

The Board has not promulgated substantive rules.

Since the function of the Board is to advise the President, there have been no general policy statements or interpretations to be issued to the public.

There have been no rules addressed to, or served upon, persons. In response to the request in paragraph 2 of your letter, I have designated John D. Roth, code 183, extension 6132 to serve in any necessary further liaison capacity. If I can be of any further assistance, please do not hesitate to let me know.

Sincerely yours,

JOHN W. MACY, Jr.,

Executive Secretary, Distinguished Civilian Service Awards Board.

REPLY FROM DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY,
Washington, D.C., March 5, 1965.

Hon. JOHN E. MOSS,
*Chairman, Foreign Operations and Government Information Subcommittee,
Committee on Government Operations, House of Representatives.*

DEAR MR. MOSS: In response to your letter dated February 12, 1965, it would appear that the provisions of 5 U.S.C. 1002 do not apply to the District of Columbia Redevelopment Land Agency.

The Land Agency is not a rulemaking, ratemaking, or license-issuing Agency within the objectives stated in the Administrative Procedure Act.

I hope that a short outline of the Agency's operations and functions may be somewhat more helpful than a question by question negative answer to your letter of February 12, 1965.

Because the Agency is not a rulemaking or ratemaking body, the rules and regulations which the Agency must follow and which are binding on the public, do not usually find their way into the Federal Register. In respect to federally assisted urban renewal projects, the Agency is subject to regulations promulgated by HHFA relating to relocation claims and payments.

The Agency, since late 1950 or early 1951, has been operating exclusively with funds authorized in the Housing Act of 1949, as amended and must, pursuant to contracts between the Agency and the HHFA Administrator acting on behalf of the United States, observe all of the applicable requirements of the three book "Urban Renewal Manual of Policies and Requirements for Local Public Agencies," which manual is available to the public at the U.S. Government Printing Office.

Of necessity, the Agency's procedures are fundamentally tied to its own enabling act, the District of Columbia Redevelopment Act of 1945, as amended. This act requires in section 6(b) as follows:

(b) For the exercise of the powers granted to the Agency by this Act for the acquisition and disposition of real property for the redevelopment of a project area, the following steps and plans shall be requisite, namely:

"(1) Adoption by the Planning Commission of the boundaries of the project area proposed by it, submission of such boundaries to the District Commissioners, and approval thereof by said Commissioners.

"(2) Adoption by the Planning Commission and submission to, and, after a public hearing thereon, approval by the District Commissioners, of the redevelopment plan of the project area which shall contain a site and use plan for the redevelopment of the area, including the approximate locations and extent of the land uses proposed for and within the area, such as public buildings, streets, and other public works and utilities, housing, recreation, business, industry, schools, public and private open spaces, and other categories of public and private uses. Such plan shall also contain specifications of standards of population density and building intensity. Any such plan may also specify, by means of specification of maximum rentals or other basis, the amount or character or class of any low-rent housing for which the area or part thereof is proposed to be redeveloped * * *."

Notwithstanding the fact that the Agency's procedures are not of a kind contemplated by the Administrative Procedure Act, there is ample promulgation of its public activities to insure that its actions are proper and legal and that a