

117TH CONGRESS  
1ST SESSION

# 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.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2021

Ms. BUSH introduced the following bill; which was referred to the Committee  
on the Judiciary

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## A BILL

To make improvements in the enactment of title 54, United  
States Code, into a positive law title and to improve  
the Code.

1 *Be it enacted by the Senate and House of Representatives of the United*  
2 *States of America in Congress assembled,*

3 **SECTION 1. TABLE OF CONTENTS.**

4 The table of contents for this Act is as follows:

- Sec. 1. Table of contents.
- Sec. 2. Purpose.
- Sec. 3. Title 15, United States Code.
- Sec. 4. Title 16, United States Code.
- Sec. 5. Title 43, United States Code.
- Sec. 6. Amendments to Public Law 113–287 and Title 54, United States Code.
- Sec. 7. Transitional and savings provisions.
- Sec. 8. Repeals.

5 **SEC. 2. PURPOSE.**

6 The purpose of this Act is to make improvements in the enactment of  
7 title 54, United States Code, into a positive law title and to improve the  
8 Code.

**SEC. 3. TITLE 15, UNITED STATES CODE.**

Section 107(a)(3)(D) of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720e(a)(3)(D)) is amended by striking “the National Historic Preservation Act (16 U.S.C. 470 et seq.);” and inserting “division A of subtitle III of title 54, United States Code;”.

**SEC. 4. TITLE 16, UNITED STATES CODE.**

Section 815(4) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3125(4)) is amended by striking “section 100101(b)(1)” and inserting “section 100101(a)”.

**SEC. 5. TITLE 43, UNITED STATES CODE.**

Section 4(b) of the Abandoned Shipwreck Act of 1987 (43 U.S.C. 2103(b)) is amended by striking “title I of the National Historic Preservation Act,” and inserting “chapter 3029 of title 54, United States Code;”.

**SEC. 6. AMENDMENTS TO PUBLIC LAW 113–287 AND TITLE 54, UNITED STATES CODE.**

(a) SECTION 7 OF PUBLIC LAW 113–287.—Effective December 19, 2014, the Schedule of Laws Repealed in section 7 of Public Law 113–287 (128 Stat. 3273) is amended as follows:

(1) NATIONAL HISTORIC PRESERVATION ACT.—The item relating to section 401 of the National Historic Preservation Act (Public Law 89–665, 16 U.S.C. 470x) (128 Stat. 3276) is stricken and that section is revived to read as if that item had not been enacted.

(2) PUBLIC LAW 91–383.—The item relating to section 3 of Public Law 91–383 (16 U.S.C. 1a–2) (128 Stat. 3277) is amended to read as follows and subsection (g) (words after 1st sentence) is revived to read as if that item had been enacted as follows:

**“Schedule of Laws Repealed**

“Act	Section	United States Code Former Classification
	“3 (less (g) (words after 1st sentence)).	1a–2 (less(g) (words after 1st sentence)).”.

(3) URBAN PARK AND RECREATION RECOVERY ACT.—The items relating to title X, §§ 1004 through 1015 of the Urban Park and Recreation Recovery Act of 1978 (Public Law 95–625, 92 Stat. 3538) (128 Stat. 3277) are amended to read as follows:

**“Schedule of Laws Repealed**

“Act	Section	United States Code Former Classification
“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. 2504.
	“title X, § 1006 .....	16 U.S.C. 2505.
	“title X, § 1007 .....	16 U.S.C. 2506.
	“title X, § 1008 .....	16 U.S.C. 2507.
	“title X, § 1009 .....	16 U.S.C. 2508.

## “Schedule of Laws Repealed—Continued

“Act	Section	United States Code Former Classification
	“title X, § 1010 .....	16 U.S.C. 2509.
	“title X, § 1011 .....	16 U.S.C. 2510.
	“title X, § 1012 .....	16 U.S.C. 2511.
	“title X, § 1013 .....	16 U.S.C. 2512.
	“title X, § 1014 .....	16 U.S.C. 2513.
	“title X, § 1015 .....	16 U.S.C. 2514.”.

