AN INTERNATIONAL COMPARISON OF CULTURAL RESOURCE MANAGEMENT SYSTEMS

by

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This study compares the cultural resource management systems of two nations; the United States and England. The purpose of the study is to determine if any methods used in one nation could be implemented in the other to better recognize and preserve historic and archaeological resources. To compare the two systems, four variables were chosen: the step-by-step process that developers follow in order to evaluate possible impacts on the cultural environment, who is responsible for taking historic properties into account, the role of the National Register/Schedule of Ancient Monuments, and the role of non-profit organizations. The recommendations made include wider consultation requirements for developers in England and an increased role non-profit organization, especially at the local level, in the United States.

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INTRODUCTION

The cultural resource management (CRM) system in the United States has been the subject of much discussion and criticism (King 2002). However, few have discussed the CRM process in direct comparison to another nation. The CRM system in England has some similarities and many differences from the process in the United States. If we use another nation as an example of another way our historic properties can be identified and preserved, we can find out if any of the methods employed by that nation could be implemented in this country or if any of the methods used in the United States could be beneficial in England. In finding similarities between two nations, we can determine what methods of cultural resource management and protection are successful and these could hypothetically be applied to any other nation that wants to improve its cultural resource management system.

The usefulness of using another nation as a comparison is that one can see how a method works or does not work in practice, without simply attempting to implement it and waiting to see if it functions. One of the issues arising in this study is that even if another nation has an effective CRM process, it may not be possible to change our system to incorporate the methods of that nation. The legislation and practices already in use may not be compatible with the improvements that this study proposes.

The purpose of this study is not to prove that one nation's preservation system is better than another's, rather the purpose is to find out if any methods used in England could be successfully implemented in the United States or vice-versa.

The main piece of legislation in the United States is Section 106 of the National Historic Preservation Act (NHPA). This requires federal agencies to take historic properties into account when planning. This study focuses mostly on how Section 106 is implemented as described in 36 CFR 800. In England, Planning Policy Guide 16[1] (PPG 16) addresses the responsibilities of companies when building, making it the equivalent of 36 CFR 800. This, along with the Town and Country Planning Act of 1990 and the Ancient Monuments and Archaeological Areas Act of 1979 make up the British equivalents to Section 106 of the NHPA.

METHODOLOGY

In order to evaluate the differences between the CRM processes, the methods implemented in both countries need to be compared. After determining the main differences between the processes, we can then decide if any of the methods employed in one country could possibly be implemented in the other. This was done by choosing four main variables and describing how each aspect is performed by each country. The variables I chose include: the step-by-step process that developers follow in order to evaluate possible impacts on the cultural environment, who is responsible for taking historic properties into account, the role of the National Register/Schedule of Ancient Monuments, and the role of non-profit organizations.

By focusing on four variables, we can show how the two systems differ and show any similarities. It is not sufficient to show the differences; we must also explain the positive and negative aspects of each method.

The first variable is the step-by-step processes detailed in 36 CFR 800 and PPG 16. This

[1] As of March 23, 2010, PPG 16 has been replaced by Planning Policy Statement 5.

includes any legal requirements, the general time frame of the process, who, including the State Historic Preservation Officer (SHPO) or county Archaeological Officer (CAO) is consulted, and any other issues that arise during the processes.

The second variable is who is responsible for taking historic properties into account and following the process laid out by the government. In short, in the United States any project involving federal money must follow the 36 CFR 800 regulations. In England, all development must hypothetically follow the process in PPG 16 (although the document is not legally binding and the conditions that a developer must follow vary by county and on a case by case basis).

The National Register of Historic Places has a unique role in the 36 CFR 800 process. Any property eligible for inclusion must be taken into account. In contrast, the eligibility requirements of the Schedule of Ancient Monuments of England have no real relevance to the development process.

The last variable is the role of independent organizations. English Heritage plays a large role in cultural resource management in England and cannot be left out of the study. Similar organizations in the United State have been analyzed in comparison to English Heritage.

The ultimate purpose in comparing these aspects is to determine what, if any, methods implemented in one country could be implemented in the other. To evaluate the possibility of making changes to one process, the positive and negative aspects of each method have been analyzed. Examples of how a given method has work or failed will be given.

