

§ 302705. Agreement for review under tribal historic preservation regulations

The Council may enter into an agreement with an Indian tribe to permit undertakings on tribal land to be reviewed under tribal historic preservation regulations in place of review under regulations promulgated by the Council to govern compliance with section 306108 of this title, if the Council, after consultation with the Indian tribe and appropriate State Historic Preservation Officers, determines that the tribal preservation regulations will afford historic property consideration equivalent to that afforded by the Council's regulations.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3201.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
302705	16 U.S.C. 470a(d)(5).	Pub. L. 89-665, title I, §101(d)(5), as added Pub. L. 102-575, title XL, §4006(a)(2), Oct. 30, 1992, 106 Stat. 4757.

§ 302706. Eligibility for inclusion on National Register

(a) IN GENERAL.—Property of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization may be determined to be eligible for inclusion on the National Register.

(b) CONSULTATION.—In carrying out its responsibilities under section 306108 of this title, a Federal agency shall consult with any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to property described in subsection (a).

(c) HAWAII.—In carrying out responsibilities under section 302303 of this title, the State Historic Preservation Officer for Hawaii shall—

(1) consult with Native Hawaiian organizations in assessing the cultural significance of any property in determining whether to nominate the property to the National Register;

(2) consult with Native Hawaiian organizations in developing the cultural component of a preservation program or plan for the property; and

(3) enter into a memorandum of understanding or agreement with Native Hawaiian organizations for the assessment of the cultural significance of a property in determining whether to nominate the property to the National Register and to carry out the cultural component of the preservation program or plan.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3201.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
302706	16 U.S.C. 470a(d)(6).	Pub. L. 89-665, title I, §101(d)(6), as added Pub. L. 102-575, title XL, §4006(a)(2), Oct. 30, 1992, 106 Stat. 4757.

CHAPTER 3029—GRANTS

Sec. 302901. Awarding of grants and availability of grant funds.

- Sec. 302902. Grants to States.
- 302903. Grants to National Trust.
- 302904. Direct grants for the preservation of properties included on National Register.
- 302905. Religious property.
- 302906. Grants and loans to Indian tribes and non-profit organizations representing ethnic or minority groups.
- 302907. Grants to Indian tribes and Native Hawaiian organizations.
- 302908. Grants to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.
- 302909. Prohibited use of grant amounts.
- 302910. Recordkeeping.

§ 302901. Awarding of grants and availability of grant funds

(a) IN GENERAL.—No grant may be made under this division unless application for the grant is submitted to the Secretary in accordance with regulations and procedures prescribed by the Secretary.

(b) GRANT NOT TREATED AS TAXABLE INCOME.—No grant made pursuant to this division shall be treated as taxable income for purposes of the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

(c) AVAILABILITY.—The Secretary shall make funding available to individual States and the National Trust as soon as practicable after execution of a grant agreement. For purposes of administration, grants to individual States and the National Trust each shall be deemed to be one grant and shall be administered by the Service as one grant.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3202.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
302901(a)	16 U.S.C. 470b(a) (1st sentence paragraph (1)).	Pub. L. 89-665, title I, §102(a) (1st sentence paragraph (1)), Oct. 15, 1966, 80 Stat. 916; Pub. L. 94-422, title II, §201(1), Sept. 28, 1976, 90 Stat. 1319.
302901(b)	16 U.S.C. 470b(a) (last sentence).	Pub. L. 89-665, title I, §102(a) (last sentence), as added Pub. L. 96-515, title II, §202(b), Dec. 12, 1980, 94 Stat. 2993; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095.
302901(c)	16 U.S.C. 470b(d) (relating to availability).	Pub. L. 89-665, title I, §102(d) (relating to availability), as added Pub. L. 102-575, title XL, §4009(3), Oct. 30, 1992, 106 Stat. 4759.

In subsection (b), the words “Notwithstanding any other provision of law” are omitted as unnecessary.

§ 302902. Grants to States

(a) IN GENERAL.—The Secretary shall administer a program of matching grants to the States for the purposes of carrying out this division.

(b) CONDITIONS.—

(1) In general¹.—No grant may be made under this division—

(A) unless the application is in accordance with the comprehensive statewide historic preservation plan that has been approved by the Secretary after considering its relationship to the comprehensive statewide outdoor recreation plan prepared pursuant to chapter 2003 of this title;

¹ So in original. Probably should be “IN GENERAL”.