

(ii) An education and interpretation project that conveys the history of a community or site.

(iii) A planning project (other than building rehabilitation) that advances economic development using heritage tourism and historic preservation.

(iv) A training project that provides opportunities for professional development in areas that would aid a community in using and promoting its historic resources.

(v) A project to support heritage tourism in a Preserve America Community designated under subsection (d).

(vi) Other nonconstruction projects that identify or promote historic properties or provide for the education of the public about historic properties that are consistent with the purposes of this section.

(B) Limitation

In providing grants under this section, the Secretary shall only provide 1 grant to each eligible project selected for a grant.

(3) Preference

In providing grants under this section, the Secretary may give preference to projects that carry out the purposes of both the program and the Save America's Treasures Program.

(4) Consultation and notification

(A) Consultation

The Secretary shall consult with the Council in preparing the list of projects to be provided grants for a fiscal year under the program.

(B) Notification

Not later than 30 days before the date on which the Secretary provides grants for a fiscal year under the program, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate, the Committee on Appropriations of the Senate, the Committee on Natural Resources of the House of Representatives, and the Committee on Appropriations of the House of Representatives a list of any eligible projects that are to be provided grants under the program for the fiscal year.

(5) Cost-sharing requirement

(A) In general

The non-Federal share of the cost of carrying out a project provided a grant under this section shall be not less than 50 percent of the total cost of the project.

(B) Form of non-Federal share

The non-Federal share required under subparagraph (A) shall be in the form of—

- (i) cash; or
- (ii) donated supplies and related services, the value of which shall be determined by the Secretary.

(C) Requirement

The Secretary shall ensure that each applicant for a grant has the capacity to secure, and a feasible plan for securing, the non-Federal share for an eligible project required under subparagraph (A) before a grant

is provided to the eligible project under the program.

(d) Designation of Preserve America Communities

(1) Application

To be considered for designation as a Preserve America Community, a community, tribal area, or neighborhood shall submit to the Council an application containing such information as the Council may require.

(2) Criteria

To be designated as a Preserve America Community under the program, a community, tribal area, or neighborhood that submits an application under paragraph (1) shall, as determined by the Council, in consultation with the Secretary, meet criteria required by the Council and, in addition, consider—

(A) protection and celebration of the heritage of the community, tribal area, or neighborhood;

(B) use of the historic assets of the community, tribal area, or neighborhood for economic development and community revitalization; and

(C) encouragement of people to experience and appreciate local historic resources through education and heritage tourism programs.

(3) Local governments previously certified for historic preservation activities

The Council shall establish an expedited process for Preserve America Community designation for local governments previously certified for historic preservation activities under section 470a(c)(1) of this title.

(4) Guidelines

The Council, in consultation with the Secretary, shall establish any guidelines that are necessary to carry out this subsection.

(e) Regulations

The Secretary shall develop any guidelines and issue any regulations that the Secretary determines to be necessary to carry out this section.

(f) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$25,000,000 for each fiscal year, to remain available until expended.

(Pub. L. 111-11, title VII, §7302, Mar. 30, 2009, 123 Stat. 1214.)

§ 469o. Save America's Treasures Program

(a) Purpose

The purpose of this section is to authorize within the Department of the Interior the Save America's Treasures Program, to be carried out by the Director of the National Park Service, in partnership with—

- (1) the National Endowment for the Arts;
- (2) the National Endowment for the Humanities;
- (3) the Institute of Museum and Library Services;
- (4) the National Trust for Historic Preservation;

(5) the National Conference of State Historic Preservation Officers;

(6) the National Association of Tribal Historic Preservation Officers; and

(7) the President's Committee on the Arts and the Humanities.

(b) Definitions

In this section:

(1) Collection

The term “collection” means a collection of intellectual and cultural artifacts, including documents, sculpture, and works of art.

(2) Eligible entity

The term “eligible entity” means a Federal entity, State, local, or tribal government, educational institution, or nonprofit organization.

(3) Historic property

The term “historic property” has the meaning given the term in section 470w of this title.

(4) Nationally significant

The term “nationally significant” means a collection or historic property that meets the applicable criteria for national significance, in accordance with regulations promulgated by the Secretary pursuant to section 470a(a)(2) of this title.

(5) Program

The term “program” means the Save America's Treasures Program established under subsection (c)(1).

(6) Secretary

The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

(c) Establishment

(1) In general

There is established in the Department of the Interior the Save America's Treasures program, under which the amounts made available to the Secretary under subsection (e) shall be used by the Secretary, in consultation with the organizations described in subsection (a), subject to paragraph (6)(A)(ii), to provide grants to eligible entities for projects to preserve nationally significant collections and historic properties.

(2) Determination of grants

Of the amounts made available for grants under subsection (e), not less than 50 percent shall be made available for grants for projects to preserve collections and historic properties, to be distributed through a competitive grant process administered by the Secretary, subject to the eligibility criteria established under paragraph (5).

(3) Applications for grants

To be considered for a competitive grant under the program an eligible entity shall submit to the Secretary an application containing such information as the Secretary may require.

(4) Collections and historic properties eligible for competitive grants

(A) In general

A collection or historic property shall be provided a competitive grant under the program only if the Secretary determines that the collection or historic property is—

- (i) nationally significant; and
- (ii) threatened or endangered.

(B) Eligible collections

A determination by the Secretary regarding the national significance of collections under subparagraph (A)(i) shall be made in consultation with the organizations described in subsection (a), as appropriate.

