

AMENDMENT TO RULES COMMITTEE PRINT 118-

36

OFFERED BY MS. BARRAGÁN OF CALIFORNIA

At the end of subtitle D of title XXVIII, insert the following new section:

1 **SEC. ____ . LAND CONVEYANCE AND AUTHORIZATION FOR**
2 **INTERIM LEASE, DEFENSE FUEL SUPPORT**
3 **POINT SAN PEDRO, LOS ANGELES, CALI-**
4 **FORNIA.**

5 (a) CONVEYANCE AUTHORIZED.—The Secretary of
6 the Navy (in this section referred to as the “Secretary”),
7 may convey to the city of Los Angeles or the city of
8 Lomita, at a cost less than fair market value, all right,
9 title, and interest of the United States in and to parcels
10 of real property, including any improvements therein and
11 thereon, known as the ballfields and the firing range at
12 Naval Weapons Station Seal Beach, Defense Fuel Support
13 Point, San Pedro, California, as further described in sub-
14 section (b), for the purposes of permitting the city of Los
15 Angeles or the city of Lomita (as appropriate) to use such
16 conveyed parcel of real property for park and recreational
17 activities or law enforcement affiliated purposes. A convey-

1 ance under this subsection is subject to valid existing
2 rights.

3 (b) DESCRIPTION OF PROPERTY.—The parcels of
4 real property that may be conveyed under subsection (a)
5 consists of the following:

6 (1) The City of Lomita Ballfield Parcel con-
7 sisting of approximately 5.7 acres.

8 (2) The City of Los Angeles Ballfield Parcels
9 consisting of approximately 15.3 acres.

10 (3) The firing range located at 2981 North
11 Gaffey Street, San Pedro, California, consisting of
12 approximately 3.2 acres.

13 (c) INTERIM LEASE.—Until such time as any parcel
14 of real property described in subsection (b) is conveyed
15 to the city of Los Angeles or the city of Lomita (as appro-
16 priate), the Secretary of the Navy may lease such parcel
17 or a portion of such parcel to either the city of Los Ange-
18 les or the city of Lomita at no cost for a term up to three
19 years. If fee conveyance described in subsection (a) is not
20 completed within the period of the lease term with respect
21 to such parcel, the Secretary shall have no further obliga-
22 tion to make any part of such parcel available for use by
23 the city of Los Angeles or the city of Lomita.

24 (d) CONSIDERATION.—

1 (1) CONSIDERATION REQUIRED.—As consider-
2 ation for a conveyance under subsection (a), the city
3 of Los Angeles or the city of Lomita (as appro-
4 priate) shall pay to the Secretary of the Navy an
5 amount determined by the Secretary, which may
6 consist of cash payment, in-kind consideration as de-
7 scribed under paragraph (2), or a combination there-
8 of.

9 (2) IN-KIND CONSIDERATION.—In-kind consid-
10 eration provided by the city of Los Angeles or the
11 city of Lomita (as appropriate) under this subsection
12 may include—

13 (A) the acquisition, construction, provision,
14 improvement, maintenance, repair, or restora-
15 tion (including environmental restoration), or
16 combination thereof, of any property, facilities,
17 or infrastructure with proximity to Naval
18 Weapons Station Seal Beach, that the Sec-
19 retary considers acceptable; or

20 (B) the delivery of services relating to the
21 needs of Naval Weapons Station Seal Beach
22 that the Secretary considers acceptable.

23 (3) TREATMENT OF AMOUNTS RECEIVED FOR
24 CONVEYANCE.—Cash payments received under para-
25 graph (1) as reimbursement for costs incurred by

1 the Secretary to carry out a conveyance under sub-
2 section (a) shall be credited to the fund or account
3 used to cover the costs incurred by the Secretary in
4 carrying out the conveyance or to an appropriate
5 fund or account currently available to the Secretary
6 for the purposes for which the costs were paid.
7 Amounts so credited shall be merged with amounts
8 in such fund or account and shall be available for
9 the same purposes, and to the same conditions and
10 limitations, as amounts in such fund or account.

