

AMENDING THE ACT ENTITLED “AN ACT TO ALLOW A CERTAIN PARCEL OF LAND IN ROCKINGHAM COUNTY, VIRGINIA, TO BE USED FOR A CHILD CARE CENTER” TO REMOVE THE USE RESTRICTION, AND FOR OTHER PURPOSES

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NOVEMBER 17, 2014.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. HASTINGS of Washington, from the Committee on Natural Resources, submitted the following

## R E P O R T

[To accompany H.R. 5162]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 5162) to amend the Act entitled “An Act to allow a certain parcel of land in Rockingham County, Virginia, to be used for a child care center” to remove the use restriction, 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. 5162 is to amend the Act entitled “An Act to allow a certain parcel of land in Rockingham County, Virginia, to be used for a child care center” to remove the use restriction.

### 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. 5162 would remove the restrictions on the land so the necessary upgrades may be made to the child care center.

## COMMITTEE ACTION

H.R. 5162 was introduced on July 22, 2014, by Congressman Bob Goodlatte (R-VA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Public Lands and Environmental Regulation. On September 9, 2014, the Subcommittee held a hearing on the bill. On September 18, 2014, the Full Natural Resources Committee met to consider the bill. The Subcommittee on Public Lands and Environmental Regulation was discharged by unanimous consent. No amendments were offered, and the bill was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

## 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. 5162—A bill to amend the Act entitled “An Act to allow a certain parcel of land in Rockingham County, Virginia, to be used for a child care center” to remove the use restriction, and for other purposes*

H.R. 5162 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. Enacting H.R. 5162 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 5162 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 Martin von Gnechten. The estimate was approved by Theresa Gullo, 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. Based on information provided by the National Park Service, CBO estimates that implementing the 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 amend the Act entitled “An Act to allow a certain parcel of land in Rockingham County, Virginia, to be used for a child care center” to remove the use restriction.

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

### **ACT OF OCTOBER 31, 1990**

(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.

#### **[SECTION 1. ADDITIONAL USE AUTHORIZED.**

【Subject to the requirements of this Act, the County of Rockingham, Commonwealth of Virginia, hereafter referred to as “the county”, is authorized to permit use of the land described in section 3, hereafter referred to as “the land”, for purposes of a child care center, notwithstanding the restrictions on use of such land otherwise applicable under the terms of the conveyance of such land to the county by the United States.

**[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.

**[SEC. 3. LAND DESCRIPTION.**

[The land referred to in sections 1 and 2 is that parcel comprised of approximately 3.03 acres of land transferred by the United States on April 11, 1989, to the county of Rockingham, Virginia, in deed book number 953 at page 600, together with improvements thereon.]

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

(a) *IN GENERAL.*—Notwithstanding any restrictions in the deed, on and after the date of the enactment of this Act, the parcel comprised of approximately 3.03 acres of land transferred by the United States on April 11, 1989, to the county of Rockingham, Virginia, in deed book number 953 at page 600, together with improvements thereon may be used by the county as if the land had been transferred in fee simple with no use or other restrictions.

(b) *DOCUMENTATION.*—As soon as practical after the date of the enactment of this Act, the Secretary of the Interior shall take such actions as are necessary to issue a fee simple deed with no restrictions to the land described in subsection (a) to the county of Rockingham, Virginia.

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