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110TH CONGRESS
2D SESSION

S. 2262

[Report No. 110-365]

To authorize the Preserve America Program and Save America's Treasures Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 30, 2007

Mr. DOMENICI (for himself, Mrs. CLINTON, Mr. BURR, Mr. BINGAMAN, Mr. ALEXANDER, Mr. MARTINEZ, Mrs. HUTCHISON, and Mr. COCHRAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JUNE 16, 2008

Reported by Mr. BINGAMAN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To authorize the Preserve America Program and Save America's Treasures Program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “**Preserve America and Save America's Treasures Act**”.

1 (b) TABLE OF CONTENTS.—The table of contents of
2 this Act is as follows:

See. 1. Short title; table of contents.

TITLE I—PRESERVE AMERICA PROGRAM

See. 101. Purpose.

See. 102. Definitions.

See. 103. Establishment.

See. 104. Designation of Preserve America Communities.

See. 105. Regulations.

See. 106. Authorization of appropriations.

TITLE II—SAVE AMERICA’S TREASURES PROGRAM

See. 201. Purpose.

See. 202. Definitions.

See. 203. Establishment.

See. 204. Regulations.

See. 205. Authorization of appropriations.

3 **TITLE I—PRESERVE AMERICA**
4 **PROGRAM**

5 **SEC. 101. PURPOSE.**

6 The purpose of this title is to authorize the Preserve
7 America Program, including—

8 (1) the Preserve America grant program within
9 the Department of the Interior;

10 (2) the recognition programs administered by
11 the Advisory Council on Historic Preservation; and

12 (3) the related efforts of Federal agencies,
13 working in partnership with State, tribal, and local
14 governments and the private sector, to support and
15 promote the preservation of historic resources.

16 **SEC. 102. DEFINITIONS.**

17 In this title:

1 (1) COUNCIL.—The term “Council” means the
2 Advisory Council on Historic Preservation.

3 (2) HERITAGE TOURISM.—The term “heritage
4 tourism” means the conduct of activities to attract
5 and accommodate visitors to a site or area based on
6 the unique or special aspects of the history, land-
7 scape (including trail systems), and culture of the
8 site or area.

9 (3) PROGRAM.—The term “program” means
10 the Preserve America Program established under
11 section 103(a).

12 (4) SECRETARY.—The term “Secretary” means
13 the Secretary of the Interior.

14 **SEC. 103. ESTABLISHMENT.**

15 (a) IN GENERAL.—There is established in the De-
16 partment of the Interior the Preserve America Program,
17 under which the Secretary, in partnership with the Coun-
18 cil, shall provide competitive grants to States, local gov-
19 ernments (including local governments in the process of
20 applying for designation as Preserve America Commu-
21 nities under section 104), Indian tribes, communities des-
22 ignated as Preserve America Communities under section
23 104, State historic preservation offices, and tribal historic
24 preservation offices to support preservation efforts

1 through heritage tourism, education, and historic preser-
2 vation planning activities.

3 ~~(b) ELIGIBLE PROJECTS.—~~

4 ~~(1) IN GENERAL.—~~The following projects shall
5 be eligible for a grant under this title:

6 ~~(A) A project for the conduct of—~~

7 ~~(i) research on, and documentation of,~~
8 ~~the history of a community; and~~

9 ~~(ii) surveys of the historic resources of~~
10 ~~a community.~~

11 ~~(B) An education and interpretation~~
12 ~~project that conveys the history of a community~~
13 ~~or site.~~

14 ~~(C) A planning project (other than build-~~
15 ~~ing rehabilitation) that advances economic de-~~
16 ~~velopment using heritage tourism and historic~~
17 ~~preservation.~~

18 ~~(D) A marketing project that promotes~~
19 ~~and enhances the visitor experience to a com-~~
20 ~~munity.~~

21 ~~(E) A training project that provides oppor-~~
22 ~~tunities for professional development in areas~~
23 ~~that would aid a community in using and pro-~~
24 ~~moting its historic resources.~~

1 (F) A project to support heritage tourism
2 in a Preserve America Community designated
3 under section 104.

4 (2) LIMITATION.—In providing grants under
5 this title, the Secretary shall only provide 1 grant to
6 each eligible project selected for a grant.

