Chairman Neguse, Ranking Member Fulcher and members of the Subcommittee, we appreciate the opportunity to share the National Trust for Historic Preservation's comments on legislation considered at the April 28, 2022, legislative hearing of the Subcommittee. My name is Shaw Sprague Jr., and I am the Vice President of Government Relations at the National Trust for Historic Preservation.

The National Trust for Historic Preservation is a privately funded charitable, educational, and nonprofit organization chartered by Congress in 1949 to “facilitate public participation in historic preservation” and to further the purposes of federal historic preservation laws. The intent of Congress was for the National Trust “to mobilize and coordinate public interest, participation, and resources in the preservation and interpretation of sites and buildings.” With headquarters in Washington, D.C., 28 historic sites, more than one million members and supporters, and a national network of partners in states, territories, and the District of Columbia, the National Trust works to save America’s historic places and advocates for historic preservation as a fundamental value in programs and policies at all levels of government.

We appreciate the Subcommittee scheduling this hearing and offer comments on two bills in particular, the Historic Preservation Enhancement Act (H.R. 6589) and the African-American Burial Grounds Preservation Act (H.R. 6805), both of which the National Trust strongly endorses.

**H.R. 6589, Historic Preservation Enhancement Act**

The preservation community is grateful for the leadership of Congresswoman Teresa Leger Fernandez and Congressman Earl Blumenauer for introducing legislation to reauthorize and modernize the Historic Preservation Fund (HPF). We appreciate the Subcommittee’s consideration of H.R. 6589 ahead of expiration of the program authorization in September 2023.

**Background**

The HPF is the principal source of funding to implement the nation’s historic preservation programs as envisioned by the National Historic Preservation Act (NHPA). Just like the Land and Water Conservation Fund (LWCF), funding for the HPF derives from revenue generated by oil and gas development on the Outer Continental Shelf. The HPF is currently authorized to receive $150 million annually from offshore oil and gas lease revenues, though it is subject to annual appropriations. The amount the HPF is authorized to receive from offshore lease

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1 54 U.S.C. § § 320101, 312102
2 Id.
revenues has not been increased since its inception in 1976 While there are many preservation success stories to celebrate after decades of implementing HPF programs, the federal preservation mandate is broad and federal funding has not kept pace with increasing demands.

Protecting our nation’s historic and cultural resources from irretrievable loss is a principle Congress chose to enshrine in the NHPA. After its enactment in 1966, the NHPA codified that it is the policy of the federal government to assist state and local governments, Indian Tribes and Native Hawaiians, to expand and accelerate their historic preservation programs and activities. More than 50 years later, at the threshold of America’s 250th anniversary, it is time again for Congress to reaffirm our nation’s commitment to preserving the historic and cultural resources of the United States.

State and Tribal HPF Obligations
The HPF achieves its preservation mission by providing funding to State and Tribal Historic Preservation Officers (SHPOs and THPOs) and through competitive grants to identify and rehabilitate historic resources.

Increased workloads of SHPOs and THPOs continue to erode the effectiveness of HPF funding, thus limiting support for critical preservation activities. These activities include survey of historic sites essential to land use and infrastructure planning, nomination of properties to the National Register of Historic Places, public education, federal project review required by the NHPA, and for review of projects utilizing the federal Historic Rehabilitation Tax Credit (HTC). This essential support spurs job creation, economic development, and community revitalization, making it an excellent dollar-for-dollar investment to foster economic growth.

Over many years, SHPOs and THPOs have received relatively level funding while responsibilities such as the number of cultural resource surveys and Section 106 reviews associated with implementation of critical infrastructure projects have increased significantly. Significantly, since the creation of the HPF, the number of federally-recognized Tribes has grown from 12 to more than 200, with the number of THPOs increasing at a substantially faster rate than the annual average increase in HPF funding distributed to each THPO office. HPF funding for Tribes is simply not keeping pace with critical staffing needs, and funding levels in the FY22 omnibus appropriations bill fall drastically short of the needs for a growing number of THPOs. Increased funding will allow SHPOs and THPOs to maximize efficiencies in federal project reviews and better carry out their mandated duties under the NHPA.

Legislative Justifications
The Historic Preservation Enhancement Act will modernize the HPF and allow the NHPA to continue its service to our nation and its diverse history for years to come. This legislation would permanently authorize the HPF, increase its authorization from $150 million to $300 million annually, and ensure that $300 million is appropriated each year. The legislation provides the support and certainty needed for states, Tribes, and communities to properly carry out historic preservation activities as they work to preserve the past to enrich our future.

