

§ 307104. Inapplicability of division to White House, Supreme Court building, or United States Capitol

Nothing in this division applies to the White House and its grounds, the Supreme Court building and its grounds, or the United States Capitol and its related buildings and grounds.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3232.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 307104, 16 U.S.C. 470g, Pub. L. 89-665, title I, § 107, Oct. 15, 1966, 80 Stat. 915.

§ 307105. Attorney’s fees and costs to prevailing parties in civil actions

In any civil action brought in any United States district court by any interested person to enforce this division, if the person substantially prevails in the action, the court may award attorney’s fees, expert witness fees, and other costs of participating in the civil action, as the court considers reasonable.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3232.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 307105, 16 U.S.C. 470w-4, Pub. L. 89-665, title III, § 305, as added Pub. L. 96-515, title V, § 501, Dec. 12, 1980, 94 Stat. 3002.

§ 307106. Authorization for expenditure of appropriated funds

Where appropriate, each Federal agency may expend funds appropriated for its authorized programs for the purposes of activities carried out pursuant to this division, except to the extent that appropriations legislation expressly provides otherwise.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3232.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 307106, 16 U.S.C. 470w-1, Pub. L. 89-665, title III, § 302, as added Pub. L. 96-515, title V, § 501, Dec. 12, 1980, 94 Stat. 3002.

§ 307107. Donations and bequests of money, personal property, and less than fee interests in historic property

(a) MONEY AND PERSONAL PROPERTY.—The Secretary may accept donations and bequests of money and personal property for the purposes of this division and shall hold, use, expend, and administer the money and personal property for those purposes.

(b) LESS THAN FEE INTEREST IN HISTORIC PROPERTY.—The Secretary may accept gifts or donations of less than fee interests in any historic property where the acceptance of an interest will facilitate the conservation or preservation of the historic property. Nothing in this section or in any provision of this division shall be construed to affect or impair any other authority of

the Secretary under other provision of law to accept or acquire any property for conservation or preservation or for any other purpose.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3232.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 307107, 16 U.S.C. 470w-2, Pub. L. 89-665, title III, § 303, as added Pub. L. 96-515, title V, § 501, Dec. 12, 1980, 94 Stat. 3002.

§ 307108. Privately donated funds

(a) PROJECTS FOR WHICH FUNDS MAY BE USED.—In furtherance of the purposes of this division, the Secretary may accept the donation of funds that may be expended by the Secretary for projects to acquire, restore, preserve, or recover data from any property included on the National Register, as long as the project is owned by a State, any unit of local government, or any nonprofit entity.

(b) CONSIDERATION OF FACTORS RESPECTING EXPENDITURE OF FUNDS.—

(1) IN GENERAL.—In expending the funds, the Secretary shall give due consideration to—

- (A) the national significance of the project;
(B) its historical value to the community;
(C) the imminence of its destruction or loss; and
(D) the expressed intentions of the donor.

(2) FUNDS AVAILABLE WITHOUT REGARD TO MATCHING REQUIREMENTS.—Funds expended under this subsection shall be made available without regard to the matching requirements established by sections 302901 and 302902(b) of this title, but the recipient of the funds shall be permitted to utilize them to match any grants from the Historic Preservation Fund.

(c) TRANSFER OF UNOBLIGATED FUNDS.—The Secretary may transfer unobligated funds previously donated to the Secretary for the purposes of the Service, with the consent of the donor, and any funds so transferred shall be used or expended in accordance with this division.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3232.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 307108, 16 U.S.C. 470h-1, Pub. L. 89-665, title I, § 109, as added Pub. L. 96-244, § 1, May 19, 1980, 94 Stat. 346.

In subsection (a), the word “included” is substituted for “listed” for consistency in the revised subtitle.

DIVISION B—ORGANIZATIONS AND PROGRAMS

SUBDIVISION 1—ADMINISTERED BY NATIONAL PARK SERVICE

CHAPTER 3081—AMERICAN BATTLEFIELD PROTECTION PROGRAM

- Sec. 308101. Definition.
308102. Preservation assistance.
308103. Battlefield acquisition grant program.

§ 308101. Definition

In this chapter, the term “Secretary” means the Secretary, acting through the American Battlefield Protection Program.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3233.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308101	16 U.S.C. 469k-1(c)(1)(D).	Pub. L. 111–11, title VII, subtitle D, § 7301(c)(1)(D), Mar. 30, 2009, 123 Stat. 1213.

PURPOSE

Pub. L. 111–11, title VII, § 7301(a), Mar. 30, 2009, 123 Stat. 1213, provided that: “The purpose of this section [enacting former section 469k-1 of Title 16, Conservation] is to assist citizens, public and private institutions, and governments at all levels in planning, interpreting, and protecting sites where historic battles were fought on American soil during the armed conflicts that shaped the growth and development of the United States, in order that present and future generations may learn and gain inspiration from the ground where Americans made their ultimate sacrifice.”

§ 308102. Preservation assistance

(a) IN GENERAL.—Using the established national historic preservation program to the extent practicable, the Secretary shall encourage, support, assist, recognize, and work in partnership with citizens, Federal, State, local, and tribal governments, other public entities, educational institutions, and private nonprofit organizations in identifying, researching, evaluating, interpreting, and protecting historic battlefields and associated sites on a national, State, and local level.

(b) FINANCIAL ASSISTANCE.—To carry out subsection (a), the Secretary may use a cooperative agreement, grant, contract, or other generally adopted means of providing financial assistance.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$3,000,000 for each fiscal year, to remain available until expended.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3233.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308102	16 U.S.C. 469k-1(b).	Pub. L. 111–11, title VII, subtitle D, § 7301(b), Mar. 30, 2009, 123 Stat. 1213.

§ 308103. Battlefield acquisition grant program

(a) DEFINITION.—In this section, the term “eligible site” means a site—

(1) that is not within the exterior boundaries of a System unit; and

(2) that is identified in the document entitled “Report on the Nation’s Civil War Battlefields”, prepared by the Civil War Sites Advisory Commission, and dated July 1993.

(b) ESTABLISHMENT.—The Secretary shall establish a battlefield acquisition grant program under which the Secretary may provide grants to State and local governments to pay the Federal share of the cost of acquiring interests in

eligible sites for the preservation and protection of those eligible sites.

(c) NONPROFIT PARTNERS.—A State or local government may acquire an interest in an eligible site using a grant under this section in partnership with a nonprofit organization.

(d) NON-FEDERAL SHARE.—The non-Federal share of the total cost of acquiring an interest in an eligible site under this section shall be not less than 50 percent.

(e) LIMITATION ON LAND USE.—An interest in an eligible site acquired under this section shall be subject to section 200305(f)(3) of this title.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to provide grants under this section \$10,000,000 for each of fiscal years 2012 and 2013.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3234; Pub. L. 113–76, div. G, title IV, § 429, Jan. 17, 2014, 128 Stat. 345; Pub. L. 113–235, div. F, title IV, § 421, Dec. 16, 2014, 128 Stat. 2449; Pub. L. 113–291, div. B, title XXX, § 3050, Dec. 19, 2014, 128 Stat. 3799.)

AMENDMENT NOT SHOWN IN TEXT

This section was derived from section 469k-1(c)(1)(A) to (C), (2) to (6) of Title 16, Conservation, which was amended by Pub. L. 113–76, div. G, title IV, § 429, Jan. 17, 2014, 128 Stat. 345; Pub. L. 113–235, div. F, title IV, § 421, Dec. 16, 2014, 128 Stat. 2449; and Pub. L. 113–291, div. B, title XXX, § 3050, Dec. 19, 2014, 128 Stat. 3799. For applicability of those amendments to this section, see section 6(b) of Pub. L. 113–287, set out as a Transitional and Savings Provisions note preceding section 100101 of this title.

