

Section 3 of the Act of August 25, 1916 (39 Stat. 535), as amended (45 Stat. 235, 16 U.S.C., 1952 edition, sec. 3), referred to in subsec. (e), is section 3 of act Aug. 25, 1916, ch. 408, 39 Stat. 535, which enacted section 3 of this title. Section 3 of the Act was repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and sections 100751(a), 100752, 100753, and 102101 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272.

#### CODIFICATION

Subsecs. (a) to (f) are based on sections 1 to 6, respectively, of Pub. L. 85-922.

#### Statutory Notes and Related Subsidiaries

##### LAND EXCHANGE, EL PORTAL ADMINISTRATIVE SITE, CALIFORNIA

Pub. L. 105-363, § 4, Nov. 6, 1998, 112 Stat. 3298, authorized transfer from the United States of land within the El Portal Administrative Site to party conveying to United States an adjacent property known as the Yosemite View parcel, and provided for equalization of values of Federal and non-Federal lands, applicability of other laws to the exchange, boundary adjustment, map, and additional terms and conditions.

#### § 47-2. Leases for employee housing, community facilities, administrative offices, maintenance facilities, and commercial services at or on administrative site

In furtherance of the purposes of section 47-1 of this title, the Secretary of the Interior is authorized, notwithstanding any other provision of law, to lease lands within the El Portal administrative site for periods of not to exceed ninety-nine years to any individual, including an employee of the United States Government, to any operator of concession facilities in the park, or the administrative site, or its successor, or to any public or private corporation or organization (including a nonprofit corporation) for purposes of providing employee housing, community facilities, administrative offices, maintenance facilities, and commercial services. Such leases shall provide that if the lessee is a concessioner, corporation, or other organization (including a nonprofit corporation) such lessee may sublease the property to its employees, employees of the United States Government, or other individuals whose residence on the leased premises is solely in support of Yosemite National Park or the El Portal administrative site for terms not to exceed the remaining terms of such leases, and they shall be subject to such terms and conditions as the Secretary of the Interior may require to assure appropriate administration, protection, and development of the land for purposes incident to the provisions of facilities and services required in the operation and administration of the park: *Provided*, That the Secretary of the Interior shall grant such leases in consideration of payment to the United States of the fair rental value of the leased lands, as determined by him.

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

#### Editorial Notes

##### CODIFICATION

Section formerly consisted of subsecs. (a) and (b) which were based on sections 1 and 2, respectively, of

Pub. L. 90-409. Section 2 was renumbered section 3 of Pub. L. 90-409 and is classified to section 47-4 of this title. A new section 2 of Pub. L. 90-409 was added and is classified to section 47-3 of this title.

##### AMENDMENTS

1986—Pub. L. 99-542 substituted “not to exceed ninety-nine years to any individual, including an employee of the United States Government, to any operator of concession facilities in the park, or the administrative site, or its successor, or to any public or private corporation or organization (including a nonprofit corporation) for purposes of providing employee housing, community facilities, administrative offices, maintenance facilities, and commercial services” for “fifty-five years to any operator of concession facilities in the park, or its successor, for purposes of providing employee housing”, substituted “if the lessee is a concessioner, corporation, or other organization (including a nonprofit corporation) such lessee may sublease the property to its employees, employees of the United States Government, or other individuals whose residence on the leased premises is solely in support of Yosemite National Park or the El Portal administrative site” for “the concessioner may sublease the property to its employees”, struck out “an annual” before “payment” in proviso, and substituted a period for “at the beginning of each calendar year” after “him”.

#### Statutory Notes and Related Subsidiaries

##### 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.)