

ABSTRACT

Title of Thesis: SAILING INTO THE UNKNOWN:
APPLYING THE NATIONAL HISTORIC
PRESERVATION ACT TO THE SS UNITED
STATES' FINAL VOYAGE

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The National Historic Preservation Act was passed in 1966. It has since been amended several times and additional guidance has been published to assist federal agencies and the public in the preservation of America's historic resources. Despite the continued expansion of the Act to include additional resource types and resource circumstance, there remain instances of first impression that do not fit into the official guidance. This paper seeks to apply the existing preservation legislation, regulations, and guidance to the SS *United States*. The ship has been listed in the National Register since 1999, and she was listed while docked in Philadelphia, Pennsylvania. In February 2025, the *United States* departed Philadelphia for Mobile, Alabama to begin the process of being converted into an artificial reef. The plan is to sink the ship in Gulf waters off the coast of Florida. The move raises several questions regarding her status in the National Register. First, does the relocation of the ship from Philadelphia mean the ship should be delisted? Second, if the ship remains in the National Register, which state historic preservation office has jurisdiction? Will it be Pennsylvania because that is the office on the National Register nomination form, or will it be Florida because that is the jurisdiction in which she will reside? Third, the SS *United States* was listed as a floating historic vessel, but she will no

longer be floating when she is a reef, does this change in her classification or impact her place in the National Register?

SAILING INTO THE UNKNOWN: APPLYING THE NATIONAL HISTORIC PRESERVATION ACT TO THE
SS *UNITED STATES*' FINAL VOYAGE

By

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Thesis submitted to the Faculty of the Graduate School of the University of Maryland, College Park, in partial fulfillment of the requirements for the degree of Master of Historic Preservation
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Sailing into the Unknown:
An Application of the National Historic Preservation Act on the SS United States' Final Voyage

Introduction

The SS *United States* was completed in 1952 and is, still to this day, the most technologically advanced ocean liner in history. From the top of her smokestacks to the tips of her propellers, the ship's sleek design incorporated the most advanced technology and resulted in the fastest, most novel ship ever designed and built. She was the pride of her creators and her country, earning her the nickname "America's Flagship." To see her sail into New York or navigate the famously treacherous North Atlantic must have been quite a sight. Even today, her presence on the water is awe inspiring.

The SS *United States* has left an impression on the history of maritime travel and technology. It is for her innovative design and revolutionary technology that she has been honored with a place in the National Register of Historic Places. Her 1999 nomination form describes the ship as an "exceptionally significant historic resource," and describes her power and grace as unmatched even among many Naval ships.

Most probably think of buildings when they think of resources to be listed in the National Register. However, the resources that represent the history of the United States are not exclusively structures nor are they are inherently stationary. Some resources, such as the USS *New Jersey* - the most decorated battleship in United States history – and the SS *United States* were designed to be mobile. To adequately protect these mobile resources, the laws must be applicable to all types of historic resource. This is the only way to properly recognize, honor, and preserve our Nation's diverse history.

For the most part, the National Historic Preservation Act (“Act”), passed in 1966, is adequate to protect historic resources such as ships.¹ However, the protections and applicability of the Act become less defined when the ships are moved great distances, or sink. The undefined and gray areas within the Act become evident when applied to the evolving story of the SS *United States*. Once America’s Flagship, she is now destined to become the largest artificial reef in the world. This paper will discuss the ship’s history and significance to the nation, analyze her continued inclusion on the National Register, identify issues, and attempt to answer questions raised by her changing situation.

The SS *United States*

History

William Francis Gibbs

The story of the SS *United States* begins with William Francis Gibbs, her designer. When Gibbs was eight years old, he witnessed a ship launching from



Figure 1: Postcard of the SS *United States*. (Courtesy of the Boston Public Library)

the Cramp Shipyard in Philadelphia, Pennsylvania. This ignited a lifelong passion with ships that would lead William Francis Gibbs to be one of the most prolific shipbuilders of the twentieth

¹ Throughout this paper the “Act” will refer to the National Historic Preservation Act and its subsequent amendments of, 1976, 1980, 1992, and 2016.

century. Gibbs was a largely self-taught engineer. At Harvard he studied science but did not graduate. Later he received a law degree and Master of Economics from Columbia University and began practicing law in New York City. Gibbs studied technical manuals and ship plans in his free time and eventually began designing his own ships with his brother, Frederic. Together they worked toward the dream of building a long and sleek, ultra-fast, and safe passenger ocean liner.²

In 1940, the first step toward this dream became a reality with the launch of the SS *America*. While the *America* was the largest merchant ship built in the US, she was not considered a real competitor to the great ocean liners of Europe. Gibbs' dream design, that which would become the *United States*, had not yet been realized and would not be until the conclusion of the Second World War.

The SS United States

The first half of the twentieth century was dominated by world wars. During the First and Second World Wars, private ocean liners were impressed into service, acting as troop transports and hospital ships. Famous among these are the RMS *Queen Mary*, the RMS *Britannic*, and the SS *America*. These ships were instrumental in the transportation of troops and supplies which assisted the Allies in winning the wars.

² Ujifusa, Steven. "Naval Architect William Francis Gibbs, Designer of the SS United States." Harvard Magazine. Harvard Magazine Inc., June 15, 2012. <https://www.harvardmagazine.com/2012/06/vita-william-francis-gibbs>.

In the wake of these wars, the US Navy sought to build a ship with the traits of both a luxury ocean liner and of a military ship. In 1946, the United States Lines contracted Gibbs & Cox, William Francis Gibbs' company, to develop a grand superliner to meet these specifications. Gibbs and his team designed a unique ship that incorporated all the luxuries of a transatlantic ocean liner and the strict requirements of a United States Navy ship which might be involved in combat. A core component of Navy design is the "power of survival," which is the ability of the ship to stay afloat.



Figure 2: SS America being converted to the USS West Point for service in World War II. Here the ship is halfway through the camouflage paint. (19-N-24561, Archives Branch, Naval History and Heritage Command, Washington, DC)

There are two primary enemies of a ship's power of survival: fire and a severe hull breach. The *United States'* design sought to defeat both these enemies.³

³ William Francis Gibbs, "The 'SS United States,'" *Journal of the Franklin Institute* 256, no. 6 (December 1953): 545–49, [https://doi.org/10.1016/0016-0032\(53\)91157-0](https://doi.org/10.1016/0016-0032(53)91157-0).

