

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101522	16 U.S.C. 2303.	Pub. L. 95-344, title III, §303, Aug. 15, 1978, 92 Stat. 479; Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695; Pub. L. 103-437, §6(d)(18), Nov. 2, 1994, 108 Stat. 4584.

Subsection (b) is substituted for 16 U.S.C. 2303(b) to eliminate obsolete words.

§ 101523. Procedures applicable to transportation plans and projects

(a) DURING FORMULATION OF PLAN.—The Secretary shall, during the formulation of any transportation plan authorized pursuant to section 101521 of this title—

(1) give public notice of intention to formulate the plan by publication in the Federal Register and in a newspaper or periodical having general circulation in the vicinity of the affected System unit; and

(2) following the notice, hold a public meeting at a location convenient to the affected System unit.

(b) PRIOR TO IMPLEMENTATION OF PROJECT.—Prior to the implementation of any project developed pursuant to the transportation plan formulated pursuant to subsection (a), the Secretary shall—

(1) establish procedures, including public meetings, to give State and local governments and the public adequate notice and an opportunity to comment on the proposed transportation project; and

(2) when the proposed project would involve an expenditure in excess of \$100,000 in any fiscal year, submit a detailed report to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

(c) WAITING PERIOD.—When a report on a project is required under subsection (b)(2), the Secretary may proceed with the implementation of the project only after 60 days (not counting days on which the Senate or House of Representatives has adjourned for more than 3 consecutive days) have elapsed following submission of the report.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3133.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101523	16 U.S.C. 2304.	Pub. L. 95-344, title III, §304, Aug. 15, 1978, 92 Stat. 479; Pub. L. 103-437, §6(d)(18), Nov. 2, 1994, 108 Stat. 4584.

In subsection (c), the words “When a report on a project is required under subsection (b)(2)” are added for clarity. The words “implementation of the project” are substituted for “implementation of such plan”, and the words “submission of the report” are substituted for “submission of the plan”, for consistency.

§ 101524. Special rule for service contract to provide transportation services

Notwithstanding any other provision of law, a service contract entered into by the Secretary

for the provision solely of transportation services in a System unit shall be not more than 10 years in length, including a base period of 5 years and annual extensions for up to an additional 5 years based on satisfactory performance and approval by the Secretary.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3134.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101524	16 U.S.C. 5961(a).	Pub. L. 105-391, title IV, §412(a), Nov. 13, 1998, 112 Stat. 3514; Pub. L. 106-113, div. B, §1000(a)(3) [title I, §143(1)], Nov. 29, 1999, 113 Stat. 1535, 1501A-171.

SUBCHAPTER IV—FEES

§ 101531. Fee for use of transportation services

Notwithstanding any other provision of law, where the Service or an entity under a service contract, cooperative agreement, or other contractual agreement with the Service provides transportation to all or a portion of any System unit, the Secretary may impose a reasonable and appropriate charge to the public for the use of the transportation services in addition to any admission fee required to be paid. Collection of the transportation and admission fees may occur at the transportation staging area or any other reasonably convenient location determined by the Secretary. The Secretary may enter into agreements, with public or private entities that qualify to the Secretary’s satisfaction, to collect the transportation and admission fee. Transportation fees collected pursuant to this section shall be retained by the System unit at which the transportation fee was collected, and the amount retained shall be expended only for costs associated with the transportation systems at the System unit where the charge was imposed.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3134.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101531	16 U.S.C. 5981.	Pub. L. 105-391, title IV, §501, Nov. 13, 1998, 112 Stat. 3518; Pub. L. 109-131, title I, §102(b), Dec. 20, 2005, 119 Stat. 2568.

CHAPTER 1017—FINANCIAL AGREEMENTS

- Sec.
- 101701. Challenge cost-share agreement authority.
 - 101702. Cooperative agreements.
 - 101703. Cooperative management agreements.
 - 101704. Reimbursable agreements.

§ 101701. Challenge cost-share agreement authority

(a) DEFINITIONS.—In this section:

(1) CHALLENGE COST-SHARE AGREEMENT.—The term “challenge cost-share agreement” means any agreement entered into between the Secretary and any cooperator for the purpose of sharing costs or services in carrying out authorized functions and responsibilities of the Secretary with respect to any System unit or

System program, any affiliated area, or any designated national scenic trail or national historic trail.

(2) COOPERATOR.—The term “cooperator” means any State or local government, public or private agency, organization, institution, corporation, individual, or other entity.

(b) AUTHORITY TO ENTER INTO CHALLENGE COST-SHARE AGREEMENTS.—The Secretary may negotiate and enter into challenge cost-share agreements with cooperators.

