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GRANTS

GUIDE

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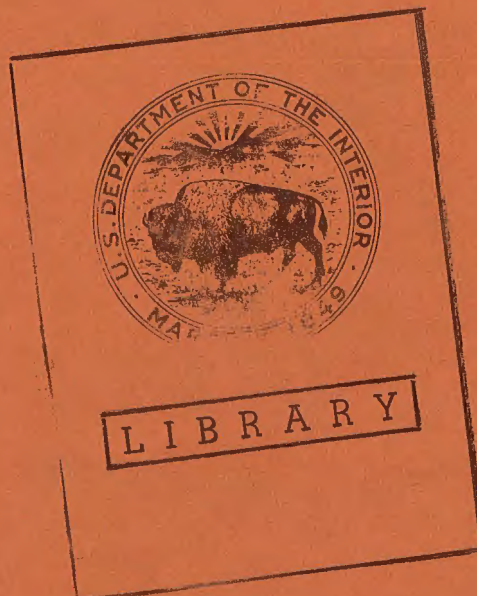
for Historic Preservation

for State Participation



United States Department of the Interior
National Park Service

Office of Archeology and Historic Preservation
Washington, D.C.



COVER

This silver Spanish coin, minted in 1784, was recovered during excavations at Pecos Mission, a National Register property, and was of key importance in interpreting a confusing series of walls and levels.

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PUBLIC LAW 89-665

80 Statutes 915 (1966)

THE NATIONAL HISTORIC PRESERVATION ACT OF 1966

GRANTS FOR HISTORIC PRESERVATION

A GUIDE FOR STATE PARTICIPATION

United States Department of the Interior
U.S. National Park Service/
Office of Archeology and Historic Preservation/
Washington, D. C.

January, 1969

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The above forms (10-300, 10-301, 10-302, 10-303, 10-304, and
DI Form 1350) are available upon request to the address below:

U. S. Department of the Interior

National Park Service

Office of Archeology and Historic Preservation

801 19th Street, N.W.

Washington, D.C. 20006

FOREWORD

With the enactment of the National Historic Preservation Act of 1966, (Public Law 89-665) the Congress found and declared:

"(a) that the spirit and direction of the Nation are founded upon and reflected in its historic past;

(b) 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;

(c) that, in the fact of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and non-governmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation; and

(d) that, although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities."

This Act significantly broadens the scope of the national preservation policy enunciated in the Historic Sites Act of 1935. Under this new authority, three innovations of immense potential are envisioned.

First is a greatly expanded National Register, in the words of the statute, to encompass "districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture." Maintained by the Secretary of the Interior, the National Register records the evidences of our national heritage that merit preservation. It is intended to include not only those places of national significance identified in Federal surveys conducted under the Historic Sites Act of 1935, but also places of State and

local significance. The Register thus becomes our national list of significant properties, comparable to lists kept by most European countries. It provides an authoritative guide by which Federal, State, and local governments, and private groups and citizens everywhere, may know what should be protected from destruction or impairment.

The National Register is a product of professional evaluation and review rather than a mere list of antiquarian curiosities. With the participation of appropriate or pertinent professional disciplines, the National Register can be an instrument of great good. It gives us further opportunity, as a matter of national policy, to establish priorities on the way our land is used and our cities kept, and to exert a constructive influence on the visual and spatial character of our environment. It gives us the opportunity for informed discrimination in saving what is significant from our past as an element around which plans for the future may be shaped. It gives us the opportunity for a continuity between generations that will help enrich our future.

The second innovation, closely related to the first, is a seventeen member Advisory Council on Historic Preservation. The Council consists of ten members appointed by the President, five members of the President's Cabinet, the Administrator of the General Services Administration, and the Chairman of the National Trust for Historic Preservation.

The Advisory Council conducts studies and advises the President and the Congress on administrative and legislative measures for giving further strength to the national preservation policy. It also concerns itself with issues that bring progress and preservation into conflict. Federal construction and licensing agencies must now seek to avoid places that should be preserved. Where this proves impracticable, the Council provides a forum for resolving the conflict in the public interest.

Specifically, the planning for any Federal or federally supported undertaking, including licensing actions, must take into account its effect on properties listed on the National Register. Where an adverse effect on such a property is threatened, the Advisory Council must be given an opportunity to consider the case and make known its views.

The third innovation is a system of matching grants-in-aid to the States and the National Trust for Historic Preservation. The National Trust receives matching grants for programs deriving from the mission defined in its Congressional charter. The States receive matching grants for conducting statewide surveys, for preparing comprehensive statewide historic preservation plans, and for individual preservation projects identified in the plans. The Act authorizes the appropriation of \$32 million over a four-year period for these purposes.

The Congress intended that most of this \$32 million be used to establish the dimensions of the national preservation need. When this has been done, the proper Federal contribution can be more realistically considered. The largest share of the initial sum will therefore be devoted to helping to finance statewide surveys and plans. State surveys provide the bulk of the listings for the National Register. The plans, after approval by the Secretary of the Interior, provide the basis for individual project grants.

The purpose of this publication is to provide the guidance and standards necessary to translate the legislation into a cooperative historic preservation effort between State and local governments, private groups and individuals, and the Federal Government.

ACKNOWLEDGMENTS

The first draft of the "Grant-in-Aid Manual," dated February, 1967, was prepared by members of the National Park Service task force assembled after the passage of P.L. 89-665. It was initially circulated for comment on March 31, 1967, to (1) fifty-one persons invited to attend the "Principles and Guidelines Workshop II" conference sponsored by the National Trust for Historic Preservation and by Colonial Williamsburg, held in Williamsburg, Virginia, March 3-5, 1967; (2) the 39 State Liaison Officers for Public Law 89-665 who had been designated by the Governors by March 31, 1967; and (3) 18 other professionals concerned with historic preservation. As the sixteen other State Liaison Officers were designated, they were sent draft copies of the document. All comments and suggestions received on this first draft were reviewed and given appropriate consideration in making a second draft, dated July 1967, which was presented to the seventeen-member Advisory Council on Historic Preservation at its second meeting in Washington, D. C. The comments received from this group were reviewed and incorporated into a third draft, dated November 1967, which served as the basic discussion document for eight regional conferences with the State Liaison Officers and their professional staffs. These were held between November 1967 and May 1968. The contents of this document reflect their comments and suggestions. A total of 85 public, Federal, State, and municipal agencies and 45 representatives of the private sector have thus been afforded an opportunity to comment on this publication. Their assistance is gratefully acknowledged.

Chapter 1

INTRODUCTION

1.1 General

Except for the apportionment of funds among the States and the establishment of criteria for approval of state-wide historic preservation plans, authority to administer the Act has been delegated to the Director of the National Park Service. Within the National Park Service the provisions of Public Law 89-665 will be administered by the Office of Archeology and Historic Preservation. All correspondence concerning this program should be addressed to:

Chief, Office of Archeology and
Historic Preservation
National Park Service
801 19th Street, N.W.
Washington, D. C. 20006

1.2 Type of Assistance

Funds may be provided to assist in:

- (A) the preparation of comprehensive statewide historic surveys and preservation plans;
- (B) the acquisition of title to or interests in districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, or culture and property used in connection therewith; and
- (C) the development of such districts, sites, buildings, structures, objects, and property in order to assure their preservation for public benefit.

1.3 Eligible Recipients

State and local governments, other public bodies, private organizations, and individuals are eligible to receive financial assistance. However, all applications must be submitted by States, and Federal funds will be granted only to the States, which will in turn transfer funds to the eligible recipients.

1.4 Prerequisite for Participation

Before any application for financial assistance is considered, the Governor of a State must designate in writing the State Liaison Officer who will have authority to act in matters pertaining to this program. He must have the authority to execute contracts with the United States on behalf of the State. In addition, before any payments are made, the State must designate an official to serve as the State's fiscal officer for purposes of this program. Appropriate officials must have the authority to receive and disburse Federal funds made available through this program and to keep and make available, or cause to be made available, to the United States financial and other records as may be required. They may, but need not be, the designated State Liaison Officer.

If the State Liaison Officer or the State's fiscal officer wishes to redelegate his authority, he must notify the National Park Service in writing of the name of the person or persons to whom authority has been delegated.

1.5 Amount of Assistance

The maximum amount of assistance for any project will be fifty percent of allowable costs. The amount of assistance in any case will depend on several factors, including the amount requested by the applicant, the size of the State's apportionment, and the quality of the proposed project.

1.6 Steps Required to Obtain Assistance

- (A) States will submit an application on the form prescribed by the National Park Service (Appendix H). When signed by the State Liaison Officer, the application will constitute a proposal by the State to execute the described project. It will contain the assurances required of the State in accordance with the Act. When signed by the Director, it will be a valid, legally binding contract between the State and the United States.
- (B) The State will complete the project in accordance with the contract. Any deviation from the terms of the contract must receive the prior written approval of the Director.

- (C) The State will be expected to submit requests for funds on the voucher forms prescribed by the National Park Service (Appendix I).
- (D) After project completion, the State must retain financial and other records and insure the continued maintenance, repair, and administration of the property.

Chapter 2

NATIONAL REGISTER ENROLLMENT

2.1 General

The National Register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture is maintained by the Secretary of the Interior as authorized by the National Historic Preservation Act of 1966 (P.L. 89-665). It lists those national, state, and local landmarks which constitute the significant evidences of our national heritage. The National Register encourages appropriate action, public and private, to preserve this heritage, and it is the legal instrument to ensure that registered properties threatened by Federal or federally assisted undertakings will be the subject of comment and review in accordance with the procedures prescribed by the Act.

Prior to the 1966 Act, the National Park Service, under the authority of the Historic Sites Act of 1935, had undertaken a program of identifying districts, sites, buildings, structures, and objects of national historical significance which are not part of the National Park System and had accorded them eligibility for recognition as "National Historic Landmarks." Section 101 (a)(1) of the 1966 Act authorizes an expanded list, including these properties and the historical units of the National Park System, to be known as the National Register.