To contend with flooding, the ship had sixteen watertight compartments of which thirteen could be flooded without the ship losing buoyancy.⁴ For context, the RMS *Titanic* also had sixteen compartments and could stay afloat with any two flooded or the first four flooded. The RMS *Titanic* sank when six of her first compartments were breached by an iceberg.⁵ The *United States* also had a network of compartments throughout her double hull. This allowed the crew to manually flood compartments as necessary to keep the ship on an even keel in the event of a hull breach, a procedure known as counterflooding. An even keel is important to safely launch lifeboats, keep the ship afloat, and prevent capsizing.⁶ To battle fire, the ship's architect mandated that the entire ship be fireproof, down to the interior furnishings. The only wood allowed on board was in the pianos,



Figure 5: One of the SS *United States*' four-blade propellers. Photo Courtesy of the Mariners' Museum.



Figure 3: One of the SS *United States*' five-blade propellers. Photo Courtesy of the Mariners' Museum.



Figure 4: Propeller configuration on the SS *United States*. Photo Courtesy of the Mariners' Museum.

⁴ "SS *United States*: Leading Lady to Damsel in Distress," MarineLink, February 25, 2014, <https://www.marinelink.com/news/distress-leading-states364653>.

⁵ "RMS *Titanic* Bulkheads." n.d. *A Quiet Sea* (blog). <https://www.aquietsea.org/pdfs/TITANIC%20BHD%20SPACING.pdf>.

⁶ "Damsel in Distress."

which were made with a fire-resistant mahogany. A substantial portion of the interior fittings were made of asbestos as it is a versatile substance for fireproofing, and its harmful effects were not yet known.⁷

Speed was the other important component in the *United States'* design. To achieve the fastest speeds, much of its superstructure and fixtures were made of lightweight aluminum to reduce weight. One of the primary maritime engineers designing the hull and the propulsion system, Elaine Kaplan, designed a distinctive four propeller configuration. The SS *United States* had two four-bladed and two five-bladed propellers.⁸ They were configured with the two four-bladed propellers in front of the two five-bladed ones. This acted as a "super charge" and allowed the ship to reach previously unimaginable speeds with little vibration. The propulsion system and the hull design were of such innovation that they were kept secret until the information was declassified by the Navy in 1969. As the ship was required to be converted for Navy use, the ship featured redundant engine rooms so if one were damaged the other would keep the ship powered.⁹ These technological and engineering innovations made the SS *United States* one of the most unusual ships ever built.

⁷ "SS United States," Steamship Historical Society, September 20, 2017, <https://shiphistory.org/2017/09/20/ss-united-states/>.

⁸ "The SS United States' Propellers." n.d. SS United States Conservancy. <https://www.ssusc.org/a-new-breed-of-designers>.

⁹ "Damsel in Distress."



Figure 6: Postcard depicting Newport News Shipbuilding and Drydock Company. (Courtesy of the Boston Public Library).

The SS *United States* was built by the Newport News Shipbuilding and Drydock Company in Newport News, Virginia. Her maiden voyage shattered the transatlantic speed record, securing the Blue Riband, the unofficial prize presented to the fastest ocean liner, and she still maintains the eastbound and westbound records.¹⁰ In 1985, a seventy-two (72) foot powerboat broke the eastbound record, but this was not recognized as the powerboat was not a commercial passenger ship. As such, the consensus is that the SS *United States* retains the record in both directions.¹¹

¹⁰ "The History of Transatlantic Ocean Liner Travel: What Is the Blue Riband?" 2017. Fau.edu. January 13, 2017. <https://wordpress.fau.edu/lifelongexchange/2017/01/13/the-history-of-transatlantic-ocean-liner-travel-what-is-the-blue-riband/>.

¹¹ Miller, Frederic P., Agnes F. Vandome, and John McBrewhster. 2009. Blue Riband. Alphascript Publishing.

The SS *United States* sailed under the flag of the United States Lines for seventeen years. During her service she was a favorite ship among the sailing public and hosted several recognizable names including, John Wayne, Harry S Truman, and Rita Hayward. In addition to trans-Atlantic crossings, she also occasionally journeyed to the Caribbean during the winter months.

In 1969 the SS *United States* was retired from active service. As she was considered a reserve ship for the US Navy, she was preserved for potential future use. In 1978, the US Navy determined she was of no further use and listed the ship for sale. Between 1978 and 2024, the ship had a string of owners, including Norwegian Cruise Line and the SS *United States* Conservancy (“Conservancy”). Each owner had a dream of restoring the ship to service either as a sailing vessel or a docked hotel, like the *Queen Mary*. The *Queen Mary* is currently docked in Long Beach, California. She serves as a hotel, restaurant, and event space, as well as offering tours of her historic interiors. In 2021, Eagle Hospitality Trust, who operated the ship, filed for bankruptcy protection. It appeared the *Queen Mary* would be scrapped, but the city of Long Beach took over operation of the vessel, and determined restoration was more cost effective than scrapping. As of January 2024, the ship grossed over \$2 million in profit in 2023.¹²

While the *Queen Mary* maintains much of her original interior, the *United States* has been gutted. In 1984, owner Richard Hadley auctioned off the ship’s interior fittings. In 1992, owner Fred Mayer had the ship towed to Turkey for hazardous material removal – including asbestos removal, and in 1996 he had the ship towed to Philadelphia, where it sat until 2025. In

¹² Perez, Nate. n.d. “The Queen Mary.” LAist. <https://laist.com/brief/news/la-history/the-queen-mary-turns-a-profit-after-years-of-debt-and-disrepair>.

1999, the *SS United States* was added to the National Register of Historic Places. In 2011, the ship was purchased by the Conservancy and remained in the Conservancy's possession until 2024.¹³ Despite the admirable goal of saving America's Flagship, the incredible cost of restoring the ship proved prohibitive in any overhaul plan.

Future Plans

In 2024, the *SS United States* was sold to Okaloosa County, Florida. Okaloosa plans to sink the ship and turn it into the largest artificial reef in the world. The specifics of the plan have not yet been released, but reports indicate the county is looking to sink the ship in Gulf waters approximately twenty miles south of Destin-Fort Walton Beach.¹⁴



Figure 7: *SS United States* departing Philadelphia, Pennsylvania, February 2025. Photo taken from the deck of the *USS New Jersey*. Photo Courtesy of Libby Jones.

