

property may be included on the National Register or designated as a National Historic Landmark, the owner of the property, or a majority of the owners of the individual properties within a district in the case of a historic district, shall be given the opportunity (including a reasonable period of time) to concur in, or object to, the nomination of the property for inclusion or designation. The regulations shall include provisions to carry out this section in the case of multiple ownership of a single property.

(b) WHEN PROPERTY SHALL NOT BE INCLUDED ON NATIONAL REGISTER OR DESIGNATED AS NATIONAL HISTORIC LANDMARK.—If the owner of any privately owned property, or a majority of the owners of privately owned properties within the district in the case of a historic district, object to inclusion or designation, the property shall not be included on the National Register or designated as a National Historic Landmark until the objection is withdrawn.

(c) REVIEW BY SECRETARY.—The Secretary shall review the nomination of the property when an objection has been made and shall determine whether or not the property is eligible for inclusion or designation. If the Secretary determines that the property is eligible for inclusion or designation, the Secretary shall inform the Advisory Council on Historic Preservation, the appropriate State Historic Preservation Officer, the appropriate chief elected local official, and the owner or owners of the property of the Secretary’s determination.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3193.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
302105(a) .....	16 U.S.C. 470a(a)(6) (1st, last sentences).	Pub. L. 89–665, title I, §101(a)(6), Oct. 15, 1966, 80 Stat. 915; Pub. L. 91–383, §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. 2989.
302105(b) .....	16 U.S.C. 470a(a)(6) (2d sentence).	
302105(c) .....	16 U.S.C. 470a(a)(6) (3d sentence).	

§ 302106. Retention of name

Notwithstanding section 43(c) of the Act of July 5, 1946 (known as the Trademark Act of 1946) (15 U.S.C. 1125(c)), buildings and structures on or eligible for inclusion on the National Register (either individually or as part of a historic district), or designated as an individual landmark or as a contributing building in a historic district by a unit of State or local government, may retain the name historically associated with the building or structure.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3193.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
302106 .....	16 U.S.C. 470a(a)(1)(A) (last sentence).	Pub. L. 89–665, title I, §101(a)(1)(A) (last sentence), as added Pub. L. 106–113, div. B, §1000(a)(9) [title III, §3007], Nov. 29, 1999, 113 Stat. 1536, 1501A–551.

§ 302107. Regulations

The Secretary shall promulgate regulations—

(1) ensuring that significant prehistoric and historic artifacts, and associated records, subject to subchapter I of chapter 3061, chapter 3125, or the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) are deposited in an institution with adequate long-term curatorial capabilities;

(2) establishing a uniform process and standards for documenting historic property by public agencies and private parties for purposes of incorporation into, or complementing, the national historical architectural and engineering records in the Library of Congress; and

(3) certifying local governments, in accordance with sections 302502 and 302503 of this title, and for the transfer of funds pursuant to section 302902(c)(4) of this title.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3194.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
302107 .....	16 U.S.C. 470a(a)(7).	Pub. L. 89–665, title I, §101(a)(7), Oct. 15, 1966, 80 Stat. 915; Pub. L. 91–383, §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. 2990.

In paragraph (3), the word “transfer” is substituted for “allocation” for consistency with section 302902(c)(4) of the new title.

Editorial Notes

REFERENCES IN TEXT

The Archaeological Resources Protection Act of 1979, referred to in par. (1), is Pub. L. 96–95, Oct. 31, 1979, 93 Stat. 721, which is classified generally to chapter 1B (§470aa et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 470aa of Title 16 and Tables.

§ 302108. Review of threats to historic property

At least once every 4 years, the Secretary, in consultation with the Council and with State Historic Preservation Officers, shall review significant threats to historic property to—

(1) determine the kinds of historic property that may be threatened;

(2) ascertain the causes of the threats; and

(3) develop and submit to the President and Congress recommendations for appropriate action.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3194.)