

Legislative Update

for State Historic Preservation Officers



PRESERVATION LEGISLATION

H.R. 1043/S.584

Community Restoration and Revitalization Act

For a list of co-sponsors, go to:
<http://www.preservationaction.org/>

08lobbying/tax2008.htm

HPF APPROPRIATIONS

The President signed the FY2008 omnibus spending bill on December 26. SHPOs received \$39,376,000. The President proposes \$35,717,000 in FY2009

To access legislative information including bill text, summary, and status, go to THOMAS at: <http://thomas.loc.gov>

HISTORIC PRESERVATION CAUCUS

For a list of members, go to:
www.preservationaction.org/caucus/caucus07.htm

May 23, 2008

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1) TECHNICAL SNAFU DELAYS FARM BILL'S PASSAGE

This week, after a year and a half of negotiations, compromises, and considerable grassroots lobbying, Congress advanced an approved Farm Bill (H.R.2419) to the President. As expected, he vetoed it. As expected, Congress voted to override his decision. (Note: Presidential veto overrides require a two-thirds majority in both chambers. The Farm Bill had more than adequate support for an override.)

Unfortunately, due to a technical error during its printing, the vetoed and veto-overridden bill wasn't entirely complete. The incomplete bill -- missing a title related to foreign trade provisions -- flummoxed legislators, especially those exasperated by the extended process of getting the bill together.

For preservationists, the resulting delay will not threaten all the great preservation provisions within the bill related to the Historic Barn Preservation Program, conservation easements for unique historic places, and grants for economic development grants celebrating rural heritage.

Most agree the bill should just move ahead, in its complete form, and should not be re-opened. The House has already passed a duplicate, complete farm bill and the Senate plans to do the same after the Memorial Day recess next week. The President is expected to veto the duplicate as well, and the House and Senate are anticipated to override this veto again.

Special thanks to Nellie Longworth with the Society of Historical Archaeology and the American Cultural Resources Association and Lizzie O'Hara with the National Trust for Historic Preservation and Preservation Action Board Member Rod Scott, also with the National Barn Alliance for their dogged, fruitful efforts on this legislation.

2) THE LATEST ON THE COMMUNITY RESTORATION AND REVITALIZATION ACT

This week, two new cosponsors joined the growing list of Representatives officially supporting the Community Restoration and Revitalization Act (H.R.1043) -- Donald Payne (D-NJ) and David Price (D-NC). H.R.1043, a bill of amendments to the Federal Rehabilitation Tax Credit, was most recently considered during discussions of affordable housing incentives package. A portion of one of the provisions within H.R.1043 was added to the Housing Assistance Act of 2008 which was reported in the House of Representative at the end of last month. This provision supports tax-exempt entities use of tax credit projects.

Another tax bill, the Energy and Tax Extenders Act of 2008 (H.R. 6049) was passed in the House on May 21. This bill includes an extension of the New Markets Tax Credit until next year. The latter program has been integral to many preservation projects nationwide.

The Energy and Tax Extenders Act is primarily a stop-gap reupping of renewable energy-related federal incentives. Federal energy policy is being reshaped in many Congressional committees. Conservation and preservation-focused advocacy groups have noted Congress's keen interest in dramatic energy policy reform and are actively considering how renewed focus on energy conservation might be used as a vehicle for selling resource-protecting bills. How this will effect a potentially reintroduced preservation tax bill remains to be seen. But given the anticipated sea change in federal government after this November's elections, we stand to gain by revisiting all our standing requests once we understand the new political landscape.

3) APPROPRIATIONS DELAYS EXPECTED

The war supplemental bill, which has been partially responsible for gumming up the appropriations process, will not be ready for passage until after the Memorial Day recess. The upcoming historic elections are figuring into expectations about when we will see appropriations bills for FY2009 spending pass. The mark up of the FY2009 Interior package is expected to take place between the Memorial Day and July 4 recesses, but even with proposed bill of spending levels, passage this year is unlikely. Continuing resolutions are expected (extensions of existing approved appropriations), which would give the new Congress, and a new President, control over federal spending.

4) PRESERVE AMERICA SAVE AMERICA'S TREASURES BILL SCHEDULED FOR MARK UP

On June 11, the House Resources National Park Subcommittee will mark up H.R. 3981, the Preserve America Save America's Treasures bill. The bill would authorize both preservation grant programs. Hearings on the legislation have been held in both chambers, and support is strong. The bill is expected to be rolled into a large bill later in the year and pass. The House legislation is the first bill sponsored by Historic Preservation Caucus chairs Brad Miller (D-NC) and Michael Turner (R-OH). Senators Hillary Clinton (D-NY) and Pete Domenici (R-NM) introduced the Senate bill S. 2262.

The National Conference of State Historic Preservation Officers is the professional association of State Historic Preservation Officers (SHPOs) who carry out the national historic preservation program as delegates of the Secretary of the Interior pursuant to the National Historic Preservation Act of 1966, as amended. Membership in the NCSHPO is limited to states and territories.

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The bill is currently in the House and Senate committees that authorize HUD programs. That's House Financial Services (Housing and Community Opportunity Subcommittee) and Senate Banking Housing and Urban Affairs (Subcommittee on Housing, Transportation and Community Development).

**House: (Barney Frank (D-MA) is chair of the Financial Services Committee)
Subcommittee on Housing and Community Opportunity**

Rep. Maxine Waters (D-CA), Chairwoman
Rep. Nydia Velázquez (D-NY)
Rep. Julia Carson (D-IN)
Rep. Stephen F. Lynch (D-MA)
Rep. Emanuel Cleaver (D-MO)
Rep. Al Green (D-TX)
Rep. William Lacy Clay (D-MO)
Rep. Carolyn B. Maloney (D-NY)
Rep. Gwen Moore (D-WI)
Rep. Albio Sires (D-NJ)
Rep. Keith Ellison (D-MN)
Rep. Charles A. Wilson (D-OH)
Rep. Christopher S. Murphy (D-CT)
Rep. Joe Donnelly (D-IN) Rep. Judy Biggert (R-IL)
Rep. Stevan Pearce (R-NM)
Rep. Peter King (R-NY)
Rep. Christopher Shays (R-CT)
Rep. Gary G. Miller (R-CA)
Rep. Scott Garrett (R-NJ)
Rep. Randy Neugebauer (R-TX)
Rep. Geoff Davis (R-KY)
Rep. John Campbell (R-CA)
Rep. Thaddeus McCotter (R-MI)

**Senate: Christopher Dodd (D-CT) is Chair of the Banking, Housing and Urban Affairs
Committee**

Subcommittee on Housing, Transportation and Community Development

Sen. Charles Schumer, Chair (D-NY)
Sen. Mike Crapo Ranking Member (R-ID)
Sen. Daniel Akaka (D-HI)
Sen. Robert Casey (D-PA)
Sen. Jack Reed (D-RI)
Sen. Tom Carper (D-DE)
Sen. Sherrod Brown (D-OH)
Sen. Jon Tester (D-MT)
Sen. Robert Menendez (D-NJ)
Sen. Elizabeth Dole (R-NC)
Sen. Mel Martinez (R-FL)
Sen. Wayne Allard (R-CO)
Sen. Michael Enzi (R-WY)
Sen. Chuck Hagel (R-NE)
Sen. John Sununu (R-NH)

IMPORTANT DATES:

Annual Meeting, Washington, DC, March 1-5, 2008

Board of Directors Meeting, Wisconsin, July 2008

General Membership Meeting at NTHP Conference, Tulsa, October 2008

Board of Directors Meeting, Arkansas, November 2008

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