

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.

H. R. 2615

To authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

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:

8 (1) FEDERAL LAND.—The term “Federal land”
9 means the parcel of approximately 1.542 acres of
10 land that is located within the Gulf Islands National

1 Seashore in Jackson County, Mississippi, and identi-
2 fied as “NPS Exchange Area” on the Map.

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

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

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

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

18 **SEC. 3. GULF ISLANDS NATIONAL SEASHORE LAND EX-**
19 **CHANGE.**

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

25 (b) EQUAL VALUE EXCHANGE.—

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

5 (A) by a qualified and independent ap-
6 praiser; and

7 (B) in accordance with nationally recog-
8 nized appraisal standards.

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

13 (A) a cash payment; or

14 (B) adjustments to the acreage of the Fed-
15 eral land or non-Federal land to be exchanged,
16 as applicable.

17 (c) PAYMENT OF COSTS OF CONVEYANCE.—

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

24 (A) survey costs;

1 (B) any costs relating to environmental
2 documentation; and

3 (C) any other administrative costs relating
4 to the land exchange.

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

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

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

21 (B) merged with amounts in the fund or
22 account to which the amounts were credited
23 under subparagraph (A); and

24 (C) available for the same purposes as, and
25 subject to the same conditions and limitations

1 applicable to, amounts in the fund or account
2 to which the amounts were credited under sub-
3 paragraph (A).

4 (d) DESCRIPTION OF FEDERAL LAND AND NON-
5 FEDERAL LAND.—The exact acreage and legal description
6 of the Federal land and non-Federal land to be exchanged
7 under this section shall be determined by surveys that are
8 determined to be satisfactory by the Secretary and the
9 Post.

10 (e) CONVEYANCE AGREEMENT.—The exchange of
11 Federal land and non-Federal land under this section shall
12 be—

13 (1) carried out through a quitclaim deed or
14 other legal instrument; and

15 (2) subject to such terms and conditions as are
16 mutually satisfactory to the Secretary and the Post,
17 including such additional terms and conditions as
18 the Secretary considers to be appropriate to protect
19 the interests of the United States.

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

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

1 (h) TREATMENT OF ACQUIRED LAND.—Any non-
2 Federal land and interests in non-Federal land acquired
3 by the United States under this section shall be adminis-
4 tered by the Secretary as part of the Gulf Islands National
5 Seashore.

6 (i) MODIFICATION OF BOUNDARY.—On completion of
7 the exchange of Federal land and non-Federal land under
8 this section, the Secretary shall modify the boundary of
9 the Gulf Islands National Seashore to reflect the exchange
10 of Federal land and non-Federal land.