

AMENDING THE ACT OF OCTOBER 15, 1966 (80 STAT. 915), ESTABLISHING A PROGRAM FOR THE PRESERVATION OF ADDITIONAL HISTORIC PROPERTIES THROUGHOUT THE NATION, AND FOR OTHER PURPOSES

MARCH 10, 1970.—Ordered to printed

Mr. TAYLOR, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.R. 14896]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 14896) to amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendment are as follows:

Beginning on page 1, line 7, strike "\$1,000,000" and the remainder of the sentence ending on page 2, line 2, and insert in lieu thereof:

\$7,000,000 to carry out the provisions of this Title for fiscal year 1971, \$10,000,000 for fiscal year 1972, and \$15,000,000 for fiscal year 1973."

Page 3, line 10, add a new sentence to read:

The Secretary of State shall appoint the members of the official delegation from the persons recommended to him by the Council.

Page 3, line 13, strike out "five" and insert in lieu thereof "two."

PURPOSE

The principal purpose of H.R. 14896, by Representative Wayne N. Aspinall, is to extend the national historic preservation program which was established by the Congress in 1966 (Public Law 89-665; 80 Stat. 915; 16 U.S.C. 470). In addition, the bill provides for an increase in the size of the Advisory Council on Historic Preservation and it authorizes limited U.S. participation in the International

Centre for the Study of the Preservation and Restoration of Cultural Property.

BACKGROUND OF THE NATIONAL HISTORIC PRESERVATION PROGRAM

While the national historic preservation program is relatively new, national interest in the preservation of historic sites and structures is not. Over the years, 150 federally administered areas have been recognized for their national historic significance—as national historic sites, national historic parks, national battlefields, etc. An additional 750 buildings, sites, objects, and districts have been designated as national historic landmarks because of their exceptional value or quality in illustrating or interpreting our national cultural heritage.

Considerable progress has been made with respect to the preservation of nationally significant historic places, and the national historic preservation program was not designed to duplicate these past accomplishments. Instead, the program authorized by the National Historic Preservation Act added a new dimension to the overall effort to protect historic places. It sought to accomplish this objective by encouraging the States, and through them their political subdivisions, to preserve properties and objects of regional, State, and local historical significance. To effect this objective, the act authorized limited appropriations to fund a matching assistance program which was to help defer the costs of the historic preservation programs which are incurred by the States and the National Trust for Historic Preservation—a charitable, educational, nonprofit corporation chartered by the Congress in 1949 (63 Stat. 927; 16 U.S.C. 468).

As contemplated by the act, all of the authorized appropriations are to be used for matching assistance to effectuate authorized activities established pursuant to an approved statewide historic preservation program. In fiscal year 1967, appropriations were limited to not more than \$2 million and the ceiling for each of the next 3 fiscal years was not to exceed \$10 million but, actual funding levels have never totaled more than \$1 million in any 1 year.

There are undoubtedly many reasons why this program has been permitted to languish for the last 4 years, but a large measure of the responsibility must be borne by the Department of the Interior and the Bureau of the Budget since their budget requests have never neared the amounts which they recommended when the program was authorized. For this reason, when H.R. 14896 was introduced, it reflected an annual authorization ceiling which appeared reasonably realistic in light of our actual experience with the program.

Needless to say, the members of the authorizing committee—not to mention those persons responsible for administering the State historic preservation programs—have been greatly disappointed with the lack of progress made through this program to date. The committee is encouraged with the prospects for the future, however, because the President's budget for fiscal year 1971 requests a substantial increase in the level of funding for this aspect of the national historic preservation program if adequate authorizing legislation is approved.

Another provision of the National Historic Preservation Act established the Advisory Council on Historic Preservation. At the present time, the Council is limited to 17 members—seven designated by statute and 10 appointed by the President. The seven statutory

members represent Federal departments and agencies, and the National Trust for Historic Preservation. Because of the nature of their employment, the statutory members receive no additional compensation for their services, but the appointed public members are compensated at the rate of \$100 per day when engaged in the performance of the duties of the Council.

One of the functions of the Council is to advise the President and the Congress on matters involving historic preservation. In addition to making general studies and special reports, it submits a comprehensive report of its activities to the President and the Congress annually.

Another function of the Council is to provide a forum for the review and consideration of Federal activities which might adversely affect properties which are listed on the National Register of Historic Places—a list of recognized historically significant places compiled and maintained by the Secretary of the Interior. While the Council cannot prevent the Federal agencies from undertaking projects which might adversely affect a listed property, the review procedures do afford everyone concerned with an opportunity to consider and suggest alternatives. In this respect, the program has been most successful. It has brought together those who seek to preserve the historic integrity of a significant property and those whose activities might alter or destroy it. Progress, of course, cannot be stopped, but there are often alternative measures which can be employed to make it compatible with the preservation effort. In this respect, the Advisory Council has served a useful purpose in resolving some complex and controversial problems.

NEED FOR THE ENACTMENT OF H.R. 14896

A. The matching assistance program

Without the enactment of H.R. 14896, or comparable legislation, there will be no authority to appropriate the funds needed to carry on the matching assistance program. Under the terms of Public Law 89-665, appropriations totaling \$32 million were authorized on the basis of fixed annual installments. When funds were neither requested nor appropriated in a given fiscal year, the authority to make the annual appropriations expired. Since actual funding of the program has never approached the authorized appropriations ceiling in any 1 year, at the end of fiscal year 1970 a total of \$30,631,000 of the original authorization will have lapsed.

