

TERMINATION OF ADVISORY COMMISSIONS

Advisory commissions established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a commission established by the President or an officer of the Federal Government, such commission is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a commission established by the Congress, its duration is otherwise provided by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 6922. Duties

(a) IN GENERAL.—The National Visitor Facilities Advisory Commission shall—

(1) conduct continuing investigations and studies of sites and plans to provide additional facilities and services for visitors and students coming to the Nation’s Capital; and

(2) advise the Secretary of the Interior and the Administrator of General Services on the planning, construction, acquisition, and operation of those visitor facilities.

(b) STAFF AND FACILITIES.—The Director of the National Park Service, in consultation with the Administrator, shall provide the necessary staff and facilities to assist the Commission in carrying out its duties under this subchapter.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1203.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Rows for 6922(a) and 6922(b).

In subsection (a), the text of 40:821(1) is omitted as obsolete because there is no National Visitors Center.

§ 6923. Compensation and expenses

Members of the National Visitor Facilities Advisory Commission who are not officers or employees of the Federal Government or the government of the District of Columbia are entitled to receive compensation under section 3109 of title 5 and expenses under section 5703 of title 5.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1203.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row for 6923.

The words “expenses under section 5703 of title 5” are substituted for “travel expenses including per diem in lieu of subsistence as authorized by section 5703 of title 5 for persons in the government service employed intermittently” to eliminate unnecessary words.

§ 6924. Reports and recommendations

The National Visitor Facilities Advisory Commission shall report to the Secretary of the Interior and the Administrator of General Services the results of its studies and investigations. A report recommending additional facilities for visitors shall include the Commission’s recom-

mendations as to sites for the facilities to be provided, preliminary plans, specifications, and architectural drawings for the facilities, and the estimated cost of the recommended sites and facilities.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1203.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row for 6924.

The words “from time to time” are omitted as unnecessary. The word “reviews” is omitted as obsolete because the review is a continuing review of the National Visitors Center and there is no National Visitors Center. The words “site or” are omitted because of 1:1.

PART D—PUBLIC BUILDINGS, GROUNDS, AND PARKS IN THE DISTRICT OF COLUMBIA

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SUBCHAPTER I—GENERAL

§ 8101. Supervision of public buildings and grounds in District of Columbia not otherwise provided for by law

(a) IN GENERAL.—Under regulations the President prescribes, the Administrator of General Services shall have charge of the public buildings and grounds in the District of Columbia, except those buildings and grounds which otherwise are provided for by law.

(b) NOTICE OF UNLAWFUL OCCUPANCY.—If the Administrator, or the officer under the direction of the Administrator who is in immediate charge of those public buildings and grounds, decides that an individual is unlawfully occupying any part of that public land, the Administrator or officer in charge shall notify the United States marshal for the District of Columbia in writing of the unlawful occupation.

(c) EJECTION OF TRESPASSER.—The marshal shall have the trespasser ejected from the public land and shall restore possession of the land to the officer charged by law with the custody of the land.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1204.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 8101: 40:19, R.S. §1797; Apr. 28, 1902, ch. 594, [§]11 (6th par. on p. 152), 32 Stat. 152.

In this chapter, the words “Administrator of General Services” are substituted for “Chief of Engineers” [subsequently changed to “Director of Public Buildings and Public Parks of the National Capital” because of section 3 of the Act of February 26, 1925 (ch. 339, 43 Stat. 983), “Director of the National Park Service” because of section 2 of Executive Order No. 6166 (eff. June 10, 1933) and the Act of March 2, 1934 (ch. 38, 48 Stat. 389), and “Public Buildings Administrator” because of sections 301 and 303 of Reorganization Plan No. I of 1939 (eff. July 1, 1939, 53 Stat. 1426, 1427)] because of section 103(a) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 380), which is restated as section 303(c) [303(b)] of the revised title.

In subsection (a), the words “through the War Department” in section 1797 of the Revised Statutes are omitted because of section 3 of the Act of February 26, 1925 (ch. 339, 43 Stat. 983).

In subsection (b), the words “If the Administrator . . . decides” are substituted for “when it shall be made to appear to the said Administrator” for clarity. The words “in the District of Columbia” are omitted as unnecessary. The words “the Administrator and the officer in charge” are substituted for “the officer in charge” for clarity.

