

**Calendar No. 547**112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 1307****[Report No. 112-239]**

To authorize the Secretary of Commerce to convey real property, including improvements, of the National Oceanic and Atmospheric Administration in Ketchikan, Alaska, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

JUNE 30, 2011

Mr. BEGICH (for himself and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

NOVEMBER 14, 2012

Reported by Mr. ROCKEFELLER, without amendment

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**A BILL**

To authorize the Secretary of Commerce to convey real property, including improvements, of the National Oceanic and Atmospheric Administration in Ketchikan, Alaska, 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. CONVEYANCE CERTAIN PROPERTY OF THE NA-**  
2 **TIONAL OCEANIC AND ATMOSPHERIC ADMIN-**  
3 **ISTRATION IN KETCHIKAN, ALASKA.**

4 (a) IN GENERAL.—Notwithstanding any other provi-  
5 sion of law, if the Secretary of Commerce determines that  
6 it is in the best interest of the National Oceanic and At-  
7 mospheric Administration and the Federal Government to  
8 do so, the Secretary may convey to a non-Federal entity,  
9 by standard quitclaim deed, real property, including im-  
10 provements to such property, under the administrative ju-  
11 risdiction of the Under Secretary for Oceans and Atmos-  
12 phere, located at 1010 Stedman Street in Ketchikan, Alas-  
13 ka.

14 (b) CONSIDERATION.—

15 (1) IN GENERAL.—For a conveyance under sub-  
16 section (a), the Secretary shall require that the  
17 United States receive consideration of not less than  
18 the fair market value of the property or rights con-  
19 veyed.

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

22 (A) property (either real or personal);

23 (B) cash or cash equivalents; and

24 (C) consideration in-kind, including—

25 (i) provision of space, goods, or serv-  
26 ices of benefit, including construction, re-

1 pair, remodeling, or other physical im-  
2 provements;

3 (ii) maintenance of property;

4 (iii) provision of office, storage, or  
5 other useable space; or

6 (iv) relocation services associated with  
7 conveyance of property under this section.

8 (3) DETERMINATION OF FAIR MARKET  
9 VALUE.—The Secretary shall determine fair market  
10 value for purposes of paragraph (1) based on a  
11 highest- and best-use appraisal of the properties con-  
12 veyed under subsection (a) conducted in conform-  
13 ance with the Uniform Appraisal Standards for Pro-  
14 fessional Appraisal Practice.

15 (c) USE OF PROCEEDS.—Any amounts received  
16 under subsection (b) by the United States as proceeds of  
17 any conveyance under this section shall be available to the  
18 Secretary, subject to appropriation, for the acquisition,  
19 whether through lease or purchase of real property, and  
20 associated design and construction of a new port facility  
21 in the Ketchikan Gateway Borough, Alaska, that is under  
22 the administrative jurisdiction of the Under Secretary for  
23 Oceans and Atmosphere.

24 (d) LEGAL DESCRIPTION.—The exact acreage and  
25 legal description of the real property to be conveyed under

1 subsection (a) shall be determined by a survey satisfactory  
2 to the Secretary of Commerce. The cost of the survey shall  
3 be borne by the Secretary of Commerce.

4 (e) EXCHANGE.—The Secretary may exchange all or  
5 any portion of the real property under subsection (a) as  
6 the Secretary considers appropriate to protect the interest  
7 of the United States.

8 (f) TRANSITION.—During any transition period nec-  
9 essary for the relocation to a new port facility under sub-  
10 section (e), the Secretary may, subject to the availability  
11 of appropriations, acquire such temporary facilities and  
12 associated services, through lease, license, or permit as  
13 may be necessary for such relocation.

14 (g) ADDITIONAL TERMS AND CONDITIONS.—The  
15 Secretary may require such additional terms and condi-  
16 tions with a conveyance under subsection (a) as the Sec-  
17 retary considers appropriate to protect the interest of the  
18 United States.



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