



## Executive Summary

The National Historic Preservation Act of 1966 (the “Act” or the “NHPA”) established a national preservation program based on a federal partnership with States, Indian Tribes, Native Hawaiians, local governments, nonprofit organizations and the private sector. These partners carry out the bulk of preservation in the United States. The Act tasked the federal government with encouraging their work and ensuring that America’s vital legacy of not just the “cultural, educational, aesthetic [and] inspirational” but also the “economic and energy benefits” of historic resources “be maintained and enriched for future generations of Americans.” Congress delegated these federal responsibilities to the Department of the Interior (“Interior” or “DOI”), who in turn assigned their administration to the National Park Service (“NPS”).

In the past 45 years the American historic preservation and heritage partners have remade themselves into the multifaceted movement envisioned by the Act and proved the power of preservation to serve as a catalyst for job creation, community revitalization, energy conservation, and enhancement of community and national pride. But while the preservation partners have made great strides in realizing the ideals of the Act, the federal component of the national preservation partnership has not kept pace. In order to create an effective partnership for unleashing the potential of the nation’s heritage resources to contribute to meeting America’s most pressing national goals and to further realize the intent of the National Historic Preservation Act in the 21st century, the federal historic preservation program must change.

### The Vision

The Task Force envisions an administrative structure for the federal Historic Preservation and Heritage Partnership Programs (“Partnership Programs”) that propels these programs into a leadership role in job creation, energy independence, better international relations through public diplomacy, heritage conservation and the forging of efficient and effective public-private partnerships to advance these goals.

The Task Force defines the “Partnership Programs” as the federal preservation activities that require the regular involvement of non-federal participants such as those defined in Title I of the National Historic Preservation Act and carried out by States, Tribes, local governments, and the National Heritage Areas movement, and federal agency preservation programs related to these activities. These programs include the National Register of Historic Places, the Federal Rehabilitation Tax Credit Program, and federal Grants-in-Aid programs among others.

To be effective, leadership of these Partnership Programs should:

- Be accountable for the performance of the national preservation program
- Enable collaboration across program constituencies
- Advocate for the national preservation program, particularly with regard to funding
- Achieve innovation and flexibility
- Make historic preservation visible at all levels.

Effective leadership of the Partnership Programs will result in greater leveraging of heritage-related private investment, streamlined regulatory and grant application reviews that remain true to national preservation standards, an effective voice for the Preservation and Heritage Partnership Programs within the Department of the Interior, and in the development of preservation-based public policy related to community and economic development, energy independence and environmental sustainability across the federal government.

## Why Is Change Needed?

A strong consensus has emerged from the work of the Federal Historic Preservation Program Task Force and recent studies undertaken by the National Academy of Public Administration and the Preserve America Expert Panel that the current federal structure for administering the Preservation and Heritage Partnership Programs (what the NPS has called “External” or “Community Assistance” programs) is not adequate to realize the potential of heritage conservation to advance national goals in the 21<sup>st</sup> century.

The recommendations of the Task Force are based on the following findings:

- The current administrative structure of the federal historic preservation program does not provide for the levels of leadership, public and private partnership, advocacy, innovation, and visibility required to realize the transformative vision for historic preservation set forth in the 1966 Act.
- The breadth of the preservation vision set forth in the 1966 Act reaches into the nation’s communities and policy making arenas related to economic development and community and environmental sustainability, extending far beyond National Park boundaries. It is critical that the federal government realign the administration of the Partnership Programs to provide leadership capable of achieving the vision of the 1966 Act, with the expertise, flexibility and accountability needed to advance them.
- Closer integration of the Preservation and Heritage Partnership Programs into the administrative structure of inside-park cultural resource management will not serve either the individual parks or the Partnership Programs well. The goals and cultures of these two areas of activity are very different. Placing both of these responsibilities under a single leader puts parks and the Partnership Programs in competition with each other for resources, and it puts curatorial preservation concerns ahead of efforts to harness the nation’s heritage resources for the broad array of public goals envisioned by the 1966 Act.

A diverse segment of the public and the preservation community believes that transferring the Partnership Programs to an independent federal preservation agency or a separate bureau within the Department of the Interior would be the best structure to empower property owners and local agencies to use heritage preservation to create jobs and advance community sustainability. However, the Task Force believes that in keeping with the current fiscal imperative to do more with less, positive change can be accomplished through the realignment of current resources, with the understanding that the preservation community will revisit the results of these changes in two years to determine if they have been effective.

