

110TH CONGRESS  
2D SESSION

# H. R. 5350

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## AN ACT

To authorize the Secretary of Commerce to sell or exchange certain National Oceanic and Atmospheric Administration property located in Norfolk, Virginia, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SALE OR EXCHANGE OF NOAA PROPERTY IN**  
2 **NORFOLK, VIRGINIA.**

3 (a) IN GENERAL.—The Secretary of Commerce may  
4 sell or exchange to the City of Norfolk, Virginia, in accord-  
5 ance with chapter 13 of title 40, United States Code, real  
6 property under the administrative jurisdiction of the Na-  
7 tional Oceanic and Atmospheric Administration (in this  
8 section referred to as “NOAA”), including land and im-  
9 provements thereon, located at 538 Front Street, Norfolk,  
10 Virginia, consisting of approximately 3.78 acres, if the  
11 Secretary—

12 (1) determines that the conveyance is in the  
13 best interests of NOAA and the Federal Govern-  
14 ment; and

15 (2) has provided prior notification to the Com-  
16 mittee on Natural Resources and the Committee on  
17 Appropriations of the House of Representatives and  
18 the Committee on Commerce, Science, and Trans-  
19 portation and the Committee on Appropriations of  
20 the Senate.

21 (b) CONSIDERATION.—

22 (1) IN GENERAL.—For any conveyance under  
23 this section the Secretary shall require the City of  
24 Norfolk to provide consideration to the United  
25 States that is not less than the fair market value of  
26 the property conveyed by the United States.

1           (2) FORM.—Consideration under this sub-  
2 section may include any combination of—

3           (A) cash or cash equivalents;

4           (B) other property (either real or per-  
5 sonal); and

6           (C) consideration in-kind, including—

7           (i) provision of space, goods, or serv-  
8 ices of benefit to NOAA including con-  
9 struction, repair, remodeling, or other  
10 physical improvements of NOAA property;

11           (ii) maintenance of NOAA property;

12           (iii) provision of office, storage, or  
13 other useable space; or

14           (iv) relocation services associated with  
15 conveyance of property under this section.

16           (3) DETERMINATION OF FAIR MARKET  
17 VALUE.—The Secretary shall determine fair market  
18 value for purposes of paragraph (1) based upon a  
19 highest- and best-use appraisal of the property con-  
20 veyed under subsection (a) conducted in conform-  
21 ance with the Uniform Appraisal Standards for Pro-  
22 fessional Appraisal Practice.

23           (c) USE OF PROCEEDS.—Amounts received under  
24 subsection (b)(2)(A) by the United States as proceeds of

1 any conveyance under this section shall be available to the  
2 Secretary, subject to appropriation, for—

3 (1) activities related to the operations of, or  
4 capital improvements, to NOAA property; or

5 (2) relocation and other costs associated with  
6 the sale or exchange.

7 (d) ADDITIONAL TERMS AND CONDITIONS.—The  
8 Secretary may require such additional terms and condi-  
9 tions in connection with the conveyance of property by the  
10 United States under subsection (a) as the Secretary con-  
11 siderers appropriate to protect the interest of the United  
12 States, including the recoupment of any profit the City  
13 of Norfolk may realize within three years after the date  
14 of conveyance to the City due to resale of the property

15 (e) TERMINATION.—The authority granted to the  
16 Secretary under subsections (a) and (b) shall terminate  
17 at the end of the 24-month period beginning on the date  
18 of enactment of this Act if no contract for sale or exchange  
19 under subsection (a) has been entered into by the City  
20 of Norfolk and the United States.

Passed the House of Representatives September 17,  
2008.

Attest:

*Clerk.*



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