

Calendar No. 390

114TH CONGRESS }
2d Session }

SENATE

{ REPORT
114-228 }

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

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 1492



MARCH 15, 2016.—Ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

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Mr. JOHNSON, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

R E P O R T

[To accompany S. 1492]

The Committee on Homeland Security and Governmental Affairs,
to which was referred the bill (S. 1492) 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, reports favorably thereon with an amendment and rec-
ommends that the bill, as amended, do pass.

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I. PURPOSE AND SUMMARY

S. 1492 directs the General Services Administration (GSA), on
behalf of the National Archives and Records Administration
(NARA), to offer to convey a parcel of land to the Municipality of
Anchorage, Alaska (Anchorage). The bill requires that any proceeds
from the sale be transferred to the Department of the Treasury to
be used for deficit reduction.

II. BACKGROUND AND THE NEED FOR LEGISLATION

On June 8, 2004, GSA purchased a parcel of land in Anchorage, Alaska, for the purpose of building a site to expand NARA's operations in the city.¹

At the time, NARA operated a records center in Anchorage to allow local citizens to view Federal records related to Alaska. According to NARA, the additional site was never developed and remains an empty lot.²

On March 11, 2014, NARA announced the permanent closure of the facility in Anchorage, ending all NARA activities in the state.³ The Anchorage archival records were moved to the NARA records center in Seattle, WA, and digitization makes the records available to residents of Alaska via the Internet.⁴

NARA's chief operating officer, Jay Bosanko, stated at the time that they "had to look at each of [the records centers] and make an assessment about their level of use, the cost to store materials and other factors, and these recent moves were based on all that."⁵ Mr. Bosanko stated that relocation of the archives was due to the high cost of storing the records in Anchorage, and that given the low usage of the Anchorage facility, NARA could service records users more efficiently from Seattle.⁶ Despite ceasing all operations in Alaska, NARA continues to own the empty parcel of land it purchased in 2004.⁷

S. 1492 directs GSA to offer to sell the empty property to the city of Anchorage for not less than the fair market value of the property. The bill requires that the property be appraised by a licensed, independent appraiser approved by NARA and the city of Anchorage, and that NARA approve the appraisal. It also requires the city of Anchorage to pay for the appraisal and any other costs incidental to the conveyance. Any proceeds from the sale are required to be transferred to the Department of the Treasury for the purpose of deficit reduction.

III. LEGISLATIVE HISTORY

Alaska Senator Dan Sullivan introduced S. 1492 on June 3, 2015. The bill was referred to the Committee on Homeland Security and Governmental Affairs.

The Committee considered S. 1492 at a business meeting on December 9, 2015. During the business meeting, Chairman Ron Johnson offered a substitute amendment as modified, which made technical corrections to the bill. The substitute amendment was adopted and the bill, as amended, was reported favorably, both by voice vote. Members present for both the vote on the amendment and on final passage were Senators Johnson, Portman, Lankford, Ayotte, Ernst, Carper, Tester, Baldwin, and Booker.

¹John Stanton, *Government Good to Stevens' Friends* (July 10, 2007) Roll Call, http://www.rollcall.com/issues/53_3/-19276-1.html.

²Telephone Call between Committee staff and John Hamilton, Director of Congressional Affairs, National Archives and Records Administration (Dec. 4, 2015).

³Statement by Archivist of the United States David S. Ferriero (2014), *available at* <https://www.archives.gov/press/press-releases/2014/nr14-41.html>.

⁴*Id.*

⁵Brian Robinson, *NARA plans online public access to relocated Alaska archives*, Government Computer News (Apr. 4, 2014), <https://gcn.com/articles/2014/04/04/nara-alaska.aspx>.

⁶*Id.*

⁷Telephone Call between Committee staff and John Hamilton, Director of Congressional Affairs, National Archives and Records Administration (Dec. 4, 2015).

IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

Section 1. Real property conveyance

Subsection (a) defines the terms “Archivist” and “city.”

Subsection (b) directs the GSA Administrator, on behalf of the NARA Archivist, to offer to convey certain real property to Anchorage, and requires the city of Anchorage to pay all associated costs, including the survey and appraisal required by this section.

Subsection (c) provides the legal description of the real property to be conveyed, and requires that, prior to conveyance, Anchorage pay for a survey of the property and that the survey be approved by NARA.

Subsection (d) mandates that the property be conveyed for not less than the fair market value, to be determined by an independent appraisal.

Finally, subsection (e) requires that any proceeds of the sale be transferred to the Department of the Treasury and used for deficit reduction.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office’s statement that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, January 8, 2016.

Hon. RON JOHNSON,
Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1492, 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,

KEITH HALL.

Enclosure.

S. 1492—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

S. 1492 would authorize the General Services Administration (GSA), on behalf of the National Archives and Records Administra-

tion (NARA) to sell certain property in Anchorage, Alaska, for its fair market value. According to NARA and GSA, the federal government acquired this undeveloped property in 2005 for \$3.5 million.

CBO expects that the property will be sold under current law at some point over the next ten years because the agency has closed its operating facilities in Alaska. Because the legislation could accelerate the process of selling the property, and thus collection of sale proceeds (which are treated as offsets to direct spending), pay-as-you-go procedures apply. However, CBO estimates that there would be no net effect on direct spending over the 2016–2025 period. Enacting the bill would not affect revenues. CBO estimates that enacting S. 1462 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2026.

S. 1492 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would benefit the municipality of Anchorage, Alaska. Any costs to the municipality resulting from the land conveyance would be incurred voluntarily.

On April 23, 2015, CBO transmitted a cost estimate for H.R. 336, 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, as ordered reported by the House Committee on Transportation and Infrastructure on April 15, 2015. The two pieces of legislation are similar, and CBO's estimate of their budgetary effects are the same.

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

VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

Because this legislation would not repeal or amend any provision of current law, it would make no changes in existing law within the meaning of clauses (a) and (b) of paragraph 12 of rule XXVI of the Standing Rules of the Senate.