2.2 Criteria of Evaluation

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 pre-history or history.

2.3 Criteria Considerations

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 fifty 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 fifty years if it is of exceptional importance.

2.4 Nominations

Properties may be nominated for the National Register by the State Liaison Officer, acting through the Governor if desired, from those surveyed by a professional staff and approved by a professional review committee as prescribed in Chapter 3 (Section 3.6.1). All nominations will be made on the standard National Register Inventory Nomination Form (Appendix E).

2.5 Review of Nominations

All nominations will be reviewed by the National Park Service. The receipt of any nominated property by the National Park Service does not necessarily signify acceptance and entry in the National Register.

2.6 Entry in the National Register

Nominated properties, after review and acceptance by the National Park Service, will be entered in the National Register by the Chief, Office of Archeology and Historic Preservation. The State Liaison Officer will be notified in writing of the properties entered and the date of entry in the National Register.

2.7 Publication of the National Register

All entries in the National Register will be published in the Federal Register as the means of providing official notification to the Federal agencies having responsibilities under Section 106 of the Act.

In addition, the National Register will be published by the National Park Service in an annual hard cover edition and will be available for purchase through the Superintendent of Documents, Government Printing Office, Washington, D. C. 20402.

2.8 Maintenance of the National Register

Maintenance of the National Register will be a continuing process at both the State and Federal levels. States should keep their property data record current and notify the National Park Service of any modifications as they occur. The National Park Service may remove from the National Register any property which has suffered sufficient loss of historical integrity that it no longer merits preservation. This may result from destruction, damage, discovery of historical error, or other such causes.

2.9 Advance Nominations

States may begin making nominations before submission of the statewide historic preservation plan. The National Park Service will consider appropriate properties which have received unanimous approval of the professional review committee and the State Liaison Officer as unquestionably worthy of entry in the National Register. Consideration will be given to properties which are:

- (A) in State ownership;
- (B) recognized in other Federal historic preservation programs;
- (C) owned by private, national, regional, or State organizations concerned with historic preservation;
or
- (D) recognized in an existing State landmark program.

All such nominations shall be considered in relationship to existing Federal or federally assisted undertakings. The provisions of Section 106 of the Act are not retroactive prior to October 15, 1966.

Chapter 3

STATEWIDE SURVEYS AND PRESERVATION PLANS

3.1 General

As a prerequisite for participation in the historic preservation program, the Act requires a State to prepare a statewide comprehensive survey and plan for historic preservation. Financial assistance may be made available for surveys and planning to be undertaken by, or under the supervision of, the State Liaison Officer.

3.2 Financing

A State may finance preparation of the entire comprehensive survey and plan from a single year's apportionment or it may finance part of it from one apportionment and other parts from future apportionments.

Costs for which grant-in-aid funds are used may include, but are not limited to, the following:

- (A) Staff and consultant professional services;
- (B) Travel essential to professional services;
- (C) Data collection, analysis, and transcription;
- (D) Preparation, editing, and publishing costs of appropriate reports, plans, maps, charts, and other documents forming a part of the survey and plan;
- (E) Supplies and equipment necessary to the conduct of the survey and preparation of the plan.

Funds expended and obligations incurred prior to the signing of a project agreement between the State and the Director will not be recognized as allowable matching costs.

3.3 Other Federal Grant Sources

Funds available through other Federal programs may be used for meeting a portion of the cost of surveys and plans within certain defined areas without losing eligibility for matching funds under this Act for meeting a share of the cost of the remaining portion of

the statewide survey and plan. It is the responsibility of the State Liaison Officer to maintain appropriate records verifying that Federal funds from different sources were not used to cover survey and planning costs for identical areas within the State.

3.4 Applications

The procedural requirements for applications for survey and planning assistance are the same as those for preservation projects and are set forth in Chapter 6. The application will be submitted on Form 10-302 & 302a (Appendix G). In addition, the application should include a schedule providing for the conduct of the survey and preparation of a plan within three years from the date of inception.

3.5 Conferences

Informal conferences between representatives of the State and representatives of the National Park Service are encouraged and should begin at the earliest possible time for the purpose of assuring that the State's effort will meet prescribed standards. These conferences may be held at the request of the State Liaison Officer.

3.6 Requirements

Except for the general requirements given in this chapter, the nature and presentation of the plan will be left to the State's discretion. In general, the plan should be a thorough and orderly statement of (1) the historical, architectural, archeological, and cultural resources of the State regardless of ownership, (2) action required to preserve these resources, and (3) a program of implementation to meet the requirements.

3.6.1 Composition of Survey and Planning Agency

Preparation or maintenance of all or portions of the statewide survey and plan may be undertaken by the State through arrangements with political subdivisions, other appropriate non-Federal public agencies, or any qualified contractor. In any case, the staff which directly supervises the conduct of the survey and the preparation of the plan must possess

professionally recognized qualifications by education and experience in the fields of history, archeology, architecture, and such other appropriate disciplines as may be necessary.

3.6.2 Survey

The purpose of the survey is to identify all districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture, regardless of their ownership. Each such property nominated for inclusion in the National Register must be identified and described on standard inventory nomination Form 10-300 (Appendix E). The forms will be made available by the National Park Service on request.

3.6.3 State Review

It will be the responsibility of the State to establish a procedure for:

- (A) Reviewing the results of the survey;
- (B) Approving properties for nomination to the National Register; and
- (C) Reviewing the content of the State's preservation plan.

The State Liaison Officer will identify in writing to the National Park Service for its review and concurrence:

- (A) The body and its membership (a minimum of five) which is to perform the described functions; and
- (B) The professional representation in that body and their qualification by education and experience in the fields of history, architecture, archeology, and other such professional disciplines as may be appropriate; and
- (C) A summary statement of its proposed method of operation.

The State Liaison Officer will notify the National Park Service of changes in the membership of the body. In States having an established body capable of performing the prescribed functions, employees of the State agency having responsibility for the survey and plan may be members of this body but may not constitute a majority membership.

In States not having an established body capable of performing the prescribed functions, the Governor may appoint a professional consulting committee composed of persons professionally recognized in the fields of history, architecture, archeology, and other disciplines as may be necessary. Members of the committee need not be residents of the State. The monetary compensation for their services may be a project cost for purposes of Federal assistance under the Act to the extent it does not exceed, in addition to travel and per diem expenses, the rate of pay established in section 205(c) of the Act. Employees of the State agency having responsibility for the survey and plan may be members of this body but may not constitute a majority membership.

3.6.4 Plan Draft

In order that the State may obtain assurance that its plan will meet requirements, a draft may be prepared for informal review prior to formal submission. Representatives of the National Park Service may thereafter meet with representatives of the State to discuss the draft and offer advice. The preliminary draft will be treated as a confidential State document.

3.6.5 Certification and Submission of the Plan

When submitted for final formal review, the plan will carry the State Liaison Officer's certification that it is the State's official historic preservation plan. Ten copies of the plan will be submitted to the National Park Service, at which time it will be considered a public document.

3.7 Framework of the Plan

This section is a guide to the composition of the state-wide preservation plan. It contains only minimum requirements, which should be enlarged upon as warranted

by individual State situations. It is expected that a high degree of imagination and professional competence will be brought to bear on the plan's preparation and that where required graphics of a highly professional caliber will be utilized in its presentation.

3.7.1 Volume I: Survey

This volume should report the results of the statewide survey. It should be submitted while work progresses on Volume II in order that the protection of the National Register may be extended without delay to nominated properties. (See paragraph 2.9) It must include the elements that follow:

- (A) a preface;
- (B) a certificate of approval, signed by a majority of the members of the State review body; and
- (C) the completed inventory-nomination forms, maps, photographs, and any addenda necessary or desirable. Material in this section should be arranged alphabetically by the name of the county and the property. It should be loose-bound, in a manner making possible later additions and revisions.

3.7.2 Volume II: Plan

This volume will be the basis for the administration of grants-in-aid for individual preservation projects. It must include the elements that follow:

- (A) a certificate signed by the State Liaison Officer declaring this the State's official historic preservation plan;
- (B) a certificate signed by a majority of the State's review body indicating their approval of the preservation plan;
- (C) a statement of preservation philosophy, as it will be reflected on a State, county, and local level, and within any other appropriate governmental relationship in the State;

- (D) a statement of the method employed in conducting the statewide survey and preparing the plan;
- (E) a statement indicating the relationship of historic preservation planning to other planning efforts taking place within the State;
- (F) a statement indicating how the comprehensive statewide outdoor recreation plan, prepared pursuant to the Land and Water Conservation Fund Act of 1965, has been considered;
- (G) a listing of those activities within the State which present the greatest problems in historic preservation, and a discussion of State and local actions and proposals (aside from those directly related to P.L. 89-665) for dealing with these activities to resolve such problems;
- (H) an identification and discussion of the public and private agencies in the State which are active in the field of historic preservation;
- (I) a statement of the historic preservation needs of the State. This section should identify and discuss the needs of properties by categories (i.e., districts, sites, buildings, structures, objects). It should also include an estimate of the relative weight of urban preservation needs in the total State preservation program;
- (J) a statement of a program of at least three years by which the State proposes to meet its preservation needs. This section should include a yearly supporting fiscal summary showing the dollar estimates for each year. The following format is suggested:

YEAR _____

PROPERTY CATEGORY	PROJECT CATEGORY									
	ACQUISITION		DEVELOPMENT							
		Priority	Protection	Priority	Rehabilitation	Priority	Restoration	Priority	Reconstruction	Priority
Districts										
Sites										
Buildings										
Structures										
Objects										
TOTALS										

An indication of priorities to the extent possible, should be based upon the following considerations:

- (a) Loss through demolition, sale, or abandonment;
- (b) Relative importance in a particular discipline; or
- (c) Possibility of preservation without Federal assistance.

