

TO DIRECT THE DIRECTOR OF THE NATIONAL PARK SERVICE AND THE  
SECRETARY OF THE INTERIOR TO TRANSFER CERTAIN PROPERTIES TO  
THE DISTRICT OF COLUMBIA

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SEPTEMBER 16, 2010.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

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Mr. RAHALL, from the Committee on Natural Resources,  
submitted the following

R E P O R T

[To accompany H.R. 5494]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 5494) to direct the Director of the National Park Service and the Secretary of the Interior to transfer certain properties to the District of Columbia, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. TRANSFER OF CERTAIN PROPERTIES.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Interior shall transfer to the District of Columbia by quitclaim deed all right, title, and interest of the United States to the following properties in the District of Columbia:

(1) Square 336, Lot 828, as shown on Assessment and Taxation Plat 3761–Y among the records of the Surveyor of the District of Columbia (Shaw Junior High School recreation fields).

(2) Square 542, Lot 85, as referenced on page 104 of Subdivision Book 141 and shown on Map 8634 among the records of the Surveyor of the District of Columbia (Southwest Library).

(3) Square 2864, Lot 830, as shown on Assessment and Taxation Plat 3495–G among the records of the Surveyor of the District of Columbia (Meyer Elementary School).

(4) Reservation 277–A, as shown on page 4 of Subdivision Book 134 among the records of the Surveyor of the District of Columbia.

(5) Square 2558, Lot 803, as shown on Assessment and Taxation Plat 65 among the records of the Surveyor of the District of Columbia (a portion of the Marie H. Reed Community Learning Center).

(6) Square 2558, Lot 810, as shown on Assessment and Taxation Plat 65 among the records of the Surveyor of the District of Columbia (a portion of the Marie H. Reed Community Learning Center).

Amend the title so as to read:

A bill to direct the Secretary of the Interior to transfer certain properties to the District of Columbia.

#### PURPOSE OF THE BILL

The purpose of H.R. 5494 is to direct the Secretary of the Interior to transfer certain properties to the District of Columbia.

#### BACKGROUND AND NEED FOR LEGISLATION

In addition to the monuments, historic properties, and natural areas that are managed by the National Park Service (NPS) in the District of Columbia, there are also a wide variety of open spaces and recreation areas scattered throughout the District for which the NPS is responsible. As the city has evolved, some of these areas have been incorporated into street medians and school playgrounds, as well as small detached properties isolated by road improvements with little or no recreational value.

Since the passage of the District of Columbia Home Rule Act in 1973, the District government has taken a more active role in management of the city's public lands. Specifically, certain land parcels that had been managed by the NPS have been transferred to the District of Columbia for management. Previous Congresses have enacted legislation to transfer these lands to allow the NPS to focus on their core mission while permitting the District to effectively manage these properties.

H.R. 5494 seeks to transfer six separate properties to the District of Columbia for future management. All of the property included in this legislation is currently managed by either the NPS or the Department of the Interior. This includes five properties that are incorporated into school recreation grounds or community centers managed by the District, and one parcel that has been isolated by road construction and is adjacent to a major thoroughfare. The legislation provides that within 90 days of enactment of this bill into law, the NPS Director would quitclaim deed all right, title, and interest of the United States in these properties to the government of the District of Columbia.

#### COMMITTEE ACTION

H.R. 5494 was introduced by Representative Eleanor Holmes Norton (D-DC) on June 9, 2010. The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. At a June 24, 2010, Subcommittee hearing the bill's sponsor and the Deputy Mayor for Planning and Economic Development of the District of Columbia testified in support of the bill. A National Park Service representative also testified in favor of the bill and offered some technical amendments.

On July 22, 2010, the Subcommittee on National Parks, Forests and Public Lands was discharged from further consideration of H.R. 5494 and the full Natural Resources Committee met to consider the bill. Subcommittee Chairman Raúl Grijalva (D-AZ) offered an amendment to direct the Secretary of the Interior rather than the Director of the National Park Service to transfer the properties in question. The amendment was adopted by unanimous con-

sent. The bill, as amended, was then 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.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact this bill.

#### COMPLIANCE WITH HOUSE RULE XIII

1. **Cost of Legislation.** Clause 3(d)(2) 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)(3)(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.

2. **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.

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 direct the Secretary of the Interior to transfer certain properties to the District of Columbia.

4. **Congressional Budget Office Cost Estimate.** 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. 5494—A bill to direct the Secretary of the Interior to transfer certain properties to the District of Columbia*

H.R. 5494 would direct the Secretary of the Interior to issue a quitclaim deed conveying all right, title, and interest (if any) of the federal government to six properties in the District of Columbia. CBO estimates that implementing H.R. 5494 would have no significant effect on the federal budget. Enacting the legislation would not affect revenues or direct spending; therefore, pay-as-you-go procedures do not apply.

The properties to be conveyed under H.R. 5494 include school recreation fields, a traffic island, and educational facilities. None of the properties is used by the federal government, no income is generated from them, and CBO expects that none of the parcels would otherwise be sold under current law.

The legislation 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.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 5494 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

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

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.