

provisions relating to Ozark National Scenic Riverways Commission.

§ 460m-7. Authorization of appropriations

There are hereby authorized to be appropriated such sums (but not more than \$10,804,000 for the acquisition of lands or interests in lands) as are necessary to carry out the purposes of this subchapter.

(Pub. L. 88-492, §8, Aug. 27, 1964, 78 Stat. 610; Pub. L. 92-272, title I, §101(7), Apr. 11, 1972, 86 Stat. 120.)

Editorial Notes

AMENDMENTS

1972—Pub. L. 92-272 increased maximum amount authorized to be appropriated for acquisition of lands or interests in lands from not more than \$7,000,000 to not more than \$10,804,000.

SUBCHAPTER LXXI—BUFFALO NATIONAL RIVER

§ 460m-8. Establishment

For the purposes of conserving and interpreting an area containing unique scenic and scientific features, and preserving as a free-flowing stream an important segment of the Buffalo River in Arkansas for the benefit and enjoyment of present and future generations, the Secretary of the Interior (hereinafter referred to as the “Secretary”) may establish and administer the Buffalo National River. The boundaries of the national river shall be as generally depicted on the drawing entitled “Proposed Buffalo National River” numbered NR-BUF-7103 and dated December 1967, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary is authorized to make minor revisions of the boundaries of the national river when necessary, after advising the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate in writing, but the total acreage within such boundaries shall not exceed ninety-five thousand seven hundred and thirty acres.

(Pub. L. 92-237, §1, Mar. 1, 1972, 86 Stat. 44; Pub. L. 103-437, §6(n)(1), Nov. 2, 1994, 108 Stat. 4586.)

Editorial Notes

AMENDMENTS

1994—Pub. L. 103-437 substituted “Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate” for “Committees on Interior and Insular Affairs of the United States House of Representatives and the United States Senate”.

§ 460m-9. Acquisition of lands and waters

(a) Donation, purchase, and exchange; reimbursement of State of Arkansas

Within the boundaries of the Buffalo National River, the Secretary may acquire lands and waters or interests therein by donation, purchase or exchange, except that lands owned by the State of Arkansas or a political subdivision

thereof may be acquired only by donation: *Provided*, That the Secretary may, with funds appropriated for development of the area, reimburse such State for its share of the cost of facilities developed on State park lands if such facilities were developed in a manner approved by the Secretary and if the development of such facilities commenced subsequent to March 1, 1972: *Provided further*, That such reimbursement shall not exceed a total of \$375,000. When an individual tract of land is only partly within the boundaries of the national river, the Secretary may acquire all of the tract by any of the above methods in order to avoid the payment of severance costs. Land so acquired outside of the boundaries of the national river may be exchanged by the Secretary for non-Federal lands within the national river boundaries, and any portion of the land not utilized for such exchanges may be disposed of in accordance with the provisions of chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41. With the concurrence of the agency having custody thereof, any Federal property within the boundaries of the national river may be transferred without consideration to the administrative jurisdiction of the Secretary for administration as part of the national river.

(b) Retention of rights

Except for property which the Secretary determines to be necessary for the purposes of administration, development, access or public use, an owner or owners (hereafter referred to as “owner”) of any improved property which is used solely for noncommercial residential purposes on the date of its acquisition by the Secretary or any owner of lands used solely for agricultural purposes (including, but not limited to, grazing) may retain, as a condition of the acquisition of such property or lands, a right of use and occupancy of such property for such residential or agricultural purposes. The term of the right retained shall expire upon the death of the owner or the death of his spouse, whichever occurs later, or in lieu thereof, after a definite term which shall not exceed twenty-five years after the date of acquisition. The owner shall elect, at the time of conveyance, the term of the right reserved. The Secretary shall pay the owner the fair market value of the property on the date of such acquisition, less the fair market value of the term retained by the owner. Such right may, during its existence, be conveyed or transferred, but all rights of use and occupancy shall be subject to such terms and conditions as the Secretary deems appropriate to assure the use of such property in accordance with the purposes of this subchapter. Upon a determination that the property, or any portion thereof, has ceased to be used in accordance with such terms and conditions, the Secretary may terminate the right of use and occupancy by tendering to the holder of such right an amount equal to the fair market value, as of the date of the tender, of that portion of the right which remains unexpired on the date of termination.

(c) “Improved property” defined

As used in this section the term “improved property” means a detached year-round one-