It is expected that fiscal and priority assignments will change as circumstances change. Therefore, the State may submit amended versions during the year to the National Park Service as changes occur;

- (K) an estimate of the date when it will be necessary for the State to review and update this plan;
- (L) Appendix A, containing copies of all existing State and Local legislative acts, ordinances, and regulations pertinent to historic preservation within the State; and
- (M) Appendix B, a listing of the names, addresses, and roles or duties of the major participants in the survey and planning process.

Chapter 4

PRESERVATION PROJECTS4.1 Acquisition Projects4.1.1 General

Assistance up to fifty percent may be obtained to help meet the cost of acquiring districts, sites, buildings, structures, and objects, and property used in connection therewith, which are (1) in the National Register, and (2) in accord with the approved statewide historic preservation plan. The properties must not be in public ownership at the time the application for assistance is submitted. The acquisition may be in fee or less than fee.

4.1.2 Eligible Acquisition Costs

Such costs may include, but are not limited to, the following:

- (A) Acquisition of property or of less-than-fee interest.
- (B) Title examinations and reports, opinions, and closing costs.
- (C) Legal fees when it is necessary to employ a special consultant, as in complicated less-than fee arrangements.
- (D) The value of property donated to the State after the date of the Act. In the case of such a donation, the Federal share normally allocated for acquisition must be used for necessary preservation activities on that particular property.

4.1.3 Ineligible Acquisition Costs

Such costs may include, but are not limited to, the following:

- (A) Acquisition of title or interest in any property being acquired with assistance from another Federal program.

(B) Costs of court actions.

4.2 Development Projects

4.2.1 General

Assistance up to fifty percent may be obtained to help meet the costs of historic preservation activities for districts, sites, buildings, structures, and objects in the National Register and in accord with the statewide historic preservation plan. Assistance may be made available for any such property which is in non-Federal ownership, either public or private.

4.2.2 Eligible Development Costs

All costs of development for which assistance is sought must be incurred within the project period set forth in the project agreement. Such costs may include, but are not limited to, the following:

- (A) Historical, architectural, and archeological research costs directly associated with the preservation project;
- (B) Preparation of plans and specifications;
- (C) Preservation project costs whether incurred by contract or force account; and
- (D) Donated services of professional persons whose services would normally be obtained and whose normal rate of payment may be readily ascertained.
- (E) The degree of Federal assistance is proportional to the public benefit derived from the project. Thus if the property is to be leased back to private individuals or in any way used for a private purpose, or if it is purchased in less than fee with the occupants still in residence, only the costs of external preservation and structural soundness are eligible. If the building or structure will be open to the public on a

regularly scheduled basis, both external and internal preservation components are eligible.

4.2.3 Ineligible Development Costs

Such costs may include, but are not limited to, the following:

- (A) Administrative costs after the conclusion of the project period;
- (B) Interpretive costs such as staff salaries, purchase, and installation and maintenance of exhibit devices;
- (C) Purchase or preservation costs of artifacts not directly associated with the original property; and
- (D) Continuing maintenance costs.

4.3 Project Applications

Applications for acquisition or development funds should be submitted to the National Park Service on Form 10-302 & 302a (Appendix G). Each application should include additional scholarly documentation of the property and its suitability for preservation under this Act. Measured drawings, maps, photographs, and written records, sufficient to permit an evaluation of the property represented in the application, should be included. Measured drawings, photographs, and written documentation should meet the standards of the Historic American Buildings Survey as set forth in the Survey's manuals, which are available upon request. These records (or approved copies) should be submitted to the Chief, Historic American Buildings Survey, National Park Service, for permanent deposit with the Survey's archives in the Library of Congress. In the case of an application for acquisition funds, the application must also be accompanied by at least one appraisal report by a professional real estate appraiser and a statement of ownership record of the property for five years preceding the application.

4.4 Special Provisions for Private Properties

Where financial assistance is made for the preservation of a property in private ownership, the State will be required to obtain and present evidence, prior to the granting of Federal financial assistance, that the title to the property has been encumbered to assure use and maintenance of the property for historic purposes, and for a period of time and an appropriate degree of public benefit commensurate with the Federal investment.

Chapter 5

MAINTENANCE, REPAIR, AND ADMINISTRATION OF ASSISTED PROPERTIES

5.1 General

The Act and the project agreement require the grantee of Federal assistance to assume all costs of maintenance, repair, and administration of property acquired or developed with assistance under the National Historic Preservation Act, and to submit such reports as the National Park Service may require.

5.2 Maintenance

It is the responsibility of the State to assure the National Park Service that properties acquired or developed under the Act are satisfactorily maintained. Satisfactory maintenance requires that the historical integrity of features, materials, appearance, workmanship, and environment be protected and preserved.

The assurance by the State will take the form of a contractual obligation of the State to be responsible for such maintenance or to require the State to obtain a contractual commitment from a recipient of Federal funds to be obligated for continued proper maintenance.

5.3 Repair

Once a property has been the subject of a development project, no further funds will be available for that property unless the applicant can satisfy the National Park Service that the subsequent undertaking is not a duplication of work which was or should have been accomplished pursuant to the initial project. Any subsequent application for development assistance for the same property must be for a separate preservation activity.

5.4 Administration

In keeping with the spirit of Section 101 (2) of the Act, all assisted properties which have been acquired in fee, or which have been the recipients of assistance for purposes not confined to external preservation, must have a demonstrable public benefit.

Chapter 6

PROJECT APPLICATION AND AGREEMENT

6.1 General

Applications for assistance may be submitted only by a State acting through the State Liaison Officer. If funds are proposed to be transferred by the State to another public agency or to a private individual or association, this circumstance must be indicated in the appropriate space on the project application.

6.2 Applications

Application will be made on Form 10-302 & 302a (Appendix G). The application will constitute a proposal by the State to carry out the project described and an offer to enter into a contractual relationship with the United States. It will contain the assurances required by law, the obligations to be incurred by the State and United States, and the terms and conditions of the assistance grant.

6.3 Amendments

If, after the State and the Director have signed a project agreement, the State wishes to make any change in it, the State should submit an amendment on Form 10-303 (Appendix H). If the Director agrees with the proposed change, he will execute the amendment, thus changing the agreement in the manner indicated in the amendment.

6.4 Funding Requests

No funds may be granted prior to the signing by the State and the Director of a project agreement. In the case of projects which contemplate the transfer of funds to a public or private agency or individual outside the State government, no funds may be granted until the Director has been furnished a copy of the civil rights assurance required by the project agreement.

Chapter 7

APPORTIONMENT

7.1 General

The Act directs the Secretary to apportion funds appropriated for this program among the States on the basis of needs as determined by the Secretary. Congress has authorized not more than \$10,000,000 to be appropriated for each of the fiscal years 1968, 1969, and 1970 for this program.

7.2 Initial Apportionment

The apportionment of funds will be made as soon as practicable after the enactment of the fiscal year Department of the Interior Appropriation Act. The initial apportionment will be made on the basis of need for funds to conduct the statewide survey and prepare the statewide plan. All States will have been asked to submit applications for survey and planning fund requirements. If all reasonable survey and planning fund requirements can be met from the initial appropriation, the remainder will be placed in a contingency reserve.

7.3 Subsequent Apportionments

Apportionments of funds appropriated by the Congress for subsequent fiscal years will be based on need as indicated in the statewide plans, or for further survey and planning requirements. Such apportionments will not be made until the Secretary has been apprised of the relative requirements of the States.

7.4 Reapportionment

Each State must use its apportionment within two years after the year in which it is apportioned. All funds which have not been obligated by the National Park Service at the end of that time will be reapportioned among all the States. Funds will be deemed obligated if they are included in an executed project agreement.

7.5 Contingency Reserve

A small portion of each year's appropriation may be set aside by the Secretary in a contingency reserve. This reserve will be available for grants to the States to meet unforeseen emergency preservation needs.

A State could apply for assistance from this reserve after approval of the plan if the State had exhausted its regular apportionment. These funds could be used to aid in the acquisition or development of a property otherwise eligible for assistance, which is in imminent danger of destruction or impairment as a result of unforeseen circumstances, and when there is no apportionment of funds available to the State for the purpose.

Application will be made to the National Park Service on Form 10-302 & 302a (Appendix G), and will bear a notation indicating that contingency reserve monies are requested.

Chapter 8

FINANCING

8.1 General

The financing of approved projects will be made in a manner to minimize the impact of grant payments on the public debt level. Payments, as established in the project agreement, will generally take the form of reimbursements for the total work performed reflected in monthly reports of expenditures from State records. On application, an advance grant may be made to meet significant cash demands on the State.

8.2 Financing Survey and Planning Expenditures

Expenditures related to the conduct of the statewide survey and preparation of the plan require measurement in terms of annual expenses; all costs related to survey and planning activities will be treated as a single project account. At the close of each month the cumulative costs for the year will be classified by personnel services, travel, other direct expenses, and applied overhead. Based on the submission of a reimbursement voucher, Form 10-304 (Appendix I), a progress payment will be made in an amount equal to the Federal percentage of costs specified in the project agreement.

Amounts authorized for survey and planning grants will be accounted for on a fiscal year basis--July 1 to June 30. Any portion not utilized in the fiscal year involved will be reprogrammed in the following fiscal year together with any new grants which may be appropriated and apportioned. Since grants are available for the fiscal year in which notification is given and two fiscal years thereafter, any carryover funds will be assumed to be the first expended when merged with new authorizations.

Advance grants will not normally be made for survey work.

