

Committee on Resources

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STATEMENT OF DE TEEL PATTERSON TILLER, ACTING ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, RECREATION AND PUBLIC LANDS, HOUSE COMMITTEE ON RESOURCES, CONCERNING THE REAUTHORIZATION OF THE ADVISORY COUNCIL ON HISTORIC PRESERVATION AND ON PRIVATE PROPERTY PROTECTION UNDER THE NATIONAL HISTORIC PRESERVATION ACT.

June 3, 2003

Mr. Chairman, thank you for the opportunity to provide the committee with a brief report on America's national historic preservation program authorized under the National Historic Preservation Act of 1966 and to provide support for the reauthorization of the Advisory Council on Historic Preservation under that same act.

Thirty-seven years ago, a Special Committee on Historic Preservation of the U.S. Conference of Mayors recommended that the United States adopt a public policy in support of the preservation and protection of our country's significant historic places for future generations of Americans. In that report, the Special Committee also made broad recommendations on the pressing need for this nation to establish a strong federal historic preservation program.

In response to the Conference of Mayors Report, Congress passed the National Historic Preservation Act of 1966 establishing a national historic preservation program. The National Historic Preservation Act (NHPA) set in motion a process to reduce the loss of much of this nation's invaluable heritage and established the means for the federal government to protect and preserve our nation's historic places in a unique partnership that remains effective to this day.

We are pleased to report that the nearly four-decade-old act and vision it created, remains healthy and rigorous. The 37-year history of this important national program has shown that the Conference of Mayors was correct - economic development can go hand-in-hand with preserving America's heritage.

The NHPA created some of our most widely recognized national institutions like the National Register of Historic Places. The National Register now includes over 1.2 million properties in 76,000 listings nominated by citizens from Maine to Hawaii, Alaska to Puerto Rico, and in American Samoa and the U.S. Virgin Islands. There is hardly a city or town without a property listed on the National Register of Historic Places. Last fiscal year alone, 40,141 properties were listed in 1,454 nominations representing every state in the country.

The National Register is unique in its recognition of "local historic significance." No other national system does this. Today, two thirds (66%) of the properties listed on our National Register are designated for their significance to local citizens and local history. That policy is based on a vision borne almost 40 years ago that local citizens and their local and state governments know best those places important to preserve a unique sense of history and community for future generations – and not the federal government.

Listing in the National Register does not restrict a property owner from disposing of the historic place in any manner he or she sees fit except, in those rare circumstances, when the owner has accepted federal funding for the property. In cases where a property has been listed or determined to be eligible for listing in the National Register, a private property owner is under no obligation to protect the historic property and it can be torn down by its owner without federal government intervention.

The NHPA has created also a remarkable national partnership network, one in which state, tribal, and local governments play decisive and, in most ways, co-equal public roles to the federal government. The federal government, acting through the National Park Service, sets professional and performance standards, provides technical assistance, advice, and training, and provides oversight and approval roles. But the on-the-ground work of the national preservation program directly involves citizen input and is delivered principally to our citizens through state and local governments, and more recently, tribal governments. It is this complex partnership network to which can be credited the national program's great success.

The NHPA created an effective national “cost-sharing” approach where the federal government provides a share of the financial resources needed to local, tribal, and state governments, who, in turn, provide a portion as well while the benefits are shared by citizens. A 1976 amendment to the NHPA created the Historic Preservation Fund so that revenues from Outer Continental Shelf extraction could pay the federal share in the protection of our nation’s prehistoric and historic treasures. The Historic Preservation Fund is highly cost-effective and remains an important cornerstone in this national program. The fund has always had strong bipartisan support and has been reauthorized three times since its creation.

State governor-appointed State Historic Preservation Officers in 56 States and Territories assist citizens, units of local government, and public and private organizations to carry out their part of the national preservation program. Activities include locating and documenting prehistoric and historic properties, assisting citizens to nominate properties to the National Register, assisting local governments and federal agencies in meeting historic preservation statutes, and assessing the impact of federal projects on historic places. Last year, states reviewed over 100,000 federal projects to minimize their impacts on our nation’s heritage and historic places. The work of state governments in this program is invaluable.

The Historic Preservation Tax Incentives Program, jointly administered by the National Park Service and State Historic Preservation Officers, is the nation’s largest program to stimulate the preservation and reuse of income-producing historic properties. Since its inception in 1976, it has generated over \$28 billion in historic preservation activity; in FY 2002 alone, a record-setting \$3.2 billion in private investment was leveraged using federal historic preservation tax credits rehabilitating over 1,200 historic properties listed on the National Register and creating over 50,000 jobs and 14,000 housing units.

Local governments received a formal role in the national preservation program in the 1980 amendments to the NHPA. These important partners assist local citizens to preserve their neighborhoods and local historic district values, to work with local schools to ensure the next generation recognizes and values their local history, and to work hand-in-hand with state governments to ensure the national historic preservation program meets local needs in the best manner possible.

The 1992 amendments to the law brought a more inclusive and formal role for tribal governments in the national program, and we are pleased to report that as of today, 37 tribal governments have formally joined the national program. Tribal participation in the national program has brought an energy and different way of thinking about heritage, history, preservation and sense of place.

The nation’s understanding of what is worthy of preservation has also changed since the 1960’s. As an example, where once we focused on the grand houses of the Founding Fathers, battlefields, and homes of the rich and famous, we now include the record of everyday lives, farmsteads, vernacular architecture, and, the recent past. Now that the 20th century itself is history, the field of historic places worthy of preservation now gives way to “modern” American stories like World War II, Rock and Roll, the Cold War, and the Civil Rights struggle. As the nation changes in diversity and complexity, we must ensure that the history of all Americans is identified, honored, and preserved. Fortunately, the law passed in 1966 was flexible enough to accommodate a nation’s changing sense of what is historic and worthy of preservation.

The 1966 NHPA also created the Advisory Council on Historic Preservation as part of this national partnership. An independent federal agency dedicated to historic preservation, the Council is the major policy advisor to federal agencies on historic preservation. The Council is comprised of 20 members, including federal agencies, private citizens and experts in the field of historic preservation. Its mission is to advocate full consideration of historic values in federal decision making; to oversee the Section 106 process which requires federal agencies to consider the impact of their programs and projects on places of historic value; to review federal programs and policies to further preservation efforts; to provide training, guidance, and information to the public and federal entities; and to recommend administrative and legislative improvements for protecting the nation’s heritage.

For more than 30 years, the Department of the Interior and the Advisory Council have worked together to enhance historic preservation efforts across the nation. The Department looks forward to continuing this relationship with the Council as we implement one of the most far-reaching and important federal policies on historic preservation in the past 20 years. The Department supports reauthorization of the Advisory Council on Historic Preservation.

On March 3, President Bush launched the Preserve America Initiative by the signing of Executive Order

13281. This Executive Order focuses on the sound public policy that historic preservation makes good economic sense. The federal government can play an important role in assisting local and state governments to realize this potential through such efforts as heritage tourism, which can bring economic benefits to communities throughout the nation.

Mr. Chairman, this concludes my prepared remarks. I would be pleased to answer any questions you or members of the committee may have.