¹³ "History: Retirement —." n.d. SS United States Conservancy. <https://www.ssusc.org/history-retirement>.

¹⁴ Don Jacobson, "SS United States to Be Towed from Phila., Launching Transition into Artificial Reef," UPI, https://www.upi.com/Top_News/US/2024/11/11/ss-united-states-artificial-reef/2331731004076/.

On February 19, 2025, the SS United States departed Philadelphia and began her journey to Alabama.¹⁵ She was towed along the East Coast and around the tip of Florida. As of this writing, the SS *United States* is in Mobile, Alabama undergoing the process of preparing her to be an artificial reef. She continues to draw crowds as Mobile has reported renewed interest in the Port of Mobile, and harbor cruises are sold out for the month of May 2025.¹⁶ Uncertainty about the ship's future continues as a lawsuit has been filed attempting to stop the ship's sinking. However, many people believe that if the ship is not sunk, she will be scrapped, and sinking the ship is the only way to save the vessel. There is also an argument that the ship will be more accessible underwater than she was in Philadelphia, as she was not open to the public at all while docked at Pier 82.¹⁷

Since the 1940s, Florida has been creating artificial reefs in state and federal waters off their coast. These reefs provide a plethora of public benefits including, increased tourism through diving and fishing opportunities, shoreline protection, oyster reef regeneration, and replacement of hard bottom habitats that have been lost through human activity.¹⁸ One of the largest artificial reefs in the state was created by sinking the USS *Oriskany*, a 911-foot aircraft carrier. She was commissioned after WWII and served for twenty-five years before decommissioning in 1976. In 2006, she was sunk off the coast of Pensacola, Florida, and

¹⁵ Brown, Forrest, and Danny Freeman. 2025. "SS United States Finally Leaves Philadelphia to Begin Its Last Chapter." CNN, February 19, 2025. <https://www.cnn.com/2025/02/19/travel/ss-united-states-ocean-liner-departs-philadelphia>.

¹⁶ Sharp, John. 2025. "The Unexpected Tourism Boom in Mobile, Thanks to 'America's Flagship'." AL. March 12, 2025. <https://www.al.com/news/2025/03/the-unexpected-tourism-boom-in-mobile-thanks-to-americas-flagship.html>.

¹⁷ Fischer, David. 2025. "Questions Continue about SS United States' Exact Resting Place as World's Largest Artificial Reef." 6abc Philadelphia. April 4, 2025. <https://6abc.com/post/group-sues-stop-sinking-ss-united-states-off-floridas-gulf-coast-battle-worlds-largest-artificial-reef-continues/16127202/>.

¹⁸ "Artificial Reefs." n.d. Florida Fish And Wildlife Conservation Commission. <https://myfwc.com/fishing/saltwater/artificial-reefs/>.

became the largest artificial reef in the world.¹⁹ However, she will be dethroned by the SS *United States* once her transition to reef is complete, as the SS *United States* measures 990-feet.

The plan to turn the ship into an artificial reef represents a dramatic change in circumstance for the ship, not only will she move a substantial distance---from Philadelphia, Pennsylvania to Florida---but she will also no longer be afloat. Such drastic changes in location and integrity raise questions as to whether the ship can remain in the National Register. This paper seeks to analyze the ship's evolving situation and the impact these changes will have on her place on the National Register.

Federal Historic Preservation Law

The United States government has taken a proactive role in the recognition and preservation of the country's history, heritage, and culture. The first major legislation is the Antiquities Act of 1906, granting the President authority to declare, "historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon lands owned by or controlled by the Government of the United States." In 1966, the federal government passed the most holistic and comprehensive legislation in the form of the National Historic Preservation Act. This act sought both to protect the United States' history by creating a National Register of Historic Places (herein after the "National Register" or "NR"), and to provide a framework within which the Federal Government could demonstrate good stewardship of historic resources. Framers of the law hoped to set an example for state and

¹⁹ "Oriskany Reef." n.d. Florida Fish And Wildlife Conservation Commission. <https://myfwc.com/fishing/saltwater/artificial-reefs/oriskany/>.

local government as well as the private sector to follow in preserving the historic resources of the Nation.

National Historic Preservation Act

The National Register is just one part of the Act's mechanisms to preserve the Nation's history. The Act also created a division of power and responsibilities between the federal government, represented by the National Park Service and the Keeper of the National Register (the Keeper), and the states, represented by State Historic Preservation Offices (SHPOs). One of the primary duties of the SHPOs is to create and implement a state-wide historic preservation plan which outlines specific goals in adherence with federal and state preservation laws. In addition to this duty, the SHPO is also responsible for submitting nominations to the Keeper for inclusion in the National Register.

Generally, to be included in the National Register, a property must be of "significance in American history, architecture, archeology, engineering, and culture, and worthy of preservation."²⁰ Additionally, the following criteria are used to evaluate whether the historic resource is:

- a) Associated with events that have made a significant contribution to the broad patterns of our history; or
- b) Associated with the lives of persons significant in our past; or
- c) Embodied by distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic value, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- d) Has yielded, or may be likely to yield, information important in prehistory or history.

²⁰ "National Register Bulletin Technical Information on the National Register of Historic Places: Survey, Evaluation, Registration, and Preservation of Cultural Resources." 1995. National Park Service. i. https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf.

There are further considerations for properties that are religious in nature, a building or structure that has been moved, birthplaces and/or gravesites, cemeteries, reconstructed buildings, a property that is primarily commemorative, a property that has achieved significance within the past 50 years.²¹

Once a resource is listed, the Act explains procedures which must be followed by federal agencies, and projects involving federal funds, when a property listed on, or eligible for listing in the National Register is impacted by an undertaking.²²

An undertaking, as defined by the Act is:

a project, activity, or program funded in whole or in part under the first or indirect jurisdiction of a Federal agency, including – 1) those carried out by or on behalf of the Federal agency; 2) those carried out with Federal financial assistance; 3) those requiring Federal permit, license, or approval; and 4) those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency.²³

If a project is determined to be an undertaking per the Act, then the responsible Federal Agency is responsible for considering any potential impact on a historic resource listed on, or eligible for listing in the National Register. Listing or eligibility does not guarantee the resource will not be destroyed; it simply means the Agency must consider potential impacts (adverse effects) to the property.