8.3 Financing Individual Preservation Projects

Expenditures related to acquiring or preserving eligible properties require the equivalent of an individual "work-in-progress" account for each project. Expenditure reports, at a minimum, require classification by personnel services, travel, contract payments, other costs, and

overhead. An individual expenditure report will be submitted monthly for each authorized project. Cumulative expenditure data is reportable from the date of commencement of the project to final completion without regard to fiscal year.

8.4 Advance Grants

A grant in advance of expenditure may be made, on request, if significant State expenditures are anticipated within a 30 or 60 day period. The State's request will be in letter form, identifying the project involved, amount of advance required, address of the recipient of the check, and a brief statement of need.

A monthly report of expenditures is required for advance grants. The line item "Amount Previously Paid" will include the advance.

APPENDIX A



Public Law 89-665
89th Congress, S. 3035
October 15, 1966

An Act

80 STAT. 915

To establish 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,

The Congress finds and declares—

Historic prop-
erties.
Preservation
program es-
tablished.

(a) that the spirit and direction of the Nation are founded upon and reflected in its historic past;

(b) 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;

(c) that, in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation; and

(d) that, although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

TITLE I

SEC. 101. (a) The Secretary of the Interior is authorized—

Buildings and
objects, etc.
Expansion and
maintenance of
National Regis-
ter.

(1) to expand and maintain a national register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture, hereinafter referred to as the National Register, and to grant funds to States for the purpose of preparing comprehensive statewide historic surveys and plans, in accordance with criteria established by the Secretary, for the preservation, acquisition, and development of such properties;

(2) to establish a program of matching grants-in-aid to States for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archeology, and culture; and

Grants to
states.

(3) to establish a program of matching grant-in-aid to the National Trust for Historic Preservation in the United States, chartered by act of Congress approved October 26, 1949 (63 Stat. 927), as amended, for the purpose of carrying out the responsibilities of the National Trust.

National Trust
for Historic
Preservation.

16 USC 468-
468d.

(b) As used in this Act—

(1) The term "State" includes, in addition to the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

"State."

(2) The term "project" means programs of State and local governments and other public bodies and private organizations and individuals for the acquisition of title or interests in, and for the develop-

"Project."

80 STAT. 916	Pub. Law 89-665	October 15, 1966
"Historic preservation."	ment of, any district, site, building, structure, or object that is significant in American history, architecture, archeology, and culture, or property used in connection therewith, and for its development in order to assure the preservation for public benefit of any such historical properties. (3) The term "historic preservation" includes the protection, rehabilitation, restoration, and reconstruction of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, or culture.	
"Secretary," Conditions for grants.	(4) The term "Secretary" means the Secretary of the Interior. SEC. 102. (a) No grant may be made under this Act— (1) unless application therefor is submitted to the Secretary in accordance with regulations and procedures prescribed by him; (2) unless the application is in accordance with the comprehensive statewide historic preservation plan which has been approved by the Secretary after considering its relationship to the comprehensive statewide outdoor recreation plan prepared pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897);	(3) for more than 50 per centum of the total cost involved, as determined by the Secretary and his determination shall be final; (4) unless the grantee has agreed to make such reports, in such form and containing such information as the Secretary may from time to time require; (5) unless the grantee has agreed to assume, after completion of the project, the total cost of the continued maintenance, repair, and administration of the property in a manner satisfactory to the Secretary; and (6) until the grantee has complied with such further terms and conditions as the Secretary may deem necessary or advisable.
16 USC 4601-4 note.	(b) The Secretary may in his discretion waive the requirements of subsection (a), paragraphs (2) and (5) of this section for any grant under this Act to the National Trust for Historic Preservation in the United States, in which case a grant to the National Trust may include funds for the maintenance, repair, and administration of the property in a manner satisfactory to the Secretary. (c) No State shall be permitted to utilize the value of real property obtained before the date of approval of this Act in meeting the remaining cost of a project for which a grant is made under this Act.	
Waiver.	SEC. 103. (a) The amounts appropriated and made available for grants to the States for comprehensive statewide historic surveys and plans under this Act shall be apportioned among the States by the Secretary on the basis of needs as determined by him: <i>Provided, however,</i> That the amount granted to any one State shall not exceed 50 per centum of the total cost of the comprehensive statewide historic survey and plan for that State, as determined by the Secretary.	(b) The amounts appropriated and made available for grants to the States for projects under this Act for each fiscal year shall be apportioned among the States by the Secretary in accordance with needs as disclosed in approved statewide historic preservation plans. The Secretary shall notify each State of its apportionment, and the amounts thereof shall be available thereafter for payment to such State for projects in accordance with the provisions of this Act. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given, and for two fiscal years thereafter, shall be reapportioned by the Secretary in accordance with this subsection.
Apportionment.		
Limitation.		

October 15, 1966

Pub. Law 89-665

80 STAT. 917

SEC. 104. (a) No grant may be made by the Secretary for or on account of any survey or project under this Act with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance may be given under any other Federal program or activity for or on account of any survey or project with respect to which assistance has been given or promised under this Act.

Coordination
with other Fed-
eral programs.

(b) In order to assure consistency in policies and actions under this Act with other related Federal programs and activities, and to assure coordination of the planning acquisition, and development assistance to States under this Act with other related Federal programs and activities, the President may issue such regulations with respect thereto as he deems desirable, and such assistance may be provided only in accordance with such regulations.

SEC. 105. The beneficiary of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the disposition by the beneficiary of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

Records.

SEC. 106. The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation established under title II of this Act a reasonable opportunity to comment with regard to such undertaking.

SEC. 107. Nothing in this Act shall be construed to be applicable to the White House and its grounds, the Supreme Court building and its grounds, or the United States Capitol and its related buildings and grounds.

Exemptions.

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. 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.

Appropriation.

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 members as follows:

Advisory Council
on Historic
Preservation,
membership.

- (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 Chairman of the National Trust for Historic Preservation.

Terms of office.	(8) 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) 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) 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 members of the Council shall constitute a quorum.
Chairman, selection.	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.
Report to President and Congress.	(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.
Other Federal agencies, co-operation.	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.
Compensation.	SEC. 204. The members of the Council specified in paragraphs (1) through (7) of section 201(a) shall serve without additional compen

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Pub. Law 89-665

80 STAT. 919

nation. The members of the Council appointed under paragraph (8) 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.

Executive
Director.

68 Stat. 483.

(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.

Personnel.

Ante, p. 288.

(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.

60 Stat. 810.

(d) The members of the Council specified in paragraphs (1) through (6) 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.

Approved October 15, 1966.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 1916 (Comm. on Interior & Insular Affairs).
SENATE REPORT No. 1363 (Comm. on Interior & Insular Affairs).
CONGRESSIONAL RECORD, Vol. 112 (1966):

July 11: Considered and passed Senate.
Sept. 19: Considered in House.
Oct. 10: Considered and passed House, amended.
Oct. 11: Senate concurred in House amendment.

STATE LIAISON OFFICERS
PUBLIC LAW 89-665
NATIONAL HISTORIC PRESERVATION ACT OF 1966

ALABAMA

Chairman
Alabama Historical Commission
State Department of Archives
and History
624 Washington Avenue
Montgomery, Alabama 36104

ALASKA

Chief, Parks and Recreation
Department of Natural Resources
Division of Lands
344 Sixth Avenue
Anchorage, Alaska 99501

ARIZONA

Director
State Parks Board
Phoenix, Arizona 85021

ARKANSAS

Director
Arkansas Planning Commission
Little Rock, Arkansas 72201

CALIFORNIA

Director
Department of Parks and
Recreation
State Resources Agency
P. O. Box 2390
Sacramento, California 95811

COLORADO

President
State Historical Society
Colorado State Museum
E. 14th Avenue and Sherman Street
Denver, Colorado 80203

CONNECTICUT

Chairman, Connecticut Historical
Commission
75 Elm Street
Hartford, Connecticut 06115

DELAWARE

State Archivist
Archives Building
Dover, Delaware 19901

FLORIDA

Executive Director
Florida Board of Archives
and History
401 East Gaines Street
Tallahassee, Florida 32304

GEORGIA

Executive Secretary
Georgia Historical Commission
116 Mitchell Street, S.W.
Atlanta, Georgia 30303

HAWAII

Director
Department of Land and
Natural Resources
State of Hawaii
Honolulu, Hawaii 96813

IDAHO

Director
Idaho Historical Society
610 North Julia Drive
Boise, Idaho 83706

ILLINOIS

Director
Department of Conservation
State Office Building
Springfield, Illinois 62706

INDIANA

Director
Department of Natural Resources
State of Indiana
Indianapolis, Indiana 42604

IOWA

Superintendent, State
Historical Society of Iowa
University of Iowa
Iowa City, Iowa 52240

KANSAS

Executive Secretary
Kansas State Historical Society
120 West Tenth
Topeka, Kansas 66612

KENTUCKY

Coordinator of State and
Federal Activities
Office of the Governor
Frankfort, Kentucky 40601

LOUISIANA

Chairman
Louisiana Historical
Preservation and Cultural
Commission
Box 44222, Capitol Station
Baton Rouge, Louisiana 70804

MAINE

Director
State Park and Recreation
Commission
State Office Building
Augusta, Maine 04330

MARYLAND

Director
Maryland Historical Trust
Box 1704
Annapolis, Maryland 21401

MASSACHUSETTS

Secretary of the Commonwealth
Chairman, Massachusetts
Historical Commission
Boston, Massachusetts 02133

MICHIGAN

Director
Department of Conservation
Stevens T. Mason Building
Lansing, Michigan 48926

MINNESOTA

Director
Minnesota Historical Society
Cedar and Central Streets
St. Paul, Minnesota 55101

MISSISSIPPI

Director
State of Mississippi
Department of Archives and History
P. O. Box 571
Jackson, Mississippi 39201

MISSOURI

Director
Missouri State Park Board
P. O. Box 176
1204 Jefferson Building
Jefferson City, Missouri 65101

