

§ 302705. Agreement for review under tribal historic preservation regulations

The Council may enter into an agreement with an Indian tribe to permit undertakings on tribal land to be reviewed under tribal historic preservation regulations in place of review under regulations promulgated by the Council to govern compliance with section 306108 of this title, if the Council, after consultation with the Indian tribe and appropriate State Historic Preservation Officers, determines that the tribal preservation regulations will afford historic property consideration equivalent to that afforded by the Council's regulations.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3201.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 302705, 16 U.S.C. 470a(d)(5), Pub. L. 89-665, title I, §101(d)(5), as added Pub. L. 102-575, title XL, §4006(a)(2), Oct. 30, 1992, 106 Stat. 4757.

§ 302706. Eligibility for inclusion on National Register

(a) IN GENERAL.—Property of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization may be determined to be eligible for inclusion on the National Register.

(b) CONSULTATION.—In carrying out its responsibilities under section 306108 of this title, a Federal agency shall consult with any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to property described in subsection (a).

(c) HAWAII.—In carrying out responsibilities under section 302303 of this title, the State Historic Preservation Officer for Hawaii shall—

(1) consult with Native Hawaiian organizations in assessing the cultural significance of any property in determining whether to nominate the property to the National Register;

(2) consult with Native Hawaiian organizations in developing the cultural component of a preservation program or plan for the property; and

(3) enter into a memorandum of understanding or agreement with Native Hawaiian organizations for the assessment of the cultural significance of a property in determining whether to nominate the property to the National Register and to carry out the cultural component of the preservation program or plan.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3201.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 302706, 16 U.S.C. 470a(d)(6), Pub. L. 89-665, title I, §101(d)(6), as added Pub. L. 102-575, title XL, §4006(a)(2), Oct. 30, 1992, 106 Stat. 4757.

CHAPTER 3029—GRANTS

Sec. 302901. Awarding of grants and availability of grant funds.

- Sec. 302902. Grants to States. 302903. Grants to National Trust. 302904. Direct grants for the preservation of properties included on National Register. 302905. Religious property. 302906. Grants and loans to Indian tribes and non-profit organizations representing ethnic or minority groups. 302907. Grants to Indian tribes and Native Hawaiian organizations. 302908. Grants to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. 302909. Prohibited use of grant amounts. 302910. Recordkeeping.

§ 302901. Awarding of grants and availability of grant funds

(a) IN GENERAL.—No grant may be made under this division unless application for the grant is submitted to the Secretary in accordance with regulations and procedures prescribed by the Secretary.

(b) GRANT NOT TREATED AS TAXABLE INCOME.—No grant made pursuant to this division shall be treated as taxable income for purposes of the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

(c) AVAILABILITY.—The Secretary shall make funding available to individual States and the National Trust as soon as practicable after execution of a grant agreement. For purposes of administration, grants to individual States and the National Trust each shall be deemed to be one grant and shall be administered by the Service as one grant.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3202.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Rows 1-3: 302901(a), 302901(b), 302901(c) with corresponding U.S. Code and Statutes at Large references.

In subsection (b), the words "Notwithstanding any other provision of law" are omitted as unnecessary.

§ 302902. Grants to States

(a) IN GENERAL.—The Secretary shall administer a program of matching grants to the States for the purposes of carrying out this division.

(b) CONDITIONS.—

(1) In general<sup>1</sup>.—No grant may be made under this division—

(A) unless the application is in accordance with the comprehensive statewide historic preservation plan that has been approved by the Secretary after considering its relationship to the comprehensive statewide outdoor recreation plan prepared pursuant to chapter 2003 of this title;

<sup>1</sup> So in original. Probably should be "IN GENERAL".

(B) unless the grantee has agreed to make reports, in such form and containing such information, as the Secretary may from time to time require;

(C) unless the grantee has agreed to assume, after completion of the project, the total cost of the continued maintenance, repair, and administration of the property in a manner satisfactory to the Secretary; or

(D) until the grantee has complied with such further terms and conditions as the Secretary may consider necessary or advisable.

(2) WAIVER.—The Secretary may waive the requirements of subparagraphs (A) and (C) of paragraph (1) for any grant under this division to the National Trust.

(3) AMOUNT LIMITATION.—

(A) IN GENERAL.—No grant may be made under this division for more than 60 percent of the aggregate costs of carrying out projects and programs under the administrative control of the State Historic Preservation Officer as specified in section 302303 of this title in any one fiscal year.

