

TO AUTHORIZE THE ADMINISTRATOR OF GENERAL SERVICES TO TAKE CERTAIN ACTIONS WITH RESPECT TO PARCELS OF REAL PROPERTY LOCATED IN EASTLAKE, OHIO, AND KOOCHICHING COUNTY, MINNESOTA, AND FOR OTHER PURPOSES

SEPTEMBER 22, 2008.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. OBERSTAR, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 6524]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 6524) to authorize the Administrator of General Services to take certain actions with respect to parcels of real property located in Eastlake, Ohio, and Koochiching County, Minnesota, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE LEGISLATION

H.R. 6524 authorizes the Administrator of General Services to take certain actions with respect to parcels of real property located in Eastlake, Ohio, and Koochiching County, Minnesota, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 6524 authorizes the Administrator of General Services to release restrictions contained in the deed that conveyed a parcel of real property to Eastlake, Ohio, in 1964. The 10.8-acre site is the site of the John F. Kennedy Senior Center. The city of Eastlake will pay the General Services Administration (“GSA”) \$30,000 as consideration for release of the property restrictions.

H.R. 6524 also authorizes the Administrator of General Services to convey a parcel of real property to Koochiching County, Minnesota. The 5.8-acre property is located in International Falls, Minnesota, and is the former site of the Koochiching Army Reserve Training Center. Koochiching County will pay GSA \$30,000 as con-

sideration for the real property. GSA will transfer these funds to the Secretary of the Army. The conveyance of the real property is made on the condition that the property will be used for a public purpose.

SUMMARY OF THE LEGISLATION

Section 1. Eastlake, Ohio

Subsection (a) authorizes the Administrator of General Services, subject to requirements of this section, to release the restrictions contained in the deed which conveyed to the City of Eastlake, Ohio, the parcel of real property described in subsection (b).

Pursuant to subsection (b), the parcel of real property is the site of the John F. Kennedy Senior Center located at 33505 Curtis Boulevard, Eastlake, Ohio, on 10.783 acres as conveyed by deed from the General Services Administration dated July 20, 1964, and recorded in the Lake County Ohio Recorder's Office in volume 601 at pages 4-47.

Subsection (c)(1) directs the city of Eastlake to pay the Administrator \$30,000 as consideration for executing the release under subsection (a). Subsection 1(c)(2) directs the Administrator to deposit any funds received under paragraph (1) into the Federal Buildings Fund established under section 592 of title 40, United States Code. Subsection (c)(3) authorizes use of funds deposited under paragraph (2) for uses described in section 592(b) of title 40, United States Code, to the extent provided in appropriations Acts. Subsection (c)(4) directs the Administrator to execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument effectuating the release under subsection (a).

Section 2. Koochiching County, Minnesota

Subsection (a) directs the Administrator of General Services to convey to Koochiching County, Minnesota a parcel of real property described in subsection (b) and any improvements.

Pursuant to subsection (b), the parcel of real property referred to in subsection (a) is the approximately 5.84 acre parcel located at 1804 3rd Ave in International Falls, Minnesota.

The conveyance of real property under subsection (a) shall be made through quit claim deed.

Subsection (d)(1) directs Koochiching County to pay the Administrator \$30,000 as consideration for the conveyance of real property under subsection (a). Subsection (d)(2) directs the Administrator to deposit funds received under paragraph (1), less expenses of the conveyance, into a special account in the Treasury established under section 572(b)(5)(A) of title 40, United States Code. Subsection (d)(3) provides that funds deposited into the special account under paragraph (2) shall be available for use by the Secretary of Army in accordance with section 572(b)(5)(B) of title 40, United States Code.

The conveyance of real property under subsection (a) shall be made on the condition that the property will revert to the United States, at the option of the United States, without any obligation for repayment of the purchase price if the property ceases to be held in public ownership or ceases to be used for a public purpose.

The conveyance under subsection (a) shall be made subject to other terms and conditions as the Administrator considers appropriate to protect the interests of the United States.

The conveyance shall be made not later than 90 days after enactment of the Act.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On July 16, 2008, Representative Steven C. LaTourette introduced H.R. 6524.

The Committee on Transportation and Infrastructure met in open session on July 31, 2008, to consider H.R. 6524. The Committee ordered the bill reported favorably to the House by voice vote with a quorum present.

RECORD VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with considering H.R. 6524 or ordering the bill reported. A motion to order H.R. 6524 reported favorably to the House was agreed to by voice vote with a quorum present.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

COST OF LEGISLATION

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included in the report.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objectives of this legislation are to authorize the Administrator of General Services to take certain actions with respect to parcels of real property located in Eastlake, Ohio, and Koochiching County, Minnesota, and for other purposes.

3. With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 6524 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 14, 2008.

Hon. JAMES L. OBERSTAR,
*Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 6524, a bill to authorize the Administrator of General Services to take certain actions with respect to parcels of real property located in Eastlake, Ohio, and Koochiching County, Minnesota, and for other purposes.