7 (e) PREFERENCE.—In providing grants under this
8 title, the Secretary may give preference to projects that
9 carry out the purposes of both the program and the Save
10 America's Treasures Program.

11 (d) CONSULTATION AND NOTIFICATION.—

12 (1) CONSULTATION.—The Secretary shall con-
13 sult with the Council in preparing the list of projects
14 to be provided grants for a fiscal year under the pro-
15 gram.

16 (2) NOTIFICATION.—Not later than 30 days be-
17 fore the date on which the Secretary provides grants
18 for a fiscal year under the program, the Secretary
19 shall submit to the Committee on Energy and Nat-
20 ural Resources of the Senate, the Committee on Ap-
21 propriations of the Senate, the Committee on Nat-
22 ural Resources of the House of Representatives, and
23 the Committee on Appropriations of the House of
24 Representatives a list of any eligible projects that

1 are to be provided grants under the program for the
2 fiscal year.

3 ~~(c) COST-SHARING REQUIREMENT.—~~

4 ~~(1) IN GENERAL.—~~The non-Federal share of
5 the cost of carrying out a project provided a grant
6 under this title shall be not less than 50 percent of
7 the total cost of the project.

8 ~~(2) FORM OF NON-FEDERAL SHARE.—~~The non-
9 Federal share required under paragraph (1) shall be
10 in the form of—

11 ~~(A) cash; or~~

12 ~~(B) donated supplies and related services;~~
13 the value of which shall be determined by the
14 Secretary.

15 ~~(3) REQUIREMENT.—~~The Secretary shall en-
16 sure that the non-Federal share for an eligible
17 project required under paragraph (1) shall be avail-
18 able for expenditure before a grant is provided to the
19 eligible project under the program.

20 **SEC. 104. DESIGNATION OF PRESERVE AMERICA COMMU-**
21 **NITIES.**

22 (a) APPLICATION.—To be considered for designation
23 as a Preserve America Community, a community, tribal
24 area, or neighborhood shall submit to the Council an appli-

1 cation containing such information as the Council may re-
 2 quire.

3 (b) CRITERIA.—To be designated as a Preserve
 4 America Community under the program a community,
 5 tribal area, or neighborhood that submits an application
 6 under subsection (a) shall, as determined by the Council,
 7 in consultation with the Secretary—

8 (1) protect and celebrate the heritage of the
 9 community, tribal area, or neighborhood;

10 (2) use the historic assets of the community,
 11 tribal area, or neighborhood for economic develop-
 12 ment and community revitalization;

13 (3) encourage people to experience and appre-
 14 ciate local historic resources through education and
 15 heritage tourism programs; and

16 (4) meet any other criteria required by the
 17 Council.

18 (c) GUIDELINES.—The Council, in consultation with
 19 the Secretary, shall establish any guidelines that are nec-
 20 essary to carry out this section.

21 **SEC. 105. REGULATIONS.**

22 The Secretary shall develop any guidelines and issue
 23 any regulations that the Secretary determines to be nec-
 24 essary to carry out this title.

1 **SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums
3 as are necessary to carry out this title.

4 **TITLE II—SAVE AMERICA’S**
5 **TREASURES PROGRAM**

6 **SEC. 201. PURPOSE.**

7 The purpose of this title is to authorize within the
8 Department of the Interior the Save America’s Treasures
9 Program, to be carried out by the Director of the National
10 Park Service, in partnership with National Endowment
11 for the Arts, the National Endowment for the Humanities,
12 the Institute of Museum and Library Services, the Na-
13 tional Trust for Historic Preservation, and the President’s
14 Committee on the Arts and the Humanities.

15 **SEC. 202. DEFINITIONS.**

16 In this title:

17 (1) **COLLECTION.**—The term “collection”
18 means a collection of intellectual and cultural arti-
19 facts, including documents, sculpture, and works of
20 art.

21 (2) **ELIGIBLE ENTITY.**—The term “eligible enti-
22 ty” means a Federal entity, State, local, or tribal
23 government, educational institution, or nonprofit or-
24 ganization.

25 (3) **HISTORIC PROPERTY.**—The term “historic
26 property” has the meaning given the term in section

1 301 of the National Historic Preservation Act (16
2 U.S.C. 470w).

