

XVII. NATIONAL CAPITOL PARKS

1. Anacostia

PUBLIC LAW 108-335—OCT. 18, 2004

118 STAT. 1322

Public Law 108-335
108th Congress

An Act

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2005, and for other purposes.

Oct. 18, 2004
[H.R. 4850]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia and related agencies for the fiscal year ending September 30, 2005, and for other purposes, namely:

District of
Columbia
Appropriations
Act, 2005.

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TITLE III—GENERAL PROVISIONS

118 STAT. 1339

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SEC. 344. TRANSFER TO DISTRICT OF COLUMBIA. (a) TRANSFER OF JURISDICTION.—

118 STAT. 1350

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, subject to subsection (b), the Director of the National Park Service (referred to in this section as the “NPS”), acting on behalf of the Secretary of the Interior, shall transfer jurisdiction to the government of the District of Columbia, without consideration, the property described in paragraph (2).

Deadline.

(2) PROPERTY.—The property referred to in paragraph (1) is—

(A) a portion of National Park Service land in Anacostia Park, U.S. Reservation 343, Section G, the boundaries of which are the Anacostia River to the west, Watts Branch to the south, Kenilworth Aquatic Gardens to the north, and Anacostia Avenue to the east which includes the community center currently occupied under permit by the District of Columbia known as the “Kenilworth Parkside Community Center”; and

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(B) all of U.S. Reservation 523.

(b) CONDITIONS OF TRANSFER.—

(1) TERM.—Jurisdiction will be transferred from the NPS to the District of Columbia.

(2) CONDITION OF TRANSFER.—The transfer of jurisdiction under subsection (a)(1) shall be subject to such terms and conditions, to be included in a Declaration of Covenants to be mutually executed between NPS and the District of Columbia to ensure that the property transferred under that subsection—

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(A) is used only for the provision of public recreational facilities, open space, or public outdoor recreational opportunities; and

(B) nothing in this Act precludes the District of Columbia from entering into a lease for all or part of the property with a public not-for-profit entity for the management or maintenance of the property.

(3) TERMINATION.—

(A) IN GENERAL.—The transfer under subsection (a)(1) shall terminate if—

(i) any term or condition of the transfer described in paragraph (2) or contained within the Declaration of Covenants described in paragraph (2) is violated, as determined by the NPS; and

Deadline.

(ii) the violation is not corrected by the date that is 90 days after the date on which the Mayor of the District of Columbia receives from the NPS a written notice of the violation.

(B) DETERMINATION OF CORRECTION.—A violation of a term or condition of the transfer under subsection (a)(1) shall be determined to have been corrected under subparagraph (A)(ii) if, after notification of the violation, the District of Columbia and the NPS enter into an agreement that the NPS considers to be adequate to ensure that the property transferred will be used in a manner consistent with paragraph (2).

(4) PROHIBITION OF CIVIL ACTIONS.—No person may bring a civil action relating to a violation of any term or condition of the transfer described in paragraph (2) before the date that is 90 days after the person notifies the Mayor of the District of Columbia of the alleged violation (including the intent of the person to bring a civil action for termination of the transfer under paragraph (3)).

(5) REMOVAL OF STRUCTURES; REHABILITATION.—The transfer under subsection (a)(1) shall be subject to the condition that, in the event of a termination of the transfer under paragraph (3), the District of Columbia shall bear the cost of removing structures on, or rehabilitating, the property transferred.

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(6) ADMINISTRATION OF PROPERTY.—If the transfer under subsection (a)(1) is terminated under paragraph (3), the property covered by the transfer shall be returned to the NPS and administered as a unit of the National Park System in the District of Columbia in accordance with—

(A) the Act of August 25, 1916 (commonly known as the “National Park Service Organic Act”) (16 U.S.C. 1 et seq.); and

(B) other laws (including regulations) generally applicable to units of the National Park System.

* * * * *

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This Act may be cited as the “District of Columbia Appropriations Act, 2005”.

Approved October 18, 2004.

LEGISLATIVE HISTORY—H.R. 4850 (S. 2826):

HOUSE REPORTS: Nos. 108-610 (Comm. on Appropriations) and 108-734 (Comm. of Conference).

SENATE REPORTS: No. 108-354 accompanying S. 2826 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 150 (2004):

July 20, considered and passed House.

Sept. 22, considered and passed Senate, amended, in lieu of S. 2826.

