

§ 5934. Inventory and monitoring program

The Secretary shall undertake a program of inventory and monitoring of National Park System resources to establish baseline information and to provide information on the long-term trends in the condition of National Park 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. 105–391, title II, §204, Nov. 13, 1998, 112 Stat. 3500.)

§ 5935. Availability 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 unit of the National Park System for purposes of scientific study.

(b) Criteria

A request for use of a unit of the National Park System under subsection (a) of this section may only be approved if the Secretary determines that the proposed study—

- (1) is consistent with applicable laws and National Park Service management policies; and
- (2) will be conducted in a manner as to pose no threat to park resources or public enjoyment derived from those resources.

(c) Fee waiver

The Secretary may waive any park admission or recreational use fee in order to facilitate the conduct of scientific study under this section.

(d) Negotiations

The Secretary may enter into negotiations with the research community and private industry for equitable, efficient benefits-sharing arrangements.

(Pub. L. 105–391, title II, §205, Nov. 13, 1998, 112 Stat. 3500.)

§ 5936. Integration of study results into management decisions

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

(Pub. L. 105–391, title II, §206, Nov. 13, 1998, 112 Stat. 3500.)

§ 5937. Confidentiality of information

Information concerning the nature and specific location of a National Park System resource which is endangered, threatened, rare, or commercially valuable, of mineral or paleon-

tological objects within units of the National Park System, or of objects of cultural patrimony within units of the National Park System, 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 unit of the National Park System 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 applicable laws protecting the resource or object.

(Pub. L. 105–391, title II, §207, Nov. 13, 1998, 112 Stat. 3501.)

SUBCHAPTER III—NATIONAL PARK
SERVICE CONCESSIONS MANAGEMENT

§ 5951. Congressional findings and statement of policy**(a) Findings**

In furtherance of sections 1, 2, 3, and 4 of this title, which directs the Secretary to administer units of the National Park System in accordance with the fundamental purpose of conserving their scenery, wildlife, and natural and historic objects, and providing for their enjoyment in a manner that will leave them unimpaired for the enjoyment of future generations, the Congress hereby finds that the preservation and conservation of park resources and values requires that such public accommodations, facilities, and services as have to be provided within such units should be provided only under carefully controlled safeguards against unregulated and indiscriminate use, so that—

- (1) visitation will not unduly impair these resources and values; and
- (2) development of public accommodations, facilities, and services within such units can best be limited to locations that are consistent to the highest practicable degree with the preservation and conservation of the resources and values of such units.

(b) Policy

It is the policy of the Congress that the development of public accommodations, facilities, and services in units of the National Park System shall be limited to those accommodations, facilities, and services that—

- (1) are necessary and appropriate for public use and enjoyment of the unit of the National Park System in which they are located; and
- (2) are consistent to the highest practicable degree with the preservation and conservation of the resources and values of the unit.

(Pub. L. 105–391, title IV, §402, Nov. 13, 1998, 112 Stat. 3503.)

SHORT TITLE

For short title of this subchapter as the “National Park Service Concessions Management Improvement Act of 1998”, see section 401 of Pub. L. 105–391, set out as a note under section 5901 of this title.

SAVINGS PROVISION

Pub. L. 105–391, title IV, §419, Nov. 13, 1998, 112 Stat. 3517, provided that: