

103^D CONGRESS
2^D SESSION

S. 2299

To amend the Pennsylvania Avenue Development Corporation Act of 1972, to establish the Pennsylvania Avenue Corporation, to provide for the maintenance and use of the area between the White House and the Capitol, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 20, 1994

Mr. JOHNSTON (by request) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Pennsylvania Avenue Development Corporation Act of 1972, to establish the Pennsylvania Avenue Corporation, to provide for the maintenance and use of the area between the White House and the Capitol, 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,*

3 SECTION 1. SHORT TITLE.—This Act may be cited
4 as the “Pennsylvania Avenue Corporation Act of 1994”.

5 SEC. 2. PENNSYLVANIA AVENUE DEVELOPMENT
6 ACT.—The Pennsylvania Avenue Development Act of
7 1972, as amended (40 U.S.C. 871–885), is amended by

1 striking sections 2–14 and substituting the following sec-
2 tions in lieu thereof:

3 “SEC. 2. The Congress finds and declares—

4 “(a) that it is in the national interest that the
5 area adjacent to Pennsylvania Avenue between the
6 Capitol and the White House, be maintained and
7 used in a manner suitable to its ceremonial, phys-
8 ical, and historic relationship to the legislative and
9 executive branches of the Federal Government and
10 to the governmental buildings, monuments, memori-
11 als, and parks in or adjacent to the area;

12 “(b) that goals and objectives of the Pennsylva-
13 nia Avenue Plan–1974, as amended (hereinafter re-
14 ferred to as the Pennsylvania Avenue Plan or the
15 Plan), should remain in effect and the development
16 completed thereunder pursuant to the Pennsylvania
17 Avenue Development Corporation Act of 1972 (40
18 U.S.C. 871 et seq.) should be maintained and use of
19 the Pennsylvania Avenue Area as defined in sub-
20 section (f) below fostered;

21 “(c) that responsibilities for such maintenance
22 and use can best be carried out by vesting the req-
23 uisite powers in a Federal corporation that can take
24 maximum advantage of the private as well as the
25 public resources that will be necessary;

1 “(d) that the powers conferred by this Act are
2 for public uses and purposes for which public powers
3 may be employed, public funds may be expended,
4 and the power of eminent domain and the police
5 power may be exercised, and the granting of such
6 powers is necessary in the public interest;

7 “(e) that private funds donated to or solicited
8 by the Corporation are for use in carrying out the
9 purposes of the Act; and

10 “(f) that the area thus to be maintained and
11 used in accordance with the provisions of this Act
12 (hereinafter referred to as the Pennsylvania Avenue
13 Area) shall be the area bounded as follows:

14 “Beginning at a point on the southwest corner
15 of the intersection of Fifteenth Street and Penn-
16 sylvania Avenue South (formerly E Street North-
17 west);

18 “thence proceeding easterly along the southerly
19 side of Pennsylvania Avenue South (formerly E
20 Street) to the southwest corner of the intersection of
21 Fourteenth Street and Pennsylvania Avenue North-
22 west;

23 “thence southerly along the west side of Four-
24 teenth Street to the northwest corner of the intersec-

1 tion of Fourteenth Street and Constitution Avenue,
2 Northwest;

3 “thence easterly along the north side of Con-
4 stitution Avenue to the northeast corner of the inter-
5 section of Twelfth Street and Constitution Avenue,
6 Northwest;

7 “thence northerly along the east side of Twelfth
8 Street to the southeast corner of the intersection of
9 Twelfth Street and Pennsylvania Avenue, Northwest;

10 “thence southeasterly along the southerly side
11 of Pennsylvania Avenue to a point being the south-
12 east corner of the intersection of Pennsylvania Ave-
13 nue and Third Street Northwest;

14 “thence northerly along the east side of Third
15 Street to the northeast corner of the intersection of
16 C Street and Third Street Northwest;

17 “thence westerly along the north side of C
18 Street to the northeast corner of the intersection of
19 C Street and Sixth Street Northwest;

20 “thence northerly along the east side of Sixth
21 Street to the northeast corner of the intersection of
22 E Street and Sixth Street Northwest;

23 “thence westerly along the north side of E
24 Street to the northeast corner of the intersection of
25 E Street and Seventh Street Northwest;

