

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

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JULY 11, 2017.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

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

R E P O R T

[To accompany H.R. 954]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 954) to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 954 is to remove the use restrictions on certain land transferred to Rockingham County, Virginia.

BACKGROUND AND NEED FOR LEGISLATION

In 1989, the National Park Service conveyed a 3.03-acre surplus property, at no cost, to Rockingham County, Virginia, under the terms of the National Park Service's Federal Lands to Parks Program. The transferred land included a garage that had previously been used by the National Park Service. Following the transfer, Rockingham County decided that the non-profit Plains Area Day Care Center, which provides affordable childcare for nearly 100 children, would benefit from use of the garage.

In 1990, Congress enacted Public Law 101-479 to allow for a portion of the previously transferred land to be used for the child care center. The Act specified that use should be confined to the buildings in existence as of the date of enactment; involve fencing or enclosing of no more than 3,500 square feet of the open space portions

of the lands; and not preclude use of any of the land for other permissible purposes, subject to reasonable restrictions necessary to allow a use authorized under the Act. Although a portion of the transferred property is authorized for use as a day-care center, the center encounters hurdles in securing financing for improvements and repairs due to the terms of the original deed and the subsequent legislation.

H.R. 954 would remove certain deed restrictions from an approximately 1-acre portion of the property, while the other 2 acres would continue to be subject to the existing deed restrictions and reversionary clause. Removal of these deed restrictions will ensure that improvements and repairs can take place without further delay in the future.

An identical version of this bill, H.R. 2288, passed the House of Representatives in the 114th Congress by a vote of 407–0. Additionally, a similar bill, H.R. 5162, passed the House in the 113th Congress by a vote of 378–1.

COMMITTEE ACTION

H.R. 954 was introduced on February 7, 2017, 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 June 22, 2017, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. No amendments were offered, and the bill was ordered favorably reported to the House of Representatives by unanimous consent on June 27, 2017.

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, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 6, 2017.

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 954, a bill to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jeff LaFave.

Sincerely,

KEITH HALL.

Enclosure.

H.R. 954—A bill to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes

H.R. 954 would remove a use restriction 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 the NPS, CBO estimates that implementing the bill would have no effect on the federal budget.

Enacting H.R. 954 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting the legislation would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 954 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

On April 7, 2017, CBO transmitted a cost estimate for S. 331 as ordered reported by the Senate Committee on Energy and Natural Resources on March 30, 2017. The two bills are similar, and CBO's estimates of the budgetary effects are the same.

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

2. 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. This bill does not contain any directed rule makings.

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 pur-

suant 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 omitted 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.

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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 non-sectarian 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).

