

105TH CONGRESS
1ST SESSION

H. R. 2700

To direct the Secretary of the Interior to convey certain lands to the District of Columbia for use for single-family homes for low and moderate income individuals and families.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 22, 1997

Ms. NORTON introduced the following bill; which was referred to the
Committee on Resources

A BILL

To direct the Secretary of the Interior to convey certain lands to the District of Columbia for use for single-family homes for low and moderate income individuals and families.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Oxon Run Parkway
5 Land Transfer and Restoration Act”.

6 **SEC. 2. DEFINITIONS.**

7 For the purposes of this Act:

1 (1) The term “ancillary facilities” means struc-
2 tures that enhance and contribute to the pleasure
3 and enjoyment of occupants and are compatible with
4 the development of a community of single family
5 homes for low and moderate income families.

6 (2) The term “District” means the District of
7 Columbia.

8 (3) The term “initial sale” means the first sale
9 of a home constructed by the District or any third
10 party designated by the District to carry out the
11 purposes of this Act to a person or persons qualified
12 to purchase a home pursuant to this Act.

13 (4) The term “low and moderate income”
14 means having an annual income that is less than or
15 equal to the median annual income in the District
16 of Columbia.

17 (5) The term “Secretary” means the Secretary
18 of the Interior.

19 **SEC. 3. CONVEYANCE OF PROPERTY TO DISTRICT OF CO-**
20 **LUMBIA FOR LOW AND MODERATE INCOME**
21 **HOUSING USE.**

22 (a) IN GENERAL.—The Secretary of the Interior
23 shall, notwithstanding any other provision of law, convey,
24 not later than six months after the date of enactment of
25 this Act, to the District of Columbia by quitclaim deed

1 without consideration, all right, title, and interest of the
2 United States in and to the property described in section
3 4 of this Act, subject to the condition that it be developed
4 into a community of single-family houses with ancillary
5 facilities for low and moderate income individuals and
6 families and for recreational facilities.

7 (b) CONDITION OF PROPERTY.—No later than the
8 time of the conveyance, the Secretary shall disclose to the
9 District all existing information of the Secretary regarding
10 the condition of the property and its former uses. Nothing
11 in this subsection is to be construed to authorize the Sec-
12 retary to conduct additional studies or assessments, or de-
13 velop additional information on the property.

14 **SEC. 4. PROPERTY DESCRIBED.**

15 The property referred to in section 3 is a portion of
16 the land in the District of Columbia that was formerly
17 known as United States Reservation 501, and as depicted
18 on NCR map numbered 69–501–87, and is bordered—

19 (1) on the northeast, by south Capital Street
20 and privately owned property;

21 (2) on the west, by a line located approximately
22 20 feet east of the eastern edge of Oxon Run Park-
23 way; and

24 (3) on the southeast, by the boundary between
25 Maryland and the District of Columbia;

1 consisting of approximately 25 acres.

2 **SEC. 5. EFFECT OF PROPERTY CONVEYANCE.**

3 Upon the conveyance of the property to the District
4 pursuant to this Act—

5 (1) the transfer of jurisdiction from the Na-
6 tional Park Service to the District dated August 2,
7 1971 shall become null and void and of no further
8 force and effect;

9 (2) the property shall no longer be considered
10 to be part of Oxon Run Park and shall not be con-
11 sidered to be within the park system of the District;

12 (3) the property shall cease to be a reservation,
13 park, or public grounds of the United States for the
14 purposes of the Act of August 24, 1912 (ch. 355, 37
15 Stat. 444; 40 U.S.C. 68; 8–128 D.C. Code); and

16 (4) liability for the existing condition of the
17 property and for any necessary remediation and res-
18 toration actions lies with the District, notwithstand-
19 ing applicable law.

20 **SEC. 6. INSPECTION AND TREATMENT OF CONVEYED PROP-**
21 **ERTY.**

22 Following conveyance of the property as provided for
23 in section 3(a) of this Act, the District shall take all ac-
24 tions necessary to ensure that the property is suitable for
25 use pursuant to this Act. The costs of all such inspections,

1 analyses, environmental restoration, waste management,
2 and environmental compliance activities are to be borne
3 by the District.

