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Richard “Rick” Healy  
August 17, 2016

Interview conducted by Antionette Condo  
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My Narrative  
The Administrative History of the National Heritage Areas Coordinating Office

Richard “Rick” Healy  
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**Richard "Rick" Healy Interview: August 17, 2016**

In 1985 the member of Congress I was working for, Bruce Vento from Minnesota, was made chairman of the House Subcommittee on National Parks and Recreation. He got me appointed to the staff of the subcommittee. There were only two staffers on the subcommittee, and we divided the country and among the NPS regions I got was the Northeast and Mid-Atlantic regions. There was a legislative proposal to create a Blackstone River Valley National Heritage Corridor. The Senate in 1986 passed legislation to designate the corridor and there was tremendous interest in the Rhode Island and Massachusetts congressional delegations to get the Senate bill passed in the House. My boss told me to see what I could do with this bill. He wasn't very happy with the way it was structured. I spent Columbus Day weekend in 1986 rewriting that bill. Mr. Vento liked the changes, and the delegations were agreeable too. The House passed the amended Senate bill in mid-October and two days later the Senate agreed to the House amendment and it went to the President. That became the second national heritage corridor designation. Congressmen Peter Kostmayer and Don Ritter from Pennsylvania were interested in establishing a Delaware Lehigh National Heritage Corridor and I worked on that in '87-'88. Then it just kind of kept snowballing. I didn't work on the Illinois and Michigan Canal National Heritage Corridor designation in '84 which was just before I came onto the subcommittee. But I have been involved in some way, shape, or form in every other national heritage area bill subsequent to that. By 2009 I was the chief counsel for the House Natural Resources Committee, so I didn't do the nuts and bolts work on these bills. I kind of oversaw them to make sure everything was in order and helped move it along and put together the package for the 2009 heritage area designations. There were basically two big clumps for national heritage area designations: the first in 1996 and the second in 2006.

**Issues:** The whole heritage area idea came up based on the concept that there were historically important and nationally significant resources in these areas, but they did not lend themselves to being managed by the federal government. The idea was that the federal government would assist these local areas in highlighting and preserving those resources and interpreting them but not, obviously, run them. The issues we had to look at were: what were the resources of the area? what was the level of community support or effort behind it? and if we were going to do a designation what was the likelihood of success?

In the beginning we were kind of flying by the seat of our pants. We were trying to figure out what information was there, what kind of support was there. Later on, we started asking for specific feasibility studies either done locally or done by the NPS so we could have some basic criteria and standards. I learned early on in my job that when people came to talk to me, they would tell me they had the best idea since sliced bread and would play up all the good points of the proposal. They never told you the downside. You had to draw that out. My job was always to ask and question and figure out what was going on.

When I joined the subcommittee in '85 it was focused on national parks and recreation. Then in '86 the chairman of the public lands subcommittee retired so in '87 and thereafter it became the Subcommittee on National Parks, Forests, and Public Lands. We expanded to work on not only national park issues, but also national forests and public lands issues. We were probably the busiest subcommittee in the United States Congress. When in session we would hold hearings

twice a week and many times have multiple bills on the agenda. During that 1987-1988 period the Senate had switched at the previous election so there was a pent-up demand in legislation. In that two-year period, we got a hundred pieces of legislation enacted into law. The sheer volume would not allow (field work to determine efficacy of the heritage areas). To this day I don't think I have ever had a tour of a national heritage area. I have seen the Blackstone Valley. I did go up to Delaware and Lehigh and visited some of those communities when it was up for consideration because we had a member of our subcommittee who was involved in that proposal.

There were members of Congress who were interested in historic preservation and eco-tourism and related issues. Obviously, my boss, Bruce Vento, was interested. Peter Kostmayer was another active member. Jim Moody from Wisconsin was another member. We were pretty lucky; members of the subcommittee were generally positive. We had a subcommittee of members both Democrat and Republican who liked historic preservation and eco-tourism so there was a general interest in it. More or less when these proposals came in it would be centered on the state delegation that was spearheading it and would make the pitch to you.

Had that national heritage area policy act ever been enacted there would have been more specific requirements. But, in the beginning it was catch as catch can then we basically said we need some more formalized information. We said (to the proponents) we need you to study this. We need you to ask the NPS or the local sponsor to have a professional study done and answer our questions.

