Fifty Years of Heritage
So Rich: The National Historic Preservation Act
Significance Is Always Intangible: An Interview with the Keepers of the National Register

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To commemorate the 50th anniversary of the National Historic Preservation Act, it was our great honor to interview every Keeper that the National Register of Historic Places has had since its inception in 1966: William Murtagh, Jerry Rogers, Carol Shull, Janet Snyder Matthews, and Stephanie Toothman. While much of their conversation concerned the evolution of the register over the last 50 years, it also illuminated those themes that have been constant across the Keepers’ terms.

Susan West Montgomery: During your tenure as Keeper, what was your favorite listing?

Carol Shull: The first listing that came to my mind—because I think it reflects so well on the strengths of our National Register in the United States—is the Robert Russa Moton High School, an African American high school in Prince Edward County, Virginia. In 1951 a group of students walked out in protest to the conditions. And it became one of the five cases that went to the Supreme Court and became part of the Brown v. Board of Education decision.

The state prepared the nomination and it was listed on appeal. Prince Edward County was opposed to the nomination and asked that the state hold off taking action on it. The state sent it to the review board, which recommended it, but did not forward the nomination for listing. Some members of the state review board appealed the nomination to the Keeper. I sustained the appeal, and the state historic preservation officer then sent the nomination forward. Having an appeals process makes it possible for anyone to have a nomination considered by the Keeper. It has also been helpful to nominating authorities when they’ve gotten pressure not to nominate a property.

The school was listed on the National Register in 1995 and became a National Historic Landmark in 1998. And we also highly
publicized it in our Civil Rights travel itinerary online and in one of our Teaching with Historic Places lesson plans. It’s now a museum.

Jerry Rogers: I would pick not a listing but a determination of eligibility. And, as I recall, it may have been a dance ground for Los Matachines—an Indian/Spanish traditional Christmas dance at the San Ildefonso Pueblo. And that’s because it moved us more clearly toward the idea of recognizing cultural traditions that are important to American Indians, and we had not been there before.

Stephanie Toothman: During my short tenure as Keeper, the multiple property listing from California for resources associated with the history of Latinos in the United States has been the most gratifying. It is directly modeled on the National Park Service theme study “American Latinos and the Making of the United States.” And it did what we hoped that the theme study would do, which is provide a framework for states to dig deeper into their own survey and resources to see what sites might be eligible for listing that had not been looked at in the past, particularly with underrepresented communities.

Janet Snyder Matthews: In 2006, during my tenure, the Panama Hotel in Seattle, Washington, was designated a National Historic Landmark and entered into the National Register. In an earlier National Register nomination for the Seattle Chinatown Historic District, the Panama Hotel was a contributing resource. The 2006 Historic Landmark designation gave it recognition on its own at the national level of significance.
Designed by Japanese-born architect Sabro Ozasa and constructed in 1910, it served the needs of Japanese immigrants who lived on the urban periphery as well as rural and remote areas. It also houses the Hashidate Yu Bathhouse, virtually the only surviving Japanese bathhouse in the United States. While the bathhouse no longer operates, the Panama Hotel continues as a “workingman’s hotel,” an outstanding example of a community institution associated with the first generation of Japanese immigrants in this country.

Since we’re already thinking that way, I’d like to discuss the notion that the National Register has evolved over time and that there’s now much greater recognition of intangible and cultural associations. And that positive evolution has raised some issues about integrity. Given that all of you seem to value places for reasons that may not be based on their architecture, would you speak about the conflicts raised concerning integrity when dealing with intangible heritage or nontraditional resources.

Matthews: The National Register must continue to focus on physical places but, unlike most other nations, the United States places a strong emphasis on associative values—that is to say, association with historic events, trends, and individuals. In other nations, the focus is on architecture, archaeology, and landscape. Intangible heritage is an essential part of associative values, as is indicated by the many natural sites that are listed on the National Register for their historic and cultural value. Intangible heritage can certainly constitute part of the documentation of a National Register property and serve as justification for eligibility for listing.

