

SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM  
LAND TRANSFER ACT

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DECEMBER 30, 2022.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

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Mr. GRIJALVA, from the Committee on Natural Resources,  
submitted the following

R E P O R T

[To accompany H.R. 442]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 442) to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 442 is to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska.

BACKGROUND AND NEED FOR LEGISLATION

The Southeast Alaska Regional Health Consortium (SEARHC) is a non-profit health consortium that serves American Indians and Alaska Natives' health interests and other residents in Southeast Alaska. SEARHC operates the Mount Edgecumbe Hospital, a 25-bed critical access facility located in Sitka, Alaska. The hospital provides comprehensive, holistic, and culturally sensitive surgical services focused on the multidisciplinary management of critically ill American Indian, Alaska Native, and Alaska resident patients. The facility was constructed towards the end of World War II and needed renovations due to its age and condition.

To commence SEARHC's Joint Venture Construction Project, which will modernize the facility, the Consortium must acquire

10.87 acres of land on the hospital's campus owned by the Health and Human Services (HHS)—Indian Health Service (IHS). SEARHC has managed and maintained these acres, comprising two parcels, for over 20 years but does not currently hold title to them.

H.R. 442 will facilitate this transfer by conveying the 10.87-acre parcel of land to SEARHC through warranty deed, which will give the Consortium title to the land clear of liens and encumbrances.

On April 26, 2022, the House considered an amended version of H.R. 441 (also introduced by Representative Don Young) that combined the texts of H.R. 441, H.R. 442, and H.R. 443 (also Rep. Young) into a single bill. By voice vote, the House agreed to suspend the rules and pass the consolidated version of H.R. 441, including the text of H.R. 442.

On December 19, 2022, the Senate passed the consolidated version of H.R. 441, including the text of H.R. 442, without amendment by unanimous consent. As of the drafting of this report, President Biden is expected to sign the bill into law.

#### COMMITTEE ACTION

H.R. 442 was introduced on January 21, 2021, by Representative Don Young (R-AK). The bill was referred to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce. Within the Natural Resources Committee, the bill was referred to the Subcommittee for Indigenous Peoples of the United States. On July 20, 2021, the Subcommittee held a hearing on the bill. On October 13, 2021, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. The bill was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

#### HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee for Indigenous Peoples of the United States held on July 20, 2021.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

#### COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, as well as clause 3(d) of rule XIII of the Rules of the House of Representatives, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

<b>H.R. 442, Southeast Alaska Regional Health Consortium Land Transfer Act</b>			
As ordered reported by the House Committee on Natural Resources on October 13, 2021			
By Fiscal Year, Millions of Dollars	2021	2021-2026	2021-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Statutory pay-as-you-go procedures apply?	No	<b>Mandate Effects</b>	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 442 would authorize the Secretary of Health and Human Services to convey a parcel of land in Sitka, Alaska, to the Southeast Alaska Regional Health Consortium (SARHC). The conveyance would be made by a warranty deed, which is a type of deed that guarantees a clear title to the new owner of the property. SARHC would not have to pay for the land.

The Indian Self-Determination and Education Act (ISDEAA) allows tribal entities to assume responsibility for providing health care services funded by the Indian Health Service (IHS). The SARHC is a nonprofit health care and social services corporation that operates facilities under the ISDEAA in communities throughout Alaska. According to IHS, the SARHC currently does not pay rent or any other remuneration to IHS for the use of the land to be transferred. Consequently, CBO estimates that enacting H.R. 442 would not affect direct spending or revenues and would have an insignificant effect on spending subject to appropriation for IHS staff to facilitate the land transfer.

The CBO staff contact for this estimate is Robert Stewart. The estimate was reviewed by Leo Lex, Deputy Director for Budget Analysis.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska.

#### EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

#### UNFUNDED MANDATES REFORM ACT STATEMENT

According to CBO, this bill contains no unfunded mandates as defined by the Unfunded Mandates Reform Act.

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes to existing law.

FRANK PALLONE, JR., NEW JERSEY  
CHAIRMAN

CATHY McMORRIS RODGERS, WASHINGTON  
RANKING MEMBER

COMMITTEE CORRESPONDENCE  
ONE HUNDRED SEVENTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2827  
Minority (202) 225-3841

December 8, 2022

The Honorable Raúl M. Grijalva  
Chairman  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

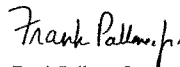
Dear Chairman Grijalva:

I write concerning H.R. 442, the "Southeast Alaska Regional Health Consortium Land Transfer Act," which was additionally referred to the Committee on Energy and Commerce.

In recognition of the desire to expedite consideration of H.R. 442, the Committee agrees to waive formal consideration of the bill as to provisions that fall within the Rule X jurisdiction of the Committee. The Committee takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. I also request that you support my request to name members of the Committee to any conference committee to consider such provisions.

Finally, I would appreciate the inclusion of this letter into the committee report on H.R. 442.

Sincerely,



Frank Pallone, Jr.  
Chairman

The Honorable Raúl M. Grijalva  
December 8, 2022  
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cc. The Honorable Cathy McMorris Rodgers, Ranking Member, Committee on Energy and  
Commerce  
The Honorable Bruce Westerman, Ranking Member, Committee on Natural Resources  
The Honorable Jason Smith, Parliamentarian

RAÚL M. GRIJALVA OF ARIZONA  
CHAIRMAN

DAVID WATKINS  
STAFF DIRECTOR

BRUCE WESTERMAN OF ARKANSAS  
RANKING REPUBLICAN

VIVIAN MCGLEIN  
REPUBLICAN STAFF DIRECTOR

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

December 8, 2022

The Honorable Frank Pallone Jr.  
Chair  
Committee on Energy and Commerce  
U.S. House of Representatives  
2125 Rayburn House Office Building  
Washington, DC 20515

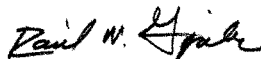
Dear Chair Pallone:

I write to you concerning H.R. 442, the "Southeast Alaska Regional Health Consortium Land Transfer Act."

I appreciate your willingness to work cooperatively on this legislation. I acknowledge that your Committee will not formally consider H.R. 442 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill or similar legislation that falls within your Committee's Rule X jurisdiction. Additionally, the Committee on Natural Resources confirms our mutual understanding that the Committee on Energy and Commerce will be appropriately consulted and involved as the bill or similar legislation moves forward so that you may address any remaining issues within your jurisdiction. I am pleased to support your request to name members of the Committee on Energy and Commerce to any conference committee to consider such provisions.

I will ensure that our exchange of letters is included in the report on H.R. 442. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,



Raúl M. Grijalva  
Chair  
House Natural Resources Committee

Cc: The Honorable Cathy McMorris Rodgers, Ranking Member, Committee on Energy and Commerce  
The Honorable Bruce Westerman, Ranking Member, Committee on Natural Resources  
The Honorable Jason Smith, Parliamentarian

SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS  
None.