(B) SOURCE OF STATE SHARE OF COSTS.—Except as permitted by other law, the State share of the costs referred to in subparagraph (A) shall be contributed by non-Federal sources.

(4) RESTRICTION ON USE OF REAL PROPERTY TO MEET NON-FEDERAL SHARE OF COST OF PROJECT.—No State shall be permitted to utilize the value of real property obtained before October 15, 1966, in meeting the non-Federal share of the cost of a project for which a grant is made under this division.

(c) APPORTIONMENT OF GRANT AMOUNTS.—

(1) BASES FOR APPORTIONMENT.—The amounts appropriated and made available for grants to the States—

(A) for the purposes of this division shall be apportioned among the States by the Secretary on the basis of needs as determined by the Secretary; and

(B) for projects and programs under this division for each fiscal year shall be apportioned among the States as the Secretary determines to be appropriate.

(2) NOTIFICATION.—The Secretary shall notify each State of its apportionment under paragraph (1)(B) within 30 days after the date of enactment of legislation appropriating funds under this division.

(3) REAPPORTIONMENT.—Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which the notification is given or during the 2 fiscal years after that fiscal year shall be reapportioned by the Secretary in accordance with paragraph (1)(B). The Secretary shall analyze and revise as necessary the method of apportionment. The method and any revision shall be published by the Secretary in the Federal Register.

(4) TRANSFER OF FUNDS TO CERTIFIED LOCAL GOVERNMENTS.—Not less than 10 percent of the annual apportionment distributed by the Secretary to each State for the purposes of carry-

ing out this division shall be transferred by the State, pursuant to the requirements of this division, to certified local governments for historic preservation projects or programs of the certified local governments. In any year in which the total annual apportionment to the States exceeds \$65,000,000, 50 percent of the excess shall also be transferred by the States to certified local governments.

(5) GUIDELINES FOR USE AND DISTRIBUTION OF FUNDS TO CERTIFIED LOCAL GOVERNMENTS.—The Secretary shall establish guidelines for the use and distribution of funds under paragraph (4) to ensure that no certified local government receives a disproportionate share of the funds available, and may include a maximum or minimum limitation on the amount of funds distributed to any single certified local government. The guidelines shall not limit the ability of any State to distribute more than 10 percent of its annual apportionment under paragraph (4), nor shall the Secretary require any State to exceed the 10 percent minimum distribution to certified local governments.

(d) ADMINISTRATIVE COSTS.—The total direct and indirect administrative costs charged for carrying out State projects and programs shall not exceed 25 percent of the aggregate costs (except in the case of a grant to the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau).

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3202.)

#### HISTORICAL AND REVISION NOTES

| Revised Section  | Source (U.S. Code)  | Source (Statutes at Large)   |
|------------------|---|--|
| 302902(a) .....  | 16 U.S.C. 470a(e)(1).   | Pub. L. 89–665, title I, §101(e)(1), formerly §101(d)(1), Oct. 15, 1966, 80 Stat. 915; Pub. L. 91–383, §11, as added Pub. L. 94–458, §2, Oct. 7, 1976, 90 Stat. 1942; Pub. L. 93–54, §1(d), July 1, 1973, 87 Stat. 139; Pub. L. 96–205, title VI, §608(a)(1), (2), Mar. 12, 1980, 94 Stat. 92; Pub. L. 96–515, title II, §201(a), Dec. 12, 1980, 94 Stat. 2992; redesignated as §101(e)(1) and amended, Pub. L. 102–575, title XL, §§4006(a)(1), 4007(1), Oct. 30, 1992, 106 Stat. 4755, 4758. |
| 302902(b)(1)     | 16 U.S.C. 470b(a) (1st sentence paragraphs (2), (4) through (6)). | Pub. L. 89–665, title I, §102(a) (1st sentence paragraphs (2), (4) through (6), (d) (relating to remaining cost of project)), Oct. 15, 1966, 80 Stat. 916; Pub. L. 94–422, title II, §201(1), Sept. 28, 1976, 90 Stat. 1319.   |
| 302902(b)(2)     | 16 U.S.C. 470b(b).  | Pub. L. 89–665, title I, §102(b), Oct. 15, 1966, 80 Stat. 916; Pub. L. 94–422, title II, §201(1), Sept. 28, 1976, 90 Stat. 1319; Pub. L. 102–575, title XL, §4009(2), Oct. 30, 1992, 106 Stat. 4759.   |
| 302902(b)(3)(A). | 16 U.S.C. 470b(a) (1st sentence paragraph (3)).                   | Pub. L. 89–665, title I, §102(a) (1st sentence paragraph (3)), Oct. 15, 1966, 80 Stat. 916; Pub. L. 94–422, title II, §201(1), Sept. 28, 1976, 90 Stat. 1319; Pub. L. 96–515, title II, §202(a), Dec. 12, 1980, 94 Stat. 2993; Pub. L. 102–575, title XL, §4009(1), Oct. 30, 1992, 106 Stat. 4759; Pub. L. 106–208, §5(a)(5), May 26, 2000, 114 Stat. 318.   |