**Policy changes through legislation:** The biggest one you'll notice is how they were set up. The early ones we set up through federal commissions. It works but it also doesn't work. You have the appointments clause of the Constitution. The Secretary of the Interior, acting for the President, has to make these appointments so there can be delays. We switched to having a local coordinating entity. That became basically the standard. That was a policy change, getting away from federal commissions to creating local coordinating or management entities. These were locally developed and not appointed by the Secretary.

Once we had been doing this for a while, first the heritage areas would have a five-year life, then a ten-year life and then they had a fifteen-year life. We developed a requirement that the NPS do a review of them to see how they were working because some were actually operating better than others. Some would come in and ask for an extension and say, "Oh, we are running up against our ten-year limit. Can we get more time? We're not finished." We would ask what they had done so far. That was another big policy change, having these heritage areas be reviewed.

Sunset clauses were always in there, but you have to be careful when you talk about sunset clauses. The sunset clauses were for appropriations. They weren't for the heritage area itself. We sunsetted the appropriations, not the heritage area. Even though the heritage area authorization expired, that expiration was only for them to get appropriations, not for them to exist. Sunset clauses were in from the beginning. The Blackstone had a five-year authorization. It was sort of a test tube baby. In the early 1990s we extended it (reauthorization of Blackstone) for another five years. In '96 we extended it for ten years. In 2006 I think we extended it for another ten years.

The idea was always to get these heritage areas up and going and then step back. There is dispute even to this day because some people think that the federal government should cut off support completely and have them go cold turkey. I don't necessarily subscribe to that. I think that our idea in the early years was to get them up and running. But the idea is not to say when you get \$500,000 annually you should get \$500,000 in perpetuity. I could not have told you back in the 1980s that by 2009 there would be 49 national heritage areas. (or in 2019 there would be 54).

From '84 to '94 there were only three of them created. It's an interesting story how we got the big slog of them in 1996. In the early 1990s some of the members saw these heritage areas and thought it was a pretty good idea. More communities wanted to do it. We had a number of legislative proposals to develop heritage areas in various parts of the country. The Ohio and Erie Canal in Ohio and the Augusta Canal in Georgia among others had legislative proposals.

Interestingly, about the same time the property rights folks got wind of this and they got in their mind that national heritage areas were a federal land grab. Their supporters in Congress fought these designations tooth and nail. They were trying to persuade the local communities not to get involved in it because the federal government was going to come in and take over. Obviously, that was not what we wanted or intended with these designations. It wasn't the big hand of the federal government swooping in here. It was to try to help these local communities interpret and preserve their historic, cultural and natural resources. We were trying to do individual pieces of legislation. My boss, (Congressman Vento), seeing that this was becoming more popular tried to develop a generic heritage area policy bill for these designations. We had trouble getting that passed. It seemed like everything we wanted to do became a fight over federal control or management. The backlog of heritage area proposals was building. In 1994 the Democrats lost control of the House and I was no longer in the majority. The Republicans were calling the shots. The heritage areas proposals were bipartisan. But there was a group of members that were adamant that there would be no more heritage areas and were able to block them. In 1996 we were getting to the end of session. The Republicans put together an omnibus package of various bills that didn't include the heritage area designations. The package was controversial, and we were able to kill it and the Republicans had to come back and negotiate with us to salvage what they could out of their package. We basically said, if we're going to do the stuff you want you have to do the stuff we want. That's how the '96 heritage areas got enacted. 2006 was the same way to a degree. Not quite the same.

By 2006 one of the leaders of the group that thought the heritage areas were a federal land grab was the chairman of the House Resources Committee, Richard Pombo. The 2006 areas have all these disclaimers regarding protection of private property rights. Anybody can get out if they want to. Nothing in this bill diminishes or impacts private property rights. In the 1996 legislation we had similar language like that. Saying, if you don't want to be involved in this you don't have to. But he (Pombo) wanted to make triple sure. That is why you see in the 2006 slug of them you have even more of that language.

Pombo and other opponents faced a problem. Even though it was the Democrats that got the initial swath of these heritage area designations done in the '80s and early '90s, once Republicans controlled the House, I would like to think that it was my members who said, No,

you are not going to get anything unless you do these bipartisan heritage area designations. In that package (1996) we did Democrat and Republican heritage areas. While we did the Hudson River Valley for Maurice Hinchey, we also did the Ohio and Erie Canal for Ralph Regula. So again in 2006 Pombo and some Republicans were again blocking the bills of their own Republican members. You had a Republican chairman trying to knock down his own Republican colleagues' proposals. It's one thing for him to go after Democrat's proposals. It's another thing to tell someone who's a member of your own party that, No, I'm not going to do yours because I philosophically oppose them.

