

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

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
200305 .....	16 U.S.C. 4601-8 (less (b)(5) (last sentence)).	Pub. L. 88-578, title I, §6, formerly §5 (less (b)(5) (last sentence)), Sept. 3, 1964, 78 Stat. 900; renumbered §6, Pub. L. 92-347, §2, July 11, 1972, 86 Stat. 459; Pub. L. 93-303, §2, June 7, 1974, 88 Stat. 194; Pub. L. 94-422, title I, §101(3), Sept. 28, 1976, 90 Stat. 1314, 1315; Pub. L. 95-625, title VI, §606, Nov. 10, 1978, 92 Stat. 3519; Pub. L. 99-645, title III, §303, Nov. 10, 1986, 100 Stat. 3587; Pub. L. 103-322, title IV, §40133, Sept. 13, 1994, 108 Stat. 1918; Pub. L. 103-437, §6(p)(2), Nov. 2, 1994, 108 Stat. 4586; Pub. L. 104-333, div. I, title VIII, §814(d)(1)(H), Nov. 12, 1996, 110 Stat. 4196.

In subsection (b)(5), the words “(when such islands achieve Commonwealth status)” are omitted as obsolete.

In subsection (c), the words “No payment may be made to any State for or on account of any cost or obligation incurred or any service rendered prior to September 3, 1964” are omitted as obsolete.

In subsection (d)(2), the words “Secretary of Housing and Urban Development” are substituted for “Housing and Home Finance Agency” because of 42 U.S.C. 3534.

In subsection (d)(4), the words “For fiscal year 1988 and thereafter” are omitted as obsolete.

In subsection (e)(3), the words “and after September 28, 1976” are omitted as obsolete.

In subsection (f)(2), the words “chief executive official” are substituted for “Governor” for clarity and for consistency in the new title.

In subsection (j), the words “(including those conducted pursuant to title VII of the Housing Act of 1961 and section 701 of the Housing Act of 1954)” are omitted as obsolete. The authority to make grants or loans under title VII terminated on December 31, 1974. Section 701 was repealed by section 313(b) of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35, 95 Stat. 398).

In subsection (k)(3), the words “and the remaining share of the cost shall be borne by the State” are omitted as unnecessary.

## AMENDMENTS

2019—Subsec. (b)(5). Pub. L. 116-9 struck out par. (5) which read as follows: “For the purposes of paragraph (1), the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands shall be deemed to be one State, and shall receive shares of the apportionment in proportion to their populations.”

### § 200306. Allocation of Fund amounts for Federal purposes

(a) ALLOWABLE PURPOSES AND SUBPURPOSES.—

(1) IN GENERAL.—Amounts appropriated from the Fund for Federal purposes shall, unless otherwise allotted in the appropriation Act making them available, be allotted by the President for the purposes and subpurposes stated in this subsection.

(2) ACQUISITION OF LAND, WATER, OR AN INTEREST IN LAND OR WATER.—

(A) SYSTEM UNITS AND RECREATION AREAS ADMINISTERED FOR RECREATION PURPOSES.—

Amounts shall be allotted for the acquisition of land, water, or an interest in land or water within the exterior boundary of—

(i) a System unit authorized or established; and

(ii) an area authorized to be administered by the Secretary for outdoor recreation purposes.

(B) NATIONAL FOREST SYSTEM.—

(i) IN GENERAL.—Amounts shall be allotted for the acquisition of land, water, or an interest in land or water within inholdings within—

(I) wilderness areas of the National Forest System; and

(II) other areas of national forests as the boundaries of those forests existed on January 1, 1965, or purchase units approved by the National Forest Reservation Commission subsequent to January 1, 1965, all of which other areas are primarily of value for outdoor recreation purposes.

(ii) ADJACENT LAND.—Land outside but adjacent to an existing national forest boundary, not to exceed 3,000 acres in the case of any one forest, that would comprise an integral part of a forest recreational management area may also be acquired with amounts appropriated from the Fund.

(iii) LIMITATION.—Except for areas specifically authorized by Act of Congress, not more than 15 percent of the acreage added to the National Forest System pursuant to this section shall be west of the 100th meridian.

(C) ENDANGERED SPECIES AND THREATENED SPECIES; FISH AND WILDLIFE REFUGE AREAS; NATIONAL WILDLIFE REFUGE SYSTEM.—Amounts shall be allotted for the acquisition of land, water, or an interest in land or water for—

(i) endangered species and threatened species authorized under section 5(a) of the Endangered Species Act of 1973 (16 U.S.C. 1534(a));

(ii) areas authorized by section 2 of the Refuge Recreation Act (16 U.S.C. 460k-1);

(iii) national wildlife refuge areas under section 7(a)(4) of the Fish and Wildlife Act of 1956 (16 U.S.C. 742f(a)(4)) and wetlands acquired under section 304 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3922); and

(iv) any area authorized for the National Wildlife Refuge System by specific Acts.

(3) PAYMENT AS OFFSET OF CAPITAL COSTS.—Amounts shall be allotted for payment into miscellaneous receipts of the Treasury as a partial offset for capital costs, if any, of Federal water development projects authorized to be constructed by or pursuant to an Act of Congress that are allocated to public recreation and the enhancement of fish and wildlife values and financed through appropriations to water resource agencies.

