

114TH CONGRESS
2D SESSION

H. R. 5017

To direct the Secretary of Transportation, acting through the Maritime Administrator, to release all remaining right, title, and interest of the United States in and to a parcel of real property in Richland, Washington, to the Port of Benton.

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2016

Mr. NEWHOUSE introduced the following bill; which was referred to the
Committee on Armed Services

A BILL

To direct the Secretary of Transportation, acting through the Maritime Administrator, to release all remaining right, title, and interest of the United States in and to a parcel of real property in Richland, Washington, to the Port of Benton.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Port of Benton Re-
5 striction Release Act of 2016”.

1 **SEC. 2. RELEASE OF RESTRICTIONS, RICHLAND INNOVA-**
2 **TION CENTER, RICHLAND, WASHINGTON.**

3 (a) **RELEASE AUTHORIZED.**—The Secretary of
4 Transportation, acting through the Maritime Adminis-
5 trator and in consultation with the Administrator of Gen-
6 eral Services, may, upon receipt of full consideration as
7 provided in subsection (b), release all remaining right,
8 title, and interest of the United States in and to a parcel
9 of real property, including any improvements thereon, in
10 Richland, Washington, consisting as of the date of the en-
11 actment of this Act of approximately 71.5 acres and con-
12 taining personal and real property, to the Port of Benton
13 (hereafter in this section referred to as the “Port”).

14 (b) **CONSIDERATION.**—

15 (1) **CONSIDERATION REQUIRED.**—As consider-
16 ation for the release under subsection (a), the Port
17 shall provide an amount that is acceptable to the
18 Secretary of Transportation, whether by cash pay-
19 ment, in-kind consideration as described under para-
20 graph (2), or a combination thereof, at such time as
21 the Secretary may require. The Secretary may deter-
22 mine the level of acceptable consideration under this
23 paragraph on the basis of the value of the restric-
24 tions released under subsection (a), but only if the
25 value of such restrictions is determined without re-
26 gard to any improvements made by the Port.

1 (2) IN-KIND CONSIDERATION.—In-kind consid-
2 eration provided by the Port under paragraph (1)
3 may include the acquisition, construction, provision,
4 improvement, maintenance, repair, or restoration
5 (including environmental restoration), or combina-
6 tion thereof, of any facility or infrastructure under
7 the jurisdiction of any office of the Federal Govern-
8 ment.

9 (3) TREATMENT OF CONSIDERATION RE-
10 CEIVED.—Consideration in the form of cash pay-
11 ment received by the Secretary under paragraph (1)
12 shall be deposited in the separate fund in the Treas-
13 ury described in section 572(a)(1) of title 40, United
14 States Code.

15 (c) PAYMENT OF COST OF RELEASE.—

16 (1) PAYMENT REQUIRED.—The Secretary of
17 Transportation shall require the Port to cover costs
18 to be incurred by the Secretary, or to reimburse the
19 Secretary for such costs incurred by the Secretary,
20 to carry out the release under subsection (a), includ-
21 ing survey costs, costs for environmental documenta-
22 tion related to the release, and any other administra-
23 tive costs related to the release. If amounts are col-
24 lected from the Port in advance of the Secretary in-
25 curring the actual costs, and the amount collected

1 exceeds the costs actually incurred by the Secretary
2 to carry out the release, the Secretary shall refund
3 the excess amount to the Port.

4 (2) TREATMENT OF AMOUNTS RECEIVED.—

5 Amounts received as reimbursement under para-
6 graph (1) shall be credited to the fund or account
7 that was used to cover the costs incurred by the Sec-
8 retary in carrying out the release under subsection
9 (a) or, if the period of availability of obligations for
10 that appropriation has expired, to the appropriations
11 of fund that is currently available to the Secretary
12 for the same purpose. Amounts so credited shall be
13 merged with amounts in such fund or account and
14 shall be available for the same purposes, and subject
15 to the same conditions and limitations, as amounts
16 in such fund or account.

17 (d) DESCRIPTION OF PROPERTY.—The exact acreage
18 and legal description of the real property which is the sub-
19 ject of the release under subsection (a) shall be determined
20 by a survey satisfactory to the Secretary of Transpor-
21 tation.

22 (e) ADDITIONAL TERMS AND CONDITIONS.—The
23 Secretary of Transportation may require such additional
24 terms and conditions in connection with the release under
25 subsection (a) as the Secretary, in consultation with the

- 1 Administrator of General Services, considers appropriate
- 2 to protect the interests of the United States.

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