

(b) Establishment of hunting and fishing zones and periods

The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Ozark National Scenic Riverways area in accordance with applicable Federal and State laws. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted, for reasons of public safety, administration, or public use and enjoyment and shall issue regulations after consultation with the Conservation Commission of the State of Missouri.

(Pub. L. 88-492, § 5, Aug. 27, 1964, 78 Stat. 609.)

§ 460m-5. Administration

The Ozark National Scenic Riverways shall be administered in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535),¹ as amended and supplemented, and in accordance with other laws of general application relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this subchapter.

(Pub. L. 88-492, § 6, Aug. 27, 1964, 78 Stat. 609.)

REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535), referred to in text, is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113-287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

§ 460m-6. Free-roaming horses

(a) In general

The Secretary, in accordance with this section, shall allow free-roaming horses in the Ozark National Scenic Riverways. Within 180 days after November 12, 1996, the Secretary shall enter into an agreement with the Missouri Wild Horse League or another qualified nonprofit entity to provide for management of free-roaming horses. The agreement shall provide for cost-effective management of the horses and limit Federal expenditures to the costs of monitoring the agreement. The Secretary shall issue permits for adequate pastures to accommodate the historic population level of the free-roaming horse herd, which shall be not less than the number of horses in existence on November 12, 1996, nor more than 50.

(b) Removal of horses

The Secretary may not remove, or assist in, or permit the removal of any free-roaming horses from Federal lands within the boundary of the Ozark National Scenic Riverways unless—

(1) the entity with whom the Secretary has entered into the agreement under subsection (a), following notice and a 90-day response period, substantially fails to meet the terms and conditions of the agreement;

(2) the number of free-roaming horses exceeds 50; or

(3) in the case of an emergency or to protect public health and safety, as defined in the agreement.

(c) Construction; liability of United States

Nothing in this section shall be construed as creating liability for the United States for any damages caused by the free-roaming horses to property located inside or outside the boundaries of the Ozark National Scenic Riverways.

(Pub. L. 88-492, § 7, Aug. 27, 1964, 78 Stat. 609; Pub. L. 104-333, div. I, title VIII, § 803(b), Nov. 12, 1996, 110 Stat. 4186.)

CODIFICATION

November 12, 1996, referred to in subsec. (a), was in the original “enactment of this section” and “the date of the enactment of this section”, respectively, which were translated as meaning the date of enactment of Pub. L. 104-333, which amended this section generally, to reflect the probable intent of Congress.

AMENDMENTS

1996—Pub. L. 104-333 amended section generally, substituting provisions relating to free-roaming horses for 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.)

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

¹ See References in Text note below.