

112TH CONGRESS  
2D SESSION

# H. R. 5739

To provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2012

Mr. SCOTT of South Carolina (for himself and Mr. CLYBURN) introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority.

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 “Former Charleston  
5 Naval Base Land Exchange Act of 2012”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) FEDERAL LAND.—The term “Federal land”  
9 means the parcels consisting of approximately  
10 10.499 acres of land (including improvements) that

1 are owned by the United States, located on the  
2 former U.S. Naval Base Complex in North Charles-  
3 ton, South Carolina, and included within the  
4 Charleston County Tax Assessor’s Office Tax Map  
5 Number 400-00-00-004, and shown as New Parcel  
6 B in that certain plat of Forsberg Engineering and  
7 Surveying Inc., dated May 25, 2007, entitled in part  
8 “Plat Showing the Subdivision of TMS 400-00-00-  
9 004 into Parcel B and Remaining Residual (Parcel  
10 A).

11 (2) NON-FEDERAL LAND.—The term “non-Fed-  
12 eral land” means the 3 parcels of land (including  
13 improvements) authorized to be conveyed to the  
14 United States under this Act.

15 (3) SECRETARY.—The term “Secretary” means  
16 the Secretary of Homeland Security.

17 (4) STATE PORTS AUTHORITY.—The term  
18 “State Ports Authority” means the South Carolina  
19 State Ports Authority, an agency of the State of  
20 South Carolina.

21 **SEC. 3. LAND EXCHANGE.**

22 (a) LAND EXCHANGE.—

23 (1) IN GENERAL.—In exchange for the convey-  
24 ance to the Secretary, by quitclaim deed, of all right,  
25 title, and interest of the State Ports Authority to the

1 non-Federal land owned by the State Ports Author-  
2 ity, the Secretary is authorized to convey to the  
3 State Ports Authority, by quitclaim deed, all right,  
4 title, and interest of the United States in and to the  
5 Federal land.

6 (2) EXCHANGE.—If the State Ports Authority  
7 offers to convey to the Secretary all right, title, and  
8 interest of the State Ports Authority in and to the  
9 non-Federal parcels identified in subsection (b), the  
10 Secretary—

11 (A) is authorized to accept the offer; and

12 (B) on acceptance of the offer, shall simul-  
13 taneously convey to the State Ports Authority  
14 all right, title, and interest of the United States  
15 in and to approximately 10.499 acres of Fed-  
16 eral land.

17 (b) NON-FEDERAL LAND DESCRIBED.—The non-  
18 Federal land (including improvements) to be conveyed  
19 under this section consists of—

20 (1) the approximately 18.736 acres of land that  
21 is owned by the State Ports Authority, located on S.  
22 Hobson Avenue, and currently depicted in the  
23 Charleston County Tax Assessor’s Office as Tax  
24 Map Number 400-00-00-158, and as New I-48.55  
25 Parcel B, containing 18.736 acres, on the plat re-

1 corded in the Charleston County RMC Office in Plat  
2 Book EL, at page 280;

3 (2) the approximately 4.069 acres of land that  
4 is owned by the State Ports Authority, located on  
5 Thompson Avenue and the Cooper River, and cur-  
6 rently depicted in the Charleston County Tax Asses-  
7 sor's Office as Tax Map Number 400-00-00-156,  
8 and as New II-121.44 Parcel C, containing 4.069  
9 acres, on the plat recorded in the Charleston County  
10 RMC Office in Plat Book L09, at pages 0391-393;  
11 and

12 (3) the approximately 2.568 acres of land that  
13 is owned by the State Ports Authority, located on  
14 Partridge Avenue, and currently depicted in the  
15 Charleston County Tax Assessor's Office as Tax  
16 Map Number 400-00-00-157, and as New II-121.44  
17 Parcel B, containing 2.568 acres, on the plat re-  
18 corded in the Charleston County RMC Office in Plat  
19 Book L09, at pages 0391-0393.

20 (c) LAND TITLE.—Title to the non-Federal land con-  
21 veyed to the Secretary under this section shall—

22 (1) be acceptable to the Secretary; and

23 (2) conform to the title approval standards of  
24 the Attorney General of the United States applicable  
25 to land acquisitions by the Federal Government.

1 **SEC. 4. EXCHANGE TERMS AND CONDITIONS.**

2 (a) IN GENERAL.—The conveyance of Federal land  
3 under section 3 shall be subject to—

4 (1) any valid existing rights; and

5 (2) any additional terms and conditions that  
6 the Secretary determines to be appropriate to pro-  
7 tect the interests of the United States.

8 (b) COSTS.—The costs of carrying out the exchange  
9 of land under section 3 shall be shared equally by the Sec-  
10 retary and the State Ports Authority.

11 (c) EQUAL VALUE EXCHANGE.—Notwithstanding the  
12 appraised value of the land exchanged under section 3,  
13 the values of the Federal and non-Federal land in the land  
14 exchange under section 3 shall be considered to be equal.

15 **SEC. 5. BOUNDARY ADJUSTMENT.**

16 On acceptance of title to the non-Federal land by the  
17 Secretary—

18 (1) the non-Federal land shall be added to and  
19 administered as part of the Federal Law Enforce-  
20 ment Training Center; and

21 (2) the boundaries of the Federal Law Enforce-  
22 ment Training Center shall be adjusted to exclude  
23 the exchanged Federal land.

○