(1) is sensitive with respect to the policing, protection, physical security, intelligence, counterterrorism actions, or emergency preparedness and response relating to Congress, any statutory protectee of the Capitol Police, and the Capitol buildings and grounds; and

(2) is obtained by, on behalf of, or concerning the Capitol Police Board, the Capitol Police, or any incident command relating to emergency response.

(b) Authority of Board to determine conditions of release

Notwithstanding any other provision of law, any security information in the possession of the Capitol Police may be released by the Capitol Police to another entity, including an individual, only if the Capitol Police Board determines in consultation with other appropriate law enforcement officials, experts in security preparedness, and appropriate committees of Congress, that the release of the security information will not compromise the security and safety of the Capitol buildings and grounds or any individual whose protection and safety is under the jurisdiction of the Capitol Police.

(c) Rule of construction

Nothing in this section may be construed to affect the ability of the Senate and the House of Representatives (including any Member, officer, or committee of either House of Congress) to obtain information from the Capitol Police regarding the operations and activities of the Capitol Police that affect the Senate and House of Representatives.

(d) Regulations

The Capitol Police Board may promulgate regulations to carry out this section, with the approval of the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives.

(e) Effective date

This section shall take effect on December 8, 2004, and apply with respect to—

(1) any remaining portion of fiscal year 2004, if this Act is enacted before October 1, 2004; and

(2) fiscal year 2005 and each fiscal year thereafter.

(Pub. L. 108–447, div. G, title I, § 1009, Dec. 8, 2004, 118 Stat. 3182.)

REFERENCES IN TEXT

This Act, referred to in subsec. (e)(1), is div. G of Pub. L. 108–447, Dec. 8, 2004, 118 Stat. 3166, as amended, known as the Legislative Branch Appropriations Act, 2005, which was enacted Dec. 8, 2004.

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2005, which is div. G of the Consolidated Appropriations Act, 2005.

§ 1980. Mounted horse unit

(a) The United States Capitol Police may not operate a mounted horse unit during fiscal year 2006 or any succeeding fiscal year.

(b) Not later than 60 days after the date of the enactment of this Act, the Chief of the Capitol Police shall transfer to the Chief of the United States Park Police the horses, equipment, and supplies of the Capitol Police mounted horse unit which remain in the possession of the Capitol Police as of such date.

(Pub. L. 109–55, title I, § 1002, Aug. 2, 2005, 119 Stat. 572.)

REFERENCES IN TEXT

The date of the enactment of this Act, referred to in subsec. (b), is the date of the enactment of Pub. L. 109–55, which was approved Aug. 2, 2005.

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2006.

§ 1981. Advance payments

During fiscal year 2008 and each succeeding fiscal year, following notification of the Committees on Appropriations of the House of Representatives and the Senate, the Chief of the Capitol Police may make payments in advance for obligations of the United States Capitol Police for subscription services if the Chief determines it to be more prompt, efficient, or economical to do so.

(Pub. L. 110–161, div. H, title I, § 1002, Dec. 26, 2007, 121 Stat. 2227.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2008, which is div. H of the Consolidated Appropriations Act, 2008.

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SUBCHAPTER I—HOUSE OF REPRESENTATIVES

§ 2001. House Office Building; control, supervision, and care

The House of Representatives Office Building, which shall hereafter be designated as the House Office Building and the employment of all service, other than officers and privates of the Capitol police, that may be appropriated for by Congress, necessary for its protection, care, and occupancy, shall be under the control and supervision of the Architect of the Capitol, subject to the approval and direction of a commission consisting of the Speaker of the House of Representatives and two Representatives in Congress, to be appointed by the Speaker. Vacancies occurring by resignation, termination of service as Representatives in Congress, or otherwise in the membership of said commission shall be filled by the Speaker, and any two members of said commission shall constitute a quorum to do business. The Architect of the Capitol shall submit annually to Congress estimates in detail for all services, other than officers and privates of the Capitol police, and for all other expenses in connection with said office building and necessary for its protection, care, and occupancy; and said commission herein referred to shall from time to time prescribe rules and regulations to govern said architect in making all such employments, together with rules and regulations governing the use and occupancy of all rooms and space in said building.

(Mar. 4, 1907, ch. 2918, 34 Stat. 1365; May 28, 1908, No. 30, 35 Stat. 578; Mar. 3, 1921, ch. 124, 41 Stat. 1291.)

CODIFICATION

Section was classified to section 175 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on act Mar. 4, 1907, popularly known as the ''Sundry Civil Appropriation Act, fiscal year 1908'' appropriating for the maintenance of such Building.

CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior Provisions and Change of Name notes set out under section 1801 of this title.

ACQUISITION OF SITE

Act Mar. 3, 1903, ch. 1007, 32 Stat. 1113, authorized acquisition of a site for and the construction of the House Office Building, and appointment of a Commission to supervise its construction.

Joint Resolution May 28, 1908, provided that it should be designated the House Office Building.

HOUSE PUBLIC ADDRESS SOUND SYSTEM ACTIVITIES; TRANSFER OF EMPLOYEES AND FUNDING

Pub. L. 104–197, title III, §307, Sept. 16, 1996, 110 Stat. 2413, provided that:

''(a) Upon approval of the Committee on Appropriations of the House of Representatives, and in accordance with conditions determined by the Committee on House Oversight [now Committee on House Administration], positions in connection with House public address sound system activities and related funding shall be transferred from the appropriation for the Architect of the Capitol for Capitol buildings and grounds under the heading 'CAPITOL BUILDINGS' to the appropriation for salaries and expenses of the House of Representatives for the Office of the Clerk under the heading 'SALARIES, OFFICERS AND EMPLOYEES'.

''(b) For purposes of section 8339(m) of title 5, United States Code, the days of unused sick leave to the credit of any such employee as of the date such employee is transferred under subsection (a) shall be included in the total service of such employee in connection with the computation of any annuity under subsections (a) through (e) and (*o*) of such section.

''(c) In the case of days of annual leave to the credit of any such employee as of the date such employee is transferred under subsection (a), the Architect of the Capitol is authorized to make a lump sum payment to each such employee for that annual leave. No such payment shall be considered a payment or compensation within the meaning of any law relating to dual compensation.''

501 FIRST STREET SE., DISTRICT OF COLUMBIA; DISPOSAL OF REAL PROPERTY

Pub. L. 104–99, title I, §121, Jan. 26, 1996, 110 Stat. 30, as amended by Pub. L. 105–275, title I, §110, Oct. 21, 1998, 112 Stat. 2440, provided that:

''(a) DISPOSAL OF REAL PROPERTY.—

''(1) IN GENERAL.—The Architect of the Capitol shall dispose of by sale at fair market value all right, title, and interest of the United States in and to the parcel of real property described in paragraph (9), including all improvements to such real property. Such disposal shall be made by quitclaim deed.

''(2) HOUSE OFFICE BUILDING COMMISSION.—The Architect of the Capitol shall carry out this section under the direction of the House Office Building Commission.

''(3) PROCEDURES.—Notwithstanding any other provision of law, the disposal under paragraph (1) shall be made in accordance with such procedures as the Architect of the Capitol determines appropriate.

''(4) SENSE OF CONGRESS.—It is the sense of Congress that the child care center of the House of Representatives should remain in operation during the implementation of this section.

''(5) TERMS AND CONDITIONS.—The deed of conveyance for the property to be disposed of under paragraph (1) shall contain such terms and conditions as the Architect of the Capitol determines are necessary to protect the interests of the United States.

''(6) DEPOSIT OF PROCEEDS.—All proceeds from the disposal under paragraph (1) shall be deposited in the account established by subsection (b).

''(7) ADVERTISING AND MARKETING.—The Architect of the Capitol shall begin advertising and marketing the property to be disposed of under paragraph (1) not later than 30 days after the date of the enactment of this Act [Jan. 26, 1996].

''(8) LOCAL ZONING AND OCCUPANCY REQUIREMENTS.—Until such date as the purchaser of the property to be disposed of under paragraph (1) takes full occupancy of such property, such property and the tenants of such property shall be deemed to be in compliance with all applicable zoning and occupancy requirements of the District of Columbia.

''(9) PROPERTY DESCRIPTION.—The parcel of real property referred to in paragraph (1) is the approximately 31,725 square feet of land located at 501 First Street, SE., on square 736 S, Lot 801 (formerly part of Reservation 17) in the District of Columbia. Such parcel is bounded by E Street, SE., to the north, First Street, SE., to the east, New Jersey Avenue, SE., to the west, and Garfield Park to the south.

''(b) SEPARATE ACCOUNT IN THE TREASURY.—

''(1) ESTABLISHMENT.—There is established in the Treasury of the United States a separate account which shall consist of amounts deposited into the account by the Architect of the Capitol under subsection (a).

''(2) AVAILABILITY OF FUNDS.—Funds in the account established by paragraph (1) shall be available, in such amounts as are specified in appropriations Acts, to the Architect of the Capitol for—

''(A) payment of expenses associated with relocating the tenants of the property to be disposed of under subsection (a)(1);

''(B) payment of expenses associated with renovating facilities under the jurisdiction of the Architect for the purpose of accommodating such tenants;

''(C) reimbursement of expenses incurred for advertising and marketing activities related to the disposal under subsection (a)(1) in a total amount of not to exceed $75,000; and

''(D) reimbursement of expenses incurred by the Chief Administrative Officer of the House of Representatives to cover the costs of furnishings and furniture to accommodate the needs of the House of Representatives Child Care Center.

Funds made available under this paragraph shall not be subject to any fiscal year limitation.

''(3) REPORTING OF TRANSACTIONS.—Receipts, obligations, and expenditures of funds in the account established by paragraph (1) shall be reported in annual estimates submitted to Congress by the Architect of the Capitol for the operation and maintenance of the Capitol Buildings and Grounds.

''(4) TERMINATION OF ACCOUNT.—Not later than 2 years after the date of settlement on the property to be disposed of under subsection (a)(1), the Architect of the Capitol shall terminate the account established by paragraph (1) and all amounts remaining in the account shall be deposited into the general fund of the Treasury of the United States and credited as miscellaneous receipts.

''(c) AUTHORITY TO FURNISH STEAM AND CHILLED WATER.—

''(1) IN GENERAL.—The Architect of the Capitol is authorized to furnish steam and chilled water from the Capitol Power Plant to the owner of the property to be disposed of under subsection (a)(1) if the owner agrees to pay for such steam and chilled water at market rates, as determined by the Architect of the Capitol.

''(2) AUTHORITY LIMITED TO EXISTING FACILITIES.—The Architect of the Capitol may furnish steam and chilled water under paragraph (1) only with respect to facilities which, on the date of the enactment of this Act [Jan. 26, 1996], are located on the property to be disposed of under subsection (a)(1).

''(3) PROCEEDS.—All proceeds from the sale of steam and chilled water under paragraph (1) shall be deposited into the general fund of the Treasury of the United States and credited as miscellaneous receipts.''

[Pub. L. 104–134, title II, §21103, Apr. 26, 1996, 110 Stat. 1321–335, provided that: ''Notwithstanding section 106 of Public Law 104–99 [110 Stat. 27], sections 118 [110 Stat. 30], 121 [set out as a note above], and 129 [amending section 1611 of this title and enacting provisions set out as a note under section 1611 of this title] of Public Law 104–99 shall remain in effect as if enacted as part of this Act.'']

Pub. L. 98–367, title I, July 17, 1984, 98 Stat. 483, provided in part: ''That notwithstanding any other provision of law, the House Office Building Commission is authorized to use, to such extent as it may deem necessary, for the purposes of providing office and other accommodations for the House of Representatives, the building located at 501 First Street, S.E., on a portion of Reservation 17 in the District of Columbia when such building is acquired by the Architect of the Capitol at the direction of the House Office Building Commission under authority of the Additional House Office Building Act of 1955 [act Apr. 22, 1955, ch. 26, Ch. XIIA, 69 Stat. 41, see note below], and to incur any expenditures under this appropriation required for alterations, maintenance, and occupancy thereof: *Provided further*, That any space in such building used for office and other accommodations for the House of Representatives shall be deemed to be a part of the 'House Office Buildings' and, as such, shall be subject to the laws, rules, and regulations applicable to those buildings.''

HOUSE PARKING ACTIVITIES; TRANSFER OF EMPLOYEES AND FUNDING

Pub. L. 104–53, title III, §306, Nov. 19, 1995, 109 Stat. 536, provided that:

''(a) Upon approval of the Committee on Appropriations of the House of Representatives, and in accordance with conditions determined by the Committee on House Oversight [now Committee on House Administration], positions in connection with House parking activities and related funding shall be transferred from the appropriation 'Architect of the Capitol, Capitol buildings and grounds, House office buildings' to the appropriation 'House of Representatives, salaries, officers and employees, Office of the Sergeant at Arms': *Provided*, That the position of Superintendent of Garages shall be subject to authorization in annual appropriations Acts.

''(b) For purposes of section 8339(m) of title 5, United States Code, the days of unused sick leave to the credit of any such employee as of the date such employee is transferred under subsection (a) shall be included in the total service of such employee in connection with the computation of any annuity under subsections (a) through (e) and (*o*) of such section.

''(c) In the case of days of annual leave to the credit of any such employee as of the date such employee is transferred under subsection (a) the Architect of the Capitol is authorized to make a lump sum payment to each such employee for that annual leave. No such payment shall be considered a payment or compensation within the meaning of any law relating to dual compensation.''

DESIGNATION OF HOUSE OFFICE BUILDINGS

House Resolution No. 402, One Hundred First Congress, Sept. 10, 1990, provided that:

''SECTION 1. DESIGNATIONS.

''(a) THOMAS P. O'NEILL, JR. HOUSE OF REPRESENTATIVES OFFICE BUILDING.—The House of Representatives office building located at C Street and New Jersey Avenue, Southeast, in the District of Columbia, and known as House of Representatives Office Building Annex No. 1, shall be known and designated as the 'Thomas P. O'Neill, Jr. House of Representatives Office Building'.

