

107TH CONGRESS
2^D SESSION

H. R. 5552

To provide for the conveyance of Federal land in Sandpoint, Idaho, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 3, 2002

Mr. OTTER introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the conveyance of Federal land in Sandpoint,
Idaho, and for other 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 “Sandpoint Land and
5 Facilities Act of 2002”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) MAP.—The term “map” means the map en-
2 titled “Sandpoint Federal Building,” dated Sep-
3 tember 12, 2002.

4 (2) PROPERTY.—The term “property” means
5 the Sandpoint Federal Building and approximately
6 3.17 acres of land in Sandpoint, Idaho, as depicted
7 on the map.

8 (3) SECRETARY.—The term “Secretary” means
9 the Secretary of Agriculture.

10 (4) STATE.—The term “State” means the State
11 of Idaho.

12 **SEC. 3. TRANSFER OF ADMINISTRATIVE JURISDICTION.**

13 (a) IN GENERAL.—Not later than 30 days after the
14 date of enactment of this Act, the Administrator of Gen-
15 eral Services shall transfer to the Secretary, without con-
16 sideration, administrative jurisdiction over the property.

17 (b) DEBT.—

18 (1) ASSUMPTION.—As of the date on which ad-
19 ministrative jurisdiction is transferred under sub-
20 section (a), the Secretary shall assume the obligation
21 of the Administrator of General Services to repay to
22 the Federal Finance Bank the debt incurred with re-
23 spect to the property.

24 (2) REPAYMENT.—The Secretary may repay
25 the debt assumed under paragraph (1) using—

1 (A) the proceeds of the sale or exchange of
2 the property under section 4(a);

3 (B) amounts appropriated to the Forest
4 Service for the rental, upkeep, and maintenance
5 of facilities; and

6 (C) any other unobligated appropriated
7 amounts available to the Secretary

8 **SEC. 4. SALE OR EXCHANGE OF PROPERTY.**

9 (a) IN GENERAL.—Subject to the laws (including
10 regulations) applicable to the conveyance of land of the
11 National Forest System, the Secretary may, by quitclaim
12 deed, sell, for fair market value, or exchange all right,
13 title, and interest of the United States in and to the prop-
14 erty.

15 (b) MAP.—Until the date on which the property is
16 sold or exchanged under subsection (a), the map shall be
17 on file and available for public inspection in the—

18 (1) Office of the Chief of the Forest Service;

19 and

20 (2) the Office of the Supervisor, Idaho Pan-
21 handle National Forest, Coeur d'Alene, Idaho.

22 (c) CONSIDERATION.—

23 (1) IN GENERAL.—Consideration for the sale or
24 exchange of the property under subsection (a) may
25 be for—

1 (A) cash; or

2 (B) other consideration, including the con-
3 struction of administrative facilities for the Na-
4 tional Forest System in Bonner County, Idaho.

5 (2) CONDITIONS.—If the property is to be con-
6 veyed in exchange for the construction of adminis-
7 trative facilities under paragraph (1)(B)—

8 (A) the construction of the administrative
9 facilities shall be subject to any terms or condi-
10 tions that the Secretary may prescribe by con-
11 tract, including final building design and costs;
12 and

13 (B) the conveyance of the property shall be
14 subject to—

15 (i) the completion of the administra-
16 tive facilities in a manner satisfactory to
17 the Secretary;

18 (ii) the condition that the exchange be
19 an equal value exchange, or if the value of
20 the property and the administrative facili-
21 ties are not equal, as determined under
22 subsection (e), that the values be equalized
23 in accordance with subsection (f); and

24 (iii) any requirements of the Secretary
25 that the entity acquiring the property as-

1 sume any outstanding indebtedness on the
2 property to the Federal Finance Bank.

3 (d) SOLICITATIONS OF OFFERS.—

4 (1) IN GENERAL.—The Secretary may solicit
5 offers for the sale or exchange of the property under
6 this section on such terms and conditions as the Sec-
7 retary may prescribe.

8 (2) REJECTION OF OFFERS.—The Secretary
9 may reject any offer made under this section if the
10 Secretary determines that the offer is not adequate
11 or not in the public interest.

12 (e) VALUATION.—The value of the property to be ex-
13 changed or sold and any administrative facilities con-
14 structed under this Act shall be determined by an ap-
15 praisal that—

16 (1) is acceptable to the Secretary; and

17 (2) conforms with the Uniform Appraisal
18 Standards for Federal Land Acquisitions.

19 (f) EQUALIZATION OF VALUES.—Notwithstanding
20 section 206(b) of the Federal Land Policy and Manage-
21 ment Act of 1976 (43 U.S.C. 1716(b)), the Secretary may
22 accept a cash equalization payment in excess of 25 percent
23 of the value of the property.

1 **SEC. 5. DISPOSITION OF PROCEEDS.**

2 (a) DEPOSIT OF PROCEEDS.—The Secretary shall de-
3 posit the proceeds derived from any sale or exchange
4 under section 3(a) in the fund established by Public Law
5 90–171 (commonly known as the “Sisk Act”) (16 U.S.C.
6 484a).

7 (b) USE OF PROCEEDS.—

8 (1) IN GENERAL.—Amounts deposited under
9 subsection (a) shall be available to the Secretary,
10 without further appropriation, until expended, for—

11 (A) the acquisition, construction, or im-
12 provement of administrative facilities and asso-
13 ciated land in the Northern Region of the For-
14 est Service in the State; and

15 (B) the acquisition of land and interests in
16 land for addition to National Forest System
17 land in the Northern Region of the Forest Serv-
18 ice in the State.

19 (2) LIMITATIONS.—Funds deposited under sub-
20 section (a) shall not—

21 (A) be paid or distributed to States or
22 counties under any provision of law; or

23 (B) be considered to be moneys received
24 from units of the National Forest System for
25 purposes of—

1 (i) the Act of May 23, 1908 (16
2 U.S.C. 500); or

3 (ii) the Act of March 4, 1913 (16
4 U.S.C. 501).

5 **SEC. 6. APPLICABLE LAW.**

6 (a) IN GENERAL.—Subject to valid existing rights,
7 the Secretary shall manage any land acquired by purchase
8 or exchange under this Act in accordance with the Act
9 of March 1, 1911 (commonly known as the “Weeks Act”)
10 (16 U.S.C. 480 et seq.) and other laws (including regula-
11 tions) relating to the National Forest System.

12 (b) EXEMPTION FROM PROPERTY MANAGEMENT
13 REGULATIONS.—Part 1955 of title 7, Code of Federal
14 Regulations, shall not apply to any action carried out
15 under this Act.

16 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

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

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