

[DISCUSSION DRAFT]

114TH CONGRESS
1ST SESSION

H. R. _____

To amend title 54, United States Code, to reauthorize and reform the Land and Water Conservation Fund, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BISHOP of Utah introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 54, United States Code, to reauthorize and reform the Land and Water Conservation Fund, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting America’s
5 Recreation and Conservation Act” or the “PARC Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Reauthorization.

- Sec. 4. Statement of estimated requirements.
- Sec. 5. Fund amounts for State purposes.
- Sec. 6. Allocation of fund amounts for Federal purposes.
- Sec. 7. Contracts for acquisition of land and water.
- Sec. 8. Payment In-Lieu of Taxes program.
- Sec. 9. Promoting Offshore Energy Exploration, Innovation, and Education.
- Sec. 10. Statutory construction.
- Sec. 11. Community Improvement through Innovation, Engagement, and Support Program.
- Sec. 12. Prohibition on use of condemnation or eminent domain.

1 **SEC. 3. REAUTHORIZATION.**

2 Section 200302 of title 54, United States Code, is
3 amended by—

4 (1) in subsection (b), in the language preceding
5 paragraph (1), by striking “September 30, 2015”
6 and inserting “September 30, 2022”; and

7 (2) in subsection (c)(1), by striking “September
8 30, 2015” and inserting “September 30, 2022”.

9 **SEC. 4. STATEMENT OF ESTIMATED REQUIREMENTS.**

10 Section 200304 of title 54, United States Code, is
11 amended by striking “Not less than 40 percent of such
12 appropriations shall be available for Federal purposes.”.

13 **SEC. 5. FUND AMOUNTS FOR STATE PURPOSES.**

14 (a) ALLOCATION.—Section 200305(a) of title 54,
15 United States Code, is amended by inserting “Of the over-
16 all amount appropriated from the Fund for any fiscal
17 year, not less than 45 percent shall be available to the
18 States as provided in this section.” before “The Secretary
19 may provide”.

1 (b) APPORTIONMENT AMONG STATES.—Section
2 200305(b) of title 54, United States Code, is amended—

3 (1) by amending paragraph (1) to read as fol-
4 lows:

5 “(1) Fifty percent shall be apportioned equally
6 among the States.”;

7 (2) by amending paragraph (3) to read as fol-
8 lows:

9 “(3) Not less than 30 percent of the total allo-
10 cation to each State shall be used in one or more
11 communities with a population of greater than
12 20,000 (based on data from the most recent Census
13 Bureau American Community Survey). Amounts
14 provided to cities as grants under section 200311 of
15 this title shall not be counted toward meeting the
16 minimum percentage specified in this paragraph.”;
17 and

18 (3) in paragraph (4), by striking “without re-
19 gard to the 10 percent limitation to an individual
20 State specified in this subsection”.

21 **SEC. 6. ALLOCATION OF FUND AMOUNTS FOR FEDERAL**
22 **PURPOSES.**

23 Section 200306(a) of title 54, United States Code,
24 is amended—

1 (1) by amending paragraph (1) to read as fol-
2 lows:

3 “(1) ALLOCATION.—

4 “(A)(i) Of the overall amount appropriated
5 from the Fund for any fiscal year, not more
6 than 3.5 percent shall be available for acquisi-
7 tion of non-Federal land, water, or an interest
8 in land or water by one or more of the fol-
9 lowing:

10 “(I) The National Park Service.

11 “(II) The United States Fish and
12 Wildlife Service.

13 “(III) The Forest Service.

14 “(IV) The Bureau of Land Manage-
15 ment.

16 “(ii) A parcel of non-Federal land, water,
17 or an interest in land or water acquired with
18 funds allocated under this subparagraph shall
19 about Federal land or water on not less than 75
20 percent of the parcel’s border and, except as
21 provided in paragraph (2)(B)(ii), shall not be
22 subject to size restrictions.

23 “(iii) Not more than 15 percent of the
24 acreage acquired with funds allocated under

1 this subparagraph for any fiscal year shall be
2 located west of the 100th meridian.

3 “(iv) Not less than 33 percent of the funds
4 made available under this subparagraph shall
5 be used to secure or enhance public access on
6 existing Federal lands for hunting, recreational
7 fishing, or recreational shooting where public
8 access for those activities is impracticable.

