

(A) NO ALTERNATE ALLOCATIONS.—If Congress has not enacted legislation establishing alternate allocations by the date on which the Act making full-year appropriations for the Department of the Interior, Environment, and Related Agencies for the applicable fiscal year is enacted into law, amounts made available under subsection (c) shall be allocated by the President.

(B) INSUFFICIENT ALTERNATE ALLOCATION.—If Congress enacts legislation establishing alternate allocations for amounts made available under subsection (c) that are less than the full amount appropriated under that subsection, the difference between the amount appropriated and the alternate allocation shall be allocated by the President.

(j) PUBLIC DONATIONS.—

(1) IN GENERAL.—The Secretary and the Secretary of Agriculture may accept public cash or in-kind donations that advance efforts—

(A) to reduce the deferred maintenance backlog; and

(B) to encourage relevant public-private partnerships.

(2) CREDITS TO FUND.—Any cash donations accepted under paragraph (1) shall be—

(A) credited to, and form a part of, the Fund; and

(B) allocated to the covered agency for which the donation was made.

(3) OTHER ALLOCATIONS.—Any donations allocated to a covered agency under paragraph (2)(B) shall be allocated to the applicable covered agency independently of the allocations under subsection (e)(1).

(k) REQUIRED CONSIDERATION FOR ACCESSIBILITY.—In expending amounts from the Fund, the Secretary and the Secretary of Agriculture shall incorporate measures to improve the accessibility of assets and accommodate visitors and employees with disabilities in accordance with applicable law.

(Added Pub. L. 116–152, §2(a), Aug. 4, 2020, 134 Stat. 683.)

Editorial Notes

REFERENCES IN TEXT

The Gulf of Mexico Energy Security Act of 2006, referred to in subsec. (b)(3)(B)(i)(I), is title I of div. C of Pub. L. 109–432, Dec. 20, 2006, 120 Stat. 3000, which is set out as a note under section 1331 of Title 43, Public Lands.

The Mineral Leasing Act, referred to in subsec. (b)(3)(B)(i)(II), is act Feb. 25, 1920, ch. 85, 41 Stat. 437, which is classified generally to chapter 3A (§181 et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 181 of Title 30 and Tables.

The date of enactment of this section, referred to in subsec. (g), is the date of enactment of Pub. L. 116–152, which was approved Aug. 4, 2020.

CHAPTER 2005—URBAN PARK AND RECREATION RECOVERY PROGRAM

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§ 200501. Definitions

In this chapter:

(1) AT-RISK YOUTH RECREATION GRANT.—

(A) IN GENERAL.—The term “at-risk youth recreation grant” means a grant in a neighborhood or community with a high prevalence of crime, particularly violent crime or crime committed by youthful offenders.

(B) INCLUSIONS.—The term “at-risk youth recreation grant” includes—

(i) a rehabilitation grant;

(ii) an innovation grant; and

(iii) a matching grant for continuing program support for a program of demonstrated value or success in providing constructive alternatives to youth at risk for engaging in criminal behavior, including a grant for operating, or coordinating, a recreation program or service.

(C) ADDITIONAL USES OF REHABILITATION GRANT.—In addition to the purposes specified in paragraph (8), a rehabilitation grant that serves as an at-risk youth recreation grant may be used for the provision of lighting, emergency phones, or any other capital improvement that will improve the security of an urban park.

(2) GENERAL PURPOSE LOCAL GOVERNMENT.—The term “general purpose local government” means—

(A) a city, county, town, township, village, or other general purpose political subdivision of a State; and

(B) the District of Columbia.

(3) INNOVATION GRANT.—The term “innovation grant” means a matching grant to a local government to cover costs of personnel, facilities, equipment, supplies, or services designed to demonstrate innovative and cost-effective ways to augment park and recreation opportunities at the neighborhood level and to address common problems related to facility operations and improved delivery of recreation service, not including routine operation and maintenance activities.

(4) MAINTENANCE.—The term “maintenance” means all commonly accepted practices necessary to keep recreation areas and facilities operating in a state of good repair and to protect them from deterioration resulting from normal wear and tear.

(5) PRIVATE, NONPROFIT AGENCY.—The term “private, nonprofit agency” means a community-based, nonprofit organization, corporation, or association organized for purposes of providing recreational, conservation, and educational services directly to urban residents on a neighborhood or communitywide basis through voluntary donations, voluntary labor, or public or private grants.

(6) RECOVERY ACTION PROGRAM GRANT.—

(A) IN GENERAL.—The term “recovery action program grant” means a matching grant to a local government for development of local park and recreation recovery action programs to meet the requirements of this chapter.

