

106TH CONGRESS
1ST SESSION

H. R. 3171

To direct the Administrator of General Services to convey a parcel of land in the District of Columbia to be used for construction of the National Health Museum, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 1999

Mr. FRANKS of New Jersey introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Administrator of General Services to convey a parcel of land in the District of Columbia to be used for construction of the National Health Museum, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Health Mu-
5 seum Site Selection Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act, the following definitions apply:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of General Serv-
3 ices.

4 (2) MUSEUM.—The term “Museum” means the
5 National Health Museum, Incorporated, a District
6 of Columbia nonprofit corporation exempt from Fed-
7 eral income taxation under section 501(c)(3) of the
8 Internal Revenue Code of 1986.

9 (3) PROPERTY.—The term “property” means—
10 (A) a parcel of land identified as Lot 24
11 and a closed interior alley in Square 579 in the
12 District of Columbia, generally bounded by 2nd,
13 3rd, C, and D Streets, S.W.; and
14 (B) all improvements on and appur-
15 tenances to the land and alley.

16 **SEC. 3. CONVEYANCE OF PROPERTY.**

17 (a) IN GENERAL.—Subject to the requirements of
18 this Act, the Administrator shall convey to the Museum
19 all rights, title, and interest of the United States in and
20 to the property.

21 (b) PURPOSE OF CONVEYANCE.—The purpose of the
22 conveyance is to provide a site for the construction and
23 operation of a new building to serve as the National
24 Health Museum, including associated office, educational,
25 conference center, visitor and community services, and

1 other space and facilities appropriate to promote knowl-
2 edge and understanding of health issues.

3 (c) PROHIBITION ON LOBBYING ACTIVITIES.—As a
4 condition of the conveyance, the Museum shall agree that
5 no part of the property will be used, during the 50-year
6 period beginning on the date of conveyance, for activities
7 to attempt to influence the passage or defeat of any legis-
8 lation by Congress or the legislature of any State.

9 (d) DATE OF CONVEYANCE.—

10 (1) NOTIFICATION.—Not later than 3 years
11 after the date of enactment of this Act, the Museum
12 shall notify the Administrator in writing of the date
13 on which the Museum will accept conveyance of the
14 property.

15 (2) DATE.—The date of conveyance shall be—

16 (A) not less than 270 days and not more
17 than 1 year after the date of the notice; but

18 (B) not earlier than April 1, 2001, unless
19 the Administrator and the Museum agree to an
20 earlier date.

21 (3) EFFECT OF FAILURE TO NOTIFY.—If the
22 Museum fails to provide the notice to the Adminis-
23 trator by the date described in paragraph (1), the
24 Museum shall have no further right to the property.

1 (4) MAINTENANCE OF PROPERTY.—The Admin-
2 istrator shall continue to maintain the property until
3 the date of conveyance under this subsection.

4 (e) QUITCLAIM DEED.—The property shall be con-
5 veyed to the Museum vacant and by quitclaim deed.

6 (f) CONVEYANCE TERMS.—

7 (1) IN GENERAL.—The conveyance shall be sub-
8 ject to such terms and conditions as the Adminis-
9 trator determines necessary to safeguard the inter-
10 ests of the United States. Such terms and conditions
11 shall be consistent with the terms and conditions set
12 forth in this Act.

13 (2) PURCHASE PRICE.—

14 (A) IN GENERAL.—The purchase price for
15 the property shall be the fair market value of
16 the property as of the date of enactment of this
17 Act.

18 (B) TIMING; APPRAISERS.—The deter-
19 mination of fair market value shall be made not
20 later than 180 days after the date of enactment
21 of this Act by qualified appraisers jointly se-
22 lected by the Administrator and the Museum.

23 (C) REPORT TO CONGRESS.—Promptly
24 upon the determination of the purchase price,
25 and in any event at least 60 days in advance of

1 the date of conveyance of the property, the Ad-
2 ministrator shall report to the Committee on
3 Transportation and Infrastructure of the House
4 of Representatives and the Committee on Envi-
5 ronment and Public Works of the Senate as to
6 the purchase price.

7 (D) TREATMENT OF AMOUNTS RE-
8 CEIVED.—Amounts received by the United
9 States as payment under this Act shall be paid
10 into, administered, and expended, subject to ap-
11 propriations Acts, as part of the fund estab-
12 lished by section 210(f) of the Federal Property
13 and Administrative Services Act of 1949 (40
14 U.S.C. 490(f)).

