

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

The Administrator of General Services is authorized to deliver, during the months of April, May, and June of each year, to all branches of the Federal service and the municipal government in the District of Columbia, such quantities of fuel for their use during the following fiscal year as it may be practicable to store at the points of consumption, payment therefor to be made by these branches of the Federal service and municipal government from their applicable appropriations for such fiscal year.

(June 5, 1920, ch. 235, 41 Stat. 913; Ex. Ord. No. 4239, July 1, 1925; Ex. Ord. No. 6166, §1, June 10, 1933.)

CODIFICATION

Section is based on Sundry Civil Appropriation Act June 5, 1920, fiscal year 1920.

TRANSFER OF FUNCTIONS

Transfers of functions in respect to Government fuel yards by Executive Orders and act June 30, 1949, ch. 288, 63 Stat. 380, see sections 474, 481, and 756 of this title.

The authority of this section originally, by act June 5, 1920, was vested in Secretary of the Interior.

§ 114. Repealed. Oct. 31, 1951, ch. 654, § 1(88), 65 Stat. 704

Section, act Jan. 24, 1923, ch. 42, 42 Stat. 1211, related to payments by various branches of Federal service for fuel furnished, and method thereof. See section 756 of this title.

§§ 115, 115a. Omitted

CODIFICATION

Section 115, act Mar. 1, 1933, ch. 144, title III, 47 Stat. 1406, related to requirement that all moneys received from sales of fuel be credited to appropriation for operating expenses of fuel yard.

Section 115a, act Mar. 1, 1933, ch. 144, title III, 47 Stat. 1406, related to purchases of coal and wood by government fuel yards and application of statutory requirements as to weighing etc.

§§ 116, 117. Repealed. Oct. 31, 1951, ch. 654, § 1(85), (88), 65 Stat. 704

Section 116, act July 1, 1918, ch. 113, 40 Stat. 673, prohibited use of any moneys appropriated in taking over or in any way interfering with the yards or coal dumps or other facilities for storage and distribution of coal that were used and occupied during the year preceding July 1, 1918, by coal dealers for supplying the general public.

Section 117, act Jan. 24, 1923, ch. 42, 42 Stat. 1211, related to use of appropriations for maintenance and operation of fuel yard in District of Columbia for acquisition of land therefor and construction of a garage building thereon. See section 756 of this title.

§ 118. Repealed. June 30, 1949, ch. 288, title VI, § 602(a)(25), formerly title V, § 502(a)(25), 63 Stat. 401; renumbered Sept. 5, 1950, ch. 849, § 6(a), (b), 64 Stat. 583

Section, act June 5, 1920, ch. 235, 41 Stat. 913; Ex. Ord. No. 4239, July 1, 1925; Ex. Ord. No. 6166, §1, June 10, 1933, related to exchange of motor vehicles and other equipment used by fuel yards for new equipment. See section 471 et seq. of this title and section 251 et seq. of Title 41, Public Contracts.

EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1949, see section 505 of act June 30, 1949.

§ 119. Repealed. Oct. 31, 1951, ch. 654, § 1(89), 65 Stat. 705

Section, act June 5, 1920, ch. 235, 41 Stat. 913, related to hauling of sand, gravel, stone, etc., in trucks of Government fuel yards, and payment therefor. See sections 474, 481, and 756 of this title.

§ 120. Omitted

CODIFICATION

Section, act Aug. 30, 1890, ch. 837, §3, 26 Stat. 412, related to proceedings for acquisition of lands in District of Columbia. See notes set out under section 72 of this title.

§ 121. Regulation of height, design, and construction of private and semipublic buildings adjacent to public buildings and grounds; building permits

In view of the provisions of the Constitution respecting the establishment of the seat of the National Government, the duties it imposed upon Congress in connection therewith, and the solicitude shown and the efforts exerted by President Washington in the planning and development of the Capital City, it is hereby declared that such 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. To this end, hereafter when application is made for permit for the erection or alteration of any building, any portion of which is to front or abut upon the grounds of the Capitol, the grounds of the White House, the portion 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, The Mall Park System and public buildings adjacent thereto, or abutting upon any street bordering any of said grounds or parks, the plans therefor, so far as they relate to height and appearance, color, and texture of the materials of exterior construction, shall be submitted by the Mayor of the District of Columbia to the Commission of Fine Arts; and the said Commission shall report promptly to said Mayor its recommendations, including such changes, if any, as in its judgment are necessary to prevent reasonably avoidable impairment of the public values belonging to such public building or park; and said Mayor shall take such action as shall, in his judgment, effect reasonable compliance with such recommendation: *Provided*, That if the said Commission of Fine Arts fails to report its approval or disapproval of such plans within thirty days, its approval thereof shall be assumed and a permit may be issued.

(May 16, 1930, ch. 291, §1, 46 Stat. 366; July 31, 1939, ch. 400, 53 Stat. 1144; 1967 Reorg. Plan No. 3, § 401, eff. Nov. 3, 1967, 32 F.R. 11669, 81 Stat. 951; Pub. L. 93-198, title IV, §421, Dec. 24, 1973, 87 Stat. 789.)

