



Preserving America's Heritage

POLICY GUIDANCE FOR ACHP COMMENTS TO CONGRESS ON SITE-SPECIFIC LEGISLATION

Background. When tracking pending legislation and providing advice to Congress on selected bills, the ACHP generally avoids addressing site-specific legislation. This is due both to the sheer volume of such bills and concern that lack of localized knowledge and insight could result in inadvertently overlooking controversial situations or relying on faulty second-hand information. Despite these problematic issues, however, there are scenarios where ACHP advice to Congress on site-specific legislation may be warranted.

Factors to Consider in Decision Making. The ACHP may choose to offer comments on site-specific legislation when one or more of the following criteria is met:

- **The legislation addresses a highly significant historic property.** The exceptional significance of the property may already be recognized, for example through its designation as a National Historic Landmark, as part of a National Park Service unit, or as a World Heritage Site. This criterion could also apply in cases involving a newly discovered or newly evaluated property that is of great significance.
- **The legislation is site-specific but also addresses a broader range of historic properties or advances an innovative preservation strategy.** Site-specific bills occasionally address the preservation or protection of multiple historic properties, often thematically related, making the impact of the legislation significantly broader than a single site. Likewise, the treatment of a specific historic property in a bill may provide an innovative model of a preservation approach that has broader applicability.
- **The legislation could advance an established ACHP policy goal.** Consistent with its strategic plan, the ACHP adopts various preservation policy goals, addressing issues such as heritage tourism, sustainability, building a more inclusive preservation program, and supporting the participation of Indian tribes in the national preservation program. Site-specific bills often can promote such goals.
- **The legislation would set a damaging precedent for treatment of historic properties.** Occasionally legislation is introduced that could negatively impact the preservation of specific historic properties or establish legal principles that are inconsistent with the policies of the National Historic Preservation Act.

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