Subsec. (c)(6) of former section 469k-1 of Title 16 [restated in subsec. (f) of this section] was amended by Pub. L. 113–76 by striking “2013” and inserting “2014” and by Pub. L. 113–235 by striking “2014” and inserting “2021”.

Subsec. (c) of former section 469k-1 of Title 16 was amended by Pub. L. 113–291 as follows:

(1) In paragraph (1)—

(A) by striking subparagraph (A) [restated in subsec. (a)(2) of this section] and inserting the following:

“(A) BATTLEFIELD REPORT.—The term ‘battlefield report’ means, collectively—

“(i) the report entitled ‘Report on the Nation’s Civil War Battlefields’, prepared by the Civil War Sites Advisory Commission, and dated July 1993; and

“(ii) the report entitled ‘Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States’, prepared by the National Park Service, and dated September 2007.”; and

(B) in subparagraph (C)(ii) [restated in subsec. (a)(2) of this section], by striking “Battlefield Report” and inserting “battlefield report”;

(2) In paragraph (2) [restated in subsec. (b) of this section], by inserting “eligible sites or” after “acquiring”;

(3) In paragraph (3) [restated in subsec. (c) of this section], by inserting “an eligible site or” after “acquire”;

(4) In paragraph (4) [restated as subsec. (d) of this section], by inserting “an eligible site or” after “acquiring”;

(5) In paragraph (5) [restated as subsec. (e) of this section], by striking “An” and inserting “An eligible site or an”;

(6) By redesignating paragraph (6) [restated as subsec. (f) of this section] as paragraph (9);

(7) By inserting after paragraph (5) [restated as subsec. (e) of this section] the following new paragraphs:

“(6) **WILLING SELLERS.**—Acquisition of land or interests in land under this subsection shall be from willing sellers only.

“(7) **REPORT.**—Not later than 5 years after the date of the enactment of this paragraph, the Secretary shall submit to Congress a report on the activities carried out under this subsection, including a description of—

“(A) preservation activities carried out at the battlefields and associated sites identified in the battlefield report during the period between publication of the battlefield report and the report required under this paragraph;

“(B) changes in the condition of the battlefields and associated sites during that period; and

“(C) any other relevant developments relating to the battlefields and associated sites during that period.

“(8) **PROHIBITION ON LOBBYING.**—None of the funds provided pursuant to this section shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress.”; and

(8) In paragraph (9) [restated as subsec. (f) of this section] (as redesignated), by striking “2014” and inserting “2021”.

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308103(a)	16 U.S.C. 469k-1(c)(1)(A), (C).	Pub. L. 111-11, title VII, subtitle D, §7301(c)(1)(A) through (C), (2) through (6), Mar. 30, 2009, 123 Stat. 1213.
308103(b)	16 U.S.C. 469k-1(c)(1)(B), (2).	
308103(c)	16 U.S.C. 469k-1(c)(1)(B), (3).	
308103(d) through (f).	16 U.S.C. 469k-1(c)(4) through (6).	

In subsection (f), reference to fiscal years 2009 to 2011 is omitted as obsolete.

CHAPTER 3083—NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM

Sec.	
308301.	Definition.
308302.	Program.
308303.	Preservation and interpretation of Underground Railroad history, historic sites, and structures.
308304.	Authorization of appropriations.

§ 308301. Definition

In this chapter, the term “national network” means the National Underground Railroad Network to Freedom established under section 308302 of this title.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3234.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308301	no source.	

PURPOSES OF PUB. L. 105-203

Pub. L. 105-203, §2(b), July 21, 1998, 112 Stat. 679, provided that: “The purposes of this Act [see 54 U.S.C. 308301 et seq.] are the following:

“(1) To recognize the importance of the Underground Railroad, the sacrifices made by those who used the Underground Railroad in search of freedom from tyranny and oppression, and the sacrifices made by the people who helped them.

“(2) To authorize the National Park Service to coordinate and facilitate Federal and non-Federal activities to commemorate, honor, and interpret the history of the Underground Railroad, its significance as a crucial element in the evolution of the national civil rights movement, and its relevance in fostering the spirit of racial harmony and national reconciliation.”

§ 308302. Program

(a) **ESTABLISHMENT; RESPONSIBILITIES OF SECRETARY.**—The Secretary shall establish in the Service the National Underground Railroad Network to Freedom. Under the national network, the Secretary shall—

(1) produce and disseminate appropriate educational materials, such as handbooks, maps, interpretive guides, or electronic information;

(2) enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance under subsection (c); and

(3) create and adopt an official, uniform symbol or device for the national network and issue regulations for its use.

(b) **ELEMENTS.**—The national network shall encompass the following elements:

(1) All System units and programs of the Service determined by the Secretary to pertain to the Underground Railroad.

(2) Other Federal, State, local, and privately owned properties pertaining to the Underground Railroad that have a verifiable connection to the Underground Railroad and that are included on, or determined by the Secretary to be eligible for inclusion on, the National Register of Historic Places.

(3) Other governmental and nongovernmental facilities and programs of an educational, research, or interpretive nature that are directly related to the Underground Railroad.

(c) **COOPERATIVE AGREEMENTS AND MEMORANDA OF UNDERSTANDING.**—To achieve the purposes of this chapter and to ensure effective coordination of the Federal and non-Federal elements of the national network with System units and programs of the Service, the Secretary may enter into cooperative agreements and memoranda of understanding with, and provide technical assistance—

(1) to the heads of other Federal agencies, States, localities, regional governmental bodies, and private entities; and

(2) in cooperation with the Secretary of State, to the governments of Canada, Mexico, and any appropriate country in the Caribbean.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3234.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308302	16 U.S.C. 469l-1.	Pub. L. 105-203, § 3, July 21, 1998, 112 Stat. 679; Pub. L. 110-229, title III, subtitle G, § 361(a)(1), May 8, 2008, 122 Stat. 801.

In subsection (a), the words “a program to be known as” are omitted as unnecessary. The words “national network” are substituted for “program” because of the definition of “national network” in section 308301 of this title and for consistency with subsections (b) and (c).

§ 308303. Preservation and interpretation of Underground Railroad history, historic sites, and structures

(a) AUTHORITY TO MAKE GRANTS.—The Secretary may make grants in accordance with this section for the preservation and restoration of historic buildings or structures associated with the Underground Railroad, and for related research and documentation to sites, programs, or facilities that have been included in the national network.

(b) GRANT CONDITIONS.—Any grant made under this section shall provide that—

(1) no change or alteration may be made in property for which the grant is used except with the agreement of the property owner and the Secretary;

(2) the Secretary shall have the right of access at reasonable times to the public portions of the property for interpretive and other purposes; and

(3) conversion, use, or disposal of the property for purposes contrary to the purposes of this chapter, as determined by the Secretary, shall result in a right of the United States to compensation equal to all Federal funds made available to the grantee under this chapter.

(c) MATCHING REQUIREMENT.—The Secretary may obligate funds made available for a grant under this section only if the grantee agrees to match, from funds derived from non-Federal sources, the amount of the grant with an amount that is equal to or greater than the grant. The Secretary may waive the requirement if the Secretary determines that an extreme emergency exists or that a waiver is in the public interest to ensure the preservation of historically significant resources.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3235.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308303	16 U.S.C. 469l-2.	Pub. L. 105-203, § 4, as added Pub. L. 106-291, title I, § 150(h), Oct. 11, 2000, 114 Stat. 959; Pub. L. 110-229, title III, subtitle G, § 361(a)(2), May 8, 2008, 122 Stat. 801.

