

Union Calendar No. 207

105TH CONGRESS
1ST SESSION

H. R. 434

[Report No. 105-359]

To provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 1997

Mr. RICHARDSON introduced the following bill; which was referred to the Committee on Resources

OCTOBER 30, 1997

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on January 9, 1997]

A BILL

To provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico.

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. LAND CONVEYANCE, CARSON NATIONAL FOR-**
2 **EST, NEW MEXICO.**

3 (a) *CONVEYANCE REQUIRED.*—*The Secretary of Agri-*
4 *culture shall convey through sale or exchange to the County*
5 *of Rio Arriba for the benefit of the village of El Rito, New*
6 *Mexico (in this section referred to as “El Rito”), all right,*
7 *title, and interest of the United States in and to a parcel*
8 *of real property, together with any improvements thereon,*
9 *consisting of approximately 5 acres located in the Carson*
10 *National Forest in the State of New Mexico.*

11 (b) *DESCRIPTION OF PROPERTY.*—*The exact acreage*
12 *and legal description of the real property conveyed under*
13 *subsection (a) shall be determined by a survey satisfactory*
14 *to the Secretary. The cost of the survey shall be borne by*
15 *the Forest Service.*

16 (c) *LANDS ACQUIRED IN EXCHANGE FROM RIO*
17 *ARRIBA COUNTY.*—*Except as provided in this Act, any ex-*
18 *change of lands under subsection (a) shall be processed in*
19 *accordance with the rules of the Secretary of Agriculture*
20 *setting forth the procedures for conducting exchanges of Na-*
21 *tional Forest System lands (36 CFR part 254). Any lands*
22 *to be conveyed to the United States in such an exchange*
23 *shall be acceptable to the Secretary and shall be subject to*
24 *such valid existing rights or record as may be acceptable*
25 *to the Secretary. Title to such land shall conform with the*

1 *title approval standards applicable to Federal land acquisi-*
2 *tions.*

3 (d) *VALUATION AND APPRAISALS.*—*Values of any*
4 *lands exchanged pursuant to subsection (a) shall be equal*
5 *as determined by the Secretary. If, due to size, location,*
6 *or use of lands exchanged under subsection (a), the values*
7 *are not exactly equal, they shall be equalized by the pay-*
8 *ment of cash. The Secretary may accept cash equalization*
9 *payments in excess of 25 per centum of the total value of*
10 *the Federal lands exchanged. Value of any lands sold to the*
11 *County of Rio Arriba shall be on the basis of fair market*
12 *value as determined by the Secretary.*

13 (e) *DISPOSITION OF FUNDS.*—*Payments from a sale*
14 *under subsection (a) or cash equalization payments may*
15 *be made in equal installments for a period not to exceed*
16 *10 years. Any funds received by the Secretary through the*
17 *sale or by cash equalization shall be deposited into the fund*
18 *established by the Act of December 4, 1967 (16 U.S.C.*
19 *484a), known as the Sisk Act, and shall be available for*
20 *expenditure, upon appropriation, for the acquisition of*
21 *lands and interests in lands in the State of New Mexico.*

22 (f) *STATUS OF LANDS.*—*Upon approval and accept-*
23 *ance of title by the Secretary, any lands acquired by the*
24 *United States pursuant to subsection (a) shall become part*
25 *of the Carson National Forest and the boundaries of the*

1 *National Forest shall be adjusted to encompass such lands.*
2 *Such lands shall be managed in accordance with the Act*
3 *of March 1, 1911 (commonly known as the “Weeks Law”)*
4 *(36 Stat. 961), and shall be administered by the Secretary*
5 *of Agriculture in accordance with the laws and regulations*
6 *pertaining to the National Forest System. This section shall*
7 *not limit the Secretary’s authority to adjust the boundaries*
8 *of the Carson National Forest pursuant to section 11 of the*
9 *Act of March 1, 1911 (“Weeks Act”). For the purposes of*
10 *section 7 of the Land and Water Conservation Fund Act*
11 *of 1965 (16 U.S.C. 4601–9), the boundaries of the Carson*
12 *National Forest, as adjusted by this Act, shall be considered*
13 *to be boundaries of the Forest as of January 1, 1965.*