4 **SEC. 7. RECONVEYANCE OF PROPERTY TO THE UNITED**
5 **STATES BY THE DISTRICT.**

6 Within 6 months of the conveyance described in sec-
7 tion 3(a) of this Act, the District may reconvey to the
8 United States without consideration, all right, title and in-
9 terest in and to the property described in section 4, if it
10 determines pursuant to section 6 of this Act, that it can-
11 not use the property for the purposes of this Act. The
12 costs incurred for such reconveyance shall be borne by the
13 District. Any and all claims and judgments arising during
14 the period prior to such reconveyance shall remain the re-
15 sponsibility of the District. This reconveyance shall not be
16 considered an admission of liability for any purpose and
17 does not give rise to a civil action for judicial review until
18 any and all remediation and restoration actions are com-
19 pleted.

20 **SEC. 8. REVERSIONARY INTEREST.**

21 (a) USE OF PROPERTY.—The conveyance under sec-
22 tion 3(a) shall be subject to the condition that the property
23 only be developed into a community of single-family houses
24 with ancillary facilities for low and moderate income indi-
25 viduals and families, and recreational facilities. Title in

1 the property conveyed under section 1(a), or a portion
2 thereof, shall revert to the United States 90 days after
3 the date on which the Secretary provides written notice
4 and opportunity to comment to the owner and to the
5 Mayor of the District of Columbia that one of the follow-
6 ing has occurred—

7 (1) Failure to commence construction of single
8 family houses and ancillary facilities thereto, or rec-
9 reational facilities, within four years after title has
10 been conveyed pursuant to section 3(a).

11 (2) Failure to complete construction of single
12 family houses and ancillary facilities thereto, or rec-
13 reational facilities, within 3 years after commence-
14 ment of construction.

15 (3) Placement of improvements other than
16 those authorized by this Act.

17 (4) The initial sale of a house constructed pur-
18 suant to this Act to a person or persons whose in-
19 come collectively exceed the median annual income
20 in the District of Columbia at the time of the initial
21 sale.

22 The Secretary shall determine whether a reversion is for
23 all of the property conveyed in section 3(a) of this Act,
24 or for a portion thereof. Any such reversion shall not in-
25 clude any portion of the property on which single family

1 houses and ancillary facilities for low and moderate in-
2 come individuals and families have been constructed and
3 are ready for sale or have been previously subject to an
4 initial sale to a low or moderate income individual or fam-
5 ily. The Secretary shall consult with the Mayor of the Dis-
6 trict of Columbia prior to any determination that any
7 property conveyed to the District under this Act or a por-
8 tion thereof is subject to reversion to the United States.

9 (b) EXTENSION.—The periods referred to in this sec-
10 tion shall be extended during—

11 (1) the pendency of any lawsuit which seeks to
12 enjoin the use of this property pursuant to this Act
13 and any actions related thereto; or

14 (2) the time in which the District is performing
15 any environmental restoration, waste management,
16 and environmental compliance activities that under
17 applicable law are required prior to the development
18 of the property pursuant to this Act.

19 (c) EFFECT OF REVERSION.—Following any rever-
20 sion to the United States, any and all claims and judg-
21 ments arising during the period prior to such reversion
22 shall remain the responsibility of the owner of the revert-
23 ing portion of the property immediately prior to reversion,
24 and any reversion shall extinguish any and all leases,

1 rights or privileges to use the portion of the property
2 which reverts.

3 **SEC. 9. SAVINGS PROVISIONS.**

4 No provision of this Act shall be construed—

5 (1) as an express or implied endorsement or ap-
6 proval by the Congress of any development or oper-
7 ation of this property;

8 (2) to exempt the District, after the convey-
9 ance, from compliance with the laws of the United
10 States and the District, including laws relating to
11 the environment, health, and safety in the develop-
12 ment or operation of this property;

13 (3) to prevent additional conditions on the de-
14 velopment or operation of the property; or

15 (4) to exempt the United States from compli-
16 ance with applicable laws relating to the environ-
17 ment, health, and safety, except for with regard to
18 this Act.

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