

111TH CONGRESS  
2D SESSION

# H. R. 5669

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IN THE SENATE OF THE UNITED STATES

JULY 29, 2010

Received

AUGUST 5, 2010

Read twice and referred to the Committee on Agriculture, Nutrition, and  
Forestry

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## AN ACT

To direct the Secretary of Agriculture to convey certain  
Federally owned land located in Story County, Iowa.

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. PURPOSES AND DEFINITIONS.**

2 (a) PURPOSES.—The purposes of this Act are—

3 (1) to direct the conveyance of approximately  
4 44 acres, more or less, of Federally owned land ad-  
5 ministered by the Agricultural Research Service to  
6 the City of Ames, Iowa; and

7 (2) to authorize the use of the funds derived  
8 from the conveyance to purchase replacement land  
9 and for other purposes relating to the National Ani-  
10 mal Disease Center.

11 (b) DEFINITIONS.—In this Act:

12 (1) CITY.—The term “City” means the City of  
13 Ames, Iowa, and its assigns.

14 (2) PROPERTY.—The term “Property” means  
15 approximately 44 acres, more or less, of the Feder-  
16 ally owned land comprising part of the National Ani-  
17 mal Disease Center, which—

18 (A) was acquired by the United States in  
19 1951 within sec. 1, T. 83 N., R. 24 W., Fifth  
20 Principal Meridian; and

21 (B) is generally located on 13th Street in  
22 the City.

23 (3) SECRETARY.—The term “Secretary” means  
24 the Secretary of Agriculture.

1 **SEC. 2. PROPERTY CONVEYANCE.**

2 (a) IN GENERAL.—On receipt of the consideration  
3 and cost reimbursement provided in this Act, the Sec-  
4 retary shall convey and quitclaim to the City, all rights,  
5 title, and interests of the United States in the Property  
6 subject to easements and rights of record and such other  
7 reservations, terms, and conditions as the Secretary may  
8 prescribe.

9 (b) CONSIDERATION.—

10 (1) IN GENERAL.—As consideration for the con-  
11 veyance authorized by this Act, the City shall pay to  
12 the Secretary an amount in cash equal to the market  
13 value of the Property.

14 (2) APPRAISAL.—

15 (A) IN GENERAL.—To determine the mar-  
16 ket value of the Property, the Secretary shall  
17 have the Property appraised for the highest and  
18 best use of the Property in conformity with the  
19 Uniform Appraisal Standards for Federal Land  
20 Acquisitions developed by the Interagency Land  
21 Acquisition Conference.

22 (B) REQUIREMENTS.—The appraisal shall  
23 be subject to review and approval by the Sec-  
24 retary, and the approved appraisal shall at all  
25 times be the Property of the United States.

1       (c) CORRECTIONS.—With the agreement of the City,  
2 the Secretary may make minor corrections or modifica-  
3 tions to the legal description of the Property or configure  
4 the Property to facilitate conveyance.

5       (d) COSTS.—

6           (1) IN GENERAL.—Except as provided in para-  
7 graph (2), the City shall at closing pay or reimburse  
8 the Secretary, as appropriate, for the reasonable  
9 transaction and administrative costs incurred by the  
10 Secretary associated with the conveyance authorized  
11 by this Act, including personnel costs directly attrib-  
12 utable to the transaction, and the transactional costs  
13 of appraisal, survey, title review, hazardous sub-  
14 stances examination, and closing costs.

15          (2) ATTORNEYS FEES.—The City and the Sec-  
16 retary shall each bear their own attorneys fees.

17       (e) HAZARDOUS MATERIALS.—

18           (1) IN GENERAL.—For the conveyance author-  
19 ized by this Act, the Secretary shall meet disclosure  
20 requirements for hazardous substances, but shall  
21 otherwise not be required to remediate or abate  
22 those substances or any other hazardous pollutants,  
23 contaminants, or waste that might be present on the  
24 Property at the time of closing.

1           (2) LEAD-BASED PAINT OR ASBESTOS-CON-  
2 TAINING BUILDING MATERIALS.—

3           (A) IN GENERAL.—Notwithstanding any  
4 provision of law relating to the mitigation or  
5 abatement of lead-based paint or asbestos-con-  
6 taining building materials and except as pro-  
7 vided in subparagraph (B), the Secretary shall  
8 not be required to mitigate or abate any lead-  
9 based paint or asbestos-containing building ma-  
10 terials present on the Property at the time of  
11 closing.

12           (B) REQUIREMENTS.—If the Property has  
13 lead-based paint or asbestos-containing building  
14 materials, the Secretary shall—

15           (i) provide notice to the City of the  
16 presence of the lead-based paint or asbes-  
17 tos-containing building materials; and

18           (ii) obtain written assurance from the  
19 City that the City will comply with applica-  
20 ble Federal, State, and local laws relating  
21 to the management of the lead-based paint  
22 and asbestos-containing building materials.

23           (f) OTHER TERMS.—The Secretary and the City may  
24 agree on such additional terms as may be mutually accept-

1 able and that are not inconsistent with the provisions of  
2 this Act.

3 **SEC. 3. RECEIPTS.**

4 (a) IN GENERAL.—The Secretary shall deposit all  
5 funds received from the conveyance authorized under this  
6 Act, including the market value consideration and the re-  
7 imbursement for costs, into the Treasury of the United  
8 States to be credited to the appropriation for the Agricul-  
9 tural Research Service.

10 (b) USE OF FUNDS.—Notwithstanding any limitation  
11 in applicable appropriation Acts for the Department of  
12 Agriculture or the Agricultural Research Service, all funds  
13 deposited into the Treasury pursuant to subsection (a)  
14 shall—

15 (1) be available to the Secretary until expended,  
16 without further appropriation, for the acquisition of  
17 land and interests in land and other related pur-  
18 poses of the National Animal Disease Center; and

19 (2) be considered to authorize the acquisition of  
20 land for the purposes of section 11 of the Act of Au-  
21 gust 3, 1956 (7 U.S.C. 428a).

22 **SEC. 4. STATUTORY PAY-AS-YOU-GO LANGUAGE.**

23 The budgetary effects of this Act, for the purpose of  
24 complying with the Statutory Pay-As-You-Go Act of 2010,  
25 shall be determined by reference to the latest statement

1 titled “Budgetary Effects of PAYGO Legislation” for this  
2 Act, submitted for printing in the Congressional Record  
3 by the Chairman of the House Budget Committee, pro-  
4 vided that such statement has been submitted prior to the  
5 vote on passage.

Passed the House of Representatives July 28, 2010.

Attest:                      LORRAINE C. MILLER,  
*Clerk.*