

Union Calendar No. 430

108TH CONGRESS
2^D SESSION

H. R. 4066

[Report No. 108-702]

To provide for the conveyance of certain land to the United States and to revise the boundary of Chickasaw National Recreation Area, Oklahoma, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2004

Mr. COLE introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 28, 2004

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 30, 2004]

A BILL

To provide for the conveyance of certain land to the United States and to revise the boundary of Chickasaw National Recreation Area, Oklahoma, 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,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Chickasaw National*
3 *Recreation Area Land Exchange Act of 2004”.*

4 **SEC. 2. FINDINGS AND PURPOSE.**

5 *(a) FINDINGS.—Congress finds the following:*

6 *(1) By provision 64 of the agreement between the*
7 *United States and the Choctaws and Chickasaws*
8 *dated March 21, 1902 (32 Stat. 641, 655–56), ap-*
9 *proved July 1, 1902, 640 acres of property were ceded*
10 *to the United States for the purpose of creating Sul-*
11 *phur Springs Reservation, later known as Platt Na-*
12 *tional Park, to protect water and other resources and*
13 *provide public access.*

14 *(2) In 1976, Platt National Park, the Arbuckle*
15 *Recreation Area, and additional lands were combined*
16 *to create Chickasaw National Recreation Area to pro-*
17 *tect and expand water and other resources as well as*
18 *to memorialize the history and culture of the Chicka-*
19 *saw Nation.*

20 *(3) More recently, the Chickasaw Nation has ex-*
21 *pressed interest in establishing a cultural center in-*
22 *side or adjacent to the park.*

23 *(4) The Chickasaw National Recreation Area’s*
24 *Final Amendment to the General Management Plan*
25 *(1994) found that the best location for a proposed*
26 *Chickasaw Nation Cultural Center is within the*

1 *Recreation Area's existing boundary and that the se-*
2 *lected cultural center site should be conveyed to the*
3 *Chickasaw Nation in exchange for land of equal*
4 *value.*

5 *(5) The land selected to be conveyed to the Chick-*
6 *asaw Nation holds significant historical and cultural*
7 *connections to the people of the Chickasaw Nation.*

8 *(6) The City of Sulphur, Oklahoma, is a key*
9 *partner in this land exchange through its donation of*
10 *land to the Chickasaw Nation for the purpose of ex-*
11 *change with the United States.*

12 *(7) The City of Sulphur, Oklahoma, has con-*
13 *veyed fee simple title to the non-Federal land de-*
14 *scribed as Tract 102-26 to the Chickasaw Nation by*
15 *Warranty Deed.*

16 *(8) The National Park Service, the Chickasaw*
17 *Nation, and the City of Sulphur, Oklahoma, have*
18 *signed a preliminary agreement to effect a land ex-*
19 *change for the purpose of the construction of a cul-*
20 *tural center.*

21 *(b) PURPOSE.—The purpose of this Act is to authorize,*
22 *direct, facilitate, and expedite the land conveyance in ac-*
23 *cordance with the terms and conditions of this Act.*

1 **SEC. 3. DEFINITIONS.**

2 *For the purposes of this Act, the following definitions*
3 *apply:*

4 (1) *FEDERAL LAND.*—*The term “Federal land”*
5 *means the Chickasaw National Recreational Area*
6 *lands and interests therein, identified as Tract 102–*
7 *25 on the Map.*

8 (2) *NON-FEDERAL LAND.*—*The term “non-Fed-*
9 *eral land” means the lands and interests therein, for-*
10 *merly owned by the City of Sulphur, Oklahoma, and*
11 *currently owned by the Chickasaw Nation, located ad-*
12 *acent to the existing boundary of Chickasaw National*
13 *Recreation Area and identified as Tract 102–26 on*
14 *the Map.*

15 (3) *MAP.*—*The term “Map” means the map enti-*
16 *tled “Proposed Land Exchange and Boundary Revi-*
17 *sion, Chickasaw National Recreation Area”, dated*
18 *September 8, 2003, and numbered 107/800035a.*

19 (4) *SECRETARY.*—*The term “Secretary” means*
20 *the Secretary of the Interior.*

21 **SEC. 4. CHICKASAW NATIONAL RECREATION AREA LAND**
22 **CONVEYANCE.**

23 (a) *LAND CONVEYANCE.*—*Not later than 6 months*
24 *after the Chickasaw Nation conveys all right, title, and in-*
25 *terest in and to the non-Federal land to the United States,*

1 *Secretary shall convey all right, title, and interest in and*
2 *to the Federal land to the Chickasaw Nation.*

3 *(b) VALUATION OF LAND TO BE CONVEYED.—The fair*
4 *market values of the Federal land and non-Federal land*
5 *shall be determined by an appraisal acceptable to the Sec-*
6 *retary and the Chickasaw Nation. The appraisal shall con-*
7 *form with the Federal appraisal standards, as defined in*
8 *the Uniform Appraisal Standards for Federal Land Acqui-*
9 *sitions developed by the Interagency Land Acquisition Con-*
10 *ference, 1992, and any amendments to these standards.*

11 *(c) EQUALIZATION OF VALUES.—If the fair market*
12 *values of the Federal land and non-Federal land are not*
13 *equal, the values may be equalized by the payment of a cash*
14 *equalization payment by the Secretary or the Chickasaw*
15 *Nation, as appropriate.*

16 *(d) CONDITIONS.—*

17 *(1) IN GENERAL.—Notwithstanding subsection*
18 *(a), the conveyance of the non-Federal land author-*
19 *ized under subsection (a) shall not take place until*
20 *the completion of all items included in the Prelimi-*
21 *nary Exchange Agreement among the City of Sul-*
22 *phur, the Chickasaw Nation, and the National Park*
23 *Service, executed on July 16, 2002, except as provided*
24 *in paragraph (2).*

1 (2) *EXCEPTION.*—*The item included in the Pre-*
2 *liminary Exchange Agreement among the City of Sul-*
3 *phur, the Chickasaw Nation, and the National Park*
4 *Service, executed on July 16, 2002, providing for the*
5 *Federal land to be taken into trust for the benefit of*
6 *the Chickasaw Nation shall not apply.*

7 (e) *ADMINISTRATION OF ACQUIRED LAND.*—*Upon*
8 *completion of the land exchange authorized under subsection*
9 *(a), the Secretary—*

10 (1) *shall revise the boundary of Chickasaw Na-*
11 *tional Recreation Area to reflect that exchange; and*

12 (2) *shall administer the land acquired by the*
13 *United States in accordance with applicable laws and*
14 *regulations.*

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