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### ***FEDERAL UPDATE***

Preservationists Mobilize to Support Disaster Assistance for  
Midwestern States in CR

The House Rules Committee approved a draft continuing resolution (CR) on Tuesday that includes \$22.9 billion in disaster relief and funding for the federal government through March 6<sup>th</sup>. The legislative vehicle for the CR is a fiscal 2008 Homeland Security appropriations bill (HR 2638) that was passed by both chambers last year but never enacted. Its original language will be replaced by the fiscal 2009 provisions outlined by House Appropriations Committee Chairman David Obey (D-WI) essentially funding the federal government at FY 2008 passed funding levels. The new provisions will be considered on the floor as an amendment to the old bill and, in doing so, will allow the chambers to ping-pong the bill back and forth while preventing House lawmakers from offering other amendments.

In a related development, the National Trust is mobilizing its preservation advocates in the states of Iowa, Illinois, Indiana, Wisconsin, Minnesota, and Missouri asking them to contact Congress for support of additional funding of \$35 million for flood disaster relief assistance grants from the Historic Preservation Fund (HPF). Out of the \$35 million request, \$20 million would go to Iowa alone and \$1.8 million would be provided for SHPO administrative costs. This funding would be used for the preservation, rehabilitation, stabilization, and repair of historic properties listed in or eligible for the National Register of Historic Places and to be distributed through the SHPOs in the affected states.

Tax Extenders Package Includes Expanded Rehab Credits for  
Disaster Zone Areas

The Senate passed the tax extenders package (HR 6049) on Tuesday by a 92-3 vote with our provisions for extending the federal rehab and New Market tax credits for another year in the Gulf states affected by Hurricanes Katrina and Rita, as well as similar provision boost in the rehab credit for buildings damaged in the Midwestern floods. The bill was taken up by the House where it has been divided into four parts: a mental health parity bill (HR 6983), the one-year AMT patch (HR 7005), disaster assistance tax credits (HR 7006), and the tax credits for renewal energy (HR 7060). The House passed the mental health parity bill on Tuesday and the AMT patch and disaster relief bills under suspension on Wednesday which meant Members did not have to formally waive the pay-as-you-go (PAYGO) rules. However, the energy tax credits will have to comply with PAYGO rules. Unfortunately, the "Disaster Relief Tax Act of 2008" (HR 7006) does not contain the rehab and new market credit extensions language as passed in the Senate.

Senate Majority Leader Harry Reid (D-NV) stated earlier in the week that if the House tinkered with the Senate-passed package, in all likelihood the bill would expire sincere there's precious little time to negotiate or conference the

competing versions of the extenders package. However, it now appears the Senate will be in an abbreviated session next week after the Rosh Hashana holidays on Monday and Tuesday, which may provide some breathing room to negotiate a compromise on offsets for the package.

### Safety Amendment to Amtrak Authorization Includes Section 106 Study

Section 106  
Study Included in  
Safety  
Amendment to  
Avoid Major  
Undermining of  
Key Historic  
Preservation  
Protections for  
Historic Rail  
Facilities

A draft rail safety amendment to an Amtrak reauthorization bill (HR 2095) has been negotiated this week that includes the compromise study language that the National Trust helped develop regarding the streamlining of Section 106 reviews for “federally-funded railroad infrastructure repair and improvement projects” that impact historic railroad facilities. The compromise language requires the Secretary of Transportation to issue a report within one year of enactment that include “recommendations for any regulatory or legislative amendments that may streamline compliance with the requirements described in a manner consistent with railroad safety and the policies and purposes of section 106 of the National Historic Preservation Act.”

The House cleared the amended bill on Wednesday and the Senate is tentatively expected to pass the bill on Friday. However, Sen. Tom Coburn (R-OK) has indicated he will object to the bill over a \$1.5 billion earmark for the Washington, D.C. metro system. In addition, more pressing items, such as the defense authorization bill, the economic bailout package and the CR, may prevent passage of the rail bill before Congress recesses for the year.

### ***STATE & LOCAL UPDATE***

#### Preservationists Oppose Cuts in Illinois State Budget for Historic Preservation

Preservationists  
Push Back on  
Devastating  
Budget Cuts to  
Illinois Historic  
Preservation  
Agency and  
Historic Sites

Preservation advocates in Illinois have mobilized in response to a potentially devastating budget cut to the Illinois Historic Preservation Agency that would impact the operation of several historic sites state-wide. Advocates are urging Governor Rod Blagojevich to sign two recently passed Senate bills that would restore full funding for Illinois’ Historic Sites.

Governor Blagojevich had vetoed \$2.7 million from the Illinois Historic Preservation Agency’s (IHPA) fiscal year 2009 budget, putting more than half of the state’s 60-plus historic sites at immediate risk as it specifically targets the personal services line of the Historic Sites Division. The Historic Sites Division of IHPA oversees an array of historically significant places ranging from the earthen-mound remnants of a prehistoric Native American city at Cahokia Mounds to Springfield’s Dana-Thomas House, a twentieth-century masterpiece designed by architect Frank Lloyd Wright.

However, recently proposed Senate Bills (SB 790/SB 1103) could restore

historic sites funding. During a special session on September 23rd, the Illinois Senate approved these two bills (previously passed and amended in the House) that would restore the cuts previously made by the Governor. If enacted, these bills would keep over a dozen historic sites throughout Illinois from closing their doors in November and save hundreds of state workers from being laid off.

