

Public Law 115–279
115th Congress

An Act

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.

Nov. 20, 2018
[H.R. 2615]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Gulf Islands National Seashore Land Exchange Act”.

Gulf Islands
National
Seashore Land
Exchange Act.
16 USC 459h–1
note.

SEC. 2. DEFINITIONS.

In this Act:

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

(2) **MAP.**—The term “Map” means the map entitled “Gulf Islands National Seashore, Proposed Land Exchange with VFW, Davis Bayou Area—Jackson County, MS”, numbered 635/133309, and dated June 2016.

(3) **NON-FEDERAL LAND.**—The term “non-Federal land” means the parcel of approximately 2.161 acres of land that is located in Jackson County, Mississippi, and identified as “VFW Exchange Area” on the Map.

(4) **POST.**—The term “Post” means the Veterans of Foreign Wars Post 5699.

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 3. GULF ISLANDS NATIONAL SEASHORE LAND EXCHANGE.

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

(b) **EQUAL VALUE EXCHANGE.**—

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

(A) by a qualified and independent appraiser; and

(B) in accordance with nationally recognized appraisal standards.

Appraisal.

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

(A) a cash payment; or

(B) adjustments to the acreage of the Federal land or non-Federal land to be exchanged, as applicable.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

Reimbursement.

(1) PAYMENT REQUIRED.—As a condition of the exchange authorized under this section, the Secretary shall require the Post to pay the costs to be incurred by the Secretary, or to reimburse the Secretary for the costs incurred by the Secretary, to carry out the exchange, including—

(A) survey costs;

(B) any costs relating to environmental documentation;

and

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

(2) REFUND.—If the Secretary collects amounts from the Post under paragraph (1) before the Secretary incurs the actual costs and the amount collected by the Secretary exceeds the costs actually incurred by the Secretary to carry out the land exchange under this section, the Secretary shall provide to the Post a refund of the excess amount paid by the Post.

(3) TREATMENT OF CERTAIN AMOUNTS RECEIVED.—Amounts received by the Secretary from the Post as reimbursement for costs incurred under paragraph (1) shall be—

(A) credited to the fund or account from which amounts were used to pay the costs incurred by the Secretary in carrying out the land exchange;

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

(C) available for the same purposes as, and subject to the same conditions and limitations applicable to, amounts in the fund or account to which the amounts were credited under subparagraph (A).

Surveys.

Determination.

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

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

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

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

(f) VALID EXISTING RIGHTS.—The exchange of Federal land and non-Federal land authorized under this section shall be subject to valid existing rights.

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

(h) TREATMENT OF ACQUIRED LAND.—Any non-Federal land and interests in non-Federal land acquired by the United States

under this section shall be administered by the Secretary as part of the Gulf Islands National Seashore.

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

Approved November 20, 2018.

LEGISLATIVE HISTORY—H.R. 2615:

HOUSE REPORTS: No. 115–302 (Comm. on Natural Resources).

SENATE REPORTS: No. 115–228 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 163 (2017): Nov. 28, considered and passed House.

Vol. 164 (2018): Oct. 11, considered and passed Senate, amended.

Nov. 13, House concurred in Senate amendment.