Shull: Sometimes people equate intangible heritage with associative values and resources. While the place itself is tangible, the significance of a historic place associated with an event or a person or a cultural tradition is “intangible” and generally needs to be explained or interpreted to be understood.

Traditional cultural properties are among the earliest listings in the National Register. For example, Bear Butte, a place sacred to a number of Plains Indian tribes, was nominated by the South Dakota state historic preservation officer and listed in the National Register in 1973. Historic places with a wide range of associative and cultural
values have always been listed and determined eligible for the National Register, and evaluating their integrity generally has not been any more challenging than evaluating the architectural integrity of buildings.

**Toothman:** I’d like to come at it from a slightly different perspective. I totally agree that we have been listing places that have values associated with intangible cultural beliefs. Dances, spirit quests, other types of cultural beliefs—those are intangible, but the places where they are practiced are not. I think we are moving away from the intense focus we’ve had on architectural integrity and looking at the property—why it’s significant—and then looking at the integrity criteria in a more balanced way.

If it’s being nominated because it’s an architectural resource, then obviously we’re going to give more weight to materials, workmanship. But if it’s because something happened there, we do have the option of listing it as a site. I’d look at the battlefields that are listed on the National Register. If you don’t know the story associated with them, in most cases you’re looking at a big open space. And so, while we’re not going to be listing dances and songs on the National Register of Historic Places—there are other venues to do that—but certainly significance does take that into account in terms of the properties we see as having cultural value.

**William Murtagh:** Well, the associative value problem is so relatively new, there’s a lot more to be done about it. But I think it’s moving in the right direction.

**Rogers:** I’m kind of surprised that this is even a question. To me it has never been a problem. The National Register criteria address significance, and that is always, always, always intangible.

The criteria say the property must have integrity—it doesn’t say “architectural” integrity. It says “integrity of location, design, setting, materials, workmanship, feeling, and association.” And I’m looking out of my window right now, across the prairie at a mountainside about seven miles away, where American Indians were mining turquoise 1,200 years ago. I can take you over there and show you where they dug and show you the landscape around it. And I can point out the elements of integrity: of location, setting,
not design, but yes materials, feeling, and association. That’s not hard. It never has been hard. I think only people who come at the criteria from an architectural perspective have a problem with it.

**Shull:** I agree. Interpretations of the criteria and evaluations of integrity may vary, though, and we need to work to ensure that integrity standards are equitably applied and better understood. Many, if not most, listed historic places do not have pristine integrity. Some people are frustrated that particular properties are not being judged eligible for the National Register because of their integrity, and I think we have to look at those to see what the integrity issues are. We also need to better inform people about evaluating integrity and the breadth of listings that demonstrate how different aspects of integrity apply to a variety of properties.

Where we have a challenge is if there’s no there there at all. Some states have marker programs to explain places even if there is nothing left at the site to reflect its significance. We could recognize where something used to be that’s gone—with a marker perhaps—and that could be done at the federal level. But the whole intent of the National Historic Preservation Act in ’66 was to pass a law that would help counteract the loss of historic places with integrity that were disappearing so fast. And that’s the intent of the Section 106 process, grants, and tax incentives—to preserve historic places that still have the integrity to reflect their significance.

**That’s a great segue into where I want to go next. There’s the will and the desire of communities to have these conversations and identify the places they value. But there is a barrier when it comes to the application process. Some would say you need a graduate degree in order to fill out a nomination. Do you think some of the application requirements should be loosened so there isn’t that barrier?**

**Matthews:** One-size nomination does not fit all properties. But having successful nominations online guides preparers in meeting the criteria and documentation for listing.

**Toothman:** The thinking behind doing these targeted theme studies was recognizing that that barrier existed and aiming to provide a framework so that you didn’t have to look to somebody to do
that big lift, to provide that context for nominating your properties.

As part of the digitization—and we’ve just invested several hundred thousand dollars in basically rebuilding the National Register information system—we hope to develop a more complete electronic submission that will be easier.

