

TO MAKE IMPROVEMENTS IN THE ENACTMENT OF TITLE
54, UNITED STATES CODE, INTO A POSITIVE LAW TITLE
AND TO IMPROVE THE CODE

—————
JUNE 22, 2021.—Referred to the House Calendar and ordered to be printed
—————

Mr. NADLER, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany H.R. 3241]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 3241) to make improvements in the enactment of title 54, United States Code, into a positive law title and to improve the Code, having considered the same, reports favorably thereon and recommends that the bill do pass.

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Purpose and Summary

Following up on the enactment of Title 54, United States Code (“National Park Service and Related Programs”), into positive law in the 113th Congress, H.R. 3241 would make technical amendments to laws classified to various titles of the United States Code.

Background and Need for the Legislation

The House of Representatives has assigned to the Judiciary Committee responsibility for the “Revision and codification of the Statutes of the United States.”¹ In modern practice, this responsibility entails periodically updating the United States Code (“the Code”). Currently organized in 54 titles based on subject matter, the Code contains all of the general and permanent laws of the United States. Congress created the Code in 1926 to compile federal laws into a sensible, up-to-date collection that would spare people the labor of searching for laws in the chronologically-organized volumes of the Statutes at Large.² To date, 25 of these 54 titles have been enacted into “positive law,” which means the text of these titles is itself the law,³ while the remaining titles are “non-positive,” meaning that they organize federal statutes for users’ convenience, but do not themselves have the force of law.⁴

The entity responsible for updating the Code as Congress passes new laws or amends existing ones is the Office of the Law Revision Counsel (OLRC).⁵ Established within the House of Representatives, OLRC’s purpose is “to develop and keep current an official and positive codification of the laws of the United States,” while maintaining strict impartiality as to issues of legislative policy.⁶ The Judiciary Committee plays an essential role in OLRC’s mission. OLRC is required:

- (1) To prepare, and submit to the Committee on the Judiciary one title at a time, a complete compilation, restatement, and revision of the general and permanent laws of the United States which conforms to the understood policy, intent, and purpose of the Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections both of substance and of form, separately stated, with a view to the enactment of each title as positive law.⁷

Following this procedure, OLRC recently submitted the text of H.R. 3241 to the Judiciary Committee for consideration. In 2014, Congress passed and the President signed a bill (P.L. 113–287) enacting a new positive-law Title 54 of the U.S. Code (“National Park

¹ Clause 1(l)(17) of House Rule X.

²The Statutes at Large is the collection of laws passed in a particular session of Congress, arranged in sequence by public law number, <https://www.archives.gov/federal-register/publications/statutes.html>. The content of the Statutes at Large is considered “legal evidence of laws, concurrent resolutions, treaties, international agreements other than treaties, proclamations by the President, and proposed or ratified amendments to the Constitution of the United States therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.” 1 U.S.C. § 112.

³For example, H.R. 2694 (117th Congress) proposes amending Title 18 (“Crimes and Criminal Procedure”), which is a positive title of the U.S. Code, so it is drafted to directly amend a provision of that title (“Section 4285 of title 18, United States Code, is amended in the first sentence. . . .”). The content of positive-law Code titles is considered “legal evidence of the laws therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.” 1 U.S.C. § 204.

⁴For example, H.R. 2922 (117th Congress) proposes amending section 101(b) of the Elder Abuse Prevention and Prosecution Act, which is compiled in Title 34 (“Crime Control and Law Enforcement”), a non-positive title of the Code. In this situation, the bill amends the underlying law and includes a parenthetical citation to its location in Title 34 as a convenience (“Section 101(b) of the Elder Abuse Prevention and Prosecution Act (34 U.S.C. 21711(b)) is amended to read . . .”). The contents of non-positive titles “establish prima facie the laws of the United States, general and permanent in their nature, in force on the day preceding the commencement of the session following the last session the legislation of which is included.” 1 U.S.C. § 204.

⁵Office of the Law Revision Counsel, U.S. Code, home page, <https://uscode.house.gov/>.

⁶H. Res. 988 (93d Congress), § 205(c), as enacted into law by Pub. L. 93–554 (2 U.S.C. § 285a).

⁷*Id.*, (2 U.S.C. § 285b).

