

RESOURCES.—To carry out studies for potential new System units and for monitoring the welfare of historical and natural resources referred to in subparagraphs (A) and (B) of subsection (d)(1), there is authorized to be appropriated not more than \$1,000,000 for each fiscal year.

(2) MONITORING WELFARE AND INTEGRITY OF NATIONAL LANDMARKS.—To monitor the welfare and integrity of the national landmarks, there is authorized to be appropriated not more than \$1,500,000 for each fiscal year.

(3) CARRYING OUT SUBSECTIONS (b), (c), and¹ (g).—To carry out subsections (b), (c), and (g), there is authorized to be appropriated \$2,000,000 for each fiscal year.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3102.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
100507(a)	16 U.S.C. 1a–5(a) (1st sentence).	Pub. L. 91–383, § 8, as added Pub. L. 94–458, § 2, Oct. 7, 1976, 90 Stat. 1940; Pub. L. 95–625, title VI, § 604(1), Nov. 10, 1978, 92 Stat. 3518; Pub. L. 96–199, title I, § 104, Mar. 5, 1980, 94 Stat. 68; Pub. L. 96–344, § 8, Sept. 8, 1980, 94 Stat. 1135; Pub. L. 103–437, § 6(b), Nov. 2, 1994, 108 Stat. 4583; Pub. L. 104–333, div. I, title VIII, § 814(d)(1)(I), Nov. 12, 1996, 110 Stat. 4196; Pub. L. 105–391, title III, § 303, Nov. 13, 1998, 112 Stat. 3501.
100507(b)(1), (2),	16 U.S.C. 1a–5(b)(1), (2).	
100507(b)(3)	16 U.S.C. 1a–5(a) (2d sentence).	
100507(b)(4) through (6).	16 U.S.C. 1a–5(b)(3) through (5).	
100507(c)	16 U.S.C. 1a–5(c).	
100507(d)	16 U.S.C. 1a–5(e).	
100507(e), (f)	16 U.S.C. 1a–5(a) (3d, last sentences).	
100507(g)	16 U.S.C. 1a–5(d).	
100507(h)	16 U.S.C. 1a–5(f).	

In subsection (b)(3), the words “after November 13, 1998” are omitted as obsolete.

In subsection (b)(5), the cross-reference is limited to the applicable provisions of Public Law 91–383 as restated in the revised title.

Editorial Notes

REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in subsec. (c)(5), is Pub. L. 91–190, Jan. 1, 1970, 83 Stat. 852, which is classified generally to chapter 55 (§ 4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

CHAPTER 1007—RESOURCE MANAGEMENT

SUBCHAPTER I—SYSTEM RESOURCE INVENTORY AND MANAGEMENT

<i>Sec.</i>	
100701.	Protection, interpretation, and research in System.
100702.	Research mandate.
100703.	Cooperative study units.
100704.	Inventory and monitoring program.
100705.	Availability of System units for scientific study.

¹ So in original. Probably should be “AND”.

<i>Sec.</i>	
100706.	Integration of study results into management decisions.
100707.	Confidentiality of information.

SUBCHAPTER II—SYSTEM UNIT RESOURCE PROTECTION

<i>Sec.</i>	
100721.	Definitions.
100722.	Liability.
100723.	Actions.
100724.	Use of recovered amounts.
100725.	Donations.

SUBCHAPTER III—MINING ACTIVITY WITHIN SYSTEM UNITS

<i>Sec.</i>	
100731.	Findings and declaration.
100732.	Preservation and management of System units by Secretary; promulgation of regulations.
100733.	Recordation of mining claims; publication of notice.
100734.	Report on finding or notification of potential damage to natural and historical landmarks.
100735.	Civil actions for just compensation by mining claim holders.
100736.	Acquisition of land by Secretary.
100737.	Financial disclosure by officer or employee of Secretary.

SUBCHAPTER IV—ADMINISTRATION

<i>Sec.</i>	
100751.	Regulations.
100752.	Destruction of animals and plant life.
100753.	Disposal of timber.
100754.	Relinquishment of legislative jurisdiction.
100755.	Applicability of other laws.