1 (b) SECTION 100507.—The heading for subsection (h)(3) of section  
2 100507 of title 54, United States Code, is amended by striking “(b), (c),  
3 and (g)” and inserting “(B), (C), AND (G)”.

4 (c) SECTION 100903.—The heading for subsection (a) of section 100903  
5 of title 54, United States Code, is amended by striking “GENERAL” and in-  
6 serting “GENERAL.”.

7 (d) CHAPTER 1013.—Chapter 1013 of title 54, United States Code, is  
8 amended—

9 (1) by amending section 101331 to read as follows:

10 **“§ 101331. Purposes; definitions**

11 “(a) PURPOSES.—The purposes of this subchapter are—

12 “(1) to develop where necessary an adequate supply of quality hous-  
13 ing units for field employees of the Service in a reasonable timeframe;

14 “(2) to expand the alternatives available for construction and repair  
15 of essential Government housing;

16 “(3) to rely on the private sector to finance or supply housing in ear-  
17 rycut out this subchapter, to the maximum extent possible, to reduce  
18 the need for Federal appropriations;

19 “(4) to ensure that adequate funds are available to provide for long-  
20 term maintenance needs of field employee housing; and

21 “(5) to eliminate unnecessary Government housing and locate such  
22 housing as is required in a manner such that primary resource values  
23 are not impaired.

24 “(b) DEFINITIONS.—In this subchapter:

25 “(1) FIELD EMPLOYEE.—The term ‘field employee’ means—

26 “(A) an employee of the Service who is exclusively assigned by  
27 the Service to perform duties at a field unit, and the members of  
28 the employee’s family; and

29 “(B) any other individual who is authorized to occupy Federal  
30 Government quarters under section 5911 of title 5, and for whom  
31 there is no feasible alternative to the provision of Federal Govern-  
32 ment housing, and the members of the individual’s family.

33 “(2) PRIMARY RESOURCE VALUES.—The term ‘primary resource val-  
34 ues’ 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.”; and

(2) in the chapter table of contents, by amending the item relating to section 101331 to read as follows:  
 “101331. Purposes; definitions.”.

(e) **CHAPTER 1015.**—Chapter 1015 of title 54, United States Code, is amended—

(1) by redesignating sections 101521 through 101524 as sections 101522 through 101525;

(2) by inserting before section 101522, as redesignated by paragraph (1), the following:

**“§ 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.”;

(3) in section 101522(b)(2)(B), as redesignated by paragraph (1), by striking “ACQUISTION” and inserting “ACQUISITION”;

(4) in section 101524(a), as redesignated by paragraph (1), by striking “101521” and inserting “101522”; and

(5) in the chapter table of contents—

(A) by redesignating the items relating to sections 101521 through 101524 as items relating to sections 101522 through 101525; and

(B) by inserting before the item relating to section 101522, as redesignated by subparagraph (A), the following:

“101521. Purpose.”.

(f) **SECTION 101701.**—Section 101701 of title 54, United States Code, is amended by adding at the end the following:

“(d) **AVAILABLE FUNDS.**—

“(1) **AMOUNTS.**—Out of any amounts in the Treasury not otherwise appropriated, \$20,000,000 shall be made available to the Secretary for fiscal year 2018, and \$30,000,000 shall be made available to the Secretary 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 Service infrastructure.

“(2) AMOUNT FROM NON-FEDERAL SOURCES.—Not less than 50 percent of the total cost of project for funds made available under paragraph (1) to pay the Federal funding share shall be derived from non-Federal sources, including in-kind contribution of goods and services fairly valued.”.

(g) SECTION 101913.—The heading for paragraph (4)(C) of section 101913 of title 54, United States Code, is amended by striking “MIMUM” and inserting “MINIMUM”.