''(b) GERALD R. FORD HOUSE OF REPRESENTATIVES OFFICE BUILDING.—The House of Representatives office building located at 3d and D Streets, Southwest, in the District of Columbia, and known as House of Representatives Office Building Annex No. 2, shall be known and designated as the 'Gerald R. Ford House of Representatives Office Building'.

''SEC. 2. REFERENCES.

''Any reference in a law, map, regulation, document, paper, or other record of the United States to a building referred to in section 1 shall be deemed to be a reference to the building as designated in that section.

''SEC. 3. STATUES.

''The Speaker of the House of Representatives may purchase or accept as a gift to the House of Representatives, for permanent display in the appropriate building designated in section 1, a suitable statue or bust of the individual for whom the building is named. Such purchase or acceptance shall be carried out—

''(1) in the case of the building referred to in section 1(a), in consultation with the majority leader of the House of Representatives; and

''(2) in the case of the building referred to in section 1(b), in consultation with the minority leader of the House of Representatives.''

ADDITIONAL HOUSE OFFICE BUILDING

Pub. L. 94–6, ch. I, Feb. 28, 1975, 89 Stat. 12, provided in part that: ''Notwithstanding any other provision of law, the House Office Building Commission is authorized (1) to use, to such extent as it may deem necessary, for the purposes of providing office and other accommodations for the House of Representatives, the building located on Square 581 in the District of Columbia when such Square, including the improvements thereon, is acquired by the Architect of the Capitol at the direction of the House Office Building Commission under authority of the Additional House Office Building Act of 1955 [act Apr. 22, 1955, ch. 26, Ch. XIIA, 69 Stat. 41, see note below] and to incur any expenditures under this appropriation [$15,000,000 for fiscal year ending June 30, 1975, to remain available until expended] required for alterations, maintenance, and occupancy thereof, and (2) prior to occupancy of the entire building by the House of Representatives, to permit the temporary occupancy by other governmental activities of any part of such building not so occupied, under such terms and conditions as such Commission may authorize: *Provided further*, That any space in such building used for office and other accommodations for the House of Representatives shall be deemed to be a part of the 'House Office Buildings' and, as such, shall be subject to the laws, rules, and regulations applicable to those buildings.''

Act Apr. 22, 1955, ch. 26, Ch. XIIA, 69 Stat. 41, known as the Additional House Office Building Act of 1955, authorized the construction of an additional fireproof office building for use of the House of Representatives, on a site approved by the House Office Building Commission, in accordance with plans prepared by the Architect of the Capitol and approved by the Commission, authorized the Architect of the Capitol to acquire certain real property in the District of Columbia, subject to the approval of the Commission, for construction of the office building or for additions to the United States Capitol Grounds, designated the necessary procedure for condemnation proceedings conducted pursuant to such real property acquisition, authorized the demolition of certain buildings by the Architect, and appropriated $5,000,000 and authorized such additional appropriations as the Commission deemed necessary for the construction project.

USE OF CONGRESSIONAL HOTEL AS HOUSE OFFICE BUILDING; LEASE OF UNUSED SPACE

Pub. L. 92–313, § 8, June 16, 1972, 86 Stat. 222, provided that:

''(a) Notwithstanding any other provision of law, the House Office Building Commission is authorized (1) to use, to such extent as it may deem necessary, for the purpose of providing office and other accommodations for the House of Representatives, the building, known as the Congressional Hotel, acquired by the Government in 1957 as part of Lot 20 in Square 692 in the District of Columbia under authority of the Additional House Office Building Act of 1955 [act Apr. 22, 1955, ch. 26, Ch. XIIA, 69 Stat. 41, see note above] and (2) to direct the Architect of the Capitol to lease, at fair market value, for such other use and under such terms and conditions and to such parties as such Commission may authorize, any space in such building not required for the aforesaid purpose.

''(b) Any space in such building used for office and other accommodations for the House of Representatives shall be deemed to be a part of the 'House Office Buildings' and, as such, shall be subject to the laws, rules, and regulations applicable to those buildings.''

ADDITIONAL PARKING SPACE FOR HOUSE EMPLOYEES

House Resolution No. 208, Ninety-fourth Congress, Feb. 24, 1975, as enacted into permanent law by Pub. L. 94–59, title II, § 201, July 25, 1975, 89 Stat. 282, and amended by Pub. L. 104–186, title II, § 221(4)(B), Aug. 20, 1996, 110 Stat. 1749, provided: ''That the chairman, Committee on House Oversight [now Committee on House Administration] of the House of Representatives is authorized:

''(1) to lease or to otherwise provide additional indoor and outdoor parking facilities for employees of the House of Representatives in an area or areas in the District of Columbia outside but adjacent to the limits of the United States Capitol Grounds;

''(2) to regulate and assign such additional parking facilities;

''(3) to utilize the United States Capitol Police with respect to such parking areas, and transit routes; and

''(4) to utilize the services of the Architect of the Capitol to prepare bids, leases, or otherwise assist in obtaining such additional parking facilities.

Until otherwise provided by law, there shall be paid out of the applicable accounts of the House of Representatives such sums as may be necessary to carry out this authorization.''

INCLUSION OF ADDITIONAL AREAS AND BUILDINGS

For inclusion of additional areas and buildings as part of the United States Capitol grounds, see order of the House Office Building Commission affecting the Capitol grounds and buildings, set out as a note under section 5102 of Title 40, Public Buildings, Property, and Works.

COMPENSATION OF SUPERINTENDENT OF GARAGES OF HOUSE OFFICE BUILDINGS

Pub. L. 100–458, title I, Oct. 1, 1988, 102 Stat. 2170, as amended by Pub. L. 102–90, title I, § 105, Aug. 14, 1991, 105 Stat. 460; Pub. L. 104–186, title II, § 221(4)(A), Aug. 20, 1996, 110 Stat. 1748, provided: ''That upon enactment of this Act [Oct. 1, 1988], the pay for the position of Superintendent of Garages shall be equivalent to the pay payable for positions at step 1 of level 12 of the House Employees Schedule, subject to the further increases authorized under section 5306(a)(1)(B) of title 5, United States Code, relating to the implementation of salary comparability policy, and subject to any increase which may be allowed by the Committee on House Oversight [now Committee on House Administration] based on performance exceeding an acceptable level of competence over a 52-week period (except that no such performance-based increase shall affect the waiting period or effective date of any longevity step-increase or increase under such section 5306(a)(1)(B)).''

COMPENSATION OF PERSONNEL ASSIGNED TO HOUSE GARAGES IN CONNECTION WITH PARKING ACTIVITIES

Pub. L. 93–245, ch. VI, Jan. 3, 1974, 87 Stat. 1079, provided that: ''Effective on the first day of the first applicable pay period which begins on or after the date of enactment of this Act [Jan. 3, 1974], the compensation of personnel assigned to the House garages in connection with parking activities and paid from the appropriation 'House Office Building' under the Architect of the Capitol, shall be fixed by the Architect of the Capitol without regard to chapter 51 and subchapters III and IV of chapter 53 of title 5, United States Code, and shall thereafter be adjusted in accordance with 5 U.S.C. 5307.''

§ 2002. Acquisition of buildings and facilities for use in emergency situation

(a) Acquisition of buildings and facilities

Notwithstanding any other provision of law, in order to respond to an emergency situation, the Chief Administrative Officer of the House of Representatives may acquire buildings and facilities, subject to the availability of appropriations, for the use of the House of Representatives by lease, purchase, or such other arrangement as the Chief Administrative Officer considers appropriate (including a memorandum of understanding with the head of an executive agency, as defined in section 105 of title 5, in the case of a building or facility under the control of such Agency), subject to the approval of the House Office Building Commission.

(b) Agreements

Notwithstanding any other provision of law, for purposes of carrying out subsection (a) of this section, the Chief Administrative Officer may carry out such activities and enter into such agreements related to the use of any building or facility acquired pursuant to such subsection as the Chief Administrative Officer considers appropriate, including—

(1) agreements with the United States Capitol Police or any other entity relating to the policing of such building or facility; and

(2) agreements with the Architect of the Capitol or any other entity relating to the care and maintenance of such building or facility.

(c) Authority of Capitol Police and Architect

(1) Architect of the Capitol

Notwithstanding any other provision of law, the Architect of the Capitol may take any action necessary to carry out an agreement entered into with the Chief Administrative Officer pursuant to subsection (b) of this section.

(2) Omitted

(d) Transfer of certain funds

Subject to the approval of the Committee on Appropriations of the House of Representatives, the Architect of the Capitol may transfer to the Chief Administrative Officer amounts made available to the Architect for necessary expenses for the maintenance, care and operation of the House office buildings during a fiscal year in order to cover any portion of the costs incurred by the Chief Administrative Officer during the year in acquiring a building or facility pursuant to subsection (a) of this section.

(e) Effective date

This section and the amendments made by this section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

(Pub. L. 107–117, div. B, § 903, Jan. 10, 2002, 115 Stat. 2317; Pub. L. 107–206, title I, § 903(a)(1), Aug. 2, 2002, 116 Stat. 876.)

REFERENCES IN TEXT

For the amendments made by this section, referred to in subsec. (e), see Codification note below.

CODIFICATION

Section was classified to section 175a of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

Section is comprised of section 903 of Pub. L. 107–117. Subsec. (c)(2) of section 903 of Pub. L. 107–117 amended section 1961 of this title.

AMENDMENTS

2002—Subsec. (a). Pub. L. 107–206 substituted ''buildings and facilities, subject to the availability of appropriations,'' for ''buildings and facilities''.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107–206, title I, § 903(c), Aug. 2, 2002, 116 Stat. 876, provided that: ''The amendment made by this section [amending this section and section 1961 of this title] shall take effect as if included in the enactment of the Emergency Supplemental Act, 2002 [Pub. L. 107–117, div. B].''

§ 2003. Speaker as member of House Office Building commission

The Speaker shall continue a member of the commission in control of said building until his successor as Speaker is elected or his term as a Representative in Congress shall have expired.

(Mar. 4, 1911, ch. 240, 36 Stat. 1306.)

CODIFICATION

Section was classified to section 176 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on act Mar. 4, 1911, popularly known as the ''Deficiency Appropriation Act, fiscal year 1911''.

§ 2004. Assignment of rooms in House Office Building

The assignment of rooms in the House Office Building, made prior to May 28, 1908, by resolution or order of the House of Representatives, shall continue in force until modified or changed in accordance with the provisions of sections 2004 to 2011 of this title, and the room so assigned to any Representative shall continue to be held by such Representative as his individual office room so long as he shall remain a Member or Member-elect of the House of Representatives, or until he shall relinquish the same, subject, however, to the provisions of said sections, and no Representative shall allow his office room to be used for any other purpose.

(May 28, 1908, No. 30, 35 Stat. 578.)

CODIFICATION

Section was classified to section 177 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2005. Vacant rooms; assignment to Representatives

Any Member or Member-elect of the House of Representatives may file with the Architect of the Capitol a request in writing that any individual office room be assigned to him whenever it shall become vacant. If only one such request has been made for any room which shall at any time have become vacant, the room shall be assigned as requested. If two or more requests are made for the same vacant room, preference shall be given to the Representative making the request who has been longest in continuous service as a Member and Member-elect of the House of Representatives. If two or more Representatives with equal length of continuous service, or two or more Representatives-elect make request for the same room, preference shall be given to the one first preferring his request.

(May 28, 1908, No. 30, 35 Stat. 578; Mar. 3, 1921, ch. 124, 41 Stat. 1291.)

CODIFICATION

Section was classified to section 178 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior Provisions and Change of Name notes set out under section 1801 of this title.

§ 2006. Withdrawal by Representative of request for vacant rooms

A Representative or Representative-elect making request for the assignment of a vacant room may withdraw the same at any time and no one shall have pending at the same time more than one such request. The assignment of a new room to a Representative, upon his request, or the appointment of any Representative having an individual office room as chairman of a committee having a committee room, shall act as a relinquishment by him of the room previously assigned to him.

(May 28, 1908, No. 30, 35 Stat. 578.)

CODIFICATION

Section was classified to section 179 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2007. Exchange of rooms

Representatives having rooms assigned to them in the foregoing manner may exchange rooms one with another, but such exchange shall be valid only so long as both Members making the exchange shall remain continuously Members or Members-elect of the House of Representatives.

(May 28, 1908, No. 30, 35 Stat. 578.)

CODIFICATION

Section was classified to section 180 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2008. Record of assignment of rooms

The Architect of the Capitol shall keep a record of the assignment of rooms made, exchanges which may be made, requests for vacant rooms which may be filed, and the assignment thereof, which record shall be open for the inspection of Representatives or Representatives-elect of the House.

(May 28, 1908, No. 30, 35 Stat. 579; Mar. 3, 1921, ch. 124, 41 Stat. 1291.)

CODIFICATION

Section was classified to section 181 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior Provisions and Change of Name notes set out under section 1801 of this title.

§ 2009. Assignment of rooms to Commissioner from Puerto Rico

In the matter of the assignment of rooms under sections 2004 to 2011 of this title, Delegates in Congress and the Commissioner from Puerto Rico shall be treated the same as Representatives.

(May 28, 1908, No. 30, 35 Stat. 579; May 17, 1932, ch. 190, 47 Stat. 158; Proc. No. 2695, eff. July 4, 1946, 11 F.R. 7517, 60 Stat. 1352.)

CODIFICATION

Section was classified to section 182 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

Words ''and the Philippine Islands'' after ''Puerto Rico'' were omitted pursuant to 1946 Proc. No. 2695, eff. July 4, 1946, 11 F.R. 7517, 60 Stat. 1352, which granted independence to the Philippine Islands on July 4, 1946, under the authority of act Mar. 24, 1934, ch. 84, §10, 48 Stat. 463, as amended, which is classified to section 1394 of Title 22, Foreign Relations and Intercourse.

CHANGE OF NAME

''Puerto Rico'' substituted in text for ''Porto Rico'' pursuant to act May 17, 1932, which is classified to section 731a of Title 48, Territories and Insular Possessions.

