

**(e) Alteration, revision, or amendment**

(1) Activities under the development plan shall be carried out in accordance with the approved development plan.

(2) The Corporation may alter, revise, or amend the plan, but any such alteration, revision, or amendment which is a substantial change from the approved development plan shall take effect only upon compliance with the procedures set forth in subsections (c) and (d) of this section. For the purposes of this subsection, the term "substantial change" shall mean one involving a major alteration in the character or intensity of an existing or proposed use in the development area which in the opinion of the Corporation causes an increase or decrease of 10 per centum or more of the dollar amount of the estimate prepared in accordance with subsection (a)(9) of this section, or one which, in the opinion of the Secretary of the Interior, affects his responsibilities for the administration, protection, and development of the areas within the Pennsylvania Avenue National Historic Site.

(3) Any alteration, revision, or amendment of the plan and any other action taken by the Corporation which is not a substantial change in the plan within the meaning of paragraph (2) but—

(A) which is a significant change in the plan, or which is another significant action taken by the Corporation, and

(B) which relates to housing, any major structure, historic preservation, parks, office space, or retail uses, within the development area

shall not take effect until thirty days after notice of such change or other action has been submitted to the Committee on Natural Resources of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate, unless prior to the expiration of such thirty-day period each of such committees notifies the Corporation in writing that the committee does not object to such change or other action. Such notice to the committees shall include an explanation of the reasons why the change or other action is proposed and a summary of any recommendations received by the Corporation from the Secretary of the Interior, the Mayor of the District of Columbia, or from any other interested agency, organization, or individual.

**(f) Utilization of other governmental services and facilities**

To avoid duplication and unnecessary expense the Corporation shall, to the maximum feasible extent in conducting its operations, utilize the services and facilities of other agencies, including the Department of the Interior, General Services Administration, the National Capital Planning Commission, and the District of Columbia government.

(Pub. L. 92-578, §5, Oct. 27, 1972, 86 Stat. 1269; Pub. L. 95-629, title I, §101(1)(a), (e), Nov. 10, 1978, 92 Stat. 3635; Pub. L. 98-141, §8(b), (c)(2), (3), Oct. 31, 1983, 97 Stat. 910; Pub. L. 103-437, §14(d), Nov. 2, 1994, 108 Stat. 4591.)

**AMENDMENTS**

1994—Subsec. (e)(3). Pub. L. 103-437 substituted "Natural Resources" for "Interior and Insular Affairs" be-

fore "of the United States House" in concluding provisions.

1983—Subsec. (a)(10). Pub. L. 98-141, §8(c)(2), inserted "a" before "whole, and the existing business".

Subsec. (b). Pub. L. 98-141, §8(c)(3), substituted "cooperation" for "Cooperation".

Subsec. (e). Pub. L. 98-141, §8(b), designated first sentence of existing provisions as par. (1), designated second and succeeding sentences of existing provisions as par. (2), and added par. (3).

1978—Subsecs. (c), (d). Pub. L. 95-629, §101(1)(a), substituted "Mayor of the District of Columbia" for "Commissioner of the District of Columbia" wherever appearing.

Subsec. (f). Pub. L. 95-629, §101(1)(e), struck out reference to the District of Columbia Redevelopment Land Agency following reference to the District of Columbia government.

**CHANGE OF NAME**

Committee on Natural Resources of House of Representatives treated as referring to Committee on Resources of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

**REVIEW OF PORTIONS OF PENNSYLVANIA AVENUE DEVELOPMENT AREA NOT UNDER DEVELOPMENT FOR PRESERVATION OF HISTORIC VALUES OF SUCH AREA; REPORT TO CONGRESS**

Pub. L. 96-515, title V, §505, Dec. 12, 1980, 94 Stat. 3005, provided that the Pennsylvania Avenue Development Corporation review the development plan for those parts of the development area not under development or committed for development as of Dec. 12, 1980, to identify means by which the historic values of such parts of the development area could be preserved and enhanced to the maximum extent feasible, such review not to be limited by the applicable provisions of the development plan in effect at the time of the review, and not to require any actions by the Corporation during the course of the review or during its consideration by the Congress. Within one year of Dec. 12, 1980, the Corporation was to submit to the appropriate committees of Congress a report containing the findings of the review, together with the Corporation's recommendations for any legislative measures or funding necessary to carry out the purposes of this section, such report to also include a description of those activities which the Corporation proposed to undertake to carry out the purposes of this section and the financial implications of carrying out those activities.

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 875, 876, 885, 1104 of this title.

