

office of Hawaiian Affairs of Hawaii and Hui Malama I Na Kupuna O Hawai'i Nei, an organization incorporated under the laws of the State of Hawaii.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3190.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
300314 .....	16 U.S.C. 470w(18).	Pub. L. 89-665, title III, §301(18), as added Pub. L. 102-575, title XL, §4019(a), Oct. 30, 1992, 106 Stat. 4764.

**§ 300315. Preservation or historic preservation**

In this division, the term “preservation” or “historic preservation” includes—

- (1) identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, research, interpretation, and conservation;
- (2) education and training regarding the foregoing activities; or
- (3) any combination of the foregoing activities.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3190.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
300315 .....	16 U.S.C. 470w(8).	Pub. L. 89-665, title III, §301(8), as added Pub. L. 96-515, title V, §501, Dec. 12, 1980, 94 Stat. 3001; Pub. L. 102-575, title XL, §4019(a)(6), Oct. 30, 1992, 106 Stat. 4764.

**§ 300316. Secretary**

In this division, the term “Secretary” means the Secretary acting through the Director.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3190.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
300316 .....	16 U.S.C. 470w(11).	Pub. L. 89-665, title III, §301(11), as added Pub. L. 96-515, title V, §501, Dec. 12, 1980, 94 Stat. 3001; Pub. L. 102-575, title XL, §4019(a)(9), Oct. 30, 1992, 106 Stat. 4764.

**§ 300317. State**

In this division, the term “State” means—

- (1) a State, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands; and
- (2) the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3190.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
300317 .....	16 U.S.C. 470w(2).	Pub. L. 89-665, title III, §301(2), as added Pub. L. 96-515, title V, §501, Dec. 12, 1980, 94 Stat. 3001; Pub. L. 102-575, title XL, §4019(a)(2), Oct. 30, 1992, 106 Stat. 4763.

**§ 300318. State historic preservation review board**

In this division, the term “State historic preservation review board” means a board, council, commission, or other similar collegial body established as provided in section 302301(2) of this title—

- (1) the members of which are appointed by the State Historic Preservation Officer (unless otherwise provided for by State law);
- (2) a majority of the members of which are professionals qualified in history, prehistoric and historic archeology, architectural history, architecture, folklore, cultural anthropology, curation, conservation, landscape architecture, and related disciplines; and
- (3) that has the authority to—
  - (A) review National Register nominations and appeals from nominations;
  - (B) review appropriate documentation submitted in conjunction with the Historic Preservation Fund;
  - (C) provide general advice and guidance to the State Historic Preservation Officer; and
  - (D) perform such other duties as may be appropriate.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3190.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
300318 .....	16 U.S.C. 470w(12).	Pub. L. 89-665, title III, §301(12), as added Pub. L. 96-515, title V, §501, Dec. 12, 1980, 94 Stat. 3001; Pub. L. 102-575, title XL, §4019(a), Oct. 30, 1992, 106 Stat. 4764; Pub. L. 106-208, §5(a)(10), May 26, 2000, 114 Stat. 319.

**§ 300319. Tribal land**

In this division, the term “tribal land” means—

- (1) all land within the exterior boundaries of any Indian reservation; and
- (2) all dependent Indian communities.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3191.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
300319 .....	16 U.S.C. 470w(14).	Pub. L. 89-665, title III, §301(14), as added Pub. L. 102-575, title XL, §4019(a)(12), Oct. 30, 1992, 106 Stat. 4764.

**§ 300320. Undertaking**

In this division, the term “undertaking” means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including—

- (1) those carried out by or on behalf of the Federal agency;
- (2) those carried out with Federal financial assistance;
- (3) those requiring a Federal permit, license, or approval; and
- (4) those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3191.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
300320 .....	16 U.S.C. 470w(7).	Pub. L. 89–665, title III, §301(7), as added Pub. L. 96–515, title V, §501, Dec. 12, 1980, 94 Stat. 3001; Pub. L. 102–575, title XL, §4019(a)(5), Oct. 30, 1992, 106 Stat. 4764.

§ 300321. World Heritage Convention

In this division, the term “World Heritage Convention” means the Convention concerning the Protection of the World Cultural and Natural Heritage, done at Paris November 23, 1972 (27 UST 37).

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3191.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
300321 .....	no source.	