BACKGROUND

History of U.S Preservation

Preservation in the United States before the National Historic Preservation Act of 1966 was a series of loosely connected projects and legislation. The Antiquities Act of 1906 required a permit to be granted from the secretary of the interior before performing any excavation of antiquities on public land. The National Park Service was created in 1916 as a federal agency to conserve both natural and historic properties. In 1935, the Historic Sites Act was passed. This created a program within the federal government meant to document and record places of importance in order to interpret the nation's history. The places recorded as part of this project are known as "National Historic Landmarks." The National Trust for Historic Preservation (NTHP) was created in 1949 and originally consisted of historians and architectural historians from the National Park Service. The purpose of the NTHP is to raise funds and promote historic preservation.

Historic preservation developed at a more rapid pace in the 1960s. The urban renewal projects of the Kennedy administration intended to improve America's cities, destroyed much of the historic buildings and caused objections from both professionals and the communities affected (King 2008). After the beautification program started by the Johnson administration, congress enacted the National Historic Preservation Act of 1966. This is the central piece of legislation behind the CRM process today. It requires the NPS to maintain a National Register of Historic Places (NRHP), created the Advisory Council on Historic Preservation (ACHP), and created State Historic Preservation Officers (SHPOs). The ACHP is an organization created to advise the President and Congress on issues involving historic preservation. Section 106 of the

NHPA requires federal agencies to consider their effects on historic properties included in the National Register of Historic Places. President Nixon's 1972 executive order 11593 later changed this to include any property eligible for inclusion on the National Register.

During this time, the environmentalism movement was gaining popularity and in response, Congress passed the National Environmental Policy Act of 1969. This requires federal agencies to take into account their effects on the "quality of the human environment." The "human environment" includes both natural and historic properties.

History of CRM in England

The movement to preserve ancient remains started in England earlier than in the United States. The first legislation was the Ancient Monument Protection Act 1882. This act gave legal protection to 29 monuments in England and Wales and 21 in Scotland. The properties covered by this act later became the basis for the Schedule of Ancient Monuments in 1979. In 1895, the National Trust for Places of Historic Interest or Natural Beauty was founded. This was not created by an act of parliament; it is a private organization. In its first 40 years of operation, it mostly focused on the preservation of land, but it created a good start for its later focus of preserving historic properties. The Ancient Monuments Consolidation and Amendment Act 1913 created much of the current system of preservation. Section 1 of this act gave local authorities or other government bodies the right to purchase ancient properties. The idea of "guardianship" of monuments, which is discussed later in this thesis, was created by this act (section 3). The Historic Buildings and Ancient Monument Act 1953 did two main things. It allowed the government to give grants to repair and maintain historic buildings. This was the first time that historic buildings had had this privilege (ancient monuments were previously given grants after

the 1882 act) (Ross 1991).

In 1979, the main act dealing with archaeology was passed. This was the Ancient Monuments and Archaeological Areas Act 1979. This is a consolidation of many of the previous acts as far back as the Ancient Monuments Act 1882. This act created the present system of scheduling ancient monuments for protection. Any work done to a monument on the Schedule must be approved. The National Heritage Act 1983 included some minor amendments to the 1979 act, but the most important aspect of this act is that it created the Historic Buildings and Monuments Commission, known as English Heritage (McGill 1995).

In addition to acts of parliament regarding historic buildings and archaeological sites, England has legislation relating to the planning process, of which archaeology is an integral part. The most relevant piece of legislation regarding historic properties is the Town and Country Planning Act 1990. In broad terms, this act sets out the policies relating to the development of land. This is what gives local planning authorities the responsibility to take archaeology into account in consideration of development proposals (McGill 1995).

The government's policy with regards to historic properties is outlined in Planning Policy Guide 16. This was published in 1991 and is not a piece of legislation, rather a guide as to what the government expects developers and planning authorities to do in order to take historic properties into account during development. This guide is discussed at length later in this thesis.

The 36 CFR 800 Process

In 1966, the United States Congress passed the National Historic Preservation Act. This piece of legislation was intended to help preserve the historical and archaeological heritage of the United States. Section 106 of the NHPA states that federal agencies must take into account their effects

on any property or structure that is included, or eligible for inclusion, in the National Register of Historic Places. This one short paragraph gives no explanation as to how the agencies must evaluate their potential effects on historic and archaeological properties.