COMMISSIONER FROM PUERTO RICO AS RESIDENT COMMISSIONER

Section 2106 of Title 5, Government Organization and Employees, provides that the term ''Members of Congress'' shall include the ''Resident Commissioner from Puerto Rico.''

§ 2010. Assignment of rooms; control of by House

The assignment and reassignment of the rooms and other space in the House Office Building shall be subject to the control of the House of Representatives by rule, resolution, order, or otherwise. Nothing in sections 2004 to 2011 of this title shall be construed to affect or repeal the provisions of section 2001 of this title, placing said House Office Building under the control of the Architect of the Capitol, subject to the approval and direction of the commission provided therein.

(May 28, 1908, No. 30, 35 Stat. 579; Mar. 3, 1921, ch. 124, 41 Stat. 1291.)

CODIFICATION

Section was classified to section 183 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior Provisions and Change of Name notes set out under section 1801 of this title.

§ 2011. Assignment of unoccupied space

Unoccupied space in said building shall be assigned by the Architect of the Capitol under the direction of the commission and subject to the control of the House of Representatives.

(May 28, 1908, No. 30, 35 Stat. 579; Mar. 3, 1921, ch. 124, 41 Stat. 1291.)

CODIFICATION

Section was classified to section 184 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior Provisions and Change of Name notes set out under section 1801 of this title.

§ 2012. Furniture for House of Representatives

The Architect of the Capitol shall supervise and direct the care and repair of all furniture in the Hall, cloakrooms, lobby, committee rooms, and offices of the House, and all furniture required for the House of Representatives or for any of its committee rooms or offices shall be procured on designs and specifications made or approved by the said Architect.

(Apr. 28, 1902, ch. 594, 32 Stat. 125.)

CODIFICATION

Section was classified to section 169 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on par. from act Apr. 28, 1902, popularly known as the ''Legislative, Executive, and Judicial Appropriation Act, fiscal year 1903''.

CHANGE OF NAME

Change of name of the Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior Provisions and Change of Name notes set out under section 1801 of this title.

SUBCHAPTER II—SENATE

§ 2021. Additional Senate office building

Upon completion of the additional office building for the United States Senate, the building and the grounds and sidewalks surrounding the same shall be subject to the provisions of sections 1922, 1961, 1966, 1967, 1969, 2023, and 2024 of this title and sections 5101 to 5107 and 5109 of title 40, in the same manner and to the same extent as the present Senate Office Building and

the grounds and sidewalks surrounding the same.

(June 25, 1948, ch. 658, title I, 62 Stat. 1029.)

REFERENCES IN TEXT

Sections 1922, 1961, 1966, 1967, and 1969 of this title and sections 5101 to 5107 and 5109 of title 40, referred to in text, was in the original a reference to the Act of July 31, 1946, ch. 707, 60 Stat. 718. Sections 9, 9A, 9B, 9C, and 14 of the Act are classified, respectively, to sections 1961, 1966, 1967, 1922, and 1969 of this title, and section 16(b) of the Act is set out as a note under section 1961 of this title. Sections 1 to 8, 10 to 13, and 16(a) of the Act, which were classified to sections 193a to 193m of former Title 40, Public Buildings, Property, and Works, were repealed and reenacted as sections 5101 to 5107 and 5109 of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §§1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1312, the first section of which enacted Title 40. Section 5(c) of Pub. L. 107–217, set out as a note preceding section 101 of Title 40, provides that a reference to a law replaced by section 1 of Pub. L. 107–217 is deemed to refer to the corresponding provision enacted by Pub. L. 107–217. For complete classification of the act of July 31, 1946, to the Code, see Tables. For disposition of sections of former Title 40, see table at the beginning of Title 40.

Sections 2023 and 2024 of this title, referred to in text, was in the original a reference to ''the Act of June 8, 1942 (U.S.C., title 40, sec. 174(c) and (d))'', which, to reflect the probable intent of Congress, was translated as meaning the provisions of the act of June 8, 1942, ch. 396, 56 Stat. 330, which were classified to sections 174c and 174d of former Title 40, Public Buildings, Property, and Works. Sections 174c and 174d of former Title 40 have been transferred to sections 2023 and 2024, respectively, of this title.

CODIFICATION

Section was classified to section 174b–1 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

ACQUISITION OF PROPERTY FOR USE AS RESIDENTIAL FACILITY FOR UNITED STATES SENATE PAGES

Pub. L. 102–330, §1, Aug. 3, 1992, 106 Stat. 849, as amended by Pub. L. 103–50, ch. XII, §1202, July 2, 1993, 107 Stat. 267, provided that:

''(a) ACQUISITION OF PROPERTY.—(1) The Architect of the Capitol, under the direction of the Senate Committee on Rules and Administration, may acquire, on behalf of the United States Government, by purchase, condemnation, transfer or otherwise, as an addition to the United States Capitol Grounds, such real property in the District of Columbia as may be necessary to carry out the provisions of this Act [this note]. Real property acquired for purposes of this Act, may, in the discretion of the Architect of the Capitol, extend to the outer face of the curbs of such property so acquired, including alleys or parts of alleys and streets within the lot lines and curblines surrounding such real property, together with any or all improvements thereon.

''(2) Subject to the approval by the Committee on Appropriations of the Senate, an amount necessary to enable the Architect of the Capitol to carry out the provisions of this section may be transferred from any appropriation under the heading 'SENATE' and the subheadings 'SALARIES, OFFICERS AND EMPLOYEES', and 'OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER', and the subheadings 'CONTINGENT EXPENSES OF THE SENATE' and 'SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE' to the account appropriated under the heading 'ARCHITECT OF THE CAPITOL' and the subheadings 'CAPITOL BUILDINGS AND GROUNDS' and 'SENATE OFFICE BUILDINGS'.

''(b) UNITED STATES CAPITOL GROUNDS AND BUILDINGS.—Immediately upon the acquisition by the Architect of the Capitol, on behalf of the United States, of the real property, and the improvements thereon, as provided under subsection (a), the real property acquired shall be a part of the United States Capitol Grounds, and the improvements on such real property shall be a part of the Senate Office Buildings. Such real property and improvements shall be subject to the Act of July 31, 1946 (40 U.S.C. 193a et seq.) [2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101 to 5107, 5109], and the Act of June 8, 1942 (40 U.S.C. 174c) [2 U.S.C. 2023, 2024].

''(c) BUILDING CODES.—The real property and improvements acquired in accordance with subsection (a) shall be repaired and altered, to the maximum extent feasible as determined by the Architect of the Capitol, in accordance with a nationally recognized model building code, and other applicable nationally recognized codes (including electrical codes, fire and life safety codes, and plumbing codes, as determined by the Architect of the Capitol), using the most current edition of the nationally recognized codes referred to in this subsection.

''(d) REPAIRS; EXPENDITURES.—The Architect of the Capitol is authorized, without regard to the provisions of section 3709 of the Revised Statutes of the United States [41 U.S.C. 5], to enter into contracts and to make expenditures for (1) necessary repairs to, and refurbishment of, the real property and the improvements on such real property acquired in accordance with subsection (a), including expenditures for personal and other services as may be necessary to carry out the purposes of this Act; and (2) for the construction on such real property of any facilities thereon as authorized under subsection (f). In no event shall the aggregate value of contracts and expenditures under this subsection exceed an amount equal to that authorized to be appropriated pursuant to subsection (e).

''(e) AUTHORIZATION.—There is authorized to be appropriated to the account under the heading 'Architect of the Capitol' and the subheadings 'Capitol Buildings and Grounds' and 'Senate Office Buildings', $2,000,000 for carrying out the purposes of this Act. Moneys appropriated pursuant to this authorization may remain available until expended.

''(f) USE OF PROPERTY.—The real property, and improvements thereon, acquired in accordance with subsection (a) shall be available to the Sergeant at Arms and Doorkeeper of the Senate for use as a residential facility for United States Senate Pages, and for such other purposes as the Senate Committee on Rules and Administration may provide.''

AUTHORIZATION OF ARCHITECT OF CAPITOL TO LEASE CITY POST OFFICE BUILDING FOR USE BY SENATE AND FOR OTHER PURPOSES

Pub. L. 101–520, title I, §107, Nov. 5, 1990, 104 Stat. 2267, provided that:

''(a) Notwithstanding any other provision of law, the Architect of the Capitol, subject to the approval of the Committee on Rules and Administration, is authorized to lease, for use by the United States Senate, and for such other purposes as such committee may approve, 150,000 square feet of space, more or less, in the property located at 2 Massachusetts Avenue, N.E., Washington, District of Columbia, known as the City Post Office Building: *Provided*, That rental payments shall be paid from the account 'Architect of the Capitol, Senate Office Buildings' upon vouchers approved by the Architect of the Capitol: *Provided further*, That nothing in this section shall be construed so as to obligate the Senate or any of its Members, officers, or employees to enter into any such lease or to imply any obligation to enter into any such lease.

''(b) Notwithstanding any other provision of law, property leased under authority of subsection (a) shall be maintained by the Architect of the Capitol as part of the 'Senate Office Buildings' subject to the laws, rules, and regulations governing such buildings, and the Architect is authorized to incur such expenses as may be necessary to provide for such occupancy.

''(c) There is hereby authorized to be appropriated to the 'Architect of the Capitol, Senate Office Buildings'

such sums as may be necessary to carry out the provisions of subsections (a) and (b).

''(d) There is authorized to be appropriated to the Sergeant at Arms of the United States Senate such sums as may be necessary to provide for the planning and relocation of offices and equipment to the property described in subsection (a), subject to direction by the Committee on Rules and Administration.

''(e) The authority under this section shall continue until otherwise provided by law.''

NORTH CAPITOL PLAZA BUILDING; CONTINUATION OF AUTHORITY FOR LEASE AND SUBLEASE OF PROPERTY; LEASED PROPERTY AS PART OF SENATE OFFICE BUILDINGS; RENT LIMITATIONS; NECESSITY OF SENATE RESOLUTION; TERM OF LEASE; PURCHASE OPTION

Pub. L. 94–157, title I, § 112, Dec. 18, 1975, 89 Stat. 832, as amended by Pub. L. 108–271, § 8(b), July 7, 2004, 118 Stat. 814, provided that:

''(a) Notwithstanding any other provision of law, the Sergeant at Arms of the Senate, subject to the approval of the Committee on Rules and Administration, and the Committee on Appropriations, is authorized to lease, for use by the United States Senate, and for such other purposes as such committees may approve, all or any part of the property located at 400 North Capitol Street, Washington, District of Columbia, known as the 'North Capitol Plaza Building': *Provided*, That rental payments under such lease for the entire property shall not exceed $3,375,000 per annum, exclusive of amounts for reimbursement for taxes paid and utilities furnished by the lessor: *Provided further*, That a lease shall not become effective until approved by Senate Resolution. Prior to such approval process the Government Accountability Office shall examine the terms of the proposed lease and shall report to the Senate on its reasonableness, taking into account such factors as rental rates for similar space, advantages of proximity, and possible alternative arrangements. Such payments shall be paid from the Contingent Fund of the Senate upon vouchers approved by the Sergeant at Arms: *Provided further*, That such lease may be for a term not in excess of five years, and shall contain an option to purchase such property, and shall include such other terms and conditions as such committees may determine to be in the best interests of the Government: *Provided further*, That nothing in this section shall be construed so as to obligate the Senate or any of its Members, officers, or employees to enter into any such lease or to imply any obligation to enter into any such lease.

''(b) Notwithstanding any other provision of law, property leased under authority of subsection (a) shall be maintained by the Architect of the Capitol as part of the 'Senate Office Buildings' subject to the laws, rules, and regulations governing such buildings, and the Architect is authorized to incur such expenses as may be necessary to provide for such occupancy.

''(c) Notwithstanding any other provision of law, the Sergeant at Arms of the Senate, subject to the approval of the Committee on Rules and Administration and the Committee on Appropriations, is authorized to sublease any part of the property leased under authority of subsection (a) which is in excess of the requirements of the Senate. All rental payments under any such sublease shall be paid to the Sergeant at Arms of the Senate and such amounts shall thereupon be added to and merged with the appropriation 'Miscellaneous Items' under the Contingent Fund of the Senate.

''(d) Notwithstanding any other provision of law, upon the approval of the Committee on Rules and Administration and the Committee on Appropriations, the Secretary of the Senate shall transfer by voucher or vouchers to the Architect of the Capitol from the 'Contingent Fund of the Senate' such amounts as may be necessary for the Architect of the Capitol to carry out the provisions of subsection (b) and such amounts shall thereupon be added to and merged with the appropriation 'Senate Office Buildings'.

''(e) The authority under this section shall continue until otherwise provided by law.''

CONSTRUCTION OF EXTENSION TO NEW SENATE OFFICE BUILDING

Pub. L. 92–607, ch. V, Oct. 31, 1972, 86 Stat. 1510, appropriated funds for the construction and equipment of an extension to the New Senate Office Building and for structural and other changes in the existing New Senate Office Building necessitated by such construction and provided that the building and the grounds and sidewalks surrounding it are subject to the Act of July 31, 1946 (2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101 to 5107, 5109), and the Act of June 8, 1942 (2 U.S.C. 2023, 2024).

ACQUISITION OF PROPERTY AS SITE FOR PARKING FACILITIES FOR SENATE

Pub. L. 92–607, ch. V, Oct. 31, 1972, 86 Stat. 1510, as amended by Pub. L. 93–305, title I, ch. VIII, § 801, June 8, 1974, 88 Stat. 206, authorized the Architect of the Capitol to acquire certain real property as a site for parking facilities for the Senate, with such property to become a part of the United States Capitol Grounds upon acquisition.

