

§ 1457a. Authorization of appropriations for particular programs

(a) Maximum amounts for specified years

Notwithstanding any other provision of law, there shall not be appropriated to the Secretary of the Interior for Department of the Interior programs as defined in subsection (e) in excess of \$4,095,404,000 for the fiscal year ending on September 30, 1981; in excess of \$3,970,267,000 for the fiscal year ending on September 30, 1982; \$4,680,223,000 for the fiscal year ending on September 30, 1983; and \$4,797,281,000 for the fiscal year ending on September 30, 1984.

(b) Ceilings on certain appropriations

It is the sense of the Congress that the appropriation targets for such fiscal years should be: not less than \$275,000,000 to be appropriated annually pursuant to the provisions of chapter 2003 of title 54; not less than \$30,000,000 to be appropriated annually pursuant to the provisions of division A of subtitle III of title 54; not less than \$10,000,000 to be appropriated annually pursuant to the provisions of chapter 2005 of title 54; not less than \$105,000,000 to be appropriated annually to be used for the restoration and rehabilitation of units of the National Park System, as authorized by law; not less than \$239,000,000 to be appropriated annually for the Office of Territorial and International Affairs (including amounts for the Trust Territory of the Pacific Islands); not less than \$6,200,000 to be appropriated annually to carry out the provisions of title III of the Surface Mining Control and Reclamation Act of 1977 (91 Stat. 445);¹ and not less than \$100,000,000 to be appropriated annually pursuant to chapter 69 of title 31 including not less than \$5,000,000 annually to carry out the purposes of section 6904 of title 31.

(c) Additional limitations

Notwithstanding the limitation otherwise imposed by subsection (a) of this section—

(1) the authorization for obligation and appropriations for the Department of the Interior may exceed the amount specified in subsection (a) by such amount as permanent and annual indefinite appropriations exceed the estimates for such appropriations as contained in “The Budget of the United States Government, Fiscal Year 1982,” as revised by the March 1981, publication of the Office of Management and Budget entitled “Fiscal Year 1982 Budget Revisions”, when receipts available to be appropriated equal or exceed such appropriations, and

(2) the authorization for obligation and appropriations for the Department of the Interior may exceed the amount specified in subsection (a) by such amounts as may be required for emergency firefighting and for increased pay costs authorized by law.

(d) Omitted

(e) Applicable programs

For the purposes of this section, the term “Department of the Interior programs” means—

(1) Alaska Native Fund amounts included in Bureau of Indian Affairs programs funded from

Miscellaneous Trust Funds and Miscellaneous Permanent Appropriations accounts;

(2) Bureau of Land Management programs;

(3) United States Bureau of Mines programs;

(4) National Park Service programs other than the John F. Kennedy Center for the Performing Arts (including those programs formerly administered by the Heritage Conservation and Recreation Service as of October 1, 1980);

(5) Offices of the Solicitor and the Secretary;

(6) Office of Surface Mining Reclamation and Enforcement programs;

(7) Office of Territorial Affairs programs;

(8) United States Geological Survey programs; and

(9) Bureau of Reclamation (including those programs formerly administered by the Water and Power Resources Service).

(Pub. L. 97-35, title XIV, § 1401, Aug. 13, 1981, 95 Stat. 748, 749; Pub. L. 102-285, § 10(b), May 18, 1992, 106 Stat. 172; Pub. L. 113-287, § 5(l)(3), Dec. 19, 2014, 128 Stat. 3271.)

REFERENCES IN TEXT

The Surface Mining Control and Reclamation Act of 1977 (91 Stat. 445), referred to in subsec. (b), is Pub. L. 95-87, Aug. 3, 1977, 91 Stat. 445, as amended. Title III of the Surface Mining Control and Reclamation Act of 1977 was formerly classified generally to subchapter III (§ 1221 et seq.) of chapter 25 of Title 30, Mineral Lands and Mining, prior to the replacement of subchapter III by Pub. L. 98-409. For complete classification of this Act to the Code, see Short Title note set out under section 1201 of Title 30 and Tables.

CODIFICATION

In subsec. (b), “chapter 69 of title 31” and “section 6904 of title 31” substituted for “the Act of October 20, 1976 (90 Stat. 2662; 31 U.S.C. 1601, et. seq.)” and “section 3 of said Act [31 U.S.C. 1603]”, respectively, on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Subsec. (d) of this section is set out as a note under section 1734 of this title.

AMENDMENTS

2014—Subsec. (b). Pub. L. 113-287, § 5(l)(3)(B), (C), substituted “division A of subtitle III of title 54” for “the National Historic Preservation Act of 1966 (80 Stat. 915; 16 U.S.C. 470)” and “chapter 2005 of title 54” for “the Urban Park and Recreation Recovery Act of 1978 (92 Stat. 3538; 16 U.S.C. 2501, et seq.)”.

