

(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).

Editorial Notes

REFERENCES IN TEXT

The Act of July 1, 1898, referred to in text, is act July 1, 1898, ch. 543, 30 Stat. 570, 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

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|--|
| 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 road-