

Calendar No. 414

112TH CONGRESS
2D SESSION**S. 2061****[Report No. 112-171]**

To provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 2012

Mr. GRAHAM introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

MAY 24, 2012

Reported by Mr. LIEBERMAN, with amendments

[Omit the part struck through and insert the part printed in *italic*]**A BILL**

To provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Former Charleston
5 Naval Base Land Exchange Act of 2012”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 ~~(1) FEDERAL LAND.—The term “Federal land”~~
 4 ~~means the parcels consisting of approximately~~
 5 ~~10.499 acres of land (including improvements) that~~
 6 ~~are owned by the United States, located on the~~
 7 ~~former U.S. Naval Base Complex in North Charles-~~
 8 ~~ton, South Carolina, and described on the map enti-~~
 9 ~~tled “Charleston County Assessors Map” as Tax~~
 10 ~~Map Number 400-00-00-004, with the deed recorded~~
 11 ~~in the Charleston County RMC Office on Book X23,~~
 12 ~~at page 245.~~

13 *(1) FEDERAL LAND.—The term “Federal land”*
 14 *means the parcels consisting of approximately 10.499*
 15 *acres of land (including improvements) that are*
 16 *owned by the United States, located on the former*
 17 *U.S. Naval Base Complex in North Charleston, South*
 18 *Carolina, and included within the Charleston County*
 19 *Tax Assessor’s Office Tax Map Number 400-00-00-*
 20 *004, and shown as New Parcel B in that certain plat*
 21 *of Forsberg Engineering and Surveying Inc., dated*
 22 *May 25, 2007, entitled in part “Plat Showing the*
 23 *Subdivision of TMS 400-00-00-004 into Parcel B and*
 24 *Remaining Residual (Parcel A).*

25 (2) NON-FEDERAL LAND.—The term “non-Fed-
 26 eral land” means the 3 parcels of land (including

1 improvements) authorized to be conveyed to the
 2 United States under this Act.

3 (3) SECRETARY.—The term “Secretary” means
 4 the Secretary of Homeland Security.

5 (4) STATE PORTS AUTHORITY.—The term
 6 “State Ports Authority” means the South Carolina
 7 State Ports Authority, an agency of the State of
 8 South Carolina.

9 **SEC. 3. LAND EXCHANGE.**

10 (a) LAND EXCHANGE.—

11 (1) IN GENERAL.—In exchange for the convey-
 12 ance to the Secretary, by quitclaim deed, of all right,
 13 title, and interest of the State Ports Authority to the
 14 non-Federal land owned by the State Ports Author-
 15 ity, the Secretary is authorized to convey to the
 16 State Ports Authority, by quitclaim deed, all right,
 17 title, and interest of the United States in and to the
 18 Federal land.

19 (2) EXCHANGE.—If the State Ports Authority
 20 offers to convey to the Secretary all right, title, and
 21 interest of the State Ports Authority in and to the
 22 non-Federal parcels identified in subsection (b), the
 23 Secretary—

24 (A) is authorized to accept the offer; and

1 (B) on acceptance of the offer, shall simul-
 2 taneously convey to the State Ports Authority
 3 all right, title, and interest of the United States
 4 in and to approximately 10.499 acres of Fed-
 5 eral land.

6 ~~(b) NON-FEDERAL LAND DESCRIBED.—~~The non-
 7 Federal land (including improvements) to be conveyed
 8 under this section consists of—

9 ~~(1) the approximately 18.736 acres of land that~~
 10 ~~is owned by the State Ports Authority, located on S.~~
 11 ~~Hobson Avenue, and depicted on the map entitled~~
 12 ~~“Charleston Country Assessors Map” as Tax Map~~
 13 ~~Number 400-00-00-051, with the deed recorded in~~
 14 ~~the Charleston County RMC Office in Book EL, at~~
 15 ~~page 280;~~

