

Calendar No. 41

116TH CONGRESS
1ST SESSION

S. 224

[Report No. 116–10]

To provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and to the Bristol Bay Area Health Corporation located in Dillingham, Alaska, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2019

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

MARCH 25, 2019

Reported by Mr. HOEVEN, without amendment

A BILL

To provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and to the Bristol Bay Area Health Corporation located in Dillingham, 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 OF PROPERTY TO THE TANANA**
2 **TRIBAL COUNCIL.**

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 Tanana Tribal Council located in
9 Tanana, Alaska (referred to in this section as the
10 “Council”), all right, title, and interest of the United
11 States in and to the property described in subsection
12 (b) for use in connection with health and social serv-
13 ices programs.

14 (2) EFFECT ON ANY QUITCLAIM DEED.—The
15 conveyance by the Secretary of title by warranty
16 deed under this subsection shall, on the effective
17 date of the conveyance, supersede and render of no
18 future effect any quitclaim deed to the property de-
19 scribed in subsection (b) executed by the Secretary
20 and the Council.

21 (3) CONDITIONS.—The conveyance of the prop-
22 erty under this section—

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

24 (B) shall not—

25 (i) require any consideration from the
26 Council for the property;

1 (ii) impose any obligation, term, or
2 condition on the Council; or

3 (iii) allow for any reversionary interest
4 of the United States in the property.

5 (b) PROPERTY DESCRIBED.—The property, including
6 all land, improvements, and appurtenances, described in
7 this subsection is the property included in U.S. Survey No.
8 5958, Lot 12, in the village of Tanana, Alaska, within sur-
9 veyed Township 4N, Range 22W, Fairbanks Meridian,
10 Alaska, containing 11.25 acres.

11 (c) ENVIRONMENTAL LIABILITY.—

12 (1) LIABILITY.—

13 (A) IN GENERAL.—Notwithstanding any
14 other provision of law, the Council shall not be
15 liable for any soil, surface water, groundwater,
16 or other contamination resulting from the dis-
17 posal, release, or presence of any environmental
18 contamination on any portion of the property
19 described in subsection (b) on or before the
20 date on which the property is conveyed to the
21 Council.

22 (B) ENVIRONMENTAL CONTAMINATION.—
23 An environmental contamination described in
24 subparagraph (A) includes any oil or petroleum
25 products, hazardous substances, hazardous ma-

1 materials, hazardous waste, pollutants, toxic sub-
 2 stances, solid waste, or any other environmental
 3 contamination or hazard as defined in any Fed-
 4 eral or State of Alaska law.

5 (2) EASEMENT.—The Secretary shall be ac-
 6 corded any easement or access to the property con-
 7 veyed under this section as may be reasonably nec-
 8 essary to satisfy any retained obligation or liability
 9 of the Secretary.

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

16 **SEC. 2. CONVEYANCE OF PROPERTY TO THE BRISTOL BAY**
 17 **AREA HEALTH CORPORATION.**

18 (a) CONVEYANCE OF PROPERTY.—

19 (1) IN GENERAL.—As soon as practicable, but
 20 not later than 180 days, after the date of enactment
 21 of this Act, the Secretary shall convey to the Bristol
 22 Bay Area Health Corporation located in Dillingham,
 23 Alaska (referred to in this section as the “Corpora-
 24 tion”), all right, title, and interest of the United
 25 States in and to the property described in subsection

1 (b) for use in connection with health and social serv-
 2 ices programs.

3 (2) EFFECT ON ANY QUITCLAIM DEED.—The
 4 conveyance by the Secretary of title by warranty
 5 deed under this subsection shall, on the effective
 6 date of the conveyance, supersede and render of no
 7 future effect any quitclaim deed to the property de-
 8 scribed in subsection (b) executed by the Secretary
 9 and the Corporation.

10 (3) CONDITIONS.—The conveyance of the prop-
 11 erty under this section—

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

13 (B) shall not—

14 (i) require any consideration from the
 15 Corporation for the property;

16 (ii) impose any obligation, term, or
 17 condition on the Corporation; or

18 (iii) allow for any reversionary interest
 19 of the United States in the property.

20 (b) PROPERTY DESCRIBED.—The property, including
 21 all land, improvements, and appurtenances, described in
 22 this subsection is the property included in Dental Annex
 23 Subdivision, creating tract 1, a subdivision of Lot 2 of
 24 U.S. Survey No. 2013, located in Section 36, Township
 25 13 South, Range 56 West, Seward Meridian, Bristol Bay

1 Recording District, Dillingham, Alaska, according to Plat
2 No. 2015–8, recorded on May 28, 2015, in the Bristol
3 Bay Recording District, Dillingham, Alaska, containing
4 1.474 acres more or less.

5 (c) ENVIRONMENTAL LIABILITY.—

6 (1) LIABILITY.—

7 (A) IN GENERAL.—Notwithstanding any
8 other provision of law, the Corporation shall not
9 be liable for any soil, surface water, ground-
10 water, or other contamination resulting from
11 the disposal, release, or presence of any envi-
12 ronmental contamination on any portion of the
13 property described in subsection (b) on or be-
14 fore the date on which the property is conveyed
15 to the Corporation.

16 (B) ENVIRONMENTAL CONTAMINATION.—

17 An environmental contamination described in
18 subparagraph (A) includes any oil or petroleum
19 products, hazardous substances, hazardous ma-
20 terials, hazardous waste, pollutants, toxic sub-
21 stances, solid waste, or any other environmental
22 contamination or hazard as defined in any Fed-
23 eral or State of Alaska law.

24 (2) EASEMENT.—The Secretary shall be ac-
25 corded any easement or access to the property con-

1 veyed under this section as may be reasonably nec-
2 essary to satisfy any retained obligation or liability
3 of the Secretary.

4 (3) NOTICE OF HAZARDOUS SUBSTANCE ACTIV-
5 ITY AND WARRANTY.—In carrying out this section,
6 the Secretary shall comply with subparagraphs (A)
7 and (B) of section 120(h)(3) of the Comprehensive
8 Environmental Response, Compensation, and Liabil-
9 ity Act of 1980 (42 U.S.C. 9620(h)(3)).

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