

NCSHPO News: October 6, 2017 | Number 119

Washington Agenda:

Congress and President Trump's response to hurricanes and the shooting in Las Vegas, along with discussions about a potential tax overhaul dominated this week's agenda.

In the midst of controversy over the federal government's response to Hurricane Maria, President Trump visited Puerto Rico, which, along with the U.S. Virgin Islands, suffered severe damage from the storm.

On the tax front, there was some discussion and work on a Congressional budget. Passage of a budget is vital for a tax overhaul because Republican lawmakers plan to use the budget reconciliation process to pass a tax overhaul. By using this process, a tax overhaul could pass in the Senate with a simple majority rather than needing the support of 60 senators to overcome a filibuster.

Senate Budget Committee member Sen. Bob Corker (R-TN) used the Committee's markup of the budget this to air his concerns with the fiscal effects of tax cuts. Sen. Corker said he won't support tax legislation that he thinks will add "a penny" to the deficit, and has said he is concerned that the Trump administration won't stand by a plan to eliminate a \$1.3 trillion tax deduction for state and local taxes, a measure some northeast Republicans may not support.

Disaster Assistance:

We continue to work with our partners in the historic preservation community to make sure that future disaster funding includes money for the repair and rehabilitation of historic properties that were damaged by the storms.

In response to the damage caused by Hurricane Harvey, last month Congress passed legislation providing \$15.25 billion for disaster funding. The bill did not include funding for the repair and rehabilitation of historic properties that were damaged by the storms.

Before the year is over, there are likely to be two more disaster funding packages to help communities recover from the effect of hurricanes. The first package is scheduled to be on the House floor next week. A larger final package is likely to be included in an overall government funding bill that will be passed in December.

On Wednesday, President Trump sent Congress a request for \$29 billion in disaster aid that combines \$16 billion to shore up the government-backed flood insurance program with almost \$13 billion in new relief for hurricane victims. It is unclear how closely the bill on the House floor will resemble President Trump's request.

Fiscal Year 2017 ends on September 30th, but Congress included a continuing resolution (CR) through December 8th in the bill providing disaster relief to Hurricane Harvey victims. The CR funds the government at Fiscal Year 2017 levels. If lawmakers are unable to pass an omnibus bill before December 8th, it is likely that they will pass a CR for all of Fiscal Year 2018, which runs through September 30th 2018. That would mean that the government would be funded at Fiscal Year 2017 levels for all of Fiscal Year 2018. A final disaster package is likely to be attached to that CR. Our goal is to make sure that the disaster package includes money to identify and repair historic buildings that have been damaged, and to make sure that any 106 reviews do not hold up the rebuilding process.

Tax Reform and the Historic Tax Credit:

At this point, it does not appear that the effort to overhaul the tax code represents an existential threat to the Historic Tax Credit (HTC). Although the HTC is in jeopardy if a tax overhaul can be completed, it is unclear how lawmakers and the Trump administration will be able to produce a comprehensive overhaul. If rather than overhauling the tax code, they simply pass a bill cutting tax cuts, the HTC is probably not in jeopardy. The costs of the HTC are minimal and therefore eliminating it would do little to offset the cost of a tax cut.

That said, this represents the greatest threat to the HTC in a long time. There is a strong, political imperative to do something on taxes. Because of that, all of us should be actively engaged in educating lawmakers and their staff about the HTC. This active engagement should include inviting lawmakers to ribbon cuttings for HTC projects and urging them to co-sponsor the Historic Tax Credit Improvement Act. You should also make clear that the SHPO uses money that it receives from the Historic Preservation Fund (HPF) to administer the HTC. Every lawmaker who votes for bills that provides HPF money should be claiming some credit when an HTC project is completed. I am aware that some SHPO offices cannot contact lawmakers' offices, but for those of you who can, I would strongly urge you to do so. If you need any assistance contacting lawmakers, please do not hesitate to call or email me.

The plan to overhaul the tax code that Republican leaders released “envisions” the repeal of certain tax credits but does not specifically eliminate the HTC. The framework of the tax plan explicitly retains the low-income housing tax credit (LIHTC) and “envisions the repeal of other business credits.” The HTC along with the new markets tax credit (NMTC), renewable energy tax credits: investment tax credit (ITC) and production tax credit (PTC) are likely among the “envisioned” tax credits.

