

118TH CONGRESS  
2D SESSION

# H. R. 4984

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 29, 2024

Received

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Read twice and referred to the Committee on Energy and Natural Resources

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## AN ACT

To direct the Secretary of the Interior to transfer administrative jurisdiction over the Robert F. Kennedy Memorial Stadium Campus to the District of Columbia so that the District may use the Campus for purposes including residential and commercial development, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “D.C. Robert F. Ken-  
3 nedy Memorial Stadium Campus Revitalization Act”.

4 **SEC. 2. TRANSFER OF ADMINISTRATIVE JURISDICTION**  
5 **OVER RFK MEMORIAL STADIUM CAMPUS TO**  
6 **DISTRICT OF COLUMBIA.**

7 (a) EXERCISE OF TRANSFER AUTHORITY.—

8       (1) TRANSFER.—Not later than 180 days after  
9 the date of the enactment of this Act, the Secretary  
10 of the Interior (hereafter referred to as the “Sec-  
11 retary”), acting under the authority of section 8124  
12 of title 40, United States Code (except as provided  
13 under paragraph (2)), shall transfer administrative  
14 jurisdiction over the Robert F. Kennedy Memorial  
15 Stadium Campus (hereafter referred to as the  
16 “Campus”) to the District of Columbia (hereafter  
17 referred to as the “District”), subject to a Declara-  
18 tion of Covenants with the District which is con-  
19 sistent with the succeeding provisions of this Act  
20 and which includes such other terms and conditions  
21 as may be agreed to by the Secretary and the Dis-  
22 trict.

23       (2) WAIVER OF REQUIREMENT FOR PRIOR REC-  
24 OMMENDATION OF NATIONAL CAPITAL PLANNING  
25 COMMISSION.—The second sentence of section  
26 8124(a) of title 40, United States Code, shall not

1       apply to the transfer of administrative jurisdiction  
2       over the Campus under this section.

3               (3) NO EFFECT ON STATUS OF OWNERSHIP OF  
4       CAMPUS.—Consistent with section 8124 of title 40,  
5       United States Code, the transfer of administrative  
6       jurisdiction over the Campus under this section does  
7       not change the status of the ownership of the Cam-  
8       pus by the United States.

9               (b) DEVELOPMENT AND USES OF CAMPUS.—After  
10      transfer of administrative jurisdiction over the Campus  
11      under this section, the District may develop and use, and  
12      permit the development and use of, the Campus for any  
13      of the following purposes:

14              (1) Stadium purposes, including training facili-  
15      ties, offices, and other structures necessary to sup-  
16      port a stadium.

17              (2) Commercial and residential development.

18              (3) Facilities, open space, and public outdoor  
19      opportunities, which may include supporting cultural  
20      activities, educational activities, and recreational ac-  
21      tivities, as such terms are defined in section 3306(a)  
22      of title 40, United States Code.

23              (4) Such other public purposes for which the  
24      Campus was used or approved for use prior to June  
25      1, 1985.

1           (5) Demolition purposes to facilitate develop-  
2           ment and use of the Campus under subparagraphs  
3           (1) through (4).

4           (c) SPECIFIC REQUIREMENTS RELATING TO DEVEL-  
5           OPMENT AND USE OF CAMPUS.—The Declaration of Cov-  
6           enants entered into under subsection (a)(1) shall include  
7           provisions to require the District to meet the following re-  
8           quirements as a condition of the development and use of  
9           the Campus as set forth under subsection (b) after trans-  
10          fer of administrative jurisdiction over the Campus under  
11          this section:

12           (1) The District shall ensure that the develop-  
13           ment and use does not materially degrade or ad-  
14           versely impact any lands under the jurisdiction of  
15           the National Park Service, including the restoration  
16           of the wetlands south of Kingman Island.

17           (2) The District shall designate, develop, oper-  
18           ate, and maintain at least 30 percent of the Campus  
19           (excluding the riparian area of the Campus as de-  
20           fined in subsection (g)(2)) as the “Robert F. Ken-  
21           nedy Memorial Park” as parks and open space to  
22           provide land for passive and active outdoor recre-  
23           ation and shall require that portion to be reserved  
24           for such purposes for the duration of the transfer.