## Recommendations

Deep budget cuts exacted in 2011 and proposed again for 2012 have created both an imperative and an opportunity to revitalize the Partnership Programs so that Congress, the Administration and the American people unambiguously see them as realizing the promise of the National Historic Preservation Act and meeting the urgent needs of the 21st century. To do this, the Federal Historic Preservation Program Task Force posits that the federal component of the Partnership Program currently administered by the NPS must be realigned and strengthened to create a structure fully aligned with the provisions of the Act and of furthering the economic development, energy and resource conservation and community-strengthening potential of historic resources. The Task Force’s recommendations are:

- 1. Make historic preservation visible and accountable by realigning responsibilities for Preservation and Heritage Partnership Programs within the National Park Service under a Deputy Director for Historic Preservation and Heritage who reports to the Director of the National Park Service.** The Task Force findings indicate that the Partnership Programs will not thrive in NPS unless they gain a more elevated and independent position within the NPS hierarchy. This is not an issue that individual leadership can overcome in the long term, but one of structural necessity to institutionalize and elevate historic preservation within the federal government so that true national leadership again becomes feasible. The Task Force envisions a single Deputy Director who reports directly to the Director of the National Park Service. The sole responsibility of this Deputy Director would be overseeing the various Partnership Programs described in Title I of the 1966 Act and administered with Tribes, States, and localities, as well as National

Heritage Areas. This approach will provide leadership that is accountable solely for the advancement of the outward focused preservation Partnership Programs.

Further, to insure success, the Deputy Director for Historic Preservation and Heritage needs expanded staff expertise in the areas of economic development, energy efficiency and environmental sustainability to complement existing resource protection expertise. Together, these actions will facilitate more efficient and effective administration of local designation activities, tax credit investment projects, and National Heritage Area administration. The Task Force believes that these changes can be accomplished at minimal expense and with the existing number of personnel through the reassignment and reorientation of existing positions.

- 2. Designate a Senior Policy Officer for Historic Preservation and Heritage in the Department of the Interior to serve as a Special Advisor for Heritage to the Secretary of the Interior.** The Task Force strongly believes that it is time for the Department of the Interior to take a strong leadership role in historic preservation. As steward of the federal preservation program, and as the Agency designed by Congress to be responsible for much of the National Historic Preservation Act, Interior needs to become a true leader and advocate for historic preservation across the agency and throughout the administration.

The Senior Policy Officer for Historic Preservation and Heritage in the Department of the Interior and Special Advisor for Heritage to the Secretary of the Interior will oversee the implementation of the National Historic Preservation Act throughout the Department of the Interior's bureaus and offices, as required under Executive Order 13287 (Preserve America). This officer will advise the Secretary of the Interior on all matters related to heritage preservation, including preservation's ability to contribute to departmental, national and international goals and ensure that heritage partnership programs have a place in departmental priority setting and resource allocation. The information gathered by this officer will also allow the Secretary to introduce preservation-based strategies to solving national issues into the deliberations of the Domestic Policy Council. Designation of this officer will provide the agency-wide cultural resource coordination initially sought by the 1966 Act.

- 3. Make the Advisory Council on Historic Preservation Chairman a full-time position.** The Task Force has identified a need to strengthen leadership and increase visibility for historic preservation and heritage at the federal level: a full-time ACHP Chairman appointed by the President will help accomplish this. It will allow the Council to fulfill its Congressionally-mandated responsibilities to advise the President and Congress on matters relating to historic preservation and improve coordination of preservation activities of Federal, State, and local agencies and private institutions and individuals, while also carrying out its critical responsibilities for administering the Section 106 review process.

A full-time ACHP chair would be in a better position to work closely with the leadership of the Partnership Programs to facilitate more inter-agency cooperation in their administration, and with the Secretary of the Interior to provide leadership and advocacy for historic preservation within the Administration. The full-time chair will also initiate a process to identify opportunities for greater efficiency in how preservation responsibilities are allocated and carried out between the ACHP and the NPS. Furthermore, a full-time chairperson will be better positioned to engage in government-to-government consultation with tribes; international agencies and organizations; and with other key Executive Office initiatives, panels and councils. Designation of a full-time Chair should be pursued initially as an administrative action by the President, evaluated, and if successful, be established statutorily at a later date.

- 4. Designate a senior staff position for historic and cultural resources on the President's Council on Environmental Quality ("CEQ").** The National Environmental Policy Act of 1969 (NEPA), which CEQ helps to implement, promotes a national policy designed among other things to "preserve important historic, cultural, and natural aspects of our national heritage." The fact that NEPA has always included cultural and historic resources has often been overlooked. Natural resource programs have had an Executive Office champion in the CEQ but the agency with comparable responsibilities for the preservation program (the ACHP) is not currently represented in the Executive Office. Having a voice for historic preservation and cultural resources at CEQ will ensure that historic preservation and the roles it plays in energy savings, sustainability, and environmental quality are part of Council deliberations as intended by NEPA.



The Federal Rehabilitation Tax Credit Program, managed by the National Park Service, which in 2010 created more than 41,000 jobs and leveraged over \$3.4 billion in private investment should be touted as a model program during these challenging economic times. It not only facilitates the restoration of historic buildings, but it spurs additional construction and investment. Pictured is the Enterprise Mill in Augusta, GA, which has been adaptively reused for office space, housing, and the Interpretive Center for the Augusta Canal Heritage Area.