

Positive Law Codification: Reenacting Federal Laws as Titles of the United States Code for Statutory Clarity

Office of the Law Revision Counsel

U.S. House of Representatives

Presented for the U.S. Government Publishing Office

History

- Committee on Revision Laws
 - House Committee (1868 to 1946)
 - Jurisdiction: Revision and codification of the general and permanent laws of the United States
 - Prepared the Revised Statutes
- Revised Statutes
 - First attempt by Congress to enact a positive law codification of the laws of the United States
 - First edition: 1874
 - Restated the laws into 74 titles and repealed all the underlying laws enacted through December 1, 1873
 - Legal evidence
 - Numerous errors
 - Second edition: 1878
 - Subsequent underlying laws not repealed
 - Prima facie evidence
 - Included laws enacted after December 1, 1873
 - Early 1920's: Need for new positive law version of the Code
 - The Committee on Revision of the Laws prepared the new version, which again repealed the underlying laws. It passed the House, but the Senate objected to the laws being repealed.
 - 1926: Compromise
 - A prima facie compilation of the general and permanent laws of the United States was enacted. The underlying laws were not repealed.

History

CHAP. 712.—An Act To consolidate, codify, and set forth the general and permanent laws of the United States in force December seventh, one thousand nine hundred and twenty-five.

June 30, 1928.
[H. R. 10000.]
[Public, No. 440.]

[This Act is printed in a separate volume entitled "The Code of the Laws of the United States of America," as Part I of Volume 44 of the Statutes at Large.]

History

UNITED STATES OF AMERICA

OF A GENERAL AND PERMANENT CHARACTER

IN FORCE

DECEMBER 7, 1925

AND APPENDIX WITH LAWS TO DECEMBER 6, 1926

CONSOLIDATED, CODIFIED, SET FORTH, AND PUBLISHED IN 1926,
IN THE ONE HUNDRED AND FIFTIETH YEAR OF THE REPUBLIC,
AT ITS FIRST SESSION, BY THE SIXTY-NINTH CONGRESS

[WITH ANCILLARIES AND INDEX]

VOLUME 44 - PART 1

OF THE

UNITED STATES STATUTES AT LARGE



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON
1926

P R E F A C E

This Code is the official restatement in convenient form of the general and permanent laws of the United States in force December 7, 1925, now scattered in 25 volumes—i. e., the Revised Statutes of 1878, and volumes 20 to 43, inclusive, of the Statutes at Large. No new law is enacted and no law repealed. It is *prima facie* the law. It is presumed to be the law. The presumption is rebuttable by production of prior un-repealed Acts of Congress at variance with the Code. Because of such possibility of error in the Code and of appeal to the Revised Statutes and Statutes at Large, a table of statutes repealed prior to December 7, 1925, is published herein together with the Articles of Confederation; The Declaration of Independence; Ordinance of 1787; the Constitution with amendments and index; tables of cross references to the Revised Statutes, the Statutes at Large, the United States Compiled Statutes, Annotated, of the West Publishing Co., and the Federal Statutes, Annotated, of the Edward Thompson Co.; an appendix with the general and permanent laws of the first session of the Sixty-ninth Congress; and finally an exhaustive index of the laws in the Code and appendix.

The first official codification of the general and permanent laws of the United States was made in 1874 and followed by a perfected edition in 1878. From 1897 to 1907 a commission was engaged in an effort to codify the great mass of accumulating legislation. The work of the commission involved an expenditure of over \$300,000, but was never carried to completion. More recently the task of codification was undertaken by the late Hon. Edward C. Little as chairman of the Committee on the Revision of the Laws of the House of Representatives, who labored indefatigably from 1919 to the day of his death, June 24, 1924. The volumes which represented the result of his labors were embodied in bills which passed the House of Representatives in three successive Congresses unanimously but failed of action in the Senate.

The Code now set forth has resulted from the hearty cooperation of the Committee of the House of Representatives on the Revision of the Laws, and the Select Committee of the United States Senate consisting of Richard P. Ernst, chairman, George Wharton Pepper, and William Cabell Bruce. Under the auspices of the committees of the House and the Senate the actual work of assembling and classifying the mass of material has been done by the West Publishing Co. and the Edward Thompson Co. These two houses have subordinated their private interests to the public good and have produced a result which would have been impossible without them. Acknowledgment of valuable assistance is given to W. H. McClenon, of the Legislative Reference Division of the Library of Congress, and to the law officers and other representatives of the several departments, bureaus, and commissions of the Government. Appreciation is also expressed of the interest in the work taken by the Committee on the Revision of the Federal Statutes of the American Bar Association.

