

Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3169; Pub. L. 118-234, title I, § 113(a), Jan. 4, 2025, 138 Stat. 2839.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200102	16 U.S.C. 4601-3.	Pub. L. 88-29, § 4, May 28, 1963, 77 Stat. 50; Pub. L. 96-205, title VI, § 608(c), Mar. 12, 1980, 94 Stat. 92.

The words “the Trust Territory of the Pacific Islands” are omitted as obsolete. See note at 48 U.S.C. prec. 1681. For continued application of certain laws of the United States in certain cases, see the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (48 U.S.C. 1801 note), the Compact of Free Association between the Government of the United States of America and the Governments of the Marshall Islands and the Federated States of Micronesia (48 U.S.C. 1901 note), and the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note). The words “as determined by the Secretary” are added to make it clear that it is the Secretary who determines if it is practicable to include the stated entities.

Editorial Notes

AMENDMENTS

2025—Pub. L. 118-234 added pars. (1) to (3) and redesignated former pars. (1) and (2) as (4) and (5), respectively.

§ 200103. Authority of Secretary to carry out certain functions and activities

(a) IN GENERAL.—To carry out this chapter, the Secretary may perform the functions and activities described in this section.

(b) INVENTORY AND EVALUATION.—The Secretary may prepare and maintain a continuing inventory and evaluation of outdoor recreation needs and resources of the United States.

(c) CLASSIFICATION SYSTEM.—The Secretary may prepare a system for classification of outdoor recreation resources to assist in the effective and beneficial use and management of such resources.

(d) TECHNICAL ASSISTANCE AND ADVICE.—The Secretary may provide technical assistance and advice to and cooperate with States, political subdivisions, and private interests, including nonprofit organizations, with respect to outdoor recreation.

(e) INTERSTATE AND REGIONAL COOPERATION.—The Secretary may encourage interstate and regional cooperation in the planning, acquisition, and development of outdoor recreation resources.

(f) RESEARCH, INFORMATION, AND EDUCATION PROGRAMS AND ACTIVITIES.—The Secretary may—

(1) sponsor, engage in, and assist in research relating to outdoor recreation, directly or by contract or cooperative agreements, and make payments for such purposes without regard to the limitations of section 3324(a) and (b) of title 31 concerning advances of funds when the Secretary considers such action to be in the public interest;

(2) undertake studies and assemble information concerning outdoor recreation, directly or by contract or cooperative agreement, and disseminate the information without regard to section 3204 of title 39; and

(3) cooperate with educational institutions and others to assist in establishing education programs and activities and to encourage public use and benefits from outdoor recreation.

(g) COOPERATION AND COORDINATION WITH FEDERAL AGENCIES.—

(1) IN GENERAL.—The Secretary may—

(A) cooperate with and provide technical assistance to Federal agencies and obtain from them information, data, reports, advice, and assistance that are needed and can reasonably be furnished in carrying out the purposes of this chapter; and

(B) promote coordination of Federal plans and activities generally relating to outdoor recreation.

(2) FUNDING.—An agency furnishing advice or assistance under this paragraph may expend its own funds for those purposes, with or without reimbursement, as may be agreed to by that agency.

(h) DONATIONS.—The Secretary may accept and use donations of money, property, personal services, or facilities for the purposes of this chapter.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3170; Pub. L. 118-234, title I, § 112(c), Jan. 4, 2025, 138 Stat. 2839.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200103	16 U.S.C. 4601-1.	Pub. L. 88-29, § 2, May 28, 1963, 77 Stat. 49; Pub. L. 91-375, § 6(h), Aug. 12, 1970, 84 Stat. 776.

In subsection (d), the words “which shall be prepared as soon as practicable within 5 years on and after May 28, 1963” and “Future” are omitted as obsolete.

In subsection (h), the word “department” is omitted as being included in “agency”.

Editorial Notes

AMENDMENTS

2025—Subsecs. (d) to (i). Pub. L. 118-234 redesignated subsecs. (e) to (i) as (d) to (h), respectively, and struck out former subsec. (d) which related to formulation and maintenance of a comprehensive nationwide outdoor recreation plan.

§ 200104. Federal interagency council on outdoor recreation¹

(a) ESTABLISHMENT.—The Secretary shall establish an interagency council, to be known as the “Federal Interagency Council on Outdoor Recreation”.

(b) COMPOSITION.—

(1) IN GENERAL.—The Council shall be composed of representatives of each of the following agencies, to be appointed by the head of the respective agency:

¹So in original. Probably should be capitalized as “Federal Interagency Council on Outdoor Recreation”.

- (A) The National Park Service.
- (B) The Bureau of Land Management.
- (C) The United States Fish and Wildlife Service.
- (D) The Bureau of Indian Affairs.
- (E) The Bureau of Reclamation.
- (F) The Forest Service.
- (G) The Army Corps of Engineers.
- (H) The National Oceanic and Atmospheric Administration.

