

(B) acquire by donation, purchase with donated funds, transfer from any other Federal agency, or exchange, land, water, or interests in land or water adjacent to the System unit, except that in exercising the Secretary's authority under this subparagraph the Secretary—

(i) shall not alienate property administered as part of the System to acquire land by exchange;

(ii) shall not acquire property without the consent of the owner; and

(iii) may acquire property owned by a State or political subdivision of a State only by donation.

(2) CONSULTATION.—Prior to making a determination under this subsection, the Secretary shall consult with the governing body of the county, city, town, or other jurisdiction or jurisdictions having primary taxing authority over the land or interest to be acquired as to the impacts of the proposed action.

(3) ACTION TO ADVANCE LOCAL PUBLIC AWARENESS.—The Secretary shall take such steps as the Secretary considers appropriate to advance local public awareness of the proposed action.

(4) ADMINISTRATION OF ACQUISITIONS.—Land, water, and interests in land or water acquired in accordance with this subsection shall be administered as part of the System unit to which they are added, subject to the laws and regulations applicable to the System unit.

(5) WHEN AUTHORITY APPLIES.—For the purposes of paragraph (1)(A), in all cases except the case of technical boundary changes (resulting from such causes as survey error or changed road alignments), the authority of the Secretary under paragraph (1)(A) shall apply only if each of the following conditions is met:

(A) The sum of the total acreage of the land, water, and interests in land or water to be added to the System unit and the total acreage of the land, water, and interests in land or water to be deleted from the System unit is not more than 5 percent of the total Federal acreage authorized to be included in the System unit and is less than 200 acres.

(B) The acquisition, if any, is not a major Federal action significantly affecting the quality of the human environment, as determined by the Secretary.

(C) The sum of the total appraised value of the land, water, and interests in land or water to be added to the System unit and the total appraised value of the land, water, and interests in land or water to be deleted from the System unit does not exceed \$750,000.

(D) The proposed boundary change is not an element of a more comprehensive boundary change proposal.

(E) The proposed boundary has been subject to a public review and comment period.

(F) The Director obtains written consent for the boundary change from all property owners whose land, water, or interests in land or water, or a portion of whose land, water, or interests in land or water, will be added to or deleted from the System unit by the boundary change.

(G) The land abuts other Federal land administered by the Director.

(6) ACT OF CONGRESS REQUIRED.—Minor boundary changes involving only deletions of acreage owned by the Federal Government and administered by the Service may be made only by Act of Congress.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3100.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
100506(a)	16 U.S.C. 1a-12.	Pub. L. 101-628, title XII, §§1216, 1217, Nov. 28, 1990, 104 Stat. 4508.
100506(b)	16 U.S.C. 1a-13.	Pub. L. 88-578, title I, §7(c), formerly §6(c), as added Pub. L. 95-42, §1(5), June 10, 1977, 91 Stat. 211; Pub. L. 96-203, §2(2), Mar. 10, 1980, 94 Stat. 81; Pub. L. 103-437, §6(p)(3), Nov. 2, 1994, 108 Stat. 4586; Pub. L. 104-333, div. I, title VIII, §814(b), Nov. 12, 1996, 110 Stat. 4194; Pub. L. 106-176, title I, §§120(b), 129, Mar. 10, 2000, 114 Stat. 28, 30.
100506(c)	16 U.S.C. 460l-9(c).	

In subsection (a), before paragraph (1), the word "maintain" is substituted for "Within one year after November 28, 1990 . . . develop" to eliminate obsolete words. In paragraph (3), the reference to paragraph (c) in 16 U.S.C. 1a-12 is treated as a reference to 16 U.S.C. 1a-11(c) for clarity.

In subsection (b), before paragraph (1), the words "after November 28, 1990" are omitted as obsolete.

§ 100507. Additional areas for System

(a) MONITORING AREAS FOR INCLUSION IN SYSTEM.—The Secretary shall investigate, study, and continually monitor the welfare of areas whose resources exhibit qualities of national significance and that may have potential for inclusion in the System.

(b) SUBMISSION OF LIST OF AREAS RECOMMENDED FOR STUDY FOR POTENTIAL INCLUSION.—

(1) WHEN LIST IS TO BE SUBMITTED.—At the beginning of each calendar year, with the annual budget submission, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a list of areas recommended for study for potential inclusion in the System.

(2) FACTORS TO BE CONSIDERED.—In developing the list to be submitted under this subsection, the Secretary shall consider—

(A) the areas that have the greatest potential to meet the established criteria of national significance, suitability, and feasibility;

(B) themes, sites, and resources not already adequately represented in the System; and

(C) public petitions and Congressional resolutions.

(3) ACCOMPANYING SYNOPSIS.—Accompanying the annual listing of areas shall be a synopsis, for each report previously submitted, of the current and changed condition of the resource integrity of the area and other relevant factors, compiled as a result of continual periodic

monitoring and embracing the period since the previous submission or initial report submission one year earlier.

