

**NATIONAL PARK SERVICE PRESERVATION POLICY
AN EXPOSITION AND ANALYSIS**

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ARCH 430

April 1974

As the principal Federal agency concerned with historic preservation, the National Park Service plays a double role. Its primary duty in the field is the preservation and interpretation to the public of historic sites under its administration throughout the country. In addition, its assistance and example have extended its influence to the preservation activities of other governmental bodies and private groups. How the Service attained this position and the policies it has adopted and implemented in the course of its preservation mission are the concerns of this paper.

Origins and Legal Framework of the Service's Preservation Mission

Significant Federal involvement in historic preservation began a quarter-century before the agency that would eventually assume charge of this activity was created. In 1890, in response to the urgings of veterans' groups and others, Congress authorized establishment of the Chickamauga and Chattanooga National Military Park encompassing the fields of Civil War battle in Georgia and Tennessee.¹ Three other battlefields of the war, Shiloh, Gettysburg, and Vicksburg, were likewise acquired and placed under War

¹The Federal Government had previously acquired historic properties, notably Arlington House (1864) and Ford's Theatre (1866), but these acquisitions and the reservation of Custer Battlefield in Montana were not originally for purposes of preservation. Especially in the years just after the 1876 Centennial, the Government funded the erection of monuments on Revolutionary battlefields, but it did nothing to preserve the fields themselves.

Department administration during the remainder of the decade. By 1931 20 national military parks and national battlefield sites had been set aside, including fields and forts of the French and Indian War, the Revolution, and the War of 1812.²

At first glance the battlefield preservation movement as it came to fruition in the 1890s seems far removed from present preservation concerns. We have less interest in battlefields today: the reputation of things military is at a low ebb, our century's wars have been fought on foreign soil, and modern battles are seldom staged on compact open terrain susceptible to preservation and interpretation. Our motivations are different too. We are unlikely, for example, to argue for preservation in terms of its contribution to patriotism, as Supreme Court Justice Rufus W. Peckham justified the Federal condemnation of land for Gettysburg National Military Park in 1896.³

²This figure excludes 10 national monuments proclaimed on military reservations to 1925, including the field of a military-Indian conflict in Montana (Big Hole Battlefield), Castillo de San Marcos National Monument in St. Augustine, and Fort Pulaski National Monument in Savannah. (Ronald F. Lee, Family Tree of the National Park System [Philadelphia: Eastern National Park and Monument Association, 1972], pp. 27-28, 32.)

³"Such action on the part of Congress [in creating the park] touches the heart, and comes home to the imagination of every citizen, and greatly tends to enhance the love and respect for those institutions for which these historic sacrifices were made. The greater the love of the citizen for the institutions of his country the greater is the dependence properly to be placed upon him for their defence in time of necessity, and it is to such men that the country must look for its safety." (United States v. Gettysburg Electric Railway Company, 160 U.S. 682.)

Yet precedents were set in battlefield preservation that would prove more broadly applicable later. Congress made national significance the criterion for Federal action and first authorized the acquisition of private property for the sake of preservation. In seeking to maintain the battlefields as near as possible to their historic appearance, the War Department continued farmhouses and fields in occupation and agricultural use, purchasing them from owners and leasing them back with preservation restrictions.⁴ The hundreds of State and regimental monuments that were erected were conspicuous exceptions to the policy of keeping the battlefields in their original condition. In addition to their commemorative function, however, the monuments were to serve a utilitarian purpose in marking troop positions to facilitate professional military study. By congressional enactment, the military parks also became "national fields for military maneuvers for the Regular Army of the United States and the National Guard of the States."⁵ In this way the historic battlefields were made to serve contemporary needs--a preservation concept later applied in other contexts. Finally, insofar as the first national military parks were systematically chosen to commemorate the different Union and Confederate armies involved at each, they illustrated the kind of rational

⁴Ronald F. Lee, The Origin and Evolution of the National Military Park Idea (Washington: National Park Service, 1973), pp. 29, 36.

⁵Ibid., p. 35.

approach to the selection of historic sites that the National Park Service would advocate on a broader scale.

At the same time that interest was developing in battlefield preservation, anthropologists and other scientists in the American Association for the Advancement of Science, the Archaeological Institute of America, and similar societies were turning their attention to the Nation's prehistoric Indian ruins and sites, particularly those on public lands in the Southwest. In 1889 a group of prominent Massachusetts citizens prevailed upon Congress to authorize the repair of Casa Grande Ruin in Arizona and the reservation of its land from settlement and sale. President Benjamin Harrison set aside 400 acres containing the ruin in 1892, thereby creating the first Federal site to be preserved for its archeological value.⁶

More action was needed to protect the numerous other prehistoric remains from vandalism and destruction at the hands of settlers, sightseers, and artifact hunters. In 1906, following intensive efforts by the American Anthropological Association, Congress enacted the first Federal expression of a general preservation policy, that is, legislation concerned with more than a particular site. Under the Antiquities Act the President could "declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific

⁶Ronald F. Lee, The Antiquities Act of 1906 (Washington: National Park Service, 1970), pp. 13-20.

interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and . . . reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected." The Secretaries of the Interior, Agriculture, and War were authorized to permit recognized scientific and educational institutions to conduct archeological studies and excavations on lands under their jurisdictions, and penalties were set for those damaging or removing artifacts without permission.⁷

President Theodore Roosevelt and his successors used the Antiquities Act to reserve a much wider range of properties than its early proponents had envisioned. Of the 89 national monuments proclaimed by 1969, 51 were essentially geological or significant in other fields of natural science. Many of the rest were not "antiquities" of prehistoric man but instead were colonial and 19th century forts and other structures like the Castillo de San Marcos at St. Augustine, Fort Pulaski in Savannah, Fort Laramie in Wyoming, and the Chesapeake and Ohio Canal in the District of Columbia and Maryland.⁸

In 1916 Congress established the National Park Service, a new bureau in the Interior Department to assume responsibility for

⁷34 Stat. 225; Lee, Antiquities Act, pp. 47-77.

⁸Lee, Antiquities Act, pp. 94-96. The term "national monument" was also applied to 28 historical and natural parks authorized by individual acts of Congress between 1930 and 1969.

the national parks and those national monuments proclaimed on Interior lands. The Service was to administer these properties in accordance with the dual purpose defined in the act: "to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."⁹ For the first time the Federal Government had an agency specifically concerned with the preservation of historic sites and buildings--an essential step toward the development of a coherent Federal preservation policy.