Pub. L. 113-287, § 5(l)(3)(A), which directed substitution of “chapter 2003 of title 54” for “the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 460z)” was executed by making the substitution for “the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 460z)” to reflect the probable intent of Congress.

CHANGE OF NAME

“United States Bureau of Mines” substituted for “Bureau of Mines” in subsec. (e)(3) pursuant to section 10(b) of Pub. L. 102-285, set out as a note under section 1 of Title 30, Mineral Lands and Mining. For provisions relating to closure and transfer of functions of the United States Bureau of Mines, see note set out under section 1 of Title 30.

¹ See References in Text note below.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

CIRCULAR OF OFFICE OF MANAGEMENT AND BUDGET AND SIMILAR ORDERS OR DIRECTIVES INAPPLICABLE TO CERTAIN PUBLIC LAND ACTIVITIES WITHOUT AFFECTING OTHER AUTHORIZATIONS; CONGRESSIONAL FINDINGS

Pub. L. 98-540, § 3, Oct. 24, 1984, 98 Stat. 2718, provided that:

“(a) The Congress finds that—

“(1) the public lands administered by the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service contain valuable wildlife, scenery, natural and historic features, and other resources;

“(2) the Congress has specified the duties and responsibilities of the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service to balance the conservation and protection of these public lands and resources with permitted uses in ways Congress has found to be appropriate for each of the various land areas;

“(3) the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service are currently under congressional mandates to maintain sufficient visitor and recreational services in our national parks, campgrounds, and wildlife refuges;

“(4) the Congress has authorized the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service to contract for the provision of certain facilities, accommodations, and services by non-Federal entities, but with certain limitations that reflect the values and appropriate management policies of the various conservation areas, parks, wildlife refuges, and other public lands;

“(5) expansion of the contracting authority of the managers of these conservation areas, parks, wildlife refuges, and lands should be considered only after careful study of the existing management mandates and contracting authorities; and

“(6) management and regulation of natural resources on Federal lands are inherently Government functions and should be performed by Federal employees.

“(b)(1)(A) The provisions of Office of Management and Budget Circular A-76 and any similar provisions in any other order or directive shall not apply to activities conducted by the National Park Service, United States Fish and Wildlife Service, and the Bureau of Land Management which involve ten full time equivalents (FTE) or less.

“(B) For fiscal years 1985 through and including 1988, no contracts, for activities conducted by the National Park Service, United States Fish and Wildlife Service, or the Bureau of Land Management which have been subject to the provisions of Office of Management and Budget Circular A-76 or any similar provision in any other order or directive, shall be entered into by the United States until funds have been specifically provided therefore by an Act of Congress.

“(2) Nothing in this section shall prevent the National Park Service, United States Fish and Wildlife Service, and the Bureau of Land Management from entering into contracts for services and materials under provisions of law and rules, regulations, orders, and policies other than the circular referred to in paragraph (1) or any similar order or directive.”

§ 1457b. Use of cooperative agreements

For fiscal year 2010, and each fiscal year thereafter, the Secretary of the Interior may enter into cooperative agreements with a State or po-

litical subdivision (including any agency thereof), or any not-for-profit organization if the agreement will: (1) serve a mutual interest of the parties to the agreement in carrying out the programs administered by the Department of the Interior; and (2) all parties will contribute resources to the accomplishment of these objectives. At the discretion of the Secretary, such agreements shall not be subject to a competitive process.

(Pub. L. 111-88, div. A, title I, § 112, Oct. 30, 2009, 123 Stat. 2928.)

CODIFICATION

Section is from the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010.

§ 1457c. Power of Secretary or designated officer

The Secretary of the Interior, or such officer as he may designate, is authorized to enforce and carry into execution, by appropriate regulations, every part of the provisions of title 32 of the Revised Statutes not otherwise specially provided for.

(R.S. § 2478; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

REFERENCES IN TEXT

Title 32 of the Revised Statutes, referred to in text, was in the original “this Title”, meaning title 32 of the Revised Statutes, consisting of R.S. §§ 2207 to 2490. For complete classification of R.S. §§ 2207 to 2490 to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 1201 of this title prior to editorial reclassification and renumbering as this section.

R.S. § 2478 derived from acts Sept. 28, 1850, ch. 84, § 1, 4, 9 Stat. 520; Mar. 12, 1860, ch. 5, § 1, 12 Stat. 3; Feb. 19, 1874, ch. 30, 18 Stat. 16.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

“Secretary of the Interior or such officer as he may designate” substituted for “Commissioner of the General Land Office, under the directions of the Secretary of the Interior” on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

§ 1458. Secretary to exercise certain powers over Territories

The Secretary of the Interior shall exercise all the powers and perform all the duties in relation to the Territories of the United States that were, prior to March 1, 1873, by law or by custom exercised and performed by the Secretary of State.

(R.S. § 442.)

CODIFICATION

R.S. § 442 derived from act Mar. 1, 1873, ch. 217, 17 Stat. 484.

Section was formerly classified to section 486 of Title 5 prior to the general revision and enactment of Title