

Calendar No. 628108TH CONGRESS
2^D SESSION**S. 1521****[Report No. 108-304]**

To direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community.

IN THE SENATE OF THE UNITED STATES

JULY 31 (legislative day, JULY 21), 2003

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

JULY 13, 2004

Reported by Mr. DOMENICI, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community.

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.**

4 This Act may be cited as the “Edward H. McDaniel
5 American Legion Post No. 22 Land Conveyance Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the membership of the American Legion
9 and other nonprofit organizations that represent the
10 veterans’ community in Pahrump, Nevada, has
11 grown immensely in the last 10 years;

12 (2) the existing facility used by the veterans
13 community in Pahrump, which was constructed in
14 the 1960’s, is too small and is inappropriate for the
15 needs of the veterans community;

16 (3) the nearest veterans facility that can accom-
17 modate the veterans community in Pahrump is lo-
18 cated more than 60 miles away in the city of Las
19 Vegas;

20 (4) the tracts of land that are available for con-
21 sideration as potential sites for the location of a new
22 veterans facility are not suitable for the facility;

23 (5) conveyance of a suitable parcel of land for
24 the facility, which consists of an odd, triangular
25 tract of land bounded on 2 sides by private land and

1 cut off from other public land by a major highway,
2 conforms with the objective of the Bureau of Land
3 Management, Las Vegas District 1998 Resource
4 Management Plan by simplifying the land manage-
5 ment responsibilities of the Bureau of Land Man-
6 agement; and

7 (6) because the intent of the American Legion
8 is to make the facility available to other veterans or-
9 ganizations and the public for community activities
10 and events at no cost, it would be in the best inter-
11 ests of the United States to convey the land to the
12 Edward H. McDaniel American Legion Post No. 22.

13 **SEC. 3. DEFINITIONS.**

14 **SEC. 2. DEFINITIONS.**

15 In this Act:

16 (1) POST NO. 22.—The term “Post No. 22”
17 means the Edward H. McDaniel American Legion
18 Post No. 22 in Pahrump, Nevada.

19 (2) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior, acting through the Di-
21 rector of the Bureau of Land Management.

1 **SEC. 4. CONVEYANCE OF LAND TO EDWARD H. MCDANIEL**

2 **AMERICAN LEGION POST NO. 22.**

3 **SEC. 3. CONVEYANCE OF LAND TO EDWARD H. MCDANIEL**

4 **AMERICAN LEGION POST NO. 22.**

5 (a) CONVEYANCE ON CONDITION SUBSEQUENT.—

6 Not later than ~~120~~ 180 days after the date of enactment
 7 of this Act, subject to valid existing rights and the condi-
 8 tion stated in subsection (c) and in accordance with the
 9 Act of June 14, 1926 (commonly known as the “Recre-
 10 ation and Public Purposes Act”) (43 U.S.C. 869 et seq.),
 11 the Secretary shall convey to Post No. 22, for no consider-
 12 ation, all right, title, and interest of the United States in
 13 and to the parcel of land described in subsection (b).

14 (b) DESCRIPTION OF LAND.—The parcel of land re-
 15 ferred to in subsection (b) is the parcel of Bureau of Land
 16 Management land that—

17 (1) is bounded by Route 160, Bride Street, and
 18 Dandelion Road in Nye County, Nevada;

19 (2) consists of approximately 4.5 acres of land;
 20 and

21 (3) is more particularly described as a portion
 22 of the S $\frac{1}{4}$ of section 29, T. 20 S., R. 54 E., Mount
 23 Diablo and Base Meridian.

24 (c) CONDITION ON USE OF LAND.—

25 (1) IN GENERAL.—Post No. 22 and any succes-
 26 sors of Post No. 22 shall use the parcel of land de-

1 scribed in section (b) for the construction and oper-
2 ation of a post building and memorial park for use
3 by Post No. 22, other veterans groups, and the local
4 community for events and activities.

5 (2) REVERSION.—Except as provided in para-
6 graph (3), if the Secretary, after notice to Post No.
7 22 and an opportunity for a hearing, makes a find-
8 ing that Post No. 22 has used or permitted the use
9 of the parcel for any purpose other than the purpose
10 specified in paragraph (1) and Post No. 22 fails to
11 discontinue that use, title to the parcel shall revert
12 to the United States, to be administered by the Sec-
13 retary.

14 (3) WAIVER.—The Secretary may waive the re-
15 quirements of paragraph (2) if the Secretary deter-
16 mines that a waiver would be in the best interests
17 of the United States.

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