(2) **ADDITIONAL PARTICIPANTS.**—In addition to the members of the Council appointed under paragraph (1), the Secretary may invite participation in the Council’s meetings or other activities from representatives of the following:

- (A) The Council on Environmental Quality.
- (B) The Natural Resources Conservation Service.
- (C) Rural development programs of the Department of Agriculture.
- (D) The National Center for Chronic Disease Prevention and Health Promotion.
- (E) The Environmental Protection Agency.
- (F) The Department of Transportation, including the Federal Highway Administration.
- (G) The Tennessee Valley Authority.
- (H) The Department of Commerce, including—
 - (i) the Bureau of Economic Analysis;
 - (ii) the National Travel and Tourism Office; and
 - (iii) the Economic Development Administration.
- (I) The Federal Energy Regulatory Commission.
- (J) An applicable State agency or office.
- (K) An applicable agency or office of a local government.
- (L) Other organizations or interests, as determined appropriate by the Secretary.

(3) **STATE COORDINATION.**—In determining additional participants under this subsection, the Secretary shall seek to ensure that States are invited and represented in the Council’s meetings or other activities.

(4) **LEADERSHIP.**—The leadership of the Council shall rotate every 2 years among the Council members appointed under paragraph (1), or as otherwise determined by the Secretary in consultation with the Secretaries of Agriculture, Defense, and Commerce.

(5) **FUNDING.**—Notwithstanding section 708 of title VII of division E of the Consolidated Appropriations Act, 2023 (Public Law 117-328), the Council members appointed under paragraph (1) may enter into agreements to share the management and operational costs of the Council.

(c) **COORDINATION.**—The Council shall meet as frequently as appropriate for the purposes of coordinating on issues related to outdoor recreation, including—

- (1) recreation programs and management policies across Federal land and water management agencies, including activities associated with the implementation of the Federal

Lands Recreation Enhancement Act (16 U.S.C. 6801 et seq.), as appropriate;

(2) the response by Federal land and water management agencies to public health emergencies or other emergencies, including those that result in disruptions to, or closures of, Federal recreational lands and waters;

(3) investments relating to outdoor recreation on Federal recreational lands and waters, including funds made available under section 40804(b)(7) of the Infrastructure Investment and Jobs Act (16 U.S.C. 6592a(b)(7));

(4) management of emerging technologies on Federal recreational lands and waters;

(5) research activities, including quantifying the economic impacts of recreation;

(6) dissemination to the public of recreation-related information, in a manner that ensures the recreation-related information is easily accessible with modern communication devices;

(7) the improvement of access to Federal recreational lands and waters; and

(8) the identification and engagement of partners outside the Federal Government—

- (A) to promote outdoor recreation;
- (B) to facilitate collaborative management of outdoor recreation; and
- (C) to provide additional resources relating to enhancing outdoor recreation opportunities; and

(9) any other outdoor recreation-related issues that the Council determines necessary.

(d) **EFFECT.**—Nothing in this section affects the authorities, regulations, or policies of any Federal agency described in paragraph (1) or (2) of subsection (b).

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3171; Pub. L. 118-234, title I, §113(b), Jan. 4, 2025, 138 Stat. 2840.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200104	16 U.S.C. 4601-2.	Pub. L. 88-29, §3, May 28, 1963, 77 Stat. 50.

The word “department” is omitted as being included in “agency”. The word “independent” is omitted as unnecessary.

Editorial Notes

REFERENCES IN TEXT

Section 708 of title VII of division E of the Consolidated Appropriations Act, 2023, referred to in subsec. (b)(5), is section 708 of Pub. L. 117-328, div. E, title VII, Dec. 29, 2022, 136 Stat. 4706, which is not classified to the Code.

The Federal Lands Recreation Enhancement Act, referred to in subsec. (c)(1), is title VIII of div. J of Pub. L. 108-447, Dec. 8, 2004, 118 Stat. 3377, which is classified principally to chapter 87 (§6801 et seq.) of Title 16, Conservation. For complete classification of title VIII to the Code, see Short Title note set out under section 6801 of Title 16 and Tables.

AMENDMENTS

2025—Pub. L. 118-234 amended section generally. Prior to amendment, section related to consultations of Secretary with administrative officers and execution of administrative responsibilities in conformity with nationwide plan.

CHAPTER 2003—LAND AND WATER CONSERVATION FUND

- Sec.
- 200301. Definitions.
- 200302. Establishment of Land and Water Conservation Fund.
- 200303. Availability of funds.
- 200304. Statement of estimated requirements.
- 200305. Financial assistance to States.
- 200306. Allocation of Fund amounts for Federal purposes.
- 200307. Availability of Fund amounts for publicity purposes.
- 200308. Contracts for acquisition of land and water.
- 200309. Contracts for options to acquire land and water in System.
- 200310. Transfers to and from Fund.