3 (4) **NATIONALLY SIGNIFICANT.**—The term “na-
4 tionally significant” means a collection or historic
5 property that meets the applicable criteria for na-
6 tional significance, in accordance with regulations
7 promulgated by the Secretary pursuant to section
8 101(a)(2) of the National Historic Preservation Act
9 (16 U.S.C. 470a(a)(2)).

10 (5) **PROGRAM.**—The term “program” means
11 the Save America’s Treasures Program established
12 under section 203(a).

13 (6) **SECRETARY.**—The term “Secretary” means
14 the Secretary of the Interior, acting through the Di-
15 rector of the National Park Service.

16 **SEC. 203. ESTABLISHMENT.**

17 (a) **IN GENERAL.**—There is established in the De-
18 partment of the Interior the Save America’s Treasures
19 program, under which the amounts made available to the
20 Secretary under section 205 shall be used by the Sec-
21 retary, in consultation with the National Endowment for
22 the Arts, the National Endowment for the Humanities,
23 the Institute of Museum and Library Services, the Na-
24 tional Trust for Historic Preservation, and the President’s
25 Committee on the Arts and the Humanities, subject to

1 subsection (f)(1)(B), to provide grants to eligible entities
 2 for projects to preserve nationally significant collections
 3 and historic properties.

4 (b) DETERMINATION OF GRANTS.—Of the amounts
 5 made available for grants under section 205, not less than
 6 50 percent shall be made available for grants for projects
 7 to preserve collections and historic properties, to be dis-
 8 tributed through a competitive grant process administered
 9 by the Secretary, subject to the eligibility criteria estab-
 10 lished under subsection (e).

11 (c) APPLICATIONS FOR GRANTS.—To be considered
 12 for a competitive grant under the program an eligible enti-
 13 ty shall submit to the Secretary an application containing
 14 such information as the Secretary may require.

15 (d) COLLECTIONS AND HISTORIC PROPERTIES ELI-
 16 GIBLE FOR COMPETITIVE GRANTS.—

17 (1) IN GENERAL.—A collection or historic prop-
 18 erty shall be provided a competitive grant under the
 19 program only if the Secretary determines that the
 20 collection or historic property is—

21 (A) nationally significant; and

22 (B) threatened or endangered.

23 (2) ELIGIBLE COLLECTIONS.—A determination
 24 by the Secretary regarding the national significance
 25 of collections under paragraph (1)(A) shall be made

1 in consultation with the National Endowment for the
 2 Arts, the National Endowment for the Humanities,
 3 the National Trust for Historic Preservation, or the
 4 Institute of Museum and Library Services, as appro-
 5 priate.

6 ~~(3)~~ ELIGIBLE HISTORIC PROPERTIES.—To be
 7 eligible for a competitive grant under the program,
 8 a historic property shall, as of the date of the grant
 9 application—

10 (A) be listed in the National Register of
 11 Historic Places at the national level of signifi-
 12 cance; or

13 (B) be designated as a National Historic
 14 Landmark.

15 ~~(c)~~ SELECTION CRITERIA FOR GRANTS.—

16 ~~(1)~~ IN GENERAL.—The Secretary shall not pro-
 17 vide a grant under this title to a project for an eligi-
 18 ble collection or historic property unless the
 19 project—

20 (A) eliminates or substantially mitigates
 21 the threat of destruction or deterioration of the
 22 eligible collection or historic property;

23 (B) has a clear public benefit; and

1 (C) is able to be completed on schedule
2 and within the budget described in the grant
3 application.

4 (2) PREFERENCE.—In providing grants under
5 this title, the Secretary may give preference to
6 projects that carry out the purposes of both the pro-
7 gram and the Preserve America Program.

8 (3) LIMITATION.—In providing grants under
9 this title, the Secretary shall only provide 1 grant to
10 each eligible project selected for a grant.

11 (f) CONSULTATION AND NOTIFICATION BY SEC-
12 RETARY.—

13 (1) CONSULTATION.—

14 (A) IN GENERAL.—Subject to subpara-
15 graph (B), the Secretary shall consult with the
16 National Endowment for the Arts, the National
17 Endowment for the Humanities, the Institute of
18 Museum and Library Services, the National
19 Trust for Historic Preservation, and the Presi-
20 dent's Committee on Arts and Humanities in
21 preparing the list of projects to be provided
22 grants for a fiscal year by the Secretary under
23 the program.