Oct. 6, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 40 (2004):

Oct. 18, Presidential statement.

2. Federal and District of Columbia Real Property Conveyance

120 STAT. 2711

PUBLIC LAW 109–396—DEC. 15, 2006

Public Law 109–396
109th Congress

An Act

Dec. 15, 2006
[H.R. 3699]

To provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

Federal and
District of
Columbia
Government Real
Property Act of
2006.
40 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal and District of Columbia
Government Real Property Act of 2006”.

TITLE I—REAL PROPERTY CONVEY- ANCES BETWEEN THE GENERAL SERVICES ADMINISTRATION AND THE DISTRICT OF COLUMBIA

SEC. 101. EXCHANGE OF TITLE OVER RESERVATION 13 AND CERTAIN OTHER PROPERTIES.

(a) CONVEYANCE OF PROPERTIES.—

(1) IN GENERAL.—On the date on which the District of Columbia conveys to the Administrator of General Services all right, title, and interest of the District of Columbia in the property described in subsection (c), the Administrator shall convey to the District of Columbia all right, title, and interest of the United States in—

(A) U.S. Reservation 13, subject to the conditions described in subsection (b); and

(B) Old Naval Hospital.

(2) PROPERTIES DEFINED.—In this section—

(A) the term “U.S. Reservation 13” means that parcel of land in the District of Columbia consisting of the approximately 66 acres which is bounded on the north by Independence Avenue Southeast, on the west by 19th Street Southeast, on the south by G Street Southeast, and on the east by United States Reservation 343, and being the same land described in the Federal transfer letter of October 25, 2002, from the United States to the District of Columbia, and subject to existing matters of record; and

(B) the term “Old Naval Hospital” means the property in the District of Columbia consisting of Square 948 in its entirety, together with all the improvements thereon.

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(b) **CONDITIONS FOR CONVEYANCE OF RESERVATION 13.**—As a condition for the conveyance of U.S. Reservation 13 to the District of Columbia under this section, the District of Columbia shall agree—

(1) to set aside a portion of the property for the extension of Massachusetts Avenue Southeast and the placement of a potential commemorative work to be established pursuant to chapter 89 of title 40, United States Code, at the terminus of Massachusetts Avenue Southeast (as so extended) at the Anacostia River;

(2) to convey all right, title, and interest of the District of Columbia in the portion set aside under paragraph (1) to the Secretary of the Interior (acting through the Director of the National Park Service) at such time as the Secretary may require, if a commemorative work is established in the manner described in paragraph (1);

(3) to permit the Court Services and Offender Supervision Agency for the District of Columbia to continue to occupy a portion of the property consistent with the requirements of the District of Columbia Appropriations Act, 2002 (Public Law 107-96; 115 Stat. 931); and

(4) to develop the property consistent with the Anacostia Waterfront Corporation's Master Plan for Reservation 13 (also known as the Hill East Waterfront).

(c) **DISTRICT OF COLUMBIA PROPERTY TO BE CONVEYED TO THE ADMINISTRATOR.**—The property described in this subsection is the real property consisting of Building Nos. 16, 37, 38, 118, and 118-A and related improvements, together with the real property underlying those buildings and improvements, on the West Campus of Saint Elizabeths Hospital, as described in the quitclaim deed of September 30, 1987, by and between the United States and the District of Columbia and recorded in the Office of the Recorder of Deeds of the District of Columbia on October 7, 1987.

SEC. 102. TERMINATION OF CLAIMS.24 USC 225b
note.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the United States is not required to perform, or to reimburse the District of Columbia for the cost of performing, any of the following services:

(1) Repairs or renovations pursuant to section 4(f) of the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (24 U.S.C. 225b(f); sec. 44-903(f), D.C. Official Code).

(2) Preservation, maintenance, or repairs pursuant to a use permit executed on September 30, 1987, under which the United States (acting through the Secretary of Health and Human Services) granted permission to the District of Columbia to use and occupy portions of the Saint Elizabeths Hospital property known as the "West Campus".

(3) Mental health diagnostic and treatment services for referrals as described in section 9(b) of the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (24 U.S.C. 225g(b); sec. 44-908(b), D.C. Official Code), but only with respect to services provided on or before the date of the enactment of this Act.

(b) **EFFECT ON PENDING CLAIMS.**—Any claim of the District of Columbia against the United States for the failure to perform,

or to reimburse the District of Columbia for the cost of performing, any service described in subsection (a) which is pending as of the date of the enactment of this Act shall be extinguished and terminated.

