

In the Senate of the United States,

October 11, 2018.

Resolved, That the bill from the House of Representatives (H.R. 2615) entitled “An Act to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Gulf Islands National*
3 *Seashore Land Exchange Act”.*

4 ***SEC. 2. DEFINITIONS.***

5 *In this Act:*

6 (1) *FEDERAL LAND.*—*The term “Federal land”*
7 *means the parcel of approximately 1.542 acres of land*
8 *that is located within the Gulf Islands National Sea-*

1 shore in Jackson County, Mississippi, and identified
2 as “NPS Exchange Area” on the Map.

3 (2) *MAP*.—The term “Map” means the map enti-
4 tled “Gulf Islands National Seashore, Proposed Land
5 Exchange with VFW, Davis Bayou Area—Jackson
6 County, MS”, numbered 635/133309, and dated June
7 2016.

8 (3) *NON-FEDERAL LAND*.—The term “non-Fed-
9 eral land” means the parcel of approximately 2.161
10 acres of land that is located in Jackson County, Mis-
11 sissippi, and identified as “VFW Exchange Area” on
12 the Map.

13 (4) *POST*.—The term “Post” means the Veterans
14 of Foreign Wars Post 5699.

15 (5) *SECRETARY*.—The term “Secretary” means
16 the Secretary of the Interior, acting through the Di-
17 rector of the National Park Service.

18 **SEC. 3. GULF ISLANDS NATIONAL SEASHORE LAND EX-**
19 **CHANGE.**

20 (a) *IN GENERAL*.—The Secretary may convey to the
21 Post all right, title, and interest of the United States in
22 and to the Federal land in exchange for the conveyance by
23 the Post to the Secretary of all right, title, and interest of
24 the Post in and to the non-Federal land.

25 (b) *EQUAL VALUE EXCHANGE*.—

1 (1) *IN GENERAL.*—*The values of the Federal land*
 2 *and non-Federal land to be exchanged under this sec-*
 3 *tion shall be equal, as determined by an appraisal*
 4 *conducted—*

5 (A) *by a qualified and independent ap-*
 6 *praiser; and*

7 (B) *in accordance with nationally recog-*
 8 *nized appraisal standards.*

9 (2) *EQUALIZATION.*—*If the values of the Federal*
 10 *land and non-Federal land to be exchanged under this*
 11 *section are not equal, the values shall be equalized*
 12 *through—*

13 (A) *a cash payment; or*

14 (B) *adjustments to the acreage of the Fed-*
 15 *eral land or non-Federal land to be exchanged,*
 16 *as applicable.*

17 (c) *PAYMENT OF COSTS OF CONVEYANCE.*—

18 (1) *PAYMENT REQUIRED.*—*As a condition of the*
 19 *exchange authorized under this section, the Secretary*
 20 *shall require the Post to pay the costs to be incurred*
 21 *by the Secretary, or to reimburse the Secretary for the*
 22 *costs incurred by the Secretary, to carry out the ex-*
 23 *change, including—*

24 (A) *survey costs;*

1 (B) any costs relating to environmental doc-
2 umentation; and

3 (C) any other administrative costs relating
4 to the land exchange.

5 (2) *REFUND.*—If the Secretary collects amounts
6 from the Post under paragraph (1) before the Sec-
7 retary incurs the actual costs and the amount col-
8 lected by the Secretary exceeds the costs actually in-
9 curred by the Secretary to carry out the land ex-
10 change under this section, the Secretary shall provide
11 to the Post a refund of the excess amount paid by the
12 Post.

13 (3) *TREATMENT OF CERTAIN AMOUNTS RE-*
14 *CEIVED.*—Amounts received by the Secretary from the
15 Post as reimbursement for costs incurred under para-
16 graph (1) shall be—

17 (A) credited to the fund or account from
18 which amounts were used to pay the costs in-
19 curred by the Secretary in carrying out the land
20 exchange;

21 (B) merged with amounts in the fund or ac-
22 count to which the amounts were credited under
23 subparagraph (A); and

24 (C) available for the same purposes as, and
25 subject to the same conditions and limitations

1 *applicable to, amounts in the fund or account to*
 2 *which the amounts were credited under subpara-*
 3 *graph (A).*

4 *(d) DESCRIPTION OF FEDERAL LAND AND NON-FED-*
 5 *ERAL LAND.—The exact acreage and legal description of the*
 6 *Federal land and non-Federal land to be exchanged under*
 7 *this section shall be determined by surveys that are deter-*
 8 *mined to be satisfactory by the Secretary and the Post.*

9 *(e) CONVEYANCE AGREEMENT.—The exchange of Fed-*
 10 *eral land and non-Federal land under this section shall*
 11 *be—*

12 *(1) carried out through a quitclaim deed or other*
 13 *legal instrument; and*

14 *(2) subject to such terms and conditions as are*
 15 *mutually satisfactory to the Secretary and the Post,*
 16 *including such additional terms and conditions as the*
 17 *Secretary considers to be appropriate to protect the*
 18 *interests of the United States.*

19 *(f) VALID EXISTING RIGHTS.—The exchange of Fed-*
 20 *eral land and non-Federal land authorized under this sec-*
 21 *tion shall be subject to valid existing rights.*

22 *(g) TITLE APPROVAL.—Title to the Federal land and*
 23 *non-Federal land to be exchanged under this section shall*
 24 *be in a form acceptable to the Secretary.*

1 (h) *TREATMENT OF ACQUIRED LAND.*—Any non-Fed-
2 eral land and interests in non-Federal land acquired by the
3 United States under this section shall be administered by
4 the Secretary as part of the Gulf Islands National Seashore.

5 (i) *MODIFICATION OF BOUNDARY.*—On completion of
6 the exchange of Federal land and non-Federal land under
7 this section, the Secretary shall modify the boundary of the
8 Gulf Islands National Seashore to reflect the exchange of
9 Federal land and non-Federal land.

Attest:

Secretary.

115TH CONGRESS
2^D SESSION

H.R. 2615

AMENDMENT