NATIONAL UNDERGROUND RAILROAD FREEDOM CENTER
Pub. L. 106-291, title I, § 150(b), Oct. 11, 2000, 114 Stat. 956, provided that:

“(1) FINDINGS.—Congress finds that—

“(A) the National Underground Railroad Freedom Center (hereinafter ‘Freedom Center’) is a nonprofit organization incorporated under the laws of the State of Ohio in 1995;

“(B) the objectives of the Freedom Center are to interpret the history of the Underground Railroad through development of a national cultural institution in Cincinnati, Ohio, that will house an interpretive center, including museum, educational, and research facilities, all dedicated to communicating to the public the importance of the quest for human freedom which provided the foundation for the historic and inspiring story of the Underground Railroad;

“(C) the city of Cincinnati has granted exclusive development rights for a prime riverfront location to the Freedom Center;

“(D) the Freedom Center will be a national center linked through state-of-the-art technology to Underground Railroad sites and facilities throughout the United States and to a constituency that reaches across the United States, Canada, Mexico, the Caribbean and beyond; and

“(E) the Freedom Center has reached an agreement with the National Park Service to pursue a range of historical and educational cooperative activities related to the Underground Railroad, including but not limited to assisting the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act [see 54 U.S.C. 308301 et seq.].

“(2) PURPOSES.—The purposes of this section are—

“(A) to promote preservation and public awareness of the history of the Underground Railroad;

“(B) to assist the Freedom Center in the development of its programs and facilities in Cincinnati, Ohio; and

“(C) to assist the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act (112 Stat. 679; [former] 16 U.S.C. 469l and following) [see 54 U.S.C. 308301 et seq.].”

§ 308304. Authorization of appropriations

(a) AMOUNTS.—There is authorized to be appropriated to carry out this chapter \$2,500,000 for each fiscal year, of which—

(1) \$2,000,000 shall be used to carry out section 308302 of this title; and

(2) \$500,000 shall be used to carry out section 308303 of this title.

(b) LIMITATION.—No amount may be appropriated for the purposes of this chapter except to the Secretary for carrying out the responsibilities of the Secretary as set forth in this chapter.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3235.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308304	16 U.S.C. 469l-3.	Pub. L. 105-203, § 5, as added Pub. L. 110-229, title III, subtitle G, § 361(a)(3), May 8, 2008, 122 Stat. 801.

CHAPTER 3084—U.S. CIVIL RIGHTS NETWORK

- Sec.
- 308401. Definition of network.
- 308402. U.S. Civil Rights Network.
- 308403. Cooperative agreements and memoranda of understanding.
- 308404. Sunset.

§ 308401. Definition of network¹

In this chapter, the term “Network” means the African American Civil Rights Network established under section 308402(a).

(Added Pub. L. 115–104, §3(a), Jan. 8, 2018, 131 Stat. 2260.)

PURPOSES

Pub. L. 115–104, §2, Jan. 8, 2018, 131 Stat. 2260, provided that: “The purposes of this Act [enacting this chapter] are—

- “(1) to recognize—
 - “(A) the importance of the African American civil rights movement; and
 - “(B) the sacrifices made by the people who fought against discrimination and segregation; and
- “(2) to authorize the National Park Service to coordinate and facilitate Federal and non-Federal activities to commemorate, honor, and interpret—
 - “(A) the history of the African American civil rights movement;
 - “(B) the significance of the civil rights movement as a crucial element in the evolution of the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.); and
 - “(C) the relevance of the African American civil rights movement in fostering the spirit of social justice and national reconciliation.”

§ 308402. U.S. Civil Rights Network

(a) **IN GENERAL.**—The Secretary shall establish, within the Service, a program to be known as the “U.S. Civil Rights Network”.

(b) **DUTIES OF SECRETARY.**—In carrying out the Network, the Secretary shall—

- (1) review studies and reports to complement and not duplicate studies of the historical importance of the African American civil rights movement that may be underway or completed, such as the Civil Rights Framework Study;
- (2) produce and disseminate appropriate educational materials relating to the African American civil rights movement, such as handbooks, maps, interpretive guides, or electronic information;
- (3) enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance under subsection (c); and
- (4)(A) create and adopt an official, uniform symbol or device for the Network; and
- (B) issue regulations for the use of the symbol or device adopted under subparagraph (A).

(c) **ELEMENTS.**—The Network shall encompass the following elements:

- (1) All units and programs of the Service that are determined by the Secretary to relate to the African American civil rights movement during the period from 1939 through 1968.
- (2) With the consent of the property owner, other Federal, State, local, and privately owned properties that—
 - (A) relate to the African American civil rights movement;
 - (B) have a verifiable connection to the African American civil rights movement; and
 - (C) are included in, or determined by the Secretary to be eligible for inclusion in, the National Register of Historic Places.

(3) Other governmental and nongovernmental facilities and programs of an educational, research, or interpretive nature that are directly related to the African American civil rights movement.

(Added Pub. L. 115–104, §3(a), Jan. 8, 2018, 131 Stat. 2261.)

§ 308403. Cooperative agreements and memoranda of understanding

To achieve the purposes of this chapter and to ensure effective coordination of the Federal and non-Federal elements of the Network described in section 308402(c) with System units and programs of the Service, the Secretary may enter into cooperative agreements and memoranda of understanding with, and provide technical assistance to the heads of other Federal agencies, States, units of local government, regional governmental bodies, and private entities.

(Added Pub. L. 115–104, §3(a), Jan. 8, 2018, 131 Stat. 2261.)

§ 308404. Sunset

This program shall expire on the date that is 7 years after the date of enactment of this chapter.

(Added Pub. L. 115–104, §3(a), Jan. 8, 2018, 131 Stat. 2261.)

REFERENCES IN TEXT

The date of enactment of this chapter, referred to in text, is the date of enactment of Pub. L. 115–104, which was approved Jan. 8, 2018.

CHAPTER 3085—NATIONAL WOMEN’S RIGHTS HISTORY PROJECT

Sec.	
308501.	National women’s rights history project national registry.
308502.	National women’s rights history project partnerships network.

§ 308501. National women’s rights history project national registry

(a) **IN GENERAL.**—The Secretary may make annual grants to State historic preservation offices for not more than 5 years to assist the State historic preservation offices in surveying, evaluating, and nominating to the National Register of Historic Places women’s rights history properties.

(b) **ELIGIBILITY.**—In making grants under subsection (a), the Secretary shall give priority to grants relating to properties associated with the multiple facets of the women’s rights movement, such as politics, economics, education, religion, and social and family rights.

(c) **UPDATES.**—The Secretary shall ensure that the National Register travel itinerary website entitled “Places Where Women Made History” is updated to contain—

- (1) the results of the inventory conducted under subsection (a); and
- (2) any links to websites related to places on the inventory.

(d) **COST-SHARING REQUIREMENT.**—The Federal share of the cost of any activity carried out using any assistance made available under this section shall be 50 percent.

¹ So in original. Probably should be capitalized.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$1,000,000 for each of fiscal years 2012 and 2013.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3236.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308501	16 U.S.C. 469m(b).	Pub. L. 111–11, title VII, subtitle B, §7111(b), Mar. 30, 2009, 123 Stat. 1200.

In subsection (e), reference to fiscal years 2009 to 2011 is omitted as obsolete.

§ 308502. National women’s rights history project partnerships network

(a) GRANTS.—The Secretary may make matching grants and give technical assistance for development of a network of governmental and nongovernmental entities (referred to in this section as the “network”), the purpose of which is to provide interpretive and educational program development of national women’s rights history, including historic preservation.

(b) MANAGEMENT OF NETWORK.—

(1) IN GENERAL.—Through a competitive process, the Secretary shall designate a nongovernmental managing entity to manage the network.

