

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308904	16 U.S.C. 469o(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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308905	16 U.S.C. 469o(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.

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

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
309101	16 U.S.C. 467b(a) through (c).	Pub. L. 96-199, title 1, § 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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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 Amer-

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

ica 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.

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

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
311102	16 U.S.C. 469n(c).	Pub. L. 111–11, title VII, subtitle D, §7302(c), Mar. 30, 2009, 123 Stat. 1214.

§311103. Designation of Preserve America Communities

(a) 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.

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

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

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

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

(c) 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 302502 of this title.

(d) GUIDELINES.—The Chairman of the Council, in consultation with the Secretary, shall establish any guidelines that are necessary to carry out this section.

(Pub. L. 113–287, §3, Dec. 19, 2014, 128 Stat. 3248; Pub. L. 114–289, title V, §501(d), Dec. 16, 2016, 130 Stat. 1490.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
311103	16 U.S.C. 469n(d).	Pub. L. 111–11, title VII, subtitle D, §7302(d), Mar. 30, 2009, 123 Stat. 1215.

Editorial Notes

AMENDMENTS

2016—Subsec. (b). Pub. L. 114-289 substituted “Chairman of the Council” for “Council” in two places in introductory provisions.

Subsec. (d). Pub. L. 114-289 substituted “Chairman of the Council” for “Council”.

§ 311104. Regulations

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

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3248.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
311104	16 U.S.C. 469n(e).	Pub. L. 111-11, title VII, subtitle D, § 7302(e), Mar. 30, 2009, 123 Stat. 1216.

§ 311105. Authorization of appropriations

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

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3249; Pub. L. 113-291, div. B, title XXX, § 3033(e), Dec. 19, 2014, 128 Stat. 3777.)

AMENDMENT NOT SHOWN IN TEXT

This section was derived from section 469n(f) of Title 16, Conservation, which was amended by Pub. L. 113-291, div. B, title XXX, § 3033(e), Dec. 19, 2014, 128 Stat. 3777. For applicability of that amendment 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. Former section 469n(f) of Title 16 was amended by Pub. L. 113-291 by inserting “, except that the amount authorized to be appropriated to carry out this section not appropriated as of the date of enactment of the First State National Historical Park Act shall be reduced by \$6,500,000” before period at end.

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
311105	16 U.S.C. 469n(f).	Pub. L. 111-11, title VII, subtitle D, § 7302(f), Mar. 30, 2009, 123 Stat. 1216.

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the First State National Historical Park Act, referred to in Amendment Not Shown in Text note above, probably means the date of enactment of section 3033 of Pub. L. 113-291, which provided for the establishment of the First State National Historical Park and was approved Dec. 19, 2014. See section 410rrr of Title 16, Conservation. No act with the title First State National Historical Park Act has been enacted.

SUBDIVISION 3—ADMINISTERED BY OTHER THAN NATIONAL PARK SERVICE

CHAPTER 3121—NATIONAL TRUST FOR HISTORIC PRESERVATION IN THE UNITED STATES

- Sec.
- 312101. Definitions.
- 312102. Establishment and purposes.
- 312103. Principal office.
- 312104. Board of trustees.
- 312105. Powers.
- 312106. Consultation with National Park System Advisory Board.

§ 312101. Definitions

In this chapter:

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

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3249.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
312101	no source.	

§ 312102. Establishment and purposes

(a) ESTABLISHMENT.—To further the policy enunciated in chapter 3201 of this title, and to facilitate public participation in the preservation of sites, buildings, and objects of national significance or interest, there is established a charitable, educational, and nonprofit corporation to be known as the National Trust for Historic Preservation in the United States.

(b) PURPOSES.—The purposes of the National Trust shall be to—

- (1) receive donations of sites, buildings, and objects significant in American history and culture;
- (2) preserve and administer the sites, buildings, and objects for public benefit;
- (3) accept, hold, and administer gifts of money, securities, or other property of any character for the purpose of carrying out the preservation program; and
- (4) execute other functions vested in the National Trust by this chapter.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3249.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
312102	16 U.S.C. 468.	Oct. 26, 1949, ch. 735, § 1, 63 Stat. 927.

§ 312103. Principal office

The National Trust shall have its principal office in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident of the District of Columbia. The National Trust may establish offices in other places as it may consider necessary or appropriate in the conduct of its business.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3249.)