AMENDMENTS

1939—Act July 31, 1939, inserted reference to Lafayette Park.

TRANSFER OF FUNCTIONS

Except as otherwise provided in Reorg. Plan No. 3 of 1967, functions of Board of Commissioners of District of Columbia transferred to Commissioner of District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, §711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198. Accordingly, "Mayor" substituted in text for "commissioner".

AREA OF PLATS REQUIRING CERTAIN BUILDING PERMITS

Section 2 of act May 16, 1930, provided that: "Said Commissioners of the District of Columbia, in consultation with the National Capital Park and Planning Commission, as early as practicable after approval of this act [enacting this section], shall prepare plats defining the areas within which application for building permits shall be submitted to the Commission of Fine Arts for its recommendations."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 616 of this title.

§ 122. Jurisdiction over public lands; transfer by Federal and District authorities

Federal and District authorities administering properties within the District of Columbia owned by the United States or by the said District are authorized to transfer jurisdiction over parts or all of such properties among or between themselves for purposes of administration and maintenance under such conditions as may be mutually agreed upon: *Provided*, That prior to the consummation of any transfer hereunder such proposed transfer shall be recommended by the National Capital Planning Commission: *Provided further*, That all such transfers and agreements shall be reported to Congress by the District authorities concerned.

(May 20, 1932, ch. 197, §1, 47 Stat. 161; June 6, 1924, ch. 270, §9, as added July 19, 1952, ch. 949, §1, 66 Stat. 790; Aug. 30, 1954, ch. 1076, §1(20), 68 Stat. 967.)

AMENDMENTS

1954—Act Aug. 30, 1954, repealed requirement that Federal authorities concerned should also report to Congress all transfers and agreements authorized by this section.

TRANSFER OF FUNCTIONS

Section 402(181) of Reorganization Plan No. 3 of 1967, 32 F.R. 11669, set out in the Appendix to Title 5, Government Organization and Employees, transferred regulatory and other functions of Board of Commissioners relating to transfer of jurisdiction over properties or parts of properties to Federal authorities, and accepting from Federal authorities jurisdiction over properties or parts thereof under this section, to District of Columbia Council, subject to right of Commissioner as provided by section 406 of Plan. For provisions establishing District of Columbia Council, see section 201 of the Reorg. Plan No. 3 of 1967.

"National Capital Planning Commission" substituted in text for "National Capital Park and Planning Commission", on authority of act June 6, 1924, ch. 270, §9, as added July 19, 1952, which transferred functions of latter to former. See section 71h of this title and Transfer of Functions note thereunder.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 123 of this title.

§ 123. Effect of section 122 on existing laws

Nothing in section 122 of this title shall be construed to repeal the provisions of any existing law or laws authorizing the transfer of jurisdiction of certain lands between and among Federal and District authorities, but all such laws shall remain in full force and effect.

(May 20, 1932, ch. 197, §2, 47 Stat. 162.)

§ 124. Theodore Roosevelt Island; administration; development

The island, known as Theodore Roosevelt Island, shall be maintained and administered by the Director of the National Park Service as a natural park for the recreation and enjoyment of the public: *Provided*, That no general plan for the development of the island be adopted without the approval of the Theodore Roosevelt Association; and that, so long as this association remains in existence, no development, inconsistent with this plan, be executed without the association's consent.

(May 21, 1932, ch. 200, §1, 47 Stat. 163; Feb. 11, 1933, ch. 48, §1, 47 Stat. 799; Ex. Ord. No. 6166, §2, eff. June 10, 1933; Mar. 2, 1934, ch. 38, 48 Stat. 389; May 21, 1953, ch. 63, §2, 67 Stat. 28.)

CODIFICATION

Provisions of this section relating to acceptance of Theodore Roosevelt Island by the National Park Service from the Theodore Roosevelt Association have been omitted.

AMENDMENTS

1953—Act May 21, 1953, substituted "Theodore Roosevelt Association" for "Roosevelt Memorial Association".

1933—Act Feb. 11, 1933, substituted "Theodore Roosevelt Island" for "Roosevelt Island".

TRANSFER OF FUNCTIONS

Functions of all other officers of Department of the Interior and functions of all agencies and employees of that Department, with two exceptions, transferred to Secretary of the Interior, with power vested in him to authorize their performance or performance of any of his functions by any of those officers, agencies, and employees, by Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

Ex. Ord. No. 6166 abolished Office of Public Buildings and Public Parks of National Capital and transferred functions thereof to Office of National Parks, Buildings and Reservations of Department of the Interior. Act Mar. 2, 1934, changed name of latter Office to National Park Service.

§ 125. Means of access; care, maintenance, and improvements; appropriation; Theodore Roosevelt Island

The Director of the National Park Service is authorized to provide suitable means of access to and upon the said Theodore Roosevelt Island as appropriations are made available from time to time and subject to the approval of the National Capital Planning Commission; and the appropriations needed for such construction and annually for the care, maintenance, and improvement of the said lands and improvements, are authorized to be made from any funds not otherwise appropriated from the Treasury of the United States.