

ketable obligations of the United States of comparable maturities. The interest on such investments shall be credited to and form a part of the Fund. Moneys in the Fund shall be used exclusively to retire the obligations of the Board incurred under subsection (a) of this section. Adjustments of not greater than plus or minus 5 per centum may be made from time to time in the annual payments to the Fund in order to correct any gains or deficiencies as a result of fluctuations in interest rates over the life of the investments: *Provided, however,* That a final adjustment shall be made between the Board and the Secretary of the Treasury at the end of the amortization period to correct any overall gain or deficiency in the Fund. The terms of this adjustment shall be covered by a memorandum of understanding between the Board and the Secretary of the Treasury to be consummated on or before the time the initial payment into the Fund is made.

(Pub. L. 85-874, § 9, as added Pub. L. 88-260, §1(6), Jan. 23, 1964, 78 Stat. 5; amended Pub. L. 91-90, §1(b), Oct. 17, 1969, 83 Stat. 135; Pub. L. 98-473, title I, §101(c), Oct. 12, 1984, 98 Stat. 1837, 1876; Pub. L. 101-449, § 4, Oct. 22, 1990, 104 Stat. 1051.)

#### AMENDMENTS

1990—Subsec. (a). Pub. L. 101-449 substituted “chapter 31 of title 31” for “the Second Liberty Bond Act, as amended,” in two places.

1984—Pub. L. 98-473 designated existing provisions as subsec. (a), struck out provisions relating to interest on bonds, and added subsecs. (b) and (c).

1969—Pub. L. 91-90 substituted “\$20,400,000” for “\$15,400,000” in two places.

#### **§ 76p. Acceptance and disposition of gifts to the United States contributed in honor or memory of the late President John F. Kennedy**

The Secretary of the Treasury is authorized to accept on behalf of the United States any gift to the United States which the Secretary finds has been contributed in honor of or in memory of the late President John F. Kennedy and to pay the money to such appropriation or other accounts, including the appropriation accounts established pursuant to appropriations authorized by this subchapter, as in the judgment of the Secretary will best effectuate the intent of the donor.

(Pub. L. 85-874, § 10, as added Pub. L. 88-260, §1(6), Jan. 23, 1964, 78 Stat. 5; amended Pub. L. 103-279, § 6, July 21, 1994, 108 Stat. 1415.)

#### AMENDMENTS

1994—Pub. L. 103-279 substituted “which the Secretary finds” for “which he finds” and “the judgment of the Secretary” for “his judgment”.

#### **§ 76q. Sole national memorial to the late John F. Kennedy within the city of Washington and environs**

The John F. Kennedy Center for the Performing Arts, designated by this subchapter, shall be the sole national memorial to the late John Fitzgerald Kennedy within the city of Washington and its environs.

(Pub. L. 85-874, § 11, as added Pub. L. 88-260, §1(6), Jan. 23, 1964, 78 Stat. 5.)

#### **§ 76q-1. John F. Kennedy Center Plaza**

##### **(a) Definitions**

In this section, the following definitions apply:

##### **(1) Air rights**

The term “air rights” means real property interests conveyed by deed, lease, or permit for the use of space between streets and alleys within the boundaries of the Project.

##### **(2) Center**

The term “Center” means the John F. Kennedy Center for the Performing Arts.

##### **(3) Green spaces**

The term “green spaces” means areas within the boundaries of the Project or affected by the Project that are covered by grass, trees, or other vegetation.

##### **(4) Plaza**

The term “Plaza” means improvements to the area surrounding the John F. Kennedy Center building carried out under the Project and comprised of transportation elements (including roadways, sidewalks, and bicycle lanes) and non-transportation elements (including landscaping, green space, open public space, water, sewer, and utility connections).

##### **(5) Project**

The term “Project” means the Plaza project, as described in the TEA-21 report, providing for construction of a Plaza adjacent to the Center and for improved bicycle, pedestrian, and vehicular access to and around the Center. The term includes planning, design, engineering, and construction of the Plaza, buildings to be constructed on the Plaza, and related transportation improvements and may include any other elements of the Project identified in the TEA-21 report.

##### **(6) Secretary**

The term “Secretary” means the Secretary of Transportation.

##### **(7) TEA-21 report**

The term “TEA-21 report” means the report of the Secretary submitted to Congress under section 1214 of the Transportation Equity Act for the 21st Century (20 U.S.C. 76j note; 112 Stat. 204).

##### **(b) Responsibilities of the Secretary**

##### **(1) In general**

The Secretary shall be responsible for the Project and may undertake such activities as may be necessary to construct the Project, other than buildings to be constructed on the Plaza, substantially as described in the TEA-21 report.

##### **(2) Planning, design, engineering, and construction**

The Secretary shall be responsible for the planning, design, engineering, and construction of the Project, other than buildings to be constructed on the Plaza.

##### **(3) Agreements with the Board and other agencies**

The Secretary shall enter into memoranda of agreement with the Board and any appro-