Service and Related Programs”).⁸ While laws relating to the National Park Service had been traditionally included in Title 16 of the Code (“Conservation”), OLRC determined that these provisions should be codified in a new title. H.R. 3241 makes necessary “follow up” changes to Title 54 and provisions related to Title 54 in other titles of the Code. It adds to title 54 provisions that state the purposes of certain laws included in the enactment of title 54, it repeals provisions that should have been repealed by P.L. 113–287, and it makes necessary technical amendments to P.L. 113–287 and other provisions of law.⁹

Hearings

The Committee did not hold any hearings related to H.R. 3241.

Committee Consideration

On Tuesday, May 18, 2021, the Committee met in open session and ordered the bill, H.R. 3241, favorably reported without amendment, by a voice vote, a quorum being present.

Committee Votes

No rollcall votes occurred during the Committee’s consideration of H.R. 3241.

Committee Oversight Findings

In compliance with clause 3(c)(1) of House rule XIII, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of House rule X, are incorporated in the descriptive portions of this report.

New Budget Authority and Tax Expenditures

In compliance with clause 3(c)(2) of House rule XIII and section 308(a) of the Congressional Budget Act of 1974, and in compliance with clause (3)(c)(3) of House rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee sets forth, with respect to the bill, H.R. 3241, the following analysis and estimate prepared by the Director of the Congressional Budget Office. This analysis finds that because it makes no substantive changes to the law, H.R. 3241 would have no effect on the federal budget.

⁸Pub. L. 113–287, 128 Stat. 3094 (2014).

⁹OLRC, Positive Law Codification, Title 54, U.S. Code, National Park Service and Related Programs, Background, <https://uscode.house.gov/codification/t54/index.html>.

H.R. 3241, To make improvements in the enactment of title 54, United States Code, into a positive law title and to improve the Code			
As ordered reported by the House Committee on the Judiciary on May 18, 2021			
By Fiscal Year, Millions of Dollars	2021	2021-2026	2021-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	0	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 3241 would make technical and conforming changes to several titles of the United States Code that affect the National Park Service and other recreation and preservation programs. The bill would make technical amendments and update statutory references to title 54, United States Code, to reflect recently enacted laws. Information from the Office of Law Revision Counsel indicates that the bill would make no substantive changes to the law; therefore, CBO estimates that implementing H.R. 3241 would not affect the federal budget.

The CBO staff contact for this estimate is Lindsay Wylie. The estimate was reviewed by Leo Lex, Deputy Director of Budget Analysis.

Duplication of Federal Programs

Pursuant to clause 3(c)(5) of House rule XIII, no provision of H.R. 3241 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program.

Performance Goals and Objectives

The Committee states that pursuant to clause 3(c)(4) of House rule XIII, H.R. 3241 would make improvements in the enactment of title 41, United States Code, into a positive law title and improve the Code.

Advisory on Earmarks

In accordance with clause 9 of House rule XXI, H.R. 3241 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of House rule XXI.

Section-by-Section Analysis

Explanation of H.R. 3241, To Make Improvements in the Enactment of Title 54, United States Code, Into a Positive Law Title and To Improve the Code

Background

Public Law 113–287, which was signed into law on December 19, 2014, enacted certain laws relating to the National Park Service and related programs as title 54, United States Code. This bill adds to title 54 provisions that state the purposes of certain laws included in the enactment of title 54, repeals provisions that should have been repealed by Public Law 113–287, and makes necessary technical amendments to Public Law 113–287 and other provisions of law. The Office of the Law Revision Counsel of the House of Representatives prepared the bill and submitted it to the Committee as part of the responsibilities of the Office under section 205(c) of House Resolution No. 988, 93d Congress, as enacted into law by Public Law 93–554 (2 U.S.C. 285b), to provide revisions in titles of the Code that have been enacted into positive law so that those titles may be kept current and to update the Code to reflect newly enacted law.

Section-by-Section Explanation

Section 1—Table of Contents

Section 1 of the bill provides a table of contents of the Act.

Section 2—Purpose

Section 2 of the bill provides the purpose of the Act.

Section 3—Title 15, United States Code

Section 3 of the bill amends section 107(a)(3)(D) of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720e(a)(3)(D)) to correct a cross reference to a provision enacted as part of title 54, United States Code.

Section 4—Title 16, United States Code

Section 4 of the bill amends section 815(4) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3125(4)) to correct a cross reference to a provision enacted as part of title 54, United States Code.

Section 5—Title 43, United States Code

Section 5 of the bill amends section 4(b) of the Abandoned Shipwreck Act of 1987 (43 U.S.C. 2103(b)) to correct a cross reference to provisions enacted as chapter 3029 of title 54, United States Code.