9 “(B)(i) Of the overall amount appropriated
10 from the Fund for any fiscal year, not more
11 than 3.5 percent shall be available for high-pri-
12 ority deferred maintenance needs and clean-up
13 efforts that support recreational hunting, rec-
14 reational fishing, recreational shooting, or other
15 recreational purposes, critical infrastructure,
16 visitor services, or a combination thereof, on
17 Federal land or water managed by one or more
18 of the following:

19 “(I) The National Park Service.

20 “(II) The United States Fish and
21 Wildlife Service.

22 “(III) The Forest Service.

23 “(IV) The Bureau of Land Manage-
24 ment.

1 “(ii) Not less than 25 percent of the funds
2 made available under this subparagraph shall
3 be made available to non-governmental organi-
4 zations to execute the activities described in
5 subparagraph (B). To be eligible to receive
6 funds under this clause, a non-governmental or-
7 ganization shall provide non-Federal funds to
8 execute the activities described in subparagraph
9 (B) in an amount that is equal to or greater
10 than the amount provided to that non-govern-
11 mental organization under this clause.

12 “(C) Of the overall amount appropriated
13 from the Fund for any fiscal year, not more
14 than 3.5 percent shall be available for the For-
15 est Legacy Program established pursuant to
16 section 7 of the Cooperative Forestry Assist-
17 ance Act of 1978 (16 U.S.C. 2103e), except
18 that such amount may be used only—

19 “(i) to create or improve vehicular,
20 off-highway vehicle, or other access to Na-
21 tional Forest System land or State or pri-
22 vate forested land for hunting, recreational
23 fishing, recreational shooting, or other rec-
24 reational purposes; or

1 “(ii) to protect from development for-
2 ests where management activities occur
3 consistent with a state-approved multiple-
4 resource forest plan.

5 “(D) Of the overall amount appropriated
6 from the Fund for any fiscal year, not more
7 than 3.5 percent shall be available for the Coop-
8 erative Endangered Species Conservation Fund.

9 “(E) Of the overall amount appropriated
10 from the Fund for any fiscal year, not more
11 than 1 percent shall be available for the Amer-
12 ican Battlefield Protection Program.”;

13 (2) in paragraph (2)(B), by striking clause (iii);

14 and

15 (3) by adding at the end of the following:

16 “(5) DEFINITIONS.—For this section:

17 “(A) HUNTING.—The term ‘hunting’
18 means use of a firearm, bow, or other author-
19 ized means in the lawful—

20 “(i) pursuit, shooting, capture, collec-
21 tion, trapping, or killing of wildlife;

22 “(ii) attempt to pursue, shoot, cap-
23 ture, collect, trap, or kill wildlife.

24 “(B) RECREATIONAL FISHING.—The term
25 ‘recreational fishing’ means the lawful—

1 “(i) pursuit, capture, collection, or
2 killing of fish; or

3 “(ii) attempt to pursue, capture, col-
4 lect, or kill fish.

5 “(C) RECREATIONAL SHOOTING.—The
6 term ‘recreational shooting’ means any form of
7 sport, training, competition, or pastime, wheth-
8 er formal or informal, that involves the dis-
9 charge of a rifle, handgun, or shotgun, or the
10 use of a bow.”.

11 **SEC. 7. CONTRACTS FOR ACQUISITION OF LAND AND**
12 **WATER.**

13 Section 200308 of title 54, United States Code, is
14 amended by striking “\$30,000,000” and inserting
15 “\$2,000,000”.

16 **SEC. 8. PAYMENT IN-LIEU OF TAXES PROGRAM.**

17 Of the overall amount appropriated from the Land
18 and Water Conservation Fund established under section
19 200302 of title 54, United States Code, for any fiscal year,
20 not less than 15 percent shall be available for the program
21 under chapter 69 of title 31, United States Code (com-
22 monly known as “Payment in Lieu of Taxes Program”).

1 **SEC. 9. PROMOTING OFFSHORE ENERGY EXPLORATION, IN-**
2 **NOVATION, AND EDUCATION.**

3 (a) ALLOCATION OF FUNDS AVAILABLE FROM LAND
4 AND WATER CONSERVATION FUND.—

5 (1) MINIMUM ALLOCATION.—Of the overall
6 amount appropriated from the Land and Water
7 Conservation Fund established under section 200302
8 of title 54, United States Code, for any fiscal year,
9 not less than 20 percent shall be available for pro-
10 moting offshore energy exploration, innovation, and
11 education.

