

108TH CONGRESS
1ST SESSION

H. R. 3514

To authorize the Secretary of Agriculture to convey certain lands and improvements associated with the National Forest System in the State of Pennsylvania, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2003

Mr. PETERSON of Pennsylvania introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To authorize the Secretary of Agriculture to convey certain lands and improvements associated with the National Forest System in the State of Pennsylvania, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Pennsylvania National Forest Improvement Act of
6 2003”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Disposal of administrative sites, Allegheny National Forest, Pennsylvania.
 Sec. 3. Conveyance of Sheffield Ranger District Headquarters, Warren County, Pennsylvania.
 Sec. 4. Conveyance of Marienville Ranger Residence, Forest County, Pennsylvania.
 Sec. 5. Disposition of funds.
 Sec. 6. Administration of land acquired by United States.
 Sec. 7. Relation to other conveyances authorities.

1 **SEC. 2. DISPOSAL OF ADMINISTRATIVE SITES, ALLEGHENY**
 2 **NATIONAL FOREST, PENNSYLVANIA.**

3 (a) DISPOSAL AUTHORITY.—The Secretary of Agri-
 4 culture may convey, by sale or exchange, any and all right,
 5 title, and interest of the United States in and to the fol-
 6 lowing National Forest System lands and administrative
 7 sites:

8 (1) US Tract 121, Sheffield ranger residence,
 9 0.41 acres, as depicted on the plat titled “Allegheny
 10 Unit, Allen M. Gibson Tract 121, March 1942”.

11 (2) US Tract 904, 8.812 acres and US Tract
 12 905, 0.869 acres, Ridgway Ranger District Head-
 13 quarters, as depicted on the plats titled “Allegheny
 14 Unit, Harry R. & Eliza E. Larson Tract 904, 1959”
 15 and “Allegheny Unit, Leo S. & Laura A. Guth Tract
 16 905, July 1948”.

17 (3) US Tract 896, an undeveloped administra-
 18 tive site, 2.42 acres, as depicted on the plat titled
 19 “Allegheny Unit, Howard L. Harp Tract 896,
 20 1947”.

1 (4) US Tract 1047 (formerly Tracts 551,
2 551a,b,c), original Marienville Ranger District
3 Headquarters, 4.90 acres, as depicted on the plat ti-
4 tled “Marienville Ranger Station Compound Tract
5 1047, August 1998”.

6 (5) US Tract 844, Marienville ranger residence,
7 as depicted on the plat titled “Allegheny Unit, Peter
8 B. DeSmet Tract 844, 1936”, except that portion of
9 the tract shown as Lot 2, on the Survey Plat pre-
10 pared by D. M. Heller and dated December 12,
11 1999.

12 (b) PROPERTY DESCRIPTIONS.—The maps ref-
13 erenced in subsection (a) are the primary descriptions of
14 the lands to which the maps refer. In the event of a con-
15 flict between the map description and the metes and
16 bounds description of the lands, the map shall be deemed
17 to be the definitive description of the lands unless the map
18 cannot be located. The maps shall be on file and available
19 for public inspection in the Office of the Chief of the For-
20 est Service until the lands are disposed of pursuant to this
21 section.

22 (c) CONSIDERATION.—

23 (1) AUTHORIZED CONSIDERATION.—As consid-
24 eration for a conveyance of land under subsection
25 (a), the recipient of the land, with the consent of the

1 Secretary, may convey to the Secretary other land,
2 existing improvements, or improvements constructed
3 to the specifications of the Secretary.

4 (2) CASH EQUALIZATION.—Notwithstanding
5 any other provision of law, the Secretary may accept
6 a cash equalization payment in excess of 25 percent
7 of the value of any land and administrative site ex-
8 changed under subsection (a).

9 (d) APPLICABLE LAW.—Except as otherwise provided
10 in this section, any conveyance of land under subsection
11 (a) shall be subject to the laws and regulations applicable
12 to the conveyance and acquisition of land for the National
13 Forest System.

14 (e) SOLICITATION OF OFFERS.—

15 (1) CONVEYANCE PRIORITY.—In the selection
16 of the recipient of land under this section, the Sec-
17 retary may give a preference to public entities that
18 agree to use the land for public purposes.

19 (2) TERMS AND CONDITIONS.—The Secretary
20 may solicit offers for the conveyance of land under
21 this section on such terms and conditions as the Sec-
22 retary may prescribe.

23 (3) REJECTION OF OFFERS.—The Secretary
24 may reject any offer made under this section if the

1 Secretary determines that the offer is not adequate
2 or not in the public interest.

3 (f) REVOCATIONS.—Notwithstanding any other provi-
4 sion of law, on conveyance of land by the Secretary under
5 this section, any public order withdrawing the land from
6 any form of appropriation under the public land laws is
7 revoked.

8 (g) ADDITIONAL TERMS AND CONDITIONS.—The
9 Secretary may require such additional terms and condi-
10 tions in connection with any conveyance under subsection
11 (a) as the Secretary considers appropriate to protect the
12 interests of the United States.

