

Calendar No. 374

115TH CONGRESS
2D SESSION

S. 1260

[Report No. 115–226]

To authorize the exchange of certain Federal land located in Gulf Islands National Seashore for certain non-Federal land in Jackson County, Mississippi, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2017

Mr. COCHRAN (for himself and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

APRIL 11, 2018

Reported by Ms. MURKOWSKI, without amendment

A BILL

To authorize the exchange of certain Federal land located in Gulf Islands National Seashore for certain non-Federal land in Jackson County, Mississippi, 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 “Gulf Islands National
3 Seashore Land Exchange Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **FEDERAL LAND.**—The term “Federal land”
7 means the parcel of approximately 1.542 acres of
8 land that is located within the Gulf Islands National
9 Seashore in Jackson County, Mississippi, and identi-
10 fied as “NPS Exchange Area” on the Map.

11 (2) **MAP.**—The term “Map” means the map en-
12 titled “Gulf Islands National Seashore, Proposed
13 Land Exchange with VFW, Davis Bayou Area—
14 Jackson County, MS”, numbered 635/133309, and
15 dated June 2016.

16 (3) **NON-FEDERAL LAND.**—The term “non-Fed-
17 eral land” means the parcel of approximately 2.161
18 acres of land that is located in Jackson County, Mis-
19 sissippi, and identified as “VFW Exchange Area” on
20 the Map.

21 (4) **POST.**—The term “Post” means the Vet-
22 erans of Foreign Wars Post 5699.

23 (5) **SECRETARY.**—The term “Secretary” means
24 the Secretary of the Interior, acting through the Di-
25 rector of the National Park Service.

1 **SEC. 3. GULF ISLANDS NATIONAL SEASHORE LAND EX-**
2 **CHANGE.**

3 (a) IN GENERAL.—The Secretary may convey to the
4 Post all right, title, and interest of the United States in
5 and to the Federal land in exchange for the conveyance
6 by the Post to the Secretary of all right, title, and interest
7 of the Post in and to the non-Federal land.

8 (b) EQUAL VALUE EXCHANGE.—

9 (1) IN GENERAL.—The values of the Federal
10 land and non-Federal land to be exchanged under
11 this section shall be equal, as determined by an ap-
12 praisal conducted—

13 (A) by a qualified and independent ap-
14 praiser; and

15 (B) in accordance with nationally recog-
16 nized appraisal standards.

17 (2) EQUALIZATION.—If the values of the Fed-
18 eral land and non-Federal land to be exchanged
19 under this section are not equal, the values shall be
20 equalized through—

21 (A) a cash payment; or

22 (B) adjustments to the acreage of the Fed-
23 eral land or non-Federal land to be exchanged,
24 as applicable.

25 (c) PAYMENT OF COSTS OF CONVEYANCE.—

1 (1) PAYMENT REQUIRED.—As a condition of
2 the exchange authorized under this section, the Sec-
3 retary shall require the Post to pay the costs to be
4 incurred by the Secretary, or to reimburse the Sec-
5 retary for the costs incurred by the Secretary, to
6 carry out the exchange, including—

7 (A) survey costs;

8 (B) any costs relating to environmental
9 documentation; and

10 (C) any other administrative costs relating
11 to the land exchange.

12 (2) REFUND.—If the Secretary collects
13 amounts from the Post under paragraph (1) before
14 the Secretary incurs the actual costs and the amount
15 collected by the Secretary exceeds the costs actually
16 incurred by the Secretary to carry out the land ex-
17 change under this section, the Secretary shall pro-
18 vide to the Post a refund of the excess amount paid
19 by the Post.

20 (3) TREATMENT OF CERTAIN AMOUNTS RE-
21 CEIVED.—Amounts received by the Secretary from
22 the Post as reimbursement for costs incurred under
23 paragraph (1) shall be—

24 (A) credited to the fund or account from
25 which amounts were used to pay the costs in-

1 curred by the Secretary in carrying out the land
2 exchange;

3 (B) merged with amounts in the fund or
4 account to which the amounts were credited
5 under subparagraph (A); and

6 (C) available for the same purposes as, and
7 subject to the same conditions and limitations
8 applicable to, amounts in the fund or account
9 to which the amounts were credited under sub-
10 paragraph (A).

11 (d) DESCRIPTION OF FEDERAL LAND AND NON-
12 FEDERAL LAND.—The exact acreage and legal description
13 of the Federal land and non-Federal land to be exchanged
14 under this section shall be determined by surveys that are
15 determined to be satisfactory by the Secretary and the
16 Post.

17 (e) CONVEYANCE AGREEMENT.—The exchange of
18 Federal land and non-Federal land under this section shall
19 be—

20 (1) carried out through a quitclaim deed or
21 other legal instrument; and

22 (2) subject to such terms and conditions as are
23 mutually satisfactory to the Secretary and the Post,
24 including such additional terms and conditions as

1 the Secretary considers to be appropriate to protect
2 the interests of the United States.

3 (f) VALID EXISTING RIGHTS.—The exchange of Fed-
4 eral land and non-Federal land authorized under this sec-
5 tion shall be subject to valid existing rights.

6 (g) TITLE APPROVAL.—Title to the Federal land and
7 non-Federal land to be exchanged under this section shall
8 be in a form acceptable to the Secretary.

9 (h) TREATMENT OF ACQUIRED LAND.—Any non-
10 Federal land and interests in non-Federal land acquired
11 by the United States under this section shall be adminis-
12 tered by the Secretary as part of the Gulf Islands National
13 Seashore.

14 (i) MODIFICATION OF BOUNDARY.—On completion of
15 the exchange of Federal land and non-Federal land under
16 this section, the Secretary shall modify the boundary of
17 the Gulf Islands National Seashore to reflect the exchange
18 of Federal land and non-Federal land.

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