

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3252.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
312304(a)	16 U.S.C. 469j(c).	Pub. L. 99–83, title XIII, §1303(c), (g), Aug. 8, 1985, 99 Stat. 280, 281.
312304(b)	16 U.S.C. 469j(g).	

In subsection (a)(2), the word “Secretary” is substituted for “Department” because of 22 U.S.C. 2651 and 2651a(a).

In subsection (b)(3), the words “under section 5376 of title 5” are substituted for “for grade GS–18 of the General Schedule (5 U.S.C. 5332(a))” because of section 529 [title I, §101(c)(1)] of the Treasury, Postal Service and General Government Appropriations Act, 1991 (Public Law 101–509, 5 U.S.C. 5376 note).

§ 312305. Reports

As soon as practicable after the end of each fiscal year, the Commission shall transmit to the President a report that includes—

- (1) a detailed statement of the activities and accomplishments of the Commission during the fiscal year; and
- (2) any recommendations of the Commission for legislation and administrative actions.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3253.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
312305	16 U.S.C. 469j(h).	Pub. L. 99–83, title XIII, §1303(h), Aug. 8, 1985, 99 Stat. 282.

The words “and to each House of Congress” are omitted pursuant to section 3003 of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note). See the 4th item on page 174 of House Document No. 103–7.

CHAPTER 3125—PRESERVATION OF HISTORICAL AND ARCHEOLOGICAL DATA

Sec.	
312501.	Definition.
312502.	Threat of irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data by Federal construction projects.
312503.	Survey and recovery by Secretary.
312504.	Progress reports by Secretary on surveys and work undertaken as result of surveys.
312505.	Notice of dam construction.
312506.	Administration.
312507.	Assistance to Secretary by Federal agencies responsible for construction projects.
312508.	Costs for identification, surveys, evaluation, and data recovery with respect to historic property.

§ 312501. Definition

In this chapter, the term “State” includes a State, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3254.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
312501	16 U.S.C. 469c–1.	Pub. L. 86–523, § 8, as added Pub. L. 96–205, title VI, §608(b)(2), Mar. 12, 1980, 94 Stat. 92.

The words “the Trust Territory of the Pacific Islands” are omitted as obsolete. See note at 48 U.S.C. prec. 1681. For continued application of certain laws of the United States in certain cases, see the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (48 U.S.C. 1801 note), the Compact of Free Association between the Government of the United States of America and the Governments of the Marshall Islands and the Federated States of Micronesia (48 U.S.C. 1901 note), and the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note).

§ 312502. Threat of irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data by Federal construction projects

(a) ACTIVITY OF FEDERAL AGENCY.—

(1) NOTIFICATION OF SECRETARY.—When any Federal agency finds, or is notified, in writing, by an appropriate historical or archeological authority, that its activities in connection with any Federal construction project or federally licensed project, activity, or program may cause irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data, the agency shall notify the Secretary, in writing, and shall provide the Secretary with appropriate information concerning the project, program, or activity.

(2) RECOVERY, PROTECTION, AND PRESERVATION OF DATA.—The agency—

(A) may request the Secretary to undertake the recovery, protection, and preservation of the data (including preliminary survey, or other investigation as needed, and analysis and publication of the reports resulting from the investigation); or

(B) may, with funds appropriated for the project, program, or activity, undertake those activities.

(3) AVAILABILITY OF REPORTS.—Copies of reports of any investigations made pursuant to this section shall be submitted to the Secretary, who shall make them available to the public for inspection and review.

(b) ACTIVITY OF PRIVATE PERSON, ASSOCIATION, OR PUBLIC ENTITY.—

(1) RECOVERY BY SECRETARY.—When any Federal agency provides financial assistance by loan, grant, or otherwise to any private person, association, or public entity, the Secretary, if the Secretary determines that significant scientific, prehistorical, historical, or archeological data might be irrevocably lost or destroyed, may, with funds appropriated expressly for this purpose—

(A) conduct, with the consent of all persons, associations, or public entities having a legal interest in the property, a survey of the affected site; and

(B) undertake the recovery, protection, and preservation of the data (including analysis and publication).