²¹ *Code of Federal Regulations*, title 36, sec. 60.4.

²² “What Is a SHPO?” n.d. NCSHPO. <https://ncshpo.org/about-us/what-is-shpo>.

²³ *National Historic Preservation Act. U.S. Code 54* (1966), §§ 300320.

Through the development of robust regulations, technical bulletins, and other published guidance, the Department of the Interior has created a healthy repository of information regarding the preservation of historic resources. Despite all the available information and guidance, there exist holes in the legislation, regulations, and guiding documents. One such hole is the what happens to a resource when it is moved between jurisdictions, or when its classification of resource is fundamentally altered.

The SS United States' National Register Nomination

The SS *United States* was nominated for, and added to, the National Register in 1999 for her revolutionary engineering under Criterion C for her innovative hull design, safety features, and powertrain, and as an important work of prominent ship designers Gibbs & Cox. The nomination form highlights the ship's propulsion system. The SS *United States* was the first ship to utilize high temperature and high-pressure steam. This technology laid the foundation for the Navy's future nuclear powered vessels. Another focal point was the ship's unique propeller formation, which contributed to the ship's incredible speed. The *United States* regularly operated with only six of eight boilers, and these usually ran at 60%, and still the *United States* was the fastest passenger liner crossing the Atlantic. There is no consensus as to what her top speed is, but it is reported at anywhere from 38 knots to 45 knots.²⁴ For comparison, the RMS *Queen Mary* (the ship from whom the *United States* took the blue riband), had a top speed of 32 knots.²⁵

²⁴ National Register of Historic Places Registration Form, "Steam Ship (S.S.) United States," National Park Service, April 1999, 8/8.

²⁵ Queenmary.com. "Britain's Masterpiece," n.d. <https://www.queenmary.com/comparison.htm>.

To reduce weight, the hull and superstructure were longitudinally framed rather than transversally framed, allowing for superior strength for the same weight. The ship was primarily constructed out of aluminum, a lightweight alternative to steel. Gibbs insisted on using non-corrosive materials and made other material swaps in the interest of weight. Many of these ideas are still employed today in the cruise ship industry.²⁶

The National Register nomination describes a ship that is the culmination of nearly a millennium of seafaring knowledge. Her designers brought together all the best ideas, those tried-and-true traditions that do not fail, and combined them with new, innovative ideas. The exceptional minds behind the ship not only created the most impressive ocean liner of all time, but also pioneered new innovations on the *United States*, which became the new industry standard and continue to be incorporated in ship design.

Application of the NHPA on the *SS United States* Historic Vessel

In addition to the general guidance laid out in the statute and the regulations, the National Park Service (NPS) has released further publications to provide guidance about specific property types and circumstances, an example being the *Secretary of the Interior's Standards for Historic Vessel Preservation Projects with Guidelines for Applying the Standards* – published in 1990. This document seeks to answer, “a longstanding need for uniform standards that may be applied to preservation projects involving historic vessels.” The document focuses on “the unique problems of historic preservation in a maritime context.” The emphasis is on the accelerated deterioration of objects in water and exposed to corrosive elements, like salt. The

²⁶ National Register of Historic Places Registration Form, “Steam Ship (S.S.) United States,” National Park Service, April 1999, 8/8.

document does not address the weaknesses in legislation and regulation regarding the issues created by the mobility of a vessel, nor that a vessel could be considered historic both afloat or completely submerged. However, the document provides insight that maybe helpful in determining best practices to create further guidance in the future addressing issues of mobile resources, and resources that change classification.

The Secretary of the Interior's Standards for Historic Vessel Preservation Projects with Guidelines for Applying the Standards provides this definition of a historic vessel , "A nautical vessel, generally excepting reconstructions and reproductions, is considered historic if it is eligible for listing in the National Register of Historic Places at a local, regional, national, or international level of significance."²⁷ The SS *United States* has been listed on the National Register of Historic Places since 1999, as such, she meets the criteria of a historic vessel.

Vessel Types

In 1990 the National Park Service published National Register Bulletin 20: Nominating Historic Vessels and Shipwrecks to the National Register of Historic Places. The NPS identifies five types of vessels and shipwrecks: floating historic vessels, dry-berthed historic vessels, small craft, hulks, and shipwrecks. These types are defined as follows:

Floating Historic Vessels: Large vessels (usually greater than 40 feet or weighing twenty tons), that are maintained in and on the water. **Dry-berthed Historic Vessels:** Vessels that are preserved out of the water and are located in a dry-dock or setting close to or part of a waterfront. **Small Crafts:** Floating or

²⁷ U.S. National Park Service, "The Secretary of the Interior's Standards for Historic Vessel Preservation Projects with Guidelines for Applying the Standards," May 1990, 4.

displayed vessels generally less than forty feet or twenty tons in weight. **Hulks:** Substantially intact vessels that are not afloat, such as abandoned or laid up craft that are on a mudflat, beach or other shoreline. **Shipwrecks:** a submerged or buried vessel that has foundered, stranded, or wrecked. This includes vessels that exist as intact or scattered components on or in the seabed, lakebed, riverbed, mud flats, beaches, or other shorelines, excepting hulks.”²⁸

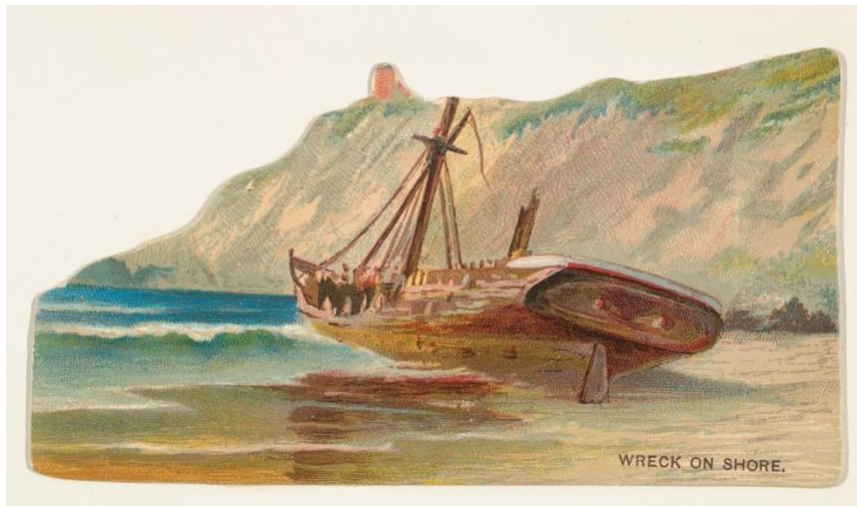


Figure 8: Illustration of a “hulk” laid up on a beach. Knapp & Company, *Wreck on Shore* lithograph, 2 5/16 x 4 3/16 in. The Jefferson R. Burdick Collection, The Metropolitan Museum of Art.