ACQUISITION OF PROPERTY TO EXTEND ADDITIONAL SENATE OFFICE BUILDING SITE

Pub. L. 85–429, May 29, 1958, 72 Stat. 148; Pub. L. 85–591, Aug. 6, 1958, 72 Stat. 495; Pub. L. 91–145, Dec. 12, 1969, 83 Stat. 352; Pub. L. 91–382, Aug. 18, 1970, 84 Stat. 819; Pub. L. 92–184, ch. IV, Dec. 15, 1971, 85 Stat. 637, in part authorized the Architect of the Capitol to acquire certain real property for purposes of extension of Additional Senate Office Building Site and provided that such property become a part of the United States Capitol Grounds or that it be subject to the act of July 31, 1946 (2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101 to 5107, 5109).

§ 2022. Acquisition of buildings and facilities for use in emergency situation

(a) Acquisition of buildings and facilities

Notwithstanding any other provision of law, in order to respond to an emergency situation, the Sergeant at Arms of the Senate may acquire buildings and facilities, subject to the availability of appropriations, for the use of the Senate, as appropriate, by lease, purchase, or such other arrangement as the Sergeant at Arms of the Senate considers appropriate (including a memorandum of understanding with the head of an executive agency, as defined in section 105 of title 5, in the case of a building or facility under the control of such Agency). Actions taken by the Sergeant at Arms of the Senate must be approved by the Committees on Appropriations and Rules and Administration.

(b) Agreements

Notwithstanding any other provision of law, for purposes of carrying out subsection (a) of this section, the Sergeant at Arms of the Senate may carry out such activities and enter into such agreements related to the use of any building or facility acquired pursuant to such subsection as the Sergeant at Arms of the Senate considers appropriate, including—

(1) agreements with the United States Capitol Police or any other entity relating to the policing of such building or facility; and

(2) agreements with the Architect of the Capitol or any other entity relating to the care and maintenance of such building or facility.

(c) Authority of Capitol Police and Architect

(1) Architect of the Capitol

Notwithstanding any other provision of law, the Architect of the Capitol may take any action necessary to carry out an agreement entered into with the Sergeant at Arms of the Senate pursuant to subsection (b) of this section.

(2) Omitted

(d) Transfer of certain funds

Subject to the approval of the Committee on Appropriations of the Senate, the Architect of the Capitol may transfer to the Sergeant at Arms of the Senate amounts made available to the Architect for necessary expenses for the maintenance, care and operation of the Senate office buildings during a fiscal year in order to cover any portion of the costs incurred by the Sergeant at Arms of the Senate during the year in acquiring a building or facility pursuant to subsection (a) of this section.

(e) Effective date

This section and the amendments made by this section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

(Pub. L. 107–117, div. B, § 901, Jan. 10, 2002, 115 Stat. 2315; Pub. L. 107–206, title I, § 902(a)(1), Aug. 2, 2002, 116 Stat. 876.)

REFERENCES IN TEXT

For the amendments made by this section, referred to in subsec. (e), see Codification note below.

CODIFICATION

Section was classified to section 174b–2 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

Section is comprised of section 901 of Pub. L. 107–117. Subsec. (c)(2) of section 901 of Pub. L. 107–117 amended section 1961 of this title.

AMENDMENTS

2002—Subsec. (a). Pub. L. 107–206 substituted ''buildings and facilities, subject to the availability of appropriations,'' for ''buildings and facilities''.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107–206, title I, § 902(c), Aug. 2, 2002, 116 Stat. 876, provided that: ''The amendment made by this section [amending this section and section 1961 of this title] shall take effect as if included in the enactment of the Emergency Supplemental Act, 2002 [Pub. L. 107–117, div. B].''

§ 2023. Control, care, and supervision of Senate Office Building

On and after June 8, 1942, the Senate Office Building, and the employment of all services (other than for officers and privates of the Capitol Police) necessary for its protection, care, and occupancy, together with all other items that may be appropriated for by the Congress for such purposes, shall be under the control and supervision of the Architect of the Capitol, subject to the approval of the Senate Committee on Rules and Administration as to matters of general policy; and the Architect of the Capitol shall submit annually to the Congress estimates in detail for all services (other than for officers and privates of the Capitol Police) and for all other expenses in connection with said office building and necessary for its protection, care, and occupancy.

(June 8, 1942, ch. 396, 56 Stat. 343; Aug. 2, 1946, ch. 753, title I, § 102, title II, § 224, 60 Stat. 814, 838.)

CODIFICATION

Section was classified to section 174c of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1946—Act Aug. 2, 1946, substituted ''Committee on Rules and Administration'' for ''Committee on Rules''.

EFFECTIVE DATE OF 1946 AMENDMENT

Section 142 of act Aug. 2, 1946, provided that section 102 of that act shall take effect on Jan. 2, 1947, and section 245 of that act provided that section 224 thereof shall ''take effect on the day on which the Eightieth Congress convenes''. The Eightieth Congress convened on Jan. 3, 1947.

§ 2024. Assignment of space in Senate Office Building

On and after June 8, 1942, the assignment of rooms and other space in the Senate Office Building shall be under the direction and control of the Senate Committee on Rules and Administration and shall not be a part of the duties of the Architect of the Capitol.

(June 8, 1942, ch. 396, 56 Stat. 343; Aug. 2, 1946, ch. 753, title I, § 102, title II, § 224, 60 Stat. 814, 838.)

CODIFICATION

Section was classified to section 174d of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1946—Act Aug. 2, 1946, substituted ''Committee on Rules and Administration'' for ''Committee on Rules''.

EFFECTIVE DATE OF 1946 AMENDMENT

Section 142 of act Aug. 2, 1946, provided that section 102 of that act shall take effect on Jan. 2, 1947, and section 245 of that act provided that section 224 thereof shall ''take effect on the day on which the Eightieth Congress convenes''. The Eightieth Congress convened on Jan. 3, 1947.

§ 2025. Senate Garage

(a) The employees of the Senate garage engaged by the Architect of the Capitol for the primary purpose of servicing official motor vehicles, together with the functions performed by such employees, shall, on October 1, 1980, be transferred to the jurisdiction of the Sergeant at Arms and Doorkeeper of the Senate: *Provided further*, That, effective July 1, 1965, the underground space in the north extension of the Capitol Grounds, known as the Legislative Garage shall hereafter be known as the Senate Garage and shall be under the jurisdiction and control of the Architect of the Capitol, subject to such regulations respecting the use thereof as may be promulgated by the Senate Committee on Rules and Administration: *Provided further*, That, such regulations shall provide for the continued as-

signment of space and the continued furnishing of service in such garage for official motor vehicles of the House and the Senate and the Architect of the Capitol and Capitol Grounds maintenance equipment.

(b) As used in subsection (a) of this section, the term ''servicing'' includes, with respect to an official motor vehicle, the washing and fueling of such vehicle, the checking of its tires and battery, and checking and adding oil.

(June 30, 1932, ch. 314, 47 Stat. 391; Pub. L. 88–454, Aug. 20, 1964, 78 Stat. 545; Pub. L. 96–444, §1(a)(1), (b), Oct. 13, 1980, 94 Stat. 1889.)

CODIFICATION

Section was classified to section 185a of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1980—Subsec. (a). Pub. L. 96–444, §1(a)(1), designated existing provision as subsec. (a) and substituted provision transferring, on October 1, 1980, employees of the Senate garage engaged by the Architect of the Capitol for the primary purpose of servicing official motor vehicles, together with the functions performed by such employees, to the jurisdiction of the Sergeant at Arms and Doorkeeper of the Senate for provision transferring, on July 1, 1932, employees engaged in the care and maintenance of the Senate garage to the jurisdiction of the Architect of the Capitol, without any reduction in compensation to these employees as the result of such transfer.

Subsec. (b). Pub. L. 96–444, §1(b), added subsec. (b).

1964—Pub. L. 88–454 redesignated the Legislative Garage as the Senate Garage, transferred the authority to promulgate rules from the Vice President and the Speaker of the House to the Senate Committee on Rules and Administration, and directed that the regulations provide for the continued assignment of space and the continued furnishing of service for official motor vehicles of the House and the Senate and the Architect of the Capitol and Capitol Grounds maintenance equipment.

AVAILABILITY OF APPROPRIATIONS FOR EXPENSES OF SENATE GARAGE

Title I of S. 2939, Ninety-seventh Congress, 2d Session, as reported Sept. 22, 1982, and incorporated by reference in Pub. L. 97–276, §101(e), Oct. 2, 1982, 96 Stat. 1189, to be effective as if enacted into law, provided in part: ''That appropriations under this head [SENATE OFFICE BUILDINGS] shall hereafter be available for maintenance, alternations [alterations], personal and other services, and for all other necessary expenses of the Senate Garage as authorized by the paragraph beginning 'Capitol Garages' under the general heading 'ARCHITECT OF THE CAPITOL' in the first section of the Act entitled 'An Act making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1933, and for other purposes', approved June 30, 1933 [1932] (40 U.S.C. 185a) [now this section] and Public Law 96–444 [amending this section and enacting provisions set out as notes under this section and section 185a of former Title 40, Public Buildings, Property, and Works].''

APPOINTMENT OF GARAGE ATTENDANTS; COMPENSATION; LONGEVITY COMPENSATION

Section 2 of Pub. L. 96–444 provided that:

''(a) Effective October 1, 1980, the Sergeant at Arms and Doorkeeper of the Senate is authorized to appoint and fix the compensation of four garage attendants at not to exceed $14,100 per annum each.

''(b) If, and to the extent that, positions established by subsection (a) are first filled by individuals transferred under subsection (a)(1) of the first section [amending subsec. (a) of this section], the Sergeant at Arms and Doorkeeper of the Senate is authorized to fix, in lieu of the compensation prescribed in subsection (a), the compensation—

''(1) of not more than two of such positions so filled at not to exceed $16,560 per annum each;

''(2) of one of such positions so filled at not to exceed $15,485 per annum; and

''(3) of one of such positions so filled at not to exceed $14,390 per annum.

Compensation fixed under this subsection for a position first filled by an individual transferred under subsection (a)(1) of the first section shall cease to be applicable with respect to such position on the date that such individual first ceases to occupy such position.

''(c) During any period with respect to which subsection (b) is applicable to a position occupied by an individual described in such subsection, such individual shall be credited, for purposes of longevity compensation, as authorized by section 106(a), (b), and (d) of the Legislative Branch Appropriation Act, 1963 (2 U.S.C. 60j), for service performed by such individual in the position of garage attendant, as an employee of the Architect of the Capitol, as certified to the Secretary of the Senate by the Architect of the Capitol.''

SUBCHAPTER III—RESTAURANTS

§ 2041. House of Representatives restaurant, cafeteria, and food services

(a) Management and duties

Notwithstanding any other authority with respect to the jurisdiction and control over the management of the House Restaurant and the cafeteria and other food service facilities of the House of Representatives, the jurisdiction over such restaurant and facilities and authority over the direction and supervision of the immediate management and operation thereof shall be vested in the Committee on House Oversight; and the immediate management and operation of such restaurant and facilities may be vested in such official or other authority, acting as the agent of the committee, as the committee may designate; and the official or authority so designated shall perform the duties vested in the Architect of the Capitol by section 208 of the First Supplemental Civil Functions Appropriation Act, 1941 (54 Stat. 1056; Public, No. 812, Seventy-sixth Congress).

(b) Transfer of accounts, records, supplies, equipment, and assets

The Architect of the Capitol is hereby authorized and directed to transfer, as the Committee on House Oversight directs, all accounts, records, supplies, equipment, and assets of the House Restaurant and the cafeteria and other food service facilities of the House which are in the possession or under the control of the Architect of the Capitol in order that all such items may be available for the maintenance and operation of the House Restaurant under the authority of, and as directed by, the Committee on House Oversight.

(c) Special deposit account

All authority, responsibility, and functions vested in or imposed upon the Architect of the Capitol in connection with the special deposit account established by section 208 of the First Supplemental Civil Functions Appropriation Act, 1941, shall be vested in or imposed upon

such other official, authority, or authorities as the Committee on House Oversight may designate.

(d) Effective date

The provisions of this section shall become effective on the first day of the first calendar month beginning after the date of adoption of this resolution, until otherwise provided by law.

(Pub. L. 92–51, July 9, 1971, 85 Stat. 133; Pub. L. 104–186, title II, § 221(3)(A), Aug. 20, 1996, 110 Stat. 1748.)

REFERENCES IN TEXT

Section 208 of the First Supplemental Civil Functions Appropriation Act, 1941, referred to in subsecs. (a) and (c), means section 208 of act Oct. 9, 1940, ch. 780, title II, 54 Stat. 1056, which was classified to section 174k of former Title 40, Public Buildings, Property, and Works, prior to repeal by Pub. L. 104–186, title II, § 221(3)(B), Aug. 20, 1996, 110 Stat. 1748.

The date of adoption of this resolution, referred to in subsec. (d), is Mar. 25, 1971. See Codification note below.

CODIFICATION

Section was classified to section 174k of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on section 2 of House Resolution No. 317, Ninety-second Congress, Mar. 25, 1971, which was enacted into permanent law by Pub. L. 92–51.

AMENDMENTS

1996—Subsecs. (a) to (c). Pub. L. 104–186 substituted ''House Oversight'' for ''House Administration'' wherever appearing.

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

SPECIAL DEPOSIT ACCOUNT FROM VENDING OPERATIONS

Pub. L. 104–53, title I, § 107A, Nov. 19, 1995, 109 Stat. 522, as amended by Pub. L. 104–197, title I, § 101(a), Sept. 16, 1996, 110 Stat. 2400, provided that:

''(a) Subject to the direction of the Committee on House Oversight of the House of Representatives, the amounts deposited in the account specified in subsection (b) from vending operations of the House of Representatives Restaurant System shall be available to pay the cost of goods sold for such operations.

''(b) The account referred to in subsection (a) is the special deposit account established for the House of Representatives Restaurant by section 208 of the First Supplemental Civil Functions Appropriation Act, 1941 (40 U.S.C. 174k note) [former 40 U.S.C. 174k].''

[Pub. L. 104–197, title I, § 101(b), Sept. 16, 1996, 110 Stat. 2401, provided that: ''The amendments made by subsection (a) [amending section 107A of Pub. L. 104–53, set out above] shall apply with respect to fiscal years beginning after September 30, 1996.'']