The committee recognizes the problems encountered as a result of the imposition of annual authorization ceilings, but it considered this mechanism to be the most effective device to:

- Maintain effective congressional control over the scope of this program;

- Prevent the establishment of a large, unrequested, unused backlog of authorized funds which might never be appropriated and which would mislead the States as to the actual commitment of the Federal Government with respect to this program; and

- Assure meaningful congressional surveillance over the effectiveness of the program in terms of its accomplishments.

In recommending the authorization of the appropriation of \$7 million for fiscal year 1971, \$10 million for fiscal year 1972; and \$15

million for fiscal year 1973, the committee took cognizance of the President's recent budget request for this program and its recommendation for the future reflected the anticipated matching capacities of the States and the National Trust for Historic Preservation in the immediate years ahead. There is, of course, the possibility that the authorizations recommended might not be fully funded if the appropriations are not requested or if they cannot be fully justified. The ceilings in the recommended bill, however, will permit the implementation of the entire budget request for fiscal year 1971 and it will provide ample latitude for the reasonable expansion of the program during the next 2 fiscal years. At that time the program can be reevaluated in terms of its accomplishments and future needs.

B. The Advisory Council modifications

As indicated above, the Advisory Council on Historic Preservation has contributed significantly to the success of the overall historic preservation effort. The legislation recommended by the committee would make the following substantive changes in the basic act:

First, the bill would add three new statutory members to the Council—the Secretaries of Agriculture, Transportation, and Smithsonian Institution. No significant additional costs would be incurred since the statutory members serve without additional compensation. The involvement of these agencies in activities directly affecting historic preservation argues persuasively for their participation in Council activities. Their membership can provide not only useful, practical knowledge which will benefit the Council, but it will provide a most effective liaison function as well.

Second, H.R. 14896 would allow the Chairman of the National Trust for Historic Preservation to designate someone to serve in his absence—a provision applicable to all other statutory members.

Third, in light of the increased membership proposed, the legislation would increase the number required for a quorum for Council meetings from 8 to 11.

C. The U.S. participation in the International Centre for the Study of the Preservation and Restoration of Cultural Property

The second section of the bill authorizes limited U.S. participation in the International Centre for the Study of the Preservation and Restoration of Cultural Property—the so-called Rome Centre. The Centre is an independent, intergovernmental organization which was established by UNESCO in 1958. Not only does it collect, develop, and disseminate technical information relating to the preservation of culturally and historically important objects, but it also conducts educational programs to train and inform professional preservationists. Its chief function is to serve the profession by providing it with the most useful, up-to-date information, techniques, technical advice and training opportunities possible.

Presently, more than 50 nations are members of the Centre. Together, they participate in financing its operations based on an established formula. Each member-nation contributes 1 percent of its annual UNESCO contribution for activities of the Centre, but no nation is permitted to contribute more than 30 percent of the total.

If the United States is authorized to participate, its annual contribution is expected to be \$62,066 based on the annual contributions of the present members. As support for the Centre increases, the annual U.S. contribution is expected to gradually increase, but the authorized ceiling for these appropriations would be established by H.R. 14896 at no more than \$100,000 annually for the next 3 fiscal years. This amount should be ample, based on the information supplied to the committee, and the time limitations placed on U.S. participation will insure a complete review of the use of the funds—as well as a review of the participation of the Nation in the Centre—within a reasonable period of time.

It should be noted that the committee was advised in the communication addressed to the Speaker (dated Oct. 6, 1969) that the Department of State in October 1966 announced its support of U.S. membership in the Rome Centre. In addition, a communication addressed to the chairman of the committee (dated Jan. 27, 1970) indicated that on June 20, 1967, the executive committee of the U.S. National Commission for UNESCO adopted a resolution stating that it gives its full support to U.S. membership in the Rome Centre, at the earliest possible date, as being consistent with and in furtherance of the interests of the United States in the preservation of cultural property both in this Nation and abroad.

COMMITTEE AMENDMENTS AND COSTS

Most of the amendments approved by the committee relate to the Federal financial commitment to the success of the historic preservation program. When H.R. 14896 was introduced it authorized the appropriation of more funds than had ever been previously appropriated in any 1 year under the existing authority. During the course of the hearing, the committee learned that the States and the National Trust were ready and willing to make available substantially more money than the Federal Government would be able to match if the authorization in H.R. 14896 was approved and fully funded. In addition, the committee learned that the President's budget included a request for \$6,950,000 to carry on the program contemplated by the act—\$6,115,000 of which, it has been learned, is to be used for the matching assistance program. The committee is encouraged by the President's commitment to this program and it is delighted with the enthusiasm of the States in helping to convert the recommendation into tangible results. For these reasons the committee recommends that section 1(a) should be amended so that \$7 million (instead of \$1 million) is authorized to be appropriated in fiscal year 1971. The amendment also increases the amounts authorized to be appropriated for fiscal years 1972 and 1973 to \$10 million and \$15 million respectively (rather than authorizing a program level of \$2 million for 5 additional years).

On its face, this increase seems substantial, but in reality it constitutes little more than a reauthorization of the program which the Congress initially authorized in 1966. At that time, the appropriation of \$32 million was authorized for the 4-year matching assistance program. In fact, only \$1,369,000 has actually been appropriated; consequently that amount is the true measure of the increase which this aspect of H.R. 14896, as recommended, contemplates.

The other element of the bill which authorizes appropriations for its implementation involves funding the costs anticipated as a result of the U.S. participation in the International Centre for the Study of the Preservation and Restoration of Cultural Property. As introduced, the bill authorizes the appropriation of \$100,000 in fiscal year 1971 and for each of the 5 years thereafter. Since the committee concluded that the matching assistance program should be reviewed after 3 more years of experience, it is recommended that this feature of the legislation should also be reviewed at that time; hence the committee amendment would reduce the authorization from 6 years to 3.