In the early 1930s the Service helped bring about the establishment of George Washington Birthplace National Monument and Colonial National Monument (including Jamestown and Yorktown) in Virginia and Morristown National Historical Park in New Jersey. With these areas under its administration, the Service expanded beyond its previous focus on Western archeological sites and became more truly national in its preservation interests. Its position as the Federal historic sites agency was confirmed in the Executive Branch reorganization of 1933, when it acquired control of 57 historical monuments previously under Agriculture and War Department administration and the many historical properties in the National Capital Parks system. Before this transfer the natural areas of the National Park System far outnumbered the historical

⁹39 Stat. 535.

areas; now the System contained 77 historical areas (not counting the National Capital Parks) as compared to 58 natural parks.¹⁰

The important Historic Sites Act of 1935 followed logically from these developments. In November 1933 Major Gist Blair, owner of Blair House, visited President Franklin D. Roosevelt to discuss his interest in the preservation of historic sites and buildings. "I shall be grateful if you will give consideration to some kind of plan which would coordinate the broad relationship of the Federal government to State and local interest in the maintenance of historic sources and places throughout the country," Roosevelt wrote Blair after their meeting. "I am struck with the fact that there is no definite, broad policy in this matter."¹¹ The Society of Colonial Wars, a hereditary patriotic society to which Blair belonged, found this subject of general interest and formed a committee "to devise ways of securing cooperation among patriotic societies, and of enlisting the interest and support of State and Federal authorities in measures for the preservation of our Colonial and other historical buildings and shrines and in measures for the appropriate marking of sites of historical interest."¹²

¹⁰Horace M. Albright, Origins of National Park Service Administration of Historic Sites (Philadelphia: Eastern National Park and Monument Association, 1971); Lee, Family Tree, p. 35.

¹¹Copy of letter in Historic Sites Act file, Division of History, National Park Service, Washington, D.C.

¹²General Society of Colonial Wars, Minutes of the Forty-Seventh General Council Meeting, April 7, 1934 (Philadelphia: Office of the Secretary General, 1934), pp. 14-15.

Influenced by such expressions of purpose, Secretary of the Interior Harold L. Ickes asked his solicitor to draft appropriate legislation and commissioned a survey of European preservation law to aid in its preparation. Letters from President Roosevelt to Congress in support of the resulting bill reveal that patriotism was still a primary justification for preservation: "The preservation of historic sites for the public benefit, together with their proper interpretation, tends to enhance the respect and love of the citizen for the institutions of his country, as well as strengthen his resolution to defend unselfishly the hallowed traditions and high ideals of America."¹³

The Historic Sites Act, approved August 21, 1935,¹⁴ declared "a national policy to preserve for public use historic sites, buildings and objects of national significance for the inspiration and benefit of the people of the United States." Whereas the Antiquities Act had restricted Federal concern to the public domain, the new measure gave the Secretary of the Interior, through the National

¹³Ickes to Nathan R. Margold, Sept. 28, 1934, Historic Sites Act file; Thomas J. Schneider, Report to the Secretary of the Interior on the Preservation of Historic Sites and Buildings (Washington: Department of the Interior, 1935); U.S. Congress, House, Preservation of Historic American Sites, Buildings, Objects, and Antiquities of National Significance, H. Rept. 848 To Accompany H.R. 6670, 74th Cong., 1st Sess., 1935, p. 2; U.S. Congress, Senate, Preservation of Historic American Sites, Buildings, Objects, and Antiquities of National Significance, S. Rept. 828 To Accompany S. 2073, 74th Cong., 1st Sess., 1935, p. 2. The Roosevelt letters were drafted by Verne E. Chatelain, chief historian of the National Park Service (draft copy in Historic Sites Act file).

¹⁴49 Stat. 666.

Park Service, broad authority without concern for the ownership of historic properties. The Secretary could "secure, collate, and preserve drawings, plans, photographs, and other data of historic and archaeologic sites, buildings, and objects"--an undertaking already begun in 1933 as the Historic American Buildings Survey, initially a depression relief program for unemployed architects, photographers, and draftsmen. He was to "make a survey of historic and archaeologic sites, buildings, and objects for the purpose of determining which possess exceptional value as commemorating or illustrating the history of the United States." This provision authorized the National Survey of Historic Sites and Buildings and the later designation of nationally significant properties outside the National Park System as National Historic Landmarks. The Secretary was allowed to conduct research on particular sites, erect tablets to mark or commemorate historic places or events, develop an educational program, and "restore, reconstruct, rehabilitate, preserve, and maintain" properties of national historical or archaeological importance. An important feature of the act was its establishment of the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, a committee including historians, archaeologists, historical architects, and anthropologists that would advise the Secretary on historic preservation matters.

The draft of the bill prepared by the National Park Service and the Interior solicitors gave the Secretary of the Interior broad discretionary power to acquire historic properties or to assist

other governmental or private owners in their preservation. As passed, the Historic Sites Act prohibited administrative action in these areas that would obligate the Treasury without prior congressional appropriations for the purpose. Most historic sites added to the National Park System would therefore require special acts of Congress.¹⁵ The Historic Sites Act was nevertheless important in its fundamental statement of Federal concern for the preservation of nationally significant properties, in its authorization of activities to identify, record, publicize, and make recommendations to Congress on properties, and in its guidelines for the administration of historical parks individually authorized by Congress. The act served as a point of reference in numerous later statutes dealing with particular sites and in the 1949 act¹⁶ creating the National Trust for Historic Preservation, a quasi-public organization formed to accept historic properties and facilitate public involvement in preservation activities.

The most recent and far-reaching congressional enactment

¹⁵Secretary Ickes and his successors did add 30 areas to the System within the next 35 years by designating them National Historic Sites. Congress subsequently acted to acquire or otherwise sanction 18 of them by authorizing legislation or appropriations, including the homes of the Adams family in Quincy, Massachusetts, and Dwight D. Eisenhower at Gettysburg, Pennsylvania. Most of the others, like San Jose Mission in San Antonio and Gloria Dei (Old Swedes') Church in Philadelphia, were the subjects of cooperative agreements between the Secretary and their owners that required no Federal expenditures. By comparison, well over twice as many historical areas came into the System through congressional initiative during the same period.

¹⁶63 Stat. 927.

focusing specifically on the preservation of historic properties is the National Historic Preservation Act of 1966.¹⁷ By now the motives of preservationists extended beyond the educational and patriotic and were concerned with environmental values. Laying the groundwork for the new legislation, a Special Committee on Historic Preservation under the auspices of the United States Conference of Mayors reported in 1966:

The pace of urbanization is accelerating and the threat to our environmental heritage is mounting; it will take more than the sounding of periodic alarms to stem the tide.

The United States is a nation and a people on the move. It is in an era of mobility and change. Every year 20 per cent of the population moves from its place of residence. The result is a feeling of rootlessness combined with a longing for those landmarks of the past which give us a sense of stability and belonging.

If the preservation movement is to be successful, it must go beyond saving bricks and mortar. It must go beyond saving occasional historic houses and opening museums. It must be more than a cult of antiquarians. It must do more than revere a few precious national shrines. It must attempt to give a sense of orientation to our society, using structures and objects of the past to establish values of time and place.

This means a reorientation of outlook and effort in several ways.

First, the preservation movement must recognize the importance of architecture, design and esthetics as well as historic and cultural values. Those who treasure a building for its pleasing appearance or local sentiment do not find it less important because it lacks "proper" historic credentials.

Second, the new preservation must look beyond the individual building and individual landmark and concern itself with the historic and architecturally valued areas and districts which contain a special meaning for the community. A historic neighborhood, a fine old street of houses, a village green, a colorful marketplace, a courthouse square, an esthetic quality of the townscape--all must fall within the concern of the preservation movement. . . .

