

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 Government¹ 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.

¹ So in original. Probably should be preceded by “the”.

Editorial Notes

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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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.

Sec.
303102. Funding.
303103. Use and availability.

Editorial Notes

AMENDMENTS

2016—Pub. L. 114-289, title VIII, §802(c)(2), Dec. 16, 2016, 130 Stat. 1495, substituted “Funding” for “Content” in item 303102.

§ 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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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. Funding

For each of fiscal years 2012 to 2023,¹ \$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 8733(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; Pub. L. 114-289, title VIII, §802(a), (c)(1), Dec. 16, 2016, 130 Stat. 1494, 1495; Pub. L. 115-232, div. A, title VIII, §809(s), Aug. 13, 2018, 132 Stat. 1844.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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.

¹ See Application of Section note below.