1 “thence northerly along the east side of Seventh
2 Street to the northeast corner of the intersection of
3 Seventh Street and F Street Northwest;

4 “thence westerly along the north side of F
5 Street to the northwest corner of the intersection of
6 F Street and Ninth Street Northwest;

7 “thence southerly along the west side of Ninth
8 Street to the northwest corner of the intersection of
9 Ninth Street and E Street Northwest;

10 “thence westerly along the north side of E
11 Street to the northeast corner of the intersection of
12 E Street and Thirteenth Street Northwest;

13 “thence northerly along the east side of Thir-
14 teenth Street to the northeast corner of the intersec-
15 tion of F Street and Thirteenth Street Northwest;

16 “thence westerly along the north side of F
17 Street to the northwest corner of the intersection of
18 F Street and Fifteenth Street Northwest;

19 “thence northerly along the west side of Fif-
20 teenth Street to the northwest corner of the intersec-
21 tion of Pennsylvania Avenue and Fifteenth Street
22 Northwest;

23 “thence westerly along the southern side of
24 Pennsylvania Avenue to the southeast corner of the

1 intersection of Pennsylvania Avenue and East Exec-
2 utive Avenue Northwest;

3 “thence southerly along the east side of East
4 Executive Avenue to the intersection of South Exec-
5 utive Place and E Street Northwest;

6 “thence easterly along the south side of E
7 Street to the point of beginning being the southwest
8 corner of the intersection of Fifteenth Street and E
9 Street Northwest.

10 “SEC. 3. PENNSYLVANIA AVENUE CORPORATION;
11 ESTABLISHMENT; BOARD OF DIRECTORS; TERM; CHAIR-
12 MAN; COMPENSATION; MEETINGS; ADVISORY BOARD.—
13 (a) There is hereby created a Government corporation in
14 the Executive Branch to be known as the Pennsylvania
15 Avenue Corporation (hereinafter referred to as the “Cor-
16 poration”).

17 “(b) The powers and management of the Corporation
18 shall be vested in a Board of Directors consisting of five
19 members:

20 “(1) The Secretary of the Interior.

21 “(2) The Mayor of the District of Columbia.

22 “(3) Three appointed by the President from
23 private life, who shall have knowledge and experience
24 in one or more fields of history, architecture, city

1 planning, retailing, real estate, construction, or gov-
2 ernment.

3 “(c) Each ex-officio member of the Board of Direc-
4 tors specified in paragraph (b) may designate another offi-
5 cial to serve on the Board in his stead if unable to serve
6 in person.

7 “(d) Each member of the Board of Directors ap-
8 pointed under paragraph (b)(3) shall serve for a term of
9 six years from the expiration of his predecessor’s term;
10 except that (1) any Director appointed to fill a vacancy
11 occurring prior to the expiration of the term for which
12 his predecessor was appointed shall be appointed for the
13 remainder of such term, and (2) the terms of office of
14 the Directors first taking office shall begin on the date
15 of the enactment of this Act and shall expire as designated
16 at the time of appointment, one at the end of two years,
17 one at the end of four years, and one at the end of six
18 years. A Director may continue to serve until his successor
19 has qualified.

20 “(e) The President shall designate a Chairman and
21 a Vice Chairman from among the members of the Board
22 of Directors chosen from private life.

23 “(f) Members of the Board of Directors who are offi-
24 cers or employees of the Federal or District of Columbia
25 Government shall receive no additional compensation by

1 virtue of their membership on the Board. Other members
2 of the Board, when engaged in the activities of the Cor-
3 poration, shall be entitled to receive compensation at the
4 daily equivalent of the rate for Executive Level IV, and
5 travel expenses, including per diem in lieu of subsistence,
6 as authorized by law (5 U.S.C. 5703(b)-(d) and 5707)
7 for persons in the Government service employed intermit-
8 tently.

9 “(g) Officers and employees of the Corporation are
10 officers and employees of the United States.

11 “(h) The Board of Directors shall meet at the call
12 of the Chairman, who shall require it to meet not less
13 often than once each three months. A majority of the
14 Board of Directors (or their designated alternates) shall
15 constitute a quorum.