SUBCHAPTER I—SYSTEM RESOURCE INVENTORY AND MANAGEMENT

§ 100701. Protection, interpretation, and research in System

Recognizing the ever increasing societal pressures being placed upon America’s unique natural and cultural resources contained in the System, the Secretary shall continually improve the ability of the Service to provide state-of-the-art management, protection, and interpretation of, and research on, the resources of the System.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3105.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
100701	16 U.S.C. 5911.	Pub. L. 105–391, title I, § 101, Nov. 13, 1998, 112 Stat. 3498.

§ 100702. Research mandate

The Secretary shall ensure that management of System units is enhanced by the availability and utilization of a broad program of the highest quality science and information.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3105.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
100702	16 U.S.C. 5932.	Pub. L. 105–391, title II, § 202, Nov. 13, 1998, 112 Stat. 3499.

§ 100703. Cooperative study units

The Secretary shall enter into cooperative agreements with colleges and universities, in-

cluding land grant schools, in partnership with other Federal and State agencies, to establish cooperative study units to conduct multi-disciplinary research and develop integrated information products on the resources of the System, or the larger region of which System units are a part.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3105.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
100703	16 U.S.C. 5933(a).	Pub. L. 105–391, title II, § 203(a), Nov. 13, 1998, 112 Stat. 3500.

§ 100704. Inventory and monitoring program

The Secretary shall undertake a program of inventory and monitoring of System resources to establish baseline information and to provide information on the long-term trends in the condition of System resources. The monitoring program shall be developed in cooperation with other Federal monitoring and information collection efforts to ensure a cost-effective approach.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3105.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
100704	16 U.S.C. 5934.	Pub. L. 105–391, title II, § 204, Nov. 13, 1998, 112 Stat. 3500.

§ 100705. Availability of System units for scientific study

(a) IN GENERAL.—The Secretary may solicit, receive, and consider requests from Federal or non-Federal public or private agencies, organizations, individuals, or other entities for the use of any System unit for purposes of scientific study.

(b) CRITERIA.—A request for use of a System unit under subsection (a) may be approved only if the Secretary determines that the proposed study—

(1) is consistent with applicable laws and Service management policies; and

(2) will be conducted in a manner that poses no threat to the System unit resources or public enjoyment derived from System unit resources.

(c) FEE WAIVER.—The Secretary may waive any System unit admission or recreational use fee in order to facilitate the conduct of scientific study under this section.

(d) BENEFIT-SHARING ARRANGEMENTS.—The Secretary may negotiate for and enter into equitable, efficient benefit-sharing arrangements with the research community and private industry.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3106.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
100705	16 U.S.C. 5935.	Pub. L. 105–391, title II, § 205, Nov. 13, 1998, 112 Stat. 3500.

§ 100706. Integration of study results into management decisions

The Secretary shall take such measures as are necessary to ensure the full and proper utilization of the results of scientific study for System unit management decisions. In each case in which an action undertaken by the Service may cause a significant adverse effect on a System unit resource, the administrative record shall reflect the manner in which System unit resource studies have been considered. The trend in the condition of resources of the System shall be a significant factor in the annual performance evaluation of each superintendent of a System unit.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3106.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
100706	16 U.S.C. 5936.	Pub. L. 105–391, title II, § 206, Nov. 13, 1998, 112 Stat. 3500.

§ 100707. Confidentiality of information

Information concerning the nature and specific location of a System resource that is endangered, threatened, rare, or commercially valuable, of mineral or paleontological objects within System units, or of objects of cultural patrimony within System units, may be withheld from the public in response to a request under section 552 of title 5 unless the Secretary determines that—

(1) disclosure of the information would further the purposes of the System unit in which the resource or object is located and would not create an unreasonable risk of harm, theft, or destruction of the resource or object, including individual organic or inorganic specimens; and

(2) disclosure is consistent with other laws protecting the resource or object.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3106.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
100707	16 U.S.C. 5937.	Pub. L. 105–391, title II, § 207, Nov. 13, 1998, 112 Stat. 3501.

SUBCHAPTER II—SYSTEM UNIT RESOURCE PROTECTION

§ 100721. Definitions

In this subchapter:

(1) DAMAGES.—The term “damages” includes—

(A) compensation for—

(i)(I) the cost of replacing, restoring, or acquiring the equivalent of a System unit resource; and

(II) the value of any significant loss of use of a System unit resource pending its restoration or replacement or the acquisition of an equivalent resource; or

(ii) the value of the System unit resource if the System unit resource cannot be replaced or restored; and