

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
302702 .....	16 U.S.C. 470a(d)(2)	Pub. L. 89-665, title I, §101(d)(2), as added Pub. L. 102-575, title XL, §4006(a)(2), Oct. 30, 1992, 106 Stat. 4756; Pub. L. 106-208, §5(a)(1), May 26, 2000, 114 Stat. 318.

§ 302703. Apportionment of grant funds

In consultation with interested Indian tribes, other Native American organizations, and affected State Historic Preservation Officers, the Secretary shall establish and implement procedures for carrying out section 302902(c)(1)(A) of this title with respect to tribal programs that assume responsibilities under section 302702 of this title.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3200.)

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302703 .....	16 U.S.C. 470a(d)(3).	Pub. L. 89-665, title I, §101(d)(3), as added Pub. L. 102-575, title XL, §4006(a)(2), Oct. 30, 1992, 106 Stat. 4756.

§ 302704. Contracts and cooperative agreements

At the request of an Indian tribe whose preservation program has been approved to assume functions and responsibilities pursuant to section 302702 of this title, the Secretary shall enter into a contract or cooperative agreement with the Indian tribe permitting the assumption by the Indian tribe of any part of the responsibilities described in section 302304(b) of this title on tribal land, if—

(1) the Secretary and the Indian tribe agree on additional financial assistance, if any, to the Indian tribe for the costs of carrying out those authorities;

(2) the Secretary finds that the tribal historic preservation program has been demonstrated to be sufficient to carry out the contract or cooperative agreement and this division; and

(3) the contract or cooperative agreement specifies the continuing responsibilities of the Secretary or of the appropriate State Historic Preservation Officers and provides for appropriate participation by—

(A) the Indian tribe’s traditional cultural authorities;

(B) representatives of other Indian tribes whose traditional land is under the jurisdiction of the Indian tribe assuming responsibilities; and

(C) the interested public.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3200.)

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302704 .....	16 U.S.C. 470a(d)(4).	Pub. L. 89-665, title I, §101(d)(4), as added Pub. L. 102-575, title XL, §4006(a)(2), Oct. 30, 1992, 106 Stat. 4757.

§ 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.)

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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.)

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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.