16 “(i) There shall be a nonvoting Advisory Board con-
17 sisting of representatives of the Department of the Treas-
18 ury, the General Services Administration, the local arts
19 and cultural community and such other members as the
20 Board of Directors may appoint. The Advisory Board shall
21 meet at least twice annually at the dates and time des-
22 igned by the Board of Directors, to offer such advice
23 and assistance as may be of benefit to the Board of Direc-
24 tors. The Chairman of the Board of Directors, shall be
25 chairman of the Advisory Board.

1 “SEC. 4. OFFICERS AND EMPLOYEES; COMPENSA-
2 TION.—(a) The Board of Directors shall have the power
3 to appoint and fix the duties of the Executive Director
4 and such other officers and employees of the Corporation
5 as may be necessary for the efficient administration of the
6 Corporation; the rate of pay for the Executive Director
7 shall not exceed level IV of the Executive Schedule (5
8 U.S.C. 5315).

9 “(b) The Board of Directors is authorized to procure
10 the temporary (not in excess of one year) or intermittent
11 services of city planners, architects, engineers, appraisers,
12 and other experts or consultants or organizations thereof
13 in accordance with section 3109 of title 5, United States
14 Code (5 U.S.C. 3109), but at rates for individuals not in
15 excess of the rate in effect for level IV of the Executive
16 Schedule.

17 “(c) Administrative services shall be provided by the
18 General Services Administration on a reimbursable basis.

19 “SEC. 5. CONTINUITY OF THE PENNSYLVANIA AVE-
20 NUE PLAN SUBSTANTIAL AND SIGNIFICANT CHANGE.—

21 (a) The Pennsylvania Avenue Plan for the Pennsylvania
22 Avenue Area approved by Congress in 1975, and as subse-
23 quently amended, includes (1) the types of uses, both pub-
24 lic and private, to be permitted; (2) criteria for the design
25 and appearance of buildings, facilities, open spaces, and

1 other improvements; (3) an estimate of the maintenance
2 costs; (4) an estimate of the current values of all prop-
3 erties to be acquired; (5) an estimate of the relocation
4 costs which would be incurred in carrying out the provi-
5 sions of section 8 of the Pennsylvania Avenue Develop-
6 ment Corporation Act of 1972 (40 U.S.C. 877); (6) an
7 estimate of the cost of land preparation for all properties
8 to be acquired; (7) an estimate of the reuse values of the
9 properties to be acquired; (8) a program for the staging
10 of a proposed development, including a detailed descrip-
11 tion of the portion of the program to be scheduled for com-
12 pletion by 1976; (9) a determination of the marketability
13 of such development; (10) an estimate of the development
14 costs, both public and private; (11) a thorough study of
15 the economic impact of such development, including the
16 impact on the local tax base, the metropolitan area as a
17 whole, and the existing business activities within the Penn-
18 sylvania Avenue Area; and (12) the procedures (including
19 both interim and long-term arrangements) to be used in
20 carrying out and insuring continuing conformance to the
21 Pennsylvania Avenue Plan. Amendments to the Plan re-
22 flect changes brought about by economic and other condi-
23 tions as development proceeded during the period prior to
24 this legislation.

1 “(b)(1) Development or maintenance activities car-
2 ried out within the Pennsylvania Avenue Area shall be in
3 accordance with the Pennsylvania Avenue Plan.

4 “(2) The Corporation may alter, revise, or amend the
5 Pennsylvania Avenue Plan, but any such alteration, revi-
6 sion, or amendment which is a substantial change from
7 the Pennsylvania Avenue Plan shall take effect only after
8 publication of the proposed substantial change in the Fed-
9 eral Register, consideration of comments received, and
10 adoption of a resolution of the Board of Directors. For
11 the purposes of this subsection, the term ‘substantial
12 change’ shall mean one involving a major alteration in the
13 character or intensity of an existing or proposed use in
14 the Pennsylvania Avenue Area which in the opinion of the
15 Corporation causes an increase or decrease of 10 per cen-
16 tum or more of the dollar amount of the estimate prepared
17 in accordance with subsection (a)(10) of section 6 or one
18 which, in the opinion of the Secretary of the Interior, af-
19 fects his responsibilities for the administration, protection,
20 and development of the areas within the Pennsylvania Av-
21 enue National Historic Site.