Editorial Notes

AMENDMENTS

2020—Pub. L. 116-152, §3(c), Aug. 4, 2020, 134 Stat. 687, substituted “Availability of funds” for “Appropriations for expenditure of Fund amounts” in item 200303.

§ 200301. Definitions

In this chapter:

(1) **FUND.**—The term “Fund” means the Land and Water Conservation Fund established under section 200302 of this title.

(2) **STATE.**—The term “State” means a State, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3171.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
200301(1)	no source.	
200301(2)	16 U.S.C. 460l-8(b)(5) (last sentence).	Pub. L. 88-578, title I, §6(b)(5) (last sentence), formerly §5, Sept. 3, 1964, 78 Stat. 900; renumbered §6, Pub. L. 92-347, §2, July 11, 1972, 86 Stat. 459; Pub. L. 94-422, title I, §101(3), Sept. 28, 1976, 90 Stat. 1315.

§ 200302. Establishment of Land and Water Conservation Fund

(a) **ESTABLISHMENT.**—There is established in the Treasury the Land and Water Conservation Fund.

(b) **DEPOSITS.**—There shall be deposited in the Fund the following revenues and collections:

(1) All proceeds (except so much thereof as may be otherwise obligated, credited, or paid under authority of the provisions of law set forth in section 572(a) or 574(a) to (c) of title 40 or under authority of any appropriation Act that appropriates an amount, to be derived from proceeds from the transfer of excess property and the disposal of surplus property, for necessary expenses, not otherwise provided for, incident to the utilization and disposal of excess and surplus property) received from any disposal of surplus real property and related personal property under chapter 5 of title 40, notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury. Nothing in this chapter shall affect existing laws or regula-

tions concerning disposal of real or personal surplus property to schools, hospitals, and States and their political subdivisions.

(2) The amounts provided for in section 200310 of this title.

(c) **AUTHORIZATION OF APPROPRIATIONS.—**

(1) **IN GENERAL.**—In addition to the sum of the revenues and collections estimated by the Secretary to be deposited in the Fund pursuant to this section, there are authorized to be appropriated annually to the Fund out of any money in the Treasury not otherwise appropriated such amounts as are necessary to make the income of the Fund not less than \$900,000,000 for each fiscal year.

(2) **RECEIPTS UNDER OUTER CONTINENTAL SHELF LANDS ACT.**—To the extent that amounts appropriated under paragraph (1) are not sufficient to make the total annual income of the Fund equivalent to the amounts provided in paragraph (1), an amount sufficient to cover the remainder shall be credited to the Fund from revenues due and payable to the United States for deposit in the Treasury as miscellaneous receipts under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3171; Pub. L. 114-113, div. O, title VIII, §801(a), Dec. 18, 2015, 129 Stat. 3030; Pub. L. 116-9, title III, §3001(a), Mar. 12, 2019, 133 Stat. 754; Pub. L. 116-152, §3(b)(1), Aug. 4, 2020, 134 Stat. 687.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
200302	16 U.S.C. 460l-5.	Pub. L. 88-578, title I, §2, Sept. 3, 1964, 78 Stat. 897; Pub. L. 89-72, §11, July 9, 1965, 79 Stat. 218; Pub. L. 90-401, §1(a), 2, July 15, 1968, 82 Stat. 354, 355; Pub. L. 91-308, §2, July 7, 1970, 84 Stat. 410; Pub. L. 91-485, §1, Oct. 22, 1970, 84 Stat. 1084; Pub. L. 94-273, §2(7), Apr. 21, 1976, 90 Stat. 375; Pub. L. 94-422, title I, §101(1), Sept. 28, 1976, 90 Stat. 1313; Pub. L. 95-42, §1(1), June 10, 1977, 91 Stat. 210; Pub. L. 100-203, title V, §5201(f)(1), Dec. 22, 1987, 101 Stat. 1330-267.

In subsection (b), the words “section 572(a) or 574(a) to (c) of title 40” are substituted for “section 485(b)(e)[sic], title 40, United States Code”, and the words “chapter 5 of title 40” are substituted for “the Federal Property and Administrative Services Act of 1949, as amended” because of section 5(c) of the Act of August 21, 2002 (Public Law 107-217, 116 Stat. 1303), the 1st section of which enacted Title 40, United States Code, and in the case of “chapter 5 of title 40”, to provide a more precise cross reference. The words “any appropriation Act that appropriates an amount, to be derived from proceeds from the transfer of excess property and the disposal of surplus property, for necessary expenses, not otherwise provided for, incident to the utilization and disposal of excess and surplus property” are substituted for “the Independent Offices Appropriation Act, 1963 (76 Stat. 725) or in any later appropriation Act” to update the reference.

In subsection (c)(1), reference to fiscal years 1977 and 1978 and the word “thereafter” are omitted as obsolete.