HISTORICAL AND REVISION NOTES—CONTINUED

| Revised Section   | Source (U.S. Code)   | Source (Statutes at Large)  |
|-------------------|--|---|
| 302902(b) (3)(B). | 16 U.S.C. 470b(a) (2d sentence).                           | Pub. L. 89-665, title I, §102(a) (2d sentence), as added Pub. L. 96-515, title II, §202(b), Dec. 12, 1980, 94 Stat. 2993.   |
| 302902(b)(4)      | 16 U.S.C. 470b(d) (relating to remaining cost of project). |   |
| 302902(c) .....   | 16 U.S.C. 470c.  | Pub. L. 89-665, title I, §103, Oct. 15, 1966, 80 Stat. 916; Pub. L. 94-422, title II, §201(2), Sept. 28, 1976, 90 Stat. 1319; Pub. L. 96-515, title II, §203, Dec. 12, 1980, 94 Stat. 2993; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 102-575, title XL, §4010, Oct. 30, 1992, 106 Stat. 4759; Pub. L. 106-208, §5(a)(6), May 26, 2000, 114 Stat. 318. |
| 302902(d) .....   | 16 U.S.C. 470b(e).   | Pub. L. 89-665, title I, §102(e), as added Pub. L. 102-575, title XL, §4009(3), Oct. 30, 1992, 106 Stat. 4759.  |

In subsection (b)(4), the words “non-Federal share of the” are substituted for “remaining” for clarity.

§ 302903. Grants to National Trust

(a) SECRETARY OF THE INTERIOR.—The Secretary may administer grants to the National Trust consistent with the purposes of its charter and this division.

(b) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—The Secretary of Housing and Urban Development may make grants to the National Trust, on terms and conditions and in amounts (not exceeding \$90,000 with respect to any one structure) as the Secretary of Housing and Urban Development considers appropriate, to cover the costs incurred by the National Trust in renovating or restoring structures that the National Trust considers to be of historic or architectural value and that the National Trust has accepted and will maintain (after the renovation or restoration) for historic purposes.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3203.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code)    | Source (Statutes at Large)   |
|-----------------|-----------------------|--|
| 302903(a) ..... | 16 U.S.C. 470a(e)(2). | Pub. L. 89-665, title I, §101(e)(2), formerly §101(d)(2), Oct. 15, 1966, 80 Stat. 915; Pub. L. 91-383, §11, as added Pub. L. 94-458, §2, Oct. 7, 1976, 90 Stat. 1942; Pub. L. 93-54, §1(d), July 1, 1973, 87 Stat. 139; Pub. L. 96-205, title VI, §608(a)(1), (2), Mar. 12, 1980, 94 Stat. 92; Pub. L. 96-515, title II, §201(a), Dec. 12, 1980, 94 Stat. 2992; redesignated as §101(e)(2), Pub. L. 102-575, title XL, §4006(a)(1), Oct. 30, 1992, 106 Stat. 4755; Pub. L. 106-208, §5(a)(2), May 26, 2002, 114 Stat. 318. |
| 302903(b) ..... | 16 U.S.C. 470b-1.     | Pub. L. 89-754, title VI, §603, Nov. 3, 1980, 80 Stat. 1278.   |

In subsection (a), the words “chartered by sections 468 to 468d of this title” are omitted as unnecessary.

In subsection (b), the text of 16 U.S.C. 470b-1(b) is omitted as unnecessary.