24 (B) LIMITATION.—If an entity described in
25 subparagraph (A) has submitted an application

1 for a grant under the program, the entity shall
2 be recused by the Secretary from the consulta-
3 tion requirements under that subparagraph and
4 subsection (a).

5 (2) NOTIFICATION.—Not later than 30 days be-
6 fore the date on which the Secretary provides grants
7 for a fiscal year under the program, the Secretary
8 shall submit to the Committee on Energy and Nat-
9 ural Resources of the Senate, the Committee on Ap-
10 propriations of the Senate, the Committee on Nat-
11 ural Resources of the House of Representatives, and
12 the Committee on Appropriations of the House of
13 Representatives a list of any eligible projects that
14 are to be provided grants under the program for the
15 fiscal year.

16 (g) COST-SHARING REQUIREMENT.—

17 (1) IN GENERAL.—The non-Federal share of
18 the cost of carrying out a project provided a grant
19 under this title shall be not less than 50 percent of
20 the total cost of the project.

21 (2) FORM OF NON-FEDERAL SHARE.—The non-
22 Federal share required under paragraph (1) shall be
23 in the form of—

24 (A) cash; or

1 ~~(B)~~ donated supplies or related services,
 2 the value of which shall be determined by the
 3 Secretary.

4 ~~(3)~~ REQUIREMENT.—The Secretary shall en-
 5 sure that each applicant for a grant has the capacity
 6 and a feasible plan for securing the non-Federal
 7 share for an eligible project required under para-
 8 graph ~~(1)~~ before a grant is provided to the eligible
 9 project under the program.

10 **SEC. 204. REGULATIONS.**

11 The Secretary shall develop any guidelines and issue
 12 any regulations that the Secretary determines to be nec-
 13 essary to carry out this title.

14 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated such sums
 16 as are necessary to carry out this title.

17 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

18 (a) *SHORT TITLE.*—*This Act may be cited as the “Pre-*
 19 *serve America and Save America’s Treasures Act”.*

20 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 21 *Act is as follows:*

Sec. 1. Short title; table of contents.

TITLE I—PRESERVE AMERICA PROGRAM

Sec. 101. Purpose.

Sec. 102. Definitions.

Sec. 103. Establishment.

Sec. 104. Designation of Preserve America Communities.

Sec. 105. Regulations.

Sec. 106. Authorization of appropriations.

TITLE II—SAVE AMERICA'S TREASURES PROGRAM

Sec. 201. Purpose.

Sec. 202. Definitions.

Sec. 203. Establishment.

Sec. 204. Regulations.

Sec. 205. Authorization of appropriations.

1 **TITLE I—PRESERVE AMERICA**
 2 **PROGRAM**

3 **SEC. 101. PURPOSE.**

4 *The purpose of this title is to authorize the Preserve*
 5 *America Program, including—*

6 (1) *the Preserve America grant program within*
 7 *the Department of the Interior;*

8 (2) *the recognition programs administered by the*
 9 *Advisory Council on Historic Preservation; and*

10 (3) *the related efforts of Federal agencies, work-*
 11 *ing in partnership with State, tribal, and local gov-*
 12 *ernments and the private sector, to support and pro-*
 13 *mote the preservation of historic resources.*

14 **SEC. 102. DEFINITIONS.**

15 *In this title:*

16 (1) *COUNCIL.*—*The term “Council” means the*
 17 *Advisory Council on Historic Preservation.*

18 (2) *HERITAGE TOURISM.*—*The term “heritage*
 19 *tourism” means the conduct of activities to attract*
 20 *and accommodate visitors to a site or area based on*
 21 *the unique or special aspects of the history, landscape*

1 *(including trail systems), and culture of the site or*
2 *area.*

3 (3) *PROGRAM.*—*The term “program” means the*
4 *Preserve America Program established under section*
5 *103(a).*

6 (4) *SECRETARY.*—*The term “Secretary” means*
7 *the Secretary of the Interior.*

8 **SEC. 103. ESTABLISHMENT.**

9 (a) *IN GENERAL.*—*There is established in the Depart-*
10 *ment of the Interior the Preserve America Program, under*
11 *which the Secretary, in partnership with the Council, may*
12 *provide competitive grants to States, local governments (in-*
13 *cluding local governments in the process of applying for des-*
14 *ignation as Preserve America Communities under section*
15 *104), Indian tribes, communities designated as Preserve*
16 *America Communities under section 104, State historic*
17 *preservation offices, and tribal historic preservation offices*
18 *to support preservation efforts through heritage tourism,*
19 *education, and historic preservation planning activities.*

20 (b) *ELIGIBLE PROJECTS.*—

21 (1) *IN GENERAL.*—*The following projects shall be*
22 *eligible for a grant under this title:*

23 (A) *A project for the conduct of—*

24 (i) *research on, and documentation of,*
25 *the history of a community; and*

1 (ii) surveys of the historic resources of
2 a community.