22 “(3) Any alteration, revision, or amendment of the
23 Pennsylvania Avenue Plan and any other action taken by
24 the Corporation which is not a substantial change in the

1 Pennsylvania Avenue Plan within the meaning of para-
2 graph (2) but—

3 “(A) which is a significant change in the Penn-
4 sylvania Avenue Plan, or which is another significant
5 action taken by the Corporation, and

6 “(B) which relates to housing, any major struc-
7 ture, historic preservation, parks, office space, or re-
8 tail uses, within the Pennsylvania Avenue Area,

9 shall not take effect until thirty days after notice of such
10 change or other action has been submitted to the Commit-
11 tee on Interior and Insular Affairs of the United States
12 House of Representatives and to the Committee on En-
13 ergy and Natural Resources of the United States Senate,
14 unless prior to the expiration of such thirty-day period
15 each of such committees notifies the Corporation in writ-
16 ing that the committee does not object to such change or
17 other action. Such notice by the Corporation to the com-
18 mittees shall include an explanation of the reasons why
19 the change or other action is proposed and a summary
20 of any recommendations received by the Corporation from
21 the Secretary of the Interior, the Mayor of the District
22 of Columbia or from any other interested agency, organi-
23 zation, or individual.

24 “(f) To avoid duplication and unnecessary expense
25 the Corporation shall, to the maximum feasible extent in

1 conducting its operations, utilize the services and facilities
2 of other agencies, such as the Department of the Interior,
3 the General Services Administration, and the District of
4 Columbia government.

5 “SEC. 6. CORPORATE POWERS AND DUTIES.—In car-
6 rying out its powers and duties, the Corporation—

7 “(1) shall have all necessary and proper powers
8 for the exercise of the authorities vested in it;

9 “(2) shall have succession in its corporate
10 name;

11 “(3) may adopt and use a corporate seal which
12 shall be judicially noticed;

13 “(4) may sue and be sued in its corporate
14 name, except that the Directors of the Board shall
15 not be personally liable except for gross negligence.
16 All litigation arising out of the activities of the Cor-
17 poration shall be conducted by the Attorney General;

18 “(5) may adopt, amend, and repeal bylaws,
19 rules, and regulations governing the manner in
20 which its business may be conducted and the powers
21 vested in it may be exercised;

22 “(6) may acquire lands, improvements, and
23 properties within the Pennsylvania Avenue Area by
24 purchase, lease, donation, or exchange; may hold,
25 maintain, use, or operate such properties; may sell,

1 lease, or otherwise dispose of such real and personal
2 property and any interest therein as the Corporation
3 deems necessary to carry out the Pennsylvania Ave-
4 nue Plan; or may lease, repurchase, or otherwise ac-
5 quire and hold any property which the Corporation,
6 or its predecessor, the Pennsylvania Avenue Devel-
7 opment Corporation (hereinafter referred to as
8 PADC), has theretofore sold, leased, conveyed,
9 transferred, or otherwise disposed of: *Provided*, That
10 condemnation proceedings for the acquisition of real
11 property (including interests therein), which may be
12 necessary or appropriate in order to carry out the
13 Pennsylvania Avenue Plan, shall be conducted in ac-
14 cordance with the procedural provisions of chapter
15 13, subchapter IV, of title 16 of the District of Co-
16 lumbia Code and the requirements of the Uniform
17 Relocation Assistance and Real Property Acquisition
18 Policies Act of 1970 (94 Stat. 1894) (42 U.S.C.
19 4601 et seq.);

20 “(7) may enter into and perform such con-
21 tracts, leases, cooperative agreements, or other
22 transactions with any agency or instrumentality of
23 the United States, the several States, or the District
24 of Columbia or with any person, firm, association, or
25 corporation (including agreements with private util-

1 ity companies with respect to the relocation of utility
2 lines and other facilities in the Pennsylvania Avenue
3 Area) as may be deemed necessary or appropriate to
4 the conduct of activities authorized under this Act;

5 “(8) may establish (through covenants, regula-
6 tions, agreements, or otherwise) such restrictions,
7 standards, and requirements as are necessary to as-
8 sure maintenance and protection of the Pennsylvania
9 Avenue Area in accordance with the Pennsylvania
10 Avenue Plan and such restrictions, standards, and
11 requirements as were established by PADC shall re-
12 main in effect unless or until modified or rescinded
13 by the Corporation;

