
Enactment of Title 54, United States Code

Director, NPS <nps_director@nps.gov>
Bcc: nps_all_employees@nps.gov

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Memorandum

To: All Employees
From: Director
Subject: Enactment of Title 54, United States Code

As you are probably aware by now, last December, the U.S. Congress enacted Title 54 of the U.S. Code devoted solely to the laws applicable to the National Park Service. The President signed the bill into law, P.L. 113-287 (<http://www.gpo.gov/fdsys/pkg/BILLS-113hr1068enr/pdf/BILLS-113hr1068enr.pdf>), on December 19, 2014.

Many of you have been used to finding our service-wide laws, like the National Park Service Organic Act, or the National Park System General Authorities Act, in Title 16 of the U.S. Code. However, Title 16 was becoming too large and disorganized as it included laws from multiple land management and other federal agencies.

To address this, Congress decided to create a new Title 54 of the U.S. Code, that includes only laws applicable to the National Park Service. This allowed for better organization of our laws and the use of consistent language throughout the title. Some minor technical corrections were also made and obsolete provisions were removed. I want to assure everyone that the original policy and intent of Congress behind our National Park Service laws remains the same even though these laws are now found in Title 54. Our most significant challenge will be to learn the new section references in Title 54 to our national park laws.

We reference national park laws in many letters, memos, policy documents, Director's Orders, Federal Register notices, and other guides and materials. Enactment of the new Title 54 does not require us to immediately change all of these documents to update the references. However, as opportunities present themselves, we should begin to gradually update our references to the new Title 54. If you are currently in the process of drafting or revising a Director's Order, or preparing a Federal Register notice, please be sure to use the new Title 54 citation.

With regard to Management Policies, Director's Orders and Reference Manuals, they will be updated to reflect the enactment of Title 54, only when necessary. P.L. 113.287 makes it clear that a reference to Title 16 is to be considered to be a reference to Title 54.

In a similar manner, a regulation, order, or administrative action that was in effect under Title 16 remains in effect. An action taken or an offense committed Title 16 is considered to be an action taken or an offense committed under Title 54.

Title 54 now includes only our NPS service-wide laws. Division B of Title 54 has been reserved for laws applicable to our 407 national park units. The Office of Legislative and Congressional Affairs (OLCA) is working with Congress on compiling the text of our park unit laws into a bill that creates Division B of Title 54. We hope to see this bill enacted before the end of the 114th Congress. Until then, please continue to use the Title 16 reference for a law applicable to any of our 407 national park units.

If you would like additional information, there is a [Power Point presentation \(http://classicinside.nps.gov/documents/PowerPoint%20on%20Title%2054.pptx\)](http://classicinside.nps.gov/documents/PowerPoint%20on%20Title%2054.pptx) on Title 54 prepared by OLCA. Should you have questions, you are encouraged to contact your regional solicitor's office or OLCA.

Below is a list of commonly known National Park Service laws and their new section number in the new Title 54 for your reference

National Park laws and their location in Title 54, United States Code

(Since P.L. 113-287 has not yet been printed, the page numbers below refer to the enrolled bill, and are provided for your convenience only. Please *do not* include them in any citation.)

National Park Service Organic Act

54 USC 100101(a), 100301 *et seq.* (pp. 3 through 4 of P.L. 113-287)

National Park System General Authorities Act

54 USC 100101(b) *et seq.* (pp. 3)

Antiquities Act of 1906

54 USC 320301 through 320303 (pp. 166 through 168)

Historic Sites, Buildings and Antiquities Act, 1935

54 USC 320101 *et seq.* (begins on p. 164)

Land and Water Conservation Fund Act of 1965

54 USC 200301 through 200310 (pp. 78 through 87)

Mining in the Parks Act

54 USC 100731 through 100737 (pp. 16 through 18)

Museum Act

54 USC 102501 through 102504 (pp. 64 through 66)

National Historic Preservation Act

54 USC 300101 *et seq.* (begins on p. 94)

National Park Service Concessions Management Improvement Act of 1998

54 USC 101911 through 101926 (pp. 45 through 59)

National Park System Resource Protection Act

54 USC 100721 through 100725 (pp. 13 through 15)

National Parks Omnibus Management Act of 1998
54 USC 100701 *et seq.* (begins on p. 12)

Volunteers in the Parks Act of 1969
54 USC 102301 (pp. 60 through 61)

Other, non-named laws that we use frequently include:

on firearms
54 USC 104906 (pp. 75 through 76)

on commercial filming fees
54 USC 100905 (pp. 24 through 25)

on special park use cost recovery
54 USC 103104 (p. 72)

on rights-of-way (for both power and communication facilities, and public utilities)
54 USC 100902 (pp. 20 through 22)

on the sale of products/services produced in living exhibits/interp. Demonstrations
54 USC 101702(c) (p. 42)

If you need to know the new Title 54 equivalent for a particular section of the old Title 16, you should consult the table found in [House Report 113-44](http://www.gpo.gov/fdsys/pkg/CRPT-113hrpt44/html/CRPT-113hrpt44.htm) (<http://www.gpo.gov/fdsys/pkg/CRPT-113hrpt44/html/CRPT-113hrpt44.htm>).