEFLEY. If not, with great appreciation, we thank you for being here.

Mr. MCCULLOUGH. Thank you, sir.

Mr. HEFLEY. The next panel will be made up of James Mills, Vice President of the Friends of Moccasin Bend National Park; Mr. Jack Baker, President, National Association of Trail of Tears, and Ms.

Janice McIntosh, Director of the Carson City Senior Citizens Center.

Mr. Mills, why don't we start with you?

STATEMENT OF JAMES O. MILLS, VICE-PRESIDENT, FRIENDS OF MOCCASIN BEND NATIONAL PARK, CHATTANOOGA, TENNESSEE

Mr. MILLS. I appreciate the opportunity to come before this Committee. My name is Jay Mills, Vice-President of the Friends of Moccasin Bend National Park, and I speak on their behalf. The Friends is a community group dedicated to preserve, protecting and interpreting one of the most outstanding and beautiful sites of American cultural history. There is a long history to this effort. Industrial development threatened Moccasin Bend as early as the 1880's. In 1950, Senators Kefauver and McKeller, representing a broad coalition of business and community leaders, initiated legislation that was approved by Congress and signed by President Truman, authorizing the addition of up to 1,400 acres on Moccasin Bend to the Chickamauga Chattanooga National Military Park. That effort was suspended by the failure of Governor Frank Clement to take necessary measure.

Today's proposed legislation gives new life to the decades-old effort. This cause is worthy because Moccasin Bend contains one of the most important and rich complexes of archeological and historical sites to be found inside any city in the United States, chronicling 10,500-plus years of human history. The themes included in this history are the peopling of the continent; the emergence of regionally-distinct cultures; the transition to permanent settlement; long-distance trade; the rise of politically-powerful, fortified population centers; contact with Spanish explorers and the consequences of epidemic; military and economic stabilization and collapse and cultural survival; frontier and Cherokee tenure, including the defiant Chief Dragging Canoe—his villages were along this section of the river—also the Cherokee removal along the Trail of Tears, to which Mr. Baker will speak in detail.

Moccasin Bend also played a pivotal role in the Civil War. Union guns on Moccasin Point bombarded defense mounts on Lookout Mountain and allowed Hooker's and Sherman's armies to break the siege, join Grant in the city and route the Confederates, turning a Union defeat at Chickamauga into a victory at Chattanooga, giving President Lincoln the supply route he needed through the mountains to press the war to the Atlantic States.

As noted in the Park Service's findings of their corporate management plan, nowhere within the Park System or in a State, local or private park is such a diverse array of themes significant to this Nation's history currently protected and interpreted. National Park status will provide comprehensive protection and interpretation of these precious nationally-significant resources and ensure the professional development into highly valued and attractive assets.

The Park Service is uniquely qualified to provide the strength of Federal law to protect these resources from plunder and other threats. It offers the greatest assurance that the resources will be protected into perpetuity, along with the highest level of professionalism and planning how the park will be interpreted, experi-

enced and managed; and only with Federal management is there the assurance that the people whose histories are to be interpreted, that they will hereafter play a prominent role in determining how their own histories will be presented.

The public benefits are enormous. Establishing the unit would preserve a 911-acre green space contiguous to downtown Chattanooga, while unlocking it for passive recreational, educational and its economic benefits. The park would connect Chattanooga's revitalized waterfront and downtown with the renowned river walk system and the interpreted center would serve as a gateway to the park. A 1996 study by Thomas J. Martin and Associates projects that Moccasin Bend National Historic Site and Interpretive Center would generate $29 million annually in economic benefit within the State of Tennessee and $21 million annually within the county on an ongoing basis.

Both Hamilton County and the city of Chattanooga have passed resolutions requesting elected officials to work toward Moccasin Bend being included in the National Park System. The Friends have secured endorsements from over 25 community organizations and have petitions from over 6,000 citizens. The Trust for Public Land and the Nature Conservancy have endorsed the project, and the editorial staff of both newspapers also have endorsed it and have given extensive coverage throughout the development.

Early in the process, we opened communications with the Federally-recognized tribes whose heritage is at issue here, most notably, the Creek and Cherokee Nations. The evolution of the legislation before you today has been followed and shaped by their leaders and endorsed by the Cultural Preservation Committee of the Intertribal Council of the Five Civilized Tribes, and they are the Muskogee Creek, Cherokee, Chickasaw, Choctaw and Seminole Nations.

Chattanooga has a rich history of success with public and private partnerships. The leading foundations in Chattanooga, as well as individuals, have already lent their support, and the Friends are poised to help extend those efforts, knowing that will take broad public-private support to develop a park and interpretive programming with the high level of appeal and impact that we envision.

The Friends intends to continue to work to make this project a great success. A broad consensus has been forged, thanks to the leadership of Congressman Zach Wamp, in-holding issues have been resolved and the community awaits further progress. The Friends of Moccasin Bend stand ready and committed to sharing this area's rich past with those who will visit her for generations to come.

Thank you so very much for your interest in Moccasin Bend National Historic Site.

[The prepared statement of Mr. Mills follows:]

Statement of James O. Mills, Vice President, The Friends of Moccasin Bend National Park

I appreciate the opportunity to come before your committee. My name is Jay Mills, Vice President of The Friends of Moccasin Bend National Park and I speak on their behalf. The Friends is a community group dedicated to preserving, protecting and interpreting one of the most outstanding and beautiful sites of American cultural history.

There is a long history to this effort. Industrial development threatened Moccasin Bend as early as the 1880s. Representing a broad coalition of business and commu-

nity leaders, Senators Kefaufer and McKeller in 1950 initiated legislation that was approved by Congress and signed by President Harry Truman authorizing the addition of up to 1,400 acres on Moccasin Bend to the Chickamauga and Chattanooga National Military Park.

Although that effort was suspended by the failure of Governor Frank Clement to take final necessary measures, today's proposed legislation gives new life to a decades old effort. This cause is worthy because Moccasin Bend contains one of the most important and rich complexes of archaeological and historical sites to be found inside any city in the United States, chronicling 10,500 plus years of human history.

The themes included in these resources are:

- The peopling of the continent
- Emergence of regionally distinct cultures,
- Transition to permanent settlement,
- Long distance trade,
- Rise of politically powerful fortified population centers,
- Contact with Spanish explorers and the consequences of epidemic, military and economic destabilization, and collapse, and cultural survival
- Frontier and Cherokee tenure including the defiant Cherokee Chief, Dragging Canoe, whose villages were along this section of the river.
- The Cherokee removal along the Trail of Tears, to which Mr. Baker will speak (has spoken) in detail,
- Moccasin Bend also played a pivotal role in the Civil War. Union artillery pieces on the Moccasin Point bombarded defense routes on Lookout Mountain and allowed the Hooker's and Sherman's Army to break the siege, join Grant and route the confederates, turning a union defeat at Chickamauga into a victory at Chattanooga, giving President Lincoln the supply route he needed through the mountains to press the war to the Atlantic States.

