

108TH CONGRESS  
1ST SESSION

# S. 435

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 25, 2003

Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## AN ACT

To provide for the conveyance by the Secretary of Agriculture of the Sandpoint Federal Building and adjacent land in Sandpoint, Idaho, 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 “Sandpoint Land and  
5 Facilities Conveyance Act of 2003”.

1 **SEC. 2. CONVEYANCE OF SANDPOINT FEDERAL BUILDING**  
2 **AND ADJACENT LAND, SANDPOINT, IDAHO.**

3 (a) TRANSFER OF ADMINISTRATIVE JURISDIC-  
4 TION.—Not later than 30 days after the date of the enact-  
5 ment of this Act, the Administrator of General Services  
6 shall transfer to the Secretary of Agriculture, without re-  
7 imbursement, administrative jurisdiction over the  
8 Sandpoint Federal Building and approximately 3.17 acres  
9 of land in Sandpoint, Idaho, as depicted on the map enti-  
10 tled “Sandpoint Federal Building,” dated September 12,  
11 2002, on file in the Office of the Chief of the Forest Serv-  
12 ice and the Office of the Supervisor, Idaho National Pan-  
13 handle Forest, Coeur d’Alene, Idaho.

14 (b) ASSUMPTION AND REPAYMENT OF DEBT.—As of  
15 the date on which administrative jurisdiction of the prop-  
16 erty is transferred under subsection (a), the Secretary  
17 shall assume the obligation of the Administrator of Gen-  
18 eral Services to repay to the Federal Finance Bank the  
19 debt incurred with respect to the transferred property.  
20 The Secretary may repay the debt using—

21 (1) the proceeds of the conveyance of the prop-  
22 erty under this section;

23 (2) amounts appropriated to the Forest Service  
24 for the rental, upkeep, and maintenance of facilities;  
25 and

1           (3) any other unobligated appropriated amounts  
2 available to the Secretary.

3           (c) CONVEYANCE OF PROPERTY.—

4           (1) CONVEYANCE AUTHORIZED.—The Secretary  
5 may convey, by quitclaim deed, all right, title, and  
6 interest of the United States in and to the property  
7 transferred to the Secretary under subsection (a).  
8 The conveyance may be made by sale or by ex-  
9 change.

10          (2) SOLICITATIONS OF OFFERS.—The Secretary  
11 may solicit offers for the conveyance of the property  
12 under this section on such terms and conditions as  
13 the Secretary may prescribe. The Secretary may re-  
14 ject any offer made under this section if the Sec-  
15 retary determines that the offer is not adequate or  
16 not in the public interest.

17          (d) CONSIDERATION.—

18          (1) CONDITIONS OF SALE.—If the property is  
19 conveyed under subsection (c) by sale, the purchaser  
20 shall pay to the Secretary an amount equal to the  
21 fair market value of the property as determined  
22 under paragraph (3). At the election of the Sec-  
23 retary, the consideration may be in the form of cash  
24 or other consideration, including the construction of

1 administrative facilities for the National Forest Sys-  
2 tem in Bonner County, Idaho.

3 (2) CONDITIONS OF EXCHANGE.—If the prop-  
4 erty is conveyed in exchange for construction of ad-  
5 ministrative facilities, the conveyance shall be sub-  
6 ject to—

7 (A) construction of the administrative fa-  
8 cilities in accordance with terms or conditions  
9 that the Secretary may prescribe, including  
10 final building design and costs;

11 (B) completion of the administrative facili-  
12 ties in a manner satisfactory to the Secretary;

13 (C) the condition that the exchange be an  
14 equal value exchange, or if the value of the  
15 property and the administrative facilities are  
16 not equal, as determined under paragraph (3),  
17 that the values be equalized in accordance with  
18 paragraph (4); and

19 (D) any requirements of the Secretary that  
20 the entity acquiring the property assume any  
21 outstanding indebtedness on the property to the  
22 Federal Finance Bank.

23 (3) VALUATION.—The value of the property to  
24 be conveyed under subsection (c), and the value of  
25 any administrative facilities in exchange for the

1 property, shall be determined by an appraisal that  
2 conforms to the Uniform Appraisal Standards for  
3 Federal Land Acquisitions and is acceptable to the  
4 Secretary.

5 (4) EQUALIZATION OF VALUES.—Notwith-  
6 standing any other provision of law, the Secretary  
7 may accept a cash equalization payment in excess of  
8 25 percent of the value of the property conveyed  
9 under subsection (c).

10 **SEC. 3. DISPOSITION OF FUNDS.**

11 (a) DEPOSIT OF PROCEEDS.—The Secretary shall de-  
12 posit the proceeds derived for the conveyance of the prop-  
13 erty under this section in the fund established by Public  
14 Law 90–171 (commonly known as the “Sisk Act”; 16  
15 U.S.C. 484a).

16 (b) USE OF PROCEEDS.—Amounts deposited under  
17 subsection (a) shall be available to the Secretary, without  
18 further appropriation and until expended, for—

19 (1) the acquisition, construction, or improve-  
20 ment of administrative facilities and associated land;  
21 and

22 (2) the acquisition of land and interests in land  
23 for addition to the National Forest System in the  
24 Northern Region of the Forest Service in the State  
25 of Idaho.

1           (c) LIMITATIONS.—Funds deposited under subsection  
2 (a) shall not be paid or distributed to States or counties  
3 under any provision of law, or otherwise considered mon-  
4 eys received from units of the National Forest System for  
5 purposes of—

6           (1) the Act of May 23, 1908 (16 U.S.C. 500);

7           (2) section 13 of the Act of March 1, 1911 (16  
8 U.S.C. 500, commonly known as the “Weeks Law”);

9           or

10           (3) the Act of March 4, 1913 (16 U.S.C. 501).

11           (d) MANAGEMENT OF LANDS ACQUIRED BY THE  
12 UNITED STATES.—Subject to valid existing rights, the  
13 Secretary shall manage any land acquired under this Act,  
14 in accordance with the Act of March 1, 1911 (16 U.S.C.  
15 480 et seq., commonly known as the “Weeks Law”) and  
16 other laws relating to the National Forest System.

17           (e) APPLICABLE LAW.—Except as otherwise provided  
18 in this section, the conveyance of property under this sec-  
19 tion shall be subject to the laws applicable to conveyances  
20 of National Forest System land. Part 1955 of title 7, Code

1 of Federal Regulations, shall not apply to any action car-  
2 ried out under this section.

Passed the Senate November 24, 2003.

Attest:                      EMILY J. REYNOLDS,  
*Secretary.*