

Calendar No. 524

117TH CONGRESS
2^D SESSION**H. R. 1638**

IN THE SENATE OF THE UNITED STATES

OCTOBER 11, 2022

Received; read twice and placed on the calendar

AN ACT

To direct the Secretary of Agriculture to transfer certain National Forest System land to the State of South Dakota, 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 “Gilt Edge Mine Con-
3 veyance Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **FEDERAL LAND.**—The term “Federal land”
7 means all right, title, and interest of the United
8 States in and to approximately 266 acres of Na-
9 tional Forest System land within the Gilt Edge Mine
10 Superfund Boundary, as generally depicted on the
11 map.

12 (2) **MAP.**—The term “map” means the map en-
13 titled “Gilt Edge Mine Conveyance Act” and dated
14 August 20, 2020.

15 (3) **SECRETARY.**—The term “Secretary” means
16 the Secretary of Agriculture, acting through the
17 Chief of the Forest Service.

18 (4) **STATE.**—The term “State” means State of
19 South Dakota.

20 **SEC. 3. LAND CONVEYANCE.**

21 (a) **IN GENERAL.**—Subject to the terms and condi-
22 tions described in this Act, if the State submits to the
23 Secretary an offer to acquire the Federal land for the mar-
24 ket value, as determined by the appraisal under subsection
25 (c), the Secretary shall convey the Federal land to the
26 State.

1 (b) TERMS AND CONDITIONS.—The conveyance
2 under subsection (a) shall be—

3 (1) subject to valid existing rights;

4 (2) made by quitclaim deed; and

5 (3) subject to any other terms and conditions
6 as the Secretary considers appropriate to protect the
7 interests of the United States.

8 (c) APPRAISAL.—

9 (1) IN GENERAL.—After the State submits an
10 offer under subsection (a), the Secretary shall com-
11 plete an appraisal to determine the market value of
12 the Federal land.

13 (2) STANDARDS.—The appraisal under para-
14 graph (1) shall be conducted in accordance with—

15 (A) the Uniform Appraisal Standards for
16 Federal Land Acquisitions; and

17 (B) the Uniform Standards of Professional
18 Appraisal Practice.

19 (d) MAP.—

20 (1) AVAILABILITY OF MAP.—The map shall be
21 kept on file and available for public inspection in the
22 appropriate office of the Forest Service.

23 (2) CORRECTION OF ERRORS.—The Secretary
24 may correct any errors in the map.

1 (e) CONSIDERATION.—As consideration for the con-
2 veyance under subsection (a), the State shall pay to the
3 Secretary an amount equal to the market value of the Fed-
4 eral land, as determined by the appraisal under subsection
5 (c).

6 (f) SURVEY.—The State shall prepare a survey that
7 is satisfactory to the Secretary of the exact acreage and
8 legal description of the Federal land to be conveyed under
9 subsection (a).

10 (g) COSTS OF CONVEYANCE.—As a condition on the
11 conveyance under subsection (a), the State shall pay all
12 costs associated with the conveyance, including the cost
13 of—

14 (1) the appraisal under subsection (c); and

15 (2) the survey under subsection (f).

16 (h) PROCEEDS FROM THE SALE OF LAND.—Any pro-
17 ceeds received by the Secretary from the conveyance under
18 subsection (a) shall be—

19 (1) deposited in the fund established under
20 Public Law 90–171 (commonly known as the “Sisk
21 Act”) (16 U.S.C. 484a); and

22 (2) available to the Secretary, only to the extent
23 and in the amount provided in advance in appropria-
24 tions Acts, for the maintenance and improvement of

1 land or administration facilities in the Black Hills
2 National Forest in the State.

3 (i) ENVIRONMENTAL CONDITIONS.—Notwith-
4 standing section 120(h)(3)(A) of the Comprehensive Envi-
5 ronmental Response, Compensation, and Liability Act of
6 1980 (42 U.S.C. 9620(h)(3)(A)), the Secretary shall not
7 be required to provide any covenant or warranty for the
8 Federal land conveyed to the State under this Act.

9 **SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.**

10 The budgetary effects of this Act, for the purpose of
11 complying with the Statutory Pay-As-You-Go Act of 2010,
12 shall be determined by reference to the latest statement
13 titled “Budgetary Effects of PAYGO Legislation” for this
14 Act, submitted for printing in the Congressional Record
15 by the Chairman of the House Budget Committee, pro-
16 vided that such statement has been submitted prior to the
17 vote on passage.

Passed the House of Representatives September 29,
2022.

Attest: CHERYL L. JOHNSON,
Clerk.

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