TITLE II—STREAMLINING MANAGE-
MENT OF PROPERTIES LOCATED IN
THE DISTRICT OF COLUMBIA

40 USC 5102
note, 8903 note.

SEC. 201. TRANSFER OF ADMINISTRATIVE JURISDICTION OVER CERTAIN PROPERTIES.

(a) TRANSFER OF ADMINISTRATIVE JURISDICTION FROM DISTRICT OF COLUMBIA TO UNITED STATES.—

(1) IN GENERAL.—Administrative jurisdiction over each of the following properties (owned by the United States and as depicted on the Map) is hereby transferred, subject to the terms in this subsection, from the District of Columbia to the Secretary of the Interior for administration by the Director:

(A) An unimproved portion of Audubon Terrace Northwest, located east of Linnean Avenue Northwest, that is within U.S. Reservation 402 (National Park Service property).

(B) An unimproved portion of Barnaby Street Northwest, north of Aberfoyle Place Northwest, that abuts U.S. Reservation 545 (National Park Service property).

(C) A portion of Canal Street Southwest, and a portion of V Street Southwest, each of which abuts U.S. Reservation 467 (National Park Service property).

(D) Unimproved streets and alleys at Fort Circle Park located within the boundaries of U.S. Reservation 497 (National Park Service property).

(E) An unimproved portion of Western Avenue Northwest, north of Oregon Avenue Northwest, that abuts U.S. Reservation 339 (National Park Service property).

(F) An unimproved portion of 17th Street Northwest, south of Shepherd Street Northwest, that abuts U.S. Reservation 339 (National Park Service property).

(G) An unimproved portion of 30th Street Northwest, north of Broad Branch Road Northwest, that is within the boundaries of U.S. Reservation 515 (National Park Service property).

(H) Subject to paragraph (2), lands over I-395 bounded by Washington Avenue Southwest, 2nd Street Southwest, and the C Street Southwest ramps to I-295.

(I) A portion of U.S. Reservation 357 at Whitehaven Parkway Northwest, previously transferred to the District of Columbia in conjunction with the former proposal for a residence for the Mayor of the District of Columbia.

Armed forces.

(2) USE OF CERTAIN PROPERTY FOR MEMORIAL.—In the case of the property for which administrative jurisdiction is transferred under paragraph (1)(H), the property shall be used as the site for the establishment of a memorial to honor disabled veterans of the United States Armed Forces authorized to be

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established by the Disabled Veterans' LIFE Memorial Foundation by Public Law 106-348 (114 Stat. 1358; 40 U.S.C. 8903 note), except that—

(A) the District of Columbia shall retain administrative jurisdiction over the subsurface area beneath the site for the tunnel, walls, footings, and related facilities;

(B) C Street Southwest shall not be connected between 2nd Street Southwest and Washington Avenue Southwest without the approval of the Architect of the Capitol; and

(C) a walkway shall be included across the site of the memorial between 2nd Street Southwest and Washington Avenue Southwest.

(3) ADDITIONAL TRANSFER.—

(A) IN GENERAL.—Administrative jurisdiction over the parcel bounded by 2nd Street Southwest, the C Street Southwest ramp to I-295, the D Street Southwest ramp to I-395, and I-295 is hereby transferred, subject to the terms in this paragraph, from the District of Columbia as follows:

(i) The northernmost .249 acres is transferred to the Secretary for administration by the Director, who (subject to the approval of the Architect of the Capitol) shall landscape the parcel or use the parcel for special needs parking for the memorial referred to in paragraph (2).

(ii) The remaining portion is transferred to the Architect of the Capitol.

(B) RETENTION OF JURISDICTION OVER SUBSURFACE AREA.—The District of Columbia shall retain administrative jurisdiction over the subsurface area beneath the parcel referred to in subparagraph (A) for the tunnel, walls, footings, and related facilities.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION FROM UNITED STATES TO DISTRICT OF COLUMBIA.—Administrative jurisdiction over the following property owned by the United States and depicted on the Map is hereby transferred from the Secretary to the District of Columbia for administration by the District of Columbia:

- (1) A portion of U.S. Reservation 451.
- (2) A portion of U.S. Reservation 404.
- (3) U.S. Reservations 44, 45, 46, 47, 48, and 49.
- (4) U.S. Reservation 251.
- (5) U.S. Reservation 8.
- (6) U.S. Reservations 277A and 277C.
- (7) Portions of U.S. Reservation 470.

