

Committee on Natural Resources
Rob Bishop, Chairman
Markup Memorandum

September 9, 2015

To: Natural Resources Committee Members

From: Majority Committee Staff, Sub. on Federal Lands, Terry Camp, x 6-7736

Markup: Full Committee Markup of H.R. 2288 (Goodlatte), To remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes.

Bill Summary

H.R. 2288, introduced by Congressman Bob Goodlatte (R-VA) removes a deed restriction on Rockingham County, VA property so that upgrades can be made to a childcare facility.

Background

An identical version of this bill, introduced in the 113th Congress as H.R. 5162, was favorably reported by the Committee on Natural Resources on November 17, 2014 and was subsequently adopted by the House of Representatives on a recorded vote of 378 – 1.

Prior to the Public Law 101-479, in 1989 the Department of the Interior (DOI) had deeded a parcel of land to Rockingham County for public purposes. This land includes a garage that had previously been used by the National Park Service. The County decided that the creation of the non-profit Plains Area Day Care Center in Broadway, Virginia, which provides childcare to families who otherwise not afford childcare, would benefit from use of the old garage. Public Law 101-479 allowed the deed to be changed from public use for the particular use of the child care center.

Because of the narrow way Public Law 101-479 was drafted, any extension or maintenance of the physical structures has required approval by DOI. In 1998, the county had to obtain permission from the DOI to add an addition that was funded through pledges and a county loan. The building is once again in need of repairs. The county is faced with having to get approval from DOI for repairs.

For 25 years, the land has been deeded to Rockingham County, but with restriction. H.R. 2288 would remove the restrictions on the land so the necessary upgrades may be made to the childcare center.

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Administration Position

Will not oppose if the proposed amendment is adopted

Cost

In the 113th Congress, CBO estimated that implementing H.R. 5162, a bill nearly identical to H.R. 2288, would not affect direct spending or revenues.

Amendments

Representative Tom McClintock (R-CA) is expected to introduce an amendment to H.R. 2288, described below, that represents an agreement between Representative Goodlatte, the bill's sponsor, and the National Park Service.

H.R. 2288 as introduced would release the entire 3.03 acres from the restriction in the deed. The proposed amendment would limit the release to the 1-acre portion of the property already authorized by law to be used for a child care facility. The other 2 acres would continue to be subject to the existing deed's use restriction and reverter clause.

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.