The only other amendment recommended by the committee involves the appointment of the official U.S. delegation to participate in the activities of the Rome Centre. While it is conceded that these appointments should be made by the Secretary of State, the committee concurred in the recommendation of the Department of the Interior that his selection should be made from persons recommended to him by the Advisory Council on Historic Preservation. Because of its broadly based representation and because of its familiarity with persons and organizations active in the field of preservation, the Council is uniquely qualified to recommend those persons who could derive the greatest benefit from, and contribute the most to, the activities of the Centre.

The committee did not amend the bill, as recommended by the Librarian of Congress, to include the Librarian as a member of the Advisory Council. Essentially, the statutory members of the Council administer programs and/or lands which directly affect the Nation's historic preservation activities. It would be inappropriate and unwise to expand the membership of the Council to include agencies which have only a limited interest in the overall functions of the Council. Undoubtedly, the Library of Congress has a legitimate interest in the activities of the Council relating to the U.S. participation in the Rome Centre and there is no reason why it cannot participate in discussions and meetings on this aspect of the Council's activities. The committee recognizes the strong interest of the Library in advancing preservation technology and it strongly urges the Council to include the Library in its meetings and activities relating to this Nation's participation in the Rome Centre.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends the enactment of H.R. 14896, as amended.

EXECUTIVE COMMUNICATIONS, DEPARTMENTAL REPORTS, AND MISCELLANEOUS COMMUNICATIONS

Prior to the introduction of H.R. 14896, two separate communications were transmitted to the Speaker suggesting amendments to the National Historic Preservation Act. H.R. 14896, as introduced, brought together, in one bill, the substantive issues involved in each of these communications; however, since it limited the funds authorized to be appropriated and made some substantive changes, a departmental report was requested and received. In addition, a separate communication was received from the Librarian of Congress. All of these communications follow:

ADVISORY COUNCIL ON HISTORIC PRESERVATION,
Washington, D.C., October 6, 1969.

Hon. JOHN W. McCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Enclosed is a draft of a proposed bill "To amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes."

We recommend that the draft bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The Advisory Council on Historic Preservation was established in accordance with title II of the act of October 15, 1966. Section 202(b) requires that the Council submit annual reports to the President and the Congress and that it shall from time to time submit such additional and special reports as it deems advisable. Each report shall propose such legislative enactments and other actions as, in the judgment of the Council, are necessary and appropriate to carry out its recommendations.

At its meeting in Washington on July 20-21, 1967, the Advisory Council on Historic Preservation adopted resolutions favoring an expansion of its membership and participation by the United States as a member in the International Centre for the Study of the Preservation and the Restoration of Cultural Property (Rome Centre). The Council reaffirmed its recommendation in favor of this proposal at its meeting in Washington on February 5-6, 1969.

EXPANDED MEMBERSHIP OF THE COUNCIL

The Council recommends that the Secretary of Agriculture, the Secretary of Transportation, and the Secretary of the Smithsonian Institution be afforded membership on the Council. It also recommends that the Chairman of the National Trust for Historic Preservation, like other statutorily designated members, be afforded the privilege of designating an alternate. Section 1 of the enclosed draft of bill offers the amendments necessary to accomplish these recommendations.

The Secretary of Agriculture's responsibility in historic preservation stems from his administration of tremendous acreages of Federal land which may contain historic or prehistoric ruins, or objects of antiquity. The Department of Transportation Act of October 15, 1966 (80 Stat. 931), transferred to the Secretary of Transportation duties and responsibilities respecting the highway and road building program of the Federal Government. Subsection 2(b)(2) of the act declares it to be the national policy, in carrying out the provisions of the act, to make a special effort to preserve historic sites. Section 15(a) of the Federal-Aid Highway Act of 1966 (80 Stat. 766) declares a similar policy. By virtue of the National Museum Act of 1966, approved October 15, 1966, (80 Stat. 953), the Secretary of the Smithsonian Institution was responsible for a program of national and international research, training, and publication to assist the museum profession in preserving the cultural heritage of the Nation. In addition, the Smithsonian is the custodian of national collections in historic, art, and science.

Inclusion of the Secretaries of Agriculture, Transportation, and the Smithsonian Institution, in the membership of the Advisory Council on Historic Preservation will thus strengthen the Council and facilitate its coordination responsibility by providing membership to a broader spectrum of the Nation's involvement in historic preservation.

PARTICIPATION IN THE ROME CENTRE

The International Centre for the Study of the Preservation and the Restoration of Cultural Property (Rome Centre) was established by UNESCO, in 1958, as an independent intergovernmental organization of professional conservators, to:

- (a) Collect, study and circulate documentation concerned with the scientific and technical problems of the preservation and restoration of cultural property;
- (b) Coordinate, stimulate or institute research in this domain, by means, in particular, of commissions to bodies or experts, international meetings, publications and exchanges of specialists;
- (c) Give advice and recommendations on general or specific points connected with the preservation and restoration of cultural property;
- (d) Assist in training research workers and technicians and raising the standard of restoration work. (Art. 1, Statutes of the Rome Centre).

Clearly, the Rome Centre is engaged in a program which, if the opportunity were available, would enhance the national policy of preserving this country's historical and cultural foundations. Beginning with the Antiquities Act of 1906 (34 Stat. 225), the Congress expressed its concern for the preservation of historic landmarks, historic and prehistoric structures and other objects of historic preservation situated upon lands owned or controlled by the Government of the United States and provided for the protection of these properties.

The Historic Sites Act of August 21, 1935 (49 Stat. 666), 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. Moreover, important implementing authority was provided in that act, including among others, the authority for the Secretary of the Interior to conduct a survey of properties possessing exceptional value as commemorating or illustrating the history of the United States.