§ 8102. Protection of Federal Government buildings in District of Columbia

The Attorney General and the Secretary of the Treasury may prohibit—

(1) a vehicle from parking or standing on a street or roadway adjacent to a building in the District of Columbia—

- (A) at least partly owned or possessed by, or leased to, the Federal Government; and
(B) used by law enforcement authorities subject to their jurisdiction; and

(2) a person or entity from conducting business on property immediately adjacent to a building described in paragraph (1).

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1205.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 8102: 40:137, Pub. L. 104–132, title VIII, § 803, Apr. 24, 1996, 110 Stat. 1305.

§ 8103. Application of District of Columbia laws to public buildings and grounds

(a) APPLICATION OF LAWS.—Laws and regulations of the District of Columbia for the protection of public or private property and the preservation of peace and order are extended to all public buildings and public grounds belonging to the Federal Government in the District of Columbia.

(b) PENALTIES.—A person shall be fined under title 18, imprisoned for not more than six months, or both if the person—

- (1) is guilty of disorderly and unlawful conduct in or about those public buildings or public grounds;
(2) willfully injures the buildings or shrubs;
(3) pull downs, impairs, or otherwise injures any fence, wall, or other enclosure;
(4) injures any sink, culvert, pipe, hydrant, cistern, lamp, or bridge; or
(5) removes any stone, gravel, sand, or other property of the Government, or any other part of the public grounds or lots belonging to the Government in the District of Columbia.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1205.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 8103: 40:101, July 29, 1892, ch. 320, §15, 27 Stat. 325; Pub. L. 90–108, §2, Oct. 20, 1967, 81 Stat. 277.

In subsection (b), the word “enclosure” is substituted for “inclosure” to use the more understood term.

§ 8104. Regulation of private and semipublic buildings adjacent to public buildings and grounds

(a) FACTORS FOR DEVELOPMENT.—In view of the provisions of the Constitution respecting the establishment of the seat of the National Government, the duties it imposed on Congress in connection with establishing the seat of the National Government, and the solicitude shown and the efforts exerted by President Washington in the planning and development of the Capital City, the development should proceed along the lines of good order, good taste, and with due regard to the public interests involved, and a reasonable degree of control should be exercised over the architecture of private or semipublic buildings adjacent to public buildings and grounds of major importance.

(b) SUBMISSION OF APPLICATION TO COMMISSION OF FINE ARTS.—The Mayor of the District of Columbia shall submit to the Commission of Fine Arts an application for a permit to erect or alter any building, a part of which fronts or abuts on the grounds of the Capitol, the grounds of the White House, the part of Pennsylvania Avenue

extending from the Capitol to the White House, Lafayette Park, Rock Creek Park, the Zoological Park, the Rock Creek and Potomac Parkway, Potomac Park, or The Mall Park System and public buildings adjacent to the System, or abuts on any street bordering any of those grounds or parks, so far as the plans relate to height and appearance, color, and texture of the materials of exterior construction.

(c) **REPORT TO MAYOR.**—The Commission shall report promptly its recommendations to the Mayor, including any changes the Commission decides are necessary to prevent reasonably avoidable impairment of the public values belonging to the public building or park. If the Commission fails to report its approval or disapproval of a plan within 30 days, the report is deemed approved and a permit may be issued.

(d) **ACTION BY THE MAYOR.**—The Mayor shall take action the Mayor decides is necessary to effect reasonable compliance with the recommendation under subsection (c).

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1205; Pub. L. 109–284, § 6(22), Sept. 27, 2006, 120 Stat. 1213.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
8104	40:121.	May 16, 1930, ch. 291, § 1, 46 Stat. 366; July 31, 1939, ch. 400, 53 Stat. 1144.

In this chapter, the word “Mayor” is substituted for “Commissioners” [meaning the Board of Commissioners of the District of Columbia] [subsequently changed to “Commissioner” (meaning the Commissioner of the District of Columbia) because of section 401 of Reorganization Plan No. 3 of 1967 (eff. Nov. 3, 1967, 81 Stat. 951)] because of section 421 of the District of Columbia Home Rule Act (Public Law 93–198, 87 Stat. 789).

In subsection (a), the words “it is hereby declared that” are omitted as unnecessary.

In subsection (b), the words “To this end, hereafter” are omitted as unnecessary.