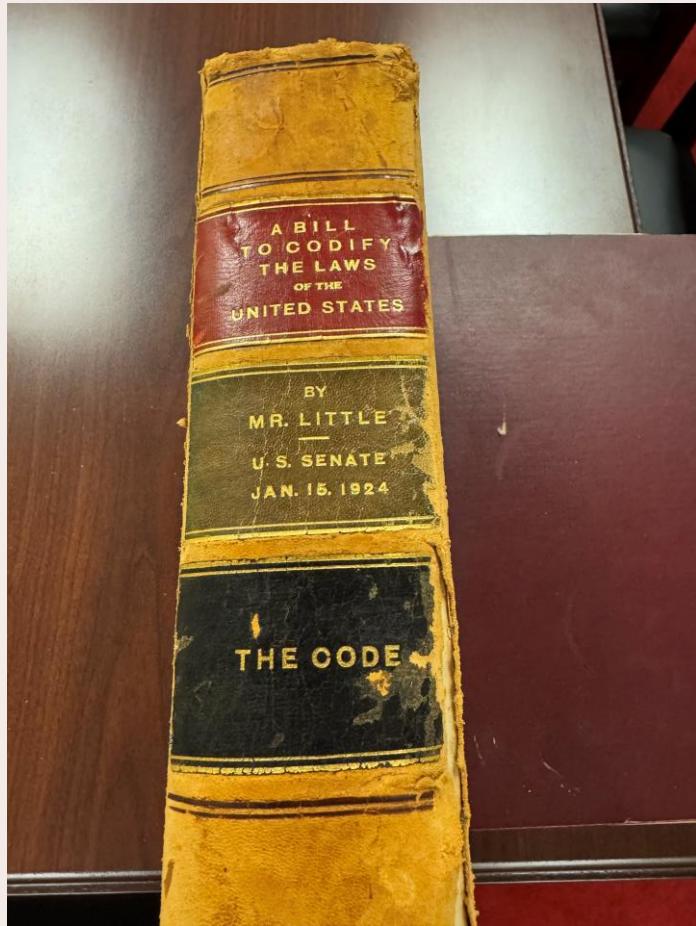
Scrutiny of this Code is invited. Constructive criticism is solicited. It is the ambition of the Committee on the Revision of the Laws of the House of Representatives gradually to perfect the Code by correcting errors, eliminating obsolete matter, and restating the law with logical completeness and with precision, brevity, and uniformity of expression.

Address criticisms to Chairman of the Committee on the Revision of the Laws of the House of Representatives, Washington, D. C.

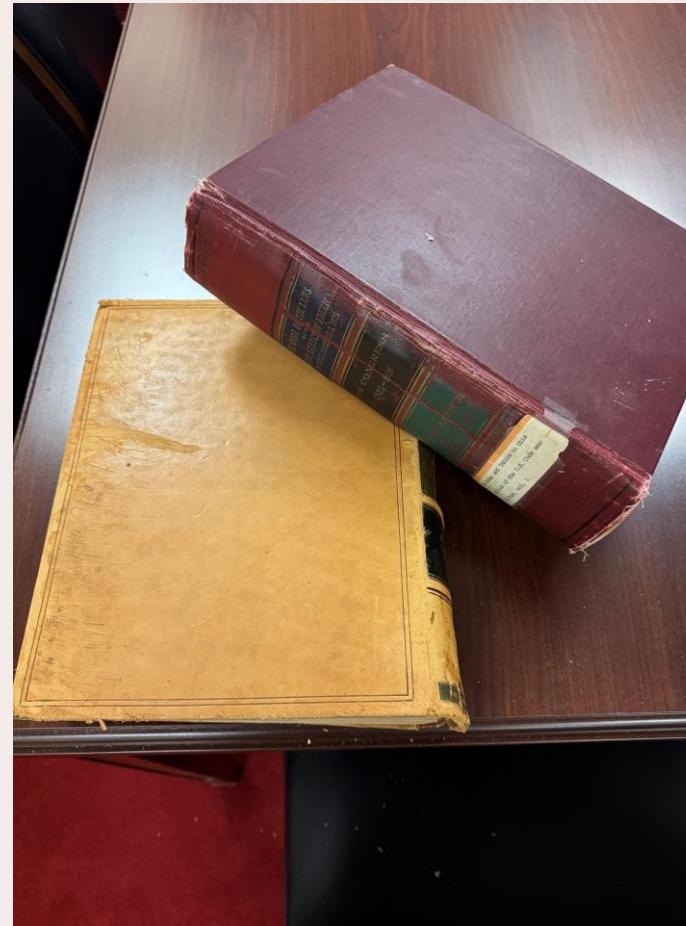
WASHINGTON, June 30, 1926.

Roy G. FITZGERALD, Chairman.