These definitions delineate a divide between ships that are floating – floating historic vessels and small crafts - and ships that are not – dry-berthed historic vessels, hulks, and shipwrecks.

Applying these definitions to the *United States* as she was when she was nominated in 1999, she would have been classified as a floating historic vessel as she was greater than 40 feet, weighed more than 20 tons, and was maintained in and on the water at Pier 82 in Philadelphia, Pennsylvania. Once the ship is sunk to become an artificial reef, however, the floating historic vessel definition will no longer apply as the ship will no longer be floating. Turning to the three classifications for non-floating vessels, dry-berth historic vessels are

²⁸ U.S. National Park Service, National Register Bulletin 20. “Nominating Historic Vessels and Shipwrecks,” 1992, 3.

inapplicable as the ship will be underwater. The definition of hulk is similarly inapplicable as the ship will be underwater, not atop a landform such as a mudflat or beach. At the point she is underwater, the most applicable definition will be the shipwreck definition as the *United States* will be completely submerged.

It should be noted that the shipwreck definition will not perfectly fit the *United States* as she will not have *founded*, which implies an unintentional sinking, and will instead be intentionally sunk. However, in lieu of a perfect match, the shipwreck definition is the best fit. As there is precedent for the recognition of a submerged vessel on the National Register, it is reasonable that even once sunk, the SS *United States* would still be eligible for inclusion in the National Register, albeit under a different classification. It is unclear from the regulations and official guidance whether the change in classification would be best done through an amendment to the existing National Register nomination form or whether a completely new nomination form should be submitted. It is likely the answer depends on the circumstances and would differ depending on the historic resource.

Relocation

Relocation of a Historic Property Before Listing in the National Register

If a historic property has been moved from its original location, this is a possible cause for the property to be disqualified for inclusion on the National Register. The applicable regulation reads,

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 commemorative in nature, and properties that have achieved

significance within the past 50 year shall not be considered eligible for the National register.

The applicable exception to the ordinary rule is also provided: “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.” The application of the “original location” directive has not been strictly applied to ships on the National Register.

The USS *North Carolina* was nominated for the National Register in 1981. The National Register nomination form indicates “N/A” for the *North Carolina*’s original location and does not indicate the ship had been moved from its original location. The *North Carolina* is currently a museum ship docked in Wilmington, North Carolina.²⁹ In 2004, the USS *New Jersey* was nominated for the National Register. Similar to the *North Carolina*, there is no indication of the ship’s original location, nor that the ship had been moved from its original location. The *New Jersey* is currently located in Camden, New Jersey.³⁰ The same is true of the *United States*, her National Register nomination form does not indicate an “original location” and does not indicate the ship had been moved from its original location.³¹

In each of the above cases, the ship was added to the National Register despite not having an original location. The Keeper of the National Trust approving these nomination forms

²⁹ National Register of Historic Places Registration Form, “USS North Carolina (BB-55),” National Park Service, 1981, 7/1. <https://npgallery.nps.gov/GetAsset/8b5ead25-7845-4262-841c-800af4587141>.

³⁰ National Register of Historic Places Registration Form, “USS New Jersey (BB-62),” National Park Service, August 2004, 3. <https://npgallery.nps.gov/GetAsset/95b1c008-585c-435f-b120-abe6adf38a44>.

³¹ National Register of Historic Places Registration Form, “Steam Ship (S.S.) United States,” National Park Service, April 1999, 8.

without discussion of the original location sets the precedent that this aspect of the National Register is not applicable to ships and may not be strictly applied to anything that is inherently mobile. Further each of the ships were nominated for the National Register while docked in a place that is significant to the history of the ship. In the case of the *North Carolina* and *New Jersey*, they are docked in their namesake states. The *United States* was docked in Philadelphia, the city in which her primary designer, William Francis Gibbs grew up.

Relocation of a historic resource after listing on the National Register

The Department of the Interior regulations make allowances for the movement of historic properties, detailed in 36 CFR § 60.14(b). This section outlines the requirements to move a property and retain its place in the National Register as well as the consequences for failing to follow this procedure, including deletion from the National Register. Prior to the move, the Pennsylvania SHPO is required to inform the National Parks Service of:

- 1) the reason for the move; 2) the effect on the property's historical integrity; 3) the new setting and general environment of the proposed site, including evidence that the proposed site does not possess historical or archeological significance that would be adversely affected by the intrusion of the property; and 4) photographs showing the proposed location.³²

Upon receipt of a properly documented request the Keeper of the National Trust has forty-five (45) days to respond.³³

³² *Code of Federal Regulations*, title 36, sec. 60.14(b).

³³ *Code of Federal Regulations*, title 36, sec. 60.14(b).

After the property is moved, the SHPO will submit to the Keeper the following information:

1) A letter notifying him or her of the date the property moved, 2) photographs of the property on its new site, 3) revised maps, including a USGS map, 4) acreage, and 5) a verbal boundary description. If a property is moved without adherence to the proper procedure, its deletion from the National Register will be automatic. Once deleted, a property may be returned to the National Register, but it must be nominated again and the new nomination must include, 1) the reason for the move, 2) the effect on the property's historical integrity, and 3) the new setting and general environment, including evidence that the new site does not possess historical or archeological significance that would be adversely affected by the intrusion of the property.³⁴

Thus, at the most general level, in order for the *SS United States* to remain on the National Register of Historic Places once moved, the Pennsylvania SHPO must have followed the proper procedure for requesting permission to move the ship and received approval from the Keeper of the National Register. Otherwise, the ship will automatically be delisted from the National Register. Even if the proper procedure was followed, the ship may still face deletion as its new site is underwater, a place decidedly not where it was meant to be, and in fact was meticulously planned against.