The process that federal agencies must follow is detailed in Title 36 of the Code of Federal Regulations, part 800 (36 CFR 800). The first step in the process is to determine whether or not a project is an undertaking. If there is federal money involved, or a federal permit is required, it is an undertaking. Once it is determined whether an action is an undertaking or not, the agency then decides if it is the kind of action that could potentially have effects on historic properties. This step is meant to exclude actions which are unlikely, or known not to cause effects on historic properties. These are actions that are commonplace and do not have effects on historic properties, such as clerical work or hiring a new employee. If an action is deemed an undertaking that will potentially have effects on historic properties, the agency will then identify the relevant State Historic Preservation Officer (SHPO) and other parties to be consulted, create a plan to involve the public, review the existing information regarding any historic properties, and consult with the relevant SHPO on any other background information that could be useful.

The agency then determines the scope of identification efforts needed to determine what historic properties could be affected. Scoping means finding the "area of potential effects" (APE). The APE is not only where the proposed development lays on a map; it includes any possible audiovisual, auditory, and sociocultural effects. Secondary physical effects, such as possible effects on the natural environment, must also be considered as part of the APE. In addition to finding the APE, scoping includes background research and consultation. Background research usually includes finding any previous studies done on the property and consultation means communicating with any people or groups that might be affected by the development.

At this point, the agency may begin a field evaluation with consultation with the SHPO. This includes making a "reasonable and good faith effort to carry out appropriate identification efforts" to record any historic properties within the APE. This is generally referred to as a Phase I evaluation. (Neumann and Sanford 2001)

If any historic properties are found during this evaluation, the agency, in consultation with the SHPO and any relevant Native tribes, must determine if any of the properties are eligible for the National Register of Historic Places. This is generally referred to as a Phase II evaluation. If no properties are found, or if none of the identified properties are determined eligible for the National Register, the agency documents the results and sends them to the SHPO. The SHPO then may agree or disagree with the findings. If properties eligible for the National Register are found, the agency determines the effects of the undertaking using the criteria of adverse effects (36 CFR 800.5 [a]). The agency then sends the results to the SHPO and the SHPO decides if the property is indeed eligible for the National Register. After the effects of an undertaking are considered and all relevant parties have been consulted, a Memorandum of Agreement (MOA) can be written. This is a document signed by the consulted parties that resolves any possible effects. A summary of this process can be seen in Figure 1.

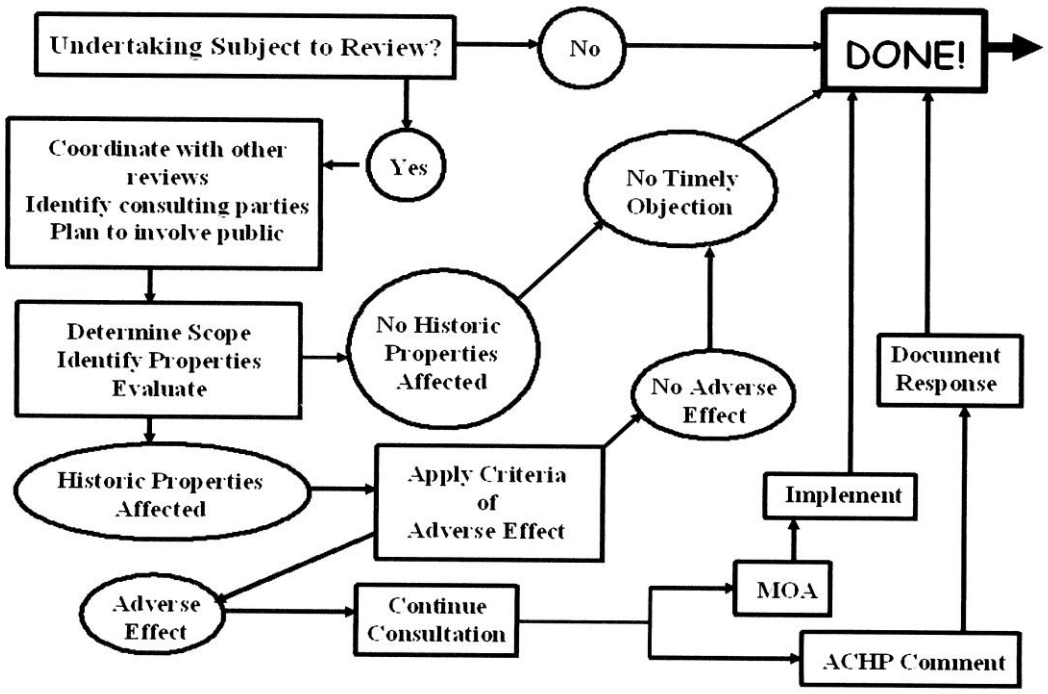

Figure 1: The Section 106 Process (King 2008).

