

Public Law 101-571
101st Congress

An Act

Nov. 15, 1990
[H.R. 2419]

To authorize the Secretary of Agriculture to exchange certain property in the Chattahoochee National Forest for the construction of facilities in the National Forest.

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

SECTION 1. AUTHORITY OF SECRETARY OF AGRICULTURE TO EXCHANGE FOREST SERVICE PROPERTY FOR CONSTRUCTION OF FOREST SERVICE FACILITIES.

Subject to the provisions of this Act, the Secretary of Agriculture (in this Act referred to as the "Secretary") may convey any of the right, title, and interest of the United States in and to any of the property described in section 3(1) in exchange for the construction of the facilities described in section 3(2) or the conveyance to the Secretary of real property and construction of such facilities, as the Secretary determines appropriate.

SEC. 2. LIMITATIONS ON EXCHANGE.

(a) **EXCHANGE AGREEMENT.**—In conducting any exchange under section 1, the Secretary shall enter into an agreement with a non-Federal party sufficient, in the determination of the Secretary, to assure that the non-Federal party will cause to be constructed for the Forest Service the facilities described in section 3(2).

(b) **EXCHANGE FOR EQUAL VALUE.**—In conducting any exchange under section 1, the Secretary shall assure that the value of the property received by the Secretary is equal to the value of the property conveyed by the Secretary, as determined by the Secretary, or if they are not equal, that values are equalized by the payment of money to the non-Federal party or to the Secretary, as follows:

(1) **LIMIT ON AMOUNT OF PAYMENT.**—The amount of the payment may not exceed 25 percent of the total value of any property conveyed by the Secretary in the exchange. The Secretary shall, to the extent possible, minimize the amount of the payment of money involved in the exchange.

(2) **DETERMINATION OF VALUE OF FACILITIES CONSTRUCTED.**—The value of the facilities constructed for the Forest Service under the exchange shall be equal to the actual costs of construction of such facilities, as determined by the Secretary to be fair and reasonable, in accordance with the specifications contained in the document referred to in section 3(2).

SEC. 3. DESCRIPTION OF PROPERTIES.

The properties referred to in this Act shall consist of the following:

(1) **PROPERTY CONVEYED BY SECRETARY.**—The properties conveyed by the Secretary may consist of any lands of the Forest Service within the State of Georgia that were acquired solely for administrative purposes, together with any improvements lo-

cated on the lands, described in the document entitled "Chattahoochee National Forest Land Exchange—Description of Properties Conveyed", which shall be on file and available for public inspection in the Office of the Chief of the United States Forest Service of the Department of Agriculture, Washington, District of Columbia.

(2) **FACILITIES CONSTRUCTED FOR FOREST SERVICE.**—The facilities constructed for the National Forest Service shall consist of the facilities the location and specifications of which are described in the document entitled "Prospectus, Blairsville Ranger District Office and Facilities, Brasstown Ranger District, Chattahoochee National Forest", which shall be on file and available for public inspection in the Office of the Chief of the United States Forest Service of the Department of Agriculture, Washington, District of Columbia.

Approved November 15, 1990.

LEGISLATIVE HISTORY—H.R. 2419:

HOUSE REPORTS: No. 101-713 (Comm. on Agriculture).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Sept. 17, considered and passed House.

Oct. 27, considered and passed Senate.