³⁴ *Code of Federal Regulations*, title 36, sec. 60.14(b).

Relocation's impact on the SHPO's responsibilities

The delegation of power from the federal government to the individual state historic preservation offices to regulate historic resources within their jurisdiction raises questions as to authority once that resource is moved. As the ship was added to the National Register in Pennsylvania, it fell under the purview of the Pennsylvania SHPO; however, it is not addressed in the regulations whether the ship leaving the jurisdictional bounds of the state of Pennsylvania removes the ship from the Pennsylvania SHPO's jurisdiction. Once located within the jurisdictional bounds of Florida, it is unclear whether the Florida SHPO will then have authority over the ship or whether the Pennsylvania SHPO will retain authority.

There are no parallel examples of historic structures being on the National Register and then moved out of state to a permanent home in another state. There are examples of something similar happening at the state level, however. For example, the Jones-Hall House was located in Montgomery County, Maryland and listed on the Maryland Inventory of Historic Places in 1978.³⁵ In 2009, the home was acquired by the Smithsonian moved out of Maryland and into Washington, D.C. to be placed in the Museum of African American History and Culture, which opened in 2016.³⁶ As of May 2025, the home is still listed on the Maryland Inventory of Historic Properties.³⁷ However, since the home's move to a new jurisdiction, there has been no effort by the Maryland SHPO to exert control, or influence over what happens to the home. It

³⁵ Inventory Form for State Sites Survey, "The Jones-Hall House," Maryland Historical Trust, October 1978.

³⁶ Keyes, Allison. "For Nearly 150 Years, This One House Told a Novel Story About the African-American Experience." Smithsonianmag.com, September 7, 2016. <https://www.smithsonianmag.com/smithsonian-institution/for-nearly-150-years-one-house-told-novel-story-african-american-experience-180960355/>.

³⁷ Maryland.gov. "Maryland Inventory of Historic Properties." <https://apps.mht.maryland.gov/mihp/MIHPCard.aspx?MIHPNo=M%3a+17-8-5>.

appears that once the building left the boundaries of Maryland, the home was relinquished by the MIHP and the SHPO.

This is distinguishable because the *SS United States* is on the National Register, and the SHPOs involved are from Pennsylvania and Florida. To determine what the Pennsylvania SHPO may do when one of its historic resources leaves the state, we can turn to the Pennsylvania Statewide Historic Preservation Plan 2025-2035. This plan provides guidance for planning and decision making. It is not intended to be hard and fast rules or regulations. The limits of the plan are clearly indicated throughout the document as the Commonwealth of Pennsylvania. There is no indication in the plan that the SHPO has any desire or intent to exert influence over resources located outside the bounds of the Commonwealth. As such, it is reasonable to deduce that once the *SS United States* left the boundaries of the state, the Pennsylvania SHPO would no longer consider it a Pennsylvania historic resource and would not participate in further activities regarding the ship.

Integrity

Floating historic vessel to historic shipwreck

The *SS United States* will make a drastic transformation when she becomes an artificial reef. First, as discussed above, she will no longer be within the Commonwealth of Pennsylvania, where she was listed on the National Register. Second, she will no longer be floating. This transition from floating to submerged changes the nature of the ship. A ship is designed to float, even submersible vessels must retain the ability to float. It is clear there is a demarcation between floating and submerged based on the classifications outlined by the NPS. The question becomes, will the *SS United States* no longer be eligible for the National Register because she was added as a floating historic vessel and will become a submerged shipwreck?

Federal regulations outline four grounds for removing a property from the National Register:

- 1) The property has ceased to meet the criteria for listing on the National Register because qualities which caused it to be originally listed have been lost or destroyed, or such qualities were lost subsequent to nomination and prior to listing;
- 2) Additional information shows that the property does not meet the National Register criteria for evaluation;
- 3) Error in professional judgment as to whether the property meets the criteria for evaluation; or
- 4) Prejudicial procedural error in the nomination or listing process.³⁸

Prejudicial error or error in professional judgement

There is no evidence of prejudicial procedural error in the nomination or listing process, nor is there evidence of an error in professional judgment as to whether the property meets the criteria for evaluation. Accordingly, removal based on the third or fourth grounds is not appropriate. Similarly, there is no evidence that the *SS United States* did not actually meet the criteria for listing on the National Register at the time of her listing. As such, removal based on the second grounds is inapplicable. Thus, the most applicable grounds for removing the ship upon her sinking is the first grounds for removal, that the ship no longer meets the criteria for the National Register once she has been converted into an artificial reef.

Conversion Process

In order to determine whether the conversion process will alter the qualities of the ship which caused it to be listed on the National Register, we must first look at why the ship was nominated to and eventually included in the National Register, and the process the ship will undertake to become an artificial reef. According to the National Register nomination form,

³⁸ *Code of Federal Regulations*, title 36, sec. 60.15(a)(1-4).

the SS *United States* was nominated under Criteria C for engineering. The nomination form indicates, “The structure and engineering areas of the ship for which it is historically significant have not been altered during the life of the ship and she still retains all the features for which she is known.” The systems specifically highlighted by the National Register form are the superstructure, propulsion system, and safety system. The form indicates the primary alterations to the ship are the removal of the interior (for asbestos abatement), and removal of the lifeboats, davits, and associated equipment. While the asbestos abatement was a part of the ship’s safety system as it was employed a fire retardant, this work was done prior to the ship’s listing on the National Register and is thus not of historic significance per the National Register designation.³⁹

The question now turns on whether the process of making the ship into an artificial reef will destroy the engineering structures of the ship. According to the “National Guidance on Best Practices for Preparing a Ship to Become an Artificial Reef,” there are five (5) things that must be removed from the ship: 1) oil and fuel, 2) asbestos, 3) polychlorinated biphenyls (PCBs), 4) solids/debris/floatables,⁴⁰ and 5) other materials of environmental concern.⁴¹ Items 1, 2, and 3 are not of historical significance, nor are they integral to the engineering of the ship’s superstructure, propulsion system, or safety mechanisms, thus their removal does not destroy a piece that was significant to her nomination and inclusion on the National Register. Similarly, there is no evidence of other materials of environmental concern that are of

³⁹ National Register of Historic Places Registration Form, “Steam Ship (S.S.) United States,” National Park Service, April 1999, 8/8.