Section 6—Amendments to Public Law 113–287 and Title 54, United States Code

Section 6(a)(1) of the bill amends the schedule of laws repealed in section 7 of Public Law 113–287 by striking the item at 128 Stat. 3276 relating to section 401 of the National Historic Preserva-

tion Act (Public Law 89–665, 16 U.S.C. 470x) and reviving that section to read as if that item had not been enacted.

Section 6(a)(2) of the bill amends the schedule of laws repealed in section 7 of Public Law 113–287 to restate and correct the section and United States Code references at 128 Stat. 3277 in the item relating to section 3 of Public Law 91–383 (16 U.S.C. 1a–2) so that the repeal of subsection (g) (words after 1st sentence) had not been enacted.

Section 6(a)(3) of the bill amends the schedule of laws repealed in section 7 of Public Law 113–287 to restate and correct the United States Code references at 128 Stat. 3277 in the items relating to sections 1004 through 1015 of the Urban Park and Recreation Recovery Act of 1978 (Public Law 95–625, 92 Stat. 3538).

Section 6(b) of the bill amends section 100507(h)(3) of title 54, United States Code, to correct an error in the heading.

Section 6(c) of the bill amends section 100903(a) of title 54, United States Code, to correct an error in the heading.

Section 6(d) of the bill restates section 814(a)(1) of the Omnibus Parks and Public Land Management Act of 1996 as section 101331(a) of title 54, United States Code, and makes related conforming amendments. Section 814(a)(1) originally was classified to 16 U.S.C. 17o(1). The provision was omitted from the Code after enactment of Public Law 113–287. The provision is repealed by section 7 of the bill.

Section 6(e) of the bill restates section 301(b) of Public Law 95–344 as section 101521 of title 54, United States Code, and makes related conforming amendments. Section 301(b) originally was classified to 16 U.S.C. 2301(b). The provision was transferred to 54 U.S.C. 101521 note after enactment of Public Law 113–287. The provision is repealed by section 7 of the bill.

Section 6(f) of the bill restates paragraphs (4) and (5) of section 814(g) of the Omnibus Parks and Public Land Management Act of 1996 (16 U.S.C. 1f), which were enacted after January 15, 2013, the cutoff date for Public Law 113–287 (128 Stat. 3094), as section 101701(d) of title 54, United States Code.

Section 6(g) of the bill amends section 101913(4)(C) of title 54, United States Code, to correct an error in the heading.

Section 6(h) of the bill amends section 102302(d) of title 54, United States Code, to correct an error in the heading.

Section 6(i) of the bill restates section 1(b) of the Land and Water Conservation Fund Act of 1965 as section 200301(a) of title 54, United States Code, amends section 200310(a) to correct a cross reference to a section of the Internal Revenue Code of 1986 (26 U.S.C.), and makes related conforming amendments. Section 1(b) originally was classified to 16 U.S.C. 460l–4. The provision was transferred to 54 U.S.C. 100101 note after enactment of Public Law 113–287. The provision is repealed by section 7 of the bill.

Section 6(j) of the bill restates section 1003 of the Urban Park and Recreation Recovery Act of 1978 as subsections (a) and (b) of 200501 of title 54 United States Code, amends section 200503(c) to correct a spelling error, and makes related conforming amendments. Section 1003 originally was classified to 16 U.S.C. 2502. The provision was transferred to 54 U.S.C. 200501 note after enactment of Public Law 113–287. The provision is repealed by section 7 of the bill.

Section 6(k) of the bill amends section 302302(a) of title 54, United States Code, to correct an error in the heading.

Section 6(l) of the bill amends section 302701(e) of title 54, United States Code, to correct a reference to State Historic Preservation Officers.

Section 6(m) of the bill amends section 302902(b)(1) of title 54, United States Code, to correct an error in the heading.

Section 6(n) of the bill amends section 302908(a) of title 54, United States Code, to insert a word inadvertently omitted.

Section 6(o) of the bill restates section 2(b) of the National Underground Railroad Network to Freedom Act of 1998 as section 308301 of title 54, United States Code, and makes related conforming amendments. Section 2(b) originally was classified to 16 U.S.C. 469l(b). The provision was transferred to 54 U.S.C. 308301 note after enactment of Public Law 113–287. The provision is repealed by section 7 of the bill.

Section 6(q) of the bill amends section 308704(a)(1) of title 54, United States Code, to clarify a cross reference.

