

108TH CONGRESS  
1ST SESSION

# S. 116

To authorize the Secretary of Agriculture to sell or exchange certain land  
in the State of Florida, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

JANUARY 9, 2003

Mr. GRAHAM of Florida introduced the following bill; which was read twice  
and referred to the Committee on Agriculture, Nutrition, and Forestry

---

## A BILL

To authorize the Secretary of Agriculture to sell or exchange  
certain land in the State of Florida, 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,*

**3 SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Florida National For-  
5       est Land Management Act of 2003”.

**6 SEC. 2. DEFINITIONS.**

7       In this Act:

8           (1) SECRETARY.—The term “Secretary” means  
9       the Secretary of Agriculture.

### 3 SEC. 3. SALE OR EXCHANGE OF LAND.

4 (a) IN GENERAL.—The Secretary may, under such  
5 terms and conditions as the Secretary may prescribe, sell  
6 or exchange any right, title, and interest of the United  
7 States in and to the parcels of Federal land in the State  
8 described in subsection (b).

9 (b) DESCRIPTION OF LAND.—The parcels of Federal  
10 land in the State referred to in subsection (a) consist of—

15 (2) tract A-942b, East Bay, Santa Rosa Coun-  
16 ty, consisting of approximately 40 acres, and more  
17 particularly described as T. 1 S., R. 27 W., sec. 38;

23 (4) tract A-942d, located southeast of  
24 Crestview, Okaloosa County, consisting of approxi-  
25 mately 79.90 acres, and more particularly described

1 as T. 2 N., R. 23 W., sec. 2, NW<sup>1/4</sup> NE<sup>1/4</sup> and  
2 NE<sup>1/4</sup> NW<sup>1/4</sup>;

3 (5) tract A-943, Okaloosa County Fairgrounds,  
4 Ft. Walton, Okaloosa County, consisting of approxi-  
5 mately 30.14 acres, and more particularly described  
6 as T. 1 S., R. 24 W., sec. 26, S<sup>1/2</sup>;

7 (6) tract A-944, City Ball Park—Ft. Walton,  
8 Okaloosa County, consisting of approximately 12.43  
9 acres, and more particularly described as T. 1 S., R.  
10 24 W., sec. 26, S<sup>1/2</sup>;

11 (7) tract A-945, Landfill-Golf Course Driving  
12 Range, located southeast of Crestview, Okaloosa  
13 County, consisting of approximately 40.85 acres,  
14 and more particularly described as T. 2 N., R. 23  
15 W., sec. 4, NW<sup>1/4</sup> NE<sup>1/4</sup>;

16 (8) tract A-959, 2 vacant lots on the north side  
17 of Micheaux Road in Bristol, Liberty County, con-  
18 sisting of approximately 0.5 acres, and more particu-  
19 larly described as T. 1 S., R. 7 W., sec. 6;

20 (9) tract C-3m-d, located southwest of Astor in  
21 Lake County, consisting of approximately 15.0  
22 acres, and more particularly described as T. 15 S.,  
23 R. 28 E., sec. 37;

24 (10) tract C-691, Lake County, consisting of  
25 the subsurface rights to approximately 40.76 acres

1 of land, and more particularly described as T. 17 S.,  
2 R. 29 E., sec. 25, SE<sup>1/4</sup> NW<sup>1/4</sup>;

3 (11) tract C-2208b, Lake County, consisting of  
4 approximately 39.99 acres, and more particularly de-  
5 scribed as T. 17 S., R. 28 E., sec. 28, NW<sup>1/4</sup> SE<sup>1/4</sup>;

6 (12) tract C-2210, government lot 1, 20 rec-  
7 reational residential lots, and adjacent land on Lake  
8 Kerr, Marion County, consisting of approximately 30  
9 acres, and more particularly described as T. 13 S.,  
10 R. 25 E., sec. 22;

11 (13) tract C-2213, located in the F.M.  
12 Arrendondo grant, East of Ocala, Marion County,  
13 and including a portion of the land located east of  
14 the western right-of-way of State Highway 19, con-  
15 sisting of approximately 15.0 acres, and more par-  
16 ticularly described as T. 14 and 15 S., R. 26 E., sec.  
17 36, 38, and 40; and

18 (14) all improvements on the parcels described  
19 in paragraphs (1) through (13).

20 (c) MODIFICATIONS TO LEGAL DESCRIPTIONS.—The  
21 Secretary may, for the purposes of soliciting offers for the  
22 sale or exchange of land under subsection (d), modify the  
23 descriptions of land specified in subsection (b) based on—

24 (1) a survey; or

4 (d) SOLICITATIONS OF OFFERS.—

12 (A) is not adequate; or  
13 (B) is not in the public interest.

14 (e) METHODS OF SALE.—The Secretary may sell the  
15 land described in subsection (b) at public or private sale  
16 (including at auction), in accordance with any terms, con-  
17 ditions, and procedures that the Secretary determines to  
18 be appropriate.

19 (f) BROKERS.—In any sale or exchange of land de-  
20 scribed in subsection (b), the Secretary may—

21 (1) use a real estate broker; and

22 (2) pay the real estate broker a commission in  
23 an amount that is comparable to the amounts of  
24 commission generally paid for real estate trans-  
25 actions in the area.

1        (g) CONCURRENCE OF THE SECRETARY OF THE AIR  
2 FORCE.—A parcel of land described in paragraphs (1)  
3 through (7) of subsection (b) shall not be sold or ex-  
4 changed by the Secretary without the concurrence of the  
5 Secretary of the Air Force.

6        (h) CASH EQUALIZATION.—Notwithstanding section  
7 206(b) of the Federal Land Policy and Management Act  
8 of 1976 (43 U.S.C. 1716(b)), if the value of non-Federal  
9 land for which Federal land is exchanged under this sec-  
10 tion is less than the value of the Federal land exchanged,  
11 the Secretary may accept a cash equalization payment in  
12 excess of 25 percent of the value of the Federal land.

13        (i) DISPOSITION OF PROCEEDS.—

14            (1) IN GENERAL.—The net proceeds derived  
15 from any sale or exchange under this Act shall be  
16 deposited in the fund established by Public Law 90–  
17 171 (commonly known as the “Sisk Act”) (16  
18 U.S.C. 484a).

19            (2) USE.—Amounts deposited under paragraph  
20 (1) shall be available to the Secretary for expendi-  
21 ture, without further appropriation, for—

22                (A) acquisition of land and interests in  
23 land for inclusion as units of the National For-  
24 est System in the State; and

1 (B) reimbursement of costs incurred by the  
2 Secretary in carrying out land sales and ex-  
3 changes under this Act, including the payment  
4 of real estate broker commissions under sub-  
5 section (f).

## 6 SEC. 4. ADMINISTRATION.

7       (a) IN GENERAL.—Land acquired by the United  
8 States under this Act shall be—

12 (2) administered in accordance with laws (in-  
13 cluding regulations) applicable to the National For-  
14 est System.

15 (b) APPLICABLE LAW.—The land described in section  
16 3(b) shall not be subject to the Federal Property and Ad-  
17 ministrative Services Act of 1949 (40 U.S.C. 471 et seq.).

18 (c) WITHDRAWAL.—Subject to valid existing rights,  
19 the land described in section 3(b) is withdrawn from loca-  
20 tion, entry, and patent under the public land laws, mining  
21 laws, and mineral leasing laws (including geothermal leas-  
22 ing laws).

