

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7646

To limit certain funding to any jurisdiction that has in effect a law, regulation, policy, or procedure in contravention of section 1369 or section 2101 of title 18, United States Code.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2020

Mr. MCCARTHY (for himself, Mr. GRAVES of Missouri, and Mr. JORDAN) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To limit certain funding to any jurisdiction that has in effect a law, regulation, policy, or procedure in contravention of section 1369 or section 2101 of title 18, United States Code.

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 “Protect America’s  
5 Statues Act of 2020”.

1 **SEC. 2. LIMITATION ON USE OF HISTORIC PRESERVATION**  
2 **GRANT FUNDS.**

3 (a) **LIMITATION ON USE OF FUNDS.—**

4 (1) **IN GENERAL.—**The Secretary shall not  
5 award a historic preservation grant to an ineligible  
6 jurisdiction, and any ineligible jurisdiction that has  
7 been awarded a historic preservation grant shall re-  
8 turn 75 percent of the grant to the Secretary or oth-  
9 erwise reimburse the Secretary for 75 percent of the  
10 amount of the grant within 30 days of the date the  
11 jurisdiction is identified on the list prepared under  
12 subsection (b). Any such monies returned or reim-  
13 bursed shall be retained and disbursed by the Sec-  
14 retary for the same purposes as provided under the  
15 original authority under which the grant was award-  
16 ed.

17 (2) **GRANTS AFFECTED.—**This paragraph shall  
18 apply to historic preservation grants awarded in the  
19 current fiscal year and in any other fiscal year after  
20 the date of the enactment of this Act.

21 (b) **DETERMINATION OF INELIGIBLE JURISDIC-**  
22 **TIONS.—**Not later than 30 days after the date of the en-  
23 actment of this Act, and not less than annually thereafter,  
24 the Attorney General shall—

1           (1) determine what States, units of local gov-  
2           ernment, and other jurisdictions are ineligible juris-  
3           dictions for the purposes of this Act; and

4           (2) submit to the Secretary and Congress a  
5           comprehensive list of ineligible jurisdictions as deter-  
6           mined under paragraph (1).

7           (c) DEFINITIONS.—In this section:

8           (1) HISTORIC PRESERVATION GRANT.—The  
9           term “historic preservation grant” means any grant  
10          awarded to a State, unit of local government, terri-  
11          tory of the United States, an Indian tribe or other  
12          governmental entity administered by the National  
13          Park Service for purposes that include historic pres-  
14          ervation or revitalization, for example, the following:

15                (A) State Historic Preservation Office His-  
16                toric Preservation Grants.

17                (B) Tribal Historic Preservation Office  
18                Grants.

19                (C) Save America’s Treasures Grants.

20                (D) Paul Bruhn Historic Revitalization  
21                Grant Program.

22          (2) INELIGIBLE JURISDICTION.—The term “in-  
23          eligible jurisdiction” means a State, unit of local  
24          government, territory of the United States, an In-  
25          dian tribe or other individual jurisdiction that has in

1 effect any law, regulation, policy, or procedure spe-  
2 cifically within its control in contravention of section  
3 1369 or section 2101 of title 18, United States  
4 Code.

5 (3) SECRETARY.—The term “Secretary” means  
6 the Secretary of the Interior.

7 **SEC. 3. ELIGIBILITY REQUIREMENT FOR FIXED GUIDEWAY**  
8 **CAPITAL INVESTMENT GRANTS.**

9 (a) IN GENERAL.—Section 5309 of title 49, United  
10 States Code, is amended—

11 (1) in subsection (a) by adding at the end the  
12 following:

13 “(8) SPECIFIED INELIGIBLE JURISDICTION.—  
14 The term ‘specified ineligible jurisdiction’ means a  
15 State, unit of local government, territory of the  
16 United States, an Indian tribe, or other individual  
17 jurisdiction that has in effect any law, regulation,  
18 policy, or procedure specifically within its control in  
19 contravention of section 1369 or section 2101 of  
20 title 18.”;

21 (2) in subsection (c)(4) by adding at the end  
22 the following: “The Secretary may not approve a  
23 grant under this section for project in an area deter-  
24 mined to be a specified ineligible jurisdiction.”; and

1           (3) in subsection (k)(4) by adding at the end  
2           the following:

3                   “(C) REVOCATION.—Any obligation or fu-  
4                   ture obligation and contingent commitments  
5                   made under this section may be revoked due to  
6                   a finding that the project is located in a speci-  
7                   fied ineligible jurisdiction.”.

8           (b) GUIDANCE UPDATES.—Not later than 90 days  
9           after the date of enactment of this Act, the Secretary of  
10          Transportation shall update guidance issued pursuant to  
11          section 5309(k)(6) of title 49, United States Code, to  
12          carry out the amendments made by this section.

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