12 (2) USE OF FUNDS.—Of the funds made avail-
13 able under this section—

14 (A) 5 percent shall be available to carry
15 out the Outer Continental Shelf Federal energy
16 permit streamlining pilot project under sub-
17 section (b);

18 (B) 5 percent shall be available to establish
19 an Offshore Energy Innovation Hub under sub-
20 section (c); and

21 (C) 90 percent shall be available to award
22 offshore energy education grants to institutions
23 of higher education under subsection (d).

24 (b) PILOT PROJECT TO IMPROVE FEDERAL PERMIT
25 COORDINATION ON THE OUTER CONTINENTAL SHELF.—

1 (1) ESTABLISHMENT.—The Secretary of the In-
2 terior (in this subsection referred to as the “Sec-
3 retary”) shall carry out for fiscal years 2016
4 through 2022 a Federal energy permit streamlining
5 pilot project for the Outer Continental Shelf (re-
6 ferred to in this subsection as the “OCS Pilot
7 Project”). The purpose of the project is to collocate
8 appropriate staff from the Bureau of Ocean Energy
9 Management, the Bureau of Safety and Environ-
10 mental Enforcement, the Coast Guard, and the Na-
11 tional Marine Fisheries Service to streamline Fed-
12 eral permitting of energy activities on the Outer
13 Continental Shelf of the United States, including
14 permitting for—

15 (A) geophysical surveying, including mag-
16 netic, gravity, seismic, or other systems;

17 (B) oil and natural gas exploration, devel-
18 opment, and production; and

19 (C) offshore renewable energy projects, in-
20 cluding wind and tidal power generation.

21 (2) MEMORANDUM OF UNDERSTANDING.—

22 (A) IN GENERAL.—Not later than 90 days
23 after the date of the enactment of this Act, the
24 Secretary shall lead in finalizing a memo-
25 randum of understanding to streamline Federal

1 permitting of energy activities on the Outer
2 Continental Shelf and coordinate relevant ac-
3 tivities across Federal agencies for purposes of
4 this subsection, with—

5 (i) the Bureau of Ocean Energy Man-
6 agement;

7 (ii) the Bureau of Safety and Envi-
8 ronmental Enforcement;

9 (iii) the Secretary of Commerce; and

10 (iv) the Secretary of Homeland Secu-
11 rity.

12 (B) STATE PARTICIPATION.—The Sec-
13 retary may request the Governors of Alaska,
14 Texas, Louisiana, Mississippi, Alabama, Vir-
15 ginia, North Carolina, South Carolina, and
16 Georgia to be signatories to the memorandum
17 of understanding.

18 (3) PILOT OFFICES.—The Secretary shall es-
19 tablish pilot offices in the following locations:

20 (A) Anchorage, Alaska.

21 (B) Metairie, Louisiana.

22 (C) Virginia Beach, Virginia.

23 (D) Any other field office considered by
24 the Secretary to be appropriate.

25 (4) ASSIGNMENT OF QUALIFIED STAFF.—

1 (A) IN GENERAL.—Not later than 30 days
2 after the date of the signing of the memo-
3 randum of understanding under paragraph (2),
4 all Federal agency signatory parties shall assign
5 to each of the pilot offices established under
6 paragraph (3) relevant staff from the agencies
7 referred to in paragraph (1) who have expertise
8 in the regulatory issues relating to the office in
9 which the employee is employed, including, as
10 applicable, particular expertise in—

11 (i) consultations and the preparation
12 of biological opinions under section 7 of
13 the Endangered Species Act of 1973 (16
14 U.S.C. 1536), including with respect to
15 seismic permitting;

16 (ii) consistency reviews under the
17 Coastal Zone Management Act of 1972 (16
18 U.S.C. 1451 et seq.);

19 (iii) plan approvals and permits under
20 the Outer Continental Shelf Lands Act (33
21 U.S.C. 1331 et seq.);

22 (iv) implementation and enforcement
23 of section 328 of the Clean Air Act (42
24 U.S.C. 7627); and

1 (v) the preparation of analyses under
2 the National Environmental Policy Act of
3 1969 (42 U.S.C. 4321 et seq.).

