

Secretary the amount of any proceeds of the sale that exceed the costs of preparing the sale by the Board.

(d) **AVAILABILITY OF FUNDS TO THE SECRETARY.**—Any amounts paid to the Secretary for land conveyed by the Secretary under this Act shall be made available to the Secretary, subject to the availability of appropriations made in advance, for activities relating to the operation of the Jamestown Dam and Reservoir.

### SEC. 3. CONVEYANCE OF GAME AND FISH HEADQUARTERS TO THE STATE.

(a) **CONVEYANCE OF GAME AND FISH HEADQUARTERS.**—Not later than 5 years after the date of enactment of this Act, the Secretary shall convey to the State all right, title, and interest of the United States in and to the game and fish headquarters, on the condition that the game and fish headquarters continue to be used as a game and fish headquarters or substantially similar purposes.

(b) **REVERSION.**—If land conveyed under subsection (a) is used in a manner that is inconsistent with the requirements described in that subsection, the land shall, at the discretion of the Secretary, revert to the United States.

### SEC. 4. RESERVATIONS, EASEMENTS, AND OTHER OUTSTANDING RIGHTS.

(a) **IN GENERAL.**—Each conveyance to the Board or the State pursuant to this Act shall be made subject to—

- (1) valid existing rights;
- (2) operational requirements of the Pick-Sloan Missouri River Basin Program, as authorized by section 9 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665), including the Jamestown Reservoir;
- (3) any flowage easement reserved by the United States to allow full operation of the Jamestown Reservoir for authorized purposes;
- (4) reservations described in the Management Agreement;
- (5) oil, gas, and other mineral rights reserved of record, as of the date of enactment of this Act, by, or in favor of, the United States or a third party;
- (6) any permit, license, lease, right-of-use, flowage easement, or right-of-way of record in, on, over, or across the applicable property or Federal land, whether owned by the United States or a third party, as of the date of enactment of this Act;
- (7) a deed restriction that prohibits building any new permanent structure on property below an elevation of 1,454 feet; and
- (8) the granting of applicable easements for—

- (A) vehicular access to the property; and
- (B) access to, and use of, all docks, boat-houses, ramps, retaining walls, and other improvements for which access is provided in the permit for use of the property as of the date of enactment of this Act.

#### (b) **LIABILITY; TAKING.**

(1) **LIABILITY.**—The United States shall not be liable for flood damage to a property subject to a permit, the Board, or the State, or for damages arising out of any act, omission, or occurrence relating to a permit holder, the Board, or the State, other than for damages caused by an act or omission of the United States or an employee, agent, or contractor of the United States before the date of enactment of this Act.

(2) **TAKING.**—Any temporary flooding or flood damage to the property of a permit holder, the Board, or the State, shall not be considered to be a taking by the United States.

### SEC. 5. INTERIM REQUIREMENTS.

During the period beginning on the date of enactment of this Act and ending on the date of conveyance of a property or parcel of land

under this Act, the provisions of the Management Agreement that are applicable to the property or land, or to leases between the State and the Secretary, and any applicable permits, shall remain in force and effect.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. LAMBORN) and the gentlewoman from Hawaii (Ms. HANABUSA) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

#### GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. LAMBORN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 2074 sponsored by Senator HOEVEN of North Dakota. This legislation is nearly identical to legislation sponsored by our colleague, Congressman KEVIN CRAMER, which was favorably reported by the Natural Resources Committee in August.

This is another bill similar to the one that was discussed a few minutes ago that looks to transfer small parcels of Federal land to State and local government, this time surrounding the Jamestown Reservoir in North Dakota. The land will continue to be used for recreation and public purposes, public access, fish and wildlife habitat, a fish and game headquarters, and for cabins. If any of the land is sold, the proceeds will be given to the Federal Government or the land will revert to the United States.

Like S. 440, which the House just considered, this legislation aims to alleviate financial uncertainty for private citizens residing around the reservoir and will help support the local community through tax revenue.

Mr. Speaker, I urge adoption of the measure, and I reserve the balance of my time.

Ms. HANABUSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 2074 authorizes the conveyance of certain public lands owned by the Bureau of Reclamation around Jamestown Reservoir in North Dakota.

Like S. 440, this bill ensures that taxpayers receive appropriate compensation for transferred lands and also ensures that transferred recreation lands continue to be available to the public for recreational uses.

For these reasons, Mr. Speaker, I support the passage of S. 2074, and I yield back the balance of my time.