Section 6(r) of the bill amends section 309101(d) of title 54, United States Code, to correct an error in the heading.

Section 6(s) of the bill restates section 7302(a) of the Omnibus Public Land Management Act of 2009 as section 311101(a) of title 54, United States Code, and makes related conforming amendments. Section 7302(a) originally was classified to 16 U.S.C. 469n(a). The provision was not included in the enactment of title 54 by Public Law 113–287. The provision is repealed by section 7 of the bill.

Section 6(t) of the bill amends section 312304(b)(4) of title 54, United States Code, to correct an error in the heading.

Section 7—Transitional and Savings Provisions

Section 7 of the bill contains transitional and savings provisions.

Section 8—Repeals

Section 8 of the bill repeals provisions replaced by the bill, along with provisions that should have been repealed by Public Law 113–287.

Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3(e) of House rule XIII, changes in existing law made by the bill, H.R. 3241, as reported, are shown as follows:

CHANGES IN EXISTING LAW MADE BY THE BILL

Set out below is a comparative print showing changes in existing law proposed by the bill. Insertions are shown in *italic* and omissions are surrounded by brackets.

TITLE 15—COMMERCE AND TRADE

§ 720e(a)(3)(D) (Alaska Natural Gas Pipeline Act, § 107(a)(3)(D))

SEC. 107. JUDICIAL REVIEW

(a) EXCLUSIVE JURISDICTION.—Except for review by the Supreme Court on writ of certiorari, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction to determine—

* * * * *

(3) the validity of any determination, permit, approval, authorization, review, or other related action taken under any provision of law relating to a gas transportation project constructed and operated in accordance with section 103, including

* * * * *

(D) [the National Historic Preservation Act (16 U.S.C. 470 et seq.);] *division A of subtitle III of title 54, United States Code*; and

TITLE 16—CONSERVATION

§ 3125(4) (Alaska National Interest Lands Conservation Act, § 815(4))

SEC. 107. JUDICIAL REVIEW

SEC. 815. Nothing in this title shall be construed as—

* * * * *

(4) modifying or repealing the provisions of any Federal law governing the conservation or protection of fish and wildlife, including the National Wildlife Refuge System Administration Act of 1966 (80 Stat. 927; 16 U.S.C. 668dd–jj), [section 100101(b)(1)] *section 100101(a)*, chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, the Fur Seal Act of 1966 (80 Stat. 1091; 16 U.S.C. 1187), the Endangered Species Act of 1973 (87 Stat. 884; 16 U.S.C. 1531–1543), the Marine Mammal Protection Act of 1972 (86 Stat. 1027; 16 U.S.C. 1361–1407), the Act entitled “An Act for the Protection of the Bald Eagle”, approved June 8, 1940 (54 Stat. 250; 16 U.S.C. 742a–754), the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 703–711), the Federal Aid in Wildlife Restoration Act (50 Stat. 917; 16 U.S.C. 669–669i), the Magnuson-Stevens Fishery Conservation and Management Act (90 Stat. 331; 16 U.S.C. 1801–1882), the Federal Aid in Fish Restoration Act (64 Stat. 430; 16 U.S.C. 777–777K), or any amendments to any one or more of such Acts.

TITLE 43—PUBLIC LANDS

§ 2103(b) (Abandoned Shipwreck Act of 1987, § 4(b))

SEC. 4. RIGHTS OF ACCESS

* * * * *

(b) **PARKS AND PROTECTED AREAS.**—In managing the resources subject to the provisions of this Act, States are encouraged to create underwater parks or areas to provide additional protection for such resources. Funds available to States from grants from the Historic Preservation Fund shall be available, in accordance with the provisions of **title I of the National Historic Preservation Act, chapter 3029 of title 54, United States Code**, for the study, interpretation, protection, and preservation of historic shipwrecks and properties.

TITLE 54—NATIONAL PARK SERVICE AND RELATED PROGRAMS

Public Law 113-287, § 7(b)

SEC. 7. REPEALS.

The following provisions of law are repealed, except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun before the date of enactment of this Act.

