

as part of a local government's overall community development and urban revitalization program;

(F) the extent to which a proposed project would provide—

(i) employment opportunities for minorities, youth, and low- and moderate-income residents in the project neighborhood;

(ii) for participation of neighborhood, nonprofit, or tenant organizations in the proposed rehabilitation activity or in subsequent maintenance, staffing, or supervision of recreation areas and facilities; or

(iii) both; and

(G) the amount of State and private support for a project as evidenced by commitments of non-Federal resources to project construction or operation.

(2) AT-RISK YOUTH RECREATION GRANTS.—For at-risk youth recreation grants, the Secretary shall give a priority to each of the following criteria:

(A) Programs that are targeted to youth who are at the greatest risk of becoming involved in violence and crime.

(B) Programs that teach important values and life skills, including teamwork, respect, leadership, and self-esteem.

(C) Programs that offer tutoring, remedial education, mentoring, and counseling in addition to recreation opportunities.

(D) Programs that offer services during late night or other nonschool hours.

(E) Programs that demonstrate collaboration between local park and recreation, juvenile justice, law enforcement, and youth social service agencies and nongovernmental entities, including the private sector and community and nonprofit organizations.

(F) Programs that leverage public or private recreation investments in the form of services, materials, or cash.

(G) Programs that show the greatest potential of being continued with non-Federal funds or that can serve as models for other communities.

(d) LIMITATION OF FUNDS.—Grants to discretionary applicants under subsection (b) may not be more than 15 percent of the total amount of funds appropriated under this chapter for rehabilitation grants, innovation grants, and recovery action program grants.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3181.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200502 .....	16 U.S.C. 2504.	Pub. L. 95-625, title X, §1005, Nov. 10, 1978, 92 Stat. 3540; Pub. L. 103-322, title III, §31503, Sept. 13, 1994, 108 Stat. 1889.

In subsection (a), the words “Within one hundred and twenty days after November 10, 1978” are omitted as obsolete.

In subsection (b), the word “standard” is omitted as obsolete. The words “the Director of the Office of Management and Budget” are substituted for “census”. See 31 U.S.C. 1104(d), Executive Order No. 10253 (31 U.S.C. 1104 note), and 44 U.S.C. 3504(e)(3).

#### Editorial Notes

##### REFERENCES IN TEXT

The Urban Park and Recreation Recovery Act of 1978 (Public Law 95-625, 92 Stat. 3538), referred to in subsec. (b), is title X of Pub. L. 95-625, Nov. 10, 1978, 92 Stat. 3538, which was classified generally to chapter 45 (§2501 et seq.) of Title 16, Conservation. The Act was substantially repealed and restated as this chapter by Pub. L. 113-287, §§ 3, 7, Dec. 19, 2014, 128 Stat. 3180, 3272. The findings and purposes of the Act are contained in sections 1002 and 1003 of the Act. Section 1002 was classified to section 2501 of Title 16 and was omitted from the Code. Section 1003 is set out as a note under section 200501 of this title. For complete classification of this Act to the Code, see Tables. For disposition of former sections of Title 16, see Disposition Table preceding section 100101 of this title.

#### § 200503. Rehabilitation grants and innovation grants

(a) MATCHING GRANTS.—The Secretary may provide 70 percent matching rehabilitation grants and innovation grants directly to eligible general purpose local governments on the Secretary's approval of applications for the grants by the chief executive officials of those governments.

(b) SPECIAL CONSIDERATIONS.—An innovation grant should be closely tied to goals, priorities, and implementation strategies expressed in local park and recreation recovery action programs, with particular regard to the special considerations listed in section 200504(c)(2) of this title.

(c) TRANSFER.—If consistent with an approved application, a grant recipient may transfer a rehabilitation grant or innovation grant in whole or in part to an independent special purpose local government, private nonprofit agency, or county or regional park authority if the assisted recreation area or facility owned or managed by the transferee<sup>1</sup> offers recreation opportunities to the general population within the jurisdictional boundaries of the grant recipient.

(d) PAYMENTS.—Payments may be made only for a rehabilitation project or innovation project that has been approved by the Secretary. Payments may be made from time to time in keeping with the rate of progress toward the satisfactory completion of the project, except that the Secretary, when appropriate, may make advance payments on an approved rehabilitation project or innovation project in an amount not to exceed 20 percent of the total project cost.

(e) MODIFICATION OF PROJECT.—The Secretary may authorize modification of an approved project only when a grant recipient adequately demonstrates that the modification is necessary because of circumstances not foreseeable at the time at which the project was proposed.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3183.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200503 .....	16 U.S.C. 2505.	Pub. L. 95-625, title X, §1006, Nov. 10, 1978, 92 Stat. 3541.