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

Sincerely,

ROBERT A. SUNSHINE
(For Peter R. Orszag, Director).

Enclosure.

H.R. 6524—A bill to authorize the Administrator of General Services to take certain actions with respect to parcels of real property located in Eastlake, Ohio, and Koochiching County, Minnesota, and for other purposes

H.R. 6524 would direct the General Services Administration (GSA) to convey two properties to local governmental entities under certain conditions. Under this legislation, GSA would be required to release existing restrictions on a deed to about 11 acres of land in Eastlake, Ohio, in exchange for a payment of \$30,000 by Lake County. Similarly, the bill would direct GSA to convey roughly 6 acres to Koochiching County, Minnesota, for \$30,000. Proceeds from each of those conveyances could be spent by GSA and the Department of Defense (DoD), respectively, subject to appropriation.

CBO estimates that implementing H.R. 6524 would have a negligible impact on the federal budget. The two conveyances would generate offsetting receipts of \$60,000, but DoD has permanent authority to spend its share of such proceeds under existing appropriation acts. Thus, CBO estimates that enacting the bill would reduce net direct spending by \$30,000. According to GSA, neither property currently generates any offsetting receipts. Enacting this bill would not affect revenues.

H.R. 6524 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 contacts for this estimate are Matthew Pickford (for GSA costs) and David Newman (for DoD costs). This estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 6524 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt State, local, or tribal law. The Committee states that H.R. 6524 does not preempt any State, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 6524 makes no changes in existing law.

COMMITTEE CORRESPONDENCE

HOUSE COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515-6035

ONE HUNDRED TENTH CONGRESS

September 18, 2008

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ERIN C. CONATON, STAFF DIRECTOR

Honorable James L. Oberstar
 Chairman
 House Committee on Transportation and Infrastructure
 2165 Rayburn House Office Building
 Washington, DC 20515

Dear Mr. Chairman:

On July 31, 2008, the Committee on Transportation and Infrastructure ordered H.R. 6524, to authorize the Administrator of General Services to take certain actions with respect to parcels of real property located in Eastlake, Ohio, and Koochiching County, Minnesota, and for other purposes, to be reported.

As you know, this measure contains certain provisions that are within the jurisdiction of the Committee on Armed Services. These provisions transfer property for which the Department of Defense has real property interests. For many years, our committee has authorized such transfers through annual National Defense Authorization Acts (NDAA).

Given the expressed need for the legislation to move expeditiously, and out of my respect for you and our friendship, I am prepared to make an extraordinary exception to my committee's long-standing practice of always considering such property transfers in the NDAA.

Therefore, while we have a valid claim to jurisdiction over this legislation, the Committee on Armed Services will waive further consideration of H.R. 6524. I do so with the understanding that by waiving further consideration of the bill, the Committee does not waive any future jurisdictional claims over similar measures. In the event of a conference with the Senate on this bill, the Committee on Armed Services reserves the right to seek the appointment of conferees.

I would appreciate the inclusion of this letter and a copy of the response in your Committee's report on H.R. 6524 and the *Congressional Record* during consideration of the measure on the House floor.

Very truly yours,


 IKE SKELTON
 Chairman

IS:jfh
 cc: Honorable Nancy Pelosi
 Honorable Duncan Hunter
 Honorable John L. Mica
 Honorable John V. Sullivan



U.S. House of Representatives
Committee on Transportation and Infrastructure
 Washington, DC 20515

James L. Oberstar
 Chairman

John L. Mica
 Ranking Republican Member

David H. Wassfeld, Chief of Staff
 Ward W. McCarragher, Chief Counsel

James W. Cook II, Republic and Chief of Staff

September 22, 2008

The Honorable Ike Skelton
 Chairman
 Committee on Armed Services
 U.S. House of Representatives
 2120 Rayburn House Office Building
 Washington, D.C. 20515

Dear Chairman Skelton:


I write to you regarding H.R. 6524, to authorize the Administrator of General Services to take certain actions with respect to parcels of real property located in Eastlake, Ohio, and Koochiching County, Minnesota, and for other purposes.

I appreciate your willingness to waive further consideration of H.R. 6524, notwithstanding the jurisdictional interest of the Committee on Armed Services. Of course, this waiver does not prejudice any further jurisdictional claims by your Committee over this or similar legislation. Furthermore, I agree to support your request for appointment of conferees from the Committee on Armed Services if a conference is held on this matter.

This exchange of letters will be placed in the Committee Report on H.R. 6524 and inserted in the *Congressional Record* as part of the consideration of this legislation in the House. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees. I understand that you prefer to consider such property transfers in National Defense Authorization Acts and I greatly appreciate your courtesy in waiving further consideration of H.R. 6524.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,


 James L. Oberstar, M.C.
 Chairman

cc: The Honorable Nancy Pelosi, Speaker
 The Honorable John L. Mica, Ranking Member
 The Honorable Duncan Hunter, Ranking Member, Committee on Armed Services
 The Honorable John Sullivan, Parliamentarian