14 “(9) may borrow money from the Treasury of
15 the United States in such amounts as may be au-
16 thorized in appropriation Acts, but not to exceed ex-
17 isting authorized ceiling amounts. Such borrowings
18 from the Treasury shall have such maturities, terms,
19 and conditions as may be agreed upon by the Cor-
20 poration and the Secretary of the Treasury, but the
21 maturities may not be in excess of forty years, and
22 such borrowings may be redeemable at the option of
23 the Corporation before maturity. Such borrowings
24 shall bear interest at a rate determined by the Sec-
25 retary of the Treasury taking into consideration the

1 average market yield on outstanding marketable ob-
2 ligations of the United States of comparable matu-
3 rities during the month preceding the issuance of the
4 obligations of the Corporation. The interest pay-
5 ments on such obligations may be deferred with the
6 approval of the Secretary of the Treasury but any
7 interest payment so deferred shall bear interest.
8 Said obligations shall be issued in amounts and at
9 prices approved by the Secretary of the Treasury.
10 The authority of the Corporation to issue obligations
11 hereunder shall remain available without fiscal year
12 limitation. The Secretary of the Treasury is author-
13 ized and directed to purchase any obligations of the
14 Corporation to be issued under this paragraph and
15 for such purpose the Secretary of the Treasury is
16 authorized to use as a public debt transaction of the
17 United States the proceeds from the sale of any se-
18 curities issued under the Second Liberty Loan Bond
19 Act, as amended, and the purposes for which securi-
20 ties may be issued under the Second Liberty Loan
21 Bond Act, as amended, are extended to include any
22 purchase of the Corporation's obligations under this
23 paragraph;

24 “(10) may invest any funds held in reserve or
25 sinking funds, or any moneys not required for imme-

1 diate use or disbursement, with the approval of the
2 Secretary of the Treasury, in obligations of the
3 United States Government;

4 “(11) may procure insurance against any loss
5 in connection with its property and other assets and
6 operations;

7 “(12) may solicit and accept any gifts or grants
8 or property or financial or other aid in any form
9 from the Federal Government or any agency or in-
10 strumentality thereof, or from any State or any
11 agency or instrumentality thereof, or from any
12 source, for the purpose of carrying out its duties,
13 and comply, subject to the provisions of this Act,
14 with the terms and conditions thereof. The Corpora-
15 tion shall establish written rules setting forth the
16 criteria to be used in determining whether the ac-
17 ceptance of gifts or grants, property, financial or
18 other aid in any form would reflect unfavorably upon
19 the ability of the Corporation or any employee to
20 carry out its responsibilities or official duties in a
21 fair and objective manner or would compromise the
22 integrity of or the appearance of the integrity of its
23 programs or any official or employee involved in
24 those programs;

1 “(13) may determine the character of and ne-
2 cessity for its obligations and expenditures, and the
3 manner in which they shall be incurred, allowed, and
4 paid, subject to provisions and laws specifically ap-
5 plicable to wholly-owned Government corporations;

6 “(14) may prepare or cause to be prepared
7 plans, specifications, designs, and estimates of cost
8 for the construction, reconstruction, rehabilitation,
9 improvement, alteration, repair, or maintenance of
10 any project, and from time to time may modify such
11 plans, specifications, designs, or estimates;

12 “(15) may acquire, construct, reconstruct, reha-
13 bilitate, improve, alter, repair, or maintain or pro-
14 vide for the construction, reconstruction, improve-
15 ment, alteration, repair, or maintenance of any
16 project;

17 “(16) may grant options to purchase any
18 project or may renew any leases entered into by it
19 (or its predecessor, PADDC) in connection with any
20 of its projects, on such terms and conditions as it
21 may deem advisable;

22 “(17) may manage any project, owned or leased
23 by the Corporation, or its predecessor, PADDC, and
24 may enter into agreements with the District of Co-
25 lumbia government or any agency or instrumentality

1 thereof, or with any person, firm, partnership, or
2 corporation, either public or private, for the purpose
3 of causing any such project to be managed;