14 **SEC. 2. LAND CONVEYANCE, SANTA FE NATIONAL FOREST,**
15 **NEW MEXICO.**

16 (a) *CONVEYANCE REQUIRED.—The Secretary of Agri-*
17 *culture shall convey, through exchange, to the town of Jemez*
18 *Springs, New Mexico (in this section referred to as “Jemez*
19 *Springs”), all right, title, and interest of the United States*
20 *in and to a parcel of real property, together with any im-*
21 *provements thereon, consisting of approximately 1 acre lo-*
22 *cated in the Santa Fe National Forest in the State of New*
23 *Mexico.*

24 (b) *DESCRIPTION OF PROPERTY.—The exact acreage*
25 *and legal description of the real property conveyed under*

1 subsection (a) shall be determined by a survey satisfactory
2 to the Secretary. The cost of the survey shall be borne by
3 the Forest Service.

4 (c) *LANDS ACQUIRED IN EXCHANGE FROM THE TOWN*
5 *OF JEMEZ SPRINGS.*—Except as provided in this Act, any
6 exchange of lands under subsection (a) shall be processed
7 in accordance with the rules of the Secretary of Agriculture
8 setting forth the procedures for conducting exchanges of Na-
9 tional Forest System lands (36 CFR part 254). Any lands
10 conveyed to the United States in such an exchange shall
11 be acceptable to the Secretary and shall be subject to such
12 valid existing rights or record as may be acceptable to the
13 Secretary. Title to such land shall conform with the title
14 approval standards applicable to Federal land acquisitions.

15 (d) *VALUATION AND APPRAISALS.*—Values of any
16 lands to be exchanged pursuant to subsection (a) shall be
17 equal as determined by the Secretary. If, due to size, loca-
18 tion, or use of lands exchanged under section 1(a), the val-
19 ues are not exactly equal, they shall be equalized by the pay-
20 ment of cash. The Secretary may accept cash equalization
21 payments in excess of 25 per centum of the total value of
22 the involved Federal lands exchanged.

23 (e) *DISPOSITION OF FUNDS.*—Payments for any cash
24 equalization for the exchange under subsection (a) may be
25 made in equal installments for a period of not to exceed

1 10 years. Any funds received by the Secretary through the
2 cash equalization shall be deposited into the fund estab-
3 lished by the Act of December 4, 1967 (16 U.S.C. 484a),
4 known as the Sisk Act, and shall be available for expendi-
5 ture, upon appropriation, for the acquisition of lands and
6 interests in lands in the State of New Mexico.

7 (f) STATUS OF LANDS.—Upon approval and accept-
8 ance of title by the Secretary, any lands acquired by the
9 United States pursuant to subsection (a) shall become part
10 of the Santa Fe National Forest and the boundaries of the
11 National Forest shall be adjusted to encompass such lands.
12 Such lands shall be managed in accordance with the Act
13 of March 1, 1911 (commonly known as the “Weeks Law”)
14 (36 Stat. 961), and shall be administered by the Secretary
15 of Agriculture in accordance with the laws and regulations
16 pertaining to the National Forest System. This section does
17 not limit the Secretary’s authority to adjust the boundaries
18 of the Carson National Forest pursuant to section 11 of the
19 Act of March 1, 1911 (“Weeks Act”). For the purposes of
20 section 7 of the Land and Water Conservation Fund Act
21 of 1965 (16 U.S.C. 4601–9), the boundaries of the Santa
22 Fe National Forest, as adjusted by this Act, shall be consid-
23 ered to be boundaries of the Forest as of January 1, 1965.

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