But there’s that myth that you need to discuss everything possibly relevant. So I think there’s a [need] to support the states and the CLGs in understanding what the basic [requirements] are, as opposed to writing a master’s thesis for a National Register nomination.

**Shull:** I want to second that. The first nominations to the register included very little information. It became clear that more information was needed to understand the historic places and to assist in preservation planning. And, 50 years later, we have better-documented nominations, many of them prepared by professionally trained individuals graduating from undergraduate- and graduate-level preservation programs and other college-level programs. They might put quite a bit more background information into the nominations than is necessary for listing, and we need to make sure that people know the difference between what is required for listing and what may be worth having but is not essential.

The National Register is still getting short nominations prepared by citizens, and I think we should encourage more. One recent example is a nomination a [Girl Scout prepared for an African American school](https://www.nationaltrust.org.uk/), which is now listed.

It does take more effort to research and document a historic district or a property for its associative or cultural values than it does to nominate it for its architectural significance, which is why so many districts and individual properties are listed for their architectural significance alone. Many of these listings need to have their National Register documentation expanded and updated to include their associative and cultural values.

**Matthews:** Even before my tenure, digitization of the National Register was underway, thanks to modest annual funds. During my time, the Office of Management and Budget allocated more than $2 million to greatly accelerate this process, which has resulted in
the availability of digital records on thousands of National Register nomination forms and photographs for all but 11 of the states. My University of Florida students greatly appreciate this availability of National Register documentation. It provides helpful historic context statements and information associated with like property types. These records greatly inform preparation of new nominations.

Toothman: We’re developing a survey app with the National Association of Preservation Commissions and several other partners in which the final step will be transporting as much as possible directly into a nomination form. In terms of how the current generation and those coming up think and look and write, that’s an important step to take. It’s still not, by any means, foolproof, and states are going to have to look at it and see if it works for them. But in terms of being able to capture information and guide somebody through the nomination process, that’s an important tool to have.

I’m going to switch gears a bit. It would be interesting to hear examples of either controversial nominations or threats to the register during your tenure. Bill, was it all a bed of roses when you were there?

Murtagh: Of course not. Just the opposite. This was a new program generally, a new idea. And it was very difficult, initially, getting people to really sit up, pay attention, and listen. People don’t always like new ideas, and this had its percentage [of detractors].

Matthews: Some of the controversial National Register-related activities grow out of Secretarial determinations of eligibility. These take place when the state historic preservation officer and the federal agency do not agree, and the question of eligibility is referred to the Keeper on behalf of the Secretary of Interior.

One example was the question of whether or not the dune shacks of the Peaked Hill Bars Historic District on Cape Cod, Massachusetts, met the criteria for recognition as a traditional cultural property (TCP). The historic district had already been determined eligible for National Register listing, but not as a TCP. We determined that the property did not meet one of the requisite
characteristics of a TCP—“the group/community must have existed historically and the same group/community continues to the present.”

**Shull:** A more recent example has been the determination of eligibility request from the Minerals Management Service for Nantucket Sound as a result of the proposed Cape Wind project there. As Keeper, I determined Nantucket Sound eligible for the National Register. That was a challenging determination of eligibility.

**Rogers:** In my experience, one of the most difficult controversies was over a National Historic Landmark—**Green Springs Historic District in Virginia**, which was fought bitterly. And that’s another example of how things have evolved, because Green Springs had been designated in an era before we realized that you needed to do things with precision, like set boundaries and decide exactly what is significant about a resource and what is not. And it just happened that this wonderful, rural historic district in Virginia—with
lots and lots of both landscape and architectural values on the surface—was underlain by vermiculite, which at that time was a valued mineral. People who owned about half of it wanted to mine the vermiculite, and people who owned the other half—spotted around here and there within the district—wanted to preserve the place. It became extremely bitter. And it was an era when politics kind of stood on its head, too, and people who you might have thought would have supported the mining supported preservation—it was fascinating, but it was very bitter. There’s a book from that episode that names me by name as the National Park Service’s “chief land grabber.”