In sum, if we wish to have a future with greater meaning, we must concern ourselves not only with the historic highlights,

¹⁷80 Stat. 915.

but we must be concerned with the total heritage of the nation and all that is worth preserving from our past as a living part of the present.¹⁸

Many of the Special Committee's specific recommendations for Federal action were embodied in the National Historic Preservation Act, whose preamble declared "that the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people." In contrast to previous Federal preservation legislation, the scope of the new act included properties of State and local significance as well as those of national importance. A National Register of Historic Places, initially comprising the historical areas of the National Park System and the National Historic Landmarks, would be expanded to include "districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture" identified and nominated by the States. It would thus become a comprehensive nationwide inventory of all such properties deemed worthy of preservation. The act authorized Federal grants to the States for assistance in preparing statewide surveys and preservation plans and matching grants to the States and the National Trust for preservation projects involving properties on the National Register. And it established an Advisory Council on Historic Preservation to serve as a high-level forum on preservation concerns.

¹⁸With Heritage So Rich (New York: Random House, 1966), pp. 207-08.

Particularly significant is Section 106 of the act, which requires all Federal agencies to consider the effect of their projects upon National Register properties and to enable the Advisory Council to review and comment upon undertakings found to have effects. Although the Council cannot enjoin harmful Federal projects, the procedures it has established for compliance with Section 106 have proved influential in modifying such projects to minimize their damage.

Responsibility for implementing the National Historic Preservation Act fell to the National Park Service. The Office of Archeology and Historic Preservation, newly created within the Service, took charge of the National Register program along with the National Survey of Historic Sites and Buildings, the Historic American Buildings Survey, the Historic American Engineering Record (established in 1969), and the Inter-Agency Archeological Salvage Program. By January 1974 the National Register contained the 178 historical parks of the National Park System, 1,083 National Historic Landmarks, and 7,131 properties nominated by the States and by Federal agencies pursuant to Executive Order 11593. The total included several hundred historic districts, or complexes containing more than one principal structure. The grants program for the 1974 fiscal year was funded by Federal appropriations of \$11,500,000, a considerable increase over the funding levels of the first years but still well below the total of matching funds available from the States.

The requirement that Federal activities not heedlessly impair historic and cultural resources was reaffirmed in the landmark National Environmental Policy Act of 1969.¹⁹ This act declares the Federal Government responsible for using "all practicable means, consistent with other essential considerations of national policy," to "assure for all Americans . . . esthetically and culturally pleasing surroundings" and to "preserve important historic, cultural, and natural aspects of our national heritage. . . ." In their project planning agencies must work to see that such "presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations." Prior to any major Federal activity "significantly affecting the quality of the human environment," the responsible agency must prepare an environmental impact statement reflecting the comments of other agencies with "jurisdiction by law or special expertise with respect to any environmental impact involved." In reviewing and commenting upon environmental impact statements, the National Park Service has sought to insure that historic, architectural, and other cultural resources receive full attention. The National Environmental Policy Act, like Section 106 of the National Historic Preservation Act, does not prohibit damage to such resources. But by requiring Federal agencies to state the environmental consequences of their proposed actions and identify alternatives, it provides strong encouragement for them to curtail adverse impacts.

¹⁹83 Stat. 852.

The latest major Federal directive involving the National Park Service and historic preservation is Executive Order 11593 of May 13, 1971, "Protection and Enhancement of the Cultural Environment."²⁰ Citing the major legislation previously discussed, President Nixon ordered Federal agencies to "direct their policies, plans and programs in such a way that federally owned sites, structures, and objects of historical, architectural or archaeological significance are preserved, restored, and maintained for the inspiration and benefit of the people. . . ." The National Park Service would advise agencies in inventorying and nominating to the National Register historic properties under their jurisdictions; prescribe professional standards for the preservation, rehabilitation, and restoration of federally owned sites; and act in other ways to help the Federal Government set an exemplary preservation standard. One result has been the identification of many historic sites and structures in the Service's natural and recreational parks and their nomination to the National Register.

The Development of Service Preservation Policy

The laws and executive directives mentioned above made historic preservation a matter of Federal concern and set the legal parameters within which the National Park Service would operate. Yet the laws left much for administrative determination. In

²⁰36 F.R. 8921.

implementing the Historic Sites Act, for example, what factors would cause a site or building to possess "national significance"? How would the survey to identify such properties be organized? What structures would be preserved, or restored, or reconstructed? Under the National Historic Preservation Act, what would be the criteria for properties nominated to the National Register? The Service's answers to such questions would be as important as the laws themselves.

The quality of national significance was--and is--obviously subjective. There was no need for debate over places like Independence Hall and Monticello, but more often there would be room for disagreement. Clearly, guidelines would be necessary for the National Survey of Historic Sites and Buildings to use in studying properties; for the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments to apply in evaluating them and recommending those believed to possess national significance; and for the Secretary of the Interior to cite in designating National Historic Landmarks and in reporting to the Congress on historical properties proposed for addition to the National Park System. The following criteria of national significance, prepared by the Service with the concurrence of the Advisory Board, were devised to meet this need.

- A. National significance is ascribed to buildings, sites, objects, or districts which possess exceptional value or quality in illustrating or interpreting the historical (history and archeology) heritage of our Nation, such as:

1. Structures or sites at which events occurred that have made a significant contribution to, and are identified prominently with, or which outstandingly represent the broad cultural, political, economic, military, or social history of the Nation, and from which an understanding and appreciation of the larger patterns of our American heritage may be gained.
2. Structures or sites associated importantly with the lives of persons nationally significant in the history of the United States.
3. Structures or sites associated significantly with an important event that outstandingly represents some great idea or ideal of the American people.
4. Structures that embody the distinguishing characteristics of an architectural type specimen, exceptionally valuable for a study of a period, style, or method of construction; or a notable structure representing the work of a master builder, designer, or architect.
5. Objects that figured prominently in nationally significant events; or that were prominently associated with nationally significant persons; or that outstandingly represent some great idea or ideal of the American people; or that embody distinguishing characteristics of a type specimen, exceptionally valuable for a study of a period style or method of construction; or that are notable as representations of the work of master workers or designers.
6. Archeological sites that have produced information of major scientific importance by revealing new cultures, or by shedding light upon periods of occupation over large areas of the United States. . . .
7. When preserved or restored as integral parts of the environment, historic buildings not sufficiently significant individually by reason of historical association or architectural merit to warrant recognition may collectively compose a "historic district" that is of historical significance to the Nation in commemorating or illustrating a way of life in its developing culture.
8. To possess national significance, a historic or prehistoric structure, district, site, or object must possess integrity. For a historic or prehistoric site, integrity requires original location and intangible elements of feeling and association. The site of a structure no longer standing may possess national

significance if the person or event associated with the structure was of transcendent historical importance in the Nation's history and the association consequential.

For a historic or prehistoric structure, integrity is a composite quality derived from original workmanship, original location and intangible elements of feeling and association. A structure no longer on the original site may possess national significance if the person or event associated with it was of transcendent importance in the Nation's history and the association consequential.

For a historic district, integrity is a composite quality derived from original workmanship, original location, and intangible elements of feeling and association.

For a historic object, integrity requires basic original workmanship.