**Lobbying:** Basically, the ones who came in to talk about the heritage areas were the local communities, the Chambers of Commerce, the heritage area directors, local and state historic preservation officers. I got to know the Pennsylvania state historic preservation officer, Brenda Barrett, pretty well because she was trying to enhance the historic resources of her state. The National Trust for Historic Preservation, Dick Moe, liked the idea. Preservation Action run by Nellie Longworth was interested in this as part of historic preservation in general.

The heritage areas legislation usually lists natural resources, but the driving force is the historical and cultural resources. The supporters would talk about the natural resources when they came in to see us. They were trying to sell us on a package. They would play up the natural features as well as the historical and cultural.

**Budget:** The idea was to get them up and going. From day one any money that they got had to be matched locally. A 50-50 match has always been in there. Some areas where we provided direct financial assistance to preserve specific resources we put in there (the bill) language that they had to preserve those resources or else they would have to pay the federal government back. There was nothing magic to the dollar figure. The idea was, what's kind of reasonable to help these along, nothing extravagant. It kind of became, as more heritage areas were designated, what's reasonable within the overall groups' size. The problem is now we have 49 (now 54) national heritage areas. A while back the NPS wanted to set up a tiered system of funding. Basically, take away money from some heritage areas and add more to others and that was obviously controversial within the heritage area community. NPS would basically tell us what they could reasonably do in a heritage area and that's what Congress would appropriate. It ended up being roughly \$500,000 for established areas and \$200,000 for the newer ones, and \$400,000 for the middling ones. It was what the NPS said they could reasonably do given what was going on in the area and given the overall budget restraint. The NPS suggested the funding formula. I don't remember that the Congress came up with the formula.

I was an authorizer before I became an appropriator, so I had a unique experience. I used to say that I wrote the laws and then I wrote the checks. Every year my Republican appropriations counterpart and I would sit down with the heritage areas group. For the last several years there has been a little dance done where the NPS/administration requests a 50% cut in heritage area spending and then Congress restores that proposed cut. Every year the leadership of the Alliance of National Heritage Areas would come in, so I know all the folks really well, Dan Rice, Augie Carlino, Annie Harris, they all would come in because they were worried about this 50% cut for the heritage area program. My Republican colleague and I and the members we worked for were supportive of the program, so we always restored the funding cut.

In essence, yes, the money restored (to heritage areas) came from something else. But you can't say that \$9 million added to the heritage areas funding was taken from another NPS program. We're dealing with a \$32 billion bill that covers 31 federal agencies. We have a finite amount of funding and have to juggle that funding between agencies. Then, not only within the agencies, but within accounts within those agencies. You could say that that money came from land acquisition in the Forest Service or partially from the Environmental Protection Agency. It's a zero-sum game. If you add more here, you have to take away from there. You are given an allocation and have to fit all spending within that allocation.

We can move the money within that \$32 billion as we see fit but in the end it all has to add up to the \$32 billion allocation. That's where the real work of appropriators comes in and why we have lots of pencils and spread sheets. The Senate has their idea of what these agencies and programs should be funded at, the Administration has their idea, the House has their idea, and you have to gel all that together. Sometimes we make multiple runs at it and offers go back and forth to take it down to something that all parties can agree on. We get down to the program level. Then we add it up and then have to start subtracting. We don't say, NPS you are going to get \$3 billion and whatever we fund within that has to be equal. Within those 31 federal agencies you are probably talking about 400-500 programs. Thirty-five pages of programs that we are plus-ing or minus-ing or keeping level.

It's a budget dance for the NPS (taking funds from the heritage areas). The reason I think they do it is because they know that Congress will restore the funding. That way they can request more in another account knowing that Congress will restore the funding (for heritage areas) and maybe they'll get the extra for the other account too. The way the budget dance goes, the NPS has a number of what it believes it needs for its programs and then that has to go to the Department of the Interior. The Department of the Interior then puts in a number that it believes the agency should get. Then the budget goes to OMB and OMB will give a number that it believes. So, there is all this play between the agency, the department, and OMB before Congress even sees the budget. When it comes up to Congress it won't be a surprise to anybody that I'll have agencies come in, and I ask, why did you do this, and they'll say, OMB made us do that. OMB would talk with us, but OMB never goes on the record.