<sup>1</sup> So in original. Probably should be “transferee”.

In subsection (a), the words “chief executive officials” are substituted for “chief executives” for consistency in the new title.

In subsection (c), the words “At the discretion of such applicants” are omitted as unnecessary.

§ 200504. Recovery action programs

(a) EVIDENCE OF LOCAL COMMITMENT TO ONGOING PROGRAMS.—As a requirement for project approval, local governments applying for assistance under this chapter shall submit to the Secretary evidence of their commitments to ongoing planning, rehabilitation, service, operation, and maintenance programs for their park and recreation systems. These commitments will be expressed in local park and recreation recovery action programs that maximize coordination of all community resources, including other federally supported urban development and recreation programs. During an initial interim period to be established by regulations under this chapter, this requirement may be satisfied by local government submissions of preliminary action programs that briefly define objectives, priorities, and implementation strategies for overall system recovery and maintenance and commit the applicant to a scheduled program development process. Following this interim period, all local applicants shall submit to the Secretary, as a condition of eligibility, a 5-year action program for park and recreation recovery that satisfactorily demonstrates—

- (1) systematic identification of recovery objectives, priorities, and implementation strategies;
- (2) adequate planning for rehabilitation of specific recreation areas and facilities, including projections of the cost of proposed projects;
- (3) the capacity and commitment to ensure that facilities provided or improved under this chapter shall continue to be adequately maintained, protected, staffed, and supervised;
- (4) the intention to maintain total local public outlays for park and recreation purposes at levels at least equal to those in the year preceding that in which grant assistance is sought except in any case where a reduction in park and recreation outlays is proportionate to a reduction in overall spending by the applicant; and
- (5) the relationship of the park and recreation recovery program to overall community development and urban revitalization efforts.

(b) CONTINUING PLANNING PROCESS.—Where appropriate, the Secretary may encourage local governments to meet action program requirements through a continuing planning process that includes periodic improvements and updates in action program submissions to eliminate identified gaps in program information and policy development.

(c) SPECIAL CONSIDERATIONS.—Action programs shall address, but are not limited to—

- (1) rehabilitation of existing recreational areas and facilities, including—
  - (A) general systemwide renovation;
  - (B) special rehabilitation requirements for recreational areas and facilities in areas of high population concentration and economic distress; and

(C) restoration of outstanding or unique structures, landscaping, or similar features in parks of historical or architectural significance; and

(2) local commitments to innovative and cost-effective programs and projects at the neighborhood level to augment recovery of park and recreation systems, including—

- (A) recycling of abandoned schools and other public buildings for recreational purposes;
- (B) multiple use of operating educational and other public buildings, purchase of recreation services on a contractual basis;
- (C) use of mobile facilities and recreational, cultural, and educational programs or other innovative approaches to improving access for neighborhood residents;
- (D) integration of recovery program with federally assisted projects to maximize recreational opportunities through conversion of abandoned railroad and highway rights of way, waterfront, and other redevelopment efforts and such other federally assisted projects as may be appropriate;
- (E) conversion of recreation use of street space, derelict land, and other public land not now designated for neighborhood recreational use; and
- (F) use of various forms of compensated and uncompensated land regulation, tax inducements, or other means to encourage the private sector to provide neighborhood park and recreation facilities and programs.

(d) PUBLICATION IN FEDERAL REGISTER.—The Secretary shall establish and publish in the Federal Register requirements for preparation, submission, and updating of local park and recreation recovery action programs.

(e) ELIGIBILITY FOR AT-RISK YOUTH RECREATION GRANTS.—To be eligible to receive at-risk youth recreation grants a local government shall amend its 5-year action program to incorporate the goal of reducing crime and juvenile delinquency and to provide a description of the implementation strategies to achieve this goal. The plan shall also address how the local government is coordinating its recreation programs with crime prevention efforts of law enforcement, juvenile corrections, and youth social service agencies.

(f) MATCHING RECOVERY ACTION PROGRAM GRANTS.—The Secretary may provide up to 50 percent matching recovery action program grants to eligible local governments for program development and planning specifically to meet the objectives of this chapter.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3183.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200504 .....	16 U.S.C. 2506.	Pub. L. 95-625, title X, §1007, Nov. 10, 1978, 92 Stat. 3541; Pub. L. 103-322, title III, §§31504, Sept. 13, 1994, 108 Stat. 1889.

In subsection (c)(1), the word “areas” is substituted for “sites” for consistency with the defined term and with the new chapter.