

110TH CONGRESS
1ST SESSION

S. 2262

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 and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
7 this 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
 9 the Advisory Council on Historic Preservation; and

10 (3) the related efforts of Federal agencies,
 11 working in partnership with State, tribal, and local
 12 governments and the private sector, to support and
 13 promote 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

1 the unique or special aspects of the history, land-
2 scape (including trail systems), and culture of the
3 site or area.

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

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

9 **SEC. 103. ESTABLISHMENT.**

10 (a) IN GENERAL.—There is established in the De-
11 partment of the Interior the Preserve America Program,
12 under which the Secretary, in partnership with the Coun-
13 cil, shall provide competitive grants to States, local gov-
14 ernments (including local governments in the process of
15 applying for designation as Preserve America Commu-
16 nities under section 104), Indian tribes, communities des-
17 igned as Preserve America Communities under section
18 104, State historic preservation offices, and tribal historic
19 preservation offices to support preservation efforts
20 through heritage tourism, education, and historic preser-
21 vation planning activities.

22 (b) ELIGIBLE PROJECTS.—

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

25 (A) A project for the conduct of—

1 (i) research on, and documentation of,
2 the history of a community; and

3 (ii) surveys of the historic resources of
4 a community.

5 (B) An education and interpretation
6 project that conveys the history of a community
7 or site.

8 (C) A planning project (other than build-
9 ing rehabilitation) that advances economic de-
10 velopment using heritage tourism and historic
11 preservation.

12 (D) A marketing project that promotes
13 and enhances the visitor experience to a com-
14 munity.

15 (E) A training project that provides oppor-
16 tunities for professional development in areas
17 that would aid a community in using and pro-
18 moting its historic resources.

19 (F) A project to support heritage tourism
20 in a Preserve America Community designated
21 under section 104.

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

1 (c) PREFERENCE.—In providing grants under this
2 title, the Secretary may give preference to projects that
3 carry out the purposes of both the program and the Save
4 America’s Treasures Program.

5 (d) CONSULTATION AND NOTIFICATION.—

6 (1) CONSULTATION.—The Secretary shall con-
7 sult with the Council in preparing the list of projects
8 to be provided grants for a fiscal year under the pro-
9 gram.

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

21 (e) COST-SHARING REQUIREMENT.—

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

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

4 (A) cash; or

5 (B) donated supplies and related services,
6 the value of which shall be determined by the
7 Secretary.

8 (3) REQUIREMENT.—The Secretary shall en-
9 sure that the non-Federal share for an eligible
10 project required under paragraph (1) shall be avail-
11 able for expenditure before a grant is provided to the
12 eligible project under the program.

13 **SEC. 104. DESIGNATION OF PRESERVE AMERICA COMMU-**
14 **NITIES.**

15 (a) APPLICATION.—To be considered for designation
16 as a Preserve America Community, a community, tribal
17 area, or neighborhood shall submit to the Council an appli-
18 cation containing such information as the Council may re-
19 quire.

20 (b) CRITERIA.—To be designated as a Preserve
21 America Community under the program a community,
22 tribal area, or neighborhood that submits an application
23 under subsection (a) shall, as determined by the Council,
24 in consultation with the Secretary—

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

3 (2) use the historic assets of the community,
4 tribal area, or neighborhood for economic develop-
5 ment and community revitalization;

6 (3) encourage people to experience and appre-
7 ciate local historic resources through education and
8 heritage tourism programs; and

9 (4) meet any other criteria required by the
10 Council.

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

14 **SEC. 105. REGULATIONS.**

15 The Secretary shall develop any guidelines and issue
16 any regulations that the Secretary determines to be nec-
17 essary to carry out this title.

18 **SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated such sums
20 as are necessary to carry out this title.

21 **TITLE II—SAVE AMERICA’S**
22 **TREASURES PROGRAM**

23 **SEC. 201. PURPOSE.**

24 The purpose of this title is to authorize within the
25 Department of the Interior the Save America’s Treasures

1 Program, to be carried out by the Director of the National
2 Park Service, in partnership with National Endowment
3 for the Arts, the National Endowment for the Humanities,
4 the Institute of Museum and Library Services, the Na-
5 tional Trust for Historic Preservation, and the President’s
6 Committee on the Arts and the Humanities.

7 **SEC. 202. DEFINITIONS.**

8 In this title:

9 (1) **COLLECTION.**—The term “collection”
10 means a collection of intellectual and cultural arti-
11 facts, including documents, sculpture, and works of
12 art.

13 (2) **ELIGIBLE ENTITY.**—The term “eligible enti-
14 ty” means a Federal entity, State, local, or tribal
15 government, educational institution, or nonprofit or-
16 ganization.

17 (3) **HISTORIC PROPERTY.**—The term “historic
18 property” has the meaning given the term in section
19 301 of the National Historic Preservation Act (16
20 U.S.C. 470w).

