

XV. NATIONAL CAPITAL PARKS

1. John F. Kennedy Center for the Performing Arts

104 STAT. 1050

PUBLIC LAW 101-449—OCT. 22, 1990

Public Law 101-449
101st Congress

An Act

Oct. 22, 1990
[H.R. 5070]

To amend the John F. Kennedy Center Act to authorize appropriations for maintenance, repair, alteration and other services necessary for the John F. Kennedy Center for the Performing Arts, and for other purposes.

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

SECTION 1. MAINTENANCE, REPAIRS, AND OTHER BUILDING SERVICES.

Section 6(e) of the John F. Kennedy Center Act (20 U.S.C. 761(e)) is amended to read as follows:

“(e) MAINTENANCE, REPAIR, ALTERATION, SECURITY, INFORMATION AND OTHER SERVICES.—

“(1) PROVISION OF SERVICES.—The Secretary of the Interior, acting through the National Park Service, and the Board shall provide for maintenance, repair, and alteration of the building and security, information, interpretation, janitorial, and all other services necessary for operating the building.

“(2) AGREEMENT.—The Secretary and the Board shall enter into a cooperative agreement setting forth their respective responsibilities under paragraph (1) of this subsection.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of the Interior to carry out this subsection—

“(A) for fiscal year 1991, not more than—

“(i) \$6,750,000 for annual maintenance, repairs, alterations, and operating services; and

“(ii) \$15,000,000 for deferred maintenance, repairs, and alterations; and

“(B) for fiscal year 1992, not more than—

“(i) \$9,850,000 for annual maintenance, repairs, alterations, and operating services; and

“(ii) \$15,512,000 for deferred maintenance, repairs, and alterations.”.

SEC. 2. AUDITS.

Section 6(f) of the John F. Kennedy Center Act (20 U.S.C. 761(f)) is amended to read as follows:

“(f) AUDITS.—The General Accounting Office shall review and audit, at least every 3 years, the accounts of the John F. Kennedy Center for the Performing Arts for the purpose of—

“(1) examining expenditures made under the cooperative agreement entered into under subsection (c)(2); and

“(2) determining the continuing ability of the Center to pay its share of future expenditures under such agreement.”.

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SEC. 3. REPEAL OF OUTDATED PROVISIONS.

Sections 6(d), 7, and 8 of the John F. Kennedy Center Act (20 U.S.C. 761(d), 76m, and 76n) are repealed.

SEC. 4. TECHNICAL AMENDMENT.

104 STAT. 1051

Section 9(a) of the John F. Kennedy Center Act (20 U.S.C. 760(a)) is amended by striking “the Second Liberty Bond Act, as amended,” each place it appears and inserting “chapter 31 of title 31, United States Code,”.

Approved October 22, 1990.

LEGISLATIVE HISTORY—H.R. 5070 (S. 2879):

HOUSE REPORTS: No. 101-662 (Comm. on Public Works and Transportation).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Sept. 10, considered and passed House.

Oct. 4, S. 2879 considered and passed Senate.

Oct. 5, H.R. 5070 considered and passed Senate.

2. Maryland-National Capital Park Land Conveyance

99 STAT. 1724

PUBLIC LAW 99-215—DEC. 26, 1985

Public Law 99-215
99th Congress

An Act

Dec. 26, 1985 [H.R. 3003]	To authorize the Secretary of the Interior to convey certain land located in the State of Maryland to the Maryland-National Capital Park and Planning Commission.
Real property.	<p><i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i> That (a)(1) notwithstanding any other provision of law, the Secretary of the Interior is authorized and directed to convey, without monetary consideration, to the Maryland-National Capital Park and Planning Commission all right, title, and interest of the United States to a parcel of land comprising approximately fifty-five acres located in Prince Georges County, Maryland.</p>
Recreation.	<p>(2) Except as provided in subsection (b), the land conveyed pursuant to paragraph (1) shall be used solely for park and outdoor recreation purposes in accordance with a land use plan for the property prepared by the Maryland-National Capital Park and Planning Commission and submitted to the National Capital Planning Commission for review and comment. The instrument for conveyance for the real property conveyed pursuant to subsection (a) shall set forth all terms and conditions of the conveyance. Such instrument shall further provide that all right, title, and interest conveyed to the Maryland-National Capital Park and Planning Commission pursuant to such instrument, except such access as is authorized by subsection (b)(1), shall revert to the United States if such land is used for any purpose other than as stated in this paragraph.</p>
Public availability.	<p>(3) As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the area designated under paragraph (1) with the Committee on Interior and Insular Affairs, United States House of Representatives, and with the Committee on Energy and Natural Resources of the United States Senate. Such map and description shall have the same force and effect as if included in this Act, except that the correction of clerical and typographical errors in such legal description and map may be made. Such map and legal description shall be on file in the office of the regional director, National Park Service and the National Capital Park Region.</p>
	<p>(4) The Maryland-National Capital Park and Planning Commission shall reimburse the Secretary of the Interior for the costs of the land conveyance described in paragraph (1).</p>
	<p>(b)(1) Subject to the provisions of this subsection, the Maryland-National Capital Park and Planning Commission may grant access across the real property conveyed pursuant to subsection (a) to the owner of any adjacent real property contingent upon each of the following:</p>
	<p>(A) Submission by the owner of the adjacent real property of a land use and development plan, incorporating the provisions of the memorandum of May 7, 1985, to the National Capital Planning Commission for review and comment;</p>

