

TO REMOVE THE USE RESTRICTIONS ON CERTAIN LAND TRANSFERRED  
TO ROCKINGHAM COUNTY, VIRGINIA, AND FOR OTHER PURPOSES

OCTOBER 6, 2015.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

Mr. BISHOP of Utah, from the Committee on Natural Resources,  
submitted the following

R E P O R T

[To accompany H.R. 2288]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2288) to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. REMOVAL OF USE RESTRICTION.**

Public Law 101-479 (104 Stat. 1158) is amended—

- (1) by striking section 2(d); and
- (2) by adding the following new section at the end:

**“SEC. 4. REMOVAL OF USE RESTRICTION.**

“(a) The approximately 1-acre portion of the land referred to in section 3 that is used for purposes of a child care center, as authorized by this Act, shall not be subject to the use restriction imposed in the deed referred to in section 3.

“(b) Upon enactment of this section, the Secretary of the Interior shall execute an instrument to carry out subsection (a).”.

**PURPOSE OF THE BILL**

The purpose of H.R. 2288 is to remove the use restrictions on certain land transferred to Rockingham County, Virginia.

**BACKGROUND AND NEED FOR LEGISLATION**

In 1989, the Department of the Interior deeded a small parcel of land to Rockingham County, Virginia, for public purposes. This land includes a garage that had previously been used by the National Park Service. The County determined the non-profit Plains Area Day Care Center in Broadway, Virginia, which provides

childcare, would benefit from use of the garage. Public Law 101-479 allowed the deed to be changed from public use for the particular use of the child care center. However, under the terms and restrictions of the transfer, the non-profit is unable to obtain loans to make improvements and renovations to the property. H.R. 2288, as amended, would release deed restrictions on a 1-acre portion of the property already authorized by law to be used for a child care facility. The other two acres would continue to be subject to the existing deed's use restriction and reverter clause. The reported text represents an agreement between Congressman Bob Goodlatte, the bill's sponsor, and the National Park Service. The amendment also eliminates the requirement in section 2(d) of Public Law 101-479 for Rockingham County to report biennially to the Secretary of the Interior about the use of the property for a child care center, as well as other language in that section that is inconsistent with releasing the center from the deed restriction.

#### COMMITTEE ACTION

H.R. 2288 was introduced on May 13, 2015, by Congressman Bob Goodlatte (R-VA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. On September 9, 2015, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Congressman Tom McClintock (R-CA) offered an amendment designated 001. The amendment was adopted by unanimous consent. No other amendments were offered, and the bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent on September 10, 2015.

#### 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

1. Cost of Legislation. Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

*H.R. 2288—A bill to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes*

H.R. 2288 would remove restrictions in the deed for a parcel of land that was conveyed by the National Park Service (NPS) to

Rockingham County, Virginia. That restriction stipulates that the land can only be used for a public park and a child care center. Based on information provided by NPS, CBO estimates that implementing the bill would have no effect on the federal budget. Because enacting H.R. 2288 would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

H.R. 2288 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by H. Samuel Papanfuss, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures. The Congressional Budget Office estimates that enactment of this bill “would have no effect on the federal budget.”

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to remove the use restrictions on certain land transferred to Rockingham County, Virginia.

#### 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.

#### COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

#### COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

#### PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omit-

ted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

**PUBLIC LAW 101 479**

AN ACT To allow a certain parcel of land in Rockingham County, Virginia, to be used for a child care center.

\* \* \* \* \*

**SEC. 2. REQUIREMENTS.**

(a) A use permitted under this Act shall be confined to buildings in existence as of the date of enactment of this Act (which may be appropriately modified or altered so as to meet other applicable requirements of law) and shall involve fencing or enclosing of no more than 3,500 square feet of the open space portions of the lands, and shall not preclude use of any of the land for other permissible purposes, subject to reasonable restrictions necessary to allow a use authorized under this Act.

(b) The authority of the county under this Act shall be limited to the authorization of use of the land by a child care center serving children without regard to their race, creed, color, national origin, physical or mental disability, or sex, operated by a nonsectarian organization on a nonprofit basis and in compliance with all applicable requirements of the laws of the United States and the Commonwealth of Virginia.

(c) Except as specified in this Act, this Act shall not increase or diminish the authority or responsibility of the county with respect to the land.

[(d)(1) If the county, pursuant to this Act, authorizes use of the lands for a child care center, the county shall include information concerning such use in the biennial reports to the Secretary of the Interior required under the terms of the conveyance of the land to the county by the United States and shall also provide a copy of such information to appropriate officials of the United States and the Commonwealth of Virginia responsible for implementation of laws concerning the operation of child care centers.

[(2) Any violation of the provisions of this Act shall be deemed to be a breach of the conditions and covenants under which the lands were conveyed to the county by the United States, and shall have the same effect, as provided in the deed whereby the United States conveyed the lands to the county.]

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**SEC. 4. REMOVAL OF USE RESTRICTION.**

(a) *The approximately 1-acre portion of the land referred to in section 3 that is used for purposes of a child care center, as authorized by this Act, shall not be subject to the use restriction imposed in the deed referred to in section 3.*

*(b) Upon enactment of this section, the Secretary of the Interior shall execute an instrument to carry out subsection (a).*