As noted in the findings of the National Park Service Cooperative Management Plan, nowhere within the park service or in state, local or private parks is such a diverse array of themes significant to this nation's history currently protected and interpreted.

National Park status will provide comprehensive protection and interpretation of these precious, nationally significant resources and assure their professional development into highly valued and attractive assets. The National Park Service is uniquely qualified to embrace the full range of these responsibilities. Citizen's groups have insisted on that level of protection and oversight.

More specifically, the Park Service is uniquely qualified to provide the strength of federal law to protect the resources from plunder and other threats. It also offers the greatest assurance that the resources are protected into perpetuity, along with the highest level of professionalism in planning how the park will be interpreted, experienced and managed. And, only through federal management is there the assurance that the peoples whose histories are to be interpreted will hereafter play a prominent role in determining how their history will be interpreted.

The public benefits are enormous.

Establishing the Unit would preserve a 911-acre green-space contiguous to downtown Chattanooga while unlocking it for passive recreation, education and its economic benefits.

The park would connect with Chattanooga's revitalized waterfront and downtown via the nationally renowned river-walk system, and the interpretive center will serve as a gateway to the park. The Friends strive for an interpretive center equaling the quality and attraction of the Tennessee Aquarium.

A 1996 study by Thomas J. Martin and Associates, whose estimates for the Tennessee Aquarium proved conservative, projects that a Moccasin Bend National Historic Site and Interpretive Center will generate $29 million annually in economic benefits within the State of Tennessee and $21 million annually within the county on an ongoing basis.

The Friends for the last six years has worked very hard to lead an all-inclusive community consensus in support of a National Park. Both Hamilton County and the City of Chattanooga have passed resolutions requesting elected officials to work toward including Moccasin Bend in the National Park Service. The Friends has secured: endorsements from over 25 community and petitions with over 6,000 citizen signatures. The editorial staffs of both newspapers have strongly endorsed the project and given extensive coverage throughout its development. The Trust for Public Land and the Nature Conservancy have strongly endorsed the project.

Early in the process we opened communications with the federally recognized tribes whose heritage is at issue here, most notably the several Creek and Cherokee nations and tribes, and continue to develop a vibrant partnership with them. The evolution of the legislation before you today has been followed and shaped by their

leaders and endorsed by the cultural preservation committee of the Inter-tribal Council of the Five Civilized Tribes (the Muscogee, Cherokee, Chickasaw, Choctaw and Great Seminole Nations).

Chattanooga has a rich history of excellent success with public/private partnerships. Already, the leading foundations in Chattanooga, as well as individuals, have lent their support to bring the project to this point, and the Friends are poised to help expand those efforts, knowing that it will take broad public-private support to develop a park and interpretive programming with the high level of appeal and impact that we envision.

The Friends intends to continue a highly pro-active effort to make this project a great success. A broad consensus has been forged thanks to leadership of Congressman Zach Wamp. In-holding issues have been resolved and the community awaits further progress. The Friends welcomes any suggestions or comments in pursuit of what we believe will be a magnificent project.

Thank you so very much for your interest in a Moccasin Bend National Historic Site.

Mr. HEFLEY. Thank you.

Mr. Baker?

STATEMENT OF JACK BAKER, PRESIDENT, NATIONAL ASSOCIATION OF TRAIL OF TEARS, OKLAHOMA CITY, OKLAHOMA

Mr. BAKER. Thank you, Mr. Chairman. My name is Jack Baker and I am a citizen of both the United States and of the Cherokee Nation, and I am president of the National Trail of Tears Association, and due to the Trail of Tears, I am also an eighth-generation Oklahoman. Congress designated the Trail of Tears National Historic Trail as such in 1987, and the trail commemorates the tragic removal of the Cherokee people. It encompasses two of the routes that were followed during the removal.

One follows the principal land route and the other the water route, and while this trail is specific to the Cherokees, it represents the removal policy of the U.S. Government as it relates to several of the Southeasterntribes. The Trail of Tears Association was formed in 1993 as a support organization of the National Park Service. At the time of our forced removal, the Cherokees were on farms and even large plantations and lived pretty much the same as our white neighbors. A Constitution was adopted in 1827, patterned after that of the United States; as we heard earlier, to that we owe the efforts of John Adams. With Sequoyah's invention a few years before, virtually every Cherokee family was literate, and this compared with a 10-percent literacy rate in the surrounding States.

With the publication beginning in 1828 of their newspaper, the Cherokee Phoenix, the Cherokees were well-informed of the issues of removal. By 1819 my people had ceded 90 percent of their original lands. They only had about eight million acres left of their original 80 million, and those remaining lands they sought to keep, while their white neighbors, being desirous of the Cherokee farms, sought to have them removed. The U.S. Supreme Court, in its 1832 decision in the case of Worcester versus Georgia, recognized the sovereignty of the Cherokee Nation, yet even this did not save them from a fraudulent treaty signed by a handful of Cherokees in 1835. These signers had no authority to speak for the Cherokee Nation, yet Congress ratified this treaty on May 23rd of 1836 by a single vote.

The Cherokees were given 2 years from that date to remove to the West. Our principle chief and the Tribal Council continued in

their efforts to oppose removal, but to no avail. So, in late May of 1838, General Winfield Scott and his troops began to round up my people. The troops, with their rifles and bayonets, drove families from their homes. They were allowed to grab only a few items to take with them. Families were frequently separated, with mothers not knowing where their children were or husbands not knowing the whereabouts of their wives or children.

In this manner, the entire Cherokee Nation became homeless and, for the most part, destitute within a matter of days. They were first taken to 31 stockades that were constructed throughout the Cherokee Nation, and the conditions in these stockades were deplorable. The people had no shelter, only a few blankets that some of the people had been able to grab, and inadequate food. These stockades were referred to as concentration camps, and this appears to be the first time that the term concentration camps was used.

From these holding stockades, the Cherokees were taken to 11 interment camps; 10 were in Tennessee and one in Alabama. Family tradition states that my fourth great-grandmother, Lizzy Ratley, had given birth to a baby girl right after the roundup, and while being driven to one of the interment camps, she became too weak to go any further. She refused to cross a creek, and she was stabbed by one of the soldiers with his bayonet and died soon after. One of the missionaries in his journal describes an identical story, but does not give the name of the woman, but it appears to be Lizzy Ratley.

Then, in mid-June, three groups of about 800 Cherokees each were started west from Ross' Landing, which is present Chattanooga. Two went by water around Moccasin Bend and the other crossed on the upper part of Moccasin Bend, on the old Federal Road. Of that group, only 635 arrived in the West. There were 146 deaths and two births recorded along the way. There was a severe drought at the time, with extreme heat.

Another of my ancestors, Katie North, along with her brother, nephew and father were in this group. Her father, William North, was a white man who had married a Cherokee women over 60 years before. He had been described only a couple of months before as being upwards of 100 years old and completely blind for the last 25 years. There is no record of his arriving in the West, so he is very likely one of the 146 casualties.