MONTANA

Chief of Recreation & Parks Division
Department of Fish and Game
State of Montana
Helena, Montana 57601

NEBRASKA

Director
The Nebraska State Historical
Society
15th and R Streets
Lincoln, Nebraska 68508

NEVADA

Administrator
Division of State Parks
201 S. Fall Street
Room 221 Nye Building
Carson City, Nevada 89701

NEW HAMPSHIRE

Commissioner
Department of Resources
and Economic Development
Concord, New Hampshire 03301

NEW JERSEY

Commissioner
State of New Jersey
Department of Conservation
and Economic Development
Trenton, New Jersey 08608

NEW MEXICO

State Planning Officer
State of New Mexico
Santa Fe, New Mexico 87501

NEW YORK

Chairman
New York State Historic Trust
30 Rockefeller Plaza, Room 5600
New York, New York 10020

NORTH CAROLINA

Director
Department of Archives & History
State of North Carolina
Raleigh, North Carolina 27602

NORTH DAKOTA

Superintendent
State Historical Society of
North Dakota
Liberty Memorial Building
Bismarck, North Dakota 58501

OHIO

Director
The Ohio Historical Society
Columbus, Ohio 43210

OKLAHOMA

Chairman
Oklahoma Historical Society
1108 Colcord Building
Oklahoma City, Oklahoma 73102

OREGON

State Highway Engineer
Oregon State Highway Department
State Highway Building
Salem, Oregon 97310

PENNSYLVANIA

Executive Director
Pennsylvania Historical and
Museum Commission
William Penn Memorial Museum
and Archives Building
Harrisburg, Pennsylvania 17108

RHODE ISLAND

Director
Rhode Island Development Council
Roger Williams Building
Hayes Street
Providence, Rhode Island 02908

SOUTH CAROLINA

Director
State Archives Department
1430 Senate Street
Columbia, South Carolina 29201

SOUTH DAKOTA

Chief
Division of Parks & Recreation
Department of Game, Fish and Parks
Pierre, South Dakota 57501

TENNESSEE

Chairman
Tennessee Historical Commission
State Library & Archives Building
Nashville, Tennessee 37219

TEXAS

Executive Director
Texas State Historical
Survey Committee
108 West 15th Street
Austin, Texas 78701

UTAH

Director
 Department of Development
 Services
 312 State Capitol Building
 Salt Lake City, Utah 84114

VERMONT

Director
 Vermont Historical Society
 Montpelier, Vermont 05602

VIRGINIA

Chairman
 Virginia Historic Landmarks
 Commission
 Room 1106, State Ninth Street
 Office Building
 Richmond, Virginia 23219

WASHINGTON

Director
 Washington State Parks
 and Recreation
 Olympia, Washington 98501

WEST VIRGINIA

Chairman
 Ad Hoc Committee on
 Historic Properties
 Potomac State College
 Keyser, West Virginia 26726

WISCONSIN

Director
 State Historical Society
 of Wisconsin
 816 State Street
 Madison, Wisconsin 53706

WYOMING

Executive Director
 Wyoming Recreation Commission
 Cheyenne, Wyoming 82001

DISTRICT OF COLUMBIA

Deputy Mayor
 Executive Office
 District of Columbia Government
 Washington, D. C. 20004

COMMONWEALTH OF PUERTO RICO

Executive Director
 Institute of Puerto Rican
 Culture
 San Juan, Puerto Rico

GUAM

Director of Land Management
 Government of Guam
 Agana, Guam

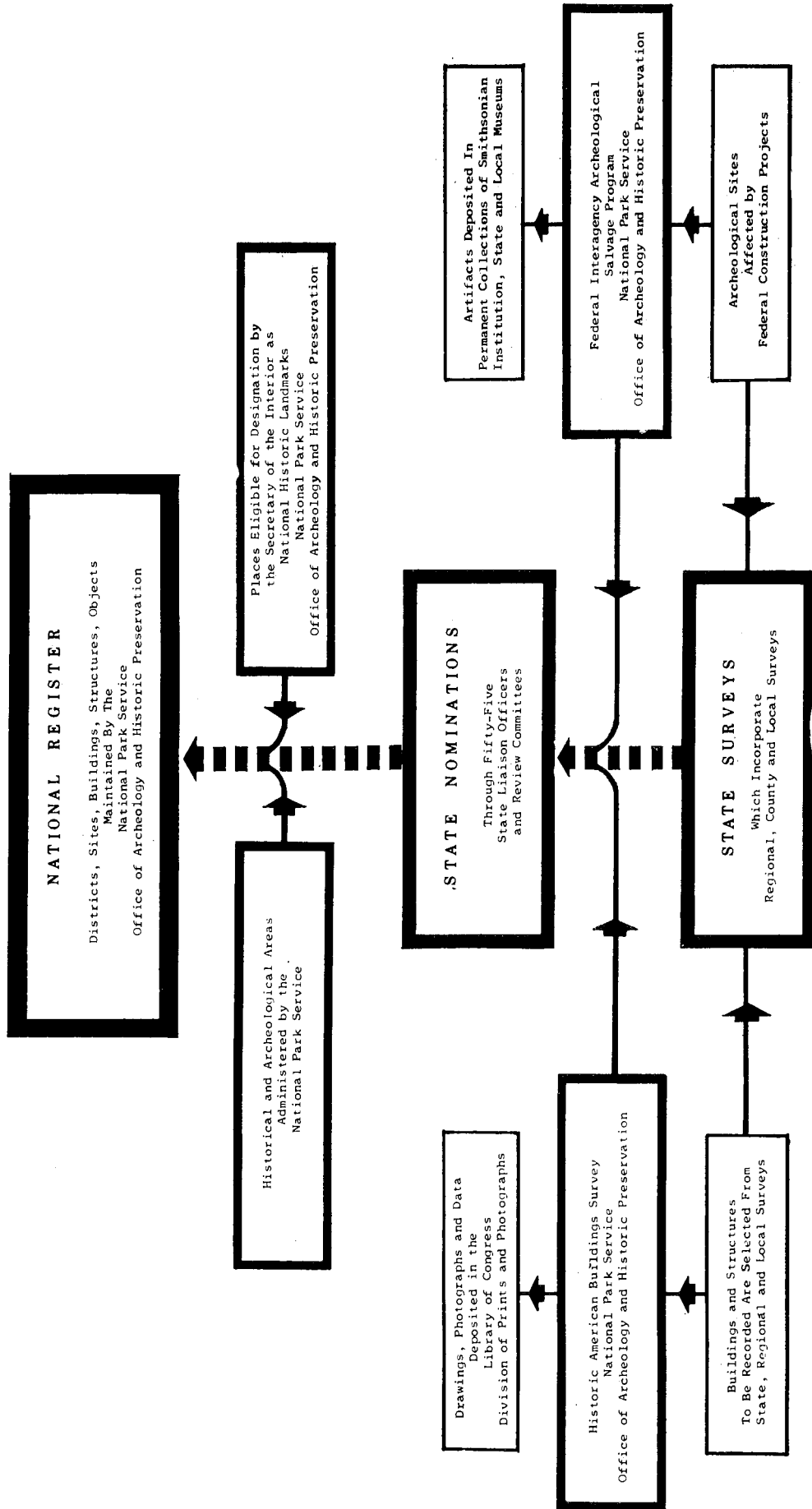
VIRGIN ISLANDS

Planning Director
 Virgin Islands Planning Board
 Charlotte Amalie, St. Thomas
 Virgin Islands

SAMOA

Lieutenant Governor
 Office of the Governor
 Pago Pago, American Samoa

EXPANDING THE NATIONAL REGISTER



The National Register will not remain static. It will increase or decrease with each edition by adding or subtracting entries according to natural or manmade effects.

William J. Murtagh
Keeper of the National Register
July, 1968

APPENDIX D

DEFINITIONS

These definitions apply to terms used in Public Law 89-665 and in this manual.

Accessible to the public: Capable of being used, seen, or experienced by the public.

Act: Public Law 89-665, the Act of Congress, approved October 15, 1966 (80 Stat. 915), commonly called the National Historic Preservation Act of 1966.

Applicant: The State submitting an application for financial assistance under the Act.

Apportionment: The amount of funds reserved for a State by the Secretary from yearly appropriations for assisting projects under provisions of the Act.

Appropriation: The funds which the Congress makes available yearly for purposes of the Act.

Archeology: The branch of anthropology utilizing specialized scientific techniques for the study of cultural material remains to obtain data on historic or prehistoric peoples.

Architecture: The science, art, or profession of designing and constructing buildings.

Assistance: The funds made available by the National Park Service in support of projects pursuant to the Act.

Building: A structure created to shelter any form of human activity

Culture: The concepts, habits, skills, arts, instruments, institutions, and other features of a given people at a given time.

Direct Expenditure or Direct Cost: Those obligations made or incurred that can be associated specifically with a project.

Director: The Director of the National Park Service, Department of the Interior, or any other officer or employee of the National Park Service to whom he delegates the authority involved.

District: A geographically definable area, urban or rural, possessing a significant concentration or linkage of sites, buildings, structures, or objects unified by past events or aesthetically by plan or physical developments.

Expenditure: Outlay of money represented by valid invoice and disbursement documentation.

Fiscal Year: A period of time which begins on July 1 and ends on June 30, twelve months hence.

Historic Preservation: The protection, rehabilitation, restoration, or reconstruction of districts, sites, buildings, structures, and objects of historic significance.

History: a branch of knowledge that records and explains past events as steps in the sequence of human activities.

Inventory: See Survey.

National Register: The National Register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture maintained by the Secretary of the Interior as authorized by the Act.

National Trust: The National Trust for Historic Preservation in the United States, chartered by Act of Congress approved October 26, 1949.

Nomination: The process by which a State may recommend properties for the National Register.