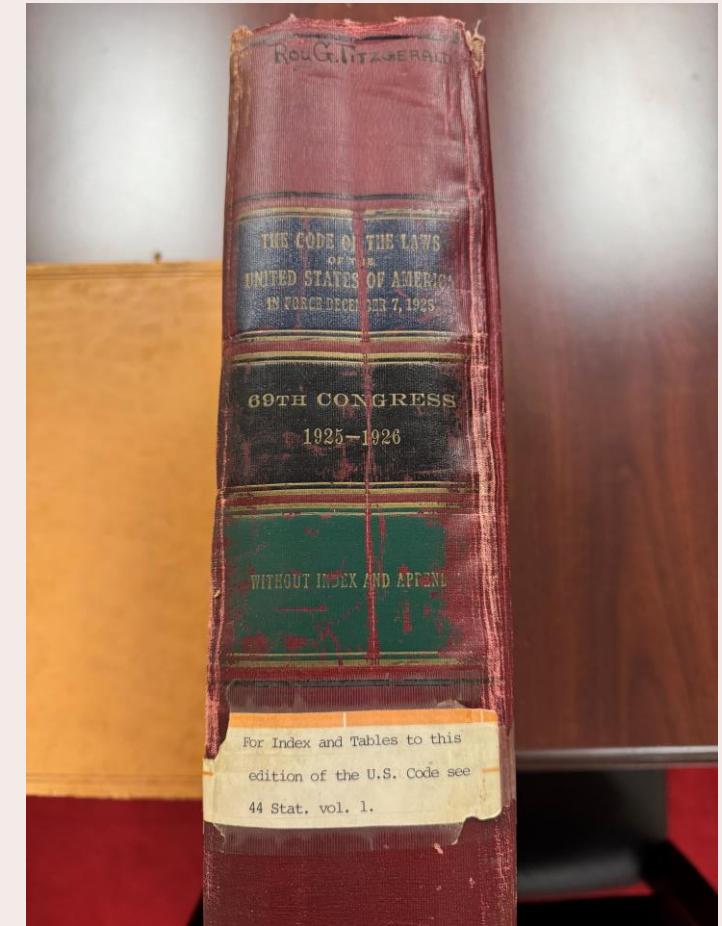
History



Bill



Bill and 1926 Code



1926 Code

History

- Office of the Law Revision Counsel
 - The Committee on Revision of Laws merged with the House Judiciary Committee and became a subcommittee of the House Judiciary Committee in 1946.
 - The Office of the Law Revision Counsel was established as an independent office in the House of Representatives by section 205(a) of House Resolution 988 (93d Congress, October 8, 1974), which was enacted into permanent law by Public Law 93–554 (88 Stat. 1777) and classified to 2 U.S.C. 285.

Current Status

At present, **27 of the 54** titles are positive law.

The positive law titles represent only about 25% of the Code.

We have a few projects in the works: The full codification bills that are ready for congressional action are titles 6 and 21.

OLRC Positive Law Codification Mandate

2 U.S.C. 285b

CHAPTER 9A—OFFICE OF LAW REVISION COUNSEL

Sec.	
285.	Establishment.
285a.	Purpose and policy.
285b.	Functions.
285c.	Law Revision Counsel.
285d.	Staff; Deputy Law Revision Counsel; delegation of functions.
285e.	Compensation.
285f.	Expenditures.
285g.	Availability of applicable accounts of House.

§ 285b. Functions

The functions of the Office shall be as follows:

(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.

How do we select projects?

- We prioritize projects with agency or committee support.
- We initiate projects in areas of law that are relatively uncontroversial or “quiet”.

Process

OLRC Code editors **classify** provisions of the Public Law to the Code.

OLRC codifier **restates** the general and permanent provisions of the selected material as a draft positive law title of the Code.

OLRC codifier **incorporates comments** in the draft positive law title.

OLRC Codifier **submits** the final draft of the positive law title to House Judiciary.

Congress **enacts** a Public Law.



ENACTED LAW

OLRC codifier **determines** what title or part of a title is a candidate for enactment into a positive law title of the Code.

OLRC codifier **informally seeks comments** on the draft positive law title.

OLRC codifier **prepares** a final draft of the positive law title in the form of a House bill.

House **passes** the bill under “suspension of the rules”, Senate **passes** the bill, and President **signs** the bill.



REENACTED LAW

Title 21 Bill

A codification bill looks like any other bill, except that we have one section that restates an entire title (section 3) and one section that repeals the source provisions (section 6).

(Original Signature of Member)

TH
CONGRESS
SESSION H. R.

To enact certain laws relating to food and drugs as title 21, United States Code, "Food and Drugs".

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To enact certain laws relating to food and drugs as title 21, United States Code, "Food and Drugs".

- 1 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*
- 2 **3 SECTION 1. TABLE OF CONTENTS.**
- 4 The table of contents for this Act is as follows:

See. 1. Table of contents.
See. 2. Purpose; restatement does not change meaning or effect of existing law.
See. 3. Enactment of title 21, United States Code.
See. 4. Conforming amendments.
See. 5. Transitional and savings provisions.
See. 6. Repeals.

Explanation

- The explanation document accompanies and explains the bill.
- After a bill is reported out, the explanation document becomes the report.
- Most of the content gets published in the Code.

EXPLANATION OF H.R. , TO ENACT CERTAIN LAWS RELATING TO FOOD AND DRUGS AS TITLE 21, UNITED STATES CODE, "FOOD AND DRUGS"

CONTENTS

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Restatement Does Not Change Meaning or Effect of Existing Law	1
Disposition Table	2
Section-by-Section Explanation	72

BACKGROUND

Over the past 100 years, numerous laws relating to food and drugs have been enacted. In the United States Code, these provisions are classified to title 21, "Food and Drugs". H.R. ____ restates these provisions as a new positive law title of the United States Code. The new positive law title replaces the former provisions, which are repealed by H.R. ____.

