

(d) CONSENT OF PRIVATE PROPERTY OWNER REQUIRED.—Burial grounds shall only be considered for a grant under the Program—

- (1) with the consent of the property owner; and
- (2) at the request of an individual, landowner, private or nonprofit organization, State, Tribal, or local government, or other entity.

(Added Pub. L. 117–328, div. DD, title VI, § 643(a), Dec. 29, 2022, 136 Stat. 5613.)

§ 308603. Authority to make grants

(a) IN GENERAL.—The Secretary may make grants to other Federal agencies, State, local, and Tribal governments, other public entities, educational institutions, historic preservation groups, and private nonprofit organizations in accordance with this chapter for—

- (1) the identification of historic African-American burial grounds that may qualify for the Program;
- (2) the preservation and restoration of African-American burial grounds;
- (3) the interpretation of African-American burial grounds; and
- (4) related research and documentation for historic African-American burial grounds.

(b) FUNDING.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this section \$3,000,000 for each of fiscal years 2023 through 2027.

(2) AVAILABILITY.—Any amounts made available for a fiscal year under paragraph (1) that are not used during that fiscal year shall be available for use under this section during any subsequent fiscal year.

(Added Pub. L. 117–328, div. DD, title VI, § 643(a), Dec. 29, 2022, 136 Stat. 5613.)

§ 308604. Cooperative agreements and memoranda of understanding

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, Tribal governments, regional governmental bodies, nonprofit organizations, educational institutions, and private entities—

- (1) to achieve the purposes of this chapter; and
- (2) to ensure effective coordination of the Federal elements and non-Federal elements provided a grant or other assistance under the Program with System units and programs of the Service.

(Added Pub. L. 117–328, div. DD, title VI, § 643(a), Dec. 29, 2022, 136 Stat. 5614.)

§ 308605. Private property protection

Nothing in this chapter—

- (1) authorizes the Secretary to require or affect the management or use of private property without the written consent of the owner of the private property;
- (2) prohibits the Secretary from providing land management guidance or requirements

relating to private property as a condition of a grant provided to the owner of the private property under this chapter; or

- (3) shall be construed as creating any new regulatory burden on any Federal, State, Tribal, or private entity.

(Added Pub. L. 117–328, div. DD, title VI, § 643(a), Dec. 29, 2022, 136 Stat. 5614.)

CHAPTER 3087—NATIONAL MARITIME HERITAGE

Sec.

308701. Policy.

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§ 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

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

cer 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

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