4 (B) DUTIES.—Each employee assigned
5 under subparagraph (A) shall—

6 (i) not later than 90 days after the
7 date of assignment, report to the pilot of-
8 fice established under paragraph (3) to
9 which the employee is assigned;

10 (ii) be dedicated to and responsible for
11 all Outer Continental Shelf energy-related
12 activities administered by that pilot office
13 for all issues relating to the jurisdiction of
14 the home office or agency that assigned
15 the employee; and

16 (iii) participate as part of a team of
17 personnel working on Outer Continental
18 Shelf energy-related activities described in
19 subparagraphs (A) through (C) of para-
20 graph (1).

21 (5) ADDITIONAL PERSONNEL.—The Secretary
22 shall assign to each pilot office identified in para-
23 graph (4) any additional personnel that are nec-
24 essary to ensure the effective implementation of—

25 (A) the OCS Pilot Project; and

1 (B) other programs administered by the
2 pilot offices, including inspection and enforce-
3 ment relating to energy development on the
4 Outer Continental Shelf.

5 (6) USE OF FUNDS.—

6 (A) USE OF LWCF FUNDS.—All funds
7 made available under section 5 shall be used by
8 the Secretary to establish pilot offices under
9 this subsection and carry out activities through
10 the pilot offices for activities described in sub-
11 paragraphs (A) through (C) of paragraph (1).

12 (B) USE OF FEES COLLECTED BY PILOT
13 OFFICES.—

14 (i) IN GENERAL.—The Secretary shall
15 ensure that all fees collected by a pilot of-
16 fice in association with activities related to
17 the Outer Continental Shelf Lands Act (43
18 U.S.C. 1331 et seq.) listed under subpara-
19 graphs (A) through (C) of paragraph (1)
20 are used by that office.

21 (ii) PROHIBITION ON NEW OR IN-
22 CREASED FEES.—The Secretary may not
23 establish any new fee or increase any exist-
24 ing fee for any activities conducted by a
25 pilot office.

1 (7) SAVINGS PROVISION.—Nothing in this sub-
2 section affects—

3 (A) the operation of any other Federal or
4 State law;

5 (B) any delegation of authority made by
6 the head of a Federal agency whose employees
7 are participating in the OCS Pilot Project; or

8 (C) the existing memorandum of agree-
9 ment between the Department of the Interior
10 and the Department of Defense on Mutual Con-
11 cerns on the Outer Continental Shelf signed
12 July 20, 1983, and any revision or replacement
13 for that agreement that is agreed to by the Sec-
14 retary of Defense and the Secretary of the Inte-
15 rior after that date.

16 (c) OFFSHORE ENERGY INNOVATION HUB.—

17 (1) ESTABLISHMENT.—Not later than 180 days
18 after the date of the enactment of this Act, the Sec-
19 retary of the Interior (in this subsection referred to
20 as the “Secretary”) shall use amounts available
21 under subsection (a)(2) to establish an Offshore En-
22 ergy Innovation Hub.

23 (2) SCOPE.—The purpose of the Offshore En-
24 ergy Innovation Hub shall be to foster collaboration
25 among Federal, academic, and industry stakeholders

1 on innovations directly related to energy production
2 on the United States Outer Continental Shelf. Areas
3 of focus shall be the following:

4 (A) SAFETY TECHNOLOGIES.—Materials
5 and equipment that improve upon existing well
6 control systems or containment systems (or
7 both).

8 (B) RESERVOIR CHARACTERIZATION.—
9 Predicting and monitoring the production be-
10 havior of complex reservoirs on the United
11 States Outer Continental Shelf.

12 (C) EXTENDED SYSTEM ARCHITECTURE.—
13 Subsea systems, power distribution, and data
14 communications that improve recovery and ex-
15 tend production reach.

16 (D) HIGH PRESSURE/HIGH TEMPERATURE
17 COMPLETION SYSTEMS.—Materials and equip-
18 ment to reliably produce ultra-deepwater re-
19 sources in corrosive environments.

20 (E) METEOROLOGICAL AND OCEANIC
21 FORECASTING.—Systems to predict both atmos-
22 pheric and below-surface environments and en-
23 gineering response.