**§ 875. Powers of Corporation**

In carrying out its powers and duties, the Corporation—

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

(2) shall have succession in its corporate name;

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

(4) may sue and be sued in its corporate name. All litigation arising out of the activities of the Corporation shall be conducted by the Attorney General;

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

(6) may acquire lands, improvements, and properties within the development area by

purchase, lease, donation, or exchange; may hold, maintain, use, or operate such properties; may sell, lease, or otherwise dispose of such real and personal property and any interest therein as the Corporation deems necessary to carry out the development plan; or may lease, repurchase, or otherwise acquire and hold any property which the Corporation has theretofore sold, leased, conveyed, transferred, or otherwise disposed of: *Provided*, That condemnation proceedings for the acquisition of real property (including interests therein), which may be necessary or appropriate in order to carry out the development plan, shall be conducted in accordance with the procedural provisions of chapter 13, subchapter IV, of title 16 of the District of Columbia Code: *Provided further*, That prior to acquiring any residential property there shall be a finding of assurance of adequate replacement housing consonant with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894) [42 U.S.C. 4601 et seq.];

(7) may enter into and perform such contracts, leases, cooperative agreements, or other transactions with any agency or instrumentality of the United States, the several States, or the District of Columbia or with any person, firm, association, or corporation (including agreements with private utility companies with respect to the relocation of utility lines and other facilities in the development area) as may be deemed necessary or appropriate to the conduct of activities authorized under this chapter;

(8) may establish (through covenants, regulations, agreements, or otherwise) such restrictions, standards, and requirements as are necessary to assure development, maintenance, and protection of the development area in accordance with the development plan;

(9) shall seek authority from the Congress to borrow money by issuing marketable obligations, after obtaining proposals from at least three private financial analysts on the feasibility of private versus public financing of the Corporation, which proposals shall be transmitted to the Congress with the development plan as provided in section 874 of this title.

(10) may borrow money from the Treasury of the United States in such amounts as may be authorized in appropriation Acts, but not to exceed \$120,000,000. Such borrowings from the Treasury shall have such maturities, terms, and conditions as may be agreed upon by the Corporation and the Secretary of the Treasury, but the maturities may not be in excess of forty years, and such borrowings may be redeemable at the option of the Corporation before maturity. Such borrowings shall bear interest at a rate determined by the Secretary of the Treasury taking into consideration the average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the obligations of the Corporation. The interest payments on such obligations may be deferred with the approval of the Secretary of the Treasury but any interest

payment so deferred shall bear interest. Said obligations shall be issued in amounts and at prices approved by the Secretary of the Treasury. The authority of the Corporation to issue obligations hereunder shall remain available without fiscal year limitation. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Corporation to be issued under this paragraph and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction of the United States the proceeds from the sale of any securities issued under chapter 31 of title 31, and the purposes for which securities may be issued under chapter 31 of title 31 are extended to include any purchase of the Corporation's obligations under this paragraph;

(11) may invest any funds held in reserve or sinking funds, or any moneys not required for immediate use or disbursement, with the approval of the Secretary of the Treasury, in obligations of the United States Government, or obligations the principal and interest of which are guaranteed by the United States Government: *Provided*, That this authority shall not extend to moneys obtained by borrowing from the Government or through appropriations to the Corporation;

(12) may procure insurance against any loss in connection with its property and other assets and operations;

(13) may contract for and accept any gifts or grants or property or financial or other aid in any form from the Federal Government or any agency or instrumentality thereof, or from any State or any agency or instrumentality thereof, or from any source, and comply subject to the provisions of this chapter, with the terms and conditions thereof;

(14) may determine the character of and necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid, subject to provisions and laws specifically applicable to wholly owned Government corporations;

(15) may prepare or cause to be prepared plans, specifications, designs, and estimates of cost for the construction, reconstruction, rehabilitation, improvement, alteration, or repair of any project, and from time to time may modify such plans, specifications, designs, or estimates;

(16) may acquire, construct, reconstruct, rehabilitate, improve, alter, or repair or provide for the construction, reconstruction, improvement, alteration, or repair of any project;

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

(18) may manage any project, owned or leased by the Corporation, and may enter into agreements with the District of Columbia government or any agency or instrumentality thereof, or with any person, firm, partnership, or corporation, either public or private, for the purpose of causing any such project to be managed;