The words “the Trust Territory of the Pacific Islands . . . and, upon termination of the Trusteeship Agreement for the Trust Territories of the Pacific Islands” are omitted as obsolete. See note at 48 U.S.C. prec. 1681. For continued application of certain laws of the United States in certain cases, see the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (48 U.S.C. 1801 note), the Compact of Free Association between the Government of the United States of America and the Governments of the Marshall Islands and the Federated States of Micronesia (48 U.S.C. 1901 note), and the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note).

SUBDIVISION 2—HISTORIC PRESERVATION PROGRAM

CHAPTER 3021—NATIONAL REGISTER OF HISTORIC PLACES

- Sec. 302101. Maintenance by Secretary.
- 302102. Inclusion of properties on National Register.
- 302103. Criteria and regulations relating to National Register, National Historic Landmarks, and World Heritage List.
- 302104. Nominations for inclusion on National Register.
- 302105. Owner participation in nomination process.
- 302106. Retention of name.
- 302107. Regulations.
- 302108. Review of threats to historic property.

§ 302101. Maintenance by Secretary

The Secretary may expand and maintain a National Register of Historic Places composed of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3191.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
302101 .....	16 U.S.C. 470a(a)(1)(A) (1st sentence).	Pub. L. 89–665, title I, §101(a)(1)(A) (1st sentence), Oct. 15, 1966, 80 Stat. 915; Pub. L. 91–363, §11, as added Pub. L. 94–458, §2, Oct. 7, 1976, 90 Stat. 1942; Pub. L. 93–54, §1(d), July 1, 1973, 87 Stat. 139; Pub. L. 96–205, title VI, §608(a)(1), (2), Mar. 12, 1980, 94 Stat. 92; Pub. L. 96–515, title II, §201(a), Dec. 12, 1980, 94 Stat. 2988.

Statutory Notes and Related Subsidiaries

RECOVERY OF FEES FOR REVIEW SERVICES FOR HISTORIC PRESERVATION TAX CERTIFICATION

Pub. L. 106–113, div. B, §1000(a)(3) [title I], Nov. 29, 1999, 113 Stat. 1535, 1501A–142, provided in part: “That notwithstanding any other provision of law, the National Park Service may hereafter recover all fees derived from providing necessary review services associated with historic preservation tax certification, and such funds shall be available until expended without further appropriation for the costs of such review services”.

HISTORICALLY BLACK COLLEGES AND UNIVERSITIES HISTORIC BUILDING RESTORATION AND PRESERVATION

Pub. L. 104–333, div. I, title V, §507, Nov. 12, 1996, 110 Stat. 4156, as amended by Pub. L. 108–7, div. F, title I, §150, Feb. 20, 2003, 117 Stat. 245; Pub. L. 116–9, title II, §2402, Mar. 12, 2019, 133 Stat. 747, provided that:

“(a) AUTHORITY TO MAKE GRANTS.—From the amounts made available to carry out the National Historic Preservation Act [see 54 U.S.C. 300101 et seq.], the Secretary of the Interior shall make grants in accordance with this section to eligible historically black colleges and universities for the preservation and restoration of historic buildings and structures on the campus of these institutions.

“(b) GRANT CONDITIONS.—Grants made under subsection (a) shall be subject to the condition that the grantee covenants, for the period of time specified by the Secretary, that—

“(1) no alteration will be made in the property with respect to which the grant is made without the concurrence of the Secretary; and

“(2) reasonable public access to the property with respect to which the grant is made will be permitted by the grantee for interpretive and educational purposes.

“(c) MATCHING REQUIREMENT FOR BUILDINGS AND STRUCTURES LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES.—

“(1) IN GENERAL.—Except as provided by paragraphs (2) and (3), the Secretary may obligate funds made available under this section for a grant with respect to a building or structure listed on, or eligible for listing on, the National Register of Historic Places only if the grantee agrees to match, from funds derived from non-Federal sources, the amount of the grant with an amount that is equal or greater than the grant.

“(2) WAIVER.—The Secretary may waive paragraphs (1) and (3) with respect to a grant if the Secretary determines from circumstances that an extreme emergency exists or that such a waiver is in the public interest to assure the preservation of historically significant resources.

“(3) EXCEPTION.—The Secretary shall not obligate funds made available under subsection (d)(2) for a grant with respect to a building or structure listed on, or eligible for listing on, the National Register of Historic Places unless the grantee agrees to provide,