

109TH CONGRESS
1ST SESSION

H. R. 482

To provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2005

Mr. NEUGEBAUER (for himself and Mr. PEARCE) introduced the following bill;
which was referred to the Committee on Resources

A BILL

To provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico, 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 “Pine Springs Land
5 Exchange Act”.

6 **SEC. 2. LAND EXCHANGE, LINCOLN NATIONAL FOREST,**
7 **NEW MEXICO.**

8 (a) DEFINITIONS.—In this section:

9 (1) FEDERAL LAND.—The term “Federal land”
10 means the three parcels of land, and any improve-

ments thereon, comprising approximately 80 acres in the Lincoln National Forest, New Mexico, as depicted on the map entitled “Pine Springs Land Exchange” and dated May 25, 2004, and more particularly described as S1/2SE1/4NW1/4, SW1/4SW1/4, W1/2E1/2NW1/4SW1/4, and E1/2W1/2NW1/4SW1/4 of section 32 of township 17 south, range 13 east, New Mexico Principal Meridian.

(2) NON-FEDERAL LAND.—The term “non-Federal land” means the parcel of land owned by Lubbock Christian University comprising approximately 80 acres, as depicted on the map referred to in paragraph (1) and more particularly described as N1/2NW1/4 of section 24 of township 17 south, range 12 east, New Mexico Principal Meridian.

(b) LAND EXCHANGE REQUIRED.—

(1) EXCHANGE.—In exchange for the conveyance of the non-Federal land by Lubbock Christian University, the Secretary of Agriculture shall convey to Lubbock Christian University, by quit-claim deed, all right, title, and interest of the United States in and to the Federal land. The conveyance of the Federal land shall be subject to valid existing rights and such additional terms and conditions as the Sec-

1 retary considers appropriate to protect the interests
2 of the United States.

3 (2) ACCEPTABLE TITLE.—Title to the non-Fed-
4 eral land shall conform with the title approval stand-
5 ards of the Attorney General applicable to Federal
6 land acquisitions and shall otherwise be acceptable
7 to the Secretary.

8 (3) COSTS OF IMPLEMENTING THE EX-
9 CHANGE.—The costs of implementing the land ex-
10 change shall be shared equally by the Secretary and
11 Lubbock Christian University.

12 (4) COMPLETION.—Subject to paragraph (2),
13 the Secretary shall complete, to the extent prac-
14 ticable, the land exchange not later than 180 days
15 after the date of the enactment of this Act.

16 (c) TREATMENT OF MAP AND LEGAL DESCRIP-
17 TIONS.—The Secretary and Lubbock Christian University
18 may correct any minor error in the map referred to in
19 subsection (a)(1) or the legal descriptions of the Federal
20 land and non-Federal land. In the event of a discrepancy
21 between the map and legal descriptions, the map shall pre-
22 vail unless the Secretary and Lubbock Christian Univer-
23 sity otherwise agree. The map shall be on file and available
24 for inspection in the Office of the Chief of the Forest Serv-

1 ice and the Office of the Supervisor of Lincoln National
2 Forest.

3 (d) EQUAL VALUE EXCHANGES.—The fair market
4 values of the Federal land and non-Federal land ex-
5 changed under subsection (b) shall be equal or, if they
6 are not equal, shall be equalized in the manner provided
7 in section 206 of the Federal Land Policy Management
8 Act of 1976 (43 U.S.C. 1716). The fair market value of
9 the land shall be determined by appraisals acceptable to
10 the Secretary and Lubbock Christian University. The ap-
11 praisals shall be performed in conformance with sub-
12 section (d) of such section and the Uniform Appraisal
13 Standards for Federal Land Acquisitions.

14 (e) REVOCATION AND WITHDRAWAL.—

15 (1) REVOCATION OF ORDERS.—Any public or-
16 ders withdrawing any of the Federal land from ap-
17 propriation or disposal under the public land laws
18 are revoked to the extent necessary to permit dis-
19 posal of the Federal land.

20 (2) WITHDRAWAL OF FEDERAL LAND.—Subject
21 to valid existing rights, pending the completion of
22 the land exchange, the Federal land is withdrawn
23 from all forms of location, entry and patent under
24 the public land laws, including the mining and min-

1 eral leasing laws and the Geothermal Steam Act of
2 1970 (30 U.S.C. 1001 et seq.).

3 (f) ADMINISTRATION OF LAND ACQUIRED BY
4 UNITED STATES.—

5 (1) BOUNDARY ADJUSTMENT.—Upon accept-
6 ance of title by the Secretary of the non-Federal
7 land, the acquired land shall become part of the Lin-
8 coln National Forest, and the boundaries of the Lin-
9 coln National Forest shall be adjusted to include the
10 land. For purposes of section 7 of the Land and
11 Water Conservation Fund Act of 1965 (16 U.S.C.
12 460l–9), the boundaries of the Lincoln National
13 Forest, as adjusted pursuant to this paragraph,
14 shall be considered to be boundaries of the Lincoln
15 National Forest as of January 1, 1965.

16 (2) MANAGEMENT.—The Secretary shall man-
17 age the acquired land in accordance with the Act of
18 March 1, 1911 (commonly known as the Weeks Act;
19 16 U.S.C. 480, 500, 513–519, 521, 552, 563), and
20 in accordance with the other laws and regulations
21 applicable to National Forest System lands.

22 (g) RELATION TO OTHER LAWS.—Subchapters II
23 and III of chapter 5 of title 40, United States Code, and

- 1 the Agriculture Property Management Regulations shall
- 2 not apply to any action taken pursuant to this section.

