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President Signs  
Defense  
Authorization  
with Tomb Study

## ***FEDERAL UPDATE***

President Signs Defense Authorization Bill with Tomb Study Provision

President Bush signed the FY08 National Defense Authorization Bill into law on January 28<sup>th</sup> which included an amendment preventing the replacement of the Monument pending a report to Congress about repair options. The amendment language requires the Secretaries of the Army and Veterans Affairs to determine the feasibility of repairing, rather than replacing, the Monument and to report the findings to Congress within 180 days.

Preservationists  
Continue to Press  
for Rehab of  
Existing  
Monument

The National Trust for Historic Preservation has been fighting efforts by federal administrators to substitute a replica for the 48-ton marble block Monument, which has two cosmetic cracks. The bid to preserve the Monument involves a coalition of thousands of members of the National Trust for Historic Preservation and members of the public who have written to John Meltzer, Jr., superintendent of Arlington National Cemetery, and their members of Congress, along with National Trust partners the Arlington Heritage Alliance and APVA Preservation Virginia. The coalition is urging preservation over replacement because the two cosmetic cracks can be repaired and do not pose a threat to visitors or to the Monument.

Historic  
Preservation  
Programs Could  
Be Drastically  
Affected by  
Executive Order

Executive Order Targets Congressional Earmarks in FY'09 and Beyond

President Bush signed an executive order (E.O. 13457) on January 30th that calls for the elimination of congressional earmarks in all future spending bills, a prospect that could drastically effect key historic preservation programs that are heavily earmarked — such as Save America's Treasures (SAT) grants and Transportation Enhancements project funding. In a White Press release, the Administration stated that "for appropriations laws and other legislation enacted after the date of this order, executive agencies should not commit, obligate, or expend funds on the basis of earmarks included in any non-statutory source, including requests in reports of committees of the Congress or other congressional documents, or communications from or on behalf of Members of Congress, or any other non-statutory source, except when required by law or when an agency has itself determined a project, program, activity, grant, or other transaction to have merit under statutory criteria or other merit-based decision-making."

New Executive  
Order Could  
Delay Completion  
of FY'09  
Appropriations  
Cycle Until Next  
Year

The new executive order will apply to earmarks Congress will send to the President in FY 2009 and will remain in effect unless it is repealed by a future President. To put this in context, over 80 percent of executive orders from 1993-2000 remain in place today. Some lawmakers have noted that the President's order could have the effect of delaying the completion of the FY'09 appropriations spending bills until after the President leaves office in January 2009, when a new president could repeal the executive order.

## *STATE & LOCAL UPDATE*

### Illinois Main Street Program Targeted in Proposed Budget Cut

National Trust  
and Illinois  
Preservation  
Advocates Work  
to Restore  
Budget for IHPA  
Design Services  
and Main Street  
Programs

The National Trust is working in concert with Illinois preservation advocates to restore a \$204,000 cut in the Illinois Historic Preservation Agency's (IHPA) Design Services program proposed in the state's FY09 budget, which is scheduled to be released by the Governor Rod Blagojevich on February 20<sup>th</sup>. Without this funding, the three positions—over half of the Design Services staff—will disappear on July 1, 2008. These positions provide important technical assistance, education, training, and design services to the 69 Main Street communities across Illinois and effectively end the delivery of design assistance and historic preservation services to all Illinois Main Street communities, and it will severely limit the ability of IHPA to deliver their preservation services and program to all towns across Illinois.

Since 1993 IHPA Design Services has helped to generate more than \$411 million in new private sector reinvestment in the downtown districts of Illinois Main Street communities through the delivery of more than 600 schematic drawings and other consulting services. IHPA architectural staff also reviewed approximately 500 projects during the course of FY 2007. These range from small housing rehab projects in older neighborhoods to multi-million dollar major renovations to urban high rises. This includes 302 private sector projects related to state and federal tax incentives in 2007. The estimated value of these projects in Illinois will exceed \$150 million in private sector investment in historic buildings in 2007 alone. IHPA architectural staff also provide high-quality technical preservation training to cooperating institutions and organizations that reach both state-wide and national audiences.

### Maryland's FY09 Budget Cuts Historic Tax Credit Program

Proposed State  
Budget Takes Aim  
Once Again at  
Highly Successful  
State Historic Tax  
Credit Program

Maryland Governor Martin O'Malley's recently released 2009 state budget contains a \$10.3 million cut in the state's highly successful Heritage Structure Rehabilitation Tax Credit program. The Governor's budget would fund the program at \$14.7 million, whereas last year the General Assembly provided \$25 million to incentivize rehabilitation. Last year, when the tax credit was due to sunset, Maryland preservationists successfully worked to extend the program through 2010, increase the single-jurisdiction limit to 75% with additional roll-over of unused funds from other jurisdictions, and expand the time to apply for the credit. On the budget side, the tax credit was funded at \$25 million, instead of at the proposed \$30 million level as advocated by preservationists.

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# Public Policy Weekly Bulletin

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