Because of the high casualties of these first groups, permission was given to delay the removal of the other groups until fall when it would be cooler. Also, the Cherokee leaders petitioned General Scott that they be allowed to conduct their own removal. Permission was granted, and it has been estimated that as many as one-fourth of the 16,000 Cherokees died as a result of this forced removal. I might add that had John Quincy Adams been elected to another term to serve in 1829, rather than Andrew Jackson, there probably would not have been a Trail of Tears.

It is important that the American public remember the Trail of Tears because it is an example of what can happen when prejudice combines with greed. A couple of years ago, the pictures of the people in Bosnia that were on TV, fleeing their homes with only what they could carry reminded me of the Trail of Tears, and the fact

that it can and does still happen today. Let us hope that such ethnic cleansing does not exist today or the future of America.

It is also important that the American public recognize that the history of America does not begin with Jamestown or with the arrival of the Mayflower. As my distant kinsman and fellow Cherokee, Will Rogers, once said, "My family never came over on the Mayflower, but they were here to meet the boat."

The American public should be reminded that there were indigenous people here with rights to their lands. While these rights were not always recognized by our Founding Fathers, the acts of wresting the land from the Native Americans have not always been honorable. It is also important to our people that the Cherokee remember the Trail of Tears. They need to be reminded that although we faced a great adversity in the forced removal, we did survive. We were able to adapt to our new lands and prosper in them. Survival and adaptability are major attributes of our heritage and our young people need to be reminded of this.

Moccasin Bend is a unique location on the Trail of Tears. Two removal detachments crossed by land at the upper portion of Moccasin Bend, and also crossed the Tennessee River at Brown's Ferry, which is a location along Moccasin Bend. Three other detachments went around Moccasin Bend by water. So these land and water routes completely encircled the land that is being proposed for the proposed park. I know of only one other National Park through which the Trail of Tears crosses, and that is the Pea Ridge National Battlefield Park in northwest Arkansas, and that park concentrates on the Civil War battle site, and there are no interpretive exhibits on the Trail of Tears.

It is neither near a major population area, nor is it on a major highway. So Moccasin Bend would be an ideal location with an interpretive center on the Trail of Tears. It is adjacent to a large city, as well as being at the crossroad of two major interstate highways. This location would have the capability of pulling in large numbers of visitors. I personally support the creation of a National Park at Moccasin Bend . I also speak for the National Trail of Tears Association, which supports the park. I have a resolution from the association's executive Committee stating this.

In addition, the Cherokee Nation supports the creation of this park. The Tribal Council voted unanimously to support it, and I have a resolution from them to present to you, signed by the officers of the Nation, including the principal chief and deputy chief, and with your permission, I would like to ask that they be entered into the record.

Mr. HEFLEY. Without objection. I am going to have to ask you to kind of wind up your testimony. Your entire testimony will be placed in the record.

Mr. BAKER. Actually, that is the conclusion of my testimony. Thank you.

[The prepared statement of Mr. Baker follows:]

Statement of Jack D. Baker, President, Trail of Tears Association

My name is Jack D. Baker and I am a citizen of both the United States and the Cherokee Nation. I am president of the National Trail of Tears Association.

Congress designated the Trail of Tears National Historic Trail as such in 1987. This trail commemorates the tragic removal of the Cherokee people and encom-

passes two of the routes followed during the removal -- one follows the principal land route and the other the water route. While this trail is specific to the Cherokee it represents the removal policy of the U. S. Government as it relates to several Southeastern tribes. The Trail of Tears Association was formed in 1993 as a support organization to the National Park Service to further research both the events leading up to removal and the removal routes, to identify significant sites along the trail, and to help preserve and protect these sites.

At the time of our forced removal, the Cherokee owned farms and even large plantations much the same as their white neighbors. A constitution was adopted in 1827 patterned after that of the United States. With Sequoyah's invention of his syllabary a few years before virtually every family had at least one literate member. (This compared with a 10% literacy rate in the states surrounding the Cherokee Nation.) With the publication beginning in 1828 of their newspaper, the Cherokee Phoenix, the Cherokees became well informed on the issues of removal. By 1819 my people had ceded 90% of their original lands. They only had about 8 million acres left of their original 80 million. These remaining lands they sought to keep while their white neighbors being desirous of the Cherokee's farms sought to have them removed. The U. S. Supreme Court in its 1832 decision in the case of Worcester v Georgia recognized the sovereignty of the Cherokee Nation. Yet even this did not save them from a fraudulent treaty signed by a handful of Cherokees in 1835. The signers had no authority to speak for the Cherokee Nation. Yet Congress ratified this Treaty on May 23, 1836 by only a single vote. The Cherokees were given two years from that date to remove to the West.

Our Principal Chief and Tribal Council continued in their efforts to oppose removal but to no avail. In late May of 1838 General Winfield Scott and his troops began to round up my people. The troops with their rifles and bayonets drove families from their homes. They were only allowed to grab a few items to take with them. Families were frequently separated with mothers not knowing where their children were or husbands not knowing the whereabouts of their wives or children. In this manner the entire Cherokee Nation became homeless and frequently destitute in a matter of days. They were first taken to 31 stockades constructed throughout the Cherokee Nation. The conditions in these stockades were deplorable. The people had no shelter, only a few blankets that some of the people were able to grab as they were being forced from their homes, and inadequate food. These stockades were referred to as concentration camps and this seems to be the first time that this term was used.

From these holding stockades the Cherokee were taken to 11 internment camps. Ten of these were in Tennessee and the remaining one was in Alabama. Family tradition states that one of my fourth great-grandmothers, Lizzie Ratley, gave birth to a baby girl right after the round up. While being driven to one of the internment camps she became too weak to go any further and refused to cross a creek. She was stabbed by one of the soldiers and died soon after. One of the missionaries at the time recorded in his journal an almost identical story but does not name the woman.

In mid June three groups of about 800 each were started west from Ross's Landing at present Chattanooga, Tennessee. Two went by water around Moccasin Bend and the other crossed the upper part of Moccasin Bend on the old Federal Road. Of that group only 635 arrived in the West with 146 deaths and 2 births being recorded. There was a severe drought at the time with extreme heat. My ancestor, Katie North, along with her brother, nephew, and father were in this group. Her father, William North, was a white man who had married a Cherokee woman about sixty year before. A couple of months before he had been described as being "upwards of a hundred years old and completely blind for the last twenty-five years". There is no record of his arriving in the West so he was very likely one of the 146 casualties.

Because of the high casualties of these first groups, permission was given to delay the removal of the other groups until fall when it would be cooler. Also, the Cherokee leaders petitioned General Scott that they be allowed to conduct their own removal. Permission was granted. It has been estimated that as many as one-fourth of the 16,000 Cherokees died as a result of the forced removal.

It is important that the American public remember the Trail of Tears. It is an example of what can happen when prejudice combines with greed. The pictures of the people in Bosnia fleeing their homes with only what they could carry reminded me of the Trail of Tears. It is hoped that such ethnic cleansing does not exist today or in the future of America.