Mr. LAMBORN. Mr. Speaker, I yield back the balance of my time.

The **SPEAKER** pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. LAMBORN) that the House suspend the

rules and pass the bill, S. 2074, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

### COTTONWOOD LAND EXCHANGE ACT OF 2018

Mr. GOSAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6146) to authorize, direct, expedite, and facilitate a land exchange in Yavapai County, Arizona, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6146

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE.**

*This Act may be cited as the “Cottonwood Land Exchange Act of 2018”.*

#### **SEC. 2. DEFINITIONS.**

*In this Act:*

(1) **COUNTY.**—The term “County” means Yavapai County, Arizona.

(2) **FEDERAL LAND.**—The term “Federal land” means all right, title, and interest of the United States in and to approximately 80 acres of land within the Coconino National Forest, in Yavapai County, Arizona, generally depicted as “Coconino National Forest Parcels ‘Federal Land’” on the map.

(3) **MAP.**—The term “map” means the map entitled “Cottonwood Land Exchange”, with the revision date July 5, 2018 Version 1.

(4) **NON-FEDERAL LAND.**—The term “non-Federal land” means the approximately 369 acres of land in Yavapai County, Arizona, generally depicted as “Yavapai County Parcels ‘Non-Federal Land’” on the map.

(5) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture, unless otherwise specified.

#### **SEC. 3. LAND EXCHANGE.**

(a) **IN GENERAL.**—If the County offers to convey to the Secretary all right, title, and interest of the County in and to the non-Federal land, the Secretary shall accept the offer and simultaneously convey to the County all right, title, and interest of the United States to the Federal land.

(b) **LAND TITLE.**—Title to the non-Federal land conveyed to the Secretary under this Act shall be acceptable to the Secretary and shall conform to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(c) **EXCHANGE COSTS.**—The County shall pay for all land survey, appraisal, and other costs to the Secretary as may be necessary to process and consummate the exchange under this Act, including reimbursement to the Secretary, if the Secretary so requests, for staff time spent in such processing and consummation.

#### **SEC. 4. EQUAL VALUE EXCHANGE AND APPRAISALS.**

(a) **APPRAISALS.**—The values of the lands to be exchanged under this Act shall be determined by the Secretary through appraisals performed in accordance with—

(1) the Uniform Appraisal Standards for Federal Land Acquisitions;

(2) the Uniform Standards of Professional Appraisal Practice;

(3) appraisal instructions issued by the Secretary; and

(4) shall be performed by an appraiser mutually agreed to by the Secretary and the County.

(b) **EQUAL VALUE EXCHANGE.**—The values of the Federal and non-Federal land parcels exchanged shall be equal, or if they are not equal, shall be equalized as follows:

(1) **SURPLUS OF FEDERAL LAND VALUE.**—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land, the County shall make a cash equalization payment to the United States as necessary to achieve equal value, including, if necessary, an amount in excess of that authorized pursuant to section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(2) **USE OF FUNDS.**—Any cash equalization moneys received by the Secretary under paragraph (1) shall be—

(A) deposited in the fund established under Public Law 90-171 (commonly known as the “Sisk Act”; 16 U.S.C. 484a); and

(B) made available to the Secretary for the acquisition of land or interests in land in Region 3 of the Forest Service.

(3) **SURPLUS OF NON-FEDERAL LAND VALUE.**—If the final appraised value of the non-Federal land exceeds the final appraised value of the Federal land, the United States shall not make a cash equalization payment to the County, and surplus value of the non-Federal land shall be considered a donation by the County to the United States for all purposes of law.

#### SEC. 5. WITHDRAWAL PROVISIONS.

Lands acquired by the Secretary under this Act are, upon such acquisition, automatically and permanently withdrawn from all forms of appropriation and disposal under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1930 (30 U.S.C. 1001 et seq.).

#### SEC. 6. MANAGEMENT OF LAND.

Land acquired by the Secretary under this Act shall become part of the Coconino National Forest and be managed in accordance with the laws, rules, and regulations applicable to the National Forest System.

#### SEC. 7. MAPS, ESTIMATES, AND DESCRIPTIONS.

(a) **MINOR ERRORS.**—The Secretary and the County may, by mutual agreement—

(1) make minor boundary adjustments to the Federal and non-Federal lands involved in the exchange; and

(2) correct any minor errors in any map, acreage estimate, or description of any land to be exchanged.

