AMENDMENT TO RULES COMM. PRINT 116–57
OFFERED BY MR. HECK OF WASHINGTON

H.R. 6395, National Defense Authorization Bill

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

SEC. 28. LAND EXCHANGE, JOINT BASE LEWIS-MCCHORD IN THE STATE OF WASHINGTON.

(a) Transfer of Federal Property Authorized.—The Secretary of the Army may transfer to the Secretary of the Interior, in trust for the Nisqually Tribe, a federally recognized Indian tribe whose tribal lands are located within the State of Washington, a parcel of real property, including any improvements thereon, consisting of approximately 112 acres at Joint Base Lewis-McChord in the State of Washington.

(b) Consideration.—

(1) Conveyance of property.—Upon acceptance by the Secretary of the Interior on behalf of the Nisqually Tribe of the real property to be transferred under subsection (a), the Nisqually Tribe shall convey to the Secretary of the Army all right, title, and interest of the Nisqually Tribe in and to one or more parcels—
(A) that are acceptable to the Secretary of
the Army; and

(B) whose fair-market value is at least
equal to the fair-market value of the real prop-
erty transferred under subsection (a), as deter-
dined by appraisals acceptable to the Secretary
of the Army.

(2) TREATMENT OF CONVEYED PROPERTY.—
The real property received by the Secretary of the
Army as consideration under this subsection shall—

(A) remain under the administrative jurisdic-
tion of the Secretary; and

(B) be administered as part of Joint Base
Lewis-McChord.

(c) TREATMENT OF EXISTING PERMIT RIGHTS AND
EASEMENTS ON TRANSFERRED PROPERTY.—The parcel
of real property transferred to the Secretary of the Inte-
rior under subsection (a) to be held in trust for the
Nisqually Tribe is transferred subject to any permits,
easements, or rights-of-way in existence on the date of the
transfer. The transfer shall not impact or change any such
permit, easement, or right-of-way.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of
the Army shall require the Nisqually Tribe to cover
costs to be incurred by the Secretary, or to reim-
burse the Secretary for such costs incurred by the
Secretary, to carry out the transfer under subsection
(a) and the conveyance under subsection (b), includ-
ing survey costs. If amounts are collected from the
Nisqually Tribe in advance of the Secretary incur-
ring the actual costs, and the amount collected ex-
ceeds the costs actually incurred by the Secretary to
carry out the transfer and conveyance, the Secretary
shall refund the excess amount to the Nisqually
Tribe.

(2) TREATMENT OF AMOUNTS RECEIVED.—
Amounts received as reimbursement under para-
graph (1) shall be credited to the fund or account
that was used to cover those costs incurred by the
Secretary of the Army in carrying out the transfer
and conveyance or, if the period of availability for
obligations for that appropriation has expired, to the
fund or account currently available to the Secretary
for the same purpose. Amounts so credited shall be
merged with amounts in such fund or account, and
shall be available for the same purposes, and subject
to the same conditions and limitations, as amounts
in such fund or account.
(e) DESCRIPTION OF PROPERTIES.—The exact acreage and legal description of the real property to be transferred under subsection (a) and conveyed under subsection (b) shall be determined by surveys satisfactory to the Secretary of the Army and the Nisqually Tribe.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the transfer under subsection (a) and the conveyance under subsection (b) as the Secretary considers appropriate to protect the interests of the United States.