It is also important that the American public recognize that the history of America does not begin with Jamestown or with the arrival of the Mayflower. They should be reminded that there were indigenous people here with rights to their

lands. While these rights were always recognized by our founding fathers, the acts of wresting the land from the Native Americans have not always been honorable.

It is also important that my people, the Cherokee, remember the Trail of Tears. They need to be reminded that although we faced a great adversity in the forced removal we did survive. We were able to adapt to our new lands and prosper in them. Survival and adaptability are major attributes of our heritage and our young people need to be reminded of this.

Moccasin Bend is a unique location on the Trail of Tears. Two removal detachments crossed by land at the upper portion of Moccasin Bend and crossed the Tennessee River at Brown's Ferry. Three other detachments went around Moccasin Bend by water. These land and water routes of the Trail of Tears completely encircle the proposed park area. I know of only one other National Park through which the Trail of Tears passes and that is Pea Ridge National Battlefield Park in Arkansas. That park concentrates on the Civil War battle site and has no interpretive exhibits on the Trail of Tears. It is neither near a major population area nor on a major highway.

Moccasin Bend would be an ideal location for an interpretive center on the Trail of Tears. It is adjacent to a large city as well as being near a crossroad of two major interstate highways. This location would have the capability of pulling in large numbers of visitors.

I personally support the creation of a National Park at Moccasin Bend. I also speak for the National Trail of Tears Association, which supports the park. I have a resolution from the Association's executive committee stating this.

In addition, the Cherokee Nation supports the creation of this park. The Tribal Council voted unanimously to support H. R. 980. I have a resolution from them to present to you signed by the officers of the Nation including the Principal Chief and Deputy Principal Chief.

Thank you for allowing me to speak before you today. I certainly appreciate your time and your consideration of establishing this park.

Mr. HEFLEY. Boy, you meet a request beautifully. I appreciate that.

Mrs. McIntosh, you get the prize today on this panel for coming the furthest to testify. So we will turn the time over to you.

STATEMENT OF JANICE McINTOSH, DIRECTOR, CARSON CITY SENIOR CITIZENS CENTER, CARSON CITY, NEVADA

Ms. MCINTOSH. Thank you. I also hope we kept the best for last maybe, too. A lot has been said today about the situation here at the senior citizens center, and previously we had beautiful pictures painted of American history; and Carson City is the capital of Nevada; and the picture needs to be painted a little bit further for you.

I could read my testimony, and there are very many important things in here that were not said before. One being that this has taken a very long time to come to fruition. Once the BLM had decided to move from the yard that is east of the senior citizens center, it was at that time that the people that were associated with the senior citizens center started the ball rolling to acquire the land. The BLM was very supportive of it, and what had happened in this situation was that this piece of land no longer was on the outskirts of the city. It was in the middle of a housing development. Across the street from a senior citizens center is also a cemetery, and some people think that in and of itself is a little bit strange; but actually it is quite beautiful.

It is very, very essential that we acquire this land, because we have an opportunity to make this what so many people dream of, and that is having a one-stop shopping area for services to serve the senior citizens of our community. We are sort of at the cross-

roads here, also. It is not just the citizens of Carson City that enjoy this. There are surrounding areas. People come as far as Reno, Lake Tahoe, Garnerville, Dayton, Virginia City; people come from all over to the senior citizens center, and while it was thought when it was built 10 years ago, the present building that we are in, it was thought it would be forever, it has grown so tremendously that we literately have no more space.

We are putting a second floor on our building and we are increasing the sizes of our dining rooms. Our building will attain 39,000 square feet. It is also a big part of the community. It is kind of a community center and it is also very important for that. So it gets a lot of double usage, triple usage, quadruple usage. It is a wonderful place to be. People go in there and they cannot believe the vim, the vigor; and we have people from all walks of life, of course, that come to the center.

After BLM left, we tried to get this passed under the RPNP Act, and it did not qualify because it had also been master-planned to have this assisted living center, which required us to take the approach we are here today with. In the last legislature session, our then-Senator Bryan from Nevada introduced it, and we were told, due to partisan politics, it did not pass, as many things did not pass. They did not even come to a vote. It is very essential now for this to move forward, along with this building that we are doing.

Directly east of us, between the BLM land and our building, is a cemetery office. It is being relocated. But most immediately, we need it as a—the BLM land, which is east of the cemetery office—we need that particular land to use as a staging area for our building. It would make things easier. It would make things safer, also, for the situation. So we really hope that this will move forward and get out of Committee and go forward, so that it can be voted on, because it would help us most immediately and then downstream.

There was another piece to this property that did get passed under the RPNP, and the Carson-Tahoe Rehabilitation Hospital is right next to us. We are trying to do, like I said, what a lot of other people have not been able to, and that is to create an area that services seniors in its entirety. It is an opportunity that most other places do not have, and we feel very fortunate this is available to us.

We are actively moving forward on the building. It will start in September. It will start slowly and take approximately 18 months to complete. So we feel that now is really an essential time for us to make sure that this keeps moving forward, because it will not only serve the citizens of Carson City, but will serve all the surrounding areas, also.

Thank you very much for affording me this opportunity.

[The prepared statement of Ms. McIntosh follows:]

Statement of Janice McIntosh, Director of the Carson City Senior Citizens Center, Carson City, Nevada

Mr. Chairman and members of the subcommittee, I appreciate the opportunity to appear before you today to testify on H.R. 271, the conveyance of a former Bureau of Land Management (BLM) administrative site to the city of Carson City, Nevada, for use by the senior center. The BLM site has been vacant since 1997 when the BLM moved their headquarters to another location in the area. The city of Carson City desires to acquire the parcel for an assisted living and adult day care center.

The existing Senior Center is adjacent to the subject property as is a Rehabilitative Center.

Carson City is the present owner of the Senior Center. The Center is under the management and control of Carson City Senior Citizen's Center, Inc., a non-profit Nevada corporation that has been in existence since 1973. The 4.48 acres the subcommittee is considering today would allow for the dedication of a centralized area for senior services in the Carson City area. At one time the aforementioned property was in the outlying area of Carson City. Today, however, it is located in the middle of a housing development and would best serve the citizens of this city/county by being designated as an area to serve seniors. The majority of the property is overgrown with sage brush and old Quonset but buildings that have been deemed to have no value.

The Senior Center started working on the transfer of the BLM land in 1997. Initially an application was made under the Recreation and Public Purposes (R&PP) Act for 1.93 acres to be used as a rehabilitation center, physical therapy center, and other medical uses. That parcel was transferred to the city and now is the Carson Rehabilitation Center. In 1998 the Senior Center tried to secure the remainder of the vacated BLM land once again under the Recreation and Public Purposes (R&PP) Act. However, since a portion of the land was master planned for a residential and "domicile" facility associated with extended care it did not qualify under the R&PP. In the year 2000 U. S. Senator Bryan representing Nevada, introduced a bill from which H.R. 271 was crafted. While not a controversial bill, like many other bills at the end of the legislative session, it was not acted upon. Accordingly, today I am here to help this bill get out of committee and passed successfully in the Senate, House and then signed by the President.