4 “(18) shall request the Council of the District
5 of Columbia, when required for implementation of
6 the Pennsylvania Avenue Plan, to close any street,
7 road, highway, alley, or any part thereof in the
8 Pennsylvania Avenue Area. If the title to the street,
9 road, highway, or alley so closed is in the United
10 States, the Mayor of the District of Columbia shall
11 convey the title to the land on behalf of the United
12 States to the Corporation, without cost, except that
13 the Corporation shall reimburse the District of Co-
14 lumbia for the administrative expenses of the action.
15 If the title to the street, road, highway, or alley so
16 closed is not in the United States, the Mayor shall
17 convey title to the land on behalf of the District of
18 Columbia to the Corporation, without cost, except
19 that the Corporation shall reimburse the District of
20 Columbia for the administrative costs of the action:
21 *Provided*, That if the land would have reverted to a
22 private abutting property owner under otherwise ap-
23 plicable law of the District of Columbia, the Cor-
24 poration shall pay such owner the fair market value
25 of the land that would have reverted to him;

1 “(19) may transfer title to, interests in, or ju-
2 risdiction over real property which the Corporation
3 has acquired or which has been acquired by PADC
4 and is to be devoted to public uses to any agency of
5 the United States or the District of Columbia. Agen-
6 cies of the United States or the District of Columbia
7 may accept such transfers under this paragraph, and
8 shall thereafter administer and maintain the prop-
9 erty in accordance with the Pennsylvania Avenue
10 Plan and the terms of any transfer agreement;

11 “(20) may utilize or employ the services of per-
12 sonnel of any agency or instrumentality of the Fed-
13 eral Government or of the District of Columbia, with
14 the consent of the agency or instrumentality con-
15 cerned, upon a reimbursable basis, or utilize vol-
16 untary or uncompensated personnel;

17 “(21) shall publish and disseminate information
18 about the Pennsylvania Avenue Area and the activi-
19 ties and programs of the Corporation;

20 “(22) may execute all instruments necessary or
21 appropriate in the exercise of any of its functions
22 under this Act, and may delegate to members of the
23 Board of Directors or the Executive Director such of
24 its powers and responsibilities as it deems appro-

1 appropriate and useful for the administration of the Cor-
2 poration;

3 “(23) shall be entitled to the use of the United
4 States mails in the same manner as the executive
5 departments of the Government, and shall have all
6 the rights, privileges, and immunities of the United
7 States with respect to debts due from insolvent, de-
8 ceased, or bankrupt debtors; and

9 “(24) may conduct development competitions
10 using the Development Policies and Procedures es-
11 tablished by PADC for private development of prop-
12 erty the Corporation owns or may obtain.

13 “SEC. 7. POWERS OF OTHER FEDERAL AND LOCAL
14 AGENCIES IN THE PENNSYLVANIA AVENUE AREA; CER-
15 TIFICATION OF NEW CONSTRUCTION.—(a) Nothing in
16 this Act shall preclude other agencies or instrumentalities
17 of the Federal Government or of the District of Columbia
18 from exercising any lawful powers in the Pennsylvania Av-
19 enue Area consistent with the Pennsylvania Avenue Plan
20 or the provisions and purposes of this Act; but no such
21 agency or instrumentality shall release, modify, or depart
22 from any feature or detail of the Pennsylvania Avenue
23 Plan without the prior approval of the Corporation.

24 “(b) As provided in the Act to amend the Act of Octo-
25 ber 27, 1972 (86 Stat. 1266; enacted Oct. 1, 1974), no

1 new construction (including substantial remodeling, con-
2 version, rebuilding, enlargement, extension, or major
3 structural improvement of any existing building, but not
4 including ordinary maintenance or remodeling or changes
5 necessary to continue occupancy) shall be authorized or
6 conducted within the Pennsylvania Avenue Area except
7 upon prior certification by the Corporation that the con-
8 struction is, or may reasonably be expected to be, consist-
9 ent with the carrying out of the Pennsylvania Avenue
10 Plan.

11 “SEC. 8. CORPORATION AS GRANTEE OF PROPERTY
12 AND PARTY TO PROCEEDINGS.—The title to any real
13 property (or interest therein) acquired under the authority
14 of this Act shall be taken by and in the name of the Cor-
15 poration and proceedings for condemnation or other acqui-
16 sition of property shall be brought by and in the name
17 of the Corporation.

