

Sec.
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 regulations 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.

Editorial Notes

REFERENCES IN TEXT

The Outer Continental Shelf Lands Act, referred to in subsec. (c)(2), is act Aug. 7, 1953, ch. 345, 67 Stat. 462, which is classified generally to subchapter III (§1331 et seq.) of chapter 29 of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1301 of Title 43 and Tables.

AMENDMENTS

2020—Subsec. (c)(3). Pub. L. 116-152 struck out par. (3). Text read as follows: “Notwithstanding section 200303 of this title, money deposited in the Fund under this subsection shall remain in the Fund until appropriated by Congress to carry out this chapter.”

2019—Subsec. (b). Pub. L. 116-9, §3001(a)(1), substituted “There” for “During the period ending September 30, 2018, there” in introductory provisions.