In order to understand the current discussion around the repeal of certain tax credits, it is helpful to read [this story](#) which was published in The New York Times. This passage from the story sheds light on what is happening:

“The sweeping tax rewrite unveiled by President Trump and Republican lawmakers this past week leaves many of the details to Congress, but two sentences in the nine-page framework have

Washington lobbyists salivating over a payday that some industry experts predict could top \$1 billion.

“Tucked away on Page 8, the sentences refer vaguely to plans to repeal or roll back “numerous” exclusions and deductions, and to “modernize” tax rules affecting specific industries “to ensure that the tax code better reflects economic reality and that such rules provide little opportunity for tax avoidance.”

“That language has prompted concerns among a wide range of businesses and industries about the prospect of losing valuable tax breaks — from preferential tax treatment for insurers to credits for renewable energy to a prized tax treatment used by the commercial real estate industry.

“And those fears are being stoked by lobbyists, who are urging clients and prospective clients to get out in front of any changes that could eliminate or weaken sections of the tax code that benefit them.”

Regardless of what lobbyists and others who may have ulterior motives are doing, it is important for those of you who are able to, to advocate for the HTC. As noted, please invite lawmakers to visit HTC projects and to sign onto the Historic Tax Credit Improvement Act. Senator Ben Cardin (D-MD) introduced the Senate version ([S. 425](#)) of the Historic Tax Credit Improvement Act and Rep. Mike Kelly (R-PA) introduced the House version ([H.R. 1158](#)). Senator Susan Collins (R-ME) is the lead Republican on the Senate bill and Rep. Earl Blumenauer (D-OR) is the lead Democrat on the House bill. The ultimate goal is to have these bills included in any tax reform package that moves forward. Senator Cardin is on the Senate Committee on Finance, which has jurisdiction over tax reform, and Congressmen Kelly and Blumenauer are members of the House Committee on Ways and Means, which also has jurisdiction over tax reform. S. 425 is co-sponsored by Senators Susan Collins (R-ME), Thad Cochran (R-MS), Kirsten Gillibrand (D-NY), Roger Wicker (R-MS), Patrick Leahy (D-VT), Senate Minority Leader Charles Schumer (D-NY), Senate Energy and Natural Resources Committee Ranking Democrat Maria Cantwell (D-WA), Tammy Baldwin (D-WI), Roy Blunt (R-MO), Gary Peters (D-MI), Sheldon Whitehouse (D-RI), and Bob Casey (D-PA). H.R. 1158 is cosponsored by 36 House Democrats and 39 House Republicans.

Interior Department:

The Department of the Interior’s Inspector General is looking into Secretary Ryan Zinke's travel expenses. The investigation began last Friday as reports emerged that Secretary Zinke had used private charter and military flights for his and his staff's travel instead of taking lower cost commercial flights.

News outlets reported last week reported that flights on private or military aircraft taken by Zinke and his aides included a \$12,000 charter plane to his hometown in Montana and private flights between St. Croix to St. Thomas in the U.S. Virgin Islands. Secretary Zinke and his wife,

Lolita, in May also used a military aircraft to fly to Norway and then to Alaska for events organized by the Senate Energy and Natural Resources Committee, Politico reported.

The issue has quickly become politicized with Congressman Raul Grijalva (D-AZ), the top Democrat on the House Committee on Natural Resources, urging a vigorous investigation and Committee Chairman Rob Bishop (R-UT) asking for former Secretary Sally Jewell's travel to also be investigated.

Infrastructure:

Although discussion of a massive infrastructure project bill has been overshadowed by the conversations about the Affordable Care Act and an overhaul of the tax code, it is still a possibility and therefore something that we are monitoring.

House Transportation and Infrastructure Chairman Bill Shuster (R-PA) told reporters this week that a legislative outline of the Trump administration's long-anticipated infrastructure plan could be made public next week.

