

Calendar No. 576

116TH CONGRESS
2D SESSION

S. 3100

[Report No. 116-282]

To convey land in Anchorage, Alaska, to the Alaska Native Tribal Health Consortium, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 18, 2019

Ms. MURKOWSKI (for herself and Mr. SULLIVAN) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

OCTOBER 20 (legislative day, OCTOBER 19), 2020

Reported by Mr. HOEVEN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To convey land in Anchorage, Alaska, to the Alaska Native Tribal Health Consortium, 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 “Alaska Native Tribal
5 Health Consortium Land Transfer Act of 2019”.

1 **SEC. 2. CONVEYANCE OF PROPERTY TO THE ALASKA NA-**
 2 **TIVE TRIBAL HEALTH CONSORTIUM.**

3 (a) CONVEYANCE OF PROPERTY.—

4 (1) IN GENERAL.—As soon as practicable, but
 5 not later than 180 days, after the date of enactment
 6 of this Act, the Secretary of Health and Human
 7 Services (referred to in this Act as the “Secretary”)
 8 shall convey to the Alaska Native Tribal Health
 9 Consortium located in Anchorage, Alaska (referred
 10 to in this section as the “Consortium”), all right,
 11 title, and interest of the United States in and to the
 12 property described in subsection (b) for use in con-
 13 nection with health programs.

14 (2) CONDITIONS.—The conveyance of the prop-
 15 erty under paragraph (1)—

16 (A) shall be made by warranty deed; and

17 (B) shall not—

18 (i) require any consideration from the
 19 Consortium for the property;

20 (ii) impose any obligation, term, or
 21 condition on the Consortium; or

22 (iii) allow for any reversionary interest
 23 of the United States in the property.

24 (3) EFFECT ON ANY QUITCLAIM DEED.—The
 25 conveyance by the Secretary of title by warranty
 26 deed under paragraph (1) shall, on the effective date

1 of the conveyance, supersede and render of no future
2 effect any quitclaim deed to the property described
3 in subsection (b) executed by the Secretary and the
4 Consortium.

5 (b) PROPERTY DESCRIBED.—The property referred
6 to in subsection (a), including all land, improvements, and
7 appurtenances, is—

8 (1) Lot 1A in Block 31A, East Addition, An-
9 chorage Townsite, United States Survey No. 408,
10 Plat No. 96-117, recorded on November 22, 1996,
11 in the Anchorage Recording District; and

12 (2) Block 32C, East Addition, Anchorage
13 Townsite, United States Survey No. 408, Plat No.
14 96-118.

15 (c) ENVIRONMENTAL LIABILITY.—

16 (1) LIABILITY.—

17 (A) IN GENERAL.—Notwithstanding any
18 other provision of law, the Consortium shall not
19 be liable for any soil, surface water, ground-
20 water, or other contamination resulting from
21 the disposal, release, or presence of any envi-
22 ronmental contamination on any portion of the
23 property described in subsection (b) on or be-
24 fore the date on which the property is conveyed
25 to the Consortium under subsection (a)(1).

1 ~~(B) ENVIRONMENTAL CONTAMINATION.—~~

2 An environmental contamination described in
3 subparagraph (A) includes any oil or petroleum
4 products, hazardous substances, hazardous ma-
5 terials, hazardous waste, pollutants, toxic sub-
6 stances, solid waste, or any other environmental
7 contamination or hazard as defined in any Fed-
8 eral or State of Alaska law.

9 ~~(2) EASEMENT.—~~The Secretary shall be ac-
10 corded any easement or access to the property con-
11 veyed under subsection (a)(1) as may be reasonably
12 necessary to satisfy any retained obligation or liabil-
13 ity of the Secretary.

14 ~~(3) NOTICE OF HAZARDOUS SUBSTANCE ACTIV-~~
15 ~~ITY AND WARRANTY.—~~In carrying out this section,
16 the Secretary shall comply with subparagraphs (A)
17 and (B) of section 120(h)(3) of the Comprehensive
18 Environmental Response, Compensation, and Liabil-
19 ity Act of 1980 (42 U.S.C. 9620(h)(3)).