11 (4) PAYMENT OF COSTS OF CONVEYANCE.—The
12 Secretary shall require the city of Los Angeles or the
13 city of Lomita (as appropriate) to cover costs (ex-
14 cept costs for environmental remediation of the
15 property) to be incurred by the Secretary, or to re-
16 imburse the Secretary for such costs incurred by the
17 Secretary, to carry out a conveyance under sub-
18 section (a), including costs for environmental and
19 real estate due diligence and any other administra-
20 tive costs related to the conveyance and lease execu-
21 tion.

22 (5) REFUND OF EXCESS AMOUNTS.—If
23 amounts are collected from the city of Los Angeles
24 or the city of Lomita under paragraph (4) in ad-
25 vance of the Secretary incurring the actual costs,

1 and the amount collected exceeds the costs actually
2 incurred by the Secretary to carry out a conveyance
3 under subsection (a), the Secretary shall refund the
4 excess amount to the city of Los Angeles or the city
5 of Lomita (as appropriate).

6 (e) VALUATION.—The values of the property interests
7 to be conveyed by the Secretary described in subsection
8 (a) shall be determined by an independent appraiser se-
9 lected by the Secretary and in accordance with the Uni-
10 form Standards of Professional Appraisal Practice.

11 (f) CONDITION OF CONVEYANCE.—A conveyance
12 under subsection (a) shall be subject to all existing ease-
13 ments, restrictions, and covenants of record and condi-
14 tioned upon the following:

15 (1) The parcels of real property described in
16 paragraphs (1) and (2) of subsection (b) shall be
17 used solely for park and recreational activities,
18 which may include ancillary uses such as vending
19 and restrooms.

20 (2) The parcel of real property described in
21 subsection (b)(3) shall be used solely for law en-
22 forcement affiliated purposes.

23 (3) The city of Los Angeles or the city of
24 Lomita (as appropriate) may not use Federal funds

1 to cover any portion of the amounts required by sub-
2 section (d) to be paid.

3 (g) EXCLUSION OF REQUIREMENTS FOR PRIOR
4 SCREENING.—Section 2696(b) of title 10, United States
5 Code, and the requirements under title V of the McKin-
6 ney-Vento Homeless Assistance Act (Public Law 101–645;
7 41 U.S.C. 11411) relating to prior screenings shall not
8 apply to a conveyance under subsection (a) or the grant
9 of interim lease authorized under subsection (c).

10 (h) REVERSIONARY INTEREST.—If the Secretary de-
11 termines at any time that a parcel of real property con-
12 veyed under subsection (a) is not being used in accordance
13 with the purpose of the conveyance specified in this sec-
14 tion, all right, title, and interest in and to the land, includ-
15 ing the improvements thereto, shall, at the option of the
16 Secretary, revert to and become the property of the United
17 States, and the United States shall have the right of im-
18 mediate entry onto such real property. A determination
19 by the Secretary under this subsection shall be made on
20 the record after an opportunity for a hearing.

21 (i) CONVEYANCE AGREEMENT.—A conveyance of
22 land under subsection (a) shall be accomplished using a
23 quitclaim deed or other legal instrument and upon terms
24 and conditions mutually satisfactory to the Secretary and
25 the city of Los Angeles or the city of Lomita (as appro-

1 priate), including such additional terms and conditions as
2 the Secretary considers appropriate to protect the inter-
3 ests of the United States.

4 (j) **ADDITIONAL TERMS.**—The Secretary may require
5 such additional terms and conditions in connection with
6 a conveyance under subsection (a) as the Secretary con-
7 siders appropriate to protect the interests of the United
8 States.

9 (k) **SAVINGS CLAUSE.**—Nothing in this section af-
10 fects the application of the Comprehensive Environmental
11 Response, Compensation, and Liability Act of 1980 (42
12 U.S.C. 9601 et seq.).

