

112TH CONGRESS
1ST SESSION

S. 635

To direct the Secretary of the Interior to sell certain Federal lands in Arizona, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, Utah, and Wyoming, previously identified as suitable for disposal, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2011

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

A BILL

To direct the Secretary of the Interior to sell certain Federal lands in Arizona, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, Utah, and Wyoming, previously identified as suitable for disposal, 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. SALE OF CERTAIN FEDERAL LANDS PRE-**
4 **VIOUSLY IDENTIFIED AS SUITABLE FOR DIS-**
5 **POSAL.**

6 (a) SHORT TITLE.—This Act may be cited as the
7 “Disposal of Excess Federal Lands Act of 2011”.

1 (b) COMPETITIVE SALE OF LANDS.—The Secretary
2 shall offer the identified Federal lands for disposal by
3 competitive sale for not less than fair market value as de-
4 termined by an independent appraiser.

5 (c) EXISTING RIGHTS.—The sale of identified Fed-
6 eral lands under this section shall be subject to valid exist-
7 ing rights.

8 (d) PROCEEDS OF SALE OF LANDS.—All net pro-
9 ceeds from the sale of identified Federal lands under this
10 section shall be deposited directly into the Treasury for
11 reduction of the public debt.

12 (e) REPORT.—Not later than 4 years after the date
13 of the enactment of this Act, the Secretary shall submit
14 to the Committee on Natural Resources of the House of
15 Representatives and the Committee on Energy and Nat-
16 ural Resources of the Senate—

17 (1) a list of any identified Federal lands that
18 have not been sold under subsection (b) and the rea-
19 sons such lands were not sold; and

20 (2) an update of the report submitted to Con-
21 gress by the Secretary on May 27, 1997, pursuant
22 to section 390(g) of the Federal Agriculture Im-
23 provement and Reform Act of 1996 (Public Law
24 104–127; 110 Stat. 1024), including a current in-
25 ventory of the Federal lands under the administra-

1 tive jurisdiction of the Secretary that are suitable
2 for disposal.

3 (f) DEFINITIONS.—In this section:

4 (1) IDENTIFIED FEDERAL LANDS.—The term
5 “identified Federal lands” means the parcels of Fed-
6 eral land under the administrative jurisdiction of the
7 Secretary that were identified as suitable for dis-
8 posal in the report submitted to Congress by the
9 Secretary on May 27, 1997, pursuant to section
10 390(g) of the Federal Agriculture Improvement and
11 Reform Act of 1996 (Public Law 104–127; 110
12 Stat. 1024), except the following:

13 (A) Lands not identified for disposal in the
14 applicable land use plan.

15 (B) Lands subject to a Recreation and
16 Public Purpose conveyance application.

17 (C) Lands identified for State selection.

18 (D) Lands identified for Indian tribe allot-
19 ments.

20 (E) Lands identified for local government
21 use.

22 (F) Lands that the Secretary chooses to
23 dispose under the Federal Land Transaction
24 Facilitation Act (43 U.S.C. 2301 et seq.).

1 (G) Lands that are segregated for ex-
2 change or under agreements for exchange.

3 (H) Lands subject to exchange as author-
4 ized or directed by Congress.

5 (I) Lands that the Secretary determines
6 contain significant impediments for disposal in-
7 cluding—

8 (i) high disposal costs;

9 (ii) the presence of significant natural
10 or cultural resources;

11 (iii) land survey problems or title con-
12 flicts;

13 (iv) habitat for threatened or endan-
14 gered species; and

15 (v) mineral leases and mining claims.

16 (2) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior.

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