In 1966, the Congress took cognizance of the ever-increasing threats to the preservation of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture. The Historic Preservation Act of October 15, 1966 (80 Stat. 915), broadened the national policy to encourage preservation by private individuals. It strengthened and expanded the work then being done under the Historic Sites Act of 1935 by providing a grant program and encouraging the broadest participation at local, regional, State, and National levels, including the participation of the private sector. In establishing the Council, the act of 1966 charged it with the duty of advising the President and the Congress on matters relating to preservation of such properties, recommending measures to coordinate public and private preservation efforts, and reviewing

plans for Federal undertakings and the undertakings of others involving Federal assistance.

In view of the very clear national policy of historic preservation and the advisory and coordinating responsibilities now assigned to it, the Council, at its meeting of July 21, 1967, and on February 5-6, 1969, adopted resolutions recommending legislation which would authorize U.S. participation in the Rome Centre and which would recognize the advisory and coordinating functions of the Council with respect to such participation.

It is in these circumstances that the Council transmits, as section 2 of the enclosed draft of bill, language amending the Historic Preservation Act of 1966 so as to authorize U.S. participation in the Rome Centre.

Pursuant to section 2 of the proposed bill, the Council will make recommendations to the Department of State as to the individuals who will be designated as the official delegates and alternates to take part in the activities of the Rome Centre on behalf of the United States. According to the statutes of the Rome Centre, these individuals should be chosen from amongst the best qualified technical experts of specialized institutions concerned with the preservation and restoration of cultural property.

In order to provide for the participation of the many public and private organizations concerned with the technical problems of preservation, the Smithsonian at the request of the Council will hold periodic meetings of qualified experts from such organizations to consider their professional problems and needs and to submit proposals to the Council and a list of specialists who might appropriately be designated as delegates or alternates to the Centre. The Council, pursuant to its existing authority, will make such recommendations as to delegates, policies, coordination, and other matters pertaining to the Rome Centre, as may be appropriate.

Through enactment of the enclosed draft of bill, the advisory and coordinating responsibilities of the Council will be utilized so as to obtain from U.S. participation in the Rome Centre the greatest possible benefit to the historic preservation programs of all agencies, public and private.

It is estimated that the U.S. contribution, for its first year of membership in the Rome Centre, will be approximately \$62,000, and might increase during the next several years to approximately \$90,000. Other expenses incident to U.S. participation in the activities and functions of the Centre are estimated at \$7,500 in the years in which the Centre holds its biennial General Assembly, and at \$3,500 in other years. On the basis of these estimates, enactment of this legislation would result in appropriation increases as follows: first year following enactment, \$69,500; second year, \$75,500; third year \$89,500; fourth year \$93,500; and fifth year \$97,500.

A statement containing additional details about the Rome Centre, its organization, programs and activities, and the estimated cost of the U.S. membership is enclosed.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,

S. K. STEVENS, *Chairman.*

A BILL To amend the Act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 15, 1966 (80 Stat. 915), is amended as follows:

- (a) Amend section 201(a) by—
- (1) striking out "seventeen" and substituting "twenty";
 - (2) inserting after paragraph (6) the following:
 - "(7) The Secretary of Agriculture
 - "(8) The Secretary of Transportation
 - "(9) The Secretary of the Smithsonian Institution; and"
 - (3) redesignating paragraphs "(7)" and "(8)" as "(10)" and "(11)", respectively.
- (b) Amend section 201(b) by striking out "(6)" and substituting "(10)".
- (c) Amend section 201(c) by striking out "(8)" and substituting "(11)".
- (d) Amend section 201(f) by striking out "Eight" and substituting "Nine".
- (e) Amend section 204 by striking out "(7)" in the first sentence and substitution "(10)", and by striking out "(8)" in the second sentence and substituting "(11)".
- (f) Amend section 205(d) by striking out "(6)" in the first sentence and substituting "(9)".

SEC. 2. The following new section is added:

"SEC. 206. (a) There is hereby authorized the participation of the United States as a member in the International Centre for the Study of the Preservation and Restoration of Cultural Property.

"(b) The Council shall recommend to the Secretary of State, on the advice of the Smithsonian Institution and other public and private organizations concerned with the technical problems of preservation, the members of the official delegation which will participate in the activities of the Centre on behalf of the United States.

"(c) There are hereby authorized to be appropriated such sums as may be necessary for payment by the United States of its assessed contributions to the Centre and such other sums as may be necessary for participation by the United States in the activities of the Centre."

STATEMENT ON AMENDMENT TO THE ACT OF OCTOBER 15, 1966 (80
STAT. 915)

THE PRESERVATION OF CULTURAL PROPERTY—THE ROME CENTRE

I. The preservation of cultural property.

The material evidence of our culture and history includes a wealth of historic buildings, monuments, museum objects, books, and ar-

chives, in the United States and abroad, which are rapidly deteriorating and which are irreplaceable. For both public and private custodians of cultural property there is an increasing need for new and improved techniques and a critical shortage of trained experts in conservation and restoration. Although the United States has highly qualified experts in the conservation of paintings, our competence in many other fields such as the preservation of metals, wood, or stone, particularly in outdoor environments, is quite limited; and in all areas the number of trained personnel is inadequate to prevent the destruction of a substantial portion of our cultural inventory. Centers for research and training in these specialized fields have been established in other countries, notably in Europe.

II. Cooperation with conservators of other nations.

There is widespread agreement that an essential step in the timely solution of this problem is to join with conservators of other nations in cooperative programs of training and research and, by coordination of separate efforts and exchange of information in the numerous areas of conservation, to make the most effective use of the special talents available in each nation. The International Centre for the Study of the Preservation and the Restoration of Cultural Property (Rome Centre) was established to provide for such cooperation on a worldwide intergovernmental basis. In response to communications from a great many public and private organizations concerned with conservation, the Department of State in October 1966 announced its support of U.S. membership in the Rome Centre.