(4) AVAILABILITY OF APPROPRIATIONS.—Appropriations allotted for the acquisition of

land, water, or an interest in land or water as set forth under subparagraphs (A) and (B) of paragraph (2) shall be available for those acquisitions notwithstanding any statutory ceiling on the appropriations contained in any other provision of law enacted prior to January 4, 1977, or, in the case of national recreation areas, prior to January 15, 1979, except that for any such area expenditures shall not exceed a statutory ceiling during any one fiscal year by 10 percent of the ceiling or \$1,000,000, whichever is greater.

(b) ACQUISITION RESTRICTIONS.—Appropriations from the Fund pursuant to this section shall not be used for acquisition unless the acquisition is otherwise authorized by law. Appropriations from the Fund may be used for preacquisition work where authorization is imminent and where substantial monetary savings could be realized.

(c) RECREATIONAL PUBLIC ACCESS.—

(1) IN GENERAL.—Of the amounts made available for expenditure in any fiscal year under section 200303, there shall be made available for recreational public access projects identified on the priority list developed under paragraph (2) not less than the greater of—

- (A) an amount equal to 3 percent of those amounts; or
- (B) \$15,000,000.

(2) PRIORITY LIST.—The Secretary and the Secretary of Agriculture, in consultation with the head of each affected Federal agency, shall annually develop a priority list for projects that, through acquisition of land (or an interest in land), secure recreational public access to Federal land under the jurisdiction of the applicable Secretary for hunting, fishing, recreational shooting, or other outdoor recreational purposes.

(d) ACQUISITION CONSIDERATIONS.—In determining whether to acquire land (or an interest in land) under this section, the Secretary and the Secretary of Agriculture shall take into account—

- (1) the significance of the acquisition;
- (2) the urgency of the acquisition;
- (3) management efficiencies;
- (4) management cost savings;
- (5) geographic distribution;
- (6) threats to the integrity of the land; and
- (7) the recreational value of the land.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3177; Pub. L. 116–9, title III, § 3001(d), (e), 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>
200306 .....	16 U.S.C. 460l–9(a), (b).	Pub. L. 88–578, title I, § 7, formerly § 6, Sept. 3, 1964, 78 Stat. 903; Pub. L. 90–401, § 1(c), July 15, 1968, 82 Stat. 355; renumbered § 7, Pub. L. 92–347, § 2, July 11, 1972, 86 Stat. 459; amended Pub. L. 93–205, § 13(c), Dec. 28, 1973, 87 Stat. 902; Pub. L. 94–422, title I, § 101(4), Sept. 28, 1976, 90 Stat. 1317; Pub. L. 95–42, § 1(3)–(5), June 10, 1977, 91 Stat. 210, 211; Pub. L. 96–203, § 2, Mar. 10, 1980, 94 Stat. 81; Pub. L. 99–645, title III, § 302, Nov. 10, 1986, 100 Stat. 3587; Pub. L. 103–437, § 6(p)(3), Nov. 2, 1994, 108 Stat. 4586; Pub. L. 104–333, div. I, title VIII, § 814(b), (d)(2)(C), Nov. 12, 1996, 110 Stat. 4194, 4196; Pub. L. 106–176, title I, §§ 120(b), 129, Mar. 10, 2000, 114 Stat. 28, 30.

In subsection (a)(4), the words “January 4, 1977” are substituted for “the convening of the Ninety-fifth Congress”, and the words “January 15, 1979” are substituted for “the convening of the Ninety-sixth Congress”, for clarity.

AMENDMENTS

2019—Subsec. (c). Pub. L. 116–9, § 3001(d), added subsec. (c).

Subsec. (d). Pub. L. 116–9, § 3001(e), added subsec. (d).

**§ 200307. Availability of Fund amounts for publicity purposes**

(a) IN GENERAL.—Amounts derived from the sources listed in section 200302 of this title shall not be available for publicity purposes.

(b) EXCEPTION FOR TEMPORARY SIGNING.—In a case where significant acquisition or development is initiated, appropriate standardized temporary signing shall be located on or near the affected site, to the extent feasible, so as to indicate the action taken is a product of funding made available through the Fund. The signing may indicate the percentage amounts and dollar amounts financed by Federal and non-Federal funds, and that the source of the funding includes amounts derived from Outer Continental Shelf receipts. The Secretary shall prescribe standards and guidelines for the usage of the signing to ensure consistency of design and application.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3179.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200307 .....	16 U.S.C. 460l–10.	Pub. L. 88–578, title I, § 8, formerly § 7, Sept. 3, 1964, 78 Stat. 903; renumbered § 8, Pub. L. 92–347, § 2, July 11, 1972, 86 Stat. 459; Pub. L. 94–422, title I, § 101(5), Sept. 28, 1976, 90 Stat. 1318.

**§ 200308. Contracts for acquisition of land and water**

Not more than \$30,000,000 of the amount authorized to be appropriated from the Fund by section 200303 of this title may be obligated by contract during each fiscal year for the acquisi-