

In this issue ...

Senate Draft
Climate Change
Bill Expected to
Differ from
House on
Emissions
Targets But
Includes Energy-
Efficiency
Incentives for
Historic
Structures

Consideration of
Health Care Bill
Will Delay
Consideration of
Climate Change
Bill Until the Fall

FEDERAL UPDATE

Senate Climate Change Bill Introduction and Mark Up Postponed Until Fall

The House of Representatives passed the American Clean Energy and Security Act of 2009 (HR 2454) on June 26th in a close 219-212 vote. HR 2454 includes a Building Retrofit Program (Section 202) that supports development of standards and processes for retrofitting existing residential and nonresidential buildings. Section 202 also authorizes the Secretary of Energy to provide funding to states to conduct cost-effective building retrofits, using local governments, other agencies or entities to carry out the work through flexible forms of financial assistance up to 50 percent of the costs of retrofits, with funding increasing in proportion to efficiency achievement, including retrofits of historic buildings. Section 202 also contains a 120 percent boost in these incentives promoting performance-based, energy efficiency for homes and buildings listed in the National Register of Historic Places included under the bill's Retrofit for Energy and Environmental Performance (REEP) title.

Senate Environment and Public Works Committee chair Barbara Boxer (D-CA) announced this week that the Committee may not release its draft version of the energy and climate change bill until after the August recess. Delaying the bill's introduction and mark up to early September will accommodate several senators who said they need the extra month to negotiate with moderates in both parties to reach agreement on the large and complicated bill. In addition, the time demands and competing priorities of health care legislation needed to be taken into account. Boxer and the chairmen of other committees that share jurisdiction over the climate change bill met Wednesday evening with Senate Majority Leader Harry Reid (D-NV) and Carol Browner, the Obama Administration's energy and climate policy coordinator. In the meeting, Reid agreed to a deadline of September 28th for all committees to finish their work on the climate change bill.

The Senate bill will be modeled on the narrowly-passed House bill that would cap greenhouse gas emissions that lead to global warming and create a system for buying and selling emissions permits. The draft Senate bill does contain a version of the House's REEP provisions with the 120 percent boost for energy-efficiency retrofits for historic structures in and eligible for the National Register of Historic Places. However, Boxer needs to win over about 15 moderate Democrats nervous about the bill's economic impact and faces pressure from environmentalists who think short-term emissions reduction targets in the House bill are too weak.

The National Trust and its coalition partners will be working to keep the REEP provisions for historic properties in the competing versions of the climate change bill as it move towards possible conference and passage in the fall.

Senate Appropriators Cut \$10 Million from SAT and \$3 million from Preserve America from House-Approved Funding Levels but Provide Increases for National Landscape Conservation System, Heritage Areas and Japanese WWII Confinement Sites

Senate Appropriators Reduce SAT and Preserve America Funding in FY10 Interior Appropriations

The Senate Appropriations Committee filed its report on the FY 2010 Interior Appropriations Bill (HR 2996) on Tuesday. As previously reported, the Committee approved \$74.5 million for the Historic Preservation Fund (HPF), including \$46.5 million for the states, \$8 million for tribes, and \$20 million for Save America's Treasures (SAT). Senate appropriators provided \$3.175 million for Preserve America but out of the Interior bill's National Recreation and Preservation account, not the HPF. Senate appropriators also earmarked \$5 million in SAT projects. The committee funded the National Landscape Conservation System at \$75.135 million compared to \$74.135 million approved by the House, with the extra \$1 million going towards National Conservation Areas and Monuments. The Senate mark for HPF funding cuts \$10 million from SAT and \$3 million from Preserve America from the House-approved levels. The House voted 254-173 to pass its fiscal 2010 Interior-Environment appropriations bill (HR 2996) on June 26th that provides \$90.675 million for the HPF, including 46.5 million for the states, \$8.0 million for tribal preservation programs, \$30 million for Save America's Treasures (SAT) and \$6.175 million for Preserve America (PA). House appropriators also earmarked \$5.130 million for SAT projects.

Other funding highlights in the Senate report included increases of \$2 million for National Heritage Areas and \$3 million for preservation of Japanese Confinement sites. In addition, the report notes a six percent increase in the U.S. Forest Service's budget for better management of heritage resources — including compliance with the National Historic Preservation Act. The increase in the Forest Service's budget came as welcome news as the agency's heritage resources budget has long been a strong National Trust policy priority and the increase should greatly improve the budget clarity and accomplishments for the Heritage Resource Program.

The Senate is not expected to take up the Interior Bill until next week, but a very crowded Senate calendar may push the bill's floor consideration into September.