Object: A material thing of functional, aesthetic, cultural, historical, or scientific value that is usually, by nature or design, movable.

Project: A program of a State or local government, other public body, private organization or individual for the acquisition or development of any district, site, building, structure, or object, or for the preparation of a comprehensive statewide historic survey or plan.

Project Agreement: A contract executed between the United States and a State, setting forth the mutual obligations with regard to a specific project.

Project Period: The contract period during which costs may be incurred or changed for the conduct of a project.

Reconstruction: The replacement of all or part of a property by new material and workmanship as nearly as possible like the original.

Rehabilitation: Improving the structural condition of property in order to render it habitable or otherwise useful.

Restoration: Returning an existing property to its appearance at a given time.

Secretary: The Secretary of the Interior.

Site: The location of an event, building, structure, or object.

State: Any State of the United States, the District of Columbia, Puerto Rico, Virgin Islands, Guam, and American Samoa.

State Fiscal Officer: The office designated by the Governor to act for the State in all fiscal transactions and record keeping procedures with respect to the Act, or any other officer to whom authority has been delegated.

State Liaison Officer: The office designated by the Governor to act in his behalf with respect to the Act, or any other officer to whom authority has been delegated.

State Plan: The comprehensive statewide plan for historic preservation required by the Act.

Structure: A work constructed by man.

Survey: The process by which a State identifies and determines its historical resources as a basis for its statewide preservation plan.

APPENDIX EINSTRUCTIONSUSING THE NATIONAL REGISTER FORMS

General: These forms are intended for the use of the States in nominating properties for entry in the National Register to effect protection provided by P.L. 89-665. The National Park Service accepts nominations only through the State Liaison Officer.

A. INVENTORY-NOMINATION FORM: (Form 10-300)

Purpose: This form contains the basic written data required to nominate a property for entry in the National Register. Except where otherwise noted, all code numbers will be entered by the State Liaison Officer based on information supplied by the National Park Service.

Completing the Form:

1. NAME: Current common name of the property and any historical name(s).
2. LOCATION: Written geographic description of property location. Identify the township if applicable.
3. CLASSIFICATION:
Category (check one)

District: A geographically definable area, urban or rural, possessing a significant concentration or linkage of sites, buildings, structures, or objects unified by past events or aesthetically by plan or physical development.

Site: The location of an event, building, structure, or object.

Building: A structure created to shelter any form of human activity.

Structure: A work constructed by man.

Object: A material thing of functional, aesthetic, cultural, historical, or scientific value that is usually, by nature or design, movable.

Ownership (check no more than two)

Status (check one)

Accessible to Public (check one) Indicates whether the general public has direct access to the property. Restricted access would include access by appointment, scheduled hours, etc.

Present Use (check one or more)

4. OWNER OF PROPERTY: Name and address of owner at the date of nomination. Omit entry where there is a large multiple public and private ownership (i.e. districts).
5. LOCATION OF LEGAL DESCRIPTION: Reference to location of current property title at the date of nomination.

The following are not required:

1. chain of title
2. copy of title
3. book and page reference to title.

List the approximate acreage for the nominated property.

6. REPRESENTATION IN EXISTING SURVEYS: Many properties to be nominated have been recognized in existing inventories or surveys. This blank serves as a reference to identify such surveys and locates the repository for the records the surveys produced. Copies of existing survey records are not required. Use continuation sheet (Form 10-300a) if necessary.
7. DESCRIPTION:

Condition (check one)

Integrity (check one)

Description: A concise, factual written description of the property, including any known information of original condition and later alterations or changes. Use continuation sheet (Form 10-300a) if necessary.

8. SIGNIFICANCE:

Period (check one or more)

Specific Date: If the property has a specific date of primary significance, please indicate.

Areas of Significance: Check one or more as appropriate to indicate the major significance of the property.

Statement of Significance: A concise, factual statement of the reason(s) for the property's entry in the National Register. Use continuation sheet (Form 10-300a) if necessary.

9. BIBLIOGRAPHICAL REFERENCE: List the sources of the historical, architectural, or archeological information given in this form, especially the major published works related to the property.

10. GEOGRAPHICAL DATA:

General: See the detailed instructions for the submission of maps, Form 10-301, Property Map Form.

Requirements:

1. The location of each property must be graphically shown on a map.
2. Boundaries must be shown on a suitable map for:
 - a. All districts nominated for the National Register.
 - b. All sites nominated for the National Register.
 - c. Any building, structure or object where the size of the property to be nominated for the National Register exceeds an acre or where the proposed boundary does not coincide with the existing recorded legal description of the property. In such cases, the map should clearly show the variances.

Latitude and Longitude Coordinates (use only one of the following)

1. When the property involves an acre or more of land, circumscribe its boundaries by a rectangle and determine the coordinates for the four corners of the rectangle.
2. For a property covering less than one acre determine the coordinates of its center point.

If a property overlaps state or county boundaries, list all states and/or counties within which the property lies.

11. FORM PREPARED BY: This identifies the compiler of the form.
 12. STATE LIAISON CERTIFICATION: To be completed only by the State Liaison Officer. It certifies that the property has been evaluated and reviewed at the state level according to requirements outlined in Chapters 2 and 3 listed in the National Park Service document Grants for Historic Preservation: Guide to State Participation, prior to being forwarded to the National Park Service. The recommended level of significance represents the opinion of the state and is for informational purposes only; distinctions will not appear in the printed edition of the National Register.
- National Register Verification: To be completed only by the National Park Service when the property is entered in the National Register.

B. PROPERTY MAP FORM (Form 10-301)

Requirement: One property map form should be attached to each map submitted.

Purpose: The basic data for National Register entries will eventually be maintained by an automatic data processing system. The following instructions are provided to permit the determination of the special required geographic data.

It is assumed that states have available some form of map coverage for the total area within their boundaries. The departments within the state most likely to have this material are the state highway department or those departments whose efforts fall in the geological or topographical areas of interest. The mapping systems used by these departments are usually more than adequate for the geographic requirements of the National Register. It is suggested that the State Liaison Officer consult with and request support from such state departments. These groups may have all the necessary base maps and may even have other suggestions, beyond those included in this document, for obtaining the necessary geographic data.

The National Register has adopted the latitude-longitude system in locating historic property. No one coordinate system is used by every state. It is believed that latitude-longitude provides maximum usability for current and future needs.

The accuracy of the property location on a map depends upon three things:

1. the scale and quality of the map used
2. the accuracy of the individual marking the property on the map
3. the accuracy used in determining latitude-longitude readings.

The maps of the United States Geological Survey, with 7 1/2 minute quadrangles, provide an excellent scale upon which to record intermediate or large areas. The scale on these maps is about one inch to 2,000 feet. One second of distance, therefore, equals approximately 1/20th of an inch. Sites one acre or larger can be placed at this scale. For city size lots of an acre or less, maps with a scale of one inch to 40 feet or one inch to 500 feet are much more desirable.

Completing the Form:

1. NAME: Current common name of the property and any historical names.
2. LOCATION: Written geographic description of property location. Identify the township if applicable.
3. MAP REFERENCE: Identify the source, scale, and date of the map used in locating the property and included as a part of this nomination.
4. REQUIREMENTS: To determine the latitude-longitude coordinates of a property, one of the following two steps should be followed according to the size of the property to be recorded:

- a. For properties of an acre or more, a rectangle which includes the entire area to be recorded should be drawn on a map. Latitude and longitude for only four points--the corners of the rectangle--are needed. (See Illustration No. 1).
- b. For properties of less than one acre, only a single point locating the center of the property on the map is necessary.

C. PROPERTY PHOTOGRAPH FORM (Form 10-301)

Requirement: Photographs of professional quality must be submitted as a part of each nomination. The number of photographs should be determined by the requirement to provide adequate general pictorial representation of the property. One Property Photograph Form should be attached to each photograph submitted. One print of each photograph should be included and each print should be placed in a separate protective jacket. Prints should be black and white, maximum 8" by 10", minimum 4" by 5", medium weight, glossy finish, and unmounted.

Completing the Form:

1. NAME: Current common name of the property and any historical name(s).
2. LOCATION: Written geographic description of property location. Identify the township if applicable.
3. PHOTO REFERENCE: Identify the source and date for the photograph. Indicate the location of the negative.
4. IDENTIFICATION: Describe the view, direction, etc., of the individual photograph.

NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM

(Type all entries - complete applicable sections)

STATE:	
COUNTY:	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

1. NAME	
COMMON:	
AND/OR HISTORIC:	

2. LOCATION			
STREET AND NUMBER:			
CITY OR TOWN:			
STATE	CODE	COUNTY:	CODE

3. CLASSIFICATION							
CATEGORY (Check One)		OWNERSHIP		STATUS		ACCESSIBLE TO THE PUBLIC	
District ☐	Building ☐	Public ☐	Public Acquisition: ☐	Occupied ☐	Yes: ☐		
Site ☐	Structure ☐	Private ☐	In Process ☐	Unoccupied ☐	Restricted ☐		
Object ☐		Both ☐	Being Considered ☐	Preservation work in progress ☐	Unrestricted ☐		
					No: ☐		
PRESENT USE (Check One or More as Appropriate)							
Agricultural ☐	Government ☐	Park ☐	Transportation ☐	Comments ☐			
Commercial ☐	Industrial ☐	Private Residence ☐	Other (Specify) ☐				
Education, I ☐	Military ☐	Religious ☐					
Entertainment ☐	Museum ☐	Scientific ☐					

4. OWNER OF PROPERTY			
OWNERS NAME:			
STREET AND NUMBER:			
CITY OR TOWN:	STATE:	CODE	

5. LOCATION OF LEGAL DESCRIPTION			
COURTHOUSE, REGISTRY OF DEEDS, ETC:			
STREET AND NUMBER:			
CITY OR TOWN:	STATE	CODE	
APPROXIMATE ACREAGE OF NOMINATED PROPERTY:			

