

114TH CONGRESS
1ST SESSION

S. 1712

To amend the Small Tract Act of 1983 to expand the authority of the Secretary of Agriculture to sell or exchange small parcels of National Forest System land to enhance the management of the National Forest System, resolve minor encroachments, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 7, 2015

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

A BILL

To amend the Small Tract Act of 1983 to expand the authority of the Secretary of Agriculture to sell or exchange small parcels of National Forest System land to enhance the management of the National Forest System, resolve minor encroachments, 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 “National Forest Small
5 Tracts Act Amendments Act of 2015”.

1 **SEC. 2. ADDITIONAL AUTHORITY FOR SALE OR EXCHANGE**
 2 **OF SMALL PARCELS OF NATIONAL FOREST**
 3 **SYSTEM LAND.**

4 (a) INCREASE IN MAXIMUM VALUE OF SMALL PAR-
 5 CELS.—Section 3 of Public Law 97–465 (commonly
 6 known as the “Small Tract Act of 1983”) (16 U.S.C.
 7 521e) is amended in the matter preceding paragraph (1)
 8 by striking “\$150,000” and inserting “\$500,000”.

9 (b) ADDITIONAL CONVEYANCE PURPOSES.—Section
 10 3 of Public Law 97–465 (16 U.S.C. 521e) (as amended
 11 by subsection (a)) is amended—

12 (1) in paragraph (2), by striking “; or” and in-
 13 serting a semicolon;

14 (2) in paragraph (3), by striking the period at
 15 the end and inserting a semicolon; and

16 (3) by adding at the end the following:

17 “(4) parcels of 40 acres or less that are deter-
 18 mined by the Secretary—

19 “(A) to be physically isolated;

20 “(B) to be inaccessible; or

21 “(C) to have lost National Forest char-
 22 acter;

23 “(5) parcels of 10 acres or less that are not eli-
 24 gible for conveyance under paragraph (2) but are
 25 encroached on by a permanent habitable improve-

1 ment for which there is no evidence that the en-
 2 croachment was intentional or negligent; or

3 “(6) parcels used as a cemetery, a landfill, or
 4 a sewage treatment plant under a special use au-
 5 thorization issued by the Secretary.”.

6 (c) DISPOSITION OF PROCEEDS.—Section 2 of Public
 7 Law 97–465 (16 U.S.C. 521d) is amended—

8 (1) in the matter preceding paragraph (1), by
 9 striking “The Secretary is authorized” and inserting
 10 the following:

11 “(a) CONVEYANCE AUTHORITY; CONSIDERATION.—
 12 The Secretary is authorized”;

13 (2) in paragraph (2), in the second sentence, by
 14 striking “The Secretary shall insert” and inserting
 15 the following:

16 “(b) INCLUSION OF TERMS, COVENANTS, CONDI-
 17 TIONS, AND RESERVATIONS.—

18 “(1) IN GENERAL.—The Secretary shall in-
 19 sert”;

20 (3) in subsection (b) (as so designated)—

21 (A) by striking “covenants” and inserting
 22 “covenants”; and

23 (B) in the second sentence by striking
 24 “The preceding sentence shall not” and insert-
 25 ing the following:

1 “(2) LIMITATION.—Paragraph (1) shall not”;

2 and

3 (4) by adding at the end the following:

4 “(c) DISPOSITION OF PROCEEDS.—

5 “(1) DEPOSIT IN SISK FUND.—The net pro-
6 ceeds derived from any sale or exchange conducted
7 under paragraph (4), (5), or (6) of section 3 shall
8 be deposited in the fund established under Public
9 Law 90–171 (commonly known as the ‘Sisk Act’)
10 (16 U.S.C. 484a).

11 “(2) USE.—Amounts deposited under para-
12 graph (1) shall be available to the Secretary until
13 expended for—

14 “(A) the acquisition of land or interests in
15 land for administrative sites for the National
16 Forest System in the State from which the
17 amounts were derived;

18 “(B) the acquisition of land or interests in
19 land for inclusion in the National Forest Sys-
20 tem in that State, including land or interests in
21 land that enhance opportunities for recreational
22 access;

23 “(C) the performance of deferred mainte-
24 nance on administrative sites for the National
25 Forest System in that State or other deferred

1 maintenance activities in that State that en-
2 hance opportunities for recreational access; or

3 “(D) the reimbursement of the Secretary
4 for costs incurred in preparing a sale conducted
5 under the authority of section 3 if the sale is
6 a competitive sale.”.

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