

118TH CONGRESS
2D SESSION

S. 5645

To amend title 54, United States Code, to increase amounts deposited in the Historic Preservation Fund, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 20 (legislative day, DECEMBER 16), 2024

Mr. HEINRICH introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend title 54, United States Code, to increase amounts deposited in the Historic Preservation Fund, 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.**

4 This Act may be cited as the “Historic Preservation
5 Enhancement Act”.

6 **SEC. 2. AMENDMENTS TO HISTORIC PRESERVATION FUND**
7 **PROVISIONS.**

8 (a) FUNDING.—Section 303102 of title 54, United
9 States Code, is amended—

1 (1) by striking “For each” and inserting “(a)

2 IN GENERAL.—Except as provided in subsection (b),
3 for each”;

4 (2) by striking “of fiscal years 2012 to 2023”
5 and inserting “fiscal year”;

6 (3) by striking “\$150,000,000” and inserting
7 “\$300,000,000”; and

8 (4) by adding at the end the following:

9 “(b) DEPOSITS.—Unless otherwise provided by law,
10 if the revenues described in subsection (a) are not suffi-
11 cient to cover the amount to be deposited into each of the
12 funds such revenues are directed under other Federal
13 laws, the difference between the shortfall in the revenues
14 and the amount to be deposited into the Historic Preserva-
15 tion Fund under subsection (a) shall be deposited from
16 amounts in the general fund of the Treasury.”.

17 (b) USE AND AVAILABILITY.—Section 303103 of title
18 54, United States Code, is amended to read as follows:

19 **“§ 303103. Use and availability**

20 “(a) IN GENERAL.—Any amounts deposited in the
21 Historic Preservation Fund under section 303102 for fis-
22 cal year 2025 and each fiscal year thereafter shall be made
23 available for expenditure for fiscal year 2026 and each fis-
24 cal year thereafter, without further appropriation or fiscal
25 year limitation, to carry out this division (including pro-

1 grams made available from the Historic Preservation
2 Fund).

3 “(b) ALLOCATION AUTHORITY.—

4 “(1) MINIMUM ALLOCATION FOR STATE AND
5 TRIBAL HISTORIC PRESERVATION OFFICES.—

6 “(A) IN GENERAL.—Notwithstanding any
7 other provision of law and subject to subpara-
8 graph (B), of the amounts made available from
9 the Fund for each fiscal year under subsection
10 (a)—

11 “(i) not less than 40 percent shall be
12 allocated to State Historic Preservation
13 Offices; and

14 “(ii) not less than 20 percent shall be
15 allocated to Tribal Historic Preservation
16 Offices.

17 “(B) ADJUSTMENT.—The annual alloca-
18 tion to Tribal Historic Preservation Offices
19 under subparagraph (A)(ii) shall be increased
20 as necessary to reflect any annual increase in
21 the number of Tribal Historic Preservation Of-
22 fices.

23 “(2) SUBMISSION OF COST ESTIMATES.—The
24 President shall submit to Congress proposed alloca-
25 tions to State Historic Preservation Offices (ex-

1 pressed as the total amount proposed to be allocated
 2 to all such Offices), Tribal Historic Preservation Of-
 3 fices (expressed as the total amount proposed to be
 4 allocated to all such Offices), grant programs de-
 5 scribed in the item relating to the Historic Preserva-
 6 tion Fund in title I of division G of the Consolidated
 7 Appropriations Act, 2023 (Public Law 117–328),
 8 and any other relevant programs (as determined by
 9 the President or a designee of the President), of the
 10 full amount made available under subsection (a)—

11 “(A) for fiscal year 2026, not later than
 12 90 days after the date of the enactment of the
 13 Historic Preservation Enhancement Act; and

14 “(B) for each fiscal year thereafter, as
 15 part of the annual budget submission of the
 16 President.

17 “(3) ALTERNATE ALLOCATION.—

18 “(A) IN GENERAL.—Appropriations Acts
 19 may provide for alternate allocation of amounts
 20 made available under subsection (a), including
 21 allocations by program.

22 “(B) ALLOCATION BY PRESIDENT.—

23 “(i) NO ALTERNATE ALLOCATIONS.—
 24 If Congress has not enacted legislation es-
 25 tablishing alternate allocations by the date

1 on which the Act making full-year appro-
2 priations for the Department of the Inte-
3 rior, Environment, and Related Agencies
4 for the applicable fiscal year is enacted
5 into law, amounts made available under
6 subsection (a) shall be allocated by the
7 President.

8 “(ii) INSUFFICIENT ALTERNATE AL-
9 LOCATION.—If Congress enacts legislation
10 establishing alternate allocations for
11 amounts made available under subsection
12 (a) that are less than the full amount ap-
13 propriated under such subsection, the dif-
14 ference between the amount appropriated
15 and the alternate allocation shall be allo-
16 cated by the President.

17 “(4) CONTINUING RESOLUTION.—If the De-
18 partment of the Interior or the National Park Serv-
19 ice is operating under a continuing resolution during
20 any period in a fiscal year, the President may dis-
21 tribute funds made available under subsection (a) to
22 State Historic Preservation Offices and Tribal His-
23 toric Preservation Offices during such period at the
24 rate of operations provided for such Offices under

1 such subsection during the immediately preceding
2 fiscal year.

3 “(5) ANNUAL REPORT.—The President shall
4 submit to Congress an annual report that describes
5 the final allocation, by program, of amounts made
6 available under subsection (a).”.

7 **SEC. 3. AUTHORIZATION OF HISTORIC PRESERVATION**
8 **FUND PROGRAMS.**

9 Subject to the availability of appropriations, amounts
10 are authorized to be made available from the Historic
11 Preservation Fund to the following programs:

12 (1) African American Civil Rights Movement
13 Initiative & Grants.

14 (2) History of Equal Rights Grants (formerly
15 known as “Civil Rights Grants for All Americans”).

16 (3) Survey Grants for Underrepresented Com-
17 munities.

18 (4) Paul Bruhn Historic Revitalization Grants.

○