

118TH CONGRESS
2D SESSION

H. R. 10116

To direct the Secretary of Interior to submit to Congress a report on the National Park Service's interpretation and application of the Standards for Rehabilitation for use of the Federal Historic Preservation Tax Incentives program.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 12, 2024

Mr. MAGAZINER introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To direct the Secretary of Interior to submit to Congress a report on the National Park Service's interpretation and application of the Standards for Rehabilitation for use of the Federal Historic Preservation Tax Incentives program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REPORT.**

4 (a) IN GENERAL.—Not later than 1 year after the
5 date of the enactment of this Act, the Secretary shall sub-
6 mit a report on the Service's interpretation and applica-

1 tion of the Secretary's Standards for Rehabilitation per-
2 taining to use of the Program to—

3 (1) the Committee on Natural Resources of the
4 House of Representatives; and

5 (2) the Committee on Energy and Natural Re-
6 sources of the Senate.

7 (b) CONTENTS.—The report required under sub-
8 section (a) shall include the following:

9 (1) Data on the processing of Program Applica-
10 tions during the 10 years immediately before the
11 date of the enactment of this Act, including—

12 (A) the average time a Program Applica-
13 tion is in the system, from the date it is sub-
14 mitted to the State Historic Preservation Office
15 by the applicant until it is approved or denied
16 by the Service, presented by project size, type,
17 and parts 1, 2, and 3 of the Program Applica-
18 tion;

19 (B) the annual average number of—

20 (i) hold notices annually;

21 (ii) conditions placed on the approval
22 under part 2 of the Program Application;

23 (iii) denied applications;

24 (iv) projects approved under part 2 of
25 the Program Application; and

1 (v) Program Applications withdrawn.

2 (2) A description of the following:

3 (A) Areas of improvement to and rec-
4 ommendations for the Standards to remove bar-
5 riers to the development of affordable housing
6 while safeguarding Federal historic preserva-
7 tion.

8 (B) Opportunities for the Secretary to up-
9 date or provide additional guidance to facili-
10 tate—

11 (i) the conversion of nonresidential
12 buildings into housing;

13 (ii) the remediation of environmental,
14 health, and safety hazards;

15 (iii) inclusion of energy efficient up-
16 grades and integration of sustainability
17 features;

18 (iv) access for persons with disabil-
19 ities; and

20 (v) removal of other barriers to use
21 raised by users and beneficiaries of the
22 Program.

23 (C) The specific steps the Service has
24 taken in the 10 years immediately before the
25 date of the enactment of this Act to improve or

1 clarify the interpretation of the Standards to
2 support affordable housing development.

3 (D) The most frequent issues that Pro-
4 gram users, State reviewers, and other stake-
5 holders raise when developing affordable hous-
6 ing projects and the steps the Service has taken
7 to address those issues, including details of the
8 process of the Service for soliciting, collecting,
9 and incorporating feedback on the Service inter-
10 pretation of the Standards.

11 (E) The process that the Service uses to
12 decide when to update guidance, including
13 guidelines, preservation briefs, bulletins regard-
14 ing interpretation of the Standards, and tax-in-
15 centive guidance, for implementing the Stand-
16 ards and whether resource limitations are af-
17 fecting the ability of the Service to update such
18 guidance.

19 (3) Recommendations of the Secretary regard-
20 ing updates and improvements that can be made to
21 the Standards and the implementation by the Serv-
22 ice of the Standards and accompanying guidelines
23 to—

24 (A) make the Program more compatible
25 with affordable housing needs;

1 (B) ensure historic properties are protected
2 from climate risk; and

3 (C) take into consideration economic and
4 technical feasibility.

5 (c) DEFINITIONS.—In this section:

6 (1) PROGRAM.—The term “Program” means
7 the Federal Historic Preservation Tax Incentives
8 program.

9 (2) PROGRAM APPLICATION.—The term “Pro-
10 gram Application” means the Historic Preservation
11 Certification Application.

12 (3) SECRETARY.—The term “Secretary” means
13 the Secretary of the Interior.

14 (4) SERVICE.—The term “Service” means the
15 National Park Service.

16 (5) STANDARDS.—The term “Standards”
17 means the Department of the Interior’s Standards
18 for Rehabilitation for the Federal Historic Preserva-
19 tion Tax Incentives program under part 67 of title
20 36, Code of Federal Regulations.

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