(h) SECTION 102302.—The heading for subsection (d) of section 102302 of title 54, United States Code, is amended by striking “RESPONSIBILITIES” and inserting “RESPONSIBILITIES”.

(i) CHAPTER 2003.—Chapter 2003 of title 54, United States Code, is amended—

(1) by amending section 200301 to read as follows:

**“§ 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.”;

(2) in section 200310(a), by striking “section 9503(c)(3)(B) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(3)(B))” and inserting “section 9503(c)(3)(A) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(3)(A))”; and

(3) in the chapter table of contents, by amending the item relating to section 200301 to read as follows:  
 “200301. Purposes; definitions.”.

(j) CHAPTER 2005.—Chapter 2005 of title 54, United States Code, is amended—

(1) by amending section 200501 to read as follows:

**“§ 200501. 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 1 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.”;

(2) in section 200503(e), by striking “transferree” and inserting “transferee”; and

(3) in the chapter table of contents, by amending the item relating to section 200501 to read as follows:

“200501. Purposes; complement to existing Federal programs; definitions.”.

(k) SECTION 302302.—The heading for subsection (a) of section 302302 of title 54, United States Code, is amended by striking “OCCUR” and inserting “OCCUR”.

(l) SECTION 302701.—Section 302701(e) of title 54, United States Code, is amended by striking “Preservations” and inserting “Preservation”.

(m) SECTION 302902.—The heading for paragraph (1) of subsection (b) of section 302902 of title 54, United States Code is amended by striking “In general” and inserting “IN GENERAL”.



(n) SECTION 302908.—Section 302908(a) of title 54, United States Code, is amended by inserting “the” before “Government of Palau”.

(o) CHAPTER 3083.—Chapter 3083 of title 54, United States Code is amended—

(1) by redesignating sections 308301 through 308304 as sections 308302 through 308305;

(2) by inserting before section 308302, as redesignated by paragraph (1), the following:

**“§ 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.”;

(3) in section 308302, as redesignated by paragraph (1), by striking “308302” and inserting “308303”;

(4) in section 308305(a), as redesignated by paragraph (1)—

(A) in paragraph (1), by striking “308302” and inserting “308303”; and

(B) in paragraph (2), by striking “308303” and inserting “308304”; and

(5) in the chapter table of contents—

(A) by redesignating the items relating to sections 308301 through 308304 as items relating to sections 308302 through 308305; and

(B) by inserting before the item relating to section 308302, as redesignated by subparagraph (A), the following:

“308301. Purposes.”.

(q) SECTION 308704.—Section 308704(a)(1) of title 54, United States Code, is amended by inserting “subsection (c) of this section or” after “sold under”.

(r) SECTION 309101.—The heading for subsection (d) of section 309101 of title 54, United States Code, is amended by striking “ACQUISTION” and inserting “ACQUISITION”.

(s) CHAPTER 3111.—Chapter 3111 of title 54, United States Code, is amended—

(1) by amending section 311101 to read as follows:

1 **“§ 311101. Purpose; definitions**

2 “(a) PURPOSE.—The purpose of this section is to authorize the Preserve  
3 America Program, including—

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

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

8 “(3) the related efforts of Federal agencies, working in partnership  
9 with State, tribal, and local governments and the private sector, to sup-  
10 port and promote the preservation of historic resources.

11 “(b) DEFINITIONS.—In this chapter:

12 “(1) COUNCIL.—The term ‘Council’ means the Advisory Council on  
13 Historic Preservation.

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

18 “(3) PROGRAM.—The term ‘program’ means the Preserve America  
19 Program established under section 311102(a)”; and

20 (2) in the chapter table of contents, by amending the item relating  
21 to section 311101 to read as follows:

“311101. Purpose; definitions.”.

22 (t) SECTION 312304.—The heading for paragraph (4) of subsection (b)  
23 of section 312304 of title 54, United States Code, is amended by striking  
24 “COMMISISON” and inserting “COMMISSION”.