(B) Approval of the terms and conditions of the memorandum of May 7, 1985, by the Prince Georges County Council;

(C) Compliance by the owner of the adjacent real property seeking such access with the terms and conditions of the memorandum of May 7, 1985, as determined by the National Capital Planning Commission;

(D) Conveyance by the owner of the adjacent real property to the National Capital Planning Commission of an easement in perpetuity which shall run with the land, incorporate the restrictions on development contained in the memorandum of May 7, 1985, and incorporate any other land restrictions imposed by Prince Georges County, and

(E) The availability for such access for public use.

(2) The owner of the adjacent real property shall obtain appropriate road construction bonds as required by State and local government regulation prior to the construction of such access road, and shall establish an interest bearing escrow account in an amount necessary to insure protection of the surrounding parkland and compliance with the conditions of subsection (b)(1). Such amount shall be determined by the owner of the adjacent real property and the Maryland-National Capital Park and Planning Commission. Following completion of the construction of such public use access road, and review by the Maryland-National Capital Park and Planning Commission, said escrow account shall be returned to the owner of the adjacent real property.

Public availability. State and local government.

(3)(A) The National Capital Planning Commission and the Maryland-National Capital Park and Planning Commission shall make a copy of the memorandum of May 7, 1985, available for public inspection in the offices of each commission during business hours.

Public availability.

(B) Upon approval of any proposed amendment by both of the parties to the memorandum of May 7, 1985, the proposed amendment shall be published in the Federal Register and concurrently submitted to the congressional committees referred to in subsection (a)(3). The amendment shall not be effective until 60 calendar days after it has been transmitted to the committees.

Federal Register, publication.

(c) For purposes of this Act—

(1) the term “memorandum of May 7, 1985” means the memorandum of understanding entered into on May 7, 1985, between the National Capital Planning Commission and the owner of

the real property adjacent to the land to be conveyed pursuant to subsection (a)(1); and

(2) the term “owner of the adjacent real property” means the owner of the adjacent real property, its successors or assigns, as described in the memorandum of understanding entered into on May 7, 1985.

Approved December 26, 1985.

LEGISLATIVE HISTORY—H.R. 3003:

HOUSE REPORT No. 99-313 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 99-186 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 131 (1985):

Oct. 23, considered and passed House.

Dec. 3, considered and passed Senate, amended.

Dec. 6, House concurred in Senate amendment.

3. Robert F. Kennedy Memorial Stadium Conveyance

PUBLIC LAW 99-581—OCT. 29, 1986

100 STAT. 3313

Public Law 99-581
99th Congress

An Act

To amend the District of Columbia Stadium Act of 1957 to direct the Secretary of the Interior to convey title to the Robert F. Kennedy Memorial Stadium to the District of Columbia.

Oct. 29, 1986
[H.R. 2776]

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

Public buildings
and grounds.

SECTION 1. CONVEYANCE OF STADIUM.

Section 7 of the District of Columbia Stadium Act of 1957 (D.C. Code, sec. 2-326) is amended—

(1) by inserting “(a)” after “SEC. 7.”; and

(2) by inserting after subsection (a) the following new subsections:

“(b)(1) Not later than 180 days after the date of enactment of this subsection, the Secretary of the Interior shall—

“(A) convey without consideration to the government of the District of Columbia all right, title, and interest of the United States in and to the building comprising the stadium constructed under this Act; and

“(B) lease without consideration to the government of the District of Columbia—

“(i) the ground under; and

“(ii) the parking facilities associated with the stadium constructed under this Act.

“(2) The lease authorized by paragraph (1)(B) shall be for a period of 50 years.