21 (4) **NATIONALLY SIGNIFICANT.**—The term “na-
22 tionally significant” means a collection or historic
23 property that meets the applicable criteria for na-
24 tional significance, in accordance with regulations
25 promulgated by the Secretary pursuant to section

1 101(a)(2) of the National Historic Preservation Act
2 (16 U.S.C. 470a(a)(2)).

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

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

9 **SEC. 203. ESTABLISHMENT.**

10 (a) IN GENERAL.—There is established in the De-
11 partment of the Interior the Save America’s Treasures
12 program, under which the amounts made available to the
13 Secretary under section 205 shall be used by the Sec-
14 retary, in consultation with the National Endowment for
15 the Arts, the National Endowment for the Humanities,
16 the Institute of Museum and Library Services, the Na-
17 tional Trust for Historic Preservation, and the President’s
18 Committee on the Arts and the Humanities, subject to
19 subsection (f)(1)(B), to provide grants to eligible entities
20 for projects to preserve nationally significant collections
21 and historic properties.

22 (b) DETERMINATION OF GRANTS.—Of the amounts
23 made available for grants under section 205, not less than
24 50 percent shall be made available for grants for projects
25 to preserve collections and historic properties, to be dis-

1 tributed through a competitive grant process administered
2 by the Secretary, subject to the eligibility criteria estab-
3 lished under subsection (e).

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

8 (d) COLLECTIONS AND HISTORIC PROPERTIES ELI-
9 GIBLE FOR COMPETITIVE GRANTS.—

10 (1) IN GENERAL.—A collection or historic prop-
11 erty shall be provided a competitive grant under the
12 program only if the Secretary determines that the
13 collection or historic property is—

14 (A) nationally significant; and

15 (B) threatened or endangered.

16 (2) ELIGIBLE COLLECTIONS.—A determination
17 by the Secretary regarding the national significance
18 of collections under paragraph (1)(A) shall be made
19 in consultation with the National Endowment for the
20 Arts, the National Endowment for the Humanities,
21 the National Trust for Historic Preservation, or the
22 Institute of Museum and Library Services, as appro-
23 priate.

24 (3) ELIGIBLE HISTORIC PROPERTIES.—To be
25 eligible for a competitive grant under the program,

1 a historic property shall, as of the date of the grant
2 application—

3 (A) be listed in the National Register of
4 Historic Places at the national level of signifi-
5 cance; or

6 (B) be designated as a National Historic
7 Landmark.

8 (e) SELECTION CRITERIA FOR GRANTS.—

9 (1) IN GENERAL.—The Secretary shall not pro-
10 vide a grant under this title to a project for an eligi-
11 ble collection or historic property unless the
12 project—

13 (A) eliminates or substantially mitigates
14 the threat of destruction or deterioration of the
15 eligible collection or historic property;

16 (B) has a clear public benefit; and

17 (C) is able to be completed on schedule
18 and within the budget described in the grant
19 application.

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

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

4 (f) CONSULTATION AND NOTIFICATION BY SEC-
5 RETARY.—

6 (1) CONSULTATION.—

7 (A) IN GENERAL.—Subject to subpara-
8 graph (B), the Secretary shall consult with the
9 National Endowment for the Arts, the National
10 Endowment for the Humanities, the Institute of
11 Museum and Library Services, the National
12 Trust for Historic Preservation, and the Presi-
13 dent’s Committee on Arts and Humanities in
14 preparing the list of projects to be provided
15 grants for a fiscal year by the Secretary under
16 the program.

17 (B) LIMITATION.—If an entity described in
18 subparagraph (A) has submitted an application
19 for a grant under the program, the entity shall
20 be recused by the Secretary from the consulta-
21 tion requirements under that subparagraph and
22 subsection (a).

23 (2) NOTIFICATION.—Not later than 30 days be-
24 fore the date on which the Secretary provides grants
25 for a fiscal year under the program, the Secretary

1 shall submit to the Committee on Energy and Nat-
2 ural Resources of the Senate, the Committee on Ap-
3 propriations of the Senate, the Committee on Nat-
4 ural Resources of the House of Representatives, and
5 the Committee on Appropriations of the House of
6 Representatives a list of any eligible projects that
7 are to be provided grants under the program for the
8 fiscal year.

9 (g) COST-SHARING REQUIREMENT.—

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

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

17 (A) cash; or

18 (B) donated supplies or related services,
19 the value of which shall be determined by the
20 Secretary.

21 (3) REQUIREMENT.—The Secretary shall en-
22 sure that each applicant for a grant has the capacity
23 and a feasible plan for securing the non-Federal
24 share for an eligible project required under para-

1 graph (1) before a grant is provided to the eligible
2 project under the program.

3 **SEC. 204. REGULATIONS.**

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

7 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated such sums
9 as are necessary to carry out this title.

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