(c) EFFECTIVE DATE.—The transfers of administrative jurisdiction under this section shall take effect on the date of the enactment of this Act.

SEC. 202. EXCHANGE OF TITLE OVER CERTAIN PROPERTIES.

(a) CONVEYANCE OF TITLE.—

(1) IN GENERAL.—On the date on which the District of Columbia conveys to the Secretary all right, title, and interest of the District of Columbia in each of the properties described in subsection (b) for use as described in such subsection, the Secretary shall convey to the District of Columbia all right, title, and interest of the United States in each of the properties described in subsection (c).

(2) ADMINISTRATION BY NATIONAL PARK SERVICE.—The properties conveyed by the District of Columbia to the Secretary under this section shall be administered by the Director upon conveyance.

(b) PROPERTIES TO BE CONVEYED TO THE SECRETARY; USE.—The properties described in this subsection and their uses are as follows (as depicted on the Map):

(1) Lovers Lane Northwest, abutting U.S. Reservation 324, for the closure of a one-block long roadway adjacent to Montrose Park.

(2) Needwood, Niagara, and Pitt Streets Northwest, within the Chesapeake and Ohio Canal National Historical Park, for the closing of the rights-of-way now occupied by the Chesapeake and Ohio Canal.

(c) PROPERTIES TO BE CONVEYED TO THE DISTRICT OF COLUMBIA.—The properties described in this subsection are as follows (as depicted on the Map):

(1) U.S. Reservation 17A.

(2) U.S. Reservation 484.

(3) U.S. Reservations 243, 244, 245, 247, and 248.

(4) U.S. Reservations 128, 129, 130, 298, and 299.

(5) Portions of U.S. Reservations 343D and 343E.

(6) U.S. Reservations 721, 722, and 723.

SEC. 203. CONVEYANCE OF UNITED STATES RESERVATION 174.

(a) CONVEYANCE; USE.—If the District of Columbia enacts a final plan for the development of the former Convention Center Site which meets the requirements of subsection (b)—

(1) the Secretary shall convey all right, title, and interest of the United States in U.S. Reservation 174 (as depicted on the Map) to the District of Columbia upon the enactment of such plan; and

(2) the District shall use the property so conveyed in accordance with such plan.

(b) REQUIREMENTS FOR DEVELOPMENT PLAN.—The plan for the development of the former Convention Center Site meets the requirements of this subsection if—

(1) the plan is developed through a public process;

(2) during the process for the development of the plan, the District of Columbia considers at least one version of the plan under which U.S. Reservation 174 is set aside as public open space as of the date of the enactment of this Act and shall continue to be set aside as public open space (including a version under which facilities are built under the surface of such portion); and

(3) not less than 1¼ acres of the former Convention Center Site are set aside for public open space under the plan.

(c) FORMER CONVENTION CENTER SITE DEFINED.—In this section, the “former Convention Center Site” means the parcel of land in the District of Columbia which is bounded on the east by 9th Street Northwest, on the north by New York Avenue Northwest, on the west by 11th Street Northwest, and on the south by H Street Northwest.

SEC. 204. CONVEYANCE TO ARCHITECT OF THE CAPITOL.

(a) IN GENERAL.—Prior to conveyance of title to U.S. Reservation 13 to the District of Columbia under this Act, the District of Columbia shall convey, with the approval of the Architect of

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the Capitol and subject to subsections (b) and (c), not more than 12 acres of real property to the Architect of the Capitol.

(b) **TITLE HELD BY SECRETARY.**—If title to the real property identified for conveyance under subsection (a) is held by the Secretary, not later than 30 days after being notified by the Architect of the Capitol that property has been so identified, the Secretary shall agree or disagree to conveying the interest in such property to the Architect of the Capitol.

Deadline.
Notification.

(c) **REVIEW.**—If the Secretary agrees to the conveyance under subsection (b), or if title to the property is held by the District of Columbia, the real property shall be conveyed after a 30-day review period beginning on the date on which notice of the conveyance is received by the Committee on Homeland Security and Governmental Affairs and the Committee on Rules of the Senate and the Committee on Government Reform and the Committee on Transportation and Infrastructure of the House of Representatives.

Effective date.

