

# Committee on Natural Resources

Rob Bishop Chairman  
Mark-Up Memorandum

July 11, 2016

To: All Natural Resources Committee Members

From: Majority Committee Staff – Terry Camp  
Subcommittee on Federal Lands (x 6-7736)

Mark-Up: H.R. 2817 (Rep. Michael Turner), To amend title 54, United States Code, to extend the authorization of appropriations for the Historic Preservation Fund. **July 12 & 13, 2016; 1324 Longworth HOB.**

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## **H.R. 2817, “National Historic Preservation Amendments Act of 2015”**

### **Bill Summary**

H.R. 2817, introduced by Congresswoman Michael Turner (R-OH-10), extends the authorization for the Historic Preservation Fund through FY2025.

### **Cosponsors**

[62 cosponsors](#)

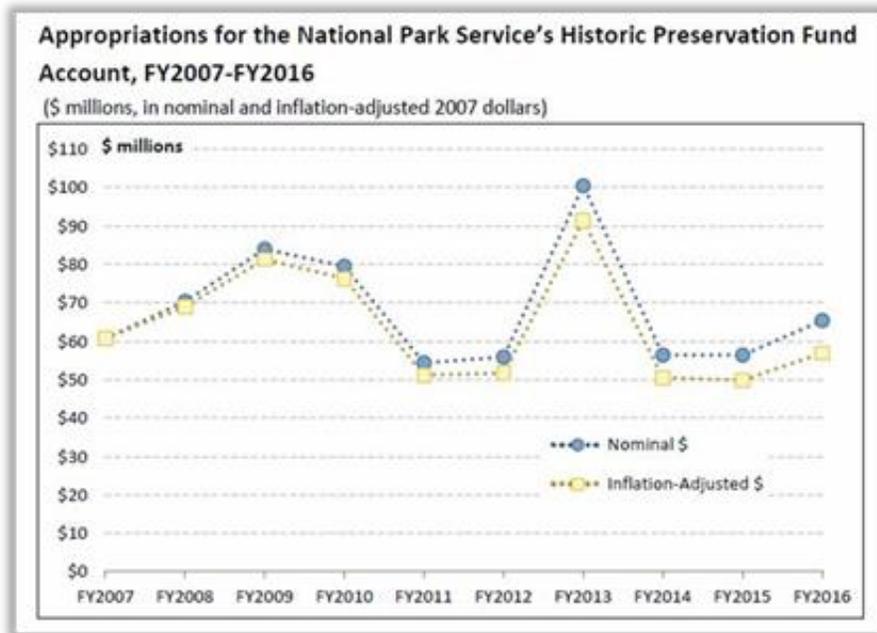
### **Background**

The National Park Service currently administers the Historic Preservation Fund (HPF), which was established in 1976 by Public Law 94-422. In accordance with the purposes of the Historic Preservation Act of 1966 (NHPA), the fund provides grants-in-aid to state and local governments and private entities for conserving cultural and historical assets and sites. Grants from the HPF are typically awarded on a 60% federal/40% state matching share basis to states and tribes. State Historic Preservation Officers (SHPOs) administer the National Historic Preservation Program and award individual sub-grants at the state level, and Tribal Historic Preservation Officers (THPOs) administer the program and award individual sub-grants on tribal lands. Federal agencies seek the views of the appropriate SHPO or THPO when identifying historic properties and assessing the effects of new preservation projects on historic properties.

H.R. 2817 would extend the annual authorization of \$150 million for the HPF from Outer Continental Shelf oil and gas revenues through FY2025. The funds would continue to be available for expenditure only when appropriated by Congress. The previous funding authorization expired on September 30, 2015. Congress has historically appropriated less than the full amount that is deposited into the fund each year and unappropriated amounts totaling

over \$3 billion remain in the fund.<sup>1</sup> Monies remain available for appropriation, even though the authority for new deposits has expired.

The figure below shows annual appropriations from the Historic Preservation Fund for FY2007-FY2016.



Source: Annual House Appropriations Committee detailed tables for NPS; P.L. 114-113, Division G, Explanatory Statement, Congressional Record, December 17, 2015, p. H10215.<sup>2</sup>

## **Cost**

A Congressional Budget Office cost estimate has not yet been completed for this bill.

## **Administration Position**

The National Park Service testified in support of this bill during a Subcommittee on Federal Lands legislative hearing on February 11, 2016.<sup>3</sup>

<sup>1</sup> Office of Management and Budget, Budget of the United States Government, Fiscal Year 2016, Appendix, p. 681, at <https://www.whitehouse.gov/sites/default/files/omb/budget/fy2016/assets/int.pdf>.

<sup>2</sup> These figures exclude permanent budget authorities and generally do not reflect scorekeeping adjustments. They generally reflect rescissions and supplemental appropriations to date, including FY2009 funds from P.L. 111-5 (the American Recovery and Reinvestment Act) and FY2013 funds from P.L. 113-2 in response to Hurricane Sandy. Figures for FY2013 reflect the President's March 2013 budget sequestration and an across-the-board rescission of 0.2%. Adjustments for inflation (shown in 2007 dollars) use the GDP Chained Price Index from the White House Office of Management and Budget, Historical Tables, Table 10.1, "Gross Domestic Product and Deflators Used in the Historical Tables—1940–2019," at <http://www.whitehouse.gov/omb/budget/Historicals>.

<sup>3</sup> Statement of Dr. Stephanie Toothman, NPS, on February 11, 2016, before the House Subcommittee on Federal Lands, [http://naturalresources.house.gov/uploadedfiles/testimony\\_toothman.pdf](http://naturalresources.house.gov/uploadedfiles/testimony_toothman.pdf).

## Anticipated Amendments

We anticipate a majority amendment to sunset the reauthorization of the Historic Preservation Fund after seven years.

## Effect on Current Law

### **Showing Current Law as Amended by H.R. 2817**

[new text highlighted in yellow; deleted text bracketed and highlighted in blue]

## Section 303102 of Title 54, United States Code (as enacted by Public Law 113-287, Section 3)

### **CHAPTER 3031-HISTORIC PRESERVATION FUND**

Sec.

303101. Establishment.

303102. [Content.] Funding.

303103. Use and availability.

#### **§303102. [Contents] Funding**

For each of fiscal years 2012 to [2015] 2025, \$150,000,000 shall be deposited in the Historic Preservation Fund from revenues due and payable to the United States under section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338), section 7433(b) of title 10, or both, notwithstanding any provision of law that those proceeds shall be credited to miscellaneous receipts of the Treasury.