1           (3) The District shall ensure that the develop-  
2           ment and use provides for improved public access to  
3           the Anacostia River and shall not interrupt the Ana-  
4           costia River Trail.

5           (4) The District shall, to the extent necessary,  
6           ensure that parking facilities are provided to accom-  
7           modate the development.

8           (5) The District shall provide for adequate pub-  
9           lic safety and security measures and resources in the  
10          planning and ongoing management of the develop-  
11          ment.

12          (6) The District shall carry out measures that,  
13          to the greatest extent practicable, will reduce the im-  
14          pact of noise and traffic of the development on sur-  
15          rounding residential areas in the District.

16          (7) The District shall operate and maintain the  
17          riparian area of the Campus in accordance with sub-  
18          section (g).

19          (8) The District shall ensure that no Member  
20          of Congress, Delegate or Resident Commissioner to  
21          the Congress, or any other official of the Govern-  
22          ment of the United States or the Government of the  
23          District of Columbia shall be admitted to any share  
24          or part of any lease entered into by the District in  
25          the exercise of the administrative jurisdiction over

1 the Campus transferred under this section, or to any  
2 benefit that may arise therefrom, including any con-  
3 tract or agreement made, entered into, or accepted  
4 by or on behalf of the District as a result of this sec-  
5 tion. Nothing in the previous sentence may be con-  
6 strued to apply to a person who is a shareholder or  
7 other beneficial owner of any publicly held corpora-  
8 tion or other entity, if the lease is for the general  
9 benefit of such corporation or other entity.

10 (d) SURVEY.—

11 (1) REQUIRING SURVEY.—As soon as prac-  
12 ticable after the date of the enactment of this Act,  
13 the District shall conduct a survey of the Campus,  
14 which shall determine the exact acreage and legal  
15 description of the Campus by a boundary survey  
16 prepared by a qualified Federally-, State-, or Dis-  
17 trict-licensed surveyor who is approved by the Sec-  
18 retary.

19 (2) SUBMISSION TO CONGRESS.—Upon comple-  
20 tion, the survey conducted under paragraph (1) shall  
21 be submitted to—

22 (A) the Committee on Oversight and Ac-  
23 countability and the Committee on Natural Re-  
24 sources of the House of Representatives; and

1 (B) the Committee on Homeland Security  
2 and Governmental Affairs and the Committee  
3 on Energy and Natural Resources of the Sen-  
4 ate.

5 (3) INCORPORATION IN DECLARATION OF COV-  
6 ENANTS FOR TRANSFER.—The survey conducted  
7 under paragraph (1) shall be incorporated in the  
8 Declaration of Covenants entered into under sub-  
9 section (a)(1).

10 (4) AVAILABILITY OF SURVEY AND MAP FOR  
11 PUBLIC INSPECTION.—The survey conducted under  
12 paragraph (1), together with the map of the Campus  
13 referred to in subsection (m), shall be kept on file  
14 and available for public inspection in the appropriate  
15 offices of the Secretary.

16 (e) MEMORANDUM OF UNDERSTANDING.—As a con-  
17 dition of the development and use of the Campus after  
18 transfer of administrative jurisdiction over the Campus  
19 under this section, the Secretary and the District shall  
20 enter into a memorandum of understanding to determine  
21 an allocation of the costs of carrying out all responsibilities  
22 of the United States and the District with respect to the  
23 Campus under the Comprehensive Environmental Re-  
24 sponse, Compensation, and Liability Act of 1980 (42  
25 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act

1 (42 U.S.C. 6901 et seq.), including any costs of any re-  
2 sponse action with respect to any contamination present  
3 on the Campus.

4 (f) COSTS.—

5 (1) COSTS OF TRANSFER.—The District shall  
6 be responsible for payment of any costs of carrying  
7 out the transfer of administrative jurisdiction over  
8 the Campus under this section, including—

9 (A) any costs of carrying out the survey  
10 under subsection (d); and

11 (B) any costs of carrying out any environ-  
12 mental analysis required under Federal law.