24 (F) ARCTIC ENVIRONMENTS.—Exploration
25 and production systems and techniques for ice

1 conditions, including ice management and ex-
2 tended season development.

3 (3) LOCATION.—The Secretary shall establish
4 the Offshore Energy Innovation Hub at a location
5 that is in proximity to existing Outer Continental
6 Shelf oil and gas development to ensure opportuni-
7 ties to test and apply innovative technologies and re-
8 search in the field.

9 (d) PROMOTING THE NEXT GENERATION OF THE
10 OFFSHORE ENERGY WORKFORCE.—

11 (1) IN GENERAL.—

12 (A) AWARD OF GRANTS.—In order to ex-
13 pand opportunities related to offshore energy
14 development, the Secretary of the Interior shall
15 use amounts available under subsection (a)(3)
16 to award offshore energy innovation grants in
17 accordance with this subsection to institutions
18 of higher education selected under paragraph
19 (2).

20 (B) ADMINISTRATIVE COSTS.—The Sec-
21 retary may use not more than 5 percent of such
22 amounts to administer this subsection.

23 (2) SELECTION OF INSTITUTIONS.—

24 (A) IN GENERAL.—The Secretary shall se-
25 lect 20 institutions of higher education to re-

1 ceive grants under this subsection, from among
2 institutions that—

3 (i) are nominated under subparagraph
4 (B); and

5 (ii) are determined by the Secretary
6 to have issued the greatest number of un-
7 dergraduate and graduate degrees in 1 or
8 more of the academic fields included in the
9 list submitted under paragraph (5).

10 (B) NOMINATION OF INSTITUTIONS.—

11 (i) IN GENERAL.—Not later than 180
12 days after the date of the enactment of
13 this Act, and every 3 years thereafter, the
14 Governor of each State may nominate for
15 grants under this subsection—

16 (I) up to 4 institutions of higher
17 education located in the State, of
18 which at least 1 shall be a minority-
19 serving institution, if applicable; and

20 (II) at least 1 vocational institu-
21 tion located in the State.

22 (ii) PREFERENCE.—In making nomi-
23 nations under clause (i), each Governor
24 shall give preference to institutions of
25 higher education and vocational institu-

1 tions that demonstrate a vigorous rate of
2 admissions of veterans of the Armed
3 Forces of the United States.

4 (3) GRANTS TERMS.—

5 (A) AWARD AND AVAILABILITY OF
6 FUNDS.—Grants shall be awarded under this
7 subsection on an annual basis and grant funds
8 shall remain available for use until expended.

9 (B) USE.—Of the funds awarded to each
10 grantee each fiscal year—

11 (i) no less than half shall be made
12 available in the form of scholarships or tui-
13 tion assistance to incoming students in the
14 academic fields included in the list sub-
15 mitted under paragraph (5); and

16 (ii) the remainder shall be used to
17 promote science, technology, engineering,
18 and mathematics curriculum development
19 and other related projects that will advance
20 energy and mineral exploration and pro-
21 duction on the Outer Continental Shelf of
22 the United States.

23 (4) FELLOWSHIP AND INTERNSHIP OPPORTUNI-
24 TIES.—The Secretary shall establish fellowship and
25 internship opportunities in the Department of the

1 Interior for students in academic fields included in
2 the list submitted under paragraph (5) to address
3 future workforce needs of the Department.

4 (5) LIST OF ACADEMIC FIELDS.—The Secretary
5 shall conduct a survey of current Outer Continental
6 Shelf leaseholders to prepare a list of science, tech-
7 nology, engineering, and math-related academic
8 fields that address current and future workforce
9 needs for offshore energy-related activities. The Sec-
10 retary may periodically update this list through sub-
11 sequent surveys of such leaseholders to better adapt
12 to changing workforce needs.

13 (6) DEFINITIONS.—In this subsection:

14 (A) INSTITUTION OF HIGHER EDU-
15 CATION.—The term “institution of higher edu-
16 cation” has the meaning given that term in sec-
17 tion 631(a) of the Higher Education Act of
18 1965 (20 U.S.C. 1132(a)).

