

A B I L L

To provide for the establishment of the Lowell National Cultural Park in the Commonwealth of Massachusetts, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds and declares that (a) the sites and structures within and associated with the Lowell Historic Canal District in Lowell, Massachusetts, symbolize in physical form the Industrial Revolution in America and ought therefore to be preserved and interpreted for the benefit and inspiration of present and future generations; (b) the preservation and interpretation of the nationally significant historic and cultural resources of Lowell should be accomplished through the cooperative efforts of the Federal Government, the Commonwealth of Massachusetts, the municipality of Lowell, and other public and private institutions and individuals; (c) it is in the National interest to provide for both direct acquisition, restoration, management, and interpretation of significant historical and cultural resources in Lowell by the Federal Government and appropriate supplemental assistance to the Commonwealth of Massachusetts and local governmental institutions, all in accordance with mutually acceptable plans and standards; and (d) the plan submitted to the Congress for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District by the

Lowell Historic Canal District Commission pursuant to the Act approved January 4, 1975 (88 Stat. 2330), supports the foregoing and should therefore be implemented, in accordance with the authorities, intent, and provisions of this Act.

Sec. 2(a). In furtherance of the findings and purposes set forth in the first section of this Act and of the recommendations submitted with the plan prepared by the Lowell Historic Canal District Commission pursuant to the Act approved January 4, 1975 (88 Stat. 2330), there is hereby established in the city of Lowell, Massachusetts, the Lowell National Cultural Park (hereinafter referred to as the "park"). The park shall consist of two zones, the Preservation Zone and the Intensive Use Zone. As soon as practicable following the effective date of this Act, the Secretary of the Interior (hereinafter referred to as the "Secretary"), with the advice of representatives of the city of Lowell and the Commonwealth of Massachusetts, shall establish detailed boundaries of the park, including the boundaries of the zones within it. Notice of such establishment and a description of such boundaries shall be published in the Federal Register. Following reasonable notice in writing to the Committees on Interior and Insular Affairs of the Senate and House of Representatives of his intention to do so, the Secretary may make minor revisions in the boundaries of

the park, including the boundaries of the zones within it, by publication of a revised boundary description in the Federal Register.

(b) The boundaries of the Intensive Use Zone shall include certain of the cultural and historical sites and resources within the city of Lowell representing an environment similar to that of the 19th century, such as the locks and canal system, boarding facilities for workers, and mill buildings, together with sites and structures needed for the preservation, interpretation, and public use of the cultural and historical resources. The boundaries of the Preservation Zone shall include those areas adjacent or related to the cultural and historical resources of the Intensive Use Zone, which should be developed or used in a manner compatible with public understanding and appreciation of those resources.

Sec. 3(a). Within the Intensive Use Zone the Secretary is authorized to acquire by purchase, donation, or exchange lands, waters, and interests therein and improvements thereon for the development, protection, and interpretation of the park in accordance with the plan prepared by the Lowell Historic Canal District Commission. No property may be acquired without the consent of the owner, however, which continues to be the subject of a cooperative agreement entered

into pursuant to subsection (b) of this section. Property owned by the Commonwealth of Massachusetts or any political subdivision thereof may be acquired only by donation.

(b) In furtherance of the plan prepared by the Lowell Historic Canal District Commission, the Secretary is authorized to enter into cooperative agreements with the Commonwealth of Massachusetts, the city of Lowell, or any private owner of property within the Intensive Use Zone, pursuant to which the Secretary may assist, in whole or in part, in the interpretation, restoration, preservation, and maintenance of such property for the benefit of the public. Such agreements shall contain, but need not be limited to, provisions that the Secretary shall have right of access at all reasonable times to all public portions of the property for the purpose of conducting visitors through such properties and interpreting them to the public, and that no changes or alterations shall be made in such properties without the concurrence of the Secretary. Funds appropriated for the purposes of this Act shall be available for expenditure by the Secretary in accordance with the terms of such agreements without prejudice to the availability of Federal funds for similar purposes authorized and appropriated under any other Federal program.

