

## LIMITATION ON NEW SPENDING AUTHORITY

Pub. L. 99-542, §2, Oct. 27, 1986, 100 Stat. 3038, provided that: "Any new spending authority (within the meaning of section 401 of the Congressional Budget and Impoundment Control Act of 1974 [2 U.S.C. 651]) which is provided under this Act [enacting sections 47-3 to 47-6 of this title and amending section 47-2 of this title] shall be effective for any fiscal year only to the extent or in such amounts as provided in appropriation Acts or to the extent that proceeds are available from any leases issued by the Secretary pursuant to the first section of this Act [probably means section 1 of Pub. L. 90-409, 16 U.S.C. 47-2]."

**§ 47-3. Use of proceeds; administration of leases**

(a) Notwithstanding any other provision of law, the proceeds from any leases issued by the Secretary pursuant to section 47-2 of this title may be credited to the appropriation bearing the cost of administering (directly or by contract) the leases and of constructing, improving, and maintaining roads, utilities, buildings, and other facilities within the El Portal administrative site. In the administration of the leases, the Secretary may contract for the management of the leases and of the leased premises, subject to such terms and conditions, including the right of the Secretary to purchase and sell the unexpired terms of leases and subleases, as will protect the interests of the United States. The Secretary may also contract for the use by him of any improvements to leased property for purposes of the El Portal administrative site or for purposes of Yosemite National Park, and he may use the proceeds from any leases for the purpose of making payments under any such contract.

(b) The Secretary may at any time acquire the unexpired term of any lease or sublease issued or entered into pursuant to sections 47-2 to 47-6 of this title by purchase with funds available from the proceeds of leases, or with donated or appropriated funds, or by donation or exchange.

(Pub. L. 90-409, §2, as added Pub. L. 99-542, §1(4), Oct. 27, 1986, 100 Stat. 3037.)

## PRIOR PROVISIONS

A prior section 2 of Pub. L. 90-409, which was classified to section 47-2(b) of this title, was renumbered section 3 of Pub. L. 90-409 and is classified to section 47-4 of this title.

**§ 47-4. Agreements to effectuate leases**

The Secretary of the Interior may enter into agreements with other Federal agencies and with any concessioner or its successor in order to effectuate the purposes of sections 47-2 to 47-6 of this title.

(Pub. L. 90-409, §3, formerly §2, July 21, 1968, 82 Stat. 393; renumbered §3, Pub. L. 99-542, §1(4), Oct. 27, 1986, 100 Stat. 3037.)

## CODIFICATION

Section was classified to section 47-2(b) of this title prior to renumbering by Pub. L. 99-542.

**§ 47-5. Regulations**

After October 27, 1986, no lease may be issued for the purpose of providing housing or other facilities in the El Portal administrative site except in accordance with regulations promul-

gated by the Secretary of the Interior. Such regulations shall establish the qualifications of natural persons and corporations who may be eligible to acquire a lease and a sublease, the process to be used in establishing fees for such leases and subleases, and they shall set forth the circumstances under which the Secretary may elect to acquire any unexpired lease or sublease. Such regulations shall become effective only after sixty calendar days from the day on which they have been submitted to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(Pub. L. 90-409, §4, as added Pub. L. 99-542, §1(5), Oct. 27, 1986, 100 Stat. 3038; amended Pub. L. 103-437, §6(d)(6), Nov. 2, 1994, 108 Stat. 4583.)

## AMENDMENTS

1994—Pub. L. 103-437 substituted "Natural Resources" for "Interior and Insular Affairs" after "Committee on".

**§ 47-6. Conflicts of interest prohibited**

In carrying out the provisions of sections 47-2 to 47-6 of this title, the Secretary shall take care that there be no opportunity for any personal influence by an employee of the Department of the Interior upon the availability of housing for other such employees or employees of persons in a contractual relationship with the Department. In the selection of lessees and sublessees, the issuance of leases and subleases, the establishment or<sup>1</sup> rental values, and the acquisition of any unexpired term of any lease or sublease, the Secretary shall act through an agent or agents appointed by the Secretary from among associations, corporations, or natural persons having no material, financial, legal, or equitable interest in the action proposed, other than a reasonable fee for their services.

(Pub. L. 90-409, §5, as added Pub. L. 99-542, §1(5), Oct. 27, 1986, 100 Stat. 3038.)

**§ 47a. Addition of certain lands to park authorized**

For the purpose of preserving and consolidating timber stands along the western boundary of the Yosemite National Park the President of the United States is authorized, upon the joint recommendation of the Secretaries of Interior and Agriculture, to add to the Yosemite National Park, in the State of California, by Executive proclamation, section 1 and the north half of section 12, township 1 south, range 19 east, Mount Diablo meridian.

(May 9, 1930, ch. 234, §1, 46 Stat. 265.)

**§ 47b. Inapplicability of certain laws to lands acquired under section 47a**

The provisions of the Federal Power Act [16 U.S.C. 791a et seq.] shall not apply to any lands added to the Yosemite National Park under the authority of section 47a of this title.

(May 9, 1930, ch. 234, §2, 46 Stat. 265.)

## REFERENCES IN TEXT

The Federal Power Act, referred to in text, was in the original the "Act of June 10, 1920, known as the Federal

<sup>1</sup> So in original. Probably should be "of".