§ 302904. Direct grants for the preservation of properties included on National Register

(a) ADMINISTRATION OF PROGRAM.—The Secretary shall administer a program of direct grants for the preservation of properties included on the National Register.

(b) AVAILABLE AMOUNT.—Funds to support the program annually shall not exceed 10 percent of the amount appropriated annually for the Historic Preservation Fund.

(c) USES OF GRANTS.—

(1) IN GENERAL.—Grants under this section may be made by the Secretary, in consultation with the appropriate State Historic Preservation Officer—

(A) for the preservation of—

(i) National Historic Landmarks that are threatened with demolition or impairment; and

(ii) historic property of World Heritage significance;

(B) for demonstration projects that will provide information concerning professional methods and techniques having application to historic property;

(C) for the training and development of skilled labor in trades and crafts, and in analysis and curation, relating to historic preservation; and

(D) to assist individuals or small businesses within any historic district included on the National Register to remain within the district.

(2) LIMIT ON CERTAIN GRANTS.—A grant may be made under subparagraph (A) or (D) of paragraph (1) only to the extent that the project cannot be carried out in as effective a manner through the use of an insured loan under section 303901 of this title.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3204.)

HISTORICAL AND REVISION NOTES

| Revised Section           | Source (U.S. Code)       | Source (Statutes at Large)   |
|---------------------------|--------------------------|--|
| 302904(a) through (c)(1). | 16 U.S.C. 470a(e)(3)(A). | Pub. L. 89-665, title I, §101(e)(3)(A), (C), formerly §101(d)(3)(A), (C), Oct. 15, 1966, 80 Stat. 915; Pub. L. 91-383, §11, as added Pub. L. 94-458, §2, Oct. 7, 1976, 90 Stat. 1942; Pub. L. 93-54, §1(d), July 1, 1973, 87 Stat. 139; Pub. L. 96-205, title VI, §608(a)(1), (2), Mar. 12, 1980, 94 Stat. 92; Pub. L. 96-515, title II, §201(a), Dec. 12, 1980, 94 Stat. 2992; redesignated as §101(e)(3)(A), (C), Pub. L. 102-575, title XL, §4006(a)(1), Oct. 30, 1992, 106 Stat. 4755; Pub. L. 106-208, §5(a)(3), May 26, 2002, 114 Stat. 318. |
| 302904(c)(2)              | 16 U.S.C. 470a(e)(3)(C). |  |

In subsection (a), the words “In addition to the programs under paragraphs (1) and (2)” are omitted as unnecessary.

In subsection (c)(1)(D), the word “individuals” is substituted for “persons” for clarity.

§ 302905. Religious property

(a) IN GENERAL.—Grants may be made under this chapter for the preservation, stabilization,

restoration, or rehabilitation of religious property listed on the National Register if the purpose of the grant—

- (1) is secular;
- (2) does not promote religion; and
- (3) seeks to protect qualities that are historically significant.

(b) EFFECT OF SECTION.—Nothing in this section shall be construed to authorize the use of any funds made available under this subdivision for the acquisition of any religious property listed on the National Register.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3204.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>   |
|------------------------|---------------------------|---|
| 302905 .....           | 16 U.S.C. 470a(e)(4).     | Pub. L. 89-665, title I, §101(e)(4), as added Pub. L. 102-575, title XL, §4007(2), Oct. 30, 1992, 106 Stat. 4758. |

**§ 302906. Grants and loans to Indian tribes and nonprofit organizations representing ethnic or minority groups**

The Secretary may, in consultation with the appropriate State Historic Preservation Officer, make grants or loans or both under this subdivision to Indian tribes and to nonprofit organizations representing ethnic or minority groups for the preservation of their cultural heritage.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3204.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>   |
|------------------------|---------------------------|---|
| 302906 .....           | 16 U.S.C. 470a(e)(3)(B).  | Pub. L. 89-665, title I, §101(e)(3)(B), formerly §101(d)(3)(B), Oct. 15, 1966, 80 Stat. 915; Pub. L. 91-383, §11, as added Pub. L. 94-458, §2, Oct. 7, 1976, 90 Stat. 1942; Pub. L. 93-54, §1(d), July 1, 1973, 87 Stat. 139; Pub. L. 96-205, title VI, §608(a)(1), (2), Mar. 12, 1980, 94 Stat. 92; Pub. L. 96-515, title II, §201(a), Dec. 12, 1980, 94 Stat. 2992; redesignated as §101(e)(3)(B), Pub. L. 102-575, title XL, §4006(a)(1), Oct. 30, 1992, 106 Stat. 4755; Pub. L. 106-208, §5(a)(3), May 26, 2002, 114 Stat. 318. |