H.R. ____ was prepared by the Office of the Law Revision Counsel as part of the Office's ongoing responsibility 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), "[t]o 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".

RESTATEMENT DOES NOT CHANGE MEANING OR EFFECT OF EXISTING LAW

The bill is a codification measure prepared in accordance with section 205(c) of House Resolution No. 988, 93d Congress, as enacted into law by Public Law 93-554 (2 U.S.C. 285b). The purpose of the bill is to enact a restatement of existing law relating to food and drugs as a positive law title of the United States Code. The restatement of existing law does not change the meaning or effect of the existing law. The restatement consolidates various provisions that were enacted separately over a period of many years, reorganizing them, conforming style and terminology, modernizing obsolete language, and correcting drafting errors. These changes serve to remove ambiguities, contradictions, and other imperfections, but they do not change the meaning or effect of the existing law or impair the precedential value of earlier judicial decisions or other interpretations.

The courts have repeatedly held that the restatement of existing law in a bill such as this one does not change the meaning or effect of the existing law unless Congress explicitly expresses the intent to do so. See, e.g., the following:

Finley v. United States, 490 U.S. 545, 553-555 (1989).

Cass v. United States, 417 U.S. 72, 81-82 (1974).

Tidewater Oil Co. v. United States, 409 U.S. 151, 161-163 (1972).

United States v. Cook, 384 U.S. 257, 260 (1966).

Explanation: Disposition Table

- Two-column table
- Left: Former United States Code Section
- Right: Disposition
- In former U.S.C. citation order
- Dispositions:
 - Restated
 - Repealed as obsolete
 - Repealed as unnecessary
 - Omitted but not repealed
 - Previously repealed
 - Other dispositions as necessary

Disposition Table

Former United States Code Section	Disposition
21 U.S.C. 1708	21 U.S.C. 60907
21 U.S.C. 1708 note (Pub. L. 117-99, §1)	Repealed as unnecessary. Provided a short title for the Methamphetamine Response Act of 2021 (Public Law 117-99, 21 U.S.C. 1708 note).
21 U.S.C. 1708 note (Pub. L. 117-99, §2)	21 U.S.C. 69924
21 U.S.C. 1708a	Previously repealed.
21 U.S.C. 1709	Previously repealed.
21 U.S.C. 1710	21 U.S.C. 60908
21 U.S.C. 1710a(a)	21 U.S.C. 60909(b)
21 U.S.C. 1710a(b)	21 U.S.C. 60909(a)
21 U.S.C. 1711	21 U.S.C. 60910
21 U.S.C. 1712	Previously repealed.
21 U.S.C. 1713	21 U.S.C. 69913
21 U.S.C. 1714(a), (b)	21 U.S.C. 60911(b), (c)
21 U.S.C. 1714(c)	21 U.S.C. 60911(a)
21 U.S.C. 1714(d)	Not repealed but omitted from the text of title 21. Provides that not later than June 1, 2009, the Director shall submit to Congress a report that identifies the best practices in reducing the use of illicit drugs by chronic hard-drug users, and not later than June 1, 2010, the Director shall submit to Congress a report on the demonstration programs funded under section 716 of the Office of National Drug Control Policy Reauthorization Act of 1988 (21 U.S.C. 1714).
21 U.S.C. 1714(e)	Repealed as obsolete. Authorized to be appropriated \$4,900,000 to carry out section 716 of the Office of National Drug Control Policy Reauthorization Act of 1988 (21 U.S.C. 1714) for each of fiscal years 2007 through 2009.
21 U.S.C. 1715	21 U.S.C. 69922

Source and Restatement

Bill

7 § 30903. Milk or cream unfit for importation

8 Milk or cream is unfit for importation if—

9 (1) all cows producing the milk or cream are
10 not healthy and a physical examination of all the
11 cows has not been made within 1 year previous to
12 the milk being offered for importation;

13 (2) the milk or cream, if raw, is not produced
14 from cows that have passed a tuberculin test applied
15 by an authorized official veterinarian of the United
16 States, or of the country in which the milk or cream
17 is produced, within 1 year previous to the time of
18 the importation, showing that the cows are free from
19 tuberculosis;

20 (3) the sanitary conditions of the dairy farm or
21 plant in which the milk or cream is produced or han-
22 dled do not score at least 50 points out of 100
23 points according to the methods for scoring as pro-
24 vided by the score cards used by the Secretary of
25 Health and Human Services at the time the dairy
26 farms or plants are scored;

§142. Milk or cream when unfit for importation

Milk or cream shall be considered unfit for importation (1) when all cows producing such milk or cream are not healthy and a physical examination of all such cows has not been made within one year previous to such milk being offered for importation; (2) when such milk or cream, if raw, is not produced from cows which have passed a tuberculin test applied by a duly authorized official veterinarian of the United States, or of the country in which such milk or cream is produced, within one year previous to the time of the importation, showing that such cows are free from tuberculosis; (3) when the sanitary conditions of the dairy farm or plant in which such milk or cream is produced or handled do not score at least fifty points out of one hundred points according to the methods for scoring as provided by the score cards used by the Bureau of Dairy Industry of the United States Department of Agriculture at the time such dairy farms or plants are scored; (4) in the case of raw milk if the number of bacteria per cubic centimeter exceeds three hundred thousand and in the case of raw cream seven hundred and fifty thousand, in the case of pasteurized milk if the number of bacteria per cubic centimeter exceeds one hundred thousand, and in the case of pasteurized cream five hundred thousand; (5) when the temperature of milk or cream at the time of importation exceeds fifty degrees Fahrenheit.