(c) SOURCE OF FEDERAL SHARE.—In carrying out challenge cost-share agreements, the Secretary may provide the Federal funding share from any funds available to the Service.

(Pub. L. 113–287, §3, Dec. 19, 2014, 128 Stat. 3134; Pub. L. 113–40, §10(c), Oct. 2, 2013, 127 Stat. 546.)

AMENDMENT NOT SHOWN IN TEXT

This section was derived from section 1f of Title 16, Conservation, which was amended by Pub. L. 113–40, §10(c), Oct. 2, 2013, 127 Stat. 546. For applicability of that amendment to this section, see section 6(b) of Pub. L. 113–287, set out as a Transitional and Savings Provisions note preceding section 100101 of this title. Former section 1f of Title 16, which consisted of pars. (1) to (3) [restated in this section as subsecs. (a) to (c)], was amended by Pub. L. 113–40 by adding at the end the following new paragraphs:

“(4) AVAILABLE FUNDS.—Out of any amounts in the Treasury not otherwise appropriated, \$20,000,000 shall be made available to the Secretary of the Interior for fiscal year 2018, and \$30,000,000 shall be made available to the Secretary of the Interior for fiscal year 2019, without further appropriation and to remain available until expended, to pay the Federal funding share of challenge cost-share agreements for deferred maintenance projects and to correct deficiencies in National Park Service infrastructure.

“(5) COST-SHARE REQUIREMENT.—Not less than 50 percent of the total cost of project for funds made available under paragraph (4) to pay the Federal funding share shall be derived from non-Federal sources, including in-kind contribution of goods and services fairly valued.”

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101701	16 U.S.C. 1f.	Pub. L. 104–333, div. I, title VIII, §814(g), Nov. 12, 1996, 110 Stat. 4199.

§ 101702. Cooperative agreements

(a) TRANSFER OF SERVICE APPROPRIATED FUNDS.—A cooperative agreement entered into by the Secretary that involves the transfer of Service appropriated funds to a State, local, or tribal government or other public entity, an educational institution, or a private nonprofit organization to carry out public purposes of a Service program is a cooperative agreement properly entered into under section 6305 of title 31.

(b) COOPERATIVE RESEARCH AND TRAINING PROGRAMS.—

(1) IN GENERAL.—To facilitate the administration of the System, the Secretary, under

such terms and conditions as the Secretary may consider advisable, may—

(A) enter into cooperative agreements with public or private educational institutions, States, and political subdivisions of States to develop adequate, coordinated, cooperative research and training programs concerning the resources of the System; and

(B) pursuant to an agreement, except from and make available to the cooperator technical and support staff, financial assistance for mutually agreed upon research projects, supplies and equipment, facilities, and administrative services relating to cooperative research units that the Secretary considers appropriate.

(2) EFFECT OF SUBSECTION.—This subsection does not waive any requirements for research projects that are subject to Federal procurement regulations.

(c) SALE OF PRODUCTS AND SERVICES PRODUCED IN THE CONDUCT OF LIVING EXHIBITS AND INTERPRETIVE DEMONSTRATIONS.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary considers advisable, may—

(1) sell at fair market value, without regard to the requirements of chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41, products and services produced in the conduct of living exhibits and interpretive demonstrations in System units;

(2) enter into contracts, including cooperative arrangements, with respect to living exhibits and interpretive demonstrations in System units; and

(3) credit the proceeds from those sales and contracts to the appropriation bearing the cost of the exhibits and demonstrations.

(d) COOPERATIVE AGREEMENTS FOR SYSTEM UNIT NATURAL RESOURCE PROTECTION.—

(1) IN GENERAL.—The Secretary may enter into cooperative agreements with State, local, or tribal governments, other Federal agencies, other public entities, educational institutions, private nonprofit organizations, or participating private landowners for the purpose of protecting natural resources of System units through collaborative efforts on land inside and outside the System units.

(2) TERMS AND CONDITIONS.—A cooperative agreement entered into under paragraph (1) shall provide clear and direct benefits to System unit natural resources and—

(A) provide for—

(i) the preservation, conservation, and restoration of coastal and riparian systems, watersheds, and wetlands;

(ii) preventing, controlling, or eradicating invasive exotic species that are within a System unit or adjacent to a System unit; or

(iii) restoration of natural resources, including native wildlife habitat or ecosystems;

(B) include a statement of purpose demonstrating how the agreement will—

(i) enhance science-based natural resource stewardship at the System unit; and