

§ 100901. Authority of Secretary to carry out certain activities

(a) IN GENERAL.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary may consider advisable, may carry out the activities described in this section.

(b) SERVICES, RESOURCES, OR WATER CONTRACTS.—The Secretary may enter into contracts that provide for the sale or lease to persons, States, or political subdivisions of States, of services, resources, or water available within a System unit, as long as the activity does not jeopardize or unduly interfere with the primary natural or historic resource of the System unit, if the person, State, or political subdivision—

(1) provides public accommodations or services within the immediate vicinity of the System unit to individuals visiting the System unit; and

(2) demonstrates to the Secretary that there are no reasonable alternatives by which to acquire or perform the necessary services, resources, or water.

(c) VEHICULAR AIR CONDITIONING.—The Secretary may acquire, and have installed, air conditioning units for any Government-owned passenger motor vehicles used by the Service, where assigned duties necessitate long periods in automobiles or in regions of the United States where high temperatures and humidity are common and prolonged.

(d) UTILITY FACILITIES.—The Secretary may erect and maintain fire protection facilities, water lines, telephone lines, electric lines, and other utility facilities adjacent to any System unit, where necessary, to provide service in the System unit.

(e) SUPPLIES AND RENTAL OF EQUIPMENT.—The Secretary may furnish, on a reimbursement of appropriation basis, supplies, and rent equipment, to persons and agencies that, in cooperation with and subject to the approval of the Secretary, render services or perform functions that facilitate or supplement the activities of the Department of the Interior in the administration of the System. The reimbursements may be credited to the appropriation current at the time reimbursements are received.

(f) CONTRACTS FOR UTILITY FACILITIES.—The Secretary may contract, under terms and conditions that the Secretary considers to be in the interest of the Federal Government, for the sale, operation, maintenance, repair, or relocation of Government-owned electric and telephone lines and other utility facilities used for the administration and protection of the System, regardless of whether the lines and facilities are located within or outside the System.

(g) RIGHTS OF WAY NECESSARY TO CONSTRUCT, IMPROVE, AND MAINTAIN ROADS.—The Secretary may acquire—

(1) rights of way necessary to construct, improve, and maintain roads within the authorized boundaries of any System unit; and

(2) land and interests in land adjacent to the rights of way, when—

(A) considered necessary by the Secretary—

(i) to provide adequate protection of natural features; or

(ii) to avoid traffic and other hazards resulting from private road access connections; or

(B) the acquisition of adjacent residual tracts, which otherwise would remain after acquiring the rights of way, would be in the public interest.

(h) OPERATION AND MAINTENANCE OF MOTOR AND OTHER EQUIPMENT.—

(1) IN GENERAL.—The Secretary may operate, repair, maintain, and replace motor and other equipment on a reimbursable basis when the equipment is used on Federal projects of the System, chargeable to other appropriations, or on work of other Federal agencies, when requested by the agencies.

(2) REIMBURSEMENT.—Reimbursement shall be—

(A) made from appropriations applicable to the work on which the equipment is used at rental rates established by the Secretary, based on actual or estimated cost of operation, repair, maintenance, depreciation, and equipment management control; and

(B) credited to appropriations currently available at the time adjustment is effected.

(3) RENTAL OF EQUIPMENT FOR FIRE CONTROL PURPOSES.—The Secretary may rent equipment for fire control purposes to State, county, private, or other non-Federal agencies that cooperate with the Secretary in the administration of the System and other areas in fire control. The rental shall be under the terms of written cooperative agreements. The amount collected for the rentals shall be credited to appropriations currently available at the time payment is received.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3112.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
100901(a)	16 U.S.C. 1a–2 (matter before (a)). 16 U.S.C. 1b (matter before (1)).	Pub. L. 91–383, § 3 (matter before (a)), Aug. 18, 1970, 84 Stat. 826. Aug. 8, 1953, ch. 384, § 1 (matter before (1)), (2), (5) through (8), 67 Stat. 495, 496; Pub. L. 91–383, § 2(a), Aug. 18, 1970, 84 Stat. 826.
100901(b)	16 U.S.C. 1a–2(e).	Pub. L. 91–383, § 3(e), Aug. 18, 1970, 84 Stat. 827; Pub. L. 94–458, § 1(1), Oct. 7, 1976, 90 Stat. 1939; Pub. L. 106–176, title I, § 118(2), (3), Mar. 10, 2000, 114 Stat. 28.
100901(c)	16 U.S.C. 1a–2(f).	Pub. L. 91–383, § 3(f), Aug. 18, 1970, 84 Stat. 827; Pub. L. 106–176, title I, § 118(2), (3), Mar. 10, 2000, 114 Stat. 28.
100901(d)	16 U.S.C. 1b(2).	
100901(e) through (h).	16 U.S.C. 1b(5) through (8).	

In subsection (a), the words “and he may use applicable appropriations for the aforesaid system for the following purposes” in 16 U.S.C. 1b (matter before (1)) are omitted as unnecessary.

§ 100902. Rights of way for public utilities and power and communication facilities

(a) PUBLIC UTILITIES.—

(1) IN GENERAL.—Under regulations the Secretary prescribes, the Secretary may grant a right of way through a System unit to a citi-