III. Support for cooperation through the Rome Centre.

The proposed U.S. membership in the Rome Centre has the support of virtually every public and private organization concerned with conservation. Many of these organizations were represented at a meeting, held at the Smithsonian in January 1967, which reaffirmed and approved the proposal for Rome Centre membership.

In June 1967 the U.S. National Commission for UNESCO passed, unanimously, a resolution giving its full support to U.S. membership in the Rome Centre, at the earliest possible date, as being consistent with and in furtherance of the interests of the United States in the preservation of cultural property both in this Nation and abroad.

In addition, U.S. membership in the Rome Centre was a first priority recommendation of the Cultural and Intellectual Exchange Committee of the White House Conference on the International Cooperation Year, as stated in the ICY report issued by the Subcommittee on International Organizations and Movements of the House Committee on Foreign Affairs, June 13, 1966.

On July 21, 1967, the Advisory Council on Historic Preservation adopted a resolution authorizing the Council's chairman to sponsor legislation to effect U.S. membership in the Rome Centre. The proposed legislation was introduced in the Senate, but action on it was deferred during the 90th Congress.

IV. Study of the Rome Centre and recent activities

In view of this widespread interest in action to secure for the United States the benefits of membership in the Rome Centre, the Smithsonian in April 1967 sent the Director of the National Museum and the Smithsonian General Counsel as U.S. observers to the fourth

biennial session of the Centre's General Assembly. This provided additional useful knowledge, at first hand, of the procedures of the Assembly and the Council, the professional concerns of the individual delegates, the organization of the centre's staff, its achievements, and its programs. In reviewing programs and activities, it was learned that although the United States is not yet a member of the Centre, its Director, Dr. Harold Plenderleith, spent several weeks in May 1967 in Honolulu assisting the Bernice P. Bishop Museum, the Honolulu Academy of Arts, and the East West Center at the University of Hawaii, in establishing a museum training program for museum directors from the Pacific and Southeast Asia.

Following the 1967 meetings of the General Assembly of the Rome Centre, a trip to flood-ravaged Florence, which so many Americans have given their time and money to save, gave evidence of the important role of the Centre during the rescue operations and its activities as the official coordinator of technical assistance, for UNESCO and the Italian Government, in the restoration program estimated to take from 5 to 20 years to complete.

V. *The organization of the Rome Centre*

The Rome Centre was established by UNESCO, in 1958, as an independent intergovernmental organization of professional conservators, to:

(a) Collect, study, and circulate documentation concerned with the scientific and technical problems of the preservation and restoration of cultural property;

(b) Coordinate, stimulate, or institute research in this domain, by means, in particular, of commissions to bodies or experts, international meetings, publications and exchanges of specialists;

(c) Give advice and recommendations on general or specific points connected with the preservation and restoration of cultural property;

(d) Assist in training research workers and technicians and raising the standard of restoration work.

(Art. 1, statutes of the Rome Centre).

Membership in the Centre is open to any member state of UNESCO. The annual contribution of each member is an amount equal to 1 percent of its contribution to UNESCO.

The governing body of the Centre, its General Assembly, in which each member state has one vote, meets in Rome every 2 years to decide on the policies, activities, and budget of the Centre and to elect the members of the Council. The delegates to each General Assembly "should be chosen from amongst the best qualified technical experts of specialized institutions concerned with the preservation and restoration of cultural property." (Art. 5, Statutes.)

The Council has five statutory members and eight members elected by the General Assembly. The statutory members are:

- A representative of the Director-General of UNESCO;
- A representative of the Italian Government;
- The Director of the Institute Royal du Patrimoine Artistique, Brussels;
- The Director of the Istituto Centrale del Restauro, Rome;
- A representative of the Conseil International des Musees (ICOM).

Every 2 years the General Assembly elects the eight other members of the Council. Although no two elected members may be of the same nationality, they are chosen on the basis of their individual professional qualifications. (Article 7e, Statutes.) The U.S. delegate would be eligible for election to the Council at the first General Assembly after the United States joins the Centre. The Council meets as often as necessary during its 2-year term to carry out the decisions and directives of the General Assembly and to review the budget and plan of work for the next period, as submitted by the Director.

The Director and the permanent professional staff are the Secretariat of the Centre. The director is appointed by the General Assembly on the proposal of the Council, and the professional staff is appointed by the Council on the proposal of the director. The director and his assistants must be specialists in different branches of study and may not be of the same nationality.

The headquarters of the Secretariat, its offices, library, lecture room, and laboratory, are located in Rome near the Istituto Centrale del Restauro, with which it collaborates in teaching and research projects. Under a continuing agreement, the Italian Government, in addition to contributing as a member of the Centre, provides the Centre's premises, equipment, and utilities, the salaries of the Centre's administrative staff, and a number of scholarships for the training programs of the Centre.

VI. Programs and activities of the Rome Centre

Although the Centre's staff and budget are still quite small relative to the demand for research, training, and advice, in all types of conservation, the effectiveness of the Centre as a planning and coordinating organization is evidenced by its continuing growth from an original membership of five to the present 50 member states. As a result of this increasing support during its first 10 years, the Centre has made substantial progress in each of its five areas of activity: publication, documentation, research, training, and missions.