Planning Policy Guide 16

In 1990, the English Department of the Environment published the Planning Policy Guide 16. This document is meant to guide developers through the process that they are expected to follow when taking archaeological resources into account before building. The guide was created in order to clarify what the government expected developers to do when planning a new development.

The first step a developer must follow is contacting the relevant County Archaeological Officer (CAO), who is basically the English equivalent of the SHPO. The CAO holds the Sites and Monuments Record (SMR). These are comprehensive databases documenting any archaeological resources that are known, or thought to exist within the county. The developer

may hire their own archaeological assessment if desired. This would not include fieldwork; at this point only desk-based research is performed. If any important archaeological sites might exist in the project area, the planning authority may request that the developer arrange a field evaluation before planning permission is granted.

The field evaluation usually consists of a ground survey and some small scale trenching. This is roughly the equivalent of a Phase I excavation. It is meant to define what archaeological remains exist and how important they are. They fieldwork is also meant to allow the developer to start creating methods to minimize the project's impact on the archaeological sites and allow a well-informed planning decision to be made.

The process detailed in PPG 16 is not required by law, but local planning authorities have the power to require developers to include the results of the assessment and evaluation in their applications for planning permission if there is reason to believe that there are important archaeological remains within the project area.

When the planning authority has sufficient information about the development and the possible effects on the archaeological remains, there are multiple options for planning permission being granted. If archaeological remains that are deemed to be of national importance will be affected, in situ preservation in explicitly preferred in the guidelines. Developers who propose developments that will affect nationally important archaeological remains will be requested to be alter their plans and allow in situ preservation. Archaeological sites that are of lesser importance may be “preserved by record,” (section A, paragraph 13) in other words, fully excavated. In such a case, the planning authority will require the developer to arrange and pay for an excavation that satisfies the planning authority.

This policy guide follows the “polluter pays” principle. The developer must pay for any

archaeological investigations, assessments, and excavations. This is not always the case, as PPG 16 acknowledges that individuals, non-profit organizations, housing associations or charitable organizations may not be able to pay for the archaeological requirements. This could be considered a modified version of "polluter pays" to "polluter who is able to pay" (McGill 1995).

COMPARISON OF THE PROCESSES

Consultations

The process detailed in 36 CFR 800 is much more complex than that in PPG 16. It has more detail and more explicit requirements. The process in PPG 16 is simpler and meant to be a general guide for developers to follow, not stringent requirements.

One of the major ideas in the Section 106 process is consultation. Throughout the entire process, the agency is supposed to consult with the SHPO or the Tribal Historic Preservation Officer (THPO), relevant professionals, the public, and any other affected parties. By contrast, PPG 16 suggests consultation only at the beginning of the process and only with the CAO or English Heritage if a Scheduled Monument might be affected. There is no mention of public involvement. The Section 106 process stresses public involvement.

The consultation requirements that are suggested in PPG 16 are simpler than the requirements in the Section 106 process. The developers in England are advised to consult with the CAO, archaeological organizations, and possibly English Heritage if Scheduled Monuments may be affected. In the United States, federal agencies are required to consult a wider range of parties.

The County Archaeological Officers in England may do their own consultations, which could include any relevant organizations. The organizations given as examples in PPG 16 are local museums and societies. This may be an opportunity for the public to have their concerns heard by the developers through historical societies, archaeological societies, and museums.

Enforcement

In the United States, 36 CFR 800 is a legally binding federal regulation and agencies that do not follow it may face legal repercussions. This is the way it is guaranteed that agencies must at least consider the impacts of their projects on historic properties. In England, the main guideline is not a legal document, but simply a guide to clarify what the government expects developers to do with regards to archaeological resources when planning a project. It is enforced through local planning authorities. The Town and Country Planning Act 1990 gives local authorities the power to consider a developer's archaeological assessments and mitigation efforts when granting or rejecting planning permission.