Toothman: My staff, along with the National Trust, have been responding to a number of proposed amendments to the National Historic Preservation Act this year. I believe a common thread behind these amendments is a lack of clarity about the role of the Keeper and what listing on the National Register means. We have testified, along with the Department of Defense, that the role of the Keeper is to determine significance only. Section 106 directs federal agencies to take this information about what Americans think is worthy of preservation into account in their planning and decision-making. We need to continue to emphasize that the final decision on any proposed undertaking remains in the hands of the federal agency.

Shull: One of my favorite listings is Stonewall, which the state of New York nominated to the National Register and we listed in 1999. I was told that a National Register staffer then got a call from a very powerful member of Congress who wanted to know exactly where we got our funding. And I think we all know some state preservation officers who have lost their jobs for just trying to objectively apply the law, go through the review process, and do evaluations of historic properties in an appropriate way.

Rogers: It’s funny that Carol mentioned SHPOs losing their jobs, because one of my favorite little quiet memories is the number of times when I’d get a phone call from a state historic preservation officer saying, “Help—the governor is trying to fire me!” And we would fire out a letter from the director of the National Park
Service or the Secretary of the Interior explaining why the governor had to maintain a professionally qualified program and he couldn’t just appoint any of his cronies to the job without qualifications. I can think of two or three SHPOs for whom we fought off a threat by the governor in that way.

**What do you think was the greatest accomplishment of your tenure? Is there something that you see as a big success that has made our communities or our nation better—that you can attribute to the National Historic Preservation Act? Any specific listing or specific activity of the register?**

**Shull:** Nurturing the growing interest in landscape preservation and preserving larger historic landscapes is one highlight. In the ’90s we developed bulletins on rural landscapes, suburbs, and designed landscapes to assist in evaluating and encouraging their nomination to the National Register. The interest in landscapes has continued to grow. The register has hosted a series of webinars on landscapes, and some exciting work has been going on in the field.

I have always been committed and worked hard to expand the breadth of the National Register as people’s perceptions of heritage evolve and as more types of people become involved—and as scholarship, threats, and opportunities have focused attention on a continually broadening range of historic places and values. I believe the National Register bulletins, which were produced when I was Keeper, have been helpful in assisting people evaluate and nominate a wide range of historic resources. The many examples of registered historic places in the bulletins, which reflect the ethnically and culturally diverse heritage of our country, encourage more such nominations. What makes our National Register so special is that it lists what is submitted by nominating authorities and what people at the local level value. The register has been an incredible tool in changing the way people think of properties or districts in their communities. It sometimes really turned the tide, just the very act of having a property recognized.

I also feel really good about the work we have done with the [Teaching with Historic Places program](https://www.nps.gov/teaching/) and the [travel itineraries series](https://www.nps.gov/teaching/travel-itineraries-series.htm), much of it with financial and other support from partners.
The use of National Register documentation for educational purposes has grown tremendously over time, particularly because the register has a very robust website that we began in the '90s, which pretty much offers everything—all the bulletins and other guidance, forms, links to the educational initiatives and digitized files, and more.

**Rogers:** I think surviving for 50 years without a negative amendment to the law, surviving for 50 years without changing the criteria and letting them continue to evolve through explanation of how they’ve been applied is a wonderful accomplishment.

I would agree with Carol that entering into the landscape notion was one of the most important changes—particularly because the cultural landscape concept enables us to acknowledge that a natural feature can have cultural significance: a river, a rock, a tree, a mountain, a valley can have cultural value. And it does require integrity, it does require definition of significance, so it is not anything weirdly different than listing an urban district, it’s just a different kind of significance. But that’s a wonderful thing in that it helps heal what I consider to be an unhealthy division among people who try to protect the environment—between people who focus only on nature and people who focus only on culture. I have worked for the last 40 years to try to heal that rift, and I’m happy to say that the National Trust for Historic Preservation has been a leader in that as well. I think that’s very, very important for the future.