AMENDMENTS

2006—Subsec. (b). Pub. L. 109–284 substituted “Commission of Fine Arts” for “Commission on Fine Arts”.

§ 8105. Approval by Administrator of General Services

Subject to applicable provisions of existing law relating to the functions in the District of Columbia of the National Capital Planning Commission and the Commission of Fine Arts, only the Administrator of General Services is required to approve sketches, plans, and estimates for buildings to be constructed by the Administrator, except that the Administrator and the United States Postal Service must approve buildings designed for post office purposes.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1206; Pub. L. 109–284, § 6(23), Sept. 27, 2006, 120 Stat. 1213.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
8105	40:128.	June 14, 1946, ch. 404, § 8, 60 Stat. 258.

The words “On and after June 14, 1946” are omitted as obsolete. The words “National Capital Planning Com-

mission” are substituted for “National Capital Park and Planning Commission” because of section 9 of the Act of June 6, 1924 (ch. 270), as added by section 1 of the Act of July 19, 1952 (ch. 949, 66 Stat. 790). See section 8711(f) of the revised title. The words “Administrator of General Services” are substituted for “Commissioner of Public Buildings” because of section 103(a) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 380), which is restated as section 303(c) [303(b)] of the revised title. The words “constructed by the Administrator” are substituted for “constructed by the Public Buildings Administration” [subsequently changed to “constructed by the General Services Administration” because of section 103(a)] because of section 101(b) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 379), which is restated as section 302(a) of the revised title. The words “United States Postal Service” are substituted for “Postmaster General” because of section 4(a) of the Postal Reorganization Act (Public Law 91–375, 84 Stat. 773).

AMENDMENTS

2006—Pub. L. 109–284 substituted “post office” for “post-office”.

§ 8106. Buildings on reservations, parks, or public grounds

A building or structure shall not be erected on any reservation, park, or public grounds of the Federal Government in the District of Columbia without express authority of Congress.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1206.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
8106	40:68.	Aug. 24, 1912, ch. 355, § 1 (10th par. on p. 444), 37 Stat. 444.

The words “On and after August 24, 1912” are omitted as obsolete.

§ 8107. Advertisements and sales in or around Washington Monument

Except on the written authority of the Director of the National Park Service, advertisements of any kind shall not be displayed, and articles of any kind shall not be sold, in or around the Washington Monument.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1206.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
8107	40:43.	Mar. 4, 1909, ch. 299, § 1 (proviso in 2d par. on p. 997), 35 Stat. 997.

The words “Director of the National Park Service” are substituted for “Secretary of War” [subsequently changed to “Director of Public Buildings and Public Parks of the National Capital”] because of section 3 of the Act of February 26, 1925 (ch. 339, 43 Stat. 983) because of section 2 of Executive Order No. 6166 (eff. June 10, 1933) and the Act of March 2, 1934 (ch. 38, 48 Stat. 389).

§ 8108. Use of public buildings for public ceremonies

Except as expressly authorized by law, public buildings in the District of Columbia (other than the Capitol Building and the White House),

and the approaches to those public buildings, shall not be used or occupied in connection with ceremonies for the inauguration of the President or other public functions.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1206.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8108	40:31.	Apr. 28, 1902, ch. 594, [§]1 (last par. on p. 152), 32 Stat. 152.

The words “in any manner whatever” are omitted as unnecessary.

SUBCHAPTER II—JURISDICTION

§ 8121. Improper appropriation of streets

(a) AUTHORITY.—The Secretary of the Interior shall—

(1) prevent the improper appropriation or occupation of any public street, avenue, square, or reservation in the District of Columbia that belongs to the Federal Government;

(2) reclaim the street, avenue, square, or reservation if unlawfully appropriated;

(3) prevent the erection of any permanent building on property reserved to or for the use of the Government, unless plainly authorized by law; and

(4) report to Congress at the beginning of each session on the Secretary’s proceedings in the premises, together with a full statement of all property described in this subsection, and how, and by what authority, the property is occupied or claimed.

(b) APPLICATION.—This section does not interfere with the temporary and proper occupation of any part of the property described in subsection (a), by lawful authority, for the legitimate purposes of the Government.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1206.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8121	40:66.	R.S. §1818.

In subsection (a)(1), the words “the District of Columbia” are substituted for “the city of Washington” for consistency in the revised title and with other titles of the United States Code.

