

**AMENDMENT TO RULES COMMITTEE PRINT**

**119-33**

**OFFERED BY MR. BEGICH OF ALASKA**

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

1 **SEC. 28** \_\_\_\_. **LAND CONVEYANCE, JOINT BASE ELMENDORF-**  
2 **RICHARDSON, ANCHORAGE, ALASKA.**

3 (a) **CONVEYANCE AUTHORIZED.**—Not later than 180  
4 days after the date of the enactment of this section, but  
5 only after the completion of the appraisal under subsection  
6 (d)(1), the Secretary of the Air Force shall—

7 (1) determine whether the parcel of real prop-  
8 erty described in subsection (b), including any im-  
9 provements thereon, is excess to the needs of Joint  
10 Base Elmendorf-Richardson, Anchorage, Alaska;

11 (2) if the Secretary determines such parcel is  
12 excess to such needs, declare that such parcel is ex-  
13 cess to such needs; and

14 (3) take such actions as may be necessary to  
15 convey to the Municipality of Anchorage, Alaska (in  
16 this section referred to as the “Municipality”), all  
17 right, title, and interest of the United States in and  
18 to such parcel, in accordance with—

1 (A) the North Anchorage Land Agreement;

2 and

3 (B) any agreement reached between the  
4 Municipality and Ektuna, Incorporated, during  
5 the one-year period beginning on the date the  
6 Secretary makes the declaration under para-  
7 graph (2).

8 (b) DESCRIPTION OF PROPERTY.—The parcel to be  
9 conveyed under subsection (a) consists of approximately  
10 50 acres of land located on Joint Base Elmendorf-Rich-  
11 ardson in Anchorage, Alaska, described as United States  
12 Survey Number 8690, Lot 2 Section 22, T14N R2W, Sew-  
13 ard Meridian that is—

14 (1) located adjacent to the Anchorage Regional  
15 Landfill; and

16 (2) leased by the Municipality under the lease  
17 numbered USAF–PACAF–HJZH–18–2–0391 as of  
18 the date of the enactment of this section.

19 (c) TERMINATION OF LEASE.—Any authority grant-  
20 ed under the lease referred to in subsection (b) shall termi-  
21 nate on the date on which the Secretary the conveys the  
22 property under subsection (a).

23 (d) TERMS AND CONDITIONS.—

24 (1) APPRAISAL.—The fair market value of the  
25 property to be conveyed under subsection (a) shall

1 be determined pursuant to an appraisal to be carried  
2 out—

3 (A) by an independent appraiser selected  
4 by the Secretary; and

5 (B) in accordance with—

6 (i) the Uniform Appraisal Standards  
7 for Federal Land Acquisitions; and

8 (ii) the Uniform Standards of Profes-  
9 sional Appraisal Practice.

10 (2) PAYMENT OF COSTS OF CONVEYANCE.—

11 (A) IN GENERAL.—The Secretary shall re-  
12 quire the Municipality to cover costs to be in-  
13 curred by the Secretary, or to reimburse the  
14 Secretary for such costs incurred by the Sec-  
15 retary, to carry out the conveyance under sub-  
16 section (a), including such costs related to land  
17 survey, environmental documentation, real es-  
18 tate due diligence such as appraisals, and any  
19 other administrative costs related to the convey-  
20 ance.

21 (B) REFUND.—If amounts are collected  
22 from the Municipality under paragraph (1) in  
23 advance of the Secretary incurring the actual  
24 costs, and the amount collected exceeds the  
25 costs actually incurred by the Secretary to carry

1 out the conveyance, the Secretary shall refund  
2 the excess amount to the Municipality.

3 (C) TREATMENT OF AMOUNTS RECEIVED  
4 AS REIMBURSEMENT OF COSTS INCURRED.—

5 (i) CREDIT TO ACCOUNT.—Amounts  
6 received under paragraph (1) to reimburse  
7 the Secretary for costs incurred by the  
8 Secretary to carry out the conveyance  
9 under subsection (a) shall be credited to  
10 the fund or account used to cover those  
11 costs or to an appropriate fund or account  
12 available to the Secretary for the purpose  
13 for which the costs were paid.

14 (ii) AVAILABILITY.—Amounts credited  
15 to a fund or account under clause (i)  
16 shall—

17 (I) merge with amounts in such  
18 fund or account; and

19 (II) be available to the Secretary  
20 for the same purpose and subject to  
21 the same conditions and limitations as  
22 the amounts in such fund or account.

23 (D) DEPOSIT OF AMOUNTS RECEIVED AS  
24 PAYMENT.—Amounts received as consideration  
25 for the conveyance under subsection (a) shall be

1 deposited in the special account in the Treasury  
2 established under section 572(b)(5) of title 40,  
3 United States Code.

4 (3) PRE-CONVEYANCE ENTRY.—

5 (A) IN GENERAL.—The Secretary, under  
6 the terms described in subparagraph (B) and  
7 any additional terms and conditions the Sec-  
8 retary determines appropriate, may authorize  
9 the Municipality to enter the property to be  
10 conveyed under subsection (a) at no charge for  
11 pre-construction activities, including site char-  
12 acterization under the National Environmental  
13 Policy Act of 1969 (42 U.S.C. 4321 et seq.)  
14 and the Comprehensive Environmental Re-  
15 sponse, Compensation and Liability Act of 1980  
16 (42 U.S.C. 9601 et seq.), before the property is  
17 conveyed under subsection (a).

18 (B) REQUIRED TERMS.—Any authorization  
19 granted under subparagraph (A) shall—

20 (i) be revocable at the discretion of  
21 the Secretary;

22 (ii) not be construed to convey any  
23 right, title, or interest in the property; and

24 (iii) require the Municipality to com-  
25 ply with installation access and safety re-

1                    requirements and such other requirements as  
2                    the Secretary determines necessary to pro-  
3                    tect the interests of the United States.

4                    (4) ADDITIONAL TERMS AND CONDITIONS.—

5                    The Secretary may require such additional terms  
6                    and conditions in connection with the conveyance  
7                    under subsection (a) as the Secretary considers ap-  
8                    propriate to protect the interests of the United  
9                    States.

10                  (e) LIMITATION ON SOURCE OF FUNDS.—The Mu-  
11                  nicipality may not use Federal funds to cover any portion  
12                  of the costs required to be paid by the Municipality under  
13                  this section.

14                  (f) SAVINGS PROVISION.—Nothing in this section  
15                  shall be construed to affect or limit the application of, or  
16                  any obligation to comply with, any environmental law, in-  
17                  cluding the Comprehensive Environmental Response,  
18                  Compensation, and Liability Act of 1980 and the Solid  
19                  Waste Disposal Act (42 U.S.C. 6901 et seq.).

20                  (g) NORTH ANCHORAGE LAND AGREEMENT DE-  
21                  FINED.—In this section, the term “North Anchorage Land  
22                  Agreement” means the agreement entered into by the  
23                  State of Alaska, the Municipality, and Eklutna, Incor-  
24                  porated, pursuant to section 1425 of the Alaska National  
25                  Interest Lands Conservation Act (Public Law 96–487; 94

- 1 Stat. 2515) (including any amendments to that agreement
- 2 as of the date of the enactment of this section).