(d) **STUDY.**—The Architect of the Capitol shall not construct a mail screening facility on any real property conveyed under this section unless each of the following conditions is satisfied:

(1) A study is completed that analyzes—

(A) whether one or more other underutilized, surplus, or excess Federal facilities exist in which such a mail screening facility could be more economically located; and

(B) whether it would be more efficient and economical for the House of Representatives and Senate to share one mail screening facility.

(2) The study is submitted to the relevant committees of Congress.

(3) No fewer than 30 days have lapsed since the date of the submission under paragraph (2).

TITLE III—POPLAR POINT

SEC. 301. CONVEYANCE OF POPLAR POINT TO DISTRICT OF COLUMBIA.

(a) **CONVEYANCE.**—Upon certification by the Secretary of the Interior (acting through the Director) that the District of Columbia has adopted a land-use plan for Poplar Point which meets the requirements of section 302, the Director shall convey to the District of Columbia all right, title, and interest of the United States in Poplar Point, in accordance with this title.

Certification.

(b) **WITHHOLDING OF EXISTING FACILITIES AND PROPERTIES OF NATIONAL PARK SERVICE FROM INITIAL CONVEYANCE.**—The Director shall withhold from the conveyance made under subsection (a) the facilities and related property (including necessary easements and utilities related thereto) which are occupied or otherwise used by the National Park Service until such terms for conveyance are met under section 303.

(c) **DEED RESTRICTION FOR PARK PURPOSES.**—The deed for the conveyance of Poplar Point provided for in subsection (a) shall include a restriction requiring that 70 acres be maintained for park purposes in perpetuity, as identified in the land use plan required under section 302. Any person (including an individual or public entity) shall have standing to enforce the restriction.

SEC. 302. REQUIREMENTS FOR POPLAR POINT LAND-USE PLAN.

(a) **IN GENERAL.**—The land-use plan for Poplar Point meets the requirements of this section if the plan includes each of the following elements:

(1) The plan provides for the reservation of a portion of Poplar Point for park purposes, in accordance with subsection (b).

(2) The plan provides for the identification of existing facilities and related properties of the National Park Service, and the relocation of the National Park Service to replacement facilities and related properties, in accordance with subsection (c).

(3) Under the plan, at least two sites within the areas designated for park purposes are set aside for the placement of potential commemorative works to be established pursuant to chapter 89 of title 40, United States Code, and the plan includes a commitment by the District of Columbia to convey back those sites to the National Park Service at the appropriate time, as determined by the Secretary.

(4) To the greatest extent practicable, the plan is consistent with the Anacostia Waterfront Framework Plan referred to in section 103 of the Anacostia Waterfront Corporation Act of 2004 (sec. 2-1223.03, D.C. Official Code).

(b) **RESERVATION OF AREAS FOR PARK PURPOSES.**—The plan shall identify a portion of Poplar Point consisting of not fewer than 70 acres (including wetlands) which shall be reserved for park purposes and shall require such portion to be reserved for such purposes in perpetuity.

(c) **IDENTIFICATION OF EXISTING AND REPLACEMENT FACILITIES AND PROPERTIES FOR NATIONAL PARK SERVICE.**—

(1) **IDENTIFICATION OF EXISTING FACILITIES.**—The plan shall identify the facilities and related property (including necessary easements and utilities related thereto) which are occupied or otherwise used by the National Park Service in Poplar Point prior to the adoption of the plan.

(2) **RELOCATION TO REPLACEMENT FACILITIES.**—

(A) **IN GENERAL.**—To the extent that the District of Columbia and the Director determine jointly that it is no longer appropriate for the National Park Service to occupy or otherwise use any of the facilities and related property identified under paragraph (1), the plan shall—

(i) identify other suitable facilities and related property (including necessary easements and utilities related thereto) in the District of Columbia to which the National Park Service may be relocated;

(ii) provide that the District of Columbia shall take such actions as may be required to carry out the relocation, including preparing the new facilities and properties and providing for the transfer of such fixtures and equipment as the Director may require; and

(iii) set forth a timetable for the relocation of the National Park Service to the new facilities.

(B) **RESTRICTION ON USE OF PROPERTY RESERVED FOR PARK PURPOSES.**—The plan may not identify any facility or property for purposes of this paragraph which is located

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on any portion of Poplar Point which is reserved for park purposes in accordance with subsection (b).

(3) CONSULTATION REQUIRED.—In developing each of the elements of the plan which are required under this subsection, the District of Columbia shall consult with the Director.