**NPS support for heritage areas:** Support by the NPS for heritage areas has ebbed and flowed. Sometimes more than others. I think the NPS in general, yes, supports them. Sometimes that support has been stronger than others. And it's been stronger for some areas than it has been for other areas. I can understand it. I definitely know heritage areas that have done a better job than other heritage areas. Probably support is affected by internal budget pressures. NPS is given a finite number by DOI and OMB and if they go to bat for heritage areas does that mean they are going to have to shortchange their number for national recreation and preservation or funding for the Historic Preservation Fund or operations of the National Park System? Probably in times when the budget pressure isn't as intense the support is higher. When there are budget pressures, like in the 2013 period when you have sequestration, I'm sure the tendency is to take care of your internals before you worry about the externals.

**GAO Report and oversight:** There were no dramatic changes from the Congress as a result of the GAO review. Obviously, we told them (NPS) you have to do a better job. The oversight is also a function of the program money available. A lot of that money for heritage areas is pass through. It goes out to the entities so how big is the actual heritage area program? Are they being spread so far that they can't do a decent job on that? We asked for more frequent updates and corrective actions. So, it probably resulted in more briefings and more reports to Congress to make sure what the NPS is doing is seeing that this money is properly spent. But Congress required no drastic changes.

**Program legislation:** As these were becoming more popular, my boss, Bruce Vento, wanted to establish a National Heritage Area policy like we have a National Historic Preservation policy. We worked on legislation to establish an overall parameter for the program. There have been any number of attempts, but it got bogged down in the details. What was surprising when I talked to my Senate colleagues, we said that these folks opposing the policy legislation were so short sighted that they get bogged down in defining the overall program. The fact that we didn't do a policy program, but we kept designating heritage areas individually, that became the program.

We didn't have an overarching statute like the Historic Preservation Act, but we would put that policy stuff in the individual designations. Each individual heritage area became part of the de facto policy. There is a commonality you see from heritage area to heritage area. When these opponents got caught up in the overall policy program, we said to heck with that we'll still keep designating them individually. I do believe that the program would be better served by having an overarching policy legislation behind it but in the absence of getting that we'll carry out that policy as best we can with each individual designation. That's what my Senate colleague and I came up with and that's how we operated. Opponents got bogged down in this idea of a federal land grab. But they couldn't stop the individual heritage area designation which had broad bipartisan support within the state delegation.

Vento and (Maurice) Hinchey both sponsored program legislation but after a while it just was not worth the effort anymore because it was a Republican Congress and we never were going to get it enacted. Senator (Craig) Thomas was quite interested in program legislation as well. Jim O'Toole was his staffer, and they were working with David Brooks on the Democratic side and Senator Dale Bumpers and they were trying to get some sort of parameters in there, but you could never convince these House guys. There was a group led by Richard Pombo and Helen Chenoweth that wanted to draw the line in the sand. We took any number of shots at trying to get it (program legislation).

(Interest in program legislation) was a combination of reasons. The congressmen that I worked with were interested in historic preservation and eco-tourism and preservation of cultural and natural resources, but they also wanted good government. They wanted a policy, a rational basis to do this rather than on an ad hoc basis. An overarching policy would breed more consistency. One of the reasons we got into the feasibility study was because we wanted more consistency of the presentation so when we were reviewing these areas, we would have some basis from which to judge them. Not just because someone comes in and says, Hey I've got this great idea we should make x, y, z a heritage area.



**Reauthorizations:** Basically, we were looking at what they had done, as well as what they still needed to do. That's why I'm not opposed to a ten-year authorization period. That's why Congress did formalize it by telling them they needed a review (before the sunset date). Rather than them just coming in and saying, oh, yeah, we are doing a great job here, but we need more time, we need more money. We got into this existing heritage area review process with a standard set of questions to be asked and answered.

Everyone is going to come in and tell you they need more money and more time. That's human nature. I had to have some basis and my Senate colleagues had to have some basis on which to judge those claims.