(2) COORDINATION.—The nongovernmental managing entity designated under paragraph (1) shall work in partnership with the Director and State historic preservation offices to coordinate operation of the network.

(c) COST-SHARING REQUIREMENT.—

(1) IN GENERAL.—The Federal share of the cost of any activity carried out using any assistance made available under this section shall be 50 percent.

(2) STATE HISTORIC PRESERVATION OFFICES.—Matching grants for historic preservation specific to the network may be made available through State historic preservation offices.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$1,000,000 for each of fiscal years 2012 and 2013.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3236.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308502	16 U.S.C. 469m(c).	Pub. L. 111–11, title VII, subtitle B, §7111(c), Mar. 30, 2009, 123 Stat. 1200.

In subsection (b)(1), the words “nongovernmental managing entity” are substituted for “nongovernmental managing network” for consistency.

In subsection (d), reference to fiscal years 2009 to 2011 is omitted as obsolete.

CHAPTER 3087—NATIONAL MARITIME HERITAGE

- Sec.
- 308701. Policy.
- 308702. Definitions.
- 308703. National Maritime Heritage Grants Program.
- 308704. Funding.

- Sec.
- 308705. Designation of America’s National Maritime Museum.
- 308706. Regulations.
- 308707. Applicability of other authorities.

§ 308701. Policy

It shall be the policy of the Federal Government, in partnership with the States and local governments and private organizations and individuals, to—

(1) use measures, including financial and technical assistance, to foster conditions under which our modern society and our historic maritime resources can exist in productive harmony;

(2) provide leadership in the preservation of the historic maritime resources of the United States;

(3) contribute to the preservation of historic maritime resources and give maximum encouragement to organizations and individuals undertaking preservation by private means; and

(4) assist State and local governments to expand their maritime historic preservation programs and activities.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3237.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308701	16 U.S.C. 5402.	Pub. L. 103–451, §3, Nov. 2, 1994, 108 Stat. 4770.

§ 308702. Definitions

In this chapter:

(1) NATIONAL TRUST.—The term “National Trust” means the National Trust for Historic Preservation in the United States established under section 312102 of this title.

(2) PRIVATE NONPROFIT ORGANIZATION.—The term “private nonprofit organization” means any person that is exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 (26 U.S.C. 501(a)) and described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)).

(3) PROGRAM.—The term “Program” means the National Maritime Heritage Grants Program established under section 308703(a) of this title.

(4) STATE HISTORIC PRESERVATION OFFICER.—The term “State Historic Preservation Officer” means a State Historic Preservation Officer appointed pursuant to section 302301(1) of this title by the chief executive official of a State having a State Historic Preservation Program approved by the Secretary under that section.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3237.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308702	16 U.S.C. 5406.	Pub. L. 103–451, §7, Nov. 2, 1994, 108 Stat. 4777.

The definition of “Committee” is omitted as obsolete.

§ 308703. National Maritime Heritage Grants Program

(a) ESTABLISHMENT.—There is established in the Department of the Interior the National Maritime Heritage Grants Program, to foster in the American public a greater awareness and appreciation of the role of maritime endeavors in our Nation's history and culture. The Program shall consist of—

(1) annual grants to the National Trust for subgrants administered by the National Trust for maritime heritage education projects under subsection (b); and

(2) grants to State Historic Preservation Officers for maritime heritage preservation projects carried out or administered by those Officers under subsection (c).

(b) GRANTS FOR MARITIME HERITAGE EDUCATION PROJECTS.—

(1) GRANTS TO NATIONAL TRUST.—The Secretary, subject to paragraph (2), and the availability of amounts for that purpose under section 308704(b)(1)(A) of this title, shall make an annual grant to the National Trust for maritime heritage education projects.

(2) USE OF GRANTS.—Amounts received by the National Trust as an annual grant under this subsection shall be used to make subgrants to State and local governments and private nonprofit organizations to carry out education projects that have been approved by the Secretary under subsection (f) and that consist of—

(A) assistance to any maritime museum or historical society for—

(i) existing and new educational programs, exhibits, educational activities, conservation, and interpretation of artifacts and collections;

(ii) minor improvements to educational and museum facilities; and

(iii) other similar activities;

(B) activities designed to encourage the preservation of traditional maritime skills, including—

(i) building and operation of vessels of all sizes and types for educational purposes;

(ii) special skills such as wood carving, sail making, and rigging;

(iii) traditional maritime art forms; and

(iv) sail training;

(C) other educational activities relating to historic maritime resources, including—

(i) maritime educational waterborne-experience programs in historic vessels or vessel reproductions;

(ii) maritime archeological field schools; and

(iii) educational programs on other aspects of maritime history;

(D) heritage programs focusing on maritime historic resources, including maritime heritage trails and corridors; or

(E) the construction and use of reproductions of historic maritime resources for educational purposes, if a historic maritime resource no longer exists or would be damaged or consumed through direct use.

(c) GRANTS FOR MARITIME HERITAGE PRESERVATION PROJECTS.—

(1) GRANTS TO STATE HISTORIC PRESERVATION OFFICERS.—The Secretary, acting through the National Maritime Initiative of the Service and subject to paragraph (2), and the availability of amounts for that purpose under section 308704(b)(1)(A) of this title, shall make grants to State Historic Preservation Officers for maritime heritage preservation projects.

(2) USE OF GRANTS.—Amounts received by a State Historic Preservation Officer as a grant under this subsection shall be used by the Officer to carry out, or to make subgrants to local governments and private nonprofit organizations to carry out, projects that have been approved by the Secretary under subsection (f) for the preservation of historic maritime resources through—

(A) identification of historic maritime resources, including underwater archeological sites;

(B) acquisition of historic maritime resources for the purposes of preservation;

(C) repair, restoration, stabilization, maintenance, or other capital improvements to historic maritime resources, in accordance with standards prescribed by the Secretary; and

(D) research, recording (through drawings, photographs, or otherwise), planning (through feasibility studies, architectural and engineering services, or otherwise), and other services carried out as part of a preservation program for historic maritime resources.

(d) CRITERIA FOR DIRECT GRANT AND SUBGRANT ELIGIBILITY.—To qualify for a subgrant from the National Trust under subsection (b), or a direct grant to or a subgrant from a State Historic Preservation Officer under subsection (c), a person shall—

(1) demonstrate that the project for which the direct grant or subgrant will be used has the potential for reaching a broad audience with an effective educational program based on American maritime history, technology, or the role of maritime endeavors in American culture;

(2) match the amount of the direct grant or subgrant, on a 1-to-1 basis, with non-Federal assets from non-Federal sources, which may include cash or donated services fairly valued as determined by the Secretary;

(3) maintain records as may be reasonably necessary to fully disclose—

(A) the amount and the disposition of the proceeds of the direct grant or subgrant;

(B) the total cost of the project for which the direct grant or subgrant is made; and

(C) other records as may be required by the Secretary, including such records as will facilitate an effective accounting for project funds;

(4) provide access to the Secretary for the purposes of any required audit and examination of any records of the person; and

(5) be a unit of State or local government, or a private nonprofit organization.

(e) PROCEDURES, TERMS, AND CONDITIONS.—

(1) APPLICATION PROCEDURES.—An application for a subgrant under subsection (b), or a direct grant or subgrant under subsection (c), shall be submitted under procedures prescribed by the Secretary.

(2) TERMS AND CONDITIONS.—A person may not receive a subgrant under subsection (b), or a direct grant or subgrant under subsection (c), unless the person agrees to assume, after completion of the project for which the direct grant or subgrant is awarded, the total cost of the continued maintenance, repair, and administration of any property for which the subgrant will be used in a manner satisfactory to the Secretary.