In subsection (a)(3), the word “particularly” is omitted as unnecessary.

§ 8122. Jurisdiction over portion of Constitution Avenue

The Director of the National Park Service has jurisdiction over that part of Constitution Avenue west of Virginia Avenue that was under the control of the Commissioners of the District of Columbia prior to May 27, 1908.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1207.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8122	40:64.	May 27, 1908, ch. 200, §1 (1st complete par. on p. 356), 35 Stat. 356.

For transfer of functions from the Chief of Engineers to the Director of the National Park Service, see the revision note under section 8102 of this title. The words “Constitution Avenue” are substituted for “B Street” to reflect the current name.

§ 8123. Record of transfer of jurisdiction between Director of National Park Service and Mayor of District of Columbia

When in accordance with law or mutual legal agreement, spaces or portions of public land are transferred between the jurisdiction of the Director of the National Park Service, as established by the Act of July 1, 1898 (ch. 543, 30 Stat. 570), and the Mayor of the District of Columbia, the letters of transfer and acceptance exchanged between them are sufficient authority for the necessary change in the official maps and for record when necessary.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1207.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8123	40:79.	July 1, 1898, ch. 543, §5, 30 Stat. 570.

For transfer of functions from the Chief of Engineers to the Director of the National Park Service, see the revision note under section 8102 of this title. The word “Mayor” is substituted for “Commissioners” [meaning the Board of Commissioners of the District of Columbia] [which subsequently should have been changed to “Commissioner” (meaning the Commissioner of the District of Columbia) rather than “District of Columbia Council” because of section 401 of Reorganization Plan No. 3 of 1967 (eff. Nov. 3, 1967, 81 Stat. 951)] because of section 421 of the District of Columbia Home Rule Act (Public Law 93-198, 87 Stat. 789).

REFERENCES IN TEXT

The Act of July 1, 1898, referred to in text, is act July 1, 1898, ch. 543, 30 Stat. 570, as amended, which enacted sections 60, 75, 78, 79, and 80 of former Title 40, Public Buildings, Property, and Works, and amended section 67 of former Title 40. Sections 60, 67, 75, 78, and 80 of former Title 40 have been omitted from the Code. Section 79 of former Title 40 was repealed and reenacted as this section by Pub. L. 107-217, §§1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1304. For complete classification of this Act to the Code, see Tables.

§ 8124. Transfer of jurisdiction between Federal and District of Columbia authorities

(a) TRANSFER OF JURISDICTION.—Federal and District of Columbia authorities administering properties in the District that are owned by the Federal Government or by the District may transfer jurisdiction over any part of the property among or between themselves for purposes of administration and maintenance under conditions the parties agree on. The National Capital Planning Commission shall recommend the transfer before it is completed.

(b) REPORT TO CONGRESS.—The District authorities shall report all transfers and agreements to Congress.

(c) CERTAIN LAWS NOT REPEALED.—Subsection (a) does not repeal any law in effect on May 20, 1932, which authorized the transfer of jurisdiction of certain land among and between federal and District authorities.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1207.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
8124(a), (b)	40:122.	May 20, 1932, ch. 197, §1, 47 Stat. 161; Aug. 30, 1954, ch. 1076, §(20), 68 Stat. 967.
8124(c)	40:123.	May 20, 1932, ch. 197, §2, 47 Stat. 162.

In subsection (a), the words “National Capital Planning Commission” are substituted for “National Capital Park and Planning Commission” because of section 9 of the Act of June 6, 1924 (ch. 270), as added by section 1 of the Act of July 19, 1952 (ch. 949, 66 Stat. 790). See section 8711(f) of the revised title.

In subsection (c), the words “but all such laws shall remain in full force and effect” are omitted as unnecessary.

§ 8125. Public spaces resulting from filling of canals

The Director of the National Park Service has jurisdiction over all public spaces resulting from the filling of canals in the original city of Washington that were not under the jurisdiction of the Chief of Engineers of the United States Army as of August 1, 1914, except spaces included in the navy yard or in actual use as roadways and sidewalks and spaces assigned by law to the District of Columbia for use as a property yard and the location of a sewage pumping station. The spaces shall be laid out as reservations as a part of the park system of the District of Columbia.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1207.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
8125	40:82.	Aug. 1, 1914, ch. 223, §1 (last par. on p. 633), 38 Stat. 633.

