

103^D CONGRESS
1ST SESSION

H. R. 855

To require the Administrator of General Services, the Director of the National Park Service, the Architect of the Capitol, and the Secretary of the Smithsonian Institution to provide notice to the District of Columbia before carrying out any activity affecting property located in the District of Columbia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1993

Ms. NORTON introduced the following bill; which was referred jointly to the Committees on the District of Columbia, House Administration, Natural Resources, and Public Works and Transportation

A BILL

To require the Administrator of General Services, the Director of the National Park Service, the Architect of the Capitol, and the Secretary of the Smithsonian Institution to provide notice to the District of Columbia before carrying out any activity affecting property located in the District of Columbia, 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.**

4 This Act may be cited as the “District of Columbia
5 Land Use Notification Act of 1993”.

1 **SEC. 2. REQUIRING CERTAIN FEDERAL AGENCIES TO PRO-**
2 **VIDE NOTICE TO DISTRICT OF COLUMBIA BE-**
3 **FORE CARRYING OUT ACTIVITIES AFFECTING**
4 **PROPERTY LOCATED IN DISTRICT.**

5 (a) REQUIREMENTS FOR GENERAL SERVICES AD-
6 MINISTRATION.—

7 (1) IN GENERAL.—Title II of the Federal Prop-
8 erty and Administrative Services Act of 1949 (40
9 U.S.C. 481 et seq.) is amended by adding at the end
10 the following new section:

11 “NOTICE TO DISTRICT OF COLUMBIA OF ACTIVITIES
12 AFFECTING PROPERTY LOCATED IN THE DISTRICT

13 “SEC. 213. (a) Except as provided in subsection (b),
14 the Administrator may not carry out any activity under
15 this title that affects real property located in the District
16 of Columbia (including transferring excess property or dis-
17 posing of surplus property) unless—

18 “(1) not later than 60 days before carrying out
19 such activity, the Administrator provides a notice de-
20 scribing such activity and the property affected to
21 the Mayor of the District of Columbia, the Chair of
22 the Council of the District of Columbia, and the
23 Chair of the Advisory Neighborhood Commission (as
24 established pursuant to section 738 of the District
25 of Columbia Self-Government and Governmental Re-

1 organization Act) in whose neighborhood such prop-
2 erty is located; and

3 “(2) the Administrator provides the individuals
4 described in paragraph (1) with the opportunity to
5 present oral or written comments on the activity to
6 the Administrator (or the Administrator’s designee)
7 before the Administrator carries out the activity.

8 “(b) The Administrator may waive the requirements
9 described in subsection (a) if the Administrator finds that
10 compliance with the requirements would jeopardize the
11 public safety or the national security interests of the Unit-
12 ed States, but only if the Administrator—

13 “(1) certifies such finding and the reasons for
14 such finding to the individuals described in para-
15 graph (1) of such subsection and to Congress; and

16 “(2) at the earliest time practicable, provides
17 such individuals with the notice described in para-
18 graph (1) of such subsection and the opportunity to
19 present comments described in paragraph (2) of
20 such subsection.”.

21 (2) CLERICAL AMENDMENT.—The table of con-
22 tents for such Act is amended by inserting after the
23 item relating to section 212 the following new item:

“Sec. 213. Notice to District of Columbia of activities affecting property
located in the District.”.

1 (b) NOTICE REQUIREMENTS FOR OTHER COVERED
2 AGENCIES.—

3 (1) IN GENERAL.—Except as provided in para-
4 graph (2), a covered agency (as defined in para-
5 graph (3)) may not carry out any activity that af-
6 fects real property located in the District of Colum-
7 bia unless—

8 (A) not later than 60 days before carrying
9 out such activity, such agency provides a notice
10 describing such activity and the property af-
11 fected to the Mayor of the District of Columbia,
12 the Chair of the Council of the District of Co-
13 lumbia, and the Chair of the Advisory Neigh-
14 borhood Commission (as established pursuant
15 to section 738 of the District of Columbia Self-
16 Government and Governmental Reorganization
17 Act) in whose neighborhood such property is lo-
18 cated; and

19 (B) the agency provides the individuals de-
20 scribed in subparagraph (A) with the oppor-
21 tunity to present oral or written comments on
22 the activity to a representative of the agency
23 before the agency carries out the activity.

24 (2) EXCEPTION FOR EMERGENCIES.—A covered
25 agency may waive the requirements of paragraph (1)

1 if the agency finds that compliance with the require-
2 ments would jeopardize the public safety or the na-
3 tional security interests of the United States, but
4 only if the agency—

5 (A) certifies such finding and the reasons
6 for such finding to the individuals described in
7 subparagraph (A) of such paragraph and to
8 Congress; and

9 (B) at the earliest time practicable, pro-
10 vides such individuals with the notice described
11 in subparagraph (A) of such paragraph and the
12 opportunity to present comments described in
13 subparagraph (B) of such paragraph.

14 (3) COVERED AGENCY DEFINED.—In this sub-
15 section, the term “covered agency” means any of the
16 following:

17 (A) The Architect of the Capitol.

18 (B) The National Park Service.

19 (C) The Smithsonian Institution.

20 (c) PRIOR APPROVAL FOR EVENTS AT TENNIS STA-
21 DIUM AT ROCK CREEK PARK.—No event may be held at
22 the William H. G. Fitzgerald Tennis Center at Rock Creek
23 Park without the prior approval of the Director of the
24 National Park Service and the Mayor of the District of
25 Columbia.

1 **SEC. 3. EFFECTIVE DATE.**

2 The amendments made by section 2(a) shall apply to
3 activities carried out after the expiration of the 60-day pe-
4 riod that begins on the date of the enactment of this Act,
5 and sections 2 (b) and (c) shall apply to activities carried
6 out and events held after the expiration of such period.

○