(f) ALLOCATION OF, AND LIMITATION ON, GRANT FUNDING.—

(1) ALLOCATION.—To the extent feasible, the Secretary shall ensure that the amount made available under subsection (b) for maritime heritage education projects is equal to the amount made available under subsection (c) for maritime heritage preservation projects.

(2) LIMITATION.—The amount provided by the Secretary in a fiscal year as grants under this section for projects relating to historic maritime resources owned or operated by the Federal Government shall not exceed 40 percent of the total amount available for the fiscal year for grants under this section.

(g) PUBLICATION OF DIRECT GRANT AND SUBGRANT INFORMATION.—The Secretary shall publish annually in the Federal Register and otherwise as the Secretary considers appropriate—

- (1) a solicitation of applications for direct grants and subgrants under this section;
- (2) a list of priorities for the making of those direct grants and subgrants;
- (3) a single deadline for the submission of applications for those direct grants and subgrants; and
- (4) other relevant information.

(h) DIRECT GRANT AND SUBGRANT ADMINISTRATION.—

(1) RESPONSIBILITY.—
 (A) NATIONAL TRUST.—The National Trust is responsible for administering subgrants for maritime heritage education projects under subsection (b).

(B) SECRETARY.—The Secretary is responsible for administering direct grants for maritime heritage preservation projects under subsection (c).

(C) STATE HISTORIC PRESERVATION OFFICERS.—State Historic Preservation Officers are responsible for administering subgrants for maritime heritage preservation projects under subsection (c).

(2) ACTIONS.—The appropriate responsible party under paragraph (1) shall administer direct grants or subgrants by—

- (A) publicizing the Program to prospective grantees, subgrantees, and the public at large, in cooperation with the Service, the Maritime Administration, and other appropriate government agencies and private institutions;
- (B) answering inquiries from the public, including providing information on the Program as requested;

(C) distributing direct grant and subgrant applications;

(D) receiving direct grant and subgrant applications and ensuring their completeness;

(E) keeping records of all direct grant and subgrant awards and expenditures of funds;

(F) monitoring progress of projects carried out with direct grants and subgrants; and

(G) providing to the Secretary such progress reports as may be required by the Secretary.

(i) ASSISTANCE OF MARITIME PRESERVATION ORGANIZATIONS.—The Secretary, the National Trust, and the State Historic Preservation Officers may, individually or jointly, enter into cooperative agreements with any private nonprofit organization with appropriate expertise in maritime preservation issues, or other qualified maritime preservation organizations, to assist in the administration of the Program.

(j) REPORT TO CONGRESS.—The Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Natural Resources of the House of Representatives, the Committee on Armed Services of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives an annual report on the Program, including—

- (1) the total number of grant applications submitted and approved under the Program in the period covered by the report;
- (2) a detailed description of each project funded under the Program in the period covered by the report;
- (3) the results or accomplishments of each such project; and
- (4) recommended priorities for achieving the policy set forth in section 308701 of this title.

(Pub. L. 113–287, §3, Dec. 19, 2014, 128 Stat. 3238; Pub. L. 114–328, div. C, title XXXV, §3507(b), (c), Dec. 23, 2016, 130 Stat. 2778.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
308703	16 U.S.C. 5403.	Pub. L. 103–451, §4, Nov. 2, 1994, 108 Stat. 4770.

The text of 16 U.S.C. 5403(j) is omitted as obsolete.
 In subsection (a), the text of 16 U.S.C. 5403(a)(3) is omitted as obsolete.
 In subsections (b)(1) and (c)(1), the references are to paragraph (2) to correct errors in the source provisions.
 In subsection (d)(4), the word “records” is substituted for “books, documents, papers, and records” to eliminate unnecessary words.
 In subsection (f), the text of 16 U.S.C. 5403(f)(1) is omitted as obsolete.
 In subsection (g), the text of 16 U.S.C. 5403(g)(2) is omitted as obsolete.
 In subsection (h)(2), the text of 16 U.S.C. 5403(h)(5) and (6) is omitted as obsolete.

AMENDMENTS

2016—Subsec. (c)(1). Pub. L. 114–328, §3507(b), substituted “under section 308704(b)(1)(A)” for “under section 308704(b)(1)(B)”.
 Subsec. (j). Pub. L. 114–328, §3507(c)(1), in introductory provisions, substituted “the Committee on Commerce, Science, and Transportation of the Senate, the

Committee on Energy and Natural Resources of the Senate, the Committee on Natural Resources of the House of Representatives, the Committee on Armed Services of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives” for “Congress”.

Subsec. (j)(1). Pub. L. 114-328, §3507(c)(3), added par. (1). Former par. (1) redesignated (2).

Subsec. (j)(2). Pub. L. 114-328, §3507(c)(2), (4), redesignated par. (1) as (2) and inserted “detailed” before “description”. Former par. (2) redesignated (3).

Subsec. (j)(3), (4). Pub. L. 114-328, §3507(c)(2), redesignated pars. (2) and (3) as (3) and (4), respectively.

§ 308704. Funding

(a) AVAILABILITY OF FUNDS FROM SALE AND SCRAPPING OF OBSOLETE VESSELS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the amount of funds credited in a fiscal year to the Vessel Operations Revolving Fund established by section 50301(a) of title 46 that is attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that are scrapped or sold under section 57102, 57103, or 57104 of title 46 shall be available until expended as follows:

(A) Fifty percent shall be available to the Administrator of the Maritime Administration for such acquisition, maintenance, repair, reconditioning, or improvement of vessels in the National Defense Reserve Fleet as is authorized under other Federal law.

(B) Twenty five percent shall be available to the Administrator of the Maritime Administration for the payment or reimbursement of expenses incurred by or on behalf of State maritime academies or the United States Merchant Marine Academy for facility and training ship maintenance, repair, and modernization, and for the purchase of simulators and fuel.

(C) The remainder shall be available to the Secretary to carry out the Program, as provided in subsection (b).

(2) APPLICABILITY.—Paragraph (1) does not apply to amounts credited to the Vessel Operations Revolving Fund before July 1, 1994.

(b) USE OF AMOUNTS FOR PROGRAM.—

(1) ALLOCATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B) and paragraph (2), of the amounts available each fiscal year for the Program under subsection (a)(1)(C)—

(i) 50 percent shall be used for grants under section 308703(b); and

(ii) 50 percent shall be used for grants under section 308703(c).

(B) SET ASIDE.—

(i) IN GENERAL.—Not less than 25 percent of the amounts available each fiscal year for the Program under subsection (a)(1)(C) shall be used for the preservation and presentation to the public of the maritime heritage property of the Maritime Administration.

(ii) DIRECT TRANSFERS.—The Secretary may provide amounts used for the preservation and presentation to the public of the maritime heritage property of the Maritime Administration through direct transfers to the Maritime Administration.

(iii) WAIVER.—The Maritime Administrator may waive the application of clause (i) for any fiscal year.

(2) ADMINISTRATIVE EXPENSES.—

(A) IN GENERAL.—Not more than 15 percent or \$500,000, whichever is less, of the amount available for the Program under subsection (a)(1)(C) for a fiscal year may be used for expenses of administering the Program.

(B) ALLOCATION.—Of the amount available under subparagraph (A) for a fiscal year—

(i) one half shall be allocated to the National Trust for expenses incurred in administering grants under section 308703(b) of this title; and

(ii) one half shall be allocated as appropriate by the Secretary to the Service and participating State Historic Preservation Officers.