For transfer of functions from the Chief of Engineers to the Director of the National Park Service, see the revision note under section 8102 of this title. However, the words “Chief of Engineers of the United States Army” in the source provision are retained for historical purposes.

§ 8126. Temporary occupancy of Potomac Park by Secretary of Agriculture

(a) NOT MORE THAN 75 ACRES.—The Director of the National Park Service may allow the Secretary of Agriculture to temporarily occupy as a testing ground not more than 75 acres of Potomac Park not needed in any one season for reclamation or park improvement. The Secretary shall vacate the area at the close of any season on the request of the Director.

(b) CONTINUE AS PUBLIC PARK UNDER DIRECTOR.—This section does not change the essential character of the land used, which shall continue to be a public park under the charge of the Director.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1207.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
8126(a)	40:89 (words before provisos, 2d proviso).	Mar. 3, 1899, ch. 458, §2 (2d par.), 30 Stat. 1378.
8126(b)	40:89 (1st, last provisos).	

For transfer of functions from the Secretary of War to the Director of the National Park Service, see the revision note under section 8108 of this title.

In subsection (a), the words “of such area or areas” and “in extent” are omitted as unnecessary.

In subsection (b), the words “as provided in section 86 of this title” are omitted as obsolete.

§ 8127. Part of Washington Aqueduct for playground purposes

(a) JURISDICTION OF MAYOR.—The Mayor of the District of Columbia has possession, control, and jurisdiction of the land of the Washington Aqueduct adjacent to the Champlain Avenue pumping station and lying outside of the fence around the pumping station as it—

- (1) existed on August 31, 1918; and
- (2) was transferred by the Chief of Engineers for playground purposes.

(b) JURISDICTION OF SECRETARY OF THE ARMY NOT AFFECTED.—This section does not affect the superintendence and control of the Secretary of the Army over the Washington Aqueduct and the rights, appurtenances, and fixtures connected with the Aqueduct.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1208.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
8127	40:100.	Aug. 31, 1918, ch. 164, §1 (6th par., words before “and over” in last par. under heading “Washington Aqueduct.”), 40 Stat. 951.

In this section, the word “Mayor” is substituted for “Commissioners” [meaning the Board of Commissioners of the District of Columbia] [subsequently changed to “Commissioner” [meaning the Commissioner of the District of Columbia] because of section 401 of Reorganization Plan No. 3 of 1967 (eff. Nov. 3, 1967, 81 Stat. 951)] because of section 421 of the District of Columbia Home Rule Act (Public Law 93–198, 87 Stat. 789).

In subsection (a), before clause (1), the word “use” is omitted as included in “possession, control, and jurisdiction”.

In subsection (b), the words “Secretary of the Army” are substituted for “Secretary of War” because of section 205(a) of the Act of July 26, 1947 (ch. 343, 61 Stat. 501). Section 205(a) was repealed by section 53 of the Act of August 10, 1956 (ch. 1041, 70A Stat. 676), the first section of which enacted Title 10, United States Code. Sections 3010–3013 of title 10 continued the Department of the Army under the administrative supervision of the Secretary of the Army.

SUBCHAPTER III—SERVICES FOR FACILITIES

§ 8141. Contract to rent buildings in the District of Columbia not to be made until appropriation enacted

A contract shall not be made for the rent of a building, or part of a building, to be used for the purposes of the Federal Government in the District of Columbia until Congress enacts an appropriation for the rent. This section is deemed to be notice to all contractors or lessors of the building or a part of the building.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1208.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8141	40:34.	Mar. 3, 1877, ch. 106 (words after 2d semicolon in 3d par. under heading "Miscellaneous"), 19 Stat. 370.

§ 8142. Rent of other buildings

An executive department of the Federal Government renting a building for public use in the District of Columbia may rent a different building instead if it is in the public interest to do so. This section does not authorize an increase in the number of buildings in use or in the amount paid for rent.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1208.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8142	40:35.	Aug. 5, 1882, ch. 389 1 [sic] (2d sentence in 8th par. on p. 241), 22 Stat. 241.

The word "now" in the Act of August 5, 1882 is omitted as obsolete.