**Toothman:** Both Jerry and Carol have expressed some important thoughts that I echo. I particularly want to emphasize that the National Register, coupled with Section 106, has been an agent of empowerment in terms of community control: [giving people] a place at the table in the decision-making that affects their communities—whether it be federal or more localized decision-making fueled by federal dollars.

And that’s one of the values, as we try to engage with communities that haven’t traditionally been involved, that we’re trying to emphasize—that having your community listed on the National Register gives you a place at the table in all sorts of decision-making. You’re not always going to prevail, but it’s an opportunity
to have a voice, and that’s at the root of what a list that looks at all levels of significance is about. The partnership is incredibly strong—one of the strengths of the whole program is that we are engaging communities and indigenous peoples all over the country and the territories in a very constructive way.

I’m going to end by asking the last question in a slightly different way. We’re all preservationists, we all know the National Historic Preservation Act, we all know the value of the National Register—we see it in play in our daily work. But the truth is that there is a world out there that doesn’t even understand any of this. What do you think we could do in the next 50 years to raise the profile of the register and to be sure it is relevant and powerful going forward?

Shull: The National Park Service has gotten a lot of important attention for its centennial that I’m hoping will be reflected in some higher appropriations to deal with some of the great needs that the park system has. But we haven’t really received that kind of attention for the 50th anniversary of the National Historic Preservation Act. One of our biggest problems is that we haven’t done a very good job of communicating generally. We need to spend a lot more of our collective effort doing the kind of PR that people really understand. As a movement, we’re not very good at it.

We’ve got to work far harder to communicate with the general public if we want to increase understanding and support and garner more funding. The way communities look would be very different if we had not had the National Historic Preservation Act and the National Register. People would not like or value their communities nearly as much. If you look at the nicest places to live or the best places to retire, most of them are ones that have preserved their historic character—they have listings on the National Register and have taken advantage of the benefits that that offers.

Rogers: What Carol said is very, very true. I have always, since the beginning, taken a very political perspective to the National Register. The people of the United States have to want it. Even if they don’t know much about it, what you really need is for them to have a gut instinct: “Yes, this is good.” The politics has been
anti-environment, pro-profit, pro-wheeler-dealer-development for a long time now, and that really needs to change. That national political mood is shaped by public statements, public utterances, lots of attention, so I think it’s way more important to draw attention to the good things the National Historic Preservation Act has done than it is to make the National Register more powerful.

One of the things we haven’t said much about in this conversation is the fact that the private sector plays a very, very substantial role in this, so this great partnership is not just among governments, but it is among government and the private sector at every level. That is one of the program’s strengths, and it is one of the secrets of its political survivability.

So I would urge more beating the drum about how wonderful it is, how much good it has done, how it has made cities into retirement and vacation destinations, and all that sort of thing. Politics is very, very important, and we have to be proactive in it.

Toothman: It has been a challenge this year to get attention for the 50th anniversary celebrations with the Centennial Find Your Park campaign going on at the same time. We have made considerable progress, thanks to the leadership of the director, in raising the visibility of these programs and expanding the notion that the National Park Service is both the parks and its programs. And we’ve had considerable support from the department for the heritage initiatives, most recently from the secretary’s participation in the roll-out of the LGBT theme study this fall. I think our efforts to engage with communities that haven’t been well represented in the national preservation program is really one of the most important trends for the next 50 years.

Matthews: I envision the National Register continuing to celebrate the role of the nation’s ethnic and immigrant groups and incorporate it into the fabric of the nation. This weaving together of strands from throughout the world is one of the significant hallmarks of our nationhood and a shining example to the world of cultural assimilation and integration.

I also predict that in the next 50 years, the National Register will more than double because of efficiencies in place—multiple
property nominations, theme studies, and digitized records. Because of the power of educating through documentation, the register will continue its ever-broadening influence to define us as a nation and unlock doors to the successful reuse of properties. FJ

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AUDIO
Former Keeper Jerry Rogers shares his “political perspective” on the National Register.

AUDIO
Susan West Montgomery discusses preservation at the local level with Keepers William Murtagh and Jerry Rogers.