Of particular interest to the United States were the Council meeting held in New York in September 1965, the consultative missions of the director to Boston and Williamsburg in September-October 1965, the meetings organized in Rome in November 1965 for the United States Special Committee on Historic Preservation, the conference in Brussels in February 1966 on the Conservation of Stone in which an American expert participated, the rescue work in Florence, the technical meetings organized (with ICOM) in Washington and New York, and the director's mission to Honolulu. On the other hand, it should be noted that since the United States is not yet a member of the Centre, American applicants for the Centre's courses on the conservation and restoration of historic monuments could not be accepted.

Although all of the Centre's activities are interrelated, the highest priority in the Centre's future growth will be given to expanding its courses for training specialists in conservation. To make the most effective use of available resources, this will be done, not by major additions to the permanent staff in Rome, but by organizing additional courses in collaboration with existing institutions and inviting foreign specialists to participate for limited periods as needed. It is contemplated that the Centre will concentrate on advanced training to produce individuals qualified to teach others their own specialty.

In general, the basic training prerequisite to these advanced courses will have to be provided on a national or regional basis. For this reason, the Director has devoted a number of missions to assisting in the establishment of regional museum training centers. With support from UNESCO, regional centers have been established in India and Nigeria, and are being developed in Mexico and Hawaii, while several others are in the planning stage.

VII. Estimated costs of U.S. membership in the Rome Centre.

Under the established formula the maximum annual contribution of the United States to the Rome Centre during 1969 and 1970 would be 1 percent of its UNESCO contribution (\$10,635,907) or \$106,359. In April 1967, the General Assembly of the Rome Centre unanimously adopted a resolution limiting the contribution of any member state to 30 percent of the total. Based on annual contributions of present members in the amount of \$144,820, during 1969 and 1970, the annual contribution of the United States would be \$62,066 during this period.

In addition to the 50-member states now participating, it is known that a number of countries are actively considering membership in the Rome Centre, and it is believed that several others might join following U.S. adherence. Additional support for the Centre will gradually bring the U.S. annual contribution nearer the \$106,359 limit under the one-percent formula. An informed estimate would place the actual figure between \$65,000 and \$90,000 during the next several years. Other expenses incident to U.S. participation in the activities and functions of the Centre are estimated at \$7,500 in the years in which the General Assembly meets and at \$3,500 in other years.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 10, 1969.

HON. JOHN W. McCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Enclosed herewith is a draft of a bill to amend title I of the act of October 15, 1966 (80 Stat. 915).

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The act of October 15, 1966 (80 Stat. 915, 16 U.S.C. 470), broadened the scope of the national historic preservation policy enunciated in the act of August 21, 1935 (49 Stat. 666, 16 U.S.C. 461 *et seq.*), as amended. Among the principal features of the newer law are (1) grants to the States for three purposes: (a) statewide surveys contributing to the expansion of the National Register, (b) statewide preservation plans, and (c) individual preservation projects; and (2) grants to the National Trust, which bring together 827 public and private preservation groups throughout the Nation, for acquisition and development of trust-owned properties and expansion of trust educational and technical assistance programs. One major purpose of the act—substantive Federal aid in the preservation of individual historic properties—cannot proceed until the surveys are well underway and preservation plans completed.

The act of October 15, 1966, *supra*, authorized a total of \$32 million to be appropriated over a 4-year period which terminates in 1970. No appropriations were made in the 1967 fiscal year. In the 1968 fiscal year, \$447,000 was appropriated for the new programs authorized by the 1966 act, of which \$147,000 was for the Advisory Council on Historic Preservation and administrative overhead, and \$300,000 for grants-in-aid to the National Trust for Historic Preservation. Appropriations for the 1969 fiscal year remained at the same level for all items except grants-in-aid, for which \$100,000 was provided.

Legislative and professional activity stimulated by the act have raised the level of State appropriations for preservation. Thus, in 1967, approximately \$300,000 in new non-Federal funds was made available in seven States in support of accelerated historic site surveys and related planning activity. The level rose at an accelerated rate in 1968, with 38 States seeking or receiving appropriated funds to the total of \$1.5 million. Total figures for 1969 are not yet available but promise to continue upward based on expectation of Federal support. Similarly, National Park Service activity has increased substantially to meet actual and anticipated demands.

Within the next 12 months, we expect that 25 States will nominate up to 200 historic sites and buildings each while another 20 anticipate nominations to the National Register in larger numbers to a total of 16,000 properties during the 1-year period.

In sum, a mechanism has been put in motion by the National Historic Preservation Act to which the States and the National Trust for Historic Preservation have responded with increasing interest and activity. Continuing Federal support becomes necessary as the effort matures from an initial survey activity to the financially more demanding project phases.

State capacity to match Federal funds may be expected to expand as the initial, less costly survey and planning phases give way to individual preservation projects. We have requested information from the States as to their projected 5-year program for meeting their historic preservation needs. Their responses demonstrate an ambitious interest in pursuing the preservation of what are often the too fragile physical indicia of the heritage.

On the basis of information supplied by the States, we anticipate a National Register exceeding 100,000 properties representing the substance of the Nation's heritage of historic sites and buildings.

The Department of the Interior would expect to present, in the budget request and appropriations hearings, firm data gathered from the States and the National Trust in justification of the funding level needed for the coming fiscal year together with evidence of accomplishments yielded by the appropriations of the preceding fiscal year.

The proposed legislation thus provides the necessary flexibility to anticipate the pattern of growth in State participation in historic preservation.

We believe that this method represents a logical way to insure the culmination of national aspirations regarding historic preservation.

The Bureau of the Budget has advised that there is no objection to the submission of this legislation from the standpoint of the Administration's program.

Sincerely yours,

RUSSELL E. TRAIN
Acting Secretary of the Interior.

A BILL To amend title I of the Act of October 15, 1966 (80 Stat. 915)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 108 of title I of the Act of October 15, 1966 (80 Stat. 915), is amended to read as follows:

"SEC. 108. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act."

