

TO DIRECT THE ADMINISTRATOR OF GENERAL SERVICES, ON BEHALF OF THE ARCHIVIST OF THE UNITED STATES, TO CONVEY CERTAIN FEDERAL PROPERTY LOCATED IN THE STATE OF ALASKA TO THE MUNICIPALITY OF ANCHORAGE, ALASKA

APRIL 9, 2014.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SHUSTER, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 3786]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 3786) to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. REAL PROPERTY CONVEYANCE.

(a) **IN GENERAL.**—As soon as practicable after the date of the enactment of this Act and after completion of the survey and appraisal described in this section, the Administrator of General Services, on behalf of the Archivist of the United States, shall convey to the City by quitclaim deed for the consideration described in subsection (c), all right, title, and interest of the United States in and to a parcel of real property described in subsection (b).

(b) **LEGAL DESCRIPTION OF PROPERTY.**—

(1) **IN GENERAL.**—The parcel to be conveyed under subsection (a) consists of approximately 9 acres and improvements located at 400 East Fortieth Street in the City that is administered by the National Archives and Records Administration.

(2) **SURVEY REQUIRED.**—As soon as practicable after the date of the enactment of this Act, the exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey, paid for by the City, that is satisfactory to the Archivist.

(c) **TERMS AND CONDITIONS.**—

(1) **CONSIDERATION.**—

(A) **IN GENERAL.**—As consideration for the conveyance of the property under subsection (a), the City shall pay to the Archivist an amount not less than the fair market value of the conveyed property, to be determined as provided in subparagraph (B).

(B) **APPRAISAL.**—The fair market value of the property to be conveyed under subsection (a) shall be determined based on an appraisal that—

- (i) is conducted by a licensed, independent appraiser that is approved by the Archivist and the City;
- (ii) is based on the highest and best use of the property;
- (iii) is approved by the Archivist; and
- (iv) is paid for by the City.

(2) **PRE-CONVEYANCE ENTRY.**—The Archivist, on terms and conditions the Archivist determines to be appropriate, may authorize the City to enter the property at no charge for pre-construction and construction activities.

(3) **ADDITIONAL TERMS AND CONDITIONS.**—The Archivist may require additional terms and conditions in connection with the conveyance under subsection (a) as the Archivist considers appropriate to protect the interests of the United States.

(d) **PROCEEDS.**—Subject to appropriations Acts, the net proceeds from the conveyance of property under subsection (a) shall be available to the Archivist for activities funded in annual appropriations Acts under the heading “National Archives and Records Administration—Repairs and Restorations”.

(e) **CITY DEFINED.**—In this section, the term “City” means the Municipality of Anchorage, Alaska.

PURPOSE OF LEGISLATION

H.R. 3786, as amended, directs the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 3786, as amended, authorizes the General Services Administration (GSA) to transfer ownership of nine acres of land located at 400 East Fortieth Street in Anchorage, Alaska that are administered by the National Archives and Records Administration to the City of Anchorage. The National Archives has no need for the property. Sale of this property would be consistent with the National Archives’ efforts to reduce its space footprint and associated costs.

H.R. 3786, as amended, requires the property be sold at fair market value at highest and best use based on an appraisal approved by the Archivist and paid for by the City of Anchorage. Net pro-

ceeds could be retained by the Archivist, subject to appropriations, for repairs and restorations of other Archives facilities.

HEARINGS

No hearings were held on H.R. 3786.

LEGISLATIVE HISTORY AND CONSIDERATION

On December 16, 2013, Representative Don Young (R-AK) introduced H.R. 3786, a bill to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

On March 13, 2014, the Committee on Transportation and Infrastructure met in open session. The Committee considered one amendment offered by Representative Lou Barletta (R-PA). The amendment was adopted by voice vote. The Committee ordered H.R. 3786, as amended, reported favorably to the House by voice vote with a quorum present.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no record votes taken in connection with consideration of H.R. 3786, as amended, or ordering the measure reported. A motion to order H.R. 3786, as amended, reported favorably to the House was agreed to by voice vote with a quorum present.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 3786, as amended, from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 26, 2014.

Hon. BILL SHUSTER,
*Chairman, Committee on Transportation and Infrastructure,
House of Representatives Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3786, a bill to direct the Administrator of the General Services, on behalf of the Archivist of the United States, to convey certain federal property located in the state of Alaska to the Municipality of Anchorage, Alaska.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

H.R. 3786—A bill to direct the Administrator of the General Services, on behalf of the Archivist of the United States, to convey certain federal property located in the state of Alaska to the Municipality of Anchorage, Alaska

H.R. 3786 would authorize the General Services Administration, on behalf of the National Archives and Records Administration (NARA) to sell certain property in Anchorage, Alaska, for fair market value. Proceeds from the sale would be available to be spent by NARA, subject to future appropriation.

CBO estimates that enacting this legislation would have no significant effect on the federal budget because we expect that the conveyance of this property will occur under current law. Based on information from NARA, we expect that the property will be sold over the next ten years because the agency has recently announced plans to close its operating facilities in Alaska. Because this legislation would accelerate the process of selling the property, the collection of sale proceeds (which are offsetting receipts, an offset to direct spending) also would be accelerated. Therefore, pay-as-you-go procedures apply. However, CBO estimates the effect on offsetting receipts over the 2014–2024 period would be negligible. Enacting the bill would not affect revenues.

H.R. 3786 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation, as amended, is to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

ADVISORY OF EARMARKS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee is required to include a list of congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives. No provision in the bill, as amended, includes an earmark, limited tax benefit, or limited tariff benefit under clause 9(e), 9(f), or 9(g) of rule XXI.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to section 3(j) of H. Res. 5, 113th Cong. (2013), the Committee finds that no provision of H.R. 3786, as amended, establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DISCLOSURE OF DIRECTED RULE MAKINGS

Pursuant to section 3(k) of H. Res. 5, 113th Cong. (2013), the Committee estimates that enacting H.R. 3786, as amended, does not specifically direct the completion of any specific rule makings within the meaning of section 551 of title 5, United States Code.

FEDERAL MANDATE STATEMENT

The Committee adopts as its own the estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee states that H.R. 3786, as amended, does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation, as amended.

APPLICABILITY OF LEGISLATIVE BRANCH

The Committee finds that the legislation, as amended, does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

SECTION-BY-SECTION ANALYSIS OF LEGISLATION, AS AMENDED

Section 1. Real property conveyance

Section 1(a) directs the Administrator of General Services, on behalf of the Archivist of the United States, to convey to the city of Anchorage by quitclaim deed all right, title, and interest of the United States in the property described in subsection (b).

Section 1(b) describes the property to be conveyed as nine acres, including improvements located at 400 East Fortieth Street in Anchorage and requires the city to pay for a survey to determine the exact acreage and legal description and the survey must be satisfactory to the Archivist.

Section 1(c) requires the city to pay the Archivist an amount not less than the fair market value based on an appraisal of highest and best use paid for by the city and approved by the Archivist. This subsection also authorizes the Archivist to allow the city of Anchorage to enter the property for pre-construction and construction activities and allows the Archivist to require additional terms and conditions on the conveyance as the Archivist considers appropriate to protect the interests of the United States.

Section 1(d) directs that the net proceeds from the conveyance be available to the Archivist for activities funded in annual appropriations Acts under the heading “National Archives and Records Administration—Repairs and Restorations,” subject to appropriations.

Section 1(e) defines the “City” as the “Municipality of Anchorage, Alaska”.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 3786, as amended, makes no changes in existing law.