⁴⁰ These are defined as: Loose material that could break free during transportation and placement as an artificial reef.

⁴¹ U.S. Environmental Protection Agency, “National Guidance: Best Management Practices for Preparing Vessels Intended to Create Artificial Reefs,” May 2006, 22-46.

significance to the ship's engineering for which she was nominated. The only possible material that would alter the ship's historic significance would be the removal of solids, debris, and floatables. Much of the historically significant engineering is the ship's structure itself, and heavy components like the propellers. As these are either the ship itself or firmly attached fixtures to the superstructure, they are not loose materials at risk of breaking free. As such, the process of preparing the ship to become an artificial reef will not destroy the historic structures for which she was nominated and included in the National Register.

While the specific procedure for preparing the ship to become an artificial reef may not destroy the historic fabric of the ship, the totality of the process will result in a submerged vessel. The transition from floating to submerged, and the corresponding reclassification from floating historic vessel to shipwreck, may represent a sufficiently significant change that the ship's integrity is no longer adequate for retention in the National Register.

The NHPA, associated regulations, and published guidance are clear, the integrity of a property is paramount to its place on the National Register. In addition to the specific procedure for moving a historic property outlined above, the regulations provide more general guidance about moving a historic property in 36 CFR § 60.14(b)(1), which reads: Properties listed in the National Register should be moved only when there is no feasible alternative for preservation. When a property is moved, every effort should be made to reestablish its historic orientation, immediate setting, and general environment."⁴² Further guidance is found in 36 CFR § 60.14(b)(3), which reads in part, "If the Keeper approves the move, the property will remain on the National Register during and after the move unless the **integrity** [emphasis

⁴² *Code of Federal Regulations*, title 36, sec. 60.14(b)(1).

added] of the property is in some unforeseen manner destroyed.”⁴³ Read together, these passages unequivocally state that if the integrity of the property is lost upon its relocation, it will no longer be eligible for the National Register and should be removed.

The National Register recognizes seven qualities of integrity: location, design, setting, materials, workmanship, feeling, and association. The NPS has provided specific guidance to apply these qualities to historic vessels – in their 1990 Standards for Historic Vessel Preservation Projects, which will be used to evaluate the integrity of the *SS United States* once she is at the bottom of the Gulf. The guidance on preserving historic vessels provides a few important definitions:

Preservation: The act or process of applying measures to sustain the existing form, integrity, and material of a vessel. It may include initial stabilization work, where necessary, as well as ongoing maintenance. **Integrity:** The authenticity of a vessel’s historic identity, as evidence by the survival of characteristics such as plan, hull form, rigging, use of materials and/or craftsmanship, which existed during the vessel’s historic period.⁴⁴

Integrity of location, “should be construed to mean that a vessel is located in a port or other location with which the vessel historically had some association such as a port of construction or port of call.”⁴⁵ Gulf waters off the coast of Florida do not have any historic association with the *SS United States*. Her port of construction is Norfolk, VA and she primarily

⁴³ *Code of Federal Regulations*, title 36, sec. 60.14(b)(2).

⁴⁴ U.S. National Park Service, “Historic Vessel Preservation,” 4-5.

⁴⁵ U.S. National Park Service, “Bulletin 20 Nominating Historic Vessels and Shipwrecks,” 8.

sailed from New York City to Europe, though she did some trips to the West Indies later in her career.⁴⁶ The ship was listed in the National Register when she was docked in Philadelphia, a city with significance to her designer, and the person with whom she is most associated, William Francis Gibbs, who was raised in Philadelphia.

As the ship does not have a historic connection to Florida, her relocation to Florida waters would seemingly weigh against retention of her integrity of location as she is currently listed on the National Register. However, the application of locality guidance is not applied to ships as it is to more stationary resources. As discussed previously, the *North Carolina* and the *New Jersey* are located in their namesake states, which makes their locations logical, but not all ships have a namesake state. For instance, the USS *Yorktown* is docked in Charleston, South Carolina. The ship could have been located near the Yorktown Battlefield, for which it is named, but is located in South Carolina, a state with no particular association with the ship. Despite this, the ship was listed on the National Register in 1982 while located in Charleston. The integrity of location for a floating historic vessel can be a place that is not strictly associated with the life of the ship.

The same is true of a shipwreck. The only association a ship has with the location of her wreck is that it is the location of her wreck. No ship is designed with a destination of the bottom of the sea in mind. There is no reason the *United States* should be rendered completely ineligible for the National Register simply because it has transitioned from a floating historic vessel to a shipwreck. As the laws, regulations, and guidance allow for the inclusion of

⁴⁶SS United States Conservancy. "History: Design & Launch —," n.d. <https://www.ssusc.org/history-design-launch>; SS United States Conservancy. "Sailing in the Age of Jet," <https://www.ssusc.org/section-3>.

shipwrecks on the National Register, the *SS United States* should retain eligibility because her integrity of location is not destroyed by her sinking, it is just changed because she will be a shipwreck.

Integrity of design can be retained, “When changes to a vessel are in the form of renewal and replacement, either to continue operation historically or to perform a restoration, the structure will remain eligible if the renewed features are replaced with materials, which in their composition, design, color, texture, and workmanship retain the historic character of the vessel.”⁴⁷ The preservation of ships in water necessitates more extensive repairs and replacements due to the extreme conditions in which ships exist and which cause ships to deteriorate more quickly than most of structures on the National Register. The ship will retain her original features and materials, such as her aluminum and steel hull, when she is sunk, however, they will no longer be employed to keep her afloat. More straightforward guidance comes from the NPS’s publication “Preserving Historic Vessels” which states, in part, “... maintaining an intact vessel’s historic form, integrity and material – must be tempered by the ABSOLUTE REQUIREMENT that the vessel be kept structurally sound, weather resistant, and (in the case of a vessel afloat) watertight.”⁴⁸ These weigh against the *SS United States* retaining her design integrity as a floating historic vessel because she will no longer be structurally sound or afloat.