SEC. 303. CONVEYANCE OF REPLACEMENT FACILITIES AND PROPERTIES FOR NATIONAL PARK SERVICE.

(a) CONVEYANCE OF FACILITIES AND RELATED PROPERTIES.— Upon certification by the Director that the facilities and related property to which the National Park Service is to be relocated under the land-use plan under this title (in accordance with section 302(c)) are ready to be occupied or used by the National Park Service—

Certification.

(1) the District of Columbia shall convey to the Director all right, title, and interest at no cost in the facilities and related property (including necessary easements and utilities related thereto) to which the National Park Service is to be relocated (without regard to whether such facilities are located in Poplar Point); and

(2) the Director shall convey to the District of Columbia all right, title, and interest in the facilities and related property which were withheld from the conveyance of Poplar Point under section 301(b) and from which the National Park Service is to be relocated.

(b) RESTRICTION ON CONSTRUCTION PROJECTS PENDING CERTIFICATION OF FACILITIES.—

(1) IN GENERAL.—The District of Columbia may not initiate any construction project with respect to Poplar Point until the Director makes the certification referred to in subsection (a).

(2) EXCEPTION FOR PROJECTS REQUIRED TO PREPARE FACILITIES FOR OCCUPATION BY NATIONAL PARK SERVICE.—Paragraph (1) shall not apply with respect to any construction project required to ensure that the facilities and related property to which the National Park Service is to be relocated under the land-use plan under this title (in accordance with section 302(c)) are ready to be occupied by the National Park Service.

SEC. 304. POPLAR POINT DEFINED.

In this title, “Poplar Point” means the parcel of land in the District of Columbia which is owned by the United States and which is under the administrative jurisdiction of the District of Columbia or the Director on the day before the date of enactment of this Act, and which is bounded on the north by the Anacostia River, on the northeast by and inclusive of the southeast approaches to the 11th Street bridges, on the southeast by and inclusive of Route 295, and on the northwest by and inclusive of the Frederick Douglass Memorial Bridge approaches to Suitland Parkway, as depicted on the Map.

TITLE IV—GENERAL PROVISIONS

SEC. 401. DEFINITIONS.

In this Act, the following definitions apply:

(1) The term “Administrator” means the Administrator of General Services.

40 USC 5102
note.

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(2) The term “Director” means the Director of the National Park Service.

(3) The term “Map” means the map entitled “Transfer and Conveyance of Properties in the District of Columbia”, numbered 869/80460, and dated July 2005, which shall be kept on file in the appropriate office of the National Park Service.

(4) The term “park purposes” includes landscaped areas, pedestrian walkways, bicycle trails, seating, opensided shelters, natural areas, recreational use areas, and memorial sites reserved for public use.

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

40 USC 5102
note.

SEC. 402. LIMITATION ON COSTS.

The United States shall not be responsible for paying any costs and expenses, other than costs and expenses related to or associated with environmental liabilities or cleanup actions provided under law, which are incurred by the District of Columbia or any other parties at any time in connection with effecting the provisions of this Act or any amendment made by this Act.

40 USC 5102
note.

SEC. 403. AUTHORIZATION OF PARTIES TO ENTER INTO CONTRACTS.

An officer or employee of the United States or the District of Columbia may contract for payment of costs or expenses related to any properties which are conveyed or for which administrative jurisdiction is transferred under this Act or any amendment made by this Act.

40 USC 5102
note.

SEC. 404. NO EFFECT ON COMPLIANCE WITH ENVIRONMENTAL LAWS.

Nothing in this Act or any amendment made by this Act may be construed to affect or limit the application of or obligation to comply with any environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

40 USC 5102
note.

SEC. 405. CONGRESSIONAL REPORTS.

(a) DISTRICT OF COLUMBIA.—Not later than January 31 of each year, the Mayor of the District of Columbia shall report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform, the Committee on Energy and Commerce, the Committee on Resources, and the Committee on Transportation and Infrastructure of the House of Representatives on the use and development during the previous year of land for which title is conveyed to the District of Columbia and land for which administrative jurisdiction is transferred to the District of Columbia pursuant to this Act.