(c) DISPOSAL OF VESSELS.—

(1) REQUIREMENT.—The Secretary of Transportation shall dispose (by sale or by purchase of disposal services) of all vessels described in paragraph (2)—

(A) in accordance with a priority system for disposing of vessels, as determined by the Secretary, that shall include provisions requiring the Maritime Administration to—

(i) dispose of all deteriorated high priority ships that are available for disposal within 12 months of their designation as available for disposal; and

(ii) give priority to the disposition of those vessels that pose the most significant danger to the environment or cost the most to maintain;

(B) in the manner that provides the best value to the Federal Government, except in any case in which obtaining the best value would require towing a vessel and the towing poses a serious threat to the environment; and

(C) in accordance with the plan of the Department of Transportation for disposal of those vessels and requirements under sections 57102 to 57104 of title 46.

(2) DESCRIPTION OF VESSELS.—The vessels referred to in paragraph (1) are the vessels in the National Defense Reserve Fleet after July 1, 1994, that—

(A) are not assigned to the Ready Reserve Force component of the National Defense Reserve Fleet; and

(B) are not specifically authorized or required by statute to be used for a particular purpose.

(d) TREATMENT OF AVAILABLE AMOUNTS.—Amounts available under this section shall not be considered in any determination of the amounts available to the Department of the Interior.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3241; Pub. L. 114-328, div. C, title XXXV, §3507(a), Dec. 23, 2016, 130 Stat. 2777.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308704	16 U.S.C. 5405.	Pub. L. 103-451, § 6, Nov. 2, 1994, 108 Stat. 4776; Pub. L. 105-85, div. A, title X, § 1026(c), Nov. 18, 1997, 111 Stat. 1878; Pub. L. 106-398, § 1 [div. C, title XXXV, § 3502(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-490; Pub. L. 110-181, div. C, title XXXV, § 3514, Jan. 28, 2008, 122 Stat. 594; Pub. L. 111-84, div. C, title XXXV, § 3509, Oct. 28, 2009, 123 Stat. 2721; Pub. L. 111-383, div. A, title X, § 1075(n), Jan. 7, 2011, 124 Stat. 4378.

The text of 16 U.S.C. 5405(b)(2) is omitted as obsolete. In subsection (a)(1)(C), before subparagraph (i), the words “whether collected before or after October 28, 2009” are omitted as obsolete.

AMENDMENTS

2016—Subsec. (a)(1)(C). Pub. L. 114-328, § 3507(a)(1), amended subpar. (C) generally. Prior to amendment, subpar. (C) related to availability of remainder of funds.

Subsec. (b)(1). Pub. L. 114-328, § 3507(a)(2), amended par. (1) generally. Prior to amendment, par. (1) related to use of amounts for certain projects under the National Maritime Heritage Grants Program.

PILOT PROGRAM ON EXPORT OF OBSOLETE VESSELS FOR DISMANTLEMENT AND RECYCLING

Pub. L. 107-314, div. C, title XXXV, § 3504(c), (d), Dec. 2, 2002, 116 Stat. 2755, 2756, provided that:

“(c) PILOT PROGRAM ON EXPORT OF OBSOLETE VESSELS FOR DISMANTLEMENT AND RECYCLING.—(1)(A) The Secretary of Transportation, Secretary of State, and Administrator of the Environmental Protection Agency shall jointly carry out one or more pilot programs through the Maritime Administration to explore the feasibility and advisability of various alternatives for exporting obsolete vessels in the National Defense Reserve Fleet for purposes of the dismantlement and recycling of such vessels.

“(B) The pilot programs shall be carried out in accordance with applicable provisions of law and regulations.

“(2)(A) The pilot programs under paragraph (1) shall be carried out during fiscal year 2003.

“(B) The pilot programs shall include a total of not more than four vessels.

“(C) The authority provided by this subsection is in addition to any other authority available to Maritime Administration for exporting obsolete vessels in the National Defense Reserve Fleet.

“(3) Activities under the pilot programs under paragraph (1) shall include the following:

“(A) Exploration of the feasibility and advisability of a variety of alternatives (developed for purposes of the pilot programs) for exporting obsolete vessels in the National Defense Reserve Fleet for purposes of the dismantlement and recycling of such vessels.

“(B) Response by the Maritime Administration to proposals from the international ship recycling industry for innovative and cost-effective disposal solutions for obsolete vessels in the National Defense Reserve Fleet, including an evaluation of the feasibility and advisability of such proposals.

“(C) Demonstration of the extent to which the cost-effective dismantlement or recycling of obsolete vessels in the National Defense Reserve Fleet can be accomplished abroad in [a] manner that appropriately addresses concerns regarding worker health and safety and the environment.

“(D) Opportunities to transfer abroad processes, methodologies, and technologies for ship dismantlement and recycling in order to support the pilot pro-

grams and to improve international practices and standards for ship dismantlement and recycling.

“(E) Exploration of cooperative efforts with foreign governments (under a global action program on ship recycling or other program) in order to foster economically and environmentally sound ship recycling abroad.

“(4) The Secretary of Transportation shall submit to Congress a report on the pilot programs under paragraph (1) through the existing ship disposal reporting requirements in section 3502 of Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 [section 1 [div. C, title XXXV, § 3502] of Pub. L. 106-398, which amended former section 5405 of Title 16, Conservation, and enacted provisions set out below]. The report shall include a description of the activities under the pilot programs, and such recommendations for further legislative or administrative action as the Secretary considers appropriate.

“(d) CONSTRUCTION.—Nothing in this section shall be construed to establish a preference for the reefing or export of obsolete vessels in the National Defense Reserve Fleet over other alternatives available to the Secretary for the scrapping of such vessels under section 3502(d)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.”

SCRAPPING OF NATIONAL DEFENSE RESERVE FLEET VESSELS

Pub. L. 106-398, § 1 [div. C, title XXXV, § 3502(b)-(f)], Oct. 30, 2000, 114 Stat. 1654, 1654A-490 to 1654A-492, as amended by Pub. L. 109-163, div. C, title XXXV, § 3505(a), Jan. 6, 2006, 119 Stat. 3551; Pub. L. 112-81, div. C, title XXXV, § 3504, Dec. 31, 2011, 125 Stat. 1717; Pub. L. 112-239, div. C, title XXXV, § 3502, Jan. 2, 2013, 126 Stat. 2222, provided that:

“(b) SELECTION OF SCRAPPING FACILITIES.—The Secretary of Transportation may scrap obsolete vessels pursuant to section 6(c)(1) of the National Maritime Heritage Act of 1994 ([former] 16 U.S.C. 5405(c)(1)) [see 54 U.S.C. 308704(c)(1)] through qualified scrapping facilities, using the most expeditious scrapping methodology and location practicable. Scrapping facilities shall be selected under that section on a best value basis consistent with the Federal Acquisition Regulation, as in effect on the date of contract award, without any predisposition toward foreign or domestic facilities taking into consideration, among other things, the ability of facilities to scrap vessels—

“(1) at least cost to the Government;

“(2) in a timely manner;

“(3) giving consideration to worker safety and the environment; and

“(4) in a manner that minimizes the geographic distance that a vessel must be towed when towing a vessel poses a serious threat to the environment.

“(c) COMPREHENSIVE MANAGEMENT PLAN.—

“(1) REQUIREMENT TO DEVELOP PLAN.—The Secretary of Transportation shall prepare, publish, and submit to the Congress by not later than 180 days after the date of the enactment of this Act [probably should be “this subsection”, Jan. 6, 2006] a comprehensive plan for management of the vessel disposal program of the Maritime Administration in accordance with the recommendations made in the Government Accountability Office in report number GAO-05-264, dated March 2005.

