

(2) the total cost of the project or undertaking in connection with which the assistance is given or used; and

(3) the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(h) ACCESS TO RECORDS.—The Secretary, and the Comptroller General, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any records of the recipient that are pertinent to assistance received under this chapter.

(i) PROHIBITION OF DISCRIMINATION.—With respect to property acquired or developed with assistance from the Fund, discrimination on the basis of residence, including preferential reservation or membership systems, is prohibited except to the extent that reasonable differences in admission and other fees may be maintained on the basis of residence.

(j) COORDINATION WITH FEDERAL AGENCIES.—To ensure consistency in policies and actions under this chapter with other related Federal programs and activities and to ensure coordination of the planning, acquisition, and development assistance to States under this section with other related Federal programs and activities—

(1) the President may issue such regulations with respect thereto as the President considers desirable; and

(2) the assistance may be provided only in accordance with the regulations.

(k) CAPITAL IMPROVEMENT AND OTHER PROJECTS TO REDUCE CRIME.—

(1) AVAILABILITY AND PURPOSE OF FUNDS.—In addition to assistance for planning projects, and in addition to the projects identified in subsection (e), and from amounts appropriated out of the Violent Crime Reduction Trust Fund, the Secretary may provide financial assistance to the States, not to exceed \$15,000,000, for projects or combinations thereof for the purpose of making capital improvements and other measures to increase safety in urban parks and recreation areas, including funds to—

(A) increase lighting within or adjacent to public parks and recreation areas;

(B) provide emergency telephone lines to contact law enforcement or security personnel in areas within or adjacent to public parks and recreation areas;

(C) increase security personnel within or adjacent to public parks and recreation areas; and

(D) fund any other project intended to increase the security and safety of public parks and recreation areas.

(2) ELIGIBILITY.—In addition to the requirements for project approval imposed by this section, eligibility for assistance under this subsection shall depend on a showing of need. In providing funds under this subsection, the Secretary shall give priority to projects proposed for urban parks and recreation areas with the highest rates of crime and, in particular, to urban parks and recreation areas with the highest rates of sexual assault.

(3) FEDERAL SHARE.—Notwithstanding subsection (c), the Secretary may provide 70 per-

cent improvement grants for projects undertaken by a State for the purposes described in this subsection.

(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. 460l–8(less (b)(5) (last sentence)).	Pub. L. 88–578, title I, § 6, formerly § 5(less (D)(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.

Editorial Notes

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.

(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) CRECREATIONAL 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; Pub. L. 116–152, §3(b)(2), Aug. 4, 2020, 134 Stat. 687.)

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.

Editorial Notes

AMENDMENTS

2020—Subsec. (a)(2)(B)(iii). Pub. L. 116-152 struck out cl. (iii). Text read as follows: “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.”

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 acquisition of land, water, or interest in land or water within areas specified in section 200306(a)(2) of this title. The contract may be executed by the head of the department concerned, within limitations prescribed by the Secretary. The contract shall be a contractual obligation of the United States and shall be liquidated with money appropriated from the Fund specifically for liquidation of that contract obligation. No contract may be entered into for the acquisition of property pursuant to this section unless the acquisition is otherwise authorized by Federal law.

(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>
200308	16 U.S.C. 460l-10a.	Pub. L. 88-578, title I, §9, formerly §8, as added Pub. L. 90-401, §4, July 15, 1968, 82 Stat. 355; Pub. L. 91-308, §3, July 7, 1970, 84 Stat. 410; renumbered §9, Pub. L. 92-347, §2, July 11, 1972, 86 Stat. 459; Pub. L. 93-303, §3, June 7, 1974, 88 Stat. 194.

Statutory Notes and Related Subsidiaries

RESCISSON OF CONTRACT AUTHORITY

Provisions rescinding contract authority provided for specific fiscal years by 54 U.S.C. 200308 (formerly 16 U.S.C. 460l-10a) were contained in the appropriation acts that were listed in a note under former section 460l-10a of Title 16, Conservation, and in the following appropriation acts:

Pub. L. 115-31, div. G, title I, May 5, 2017, 131 Stat. 443.

Pub. L. 114-113, div. G, title I, Dec. 18, 2015, 129 Stat. 2532.

Pub. L. 113-235, div. F, title I, Dec. 16, 2014, 128 Stat. 2402.

Pub. L. 113-76, div. G, title I, Jan. 17, 2014, 128 Stat. 295.

§ 200309. Contracts for options to acquire land and water in System

The Secretary may enter into contracts for options to acquire land, water, or interests in land or water within the exterior boundaries of any area the acquisition of which is authorized by law for inclusion in the System. The minimum period of any such option shall be 2 years, and any sums expended for the purchase of an option shall be credited to the purchase price of the area. Not more than \$500,000 of the sum authorized to be appropriated from the Fund by section 200303 of this title may be expended by the Secretary in any one fiscal year for the options.

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