6. REPRESENTATION IN EXISTING SURVEYS			
TITLE OF SURVEY:			
DATE OF SURVEY: Federal ☐ State ☐ County ☐ Local ☐			
DEPOSITORY FOR SURVEY RECORDS:			
STREET AND NUMBER:			
CITY OR TOWN:	STATE:	CODE	

SEE INSTRUCTIONS

STATE:

COUNTY:

ENTRY NUMBER DATE

FOR NPS USE ONLY

7. DESCRIPTION

CONDITION	(Check One) Excellent ☐ Good ☐ Fair ☐ Deteriorated ☐ Ruins ☐ Unexposed ☐					
INTEGRITY	(Check One) Altered ☐ Unaltered ☐			(Check One) Moved ☐ Original Site ☐		
	DESCRIBE THE PRESENT AND ORIGINAL (<i>If known</i>) PHYSICAL APPEARANCE					

SEE INSTRUCTIONS

8. SIGNIFICANCE**PERIOD** *(Check One or More as Appropriate)*Pre-Columbian ☐16th Century ☐18th Century ☐20th Century ☐15th Century ☐17th Century ☐19th Century ☐**SPECIFIC DATE(S)** *(If Applicable and Known)***AREAS OF SIGNIFICANCE** *(Check One or More as Appropriate)*Aboriginal ☐Education ☐Political ☐Urban Planning ☐Prehistoric ☐Engineering ☐

Religion/Phi-

Other *(Specify)* ☐Historic ☐Industry ☐losophy ☐Agriculture ☐Invention ☐Science ☐Art ☐Landscape ☐Sculpture ☐Commerce ☐Architecture ☐

Social/Human-

Communications ☐Literature ☐itarian ☐Conservation ☐Military ☐Theater ☐Music ☐Transportation ☐**STATEMENT OF SIGNIFICANCE** *(Include Personages, Dates, Events, Etc.)*

SEE INSTRUCTIONS

8. SIGNIFICANCE**PERIOD** *(Check One or More as Appropriate)*Pre-Columbian ☐16th Century ☐18th Century ☐20th Century ☐15th Century ☐17th Century ☐19th Century ☐**SPECIFIC DATE(S)** *(If Applicable and Known)***AREAS OF SIGNIFICANCE** *(Check One or More as Appropriate)*Aboriginal ☐Education ☐Political ☐Urban Planning ☐Prehistoric ☐Engineering ☐

Religion/Phi-

Other *(Specify)* ☐Historic ☐Industry ☐losophy ☐Agriculture ☐Invention ☐Science ☐Art ☐Landscape ☐Sculpture ☐Commerce ☐Architecture ☐

Social/Human-

Communications ☐Literature ☐itarian ☐Conservation ☐Military ☐Theater ☐Music ☐Transportation ☐**STATEMENT OF SIGNIFICANCE** *(Include Personages, Dates, Events, Etc.)*

SEE INSTRUCTIONS

Form 10-300a
(Dec. 1968)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM**

(Continuation Sheet)

STATE	
COUNTY	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

(Number all entries)

Form 10-301
(Dec. 1968)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES

PROPERTY MAP FORM

(Type all entries - attach to or enclose with map)

STATE	
COUNTY	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

SEE INSTRUCTIONS

1. NAME			
COMMON:			
AND/OR HISTORIC:			
2. LOCATION			
STREET AND NUMBER:			
CITY OR TOWN:			
STATE:	CODE	COUNTY:	CODE
3. MAP REFERENCE			
SOURCE:			
SCALE:			
DATE:			
4. REQUIREMENTS			
TO BE INCLUDED ON ALL MAPS			
1. Property boundaries where required.			
2. North arrow.			
3. Latitude and longitude reference.			

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES

PROPERTY PHOTOGRAPH FORM

(Type all entries - attach to or enclose with photograph)

STATE	
COUNTY	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

SEE INSTRUCTIONS

1. NAME			
COMMON:			
AND/OR HISTORIC:			
2. LOCATION			
STREET AND NUMBER:			
CITY OR TOWN:			
STATE:	CODE	COUNTY:	CODE
3. PHOTO REFERENCE			
PHOTO CREDIT:			
DATE OF PHOTO:			
NEGATIVE FILED AT:			
4. IDENTIFICATION			
DESCRIBE VIEW, DIRECTION, ETC.			

APPENDIX GPROJECT APPLICATION AND AGREEMENT
Public Law 89-665, 80 Stat. 915. (1966)
GENERAL PROVISIONSA. Definitions

1. The term "Director" as used herein means the Director of the National Park Service, or any representative lawfully delegated the authority to act for such Director.
2. The term "Manual" as used herein means "Grants for Historic Preservation: A Guide for State Participation."
3. The term "project" as used herein means that project which is the subject of this agreement.
4. The term "State" as used herein means the State which is a party to this agreement.
5. The term "transferee" as used herein means the political subdivision, public agency, private association or individual to whom funds are to be transferred by the State pursuant to this agreement.

B. Execution

1. The State shall execute and complete or cause to be executed and completed the approved project in accordance with the time schedule set forth herein. Failure to render satisfactory progress or to complete this or any other project which is the subject of Federal assistance under this to the satisfaction of the Director may be cause for the suspension of all obligations of the United States under this agreement.
2. Activities to be undertaken pursuant to contract shall meet the following requirements:
 - a. Contracts in excess of \$10,000 shall be awarded through a process of competitive bidding with the exception that extensive preservation work may be contracted through negotiated bidding. Copies of all bids and a copy of the contract shall be retained for inspection by the Director.

- b. All bidders on contracts in excess of \$10,000 shall be informed that Federal funds are being used.
 - c. Written change orders to contracts in excess of \$10,000 shall be issued for all necessary changes in the project. Such orders shall be made a part of the project file and shall be kept available for audit.
 - d. Should a supplemental grant be made for this project under the provisions of any Federal assistance program which requires compliance with the Davis-Bacon Act, the State shall comply or provide for the compliance with the provisions of said Act, as amended (40 United States Code 276a-7) and the regulations of the Secretary of Labor (29 Code of Federal Regulations 3:29 CFR 5), and shall include or cause to be included in all contracts affected by such regulations the contract provisions set forth in 29 CFR 5.5.
3. The State shall secure completion of the work in accordance with the approved plans and specifications, and shall secure compliance with all applicable Federal, State, and local laws and regulations.
 4. Periodic site visits by the Director shall be permitted to insure work progress in accordance with the approved project, including a final inspection upon project completion.
 5. All significant deviations from the project agreement shall be submitted to the Director for prior approval.
 6. Project plans and specifications shall be available for review by the Director upon request.
 7. The acquisition cost of real property shall be based upon the appraisal of at least one professional appraiser; such a report shall accompany the application.
 8. If any tract or parcel of, or interest in, real property subject to being purchased under the provisions of this agreement, but not identified herein, is found by the Director for any reason not to be suitable for Federal assistance, all obligations of the United States hereunder shall cease as to such parcel, tract, or interest.

C. Project Costs

Project costs eligible for assistance shall be determined upon the basis of the criteria set forth in the Manual.

D. Project Administration

1. The State shall promptly submit or cause to be submitted such reports as the Director may request.
2. Property and facilities acquired or developed pursuant to this agreement shall be available for inspection by the Director upon request.
3. Any funds which may be received by way of advance payment from the United States under the terms of this agreement shall be used solely for the project herein described.
4. In the case of an advance of funds, interest earned on funds granted pursuant to this agreement shall not be available for expenditure by the State, but shall be disposed of according to instructions issued by the Director.
5. Because the basic objective of this Act is to preserve and protect the Nation's historical, architectural, archeological, and cultural heritage, it is the intent of the parties hereto that recipients of assistance will use monies granted hereunder for the purposes of this program, and that assistance granted will result in a net increase, commensurate at least with the Federal cost-share, in a recipient's historic properties preservation program. It is intended by both parties hereto that this assistance will be added to, rather than replace or be substituted for, State, local, and private historic preservation funds.

E. Project Termination

1. The State may rescind this agreement at any time prior to the commencement of the project. After project commencement, this agreement may be rescinded, modified, or amended only by mutual agreement. A project shall be deemed commenced when the State receives any funds pursuant to this agreement.

2. Failure by the State to comply with the terms of this agreement may be cause for the suspension of all obligations of the United States hereunder.
3. Failure by the State to comply with the terms of this agreement shall not be cause for the suspension of all obligations of the United States hereunder if, in the judgment of the Director, such failure was due to no fault of the State. In such case, any amount required to settle at minimum costs any irrevocable obligations properly incurred shall be eligible for assistance under this agreement.
4. Because the benefit to be derived by the United States from the full compliance by the State with the terms of this agreement is the preservation and protection of invaluable and irreplaceable vestiges of the Nation's history, architecture, archeology, and culture and their resultant availability to the people of the State and of the United States, and because such benefit exceeds to an immeasurable and unascertainable extent the amount of money furnished by the United States by way of assistance under the terms of this agreement, the State agrees that payment by the State to the United States of an amount equal to the amount of assistance extended under this agreement by the United States would be inadequate compensation to the United States for any breach by the State of this agreement. The State further agrees, therefore, that the appropriate remedy in the event of a breach by the State of this agreement shall be the specific performance of this agreement.

F. Conflict of Interests

1. No official or employee of the State or the transferee who is authorized in his official capacity to negotiate, make, accept, or approve a contract or subcontract in connection with this project or to take part in such decisions shall have any financial or other personal interest in any such contract or subcontract.
2. No person performing services for the State or the transferee in connection with this project shall have a financial or other personal interest, other than his employment, in any contract or subcontract in connection with this project. No officer or employee of such

person retained by the State or the transferee shall have any financial or other personal interest in any real property acquired for this project unless such interest is openly disclosed upon the public records of the State, and such officer, employee or person has not participated in the acquisition for or on behalf of the State or transferee.