Congress will soon turn its attention to reauthorizing the HPF for the seventh time and the Historic Preservation Enhancement Act reflects many decades of expertise from the preservation community who are leading efforts to preserve our nation’s diverse history. Adjusted for inflation, $150 million when the HPF was created in 1976 would have the same
buying power as $670.57 million today.\textsuperscript{3} Even increasing the program authorization to less than half this value would better align with the goals of the program when it was established by Congress.

Support for the HPF extends across a broad spectrum of viewpoints and its goals are firmly rooted in our national identity – that preserving our nation’s complex history is of unquestionable value to the nation and to its peoples. Similar to the recent permanent authorization and funding for the Land and Water Conservation Fund (LWCF), Congress should view the HPF with a similar eye to the future. Both the HPF and the LWCF are based on the premise that as we permanently deplete offshore mineral resources belonging to the public, we should invest a portion of the leasing revenues into historic and natural resources that will benefit all Americans in perpetuity. To date, the National Park Service (NPS) alone has used more than half a billion from the LWCF to acquire key sites or otherwise expand its historic and cultural park units. Many millions more have been used to bring lands with cultural and historic significance into public stewardship at the federal, state, and local levels. Permanent authorization and funding of the HPF will build on the policy approach Congress has adopted with regard to public investment of offshore oil and gas lease revenue.

Greater investment in the HPF will also generate economic growth through public-private partnerships supporting historic rehabilitation projects. For example, SHPOs conduct significant work involved in administering the federal historic tax credit (HTC). In the early stages of nominations to the National Register of Historic Places, SHPOs educate investors about the historic tax credit and work with building owners on rehabilitation plans for historic commercial buildings. Historic rehabilitation creates thousands of local, high-skilled jobs annually. In 2021, in the midst of the pandemic, more than 1,000 historic tax credit projects were completed that leveraged more than $7.16 billion in private investment. Over more than four decades, the HTC has leveraged nearly $173 billion in total private investment, created nearly 3 million jobs, and adapted more than 45,000 historic buildings for new and productive uses. Enactment of the Historic Preservation Enhancement Act will provide the support SHPOs need to maximize efficiencies for HTC project review and foster greater private investment in community revitalization efforts across the country.

Historic preservation grant funding supported through the HPF helps stimulate economic development and job creation and makes our communities more vibrant and livable. In recent years, the HPF has increasingly supported several grant programs that are accomplishing important historic preservation work throughout the country, including the Save America’s Treasures rehabilitation grant program, preservation projects at Historically Black Colleges and Universities, the African-American Civil Rights Grant Program, the History of Equal Rights Grants, the Paul Bruhn Revitalization Grants, and the Underrepresented Communities Grant Program. Notably, a sizable majority of awarded HPF grant funds have supported bricks and mortar, job creating projects. The HPF also supports repair and rehabilitation efforts after natural disasters such as Hurricanes Katrina, Rita, and Sandy, and HPF programs are significantly helping communities preserve the stories that define our cities and towns. The National Trust strongly supports the Historic Preservation Enhancement Act and encourages this committee to review our report, “The Preservation Budget: Select Preservation Priorities for FY 2023 Appropriations” for more detailed information about the HPF and its critical grant programs.

\textsuperscript{3} Federal Reserve Bank of Minneapolis, Inflation Calculator; https://www.minneapolisfed.org/about-us/monetary-policy/inflation-calculator

We appreciate the leadership of Representatives Alma Adams, Donald McEachin, and Brian Fitzpatrick in the House and Senators Sherrod Brown and Mitt Romney in the Senate (S. 3667) on this bipartisan and bicameral legislation to preserve African American burial grounds and provide vital assistance. The National Trust strongly endorses this legislation. The bill, among other things, would authorize the National Park Service, in consultation with the National Trust, to establish a $3 million annual grant program, in coordination and collaboration with governmental, private, and non-profit partners, to aid preservation efforts across the country to research, identify, document, preserve, and interpret historic African American burial grounds. The legislation ensures that descendant-led and preservation organizations working to protect African American burial grounds can receive grant funding to preserve these sacred landscapes.

Cemeteries are solemn places of memory and also provide a connection to the past. Unfortunately, many African American burial grounds have suffered from a state of disrepair or are inaccessible and in need of preservation after years of restrictions on where African Americans could bury their dead. Local laws that segregated burial grounds by race combined with siting in remote areas and limited state and local support for maintenance have left many burial grounds in a state of disarray and others in unknown locations without documentation. These sacred places for tribute and memory are integral to the shared story of our American heritage.

Enactment of this legislation and its competitive grant program will aid localities in acquiring the funding necessary to preserve and document these sites. Assisting with the discovery of these places of tribute and memory ahead of commercial development will help avoid disturbances of the locations and aid family members, descendants, and community members in honoring and remembering their shared past. We urge your support for this bill that would assist descendants of those interred to be able to visit these historic places, honor and remember their ancestors, and preserve a vital piece of our nation’s heritage.