

D.C. ROBERT F. KENNEDY MEMORIAL STADIUM CAMPUS
REVITALIZATION ACT

FEBRUARY 23, 2024.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

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

R E P O R T

[To accompany H.R. 4984]

The Committee on Natural Resources, to whom was referred the bill (H.R. 4984) to amend the District of Columbia Stadium Act of 1957 to provide for the transfer of administrative jurisdiction over the Robert F. Kennedy Memorial Stadium Campus to the Administrator of General Services and the leasing of the Campus to the District of Columbia for purposes which include commercial and residential development, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “D.C. Robert F. Kennedy Memorial Stadium Campus Revitalization Act”.

SEC. 2. TRANSFER OF ADMINISTRATIVE JURISDICTION OVER RFK MEMORIAL STADIUM CAMPUS TO DISTRICT OF COLUMBIA.

(a) EXERCISE OF TRANSFER AUTHORITY.—

(1) TRANSFER.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Interior (hereafter referred to as the “Secretary”), acting under the authority of section 8124 of title 40, United States Code (except as provided under paragraph (2)), shall transfer administrative jurisdiction over the Robert F. Kennedy Memorial Stadium Campus (hereafter referred to as the “Campus”) to the District of Columbia (hereafter referred to as the “District”), subject to a Declaration of Covenants with the District which is consistent with the succeeding provisions of this Act and which includes such other terms and conditions as may be agreed to by the Secretary and the District.

(2) WAIVER OF REQUIREMENT FOR PRIOR RECOMMENDATION OF NATIONAL CAPITAL PLANNING COMMISSION.—The second sentence of section 8124(a) of title 40, United States Code, shall not apply to the transfer of administrative jurisdiction over the Campus under this section.

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

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

(1) Stadium purposes, including training facilities, offices, and other structures necessary to support a stadium.

(2) Commercial and residential development.

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

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

(5) Demolition purposes to facilitate development and use of the Campus under subparagraphs (1) through (4).

(c) SPECIFIC REQUIREMENTS RELATING TO DEVELOPMENT AND USE OF CAMPUS.—The Declaration of Covenants entered into under subsection (a)(1) shall include provisions to require the District to meet the following requirements as a condition of the development and use of the Campus as set forth under subsection (b) after transfer of administrative jurisdiction over the Campus under this section:

(1) The District shall ensure that the development and use does not materially degrade or adversely impact any lands under the jurisdiction of the National Park Service, including the restoration of the wetlands south of Kingman Island.

(2) The District shall designate, develop, operate, and maintain at least 30 percent of the Campus (excluding the riparian area of the Campus as defined in subsection (g)(2)) as the “Robert F. Kennedy Memorial Park” as parks and open space to provide land for passive and active outdoor recreation and shall require that portion to be reserved for such purposes for the duration of the transfer.

(3) The District shall ensure that the development and use provides for improved public access to the Anacostia River and shall not interrupt the Anacostia River Trail.

(4) The District shall, to the extent necessary, ensure that parking facilities are provided to accommodate the development.

(5) The District shall provide for adequate public safety and security measures and resources in the planning and ongoing management of the development.

(6) The District shall carry out measures that, to the greatest extent practicable, will reduce the impact of noise and traffic of the development on surrounding residential areas in the District.

(7) The District shall operate and maintain the riparian area of the Campus in accordance with subsection (g).

(8) The District shall ensure that no Member of Congress, Delegate or Resident Commissioner to the Congress, or any other official of the Government of the United States or the Government of the District of Columbia shall be admitted to any share or part of any lease entered into by the District in the exercise of the administrative jurisdiction over the Campus transferred under this section, or to any benefit that may arise therefrom, including any contract or agreement made, entered into, or accepted by or on behalf of the District as a result of this section. Nothing in the previous sentence may be construed to apply to a person who is a shareholder or other beneficial owner of any publicly held corporation or other entity, if the lease is for the general benefit of such corporation or other entity.

(d) SURVEY.—

(1) REQUIRING SURVEY.—As soon as practicable after the date of the enactment of this Act, the District shall conduct a survey of the Campus, which shall determine the exact acreage and legal description of the Campus by a boundary survey prepared by a qualified Federally-, State-, or District-licensed surveyor who is approved by the Secretary.

(2) SUBMISSION TO CONGRESS.—Upon completion, the survey conducted under paragraph (1) shall be submitted to—

(A) the Committee on Oversight and Accountability and the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Energy and Natural Resources of the Senate.

(3) INCORPORATION IN DECLARATION OF COVENANTS FOR TRANSFER.—The survey conducted under paragraph (1) shall be incorporated in the Declaration of Covenants entered into under subsection (a)(1).