3 (B) An education and interpretation project
4 that conveys the history of a community or site.

5 (C) A planning project (other than building
6 rehabilitation) that advances economic develop-
7 ment using heritage tourism and historic preser-
8 vation.

9 (D) A training project that provides oppor-
10 tunities for professional development in areas
11 that would aid a community in using and pro-
12 moting its historic resources.

13 (E) A project to support heritage tourism in
14 a Preserve America Community designated
15 under section 104.

16 (F) Other nonconstruction projects that
17 identify or promote historic properties or provide
18 for the education of the public about historic
19 properties that are consistent with the purposes
20 of this Act.

21 (2) *LIMITATION.*—In providing grants under this
22 title, the Secretary shall only provide 1 grant to each
23 eligible project selected for a grant.

24 (c) *PREFERENCE.*—In providing grants under this
25 title, the Secretary may give preference to projects that

1 *carry out the purposes of both the program and the Save*
2 *America's Treasures Program.*

3 *(d) CONSULTATION AND NOTIFICATION.—*

4 *(1) CONSULTATION.—The Secretary shall consult*
5 *with the Council in preparing the list of projects to*
6 *be provided grants for a fiscal year under the pro-*
7 *gram.*

8 *(2) NOTIFICATION.—Not later than 30 days be-*
9 *fore the date on which the Secretary provides grants*
10 *for a fiscal year under the program, the Secretary*
11 *shall submit to the Committee on Energy and Natural*
12 *Resources of the Senate, the Committee on Appropria-*
13 *tions of the Senate, the Committee on Natural Re-*
14 *sources of the House of Representatives, and the Com-*
15 *mittee on Appropriations of the House of Representa-*
16 *tives a list of any eligible projects that are to be pro-*
17 *vided grants under the program for the fiscal year.*

18 *(e) COST-SHARING REQUIREMENT.—*

19 *(1) IN GENERAL.—The non-Federal share of the*
20 *cost of carrying out a project provided a grant under*
21 *this title shall be not less than 50 percent of the total*
22 *cost of the project.*

23 *(2) FORM OF NON-FEDERAL SHARE.—The non-*
24 *Federal share required under paragraph (1) shall be*
25 *in the form of—*

1 (A) cash; or

2 (B) donated supplies and related services,
3 the value of which shall be determined by the
4 Secretary.

5 (3) *REQUIREMENT.*—The Secretary shall ensure
6 that each applicant for a grant has the capacity to
7 secure, and a feasible plan for securing, the non-Fed-
8 eral share for an eligible project required under para-
9 graph (1) before a grant is provided to the eligible
10 project under the program.

11 **SEC. 104. DESIGNATION OF PRESERVE AMERICA COMMU-**
12 **NITIES.**

13 (a) *APPLICATION.*—To be considered for designation as
14 a Preserve America Community, a community, tribal area,
15 or neighborhood shall submit to the Council an application
16 containing such information as the Council may require.

17 (b) *CRITERIA.*—To be designated as a Preserve Amer-
18 ica Community under the program, a community, tribal
19 area, or neighborhood that submits an application under
20 subsection (a) shall, as determined by the Council, in con-
21 sultation with the Secretary, meet criteria required by the
22 Council and, in addition, consider—

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

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

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

7 (c) **LOCAL GOVERNMENTS PREVIOUSLY CERTIFIED**
8 **FOR HISTORIC PRESERVATION ACTIVITIES.**—*The Council*
9 *shall establish an expedited process for Preserve America*
10 *Community designation for local governments previously*
11 *certified for historic preservation activities under section*
12 *101(c)(1) of the National Historic Preservation Act (16*
13 *U.S.C. 470a(c)(1)).*