18 “SEC. 9. COMPLIANCE WITH DISTRICT LAWS, ORDI-
19 NANCES.—(a) The Corporation shall comply with all Dis-
20 trict of Columbia laws, ordinances, codes, and regulations
21 in constructing, reconstructing, rehabilitating, altering,
22 and improving any project: *Provided*, That the provisions
23 of section 428 of title 5 of the District of Columbia Code
24 shall apply to all the constructing, reconstructing, rehabili-
25 tating, altering, and improving of all buildings by the Cor-

1 poration. The construction, reconstruction, rehabilitation,
2 alteration, and improvement of any project by non-Gov-
3 ernment sources shall be subject to the provisions of the
4 District of Columbia Code and zoning regulations.

5 “(b) For purposes of any District of Columbia law
6 (including laws relating to taxation and building permits
7 and inspections) the Corporation with respect to any
8 project it may construct, rehabilitate, alter, or improve,
9 shall be treated as the General Services Administration
10 is treated with respect to acquisition and construction of
11 a Federal building.

12 “SEC. 10. TAX EXEMPTION.—Since the exercise of
13 the powers granted by this Act will be in all respects for
14 the benefit of the people, the Corporation is hereby de-
15 clared to be devoted to an essential public and govern-
16 mental function and purpose and shall be exempt from
17 all taxes and special assessments of every kind of the
18 United States and of the District of Columbia.

19 “SEC. 11. ANNUAL REPORT TO PRESIDENT AND
20 CONGRESS.—The Corporation shall transmit to the Presi-
21 dent and the Congress, annually each March and at such
22 other times as it deems desirable, a comprehensive and
23 detailed report of its operations, activities, and accom-
24 plishments under this Act.

1 “SEC. 12. ASSETS AND FUNDS FOR CONDUCT OF
2 BUSINESS.—(a) Not later than October 1, 1997, all as-
3 sets, liabilities, and obligations of PADC, including title
4 to any personal and real property owned by PADC, shall
5 be transferred to and become the assets, liabilities, obliga-
6 tions, and property of the Corporation.

7 “(b) The Corporation is authorized to use in the con-
8 duct of its business all its funds and other assets and all
9 funds and other assets which have been or may hereafter
10 be transferred to, allocated to, borrowed by, or otherwise
11 acquired by it.

12 “SEC. 13. VIOLATIONS AND PENALTIES.—(a) All
13 general penal statutes relating to the larceny, embezzle-
14 ment, or conversion of public moneys or property of the
15 United States shall apply to moneys and property of the
16 Corporation.

17 “(b) Any person who, with intent to defraud the Cor-
18 poration, or to deceive any director, officer, or employee
19 of the Corporation or any officer or employee of the
20 United States, (1) makes any false entry in any book of
21 the Corporation, or (2) makes any false report or state-
22 ment for the Corporation, shall, upon conviction thereof,
23 be fined not more than \$10,000 or imprisoned not more
24 than five years, or both.

1 “(c) Any person who with intent to defraud the Cor-
2 poration (1) receives any compensation, rebate, or reward,
3 or (2) enters into any conspiracy, collusion, or agreement,
4 express or implied, shall, on conviction thereof, be fined
5 not more than \$5,000 or imprisoned not more than five
6 years, or both.

7 “(d) Any person who violates any regulation promul-
8 gated hereunder governing the maintenance or use of the
9 Pennsylvania Avenue Area shall be deemed guilty of a mis-
10 demeanor and punishable by a fine of not more than \$300
11 or by imprisonment for not more than three months, or
12 by such fine and imprisonment. Such regulations shall be
13 enforceable by the District of Columbia Police Department
14 and the United States Park Police.

15 “SEC. 14. SEPARABILITY OF PROVISIONS.—If any
16 provisions of this Act or the application thereof to any
17 body, agency, situation, or circumstances is held invalid
18 the remainder of the Act and the application of such provi-
19 sion to other bodies, agencies, situations, or circumstances
20 shall not be affected thereby.

21 “SEC. 15. The Government Corporation Control Act
22 (31 U.S.C. 9101(3)(H)) is amended by striking ‘Penn-
23 sylvania Avenue Development Corporation’ and substitut-
24 ing ‘Pennsylvania Avenue Corporation’ in lieu thereof.

1 “SEC. 16. This Act shall be effective for a term of
2 ten years unless otherwise extended by Congress.

3 “SEC. 17. AUTHORIZATION OF APPROPRIATIONS.—
4 There are hereby authorized to be appropriated to the
5 Corporation such sums as may be necessary to carry out
6 the purposes of this Act.”.

○

S 2299 IS—2