According to the Nevada State Demographer's Office June 9, 2000 report, Carson City will have a forecasted population of 56,665 in 2002. Carson City officials estimate that over 30% of thecity population will be over age 60. The city continues to receive favorable national publicity as an attractive retirement community. The influx of seniors to this area has made our present 1990 building inadequate to service the needs of seniors in this area. As a result, in September 2001, we are embarking on a major remodel of the Senior Center. The new building will be two story and almost 39,000 square feet. It will serve as the cornerstone for the remainder of the master planned senior service area.

The transfer of this property is one of immediate importance due to the fact that our impending remodel will require a building staging area. To accomplish this, the Quonset huts need to be demolished so the area could initially be used for large trucks to drop off and store building materials. Until our remodel is complete we would also like to use the area as a temporary parking area for patrons of the Senior Center.

The forethought and master planning of this area will benefit the entire community in Carson City and become a model throughout our nation. Due to our constantly increasing senior population we feel compelled to continue our work on this senior service area. Our services and program participation have exceeded expectations and available space. Therefore, we are requesting the transfer of this property to Carson City so we may embark on this great project.

Mr. Chairman, once again, I appreciate this opportunity that has been given to me to appear before the Subcommittee to discuss this bill. I will be glad to answer any questions.

[An attachment to Ms. McIntosh's statement follows:]

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reply to: Carson City

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June 18, 1997

John Singlaub, District Manager
Carson City District
Bureau of Land Management
United States Department of the Interior
1535 Hot Springs Road
Carson City, NV 89706

Dear Mr. Singlaub:

I am a member of the Board of Directors of the Carson City Senior Citizens Center. Our board has worked with your district over the last few years with the idea of having Carson City acquire your yard between Beverly Drive and Long Street for senior citizens purposes if you ever vacated this site. We are advised that you are building a new building in Carson City and in the months to come you will be vacating the Beverly Drive yard. The purpose of this letter is to start the negotiations for Carson City to be able to acquire this site after you are gone.

You are aware that the Carson City Senior Citizens Center is adjacent to your site. We have proposed a master plan of our site that includes your yard. We plan to use the north part of your yard for an assisted living complex and the south side of your yard would be used by the Carson Tahoe Hospital for the expansion of their medical facilities. You are also aware that the Carson City Senior Citizens Center entered into a lease option with you (Public Purpose Lease Serial No. N-58678) for the lease option of land west of your yard and south of our site. Carson Tahoe Hospital is now building on this site. We felt that the hospital's use of this land would be beneficial to seniors and we are happy that the hospital will expand its use onto the south portion of your yard.

The Recreation and Public Purposes Act will not be available for Carson City to acquire your yard for assisted living purposes. We are advised this transfer would be made by a direct Congressional Act or by a purchase for less than fair market value through the General Services Administration.

I would like to set up a meeting with you, the City Manager and a representative from the hospital to discuss the procedure of how we can acquire the yard after you are gone. I look forward to hearing from you.

Sincerely,

Gary A. Sheerin

GAS/la

cc: John Berkich, City Manager
Steve Smith, Hospital Director

Mr. HEFLEY. Thank you very much; and let me ask you, since we are talking about the senior center at this point, you stated in your written testimony that in order to proceed with a remodeling, the quonset huts would have to be demolished.

Ms. MCINTOSH. Yes.

Mr. HEFLEY. Would you all do that or who would do that?

Ms. MCINTOSH. The agreement is the city is responsible for that. They will be disassembled. They are all bolted together. Some of them are open quonset huts. Some of them are closed. This entire area is a bit of a blight. It has overgrown sagebrush and the buildings are in severe disrepair. There are nails that stick up on ramps and things like that. I mean, it is not a very safe area, either; but the city does have people that will take the building down for them—

Mr. HEFLEY. So you will not be paying for that.

Ms. MCINTOSH. No, we will not.

Mr. HEFLEY. Mr. Baker, let me ask you, how inclusive was the process for determining that this ought to be a unit of the Park System? Did you feel fully included in the process?

Mr. BAKER. Yes, I did, and I also attended a couple of the meetings that the Intertribal Council Cultural Committee was involved in, and they also were in agreement with this.

Mr. HEFLEY. Are you offended that the golf course and the mental health center will be there? Does that detract from what we are trying to do?

Mr. BAKER. Of course, the ideal situation would be that they were not there, but I have no problems with them being there at the present; and as far as the golf course, it actually protects the gravesites, if there are any there right now.

Mr. HEFLEY. That occurred to me as the other testimony was being given by the Park Service, that certainly there is no desecration of those gravesites on the ninth fairway. The 20,000 golfers or whatever it is, would not allow for that, Zach.

Mr. BAKER. I agree.

Mr. HEFLEY. And it is beautiful green open space, too. Any further questions for these witnesses?

Mr. Souder?

Mr. SOUDER. I have a quick question, and I wanted to reiterate something the Chairman just said. Sometimes it gets frustrating when you do not see lots of members here and you have come a long way. The key thing is the Chairman is here; the Committee is here. This is a process. Take it as a good sign. When there is controversy, this place is jammed. It maybe meant that you were going to get blocked.

I wanted to ask Mr. Mills just briefly, on the archeology, could you give me a little bit more feeling of what type of things you found there; and I notice in your testimony you mentioned about one Indian village. Was that, indeed, on Moccasin Point?

Mr. MILLS. Yes, it is. Imagine Moccasin Bend—the reason it is named that is it is in the shape of a foot, and the heel is the most important site. Behind you is a beautiful mural, and you see those trees growing along the river bank. That is a natural levee where, when it floods the banks, it slows the water down, silt drops out, and you get the formation of these high places right by the river.

The same goes for all around this foot, but especially at the heel, where you have a broad levee.

It was an ideal place for having, not just a camp or not just a permanent household or two or three, where you have a very small village like you did in the earlier times, the archaic period, by the Mississippian time period, that became a major population and political center that ranged—you would have four of them spanning the distance of Tennessee, from north to south. The next one up would be on the Highwasi and the next one south would be in the Calhoun, Georgia area, halfway to Atlanta.

When the Spanish came through—a lot of Spanish materials were found there, and it would appear that Juan Pardot, when he spent his winter at the one down in Calhoun, Georgia, that he came up to the Chattanooga area and this site at Moccasin Bend may well have been the site they visited, because of all the Spanish goods that are found there, silver and copper plates, as well as Spanish beads, and quite a lot of them. The site is also important that things are so well-preserved there that the house appear to have burned.

So you have dozens and dozens of structures that burned, and when they collapsed, they sealed the floors. So you actually have a living floor. It was not something that laid open like a ghost town and everybody is able to pick things up and walk off with them. It was sealed, collapsed.

