

104TH CONGRESS
2^D SESSION

H. R. 4112

To provide for the settlement of claims of Swain County, North Carolina, against the United States arising under the agreement entered into on July 30, 1943, by the Tennessee Valley Authority, the State of North Carolina, Swain County, North Carolina, and the United States.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 1996

Mr. TAYLOR of North Carolina introduced the following bill; which was referred to the Committee on Resources

A BILL

To provide for the settlement of claims of Swain County, North Carolina, against the United States arising under the agreement entered into on July 30, 1943, by the Tennessee Valley Authority, the State of North Carolina, Swain County, North Carolina, and the United States.

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 “Swain County Settle-
5 ment Act of 1996”.

1 **SEC. 2. AGREEMENT DEFINED.**

2 For purposes of this Act, the term “Agreement”
3 means the agreement entered into on July 30, 1943, by
4 the Tennessee Valley Authority, the State of North Caro-
5 lina, Swain County, North Carolina, and the United
6 States.

7 **SEC. 3. SETTLEMENT OF CLAIMS.**

8 (a) **COMPLETION OF ROAD.**—Not later than 5 years
9 after the date of the enactment of this Act, the Secretary
10 of the Interior shall complete, in accordance the terms of
11 the Agreement, the road which is referred to in the Agree-
12 ment as the “Park Road”.

13 (b) **PAYMENT TO SWAIN COUNTY.**—The Secretary of
14 the Treasury shall pay \$16,000,000 to Swain County,
15 North Carolina. Such payment shall be made after and
16 in addition to the completion of the road under subsection
17 (a).

18 (c) **CONDITIONS OF PAYMENT.**—The payment of
19 funds pursuant to subsection (b) shall be made on the con-
20 dition that—

21 (1) the funds are deposited into an account in
22 accordance with the rules and regulations estab-
23 lished by the North Carolina Local Government
24 Commission;

25 (2) the principal of the funds is expended only
26 pursuant to a resolution approved by an affirmative

1 vote of two-thirds of the registered voters of Swain
2 County; and

3 (3) the interest earned on the principal of the
4 funds paid is expended only pursuant to a simple
5 majority vote of the duly elected governing commis-
6 sion of Swain County.

7 (d) FULL SETTLEMENT OF ALL CLAIMS.—Imple-
8 mentation of subsections (a) and (b) shall constitute full
9 satisfaction of all claims of Swain County against the
10 United States arising under the Agreement.

11 **SEC. 4. LIMITATION ON FEES.**

12 No more than 10 percent of the payment made pur-
13 suant to section 3(b) may be paid to or received by any
14 agent or attorney in consideration for services rendered
15 in connection with the claims settled by this Act. Any per-
16 son who violates this section shall be subject to a fine of
17 not more than \$1000.

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