

## TITLE 16 - CONSERVATION

### CHAPTER 1A - HISTORIC SITES, BUILDINGS, OBJECTS, AND ANTIQUITIES

#### SUBCHAPTER II - NATIONAL HISTORIC PRESERVATION

##### Part A - Programs

#### § 470h-3. Lease or exchange of historic property

##### (a) Authorization; consultation with Council

Notwithstanding any other provision of law, any Federal agency after consultation with the Council, shall, to the extent practicable, establish and implement alternatives for historic properties, including adaptive use, that are not needed for current or projected agency purposes, and may lease an historic property owned by the agency to any person or organization, or exchange any property owned by the agency with comparable historic property, if the agency head determines that the lease or exchange will adequately insure the preservation of the historic property.

##### (b) Proceeds of lease for administration, etc., of property; deposit of surplus proceeds into Treasury

The proceeds of any lease under subsection (a) of this section may, notwithstanding any other provision of law, be retained by the agency entering into such lease and used to defray the costs of administration, maintenance, repair, and related expenses incurred by the agency with respect to such property or other properties which are on the National Register which are owned by, or are under the jurisdiction or control of, such agency. Any surplus proceeds from such leases shall be deposited into the Treasury of the United States at the end of the second fiscal year following the fiscal year in which such proceeds were received.

##### (c) Contracts for management of historic property

The head of any Federal agency having responsibility for the management of any historic property may, after consultation with the Advisory Council on Historic Preservation, enter into contracts for the management of such property. Any such contract shall contain such terms and conditions as the head of such agency deems necessary or appropriate to protect the interests of the United States and insure adequate preservation of the historic property.

(Pub. L. 89-665, title I, § 111, as added Pub. L. 96-515, title II, § 207, Dec. 12, 1980, 94 Stat. 2997; amended Pub. L. 102-575, title XL, § 4013, Oct. 30, 1992, 106 Stat. 4761.)

#### Amendments

1992—Subsec. (a). Pub. L. 102-575 substituted “after consultation with the Council, shall, to the extent practicable, establish and implement alternatives for historic properties, including adaptive use, that are not needed for current or projected agency purposes, and may” for “may, after consultation with the Advisory Council on Historic Preservation.”

#### Historic Lease Process Simplification

Pub. L. 105-391, title VIII, § 802(b), Nov. 13, 1998, 112 Stat. 3523, provided that: “The Secretary is directed to simplify, to the maximum extent possible, the leasing process for historic properties with the goal of leasing available structures in a timely manner.”