(4) CONGRESSIONAL AUTHORIZATION REQUIRED.—No study of the potential of an area for inclusion in the System may be initiated except as provided by specific authorization of an Act of Congress.

(5) AUTHORITY TO CONDUCT CERTAIN ACTIVITIES NOT LIMITED.—This section and sections 100901(b), 101702(b) and (c), and 102102 of this title do not limit the authority of the Service to conduct preliminary resource assessments, gather data on potential study areas, provide technical and planning assistance, prepare or process nominations for administrative designations, update previous studies, or complete reconnaissance surveys of individual areas requiring a total expenditure of less than \$25,000.

(6) STUDY OF RIVERS OR TRAILS NOT AFFECTED.—This section does not apply to or affect or alter the study of—

(A) any river segment for potential addition to the national wild and scenic rivers system; or

(B) any trail for potential addition to the national trails system.

(c) STUDY OF AREAS FOR POTENTIAL INCLUSION.—

(1) STUDY TO BE COMPLETED WITHIN 3 YEARS.—The Secretary shall complete the study for each area for potential inclusion in the System within 3 complete fiscal years following the date on which funds are first made available for that purpose.

(2) OPPORTUNITY FOR PUBLIC INVOLVEMENT REQUIRED.—Each study under this section shall be prepared with appropriate opportunity for public involvement, including at least one public meeting in the vicinity of the area under study, and after reasonable efforts to notify potentially affected landowners and State and local governments.

(3) CONSIDERATIONS.—In conducting the study, the Secretary shall consider whether the area under study—

(A) possesses nationally significant natural or cultural resources and represents one of the most important examples of a particular resource type in the country; and

(B) is a suitable and feasible addition to the System.

(4) SCOPE OF STUDY.—Each study—

(A) with regard to the area being studied, shall consider—

(i) the rarity and integrity of the resources;

(ii) the threats to those resources;

(iii) whether similar resources are already protected in the System or in other public or private ownership;

(iv) the public use potential;

(v) the interpretive and educational potential;

(vi) costs associated with acquisition, development, and operation;

(vii) the socioeconomic impacts of any designation;

(viii) the level of local and general public support; and

(ix) whether the area is of appropriate configuration to ensure long-term resource protection and visitor use;

(B) shall consider whether direct Service management or alternative protection by other public agencies or the private sector is appropriate for the area;

(C) shall identify what alternative or combination of alternatives would in the professional judgment of the Director be most effective and efficient in protecting significant resources and providing for public enjoyment; and

(D) may include any other information that the Secretary considers to be relevant.

(5) COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—Each study shall be completed in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(6) RECOMMENDATION OF PREFERRED MANAGEMENT OPTION.—The letter transmitting each completed study to Congress shall contain a recommendation regarding the Secretary's preferred management option for the area.

(d) LIST OF AREAS PREVIOUSLY STUDIED.—

(1) SUBMISSION OF LIST.—At the beginning of each calendar year, with the annual budget submission, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, in numerical order of priority for addition to the System—

(A) a list of areas that have been previously studied that contain primarily historical resources; and

(B) a list of areas that have been previously studied that contain primarily natural resources.

(2) CONSIDERATIONS.—In developing the lists, the Secretary should consider threats to resource values, cost escalation factors, and other factors listed in subsection (c).

(3) AREAS ELIGIBLE FOR INCLUSION.—The Secretary should include on the lists only areas for which the supporting data are current and accurate.

(e) LIST OF AREAS THAT EXHIBIT DANGER OR THREATS TO THE INTEGRITY OF THEIR RESOURCES.—At the beginning of each fiscal year, the Secretary shall submit to the Speaker of the House of Representatives and the President of the Senate a complete and current list of all areas listed on the Registry of Natural Landmarks, and areas of national significance listed on the National Register of Historic places, that exhibit known or anticipated damage or threats to the integrity of their resources, with notations as to the nature and severity of the damage or threats.

(f) REPORTS AND LISTINGS PRINTED AS HOUSE DOCUMENTS.—Each report and annual listing described in this section shall be printed as a House document. If adequate supplies of previously printed identical reports remain available, newly submitted identical reports shall be omitted from printing on receipt by the Speaker of the House of Representatives of a joint letter

from the chairman of the Committee on Natural Resources of the House of Representatives and the chairman of the Committee on Energy and Natural Resources of Senate indicating that to be the case.

(g) DESIGNATION OF OFFICE.—The Secretary shall designate a single office to prepare all new area studies and to implement other functions under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) STUDIES OF POTENTIAL NEW SYSTEM UNITS AND MONITORING THE WELFARE OF SYSTEM UNIT 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(d), 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.

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

CHAPTER 1007—RESOURCE MANAGEMENT

SUBCHAPTER I—SYSTEM RESOURCE INVENTORY AND MANAGEMENT

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- 100701. Protection, interpretation, and research in System.
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- 100703. Cooperative study units.
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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.