(b) COMPTROLLER GENERAL.—The Comptroller General shall report periodically to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform, the Committee on Energy and Commerce, the Committee on Resources, and the Committee on Transportation and Infrastructure of the House of Representatives on—

(1) the use and development during the previous 2 years of land for which title is conveyed and land for which administrative jurisdiction is transferred pursuant to this Act; and

(2) if applicable, how such use and development complies with the Anacostia Waterfront Framework Plan referred to

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in section 103 of the Anacostia Waterfront Corporation Act of 2004 (sec. 2-1223.03, D.C. Official Code).

(c) SUNSET.—This section shall expire 10 years after the date of enactment of this Act.

SEC. 406. TREATMENT AS PROPERTIES TRANSFERRED TO ARCHITECT OF THE CAPITOL AS PART OF CAPITOL BUILDINGS AND GROUNDS. 40 USC 5102 note.

Upon transfer to the Architect of the Capitol of title to, or administrative jurisdiction over, any property pursuant to this Act, the property shall be a part of the United States Capitol Grounds and shall be subject to sections 9, 9A, 9B, 9C, 14, and 16(b) of the Act entitled “An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes” (relating to the policing of the United States Capitol Grounds) and sections 5101 to 5107 and 5109 of title 40, United States Code (relating to prohibited acts within the United States Capitol Grounds).

SEC. 407. DEADLINE FOR PROVISION OF DEEDS AND RELATED DOCUMENTS. 40 USC 5102 note.

With respect to each property conveyed under this Act or any amendment made by this Act, the Mayor of the District of Columbia, the Administrator, or the Secretary (as the case may be) shall execute and deliver a quitclaim deed or prepare and record a transfer plat, as appropriate, not later than 6 months after the property is conveyed.

SEC. 408. OMB REPORT. 40 USC 524 note.

(a) OMB REPORT ON SURPLUS AND EXCESS PROPERTY.—Not later than 6 months after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit a report on surplus and excess government property to Congress including—

(1) the total value and amount of surplus and excess government property, provided in the aggregate, as well as totaled by agency; and

(2) a list of the 100 most eligible surplus government properties for sale and how much they are worth.

(b) DATA SHARING AMONG FEDERAL AGENCIES.—Not later than 6 months after the date of enactment of this Act, the Director of the Office of Management and Budget shall—

(1) develop and implement procedures requiring Federal agencies to share data on surplus and excess Federal real property under the jurisdiction of each agency; and Procedures.

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(2) report to Congress on the development and implementation of such procedures.

Approved December 15, 2006.

LEGISLATIVE HISTORY—H.R. 3699 (S. 1838):

HOUSE REPORTS: No. 109-316, Pt. 1 (Comm. on Government Reform), Pt. 2 (Comm. on Transportation and Infrastructure), and Pt. 3 (Comm. on Energy and Commerce).

SENATE REPORTS: No. 109-359 accompanying S. 1838 (Comm. on Homeland Security and Government Affairs).

CONGRESSIONAL RECORD, Vol. 152 (2006):

Sept. 29, considered and passed House.

Nov. 16, considered and passed Senate.

3. Jackson Place, Madison Place, and Pennsylvania Avenue

PUBLIC LAW 109-54—AUG. 2, 2005

119 STAT. 499

Public Law 109-54
109th Congress

An Act

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

Aug. 2, 2005
[H.R. 2361]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, namely:

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006.

TITLE I—DEPARTMENT OF THE INTERIOR

* * * * *

NATIONAL PARK SERVICE

119 STAT. 507

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ADMINISTRATIVE PROVISIONS

119 STAT. 509

Appropriations for the National Park Service shall be available for the purchase of not to exceed 245 passenger motor vehicles, of which 199 shall be for replacement only, including not to exceed 193 for police-type use, 10 buses, and 8 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project: *Provided further*, That in fiscal year 2006 and thereafter, appropriations available to the National Park Service may be used to maintain the following areas in Washington, District of Columbia: Jackson Place, Madison Place, and Pennsylvania Avenue between 15th and 17th Streets, Northwest.

Ellis Island. Deadline. Reports.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

If the Secretary of the Interior considers the decision of any value determination proceeding conducted under a National Park Service concession contract issued prior to November 13, 1998, to misinterpret or misapply relevant contractual requirements or their underlying legal authority, the Secretary may seek, within 180 days of any such decision, the de novo review of the value determination by the United States Court of Federal Claims, and that court may make an order affirming, vacating, modifying or correcting the determination.

In addition to other uses set forth in section 407(d) of Public Law 105-391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefiting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefiting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefiting unit, in the amount of funds so expended to extinguish or reduce liability.