(B) USE.—A recovery action program grant shall be used for resource and needs assessment, coordination, citizen involvement and planning, and program development activities to—

- (i) encourage public definition of goals; and
- (ii) develop priorities and strategies for overall recreation system recovery.

(7) RECREATION AREA OR FACILITY.—The term “recreation area or facility” means an indoor or outdoor park, building, site, or other facility that is dedicated to recreation purposes and administered by a public or private non-profit agency to serve the recreation needs of community residents. Emphasis shall be on public facilities readily accessible to residential neighborhoods, including multiple-use community centers that have recreation as one of their primary purposes, but excluding major sports arenas, exhibition areas, and conference halls used primarily for commercial sports, spectator, or display activities.

(8) REHABILITATION GRANT.—The term “rehabilitation grant” means a matching capital grant to a local government for rebuilding, remodeling, expanding, or developing an existing outdoor or indoor recreation area or facility, including improvements in park landscapes, buildings, and support facilities, but excluding routine maintenance and upkeep activities.

(9) SPECIAL PURPOSE LOCAL GOVERNMENT.—

(A) IN GENERAL.—The term “special purpose local government” means a local or regional special district, public-purpose corporation, or other limited political subdivision of a State.

(B) INCLUSIONS.—The term “special purpose local government” includes—

- (i) a park authority;
- (ii) a park, conservation, water, or sanitary district; and
- (iii) a school district.

(10) STATE.—The term “State” means a State, an instrumentality of a State approved by the Governor of the State, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3180.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
200501	16 U.S.C. 2503.	Pub. L. 95-625, title X, §1004, Nov. 10, 1978, 92 Stat. 3539; Pub. L. 103-322, title III, §31502, Sept. 13, 1994, 108 Stat. 1888.

In paragraph (1)(C), the words “that serves as an at-risk youth recreation grant” are substituted for “referred to in paragraph (1) of this subsection” for clarity.

In paragraph (2), the word “parish” is omitted because of 1 U.S.C. 2.

Statutory Notes and Related Subsidiaries

CONGRESSIONAL STATEMENT OF PURPOSE; COMPLEMENTARY PROGRAM AUTHORIZATION; TERMS AND CONDITIONS

Pub. L. 95-625, title X, §1003, Nov. 10, 1978, 92 Stat. 3539; Pub. L. 103-322, title III, §§31501, 31505(b), Sept. 13, 1994, 108 Stat. 1888, 1890, provided that: “The purpose of this title [now 54 U.S.C. 200501 et seq.] is to authorize the Secretary [of the Interior] to establish an urban park and recreation recovery program which would provide Federal grants to economically hard-pressed communities specifically for the rehabilitation of critically needed recreation areas, facilities, and development of improved recreation programs. This program is intended to complement existing Federal programs such as the Land and Water Conservation Fund and Community Development Grant Programs by encouraging and stimulating local governments to revitalize their park and recreation systems and to make long-term commitments to continuing maintenance of these systems. Such assistance shall be subject to such terms and conditions as the Secretary considers appropriate and in the public interest to carry out the purposes of this title. It is further the purpose of this title to improve recreation facilities and expand recreation services in urban areas with a high incidence of crime and to help deter crime through the expansion of recreation opportunities for at-risk youth. It is the further purpose of this section [probably means title] to increase the security of urban parks and to promote collaboration between local agencies involved in parks and recreation, law enforcement, youth social services, and juvenile justice system.”

§ 200502. Federal assistance

(a) ELIGIBILITY DETERMINED BY SECRETARY.—Eligibility of general purpose local governments for assistance under this chapter shall be based on need as determined by the Secretary. The Secretary shall publish in the Federal Register a list of local governments eligible to participate in this program, to be accompanied by a discussion of criteria used in determining eligibility. Criteria shall be based on factors that the Secretary determines are related to deteriorated recreational facilities or systems and physical and economic distress.

(b) ADDITIONAL ELIGIBLE GENERAL PURPOSE LOCAL GOVERNMENTS.—In addition to eligible local governments established in accordance with subsection (a), the Secretary may establish eligibility, in accord with the findings and purpose of the Urban Park and Recreation Recovery Act of 1978 (Public Law 95-625, 92 Stat. 3538), of other general purpose local governments in metropolitan statistical areas as defined by the Director of the Office of Management and Budget.

(c) PRIORITY CRITERIA FOR PROJECT SELECTION AND APPROVAL.—

(1) IN GENERAL.—The Secretary shall establish priority criteria for project selection and approval that consider such factors as—

- (A) population;
- (B) condition of existing recreation areas and facilities;
- (C) demonstrated deficiencies in access to neighborhood recreation opportunities, particularly for minority and low- and moderate-income residents;
- (D) public participation in determining rehabilitation or development needs;
- (E) the extent to which a project supports or complements target activities undertaken