

public official receiving grant assistance pursuant to this division, after consultation with the Secretary, shall withhold from disclosure to the public information about the location, character, or ownership of a historic property if the Secretary and the agency determine that disclosure may—

- (1) cause a significant invasion of privacy;
- (2) risk harm to the historic property; or
- (3) impede the use of a traditional religious site by practitioners.

(b) ACCESS DETERMINATION.—When the head of a Federal agency or other public official determines that information should be withheld from the public pursuant to subsection (a), the Secretary, in consultation with the Federal agency head or official, shall determine who may have access to the information for the purpose of carrying out this division.

(c) CONSULTATION WITH COUNCIL.—When information described in subsection (a) has been developed in the course of an agency’s compliance with section 306107 or 306108 of this title, the Secretary shall consult with the Council in reaching determinations under subsections (a) and (b).

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3231.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
307103	16 U.S.C. 470w–3.	Pub. L. 89–665, title III, § 304, as added Pub. L. 96–515, title V, § 501, Dec. 12, 1980, 94 Stat. 3002; Pub. L. 102–575, title XL, § 4020, Oct. 30, 1992, 106 Stat. 4765.

§ 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

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

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

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

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

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

Statutory Notes and Related Subsidiaries

JAPANESE AMERICAN WORLD WAR II HISTORY NETWORK

Pub. L. 117-328, div. DD, title VI, §645, Dec. 29, 2022, 136 Stat. 5615, provided that:

“(a) **ESTABLISHMENT.**—The Secretary [of the Interior] shall establish, within the National Park Service, a program to be known as the ‘Japanese American World War II History Network’ (referred to in this section as the ‘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 Japanese American World War II history and Japanese American experiences during World War II, including studies related to relocation centers and confinement sites, that are underway or completed;

“(2) produce and disseminate appropriate educational materials, such as handbooks, maps, interpretive guides, or electronic information relating to Japanese American World War II history and Japanese American experiences during the war, including relocation centers and confinement sites;

“(3) enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance under subsection (d); 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 National Park Service that are determined by the Secretary to relate to Japanese American World War II history and Japanese American experiences during the war, including relocation centers and confinement sites.

“(2) With the consent of the property owner, other Federal, State, local, Tribal, and privately owned properties that—

“(A) relate to Japanese American World War II history and Japanese experiences during the war, including relocation centers and confinement sites;

“(B) have a verifiable connection to Japanese American World War II history and Japanese expe-

riences during the war, including relocation and confinement sites; 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 Japanese American World War II history and the experiences of Japanese Americans during the war, including relocation centers and confinement sites.

“(d) **COOPERATIVE AGREEMENTS AND MEMORANDA OF UNDERSTANDING.**—To achieve the purposes of this section and to ensure effective coordination of the Federal and non-Federal elements of the Network described in subsection (c) with units of the National Park System and programs of the National Park Service, including the Japanese American Confinement Sites Program, 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, Indian Tribes, regional governmental bodies, and private entities.

“(e) **SUNSET.**—The authority of the Secretary under this section shall expire 7 years after the date of enactment of this Act [Dec. 29, 2022].”

HISTORIC CONFINEMENT SITES

Pub. L. 109-441, Dec. 21, 2006, 120 Stat. 3288, as amended by Pub. L. 111-88, div. A, title I, §119, Oct. 30, 2009, 123 Stat. 2929; Pub. L. 117-328, div. DD, title VI, §644, Dec. 29, 2022, 136 Stat. 5614, provided that:

“SECTION. 1. PRESERVATION OF HISTORIC CONFINEMENT SITES.

“(a) **PRESERVATION PROGRAM.**—The Secretary shall create a program within the National Park Service to encourage, support, recognize, and work in partnership with citizens, Federal agencies, State, local, and tribal governments, other public entities, educational institutions, and private nonprofit organizations for the purpose of identifying, researching, evaluating, interpreting, protecting, restoring, repairing, and acquiring historic confinement sites in order that present and future generations may learn and gain inspiration from these sites and that these sites will demonstrate the Nation’s commitment to equal justice under the law.

“(b) **GRANTS.**—

“(1) **CRITERIA.**—The Secretary, after consultation with State, local, and tribal governments, other public entities, educational institutions, and private nonprofit organizations (including organizations involved in the preservation of historic confinement sites), shall develop criteria for making grants under paragraph (2) to assist in carrying out subsection (a).

“(2) **PROVISION OF GRANTS.**—Not later than 180 days after the date on which funds are made available to carry out this Act, the Secretary shall, subject to the availability of appropriations, make grants to the entities described in paragraph (1) only in accordance with the criteria developed under that paragraph.

“(c) **PROPERTY ACQUISITION.**—

“(1) **AUTHORITY.**—Federal funds made available under this section may be used to acquire non-Federal property for the purposes of this section, in accordance with section 3, only if that property is within the areas described in paragraph (2).

“(2) **PROPERTY DESCRIPTIONS.**—The property referred to in paragraph (2) [probably should be “(1)"] is the following:

“(A) Jerome, depicted in Figure 7.1 of the Site Document.

“(B) Rohwer, depicted in Figure 11.2 of the Site Document.

“(C) Topaz, depicted in Figure 12.2 of the Site Document.

“(D) Honouliuli, located on the southern part of the Island of Oahu, Hawaii, and within the land area bounded by H1 to the south, Route 750 (Kunia