Schedule of Laws Repealed

Act	Section	United States Code Former Classification
* * *		
National Historic Preservation Act (Pub. L. 89-665).	2	16 U.S.C. 470-1.
* * *		
	401	16 U.S.C. 470x].
* * *		
Urban Park and Recreation Recovery Act of 1978 (Pub. L. 95-625).	title X, § 1004	16 U.S.C. 2503.
	title X, § 1005	16 U.S.C. [2304] 2504.
	title X, § 1006	16 U.S.C. [2305] 2505.
	title X, § 1007	16 U.S.C. [2306] 2506.
	title X, § 1008	16 U.S.C. [2307] 2507.
	title X, § 1009	16 U.S.C. [2308] 2508.
	title X, § 1010	16 U.S.C. [2309] 2509.
	title X, § 1011	16 U.S.C. [2310] 2510.
	title X, § 1012	16 U.S.C. [2311] 2511.
	title X, § 1013	16 U.S.C. [2312] 2512.
	title X, § 1014	16 U.S.C. [2313] 2513.
	title X, § 1015	16 U.S.C. [2314] 2514.

§ 100507(h)(3)

§ 100507. Additional areas for System

* * * * *

(h) **AUTHORIZATION OF APPROPRIATIONS.**—

* * * * *

(3) **CARRYING OUT SUBSECTIONS [(B), (C), AND (G)] (B), (C), AND (G).**—To carry out subsections (b), (c), and (g), there is authorized to be appropriated \$2,000,000 for each fiscal year.

§ 100903(a)

§ 100903. Solid waste disposal operations

(a) **IN GENERAL.**—To protect the air, land, water, and natural and cultural values of the System and the property of the United

States in the System, no solid waste disposal site (including any site for the disposal of domestic or industrial solid waste) may be operated within the boundary of any System unit, other than—

The analysis for chapter 1013

Chapter 1013—Employees

* * * * * * *

Subchapter III—Housing Improvement
 101331. [Definitions.] *Purposes; definitions.*

* * * * * * *

§ 101331

[§ 101331. Definitions

In this subchapter:

- (1) **FIELD EMPLOYEE.**—The term “field employee” means—
 - (A) an employee of the Service who is exclusively assigned by the Service to perform duties at a field unit, and the members of the employee’s family; and
 - (B) any other individual who is authorized to occupy Federal Government quarters under section 5911 of title 5, and for whom there is no feasible alternative to the provision of Federal Government housing, and the members of the individual’s family.
- (2) **PRIMARY RESOURCE VALUES.**—The term “primary resource values” means resources that are specifically mentioned in the enabling legislation for that field unit or other resource value recognized under Federal statute.
- (3) **QUARTERS.**—The term “quarters” means quarters owned or leased by the Federal Government.
- (4) **SEASONAL QUARTERS.**—The term “seasonal quarters” means quarters typically occupied by field employees who are hired on assignments of 6 months or less.]

§ 101331. Purposes; definitions

- (a) **PURPOSES.**—*The purposes of this subchapter are—*
 - (1) *to develop where necessary an adequate supply of quality housing units for field employees of the Service in a reasonable timeframe;*
 - (2) *to expand the alternatives available for construction and repair of essential Government housing;*
 - (3) *to rely on the private sector to finance or supply housing in carryout out this subchapter, to the maximum extent possible, to reduce the need for Federal appropriations;*
 - (4) *to ensure that adequate funds are available to provide for long-term maintenance needs of field employee housing; and*
 - (5) *to eliminate unnecessary Government housing and locate such housing as is required in a manner such that primary resource values are not impaired.*
- (b) **DEFINITIONS.**—In this subchapter:
 - (1) **FIELD EMPLOYEE.**—The term “field employee” means—
 - (A) an employee of the Service who is exclusively assigned by the Service to perform duties at a field unit, and the members of the employee’s family; and

(B) any other individual who is authorized to occupy Federal Government quarters under section 5911 of title 5, and for whom there is no feasible alternative to the provision of Federal Government housing, and the members of the individual's family.

(2) PRIMARY RESOURCE VALUES.—The term “primary resource values” means resources that are specifically mentioned in the enabling legislation for that field unit or other resource value recognized under Federal statute.

(3) QUARTERS.—The term “quarters” means quarters owned or leased by the Federal Government.

(4) SEASONAL QUARTERS.—The term “seasonal quarters” means quarters typically occupied by field employees who are hired on assignments of 6 months or less.

Chapter 1015

Chapter 1015—Transportation

* * * * *

Subchapter III—Public Transportation Programs for System Units

101521. Purpose.

[101521] *101522.* Transportation service and facility programs.

[101522] *101523.* Transportation projects.

[101523] *101524.* Procedures applicable to transportation plans and projects.

[101524] *101525.* Special rule for service contract to provide transportation services.