Mr. SOUDER. Is this a continuing archeological sites then, or is it viewed as mostly—

Mr. MILLS. It has not been excavated in since 1980, 1982, somewhere in there. When research determined that indeed there are intact sealed structures throughout the place, that was also when we were able to stop the looting that was going on. There is a Native American Reserve Force which are county deputies, actually, and they have done very effective job of policing it for the time being; and we need protection to carry that forward. A lot of these sites were been plundered, and fortunately a lot of the collections have been amassed privately or publicly in other places, and that those could be brought back home to Chattanooga, interpreted and with the help of Native Americans, the Creek and the Cherokee, whose heritage is there, determine the appropriate repatriation measures and interpretation that would fit those.

Mr. SOUDER. Mr. Chairman, one of the great ironies here is it sounds like they have some of the things that would actually constitute the national monument purpose, which were sites that were potentially going to be destroyed; and instead we are doing monuments of whole huge areas in the West. I thank the Chairman and the witnesses.

Mr. HEFLEY. Mr. Wamp?

Mr. WAMP. Mr. Chairman, I just have a couple of questions for Mr. Mills, representing the Friends of Moccasin Bend, which is a broad stakeholder group of interested parties. Many of them have been in this for decades now because they really care about the historical significance and the preservation, and that is correct; right?

Mr. MILLS. That is right.

Mr. WAMP. The Friends is a very broad group, and it is an activist group of just interested citizens, and you are here representing them.

Secondly, when the planning team issued its report, its findings, 2 years ago, the Friends supported their recommendations; correct?

Mr. MILLS. Correct.

Mr. WAMP. Now, 2 years later, after we have tried to build consensus and we have tried to compromise and we have put forth what we feel like is the most possible consensus support through all the different details of it, the Friends also support now H.R. 980 and understand why it was necessary to build the consensus; correct?

Mr. MILLS. That is right.

Mr. WAMP. The point I am making is that the groups that really are on the ground locally, working on this, that are very diverse in their makeup, have actually reached agreement that this is the best way to proceed through some compromise. I also want to mention I have actually been playing on this golf course before, Mr. Chairman, where a huge buck would come out of the Tennessee River, having swum (sic) the entire width, and this is a very wide part of the Tennessee River, as it goes around Moccasin Bend, swum all the way across the river and run right across the golf course in the middle of broad daylight; and there are no fences on the bend, and the wildlife is incredible.

Actually, the deer are abundant; and one of the things I would hope is that we would not have such finite, fenced-off areas that we can allow that to continue, because this actually is the home of the deer today.

Mr. Souder asked questions about the archeological findings all down in the heel and the tip of the boot, which is very, very important. Mr. Baker, interestingly enough, you focused on the Trail of Tears, and that is one of my stated interests in this entire process all along, was I feel much like John Adams. The Trail of Tears, historically, has been overshadowed by other events. The Civil War came 25 years later and certainly overshadowed the Trail of Tears. Don't you believe that we need to do more to actually give the Trail of Tears a place in history so that we can learn what cannot ever happen again and how important political decisions can be to people and their rights in this country, and don't you think it is time that the Trail of Tears has an interpretive center somewhere in our Park System in this country?

Mr. BAKER. Yes, I certainly do.

Mr. HEFLEY. Well, thank you very much, and thank you, witnesses. Let me emphasize what Mr. Souder said, that we wish the whole Committee was here to hear what you presented us, because it was very excellent, but your statements will be in the record for them to read; and it is a pretty good sign, probably, as you said, Mr. Souder, that there is not a crowd here, because if you actually want to get passed what you are proposing, this is a pretty good indication that it is likely to happen.

Thank you very much for being here. The Committee stands adjourned.

[Whereupon, at 12:44 p.m., the Subcommittee was adjourned.]

[The following additional information was submitted for the record:]

1. Letter dated June 11, 2001 from Kevin Collins, Acting Legislative Director, National Parks Conservation Association, on H.R. 980;
2. Letter dated June 8, 2001 from Kevin Collins, Acting Legislative Director, National Parks Conservation Association, on H.R. 1668;
3. Statement from Robert M. Davenport, Jr., Chattanooga Project Office Director, Trust for Public Land, on H.R. 980;
4. Letter from Inter-Tribal Council on H.R. 980;
5. Letter from John Parsons, Chairman, National Capital Memorial Commission, National Park Service, on H.R. 1668;
6. Resolution on H.R. 980 from the Trail of Tears Association.

NATIONAL PARKS CONSERVATION ASSOCIATION

June 11, 2001 *Protecting Parks for Future Generations*™

The Hon. Joel Hefley, Chairman
House Subcommittee on National Parks and Public Lands
Washington, DC 20515

Dear Chairman Hefley:

The National Parks Conservation Association (NPCA) is the only national nonprofit organization dedicated solely to protecting national parks for future generations. **On behalf of our more than 450,000 members nationwide, we support the protection of Moccasin Bend as a National Historic Site. However, we believe that until two key issues are resolved, H.R. 980 falls short of protecting the archeological and historical resources of Moccasin Bend.**

NPCA commends Rep. Zach Wamp for his extensive and tireless effort to preserve this significant landscape. Much of the thread of this area's and our nation's history can be told from this vital crossroads. Nonetheless, the remaining unresolved issues of this proposed designation raise serious questions about the feasibility of creating and maintaining this national historic site. The two parcels of land in question are currently publicly owned by the State of Tennessee and the City of Chattanooga, both of whom would benefit greatly from the designation of this site. **NPCA believes that the City and the State need to make commitments necessary for the long-term integrity of this park.**

First, the legislation should be amended to reference an agreement by the State of Tennessee to donate the parcel of land on which the Moccasin Bend Mental Health Institute currently operates to the proposed national historic site after the facility is no longer being used for this purpose. The legislation as drafted allows the Secretary of Interior to accept this parcel should the state decide to donate it, but there has been no agreement by the state to move along this course of action. Due to the location of this parcel of land, if this property were to be sold for commercial development in the future, the designation of the national historic site would be difficult to justify.

Second, the legislation should be amended to include a time-certain at which the use of the property on which the Moccasin Bend Golf Course currently operates will be incorporated into the park. The legislation as drafted specifies that until the land is abandoned for use as a golf course, the Secretary of Interior may not request an adjustment in the boundaries of the site to include the lands and permit possible future acquisition of this property. As with the land parcel on which the Moccasin Bend Mental Health Institute currently operates, this property is located adjacent to the proposed boundaries of the national historic site. The presence of significant archeological resources throughout the peninsula and the listing of the entire 956-acre tract as a national historic landmark suggest that this area contains resources critical to the preservation of the areas history and cultural landscape. NPCA believes that the designation of the site would be difficult to justify until the use of this property is resolved.

NPCA recognizes the historical value of the resources at Moccasin Bend. However, we believe that the current legislation fails to adequately deal with the intrusion risks posed by the two properties described in this letter. We would welcome any opportunity to work with you and the sponsors of this legislation to adopt modifications that will ensure the long-term protection of the resources at Moccasin Bend. You may contact NPCA's Legislative Representative, Catharine Cyr Ransom at (202) 454-3393 to discuss our proposed changes to the legislation.

Sincerely,

Kevin Collins

Kevin Collins
Acting Legislative Director

CC: Committee Members

1300 19th Street, N.W. • Suite 300 • Washington, D.C. 20036
(202) 223-NPCA(6722) • Fax (202) 659-0650
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NATIONAL PARKS CONSERVATION ASSOCIATION

Protecting Parks for Future Generations

June 8, 2001

The Hon. Joel Hefley, Chairman
House Subcommittee on National Parks and Public Lands
Washington, DC 20515

Dear Chairman Hefley:

The National Parks Conservation Association (NPCA) is the only national nonprofit organization dedicated solely to protecting national parks for future generations. On behalf of our more than 450,000 members nationwide, **we support HR 1668 as introduced** to commemorate the contributions of U.S. Presidents John Adams, John Quincy Adams, and their family to the foundation and development of our democracy.

As stated in HR 1668, "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."

While the bill is appropriately silent as to eventual placement of the memorial, please note **that NPCA supports a proposal to establish a Reserve at the Mall's central cross-axis in which no new memorial sites will be approved**, as recommended by the National Capital Planning Commission. The Reserve encompasses the Mall's central cross-axis formed by the U.S. Capitol, Lincoln Memorial, White House, Washington Monument, and Jefferson Memorial.

The National Mall is America's "Town Square," a place where all can gather and learn about our common heritage. We must protect the commemorative power of its monuments, existing and future, individually and collectively. Designed to remind and inspire, these monuments are the manifestation of the highest ideals America holds, and each must be allowed to communicate its message. However, we are concerned that the historic open space and vistas of the National Mall and immediate surrounding areas will be compromised, and the impact of existing memorials diminished if they have to compete with countless others. Without a change in policy, the Washington's traditional Monumental Core may have to accommodate at least 50 new memorials and numerous new museums by 2050.

It is therefore critical that Congress support establishment of the Reserve, and that it encourage meaningful, early public involvement in site selection and memorial design processes. Such involvement is necessary to avoid the intense controversies provoked by other recently proposed memorials.

We look forward to working with the committee to commemorate the Adams family in the Nation's Capital, and to protect the National Mall's Reserve. Please contact NPCA's Legislative Representative Catharine Cyr Ransom at 202-454-3393 or Joy Oakes, Mid-Atlantic Director, at 202-454-3386 if you have questions.

Sincerely,

Kevin Collins

Kevin Collins
Acting Legislative Director

CC: Committee Members

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Conserving Land for People

Testimony for H.R. 980, establishing Moccasin Bend National Historic Site, TN

Robert M. Davenport, Jr., Chattanooga Project Office Director, Trust for Public Land

House Resources Committee, Subcommittee on National Parks and Public Lands

June 12, 2001

Mr. Chairman, on behalf of the Trust for Public Land, I am pleased to submit testimony in support of H.R. 980, legislation to establish the Moccasin Bend National Historic Site in Chattanooga, Tennessee. I also wanted to express our appreciation to you for holding this hearing.

I am the Director of TPL's Project Office in Chattanooga as well as a lifelong resident of the city, and have been involved for several years in the discussions relating to Moccasin Bend and the protection of its historic and cultural resources. I know that several witnesses appearing before you today will offer eloquent and informative testimony regarding the specific reasons for and benefits of the establishment of the Moccasin Bend National Historic Site. I would like simply to add the Trust for Public Land's gratitude and support for Congressman Zach Wamp's efforts to bring much-needed recognition to Moccasin Bend, and to include in the record our perspective as a national nonprofit land conservation organization that has been working to protect this critically important historic and cultural landscape for Tennesseans and citizens across the nation.

First, I would like to provide a bit of historical context to this discussion that I hope will bring into focus the need for enactment of H.R. 980. In 1950, Paul and Ann Carter gifted to the City of Chattanooga several acres of their land on Moccasin Bend with the expressed stipulation that the land be preserved for "public recreation". This conveyance, by a leading area land developer and industrialist, illustrates the longstanding support of the priceless resource of Moccasin Bend by people not usually associated with land conservation. It is not just a coincidence, then, that the legislation that is being considered by the committee today involves other corporate landowners who operate businesses near the proposed national historic site.

It is also important to note, as documented in the Cooperative Management Plan developed by the National Park Service in 1999, what has become of that bequest. The site has been looted by amateur souvenir hunters, and other inconsistent uses have limited or degraded the public's ability to fully enjoy a site that is renowned for its rich history and natural beauty. The establishment of a National Historic Site at Moccasin Bend, administered by the National Park Service, as proposed by H.R. 980, would prevent further degradation of these resources and ensure that they can be properly managed and interpreted for public benefit.

The Trust for Public Land
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Washington, D.C. 20003

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www.tpl.org

The Friends of Moccasin Bend and the National Park Service have held dozens of meetings with individual landowners and their tenants to make sure that everyone had a voice in the creation of the proposed park, as well as to determine who might be a willing seller to the National Park Service if that opportunity became available. Some landowners, like the operators of the golf course, were insistent that their facility be excluded from the proposed boundary. The boundary legislation in front of the committee today excludes that site. Other landowners, including the two described later in this testimony, have expressed support for the park and the inclusion of their land within it. It is those landowners with whom TPL is negotiating today. TPL has long been a partner of the NPS in facilitating the willing-seller protection of significant historic resource lands, from Natchez National Historic Park in Mississippi; the Martin Luther King National Historic Site in Atlanta; and the Brown v. Board of Education site in Topeka, Kansas to the national battlefields at Concord/Lexington, MA; Little Bighorn, MT; and Lookout Mountain right across the Tennessee River from Moccasin Bend. Our negotiations with willing sellers at Moccasin Bend to date have focused on two properties within the proposed boundaries of, and vital to the integrity of, the new national historic site you are considering this morning.

The Rock-Tenn property, 97 acres of undeveloped land immediately north of the sewage tratment facility, is the last undeveloped piece of the original route of the "Trail of Tears", the route of the forced evacuation of the Cherokee Indians in the 1830s that stretches from Chattanooga to Oklahoma. The paper-products manufacturer that owns this tract operates a major facility less than a mile away and has held this acreage as a potential expansion site for its Chattanooga plant. Fortunately, the Rock-Tenn Corporation has a history of commitment to civic projects – other Rock-Tenn lands in the "Southside" area were recently conveyed to the City of Chattanooga for its new downtown stadium – and this same public spirit has governed the company's approach to this irreplaceable, undisturbed segment of the Trail of Tears. When a member of the Friends of Moccasin Bend learned discovered six months ago that Rock Tenn was considering selling this piece of real estate, TPL joined with its local partners to discuss with the landowners the opportunity to purchase this site for future inclusion in the park. As a result, Rock-Tenn has agreed to make this property available for public purchase, so long as this conservation transaction can be completed in a timely fashion. The key to that timely acquisition is prompt enactment of H.R. 980

Also available is the 14-acre Serodino tract, the anticipated site of the new national historic site's visitor/interpretive center, located along the main entryway to the Moccasin Bend Peninsula from downtown Chattanooga. As they have continued their river transportation business on some of their lands and sold other holdings for development, the owners have withstood pressures for subdivision or private sale of this 14-acre parcel specifically for the benefit of the proposed future park. The agreement for the Serodino acquisition will allow for the continued operation of compatible river transport operations while providing substantial frontage for park uses, including water taxi access to the proposed visitor/interpretive center. Use of this tract for a visitor/interpretive center would ensure that the archaeological, cultural and historic resources located on other portions of Moccasin Bend will not be disturbed in the effort to ensure a meaningful public experience there.