“(2) CONTENTS OF PLAN.—The plan shall—

“(A) include a strategy and implementation plan for disposal of obsolete National Defense Reserve Fleet vessels (including vessels added to the fleet after the enactment of this paragraph) in a timely manner, maximizing the use of all available disposal methods, including dismantling, use for artificial reefs, donation, and Navy training exercises;

“(B) identify and describe the funding and other resources necessary to implement the plan, and specific milestones for disposal of vessels under the plan;

“(C) establish performance measures to track progress toward achieving the goals of the program,

including the expeditious disposal of ships commencing upon the date of the enactment of this paragraph:

“(D) develop a formal decisionmaking framework for the program; and

“(E) identify external factors that could impede successful implementation of the plan, and describe steps to be taken to mitigate the effects of such factors.

“(d) IMPLEMENTATION OF MANAGEMENT PLAN.—

“(1) REQUIREMENT TO IMPLEMENT.—Subject to the availability of appropriations, the Secretary shall implement the vessel disposal program of the Maritime Administration in accordance with—

“(A) the management plan submitted under subsection (c); and

“(B) the requirements set forth in paragraph (2).

“(2) UTILIZATION OF DOMESTIC SOURCES.—In the procurement of services under the vessel disposal program of the Maritime Administration, the Secretary shall—

“(A) use full and open competition; and

“(B) utilize domestic sources to the maximum extent practicable.

“(e) FAILURE TO SUBMIT PLAN.—

“(1) PRIVATE MANAGEMENT CONTRACT FOR DISPOSAL OF MARITIME ADMINISTRATION VESSELS.—The Secretary of Transportation, subject to the availability of appropriations, shall promptly award a contract using full and open competition to expeditiously implement all aspects of disposal of obsolete National Defense Reserve Fleet vessels.

“(2) APPLICATION.—This subsection shall apply beginning 180 days after the date of the enactment of this subsection [Jan. 6, 2006], unless the Secretary of Transportation has submitted to the Congress the comprehensive plan required under subsection (c).

“(f) BRIEFINGS.—The Maritime Administrator shall, upon request, provide briefings to the Committee on Transportation and Infrastructure, the Committee on Natural Resources, and the Committee on Armed Services of the House of Representatives, and the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate, on the progress made in recycling vessels, problems encountered with recycling vessels, issues relating to vessel recycling, and other issues relating to vessel recycling and disposal.”

§ 308705. Designation of America’s National Maritime Museum

(a) IN GENERAL.—America’s National Maritime Museum shall be composed of the museums designated by law to be museums of America’s National Maritime Museum on the basis that the museums—

(1) house a collection of maritime artifacts clearly representing the Nation’s maritime heritage; and

(2) provide outreach programs to educate the public about the Nation’s maritime heritage.

(b) INITIAL DESIGNATION.—The following museums (meeting the criteria specified in subsection (a)) are designated as museums of America’s National Maritime Museum:

(1) The Mariners’ Museum, located at 100 Museum Drive, Newport News, Virginia.

(2) The South Street Seaport Museum, located at 207 Front Street, New York, New York.

(c) FUTURE DESIGNATION OF OTHER MUSEUMS NOT PRECLUDED.—The designation of the museums referred to in subsection (b) as museums of America’s National Maritime Museum does not preclude the designation by law of any other

museum that meets the criteria specified in subsection (a) as a museum of America’s National Maritime Museum.

(d) REFERENCE TO MUSEUMS.—Any reference in any law, map, regulation, document, paper, or other record of the United States to a museum designated by law to be a museum of America’s National Maritime Museum shall be deemed to be a reference to that museum as a museum of America’s National Maritime Museum.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3242.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
308705	16 U.S.C. 5409.	Pub. L. 105–261, div. A, title X, §1068, Oct. 17, 1998, 112 Stat. 2135.

§ 308706. Regulations

The Secretary, after consultation with the National Trust, the National Conference of State Historic Preservation Officers, and appropriate members of the maritime heritage community, shall prescribe appropriate guidelines, procedures, and regulations to carry out the chapter, including direct grant and subgrant priorities, the method of solicitation and review of direct grant and subgrant proposals, criteria for review of direct grant and subgrant proposals, administrative requirements, reporting and record-keeping requirements, and any other requirements the Secretary considers appropriate.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3243.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
308706	16 U.S.C. 5407.	Pub. L. 103–451, § 8, Nov. 2, 1994, 108 Stat. 4778.

The words “within 1 year after November 2, 1994” are omitted as obsolete.

§ 308707. Applicability of other authorities

The authorities contained in this chapter shall be in addition to, and shall not be construed to supersede or modify those contained in division A of this subtitle.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3243.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
308707	16 U.S.C. 5408.	Pub. L. 103–451, § 9, Nov. 2, 1994, 108 Stat. 4778.

CHAPTER 3089—SAVE AMERICA’S TREASURES PROGRAM

Sec. 308901.	Definitions.
308902.	Establishment.
308903.	Grants.
308904.	Guidelines and regulations.
308905.	Authorization of appropriations.

§ 308901. Definitions

In this chapter:

(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 300308 of this title.

(4) NATIONALLY SIGNIFICANT.—The term “nationally significant”, in reference to a collection or historic property, 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 302103 of this title.

(5) PROGRAM.—The term “program” means the Save America’s Treasures Program established under section 308902(a) of this title.

(6) SECRETARY.—The term “Secretary” means the Secretary, acting through the Director.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3243.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308901	16 U.S.C. 469o(b).	Pub. L. 111–11, title VII, subtitle D, § 7303(b), Mar. 30, 2009, 123 Stat. 1216.

In paragraph (4), the words “in reference to a collection or historic property” are added for clarity.

§ 308902. Establishment

(a) IN GENERAL.—There is established in the Department of the Interior the Save America’s Treasures Program.

(b) PARTICIPANTS.—In consultation and partnership with the National Endowment for the Arts, the National Endowment for the Humanities, the Institute of Museum and Library Services, the National Trust for Historic Preservation in the United States, the National Conference of State Historic Preservation Officers, the National Association of Tribal Historic Preservation Officers, and the President’s Committee on the Arts and the Humanities, the Secretary shall use the amounts made available under section 308905 of this title to provide grants to eligible entities for projects to preserve nationally significant collections and historic property.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3244.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308902	16 U.S.C. 469o(a), (c)(1).	Pub. L. 111–11, title VII, subtitle D, § 7303(a), (c)(1), Mar. 30, 2009, 123 Stat. 1216, 1217.

In subsection (a), the words “The purpose of this section is to authorize within the Department of the Interior the Save America’s Treasures Program” are omitted as unnecessary. The words “to be carried out by the Director of the National Park Service” are omitted because the definition of “Secretary” in section 308901 of the new title provides that the Secretary acts through the Director and because this is the only place in the chapter where the Director is mentioned.

In subsection (b), the words “subject to paragraph (6)(A)(ii)” are omitted as unnecessary.

§ 308903. Grants

(a) DETERMINATION OF GRANTS.—Of the amounts made available for grants under section 308905 of this title, not less than 50 percent shall be made available for grants for projects to preserve collections and historic property, to be distributed through a competitive grant process administered by the Secretary, subject to the selection criteria established under subsection (d).

(b) APPLICATION FOR GRANTS.—To be considered for a grant under the program an eligible entity shall submit to the Secretary an application containing such information as the Secretary may require.

(c) COLLECTIONS AND HISTORIC PROPERTY ELIGIBLE FOR GRANTS.—

(1) IN GENERAL.—A collection or historic property shall be provided a grant under the program only if the Secretary determines that the collection or historic property is—

- (A) nationally significant; and
- (B) threatened or endangered.

(2) ELIGIBLE COLLECTIONS.—A determination by the Secretary regarding the national significance of a collection under paragraph (1)(A) shall be made in consultation with the organizations described in section 308902(b) of this title, as appropriate.

(3) ELIGIBLE HISTORIC PROPERTY.—To be eligible for a grant under the program, a historic property shall, as of the date of the grant application—

- (A) be listed on the National Register of Historic Places at the national level of significance; or
- (B) be designated as a National Historic Landmark.