THE NATIONAL REGISTER AND SCHEDULE

In the United States, the National Register of Historic Places (NRHP) was developed by the National Park Service after the passage of the National Historic Preservation Act of 1966. The NHPA requires the NPS to “maintain and expand” a National Register. The NRHP relates to the Section 106 process only in that properties included in or eligible for inclusion must be taken into account by federal agencies. Originally, only properties included in the National Register had to be taken into account, but Executive Order 11593 made properties that are only eligible

for inclusion a factor to be taken into account in the Section 106 process. The Register is expanded when properties are nominated by federal agencies, local governments, private citizens, or native tribes.

The criteria used to determine whether a property is eligible for the National Register are important because they determine if a property must be taken into account in the Section 106 process. The eligibility requirements are found in the NPS's National Register regulations 36 CFR 60.4. There are four criteria and a property must meet at least one of these in order to be eligible for inclusion on the National Register. The Register includes properties:

> (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 prehistory or history.

The final criterion is the one most important to archaeologists. A site does not need to be proven to have important information about history or prehistory; it just has to have that possibility. A property must also contain "integrity." How to determine if something has integrity or not is debatable, but basically a site cannot be changed or deteriorated so much that it has lost the aspect that made it eligible (King 2008).

In addition to criteria as to what is eligible, 36 CFR 60.4 also includes a list of things that are specifically not eligible and some exceptions to the criteria.

> 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 50 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.
>
> (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 exceptional significance; or
>
> (g) A property achieving significance within the past 50 years if it is of exceptional importance.

The National Register does not offer any legal protection to the properties on it. Any property that meets the eligibility requirements must be taken into account in the Section 106 process. There is no tangible benefit to nominating a property for the National Register when it is known to meet the eligibility requirements because a property that is eligible has the same degree of protection as one that is actually on the Register.

The Schedule of Ancient Monuments

The English counterpart to the National Register is the Schedule of Ancient Monuments. The Ancient Monuments and Archaeological Areas Act 1979 defines a monument in section 61(7) as essentially any building structure, the remains of any building or structure, or the remains of any vehicle or other moveable structure or machinery. The same act defines an ancient monument in section 61(12) as any monument that is determined by the Secretary of State to be of public importance based on the historic, architectural, traditional, artistic, or archaeological interest attached to them. Ecclesiastical buildings that are currently used for ecclesiastical uses and shipwrecks are specifically prohibited from being Scheduled.

The Schedule is defined in section 1 of the 1979 act as any ancient monument which the Secretary of State determines with consultation with the Ancient Monuments Commission, to be of national importance. The 1979 act created the Schedule with the ancient monuments that had been protected by earlier legislation already included.

The Secretary of State determines whether a monument is of national importance based on 8 specified criteria: Survival and condition, period, fragility and vulnerability, diversity, documentation, group value, and potential.

Much like the criteria for the National Register, the criteria for the Schedule are fairly open-ended and open to interpretation. The criteria for both are open to subjective analysis. Similar to the National Register, anyone can nominate a monument to the Schedule. Unlike the National Register nomination procedure, there are no specific requirements for the Schedule but it is recommended that the person doing the nominating send any details and photographs available (Ross 1991). The nomination is sent to the Department of the Environment. Formerly,

the nomination was sent to the Ancient Monuments Advisory Committee, but that body was dissolved in 1993 and nominations are now the responsibility of English Heritage.

The main difference between the National Register and the Schedule of Ancient Monuments is the protection offered. As previously discussed, a property that is eligible for the National Register has the same level of protection as a property that is on it, which is no guaranteed legal protection; it must simply be taken into account in the Section 106 process. A Scheduled property, however, is legally protected. The property may be taken into "guardianship" which means that the property is maintained and managed by the Secretary of State, English Heritage, or a local authority. This arrangement is voluntary, but it makes the preservation of a scheduled property easier for the owner. If the property is not in guardianship, the owner is responsible for maintaining it and making any necessary repairs.