13 (2) COSTS AFTER TRANSFER.—Except as pro-  
14 vided under the memorandum of understanding en-  
15 tered into under subsection (e), the Secretary shall  
16 not be responsible for payment of any costs or ex-  
17 penses that are incurred by the District or any other  
18 party (other than the United States) associated with  
19 the Campus after the transfer of administrative ju-  
20 risdiction under this section.

21 (g) SPECIAL RULES FOR RIPARIAN AREA.—

22 (1) RESTRICTION ON DEVELOPMENT AND  
23 USE.—The Declaration of Covenants entered into  
24 under subsection (a)(1) shall include provisions to  
25 ensure that the riparian area of the Campus may

1 not be developed or used for any purposes other  
2 than the continuing maintenance of any develop-  
3 ment, use, or infrastructure (including roads and  
4 pathways) existing at the time of the execution of  
5 the transfer of administrative jurisdiction over the  
6 Campus under this section.

7 (2) RIPARIAN AREA OF THE CAMPUS DE-  
8 FINED.—In this subsection, the term “riparian area  
9 of the Campus” means the area designated in the  
10 map referred to in subsection (m) as “Riparian Area  
11 (Area F)”.

12 (h) PROHIBITING USE OF FEDERAL FUNDS FOR  
13 STADIUM.—The Declaration of Covenants entered into  
14 under subsection (a)(1) shall include provisions to ensure  
15 that the District may not use Federal funds for stadium  
16 purposes on the Campus, including training facilities, of-  
17 fices, and other structures necessary to support a stadium.

18 (i) TERM.—The transfer of administrative jurisdic-  
19 tion over the Campus under this section shall be in effect  
20 for a term of not less than 99 years, and may be renewed  
21 for subsequent periods agreed to by the Secretary and the  
22 District.

23 (j) REVERSION OF ADMINISTRATIVE JURISDIC-  
24 TION.—

1           (1) GROUNDS FOR REVERSION.—The Declara-  
2       tion of Covenants entered into under subsection  
3       (a)(1) shall include provisions stating that adminis-  
4       trative jurisdiction over the Campus transferred  
5       under this section shall revert to the Secretary if  
6       each of the following occurs:

7           (A) The terms and conditions of the Dec-  
8       laration of Covenants have not been complied  
9       with, as reasonably determined by the Sec-  
10      retary.

11          (B) Such noncompliance has not been cor-  
12      rected within 90 days after written notice of  
13      such noncompliance has been received by the  
14      District. Such noncompliance shall be treated  
15      as corrected if the District and the Secretary  
16      enter into an agreement that the Secretary  
17      finds adequate to ensure that the Campus will  
18      be developed and used in a manner consistent  
19      with the purposes referred to in subsection (b).

20          (2) TIMING.—The Secretary may not seek the  
21      reversion of administrative jurisdiction over the  
22      Campus under this subsection before the expiration  
23      of 90 days after the date on which written notice of  
24      the alleged violation is received by the District. The  
25      notice shall include notice of the Secretary's inten-

1       tion for administrative jurisdiction over the Campus  
2       to revert to the Secretary.

3           (3) COST OF REHABILITATING PROPERTY.—

4       The Declaration of Covenants entered into under  
5       subsection (a)(1) shall include provisions requiring  
6       the District to bear the actual cost of removing  
7       structures from or rehabilitating the Campus if ad-  
8       ministrative jurisdiction over the Campus reverts to  
9       the Secretary under this subsection.

10       (k) RULE OF CONSTRUCTION RELATED TO THE AP-  
11       PLICABILITY TO THE ADMINISTRATIVE JURISDICTION  
12       TRANSFER.—Nothing in this section may be construed to  
13       affect or limit the application of or obligation to comply  
14       with the Comprehensive Environmental Response, Com-  
15       pensation, and Liability Act of 1980 (42 U.S.C. 9601 et  
16       seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901  
17       et seq.).

18       (l) CONFORMING AMENDMENT; TERMINATION OF  
19       EXISTING LEASE.—Effective on the date of the transfer  
20       of administrative jurisdiction over the Campus under this  
21       section—

22           (1) the District of Columbia Stadium Act of  
23       1957 (sec. 3–321 et seq., D.C. Official Code) is re-  
24       pealed; and

Passed the House of Representatives February 28,  
2024.

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