(d) SELECTION CRITERIA.—

(1) IN GENERAL.—The Secretary shall not provide a grant under this chapter to a project for a collection or historic property unless the project—

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

(2) PREFERENCE.—In providing grants under this chapter, the Secretary may give preference to projects that carry out the purposes of both the program and the Preserve America Program.

(3) LIMITATION.—In providing grants under this chapter, the Secretary shall provide only one grant to each project selected for a grant.

(e) CONSULTATION AND NOTIFICATION BY SECRETARY.—

(1) CONSULTATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall consult with the organizations described in section 308902(b) of this title in preparing the list of projects to be provided grants for a fiscal year under the program.

(B) LIMITATION.—If an organization described in section 308902(b) of this title has

submitted an application for a grant under the program, the organization shall be recused by the Secretary from the consultation requirements under subparagraph (A) and section 308902(b) of this title.

(2) 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 and Committee on Appropriations of the Senate and the Committee on Natural Resources and 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.

(f) COST-SHARING REQUIREMENT.—

(1) IN GENERAL.—The non-Federal share of the cost of carrying out a project provided a grant under this chapter shall be not less than 50 percent of the total cost of the project.

(2) FORM OF NON-FEDERAL SHARE.—The non-Federal share required under paragraph (1) shall be in the form of—

(A) cash; or

(B) donated supplies or related services, the value of which shall be determined by the Secretary.

(3) 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 paragraph (1) before a grant is provided to the eligible project under the program.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3244.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
308903	16 U.S.C. 4690(c)(2) through (7).	Pub. L. 111–11, title VII, subtitle D, § 7303(c)(2) through (7), Mar. 30, 2009, 123 Stat. 1217.

In subsections (b) and (c), the word “competitive” is omitted for consistency in the chapter.

In subsection (e)(1)(A), the words “by the Secretary” are omitted as unnecessary.

In subsection (e)(1)(B), the word “organization” is substituted for “entity” for consistency.

§ 308904. Guidelines and regulations

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

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3245.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
308904	16 U.S.C. 4690(d).	Pub. L. 111–11, title VII, subtitle D, § 7303(d), Mar. 30, 2009, 123 Stat. 1218.

§ 308905. Authorization of appropriations

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

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3245.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
308905	16 U.S.C. 4690(e).	Pub. L. 111–11, title VII, subtitle D, § 7303(e), Mar. 30, 2009, 123 Stat. 1218.

CHAPTER 3091—COMMEMORATION OF FORMER PRESIDENTS

Sec.

309101. Sites and structures that commemorate former Presidents.

§ 309101. Sites and structures that commemorate former Presidents

(a) SURVEY.—The Secretary may conduct a survey of sites that the Secretary considers exhibit qualities most appropriate for the commemoration of each former President. The survey may—

(1) include sites associated with the deeds, leadership, or lifework of a former President; and

(2) identify sites or structures historically unrelated to a former President but that may be suitable as a memorial to honor that President.

(b) REPORTS.—The Secretary shall, from time to time, prepare and transmit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate reports on individual sites and structures identified in a survey under subsection (a), together with the Secretary’s recommendation as to whether the site or structure is suitable for establishment as a national historic site or national memorial to commemorate a former President. Each report shall include pertinent information with respect to the need for acquisition of land and interests in land, the development of facilities, and the operation and maintenance of the site or structure and the estimated cost of the operation and maintenance.

(c) ESTABLISHMENT AS NATIONAL HISTORIC SITE.—If during the 6-month period following the transmittal of a report pursuant to subsection (b) neither Committee has by vote of a majority of its members disapproved a recommendation of the Secretary that a site or structure is suitable for establishment as a national historic site, the Secretary may by appropriate order establish the site or structure as a national historic site, including the land and interests in land identified in the report accompanying the recommendation of the Secretary.

(d) ACQUISITION¹ OF LAND AND INTERESTS IN LAND.—The Secretary may acquire the land and interests in land by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange.

(e) EFFECT OF SECTION.—Nothing in this section shall be construed as diminishing the authority of the Secretary under chapter 3201 of this title or as authorizing the Secretary to establish any national memorial, creation of which is expressly reserved to Congress.

¹ So in original. Probably should be “ACQUISITION”.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3246.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
309101	16 U.S.C. 467b(a) through (c).	Pub. L. 96–199, title I, § 120(a) through (c), Mar. 5, 1980, 94 Stat. 73; Pub. L. 103–437, § 6(d)(26), Nov. 2, 1994, 108 Stat. 4584.

In subsection (d), the words “and he shall administer the site in accordance with sections 1, 2, 3, and 4 of this title, as amended and supplemented, and sections 461 to 467 of this title, as amended” are omitted as unnecessary because a site established under this section is a System unit that the Secretary administers under 16 U.S.C. 1, 2, 3, 4, and 461 to 467, restated as section 100101(a), chapter 1003, sections 100751(a), 100752, 100753, and 102101, and chapter 3201 of the new title.

SUBDIVISION 2—ADMINISTERED JOINTLY WITH NATIONAL PARK SERVICE

CHAPTER 3111—PRESERVE AMERICA PROGRAM

Sec.	
311101.	Definitions.
311102.	Establishment.
311103.	Designation of Preserve America Communities.
311104.	Regulations.
311105.	Authorization of appropriations.

§ 311101. Definitions

In this chapter:

- (1) COUNCIL.—The term “Council” means the Advisory Council on Historic Preservation.
- (2) HERITAGE TOURISM.—The term “heritage tourism” means the conduct of activities to attract and accommodate visitors to a site or area based on the unique or special aspects of the history, landscape (including trail systems), and culture of the site or area.
- (3) PROGRAM.—The term “program” means the Preserve America Program established under section 311102(a).

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3247.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
311101	16 U.S.C. 469n(b).	Pub. L. 111–11, title VII, subtitle D, § 7302(b), Mar. 30, 2009, 123 Stat. 1214.

§ 311102. Establishment

(a) IN GENERAL.—There is established in the Department of the Interior the Preserve America Program, under which the Secretary, in partnership with the Council, may provide competitive grants to States, local governments (including local governments in the process of applying for designation as Preserve America Communities under section 311103 of this title, Indian tribes, communities designated as Preserve America Communities under section 311103 of this title, State historic preservation offices, and tribal historic preservation offices to support preservation efforts through heritage tourism, education, and historic preservation planning activities.

(b) ELIGIBLE PROJECTS.—

(1) IN GENERAL.—The following projects shall be eligible for a grant under this chapter:

- (A) A project for the conduct of—
 - (i) research on, and documentation of, the history of a community; and
 - (ii) surveys of the historic resources of a community.

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

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

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

(E) A project to support heritage tourism in a Preserve America Community designated under section 311103 of this title.

(F) 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 chapter.

(2) LIMITATION.—In providing grants under this chapter, the Secretary shall provide only one grant to each eligible project selected for a grant.

(c) PREFERENCE.—In providing grants under this chapter, the Secretary may give preference to projects that carry out the purposes of both the program and the Save America’s Treasures Program.

(d) CONSULTATION AND NOTIFICATION.—

(1) 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.

(2) 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 and Committee on Appropriations of the Senate and the Committee on Natural Resources and 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.

(e) COST-SHARING REQUIREMENT.—

(1) IN GENERAL.—The non-Federal share of the cost of carrying out a project provided a grant under this chapter shall be not less than 50 percent of the total cost of the project.

(2) FORM OF NON-FEDERAL SHARE.—The non-Federal share required under paragraph (1) shall be in the form of—

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

(3) 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 paragraph (1) before a grant is provided to the eligible project under the program.