

113TH CONGRESS
2D SESSION

H. R. 5074

To amend the Federal Land Policy and Management Act of 1976 to improve the transparency and oversight of land conveyances involving the sale, exchange, or other disposal of National Forest System lands or public lands under the jurisdiction of the Bureau of Land Management or the acquisition of non-Federal lands for inclusion in the National Forest System or administration as public lands, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2014

Mr. TIPTON introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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

A BILL

To amend the Federal Land Policy and Management Act of 1976 to improve the transparency and oversight of land conveyances involving the sale, exchange, or other disposal of National Forest System lands or public lands under the jurisdiction of the Bureau of Land Management or the acquisition of non-Federal lands for inclusion in the National Forest System or administration as public lands, 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 “Land Adjacency Notifi-
3 cation and Disclosure Act” or “LAND Act”.

4 **SEC. 2. ADDITIONAL REQUIREMENTS FOR FOREST SERVICE**
5 **AND BUREAU OF LAND MANAGEMENT LAND**
6 **ACQUISITIONS AND CONVEYANCES.**

7 (a) NOTICE TO ADJACENT LANDOWNERS.—

8 (1) LAND ACQUISITIONS.—Section 205 of the
9 Federal Land Policy and Management Act of 1976
10 (43 U.S.C. 1715) is amended by adding at the end
11 the following new subsection:

12 “(f) NOTICE TO ADJACENT LANDOWNERS.—As part
13 of the acquisition of a parcel of non-Federal lands under
14 this section, section 206, or other applicable law that will
15 become public lands or National Forest System lands, the
16 Secretary or the Secretary of Agriculture, as the case may
17 be, shall provide advance written notification to each
18 owner of land that is adjacent to the parcel of land to
19 be acquired. To assist in identifying adjacent landowners,
20 the Secretary concerned should use the most recently
21 available tax records.”.

22 (2) LAND CONVEYANCES.—Section 208 of the
23 Federal Land Policy and Management Act of 1976
24 (43 U.S.C. 1718) is amended—

25 (A) by inserting “(a) ISSUANCE OF PAT-
26 ENT AND OTHER CONVEYANCE DOCUMENTS.—

1 ” before the first sentence and “(b) OTHER
2 TERMS AND CONDITIONS.—” before the second
3 sentence; and

4 (B) by adding at the end the following new
5 subsection:

6 “(c) NOTICE TO ADJACENT LANDOWNERS.—As part
7 of the conveyance of a parcel of public lands or National
8 Forest System lands by sale, exchange, or other disposal
9 method under section 203 or 206 or other applicable law,
10 the Secretary or the Secretary of Agriculture, as the case
11 may be, shall provide advance written notification to each
12 owner of land that is adjacent to the parcel of land to
13 be conveyed. To assist in identifying adjacent landowners,
14 the Secretary concerned should use the most recently
15 available tax records.”.

16 (b) OVERSIGHT OF USE OF THIRD-PARTY
17 FACILITATORS.—

18 (1) ACQUISITION.—Section 205 of the Federal
19 Land Policy and Management Act of 1976 (43
20 U.S.C. 1715) is amended by inserting after sub-
21 section (f), as added by subsection (a)(1), the fol-
22 lowing new subsection:

23 “(g) OVERSIGHT OF USE OF THIRD-PARTY
24 FACILITATORS.—(1) If the acquisition process for a parcel
25 of non-Federal lands under this section, section 206, or

1 other applicable law that will become public lands or Na-
 2 tional Forest System lands involves the use of a third-
 3 party facilitator, the Secretary or the Secretary of Agri-
 4 culture, as the case may be, shall require, as a condition
 5 of the approval of the acquisition—

6 “(A) submission of all purchase contracts and
 7 related agreements held by the third-party facilitator
 8 related to the parcel to be acquired; and

9 “(B) supervisor review of such purchase con-
 10 tracts and related agreements, the purpose of the ac-
 11 quisition, and other terms and conditions of the ac-
 12 quisition.

13 “(2) In this subsection, the term ‘third-party
 14 facilitator’ means any entity (other than an agent of the
 15 United States) whose role in a real estate transaction is
 16 to assist the buyer or seller, or both, in reaching agree-
 17 ment in the transaction.”.

18 (2) LAND CONVEYANCES.—Section 208 of the
 19 Federal Land Policy and Management Act of 1976
 20 (43 U.S.C. 1718) is amended by inserting after sub-
 21 section (c), as added by subsection (a)(2), the fol-
 22 lowing new subsection:

23 “(d) OVERSIGHT OF USE OF THIRD-PARTY
 24 FACILITATORS.—(1) If the process by which a parcel of
 25 public lands or National Forest System lands will be con-

1 veyed by sale, exchange, or other disposal method under
2 section 203 or 206 or other applicable law, involves the
3 use of a third-party facilitator, the Secretary or the Sec-
4 retary of Agriculture, as the case may be, shall require,
5 as a condition of the approval of the conveyance—

6 “(A) submission of all purchase contracts and
7 related agreements held by the third-party facilitator
8 related to the Federal land to be conveyed;

9 “(B) submission to appraisers of contact infor-
10 mation for prospective end owners of the Federal
11 land to be conveyed; and

12 “(C) supervisor review of such purchase con-
13 tracts and related agreements, the purpose of the
14 conveyance, and other terms and conditions of the
15 conveyance.

16 “(2) In this subsection, the term ‘third-party
17 facilitator’ means any entity (other than an agent of the
18 United States) whose role in a real estate transaction is
19 to assist the buyer or seller, or both, in reaching agree-
20 ment in the transaction.”.

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