



Forest  
Service

Washington  
Office

1400 Independence Avenue, SW  
Washington, DC 20250

**File Code:** 5420

**Date:** August 2, 2011

**Subject:** Change to Congressional Oversight Guidelines Involving Forest Service Land Exchanges

**To:** Regional Directors of Lands and Regional Land Adjustment Program Managers

In 2010, Congress revised the guidelines for oversight of Forest Service land exchanges. In report language issued by the Interior Appropriations Subcommittee, a thirty-day review period is only required for land exchanges where the Forest Service parcel exceeds \$1,000,000. For exchanges involving Forest Service parcels between \$500,000 and \$1,000,000, the 2010 report only requires advance notice.

Current Forest Service direction at §35.2 of FSH 5409.13 was based on previous Interior Appropriations Subcommittee report language which specifies that the thirty-day review period applies to all exchanges of parcels worth more than \$500,000. This direction is obsolete, creating unnecessary delay, expense, and paperwork. We are working with ORMS staff to revise the directive system. All other direction in FSH 5409.13 will be unchanged.

Effective immediately, only those exchanges where the federal parcel is valued in excess of \$1,000,000 require the thirty-day review period. For exchanges where the federal parcel is valued between \$500,000 and \$1,000,000, only advance notice to Congress is necessary, and will no longer require a thirty-day congressional oversight period.

Regional Lands Directors are to continue to forward the Notice of Exchange Proposal (36 CFR 254.8) to the Washington Office, Lands Director, regarding those exchanges in excess of \$500,000 for submission to the congressional committees. Those exchanges where the federal parcel is valued in excess of \$1,000,000 cannot be consummated until the thirty-day review period is completed. Notice of those exchanges valued between \$500,000 and \$1,000,000 will be forwarded to Congress, and can be consummated after notification without any further delay.

If you have additional questions regarding this information, please contact Wayne van Rooyen at (202) 205-1264.

*/s/ Robert S. Cunningham*  
ROBERT S. CUNNINGHAM  
Acting Director of Lands and Realty Management