(b) **CONFLICT.**—If there is a conflict between a map, an acreage estimate, or a description of land under this Act, the map shall control unless the Secretary and the County mutually agree otherwise.

(c) **AVAILABILITY.**—The Secretary shall file and make available for public inspection in the headquarters of the Coconino National Forest a copy of all maps referred to in this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GOSAR) and the gentlewoman from Hawaii (Ms. HANABUSA) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

#### GENERAL LEAVE

Mr. GOSAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. GOSAR. Mr. Speaker, I yield myself such time as I may consume.

Like many of my colleagues from Western States, I represent rural coun-

ties that are growing quickly but are hitting roadblocks due to the large amount of Federal land in them. Yavapai County in my district is no different.

My bill, the Cottonwood Land Exchange Act, is a commonsense land exchange between the Forest Service and Yavapai County that would allow the county to expand a park by adding new trails and bridges for the residents of Cottonwood to enjoy.

In exchange for 80 acres in the Coconino National Forest, the county has offered to the Forest Service nearly 370 acres of land adjacent to the forest. This land is habitat for the endangered Arizona cliffrose, and the exchange will allow for better protection and conservation of the rose and other sensitive species.

H.R. 6146 is truly a win-win for both the residents of Yavapai County and the Federal Government at no cost to the taxpayers.

Mr. Speaker, I urge adoption of the measure, and I reserve the balance of my time.

Ms. HANABUSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill authorizes a land exchange between the U.S. Forest Service and Yavapai County, Arizona. The Federal land that will be conveyed to the county is surrounded by county-owned and private land, including Windmill Park, a popular recreation destination for local residents.

Yavapai County intends to manage the land as part of the park in an effort to increase access and improve management efficiency. In exchange, the Forest Service will receive a parcel of land adjacent to Coconino National Forest that provides habitat for the cliffrose—an endangered plant species. The bill ensures an equal value exchange based on standard appraisal requirements—a critical safeguard that guarantees a fair return for taxpayer-owned assets.

Mr. Speaker, I urge adoption of this measure, and I yield back the balance of my time.

Mr. GOSAR. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GOSAR) that the House suspend the rules and pass the bill, H.R. 6146, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### GULF ISLANDS NATIONAL SEASHORE LAND EXCHANGE ACT OF 2017

Mr. GOSAR. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 2615) to authorize the exchange of certain land located in Gulf Islands Na-

tional Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Gulf Islands National Seashore Land Exchange Act”.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) **FEDERAL LAND.**—The term “Federal land” means the parcel of approximately 1,542 acres of land that is located within the Gulf Islands National Seashore in Jackson County, Mississippi, and identified as “NPS Exchange Area” on the Map.

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

(3) **NON-FEDERAL LAND.**—The term “non-Federal land” means the parcel of approximately 2,161 acres of land that is located in Jackson County, Mississippi, and identified as “VFW Exchange Area” on the Map.

(4) **POST.**—The term “Post” means the Veterans of Foreign Wars Post 5699.

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

#### SEC. 3. GULF ISLANDS NATIONAL SEASHORE LAND EXCHANGE.

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

(b) **EQUAL VALUE EXCHANGE.**—

(1) **IN GENERAL.**—The values of the Federal land and non-Federal land to be exchanged under this section shall be equal, as determined by an appraisal conducted—

(A) by a qualified and independent appraiser; and

(B) in accordance with nationally recognized appraisal standards.

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

(A) a cash payment; or

(B) adjustments to the acreage of the Federal land or non-Federal land to be exchanged, as applicable.

(c) **PAYMENT OF COSTS OF CONVEYANCE.**—

(1) **PAYMENT REQUIRED.**—As a condition of the exchange authorized under this section, the Secretary shall require the Post to pay the costs to be incurred by the Secretary, or to reimburse the Secretary for the costs incurred by the Secretary, to carry out the exchange, including—

(A) survey costs;

(B) any costs relating to environmental documentation; and

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

(2) **REFUND.**—If the Secretary collects amounts from the Post under paragraph (1) before the Secretary incurs the actual costs and the amount collected by the Secretary exceeds the costs actually incurred by the Secretary to carry out the land exchange under this section, the Secretary shall provide to the Post a refund of the excess amount paid by the Post.

(3) **TREATMENT OF CERTAIN AMOUNTS RECEIVED.**—Amounts received by the Secretary from the Post as reimbursement for costs incurred under paragraph (1) shall be—

(A) credited to the fund or account from which amounts were used to pay the costs incurred by the Secretary in carrying out the land exchange;