

Calendar No. 653

115TH CONGRESS
2D SESSION

S. 2062

[Report No. 115–366]

To require the Secretary of Agriculture to convey at market value certain National Forest System land in the State of Arizona.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 2, 2017

Mr. FLAKE introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

NOVEMBER 15, 2018

Reported by Ms. MURKOWSKI, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To require the Secretary of Agriculture to convey at market value certain National Forest System land in the State of Arizona.

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 “Oracle Cabins Convey-
5 ance Act of ~~2017~~ 2018”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) PERMITTEE.—

4 (A) IN GENERAL.—The term “permittee”
5 means a person who, on the date of the enact-
6 ment of this Act, holds a valid permit for use
7 of a property.

8 (B) INCLUSIONS.—The term “permittee”
9 includes any heirs, executors, and assigns of the
10 permittee or interest of the permittee.

11 (2) PROPERTY.—The term “property” means—

12 (A) the approximately 1.1 acres of Na-
13 tional Forest System land in sec. 8, T. 10 S.,
14 R. 16 E., Gila and Salt River Meridian, as gen-
15 erally depicted on the map entitled “Coronado
16 National Forest Land Conveyance Act of
17 2017”, special use permit numbered SAN5005-
18 03, and dated October 2017;

19 (B) the approximately 4.5 acres of Na-
20 tional Forest System land in sec. 8, T. 10 S.,
21 R. 16 E., Gila and Salt River Meridian, as gen-
22 erally depicted on the map entitled “Coronado
23 National Forest Land Conveyance Act of
24 2017”, special use permit numbered SAN5116-
25 03, and dated October 2017; and

1 (C) the approximately 3.9 acres of Na-
2 tional Forest System land in NW¹/₄, sec. 1, T.
3 10 S., R. 15 E., Gila and Salt River Meridian,
4 as generally depicted on the map entitled
5 “Coronado National Forest Land Conveyance
6 Act of 2017”, special use permit numbered
7 SAN5039-02, and dated October 2017.

8 (3) SECRETARY.—The term “Secretary” means
9 the Secretary of Agriculture.

10 **SEC. 3. SALE OF LAND.**

11 (a) SALE.—

12 (1) IN GENERAL.—Subject to valid existing
13 rights, during the period described in paragraph (2),
14 not later than 90 days after the date on which a
15 permittee submits a request to the Secretary, the
16 Secretary shall—

17 (A) accept tender of consideration from
18 that permittee; and

19 (B) sell and quitclaim to that permittee all
20 right, title, and interest of the United States in
21 and to the property for which the permittee
22 holds a permit.

23 (2) PERIOD DESCRIBED.—The period referred
24 to in paragraph (1) is the period beginning on the

1 date of enactment of this Act and ending on the
2 date of expiration of the applicable permit.

3 (b) TERMS AND CONDITIONS.—The Secretary may
4 establish such terms and conditions on the sales of the
5 properties under this Act as the Secretary determines to
6 be in the public interest.

7 (c) CONSIDERATION.—A sale of a property under this
8 Act shall be for cash consideration equal to the market
9 value of the property, as determined by the appraisal de-
10 scribed in subsection (d).

11 (d) APPRAISAL.—

12 (1) IN GENERAL.—The Secretary shall complete
13 an appraisal of each property, which shall—

14 (A) include the value of any appurtenant
15 easements; and

16 (B) exclude the value of any private im-
17 provements made by a permittee of the property
18 before the date of appraisal.

19 (2) STANDARDS.—An appraisal under para-
20 graph (1) shall be conducted in accordance with—

21 (A) the Uniform Appraisal Standards for
22 Federal Land Acquisitions, established in ac-
23 cordance with the Uniform Relocation Assist-
24 ance and Real Property Acquisition Policies Act
25 of 1970 (42 U.S.C. 4601 et seq.); and

1 (B) the Uniform Standards of Professional
2 Appraisal Practice.

3 (e) COSTS.—The Secretary shall pay—

4 (1) the cost of a conveyance of a property under
5 this Act; and

6 (2) the cost of an appraisal under subsection
7 (d).

8 ~~(f) PROCEEDS FROM THE SALE OF LAND.—~~

9 ~~(1) DEPOSIT OF RECEIPTS.—The consideration~~
10 ~~received by the Secretary for the sale of a property~~
11 ~~under this Act shall be deposited into a special ac-~~
12 ~~count in the Treasury of the United States.~~

13 ~~(2) USE OF FUNDS.—Amounts deposited under~~
14 ~~paragraph (1) shall be available to the Secretary~~
15 ~~until expended, without further appropriation, for~~
16 ~~hazardous fuel reduction projects on National Forest~~
17 ~~System land in the State of Arizona.~~

18 *(f) PROCEEDS FROM THE SALE OF LAND.—Any pay-*
19 *ment received by the Secretary from the sale of property*
20 *under this Act shall be deposited in the fund established*
21 *under Public Law 90–171 (commonly known as the “Sisk*
22 *Act”)* (16 U.S.C. 484a) *and shall be available to the Sec-*
23 *retary until expended, without further appropriation, for*
24 *the acquisition of inholdings in national forests in the State*
25 *of Arizona.*

1 (g) MAPS AND LEGAL DESCRIPTIONS.—

2 (1) IN GENERAL.—As soon as practicable after
3 the date of enactment of this Act, the Secretary
4 shall file maps and legal descriptions of each prop-
5 erty.

6 (2) FORCE OF LAW.—The maps and legal de-
7 scriptions filed under paragraph (1) shall have the
8 same force and effect as if included in this Act, ex-
9 cept that the Secretary may correct typographical
10 errors in the maps and legal descriptions.

11 (3) PUBLIC AVAILABILITY.—The maps and
12 legal descriptions filed under paragraph (1) shall be
13 on file and available for public inspection in the of-
14 fice of the Supervisor of the Coronado National For-
15 est.

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