§ 101521. Purpose

The purpose of this subchapter is to make the System more accessible in a manner consistent with the preservation of parks and the conservation of energy by encouraging the use of transportation modes other than personal motor vehicles for access to and in System units with minimum disruption to nearby communities through authorization of a pilot transportation program.

§ [101521] 101522. Transportation service and facility programs

* * * * *

§ [101522] 101523. Transportation projects

* * * * *

§ [101523] 101524. 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]** *101522* of this title—

* * * * *

§ [101524] 101525. Special rule for service contract to provide transportation services

§ 101913(4)(C)

§ 101913. Award of concession contracts

* * * * *

(4) CONSIDERATION OF PROPOSALS.—

* * * * *

(C) ALL PROPOSALS FAIL TO MEET **[MIMIMUM]** *MINIMUM REQUIREMENTS OR ARE REJECTED*.—If all proposals submitted to the Secretary fail to meet the minimum requirements or are rejected by the Secretary, the Secretary shall establish new minimum contract requirements and re-initiate the competitive selection process pursuant to this section.

§ 102302(d)

§ 102302. National Capital region arts and cultural affairs

* * * * *

(d) **[RESPONSIBILITIES]** *RESPONSIBILITIES* OF DIRECTOR.—The Director shall—

Chapter 2003

Chapter 2003—Land and Water Conservation Fund

* * * * *

200301. **[Definitions.]** *Purposes; definitions.*

* * * * *

[§ 200301. Definitions

In this chapter:

(1) **FUND**.—The term “Fund” means the Land and Water Conservation Fund established under section 200302 of this title.

(2) **STATE**.—The term “State” means a State, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.】

§ 200301. Purposes; definitions

(a) *PURPOSES*.—The purposes of this chapter are—

(1) *to assist in preserving, developing, and assuring accessibility to all citizens of the United States and visitors who are lawfully present in the United States such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in that recreation; and*

(2) *to strengthen the health and vitality of the citizens of the United States by—*

(A) *providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities; and*

(B) *providing funds for the Federal acquisition and development of certain land and other areas.*

(b) **DEFINITIONS**.—In this chapter:

(1) **FUND**.—The term “Fund” means the Land and Water Conservation Fund established under section 200302 of this title.

(2) STATE.—The term “State” means a State, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

* * * * *

§ 200310. Transfers to and from Fund

(a) MOTORBOAT FUEL TAXES.—There shall be set aside in the Fund the amounts specified in [section 9503(c)(3)(B) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(3)(B))] *section 9503(c)(3)(A) of the Internal Revenue Code of 1986 (26 U.S.C. 9503c)(3)(A)*.

Chapter 2005

Chapter 2005—Urban Park and Recreation Recovery Program

* * * * *

200501. [Definitions.] Purposes; complement to existing Federal programs; definitions.

* * * * *

§ 200501. [Definitions.] Purposes; complement to existing Federal programs; definitions.

(a) PURPOSES.—*The purposes of this chapter are—*

(1) *to authorize the Secretary to establish an urban park and recreation recovery program that would provide Federal grants to economically hard-pressed communities specifically for the rehabilitation of critically needed recreation areas, facilities, and development of improved recreation programs;*

(2) *to improve recreation facilities and expand recreation services in urban areas with a high incidence of crime and to help deter crime through the expansion of recreation opportunities for at-risk youth; and*

(3) *to increase the security of urban parks and to promote collaboration between local agencies involved in parks and recreation, law enforcement, youth social services, and juvenile justice system.*

(b) COMPLEMENT EXISTING FEDERAL PROGRAMS.—*The urban park and recreation recovery program is intended to complement existing Federal programs such as the Land and Water Conservation Fund and Community Development Grant Programs by encouraging and stimulating local governments to revitalize their park and recreation systems and to make long-term commitments to continuing maintenance of these systems. The assistance shall be subject to such terms and conditions as the Secretary considers appropriate and in the public interest to carry out the purposes of this chapter.*

(c) DEFINITIONS.—In this chapter:

(1) AT RISK YOUTH RECREATION GRANT.—

(A) IN GENERAL.—The term “at-risk youth recreation grant” means a grant in a neighborhood or community with a high prevalence of crime, particularly violent crime or crime committed by youthful offenders.