(Feb. 15, 1927, ch. 155, §2, 44 Stat. 1101.)

In revised section order! Source Credit Table

SECTION 30903—MILK OR CREAM UNFIT FOR IMPORTATION

Revised Section	Source (U.S. Code)	Source (Pub. L.)
30903	21 U.S.C. 142	Feb. 15, 1927, ch. 155, §2, 44 Stat. 1101.

In paragraph (3), the words “Secretary of Health and Human Services” are substituted for “Bureau of Dairy Industry of the United States Department of Agriculture” because the Bureau of Dairy Industry no longer exists. See Secretary of Agriculture’s Memorandum 1320, Supplement 4, November 2, 1953, for transfer of functions of the Bureau of Dairy Industry to the Agricultural Research Service. The substitution is made on authority of sections 1210.11 and 1210.14 of title 21, Code of Federal Regulations.

In paragraph (4)(D), in the matter after the semicolon, the word “or” is added for clarity.

Source and Restatement Bill

7 § 30903. Milk or cream unfit for importation

8 Milk or cream is unfit for importation if—

9 (1) all cows producing the milk or cream are
10 not healthy and a physical examination of all the
11 cows has not been made within 1 year previous to
12 the milk being offered for importation;

13 (2) the milk or cream, if raw, is not produced
14 from cows that have passed a tuberculin test applied
15 by an authorized official veterinarian of the United
16 States, or of the country in which the milk or cream
17 is produced, within 1 year previous to the time of
18 the importation, showing that the cows are free from
19 tuberculosis;

20 (3) the sanitary conditions of the dairy farm or
21 plant in which the milk or cream is produced or han-
22 dled do not score at least 50 points out of 100
23 points according to the methods for scoring as pro-
24 vided by the score cards used by the Secretary of
25 Health and Human Services at the time the dairy
26 farms or plants are scored;

§142. Milk or cream when unfit for importation

Milk or cream shall be considered unfit for importation (1) when all cows produced one year previous to such milk being offered for importation; (2) when such milk or cream is produced by cows not tuberculin tested and shown free from tuberculosis; (3) when the sanitary conditions of the dairy farm or plant in which the milk or cream is produced, within one year previous to the time of importation, showing that such cows are free from tuberculosis; (4) when the sanitary conditions of the dairy farm or plant in which such milk or cream is produced or handled do not score at least fifty points out of one hundred points according to the methods for scoring as provided by the score cards used by the Bureau of Dairy Industry of the United States Department of Agriculture at the time such dairy farms or plants are scored; (5) when the temperature of milk or cream at the time of importation exceeds fifty degrees Fahrenheit.

(Feb. 15, 1927, ch. 155, §2, 44 Stat. 1101.)

1102

SIXTY-NINTH CONGRESS. Sess. II. Ch. 155. 1927.

Raw milk or cream from cows not tuberculin tested and shown free from tuberculosis.

Insanitary condition of dairy.

With designated excess of bacteria.

When temperature exceeds 50° Fahrenheit.

and a physical examination of all such cows has not been made within one year previous to such milk being offered for importation; (2) when such milk or cream, if raw, is not produced from cows which have passed a tuberculin test applied by a duly authorized official veterinarian of the United States, or of the country in which such milk or cream is produced, within one year previous to the time of the importation, showing that such cows are free from tuberculosis; (3) when the sanitary conditions of the dairy farm or plant in which such milk or cream is produced or handled do not score at least fifty points out of one hundred points according to the methods for scoring as provided by the score cards used by the Bureau of Dairy Industry of the United States Department of Agriculture at the time such dairy farms or plants are scored; (4) in the case of raw milk if the number of bacteria per cubic centimeter exceeds three hundred thousand and in the case of raw cream seven hundred and fifty thousand, in the case of pasteurized milk if the number of bacteria per cubic centimeter exceeds one hundred thousand, and in the case of pasteurized cream five hundred thousand; (5) when the temperature of milk or cream at the time of importation exceeds fifty degrees Fahrenheit.

In revised section order!

Source Credit Table

SECTION 30903—MILK OR CREAM UNFIT FOR IMPORTATION

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In paragraph (4)(D), in the matter after the semicolon, the word “or” is added for clarity.

Source and Restatement

A revision note—

- appears under the applicable three-column source credit table;
- explains the changes in wording made in the restated provisions; and
- when applicable, provides references to laws on which changes were based.



Source Credit Table

SECTION 30903—MILK OR CREAM UNFIT FOR IMPORTATION

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Pub. L.)</i>
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In paragraph (3), the words “Secretary of Health and Human Services” are substituted for “Bureau of Dairy Industry of the United States Department of Agriculture” because the Bureau of Dairy Industry no longer exists. See Secretary of Agriculture's Memorandum 1320, Supplement 4, November 2, 1953, for transfer of functions of the Bureau of Dairy Industry to the Agricultural Research Service. The substitution is made on authority of sections 1210.11 and 1210.14 of title 21, Code of Federal Regulations.

