

108TH CONGRESS
2D SESSION

H. R. 4808

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2004

Received

AN ACT

To provide for a land exchange involving private land and Bureau of Land Management land in the vicinity of Holloman Air Force Base, New Mexico, for the purpose of removing private land from the required safety zone surrounding munitions storage bunkers at Holloman Air Force Base.

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. LAND EXCHANGE, PRIVATE AND PUBLIC LAND**
4 **IN VICINITY OF HOLLOMAN AIR FORCE BASE,**
5 **NEW MEXICO.**

6 (a) CONVEYANCE OF PUBLIC LAND.—In exchange
7 for the land described in subsection (b), the Secretary of
8 the Interior shall convey to Randal, Jeffrey, and Timothy
9 Rabon of Otero County, New Mexico (in this section re-
10 ferred to as the “Rabons”), all right, title, and interest
11 of the United States in and to certain public land adminis-
12 tered by the Secretary through the Bureau of Land Man-
13 agement consisting of a total of approximately 320 acres,
14 as depicted on the map entitled “Alamogordo Rabon Land
15 Exchange” and dated September 24, 2004, and more spe-
16 cifically described as follows:

17 (1) SE1/4 of section 6, township 17 south,
18 range 10 east, New Mexico principal meridian.

19 (2) N1/2N1/2 of section 7, township 17 south,
20 range 10 east, New Mexico principal meridian.

21 (b) CONSIDERATION.—As consideration for the con-
22 veyance of the real property under subsection (a), the
23 Rabons shall convey to the United States all right, title,
24 and interest held by the Rabons in and to three parcels
25 of land depicted on the map referred to in subsection (a),

1 which consists of approximately 241 acres, is contiguous
2 to Holloman Air Force Base, New Mexico, and is located
3 within the required safety zone surrounding munitions
4 storage bunkers at the installation. The Secretary shall
5 assume jurisdiction over the land acquired under this sub-
6 section. The three parcels are more specifically described
7 as follows:

8 (1) Lot 4 in the S1/2 of section 30, township
9 16 south, range 9 east, New Mexico principal merid-
10 ian, consisting of approximately 17.6 acres.

11 (2) E1/2SW1/4 of section 31, township 16
12 south, range 9 east, New Mexico principal meridian,
13 consisting of approximately 80 acres.

14 (3) Lots 1, 2, 3, and 4 of section 31, township
15 16 south, range 9 east, New Mexico principal merid-
16 ian, consisting of approximately 143 acres.

17 (c) INTERESTS INCLUDED IN EXCHANGE.—Subject
18 to valid existing rights, the land exchange under this sec-
19 tion shall include conveyance of all surface, subsurface,
20 mineral, and water rights in the lands.

21 (d) COMPLIANCE WITH EXISTING LAW.—(1) The
22 Secretary shall carry out the land exchange under this sec-
23 tion in the manner provided in section 206 of the Federal
24 Land Policy Management Act of 1976 (43 U.S.C. 1716).
25 Notwithstanding subsection (b) of such section, if nec-

1 essary, a cash equalization payment may be made in ex-
2 cess of 25 percent of the appraised value the public land
3 to be conveyed under subsection (a).

4 (2) The cost of the appraisals performed as part of
5 the land exchange shall be borne by the Secretary.

6 (e) **ADDITIONAL TERMS AND CONDITIONS.**—The
7 Secretary may require such additional terms and condi-
8 tions in connection with the land exchange under this sec-
9 tion as the Secretary considers appropriate to protect the
10 interests of the United States.

 Passed the House of Representatives September 28,
2004.

Attest:

JEFF TRANDAHL,
Clerk.