19 (B) MINORITY-SERVING INSTITUTION.—
20 The term “minority-serving institution” means
21 any public or not-for-profit institution of higher
22 education described in paragraphs (2) through
23 (7) of section 371(a) of the Higher Education
24 Act of 1965 (20 U.S.C. 1067q).

1 (C) VOCATIONAL INSTITUTION.—The term
2 “vocational institution” means a postsecondary
3 vocational institution, as that term is defined in
4 section 102(c) of the Higher Education Act of
5 1965 (20 U.S.C. 1002(c)).

6 **SEC. 10. STATUTORY CONSTRUCTION.**

7 Any Federal law enacted before, on, or after the date
8 of the enactment of this Act that is inconsistent with the
9 various allocations provided for under this Act shall not
10 affect such allocations unless that Federal law provides
11 a citation specifically to this section of this Act.

12 **SEC. 11. COMMUNITY IMPROVEMENT THROUGH INNOVA-**
13 **TION, ENGAGEMENT, AND SUPPORT PRO-**
14 **GRAM.**

15 (a) COMMUNITY IMPROVEMENT THROUGH INNOVA-
16 TION, ENGAGEMENT, AND SUPPORT PROGRAM.—Chapter
17 2003 of title 54, United States Code, is amended by add-
18 ing at the end the following:

19 **“§ 200311. Community Improvement through Innova-**
20 **tion, Engagement, and Support Program**

21 “(a) ESTABLISHMENT.—The Secretary of the Inte-
22 rior, acting through the Director of the National Park
23 Service, shall establish and administer a competitive urban
24 parks and recreation matching grant program to provide
25 Federal grants to communities with a population of not

1 less than 100,000 (based on data from the most recent
2 Census Bureau American Community Survey) for grants
3 described in subsection (c).

4 “(b) FUNDING.—Of the overall amount appropriated
5 from the Fund for any fiscal year, not less than 5 percent,
6 to remain available until expended, shall be available for
7 carrying out the purposes of this section.

8 “(c) GRANTS.—

9 “(1) AUTHORITY OF SECRETARY TO MAKE PAY-
10 MENTS.— Grants offered under this section may be
11 made by the Secretary, acting through the Director
12 of the National Park Service, only for projects in
13 one or more of the following categories:

14 “(A) REHABILITATION AND CONSTRU-
15 TION.—Cost of rehabilitation and construction,
16 including planning and design, of parks, open
17 spaces or indoor or outdoor recreation facilities.

18 “(B) ACQUISITION.—Cost of acquisition of
19 lands and waters, and interests in lands and
20 waters, for parks, open spaces or indoor or out-
21 door recreation facilities.

22 “(2) GRANT AMOUNTS.—Grants awarded under
23 this section shall be for not more than \$2,000,000

24 “(3) MATCHING REQUIREMENTS.—Grants
25 awarded under this section shall cover not more than

1 50 percent of the cost of projects undertaken with
2 those funds. The remaining share of the cost shall
3 be borne by the grantee in a manner and with funds
4 or services satisfactory to the Secretary.

5 “(4) NO ADDITIONAL FEDERAL FUNDS.—The
6 Secretary shall not make a payment under this sec-
7 tion for any project with respect to which financial
8 assistance has been given under section 200305.

9 “(5) PAYMENT SCHEDULE.—The Secretary
10 may make payments in keeping with the rate of
11 progress toward the satisfactory completion of a
12 project.

13 “(6) PAYMENT RECIPIENTS.—Payments for all
14 projects shall be made by the Secretary to the mayor
15 of the grantee city, the chief executive of a grantee
16 special park district, or an agency of an appropriate
17 unit of local government designated by the mayor. If
18 consistent with an approved project, Federal funds
19 provided under this section may be transferred by
20 the grantee city to a political subdivision of that city
21 or other appropriate public agency.

22 “(7) INFORMATION AND ACCOUNTING PROCE-
23 DURES.—No payment shall be made to any grantee
24 until the grantee has agreed to provide—

1 “(A) information to the Secretary as may
2 be reasonably necessary to enable the Secretary
3 to perform the Secretary’s duties under this
4 section; and

5 “(B) fiscal control and fund accounting
6 procedures as may be necessary to ensure prop-
7 er disbursement and accounting for Federal
8 funds paid to the grantee under this section.

