

107TH CONGRESS
2^D SESSION

H. R. 5628

To authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2002

Mr. OTTER introduced the following bill; which was referred to the Committee on Resources

A BILL

To authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System 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 “Idaho Panhandle Na-
5 tional Forest Improvement Act of 2002”.

1 **SEC. 2. DEFINITION OF SECRETARY.**

2 In this Act, the term “Secretary” means the Sec-
3 retary of Agriculture.

4 **SEC. 3. SALE OR EXCHANGE OF ADMINISTRATIVE SITES.**

5 (a) IN GENERAL.—The Secretary may, under such
6 terms and conditions as the Secretary may prescribe, sell
7 or exchange any or all right, title, and interest of the
8 United States in and to the following National Forest Sys-
9 tem land and improvements:

10 (1) Granite/Reeder Bay, Priest Lake Parcel, T.
11 61 N., R. 4 E., B.M., sec. 17, S¹/₂NE¹/₄ (80 acres,
12 more or less).

13 (2) North South Ski area, T. 43 N., R. 3 W.,
14 B.M., sec. 13, SE¹/₄SE¹/₄SW¹/₄, S¹/₂SW¹/₄SE¹/₄,
15 NE¹/₄SW¹/₄SE¹/₄, and SW¹/₄SE¹/₄SE¹/₄ (50 acres
16 more or less).

17 (3) Shoshone work camp (including easements
18 for utilities), T. 50 N., R. 4 E., B.M., sec. 5, a por-
19 tion of the S¹/₂SE¹/₄.

20 (b) DESCRIPTIONS.—The Secretary may modify the
21 descriptions in subsection (a) to correct errors or to recon-
22 figure the properties in order to facilitate conveyance.

23 (c) CONSIDERATION.—Consideration for a sale or ex-
24 change of land under subsection (a)—

25 (1) shall be equal to the market value of the
26 land; and

1 (2) may include—

2 (A) cash; or

3 (B) the acquisition of improved or unim-
4 proved land or land with improvements con-
5 structed to the specifications of the Secretary.

6 (d) APPLICABLE LAW.—Except as otherwise provided
7 in this Act, any sale or exchange of National Forest Sys-
8 tem land under subsection (a) shall be subject to the laws
9 (including regulations) applicable to the conveyance and
10 acquisition of land for the National Forest System.

11 (e) VALUATION.—The market value of the land and
12 the improvements to be exchanged or sold or constructed
13 under this Act shall be determined by an appraisal that
14 is acceptable to the Secretary and conforms with the Fed-
15 eral appraisal standards, as defined in the document enti-
16 tled “Uniform Appraisal Standards for Federal Land Ac-
17 quisitions”.

18 (f) CASH EQUALIZATION.—Notwithstanding any
19 other provision of law, the Secretary may accept a cash
20 equalization payment in excess of 25 percent of the value
21 of land exchanged under subsection (a).

22 (g) SOLICITATIONS OF OFFERS.—

23 (1) IN GENERAL.—The Secretary may solicit
24 offers for sale or exchange of land under this section

1 on such terms and conditions as the Secretary may
2 prescribe.

3 (2) REJECTION OF OFFERS.—The Secretary
4 may reject any offer made under this section if the
5 Secretary determines that the offer is not adequate
6 or not in the public interest.

7 (h) METHODS OF SALE.—The Secretary may sell
8 land under subsection (a) at public or private sale, includ-
9 ing at auction, in accordance with such terms, conditions,
10 and procedures as the Secretary determines to be in the
11 best interests of the United States.

12 **SEC. 4. DISPOSITION OF FUNDS.**

13 (a) DEPOSIT OF PROCEEDS.—The Secretary shall de-
14 posit the proceeds of a sale or exchange under section 3(a)
15 in the fund established under Public Law 90–171 (com-
16 monly known as the “Sisk Act”) (16 U.S.C. 484a).

17 (b) USE OF PROCEEDS.—Funds deposited under sub-
18 section (a) shall be available to the Secretary, without fur-
19 ther appropriation—

20 (1) for the acquisition of, construction of, or re-
21 habilitation of existing facilities for, a new ranger
22 station in the Silver Valley portion of the Panhandle
23 National Forest; or

24 (2) to the extent that the amount of funds de-
25 posited exceeds the amount needed for the purpose

1 described in paragraph (1), for the acquisition, con-
2 struction, or rehabilitation of other facilities in the
3 Panhandle National Forest.

4 **SEC. 5. CONSTRUCTION OF NEW ADMINISTRATIVE FACILI-**
5 **TIES.**

6 The Secretary may acquire, construct, or rehabilitate
7 the ranger station described in section 4(b)(1) and acquire
8 associated land by using—

9 (1) funds made available under section 4(b);
10 and

11 (2) to the extent the funds are insufficient to
12 carry out the acquisition, construction, or improve-
13 ment, funds subsequently made available for the ac-
14 quisition, construction, or improvement.

15 **SEC. 6. MISCELLANEOUS PROVISIONS.**

16 (a) **NONDISTRIBUTION OF PROCEEDS.**—Proceeds
17 from the sale or exchange of land under this Act shall
18 not be paid or distributed to States or counties under any
19 provision of law, or otherwise treated as money received
20 from a national forest, for purposes of—

21 (1) the Act of May 23, 1908, or the Act of
22 March 1, 1911 (16 U.S.C. 500); or

23 (2) the Act of March 4, 1913 (16 U.S.C. 501).

1 (b) DEPARTMENTAL REGULATIONS.—The Agri-
2 culture Property Management Regulations shall not apply
3 to—

4 (1) any disposition of National Forest System
5 land under this Act; or

6 (2) any other action taken under this Act.

7 (c) ADMINISTRATION OF LANDS ACQUIRED BY THE
8 UNITED STATES.—Land transferred or otherwise ac-
9 quired by the Secretary under this Act shall be managed
10 in accordance with the Act of March 1, 1911 (commonly
11 known as the “Weeks Law”) (16 U.S.C. 480 et seq.) and
12 in accordance with the other laws (including regulations)
13 pertaining to the National Forest System.

14 (d) WITHDRAWALS AND REVOCATIONS.—

15 (1) PUBLIC LAND ORDERS.—As of the date of
16 this Act, any public land order withdrawing land de-
17 scribed in section 3(a) from all forms of appropria-
18 tion under the public land laws is revoked with re-
19 spect to any portion of the land conveyed by the Sec-
20 retary under this section.

21 (2) WITHDRAWAL.—Subject to valid existing
22 rights, all land described in section 3(a) is with-
23 drawn from location, entry, and patent under the
24 mining laws of the United States.

1 **SEC. 7. AUTHORIZATION OF APPROPRIATION.**

2 There are authorized to be appropriated such sums

3 as are necessary to carry out this Act.

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