- C. Structures or sites which are primarily of significance in the field of religion or to religious bodies but are not of national importance in other fields of the history of the United States, such as political, military, or architectural history, will not be eligible for consideration.
- D. Birthplaces, graves, burials, and cemeteries, as a general rule, are not eligible for consideration and recognition except in cases of historical figures of transcendent importance. Historic sites associated with the actual careers and contributions of outstanding historical personages usually are more important than their birthplaces and burial places.
- E. Structures, sites, and objects achieving historical importance within the past 50 years will not as a general rule be considered unless associated with persons or events of transcendent significance.²¹

When the National Historic Preservation Act expanded Federal concern to include properties of less than national significance, new criteria were required to guide the States in their surveys and nominations to the National Register of Historic Places.

²¹U.S. Department of the Interior, National Park Service, Criteria for Parklands (Washington: National Park Service, 1971), pp. 13-15.

Drawing on its existing criteria, the National Park Service prepared the following guidelines for this purpose.

The quality of significance in American history, architecture, archeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- (A) that are associated with events that have made a significant contribution to the broad patterns of our history; or
- (B) that are associated with the lives of persons significant in our past; or
- (C) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (D) that have yielded, or may be likely to yield, information important in prehistory or history.

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- (A) a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- (B) a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- (C) a birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life; or
- (D) a cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- (E) a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

- (F) a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- (G) a property achieving significance within the past 50 years if it is of exceptional importance.²²

The National Historic Preservation Act also required that Federal agencies be given guidance as to what constituted effects, within the meaning of Section 106, upon National Register properties. Aided by its staff in the Office of Archeology and Historic Preservation, the Advisory Council on Historic Preservation adopted the following Criteria for Effect.

A federally financed or licensed undertaking shall be considered to have an effect on a National Register listing (districts, sites, buildings, structures, and objects, including their settings) when any condition of the undertaking creates a change in the quality of the historical, architectural, archeological, or cultural character that qualified the property under the National Register criteria for listing in the National Register. Generally, adverse effect occurs in conditions which include, but are not limited to:

1. Destruction or alteration of all or part of a property.
2. Isolation from, or alteration of, its surrounding environment.
3. Introduction of visual, audible, or atmospheric elements that are out of character with the property and its setting.²³

It is significant that these criteria go well beyond the obvious ill effects of demolition and physical encroachment directly upon a property. Projects like airports and highways that may not physically intrude upon a National Register site are nevertheless covered if they produce aural or other atmospheric intrusions.

²²U.S. Department of the Interior, National Park Service, The National Register of Historic Places (leaflet; Washington: National Park Service, 1971).

²³Ibid. In January 1974 the Advisory Council added two conditions: disposal of a Federal property without adequate preservation restrictions and neglect of a property leading to deterioration.

incompatible with it.

The magnitude of the undertaking faced by the Service in its National Survey of Historic Sites and Buildings meant that some system must be developed for classifying historic properties, for purposes of both identification and evaluation. The thematic classification system adopted has been traced to a 1929 report by Clark Wissler, a prominent anthropologist:

In view of the importance and the great opportunity for appreciation of the nature and meaning of history as represented in our National Parks and Monuments, it is recommended that the National Parks and Monuments containing, primarily, archeological and historical materials should be selected to serve as indices of periods in the historical sequence of human life in America. At each such monument the particular event represented should be viewed in its immediate historical perspective. . . .

Further, a selection should be made of a number of existing monuments which in their totality may, as points of reference, define the general outline of man's career on this continent.²⁴

At the second meeting of the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments in May 1936, a statement presented by Verne E. Chatelain, chief historian of the National Park Service, was adopted that incorporated the idea of site identification by historical theme:

The general criterion in selecting areas administered by the Department of the Interior through the National Park Service whether natural or historic, is that they shall be outstanding examples in their respective classes. . . .

It is desirable in ascertaining the standards for selecting

²⁴U.S. Department of the Interior, Reports with Recommendations from the Committee on Study of Educational Problems in National Parks, January 9, 1929, and November 27, 1929 (Washington: Department of the Interior, n.d.), p. 24; Lee, Family Tree, p. 46.

historic sites, to outline briefly the stages of American progress and then indicate lists of the possible sites illustrative of each stage. In the study of these lists it is expected that attention will be centered on particular sites which, because of their deep historic value, as well as because of the fact that they possess important historic remains and are generally available, may be said to be the best examples in their respective classes.²⁵

At the same time, the Service submitted a list of 23 historical themes and 12 prehistoric culture groups under which it would classify historic and archeological sites, such as English Exploration and Colonization, The Advance of the Frontier, Industrial Development, and Ohio Valley Cultures.²⁶

This classification scheme was later refined to a total of 22 themes and was most recently recast in 1970 to comprise nine themes and 43 subthemes. The National Survey inventories and evaluates properties by subtheme. The current classification structure follows.

1. THE ORIGINAL INHABITANTS
 - a. The Earliest Americans
 - b. Native Villages and Communities
 - c. Indian Meets European
 - d. Living Remnant
 - e. Native Cultures of the Pacific
 - f. Aboriginal Technology
2. EUROPEAN EXPLORATION AND SETTLEMENT
 - a. Spanish
 - b. French

²⁵U.S. Department of the Interior, Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, Minutes of the Second Meeting, May 7-9, 1936 (Office of the Director, National Park Service, Washington, D.C.), pp. 4-5.

²⁶Copy in Minutes of the Fourth Advisory Board Meeting, March 25-26, 1937, pp. 39-42.

- c. English
- d. Other

3. DEVELOPMENT OF THE ENGLISH COLONIES, 1700-1775

4. MAJOR AMERICAN WARS

- a. The American Revolution
- b. The War of 1812
- c. The Mexican War
- d. The Civil War
- e. The Spanish-American War
- f. World War I
- g. World War II

5. POLITICAL AND MILITARY AFFAIRS

- a. 1783-1830
- b. 1830-60
- c. 1865-1914
- d. After 1914
- e. The American Presidency

6. WESTWARD EXPANSION, 1763-1898

- a. Great Explorers of the West
- b. The Fur Trade
- c. Military-Indian Conflicts
- d. Western Trails and Travelers
- e. The Mining Frontier
- f. The Farmers' Frontier
- g. The Cattlemen's Empire

7. AMERICA AT WORK

- a. Agriculture
- b. Commerce and Industry
- c. Science and Invention
- d. Transportation and Communication
- e. Architecture
- f. Engineering

8. THE CONTEMPLATIVE SOCIETY

- a. Literature, Drama, and Music
- b. Painting and Sculpture
- c. Education
- d. Intellectual Currents

9. SOCIETY AND SOCIAL CONSCIENCE

- a. American Ways of Life
- b. Social and Humanitarian Movements

c. Environmental Conservation
 d. Recreation in the United States²⁷

By considering together sites and structures associated with English exploration and settlement, for example, it is most likely that the best can be identified for Landmark recognition and--if additional criteria are met--for possible addition to the National Park System.

It was never intended that all properties found to possess national significance be brought under National Park Service administration. Under authority of the Historic Sites Act Secretaries of the Interior have designated a number of such properties in non-Federal ownership National Historic Sites; now this title is reserved for Service properties, with the Landmark program serving to recognize the far greater number in other hands. Once a site has earned Landmark designation, it must meet the further criteria of suitability and feasibility if it is to receive the Interior Department's recommendation for its inclusion in the National Park System. Here are considered such elements as practicability of preservation and interpretation, availability, and cost.²⁸

Consideration is also given thematic balance, or the extent to which a proposed historical park will contribute to the full story of American development desired to be told in the System. As we

²⁷U.S. Department of the Interior, National Park Service, Part One of the National Park System Plans: History (Washington: National Park Service, 1972), pp. vii-viii.