TRANSFER OF FOOD SERVICE OPERATIONS; ELECTION BY CERTAIN AFFECTED EMPLOYEES; DISABILITY AND RETIREMENT BENEFITS; PROMULGATION OF REGULATIONS

Pub. L. 99–500, § 111, Oct. 18, 1986, 100 Stat. 1783–348, and Pub. L. 99–591, § 111, Oct. 30, 1986, 100 Stat. 3341–348, provided that:

''(a) Any individual who—

''(1) on the day before the date on which food services operations for the House of Representatives are transferred by contract to a corporation or other person—

''(A) is a congressional employee (as defined in section 2107 of title 5, United States Code), other than an employee of the Architect of the Capitol, engaged in providing such food services under the administrative control of the Architect of the Capitol; and

''(B) is subject to subchapter III of chapter 83 of title 5, United States Code, or chapter 84 of such title;

''(2) as a result of such contract, ceases to be an employee described in paragraph (1); and

''(3) becomes employed to provide such food services under contract, including a successor contract;

may, for purposes of the provisions of law specified in subsection (b), elect to be treated, for so long as such individual continues to be employed (without a break in service) as described in paragraph (3), as if such individual had not ceased to be an employee described in paragraph (1). Such election shall be made on or before the day referred to in paragraph (1) and shall be available only to an individual whose transition from the employment described in paragraph (1) to the employment described in paragraph (3) takes place without a break in service.

''(b) The provisions of law referred to in subsection (a) are—

''(1) subchapter III of chapter 83 of title 5, United States Code (including section 8339(m) of such title (which shall be applied, when an employee retires on an immediate annuity or dies, as if the employment at the time of retirement or death were under a formal leave system), with respect to unused sick leave to the credit of an employee on the day referred to in subsection (a)(1));

''(2) chapter 84 of title 5, United States Code; and

''(3) title III of the Federal Employees' Retirement System Act of 1986 [sections 301 to 312 of Pub. L. 99–335, see Tables for classification].

''(c)(1) At the earliest practicable opportunity, the Director of the Office of Personnel Management shall, in consultation with the Architect of the Capitol, prescribe regulations to carry out this section with respect to matters within the jurisdiction of the Office, including regulations under which—

''(A) an individual who makes an election under subsection (a) shall pay into the Civil Service Retirement and Disability Fund any employee contributions which would be required if such individual were a Congressional employee; and

''(B) the employer furnishing food services under a contract referred to in subsection (a) shall pay into the Civil Service Retirement and Disability Fund amounts equal to any agency contributions which would be required if the individual were a Congressional employee.

''(2) At the earliest practicable opportunity, the Executive Director of the Federal Retirement Thrift Investment Board shall, in consultation with the Architect of the Capitol, prescribe regulations to carry out this section with respect to matters within the jurisdiction of the Board.''

§ 2042. Senate Restaurants; management by Architect of the Capitol

Effective August 1, 1961, the management of the Senate Restaurants and all matters connected therewith, heretofore under the direction of the Senate Committee on Rules and Administration, shall be under the direction of the Architect of the Capitol under such rules and regulations as the Architect may prescribe for the operation and the employment of necessary assistance for the conduct of said restaurants by such business methods as may produce the best results consistent with economical and modern management, subject to the approval of the Senate Committee on Rules and Administration as to matters of general policy: *Provided*, That the management of the Senate Restaurants by the

Architect of the Capitol shall cease and the restaurants revert from the jurisdiction of the Architect of the Capitol to the jurisdiction of the Senate Committee on Rules and Administration upon adoption by that committee of a resolution ordering such transfer of jurisdiction at any time hereafter. The provisions of section 5104(c) of title 40, except for the provisions relating to solicitation, shall not apply to any activity carried out pursuant to this section, subject to the approval of such activities by the Committee on Rules and Administration.

(Pub. L. 87–82, § 1, July 6, 1961, 75 Stat. 199; Pub. L. 106–57, title I, § 5, Sept. 29, 1999, 113 Stat. 412.)

CODIFICATION

''Section 5104(c) of title 40'' substituted in text for ''section 4 of the Act of July 31, 1946 (40 U.S.C. 193d)'' on authority of Pub. L. 107–217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

Section was classified to section 174j–1 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1999—Pub. L. 106–57 inserted at end: ''The provisions of section 193d of this title, except for the provisions relating to solicitation, shall not apply to any activity carried out pursuant to this section, subject to the approval of such activities by the Committee on Rules and Administration.''

§ 2043. Authorization and direction to effectuate purposes of sections 2042 to 2047 of this title

The Architect of the Capitol is authorized and directed to carry into effect for the United States Senate the provisions of sections 2042 to 2047 of this title and to exercise the authorities contained herein, and any resolution of the Senate amendatory hereof or supplementary hereto hereafter adopted. Such authority and direction shall continue until the United States Senate shall by resolution otherwise order, or until the Senate Committee on Rules and Administration shall by resolution order the restaurants to be returned to the committee's jurisdiction.

(Pub. L. 87–82, § 3, July 6, 1961, 75 Stat. 199.)

REFERENCES IN TEXT

Herein, referred to in text, means Pub. L. 87–82, July 6, 1961, 75 Stat. 199, as amended, which enacted sections 2042 to 2047 of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was classified to section 174j–3 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2044. Special deposit account

There is established with the Treasurer of the United States a special deposit account in the name of the Architect of the Capitol for the United States Senate Restaurants, into which shall be deposited all sums received pursuant to sections 2042 to 2047 of this title or any amendatory or supplementary resolutions hereafter adopted and from the operations thereunder and from which shall be disbursed the sums necessary in connection with the exercise of the duties required under sections 2042 to 2047 of this title or any amendatory or supplementary resolutions and the operations thereunder. Any amounts appropriated for fiscal year 1973 and thereafter from the Treasury of the United States, which shall be part of a ''Contingent Expenses of the Senate'' item for the particular fiscal year involved, shall be paid to the Architect of the Capitol by the Secretary of the Senate at such times and in such sums as the Senate Committee on Rules and Administration may approve. Any such payment shall be deposited by the Architect in full under such special deposit account.

(Pub. L. 87–82, § 4, July 6, 1961, 75 Stat. 199; Pub. L. 92–51, July 9, 1971, 85 Stat. 129; Pub. L. 92–342, § 101, July 10, 1972, 86 Stat. 435.)

CODIFICATION

Section was classified to section 174j–4 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1972—Pub. L. 92–342 substituted provision that amounts appropriated for 1973 and thereafter which shall be part of ''Contingent Expenses of the Senate'' be paid to the Architect of the Capitol, for provision that amounts appropriated for 1972 and thereafter specifically for Senate Restaurants as ''Contingent Expenses of the Senate'' be paid to Architect of the Capitol.

1971—Pub. L. 92–51 substituted ''amounts appropriated for fiscal year 1972 and thereafter'' for Senate Restaurants for ''amounts hereafter appropriated'' for such Restaurants, provision that amounts appropriated specifically for such Restaurants as a Contingent Expense of the Senate item for fiscal year involved shall be paid to Architect of the Capitol, for prior provision declaring amounts appropriated for such Restaurants shall be a part of such Restaurants as a Contingent Expense of Senate for fiscal year involved and for payment of such part to Architect of the Capitol, and provision for approval of payments by Senate Committee on Rules and Administration, including times for payments, for prior provision for payments as appropriations shall specify.

§ 2045. Deposits and disbursements under special deposit account

Deposits and disbursements under such special deposit account (1) shall be made by the Architect, or, when directed by him, by such employees of the Architect as he may designate, and (2) shall be subject to audit by the Government Accountability Office at such times and in such manner as the Comptroller General may direct: *Provided*, That payments made by or under the direction of the Architect of the Capitol from such special deposit account shall be conclusive upon all officers of the Government.

(Pub. L. 87–82, § 5, July 6, 1961, 75 Stat. 200; Pub. L. 108–271, § 8(b), July 7, 2004, 118 Stat. 814.)

CODIFICATION

Section was classified to section 174j–5 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

2004—Pub. L. 108–271 substituted ''Government Accountability Office'' for ''General Accounting Office''.

§ 2046. Bond of Architect, Assistant Architect, and other employees

The Architect, Assistant Architect, and any employees of the Architect designated by the Architect under section 2045 of this title shall each give bond in the sum of $5,000 with such surety as the Secretary of the Treasury may approve for the handling of the financial transactions under such special deposit account.

(Pub. L. 87–82, § 6, July 6, 1961, 75 Stat. 200.)

CODIFICATION

Section was classified to section 174j–6 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2047. Supersedure of prior provisions for maintenance and operation of Senate Restaurants

Sections 2042 to 2047 of this title shall supersede any other Acts or resolutions heretofore approved for the maintenance and operation of the Senate Restaurants: *Provided, however*, That any Acts or resolutions now in effect shall again become effective, should the restaurants at any future time revert to the jurisdiction of the Senate Committee on Rules and Administration.

(Pub. L. 87–82, § 7, July 6, 1961, 75 Stat. 200.)

CODIFICATION

Section was classified to section 174j–7 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2048. Repealed. Pub. L. 110–279, § 1(c)(4)(C), July 17, 2008, 122 Stat. 2606

Section, Pub. L. 92–51, July 9, 1971, 85 Stat. 138; Pub. L. 94–59, title V, July 25, 1975, 89 Stat. 289; Pub. L. 101–509, title V, § 529 [title I, § 101(b)(5)], Nov. 5, 1990, 104 Stat. 1427, 1440, related to appropriations for certain miscellaneous restaurant expenses, appropriations for employment of management personnel of Senate restaurant facilities, and compensation and annual and sick leave of such personnel.

CODIFICATION

Section was classified to section 174j–8 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

EFFECTIVE DATE OF REPEAL

Repeal effective July 17, 2008, and applicable to remainder of fiscal year in which enacted and each fiscal year thereafter, see section 2051(i) of this title.

§ 2049. Loans for Senate Restaurants

(a) Borrowing authority

Subject to the approval of the Senate Committee on Rules and Administration, the Architect of the Capitol shall have authority to borrow (and be accountable for), from time to time, from the appropriation account, within the contingent fund of the Senate, for ''Miscellaneous Items'', such amount as he may determine necessary to carry out the provisions of the joint resolution entitled ''Joint Resolution transferring the management of the Senate Restaurants to the Architect of the Capitol, and for other purposes'', approved July 6, 1961, as amended (40 U.S.C. 174j–1 through 174j–8) [2 U.S.C. 2042 et seq.],[1] and resolutions of the Senate amendatory thereof or supplementary thereto.

(b) Amount and period of loan; voucher

Any such loan authorized pursuant to subsection (a) of this section shall be for such amount and for such period as the Senate Committee on Rules and Administration shall prescribe, and shall be made by the Secretary of the Senate to the Architect of the Capitol upon a voucher approved by the Chairman of the Senate Committee on Rules and Administration.

(c) Deposit, credit, and future availability of proceeds from repayment

All proceeds from the repayment of any such loan shall be deposited in the appropriation account, within the contingent fund of the Senate, for ''Miscellaneous Items'', shall be credited to the fiscal year during which such loan was made, and shall thereafter be available for the same purposes for which the amount loaned was initially appropriated.

(Pub. L. 98–396, title I, Aug. 22, 1984, 98 Stat. 1395.)

REFERENCES IN TEXT

The Joint Resolution entitled ''Joint Resolution transferring the management of the Senate Restaurants to the Architect of the Capitol, and for other purposes'', approved July 6, 1961, referred to in subsec. (a), is Pub. L. 87–82, July 6, 1961, 75 Stat. 199, as amended, which enacted sections 174j–1 to 174j–7 of former Title 40, Public Buildings, Property, and Works. Sections 174j–1 and 174j–3 to 174j–7 of former Title 40 were transferred to sections 2042 and 2043 to 2047 of this title, respectively. Section 174j–2 of former Title 40 was repealed by Pub. L. 107–217, § 6(b), Aug. 21, 2002, 116 Stat. 1304. Section 174j–8 of former Title 40, which was not enacted by Pub. L. 87–82, was transferred to section 2048 of this title and subsequently repealed. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was classified to section 174j–9 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2050. Transfer of appropriations for management personnel and miscellaneous restaurant expenses to special deposit account

Appropriations under this heading for management personnel and miscellaneous restaurant expenses on and after October 7, 1997, shall be transferred at the beginning of each fiscal year to the special deposit account in the United States Treasury established under section 2044 of this title, and effective October 1, 1997, all management personnel of the Senate Restaurant facilities shall be paid from the special deposit account. Management personnel transferred hereunder shall be paid at the same rates of pay applicable immediately prior to the date of transfer, and annual and sick leave balances shall be credited to leave accounts of such personnel in the Senate Restaurants.

(Pub. L. 105–55, title I, Oct. 7, 1997, 111 Stat. 1189.)

[1] See References in Text note below.

REFERENCES IN TEXT

Appropriations under this heading, referred to in text, probably means appropriations under the headings ''ARCHITECT OF THE CAPITOL'', ''CAPITAL BUILDINGS AND GROUNDS'', and ''SENATE OFFICE BUILDINGS'' in the annual Legislative Branch Appropriations Act.

CODIFICATION

Section was classified to section 174j–10 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2051. Continued benefits for certain Senate Restaurants employees

(a) Definitions

In this section:

(1) Contractor

The term ''contractor'' means the private business concern that enters into a food services contract with the Architect of the Capitol.

(2) Covered individual

The term ''covered individual'' means any individual who—

(A) is a Senate Restaurants employee who is an employee of the Architect of the Capitol on July 17, 2008, including—

(i) a permanent, full-time or part-time employee;

(ii) a temporary, full-time or part-time employee; and

(iii) an employee in a position described under section 2048[1] of this title;

(B) becomes an employee of the contractor under a food services contract on the transfer date; and

(C) with respect to benefits under subsection (c)(2) or (3), files an election before the transfer date with the Office of Human Resources of the Architect of the Capitol to have 1 or more benefits continued in accordance with this section.

