

108TH CONGRESS
2D SESSION

H. R. 4806

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 2004

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To provide for a land exchange involving Federal lands in
the Lincoln National Forest in the State of New Mexico,
and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Pine Springs Land
3 Exchange Act”.

4 **SEC. 2. LAND EXCHANGE, LINCOLN NATIONAL FOREST,**
5 **NEW MEXICO.**

6 (a) DEFINITIONS.—In this section:

7 (1) FEDERAL LAND.—The term “Federal land”
8 means the three parcels of land, and any improve-
9 ments thereon, comprising approximately 80 acres in
10 the Lincoln National Forest, New Mexico, as de-
11 picted on the map entitled “Pine Springs Land Ex-
12 change” and dated May 25, 2004, and more particu-
13 larly described as S1/2SE1/4NW1/4, SW1/4SW1/4,
14 W1/2E1/2NW1/4SW1/4, and E1/2W1/2NW1/4SW1/
15 4 of section 32 of township 17 south, range 13 east,
16 New Mexico Principal Meridian.

17 (2) NON-FEDERAL LAND.—The term “non-Fed-
18 eral land” means the parcel of land owned by Lub-
19 bock Christian University comprising approximately
20 80 acres, as depicted on the map referred to in para-
21 graph (1) and more particularly described as N1/
22 2NW1/4 of section 24 of township 17 south, range
23 12 east, New Mexico Principal Meridian.

24 (b) LAND EXCHANGE REQUIRED.—

25 (1) EXCHANGE.—In exchange for the convey-
26 ance of the non-Federal land by Lubbock Christian

1 University, the Secretary of Agriculture shall convey
2 to Lubbock Christian University, by quit-claim deed,
3 all right, title, and interest of the United States in
4 and to the Federal land. The conveyance of the Fed-
5 eral land shall be subject to valid existing rights and
6 such additional terms and conditions as the Sec-
7 retary considers appropriate to protect the interests
8 of the United States. To the extent practicable, and
9 subject to paragraph (2), the Secretary shall com-
10 plete the land exchange not later than one year after
11 the date of the enactment of this Act.

12 (2) ACCEPTABLE TITLE.—Title to the non-Fed-
13 eral land shall conform with the title approval stand-
14 ards of the Attorney General applicable to Federal
15 land acquisitions and shall otherwise be acceptable
16 to the Secretary.

17 (3) COSTS OF IMPLEMENTING THE EX-
18 CHANGE.—The costs of implementing the land ex-
19 change shall be shared equally by the Secretary and
20 Lubbock Christian University.

21 (c) TREATMENT OF MAP AND LEGAL DESCRIP-
22 TIONS.—The Secretary and Lubbock Christian University
23 may correct any minor error in the map referred to in
24 subsection (a)(1) or the legal descriptions of the Federal
25 land and non-Federal land. In the event of a discrepancy

1 between the map and legal descriptions, the map shall pre-
2vail unless the Secretary and Lubbock Christian Univer-
3sity otherwise agree. The map shall be on file and available
4for inspection in the Office of the Chief of the Forest Serv-
5ice and the Office of the Supervisor of Lincoln National
6Forest.

7 (d) EQUAL VALUE EXCHANGES.—The fair market
8values of the Federal land and non-Federal land ex-
9changed under subsection (b) shall be equal or, if they
10are not equal, shall be equalized in the manner provided
11in section 206 of the Federal Land Policy Management
12Act of 1976 (43 U.S.C. 1716). The fair market value of
13the land shall be determined by appraisals acceptable to
14the Secretary and Lubbock Christian University. The ap-
15praisals shall be performed in conformance with sub-
16section (d) of such section and the Uniform Appraisal
17Standards for Federal Land Acquisitions.

18 (e) REVOCATION AND WITHDRAWAL.—

19 (1) REVOCATION OF ORDERS.—Any public or-
20ders withdrawing any of the Federal land from ap-
21propriation or disposal under the public land laws
22are revoked to the extent necessary to permit dis-
23posal of the Federal land.

24 (2) WITHDRAWAL OF FEDERAL LAND.—Subject
25to valid existing rights, pending the completion of

1 the land exchange, the Federal land is withdrawn
2 from all forms of location, entry and patent under
3 the public land laws, including the mining and min-
4 eral leasing laws and the Geothermal Steam Act of
5 1970 (30 U.S.C. 1001 et seq.).

6 (f) ADMINISTRATION OF LAND ACQUIRED BY
7 UNITED STATES.—

8 (1) BOUNDARY ADJUSTMENT.—Upon accept-
9 ance of title by the Secretary of the non-Federal
10 land, the acquired land shall become part of the Lin-
11 coln National Forest, and the boundaries of the Lin-
12 coln National Forest shall be adjusted to include the
13 land. For purposes of section 7 of the Land and
14 Water Conservation Fund Act of 1965 (16 U.S.C.
15 460l–9), the boundaries of the Lincoln National
16 Forest, as adjusted pursuant to this paragraph,
17 shall be considered to be boundaries of the Lincoln
18 National Forest as of January 1, 1965.

19 (2) MANAGEMENT.—The Secretary shall man-
20 age the acquired land in accordance with the Act of
21 March 1, 1911 (commonly known as the Weeks Act;
22 16 U.S.C. 480, 500, 513–519, 521, 552, 563), and
23 in accordance with the other laws and regulations
24 applicable to National Forest System lands.

1 (g) RELATION TO OTHER LAWS.—Subchapters II
2 and III of chapter 5 of title 40, United States Code, and
3 the Agriculture Property Management Regulations shall
4 not apply to any action taken pursuant to this section.

Passed the House of Representatives September 22,
2004.

Attest:

JEFF TRANDAHL,
Clerk.