(19) shall request the Council of the District of Columbia, when required for implementa-

tion of the development plan, to close any street, road, highway, alley, or any part thereon in the development area. If the title to the street, road, highway, or alley so closed is in the United States, the Mayor of the District of Columbia shall convey the title to the land on behalf of the United States to the Corporation, without cost, except that the Corporation shall reimburse the District of Columbia for the administrative expenses of the action. If the title to the street, road, highway, or alley so closed is not in the United States, the Mayor shall convey title to the land on behalf of the District of Columbia to the Corporation, without cost, except that the Corporation shall reimburse the District of Columbia for the administrative costs of the action: *Provided*, That if the land would have reverted to a private abutting property owner under otherwise applicable law of the District of Columbia, the Corporation shall pay such owner the fair market value of the land that would have reverted to him.<sup>1</sup>

(20) may transfer title to, interests in, or jurisdiction over real property which has been acquired by the Corporation and is to be devoted to public uses under the development plan, to any agency of the United States or the District of Columbia. Agencies of the United States or the District of Columbia may accept such transfers under this paragraph, and shall thereafter administer and maintain the property in accordance with the development plan and the terms of any transfer agreement. The Director of the National Park Service may transfer title to or interest in public reservations, roadways, spaces, or parks under his jurisdiction within the development area to the Corporation to facilitate implementation of the development plan; and, notwithstanding any other provision of law, the Corporation may utilize such transferred property for any public or private development consistent with the plan.<sup>1</sup>

(21) may utilize or employ the services of personnel of any agency or instrumentality of the Federal Government or of the District of Columbia, with the consent of the agency or instrumentality concerned, upon a reimbursable basis, or utilize voluntary or uncompensated personnel;

(22) shall publish and disseminate information and make known to potential users, by advertisement, solicitation, or other means, the availability for development of lands in the development area;

(23) may execute all instruments necessary or appropriate in the exercise of any of its functions under this chapter, and may delegate to members of the Board or the Executive Director such of its powers and responsibilities as it deems appropriate and useful for the administration of the Corporation; and

(24) shall be entitled to the use of the United States mails in the same manner as the executive departments of the Government, and shall have all the rights, privileges, and immunities of the United States with respect to debts due from insolvent, deceased, or bankrupt debtors.

(Pub. L. 92-578, §6, Oct. 27, 1972, 86 Stat. 1270; Pub. L. 95-629, title I, §101(2), (3), Nov. 10, 1978, 92 Stat. 3635; Pub. L. 98-141, §8(a)(1), Oct. 31, 1983, 97 Stat. 910.)

#### REFERENCES IN TEXT

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, referred to in par. (6), is Pub. L. 91-646, Jan. 2, 1971, 84 Stat. 1894, as amended, which is classified principally to chapter 61 (§4601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4601 of Title 42 and Tables.

#### CODIFICATION

In par. (10), "chapter 31 of title 31" substituted for "the Second Liberty Loan Bond Act, as amended" on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

#### AMENDMENTS

1983—Par. (10). Pub. L. 98-141 substituted "\$120,000,000" for "\$100,000,000".

1978—Par. (10). Pub. L. 95-629, §101(2), substituted "\$100,000,000" for "\$50,000,000" and substituted provisions relating to the availability of the Corporation's authority to issue obligations without fiscal year limitation for provisions which related to the expiration of the Corporation's authority on June 3, 1980, except for obligations to provide funds necessary for the performance of contracts entered into by the Corporation prior to June 3, 1980.

Pars. (19) to (24). Pub. L. 95-629, §101(3), added pars. (19) and (20) and redesignated former pars. (19) to (22) as (21) to (24), respectively.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1104 of this title.

### § 876. Powers of other Federal and local agencies in the development area; certification of new construction, etc.

(a) Nothing in this chapter shall preclude other agencies or instrumentalities of the Federal Government or of the District of Columbia from exercising any lawful powers in the development area consistent with the development plan or the provisions and purposes of this chapter; but no such agency or instrumentality shall release, modify, or depart from any feature or detail of the development plan without the prior approval of the Corporation.

(b) After October 1, 1974, no new construction (including substantial remodeling, conversion, rebuilding, enlargement, extension, or major structural improvement of existing building, but not including ordinary maintenance or remodeling or changes necessary to continue occupancy) shall be authorized or conducted within the development area except upon prior certification by the Corporation that the construction is, or may reasonably be expected to be, consistent with the carrying out of the development plan for the area: *Provided*, That if the development plan for the area does not become effective under the provisions of section 874 of this title by June 30, 1975, this subsection shall be of no further force and effect until such time as the development plan does become effective under that section.

(Pub. L. 92-578, §7, Oct. 27, 1972, 86 Stat. 1272; Pub. L. 93-427, §2, Oct. 1, 1974, 88 Stat. 1170.)

<sup>1</sup> So in original. The period should be a semicolon.