Being scheduled does not mean that a site will be necessarily preserved in perpetuity. It means that there its importance will be considered against any plans to redevelop the site. This is done through scheduled monument consent (SMC). Situations where SMCs would be necessary are outlined in Section 2 of the 1979 act. Anyone who wants to do any work that will cause the destruction or any damage to it, any work that will remove or repair it, any work altering or adding to it, or any flooding on any land where there is an ancient monument must have the permission of the Secretary of State.

The Schedule does not have any real purpose in the process outlined in PPG 16, unlike the National Register where the eligibility of any archaeological must be determined as part of the Section 106 process.

ORGANIZATIONS

English Heritage

The National Heritage Act of 1983 created an organization that took over many of the heritage management duties previously held by the government. The organization is called the Historic Buildings and Monuments Commission, commonly called English Heritage. The duties of English Heritage include the preservation of historic structures and prehistoric monuments and to promote the conservation of these sites to the public. These duties include specific functions such as the management of the sites in the care of the Secretary of State for the Environment and the general responsibility of preserving ancient monuments and historic buildings throughout England (Saunders 1989).

English Heritage is made up of many qualified professionals from an array of disciplines. I am focusing on the archaeological duties of the organization, but it should be kept in mind that English Heritage preserves and manages many properties, not only archaeological sites. The main character in English Heritage relevant to archaeology is the Inspectorate of Ancient Monuments and Historic Buildings.

The Inspector is required to select sites that meet the requirements for protection, as outlined in the previously discussed from the Ancient Monuments and Archaeological Areas Act 1979. After determining if a site is worth protecting, the Inspector must decide on how the site will be protected legislatively. This could mean Scheduling, or being Listed. If the site is determined to not be worth saving, and it is threatened, the Inspector will initiate the process of excavating the site before it is demolished.

In addition to English Heritage, the National Heritage Memorial Fund raises money for the preservation of sites. They also use their funds to purchase historic buildings. The National Trust (not to be confused the National Trust for Historic Preservation in the United States) is another organization, different from those previously mentioned because it is not publically funded, was established in 1894 and is the biggest private landowner in England (Saunders 1986). The National Trust has an annual income of about $545 million dollars (National Trust 2009). England also has a wide range of local organizations, such as the county archaeological societies, that own and manage archaeological sites.

Organizations in United States

The United States does not have an organization that rivals the size and influence of English Heritage. The United States does, however, have many smaller organizations that fill some of the same roles as English Heritage and the other organizations in England. The Archaeological Conservancy is a nation-wide nonprofit group that obtains and preserves important archaeological sites in the United States. The Nation Trust for Historic Preservation is another nonprofit organization that preserves and raises fund for historic preservation. The National Trust also manages historic sites and promotes their protection nation-wide. The Advisory Council on Historic Preservation (ACHP) is a part of the federal government created by the National Historic Preservation Act of 1966 that is meant to advise the President and Congress on matters relating to historic preservation. Its mission is also to promote public involvement and form partnerships with heritage programs. Some of the important responsibilities of the ACHP include drafting revisions of 36 CFR 800 and authorizing MOAs. This means it has a similar, but much more limited, role as English Heritage does in England. These are a few of the national

organizations, but much of the preservation is done at the local level with historic societies doing much preservation and public education.

The National Park Service (NPS) has programs relevant to historic properties. The Historic American Buildings Survey (HABS) and Historic American Engineering Record (HAER) are dedicated to recording and documenting historic structures in the United States, similar to the documentation done by the former Royal Commission on Ancient and Historical Monuments of England (this project has been taken over by English Heritage). These are records made at the federal level in addition to local records, held by the SHPO, of all known archaeological sites. The NPS also has an Archaeology program. This includes a yearly report to Congress and supports public involvement in the form of a magazine. The NPS has a program for architectural preservation, which includes the restoration of historic buildings through both the Section 106 process and through tax codes. The NPS also gives out grants to local historic societies, Native tribes, SHPOs, and others involved in preservation-related activities.

DISCUSSION

Recommendation for England

The consultation requirements in the United States are much broader than those in England. Federal agencies in the U.S must identify any people who may be affected by the project and take their interests into account. The historic properties that the citizens feel are important are theoretically acknowledged by the agency and the effects mitigated. It is debatable how well the interests of the general public are taken into account during the Section 106 process, but the

federal regulations do acknowledge the importance of public involvement. In England, the guidelines for developers do not give any specific advice on how they should consult the public. Theoretically, the County Archaeological Officer should represent the interests of the citizens of his or her county, but the responsibilities for the CAO set forth by PPG 16 do not specifically advise the CAO on how the public's interests should be taken into account.