THE LIBRARIAN OF CONGRESS,
Washington, D.C., December 3, 1969.

The Hon. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives,
Washington, D.C.*

DEAR MR. ASPINALL: At the time of the enactment of Public Law 89-665 (80 Stat. 915), which established a Program for the Preservation of Additional Historic Properties Throughout the Nation, and for Other Purposes, the Library of Congress was not directly involved, inasmuch as the act related primarily to the protection, restoration, and reconstruction of buildings, structures, and objects significant in American history.

The present bill H.R. 14896, to amend Public Law 89-665, broadens and extends the original act and authorizes the participation of the United States as a member in the International Centre for the Study of the Preservation and Restoration of Cultural Property. Participation in the activities of the "Rome Centre," as it is usually designated in conservation circles, is of special interest to the Library of Congress because we have responsibility for the restoration and preservation for future generations of the vast collections of books, manuscripts, documents, prints, maps, films, and other cultural materials over which we have custody.

Within the past few years, the Library has made significant progress in expanding its preservation program. Our preservation shops are the finest in this country. In this effort to preserve those elements of our cultural heritage for which we are the custodians, the director of our preservation program is in regular contact with conservation experts throughout the world, including those in other Government agencies and in the International Centre for the Study of the Preservation and Restoration of Cultural Property. We are, therefore, much interested in the expansion of preservation activities which will occur by reason of U.S. participation in the activities of the Rome Centre.

With these thoughts in mind, I should like to request that H.R. 14896 be further amended as follows:

(a) Amend section 201(a) by—

- (1) striking out "seventeen" and substituting "twenty-one";
- (2) inserting after paragraph (6) the following:
 - "(7) The Secretary of Agriculture;
 - "(8) The Secretary of Transportation;
 - "(9) The Secretary of the Smithsonian Institution;
 - "(10) The Librarian of Congress; and"

If section 201 is amended as requested, then those paragraphs following item 10 also require change, but these are details rather than substantive matters.

I shall be most appreciative if you will give consideration to this request. If I can answer any questions about this matter, please let me know.

Sincerely your,

L. QUNICY MUMFORD,
Librarian of Congress.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January 28, 1970.

HON. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department on H.R. 14896, a bill "To amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes."

On October 6, 1969, the Advisory Council on Historic Preservation submitted draft legislation to the Congress which would amend title II of the act of October 15, 1966, to add three members to the Council and to authorize U.S. participation in the Rome Centre.

On October 10, 1969, the Department submitted draft legislation to the Congress which would amend title I of the 1966 act to authorize additional appropriations for matching grants to States and the National Trust for Historic Preservation purposes.

H.R. 14896 combines the provisions of the draft bills submitted by the Council and the Department. The letters of transmittal, in which we concur, set forth the need for the legislation, and accordingly, we recommend the enactment of H.R. 14896 with amendments.

The bill differs from the draft legislation transmitted by the Department on October 10, in that, instead of authorizing appropriations for purposes of the act without limitation, it authorizes \$1 million for fiscal year 1971, and \$2 million for each of the 5 succeeding years to carry out the purposes of title I of the 1966 act.

As indicated in the Department's letter of October 10, the States' capacity to match Federal funds is expanding. We have requested information from the States as to their projected 5-year program for meeting their historic preservation needs. We believe that the \$2 million annual authorization is totally inadequate, and therefore, recommend the following amendment:

1. Revise line 7 on page 1 through line 2 on page 2 to read as follows:

“thorized to be appropriated not more than \$7 million to carry out the provisions of this Title for fiscal year 1971, and such sums as may be necessary for each of the five succeeding fiscal years.”

The expenses of the Advisory Council, established in title II of the 1966 act, are derived from appropriations authorized “to carry out the provisions of this act” in section 108 of title I. These expenses have been approximately \$75,100 per year. Under H.R. 14896, however, the appropriation authorization would be limited, not to provisions of the act, but only “to carry out the provisions of this title.” Accordingly, under H.R. 14896 the expenses of the Council presently funded under the section 108 authorization, could not be appropriated under the new authorization because the Council is established in title II of the act. To assure the continuation of present funding procedures under the new authorization, we recommend the following technical amendment:

2. On page 2, after line 21, insert the following new subsection (g) and redesignate subsection (g) as (h) on line 22:

(g) Section 205(a) is amended by adding the following new sentence at the end thereof:

“Funds appropriated pursuant to section 108 of title I of this Act shall be available for the administrative expenses of the Council.”

The bill differs, also, from the draft legislation submitted on October 6, by the Council in that, instead of authorizing appropriations without limitation for payment of U.S. contributions to the Rome Centre and for other necessary sums, the bill authorizes the appropriation of not more than \$100,000 for fiscal year 1971 and a like amount for each of the five succeeding fiscal years.

The Rome Centre is an international body established by UNESCO in 1958. It is a continuing, intergovernmental organization of professional conservators. Participation by the United States, as authorized in H.R. 14896, will be an international expression of this Nation's interest in worldwide historic preservation. We believe that the limitation of annual appropriations to 5 years indicates less than a full endorsement of this Nation's participation in worldwide preservation. We have no objection to the ceiling on annual appropriations for purposes of the Centre, but we believe a time limitation on funding would be inappropriate in these circumstances. We therefore recommend the following amendment:

3. On page 3, line 12, insert a period and quotation marks after the word “annually” and delete the remainder of the sentence.

Section 206(b) provides for recommendations by the Council to the Secretary of State of members to the U.S. delegation to the Rome Centre. The section fails to authorize any official to make appointments to the U.S. delegation. We recommend the following amendment:

4. On line 10, page 3, add a new sentence to read as follows:

“The Secretary of State shall appoint the members of the official delegation from the persons recommended to him by the Council.”

