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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R.

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.

IN THE HOUSE OF REPRESENTATIVES

Mr. MCCARTHY introduced the following bill; which was referred to the
Committee on _____

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.