**§ 302907. Grants to Indian tribes and Native Hawaiian organizations**

The Secretary shall administer a program of direct grants to Indian tribes and Native Hawaiian organizations for the purpose of carrying out this division as it pertains to Indian tribes and Native Hawaiian organizations. Matching fund requirements may be modified. Federal funds available to an Indian tribe or Native Hawaiian organization may be used as matching funds for the purposes of the Indian tribe's or Native Hawaiian organization's conducting its responsibilities pursuant to this subdivision.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3205.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>   |
|------------------------|---------------------------|---|
| 302907 .....           | 16 U.S.C. 470a(e)(5).     | Pub. L. 89-665, title I, §101(e)(5), as added Pub. L. 102-575, title XL, §4007(2), Oct. 30, 1992, 106 Stat. 4758. |

**§ 302908. Grants to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau**

(a) IN GENERAL.—As part of the program of matching grant assistance from the Historic Preservation Fund to States, the Secretary shall administer a program of direct grants to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau in furtherance of the Compact of Free Association between the United States and the Federated States of Micronesia and the Marshall Islands, approved by the Compact of Free Association Act of 1985 (48 U.S.C. 1901 et seq., 2001 et seq.), and the Compact of Free Association between the United States and Palau, approved by the Joint Resolution entitled “Joint Resolution to approve the ‘Compact of Free Association’ between the United States and Government<sup>1</sup> of Palau, and for other purposes” (48 U.S.C. 1931 et seq.) or any successor enactment.

(b) GOAL OF PROGRAM.—The goal of the program shall be to establish historic and cultural preservation programs that meet the unique needs of each of those nations so that at the termination of the compacts the programs shall be firmly established.

(c) BASIS OF ALLOCATING AMOUNTS.—The amounts to be made available under this subsection shall be allocated by the Secretary on the basis of needs as determined by the Secretary.

(d) WAIVERS AND MODIFICATIONS.—The Secretary may waive or modify the requirements of this subdivision to conform to the cultural setting of those nations. Matching funds may be waived or modified.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3205.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>   |
|------------------------|---------------------------|---|
| 302908 .....           | 16 U.S.C. 470a(e)(6).     | Pub. L. 89-665, title I, §101(e)(6), as added Pub. L. 102-575, title XL, §4007(2), Oct. 30, 1992, 106 Stat. 4758. |

In subsection (a), the words “the Trust Territory of the Pacific Islands, and upon termination of the Trusteeship Agreement for the Trust Territory of the Pacific Islands” are omitted as obsolete. See note at 48 U.S.C. prec. 1681. For continued application of certain laws of the United States in certain cases, see the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (48 U.S.C. 1801 note), the Compact of Free Association between the Government of the United States of America and the Governments of the Marshall Islands and the Federated States of Micronesia (48 U.S.C. 1901 note), and the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note). The words “or any successor enactment” are added for clarity.

<sup>1</sup> So in original. Probably should be preceded by “the”.

REFERENCES IN TEXT

The Compact of Free Association Act of 1985, referred to in subsec. (a), is Pub. L. 99-239, Jan. 14, 1986, 99 Stat. 1770, which is classified principally to part A of subchapter I (§1901 et seq.) of chapter 18 and chapter 19 (§2001 et seq.) of Title 48, Territories and Insular Possessions. For complete classification of this Act to the Code, see Short Title note set out under section 1901 of Title 48 and Tables.

The Joint Resolution entitled “Joint Resolution to approve the ‘Compact of Free Association’ between the United States and the Government of Palau, and for other purposes”, referred to in subsec. (a), is Pub. L. 99-658, Nov. 14, 1986, 100 Stat. 3672, which is classified generally to part A (§1931 et seq.) of subchapter II of chapter 18 of Title 48. For complete classification of this Act to the Code, see Tables.