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

RUSSELL E. TRAIN,
Acting Secretary of the Interior.

CHANGES IN EXISTING LAW

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ACT OF OCTOBER 15, 1966 (80 STAT. 915; 16 U.S.C. 470)

* * * * *

SEC. 108. [There are authorized to be appropriated not to exceed \$2,000,000 to carry out the provisions of this Act for the fiscal year 1967, and not more than \$10,000,000 for each of the three succeeding fiscal years.] *There are authorized to be appropriated not more than \$7,000,000 to carry out the provisions of this title for fiscal year 1971, \$10,000,000 for fiscal year 1972, and \$15,000,000 for fiscal year 1973.* Such appropriations shall be available for the financial assistance authorized by this title and for the administrative expenses of the Secretary in connection therewith, and shall remain available until expended.

TITLE II

SEC. 201. (a) There is established an Advisory Council on Historic Preservation (hereinafter referred to as the "Council") which shall be composed of [seventeen] *twenty* members as follows:

- (1) The Secretary of the Interior.
- (2) The Secretary of Housing and Urban Development.
- (3) The Secretary of Commerce.
- (4) The Administrator of the General Services Administration.
- (5) The Secretary of the Treasury.
- (6) The Attorney General.
- (7) *The Secretary of Agriculture.*
- (8) *The Secretary of Transportation.*
- (9) *The Secretary of the Smithsonian Institution; and*

[(7)] (10) The Chairman of the National Trust for Historic Preservation.

[(8)] (11) Ten appointed by the President from outside the Federal Government. In making these appointments, the President shall give due consideration to the selection of officers of State and local governments and individuals who are significantly interested and experienced in the matters to be considered by the Council.

(b) Each member of the Council specified in paragraphs (1) through [(6)] (10) of subsection (a) may designate another officer of his department or agency to serve on the Council in his stead.

(c) Each member of the Council appointed under paragraph **[(8)]** (11) of subsection (a) shall serve for a term of five years from the expiration of his predecessor's term; except that the members first appointed under that paragraph shall serve for terms of from one to five years, as designated by the President at the time of appointment, in such manner as to insure that the terms of not less than one nor more than two of them will expire in any one year.

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

(e) The Chairman of the Council shall be designated by the President.

(f) **[(Eight)]** *Eleven* members of the Council shall constitute a quorum.

SEC. 202. (a) The Council shall—

(1) advise the President and the Congress on matters relating to historic preservation; recommend measures to coordinate activities of Federal, State, and local agencies and private institutions and individuals relating to historic preservation; and advise on the dissemination of information pertaining to such activities;

(2) encourage, in cooperation with the National Trust for Historic Preservation and appropriate private agencies, public interest and participation in historic preservation;

(3) recommend the conduct of studies in such areas as the adequacy of legislative and administrative statutes and regulations pertaining to historic preservation activities of State and local governments and the effects of tax policies at all levels of government on historic preservation;

(4) advise as to guidelines for the assistance of State and local governments in drafting legislation relating to historic preservation; and

(5) encourage, in cooperation with appropriate public and private agencies and institutions, training and education in the field of historic preservation.

(b) The Council shall submit annually a comprehensive report of its activities and the results of its studies to the President and the Congress and shall from time to time submit such additional and special reports as it deems advisable. Each report shall propose such legislative enactments and other actions as, in the judgment of the Council, are necessary and appropriate to carry out its recommendations.

SEC. 203. The Council is authorized to secure directly from any department, bureau, agency, board, commission, office, independent establishment or instrumentality of the executive branch of the Federal Government information, suggestions, estimates, and statistics for the purpose of this title; and each such department, bureau, agency, board, commission, office, independent establishment or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics to the extent permitted by law and within available funds.

SEC. 204. The members of the Council specified in paragraphs (1) through **[(7)]** (10) of section 201(a) shall serve without additional compensation. The members of the Council appointed under paragraph **[(8)]** (11) of section 201(a) shall receive \$100 per diem when engaged in the performance of the duties of the Council. All members of the

Council shall receive reimbursement for necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Council.

SEC. 205. (a) The Director of the National Park Service or his designee shall be the Executive Director of the Council. Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel and procurement) shall be provided the Council by the Department of the Interior, for which payments shall be made in advance, or by reimbursement, from funds of the Council in such amounts as may be agreed upon by the Chairman of the Council and the Secretary of the Interior: *Provided*, That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Council employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Council: *And provided further*, That the Council shall not be required to prescribe such regulations.

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

(c) The Council may also procure, without regard to the civil service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the executive departments by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed \$50 per diem for individuals.

(d) The members of the Council specified in paragraphs (1) through [(6)] (9) of section 201(a) shall provide the Council, on a reimbursable basis, with such facilities and services under their jurisdiction and control as may be needed by the Council to carry out its duties, to the extent that such facilities and services are requested by the Council and are otherwise available for that purpose. To the extent of available appropriations, the Council may obtain, by purchase, rental, donation, or otherwise, such additional property, facilities, and services as may be needed to carry out its duties.

SEC. 206. (a) *The participation of the United States as a member in the International Centre for the Study of the Preservation and Restoration of Cultural Property is hereby authorized.*

(b) *The Council shall recommend to the Secretary of State, after consultation with the Smithsonian Institution and other public and private organizations concerned with the technical problems of preservation, the members of the official delegation which will participate in the activities of the Centre on behalf of the United States. The Secretary of State shall appoint the members of the official delegation from the persons recommended to him by the Council.*

(c) *For the purposes of this section, there are authorized to be appropriated not more than \$100,000 annually for fiscal year 1971 and for each of the two succeeding fiscal years.*