15 (3) SATELLITE MUSEUM.—As a condition of the
16 conveyance, the Administrator shall receive assur-
17 ances satisfactory to the Administrator that—

18 (A) the Museum will establish, operate,
19 and maintain a satellite museum on Ellis Is-
20 land, New Jersey, for the same purposes and
21 subject to the same limitations as the National
22 Health Museum;

23 (B) such activities will be carried out in
24 consultation with appropriate State and Federal
25 departments and agencies and in conjunction

1 with other redevelopment activities on Ellis Is-
2 land; and

3 (C) the Museum will commence construc-
4 tion of, or renovations of existing facilities for,
5 the satellite museum not later than 4 years
6 after the date of the conveyance.

7 (g) STATUTORY CONSTRUCTION.—Nothing in this
8 section may be construed to authorize the conveyance of
9 any right, title, or interest of the United States in or to
10 real property on Ellis Island, New Jersey.

11 **SEC. 4. REVERSIONARY INTEREST IN THE UNITED STATES.**

12 (a) IN GENERAL.—The property shall revert to the
13 United States if—

14 (1) during the 3-year period beginning on the
15 date of conveyance of the property, the Museum
16 does not commence construction on the property,
17 other than for a reason not within the control of the
18 Museum;

19 (2) during the 50-year period beginning on the
20 date of conveyance of the property, the property is
21 used for a purpose not authorized by section 3;

22 (3) during the 4-year period beginning on the
23 date of conveyance of the property, the Museum
24 does not commence construction of, or renovation of
25 existing facilities for, a satellite museum under sec-

1 tion 3(f)(3), other than for a reason not within the
2 control of the Museum;

3 (4) during the 50-year period beginning on the
4 date of conveyance of the property, the satellite mu-
5 seum established under section 3(f)(3) is not oper-
6 ated in accordance with such section; or

7 (5) the Museum ceases to be exempt from Fed-
8 eral income taxation as an organization described in
9 section 501(c)(3) of the Internal Revenue Code of
10 1986.

11 (b) REPAYMENT.—If the property reverts to the
12 United States, the United States shall repay the Museum
13 the full purchase price for the property, without interest.

14 (c) ENFORCING REVERSION.—The Administrator
15 shall perform all acts necessary to enforce any reversion
16 of property to the United States under this section.

17 (d) INVENTORY OF PUBLIC BUILDINGS SERVICE.—
18 Property that reverts to the United States under this
19 section—

20 (1) shall be under the control of the General
21 Services Administration; and

22 (2) shall be assigned by the Administrator to
23 the inventory of the Public Buildings Service.

24 **SEC. 5. AUTHORITY OF MUSEUM OVER PROPERTY.**

25 The Museum may—

- 1 (1) demolish or renovate any existing or future
2 improvement on the property;
- 3 (2) build, own, operate, and maintain new im-
4 provements on the property;
- 5 (3) finance and mortgage the property on cus-
6 tomary terms and conditions; and
- 7 (4) manage the property in furtherance of this
8 Act.

9 **SEC. 6. LAND USE APPROVALS.**

10 (a) EFFECT ON OTHER AUTHORITY.—Nothing in
11 this section may be construed to limit the authority of the
12 National Capital Planning Commission or the Commission
13 of Fine Arts.

14 (b) COOPERATION CONCERNING ZONING.—

15 (1) IN GENERAL.—The United States shall co-
16 operate with the Museum with respect to any zoning
17 or other matter relating to—

18 (A) the development or improvement of the
19 property; or

20 (B) the demolition of any improvement on
21 the property as of the date of enactment of this
22 Act.

23 (2) ZONING APPLICATIONS.—Cooperation under
24 paragraph (1) shall include making, joining in, or

1 consenting to any application required to facilitate
2 the zoning of the property.

3 **SEC. 7. ENVIRONMENTAL HAZARDS.**

4 Costs of remediation of any environmental hazards
5 existing on the property, including all asbestos-containing
6 materials, shall be borne by the United States. Environ-
7 mental remediation shall commence immediately upon the
8 vacancy of the building and shall be completed not later
9 than 270 days following the date of the notice to the Ad-
10 ministrator described in section 3(d)(1).

11 **SEC. 8. REPORTS.**

12 Not later than 1 year after the date of enactment
13 of this Act, and annually thereafter until the expiration
14 of the 2-year period following the date on which the sat-
15 ellite museum described in section 3(f)(3) opens to the
16 public, the Museum shall submit a report on the status
17 of the National Health Museum to the Administrator, the
18 Committee on Transportation and Infrastructure of the
19 House of Representatives, and the Committee on Environ-
20 ment and Public Works of the Senate.

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