

such lands or interests therein, such lands or interests shall be released to the agency that originally had jurisdiction over such lands or interests for disposal in accordance with the laws otherwise applicable to such lands or interests.

**(d) No effect on military base closures**

The provisions of this section shall not apply to the disposal of property under title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 102 Stat. 2627; 10 U.S.C. 2687 note) or the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510; 104 Stat. 1808; 10 U.S.C. 2687 note).

(Pub. L. 103-433, title VII, §707, Oct. 31, 1994, 108 Stat. 4499; Pub. L. 116-9, title I, §1456, Mar. 12, 2019, 133 Stat. 716.)

REFERENCES IN TEXT

This Act, referred to in subsecs. (a)(1) and (b)(1), is defined in section 3 of Pub. L. 103-433, which is set out as a Definitions note under section 410aaa of this title.

The Federal Land Policy and Management Act of 1976, referred to in subsec. (b)(2)(C), is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, as amended, which is classified principally to chapter 35 (§1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43 and Tables.

The Defense Authorization Amendments and Base Closure and Realignment Act, referred to in subsec. (d), is Pub. L. 100-526, Oct. 24, 1988, 102 Stat. 2623, as amended. Title II of the Act is set out as a note under section 2687 of Title 10, Armed Forces. For complete classification of this Act to the Code, see Short Title of 1988 Amendment note set out under section 2687 of Title 10 and Tables.

The Defense Base Closure and Realignment Act of 1990, referred to in subsec. (d), is part A of title XXIX of div. B of Pub. L. 101-510, Nov. 5, 1990, 104 Stat. 1808, as amended, which amended section 2687 of Title 10 and enacted provisions set out as a note under section 2687 of Title 10.

AMENDMENTS

2019—Subsec. (a). Pub. L. 116-9, §1456(1), designated first sentence as par. (1) and second sentence as par. (2), inserted par. headings, substituted “The Secretary shall negotiate in good faith to reach an agreement with the California State Lands Commission (referred to in this section as the ‘Commission’)” for “Upon request of the California State Lands Commission (hereinafter in this section referred to as the ‘Commission’), the Secretary shall enter into negotiations for an agreement” in par. (1) and “To the maximum extent practicable, not later than 10 years after October 31, 1994, the Secretary shall” for “The Secretary shall negotiate in good faith to” in par. (2), and inserted “, national monuments, off-highway vehicle recreation areas,” after “more of the wilderness areas” in par. (1).

Subsec. (b)(1). Pub. L. 116-9, §1456(2), inserted “, national monuments, off-highway vehicle recreation areas,” after “wilderness areas”.

**§ 410aaa-78. Access to private property**

The Secretary shall provide adequate access to nonfederally owned land or interests in land within the boundaries of the conservation units and wilderness areas designated by this Act which will provide the owner of such land or interest the reasonable use and enjoyment thereof.

(Pub. L. 103-433, title VII, §708, Oct. 31, 1994, 108 Stat. 4500.)

REFERENCES IN TEXT

This Act, referred to in text, is defined in section 3 of Pub. L. 103-433, which is set out as a Definitions note under section 410aaa of this title.

**§ 410aaa-79. Federal facilities fee equity**

**(a) Policy statement**

It is the intent of Congress that entrance, tourism or recreational use fees for use of Federal lands and facilities not discriminate against any State or any region of the country.

**(b) Fee study**

The Secretary, in cooperation with other affected agencies, shall prepare and submit a report by May 1, 1996 to the Committee on Energy and Natural Resources of the United States Senate, the Committee on Natural Resources of the United States House of Representatives, and any other relevant committees, which shall—

- (1) identify all Federal lands and facilities that provide recreational or tourism use; and
- (2) analyze by State and region any fees charged for entrance, recreational or tourism use, if any, on Federal lands or facilities in a State or region, individually and collectively.

**(c) Recommendations**

Following completion of the report in subsection (b), the Secretary, in cooperation with other affected agencies, shall prepare and submit a report by May 1, 1997 to the Committee on Energy and Natural Resources of the United States Senate, the Committee on Natural Resources of the United States House of Representatives, and any other relevant committees, which shall contain recommendations which the Secretary deems appropriate for implementing the congressional intent outlined in subsection (a).

(Pub. L. 103-433, title VII, §709, Oct. 31, 1994, 108 Stat. 4500.)

**§ 410aaa-80. Land appraisal**

Lands and interests in lands acquired pursuant to this Act shall be appraised without regard to the presence of a species listed as threatened or endangered pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(Pub. L. 103-433, title VII, §710, Oct. 31, 1994, 108 Stat. 4501.)

REFERENCES IN TEXT

This Act, referred to in text, is defined in section 3 of Pub. L. 103-433, which is set out as a Definitions note under section 410aaa of this title.

The Endangered Species Act of 1973, referred to in text, is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, as amended, which is classified principally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

**§ 410aaa-81. Juniper Flats**

Development of renewable energy generation facilities (excluding rights-of-way or facilities for the transmission of energy and telecommunication facilities and infrastructure) is prohibited on the approximately 27,990 acres of Federal land generally depicted as “BLM Land