§ 302909. Prohibited use of grant amounts

No part of any grant made under this subdivision shall be used to compensate any person intervening in any proceeding under this division. (Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3205.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)  |
|-----------------|--------------------|---|
| 302909 .....    | 16 U.S.C. 470a(f). | Pub. L. 89-665, title I, §101(f), formerly §101(e), Oct. 15, 1966, 80 Stat. 915; Pub. L. 91-383, §11, as added Pub. L. 94-458, §2, Oct. 7, 1976, 90 Stat. 1942; Pub. L. 93-54, §1(d), July 1, 1973, 87 Stat. 139; Pub. L. 96-205, title VI, §608(a)(1), (2), Mar. 12, 1980, 94 Stat. 92; Pub. L. 96-515, title II, §201(a), Dec. 12, 1980, 94 Stat. 2992; redesignated as §101(f), Pub. L. 102-575, title XL, §4006(a)(1), Oct. 30, 1992, 106 Stat. 4758. |

§ 302910. Recordkeeping

A recipient of assistance under this division shall keep—

(1) such records as the Secretary shall prescribe, including records that fully disclose—

(A) the disposition by the recipient of the proceeds of the assistance;

(B) the total cost of the project or undertaking in connection with which the assistance is given or used; and

(C) the amount and nature of that portion of the cost of the project or undertaking supplied by other sources; and

(2) such other records as will facilitate an effective audit.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3205.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)                                  |
|-----------------|--------------------|---|
| 302910 .....    | 16 U.S.C. 470e.    | Pub. L. 89-665, title I, §105, Oct. 15, 1966, 80 Stat. 917. |

The word “recipient” is substituted for “beneficiary” for clarity.

CHAPTER 3031—HISTORIC PRESERVATION FUND

|         |                       |
|---------|-----------------------|
| Sec.    |                       |
| 303101. | Establishment.        |
| 303102. | Content.              |
| 303103. | Use and availability. |

§ 303101. Establishment

To carry out this division (except chapter 3041) and chapter 3121, there is established in the Treasury the Historic Preservation Fund.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3206.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code)              | Source (Statutes at Large)  |
|-----------------|---------------------------------|---|
| 303101 .....    | 16 U.S.C. 470h (1st paragraph). | Pub. L. 89-665, title I, §108 (1st paragraph), Oct. 15, 1966, 80 Stat. 917; Pub. L. 91-243, §1(a), May 9, 1970, 84 Stat. 204; Pub. L. 93-54, §1(a), July 1, 1973, 87 Stat. 139; Pub. L. 94-422, title II, §201(4), Sept. 28, 1976, 90 Stat. 1320. |

The words “(except chapter 3041) and chapter 3121” are added for clarity. The Advisory Council on Historic Preservation does not receive amounts from the Fund. The National Trust for Historic Preservation in the United States does receive amounts.

§ 303102. Contents

For each of fiscal years 2012 to 2015, \$150,000,000 shall be deposited in the Historic Preservation Fund from revenues due and payable to the United States under section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338), section 7433(b) of title 10, or both, notwithstanding any provision of law that those proceeds shall be credited to miscellaneous receipts of the Treasury.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3206.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code)                            | Source (Statutes at Large)  |
|-----------------|---|---|
| 303102 .....    | 16 U.S.C. 470h (last paragraph 1st sentence). | Pub. L. 89-665, title I, §108 (last paragraph 1st sentence), Oct. 15, 1966, 80 Stat. 917; Pub. L. 91-243, §1(a), May 9, 1970, 84 Stat. 204; Pub. L. 93-54, §1(a), July 1, 1973, 87 Stat. 139; Pub. L. 94-422, title II, §201(4), Sept. 28, 1976, 90 Stat. 1320; Pub. L. 96-515, title II, §205, Dec. 12, 1980, 94 Stat. 2995; Pub. L. 100-127, Oct. 9, 1987, 101 Stat. 800; Pub. L. 102-575, title XL, §4011, Oct. 30, 1992, 106 Stat. 4760; Pub. L. 106-208, §2, 5(a)(7), May 26, 2000, 114 Stat. 318, 319; Pub. L. 109-453, §1(c), Dec. 22, 2006, 120 Stat. 3367. |

Reference to fiscal years 1977-2011 is omitted as obsolete.

§ 303103. Use and availability

Amounts in the Historic Preservation Fund shall be used only to carry out this division and shall be available for expenditure only when appropriated by Congress. Any amount not appropriated shall remain available in the Historic Preservation Fund until appropriated for those purposes. Appropriations made pursuant to this section may be made without fiscal year limitation.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3206.)