(B) INCLUSIONS.—The term “at-risk youth recreation grant” includes

- (i) a rehabilitation grant;
- (ii) an innovation grant; and
- (iii) a matching grant for continuing program support for a program of demonstrated value or success in providing constructive alternatives to youth at risk for engaging in criminal behavior, including a grant for operating, or coordinating, a recreation program or service.

(C) ADDITIONAL USES OF REHABILITATION GRANT.—In addition to the purposes specified in paragraph (8), a rehabilitation grant that serves as an at-risk youth recreation grant may be used for the provision of lighting, emergency phones, or any other capital improvement that will improve the security of an urban park.

(2) GENERAL PURPOSE LOCAL GOVERNMENT.—The term “general purpose local government” means—

- (A) a city, county, town, township, village, or other general purpose political subdivision of a State; and
- (B) the District of Columbia.

(3) INNOVATION GRANT.—The term “innovation grant” means a matching grant to a local government to cover costs of personnel, facilities, equipment, supplies, or services designed to demonstrate innovative and cost-effective ways to augment park and recreation opportunities at the neighborhood level and to address common problems related to facility operations and improved delivery of recreation service, not including routine operation and maintenance activities.

(4) MAINTENANCE.—The term “maintenance” means all commonly accepted practices necessary to keep recreation areas and facilities operating in a state of good repair and to protect them from deterioration resulting from normal wear and tear.

(5) PRIVATE, NONPROFIT AGENCY.—The term “private, nonprofit agency” means a community-based, nonprofit organization, corporation, or association organized for purposes of providing recreational, conservation, and educational services directly to urban residents on a neighborhood or communitywide basis through voluntary donations, voluntary labor, or public or private grants.

(6) RECOVERY ACTION PROGRAM GRANT.—

(A) IN GENERAL.—The term “recovery action program grant” means a matching grant to a local government for development of local park and recreation recovery action programs to meet the requirements of this chapter.

(B) USE.—A recovery action program grant shall be used for resource and needs assessment, coordination, citizen involvement and planning, and program development activities to—

- (i) encourage public definition of goals; and
- (ii) develop priorities and strategies for overall recreation system recovery.

(7) RECREATION AREA OR FACILITY.—The term “recreation area or facility” means an indoor or outdoor park, building, site, or other facility that is dedicated to recreation purposes and administered by a public or private nonprofit agency to

serve the recreation needs of community residents. Emphasis shall be on public facilities readily accessible to residential neighborhoods, including multiple-use community centers that have recreation as one of their primary purposes, but excluding major sports arenas, exhibition areas, and conference halls used primarily for commercial sports, spectator, or display activities.

(8) REHABILITATION GRANT.—The term “rehabilitation grant” means a matching capital grant to a local government for rebuilding, remodeling, expanding, or developing an existing outdoor or indoor recreation area or facility, including improvements in park landscapes, buildings, and support facilities, but excluding routine maintenance and upkeep activities.

(9) SPECIAL PURPOSE LOCAL GOVERNMENT.—

(A) IN GENERAL.—The term “special purpose local government” means a local or regional special district, public-purpose corporation, or other limited political subdivision of a State.

(B) INCLUSIONS.—The term “special purpose local government” includes—

- (i) a park authority;
- (ii) a park, conservation, water, or sanitary district;
- and
- (iii) a school district.

(10) STATE.—The term “State” means a State, an instrumentality of a State approved by the Governor of the State, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

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§ 200503. Rehabilitation grants and innovation grants

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(c) TRANSFER.—If consistent with an approved application, a grant recipient may transfer a rehabilitation grant or innovation grant in whole or in part to an independent special purpose local government, private nonprofit agency, or county or regional park authority if the assisted recreation area or facility owned or managed by the [transferree] *transferee* offers recreation opportunities to the general population within the jurisdictional boundaries of the grant recipient.

§ 302302(a)

§ 302302. Program evaluation

(a) WHEN EVALUATION SHOULD [OCCUR] *OCCUR*.—Periodically, but not less than every 4 years after the approval of any State program undersection 302301 of this title, the Secretary, in consultation with the Council on the appropriate provisions of this division, and in cooperation with the State Historic Preservation Officer, shall evaluate the program to determine whether it is consistent with this division.

§ 302701(e)

§ 302701. Program to assist Indian tribes in preserving historic property

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(e) CONSULTATION.—The Secretary shall consult with Indian tribes, other Federal agencies, State Historic [Preservations] Preservation Officers, and other interested parties concerning the program under subsection (a).

