

- (ii) benefit the parties to the agreement;
- (C) specify any staff required and technical assistance to be provided by the Secretary or other parties to the agreement in support of activities inside and outside the System unit that will—
 - (i) protect natural resources of the System unit; and
 - (ii) benefit the parties to the agreement;
- (D) identify any materials, supplies, or equipment and any other resources that will be contributed by the parties to the agreement or by other Federal agencies;
- (E) describe any financial assistance to be provided by the Secretary or the partners to implement the agreement;
- (F) ensure that any expenditure by the Secretary pursuant to the agreement is determined by the Secretary to support the purposes of natural resource stewardship at a System unit; and
- (G) include such other terms and conditions as are agreed to by the Secretary and the other parties to the agreement.

(3) LIMITATIONS.—The Secretary shall not use any funds associated with an agreement entered into under paragraph (1) for the purposes of land acquisition, regulatory activity, or the development, maintenance, or operation of infrastructure, except for ancillary support facilities that the Secretary determines to be necessary for the completion of projects or activities identified in the agreement.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3135.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101702(a)	16 U.S.C. 1g.	Pub. L. 104–208, div. A, title I, §101(d) [title I (3d undesignated par. under heading “ADMINISTRATIVE PROVISIONS” under heading “NATIONAL PARK SERVICE”)], Sept. 30, 1996, 110 Stat. 3009–189.
101702(b)	16 U.S.C. 1a–2 (matter before (a)). 16 U.S.C. 1a–2(j).	Pub. L. 91–383, § 3 (matter before (a)), Aug. 18, 1970, 84 Stat. 826. Pub. L. 91–383, §3(j), as added Pub. L. 104–333, div. I, title VIII, §818, Nov. 12, 1996, 110 Stat. 4201; Pub. L. 106–176, title I, §118(5), Mar. 10, 2000, 114 Stat. 28.
101702(c)	16 U.S.C. 1a–2 (matter before (a)). 16 U.S.C. 1a–2(g).	Pub. L. 91–383, §3(g), Aug. 18, 1970, 84 Stat. 827; Pub. L. 104–333, div. I, title VII, §703, Nov. 12, 1996, 110 Stat. 4185; Pub. L. 106–176, title I, §118(1), (2), Mar. 10, 2000, 114 Stat. 28.
101702(d)	16 U.S.C. 1j(a) through (c).	Pub. L. 110–229, title III, subtitle A, §301(a) through (c), May 8, 2008, 122 Stat. 768.

In subsection (a), the word “Secretary” is substituted for “National Park Service” 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.). The words “in fiscal year 1997 and thereafter” are omitted as obsolete. The words “for the public purpose of carrying out National Park Service programs” are omitted as unnecessary. The words “is a cooperative agreement properly entered into under sec-

tion 6305 of title 31” are substituted for “pursuant to section 6305 of title 31” for clarity.

§ 101703. Cooperative management agreements

(a) IN GENERAL.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary considers advisable, may enter into an agreement with an eligible entity managing lands and waters located near a System unit to provide for cooperative management of either a System unit or the lands and waters located near a System unit to promote more effective and efficient management of a System unit. The Secretary may not transfer administration responsibilities for any System unit under this paragraph.¹

(b) PROVISION OF GOODS AND SERVICES.—

(1) IN GENERAL.—Under a cooperative management agreement, the Secretary may acquire by purchase, donation, or exchange from and provide to an eligible entity on a reimbursable basis goods and services to be used by the Secretary or the eligible entity in the cooperative management of land and waters.

(2) RETENTION OF FUNDS.—Reimbursements received under this section may be credited to the appropriation current at the time reimbursements are received.

(c) CO-LOCATION.—Under the cooperative management agreement, the Secretary and an eligible entity may co-locate in offices and facilities owned or leased by either party.

(d) EMPLOYEES.—

(1) ASSIGNMENT OF EMPLOYEE.—The Secretary may arrange an assignment under section 3372 of title 5 of a Federal employee or an employee of an eligible entity as mutually agreed upon, for work on any Federal, State, local, or Tribal land.

(2) EXTENSION OF ASSIGNMENT.—The assignment provided in paragraph (1) may be extended for any period of time determined by the Secretary and the eligible entity to be mutually beneficial.

(e) DEFINITIONS.—In this section—

(1) ELIGIBLE ENTITY.—The term “eligible entity” means a State or local entity or any political subdivision thereof, or an Indian Tribe or Tribal organization.

(2) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).

(3) STATE.—The term “State” means each of the several States, the District of Columbia, and each territory of the United States.

(4) TRIBAL ORGANIZATION.—The term “Tribal organization” has the meaning given the term in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(l)).