* * * * *

This Act may be cited as the “Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006”.

Approved August 2, 2005.

LEGISLATIVE HISTORY—H.R. 2361:

HOUSE REPORTS: Nos. 109-80 (Comm. on Appropriations) and 109-188 (Comm. of Conference).

SENATE REPORTS: No. 109-80 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 151 (2005):

May 19, considered and passed House.

June 24, 27-29, considered and passed Senate, amended.

July 28, House agreed to conference report.

July 29, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 41 (2005):

Aug. 2, Presidential statement.

4. John F. Kennedy Center

PUBLIC LAW 109–306—OCT. 6, 2006

120 STAT. 1720

Public Law 109–306
109th Congress**An Act**To amend the John F. Kennedy Center Act to authorize additional appropriations
for the John F. Kennedy Center for the Performing Arts for fiscal year 2007.Oct. 6, 2006
[H.R. 5187]*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,***SECTION 1. JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS.**(a) MAINTENANCE, REPAIR, AND SECURITY.—Section 13(a) of
the John F. Kennedy Center Act (20 U.S.C. 76r(a)) is amended—

(1) in paragraph (1) by striking “and” at the end;

(2) in paragraph (2) by striking “, 2006, and 2007.” and
inserting “and 2006; and”; and

(3) by adding at the end the following:

“(3) \$19,100,000 for fiscal year 2007.”.

(b) CAPITAL PROJECTS.—Section 13(b) of such Act (20 U.S.C.
76r(b)) is amended—

(1) in paragraph (1) by striking “and” at the end;

(2) in paragraph (2) by striking “, 2006, and 2007.” and
inserting “and 2006; and”; and

(3) by adding at the end the following:

“(3) \$20,000,000 for fiscal year 2007.”.

Approved October 6, 2006.

LEGISLATIVE HISTORY—H.R. 5187:HOUSE REPORTS: No. 109–514 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 152 (2006):

July 25, considered and passed House.

Sept. 26, considered and passed Senate.

5. Law Enforcement Officers Memorial

120 STAT. 1739

PUBLIC LAW 109–314—OCT. 6, 2006

Public Law 109–314 109th Congress

An Act

Oct. 6, 2006
[H.R. 2107]

To amend Public Law 104–329 to modify authorities for the use of the National Law Enforcement Officers Memorial Maintenance Fund, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National Law
Enforcement
Officers
Memorial
Maintenance
Fund Act of 2005.
16 USC 431 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Law Enforcement Officers Memorial Maintenance Fund Act of 2005”.

SEC. 2. COOPERATIVE AGREEMENT WITH RESPECT TO NATIONAL LAW ENFORCEMENT MEMORIAL MAINTENANCE FUND.

(a) IN GENERAL.—Section 201 of Public Law 104–329 is amended by adding at the end the following new subsection:

“(d) COOPERATIVE AGREEMENT.—

Effective date.

“(1) IN GENERAL.—Effective on and after the date of the enactment of the National Law Enforcement Memorial Maintenance Fund Act of 2005, the following applies, notwithstanding other provisions of this Act:

“(A) The Secretary of the Interior, acting through the National Park Service, shall enter into a cooperative agreement with the National Law Enforcement Officers Memorial Fund, Inc., a nonprofit corporation incorporated under the laws of the District of Columbia, to carry out the purposes of the Fund as described in subsection (b).

“(B) In accordance with the terms of such agreement, the Secretary shall transfer all amounts in the Fund to the Corporation.

“(2) DEFINITIONS.—For purposes of this subsection—

“(A) the term ‘Corporation’ means the National Law Enforcement Officers Memorial Fund, Inc.; and

“(B) the term ‘Secretary’ means the Secretary of the Interior.”.

(b) PURPOSES OF FUND.—Section 201(b) of Public Law 104–329 is amended—

(1) in paragraph (3), by inserting “and” after the semicolon;

(2) by striking paragraphs (4), (6), and (7), and redesignating paragraph (5) as paragraph (4); and

120 STAT. 1740

(3) in paragraph (4) (as so redesignated), by striking the semicolon and inserting a period.

Approved October 6, 2006.

LEGISLATIVE HISTORY—H.R. 2107:

SENATE REPORTS: No. 109–247 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:

Vol. 151 (2005): May 16, considered and passed House.

Vol. 152 (2006): Sept. 29, considered and passed Senate.