(3) Food services contract

The term ''food services contract'' means a contract under which food services operations of the Senate Restaurants are transferred to, and performed by, a private business concern.

(4) Transfer date

The term ''transfer date'' means the date on which a contractor begins the performance of food services operations under a food services contract.

(b) Election of coverage

(1) In general

(A) Retirement coverage

Not later than the day before the transfer date, an individual described under subsection (a)(2)(A) and (B) may file an election with the Office of Human Resources of the Architect of the Capitol to continue coverage under the retirement system under which that individual is covered on that day.

(B) Life and health insurance coverage

If the individual files an election under subparagraph (A) to continue retirement coverage, the individual may also file an election with the Office of Human Resources of the Architect of the Capitol to continue coverage of any other benefit under subsection (c)(2) or (3) for which that individual is covered on that day. Any election under this subparagraph shall be filed not later than the day before the transfer date.

(2) Notification to the Office of Personnel Management

The Office of Human Resources of the Architect of the Capitol shall provide timely notification to the Office of Personnel Management of any election filed under paragraph (1).

(c) Continuity of benefits

(1) Pay

The rate of basic pay of a covered individual as an employee of a contractor, or successor contractor, during a period of continuous service may not be reduced to a rate less than the rate of basic pay paid to that individual as an employee of the Architect of the Capitol on the day before the transfer date, except for cause.

(2) Retirement and life insurance benefits

(A) In general

For purposes of chapters 83, 84, and 87 of title 5—

(i) any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) the rate of basic pay of the covered individual during the period described under clause (i) shall be deemed to be the rate of basic pay of that individual as an employee of the Architect of the Capitol on the date on which the Architect of the Capitol enters into the food services contract.

(B) Treatment as Civil Service Retirement Offset employees

In the case of a covered individual who on the day before the transfer date is subject to subchapter III of chapter 83 of title 5 but whose employment with the Architect of the Capitol is not employment for purposes of title II of the Social Security Act [42 U.S.C. 401 et seq.] and chapter 21 of title 26—

(i) the employment described under subparagraph (A)(i) shall, for purposes of subchapter III of chapter 83 of title 5, be deemed to be—

(I) employment of an individual described under section 8402(b)(2) of title 5; and

(II) Federal service as defined under section 8349(c) of title 5; and

(ii) the basic pay described under subparagraph (A)(ii) for employment described under subparagraph (A)(i) shall be deemed to be Federal wages as defined under section 8334(k)(2)(C)(i) of title 5.

(3) Health insurance benefits

For purposes of chapters 89, 89A, and 89B of title 5, any period of continuous service per-

[1] See References in Text note below.

formed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol.

(4) Leave

(A) Credit of leave

Subject to section 6304 of title 5, annual and sick leave balances of any covered individual shall be credited to the leave accounts of that individual as an employee of the contractor, or any successor contractor. A food services contract may include provisions similar to regulations prescribed under section 6308 of title 5 to implement this subparagraph.

(B) Accrual rate

During any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, that individual shall continue to accrue annual and sick leave at rates not less than the rates applicable to that individual on the day before the transfer date.

(C) Omitted

(5) Transit subsidy

For purposes of any benefit under section 7905 of title 5, any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol.

(6) Employee pay; Government contributions; transit subsidy payments; and other benefits

(A) Payment by contractor

A contractor, or any successor to the contractor, shall pay—

(i) the pay of a covered individual as an employee of a contractor, or successor contractor, during a period of continuous service;

(ii) Government contributions for the benefits of a covered individual under paragraph (2) or (3);

(iii) any transit subsidy for a covered individual under paragraph (5); and

(iv) any payment for any other benefit for a covered individual in accordance with a food services contract.

(B) Reimbursements and payments by Architect of the Capitol

From appropriations made available to the Architect of the Capitol under the heading ''SENATE OFFICE BUILDINGS'' under the heading ''ARCHITECT OF THE CAPITOL'', the Architect of the Capitol shall—

(i) reimburse a contractor, or any successor contractor, for that portion of any payment under subparagraph (A) which the Architect of the Capitol agreed to pay under a food services contract; and

(ii) pay a contractor, or any successor contractor, for any administrative fee (or portion of an administrative fee) which the Architect of the Capitol agreed to pay under a food services contract.

(7) Regulations

(A) Office of Personnel Management

(i) In general

After consultation with the Architect of the Capitol, the Director of the Office of Personnel Management shall prescribe regulations to provide for the continuity of benefits under paragraphs (2) and (3).

(ii) Contents

Regulations under this subparagraph shall—

(I) include regulations relating to employee deductions and employee and employer contributions and deposits in the Civil Service Retirement and Disability Fund, the Employees' Life Insurance Fund, and the Employees Health Benefits Fund; and

(II) provide for the Architect of the Capitol to perform employer administrative functions necessary to ensure administration of continued coverage of benefits under paragraphs (2) and (3), including receipt and transmission of the deductions, contributions, and deposits described under subclause (I), the collection and transmission of such information as necessary, and the performance of other administrative functions as may be required.

(B) Thrift Savings Plan benefits

After consultation with the Architect of the Capitol, the Executive Director appointed by the Federal Retirement Thrift Investment Board under section 8474(a) of title 5 shall prescribe regulations to provide for the continuity of benefits under paragraph (2) of this subsection relating to subchapter III of chapter 84 of that title. Regulations under this subparagraph shall include regulations relating to employee deductions and employee and employer contributions and deposits in the Thrift Savings Fund.

(d) Covered individuals not entitled to severance pay

(1) In general

Except as provided under paragraph (2), a covered individual shall not be entitled to severance pay under section 5595 of title 5 by reason of—

(A) separation from service with the Architect of the Capitol and becoming an employee of a contractor under a food services contract; or

(B) termination of employment with a contractor, or successor to a contractor.

(2) Separation during 90-day period

(A) In general

(i) Covered individuals

Except as provided under clause (ii), a covered individual shall be entitled to severance pay under section 5595 of title 5 if during the 90-day period following the transfer date the employment of that individual with a contractor is terminated as provided under a food services contract.

(ii) Exception

Clause (i) shall not apply to a covered individual who is terminated for cause.

(B) Treatment

For purposes of section 5595 of title 5—

(i) any period of continuous service performed by a covered individual described under subparagraph (A) as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual described under subparagraph (A) with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(e) Voluntary separation incentive payments

(1) Submission of plan

Not later than 30 days after July 17, 2008, the Architect of the Capitol shall submit a plan under section 60q of this title to the applicable committees as provided under that section.

(2) Plan

(A) In general

Notwithstanding section 60q(e) of this title, the plan submitted under this subsection shall—

(i) offer a voluntary separation incentive payment to any employee described under subsection (a)(2)(A) of this section in accordance with section 60q of this title; and

(ii) offer such a payment to any such employee who becomes a covered individual, if that individual accepts the offer during the 90-day period following the transfer date.

(B) Treatment of covered individuals

For purposes of the plan under this subsection—

(i) any period of continuous service performed by a covered individual as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(f) Early retirement treatment for certain separated employees

(1) In general

This subsection applies to—

(A) an employee of the Senate Restaurants of the Office of the Architect of the Capitol who—

(i) voluntarily separates from service on or after July 17, 2008, but prior to the day before the transfer date; and

(ii) on such date of separation—

(I) has completed 25 years of service as defined under section 8331(12) or 8401(26) of title 5; or

(II) has completed 20 years of such service and is at least 50 years of age; and

(B) except as provided under paragraph (2), a covered individual—

(i) whose employment with a contractor is terminated as provided under a food services contract during the 90-day period following the transfer date; and

(ii) on the date of such termination—

(I) has completed 25 years of service as defined under section 8331(12) or 8401(26) of title 5; or

(II) has completed 20 years of such service and is at least 50 years of age.

(2) Exception

Paragraph (1)(B) shall not apply to a covered individual who is terminated for cause.

(3) Treatment

(A) Annuity

Notwithstanding any provision of chapter 83 or 84 of title 5, an employee described under paragraph (1) is entitled to an annuity which shall be computed consistent with the provisions of law applicable to annuities under section 8336(d) or 8414(b) of title 5.

(B) Separation during 90-day period

For purposes of chapter 83 or 84 of title 5—

(i) any period of continuous service performed by a covered individual described under paragraphs (1)(B) and (2) as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual described under paragraphs (1)(B) and (2) with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(g) Congressional Accountability Act of 1995

(1), (2) Omitted

(3) Continuing application to certain acts and omissions

For purposes of the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) a covered individual shall be treated as an employee of the Architect of the Capitol with respect to any act or omission which occurred before the transfer date.

(h) Deposit of commissions

(1) Senate Restaurants food services contract

Any commissions paid by a contractor under a food services contract shall be deposited in the miscellaneous items account within the contingent fund of the Senate.

(2) Use of funds

Any funds deposited under paragraph (1) shall be available for expenditure in the same manner as funds appropriated into that account.

(i) Effective date

This section shall take effect on July 17, 2008, and apply to the remainder of the fiscal year in which enacted and each fiscal year thereafter.

(Pub. L. 110–279, § 1, July 17, 2008, 122 Stat. 2604.)

REFERENCES IN TEXT

Section 2048 of this title, referred to in subsec. (a)(2)(A)(iii), was repealed by Pub. L. 110–279, § 1(c)(4)(C), July 17, 2008, 122 Stat. 2606.

The Social Security Act, referred to in subsec. (c)(2)(B), is act Aug. 14, 1935, ch. 531, 49 Stat. 620. Title II of the Act is classified generally to subchapter II (§ 401 et seq.) of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

Appropriations made available to the Architect of the Capitol under the heading ''SENATE OFFICE BUILDINGS'' under the heading ''ARCHITECT OF THE CAPITOL'', referred to in subsec. (c)(6)(B), probably means appropriations under the heading ''SENATE OFFICE BUILDINGS'' under the heading ''ARCHITECT OF THE CAPITOL'' in the annual Legislative Branch Appropriations Act.

The Congressional Accountability Act of 1995, referred to in subsec. (g)(3), is Pub. L. 104–1, Jan. 23, 1995, 109 Stat. 3, which is classified principally to chapter 24 (§ 1301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1301 of this title and Tables.

CODIFICATION

Section is comprised of section 1 of Pub. L. 110–279. Subsec. (c)(4)(C) of section 1 of Pub. L. 110–279 repealed section 2048 of this title. Subsec. (g)(1), (2) of section 1 of Pub. L. 110–279 amended sections 1301 and 1331 of this title.

SUBCHAPTER IV—CHILD CARE

§ 2061. Designation of play areas on Capitol grounds for children attending day care center

(a) Authority of Capitol Police Board

Notwithstanding any other provision of law and subject to the provisions of paragraph (1) of subsection (b) of this section, the Capitol Police Board is authorized to designate certain portions of the Capitol grounds (other than a portion within the area bounded on the North by Constitution Avenue, on the South by Independence Avenue, on the East by First Street, and on the West by First Street) for use exclusively as play areas for the benefit of children attending a day care center which is established for the primary purpose of providing child care for the children of Members and employees of the Senate or the House of Representatives.

(b) Required approval; fences; termination of authority

(1) In the case of any such designation referred to in subsection (a) of this section involving a day care center established for the benefit of children of Members and employees of the Senate, the designation shall be with the approval of the Senate Committee on Rules and Administration, and in the case of such a center established for the benefit of children of Members and employees of the House of Representatives, the designation shall be with the approval of the House Committee on House Oversight, with the concurrence of the House Office Building Commission.

(2) The Architect of the Capitol shall enclose with a fence any area designated pursuant to subsection (a) of this section as a play area.

(3) The authority to use an area designated pursuant to subsection (a) of this section as a play area may be terminated at any time by the Committee which approved such designation.

(c) Playground equipment; required approval

Nothing in this or any other Act shall be construed as prohibiting any day care center referred to in subsection (a) of this section from placing playground equipment within an area designated pursuant to subsection (a) of this section for use solely in connection with the operation of such center, subject to, in the case of a day care center established for the benefit of children of Members and employees of the Senate, the approval of the Senate Committee on Rules and Administration, and in the case of such a center established for the benefit of children of Members and employees of the House of Representatives, the approval of the House Committee on House Oversight, with the concurrence of the House Office Building Commission.

(d) Day care center

The day care center referred to in S. Res. 269, Ninety-eighth Congress, first session, is a day care center for which space may be designated under subsection (a) of this section for use as a play area.

(Pub. L. 98–392, § 3, Aug. 21, 1984, 98 Stat. 1362; Pub. L. 104–186, title II, § 221(14), Aug. 20, 1996, 110 Stat. 1750.)

REFERENCES IN TEXT

S. Res. 269, Ninety-eighth Congress, first session, referred to in subsec. (d), is dated Nov. 14, 1983, and reads as follows: ''*Resolved*, That payment is authorized from the contingent fund of the Senate in an amount not to exceed $20,000 for the start-up costs, including the procurement of the services of individual consultants or organizations, for a Senate day care center, which shall be ready for occupancy by January 1, 1984.

''SEC. 2. Payments under this resolution shall be paid from the appropriation account for 'Miscellaneous Items' in the contingent fund of the Senate upon vouchers approved by the chairman of the Committee on Rules and Administration.

''SEC. 3. The Committee on Rules and Administration shall supervise any contract entered into on behalf of the Senate, under authority of this resolution. Such contract shall not be subject to the provisions of section 5 of title 41 of the United States Code or any other provision of law requiring advertising.''

CODIFICATION

Section was classified to section 214b of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1996—Subsecs. (b)(1), (c). Pub. L. 104–186 substituted ''House Oversight'' for ''House Administration''.

