

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) RECREATIONAL 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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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. 4601–10.	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. 4601–10a.	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

RESCISSION OF CONTRACT AUTHORITY

Provisions rescinding contract authority provided for specific fiscal years by 54 U.S.C. 200308 (formerly 16 U.S.C. 4601–10a) were contained in the appropriation acts that were listed in a note under former section 4601–10a 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.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
200309	16 U.S.C. 4601–10b.	Pub. L. 88–578, title I, §10, formerly §9, as added Pub. L. 90–401, §4, July 15, 1968, 82 Stat. 355; renumbered §10, Pub. L. 92–347, §2, July 11, 1972, 86 Stat. 459.

§ 200310. Transfers to and from Fund

(a) MOTORBOAT FUEL TAXES.—There shall be set aside in the Fund the amounts specified in section 9503(c)(3)(B) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(3)(B)).

(b) REFUNDS OF TAXES.—There shall be paid from time to time from the Fund into the general fund of the Treasury amounts estimated by the Secretary of the Treasury as equivalent to—

- (1) the amounts paid before October 1, 2029, under section 6421 of the Internal Revenue Code of 1986 (26 U.S.C. 6421) with respect to gasoline used after December 31, 1964, in motorboats, on the basis of claims filed for periods ending before October 1, 2028; and
- (2) 80 percent of the floor stocks refunds made before October 1, 2029, under section 6412(a)(1) of the Internal Revenue Code of 1986 (26 U.S.C. 6412(a)(1)) with respect to gasoline to be used in motorboats.

(Pub. L. 113–287, §3, Dec. 19, 2014, 128 Stat. 3179; Pub. L. 114–94, div. C, title XXXI, §31102(e)(2)(B), Dec. 4, 2015, 129 Stat. 1728; Pub. L. 117–58, div. H, title I, §80102(e)(2)(B), Nov. 15, 2021, 135 Stat. 1328.)