§ 8143. Heat

(a) CORCORAN GALLERY OF ART.—The Administrator of General Services may furnish heat from the central heating plant to the Corcoran Gallery of Art, if the Corcoran Gallery of Art agrees to—

- (1) pay for heat furnished at rates the Administrator determines; and
- (2) connect the building with the Federal Government mains in a manner satisfactory to the Administrator.

(b) BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.—The Administrator may furnish steam from the central heating plant for the use of the Board of Governors of the Federal Reserve System on the property which the Board acquired in squares east of 87 and east of 88 in the District of Columbia if the Board agrees to—

- (1) pay for the steam furnished at reasonable rates the Administrator determines but that are at least equal to cost; and
- (2) provide the necessary connections with the Government mains at its own expense and in a manner satisfactory to the Administrator.

(c) NON-FEDERAL PUBLIC BUILDINGS.—The Administrator shall determine the rates to be paid for steam furnished to the Corcoran Gallery of Art, the Pan American Union Buildings, the American Red Cross Buildings, and other non-federal public buildings authorized to receive steam from the central heating plant.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1208.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8143(a)	40:22a.	June 19, 1934, ch. 648 (last par. on p. 1044), 48 Stat. 1044.
8143(b)	40:22b.	June 27, 1935, ch. 320, §§ 1, 2, 49 Stat. 425.
8143(c)	40:22c.	

In subsection (a), the words "Administrator of General Services" are substituted for "Treasury Department", "Secretary of the Treasury", and "[]Public Works Branch, Procurement Division, Treasury Department" [subsequently changed to "Federal Works Agency", "[]Federal Works Administrator", and "Public Buildings Administration, Federal Works Agency", respectively, because of sections 301 and 303 of Reorganization Plan No. I of 1939 (eff. July 1, 1939, 53 Stat. 1426, 1427)] because of section 103(a) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 380), which is restated as section 303(c) [303(b)] of the revised title. In clause (1), the words "not less than cost" are omitted because of 40:22c, restated as subsection (c).

In subsections (b) and (c), the word "Administrator" is substituted for "Secretary of the Interior, through the National Park Service" and "Secretary of the Interior" [both subsequently changed to "Federal Works Administrator" because of sections 301 and 303 of Reorganization Plan No. I of 1939 (eff. July 1, 1939, 53 Stat. 1426, 1427)] because of section 103(a) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 380), which is restated as section 303(c) [303(b)] of the revised title.

In subsection (b), before clause (1), the words "Board of Governors of the Federal Reserve System" are substituted for "Federal Reserve Board" because of section 203(a) of the Banking Act of 1935 (ch. 614, 49 Stat. 704).

In subsection (c), the words "On and after June 27" are omitted as obsolete. The words "the Pan American Union buildings" are substituted for "the buildings, old and new, of the Pan American Union" for clarity. The words "as are or hereafter may be" are omitted as unnecessary.

§ 8144. Delivery of fuel for use during ensuing fiscal year

During April, May, and June of each year, the Administrator of General Services may deliver to all branches of the Federal Government and the government of the District of Columbia as much fuel for their use during the following fiscal year as may be practicable to store at the points of consumption. The branches of the Federal Government and the government of the District of Columbia shall pay for the fuel from their applicable appropriations for that fiscal year.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1209.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8144	40:113.	June 5, 1920, ch. 235 (2d complete par. on p. 913), 41 Stat. 913.

The words "the months of" are omitted as unnecessary. The words "Administrator of General Services" are substituted for "Secretary of the Interior" [subsequently changed to "[]Secretary of the Treasury" because of Executive Order No. 4239 (eff. July 1, 1925) and section 1 of Executive Order No. 6166 (eff. June 10, 1933)] because of sections 109(a) and 201(a)(2) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 382, 384), restated as sections 321(b)(1) and 501(d) of the revised title. The word "Government" is substituted for "service" for clarity and for consistency in the revised title and with other titles of the United States Code. The word "municipal" is omitted as unnecessary.

SUBCHAPTER IV—MISCELLANEOUS

§ 8161. Reservation of parking spaces for Members of Congress

The Council of the District of Columbia shall designate, reserve, and properly mark appropriate and sufficient parking spaces on the streets adjacent to all public buildings in the District for the use of Members of Congress engaged in public business.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1209.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 8161, 40:60a., June 29, 1956, ch. 479 (3d par. under heading "Department of Vehicles and Traffic"), 70 Stat. 447.