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

§ 2062. House of Representatives Child Care Center

(a) Maintenance and operation; admission of children

(1) The Chief Administrative Officer of the House of Representatives shall maintain and operate a child care center (to be known as the ''House of Representatives Child Care Center'') to furnish pre-school child care and (subject to the approval of regulations by the Committee on House Administration) child care for school age

children other than during the course of the ordinary school day—

(A) for children of individuals whose pay is disbursed by the Chief Administrative Officer of the House of Representatives and children of support personnel of the House of Representatives;

(B) if places are available after admission of all children who are eligible under subparagraph (A), for children of individuals whose pay is disbursed by the Secretary of the Senate and children of employees of agencies of the legislative branch; and

(C) if places are available after admission of all children who are eligible under subparagraph (A) or (B), for children of employees of other offices, departments, and agencies of the Federal Government.

(2) Children shall be admitted to the center on a nondiscriminatory basis and without regard to any office or position held by their parents.

(b) Advisory board; membership, functions, etc.

(1)(A) The Speaker of the House of Representatives shall appoint 15 individuals (of whom 7 shall be upon recommendation of the minority leader of the House of Representatives), to serve without pay, as members of an advisory board for the center. The board shall—

(i) provide advice to the Chief Administrative Officer on matters of policy relating to the administration and operation of the center (including the selection of the director of the center);

(ii) be chosen from among Members of the House of Representatives, spouses of Members, parents of children enrolled in the center, and other individuals with expertise in child care or interest in the center; and

(iii) serve during the Congress in which they are appointed, except that a member of the board may continue to serve after the expiration of a term until a successor is appointed.

(B) The director of the center shall serve as an additional member of the board, ex officio and without the right to vote.

(2) A vacancy on the board shall be filled in the manner in which the original appointment is made.

(3) The chairman of the board shall be elected by the members of the board.

(c) Duties of Chief Administrative Officer of House of Representatives

In carrying out subsection (a) of this section, the Chief Administrative Officer is authorized—

(1) to collect fees for child care services;

(2) to accept such gifts of money and property as may be approved by the Chairman and the ranking minority party member of the Committee on House Oversight of the House of Representatives, acting jointly; and

(3) to employ a director and other employees for the center.

(d) Salaries and expenses; funding limits

(1) There is established an account which, subject to appropriation, and except as provided in paragraphs (2) and (3), shall be the exclusive source for all salaries and expenses for activities carried out under this section. The Chief Administrative Officer shall deposit in the account any amounts received under subsection (c) of this section.

(2) With respect to employees of the center, the House of Representatives shall make Government contributions and payments for health insurance, retirement, employment taxes, and similar benefits and programs in the same manner as such contributions and payments are made for other employees of the House of Representatives.

(3) The House of Representatives shall make payments from amounts provided in appropriations acts for salaries and expenses of the Office of the Chief Administrative Officer for the following activities carried out under this section:

(A) The payment of the salary of the director of the center.

(B) The reimbursement of individuals employed by the center for the cost of training classes and conferences in connection with the provision of child care services, together with the cost of travel (including transportation and subsistence) incurred in connection with such classes and conferences.

(e) Definitions

As used in this section—

(1) the term ''Member of the House of Representatives'' means a Representative in, or a Delegate or Resident Commissioner to, the Congress;

(2) the term ''agency of the legislative branch'' means the Office of the Architect of the Capitol, the Botanic Garden, the Government Accountability Office, the Government Printing Office, the Library of Congress, the Office of Technology Assessment, the Congressional Budget Office, and the Copyright Royalty Tribunal; and

(3) the term ''support personnel'' means, with respect to the House of Representatives, any employee of a credit union or of the Architect of the Capitol, whose principal duties are to support the functions of the House of Representatives.

(Pub. L. 102–90, title III, § 312, Aug. 14, 1991, 105 Stat. 467; Pub. L. 102–392, title III, § 319(a), Oct. 6, 1992, 106 Stat. 1725; Pub. L. 104–186, title II, § 221(5), (6), Aug. 20, 1996, 110 Stat. 1749; Pub. L. 106–100, § 1(a), Nov. 12, 1999, 113 Stat. 1332; Pub. L. 108–7, div. H, title I, § 108(a), Feb. 20, 2003, 117 Stat. 355; Pub. L. 108–271, § 8(b), July 7, 2004, 118 Stat. 814; Pub. L. 111–8, div. G, title I, § 106, Mar. 11, 2009, 123 Stat. 818.)

CODIFICATION

Section was classified to section 184g of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

Section is comprised of section 312 of Pub. L. 102–90. Subsec. (f) of section 312 of Pub. L. 102–90 repealed sections 184b to 184f of former Title 40, Public Buildings, Property, and Works.

AMENDMENTS

2009—Subsec. (a)(1). Pub. L. 111–8 substituted ''preschool child care and (subject to the approval of regulations by the Committee on House Administration) child care for school age children other than during the course of the ordinary school day'' for ''pre-school child care'' in introductory provisions.

2004—Subsec. (e)(2). Pub. L. 108–271 substituted ''Government Accountability Office'' for ''General Accounting Office''.

2003—Subsec. (d)(1). Pub. L. 108–7, § 108(a)(1), substituted ''paragraphs (2) and (3)'' for ''paragraph (2)''.

Subsec. (d)(3). Pub. L. 108–7, § 108(a)(2), added par. (3).

1999—Subsec. (a)(1)(C). Pub. L. 106–100 added subpar. (C).

1996—Pub. L. 104–186, § 221(5)(A), substituted ''Chief Administrative Officer'' for ''Clerk'' wherever appearing.

Subsec. (a)(1)(A). Pub. L. 104–186, § 221(5)(B), struck out ''or the Sergeant at Arms of the House of Representatives'' before ''and children''.

Subsec. (b)(1)(A). Pub. L. 104–186, § 221(6)(A), substituted ''minority leader'' for ''Minority Leader''.

Subsec. (c)(2). Pub. L. 104–186, § 221(6)(B), substituted ''House Oversight'' for ''House Administration''.

Subsec. (d)(1). Pub. L. 104–186, § 221(6)(C), struck out ''in the contingent fund of the House of Representatives'' after ''established''.

Subsec. (d)(2). Pub. L. 104–186, § 221(5)(C), substituted ''With respect'' for ''with respect''.

1992—Subsec. (d)(2). Pub. L. 102–392 amended par. (2) generally. Prior to amendment, par. (2) read as follows: ''During fiscal year 1992, of the funds provided in this Act for the 'HOUSE OF REPRESENTATIVES' under 'SALARIES AND EXPENSES', not more than $45,000 may be expended to carry out this section, subject to approval of the Committee on Appropriations of the House of Representatives. Any amount under this paragraph shall be in addition to any amount made available under paragraph (1).''

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108–7, div. H, title I, § 108(b), Feb. 20, 2003, 117 Stat. 355, provided that: ''The amendment made by subsection (a) [amending this section] shall apply with respect to fiscal year 2003 and each succeeding fiscal year.''

EFFECTIVE DATE OF 1999 AMENDMENT

Pub. L. 106–100, § 1(b), Nov. 12, 1999, 113 Stat. 1332, provided that: ''The amendment made by subsection (a) [amending this section] shall apply with respect to children admitted to the House of Representatives Child Care Center on or after the date of the enactment of this Act [Nov. 12, 1999].''

EFFECTIVE DATE OF 1992 AMENDMENT

Section 319(b) of Pub. L. 102–392 provided that: ''The amendment made by subsection (a) [amending this section] shall apply to fiscal years beginning after September 30, 1992.''

RETIREMENT CREDIT FOR CERTAIN PRIOR SERVICE WITH HOUSE CHILD CARE CENTER

Pub. L. 103–69, title III, § 309, Aug. 11, 1993, 107 Stat. 711, provided that:

''(a) DEFINITIONS.—For the purpose of this section—

''(1) the term 'House Child Care Center' means the House of Representatives Child Care Center; and

''(2) the term 'Congressional employee' has the meaning given such term—

''(A) in subchapter III of chapter 83 of title 5, United States Code, to the extent that this section relates to the Civil Service Retirement System; or

''(B) in chapter 84 of title 5, United States Code, to the extent that this section relates to the Federal Employees' Retirement System.

''(b) CSRS.—(1) Subject to paragraph (2), any individual who is an employee of the House Child Care Center on the date of enactment of this Act [Aug. 11, 1993] shall be allowed credit under subchapter III of chapter 83 of title 5, United States Code, as a Congressional employee, for any service if—

''(A) such service was performed before October 1, 1991, as an employee of the House Child Care Center (as constituted before that date); and

''(B) the employee is subject to subchapter III of chapter 83 of such title as of the date of enactment of this Act.

''(2) Credit for service described in paragraph (1)(A) shall not be allowed under this section unless there is paid into the Civil Service Retirement and Disability Fund, by or on behalf of the employee involved, an amount equal to the deductions from pay which would have been applicable under section 8334(c) of title 5, United States Code, for the period of service involved, if such employee were then a Congressional employee, including interest. Retirement credit may not be allowed under this section for any such service unless the full amount of the deposit required under the preceding sentence has been paid.

''(c) FERS.—(1) Subject to paragraph (2), any individual who is an employee of the House Child Care Center on the date of enactment of this Act [Aug. 11, 1993] shall be allowed credit under chapter 84 of title 5, United States Code, as a Congressional employee, for any service if—

''(A) such service was performed before October 1, 1991, as an employee of the House Child Care Center (as constituted before that date); and

''(B) the employee is subject to chapter 84 of such title as of the date of enactment of this Act.

''(2) Credit for service described in paragraph (1)(A) shall not be allowed under this section unless there is paid into the Civil Service Retirement and Disability Fund, by or on behalf of the employee involved, an amount equal to the deductions from pay which would have been payable under applicable provisions of law, for the period of service involved, if such employee were then a Congressional employee, including interest (computed in the same way as interest under subsection (b)(2)). Retirement credit may not be allowed under this section for any such service unless the full amount of the deposit required under the preceding sentence has been paid.

''(d) CLARIFICATION.—Nothing in this section shall be considered to relate to the Thrift Savings Plan.

''(e) OPM FUNCTIONS.—The Office of Personnel Management shall—

''(1) prescribe any regulations which may be necessary to carry out this section; and

''(2) with respect to any service for which credit is sought under this section, accept the certification of the Clerk of the House of Representatives concerning the period of such service and the amount of pay which was paid for such service.''

AVAILABILITY OF AMOUNTS DEPOSITED IN ACCOUNT FOR SALARIES AND EXPENSES

Section 307 of Pub. L. 102–392 provided that: ''The amounts deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (40 U.S.C. 184g(d)(1)) [now 2 U.S.C. 2062(d)(1)] shall be available for salaries and expenses of the House of Representatives Child Care Center without fiscal year limitation, subject to the approval of the Committee on Appropriations of the House of Representatives.''

§ 2063. Senate Employee Child Care Center

(a) Applicability of provisions

The provisions of this section shall apply to any individual who is employed by the Senate day care center (known as the ''Senate Employee Child Care Center'' and hereafter in this section referred to as the ''Center'') established pursuant to Senate Resolution 269, Ninety-eighth Congress, and section 2061 of this title.

(b) Employee election of health care insurance coverage

Any individual described under subsection (a) of this section who is employed by the Center on or after August 14, 1991, shall be deemed an employee under section 8901(1) of title 5 for purposes of health insurance coverage under chapter 89 of such title. An individual described under subsection (a) of this section who is an employee of the Center on August 14, 1991, may elect coverage under this subsection during the 31-day period beginning on August 14, 1991, and during such periods as determined by the Office of Personnel Management for employees of the Center employed after August 14, 1991.

(c) Deductions and withholding from employee pay

The Center shall make such deductions and withholdings from the pay of an individual described under subsection (a) of this section who is an employee of the Center in accordance with subsection (d) of this section.

(d) Employee records; amount of deductions

The Center shall—

(1) maintain records on all employees covered under this section in such manner as the Secretary of the Senate may require for administrative purposes; and

(2) after consultation with the Secretary of the Senate—

(A) make deductions from the pay of employees of amounts determined in accordance with section 8906 of title 5; and

(B) transmit such deductions to the Secretary of the Senate for deposit and remittance to the Office of Personnel Management.

(e) Government contributions

Government contributions for individuals receiving benefits under this section, as computed under section 8906 of title 5, shall be made by the Secretary of the Senate from the appropriations account, within the contingent fund of the Senate, ''miscellaneous items''.

(f) Regulations

The Office of Personnel Management may prescribe regulations to carry out the provisions of this section.

(Pub. L. 102–90, title III, § 311, Aug. 14, 1991, 105 Stat. 467.)

REFERENCES IN TEXT

For Senate Resolution 269, referred to in subsec. (a), see References in Text note set out under section 2061 of this title.

CODIFICATION

Section was classified to section 214c of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2064. Senate Employee Child Care Center employee benefits

(a) Election for coverage

The provisions of this section shall apply to any individual who—

(1)(A) on October 6, 1992, is employed by the Senate day care center (known as the ''Senate Employee Child Care Center'') established pursuant to Senate Resolution 269, Ninety-eighth Congress, and section 2061 of this title; and

(B) makes an election to be covered by this section with the Secretary of the Senate, no later than 60 days after October 6, 1992; or

(2) is hired by the Center after October 6, 1992, and makes an election to be covered by this section with the Secretary of the Senate, no later than 60 days after the date such individual begins employment.

(b) Payment of deposit; payroll deduction

(1) Any individual described under subsection (a) of this section may be credited,[1] under section 8411 of title 5 for service as an employee of the Senate day care center before January 1, 1993, if such employee makes a payment of the deposit under section 8411(f)(2) of such title without application of the provisions of section 8411(b)(3) of such title.

(2) An individual described under subsection (a) of this section shall be credited under section 8411 of title 5 for any service as an employee of the Senate day care center on or after October 6, 1992, if such employee has such amounts deducted and withheld from his pay as determined by the Office of Personnel Management (in accordance with regulations prescribed by such Office subject to subsection (h) of this section) which would be deducted and withheld from the basic pay of an employee under section 8422 of title 5.

