

SEC. 8. *Regulations.* The Secretary of the Interior is authorized to issue such regulations as may be necessary to carry out his functions under this Order.

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§ 200303. Appropriations for expenditure of Fund amounts

Amounts deposited in the Fund shall be available for expenditure for the purposes of this chapter only when appropriated for those purposes. The appropriations may be made without fiscal-year limitation. Amounts made available for obligation or expenditure from the Fund may be obligated or expended only as provided in this chapter.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3172.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200303	16 U.S.C. 460l-6.	Pub. L. 88-578, title I, §3, Sept. 3, 1964, 78 Stat. 899; Pub. L. 100-203, title V, §5201(f)(2), Dec. 22, 1987, 101 Stat. 1330-267.

The words “or from the special account established under section 460l-6a(i)(1) of this title” are omitted as obsolete.

§ 200304. Statement of estimated requirements

(a) IN GENERAL.—There shall be submitted with the annual budget of the United States a comprehensive statement of estimated requirements during the ensuing fiscal year for appropriations from the Fund.

(b) ALLOCATION OF FUNDS.—Of the total amount made available to the Fund through appropriations or deposited in the Fund under section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432)—

- (1) not less than 40 percent shall be used for Federal purposes; and
- (2) not less than 40 percent shall be used to provide financial assistance to States.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3172; Pub. L. 116-9, title III, §3001(b), Mar. 12, 2019, 133 Stat. 755.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200304	16 U.S.C. 460l-7.	Pub. L. 88-578, title I, §5, formerly §4, Sept. 3, 1964, 78 Stat. 900; Pub. L. 90-401, §3, July 15, 1968, 82 Stat. 355; renumbered §5, Pub. L. 92-347, §2, July 11, 1972, 86 Stat. 459; Pub. L. 94-273, §3(4), Apr. 21, 1976, 90 Stat. 376; Pub. L. 94-422, title I, §101(2), Sept. 28, 1976, 90 Stat. 1314; Pub. L. 95-42, §1(2), June 10, 1977, 91 Stat. 210.

The references to fiscal years 1978 and 1979 and the special account are omitted as obsolete.

REFERENCES IN TEXT

Section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006, referred to in subsec. (b), is section 105(a)(2)(B) of title I of div. C of Pub. L. 109-432, which is set out in a note under section 1331 of Title 43, Public Lands.

AMENDMENTS

2019—Pub. L. 116-9 designated existing provisions as subsec. (a) and inserted heading, struck out “Not less than 40 percent of such appropriations shall be available for Federal purposes.” after “Fund.”, and added subsec. (b).

§ 200305. Financial assistance to States

(a) AUTHORITY OF SECRETARY TO MAKE PAYMENTS.—The Secretary may provide financial assistance to the States from amounts available for State purposes. Payments may be made to the States by the Secretary as provided in this section, subject to such terms and conditions as the Secretary considers appropriate and in the public interest to carry out the purposes of this chapter, for outdoor recreation:

- (1) Planning.
- (2) Acquisition of land, water, or interests in land or water.
- (3) Development.

(b) APPORTIONMENT AMONG STATES.—Amounts appropriated and available for State purposes for each fiscal year shall be apportioned among the States by the Secretary, whose determination shall be final, in accordance with the following formula:

(1) Forty percent of the 1st \$225,000,000; 30 percent of the next \$275,000,000; and 20 percent of all additional appropriations shall be apportioned equally among the States.

(2) At any time, the remaining appropriation shall be apportioned on the basis of need to individual States by the Secretary in such amounts as in the Secretary’s judgment will best accomplish the purposes of this chapter. The determination of need shall include consideration of—

- (A) the proportion that the population of each State bears to the total population of the United States;
- (B) the use of outdoor recreation resources of each State by persons from outside the State; and
- (C) the Federal resources and programs in each State.

(3) The total allocation to a State under paragraphs (1) and (2) shall not exceed 10 percent of the total amount allocated to all of the States in any one year.

(4) The Secretary shall notify each State of its apportionments. The amounts shall be available for payment to the State for planning, acquisition, or development projects as prescribed. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which the notification is given and for 2 fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (2) without regard to the 10 percent limitation to an individual State specified in this subsection.

(c) MATCHING REQUIREMENTS.—Payments to any State shall cover not more than 50 percent of the cost of planning, acquisition, or development projects that are undertaken by the State. The remaining share of the cost shall be borne by the State in a manner and with funds or services as shall be satisfactory to the Secretary.

(d) COMPREHENSIVE STATE PLAN.—