

Calendar No. 611

114TH CONGRESS
2D SESSION**H. R. 4119****[Report No. 114–340]**

IN THE SENATE OF THE UNITED STATES

APRIL 4, 2016

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

SEPTEMBER 6, 2016

Reported by Ms. MURKOWSKI, with amendments

[Omit the part struck through and insert the part printed in *italie*]**AN ACT**

To authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, 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 “Gulf Islands National
5 Seashore Land Exchange Act of 2016”.

1 **SEC. 2. LAND EXCHANGE, GULF ISLANDS NATIONAL SEA-**
 2 **SHORE, JACKSON COUNTY, MISSISSIPPI.**

3 (a) LAND EXCHANGE AUTHORIZED.—The Secretary
 4 of the Interior, acting through the Director of the Na-
 5 tional Park Service (in this section referred to as the “Sec-
 6 retary”) may convey to the Veterans of Foreign Wars Post
 7 5699 (in this section referred to as the “Post”) all right,
 8 title, and interest of the United States in and to a parcel
 9 of real property, consisting of approximately 1.542 acres
 10 and located within the Gulf Islands National Seashore in
 11 ~~Jackson County, Mississippi, section 34, township 7 north,~~
 12 ~~range 8 east.~~ *Jackson County, Mississippi, identified as*
 13 *“NPS Exchange Area” on the map entitled “Gulf Islands*
 14 *National Seashore, Proposed Land Exchange with VFW,*
 15 *Davis Bayou Area—Jackson County, MS”, numbered 635/*
 16 *133309, and dated June 2016.*

17 (b) LAND TO BE ACQUIRED.—In exchange for the
 18 property described in subsection (a), the Post shall convey
 19 to the Secretary all right, title, and interest of the Post
 20 in and to a parcel of real property, consisting of approxi-
 21 mately 2.161 acres and located in Jackson County, Mis-
 22 sissippi, ~~section 34, township 7 north, range 8 east~~ *identi-*
 23 *fied as “VFW Exchange Area” on the map described in sub-*
 24 *section (a).*

1 ~~(e) EQUAL VALUE EXCHANGE.—The values of the~~
 2 ~~parcels of real property to be exchanged under this section~~
 3 ~~are deemed to be equal.~~

4 *(c) EQUAL VALUE EXCHANGE.—*

5 *(1) IN GENERAL.—The values of the parcels of*
 6 *real property to be exchanged under this section shall*
 7 *be equal, as determined by an appraisal conducted—*

8 *(A) by a qualified and independent ap-*
 9 *praiser; and*

10 *(B) in accordance with nationally recog-*
 11 *nized appraisal standards.*

12 *(2) EQUALIZATION.—If the values of the parcels*
 13 *of real property to be exchanged under this section are*
 14 *not equal, the values shall be equalized through—*

15 *(A) a cash payment; or*

16 *(B) adjustments to the acreage of the parcels*
 17 *of real property to be exchanged.*

18 (d) PAYMENT OF COSTS OF CONVEYANCE.—

19 (1) PAYMENT REQUIRED.—The Secretary shall
 20 require the Post to cover costs to be incurred by the
 21 Secretary, or to reimburse the Secretary for such
 22 costs incurred by the Secretary, to carry out the
 23 land exchange under this section, including survey
 24 costs, costs related to environmental documentation,
 25 and any other administrative costs related to the

1 land exchange. If amounts are collected from the
2 Secretary in advance of the Secretary incurring the
3 actual costs and the amount collected exceeds the
4 costs actually incurred by the Secretary to carry out
5 the land exchange, the Secretary shall refund the ex-
6 cess amount to the Post.

7 (2) TREATMENT OF AMOUNTS RECEIVED.—
8 Amounts received as reimbursement under para-
9 graph (1) shall be credited to the fund or account
10 that was used to cover those costs incurred by the
11 Secretary in carrying out the land exchange.
12 Amounts so credited shall be merged with amounts
13 in such fund or account and shall be available for
14 the same purposes, and subject to the same condi-
15 tions and limitations, as amounts in such fund or
16 account.

17 (e) DESCRIPTION OF PROPERTY.—The exact acreage
18 and legal description of property to be exchanged under
19 this section shall be determined by surveys satisfactory to
20 the Secretary and the Post.

21 (f) CONVEYANCE AGREEMENT.—The exchange of
22 real property under this section shall be accomplished
23 using a quit claim deed or other legal instrument and upon
24 terms and conditions mutually satisfactory to the Sec-
25 retary and the Post, including such additional terms and

1 conditions as the Secretary considers appropriate to pro-
 2 tect the interests of the United States.

3 (g) *VALID EXISTING RIGHTS.*—*The exchange author-*
 4 *ized under this section shall be subject to valid existing*
 5 *rights.*

6 (h) *TITLE APPROVAL.*—*Title to the Federal parcel of*
 7 *real property and non-Federal parcel of real property to*
 8 *be exchanged under this section shall be in a form acceptable*
 9 *to the Secretary.*

10 ~~(g)~~(i) *TREATMENT OF ACQUIRED LAND.*—Land and
 11 interests in land acquired by the United States under sub-
 12 section (b) shall be administered by the Secretary as part
 13 of the Gulf Islands National Seashore.

14 ~~(h)~~(j) *MODIFICATION OF BOUNDARY.*—Upon comple-
 15 tion of the land exchange under this section, the Secretary
 16 shall modify the boundary of the Gulf Islands National
 17 Seashore to reflect such land exchange.

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