

discretion, for the best interests of the District of Columbia, to sell and convey, in whole or in part, to the highest bidder at public or private sale, real estate now or hereafter owned in fee simple by the District of Columbia for municipal use, in the District of Columbia, which the Council of the District of Columbia and the National Capital Planning Commission find to be no longer required for public purposes.

(Aug. 5, 1939, ch. 449, §1, 53 Stat. 1211; June 6, 1924, ch. 279, §9, as added July 19, 1952, ch. 949, §1, 66 Stat. 790; 1967 Reorg. Plan No. 3, §§401, 402(192), eff. Nov. 3, 1967, 32 F.R. 11669, 81 Stat. 951; Pub. L. 93-198, title IV, §§401, 421, Dec. 24, 1973, 87 Stat. 785, 789.)

#### REPEALS

Section 7 of act Aug. 5, 1939, repealed all acts and parts of acts inconsistent or in conflict therewith.

#### TRANSFER OF FUNCTIONS

“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.

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 “commissioners”.

Function of Board of Commissioners to find that real estate is no longer required for a public purpose transferred to District of Columbia Council pursuant to section 402(192) of Reorg. Plan No. 3 of 1967.

“Council of the District of Columbia” substituted in text for “District of Columbia Council” pursuant to section 401 of Pub. L. 93-198. District of Columbia Council, 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 Council of District of Columbia, as provided by section 401 of Pub. L. 93-198.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 72e, 74b of this title.

#### § 72d. Expenses of land sales

The Mayor of the District of Columbia is further authorized to pay the reasonable and necessary expenses of sale of each parcel of land sold, and shall deposit the net proceeds thereof in the Treasury of the United States to the credit of the District of Columbia.

(Aug. 5, 1939, ch. 449, §2, 53 Stat. 1211; 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.)

#### REPEALS

Section 7 of act Aug. 5, 1939, repealed all acts and parts of acts inconsistent or in conflict therewith.

#### 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 “commissioners”.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 72e, 74b of this title.

#### § 72e. Execution of deeds to lands

The Mayor of the District of Columbia is authorized to execute proper deeds of conveyance for real estate sold under the provisions of sections 72c to 72e and 74a to 74c of this title, which shall contain a full description of the land sold, either by metes and bounds, or otherwise, according to law.

(Aug. 5, 1939, ch. 449, §3, 53 Stat. 1211; 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.)

#### REPEALS

Section 7 of act Aug. 5, 1939, repealed all acts and parts of acts inconsistent or in conflict therewith.

#### 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 “commissioners”.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 74b of this title.

#### § 73. Authorization of appropriations for expenses, and acquisition of lands by Commission; assignment of playground areas; control of lands outside District

There is authorized to be appropriated, each year, in the annual District of Columbia Appropriation Act, a sum not exceeding 1 cent for each inhabitant of the continental United States as determined by the last preceding decennial census, said sum to be used by said Commission for the payment of its expenses and for the acquisition of the lands herein authorized to be acquired by said Commission for the purposes named, the compensation for the land, the expense of surveys, ascertainment of title, condemnation proceedings, if any, and necessary conveyancing to be paid from said appropriations. The funds so appropriated shall be paid from the revenues of the District of Columbia and the general funds of the Treasury in the same proportion as other expenses of the District of Columbia. The land so acquired within the District of Columbia shall be a part of the park system of the District of Columbia and be under control of the Director of the National Park Service. Areas suitable for playground pur-

poses may, in the discretion of said Commission, be assigned to the control of the Mayor of the District of Columbia for playground purposes. The land so acquired outside the District of Columbia shall be controlled as determined by agreement between said commission and the proper officers of the States of Maryland and Virginia, such agreements to be subject to the approval of the President.

(June 6, 1924, ch. 270, §12, formerly §3, 43 Stat. 463; Feb. 26, 1925, ch. 339, §3, 43 Stat. 983; Ex. Ord. No. 6166, §2, eff. June 10, 1933; Mar. 2, 1934, ch. 38, §1, 48 Stat. 389; renumbered §12, July 19, 1952, ch. 949, §2, 66 Stat. 791; 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.)

#### TRANSFER OF FUNCTIONS

“Commission”, as used in this section, refers to National Capital Planning Commission, rather than to National Capital Park and Planning Commission, in view of transfer of functions, powers, etc., from latter to former by section 71h of this title.

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 1950 Reorg. Plan No. 3, §§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. National Park Service, referred to in text, is an agency of Department of the Interior.

Office of Public Buildings and Public Parks of National Capital abolished and functions thereof transferred to Office of National Parks, Buildings, and Reservations of Department of the Interior by Ex. Ord. No. 6166, set out as a note under section 901 of Title 5, Government Organization and Employees. Name of latter office changed to “National Park Service” by act Mar. 2, 1934.

Act Feb. 26, 1925 ch. 339, §3, 43 Stat. 983, abolished office of Public Buildings and Grounds under Chief of Engineers and transferred functions thereof to Director of Public Buildings and Public Parks.

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 “commissioners”.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 71, 71h, 72, 72a, 74 of this title.

### **§ 74. Annual reports of Commission to Congress; estimates for Office of Management and Budget**

Said Commission shall report to Congress annually on the first Monday of March the lands acquired during the preceding fiscal year, the method of acquisition, and the cost of each tract. It shall also submit to the Office of Management and Budget on or before December 15 of each year its estimate of the total sum to be appropriated for expenditure under the provisions of sections 71 to 71i, 72, 73 and 74 of this title during the succeeding fiscal year.

(June 6, 1924, ch. 270, §13, formerly §4, 43 Stat. 464; renumbered §13, July 19, 1952, ch. 949, §2, 66 Stat. 791; 1970 Reorg. Plan No. 2, §102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085; Pub. L. 94-273, §21, Apr. 21, 1976, 90 Stat. 379.)

#### AMENDMENTS

1976—Pub. L. 94-273 substituted “March” for “December” and “December” for “September”.

#### TRANSFER OF FUNCTIONS

“Commission”, as used in this section, refers to National Capital Planning Commission, rather than to National Capital Park and Planning Commission, in view of transfer of functions, powers, etc., from latter to former by section 71h of this title.

Functions vested by law (including reorganization plan) in Bureau of the Budget or Director of Bureau of the Budget transferred to President of United States by section 101 of Reorg. Plan No. 2 of 1970. Section 102 of Reorg. Plan No. 2 of 1970 redesignated Bureau of the Budget as Office of Management and Budget.

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in this section relating to the requirement that the Commission report annually to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 180 of House Document No. 103-7.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 71, 71h, 72, 72a of this title.

### **§ 74a. Sale by the Secretary of the Interior of lands no longer needed for public purposes**

The Secretary of the Interior, with the approval of the National Capital Planning Commission, is authorized, in his discretion, for the best interests of the United States, to sell and convey, in whole or in part, by proper deed or instrument, any real estate held by the United States in the District of Columbia and under the jurisdiction of the National Park Service, which may be no longer needed for public purposes for cash, or on such deferred-payment plan as the Secretary of the Interior may approve, at a price not less than that paid for it by the Government and not less than its present appraised value as determined by him.

(Aug. 5, 1939, ch. 449, §4, 53 Stat. 1211; June 6, 1924, ch. 279, §9, as added July 19, 1952, ch. 949, §1, 66 Stat. 790.)

#### REPEALS

Section 7 of act Aug. 5, 1939, repealed all acts and parts of acts inconsistent or in conflict therewith.

#### TRANSFER OF FUNCTIONS

“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.

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