



# United States Department of the Interior

NATIONAL PARK SERVICE  
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Washington, DC 20240

**FYI**

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## Memorandum

To: Regional Directors  
Attention: Chiefs, Cultural Resources

From: Associate Director, Cultural Resources, Partnerships, and Science *Stephano T. Kucera*

Subject: FYI: Transmitting Library of Congress Mitigation Documentation to  
HABS/HAER/HALS

### Statement of the Issue

The National Park Service (NPS) program known as Historic American Buildings Survey/Historic American Engineering Record/Historic American Landscapes Survey (HABS/HAER/HALS) traces its origins to the act of Congress commonly known as the Historic Sites Act of 1935, now codified at 54 U.S.C. §§ 320101-320106, which, among things, directs the Secretary of the Interior to “secure, collate, and preserve drawings, plans, photographs, and other data of historic and archeologic sites, buildings, and objects.” 54 U.S.C. § 320102(b). Congress subsequently granted the Secretary additional authorities and responsibilities with respect to documenting historic properties, notably in the National Historic Preservation Act (NHPA), originally enacted in 1966 and amended numerous times since then, including comprehensive amendments in 1980. (The NHPA, as amended, is now codified in various sections of subtitle III of Title 54 U.S.C.) More particularly, the NHPA directs the Secretary to promulgate regulations “establishing a uniform process and standards for documenting historic properties by public agencies and private parties for purposes of incorporation into, or complementing, the national historical architectural and engineering records within the Library of Congress.” 54 U.S.C. § 302107. The NHPA defines “historic property” broadly to mean “any prehistoric or historic district, site, building, structure, or object included on, or eligible for inclusion on, the National Register [of Historic Places].” 54 U.S.C. § 300308. The collection of national historical architectural and engineering records in the Library of Congress (LOC) is now known informally as the HABS/HAER/HALS collection.

The NHPA also imposes various historic preservation responsibilities on other Federal agencies, including a requirement to “initiate measures to assure that where, as a result of Federal action or assistance carried out by such agency, a historic property is to be substantially altered or demolished—(1) timely steps are taken to make or have made appropriate records; and (2) the

records are deposited in accordance with section 302107 of this title, in the Library of Congress or with such other appropriate agency as may be designated by the Secretary, for future use and reference." 54 U.S.C. § 306103. In 1983, acting under the authority of the NHPA, the Secretary of the Interior published in the Federal Register the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (Secretary's Standards), including the Standards for Architectural and Engineering Documentation. 48 Fed. Reg. 44,716 (1983). The Secretary's Standards are now widely cited and used by federal and state agencies and others in the historic-preservation community.

### **Background**

Until 1997 the NPS accepted and transmitted to the LOC mitigation documentation for *all* historic properties to be substantially altered or demolished as a result of a federal agency's action or assistance. In accordance with longstanding policy and practice, documentation submitted to the NPS for transmittal to the LOC was required to meet either HABS/HAER standards or, after 1983, the Secretary's Standards. On October, 1, 1997, the NPS, with the concurrence of the Advisory Council on Historic Preservation, issued a policy memorandum announcing that documentation to HABS/HAER standards "will continue to be carried out" only for "National Historic Landmarks, properties eligible for the National Register at the national level of significance, and some specifically identified, individually eligible properties significant at the State and local levels." The 1997 policy memorandum expressly exempted from HABS/HAER documentation standards various categories of properties "significant [only] at the State or local level.

For the reasons discussed below, the NPS will reinstate its original policy of accepting and transmitting to the LOC mitigation documentation to HABS/HAER/HALS standards for *all* historic properties to be substantially altered or demolished by a federal agency's action or assistance, without restrictions as to type of resource or level of significance. First, it is clear that the 1997 policy memorandum has had the unfortunate consequence of dramatically reducing both the quality and quantity of documentation of historic properties. Second, over the past twenty years the LOC's capabilities both to curate collection materials and to disseminate them to the public have increased exponentially as digital technology has evolved. The HABS/HAER/HALS collection is no longer simply a resource-based archive, but one of the most popular areas in the LOC's heavily used Prints and Photographs Division. The collection receives nearly 50,000 visitors/month viewing approximately a million pages, looking at almost 400,000 pages five or more times, and ultimately downloading nearly 47,000 pages.

### **Rationale**

The LOC stores and manages the collection to the highest standards, devoting significant financial and professional resources to its curation and presentation to the public, and offering the best option for the long-term preservation, availability, and usability of mitigation documentation. Hard copies are curated in state-of-the-art archival facilities, and publishable-quality digital versions are made available to the public via a sophisticated, easily searched website. The database and online presentation are in their second comprehensive update since 1997. Ongoing indexing steadily improves the collection's searchability and utility. The LOC represents the gold standard in caring for, and providing access to, our important documents, fulfilling the intent of the Historic Sites Act of 1935 and the NHPA. This is why Congress

stipulated the "Architecture and Engineering Collection at the Library of Congress" as the final repository for mitigation documentation.

Since the collection was designed to be "a complete résumé of the builders' art," as expressed by NPS landscape architect Charles Peterson in 1933, it is the appropriate repository for mitigation documentation of National Register listed or eligible sites of state and local, as well as national, significance. The collection comprises documentation submitted from the Depression-era public works program, student summer teams, Peterson Prize and other competitions, other donations, and mitigation documentation. Now totaling approximately 43,000 sites and structures compiled over eighty years, it is richly illustrative of our diverse architectural, engineering, and landscape heritage. The only requirement is that documentation conforms to the Secretary's Standards, a minimal but important set of requirements that ensure its precision, value, longevity, and concision.

Founders established the HABS/HAER/HALS collection at the LOC as a mitigation documentation archive; we are asking of it nothing more than was originally intended. Presaging by decades the mandate of the NHPA, Peterson argued in 1933 that "(i)t is the responsibility of the American people that if the great number of antique buildings must disappear through economic causes, they should not pass into unrecorded oblivion." The Smithsonian's former curator of Mechanical and Civil Engineering, Robert Vogel, made a similar case for engineering and industrial documentation: "the actual preservation for posterity of the physical evidences of our early technology, industry and engineering is so rare, we are obliged to resort to a poor second course . . . substitute for the structures themselves . . . deliberately produced graphic and verbal records." The only change since Peterson's and Vogel's observations is recognition by Congress that when federal action or assistance will result in the substantial alteration or demolition of a historic property, documentation must be created and deposited in the LOC.

### **Summary**

In summary, this letter reestablishes NPS practice with respect to mitigation documentation as envisioned in the NHPA. The NPS, through the Heritage Documentation Programs (HABS/HAER/HALS), will accept all documentation of National Register and National Register-eligible properties of national, state, regional or local significance that meet the *Secretary of the Interior's Standards for Architectural and Engineering Documentation* for inclusion in the HABS/HAER/HALS collection at the Library of Congress.

cc: State Historic Preservation Officers  
Tribal Historic Preservation Officers  
Federal Preservation Officers  
Executive Director for the Advisory Council for Historic Preservation (ACHP)  
Director of Office for Federal Agency Programs for the Advisory Council for Historic Preservation (ACHP)

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