

resource projects or to disposition of public lands for such purposes.

(Pub. L. 89-72, § 7, July 9, 1965, 79 Stat. 216; Pub. L. 102-377, title II, § 206, Oct. 2, 1992, 106 Stat. 1332; Pub. L. 102-575, title XXVIII, § 2804(e), Oct. 30, 1992, 106 Stat. 4692.)

#### AMENDMENTS

1992—Subsec. (a). Pub. L. 102-575, § 2804(e)(2), substituted “subsection (b) or (c) of section 4601-14” for “subsection 4601-14(b)”.

Pub. L. 102-575, § 2804(e)(1), which directed amendment of subsec. (a) by striking “purposes: *Provided*,” and all that follows through end of sentence and inserting “purposes”, could not be executed because the words “purposes: *Provided*,” did not appear subsequent to amendment by Pub. L. 102-377. See below.

Pub. L. 102-377 substituted “purposes.” for “purposes: *Provided*. That not more than \$100,000 shall be available to carry out the provisions of this subsection at any one reservoir.”

#### § 4601-19. Feasibility reports

Effective on and after July 1, 1966, neither the Secretary of the Interior nor any bureau nor any person acting under his authority shall engage in the preparation of any feasibility report under reclamation law with respect to any water resource project unless the preparation of such feasibility report has been specifically authorized by law, any other provision of law to the contrary notwithstanding.

(Pub. L. 89-72, § 8, July 9, 1965, 79 Stat. 217.)

#### § 4601-20. Construction of projects under certain laws with allocations to recreation and fish and wildlife enhancement exceeding allocations to other functions unauthorized; exception

Nothing contained in this part shall be taken to authorize or to sanction the construction under the Federal reclamation laws or under any Rivers and Harbors or Flood Control Act of any project in which the sum of the allocations to recreation and fish and wildlife enhancement exceeds the sum of the allocations to irrigation, hydroelectric power, municipal, domestic and industrial water supply, navigation, and flood control, except that this section shall not apply to any such project for the enhancement of anadromous fisheries, shrimp, or for the conservation of migratory birds protected by treaty, when each of the other functions of such a project has, of itself, a favorable benefit-cost ratio.

(Pub. L. 89-72, § 9, July 9, 1965, 79 Stat. 217.)

#### REFERENCES IN TEXT

This part, referred to in text, was in the original “this Act”, meaning Pub. L. 89-72, which enacted sections 4601-12 to 4601-21 of this title and amended sections 4601-5(a) and 662(d) of this title.

Rivers and Harbors or Flood Control Act, referred to in text, is classified principally to Title 33, Navigation and Navigable Waters.

#### § 4601-21. Definitions

As used in this part:

(a) The term “project” shall mean a project or any appropriate unit thereof.

(b) The term “separable costs,” as applied to any project purpose, means the difference be-

tween the capital cost of the entire multiple-purpose project and the capital cost of the project with the purpose omitted.

(c) The term “joint costs” means the difference between the capital cost of the entire multiple-purpose project and the sum of the separable costs for all project purposes.

(d) The term “feasibility report” shall mean any report of the scope required by the Congress when formally considering authorization of the project of which the report treats.

(e) The term “capital cost” includes interest during construction, wherever appropriate.

(Pub. L. 89-72, § 10, July 9, 1965, 79 Stat. 218.)

#### REFERENCES IN TEXT

This part, referred to in text, was in the original “this Act”, meaning Pub. L. 89-72, which enacted sections 4601-12 to 4601-21 of this title and amended sections 4601-5(a) and 662(d) of this title.

#### PART D—LAND TRANSFERS

#### § 4601-22. Conveyance of property and interests in property in national park system and miscellaneous areas

##### (a) Freehold and leasehold interests; competitive bidding

With respect to any property acquired by the Secretary of the Interior within a unit of the national park system or miscellaneous area, except property within national parks, or within national monuments of scientific significance, the Secretary may convey a freehold or leasehold interest therein, subject to such terms and conditions as will assure the use of the property in a manner which is, in the judgment of the Secretary, consistent with the purpose for which the area was authorized by the Congress. In any case in which the Secretary exercises his discretion to convey such interest, he shall do so to the highest bidder, in accordance with such regulations as the Secretary may prescribe, but such conveyance shall be at not less than the fair market value of the interest, as determined by the Secretary; except that if any such conveyance is proposed within two years after the property to be conveyed is acquired by the Secretary, he shall allow the last owner or owners of record of such property thirty days following the date on which they are notified by the Secretary in writing that such property is to be conveyed within which to notify the Secretary that such owners wish to acquire such interest. Upon receiving such timely request, the Secretary shall convey such interest to such person or persons, in accordance with such regulations as the Secretary may prescribe, upon payment or agreement to pay an amount equal to the highest bid price.

##### (b) Exchange of lands; other disposal; equal land values

The Secretary of the Interior is authorized to accept title to any non-Federal property or interest therein within a unit of the National Park System or miscellaneous area under his administration, and in exchange therefor he may convey to the grantor of such property or interest any Federally-owned property or interest therein under his jurisdiction which he de-