

§ 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

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 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

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 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

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 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 di-

vision, 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

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 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

CHAPTER 3081—AMERICAN BATTLEFIELD PROTECTION PROGRAM

- Sec. 308101. Definition.
308102. Preservation assistance.
308103. Battlefield acquisition grant program.

§ 308101. Definition

In this chapter, the term “Secretary” means the Secretary, acting through the American Battlefield Protection Program.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3233.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 308101, 16 U.S.C. 469k-1(c)(1)(D), Pub. L. 111-11, title VII, subtitle D, §7301(c)(1)(D), Mar. 30, 2009, 123 Stat. 1213.

PURPOSE

Pub. L. 111-11, title VII, §7301(a), Mar. 30, 2009, 123 Stat. 1213, provided that: “The purpose of this section