In paragraph (4)(D), in the matter after the semicolon, the word “or” is added for clarity.

Benefits

- Legal evidence ←
- Improved organization
- Elimination of obsolete provisions
- Improved wording and form
- Correction of technical errors
- Precise statutory text
- Cleaner amendments ←
- Streamlined citations

Benefit – Legal Evidence

- 1 U.S.C. 204(a)
- Positive law titles = legal evidence
- Non-positive law titles = *prima facie* evidence
- *Washington-Dulles Transp., Ltd. v. Metro. Wash. Airports Auth.*, 263 F.3d 371, 378 n.2 (4th Cir. Va. 2001) (“When Congress enacts a title of the Code into ‘positive law,’ it puts its authoritative imprimatur on the language appearing in that particular title of the Code.”)

Benefit – Legal Evidence

Note Well

Is this great Code free from error?

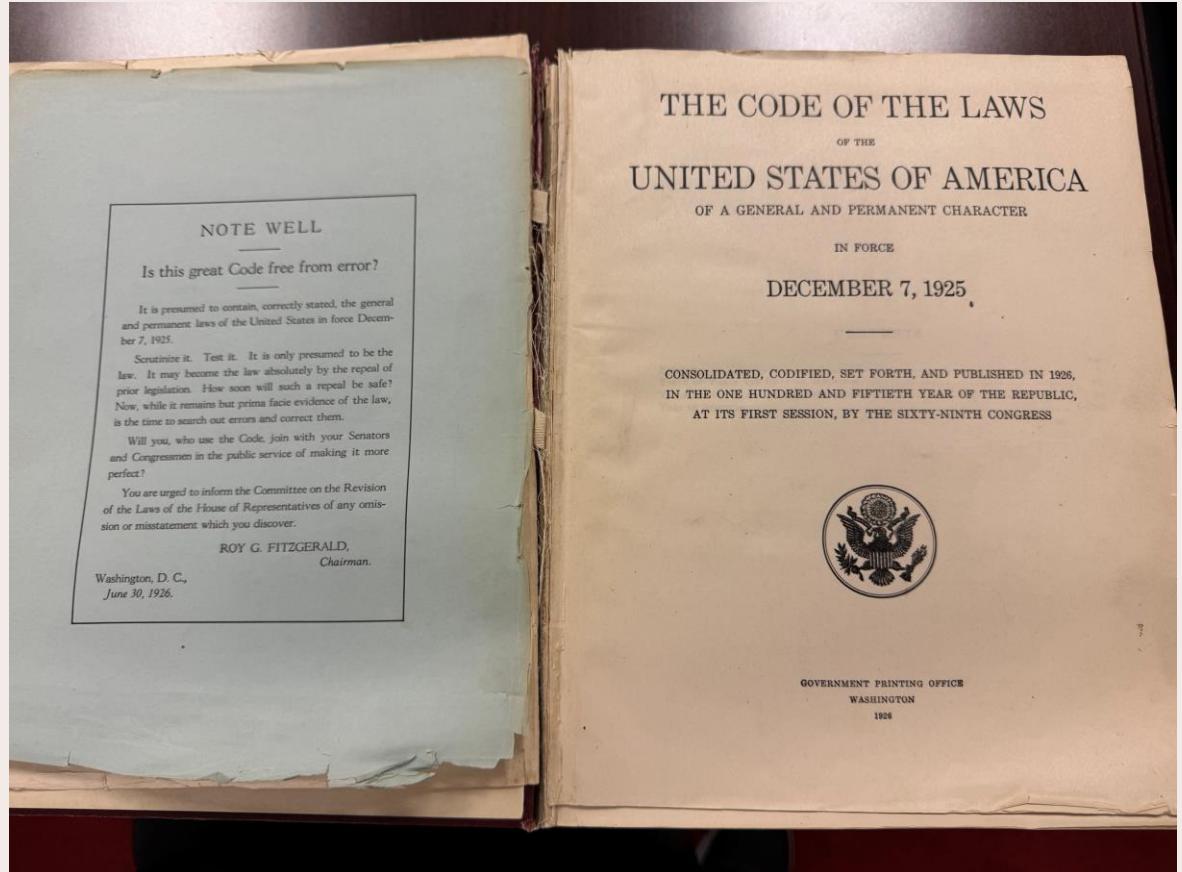
It is presumed to contain, correctly stated, the general and permanent laws of the United States in force December 7, 1925.

Scrutinize it. Test it. It is only presumed to be the law. It may become the law absolutely by the repeal of prior legislation. How soon will such a repeal be safe? Now, while it remains but *prima facie* evidence of the law, is the time to search out errors and correct them.

Will you, who use the Code, join with your Senators and Congressmen in the public service of making it more perfect?

You are urged to inform the Committee on the Revision of the Laws of the House of Representatives of any omission or misstatement which you discover.