§ 302902(b)(1)

§ 302902. Grants to States

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(b) CONDITIONS.—

(1) [In general] IN GENERAL.—No grant may be made under this division—

§ 302908(a)

§ 302908. Grants to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau

(a) IN GENERAL.—As part of the program of matching grant assistance from the Historic Preservation Fund to States, the Secretary shall administer a program of direct grants to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau in furtherance of the Compact of Free Association between the United States and the Federated States of Micronesia and the Marshall Islands, approved by the Compact of Free Association Act of 1985 (48 U.S.C. 1901 et seq., 2001 et seq.), and the Compact of Free Association between the United States and Palau, approved by the Joint Resolution entitled “Joint Resolution to approve the ‘Compact of Free Association’ between the United States and the Government of Palau, and for other purposes” (48 U.S.C. 1931 et seq.) or any successor enactment.

§ 306131(a)(3)

§§ 306131. Standards and guidelines

(a) STANDARDS.—

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(3) REVISION.—The [Office of Management and Budget] Office of Personnel Management shall revise qualification standards for the disciplines involved.

Chapter 3083

Chapter 3083—National Underground Railroad Network to Freedom

Sec.

308101. Purposes.

[308301] 308302. Definition.

[308302] 308303. Program.

[308303] 308304. Preservation and interpretation of Underground Railroad history, historic sites, and structures.

[308304] 308305. Authorization of appropriations.

§ 308301. Purposes

The purposes of this chapter are—

(1) to recognize the importance of the Underground Railroad, the sacrifices made by those who used the Underground Railroad in search of freedom from tyranny and oppression, and the sacrifices made by the people who helped them; and

(2) to authorize the Service to coordinate and facilitate Federal and non-Federal activities to commemorate, honor, and interpret the history of the Underground Railroad, its significance as a crucial element in the evolution of the national civil rights movement, and its relevance in fostering the spirit of racial harmony and national reconciliation.

§ [308301] 308302. Definition

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§ [308302] 308303. Program

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§ [308303] 308304. Preservation and interpretation of Underground Railroad history, historic sites, and structures

* * * * *

§ [308304] 308305. Authorization of appropriations.

§ 308704(a)(1)

§ 308704. Funding

(a) AVAILABILITY OF FUNDS FROM SALE AND SCRAPPING OF OBSOLETE VESSELS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the amount of funds credited in a fiscal year to the Vessel Operations Revolving Fund established by section 50301(a) of title 46 that is attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that are scrapped or sold under subsection (c) of this section or section 57102, 57103, or 57104 of title 46 shall be available until expended as follows:

§ 309101(d)

§ 309101. Sites and structures that commemorate former Presidents

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(d) **[ACQUISITION]** ACQUISITION OF LAND AND INTERESTS IN LAND.—The Secretary may acquire the land and interests in land by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange.

Chapter 3111

Chapter 3111—Preserve America Program

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311101. **[Definitions.]** Purpose; definitions.

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§ 311101. Definitions.

(a) In this chapter:

(1) COUNCIL.—The term “Council” means the Advisory Council on Historic Preservation.

(2) HERITAGE TOURISM.—The term “heritage tourism” means the conduct of activities to attract and accommodate visitors to a site or area based on the unique or special aspects of the history, landscape (including trail systems), and culture of the site or area.

(3) PROGRAM.—The term “program” means the Preserve America Program established under section 311102(a).】

§ 311101. Purpose; definitions

(a) PURPOSE.—*The purpose of this chapter is to authorize the Preserve America Program, including—*

(1) the Preserve America grant program in the Department of the Interior;

(2) the recognition programs administered by the Advisory Council on Historic Preservation; and

(3) the related efforts of Federal agencies, working in partnership with State, tribal, and local governments and the private sector, to support and promote the preservation of historic resources.

(b) DEFINITIONS.—In this chapter:

(1) COUNCIL.—The term “Council” means the Advisory Council on Historic Preservation.

(2) HERITAGE TOURISM.—The term “heritage tourism” means the conduct of activities to attract and accommodate visitors to a site or area based on the unique or special aspects of the history, landscape (including trail systems), and culture of the site or area.

(3) PROGRAM.—The term “program” means the Preserve America Program established under section 311102(a).

§ 312304(b)(4)

§ 312304. Duties and powers; administrative support

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(b) POWERS.—

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(4) DETAIL PERSONNEL TO 【COMMISISON】 COMMISSION.—On request of the Commission, the head of any Federal department or agency, including the Secretary of State, may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this chapter.