²⁸Criteria for Parklands, p. 15.

have seen, Chatelain cited this goal before the Advisory Board as a rationale for the thematic survey approach. Service Director Conrad L. Wirth repeated it in 1963 when he stated the need to acquire "nationally significant sites illustrating the various aspects of American history so that a well-balanced pageant of America in terms of its sites and buildings can be presented by the federal government."²⁹ Finally, the National Park System Plan: History developed in 1970 identified the thematic areas in which the System was weak and would require additional historical parks to be "truly representative of our national heritage."³⁰

The National Park Service used its thematic classification concept in formulating its guidelines for State historic preservation plans under the National Register program. Its Historic Preservation Grants-in-Aid Policies and Procedures declares that "the program's highest goal is to stimulate preservation of historic properties that together will represent, to the fullest possible extent, every aspect of the Nation's prehistory and history." A thematic framework, it states, "will insure that a preservation program is planned and implemented to enable as full as possible development of a state's patrimony." Suggested classifications, inspired by those of the National Survey, are as follows.

²⁹National Trust for Historic Preservation and Colonial Williamsburg, Historic Preservation Today (Charlottesville: University Press of Virginia, 1966), p. 142.

³⁰p. viii.

- a. Aboriginal Americans (prehistoric, historic, arts and technology);
- b. The Arts (architecture, landscape architecture, town and urban planning, drama of stage and screen, music, literature, painting and sculpture, philosophy);
- c. Conservation (man's immediate environment, other natural resources);
- d. Education (prominent educators, educational institutions, libraries and museums);
- e. Exploration and Settlement (European exploration and colonies, territorial expansion, oceanic, polar, and space exploration);
- f. Military Affairs (participation in wars, defense, security, military leaders, battles, etc.);
- g. Political Affairs (establishment and administration of government, history of political parties, groups, leaders, elections, changes, issues, etc.);
- h. Recreation
- i. Science (physical, biological and social sciences);
- j. Society (social and economic structure, immigration, class stratigraphy, occupational structure, social and humanitarian movements, contributions of ethnic, racial and religious groups to national or regional development);
- k. Technology (agriculture, animal husbandry, commerce, fur trade, communication, transportation, engineering, industry, invention, mining, etc.).³¹

With its greatly expanded historic preservation role after the events culminating in the Historic Sites Act of 1935, the National Park Service found it necessary to develop policies for the

³¹U.S. Department of the Interior, National Park Service, Historic Preservation Grants-in-Aid Policies and Procedures (Washington: National Park Service, 1973), pp. vii, 5-6.

treatment of the many historic sites and structures with which it was to deal. This subject was a major concern of the new Advisory Board on National Parks, Historic Sites, Buildings, and Monuments. At its second meeting Verne Chatelain introduced several elements of the problem. One was the treatment of historic sites with few or no physical remains. "If there is any argument for restoration [i.e., reconstruction] it is to make an historical situation as realistic as possible," he believed. "If we can bring about that objectivity by other means than through the restoration of the buildings themselves or whatever remains there might be, it is believed that the alternates should be considered." Another matter was the cost of restoring or reconstructing to a given period: "Certainly if at Jamestown Island we were to attempt to restore the first Jamestown condition, we must neglect a later Jamestown condition, which is just as important historically." A related consideration was the effect of restoration upon physical source materials: "Otherwise intelligent people . . . seem not to see that in taking steps to effect the restoration of certain historic sites, they are making a decision which may mean the destruction of all the record of a certain period of history, irreplaceable in nature for all time to come."

Dr. Fiske Kimball, noted architectural historian and restorationist and a member of the Advisory Board, followed with a

³²Minutes of the Second Advisory Board Meeting, May 7-9, 1936, pp. 14-18.

more positive view of restoration and reconstruction. Mentioning Jamestown, where only subsurface foundations remained of the early houses, he said: "It is believed that, as far as practical, we should rebuild destroyed buildings on important historic sites. Even the ruins are more interesting, when used in a restoration." Dr. Alfred V. Kidder, a prominent archeologist, raised the alternative of preserving building foundations as ruins and reconstructing the historic buildings on adjacent sites for "museum purposes."³³

In the end a committee consisting of Chatelain, Kimball, Kidder, and Waldo G. Leland, a historian, was formed to devise an Advisory Board policy on "preservation, repair, restoration and reconstruction of historical structures."³⁴ The following statement, prepared by Kimball, was accepted at the next Advisory Board meeting and was formally adopted by the National Park Service in 1937.

The motives governing these activities are several, often conflicting: aesthetic, archeological and scientific, and educational. Each has its values and its disadvantages.

Educational motives often suggest complete reconstitution, as in their hey-day, of vanished, ruinous or remodelled buildings and remains. This has often been regarded as requiring removal of subsequent additions, and has involved incidental destruction of much archeological and historical evidence, as well as of aesthetic values arising from age and picturesqueness.

The demands of scholarship for the preservation of every vestige of architectural and archeological evidence--desirable in itself--might, if rigidly satisfied, leave the monument in conditions which give the public little idea of its major

³³Ibid., pp. 19-21.

³⁴Ibid., p. 23.

historical aspect or importance.

In aesthetic regards, the claims of unity or original form or intention, of variety of style in successive periods of building and remodelling, and of present beauty of texture and weathering may not always be wholly compatible.

In attempting to reconcile these claims and motives, the ultimate guide must be the tact and judgment of the men in charge. Certain observations may, however, be of assistance to them:

(1) No final decision should be taken as to a course of action before reasonable efforts to exhaust the archeological and documentary evidence as to the form and successive transformations of the monument.

(2) Complete record of such evidence, by drawings, notes and transcripts should be kept, and in no case should evidence offered by the monument itself be destroyed or covered up before it has been fully recorded.

(3) It is well to bear in mind the saying: "Better preserve than repair, better repair than restore, better restore than [re]construct."

(4) It is ordinarily better to retain genuine old work of several periods, rather than arbitrarily to "restore" the whole, by new work, to its aspect at a single period.

(5) This applies even to work of periods later than those now admired, provided their work represents a genuine creative effort.

(6) In no case should our own artistic preferences or prejudices lead us to modify, on aesthetic grounds, work of a by-gone period representing other artistic tastes. Truth is not only stranger than fiction, but more varied and more interesting, as well as more honest.

(7) When missing features are to be replaced without sufficient evidence as to their own original form, due regard should be paid to the factors of period and region in other surviving examples of the same time and locality.

(8) Every reasonable additional care and expense are justified to approximate in new work the materials, methods and quality of old construction, but new work should not be artificially "antiqued" by theatrical means.

(9) Work on the preservation and restoration of old buildings requires a slower pace than would be expected in new construction.³⁵

³⁵Arno B. Cammeron (Director, National Park Service), Memorandum to all Washington Officers and Field Officers, May 19, 1937 (Office of the Director, National Park Service, Washington, D.C.).