16 ~~(2) the approximately 4.069 acres of land that~~
 17 ~~is owned by the State Ports Authority, located on~~
 18 ~~Juneau Avenue and the Cooper River, and depicted~~
 19 ~~on the map entitled “Charleston County Assessors~~
 20 ~~Map” as Tax Map Number 400-00-00-004, with the~~
 21 ~~deed recorded in the Charleston County RMC Office~~
 22 ~~in Book L09, at page 0391; and~~

23 ~~(3) the approximately 2.568 acres of land that~~
 24 ~~is owned by the State Ports Authority, located on~~
 25 ~~Partridge Avenue, and depicted on the map entitled~~

1 “Charleston County Assessors Map” as Tax Map
 2 Number 400-00-00-004, with the deed recorded in
 3 the Charleston County RMC Office in Book L09, at
 4 page 0391.

5 (b) *NON-FEDERAL LAND DESCRIBED.*—*The non-Fed-*
 6 *eral land (including improvements) to be conveyed under*
 7 *this section consists of—*

8 (1) *the approximately 18.736 acres of land that*
 9 *is owned by the State Ports Authority, located on S.*
 10 *Hobson Avenue, and currently depicted in the*
 11 *Charleston County Tax Assessor’s Office as Tax Map*
 12 *Number 400-00-00-158, and as New I-48.55 Parcel B,*
 13 *containing 18.736 acres, on the plat recorded in the*
 14 *Charleston County RMC Office in Plat Book EL, at*
 15 *page 280;*

16 (2) *the approximately 4.069 acres of land that is*
 17 *owned by the State Ports Authority, located on*
 18 *Thompson Avenue and the Cooper River, and cur-*
 19 *rently depicted in the Charleston County Tax Asses-*
 20 *sor’s Office as Tax Map Number 400-00-00-156, and*
 21 *as New II-121.44 Parcel C, containing 4.069 acres, on*
 22 *the plat recorded in the Charleston County RMC Of-*
 23 *fice in Plat Book L09, at pages 0391-393; and*

24 (3) *the approximately 2.568 acres of land that is*
 25 *owned by the State Ports Authority, located on Par-*

1 *tridge Avenue, and currently depicted in the Charles-*
 2 *ton County Tax Assessor's Office as Tax Map Number*
 3 *400-00-00-157, and as New II-121.44 Parcel B, con-*
 4 *taining 2.568 acres, on the plat recorded in the*
 5 *Charleston County RMC Office in Plat Book L09, at*
 6 *pages 0391-0393.*

7 (c) LAND TITLE.—Title to the non-Federal land con-
 8 veyed to the Secretary under this section shall—

9 (1) be acceptable to the Secretary; and

10 (2) conform to the title approval standards of
 11 the Attorney General of the United States applicable
 12 to land acquisitions by the Federal Government.

13 **SEC. 4. EXCHANGE TERMS AND CONDITIONS.**

14 (a) IN GENERAL.—The conveyance of Federal land
 15 under section 3 shall be subject to—

16 (1) any valid existing rights; and

17 (2) any additional terms and conditions that
 18 the Secretary determines to be appropriate to pro-
 19 tect the interests of the United States.

20 (b) COSTS.—The costs of carrying out the exchange
 21 of land under section 3 shall be shared equally by the Sec-
 22 retary and the State Ports Authority.

23 (c) EQUAL VALUE EXCHANGE.—Notwithstanding the
 24 appraised value of the land exchanged under section 3,

1 the values of the Federal and non-Federal land in the land
2 exchange under section 3 shall be considered to be equal.

3 **SEC. 5. BOUNDARY ADJUSTMENT.**

4 On acceptance of title to the non-Federal land by the
5 Secretary—

6 (1) the non-Federal land shall be added to and
7 administered as part of the Federal Law Enforce-
8 ment Training Center; and

9 (2) the boundaries of the Federal Law Enforce-
10 ment Training Center shall be adjusted to exclude
11 the exchanged Federal land.

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