The words "On and after June 29, 1956" are omitted as obsolete. The words "Council of the District of Columbia" are substituted for ["Commissioners" [meaning the Board of Commissioners of the District of Columbia] [subsequently changed to "District of Columbia Council" because of section 402(300) of Reorganization Plan No. 3 of 1967 (eff. Nov. 3, 1967, 81 Stat. 969)] because of sections 401 and 404(a) of the District of Columbia Home Rule Act (Public Law 93-198, 87 Stat. 785, 787).

§ 8162. Ailanthus trees prohibited

Ailanthus trees shall not be purchased for, or planted in, the public grounds.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1209.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 8162, 40:102., R.S. §1830.

The word "ailanthus" is substituted for "ailantus" to correct an error in the source provision.

§ 8163. Use of greenhouses and nursery for trees, shrubs, and plants

The greenhouses and nursery shall be used only for the propagation of trees, shrubs, and plants suitable for planting in the public reservations. Only those trees, shrubs, and plants shall be planted in the public reservations.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1209.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 8163, 40:103., June 20, 1878, ch. 359 (proviso in 2d par. under heading "Building and Grounds in and Around Washington and the Executive Mansion"), 20 Stat. 220.

The words "On and after June 20, 1878" are omitted as obsolete. The words "Only those trees, shrubs, and plants shall be planted in the public reservations" are substituted for "to which purpose only the said productions of the greenhouses and nursery shall be applied" for clarity.

§ 8164. E. Barrett Prettyman United States Courthouse

(a) OPERATION, MAINTENANCE, AND REPAIR.—The operation, maintenance, and repair of the E.

Barrett Prettyman United States Courthouse, used by the United States Court of Appeals for the District of Columbia and the United States District Court for the District of Columbia, is under the control of the Administrator of General Services.

(b) ALLOCATION OF SPACE.—The allocation of space in the Courthouse is vested in the chief judge of the United States Court of Appeals for the District of Columbia and the chief judge of the United States District Court for the District of Columbia.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1209.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 8164(a), 40:129a., 40:130 (words before last comma), 40:130a., 40:130 (words after last comma). Row 2: 8164(b), 40:129a., 40:130 (words before last comma), 40:130a., 40:130 (words after last comma).

In this section, the words "United States District Court for the District of Columbia" are substituted for "District Court of the United States for the District of Columbia" because of section 32(b) of the Act of June 25, 1948 (ch. 646, 62 Stat. 991), as amended by section 127 of the Act of May 24, 1949 (ch. 139, 63 Stat. 107).

In subsection (a), the words "the E. Barrett Prettyman United States Courthouse" are substituted for "the completed building" because of section 2 of the Act of July 1, 1996 (Public Law 104-151, 110 Stat. 1383). The words "Administrator of General Services" are substituted for "Public Buildings Administration, in the Federal Works Agency" because of 103(a) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 380), which is restated as section 303(c) [303(b)] of the revised title. The text of 40:129a (words before last proviso) is omitted as obsolete. The text of 40:129a (last proviso) is omitted because of section 173(a)(1) of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (Public Law 91-358, 84 Stat. 591). The text of 40:130a is omitted as unnecessary.

In subsection (b), the words "chief judge" are substituted for "chief justice" in both places because of section 32(a) of the Act of June 25, 1948 (ch. 646, 62 Stat. 991), as amended by section 127 of the Act of May 24, 1949 (ch. 139, 63 Stat. 107).

WILLIAM B. BRYANT ANNEX DESIGNATION

Pub. L. 109-101, §§3, 4, Nov. 11, 2005, 119 Stat. 2171, provided that:

"SEC. 3. DESIGNATION OF WILLIAM B. BRYANT ANNEX.

"The annex, located on the 200 block of 3rd Street Northwest in the District of Columbia, to the E. Barrett Prettyman Federal Building and United States Courthouse located at Constitution Avenue Northwest in the District of Columbia shall be known and designated as the 'William B. Bryant Annex'.

"SEC. 4. REFERENCES.

"Any reference in a law, map, regulation, document, paper, or other record of the United States to the annex referred to in section 3 shall be deemed to be a reference to the 'William B. Bryant Annex'."

E. BARRETT PRETTYMAN UNITED STATES COURTHOUSE DESIGNATION

Pub. L. 104-151, July 1, 1996, 110 Stat. 1383, provided that:

"SECTION 1. DESIGNATION OF COURTHOUSE.