20 **SECTION 1. SHORT TITLE.**

21 *This Act may be cited as the “Alaska Native Tribal*
22 *Health Consortium Land Transfer Act of 2020”.*

23 **SEC. 2. CONVEYANCE OF PROPERTY TO THE ALASKA NA-**
24 **TIVE TRIBAL HEALTH CONSORTIUM.**

25 (a) *CONVEYANCE OF PROPERTY.—*

1 (1) *IN GENERAL.*—As soon as practicable, but
2 not later than 2 years, after the date of enactment of
3 this Act, the Secretary of Health and Human Services
4 (referred to in this Act as the “Secretary”) shall con-
5 vey to the Alaska Native Tribal Health Consortium
6 located in Anchorage, Alaska (referred to in this sec-
7 tion as the “Consortium”), all right, title, and inter-
8 est of the United States in and to the property de-
9 scribed in subsection (b) for use in connection with
10 health programs.

11 (2) *CONDITIONS.*—The conveyance of the prop-
12 erty under paragraph (1)—

13 (A) shall be made by warranty deed; and

14 (B) shall not—

15 (i) require any consideration from the
16 Consortium for the property;

17 (ii) impose any obligation, term, or
18 condition on the Consortium; or

19 (iii) allow for any reversionary inter-
20 est of the United States in the property.

21 (3) *EFFECT ON ANY QUITCLAIM DEED.*—The con-
22 veyance by the Secretary of title by warranty deed
23 under paragraph (1) shall, on the effective date of the
24 conveyance, supersede and render of no future effect
25 any quitclaim deed to the property described in sub-

1 *section (b) executed by the Secretary and the Consor-*
2 *tium.*

3 *(b) PROPERTY DESCRIBED.—The property referred to*
4 *in subsection (a), including all land, improvements, and*
5 *appurtenances, is—*

6 *(1) Lot 1A in Block 31A, East Addition, Anchor-*
7 *age Townsite, United States Survey No. 408, Plat No.*
8 *96–117, recorded on November 22, 1996, in the An-*
9 *chorage Recording District; and*

10 *(2) Block 32C, East Addition, Anchorage Town-*
11 *site, United States Survey No. 408, Plat No. 96–118,*
12 *recorded on November 22, 1996, in the Anchorage Re-*
13 *coding District.*

14 *(c) ENVIRONMENTAL LIABILITY.—*

15 *(1) LIABILITY.—*

16 *(A) IN GENERAL.—Notwithstanding any*
17 *other provision of law—*

18 *(i) the Consortium shall not be liable*
19 *for any soil, surface water, groundwater, or*
20 *other contamination resulting from the dis-*
21 *posal, release, or presence of any environ-*
22 *mental contamination on any portion of the*
23 *property described in subsection (b) that oc-*
24 *curred on or before the date on which the*

1 *property is conveyed to the Consortium*
2 *under subsection (a)(1); and*

3 *(ii) the Secretary shall not be liable for*
4 *any soil, surface water, groundwater, or*
5 *other contamination resulting from the dis-*
6 *posal, release, or presence of any environ-*
7 *mental contamination on any portion of the*
8 *property described in subsection (b) that oc-*
9 *curred after the date on which the Consor-*
10 *tium controlled, occupied, and used the*
11 *property.*

12 *(B) ENVIRONMENTAL CONTAMINATION.—An*
13 *environmental contamination described in sub-*
14 *paragraph (A) includes any oil or petroleum*
15 *products, hazardous substances, hazardous mate-*
16 *rials, hazardous waste, pollutants, toxic sub-*
17 *stances, solid waste, or any other environmental*
18 *contamination or hazard as defined in any Fed-*
19 *eral or State of Alaska law.*

20 *(2) EASEMENT.—The Secretary shall be accorded*
21 *any easement or access to the property conveyed*
22 *under subsection (a)(1) as may be reasonably nec-*
23 *essary to satisfy any retained obligation or liability*
24 *of the Secretary.*

1 (3) *NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY*
2 *AND WARRANTY.*—*In carrying out this section, the*
3 *Secretary shall comply with subparagraphs (A) and*
4 *(B) of section 120(h)(3) of the Comprehensive Envi-*
5 *ronmental Response, Compensation, and Liability*
6 *Act of 1980 (42 U.S.C. 9620(h)(3)).*

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