“(c) The conveyance and lease of real property under subsection (b) shall be subject to such terms and conditions (which shall be set forth in the instrument of conveyance) as will ensure that title to the property shall not be transferred by the District to any person or entity other than the United States or any political subdivision or agency of the District of Columbia or the United States and that the property will be used only for—

“(1) stadium purposes;

“(2) providing recreational facilities, open space, or public outdoor recreation opportunities;

“(3) such other public purposes for which the property was used prior to June 1, 1985; and

“(4) such other public purposes for which the property was approved for use by the Secretary with the concurrence of the National Capital Planning Commission prior to June 1, 1985.

“(d)(1) The instrument of conveyance and the lease referred to in subsection (c) shall provide that all right, title, and interest conveyed to the District of Columbia pursuant to such instrument of conveyance shall revert to the United States and the lease shall terminate if—

“(A) the terms and conditions referred to in subsection (c) have not been complied with, as determined by the Secretary, and

Real property.

100 STAT. 3314

PUBLIC LAW 99-581—OCT. 29, 1986

“(B) such noncompliance has not been corrected within ninety days after written notice of such noncompliance has been received by the Mayor of the District of Columbia.

Such noncompliance shall be treated as corrected if the District of Columbia and the Secretary enter into an agreement, with the concurrence of the National Capital Planning Commission, which the Secretary considers adequate to ensure that the property will be used in a manner consistent with the purposes referred to in subsection (c).

“(2) No person may bring an action respecting a violation of any term or condition referred to in subsection (c) before the expiration of ninety days after the date on which such person has notified the Mayor of the District of Columbia of the alleged violation. The notice shall include notice of such person’s intention to bring an action to declare a reversion and termination of the lease under paragraph (1) of this subsection.

Real property.

“(3) The conveyance of real property under subsection (b) shall be made subject to the condition that the District of Columbia shall bear the cost of removing structures or rehabilitating the land or stadium should the stadium revert to the United States pursuant to this subsection.

“(4) Any property which reverts to the Secretary under this subsection shall be administered by the Secretary as part of the Park System of the Nation’s Capital in accordance with the provisions of the Act of August 25, 1916 (16 U.S.C. 1, 2–4), and other provisions of the law generally applicable to units of the national park system.”.

SEC. 2. TECHNICAL AMENDMENT.

Section 11 of the District of Columbia Stadium Act of 1957 (D.C. Code, sec. 2-330) is amended by inserting “(including any area designated A, B, C, D, or E on the revised map entitled ‘Map to Designate Transfer of Stadium and Lease of Parking Lots to the District’, prepared jointly by the National Park Service (National Capital Region) and the District of Columbia Department of Public Works for site development and dated October 1986 (NPS drawing number 831/87284-A),” after “property of any kind”.

Approved October 29, 1986.

LEGISLATIVE HISTORY—H.R. 2776:

HOUSE REPORTS: No. 99-176, Pt. 1 (Comm. on the District of Columbia).

CONGRESSIONAL RECORD:

Vol. 131 (1985): June 24, considered and passed House.

Vol. 132 (1986): Oct. 16, considered and passed Senate, amended; House concurred in Senate amendment.

4. Wolf Trap Farm

PUBLIC LAW 99-190—DEC. 19, 1985

99 STAT. 1185

Public Law 99-190
99th Congress

Joint Resolution

Making further continuing appropriations for the fiscal year 1986, and for other purposes.

Dec. 19, 1985
[H.J. Res. 465]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

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TITLE I—DEPARTMENT OF THE INTERIOR

* * * * *

NATIONAL PARK SERVICE

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ADMINISTRATIVE PROVISIONS

* * * * *

99 STAT. 1224
Department of
the Interior and
Related Agencies
Appropriations
Act, 1986.

99 STAT. 1228

99 STAT. 1230

... Provided further, That the loan ceiling established under section 4(b) of Public Law 97-310, the Wolf Trap Farm Park Act, as amended, is increased to \$9,500,000. Notwithstanding the loan repayment provisions of Public Law 97-310, the dollar amount of items paid for by the Wolf Trap Foundation from funds provided by the additional loan authority in this section that is subsequently reimbursed to the Foundation by a court award or insurance settlement shall be repaid to the Secretary of the Interior by the Wolf Trap Foundation within 90 days of the date of the court award or insurance settlement.

99 STAT. 1231
16 USC 284c
note.

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Approved December 19, 1985.

99 STAT. 1236

LEGISLATIVE HISTORY—H.J. Res. 465:

HOUSE REPORTS: No. 99-403 (Comm. on Appropriations), No. 99-443 and No. 99-450 (Comm. of Conference).

SENATE REPORT No. 99-210 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 131 (1985):

Dec. 4, considered and passed House.

Dec. 6, 9, 10, considered and passed Senate, amended.

Dec. 19, House and Senate agreed to conference report.