14 (d) **GUIDELINES.**—*The Council, in consultation with*
15 *the Secretary, shall establish any guidelines that are nec-*
16 *essary to carry out this section.*

17 **SEC. 105. REGULATIONS.**

18 *The Secretary shall develop any guidelines and issue*
19 *any regulations that the Secretary determines to be nec-*
20 *essary to carry out this title.*

21 **SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

22 *There is authorized to be appropriated to carry out*
23 *this title \$25,000,000 for each fiscal year, to remain avail-*
24 *able until expended.*

1 **TITLE II—SAVE AMERICA’S**
 2 **TREASURES PROGRAM**

3 **SEC. 201. PURPOSE.**

4 *The purpose of this title is to authorize within the De-*
 5 *partment of the Interior the Save America’s Treasures Pro-*
 6 *gram, to be carried out by the Director of the National Park*
 7 *Service, in partnership with—*

8 (1) *the National Endowment for the Arts;*

9 (2) *the National Endowment for the Humanities;*

10 (3) *the Institute of Museum and Library Serv-*
 11 *ices;*

12 (4) *the National Trust for Historic Preservation;*

13 (5) *the National Conference of State Historic*
 14 *Preservation Officers;*

15 (6) *the National Association of Tribal Historic*
 16 *Preservation Officers; and*

17 (7) *the President’s Committee on the Arts and*
 18 *the Humanities.*

19 **SEC. 202. DEFINITIONS.**

20 *In this title:*

21 (1) *COLLECTION.*—*The term “collection” means*
 22 *a collection of intellectual and cultural artifacts, in-*
 23 *cluding documents, sculpture, and works of art.*

24 (2) *ELIGIBLE ENTITY.*—*The term “eligible enti-*
 25 *ty” means a Federal entity, State, local, or tribal gov-*

1 *ernment, educational institution, or nonprofit organi-*
2 *zation.*

3 (3) *HISTORIC PROPERTY.*—*The term “historic*
4 *property” has the meaning given the term in section*
5 *301 of the National Historic Preservation Act (16*
6 *U.S.C. 470w).*

7 (4) *NATIONALLY SIGNIFICANT.*—*The term “na-*
8 *tionally significant” means a collection or historic*
9 *property that meets the applicable criteria for na-*
10 *tional significance, in accordance with regulations*
11 *promulgated by the Secretary pursuant to section*
12 *101(a)(2) of the National Historic Preservation Act*
13 *(16 U.S.C. 470a(a)(2)).*

14 (5) *PROGRAM.*—*The term “program” means the*
15 *Save America’s Treasures Program established under*
16 *section 203(a).*

17 (6) *SECRETARY.*—*The term “Secretary” means*
18 *the Secretary of the Interior, acting through the Di-*
19 *rector of the National Park Service.*

20 **SEC. 203. ESTABLISHMENT.**

21 (a) *IN GENERAL.*—*There is established in the Depart-*
22 *ment of the Interior the Save America’s Treasures program,*
23 *under which the amounts made available to the Secretary*
24 *under section 205 shall be used by the Secretary, in con-*
25 *sultation with the organizations described in section 201,*

1 *subject to subsection (f)(1)(B), to provide grants to eligible*
 2 *entities for projects to preserve nationally significant collec-*
 3 *tions and historic properties.*

4 **(b) DETERMINATION OF GRANTS.**—*Of the amounts*
 5 *made available for grants under section 205, not less than*
 6 *50 percent shall be made available for grants for projects*
 7 *to preserve collections and historic properties, to be distrib-*
 8 *uted through a competitive grant process administered by*
 9 *the Secretary, subject to the eligibility criteria established*
 10 *under subsection (e).*

11 **(c) APPLICATIONS FOR GRANTS.**—*To be considered for*
 12 *a competitive grant under the program an eligible entity*
 13 *shall submit to the Secretary an application containing*
 14 *such information as the Secretary may require.*

15 **(d) COLLECTIONS AND HISTORIC PROPERTIES ELIGI-**
 16 **BLE FOR COMPETITIVE GRANTS.**—

17 **(1) IN GENERAL.**—*A collection or historic prop-*
 18 *erty shall be provided a competitive grant under the*
 19 *program only if the Secretary determines that the col-*
 20 *lection or historic property is—*