The administration has shifted talk on the timing for the \$1 trillion infrastructure proposal from the autumn to—most recently—after a tax overhaul. “We hope they're going to make it public in the next week or so,” Congressman Shuster said. “It will be more of an outline or principles.”

Shuster's counterpart in the Senate, Senator John Thune (R-SD) did not confirm that timeline, instead telling reporters that the administration has for some time been “telegraphing the fall.”

Congressman Shuster said he has been working with the administration for months and expects the infrastructure proposal to move closely with the tax effort underway in Congress as of the week of Sept. 25. “If tax reform gets slowed up a little bit somewhere, gets stuck, infrastructure is something that I think brings a lot of people on board with tax reform, especially when you get in the Senate when it's such a tight margin,” Congressman Shuster said.

President Trump has promised that there will be a \$1 trillion infrastructure bill. It is unclear when and how Congress will be able to pass a \$1 trillion infrastructure package. President Trump's Fiscal Year 2018 Budget for the Department of Transportation included \$200 billion for infrastructure projects that would be unable to generate private investment. President Trump has said the remainder of the \$1 trillion in infrastructure spending he has promised would come from public private partnerships.

A large infrastructure investment program presents two possible challenges for SHPOs.

- An influx of Section 106 reviews that could overwhelm SHPOs.
- “Streamlining of regulations” may circumvent or erode the Section 106 process.

We are working with our historic preservation partners to make sure SHPOs receive adequate funding to deal with an increase in Section 106 reviews. We will also push back on efforts to weaken Section 106 reviews.

We are also working to include a provision in an infrastructure bill that funds SHPO survey and digitization efforts.

SHPO and THPO Western Regional Meeting

The SHPO and THPO western regional meeting will take place in Boise from October 10th through Oct12th.

Tuesday October 10, 2017

12:00 PM Registration

1:00 PM – 5:00 PM SHPO Meeting

Meeting for SHPOs and SHPO staff professionals organized with attention to unique program-specific information, updates such as tax credit administration issues, state tax credit programs, and Main Street. These discussions and presentations will provide important information and updates from federal and other preservation partners.

1:00 PM – 5:00 PM THPO Meeting

Meeting for Tribal Historic Preservation Office (THPO) professionals organized with attention to unique historic preservation interests and needs. These discussions and presentations will provide important information and updates from federal and other preservation partners.

Wednesday, October 11, 2017, Joint Meeting of SHPOs and THPOs

8:00 AM Registration/Coffee

8:30 AM - 9:15 AM Introductions and Opening Remarks

9:15 AM - 10:00 AM ACHP Report

10:00 AM - 10:15 AM Break

10:15 AM - 11:15 AM NCSHPO/NATHPO Legislative Updates

11:15 AM - 12:00 PM NPS & HPF Update

12:00 PM - 1:30 PM Lunch on your own

1:30 PM - 3:15 PM Breakout Sessions: (Tentative)

- Archaeology
- Data Management/GIS
- Bulletin 16 update
- SHPO Organizational Structures

3:15 PM - 3:30 PM Break

3:30 PM - 5:00 PM Break Out Sessions (Tentative)

- Mid-Century Main Streets (evaluation and guidance)
- NR Landscapes
- NAGPRA
- State Historic Preservation Plans
- Regulatory Reform

5:00 PM Adjourn

Thursday, October 12, 2017, Joint Meeting of SHPOs and THPOs

8:00 AM Registration/Coffee

8:30 AM - 8:45 AM Remarks

8:45 AM - 10:30 AM TCPs & Bulletin 38 Summary

10:30 AM - 10:45 AM Break

10:45 AM - 11:45 AM Partner Panel (NTHP, NAPC, etc.)

