

Ellis E. McDowell-Loudan, Ph.D.
Chair, Action Committee,
New York Archaeological Council
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May 4, 2015

Representative Adam Smith
Representative Mac Thornberry
Armed Services Committee
Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Smith and Mr. Thornberry:

As Chair of the Action Committee of the New York Archaeological Council, a statewide organization of professional anthropological archaeologists, I am authorized by our Board to express our concerns and stress our opposition to the anti-National Historic Preservation Act amendment in the FY2016 National Defense Authorization Act. The provision would amend the National Historic Preservation Act to allow federal agencies, for national security reasons, to remove properties from the National Register of Historic Places (NRHP) or to veto the listing of NRHP properties in the future.

The National Historic Preservation Act and the National Register of Historic Places provide only weak protection for historic properties, and do not prevent action by federal agencies. They function by drawing attention to historic properties that may be adversely affected by proposed federal actions. The National Historic Preservation Act is not an immovable object, but it requires consultation and justification regarding federal actions affecting historic properties. This seems reasonable and just, and has functioned since 1966, demonstrating increased efficiency over time.

It is our understanding that the Defense Department has never been stopped from altering a building or conducting any training exercise due to the National Historic Preservation Act. It is also our understanding that the Defense Department, the National Park Service, and the Advisory Council on Historic Preservation (along with a coalition of preservation organizations and the membership of Society for American Archaeology), oppose this amendment of historic preservation law.

New York State is wonderfully blessed with historic resources from the old Black River Canal to Fort Drum, the former Plattsburgh Air Force Base, Plattsburgh's War of 1812 sites, and the Saratoga Battlefield National Historic Park, and others across the State. Not all of these are federal property, but some are (or were), and have benefitted from cultural resource management and other aspects of historic preservation.

Historic preservation is good for the economy for reasons ranging from heritage tourism to the adaptive reuse of old buildings. Moreover, it significantly protects essential touchstone foundations of the identity and character of the American people. It has been our experience that the public strongly supports historic preservation, regardless of political affiliation.

It is our hope a Member of Congress will offer an amendment to remove the anti-NHPA provision now included in the House version of the FY2015 NDAA. If I may provide any clarification or further information, please feel free to contact me by email at Ellis E. McDowell-Loudan archo72@twcny.rr.com, or Marie L. Pipes, President, New York Archaeological Council, at pipesml@aol.com.

Thank you for your consideration of our concerns and their justifications. We appreciate your attention to this important and significant issue.

Sincerely,

Ellis E. McDowell-Loudan, Ph.D.
Chair, Action Committee, NYAC

cc. Dr. Marie L. Pipes