3. No member of or delegate to Congress shall be admitted to any share or part of this agreement, or to any benefit to arise hereupon, unless such benefit shall be in the form of an agreement made with a corporation for its general benefit.
4. The State shall be responsible for enforcing the above conflict of interest provisions.

G. Hatch Act

No officer or employee of the State or other public agency whose principal employment is in connection with any activity which is financed in whole or in part pursuant to this agreement shall take part in any of the political activity prescribed in the Hatch Political Activity Act, 5 U.S.C. sec 118k (1964), with the exceptions therein enumerated.

H. Financial Records

1. The State shall maintain or cause to be maintained satisfactory financial accounts, documents, and records and shall cause them to be made available to the National Park Service, the Department of the Interior, and to the General Accounting Office for auditing at reasonable times. Such accounts, documents, and records shall be retained by the State or transferee for three years following project termination.
2. The State or transferee may use any generally accepted accounting system, provided such system meets the minimum requirements set forth in the Manual.

I. Use of Facilities

1. The State shall not at any time convey any interest in or convert to other than the uses specified in this project any property acquired or developed pursuant to this agreement without the prior approval of the Director.

2. The State shall administer, maintain, and repair or cause to be administered, maintained, and repaired the property or facilities acquired or developed pursuant to this agreement in the manner and according to the standards set forth in the Manual.

J. Equal Opportunity

1. Prior to the furnishing of Federal assistance to the State, the State must furnish the Director, Attention: Contract Compliance Officer, an Assurance of Compliance, Form DI-1350 (Appendix J). Recipients and subrecipients of such assistance to be regulated by Title 43, Code of Federal Regulations, Subtitle A, Part 17 (43 CFR 17).
2. The State shall incorporate, or cause to be incorporated into all contracts and subcontracts, involving Federal funds in whole, or part, the applicable equal opportunity clauses (equal employment opportunity and use of facilities) prescribed by Title 41, Code of Federal Regulations, Chapters 1, 14 and 14K (41 CFR - Federal Procurements Regulations).
3. The State shall:
 - a. comply or provide for compliance with the above provisions in work carried out by the State or a transferee, including the advance clearances provided for in 41 CFR 1.12-805-1(d)(1)(2)(3)(4);
 - b. assist and cooperate actively with National Park Service in enforcing the contract provisions and with the rules, regulations and relevant orders issued to implement the Civil Rights Laws and Administration policy;
 - c. obtain and furnish to the National Park Service, such information as required for enforcement of equal opportunity;
 - d. enforce the obligation of contractors, or other subrecipients, including invoking of sanctions and penalties for noncompliance, when imposed;
 - e. refer all questionable matters of equal opportunity implementation to the National Park Service Contract Compliance Officer for advance determinations.

K. Transfer of Funds

1. If this project is to be undertaken by a transferee, the State shall transfer all funds granted pursuant to this agreement to such transferee.
2. The State shall be responsible for compliance with the terms of this agreement by any transferee to which funds are transferred pursuant to this agreement. Failure by such transferee to so comply shall be deemed a failure by the State to comply with the terms of this agreement.

L. Manual

The State and transferee shall comply with the policies and procedures set forth in the Manual. Said Manual is hereby incorporated into and made a part of this agreement.

Form 10-302
(July 1968)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

PROJECT APPLICATION AND AGREEMENT

PUBLIC LAW 89-665

THE NATIONAL HISTORIC PRESERVATION ACT

STATE		PROJECT NUMBER
PROJECT TITLE		
PROJECT PERIOD	TYPE OF PROJECT ☐ SURVEY AND PLANNING ☐ ACQUISITION ☐ DEVELOPMENT	
PROJECT COST \$	PERCENTAGE OF ASSISTANCE %	AMOUNT OF ASSISTANCE \$
NAME, TITLE, AND ORGANIZATION OF INDIVIDUAL HAVING IMMEDIATE RESPONSIBILITY FOR PROJECT:		

PROJECT DESCRIPTION:

The United States of America, represented by the Director, National Park Service, United States Department of the Interior, and the State named above (hereinafter referred to as the State), mutually agree to perform this agreement in accordance with Public Law 89-665, 80 Stat. 915, the National Historic Preservation Act of 1966, and with the general provision, terms, promises, conditions, plans, specifications, estimates, procedures, project proposals, maps, and assurances attached hereto and hereby made a part hereof.

The United States hereby promises, in consideration of the promises made by the State herein, to obligate to the State the amount of money referred to above, and to tender to the State that portion of the obligation which is required to pay the United States, of the costs of the above project, based upon the above percentage of assistance. The State hereby promises, in consideration of the promises made by the United States herein, to execute the project described above in accordance with the terms of this agreement.

The following special project terms and conditions were added to this agreement before it was signed by the parties hereto:

In witness whereof, the parties hereto have executed this agreement as of the date entered below.

THE UNITED STATES OF AMERICA		STATE	
BY: (Signature)	STATE	DATE	
	SIGNATURE		
	NAME		
	TITLE		
DIRECTOR, NATIONAL PARK SERVICE UNITED STATES DEPARTMENT OF THE INTERIOR			
DATE			

Form 10-302a
(July 1968)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
PROJECT APPLICATION AND AGREEMENT
PUBLIC LAW 89-665
THE NATIONAL HISTORIC PRESERVATION ACT

I - SURVEY AND PLAN PROJECT ELEMENTS AND COST BREAKDOWN					
	DESCRIPTION	BEGINNING DATE	COMPLETION DATE	ESTIMATED COST	TOTALS
SURVEY					
	SUB-TOTAL				\$
PLAN PREPARATION					
	SUB-TOTAL				\$
PUBLICATION					
	SUB-TOTAL				\$
OTHER					
	SUB-TOTAL				\$
TOTAL					\$
National Park Service Assistance Requested			AMOUNT	% OF TOTAL ABOVE	
			\$		
SOURCE OF NON-FEDERAL FUNDS					

II - ACQUISITION PROJECT ELEMENTS

PROPERTY TO BE ACQUIRED

LOCATION (County, City, Street Address)

QUANTITY

INTEREST TO BE ACQUIRED

ESTIMATED COST

METHOD OF ACQUISITION

☐

NEGOTIATED PURCHASE

☐

CONDEMNATION

☐

OTHER (Specify)

SOURCE OF NON-FEDERAL FUNDS

III - DEVELOPMENT PROJECT ELEMENTS AND COST BREAKDOWN

	DESCRIPTION	BEGINNING DATE	COMPLETION DATE	ESTIMATED COST	TOTALS
DEV. PLANS AND SPECIFICATIONS					
	SUB-TOTAL				\$
ACTUAL WORK					
	SUB-TOTAL				\$
OTHER					
	SUB-TOTAL				\$
TOTAL					\$
National Park Service Assistance Requested				AMOUNT \$	% OF TOTAL ABOVE
SOURCE OF NON-FEDERAL FUNDS					

Form 10-303
(July 1968)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

AMENDMENT TO PROJECT AGREEMENT

PUBLIC LAW 89-665

THE NATIONAL HISTORIC PRESERVATION ACT

STATE	PROJECT NUMBER
PROJECT AGREEMENT	

This amendment to Project Agreement is hereby made and agreed upon by the United States of America, acting through the Director of the National Park Service and by the State of _____, pursuant to P.L. 89-665, 80 Stat. 915, the National Historic Preservation Act of 1966.

The State and the United States, in mutual consideration of the promises made herein and in the agreement of which this is an amendment, do hereby amend and change said agreement as follows:

In all other respects the agreement of which this is an amendment, and the plans and specification relevant thereto, shall remain in full force and effect. In witness whereof the parties hereto have executed this amendment as of the date entered below.

THE UNITED STATES OF AMERICA		STATE	
BY: (Signature)	STATE	DATE	
	SIGNATURE		
	NAME		
DIRECTOR, NATIONAL PARK SERVICE UNITED STATES DEPARTMENT OF THE INTERIOR		TITLE	
DATE			

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THE NATIONAL HISTORIC PRESERVATION ACT

[illegible]

APPENDIX J

75

DI Form 1350
(March 1966)

Illustration No. 1

U.S. DEPARTMENT OF THE INTERIOR ASSURANCE OF COMPLIANCE (TITLE VI, CIVIL RIGHTS ACT OF 1964)

(Name of Applicant-Recipient) (hereinafter called "Applicant-Recipient")

HEREBY AGREES THAT IT will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Department of the Interior Regulation (43 CFR 17) issued pursuant to that title, to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant-Recipient receives financial assistance from _____ and _____
Bureau or Office

Hereby Gives Assurance That It will immediately take any measures to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant-Recipient by _____, This assurance obligates the
Bureau or Office

Applicant-Recipient, or in the case of any transfer of such property, any transferee for the period during which the real property or structure is used for a purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance obligates the Applicant-Recipient for the period during which it retains ownership or possession of the property. In all other cases, this assurance obligates the Applicant-Recipient for the period during which the Federal financial assistance is extended to it by _____

Bureau or Office

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property discounts or other Federal financial assistance extended after the date hereof to the Applicant-Recipient by the bureau or office, including installment payments after such date on account of arrangements for Federal financial assistance which were approved before such date. The Applicant-Recipient recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall reserve the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant-Recipient, its successors, transferees, and assignees, and the person or persons whose signature appear below are authorized to sign this assurance on behalf of the Applicant-Recipient.

DATED

APPLICANT-RECIPIENT

By _____
(President, Chairman of Board or Comparable
authorized Official)

APPLICANT-RECIPIENT'S MAILING ADDRESS

DATE DUE		
<i>10/14/2014</i>		
<i>5/2/2023</i>		
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