(C) Eligible historic properties

To be eligible for a competitive grant under the program, a historic property shall, as of the date of the grant application—

- (i) be listed in the National Register of Historic Places at the national level of significance; or
- (ii) be designated as a National Historic Landmark.

(5) Selection criteria for grants

(A) In general

The Secretary shall not provide a grant under this section to a project for an eligible collection or historic property unless the project—

- (i) eliminates or substantially mitigates the threat of destruction or deterioration of the eligible collection or historic property;
- (ii) has a clear public benefit; and
- (iii) is able to be completed on schedule and within the budget described in the grant application.

(B) Preference

In providing grants under this section, the Secretary may give preference to projects that carry out the purposes of both the program and the Preserve America Program.

(C) Limitation

In providing grants under this section, the Secretary shall only provide 1 grant to each eligible project selected for a grant.

(6) Consultation and notification by Secretary

(A) Consultation

(i) In general

Subject to clause (ii), the Secretary shall consult with the organizations described in subsection (a) in preparing the list of projects to be provided grants for a fiscal year by the Secretary under the program.

(ii) Limitation

If an entity described in clause (i) has submitted an application for a grant under the program, the entity shall be recused by the Secretary from the consultation requirements under that clause and paragraph (1).

(B) Notification

Not later than 30 days before the date on which the Secretary provides grants for a

fiscal year under the program, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate, the Committee on Appropriations of the Senate, the Committee on Natural Resources of the House of Representatives, and the Committee on Appropriations of the House of Representatives a list of any eligible projects that are to be provided grants under the program for the fiscal year.

(7) Cost-sharing requirement

(A) In general

The non-Federal share of the cost of carrying out a project provided a grant under this section shall be not less than 50 percent of the total cost of the project.

(B) Form of non-Federal share

The non-Federal share required under subparagraph (A) shall be in the form of—

- (i) cash; or
- (ii) donated supplies or related services, the value of which shall be determined by the Secretary.

(C) Requirement

The Secretary shall ensure that each applicant for a grant has the capacity and a feasible plan for securing the non-Federal share for an eligible project required under subparagraph (A) before a grant is provided to the eligible project under the program.

(d) Regulations

The Secretary shall develop any guidelines and issue any regulations that the Secretary determines to be necessary to carry out this section.

(e) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$50,000,000 for each fiscal year, to remain available until expended.

(Pub. L. 111-11, title VII, §7303, Mar. 30, 2009, 123 Stat. 1216.)

SUBCHAPTER II—NATIONAL HISTORIC PRESERVATION

§ 470. Short title; Congressional finding and declaration of policy

(a) This subchapter may be cited as the “National Historic Preservation Act”.

(b) The Congress finds and declares that—

(1) the spirit and direction of the Nation are founded upon and reflected in its historic heritage;

(2) the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;

(3) historic properties significant to the Nation’s heritage are being lost or substantially altered, often inadvertently, with increasing frequency;

(4) the preservation of this irreplaceable heritage is in the public interest so that its vital legacy of cultural, educational, aesthetic, inspirational, economic, and energy benefits will be maintained and enriched for future generations of Americans;

(5) in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation;

(6) the increased knowledge of our historic resources, the establishment of better means of identifying and administering them, and the encouragement of their preservation will improve the planning and execution of Federal and federally assisted projects and will assist economic growth and development; and

(7) although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

(Pub. L. 89-665, §1, Oct. 15, 1966, 80 Stat. 915; Pub. L. 96-515, title I, §101(a), Dec. 12, 1980, 94 Stat. 2987.)

AMENDMENTS

1980—Pub. L. 96-515 added subsec. (a), designated existing provision as subsec. (b), and in subsec. (b) as so designated, redesignated pars. (a) to (d) as (1), (2), (5), and (7), respectively, in par. (1) as so redesignated, substituted “heritage” for “past”, and added pars. (3), (4), and (6).

SHORT TITLE OF 2006 AMENDMENT

Pub. L. 109-453, §1(a), Dec. 22, 2006, 120 Stat. 3367, provided that: “This Act [enacting section 470w-2 of this title and amending sections 470h, 470i, 470m, and 470t of this title] may be cited as the ‘National Historic Preservation Act Amendments Act of 2006’.”

SHORT TITLE OF 2000 AMENDMENTS

Pub. L. 106-355, §1, Oct. 24, 2000, 114 Stat. 1385, provided that: “This Act [enacting sections 470w-7 and 470w-8 of this title] may be cited as the ‘National Historic Lighthouse Preservation Act of 2000’.”

Pub. L. 106-208, §1, May 26, 2000, 114 Stat. 318, provided that: “This Act [amending sections 470a, 470b, 470c, 470h, 470h-2, 470h-4, 470n, 470t, 470w, 470w-6, and 470x-3 of this title] may be cited as the ‘National Historic Preservation Act Amendments of 2000’.”

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-575, title XL, §4001, Oct. 30, 1992, 106 Stat. 4753, provided that: “This title [enacting sections 470h-4, 470h-5, and 470x to 470x-6 of this title, amending sections 466, 470-1, 470a, 470b, 470c, 470h, 470h-2, 470h-3, 470i, 470s, 470t, 470w, and 470w-3 of this title, enacting provisions set out as notes under section 470a of this title, and amending provisions set out as a note under section 461 of this title] may be cited as the ‘National Historic Preservation Act Amendments of 1992’.”

SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96-515, §1, Dec. 12, 1980, 94 Stat. 2987, provided: “That this Act [enacting sections 469c-2, 470-1 470a-1, 470a-2, 470h-2, 470h-3, 470u, 470v and 470w to 470w-6 of