

Calendar No. 257

108TH CONGRESS
1ST SESSION

S. 435

[Report No. 108–133]

To provide for the conveyance by the Secretary of Agriculture of the Sandpoint Federal Building and adjacent land in Sandpoint, Idaho, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2003

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

AUGUST 26, 2003

Reported under authority of the order of the Senate of July 29 (legislative day, July 21), 2003, by Mr. DOMENICI, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To provide for the conveyance by the Secretary of Agriculture of the Sandpoint Federal Building and adjacent 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Sandpoint Land and
3 Facilities Conveyance Act of 2003”.

4 **SEC. 2. CONVEYANCE OF SANDPOINT FEDERAL BUILDING**
5 **AND ADJACENT LAND, SANDPOINT, IDAHO.**

6 (a) TRANSFER OF ADMINISTRATIVE JURISDIC-
7 TION.—Not later than 30 days after the date of the enact-
8 ment of this Act, the Administrator of General Services
9 shall transfer to the Secretary of Agriculture, without re-
10 imbursement, administrative jurisdiction over the
11 Sandpoint Federal Building and approximately 3.17 acres
12 of land in Sandpoint, Idaho, as depicted on the map enti-
13 tled “Sandpoint Federal Building,” dated September 12,
14 2002, on file in the Office of the Chief of the Forest Serv-
15 ice and the Office of the Supervisor, Idaho National Pan-
16 handle Forest, Coeur d’Alene, Idaho.

17 (b) ASSUMPTION AND REPAYMENT OF DEBT.—As of
18 the date on which administrative jurisdiction of the prop-
19 erty is transferred under subsection (a), the Secretary
20 shall assume the obligation of the Administrator of Gen-
21 eral Services to repay to the Federal Finance Bank the
22 debt incurred with respect to the transferred property.
23 The Secretary may repay the debt using—

24 (1) the proceeds of the conveyance of the prop-
25 erty under this section;

1 (2) amounts appropriated to the Forest Service
2 for the rental, upkeep, and maintenance of facilities;
3 and

4 (3) any other unobligated appropriated amounts
5 available to the Secretary.

6 (c) CONVEYANCE OF PROPERTY.—

7 (1) CONVEYANCE AUTHORIZED.—The Secretary
8 may convey, by quitclaim deed, all right, title, and
9 interest of the United States in and to the property
10 transferred to the Secretary under subsection (a).
11 The conveyance may be made by sale or by ex-
12 change.

13 (2) SOLICITATIONS OF OFFERS.—The Secretary
14 may solicit offers for the conveyance of the property
15 under this section on such terms and conditions as
16 the Secretary may prescribe. The Secretary may re-
17 ject any offer made under this section if the Sec-
18 retary determines that the offer is not adequate or
19 not in the public interest.

20 (d) CONSIDERATION.—

21 (1) CONDITIONS OF SALE.—If the property is
22 conveyed under subsection (c) by sale, the purchaser
23 shall pay to the Secretary an amount equal to the
24 fair market value of the property as determined
25 under paragraph (3). At the election of the Sec-

1 retary, the consideration may be in the form of cash
2 or other consideration, including the construction of
3 administrative facilities for the National Forest Sys-
4 tem in Bonner County, Idaho.

5 (2) CONDITIONS OF EXCHANGE.—If the prop-
6 erty is conveyed in exchange for construction of ad-
7 ministrative facilities, the conveyance shall be sub-
8 ject to—

9 (A) construction of the administrative fa-
10 cilities in accordance with terms or conditions
11 that the Secretary may prescribe, including
12 final building design and costs;

13 (B) completion of the administrative facili-
14 ties in a manner satisfactory to the Secretary;

15 (C) the condition that the exchange be an
16 equal value exchange, or if the value of the
17 property and the administrative facilities are
18 not equal, as determined under paragraph (3),
19 that the values be equalized in accordance with
20 paragraph (4); and

21 (D) any requirements of the Secretary that
22 the entity acquiring the property assume any
23 outstanding indebtedness on the property to the
24 Federal Finance Bank.

1 (3) VALUATION.—The value of the property to
 2 be conveyed under subsection (c), and the value of
 3 any administrative facilities in exchange for the
 4 property, shall be determined by an appraisal that
 5 conforms to the Uniform Appraisal Standards for
 6 Federal Land Acquisitions and is acceptable to the
 7 Secretary.

8 (4) EQUALIZATION OF VALUES.—Notwith-
 9 standing any other provision of law, the Secretary
 10 may accept a cash equalization payment in excess of
 11 25 percent of the value of the property conveyed
 12 under subsection (c).

13 **SEC. 3. DISPOSITION OF FUNDS.**

14 (a) DEPOSIT OF PROCEEDS.—The Secretary shall de-
 15 posit the proceeds derived for the conveyance of the prop-
 16 erty under this section in the fund established by Public
 17 Law 90–171 (commonly known as the “Sisk Act”; 16
 18 U.S.C. 484a).

19 (b) USE OF PROCEEDS.—Amounts deposited under
 20 subsection (a) shall be available to the Secretary, without
 21 further appropriation and until expended, for—

22 (1) the acquisition, construction, or improve-
 23 ment of administrative facilities and associated land;
 24 and

1 (2) the acquisition of land and interests in land
2 for addition to the National Forest System in the
3 Northern Region of the Forest Service in the State
4 of Idaho.

5 (c) LIMITATIONS.—Funds deposited under subsection
6 (a) shall not be paid or distributed to States or counties
7 under any provision of law, or otherwise considered mon-
8 eys received from units of the National Forest System for
9 purposes of—

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

11 (2) *section 13 of* the Act of March 1, 1911 (16
12 U.S.C. 500, commonly known as the “Weeks Law”);
13 or

14 (3) ~~the fourteenth paragraph under the heading~~
15 ~~“Forest Service” in~~ the Act of March 4, 1913 (16
16 U.S.C. 501).

17 (d) MANAGEMENT OF LANDS ACQUIRED BY THE
18 UNITED STATES.—Subject to valid existing rights, the
19 Secretary shall manage any land acquired under this Act,
20 in accordance with the Act of March 1, 1911 (16 U.S.C.
21 480 et seq., commonly known as the “Weeks Law”) and
22 other laws relating to the National Forest System.

23 (e) APPLICABLE LAW.—Except as otherwise provided
24 in this section, the conveyance of property under this sec-
25 tion shall be subject to the laws applicable to conveyances

1 of National Forest System land. Part 1955 of title 7, Code
2 of Federal Regulations, shall not apply to any action car-
3 ried out under this section.

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