However, as a shipwreck, the *SS United States* will still have sufficient integrity of design. Much like the *RMS Titanic* is recognizable at the bottom of the Atlantic, or the *USS Arizona* is

⁴⁷ U.S. National Park Service, “Bulletin 20 Nominating Historic Vessels and Shipwrecks,” 8.

⁴⁸ U.S. National Park Service, “Historic Vessel Preservation,” 12.

recognizable in Pearl Harbor, the SS *United States* will still be recognizable as the SS *United States*. The ship will retain her shape and size and will still be constructed of aluminum and steel.

Integrity of setting, “usually means that a vessel is maintained in the water.” The unique circumstances of ships have necessitated certain exceptions be created in order to refrain from dooming the “original fabric” of the vessel.⁴⁹ In some cases ships are considered to retain their integrity of setting when preserved in open air settings, such as dry docks, when the dry docks are located in a waterfront setting. Some ships are so old and frail, that even preserving them in the open air would destroy their original fabric and these must be preserved “under glass.” In these cases, the setting “must not detract from appreciating the vessel as a waterborne craft or present her as a museum object.”⁵⁰

The SS *United States*’ new location, underwater, appears on its face to be a complete loss of its integrity of setting. Even with the exceptions for ships, the presentation of the ship in an underwater, and unnatural setting for a ship, takes away from appreciating the vessel as a waterborne craft, as the craft is in fact no longer waterborne. This weighs in against finding the ship will retain her integrity of setting as a historic floating vessel. The expected setting of a shipwreck is, however, underwater. Thus, the *United States* will retain sufficient integrity as a shipwreck when she is sunk to become an artificial reef.

Integrity of materials and integrity of workmanship are similarly defined. Integrity of materials refers to the “means that the physical elements that were combined in the vessel’s

⁴⁹ U.S. National Park Service, “Bulletin 20 Nominating Historic Vessels and Shipwrecks,” 20.

⁵⁰ U.S. National Park Service, “Historic Vessel Preservation,” 9.

historic design and construction have been maintained.” And integrity of workmanship refers to “materials renewed in-kind.” In the case of the SS *United States*, she retains her original materials and workmanship, such as the steel and aluminum that make up the ship’s superstructure. Since the ship’s retirement she has not undergone significant repair, and there is no evidence any repairs performed were done with anything other than in-kind materials. This weighs in favor of finding the ship will retain her integrity of workmanship and material when she becomes a shipwreck.

Integrity of feeling refers to the feeling the vessel evokes of an “aesthetic or historic sense of the past.”⁵¹ When the SS *United States* is underwater, she will retain all the aspects of her that are historical, and her image will still evoke the historic sense of a transatlantic ocean liner. In fact, the guidelines make special exception for shipwrecks as shipwrecks can still “yield important information through analysis of her construction and career and would possess archeological integrity.” Once the ship is sunk, it will lose its “aesthetic or historic sense of the past” as a floating historic vessel. As a shipwreck, however, it will still evoke the “aesthetic or historic sense of the past. In the same way images of the RMS *Titanic* create a feeling of history and evoke a bygone era so too will the SS *United States* when she becomes an artificial reef.

Integrity of association means the vessel is located in a waterfront setting. The guidelines specifically state that a floating historic vessel will lose its integrity of association if it is “removed from the water and displayed out of sight of the water.”⁵² The essence of this component is that water is important to a ship and this connection should be maintained in any

⁵¹ U.S. National Park Service, “Bulletin 20 Nominating Historic Vessels and Shipwrecks,” 9.

⁵² U.S. National Park Service, “Bulletin 20 Nominating Historic Vessels and Shipwrecks,” 9.

ship preserved. This is made clear by the example in the guidelines that a ship preserved in a field inland would lose its integrity of association. Here, the United States will remain associated with water though its relationship with water will change. As a floating historic vessel, it will lose integrity of association because its association with water will have changed from floating to submerged. As a shipwreck, however, it will have the exact association with one would expect. It will thus have integrity of association once it is a shipwreck.

Conclusion

The conversion from afloat to submerged will take a significant toll on the ship's integrity as a historic floating vessel. So much so that the ship will not retain sufficient integrity to remain in the National Register as a floating historic vessel. It does not stand to reason that the ship would remain in the National Register as currently listed and it should be removed. As to whether the ship may be reentered after it has been removed and is in its new location, there is no specific regulation that addresses this question. However, 36 C.F.R. § 60.14 allows SHPOs to nominate a structure again after either a change in boundary or a relocation of a structure that was either unapproved or destroyed the integrity of the resource in an unforeseen way. While the regulations have anticipated this exact scenario, the inclusion of a mechanism to reenter a previously deleted structure in a new location, and the recognition by the National Park Service that shipwrecks can be added to the National Register are strong indicators that the *SS United States* can be reentered in the National Register after she is sunk.

Recommendations

Accordingly, this paper proposes that the ship be removed as a floating historic vessel from the National Register and that the Florida SHPO reapply for the ship to be in the National

Register as a shipwreck once the ship is in her final resting place. Title 36 §60.15(c) states that “Any person or organization may petition in writing for removal of a property from the National Register...,” thus, either of the involved SHPOs, or any other interested party could petition for the ship’s removal. It will be the responsibility of the Florida SHPO to submit a new nomination form for the ship to be reentered in the National Register.

Deleting and later reentering the ship into the National Register is most in line with the current laws and guidance but will also eliminate any overlap or jurisdictional debates between the Pennsylvania SHPO and the Florida SHPO regarding the ship. It is also a clear demarcation between the ship’s two states, that of a floating vessel and that of a sunken vessel. It makes clear the ship has historic value to the nation in either configuration and should be honored and protected.

Also, the spirit of the National Historic Preservation Act is to preserve history that is important to the nation. Though it delegated powers to the states, it does not stand to reason that moving across state lines diminishes the historic value of the *SS United States*, or other similarly situated historic resources. In the spirit of the National Historic Preservation Act and the demonstrated desire by the National Park Service to protect the nation’s historic resources in all forms, the National Park Service should work to produce guidance for situations such as this one. They have already begun to fill gaps in the legislation and regulations regarding maritime resources, and the various forms a vessel can take, but there remains a hole in guidance pertaining to ships that are intentionally sunk. The *SS United States* may yet have in her one more feat of innovation, as she can be the model for policy change that will expand the historic resources recognized by the National Register.

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