"The United States courthouse located at 3rd Street and Constitution Avenue, Northwest, in Washington,

District of Columbia, shall be designated and known as the ‘E. Barrett Prettyman United States Courthouse’.

“SEC. 2. REFERENCES.

“Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the ‘E. Barrett Prettyman United States Courthouse’.”

§ 8165. Services for Office of Personnel Management

For carrying out the work of the Director of the Office of Personnel Management and the examinations provided for in sections 3304 and 3305 of title 5, the Administrator of General Services shall—

- (1) assign or provide suitable and convenient rooms and accommodations, which are furnished, heated, and lighted, in Washington, D.C.;
(2) supply necessary stationery and other articles; and
(3) arrange for or provide necessary printing.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1210.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 8165, 40:42, Jan. 16, 1883, ch. 27, § 4, 22 Stat. 405.

In this section, the words “the Director of the Office of Personnel Management and the examinations provided for in sections 3304 and 3305 of title 5” are substituted for “said commission and said examinations” in section 4 of the Act of January 16, 1883, because of section 102 of Reorganization Plan No. 2 of 1978 (eff. Jan. 1, 1979, 92 Stat. 3783) and section 7(b) of the Act of September 6, 1966 (Public Law 89–554, 80 Stat. 631), the first section of which enacted Title 5, United States Code. The words “Administrator of General Services” are substituted for “Secretary of the Interior” [subsequently changed to “Civil Service Commission” because of section 1 (1st complete par. on p. 642) of the Act of May 29, 1920 (ch. 214, 41 Stat. 642)] because of sections 1 and 2 of Reorganization Plan No. 18 of 1950 (eff. July 1, 1950, 64 Stat. 1270).

CHAPTER 83—WASHINGTON METROPOLITAN REGION DEVELOPMENT

Table with 2 columns: Sec., Definition. Rows 8301-8304.

§ 8301. Definition

In this chapter, the term “Washington metropolitan region” includes the District of Columbia, the counties of Montgomery and Prince Georges in Maryland, and the counties of Arlington and Fairfax and the cities of Alexandria and Falls Church in Virginia.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1210.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 8301, 40:135, Pub. L. 86–527, § 6, June 27, 1960, 74 Stat. 224.

§ 8302. Necessity for coordination in the development of the Washington metropolitan region

Because the District of Columbia is the seat of the Federal Government and has become the urban center of a rapidly expanding Washington metropolitan region, the necessity for the continued and effective performance of the functions of the Government in the District of Columbia, the general welfare of the District of Columbia, the health and living standards of the people residing or working in the District of Columbia, and the conduct of industry, trade, and commerce in the District of Columbia require that to the fullest extent possible the development of the District of Columbia and the management of its public affairs, and the activities of the departments, agencies, and instrumentalities of the Government which may be carried out in, or in relation to, the other areas of the Washington metropolitan region, shall be coordinated with the development of those other areas and with the management of their public affairs so that, with the cooperation and assistance of those other areas, all of the areas in the Washington metropolitan area shall be developed and their public affairs shall be managed so as to contribute effectively toward the solution of the community development problems of the Washington metropolitan region on a unified metropolitan basis.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1210.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 8302, 40:131, Pub. L. 86–527, § 2, June 27, 1960, 74 Stat. 223.

The words “The Congress hereby declares that” are omitted as obsolete. The words “at the seat of said Government” are omitted as unnecessary.

§ 8303. Declaration of policy of coordinated development and management

The policy to be followed for the attainment of the objective established by section 8302 of this title, and for the more effective exercise by Congress, the executive branch of the Federal Government, the Mayor of the District of Columbia, and all other officers, agencies, and instrumentalities of the District of Columbia of their respective functions, powers, and duties in respect of the Washington metropolitan region, shall be that the functions, powers, and duties shall be exercised and carried out in a manner that (with proper recognition of the sovereignty of Maryland and Virginia in respect of those areas of the Washington metropolitan region that are located within their respective jurisdictions) will best facilitate the attainment of the coordinated development of the areas of the Washington metropolitan area and the coordinated management of their public affairs so as to contribute effectively to the solution of the community development problems of the Washington metropolitan region on a unified metropolitan basis.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1210.)