Roy G. Fitzgerald
Chairman
Committee on Revision of Laws



Benefit – Cleaner Amendments

1987 Amendment	2015 Amendment
<p>PUBLIC LAW 100-203—DEC. 22, 1987 101 STAT. 1330-267</p> <p>(f) EXTENSION OF LAND AND WATER CONSERVATION FUND.—(1) Section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l and following) is amended as follows:</p> <p>(A) In the matter preceding subsection (a) strike “1989” and substitute “2015”.</p>	<p>129 STAT. 3030 PUBLIC LAW 114-113—DEC. 18, 2015</p> <p>SEC. 801. LAND AND WATER CONSERVATION FUND.</p> <p>(a) REAUTHORIZATION.—Section 200302 of title 54, United States Code, is amended—</p> <p>(1) in subsection (b), in the language preceding paragraph (1), by striking “September 30, 2015” and inserting “September 30, 2018”; and</p> <p>(2) in subsection (c)(1), by striking “September 30, 2015” and inserting “September 30, 2018”.</p>

- Refer to short title and provide the Code citation
- Use Act language instead of Code language
- Amend the Code directly

Obstacles

Nature of Legislative Process	Practical Matters
<ul style="list-style-type: none">• Lengthy; multistage	<ul style="list-style-type: none">• Congressional staff turnover• Constant updates for unenacted bills
<ul style="list-style-type: none">• Policy bills as priority	<ul style="list-style-type: none">• Few advocates, many stakeholders

Post-Enactment: Using the Code

- All the tables and revision notes get published in the Code!

The image displays two side-by-side screenshots of the US Code website, illustrating the post-enactment publishing process.

Left Screenshot (54 USC: Front Matter): This screenshot shows a table mapping former United States Code sections to their current counterparts in Title 54. The table has two columns: "Former United States Code Section" and "Disposition".

Former United States Code Section	Disposition
16 U.S.C. 1 (1st sentence words before 1st comma)	54 U.S.C. 100301
16 U.S.C. 1 (1st sentence words after 1st comma, 2d through 5th sentences)	54 U.S.C. 100302
16 U.S.C. 1 (last sentence)	54 U.S.C. 100101
16 U.S.C. 1a	Previously repealed.
16 U.S.C. 1a-1	54 U.S.C. 100101
16 U.S.C. 1a-2 (matter before (a))	54 U.S.C. 100751, 100901, 100906, 101302, 101702, 101703, 102102
16 U.S.C. 1a-2(a)	54 U.S.C. 101302
16 U.S.C. 1a-2(b)	54 U.S.C. 101302
16 U.S.C. 1a-2(c)	54 U.S.C. 100906
16 U.S.C. 1a-2(d)	54 U.S.C. 101302
16 U.S.C. 1a-2(e)	54 U.S.C. 100901
16 U.S.C. 1a-2(f)	54 U.S.C. 100901
16 U.S.C. 1a-2(g)	54 U.S.C. 101702
16 U.S.C. 1a-2(h)	54 U.S.C. 100751
16 U.S.C. 1a-2(i)	54 U.S.C. 101302
16 U.S.C. 1a-2(j)	54 U.S.C. 101702
16 U.S.C. 1a-2(k)	54 U.S.C. 102102
16 U.S.C. 1a-2(l)	54 U.S.C. 101703
16 U.S.C. 1a-3	54 U.S.C. 100754
16 U.S.C. 1a-4	Repealed as obsolete. Provided that the uniform allowance for uniformed employees of the National Park Service may be up to \$400 annually. Superseded by 5 U.S.C. 5901(a), which provides a uniform allowance of \$400 for employees of each agency.
16 U.S.C. 1a-5	54 U.S.C. 100507
16 U.S.C. 1a-6	54 U.S.C. 102701
16 U.S.C. 1a-7(a)	Repealed as obsolete. Required the Secretary of the Interior to transmit to the Committee on Energy and National Resources of the Senate and the Committee on Natural Resources of the House of Representatives a detailed

Right Screenshot (54 USC 100101: Promotion and regulation): This screenshot shows the historical and revision notes for section 100101. The notes are organized into three sections: (C), (D), and (2). The notes are as follows:

(C) individually and collectively, these areas derive increased national dignity and recognition of their superb environmental quality through their inclusion jointly with each other in one System preserved and managed for the benefit and inspiration of all the people of the United States; and

(D) it is the purpose of this division to include all these areas in the System and to clarify the authorities applicable to the System.

(2) 1978 REAFFIRMATION -Congress reaffirms, declares, and directs that the promotion and regulation of the various System units shall be consistent with and founded in the purpose established by subsection (a), to the common benefit of all the people of the United States. The authorization of activities shall be construed and the protection, management, and administration of the System units shall be conducted in light of the high public value and integrity of the System and shall not be exercised in derogation of the values and purposes for which the System units have been established, except as directly and specifically provided by Congress.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3096 .)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
100101(a)	16 U.S.C. 1 (last sentence).	Aug. 25, 1916, ch. 408, §1 (last sentence), 39 Stat. 535 .
100101(b)(1)	16 U.S.C. 1a-1 (1st sentence).	Pub. L. 91-383, §1, Aug. 18, 1970, 84 Stat. 825 ; Pub. L. 95-250, title I, §101(b), Mar. 27, 1978, 92 Stat. 106 .
100101(b)(2)	16 U.S.C. 1a-1 (2d last sentence).	

