

Ray Blunt
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AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide for the conveyance of the Bannister Federal Complex, Kansas City, Missouri.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 1197

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GPO: 2012 77-320 (mac)

AMENDMENT intended to be proposed by Mr. BLUNT (for himself and Mrs. McCASKILL)

Viz:

1 At the end of title XXXI, add the following:

2 **Subtitle E—Other Matters**

3 **SEC. 3141. CONVEYANCE OF BANNISTER FEDERAL COM-**
4 **PLEX, KANSAS CITY, MISSOURI.**

5 (a) CONSOLIDATION OF TITLE TO BANNISTER FED-
6 ERAL COMPLEX.—Notwithstanding sections 521 and 522
7 of title 40, United States Code, the Administrator of Gen-
8 eral Services may transfer custody of and accountability
9 for the portion of the real property described in subsection
10 (b) in the custody of the General Services Administration

1 on the date of the enactment of this Act to the National
2 Nuclear Security Administration.

3 (b) REAL PROPERTY DESCRIBED.—

4 (1) IN GENERAL.—The real property described
5 in this subsection is the real property, including any
6 improvements thereon, consisting of the Bannister
7 Federal Complex in Kansas City, Missouri.

8 (2) FURTHER DESCRIPTION OF PROPERTY.—

9 The exact acreage and legal description of the real
10 property described in this subsection shall be deter-
11 mined by a survey satisfactory to the Administrator
12 for Nuclear Security and the Administrator of Gen-
13 eral Services.

14 (c) AUTHORITIES RELATING TO CONVEYANCE OF
15 BANNISTER FEDERAL COMPLEX.—After the consolidation
16 of custody of and accountability for the real property de-
17 scribed in subsection (b) in the National Nuclear Security
18 Administration under subsection (a), the Administrator
19 for Nuclear Security may—

20 (1) negotiate an agreement to convey to an eli-
21 gible entity all right, title, and interest of the United
22 States in and to the real property described in sub-
23 section (b); and

(2) enter into an agreement, on a reimbursable basis or otherwise, with the eligible entity to provide funding for the costs of—

4 (A) the negotiation of the agreement de-
5 scribed in paragraph (1);

6 (B) planning for the disposition of the
7 property; and

8 (C) carrying out the responsibilities of the
9 Administrator under section 120(h) of the Com-
10 prehensive Environmental Response, Compensa-
11 tion, and Liability Act of 1980 (42 U.S.C.
12 9620(h)) with respect to the property, includ-
13 ing—

(i) identification, investigation, and clean up of, and research and development with respect to, contamination from a hazardous substance or pollutant or contaminant;

(ii) correction of other environmental damage that creates an imminent and substantial endangerment to the public health or welfare or to the environment; and

(iii) demolition and removal of buildings and structures as required to clean up contamination or as required for comple-

1 tion of the responsibilities of the Adminis-
2 trator under that section.

3 (d) LIMITATIONS.—

4 (1) PRICE.—The Administrator for Nuclear Se-
5 curity shall select, through a public process provided
6 for under the regulations of the Department of En-
7 ergy, the eligible entity to which the real property
8 described in subsection (b) is to be conveyed under
9 subsection (c). The Administrator shall use good
10 faith efforts to ensure the greatest possible return
11 on such conveyance considering the conditions de-
12 scribed in paragraphs (2) and (3).

13 (2) CONDITIONS ON CONVEYANCE.—The con-
14 veyance under subsection (b) shall be subject to—

15 (A) the requirements relating to transfer
16 of property by the Federal Government under
17 section 120(h) of the Comprehensive Environ-
18 mental Response, Compensation, and Liability
19 Act of 1980 (42 U.S.C. 9620(h)); and

20 (B) except to the extent inconsistent those
21 requirements, the condition that the eligible en-
22 tity to which the real property described in sub-
23 section (b) is conveyed accepts the property in
24 its condition at the time of the conveyance,
25 commonly known as conveyance “as is”.

1 (3) OCCUPANCY BY NATIONAL OCEANIC AND
2 ATMOSPHERIC ADMINISTRATION.—The conveyance
3 under subsection (c) shall be subject to the condition
4 that the National Oceanic and Atmospheric Admin-
5 istration may continue to occupy the space in the
6 real property described in subsection (b) that the
7 Administration occupies as of the date of the enact-
8 ment of this Act until December 31, 2015.

9 (e) PAYMENT OF COSTS OF CONVEYANCE.—

10 (1) REIMBURSEMENT OF COSTS OF CONVEY-
11 ANCE.—The Administrator for Nuclear Security
12 shall use any funds received from the conveyance
13 under subsection (c) to reimburse the Administrator
14 for costs (other than costs referred to in paragraph
15 (2) of that subsection) incurred by the Adminis-
16 trator to carry out the conveyance, including survey
17 costs, costs for environmental documentation, and
18 any other administrative costs related to the convey-
19 ance.

20 (2) TREATMENT OF AMOUNTS RECEIVED.—
21 Amounts received as reimbursement under para-
22 graph (1) shall be credited to the fund or account
23 that was used to cover the costs referred to in that
24 paragraph. Amounts so credited shall be merged
25 with amounts in such fund or account and shall be

1 available for the same purposes, and subject to the
2 same conditions and limitations, as amounts in such
3 fund or account.

4 (f) ADDITIONAL TERMS AND CONDITIONS.—The Ad-
5 ministrator for Nuclear Security may require such addi-
6 tional terms and conditions in connection with the convey-
7 ance under subsection (c) as the Administrator considers
8 appropriate to protect the interests of the United States.

9 (g) ELIGIBLE ENTITY DEFINED.—In this section,
10 the term “eligible entity” means a nongovernmental entity
11 that has demonstrated to the Administrator for Nuclear
12 Security, in the Administrator’s sole discretion, that the
13 entity has the capability to operate and maintain the real
14 property described in subsection (b).