There is much room for improvement in the way developers consult during the development process. Currently there is no effective way for the public's interests to be heard by developers in England.

One of the advantages of the process detailed in PPG 16 is that it is relatively simple and allows the developers to identify any archaeological resources within the project area and mitigate their effects quickly, before the project begins. The process could be slowed down and made more complicated if there were more consultation requirements, but the interests of the public should be respected.

Recommendations for the United States

National Register

The purpose in discussing the Schedule of Ancient Monuments is to consider the possibility of similar protection for properties on the NRHP. After researching the differences between the two lists and the way protection is offered to Scheduled monuments in England, I would not recommend English-style legal protection for properties on the NRHP. Requiring government consent to alter or repair the property would only discourage people from nominating their properties. The benefits owners of scheduled monuments receive would not be as practical in the

United States due to the nature of the history and prehistory of the region. In England, most of the scheduled monuments are prehistoric or medieval (Ross 1991). Prehistoric and medieval sites in England require maintenance and having a government body to help with the care and restoration encourages people to nominate their ancient properties. In the United States, prehistoric sites do not require the same preservation measures as do Roman sites or megalithic sites in England, thus the owners would have to be concerned with the downsides to the protection, such as getting permission to disturb the site, and none of the benefits.

Organizations

The United States could greatly benefit from a national organization with adequate funding. The current organizations are not able to preserve historic sites and archaeological remains as much as is needed. They suffer from the same problems – low funding, low public involvement, and insufficient influence in government. A large organization that could provide both nation-wide preservation work, archaeological research, public education, and act as a lobbying force in government would greatly improve the state of historic and archaeological resources in the United States.

The issue with creating an organization like this is the cost. English Heritage's 2009 budget was £180.8 million (about $267 million). Of this, £48.1 million is earned income from admissions to properties (English Heritage 2009).

Instead of creating an entirely new organization in the mold of English Heritage, it would be much more realistic to enhance the organizations that currently exist. The organization that has the most influence in the United States is arguably the National Trust for Historic Preservation. This is an independent non-governmental organization that does not receive

funding from the federal government. The annual budget is about $70 million (National Trust 2010). This is still almost $200 million less than English Heritage's annual budget. The National Trust already takes on many of the responsibilities that English Heritage does in England and that are essential to effectively identifying, protecting and presenting to the public, historic sites.

Instead relying on a national organization to advocate for cultural resources, local organizations should take on some responsibility. There are already countless organizations at the state and local levels that help identify, preserve, and protect historical and archaeological resources. In addition, using local governments to protect historic resources through local laws and ordinances can be an effective way for a community or state to take the responsibility unto themselves.

SUMMARY AND CONCLUSIONS

After having compared two cultural resource management systems and attempting to determine what aspects of those systems are essential in order for a country to have an effective program for identifying and protecting their historic properties, I have chosen one aspect of each system that, if implemented in the other country, would enhance its ability to manage historic properties and cultural heritage.

The United States needs an organization that has the influence and resources to act as an advocate for historic and archaeological preservation nationwide. The National Trust for Historic Preservation and the National Parks Service, with its National Historic Landmarks Program, already take on many of these tasks. I would argue that these organizations need additional funding and more responsibilities. The National Historic Landmarks Program could expand its

list of landmarks and provide additional grants to protect more sites that are of national importance. This would not only preserve historic sites, but also be a way of engaging the public.

England has already taken a step towards better involving the public in its developmental process with regards to archaeological resources. With the publishing of the new government guide to archaeology and the development process, PPS 5, they have established a new requirement for public consultation and a more democratic cultural resource management system.

Suggestions for Further Research

Studies similar to this could be done on any countries. It would be especially interesting to do this study on the United States and Australia or another nation that has an indigenous population. One of the limitations of this study is that Native Americans play a large role in the way CRM is done in the United States. I suggest doing a similar study to a country that also has to take indigenous rights into account.

This study focused on CRM at the federal level. This greatly limited the true scope of CRM in both nations. Much work is done at the state and local levels in the U.S and at the county and city level in England. A similar study, but at the local level, would give greater insight into how these, or any, countries identify and protect their cultural resources.

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