

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

(B) the cost of a damage assessment under section 100723(b) of this title.

(2) RESPONSE COSTS.—The term “response costs” means the costs of actions taken by the Secretary to—

(A) prevent or minimize destruction or loss of or injury to a System unit resource;

(B) abate or minimize the imminent risk of the destruction, loss, or injury; or

(C) monitor ongoing effects of incidents causing the destruction, loss, or injury.

(3) SYSTEM UNIT RESOURCE.—

(A) IN GENERAL.—The term “System unit resource” means any living or non-living resource that is located within the boundaries of a System unit.