The Chattanooga metropolitan region is fortunate to have a rich fabric of parks and protected lands that contribute significantly to its improved quality of life despite significant growth. This open-space legacy includes the Tennessee Riverpark, the Tennessee River Gorge, the Lula Lake Land Trust, Tennessee Valley Authority land and portions of the Chickamauga-Chattanooga National Military Park. Like these other areas, Moccasin Bend is a significant feature in the physical landscape of Chattanooga. Its central location, size and proximity to the downtown area ensure that it will always play a critical role in the city's open space and recreation needs. Protection of Moccasin Bend through establishment of a National Historic Site would not only protect a significant piece of urban open space, it would further enrich Chattanooga's impressive historic and cultural resources and bring the city's share of this nation's rich history closer to the people.

The Trust for Public Land looks forward to working with the Subcommittee on this legislation and urges enactment of H.R. 980. Thank you for providing the opportunity to submit testimony in support of this legislation today.

INTER-TRIBAL COUNCIL
Of The
FIVE CIVILIZED TRIBES

CULTURAL PRESERVATION COMMITTEE

Honorable Zach Wamp,
Member of Congress
United States House of Representatives
Washington, D.C.

Re: Moccasin Bend National Park

Dear Representative Wamp:

We wish to express our appreciation for your commitment to introduce legislation that will create the Moccasin Bend National Park. We encourage you to proceed expeditiously. We pledge our support through the legislative process.

We are pleased the proposed boundary includes the property owned by the State of Tennessee that contains the mental health hospital. We recognize the importance of this resource to the regional community and support the 'grandfathering' of this facility. We are also pleased the park will include the Trail of Tears Federal Road.

We prefer the National Park boundary include what we consider to be hallowed ground contained in the golf course. However, we believe at this time that the goal of creating the Park is the most important objective. We ask that appropriate language be made part of the legislation so that the golf course may be added later, should the public owners choose to add it to the Park.

Generations have waited for this moment. May you be guided by the same Spirit to whom we all entrust our lives, our hopes, and our dreams. As representatives of our respective nations on the Cultural Preservation Committee (CPC) of the Inter-Tribal Council of the Five Civilized Tribes, we are,

Sincerely yours,

Terry Cole, CPC Chair, Choctaw Nation of Oklahoma

Rena Duncan, CPC Vice-Chair, Chickasaw Nation

Mary Tidwell, CPC Secretary, Cherokee Nation of Oklahoma

Joyce A. Bear, Muscogee (Creek) Nation

Ted Underwood, Seminole Nation of Oklahoma

United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:
W3815 (NCR-LRP)

JUN - 6 2001

Honorable James V. Hansen, Chairman
Committee on Resources
House of Representatives
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

Pursuant to the Commemorative Works Act which requires the National Capital Memorial Commission to report to appropriate Committees of Congress on memorials proposed for erection in the District of Columbia or its environs, I am writing in reference to H.R. 1668. This bill would authorize the Adams Memorial Foundation to establish a memorial in the District of Columbia and its environs to honor former President John Adams and his wife Abigail, former President John Quincy Adams and his wife Louisa, and their legacy of public service.

The Commission met to consider H.R. 1668 on April 26, 2001, and heard testimony from Mr. Matt Blaschke, representing Congressman Tim Roemer who has sponsored the bill. Finding that a memorial to these father-and-son presidents and their legacy of public service meets the terms and spirit of the Commemorative Works Act, the Commission voted to recommend enactment of this legislation

If I can be of assistance on this or other matters involving memorials in the Nation's Capital, please contact me at (202) 619-7025.

Sincerely,

John G. Parsons, Chairman
National Capital Memorial Commission

Trail of Tears Association

TRAIL OF TEARS ASSOCIATION RESOLUTION

SUPPORTING THE ESTABLISHMENT OF THE MOCASSIN BEND NATIONAL PARK

CHAPTERS

ALABAMA

ARKANSAS

GEORGIA

ILLINOIS

KENTUCKY

MISSOURI

NORTH CAROLINA

OKLAHOMA

TENNESSEE

WHEREAS, the Trail of Tears Association is committed to the preservation of historically significant sites relating to the Trail of Tears National Historic Trail and the events it commemorates; and

WHEREAS, the Trail of Tears Association recognizes the importance of Mocassin Bend to the historical and archeological record of Indian people and, in particular, its relationship to Indian removal; and

WHEREAS, the Trail of Tears Association supports the continuing efforts of the National Park Service to fully and completely tell the story of the Trail of Tears;

NOW THEREFORE,
Now therefore be it resolved that the Trail of Tears Association heartily endorses the establishment of the Mocassin Bend National Park.

Approved February 12, 2001

Trail of Tears Association Executive Committee

Jack Baker,
Jack Baker
President, Trail of Tears Association

Attested
Paul S. Austin
Executive Secretary
Trail of Tears Association

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RESOLUTION NO. 18-01

COUNCIL OF THE CHEROKEE NATION

Supporting House Resolution 980 to Establish the Moccasin Bend National Historic Site as a Unit of the National Park System

WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people;

WHEREAS, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America;

WHEREAS, the peninsula on the Tennessee River known as Moccasin Bend contains certain archaeological and historic sites; and

WHEREAS, this tract includes graves of ancient Native Americans, sites important in the Trail of Tears holocaust, and Civil War sites; and

WHEREAS, the Cherokee Nation supports the efforts of Congressman Wamp to preserve and protect these sites for the benefit and education of the people of the United States; and

WHEREAS, inclusion of this historic tract as a unit of the National Park Service provides the highest protection of these sites for the benefit of future generations; and

WHEREAS, House Resolution 980 introduced by Congressman Wamp provides for the Moccasin Bend Historic Site to become a unit of the National Park Service;

BE IT RESOLVED TTHAT THE CHEROKEE NATION hereby urges that the United States Congress adopt the House Resolution 980 making the Moccasin Bend Historic Area a unit of the National Park Service.

CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 16TH day of APRIL, 2001, having 15 members present, constituting a quorum, by the vote of 15 yea; 0 nay; 0 abstaining.

Hastings Shade, Deputy Principal Chief
President Council of the Cherokee Nation

ATTEST:

Stephanie Wickliffe Shepherd
Secretary Cherokee Nation Tribal Council

Approved and signed by the Principal Chief this 17th day of April, 2001.

Chadwick Smith
Principal Chief
Cherokee Nation

ATTEST:

Jay Hansen
Secretary / Treasurer
Cherokee Nation