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3136; Pub. L. 118–234, title I, §152, Jan. 4, 2025, 138 Stat. 2867.)

¹ So in original. Probably should be “this subsection”.

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
101703	16 U.S.C. 1a-2 (matter before (a)). 16 U.S.C. 1a-2(l).	Pub. L. 91-383, §3 (matter before (a)), Aug. 18, 1970, 84 Stat. 826. Pub. L. 91-383, §3(l), as added Pub. L. 105-391, title VIII, §802(a), Nov. 13, 1998, 112 Stat. 3523.

Editorial Notes

AMENDMENTS

2025—Pub. L. 118-234 amended section generally. Prior to amendment, section related to cooperative management agreements.

Statutory Notes and Related Subsidiaries

AUTHORIZING COOPERATIVE MANAGEMENT AGREEMENTS BETWEEN THE DISTRICT OF COLUMBIA AND THE SECRETARY OF THE INTERIOR

Pub. L. 116-9, title II, §2403, Mar. 12, 2019, 133 Stat. 747, provided that: “The Secretary [of the Interior] may enter into a cooperative management agreement with the District of Columbia in accordance with section 101703 of title 54, United States Code.”

§ 101704. Reimbursable agreements

(a) IN GENERAL.—In carrying out work under reimbursable agreements with any State, local, or tribal government, the Secretary, without regard to any provision of law or a regulation—

- (1) may record obligations against accounts receivable from those governments; and
- (2) shall credit amounts received from those governments to the appropriate account.

(b) WHEN AMOUNTS SHALL BE CREDITED.—Amounts shall be credited within 90 days of the date of the original request by the Service for payment.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3137.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
101704	16 U.S.C. 1i.	Pub. L. 108-7, div. F, title I (proviso in last undesignated par. under heading “ADMINISTRATIVE PROVISIONS” under heading “NATIONAL PARK SERVICE”), Feb. 20, 2003, 117 Stat. 227.

The words “Heretofore and hereafter” and “section 1341 of title 31 or” are omitted as unnecessary

CHAPTER 1019—CONCESSIONS AND COMMERCIAL USE AUTHORIZATIONS

SUBCHAPTER I—AUTHORITY OF SECRETARY

Sec.

101901. Utility services.

SUBCHAPTER II—COMMERCIAL VISITOR SERVICES

101911. Definitions.
101912. Findings and declaration of policy.
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101916. Reasonableness of rates and charges.
101917. Franchise fees.
101918. Transfer or conveyance of concession contracts or leasehold surrender interests.

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101919. National Park Service Concessions Management Advisory Board.
101920. Contracting for services.
101921. Multiple contracts within a System unit.
101922. Use of nonmonetary consideration in concession contracts.
101923. Recordkeeping requirements.
101924. Promotion of sale of Indian, Alaska Native, Native Samoan, and Native Hawaiian handicrafts.
101925. Commercial use authorizations.
101926. Regulations.

Editorial Notes

CODIFICATION

Pub. L. 114-289, title VII, §701, Dec. 16, 2016, 130 Stat. 1492, added subchapter III of this chapter without corresponding amendment of chapter analysis. For analysis of subchapter III, see table of sections set out preceding section 101931 of this title.

SUBCHAPTER I—AUTHORITY OF SECRETARY

§ 101901. Utility services

To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary considers advisable, may furnish, on a reimbursement of appropriation basis, all types of utility services to concessioners, contractors, permittees, or other users of the services, within the System. The reimbursements for cost of the services may be credited to the appropriation current at the time reimbursements are received.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3137.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
101901	16 U.S.C. 1b (matter before (1)). 16 U.S.C. 1b(4).	Aug. 8, 1953, ch. 384, §1 (matter before (1)), (4), 67 Stat. 495; Pub. L. 91-383, §2(a), Aug. 18, 1970, 84 Stat. 826.

The words “and he may use applicable appropriations for the aforesaid system for the following purposes” are omitted as unnecessary.

SUBCHAPTER II—COMMERCIAL VISITOR SERVICES

§ 101911. Definitions

In this subchapter:

(1) ADVISORY BOARD.—The term “Advisory Board” means the National Park Service Concessions Management Advisory Board established under section 101919 of this title.

(2) PREFERENTIAL RIGHT OF RENEWAL.—The term “preferential right of renewal” means the right of a concessioner, subject to a determination by the Secretary that the facilities or services authorized by a prior contract continue to be necessary and appropriate within the meaning of section 101912 of this title, to match the terms and conditions of any competing proposal that the Secretary determines to be the best proposal for a proposed new concession contract that authorizes the continuation of the facilities and services provided by the concessioner under its prior contract.