

**Calendar No. 61**104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**S. 378****[Report No. 104-38]**

To authorize the Secretary of the Interior to exchange certain lands of the Columbia Basin Federal reclamation project, Washington, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 9 (legislative day, JANUARY 30), 1995

Mr. GORTON (for himself and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

APRIL 7 (legislative day, APRIL 5), 1995

Reported by Mr. MURKOWSKI, without amendment

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**A BILL**

To authorize the Secretary of the Interior to exchange certain lands of the Columbia Basin Federal reclamation project, Washington, 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. LAND EXCHANGE.**

4       The Secretary of the Interior (hereinafter referred to  
5       as the “Secretary”) is authorized to convey to the Boise

1 Cascade Corporation (hereinafter referred to as the “Cor-  
2 poration”), a corporation formed under the statutes of the  
3 State of Delaware, with its principal place of business at  
4 Boise, Idaho, title to approximately seven acres of land,  
5 more or less, located in sections 14 and 23, township 36  
6 north, range 37 east, Willamette Meridian, Stevens Coun-  
7 ty, Washington, further identified in the records of the  
8 Bureau of Reclamation, Department of the Interior, as  
9 Tract No. GC-19860, and to accept from the Corporation  
10 in exchange therefor, title to approximately one hundred  
11 and thirty-six acres of land located in section 19, township  
12 37 north, range 38 east and section 33, township 38  
13 north, range 37 east, Willamette Meridian, Stevens Coun-  
14 ty, Washington, and further identified in the records of  
15 the Bureau of Reclamation, Department of the Interior,  
16 as Tract No. GC-19858 and Tract No. GC-19859, re-  
17 spectively.

18 **SEC. 2. APPRAISAL.**

19 The properties so exchanged either shall be approxi-  
20 mately equal in fair market value or if they are not ap-  
21 proximately equal, shall be equalized by the payment of  
22 cash to the Corporation or to the Secretary as required  
23 or in the event the value of the Corporation’s lands is  
24 greater, the acreage may be reduced so that the fair mar-  
25 ket value is approximately equal: *Provided*, That the Sec-

1 retary shall order appraisals made of the fair market value  
2 of each tract of land included in the exchange without con-  
3 sideration for improvements thereon: *Provided further,*  
4 That any cash payment received by the Secretary shall  
5 be covered in the Reclamation Fund and credited to the  
6 Columbia Basin project.

7 **SEC. 3. ADMINISTRATIVE COSTS.**

8 Costs of conducting the necessary land surveys, pre-  
9 paring the legal descriptions of the lands to be conveyed,  
10 performing the appraisals, and administrative costs in-  
11 curred in completing the exchange shall be borne by the  
12 Corporation.

13 **SEC. 4. LIABILITY FOR HAZARDOUS SUBSTANCES.**

14 (a) The Secretary shall not acquire any lands under  
15 this Act if the Secretary determines that such lands, or  
16 any portion thereof, have become contaminated with haz-  
17 ardous substances (as defined in the Comprehensive Envi-  
18 ronmental Response, Compensation, and Liability Act (42  
19 U.S.C. 9601)).

20 (b) Notwithstanding any other provision of law, the  
21 United States shall have no responsibility or liability with  
22 respect to any hazardous wastes or other substances  
23 placed on any of the lands covered by this Act after their  
24 transfer to the ownership of any party, but nothing in this  
25 Act shall be construed as either diminishing or increasing

1 any responsibility or liability of the United States based  
2 on the condition of such lands on the date of their transfer  
3 to the ownership of another party. The Corporation shall  
4 indemnify the United States for liabilities arising under  
5 the Comprehensive Environmental Response, Compensa-  
6 tion, and Liability Act (42 U.S.C. 9601), and the Re-  
7 source Conservation Recovery Act (42 U.S.C. 6901 et  
8 seq.).

9 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated such sums  
11 as may be necessary to carry out the purposes of this Act.



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