

(Pub. L. 105-277, div. A, §101(e) [title V, §531], Oct. 21, 1998, 112 Stat. 2681-231, 2681-317.)

PART C—TRANSFER PROVISIONS

**§ 460III-41. Effective date of transfer**

Effective on October 1 of the first fiscal year for which Congress does not appropriate to the Tennessee Valley Authority at least \$6,000,000 for the Recreation Area, or, if this subchapter is enacted during a fiscal year for which Congress has not made such an appropriation, effective as of October 21, 1998, administrative jurisdiction over the Recreation Area is transferred from the Tennessee Valley Authority to the Secretary.

(Pub. L. 105-277, div. A, §101(e) [title V, §541], Oct. 21, 1998, 112 Stat. 2681-231, 2681-318.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this Act” and was translated as meaning section 101(e) of div. A of Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681-231, known as the Department of the Interior and Related Agencies Appropriations Act, 1999. For complete classification of this Act to the Code, see Tables.

**§ 460III-42. Statement of policy**

It is the policy of the United States that, to the maximum extent practicable—

(1) the transfer of jurisdiction over the Recreation Area from the Tennessee Valley Authority to the Secretary should be effected in an efficient and cost-effective manner; and

(2) due consideration should be given to minimizing—

(A) disruption of the personal lives of the Tennessee Valley Authority and Forest Service employees; and

(B) adverse impacts on permittees, contractees, and others owning or operating businesses affected by the transfer.

(Pub. L. 105-277, div. A, §101(e) [title V, §542], Oct. 21, 1998, 112 Stat. 2681-231, 2681-318.)

**§ 460III-43. Memorandum of agreement**

**(a) In general**

Not later than 30 days after the date of transfer pursuant to section 460III-41 of this title, the Secretary and the Tennessee Valley Authority shall enter into a memorandum of agreement concerning implementation of this subchapter.

**(b) Provisions**

The memorandum of understanding shall provide procedures for—

(1) the orderly withdrawal of officers and employees of the Tennessee Valley Authority;

(2) the transfer of property, fixtures, and facilities;

(3) the interagency transfer of officers and employees;

(4) the transfer of records; and

(5) other transfer issues.

**(c) Transition team**

**(1) In general**

The memorandum of understanding may provide for a transition team consisting of the Tennessee Valley Authority and Forest Service employees.

**(2) Duration**

The team may continue in existence after the date of transfer.

**(3) Personnel costs**

The Tennessee Valley Authority and the Forest Service shall pay personnel costs of their respective team members.

(Pub. L. 105-277, div. A, §101(e) [title V, §543], Oct. 21, 1998, 112 Stat. 2681-231, 2681-318.)

**§ 460III-44. Records**

**(a) Recreation Area records**

The Secretary shall have access to all records of the Tennessee Valley Authority pertaining to the management of the Recreation Area.

**(b) Personnel records**

The Tennessee Valley Authority personnel records shall be made available to the Secretary, on request, to the extent the records are relevant to Forest Service administration.

**(c) Confidentiality**

The Tennessee Valley Authority may prescribe terms and conditions on the availability of records to protect the confidentiality of private or proprietary information.

**(d) Land title records**

The Tennessee Valley Authority shall provide to the Secretary original records pertaining to land titles, surveys, and other records pertaining to transferred personal property and facilities.

(Pub. L. 105-277, div. A, §101(e) [title V, §544], Oct. 21, 1998, 112 Stat. 2681-231, 2681-318.)

**§ 460III-45. Transfer of personal property**

**(a) Subject property**

**(1) Inventory**

Not later than 60 days after the date of transfer pursuant to section 460III-41 of this title, the Tennessee Valley Authority shall provide the Secretary with an inventory of all property and facilities at the Recreation Area.

**(2) Availability for transfer**

**(A) In general**

All Tennessee Valley Authority property associated with the administration of the Recreation Area, including any property purchased with Federal funds appropriated for the management of the Tennessee Valley Authority land, shall be available for transfer to the Secretary.

**(B) Property included**

Property under subparagraph (A) includes buildings, office furniture and supplies, computers, office equipment, buildings, vehicles, tools, equipment, maintenance supplies, boats, engines, and publications.

**(3) Exclusion of property**

At the request of the authorized representative of the Tennessee Valley Authority, the Secretary may exclude movable property from transfer based on a showing by the Tennessee Valley Authority that the property is vital to