21 **(A)** *nationally significant; and*

22 **(B)** *threatened or endangered.*

23 **(2) ELIGIBLE COLLECTIONS.**—*A determination*
 24 *by the Secretary regarding the national significance*
 25 *of collections under paragraph (1)(A) shall be made*

1 *in consultation with the organizations described in*
2 *section 201, as appropriate.*

3 (3) *ELIGIBLE HISTORIC PROPERTIES.*—*To be eli-*
4 *gible for a competitive grant under the program, a*
5 *historic property shall, as of the date of the grant ap-*
6 *plication—*

7 (A) *be listed in the National Register of*
8 *Historic Places at the national level of signifi-*
9 *cance; or*

10 (B) *be designated as a National Historic*
11 *Landmark.*

12 (e) *SELECTION CRITERIA FOR GRANTS.*—

13 (1) *IN GENERAL.*—*The Secretary shall not pro-*
14 *vide a grant under this title to a project for an eligi-*
15 *ble collection or historic property unless the project—*

16 (A) *eliminates or substantially mitigates the*
17 *threat of destruction or deterioration of the eligi-*
18 *ble collection or historic property;*

19 (B) *has a clear public benefit; and*

20 (C) *is able to be completed on schedule and*
21 *within the budget described in the grant applica-*
22 *tion.*

23 (2) *PREFERENCE.*—*In providing grants under*
24 *this title, the Secretary may give preference to*

1 *projects that carry out the purposes of both the pro-*
2 *gram and the Preserve America Program.*

3 (3) *LIMITATION.*—*In providing grants under this*
4 *title, the Secretary shall only provide 1 grant to each*
5 *eligible project selected for a grant.*

6 (f) *CONSULTATION AND NOTIFICATION BY SEC-*
7 *RETARY.*—

8 (1) *CONSULTATION.*—

9 (A) *IN GENERAL.*—*Subject to subparagraph*
10 *(B), the Secretary shall consult with the organi-*
11 *zations described in section 201 in preparing the*
12 *list of projects to be provided grants for a fiscal*
13 *year by the Secretary under the program.*

14 (B) *LIMITATION.*—*If an entity described in*
15 *subparagraph (A) has submitted an application*
16 *for a grant under the program, the entity shall*
17 *be recused by the Secretary from the consultation*
18 *requirements under that subparagraph and sub-*
19 *section (a).*

20 (2) *NOTIFICATION.*—*Not later than 30 days be-*
21 *fore the date on which the Secretary provides grants*
22 *for a fiscal year under the program, the Secretary*
23 *shall submit to the Committee on Energy and Natural*
24 *Resources of the Senate, the Committee on Appropria-*
25 *tions of the Senate, the Committee on Natural Re-*

1 sources of the House of Representatives, and the Com-
2 mittee on Appropriations of the House of Representa-
3 tives a list of any eligible projects that are to be pro-
4 vided grants under the program for the fiscal year.

5 *(g) COST-SHARING REQUIREMENT.—*

6 *(1) IN GENERAL.—The non-Federal share of the*
7 *cost of carrying out a project provided a grant under*
8 *this title shall be not less than 50 percent of the total*
9 *cost of the project.*

10 *(2) FORM OF NON-FEDERAL SHARE.—The non-*
11 *Federal share required under paragraph (1) shall be*
12 *in the form of—*

13 *(A) cash; or*

14 *(B) donated supplies or related services, the*
15 *value of which shall be determined by the Sec-*
16 *retary.*

17 *(3) REQUIREMENT.—The Secretary shall ensure*
18 *that each applicant for a grant has the capacity and*
19 *a feasible plan for securing the non-Federal share for*
20 *an eligible project required under paragraph (1) be-*
21 *fore a grant is provided to the eligible project under*
22 *the program.*

1 **SEC. 204. REGULATIONS.**

2 *The Secretary shall develop any guidelines and issue*
3 *any regulations that the Secretary determines to be nec-*
4 *essary to carry out this title.*

5 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

6 *There is authorized to be appropriated to carry out*
7 *this title \$50,000,000 for each fiscal year, to remain avail-*
8 *able until expended.*

Calendar No. 797

110TH CONGRESS
2^D SESSION

S. 2262

[Report No. 110-365]

A BILL

To authorize the Preserve America Program and Save America's Treasures Program, and for other purposes.

JUNE 16, 2008

Reported with an amendment