(c) Notwithstanding any other provision of law to the contrary, the Secretary may purchase, construct, operate, and maintain directly or by agreement in accordance with subsection (b), transportation services and facilities for visitors within the Intensive Use Zone, including barge equipment and docking facilities, and local rail facilities.

Sec. 4. The Secretary shall, with the advice of the Commission created pursuant to section 5 of this Act, establish standards and criteria applicable to the construction, restoration, and use of all properties within the park, including the Preservation Zone. Such standards and criteria may be revised from time to time, with the advice of the Commission, and shall have as their purpose the promotion of construction and restoration activities in a manner consistent with the maintenance and interpretation of the historic scene within the park. The Secretary shall publish the standards and criteria, and any revisions, in the Federal Register. No Federal project, grant, loan, or license shall be undertaken or approved, as the case may be, which in the judgment of the Secretary is inconsistent with such standards and criteria to the extent such project, grant, loan, or license has a material effect on the resources within the park.

Sec. 5(a). There is hereby established the Lowell National Cultural Park Advisory Commission (hereinafter referred to as the "Commission"). The Commission shall consist of fifteen members as follows:

- (1) The Representative in Congress representing the city of Lowell;
- (2) Six members appointed by the Secretary from recommendations submitted by the manager of the city of Lowell, of whom not less than three shall be elected officials;
- (3) One member designated by each of the following: The Secretary of Transportation; the Secretary of Commerce; and the Secretary of Housing and Urban Development;
- (4) Two members designated by the Secretary of whom one shall be the Chairman of the Commission; and
- (5) Three members appointed by the Secretary from recommendations submitted by the Governor of Massachusetts.

(b) The term of each member of the Commission shall expire two years following the effective date of this Act.

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

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

(e) Members of the Commission who are officers or employees of the Federal Government, the city of Lowell, or the Commonwealth of Massachusetts shall serve without compensation as such. Other members, when engaged in activities of the Commission, shall be entitled to compensation at the rate of not to exceed \$100 per diem. All members shall receive reimbursement for necessary travel and subsistence expenses incurred by them in the performance of the duties of the Commission.

(f) Financial and administrative services (including those relating to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided for the Commission by the Secretary, for which payments shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Secretary: Provided, That

the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Secretary for the administrative control of funds shall apply to appropriations of the Commission: And provided further, That the Commission shall not be required to prescribe such regulations.

(g) The Commission shall have power to appoint and fix the compensation of such additional personnel as may be necessary to carry out its duties, without regard to the provisions of the civil service laws and the Classification Act of 1949.

(h) The Commission may also procure, without regard to the civil service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the executive departments by section 15 of the Administrative Expenses Act of 1946, but at rates not to exceed \$100 per diem for individuals.

(i) The Federal executive departments represented on the Commission shall provide it, on a reimbursable basis, with such facilities and services under their jurisdiction and control as may be needed by the Commission to carry out its duties, to the extent that

such facilities and services are requested by the Commission and are otherwise available for that purpose. To the extent of available appropriations, the Commission may obtain, by purchase, rental, donation, or otherwise, such additional property, facilities, and services as may be needed to carry out its duties. Upon the termination of the Commission all property, personal and real, and unexpended funds shall be transferred to the Department of the Interior. The Commission shall terminate two years following the effective date of this Act.

(j) It shall be the duty of the Commission to advise the Secretary with respect to (1) standards and criteria for the construction, restoration, and use of all properties within the park, (2) acquisition and development of properties within the Intensive Use Zone; and (3) an appropriate entity^{to} which overall coordination of preservation efforts for the park should be permanently assigned. The Secretary shall consult with the Commission from time to time with respect to his duties and responsibilities under this Act. Not later than sixty days following the termination of the Commission, the Secretary shall submit his recommendation to the Congress for a permanent entity to coordinate all levels of preservation activity within the park.

Sec. 6. The Secretary shall develop, administer, interpret, and maintain the park as a unit of the national park system in accordance with the provisions of the Act approved August 25, 1916 (39 Stat. 535), the Act approved August 21, 1935 (49 Stat. 666), as both have been amended and supplemented, and this Act.

Sec. 7. There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.