9 “(8) RECORDS.—A grantee receiving Federal
10 funds under this section shall keep such records as
11 the Secretary shall prescribe, including records that
12 fully disclose—

13 “(A) the amount and the disposition by the
14 grantee of the Federal funds;

15 “(B) the total cost of the project or under-
16 taking for which the Federal funds are pro-
17 vided;

18 “(C) the amount and nature of that por-
19 tion of the cost of the project or undertaking
20 supplied by other sources; and

21 “(D) such other records as the Secretary
22 determines necessary to facilitate an effective
23 audit.

24 “(9) ACCESS TO RECORDS.—As a condition of
25 receiving Federal funds under this section, a grantee

1 shall make available to the Secretary, and the Comp-
2 troller General, or any duly authorized representa-
3 tive of those officers, access to records described
4 under paragraph (8).

5 “(10) PROHIBITION OF DISCRIMINATION.—
6 With respect to property acquired or developed with
7 Federal funds under this section, discrimination on
8 the basis of residence, including preferential reserva-
9 tion or membership systems, is prohibited except to
10 the extent that reasonable differences in admission
11 and other fees may be maintained on the basis of
12 residence.

13 “(11) COORDINATION WITH FEDERAL AGEN-
14 CIES.—To ensure consistency in policies and actions
15 under this section with other related Federal pro-
16 grams and activities and to ensure coordination of
17 the planning, acquisition, and development assist-
18 ance to cities under this section with other related
19 Federal programs and activities—

20 “(A) the Secretary may issue such regula-
21 tions as necessary; and

22 “(B) the grant may be provided only in ac-
23 cordance with those regulations.

24 “(d) CRITERIA FOR AWARDING GRANTS.—Not later
25 than 120 days after the date of the enactment of this sec-

1 tion, the Secretary of the Interior shall publish in the Fed-
2 eral Register, for a 60-day public comment period, the cri-
3 teria used in determining eligibility for receiving grants
4 under this section. Such criteria shall consider—

5 “(1) the number, size, and location of parks,
6 open spaces, and indoor and outdoor recreation fa-
7 cilities in the city per capita;

8 “(2) the condition of such parks, open spaces,
9 and indoor and outdoor recreation facilities;

10 “(3) the deficiency of access to such parks,
11 open spaces, and indoor and outdoor recreation fa-
12 cilities;

13 “(4) the extent of local public commitment to
14 parks, open spaces, and indoor and outdoor recre-
15 ation facilities;

16 “(5) the extent to which a project funded with
17 a grant under this section would engage and provide
18 employment opportunities to disadvantaged local
19 youth and returning veterans;

20 “(6) the extent to which the city or the specific
21 area subject to the grant application is economically
22 disadvantaged, based on Census Bureau data; and

23 “(7) the extent to which the project makes cap-
24 ital improvements and other measures to increase

1 security and safety in urban parks and recreation
2 areas.

3 “(e) NO NET LOSS.—No park, open space, or indoor
4 and outdoor recreation facility or property that is rehabili-
5 tated, improved, constructed, or acquired with Federal
6 funds made available under this section may be converted
7 to other than public recreation purposes unless an equiva-
8 lent property or facility is provided to replace it without
9 cost to the Federal Government.

10 “(f) STATUS AND RECOMMENDATIONS.—Beginning 3
11 years after the date of the enactment of this section, and
12 each year thereafter, the Secretary, acting through the Di-
13 rector of the National Park Service, shall summarize ac-
14 complishments of and challenges experienced in carrying
15 out this section, and make recommendations for any modi-
16 fications to the program or authorities determined to be
17 necessary. Such summary and recommendations shall be
18 made available on the Department of the Interior’s
19 website.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of chapter 2003 of title 54, United States
22 Code, is amended by adding at the end the following new
23 item:

“200311. Community Improvement through Innovation, Engagement, and Sup-
port Program”.

1 (c) REPEAL OF SUPERSEDED PROGRAM.—Chapter
2 2005 of title 54, United States Code, is repealed.

3 **SEC. 12. PROHIBITION ON USE OF CONDEMNATION OR EMI-**
4 **NENT DOMAIN.**

5 Funds made available from the Land and Water Con-
6 servation Fund established under section 200302 of title
7 54, United States Code, may not be used to acquire land,
8 water, or interests in land or water through condemnation
9 or an eminent domain proceeding.