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

(e) MEMORANDUM OF UNDERSTANDING.—As a condition of the development and use of the Campus after transfer of administrative jurisdiction over the Campus under this section, the Secretary and the District shall enter into a memorandum of understanding to determine an allocation of the costs of carrying out all responsibilities of the United States and the District with respect to the Campus under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), including any costs of any response action with respect to any contamination present on the Campus.

(f) COSTS.—

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

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

(B) any costs of carrying out any environmental analysis required under Federal law.

(2) COSTS AFTER TRANSFER.—Except as provided under the memorandum of understanding entered into under subsection (e), the Secretary shall not be responsible for payment of any costs or expenses that are incurred by the District or any other party (other than the United States) associated with the Campus after the transfer of administrative jurisdiction under this section.

(g) SPECIAL RULES FOR RIPARIAN AREA.—

(1) RESTRICTION ON DEVELOPMENT AND USE.—The Declaration of Covenants entered into under subsection (a)(1) shall include provisions to ensure that the riparian area of the Campus may not be developed or used for any purposes other than the continuing maintenance of any development, use, or infrastructure (including roads and pathways) existing at the time of the execution of the transfer of administrative jurisdiction over the Campus under this section.

(2) RIPARIAN AREA OF THE CAMPUS DEFINED.—In this subsection, the term “riparian area of the Campus” means the area designated in the map referred to in subsection (m) as “Riparian Area (Area F)”.

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

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

(j) REVERSION OF ADMINISTRATIVE JURISDICTION.—

(1) GROUNDS FOR REVERSION.—The Declaration of Covenants entered into under subsection (a)(1) shall include provisions stating that administrative jurisdiction over the Campus transferred under this section shall revert to the Secretary if each of the following occurs:

(A) The terms and conditions of the Declaration of Covenants have not been complied with, as reasonably determined by the Secretary.

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

(2) TIMING.—The Secretary may not seek the reversion of administrative jurisdiction over the Campus under this subsection before the expiration of 90 days after the date on which written notice of the alleged violation is received by the District. The notice shall include notice of the Secretary’s intention for administrative jurisdiction over the Campus to revert to the Secretary.

(3) COST OF REHABILITATING PROPERTY.—The Declaration of Covenants entered into under subsection (a)(1) shall include provisions requiring the District to bear the actual cost of removing structures from or rehabilitating the Campus if administrative jurisdiction over the Campus reverts to the Secretary under this subsection.

(k) RULE OF CONSTRUCTION RELATED TO THE APPLICABILITY TO THE ADMINISTRATIVE JURISDICTION TRANSFER.—Nothing in this section may be construed to affect or limit the application of or obligation to comply with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

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

(1) the District of Columbia Stadium Act of 1957 (sec. 3–321 et seq., D.C. Official Code) is repealed; and

(2) the lease dated January 14, 1988, between the United States and the District for the use of the Campus, as authorized by section 7(b)(1)(B) of such Act (sec. 3–326(b)(1)(B), D.C. Official Code), is terminated.

(m) DEFINITION.—In this Act, the term “Robert F. Kennedy Memorial Stadium Campus” means the approximately 174 acres of Federal land as generally depicted on the map entitled “Anacostia Park, Robert F. Kennedy Memorial Stadium Campus – Transfer of Administrative Jurisdiction”, numbered 831/189,767, and dated January 2024.

Amend the title so as to read:

A bill 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.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 4984, as ordered reported, is 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.

BACKGROUND AND NEED FOR LEGISLATION

The Robert F. Kennedy (RFK) Memorial Stadium Campus encompasses approximately 142 acres of National Park Service (NPS) land located in the eastern part of the District of Columbia (D.C.). RFK is owned by the City of D.C., which also has a lease on the land underneath and surrounding the stadium from NPS for sports and recreation use until 2038. From the early 1900s until 1957, the land was used as a park and open space. In 1957, Congress authorized construction of a stadium on the land. The D.C. Stadium opened in 1961 as a multipurpose stadium for the Washington Redskins (now the Washington Commanders) and the Washington Senators (a Major League Baseball team). By 1969, the D.C. Stadium was renamed RFK Stadium in honor of Robert F. Kennedy. In 1996, the football team played their last game at the stadium, which then became home of D.C. United (Major League Soccer team) until 2017. The stadium is now vacant, falling into disrepair, and is set to be demolished.