This Service restoration policy statement served as the basis for that which the National Trust for Historic Preservation adopted in 1964 and widely distributed thereafter in response to governmental and private preservation inquiries.³⁶

Following the establishment in 1933 of Morristown National Historical Park, the Service reconstructed several soldiers' huts and a field hospital thought to resemble the structures used by Washington's army there during the Revolution. There was controversy about the extent of this project, presaging the debate that would later be waged within the Service about reconstruction. At its fourth meeting in March 1937 the Advisory Board approved Waldo Leland's resolution for a restoration policy at such sites: "The Advisory Board approves the guiding policy of the treatment of the Morristown camp site, in accordance with which the restoration of only a very small number of representative structures is attempted, and expresses its opposition to any attempt at complete or large-scale restoration of such sites, especially where the building of structures is involved." This policy statement was subsequently adopted by the Service.³⁷

In 1964 Secretary of the Interior Stewart L. Udall formally defined the National Park System as consisting of three categories

³⁶"A Report on Principles and Guidelines for Historic Preservation in the United States," Historic Preservation Today, pp. 251-53; National Trust for Historic Preservation and Colonial Williamsburg, Historic Preservation Tomorrow (n.p.: n.p., 1967), pp. v-vi.

³⁷Cammerer memorandum of May 19, 1937.

of areas--natural, historical, and recreational. The National Park Service was to formulate separate management policies for each category.³⁸ One result was the publication of Administrative Policies for Historical Areas of the National Park System. Pertinent portions of the Historic Preservation Policy section relating to historic structures in the 1973 revision of this publication follow.

At its historical areas, and at historic properties in natural and recreational areas, the National Park Service is charged with the responsibility of maintaining, as nearly free as possible from non-historic human and natural intrusions, the visible remains of the past--sites, structures, and objects associated with significant aspects of American history. Though views and interpretations of the past change through time, the National Park Service insures that the concrete evidences of the past are perpetuated as nearly as possible in their original form, appearance, and situation, and presented objectively to the public. . . .

Consistent with the congressional policy enunciated in the Historic Sites Act of 1935 and the National Historic Preservation Act of 1966, historic resources within the areas of the National Park System are classified according to the following definitions of significance:

First, those resources which, in terms of uniqueness, antiquity, or historical, architectural, or cultural associations as assessed against the criteria of national significance applied in evaluating potential National Historic Landmarks, are significant in the presentation and interpretation of the history of the Nation.

Second, those resources significant primarily in the presentation and interpretation of the history of a region or State.

Third, those resources significant primarily in the presentation and interpretation of the history of a community or locality.

³⁸Stewart L. Udall, memorandum to Director, National Park Service, July 10, 1964, reproduced in U.S. Department of the Interior, National Park Service, Administrative Policies for Historical Areas of the National Park System (Washington: National Park Service, 1973), pp. 89-93.

[Treatment Definitions--Historic Structures]

Preservation. Application of measures designed to sustain: the form and extent of a structure essentially as existing when the National Park Service assumes responsibility. Preservation aims at halting further deterioration and providing structural safety but does not contemplate significant rebuilding. . . .

Restoration. The process of accurately recovering, by the removal of later work and the replacement of missing original work, the form and details of a structure or part of a structure, together with its setting, as it appeared at some period in time. Restoration includes:

- (a) Full restoration--both exterior and interior.
- (b) Partial restoration--exterior, interior, or any partial combination. . . .
- (c) Adaptive restoration--all or a portion (façade, for example) of the exterior restored, with interior adapted to modern functional use. Adaptive restoration is the treatment for structures that are visually important in the historic scene but do not otherwise qualify for exhibition. . . .

Reconstruction. The process of accurately reproducing by new construction the form and details of a vanished structure, or part of it, as it appeared at some period in time. . . .

[Treatment Policies--Historic Structures]

Demolition. Written permission of the Director is required to authorize the demolition of any structure more than 50 years old in any unit of the National Park System. Demolition or major alteration of any structure less than 50 years old must meet the review and concurrence of the Director of the Office of Archeology and Historic Preservation. . . .

List of Classified Structures. Consistent with the legislation involving a particular area and the primary purpose of the area, all historic structures in areas of the National Park System that may be worthy and practicable of preservation should be retained for public use. All such properties should be recorded on the List of Classified Structures.

Preservation. Preservation is the treatment to be considered first. It is often better to retain genuine old work of several periods, which may have cultural values in itself, than to restore the whole to its aspect at a single period. . . .

Structures . . . may be preserved on one of the following bases: (1) Preservation is the most desirable treatment; (2) The significance and interpretive value of the structure do not justify the cost of restoration; (3) there are not sufficient data to permit accurate restoration; (4) restoration is indicated but must, for cost or other reasons, be postponed; (5) the structure upon acquisition already possesses the integrity

and authenticity required; or (6) the work of a higher treatment has been completed, e.g., once restored, a structure is then preserved. . . .

Restoration. When needed to interpret properly the historical values of the area, historic structures may be fully and exactly restored when they are of the first order of significance or a vital element of a site or complex of structures of the first order of significance. Fully restored structures will usually be maintained for exhibition purposes only. Once restored, they should be faithfully preserved in form and detail.

When needed to interpret properly the historical values of the area, historic structures of the second and third orders of significance are eligible for lesser degrees of restoration, such as adaptive restoration or partial restoration. Moreover, such historic structures should serve living, utilitarian purposes, consistent with interpretation of the historical values of the area. . . .

Reconstruction. Reconstruction should be authorized only when the following conditions are met:

- (a) All or almost all traces of a structure have disappeared and its recreation is essential for public understanding and appreciation of the historical associations for which the park was established.
- (b) Sufficient historical, archeological, and architectural data exist to permit an accurate reproduction.
- (c) The structure can be erected on the original site or in a setting appropriate to the significance of the area, as in a pioneer community or living historical farm, where the exact site of structures may not be identifiable through research.³⁹

The restrictive attitude toward reconstruction was further reflected in a memorandum of February 21, 1974, signed by National Park Service Director Ronald F. Walker:

Too frequently . . . the treatment of fragile and deteriorating original fabric commands lower priority than less pressing needs, such as reconstruction of vanished historic structures, creation of "typical" buildings reflective of past ways of life, or even the upkeep of roads, trails, and other renewable facilities.

Attitudes of both managers and planners must be shaped to a continuing awareness and application of the fundamental statutory charge to the National Park Service in its organic act,

³⁹Pp. 21, 23-25, 27-28.

which is that the first responsibility of the Service is to preserve.

