

Union Calendar No. 565

106TH CONGRESS
2^D SESSION

S. 1936

[Report No. 106-938]

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2000

Referred to the Committee on Resources

OCTOBER 5, 2000

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 italic]

[For text of Senate passed bill, see copy of bill as printed in the House of Representatives on
September 6, 2000]

AN ACT

To authorize the Secretary of Agriculture to sell or exchange
all or part of certain administrative sites and other Na-
tional Forest System land in the State of Oregon and
use the proceeds derived from the sale or exchange for
National Forest System 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 “Bend Pine Nursery*
 3 *Land Conveyance Act”.*

4 **SEC. 2. DEFINITIONS.**

5 *In this Act:*

6 (1) *SECRETARY.*—*The term “Secretary” means*
 7 *the Secretary of Agriculture.*

8 (2) *STATE.*—*The term “State” means the State*
 9 *of Oregon.*

10 **SEC. 3. SALE OR EXCHANGE OF ADMINISTRATIVE SITES.**

11 (a) *IN GENERAL.*—*The Secretary may, under such*
 12 *terms and conditions as the Secretary may prescribe, sell*
 13 *or exchange any or all right, title, and interest of the United*
 14 *States in and to the following National Forest System land*
 15 *and improvements:*

16 (1) *Tract A, Bend Pine Nursery, comprising ap-*
 17 *proximately 210 acres, as depicted on site plan map*
 18 *entitled “Bend Pine Nursery Administrative Site,*
 19 *May 13, 1999”.*

20 (2) *Tract B, the Federal Government owned*
 21 *structures located at Shelter Cove Resort, Deschutes*
 22 *National Forest, buildings only, as depicted on site*
 23 *plan map entitled “Shelter Cove Resort, November 3,*
 24 *1997”.*

25 (3) *Tract C, portions of isolated parcels of Na-*
 26 *tional Forest Land located in Township 20 south,*

1 *Range 10 East section 25 and Township 20 South,*
 2 *Range 11 East sections 8, 9, 16, 17, 20, and 21 con-*
 3 *sisting of approximately 1,260 acres, as depicted on*
 4 *map entitled “Deschutes National Forest Isolated*
 5 *Parcels, January 1, 2000”.*

6 *(4) Tract D, Alsea Administrative Site, con-*
 7 *sisting of approximately 24 acres, as depicted on site*
 8 *plan map entitled “Alsea Administrative Site, May*
 9 *14, 1999”.*

10 *(5) Tract F, Springdale Administrative Site,*
 11 *consisting of approximately 3.6 acres, as depicted on*
 12 *site plan map entitled “Site Development Plan, Co-*
 13 *lumbia Gorge Ranger Station, April 22, 1964”.*

14 *(6) Tract G, Dale Administrative Site, con-*
 15 *sisting of approximately 37 acres, as depicted on site*
 16 *plan map entitled “Dale Compound, February 1999”.*

17 *(7) Tract H, Crescent Butte Site, consisting of*
 18 *approximately .8 acres, as depicted on site plan map*
 19 *entitled “Crescent Butte Communication Site, Janu-*
 20 *ary 1, 2000”.*

21 *(b) CONSIDERATION.—Consideration for a sale or ex-*
 22 *change of land under subsection (a) may include the acqui-*
 23 *sition of land, existing improvements, or improvements con-*
 24 *structed to the specifications of the Secretary.*

1 (c) *APPLICABLE LAW.*—*Except as otherwise provided*
 2 *in this Act, any sale or exchange of National Forest System*
 3 *land under subsection (a) shall be subject to the laws (in-*
 4 *cluding regulations) applicable to the conveyance and ac-*
 5 *quisition of land for the National Forest System.*

6 (d) *CASH EQUALIZATION.*—*Notwithstanding any other*
 7 *provision of law, the Secretary may accept a cash equali-*
 8 *zation payment in excess of 25 percent of the value of land*
 9 *exchanged under subsection (a).*

10 (e) *SOLICITATIONS OF OFFERS.*—

11 (1) *IN GENERAL.*—*Subject to paragraph (3), the*
 12 *Secretary may solicit offers for sale or exchange of*
 13 *land under this section on such terms and conditions*
 14 *as the Secretary may prescribe.*

15 (2) *REJECTION OF OFFERS.*—*The Secretary may*
 16 *reject any offer made under this section if the Sec-*
 17 *retary determines that the offer is not adequate or not*
 18 *in the public interest.*

19 (3) *RIGHT OF FIRST REFUSAL.*—*The Bend Metro*
 20 *Park and Recreation District in Deschutes County,*
 21 *Oregon, shall be given the right of first refusal to pur-*
 22 *chase the Bend Pine Nursery described in subsection*
 23 *(a)(1).*

24 (f) *REVOCATIONS.*—

1 (1) *IN GENERAL.*—Any public land order with-
 2 drawing land described in subsection (a) from all
 3 forms of appropriation under the public land laws is
 4 revoked with respect to any portion of the land con-
 5 veyed by the Secretary under this section.

6 (2) *EFFECTIVE DATE.*—The effective date of any
 7 revocation under paragraph (1) shall be the date of
 8 the patent or deed conveying the land.

9 **SEC. 4. DISPOSITION OF FUNDS.**

10 (a) *DEPOSIT OF PROCEEDS.*—The Secretary shall de-
 11 posit the proceeds of a sale or exchange under section 3(a)
 12 in the fund established under Public Law 90–171 (16
 13 U.S.C. 484a) (commonly known as the “Sisk Act”).

14 (b) *USE OF PROCEEDS.*—Funds deposited under sub-
 15 section (a) shall be available to the Secretary, without fur-
 16 ther Act of appropriation, for—

17 (1) *the acquisition, construction, or improvement*
 18 *of administrative and visitor facilities and associated*
 19 *land in connection with the Deschutes National For-*
 20 *est;*

21 (2) *the construction of a bunkhouse facility in*
 22 *the Umatilla National Forest; and*

23 (3) *to the extent the funds are not necessary to*
 24 *carry out paragraphs (1) and (2), the acquisition of*
 25 *land and interests in land in the State.*

1 (c) *ADMINISTRATION.*—*Subject to valid existing rights,*
 2 *the Secretary shall manage any land acquired by purchase*
 3 *or exchange under this Act in accordance with the Act of*
 4 *March 1, 1911 (16 U.S.C. 480 et seq.) (commonly known*
 5 *as the “Weeks Act”) and other laws (including regulations)*
 6 *pertaining to the National Forest System.*

7 **SEC. 5. CONSTRUCTION OF NEW ADMINISTRATIVE FACILI-**
 8 **TIES.**

9 *The Secretary may acquire, construct, or improve ad-*
 10 *ministrative facilities and associated land in connection*
 11 *with the Deschutes National Forest System by using—*

12 (1) *funds made available under section 4(b); and*

13 (2) *to the extent the funds are insufficient to*
 14 *carry out the acquisition, construction, or improve-*
 15 *ment, funds subsequently made available for the ac-*
 16 *quisition, construction, or improvement.*

17 **SEC. 6. AUTHORIZATION OF APPROPRIATION.**

18 *There are authorized to be appropriated such sums as*
 19 *are necessary to carry out this Act.*

Passed the Senate July 27, 2000.

Attest:

GARY SISCO,
Secretary.

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