

Calendar No. 175

107TH CONGRESS
1ST SESSION

S. 1105

[Report No. 107-73]

To provide for the expeditious completion of the acquisition of State of Wyoming lands within the boundaries of Grand Teton National Park, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2001

Mr. THOMAS (for himself and Mr. ENZI) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

OCTOBER 1, 2001

Reported by Mr. BINGAMAN, with an amendment

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

A BILL

To provide for the expeditious completion of the acquisition of State of Wyoming lands within the boundaries of Grand Teton National Park, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Grand Teton National
3 Park Land Exchange Act”.

4 **SEC. 2. DEFINITIONS.**

5 (a) The term “Governor” means the Governor of the
6 State of Wyoming.

7 (b) The term “Secretary” means the Secretary of the
8 Department of the Interior.

9 (c) The term “State lands” means the State of Wyo-
10 ming lands, and interest therein, within the boundaries of
11 Grand Teton National Park as identified on a map titled
12 “Private, State & County Inholdings Grand Teton Na-
13 tional Park”, dated March 2001, and numbered “GTNP-
14 0001”.

15 **SEC. 3. PURPOSE AND INTENT.**

16 The purpose of this Act is to authorize the Secretary
17 to acquire approximately 1,406 acres of State lands and
18 interests therein within the exterior boundaries of Grand
19 Teton National Park.

20 **SEC. 4. VALUATION OF INTEREST.**

21 (a) IN GENERAL.—Not later than 90 days after the
22 date of enactment of this Act the State lands to be ac-
23 quired shall be valued by one of the following methods:

24 (1) SELECTION OF APPRAISER.—The Secretary
25 and the Governor shall mutually agree on the selec-

tion of a qualified appraiser to conduct an appraisal
of the State lands.

~~(2) NO AGREEMENT ON APPRAISER.—If no ap-
praiser is mutually agreed to under paragraph (a)(1)
of this section, the Secretary and the Governor shall
each designate a qualified appraiser, and the two
designated appraisers shall select a third qualified
appraiser to perform the appraisal with the advice
and assistance of the designated appraisers.~~

~~(3) FAILURE OF PROCESS.—If the Secretary
and the Governor cannot agree on the evaluation of
the appraised State lands by the date that is 180
days after the date of enactment of this section the
Governor may petition the United States Court of
Federal Claims for a determination of the value of
the State lands and interest therein. Subject to the
right of appeal, a determination by the Court shall
be binding for purposes of this section on all parties.~~

SEC. 5. LAND EXCHANGE.

~~(a) DUTIES OF THE SECRETARY.—~~

~~(1) Within 180 days after the value of the State
lands is determined in accordance with the provi-
sions of section 4 of this Act, the Secretary, in con-
sultation with the Governor, shall exchange Federal~~

1 lands of equal value or other Federal assets of equal
 2 value, or a combination of both, for the State lands.

3 ~~(2) Upon final exchange of title between the~~
 4 ~~State and the Secretary, the lands conveyed to the~~
 5 ~~United States pursuant to this Act shall become~~
 6 ~~part of Grand Teton National Park. Once conveyed,~~
 7 ~~such lands shall be managed in accordance with the~~
 8 ~~Act of August 25, 1916 (commonly known as the~~
 9 ~~“National Park Service Organic Act”); and in ac-~~
 10 ~~cordance with the other laws, rules and regulations~~
 11 ~~applicable to the National Park System.~~

12 **SECTION 1. SHORT TITLE.**

13 *This Act may be cited as the “Grand Teton National*
 14 *Park Land Exchange Act”.*

15 **SEC. 2. DEFINITIONS.**

16 *As used in this Act:*

17 *(1) The term “Governor” means the Governor of*
 18 *the State of Wyoming.*

19 *(2) The term “Federal lands” means public*
 20 *lands identified for disposal under approved land use*
 21 *plans (as in effect on the date of enactment of this*
 22 *Act) under section 202 of the Federal Land Policy*
 23 *and Management Act of 1976 (43 U.S.C. 1712).*

24 *(3) The term “Secretary” means the Secretary of*
 25 *the Department of the Interior.*

1 (4) *The term “State lands” means the State of*
 2 *Wyoming lands, and interest therein, within the*
 3 *boundaries of Grand Teton National park as identi-*
 4 *fied on a map titled “Private, State & County*
 5 *Inholdings Grand Teton National Park”, dated*
 6 *March 2001, and numbered GTNP–0001.*

7 **SEC. 3. PURPOSE.**

8 *The purpose of this Act is to authorize the Secretary*
 9 *to acquire approximately 1,406 acres of State lands and*
 10 *interests therein within the exterior boundaries of Grand*
 11 *Teton National Park.*

12 **SEC. 4. VALUATION OF INTEREST.**

13 *Not later than 90 days after the date of enactment of*
 14 *this Act, the State lands to be acquired shall be valued by*
 15 *one of the following methods:*

16 (1) *SELECTION OF APPRAISER.—The Secretary*
 17 *and the Governor shall mutually agree on the selec-*
 18 *tion of a qualified appraiser to conduct an appraisal*
 19 *of the State lands.*

20 (2) *NO AGREEMENT ON APPRAISER.—If no ap-*
 21 *praiser is mutually agreed to under paragraph (1),*
 22 *the Secretary and the Governor shall each designate*
 23 *a qualified appraiser, and the two designated ap-*
 24 *praisers shall select a third qualified appraiser to*

1 *perform the appraisal with the advice and assistance*
 2 *of the designated appraisers.*

3 (3) *FAILURE OF PROCESS.—If the Secretary and*
 4 *the Governor cannot agree on the evaluation of the*
 5 *appraised State lands by the date that is 180 days*
 6 *after the date of enactment of this section the Gov-*
 7 *ernor may petition the United States Court of Fed-*
 8 *eral Claims for a determination by the Court shall be*
 9 *binding for purposes of this section on all parties.*

10 **SEC. 5. LAND EXCHANGE.**

11 *Within 180 days after the value of the state lands is*
 12 *determined in accordance with the provisions of section 4*
 13 *of this Act, the Secretary, in consultation with the Gov-*
 14 *ernor, shall exchange Federal lands of equal value or other*
 15 *Federal assets of equal value, or a combination of both, for*
 16 *the State lands.*

17 **SEC. 6. ADMINISTRATION OF ACQUIRED LANDS.**

18 *Upon final exchange of title between the State and the*
 19 *secretary, the lands conveyed to the United States pursuant*
 20 *to this Act shall become part of Grand Teton National Park.*
 21 *Once conveyed, such lands shall be managed in accordance*
 22 *with the Act of August 25, 1916 (commonly known as the*
 23 *“National Park Service Organic Act”) and other laws, rules*
 24 *and regulations applicable to units of the National Park*
 25 *System.*

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