The National Park Service has naturally had less control over the treatment of sites and structures not under its administration. It has attempted some degree of influence through the National Historic Landmark program. The Secretary of the Interior initially declares a property eligible for designation as a Landmark; its owner does not receive the bronze plaque and certificate actually conveying this honor until he has agreed to maintain those qualities for which the property was recognized. An adverse effect on a Landmark's integrity can result in revocation of the designation.⁴⁰

The National Register and its grants-in-aid program have served as another vehicle for extended Service influence in this area. Historic Preservation Grants-in Aid Policies and Procedures contains a "Treatment of Historic Properties" section closely reflecting the corresponding portion of Administrative Policies for Historical Areas of the National Park System. Since a far greater number of National Register structures are likely to be preserved for functional use rather than exhibit purposes, the former publication gives relatively more attention to adaptive restoration. Reconstruction projects with Service grants are explicitly

⁴⁰Monticello, one of the Nation's outstanding properties in terms of both historical association and architectural importance, has long been eligible for Landmark designation. Its owners have never accepted, apparently fearing undue Federal interference. The great majority of eligible properties have received their plaques without such adverse effect.

discouraged: "As a general rule, reconstruction should have a low priority in competition with projects designed to preserve historic resources that remain visually evident."⁴¹

Service Preservation Policy in Practice

The National Park Service's policies for the selection and treatment of historic sites and structures, like most policies, were formulated as ideals. If followed, they would lead to a system of nationally significant historical parks "balanced and complete in its representation of the Nation's historical heritage."⁴² National Historic Landmarks, all of national importance as well, would be maintained by their owners with unimpaired integrity or lose their designation. Properties under Service control would all receive preservation, restoration, or reconstruction treatment in accordance with the best professional standards. The National Park Service would be a shining model for other governmental and private bodies in historic preservation.

Not surprisingly, the Service's policy ideals have not always been translated into reality. A number of the national historical parks do not meet the national significance criteria, and the National Park System is extremely unbalanced in the types of historical areas it contains. Not all Landmarks truly possess

⁴¹Pp. 52-58.

⁴²National Park System Plan, p. vii.

"exceptional value in illustrating and commemorating the history of the United States," as their plaques state, and virtually none that have suffered unacceptable modification or damage short of outright demolition have been "defrocked." The Service has many reconstructed buildings that violate its reconstruction criteria--even while many more of its original structures stand in urgent need of basic preservation measures. And its National Register criteria of significance and thematic structure have been imperfectly suited to the needs of the States.

Congress is primarily responsible for the makeup of the National Park System. Although the National Park Service fashioned and disseminated sound criteria to guide the creation of national historical parks, its role in the legislative process by which parks are established is only advisory. Congress most often heeds the Service's recommendations, but sometimes--in the face of strong political or public support for a proposed park of questionable quality--it does not. Thus are established such parks as Booker T. Washington National Monument in Virginia, devoid of physical remains associated with the black educator born there, and Thaddeus Kosciuszko National Memorial in Philadelphia, a much-modified boarding house wherein the Polish military leader stayed only briefly years after his service in the American Revolution. The designation of National Historic Landmarks is wholly an administrative function, theoretically guided only by the judgment of Service historians, architects, and archeologists and the professional judgment of consultants and

the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments. Even here, however, members of Congress have occasionally worked their wills in obtaining questionable Landmarks within their districts.

It has been noted that the original Interior Department draft for the Historic Sites Act of 1935 would have allowed the Service to acquire historic sites without congressional legislation in each case. "This feature of the bill," Secretary Ickes testified before the House committee considering it, "would greatly facilitate the work of creating a unified and well-balanced system of historical park areas. . . ."⁴³ When Congress effectively retained control over the establishment of parks, however, it insured that political interests--e.g., whose district a proposed park was in and who supported it--would outweigh adherence to any rational thematic plan. The National Park System, heavily dominated by military and pre-historic Indian sites after the 1933 reorganization, continues very uneven in its depiction of American history and culture. Battlefields, forts, and other military sites still lead the list, followed by a substantial number of presidential homes and memorials. Indians, colonization, and Western expansion are also reasonably well represented. But the System remains extremely weak in the

⁴³U.S. Congress, House, Committee on the Public Lands, Preservation of Historic American Sites, Buildings, Objects, and Antiquities of National Significance, Hearings before the Committee on the Public Lands, House of Representatives, on H.R. 6670 and H.R. 6734, 74th Cong., 1st Sess., 1935, pp. 4-6.

major themes of America at Work, The Contemplative Society, and Society and Social Conscience.⁴⁴ The "well-balanced system" Ickes envisioned has not materialized.

In fairness to Congress, it must be recognized that the themes best represented in the National Park System are those for which the greatest number of suitable and available sites have existed. Then too, the National Park Service seldom recommends against acquisition of a nationally significant historical property judged suitable and feasible for park development just because it falls into one of the well-represented themes. Neither does it often initiate park proposals (insofar as it is able to do so) in poorly represented thematic areas intended to right the balance. In reality, the Service is likely to stress or ignore thematic considerations in reporting to Congress on a park bill depending upon whether it favors or disapproves acquisition of the site for other reasons.

There are themes, moreover, not readily susceptible to illustration or interpretation by means of sites and buildings. This is true of The Contemplative Society, for example, which includes such elements as literature, music, and intellectual currents. No site or structure associated with a musician or philosopher is likely to convey the significance of his work. Even if the goal of a National Park System "balanced and complete in its representation

⁴⁴National Park System Plan; see pages 23-24 above for categories within these themes.

of the Nation's historical heritage"⁴⁵ were actively pursued, it could never be fully attained.

The ideal of thematic balance has been better realized in the National Historic Landmark program. Here, where national significance is the only criterion, such matters as a site's availability and its interpretation to the public need not be considered. Many Landmarks have been designated in themes poorly represented in the National Park System.⁴⁶

To receive Federal grants under the National Register program States must obtain National Park Service approval of their preservation plans, which must be based on a thematic framework like that on page 26 above. Although the themes offered in Historic Preservation Grants-in-Aid Policies and Procedures are only suggestive, States have complained that such themes are straightjackets not readily applicable to their situations and thus productive chiefly of stress. Nevertheless, some device of this sort is needed to insure that in a State whose preservation staff is dominated by architectural historians (like Rhode Island), history and archeology will receive attention as well as architecture; and that where a preservation staff is composed largely of archeologists (as in Arizona), history and architecture will be properly considered.⁴⁷

⁴⁵National Park System Plan, p. vii.

⁴⁶Ibid., pp. 93-133.

⁴⁷William J. Murtagh, Keeper of the National Register, interview, March 11, 1974.

In addition to its determining role in the selection of historic sites to be administered by the National Park Service, Congress has played a lesser role in directing how such sites would be treated. Occasionally the legislation itself will state what is to be done with particular structures; but congressional influence in this area is more commonly reflected in commitments made to individual members of the House or Senate. As a public agency maintained by congressional appropriations, the Service compromises its policies when political considerations appear to require it.

The case of Fort Caroline National Memorial in Jacksonville, Florida, is illustrative. Congress authorized this park in 1950 to commemorate a short-lived French settlement of the 16th century. Because the site of Fort Caroline itself had been claimed by the St. Johns River long before, the park occupied a spot presumed to be closest to it. There were no physical remains to attract the public in significant numbers, and so the congressman in whose district the park lay and who had personally donated much to its development prevailed upon the Service to reconstruct the fort in 1963-64. Documentary evidence of the original was inadequate for anything but a highly conjectural reconstruction, executed on fill land at the riverbank. The present Fort Caroline is so obviously synthetic that no one can mistake it for the genuine article--which may be its only virtue.

A current reconstruction project of comparable origin is that involving Fort Vancouver National Historic Site in Washington.

This park is located in the district of the chairman of the House subcommittee responsible for National Park Service appropriations. When the chairman expressed an interest in rebuilding Fort Vancouver at an appropriations hearing, the director of the Service had good reason to agree. The site of the fort and archeological evidence exist in this case, but the reconstruction will still be more conjectural than the letter of the Service's reconstruction policy allows.