In subsection (a), the words "Secretary, acting through the Director of the National Park Service" are substituted for "service thus established" to reflect the transfer of functions of other officers, employees, and agencies of the Department of the Interior to the Secretary by sections 1 and 2 of Reorganization Plan No. 3 of 1950 (5 U.S.C. App.) while keeping the responsibility for promoting and regulating the use of the National Park System with the Director of the National Park Service.

In subsection (b)(1)(D), the words "this division" are substituted for "this Act" for clarity. The purpose of the Act of August 18, 1970 (known as the National Park System General Authorities Act) (Public Law 91-383, 84 Stat. 825), was to update and clarify the law with respect to the various units of the National Park System by enlarging the application of existing general statutes so that they apply uniformly to the administration of the various types of parklands within the national park system.

Post-Enactment: Using the Code

A Code user can also pull up the old Code section of a restated provision on the OLRC website and access older versions of the source provision.

16 USC 1: Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272 - Google Chrome

uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title16-section1&num=0&edition=prelim

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16 USC 1: Repealed. Pub. L. 113-287
Text contains those laws in effect on

From Title 16-CONSERVATION
CHAPTER 1-NATIONAL PARKS
SUBCHAPTER I-NATIONAL PARKS

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§1. Repealed. Pub. L. 113-287,
Section, act Aug. 25, 1916, ch. 408, Stat. 389; July 26, 1947, ch. 343, title I, 60 Stat. 952, §1, Mar. 2, 1934, ch. 38, §1, 48 Stat. 100301, and 100302(a)(1).

2018 Ed. and Supplement V (1/3/2024) Titles 1 to 9
2018 Ed. and Supplement IV (1/5/2023)
2018 Ed. and Supplement III (1/3/2022)
2018 Ed. and Supplement II (1/13/2021)
2018 Ed. and Supplement I (1/24/2020)
2018 Main Ed. (1/14/2019)
2012 Ed. and Supplement V (1/12/2018)
2012 Ed. and Supplement IV (1/6/2017)
2012 Ed. and Supplement III (1/3/2016)
2012 Ed. and Supplement II (1/5/2015)
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2012 Main Ed. (1/15/2013)
2006 Ed. and Supplement V (1/3/2012)
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2006 Ed. and Supplement III (2/1/2010)
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2006 Main Ed. (1/3/2007)
2000 Ed. and Supplement V (1/2/2006)

STATUTORY NOTES AND RELATED SUBSIDIARIES

SHORT TITLE OF 2019 AMENDMENT
Pub. L. 116-9, §1(a), Mar. 12, 2019, 133 Stat. 580, provided that: "This Act [see Tables for classification] may be cited as the 'John D. Dingell, Jr. Conservation, Management, and Recreation Act'."

SHORT TITLE OF 2008 AMENDMENT
Pub. L. 110-229, §1(a), May 8, 2008, 122 Stat. 754, provided that: "This Act [see Tables for classification] may be cited as the 'Consolidated Natural Resources Act of 2008'."

16 USC 1: Service created; director; other employees - Google Chrome

uscode.house.gov/view.xhtml?hl=false&edition=2013&req=granuleid%3AUSC-prelim-title16-section1&num=0

2012 Ed. and Supplement I (1/16/2014) [\[Print\]](#) [\[Print selection\]](#) [\[Close\]](#) [Help](#)

16 USC 1: Service created; director; other employees
Text contains those laws in effect on January 16, 2014

From Title 16-CONSERVATION
CHAPTER 1-NATIONAL PARKS, MILITARY PARKS, MONUMENTS, AND SEASHORES
SUBCHAPTER I-NATIONAL PARK SERVICE

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§1. Service created; director; other employees

There is created in the Department of the Interior a service to be called the National Park Service, which shall be under the charge of a director who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall have substantial experience and demonstrated competence in land management and natural or cultural resource conservation. The Director shall select two Deputy Directors. The first Deputy Director shall have responsibility for National Park Service operations, and the second Deputy Director shall have responsibility for other programs assigned to the National Park Service. There shall also be in said service such subordinate officers, clerks, and employees as may be appropriated for by Congress. The service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified, except such as are under the jurisdiction of the Secretary of the Army, as provided by law, by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

Post-Enactment: Follow-Up Bills

A follow-up bill amends a new positive law title—

- (1) to incorporate recently enacted provisions;
- (2) to make technical amendments to correct any errors discovered in the original codification bill; and
- (3) to make any other technical amendments necessary to improve the Code.

Conclusion

- The Office of the Law Revision Counsel prepares bills to enact, one title at a time, positive law titles that are a complete compilation, restatement, and revision of the general and permanent laws of the United States.
- The Office prepares supporting documentation for each bill through which users can track the changes the bill makes.
- Positive law titles are passed by Congress and are legal evidence of the law.
- For more information, go to our website at uscode.house.gov and click on the Positive Law Codification tab.