

115TH CONGRESS  
1ST SESSION

# S. 1260

To authorize the exchange of certain Federal land located in Gulf Islands National Seashore for certain non-Federal land in Jackson County, Mississippi, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 25, 2017

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

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## A BILL

To authorize the exchange of certain Federal land located in Gulf Islands National Seashore for certain non-Federal land in Jackson County, Mississippi, 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 “Gulf Islands National  
5 Seashore Land Exchange Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1           (1) FEDERAL LAND.—The term “Federal land”  
2 means the parcel of approximately 1.542 acres of  
3 land that is located within the Gulf Islands National  
4 Seashore in Jackson County, Mississippi, and identi-  
5 fied as “NPS Exchange Area” on the Map.

6           (2) MAP.—The term “Map” means the map en-  
7 titled “Gulf Islands National Seashore, Proposed  
8 Land Exchange with VFW, Davis Bayou Area—  
9 Jackson County, MS”, numbered 635/133309, and  
10 dated June 2016.

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

16           (4) POST.—The term “Post” means the Vet-  
17 erans of Foreign Wars Post 5699.

18           (5) SECRETARY.—The term “Secretary” means  
19 the Secretary of the Interior, acting through the Di-  
20 rector of the National Park Service.

21 **SEC. 3. GULF ISLANDS NATIONAL SEASHORE LAND EX-**  
22 **CHANGE.**

23           (a) IN GENERAL.—The Secretary may convey to the  
24 Post all right, title, and interest of the United States in  
25 and to the Federal land in exchange for the conveyance

1 by the Post to the Secretary of all right, title, and interest  
2 of the Post in and to the non-Federal land.

3 (b) EQUAL VALUE EXCHANGE.—

4 (1) IN GENERAL.—The values of the Federal  
5 land and non-Federal land to be exchanged under  
6 this section shall be equal, as determined by an ap-  
7 praisal conducted—

8 (A) by a qualified and independent ap-  
9 praiser; and

10 (B) in accordance with nationally recog-  
11 nized appraisal standards.

12 (2) EQUALIZATION.—If the values of the Fed-  
13 eral land and non-Federal land to be exchanged  
14 under this section are not equal, the values shall be  
15 equalized through—

16 (A) a cash payment; or

17 (B) adjustments to the acreage of the Fed-  
18 eral land or non-Federal land to be exchanged,  
19 as applicable.

20 (c) PAYMENT OF COSTS OF CONVEYANCE.—

21 (1) PAYMENT REQUIRED.—As a condition of  
22 the exchange authorized under this section, the Sec-  
23 retary shall require the Post to pay the costs to be  
24 incurred by the Secretary, or to reimburse the Sec-

1       retary for the costs incurred by the Secretary, to  
2       carry out the exchange, including—

3               (A) survey costs;

4               (B) any costs relating to environmental  
5       documentation; and

6               (C) any other administrative costs relating  
7       to the land exchange.

8       (2) REFUND.—If the Secretary collects  
9       amounts from the Post under paragraph (1) before  
10      the Secretary incurs the actual costs and the amount  
11      collected by the Secretary exceeds the costs actually  
12      incurred by the Secretary to carry out the land ex-  
13      change under this section, the Secretary shall pro-  
14      vide to the Post a refund of the excess amount paid  
15      by the Post.

16      (3) TREATMENT OF CERTAIN AMOUNTS RE-  
17      CEIVED.—Amounts received by the Secretary from  
18      the Post as reimbursement for costs incurred under  
19      paragraph (1) shall be—

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

1 (B) merged with amounts in the fund or  
2 account to which the amounts were credited  
3 under subparagraph (A); and

4 (C) available for the same purposes as, and  
5 subject to the same conditions and limitations  
6 applicable to, amounts in the fund or account  
7 to which the amounts were credited under sub-  
8 paragraph (A).

9 (d) DESCRIPTION OF FEDERAL LAND AND NON-  
10 FEDERAL LAND.—The exact acreage and legal description  
11 of the Federal land and non-Federal land to be exchanged  
12 under this section shall be determined by surveys that are  
13 determined to be satisfactory by the Secretary and the  
14 Post.

15 (e) CONVEYANCE AGREEMENT.—The exchange of  
16 Federal land and non-Federal land under this section shall  
17 be—

18 (1) carried out through a quitclaim deed or  
19 other legal instrument; and

20 (2) subject to such terms and conditions as are  
21 mutually satisfactory to the Secretary and the Post,  
22 including such additional terms and conditions as  
23 the Secretary considers to be appropriate to protect  
24 the interests of the United States.

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

4           (g) TITLE APPROVAL.—Title to the Federal land and  
5 non-Federal land to be exchanged under this section shall  
6 be in a form acceptable to the Secretary.

7           (h) TREATMENT OF ACQUIRED LAND.—Any non-  
8 Federal land and interests in non-Federal land acquired  
9 by the United States under this section shall be adminis-  
10 tered by the Secretary as part of the Gulf Islands National  
11 Seashore.

12          (i) MODIFICATION OF BOUNDARY.—On completion of  
13 the exchange of Federal land and non-Federal land under  
14 this section, the Secretary shall modify the boundary of  
15 the Gulf Islands National Seashore to reflect the exchange  
16 of Federal land and non-Federal land.

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