Congress cannot be blamed for most of the Service's violations of its reconstruction policies, however. There has been an increasing tendency by park managers and interpretive planners to press for development rather than preservation. This is true not only at sites with few original historic remains, like Fort Caroline, but also at places like Independence National Historical Park, where the Service will reconstruct several more buildings for the Bicentennial. Park managers often view new physical development as a means of attracting more visitors, and more visitors have traditionally been a justification for additional appropriations. The reconstruction of a missing building is far more conspicuous than preservation measures taken on behalf of an existing structure. The interpretive planners, concerned with presenting the history and significance of each site to the public, usually find their task simpler if the buildings present at the period of greatest historical importance can be recreated. Pressures from these sources have led to many reconstructions of questionable accuracy or necessity.

Yet the Service has displayed admirable restraint in the face of other proposals to reconstruct buildings or districts. At Jamestown, despite Fiske Kimball's inclination to rebuild, only the excavated foundations are exhibited; conjectural paintings serve to interpret the houses as they once stood. A similar situation exists at Fort Frederica National Monument, site of an 18th century English settlement in Georgia, where a model in the visitor center recreates the historic appearance of the fort and town as one surveys the exposed foundations that remain. At such places "preservation" is taken seriously.

In its restoration of extant structures, the Service normally attempts to return them to their periods of greatest historical association. Restoration is not guided by aesthetic considerations; "architecture" per se has played a minimal role in the National Park System. The Service has preserved historic sites and structures almost exclusively because of their associations with important persons, events, or activities.⁴⁸ Consistent with this purpose it restored President Andrew Johnson's home to its appearance at the time of Johnson's occupancy; architectural values it might have possessed at an earlier or later period would have won secondary attention at best. Fortunately, the architectural values of most

⁴⁸Only one federally owned historical park, Hampton National Historic Site in Maryland, exists primarily for its architectural values (see National Park System Plan, p. 57). Congress is clearly more ready to authorize and finance parks at which American history lessons can be taught than to patronize aesthetic values in this fashion. The concept of promoting patriotism through preservation still lives.

structures the Service has restored have indeed been secondary to the associative values governing their treatment.

While architecture has taken a back seat to history in the National Park System, it has fared better in the National Historic Landmark program. Properties of primarily architectural or aesthetic value comprise one of the largest categories of Landmarks, and surveys to identify architectural specimens of national significance continue. The principal failure of the Landmark program has been its inadequate inspection of designated properties to insure their continuing integrity. Each of the more than 1,000 Landmarks is supposed to be visited every two years by a Service representative qualified to evaluate its condition and advise the owner on its preservation. Yet the Service has neither the funds nor the professional personnel necessary for the job.

Architecture may play a still greater role in the National Register program, for properties worthy of preservation for aesthetic reasons probably exceed those of State and local historical significance in the associative sense. There is now a feeling that the Register should be extended even further to include districts with special meaning to ethnic or other groups apart from their historical or architectural values. This position is expressed in a recent task force report sponsored by the Rockefeller Brothers Fund:

We need broadened classifications for historic areas. Present criteria for listing in The National Register of Historic Places are that the area possess integrity of location, design, setting, materials, workmanship, feeling, and associations and represent a significant and distinguishable entity. These criteria discriminate against areas with a stylistic mixture, areas that

can often support a varied rent structure and provide a refreshing diversity of uses and people. We urge that urban neighborhoods characterized by a mix of uses, a vitality of street life, and a physical integrity be recognized on the National Register as "conservation areas."⁴⁹

This objective is already being realized in fact by the entry of several districts on the National Register (a Chinatown, for example) that would not qualify on historical or architectural grounds alone. William J. Murtagh, Keeper of the National Register, notes that the published exceptions to the Register criteria leave much room for latitude, and that professional judgment always has the final say in placement of an area on the Register by the National Park Service. He agrees that new criteria are needed, but in order to bring them into line with current practice--practice that is more "cultural conservation" than the traditional "historic preservation."⁵⁰

The National Park Service, despite its internal imperfections in applying preservation policy, has served as the Nation's leading disseminator of such policy through the external programs it administers. Its funds are never adequate, either to take proper care of its own historic structures, to insure proper inspection of the National Historic Landmarks, or to meet the requests for matching grants from the States. But in addition to making major

⁴⁹William K. Reilly, ed., The Use of Land: A Citizen's Policy Guide to Urban Growth (New York: Thomas Y. Crowell Company, 1973), p. 23.

⁵⁰Murtagh interview.

contributions in these areas, it has had a significant influence in the policy and criteria it has amplified to and through the National Trust for Historic Preservation, other governmental units, and private groups. The National Historic Preservation Act and the resulting grants program have undoubtedly had the greatest effect in accelerating this phenomenon. The lure of matching Federal funds has given the States new incentive to allocate their own resources for preservation, with striking result in terms of the increasing amounts they have earmarked for this purpose in recent years. Since their receipt of Federal funds depends upon Service approval of their preservation plans, they have been moved to follow the Service's guidelines for preparing such plans. And because the Service can approve or disapprove State nominations to the National Register, thereby determining to what properties its preservation grants may be applied, its role in the States' selection of properties is more than advisory.

Fortunately for the continued vitality of its leadership, the National Park Service is among the severest critics of its own preservation efforts. It is now revising again its Administrative Policies for Historical Areas of the National Park System to reflect more closely the internationally accepted preservation policies set forth in the Venice Charter of 1964, the Quito Standards of 1967, and the UNESCO Recommendations of 1968. The Venice Charter, for example, asserts that the restoration of historic monuments shall cease when conjecture becomes

necessary and rules out reconstruction except for anastylosis, or the reassembly of existing but dismembered parts. Although polical intervention can be expected to continue, there should be less initiative by the Service itself in violation of these principles. Apart from philosophical considerations, the Service's top management now appears to have recognized the folly of reconstructing vanished buildings while the masonry coastal fortifications, the canal aqueducts, and many other extant historic structures within the National Park System urgently need stabilization work totaling millions of dollars.

The external preservation programs, something of a sideline within the National Park Service, received new definition in the Service's organization in late 1973 when the Office of Archeology and Historic Preservation was reconstituted to focus solely on these activities. (Previously it was concerned with history, archeology, and historic architecture within the National Park System as well and was headed by one whose background was primarily "in-house.") This move should enhance the responsiveness of the National Register and survey programs to the different characteristics and needs of the "non-monumental" sites, structures, and districts that predominate outside the National Park System. The living historic district, or "conservation area," will become an increasingly significant component in the National Register.

The Office of Archeology and Historic Preservation is now preparing a National Historic Preservation Plan for action in the years ahead. A major ingredient, of course, must be money. The Administration budget for the 1975 fiscal year proposes full funding of the grants program of the National Historic Preservation Act for the first time since passage of the act; i.e., it requests that Congress appropriate \$20,000,000 for this purpose, the amount authorized in the act as amended. Yet this will still be far less than the total amount that the States have indicated they can match. Foreseeing vastly increased Interior Department receipts from the sale of offshore oil leases and other energy developments, OAHF planners are proposing utilization of these funds in a far more extensive grants program. If their effort succeeds--and it appears likely to--the time is near for a major new advance in the American preservation movement.