25 **SEC. 7. TRANSITIONAL AND SAVINGS PROVISIONS**

26 (a) DEFINITIONS.—In this section:

27 (1) RESTATED PROVISION.—The term “restated provision” means a  
28 provision of law that is enacted by section 6.

29 (2) SOURCE PROVISION.—The term “source provision” means a pro-  
30 vision of law that is replaced by a restated provision.

31 (b) CUTOFF DATE.—The restated provisions replace certain provisions of  
32 law enacted on or before May 6, 2021. If a law enacted after that date  
33 amends or repeals a source provision, that law is deemed to amend or re-  
34 peal, as the case may be, the corresponding restated provision. If a law en-  
35 acted after that date is otherwise inconsistent with a restated provision or  
36 a provision of this Act, that law supersedes the restated provision or provi-  
37 sion of this Act to the extent of the inconsistency.

38 (c) ORIGINAL DATE OF ENACTMENT UNCHANGED.—A restated provision  
39 is deemed to have been enacted on the date of enactment of the source pro-  
40 vision.

(d) REFERENCES TO RESTATED PROVISIONS.—A reference to a restated provision is deemed to refer to the corresponding source provision.

(e) REFERENCES TO SOURCE PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding restated provision.

(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding restated provision.

(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding restated provision.

(h) LEGISLATIVE CONSTRUCTION.—An inference of legislative construction is not to be drawn by reason of a restated provision’s location in the United States Code or by reason of the heading used for the restated provision.

#### **SEC. 8. REPEALS.**

The following provisions of law are repealed, except with respect to rights and duties that matured, penalties that were incurred, or proceedings that were begun before December 19, 2014:

#### Schedule of Laws Repealed

Act	Section	United States Code Former Classification
Act of May 15, 1896 (ch. 182) .....	1 ..... 2 .....	16 U.S.C. 411. 16 U.S.C. 412.
Act of March 3, 1897 (ch. 372) .....	1 ..... 2 ..... 4 ..... 5 .....	16 U.S.C. 413. 16 U.S.C. 414. 16 U.S.C. 416. 16 U.S.C. 413, 414, 416.
Act of August 24, 1912 (ch. 355 (last paragraph under heading “NATIONAL MILITARY PARKS” at 37 Stat. 442) ....	1 .....	16 U.S.C. 421.
Land and Water Conservation Fund Act of 1965 (Pub. L. 88–578) .....	title I, § 1(b) .....	16 U.S.C. 460–4.
Public Law 95–344 .....	title III, § 301(b) .....	16 U.S.C. 2301(b).
Urban Park and Recreation Recovery Act of 1978 (Pub. L. 95–625) .....	title X, § 1003 .....	16 U.S.C. 2502.
National Park System Visitor Facilities Fund Act (Pub. L. 97–433) .....	1 ..... 2 ..... 3 ..... 4 ..... 5 ..... 6 ..... 7 ..... 8 .....	16 U.S.C. 19gg note. 16 U.S.C. 19aa note. 16 U.S.C. 19bb note. 16 U.S.C. 19cc note. 16 U.S.C. 19dd note. 16 U.S.C. 19ee note. 16 U.S.C. 19ff note. 16 U.S.C. 19gg note.
Omnibus Parks and Public Land Management Act of 1996 (Pub. L. 104–333) .....	div. I, title VIII, § 814(a)(1) ... div. I, title VIII, § 814(g)(4, (5)).	16 U.S.C. 170(1). 16 U.S.C. 1f.

## Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
National Underground Railroad Network to Freedom Act of 1998 (Pub. L. 105–203) .....	2(b) .....	16 U.S.C. 469(b).
Omnibus Public Land Management Act of 2009 (Pub. L. 111–11) .....	title VII, § 7302(a) .....	16 U.S.C. 469n(a).