H.R. 4984 allows for a long-term solution and coordination between the City of D.C. and the federal government for the future development and use of this site. The bill facilitates a transfer of administrative jurisdiction under 40 U.S.C. 8124 authority. Under this long-standing authority, NPS would retain title to the land and the City of D.C. would become “merely the entity with custody

and control over the underlying property.”¹ This authority has been used since the 1930’s and past examples include transfers of jurisdiction to accommodate growing libraries, roads, schools, and parks. The bill allows for a transfer of up to 99 years, which may be renewed. The bill ensures any development of the site will not adversely impact the land, including the restoration of wetlands; is at least 30 percent parks and open space; will improve access to the Anacostia River and maintain access to the Anacostia River Trail; provide for necessary parking facilities and public safety measures; and will reduce noise and traffic on surrounding areas.

The House Committee on Natural Resources (HNRC) reported version of the bill contains several notable changes that differ from the House Committee on Oversight and Accountability (COA) reported version. The bill reported by HNRC reflects months of bipartisan conversations between the sponsors of the bill, relevant committees, the Department of the Interior and NPS, and D.C. First, under the HNRC version of the bill, the General Services Administration (GSA) is no longer involved in any transfer and is not responsible for any portion of the stadium site. The administrative jurisdictional transfer is solely from the NPS to D.C. This is distinct from the COA version, which had GSA playing a prominent role in taking over administrative jurisdiction of the site. Second, the HNRC version specifically states no federal funds may be used for stadium purposes including facilities, offices, and structures necessary to support a stadium. This is a new addition to the text, which was previously silent on this question. Finally, the HNRC version includes a provision requiring the Secretary of the Interior and D.C. to enter into an agreement dividing the allocation of costs associated with any environmental remediation of the site under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA).

During bipartisan conversations between the stakeholders, several questions arose surrounding the application of CERCLA and the National Environmental Policy Act of 1969 (NEPA). There was a bipartisan agreement, with concurrence from the administration, that NPS would conduct a NEPA analysis on the transfer of administrative jurisdiction itself. After this transfer, it was universally agreed that development and use of the campus by D.C. would not be considered a major federal action, and therefore NEPA would not apply. Similarly, it was agreed that the transfer of administrative jurisdiction did not delegate any authorities under NEPA to D.C. Due to the consensus around this process, the text of the bill remained silent on NEPA, as any savings clause clarifying consistency with NEPA would be superfluous. Similarly, questions arose about the costs and responsibilities associated with CERCLA. To address this, the HNRC version included a new memorandum of understanding allowing D.C. and the Secretary of the Interior to create a division of past, present, and future costs associated with the site. The language retained a savings clause to clarify that this only applied to shifting costs and that no liabilities would be shifted by the legislation or the memorandum of understanding.

¹Transfers of Jurisdiction, Legislative Authorities, National Capital Planning Commission, accessed Feb. 1, 2024, <https://www.ncpc.gov/about/authorities/>.

COMMITTEE ACTION

H.R. 4984 was introduced on July 27, 2023, by Rep. James Comer (R-KY). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. The bill was also referred to the Committee on Oversight and Accountability, and the Committee on Transportation and Infrastructure. On September 19, 2023, the Subcommittee on Federal Lands held a hearing on the bill. On February 6, 2024, the Committee on Natural Resources met to consider the bill. The Subcommittee on Federal Lands was discharged from further consideration of H.R. 4984 by unanimous consent. Chairman Bruce Westerman (R-AR) offered an Amendment in the Nature of a Substitute designated Westerman_075 ANS. Representative Matt Rosendale (R-MT) offered an amendment to the Amendment in the Nature of a Substitute designated Rosendale #1. The amendment was not agreed to by a roll call vote of 8 yeas to 33 nays, as follows:

Committee on Natural Resources								
U.S. House of Representatives								
118th Congress								
Date: February 6, 2024				Roll Call #13				
Meeting on / Amendment on: Rosendale #1 amendment to Westerman_075 ANS to H.R. 4984 (Rep. Comer), “D.C. Robert F. Kennedy Memorial Stadium Campus Revitalization Act”								
MEMBERS	Yea	Nay	Pres	MEMBERS	Yea	Nay	Pres	
Mr. Westerman, AR, Chairman		X		Mr. Grijalva, AZ, Ranking		X		
Mr. Lamborn, CO		X		Ms. Napolitano, CA		X		
Mr. Wittman, VA				Mr. Sablan, CNMI	X			
Mr. McClintock, CA	X			Mr. Huffman, CA		X		
Mr. Gosar, AZ	X			Mr. Gallego, AZ		X		
Mr. Graves, LA		X		Mr. Neguse, CO		X		
Mrs. Radewagen, AS		X		Mr. Levin, CA		X		
Mr. LaMalfa, CA	X			Ms. Porter, CA		X		
Mr. Webster, FL		X		Ms. Leger Fernandez, NM		X		
Ms. González-Colón, PR				Ms. Stansbury, NM		X		
Mr. Fulcher, ID		X		Mrs. Peltola, AK		X		
Mr. Stauber, MN		X		Ms. Ocasio-Cortez, NY		X		
Mr. Curtis, UT		X		Mr. Mullin, CA		X		
Mr. Tiffany, WI	X			Ms. Hoyle,OR		X		
Mr. Carl, AL		X		Ms. Kamlager-Dove, CA		X		
Mr. Rosendale, MT	X			Mr. Magaziner, RI		X		
Mrs. Boebert, CO	X			Ms. Velázquez, NY				
Mr. Bentz, OR		X		Mr. Case, HI				
Ms. Kiggans, VA		X		Mrs. Dingell, MI		X		
Mr. Moylan, Guam		X		Ms. Lee, NV		X		
Mr. Hunt, TX		X						
Mr. Collins, GA		X						
Ms. Luna, FL	X							
Mr. Duarte, CA		X						
Ms. Hageman, WY		X						
				TOTAL:	8	33		

The Amendment in the Nature of a Substitute, designated Westerman 075 ANS, was agreed to by voice vote. The bill, as amended, was ordered favorably reported to the House of Representatives by voice vote. The long title of the bill, as ordered reported, was amended by unanimous consent.

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Federal Lands held on September 19, 2023.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

- Establishes the short title of the bill as the “D.C. Robert F. Kennedy Memorial Stadium Campus Revitalization Act.”

Section 2. Transfer of administration jurisdiction over RFK Memorial Stadium Campus to District of Columbia

- Requires the Secretary of the Interior (Secretary) to transfer administration jurisdiction of the Robert F. Kennedy Memorial Stadium Campus (Campus) to the District of Columbia (D.C.) within 180 days after date of enactment under Section 8124 of Title 40 of the U.S. Code. This provision waives the portion of U.S. Code that requires the National Capital Planning Commission to recommend the transfer and clarifies that the transfer does not affect ownership of the Campus.
- Allows D.C. to use the Campus for stadium purposes, commercial and residential development, recreational facilities, open space, public outdoor recreation, or prior existing uses. This includes any demolition of existing sites and structures to facilitate that development (i.e. the demolition of the current RFK Stadium to build a new stadium and surrounding facilities).
- Clarifies D.C. can develop and use the Campus based on a series of criteria agreed to in the Declaration of Covenants including:
 - Ensuring any development of the campus will not adversely impact the land, including the restoration of wetlands;
 - Maintaining at least 30 percent parks and open space;
 - Improving access to the Anacostia River, maintaining access to the Anacostia River Trail, and maintains the riparian area;
 - Providing for necessary parking facilities and public safety measures; and Reducing noise and traffic on surrounding areas.
 - Restricting Members of Congress, Delegates, Resident Commissioners to Congress, or any other federal or D.C. government employee from benefiting from leases or contracts related to the transfer.
- Requires a survey of the Campus, which will be submitted to Congress, incorporated into the Declaration of Covenants, and be available to the public.

- Requires the Secretary and D.C. to enter into a memorandum of understanding related to the allocation of costs of carrying out all responsibilities of the United States and D.C. with respect to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).
- Clarifies D.C. shall pay for costs associated with the transfer, including the survey and any environmental analysis. After the transfer, the Secretary will not be required to pay for general maintenance of the site.
- Prohibits any new development within the riparian area of the Campus.
- Specifies that no federal funds may be used for stadium purposes including facilities, offices, and structures necessary to support a stadium.
- Specifies the transfer of administrative jurisdiction will last for 99 years and be subject to renewal.
- Allows for a reversion of administrative jurisdiction if the Secretary determines that D.C. has not complied with the Declaration of Covenants and does not correct the noncompliance within 90 days of written notice.
- Clarifies nothing in the bill alters any liabilities or obligations under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).
- Revokes the District of Columbia Stadium Act of 1957 and the current RFK Stadium lease.
- Defines the map associated with the RFK Stadium Campus.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* Pursuant to clause 3(c)(2) of House rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of House rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Director of the Congressional Budget Office a budgetary analysis and a cost estimate of this bill.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill, as ordered reported, is 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.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the *Congressional Record* upon its receipt by the Committee, if such estimate is not publicly available on the Congressional Budget Office website.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

APPLICABILITY TO 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.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets):

DISTRICT OF COLUMBIA STADIUM ACT OF 1957

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [This Act may be cited as the “District of Columbia Stadium Act of 1957”.]