**NPS as home for heritage areas:** Sometimes the NPS can get a little myopic and be so focused on operation of the National Park System, which I love and appreciate. But the NPS since basically 1981 has been a national historic, natural, and outdoor recreation resources agency. It has a multi-mission. It's not just a park management service it's also the historic preservation aspect of it. It's the outdoor recreation aspect. Back in the '70s there was a Bureau of Outdoor Recreation and then there was a Heritage Conservation and Recreation Service and that agency used to be in charge of the Historic Preservation Fund. It was a separate agency with a director. It was separate from the NPS. Then all of them got hooked into the NPS. Basically since 1981 the NPS is as you see it today. Yes, it's the premier agency to lead on heritage areas. We've got to be careful on that since we have seen a lot of changes over the years. In operations I used to have the Bureau of Land Management complain to us every time the President created a new national monument. They used to take the land from the BLM and give it to the NPS to manage. The BLM was getting tired of having the nice land in the BLM taken. So, we started a landscape conservation system in 1990s and now BLM manages national monuments. It used to not do that.

**Challenges:** Every community thinks it's important. The idea here was to recognize those communities that have an assemblage of resources that have a story worth telling on a national level. Every national park designation in the last thirty years, I've been involved with. The problem with park designations is that everyone wanted to be a national park. Whereas, in the nomenclature of the system, some areas were appropriate as being national monuments or national historic sites, or a national historical park. But everyone wanted that national park name because they were all convinced that if they had the national park name, they would get more visitors and support. There are a number of areas we upgraded from national monument to national park status. That is because we added resources to them so that they fit the nomenclature of what a national park should be.

It's the same thing with heritage areas. Every local community thinks they should be recognized but some are more deserving than others and we do have programs to recognize Historic Landmarks, but it takes a little more effort to be a national heritage area. Every community has some historic resources. Some more than others.

We deal in a political world and there is nothing wrong with that. Wildlife Prairie (park) is in Peoria, Illinois. At that time, in the early '90s, Peoria was represented by Congressman Bob

Michel. Bob Michel was the House minority leader. He was the number one Republican in the House of Representatives. It's not like we could just ignore his request. Bob Michel said, why don't we make the Wildlife Prairie a national park because the local community would love that. Congressman Vento said that Wildlife Prairie certainly was not national park quality. We tried to standardize what we called the *affiliated areas*. Through that came a NPS study and they came back and told us what we already knew. Wildlife Prairie was not of national park quality. It had some resources of significance but not nearly national significance. If we were going to do these sorts of things, they should not be national parks but affiliated areas.

**Southwest Pennsylvania:** I actually worked on the legislation to designate that area. It was a heritage area on steroids. They had a benefactor by the name of (Congressman) Jack Murtha who was a senior member of the Appropriations Committee. Mr. Murtha used to make sure that they got all the money they needed. They got so much money that they were spending it on stuff that was of marginal historic value. We had gotten wind of that, so we sent the GAO out there to look at it. That's what we have a General Accounting Office for. Congress does not have the time to go out and investigate everything we could hear about a program. Consequently, we had to reign that heritage area back in. They had been a federal commission and we turned them into a locally operated entity. We worked with them to more standardize them. Murtha was using other appropriations authority to get them money. Murtha wasn't as resistant to it (our reigning them in) after a while. He was looking out for his district.

**Final thoughts:** I wish there was a more standardized process. It still seems to be a catch can sort of thing. Back in 1996 when the package failed, and we got some heritage area designations in the Omnibus bill I almost slipped in the heritage area policy program bill as well. This was the last weekend before Congress adjourned and there really wasn't the time to put that all together. We came that close to getting the policy legislation enacted in '96. One heritage area we did get in was the Hudson River Valley National Heritage Area. When I was putting that together with (Congressman) Maurice Hinchey, the Republicans came to me and said that we had to change the map because (Congressman) Gerald Solomon who represents Upper Hudson Valley does not want his area included in this heritage area. I had to quickly call up the NPS and get a new map drawn that cut out his district. The reason he had this sway was because he was the chairman of the House Rules Committee at this time. Hinchey said he would rather have part of a heritage area rather than no heritage area at all. Well, the heritage area gets designated, with the new map. Work starts up there and all of a sudden Solomon starts getting phone calls from his local communities saying, "Hey, the community down the river from us has all this great stuff going on, why can't we get this?" So, Solomon had to introduce legislation to add back in the part he had taken out. In less than two years we had to change the boundaries.