13 **SEC. 3. CONVEYANCE OF SHEFFIELD RANGER DISTRICT**
14 **HEADQUARTERS, WARREN COUNTY, PENN-**
15 **SYLVANIA.**

16 (a) CONVEYANCE AUTHORIZED.—The Secretary of
17 Agriculture may convey to the Warren County Develop-
18 ment Association of Warren County, Pennsylvania, all
19 right, title, and interest of the United States in and to
20 US Tract 770, Sheffield Ranger District Headquarters,
21 consisting of 5.50 acres, as depicted on the plat titled “Al-
22 legheny Unit, Elk Tanning Company Tract 770, 1934”.

23 (b) CONSIDERATION.—As consideration for the con-
24 veyance under subsection (a), the Warren County Develop-

1 ment Association shall make to the Secretary a lump sum
2 payment of \$100,000.

3 (c) PROPERTY DESCRIPTION.—The map referenced
4 in subsection (a) is the primary description of the lands
5 to which the map refers. In the event of a conflict between
6 the map description and the metes and bounds description
7 of the lands, the map shall be deemed to be the definitive
8 description of the lands unless the map cannot be located.
9 The map shall be on file and available for public inspection
10 in the Office of the Chief of the Forest Service until the
11 lands are disposed of pursuant to this section.

12 (d) REVOCATIONS.—Notwithstanding any other pro-
13 vision of law, on conveyance of land by the Secretary
14 under this section, any public order withdrawing the land
15 from any form of appropriation under the public land laws
16 is revoked.

17 **SEC. 4. CONVEYANCE OF MARIENVILLE RANGER RESI-**
18 **DENCE, FOREST COUNTY, PENNSYLVANIA.**

19 (a) CONVEYANCE AUTHORIZED.—The Secretary of
20 Agriculture may convey, without consideration, to the
21 Marienville Volunteer Fire Department of Forest County,
22 Pennsylvania, all right, title, and interest of the United
23 States in and to that portion of US Tract 844, Marienville
24 ranger residence, as depicted as Lot 2, on the Survey Plat
25 prepared by D. M. Heller and dated December 12, 1999.

1 (b) **PROPERTY DESCRIPTION.**—The map referenced
2 in subsection (a) is the primary description of the lands
3 to which the map refers. In the event of a conflict between
4 the map description and the metes and bounds description
5 of the lands, the map shall be deemed to be the definitive
6 description of the lands unless the map cannot be located.
7 The map shall be on file and available for public inspection
8 in the Office of the Chief of the Forest Service until the
9 lands are disposed of pursuant to this section.

10 (c) **REVOCATIONS.**—Notwithstanding any other pro-
11 vision of law, on conveyance of land by the Secretary
12 under this section, any public order withdrawing the land
13 from any form of appropriation under the public land laws
14 is revoked.

15 **SEC. 5. DISPOSITION OF FUNDS.**

16 (a) **DEPOSIT IN SISK ACT FUND.**—The Secretary of
17 Agriculture shall deposit in the fund established under
18 Public Law 90–171 (16 U.S.C. 484a; commonly known
19 as the Sisk Act)—

20 (1) the proceeds of a sale or exchange under
21 section 2; and

22 (2) the consideration received pursuant to sec-
23 tion 3(b).

1 (b) USE OF PROCEEDS.—Subject to subsection (c),
2 funds deposited under subsection (a) shall be available to
3 the Secretary, without further appropriation, for—

4 (1) the acquisition, construction, or improve-
5 ment of administrative facilities and sites for the Al-
6 legheny National Forest; or

7 (2) the acquisition of land and interests in land
8 in the Allegheny National Forest.

9 (c) CONDITION ON LAND ACQUISITION.—The acqui-
10 sition of lands in the Allegheny National Forest using
11 funds deposited under subsection (a) is subject to the con-
12 dition that the market value of the acquired lands may
13 not exceed 125 percent of the market value of the lands
14 disposed of under this Act.

15 **SEC. 6. ADMINISTRATION OF LAND ACQUIRED BY UNITED**
16 **STATES.**

17 Lands acquired by the Secretary of Agriculture under
18 section 5(b) or by exchange under section 2 shall be man-
19 aged by the Secretary in accordance with the Act of March
20 1, 1911 (commonly known as the Weeks Act; 16 U.S.C.
21 480 et seq.) and other laws and regulations pertaining to
22 National Forest System lands. For the purposes of section
23 7 of the Land and Water Conservation Fund Act of 1965
24 (16 U.S.C. 460l–9), the boundaries of the Allegheny Na-
25 tional Forest, as adjusted on account of the disposal and

1 acquisition of lands under this Act, shall be considered to
2 be the boundaries of that national forest as of January
3 1, 1965.

4 **SEC. 7. RELATION TO OTHER CONVEYANCES AUTHORITIES.**

5 Except as expressly provided in this Act, nothing in
6 this Act affects any other authority of the Secretary of
7 Agriculture to sell, exchange, or acquire land. Lands au-
8 thorized for disposal under this Act shall not be subject
9 to the Federal Property and Administrative Services Act
10 of 1949 (40 U.S.C. 471 et seq.).

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