

106TH CONGRESS
2D SESSION

H. R. 5618

To authorize the Secretary of Agriculture to convey National Forest System lands for use for educational purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2000

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

A BILL

To authorize the Secretary of Agriculture to convey National Forest System lands for use for educational 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 “Education Land Grant
5 Act of 2000”.

6 **SEC. 2. CONVEYANCE OF NATIONAL FOREST SYSTEM**

7 **LANDS FOR EDUCATIONAL PURPOSES.**

8 (a) **AUTHORITY TO CONVEY.**—Upon written applica-
9 tion, the Secretary of Agriculture may convey National

1 Forest System lands to a public school district for use for
2 educational purposes if the Secretary determines that—

3 (1) the public school district seeking the convey-
4 ance will use the conveyed land for a public or pub-
5 licly funded elementary or secondary school, to pro-
6 vide grounds or facilities related to such a school, or
7 for both purposes;

8 (2) the conveyance will serve the public interest;

9 (3) the land to be conveyed is not otherwise
10 needed for the purposes of the National Forest Sys-
11 tem;

12 (4) the total acreage to be conveyed does not
13 exceed the amount reasonably necessary for the pro-
14 posed use;

15 (5) the land is to be used for an established or
16 proposed project that is described in detail in the ap-
17 plication to the Secretary, and the conveyance would
18 serve public objectives (either locally or at large)
19 that outweigh the objectives and values which would
20 be served by maintaining such land in Federal own-
21 ership;

22 (6) the applicant is financially and otherwise
23 capable of implementing the proposed project;

24 (7) the land to be conveyed has been identified
25 for disposal in an applicable land and resource man-

1 agement plan under the Forest and Rangeland Re-
2 newable Resources Planning Act of 1974 (16 U.S.C.
3 1600 et seq.); and

4 (8) an opportunity for public participation in a
5 disposal under this section has been provided, in-
6 cluding at least one public hearing or meeting, to
7 provide for public comments.

8 (b) ACREAGE LIMITATION.—A conveyance under this
9 section may not exceed 80 acres. However, this limitation
10 shall not be construed to preclude an entity from submit-
11 ting a subsequent application under this section for an ad-
12 ditional land conveyance if the entity can demonstrate to
13 the Secretary of Agriculture a need for additional land.

14 (c) COSTS AND MINERAL RIGHTS.—(1) A conveyance
15 under this section shall be for a nominal cost. The convey-
16 ance may not include the transfer of mineral or water
17 rights.

18 (2) If necessary, the exact acreage and legal descrip-
19 tion of the real property conveyed under this title shall
20 be determined by a survey satisfactory to the Secretary
21 of Agriculture and the applicant. The cost of the survey
22 shall be borne by the applicant.

23 (d) REVIEW OF APPLICATIONS.—When the Secretary
24 of Agriculture receives an application under this section,
25 the Secretary shall—

1 (1) before the end of the 14-day period begin-
2 ning on the date of the receipt of the application,
3 provide notice of that receipt to the applicant; and

4 (2) before the end of the 120-day period begin-
5 ning on that date—

6 (A) make a final determination whether or
7 not to convey land pursuant to the application,
8 and notify the applicant of that determination;
9 or

10 (B) submit written notice to the applicant
11 containing the reasons why a final determina-
12 tion has not been made.

13 (e) REVERSIONARY INTEREST.—If, at any time after
14 lands are conveyed pursuant to this section, the entity to
15 whom the lands were conveyed attempts to transfer title
16 to or control over the lands to another or the lands are
17 devoted to a use other than the use for which the lands
18 were conveyed, title to the lands shall revert to the United
19 States.

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