

(ii) the date on which the land was established or designated for special management; or

(B) the date on which the inholding was acquired by the current owner.

**(d) No obligation to convey or acquire**

The identification of an inholding under this section creates no obligation on the part of a landowner to convey the inholding or any obligation on the part of the United States to acquire the inholding.

(Pub. L. 106–248, title II, §204, July 25, 2000, 114 Stat. 615.)

**§ 2304. Disposal of public land**

**(a) In general**

The Secretary shall establish a program, using funds made available under section 2305 of this title, to complete appraisals and satisfy other legal requirements for the sale or exchange of public land identified for disposal under approved land use plans (as in effect on July 25, 2000) under section 1712 of this title.

**(b) Sale of public land**

**(1) In general**

The sale of public land so identified shall be conducted in accordance with sections 1713 and 1719 of this title.

**(2) Exceptions to competitive bidding requirements**

The exceptions to competitive bidding requirements under section 1713(f) of this title shall apply to this section in cases in which the Secretary determines it to be necessary.

**(c) Report in Public Land Statistics**

The Secretary shall provide in the annual publication of Public Land Statistics, a report of activities under this section.

**(d) Termination of authority**

The authority provided under this section shall terminate 11 years after July 25, 2000.

(Pub. L. 106–248, title II, §205, July 25, 2000, 114 Stat. 615; Pub. L. 111–212, title III, §3007(a), July 29, 2010, 124 Stat. 2339.)

AMENDMENTS

2010—Subsec. (d). Pub. L. 111–212 substituted “11 years” for “10 years”.

**§ 2305. Federal Land Disposal Account**

**(a) Deposit of proceeds**

Notwithstanding any other law (except a law that specifically provides for a proportion of the proceeds to be distributed to any trust funds of any States), the gross proceeds of the sale or exchange of public land under this chapter<sup>1</sup> shall be deposited in a separate account in the Treasury of the United States to be known as the “Federal Land Disposal Account”.

**(b) Availability**

Amounts in the Federal Land Disposal Account shall be available to the Secretary and

the Secretary of Agriculture, without further Act of appropriation, to carry out this chapter.

**(c) Use of the Federal Land Disposal Account**

**(1) In general**

Funds in the Federal Land Disposal Account shall be expended in accordance with this subsection.

**(2) Fund allocation**

**(A) Purchase of land**

Except as authorized under subparagraph (C), funds shall be used to purchase lands or interests therein that are otherwise authorized by law to be acquired, and that are—

- (i) inholdings; and
- (ii) adjacent to federally designated areas and contain exceptional resources.

**(B) Inholdings**

Not less than 80 percent of the funds allocated for the purchase of land within each State shall be used to acquire inholdings identified under section 2303 of this title.

**(C) Administrative and other expenses**

An amount not to exceed 20 percent of the funds deposited in the Federal Land Disposal Account may be used by the Secretary for administrative and other expenses necessary to carry out the land disposal program under section 2304 of this title.

**(D) Same State purchases**

Of the amounts not used under subparagraph (C), not less than 80 percent shall be expended within the State in which the funds were generated. Any remaining funds may be expended in any other State.

**(3) Priority**

The Secretary and the Secretary of Agriculture shall develop a procedure for prioritizing the acquisition of inholdings and non-Federal lands with exceptional resources as provided in paragraph (2). Such procedure shall consider—

- (A) the date the inholding was established (as provided in section 2303(c) of this title);
- (B) the extent to which acquisition of the land or interest therein will facilitate management efficiency; and
- (C) such other criteria as the Secretary and the Secretary of Agriculture deem appropriate.

**(4) Basis of sale**

Any land acquired under this section shall be—

- (A) from a willing seller;
- (B) contingent on the conveyance of title acceptable to the Secretary, or the Secretary of Agriculture in the case of an acquisition of National Forest System land, using title standards of the Attorney General;
- (C) at a price not to exceed fair market value consistent with applicable provisions of the Uniform Appraisal Standards for Federal Land Acquisitions; and
- (D) managed as part of the unit within which it is contained.

**(d) Contaminated sites and sites difficult and uneconomic to manage**

Funds in the Federal Land Disposal Account shall not be used to purchase land or an interest

<sup>1</sup> See References in Text note below.