[SEC. 3. The Secretary of the Interior is authorized and directed to acquire by gift, purchase, condemnation, or otherwise, all real property within the boundaries of the East Capitol Street site, as established in the first paragraph under the heading “(2) East Cap-

itol Street Site" contained in the National Capital Planning Commission report entitled "Preliminary Report on Sites for National Memorial Stadium" dated November 8, 1956 and thereafter, acting under authority of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended (16 U. S. C. 1 and the following), the Secretary of the Interior shall enter into a contract with the Board for the construction, maintenance, and operation of the stadium including the operation and maintenance of motor-vehicle parking areas) on such East Capitol Street site, except that such contract may be for a term of not more than thirty years. The Secretary of the Interior is authorized and directed to construct and prepare in areas A, C, D, and E only, on such site, as such areas are indicated on National Capital Parks Map numbered 1.7-146, motor vehicle parking areas, including driveways, walks, lighting, and landscaping, at a total cost not to exceed \$2,660,000.

【SEC. 4. (a) The Board is hereby authorized to provide for the payment of the cost of preliminary engineering and economic surveys relating to the stadium, and for the payment of the cost of planning, designing and constructing such stadium, and to provide funds for the operation and maintenance of such stadium, and for the payment of interest on the bonds authorized herein during the period of construction and during the 12-month period following completion of construction of the stadium, by an issue or issues of negotiable bonds of the Board, bearing interest, payable annually or semiannually, as the Board shall determine, at a rate not exceeding such rate as shall be approved by the Secretary of the Treasury. All such bonds may be registered as to principal alone or both principal and interest, shall be payable as to principal within not to exceed thirty years from the date thereof, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the Board may determine, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the stadium constructed pursuant to this Act. The Board may reserve the right to redeem any or all of the bonds before maturity in such manner and at such price or prices not exceeding 105 per centum of the face value and accrued interest as may be fixed by the Board prior to the issuance of the bonds. The Board when it deems advisable may issue refunding bonds to refinance any outstanding bonds, and interest thereon, at maturity or before maturity when called for redemption, except that such refunding bonds shall mature within not to exceed thirty years from the date thereof, or not to exceed fifty years from the date of enactment of this Act, whichever shall first occur.

【(b) The bonds may be sold at not less than par. If the proceeds of the bonds shall exceed the cost, the excess shall be placed in the fund created by section 6 for the payment of the principal and interest of such bonds. Prior to the preparation of definitive bonds the Board may, under like restrictions, issue temporary bonds, or may, under like restrictions, issue temporary bonds or interim certificates without coupons, of any denomination whatsoever, exchangeable for definitive bonds when such bonds that securities have been executed are available for delivery.

[(c) All bonds, or other obligations, issued by the Board under authority of this Act, shall be exempt both as to principal and interest, from all taxation (except estate and inheritance taxes) now or hereafter imposed by the District of Columbia.

[SEC. 7. (a) After payment of the bonds and interest or after a sinking fund sufficient for such purpose shall have been provided and shall be held solely for that purpose, but in any event not later than fifty years from the date of enactment of this Act, all right, title, and interest in and to the stadium constructed under this Act shall vest in the United States.

[(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

[(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.

[(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.

[(e)(1) Upon receipt of a written description from the District of Columbia of not more than 15 contiguous acres (hereinafter referred to as "the 15 acres"), within the area designated "D" on the revised map entitled "Map to Designate Transfer of Stadium and Lease of Parking Lots to the District" and bound by 21st Street, NE, Oklahoma Avenue, NE, Benning Road, NE, the Metro line, and C Street, NE, and execution of a long-term lease by the Mayor of the District of Columbia that is contingent upon the Secretary's conveyance of the 15 acres and for the purpose consistent with this paragraph, the Secretary shall convey the 15 acres described land to the District of Columbia for the purpose of siting, developing, and operating an educational institution for the public welfare, with first preference given to a pre-collegiate public boarding school.

[(2) Upon conveyance, the portion of the stadium lease that affects the 15 acres on the property and all the conditions associated therewith shall terminate, and the 15 acres property shall be removed from the "Map to Designate Transfer of Stadium and Lease of Parking Lots to the District", and the long-term lease described in paragraph (1) of this subsection shall take effect immediately. The Mayor of the District of Columbia shall execute and deliver a quitclaim deed to effectuate the District's responsibilities under this section.

[SEC. 11. As used in this act the term—

[(1) "stadium" includes all equipment, appliances, facilities, and property of any kind (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)), necessary to carry out the purposes of this Act.]