11:45 AM - 12:00 PM Closing Remarks

12:00 PM Adjourn

NCSHPO Fall Board Meeting:

The NCSHPO fall board meeting will take place in Chicago on November 13th. There will be a reception the night before in the restored Art Deco lobby of Chicago's Main Post Office. The board meeting will take place in the Burlington Room of Chicago's Union Station. Originally the Women's Dining Room, this palatial space was hidden for decades by a nest of offices and dropped ceilings until 2016, when Amtrak undertook a sensitive restoration, reviewed under Section 106. Amtrak has allowed us to use this beautiful space free of charge. Our meeting will include a tour of the historic station and its recent restoration projects. On Tuesday November 14th, the day after the board meeting, there will be a tour of historic sites in the Fox River Valley west of Chicago. Following the tour, there will be a reception in what will soon be Illinois' newest NHL, the privately owned Ford House. We have secured a block of rooms at the Palmer House Hotel, 17 E. Monroe (1927 by Holabird and Roche). The cost is \$212 per night for a single or double, \$237 for a triple. To reserve online, [click here](#). To reserve by phone, call 877-865-5321, and ask for the NCSHPO or National Conference of State Historic Preservation Officers block. Reservations must be made by 5 PM CST, October 13

SHPO Spotlight: TX—The First Shot Monuments Historic District

This Monday marked the 182nd anniversary of the Battle of Gonzales, which marked the beginning of the Texas Revolution and War for Independence from Mexico. Earlier this year The First Shot Monuments Historic District was listed in the National Register of Historic Places. The Battle of Gonzales was in fact a small skirmish that took place when rebellious Texian settlers refused to surrender a small cannon that had been given that settlement in 1831 as a defense against the Indians. This led to a brief fight for the "Come and Take It" that ended with the Mexicans retreating.

The approximate site where Texians fired a cannon toward Mexican forces intent on taking the cannon was first marked in 1903 through the efforts of local schoolchildren. In the 1930s, the event was selected for special commemoration as part of the statewide Texas Centennial celebration, with the 1937 dedication of a granite and bronze monument designed by the San Antonio architecture firm Phelps and Dewees with sculpture by noted Texas artist Waldine Tauch. In 1937, the Texas Highway Department completed a 1.1-mile-long spur connecting the Centennial monument park with the 1903 dedication site, thus creating one of the first Texas state highways designed for the sole purpose of providing vehicular access to a historic site.

The First Shot Monuments Historic District was listed in the National Register at the state level of significance under Criterion A in the area of Conservation for its association with early 20th century local and statewide preservation efforts, which sought to identify and mark places of historical significance in Texas, and make them accessible for the purpose of heritage tourism. The district was also listed under Criterion C in the area of Art in recognition of the artistic value of the Centennial monument, which is especially noteworthy for its sculpture by Waldine Tauch.

Please click on [here](#) to learn more about The First Shot Monuments Historic District.

Upcoming Events

Oct. 10-12, 2017— **SHPO and THPO Western Regional Meeting**, Boise, ID.

Oct. 18-21, 2017— **49th Annual Conference of the International Society for Landscapes, Place, & Material Culture: “Mormons, Miners and the American West.”** Salt Lake City, UT. <http://www.pioneeramerica.org/annualmeetingregister.html>

Oct. 20-21, 2017—**Local History and Historic Preservation Conference**, LaCrosse, WI. wisconsinhistory.org/conference

Oct. 29-Nov. 1, 2017 – **Keeping History Above Water**, Annapolis, MD. <http://www.historyabovewater.org/2017-conference/>

Nov. 3-4, 2017— **20th Annual Civil War Symposium**, Columbia, SC. <https://scarchivesandhistoryfoundation.org/category/news-events/>

Nov. 12-14, 2017— **NCSHPO Fall Board Meeting**, Chicago, IL.

Nov. 14-17, 2017 – **2017 PastForward Conference**: Sponsored by the National Trust for Historic Preservation, the conference themes are ReUrbanism, Technology, and Health, Chicago, IL. <https://pastforwardconference.org/pastforward2017/info booth/209609/62328>

Mar. 12-14, 2018 — **NCSHPO Annual Conference**, Washington, DC.

Mar. 15-16, 2018 — **Missouri Conference on History**, Jefferson City, MO. <http://shsmo.org/mch/>

Apr. 18-20, 2018— **Indiana-Preserving Historic Places 2018 Conference**, Columbus, IN.

Apr. 26-28, 2018— **2018 NY Statewide Preservation Conference**, Albany, NY.

June 6-8, 2018— **2018 Arizona Historic Preservation Conference**, Scottsdale, AZ. [Conference Facebook Page](#)