104 STAT. 4586

PUBLIC LAW 101-636—NOV. 28, 1990

Public Law 101-636
101st Congress

An Act

Nov. 28, 1990
[S. 1859]

To restructure repayment terms and conditions for loans made by the Secretary of the Interior to the Wolf Trap Foundation for the Performing Arts for the reconstruction of the Filene Center in Wolf Trap Farm Park in Fairfax County, Virginia, and for other purposes.

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

SECTION 1. REPAYMENT OF LOANS MADE WITH RESPECT TO WOLF TRAP FARM PARK.

Section 4(b) of the Wolf Trap Farm Park Act (16 U.S.C. 284c(b)) is amended—

(1) by inserting “(1)” after “(b)”; and

(2) by inserting at the end the following:

“(2)(A) The term of the loans made pursuant to paragraph (1) which are outstanding on the effective date of this paragraph may not exceed the 25-year period beginning on such date. The remaining obligation of such loans shall be paid in equal annual installments, commencing June 1, 1991, except that for the first 3 payments, the payment shall be \$215,000 each year. In addition, such payments (including the first 3 payments) may be reduced in any year by a credit not to exceed \$60,000 annually. Such credit shall equal 100 percent of the market value of public service tickets determined at prevailing Foundation box office prices. Such credit shall be allowed only for tickets contributed to entities holding a status referred to in section 501(c)(3) of the Internal Revenue Code of 1986.

“(B)(i) Unpaid interest on such amount which accrued before the effective date of this paragraph is hereby forgiven.

“(ii) Notwithstanding paragraph (1), there shall be no interest on the loan referred to in subparagraph (A) after the effective date of this paragraph if, within 120 days after such date, the Foundation modifies its agreement with the Secretary to implement this paragraph, paragraph (3), and section 5(c)(4). If such agreement is not modified within the 120-day period, interest shall accrue from the effective date of this paragraph in accordance with paragraph (1).

“(C) Notwithstanding any other provision of law, amounts paid to the Secretary pursuant to this paragraph may be retained until expended by the Secretary, in consultation with the Foundation, for the maintenance of structures, facilities, and equipment of the Park.

“(D) The Secretary shall, within 120 days after the effective date of this paragraph, submit a payment schedule to the Foundation specifying the amount of each annual payment to be made by the Foundation pursuant to this paragraph.

“(3) If the Foundation is in default on its obligations under this subsection for more than 60 consecutive days, the Secretary, acting in the public interest, shall terminate the cooperative agreement described in section 5. In the event of a major catastrophe or severe economic situation, the Secretary may submit to the Committee on

Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a recommendation that this paragraph be temporarily suspended. In submitting such a request, the Secretary shall submit clear evidence of the financial status of the Foundation.”.

SEC. 2. PROHIBITION ON COMMINGLING FOUNDATION FUNDS AND PARK FUNDS.

Section 5(c) of the Wolf Trap Farm Park Act (16 U.S.C. 284d(c)) is amended—

- (1) by striking “and” at the end of paragraph (2);
- (2) by striking the period at the end of paragraph (3) and inserting “; and”; and
- (3) by adding after paragraph (3) the following:
 - “(4) the Foundation will maintain accounts for Foundation activities outside of the Park separate from Foundation accounts for presentation of performing arts and related programs presented at the Center and other areas of the Park.”.

SEC. 3. STUDY OF PARK FUTURE.

The Wolf Trap Farm Park Act (16 U.S.C. 284 et seq.) is amended by adding at the end the following:

“SEC. 13. STUDY.

16 USC 284 note.

“The Secretary, acting jointly with the Foundation, shall conduct a study and analysis of the operations and management practices which are being used to carry out the purposes of this Act. The study shall include analysis of the management relationship between the Foundation and the Park, a delineation of the operational responsibilities of the Foundation and the Park, and an analysis of the financial condition of the Foundation. Not later than 2 years after the date of enactment of this section, the Secretary shall submit a report of such study and analysis to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate.”.

Reports.

SEC. 4. EFFECTIVE DATES.

16 USC 284c note.

- (a) The amendments made by sections 1 and 2 shall take effect on the date on which the Wolf Trap Foundation for the Performing Arts modifies its agreements entered into pursuant to the Wolf Trap

Farm Park Act in a manner which is consistent and takes into account the amendments made by this Act, as determined by the Secretary of the Interior.

(b) The amendment made by section 3 shall take effect on the date of enactment of this Act.

Approved November 28, 1990.

LEGISLATIVE HISTORY—S. 1859:

HOUSE REPORTS: No. 101-838 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 101-257 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 138 (1990):

Mar. 29, considered and passed Senate.

Oct. 10, considered and passed House, amended.

Oct. 27, Senate concurred in House amendment.