(c) Survivor annuities and disability benefits

Notwithstanding any other provision of this section, any service performed by an individual described under subsection (a) of this section as an employee of the Senate day care center is deemed to be civilian service creditable under section 8411 of title 5 for purposes of qualifying for survivor annuities and disability benefits under subchapters IV and V of chapter 84 of such title, if such individual makes payment of an amount, determined by the Office of Personnel Management, which would have been deducted and withheld from the basic pay of such individual if such individual had been an employee subject to section 8422 of title 5 for such period so credited, together with interest thereon.

(d) Participation in Thrift Savings Plan

An individual described under subsection (a) of this section shall be deemed a congressional employee for purposes of chapter 84 of title 5 including subchapter III thereof and may make contributions under section 8432 of such title effective for the first applicable pay period beginning on or after October 6, 1992.

(e) Life insurance coverage

An individual described under subsection (a) of this section shall be deemed an employee under section 8701(a)(3) of title 5 for purposes of life insurance coverage under chapter 87 of such title.

(f) Government contributions

Government contributions for individuals receiving benefits under this section, as computed under sections 8423, 8432, and 8708,[2] shall be made

[1] So in original. The comma probably should not appear.

[2] So in original. The words ''of title 5'' probably should precede the comma.

by the Secretary of the Senate from the appropriations account, within the contingent fund of the Senate, ''Miscellaneous Items''.

(g) Certification of creditable service

The Office of Personnel Management shall accept the certification of the Secretary of the Senate concerning creditable service for the purpose of this section.

(h) Payment to center of amounts equal to Federal tax on employers

(1) Subject to the provisions of paragraph (2), the Secretary of the Senate shall pay such amounts to the Senate day care center equal to the tax on employers under section 3111 of title 26 with respect to each employee of the Senate day care center. Such payments shall be made from the appropriations account, within the contingent fund of the Senate, ''Miscellaneous Items''.

(2) The Senate day care center shall provide appropriate documentation to the Secretary of the Senate of payment by such center of the tax described under paragraph (1), before the Secretary of the Senate may pay any amount to such center as provided under paragraph (1).

(i) Administrative provisions

The Center shall—

(1) consult with the Secretary of the Senate on the administration of this section;

(2) maintain records on all employees covered under this section in such manner as the Secretary of the Senate may require for administrative purposes;

(3) make deductions and withholdings from the pay of employees in the amounts determined under sections 8422, 8432, and 8707 of title 5; and

(4) transmit such deductions and withholdings to the Secretary of the Senate for deposit and remittance to the Office of Personnel Management.

(j) Regulations

The Office of Personnel Management may prescribe regulations to carry out the provisions of this section.

(Pub. L. 102–392, title III, § 320, Oct. 6, 1992, 106 Stat. 1725; Pub. L. 103–50, ch. XII, § 1203(a)(1), (b)(1), July 2, 1993, 107 Stat. 268.)

REFERENCES IN TEXT

For Senate Resolution 269, referred to in subsec. (a)(1)(A), see References in Text note set out under section 2061 of this title.

CODIFICATION

Section was classified to section 214d of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1993—Subsec. (b)(1). Pub. L. 103–50, § 1203(b)(1), substituted ''January 1, 1993'' for ''October 6, 1992''.

Subsecs. (h) to (j). Pub. L. 103–50, § 1203(a)(1), added subsec. (h) and redesignated former subsecs. (h) and (i) as (i) and (j), respectively.

EFFECTIVE DATE OF 1993 AMENDMENT

Section 1203(a)(2) of Pub. L. 103–50 provided that: ''The amendments made by paragraph (1) [amending this section] shall take effect on the first day of the first month beginning on or after the date of the enactment of this Act [July 2, 1993].''

Section 1203(b)(2) of Pub. L. 103–50 provided that: ''The amendment made by paragraph (1) [amending this section] shall take effect on the date of the enactment of this Act [July 2, 1993].''

§ 2065. Reimbursement of Senate day care center employees

(a) Cost of training classes, conferences, and related expenses

Notwithstanding section 1345 of title 31, the Secretary of the Senate may reimburse any individual employed by the Senate day care center for the cost of training classes and conferences in connection with the provision of child care services and for travel, transportation, and subsistence expenses incurred in connection with the training classes and conferences.

(b) Documentation

The Senate day care center shall certify and provide appropriate documentation to the Secretary of the Senate with respect to any reimbursement under this section. Reimbursements under this section shall be made from the appropriations account ''MISCELLANEOUS ITEMS'' within the contingent fund of the Senate on vouchers approved by the Secretary of the Senate.

(c) Regulations and limitations

Reimbursements under this section shall be subject to the regulations and limitations prescribed by the Committee on Rules and Administration of the Senate for travel and related expenses for which payment is authorized to be made from the contingent fund of the Senate.

(d) Effective date

This section shall be effective on and after October 1, 1996.

(Pub. L. 104–197, title I, § 6, Sept. 16, 1996, 110 Stat. 2397.)

CODIFICATION

Section was classified to section 214e of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

SUBCHAPTER V—HISTORICAL PRESERVATION AND FINE ARTS

PART A—UNITED STATES CAPITOL PRESERVATION COMMISSION

§ 2081. United States Capitol Preservation Commission

(a) Establishment and purposes

There is established in the Congress the United States Capitol Preservation Commission (hereinafter in this part referred to as the ''Commission'') for the purposes of—

(1) providing for improvements in, preservation of, and acquisitions for, the United States Capitol;

(2) providing for works of fine art and other property for display in the United States Capitol and at other locations under the control of the Congress; and

(3) conducting other activities that directly facilitate, encourage, or otherwise support any purposes specified in paragraph (1) or (2).

(b) Membership

The Commission shall be composed of the following Members of Congress:

(1) The President pro tempore of the Senate and the Speaker of the House of Representatives, who shall be co-chairmen.

(2) The Chairman and Vice-Chairman of the Joint Committee on the Library.

(3) The Chairman and the ranking minority party member of the Committee on Rules and Administration of the Senate, and the Chairman and the ranking minority party member of the Committee on House Oversight of the House of Representatives.

(4) The majority leader and the minority leader of the Senate.

(5) The majority leader and the minority leader of the House of Representatives.

(6) The Chairman of the Commission on the Bicentennial of the United States Senate and the Chairman of the Commission of the House of Representatives Bicentenary, to be succeeded upon expiration of such commissions, by a Senator or Member of the House of Representatives, as appropriate, appointed by the Senate or House of Representatives co-chairman of the Commission, respectively.

(7) One Senator appointed by the President pro tempore of the Senate and one Senator appointed by the minority leader of the Senate.

(8) One Member of the House of Representatives appointed by the Speaker of the House of Representatives and one Member of the House of Representatives appointed by the minority leader of the House of Representatives.

(c) Designees

Each member of the Commission specified under subsection (b) of this section (other than a member under paragraph (7) or (8) of such subsection) may designate a Senator or Member of the House of Representatives, as the case may be, to serve as a member of the Commission in place of the member so specified.

(d) Architect of the Capitol

In addition to the members under subsection (b) of this section, the Architect of the Capitol shall participate in the activities of the Commission, ex officio, and without the right to vote.

(e) Staff support and assistance

The Senate Commission on Art, the House of Representatives Fine Arts Board, and the Architect of the Capitol shall provide to the Commission such staff support and assistance as the Commission may request.

(Pub. L. 100–696, title VIII, § 801, Nov. 18, 1988, 102 Stat. 4608; Pub. L. 104–186, title II, § 221(7), Aug. 20, 1996, 110 Stat. 1749.)

CODIFICATION

Section was classified to section 188a of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1996—Subsec. (b)(3). Pub. L. 104–186 substituted ''House Oversight'' for ''House Administration''.

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

§ 2082. Authority of Commission to accept gifts and conduct other transactions relating to works of fine art and other property

(a) In general

In carrying out the purposes referred to in section 2081(a) of this title the Commission is authorized—

(1) to accept gifts of works of fine art, gifts of other property, and gifts of money; and

(2) to acquire property, administer property, dispose of property, and conduct other transactions related to such purposes.

(b) Transfer and disposition of works of fine art and other property

The Commission shall, with respect to works of fine art and other property received by the Commission—

(1) in consultation with the Joint Committee on the Library, the Senate Commission on Art, or the House of Representatives Fine Arts Board, as the case may be, transfer such property to the entity consulted;

(2) if a transfer described in paragraph (1) is not appropriate, dispose of the work of fine art by sale or other transaction; and

(3) in the case of property that is not directly related to the purposes referred to in section 2081(a) of this title, dispose of such property by sale or other transaction.

(c) Requirements for conduct of transactions

In conducting transactions under this section, the Commission shall—

(1) accept money only in the form of a check or similar instrument made payable to the Treasury of the United States and shall deposit any such check or instrument in accordance with section 2083 of this title;

(2) in making sales and engaging in other property transactions, take into consideration market conditions and other relevant factors; and

(3) assure that each transaction is directly related to the purposes referred to in section 2081(a) of this title.

(Pub. L. 100–696, title VIII, § 802, Nov. 18, 1988, 102 Stat. 4609; Pub. L. 101–302, title III, § 312(a), May 25, 1990, 104 Stat. 245.)

CODIFICATION

Section was classified to section 188a–1 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1990—Subsec. (b)(1). Pub. L. 101–302 amended par. (1) generally. Prior to amendment, par. (1) read as follows: ''upon agreement with the Joint Committee on the Library, the Senate Commission on Art, or the House of Representatives Fine Arts Board, as the case may be, transfer such property to the entity with which the agreement is made;''.

§ 2083. Capitol Preservation Fund

(a) In general

There is established in the Treasury a fund, to be known as the ''Capitol Preservation Fund'' (hereafter in this part referred to as the ''fund''), which shall consist of (1) amounts deposited, and interest and proceeds credited, under subsection (d) of this section, (2) obligations obtained under subsection (e) of this section, and (3) all surcharges received by the Secretary of the Treasury from the sale of coins minted under the Bicentennial of the United States Congress Commemorative Coin Act.

(b) Availability of fund

The fund shall be available to the Commission—

(1) for payment of transaction costs and similar expenses incurred under section 2082 of this title;

(2) subject to the approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, for improvement and preservation projects for the United States Capitol;

(3) for disbursement with respect to works of fine art and other property as provided in section 2082 of this title; and

(4) for such other payments as may be required to carry out section 2081 of this title or section 2082 of this title.

(c) Transaction costs and proportionality

In carrying out this section, the Commission shall, to the extent practicable, take such action as may be necessary—

(1) to minimize disbursements under subsection (b)(1) of this section; and

(2) to equalize disbursements under subsection (b) of this section between the Senate and the House of Representatives.

(d) Deposits, credits, and disbursements

The Commission shall deposit in the fund gifts of money and proceeds of transactions under section 2082 of this title. The Secretary of the Treasury shall credit to the fund the interest on, and the proceeds from sale or redemption of, obligations held in the fund. Disbursements from the fund shall be made on vouchers approved by the Commission and signed by the co-chairmen.

(e) Investments

The Secretary of the Treasury shall invest any portion of the fund that, as determined by the Commission, is not required to meet current withdrawals. Each investment shall be made in an interest bearing obligation of the United States or an obligation guaranteed as to principal and interest by the United States that, as determined by the Commission has a maturity suitable for the fund. In carrying out this subsection, the Secretary may make such purchases, sales, and redemptions of obligations as may be approved by the Commission.

(Pub. L. 100–696, title VIII, § 803, Nov. 18, 1988, 102 Stat. 4609; Pub. L. 101–302, title III, § 312(b), May 25, 1990, 104 Stat. 245.)

REFERENCES IN TEXT

The Bicentennial of the United States Congress Commemorative Coin Act, referred to in subsec. (a), is Pub. L. 100–673, Nov. 17, 1988, 102 Stat. 3992, which is set out as a note under section 5112 of Title 31, Money and Finance.

CODIFICATION

Section was classified to section 188a–2 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1990—Subsec. (b). Pub. L. 101–302, § 312(b)(1), struck out ''subject to the approval, except for the purchase of fine art and antiques, of the Committees on Appropriations of the House of Representatives and Senate, respectively'' after ''The fund shall be available to the Commission''.

Subsec. (b)(2). Pub. L. 101–302, § 312(b)(2), inserted ''subject to the approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate,'' before ''For improvement''.

CAPITOL VISITOR CENTER FUNDING

Pub. L. 107–117, div. B, § 913, Jan. 10, 2002, 115 Stat. 2324, provided that:

''(a) Notwithstanding any other provision of law, the United States Capitol Preservation Commission established under section 801 of the Arizona-Idaho Conservation Act of 1988 (40 U.S.C. 188a) [now 2 U.S.C. 2081] may transfer to the Architect of the Capitol amounts in the Capitol Preservation Fund established under section 803 of such Act (40 U.S.C. 188a–2) [now 2 U.S.C. 2083] if the amounts are to be used by the Architect for the planning, engineering, design, or construction of the Capitol Visitor Center.

''(b) Any amounts transferred pursuant to subsection (a) shall remain available for the use of the Architect of the Capitol until expended.

''(c) This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.''

§ 2084. Audits by the Comptroller General

The Comptroller General shall conduct annual audits of the transactions of the Commission and shall report the results of each audit to the Congress.

(Pub. L. 100–696, title VIII, § 804, Nov. 18, 1988, 102 Stat. 4610.)

CODIFICATION

Section was classified to section 188a–3 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in this section relating to the requirement that the Comptroller General report the results of annual audits 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 2 of House Document No. 103–7.

§ 2085. Advisory boards

The Commission may establish appropriate boards to provide advice and assistance to the Commission and to further the purposes of the Commission. The boards shall be composed of members (including chairmen) who shall be appointed by the Commission from public and private life and shall serve at the pleasure of the Commission and each co-chairman of the Commission may appoint one member to any such

board. The members of boards under this section may be reimbursed for actual and necessary expenses incurred in the performance of the duties of the boards, at the discretion of the Commission.

(Pub. L. 100–696, title VIII, § 805, Nov. 18, 1988, 102 Stat. 4610.)

CODIFICATION

Section was classified to section 188a–4 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2086. Definition

As used in this part, the term ''Member of the House of Representatives'' means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

(Pub. L. 100–696, title VIII, § 806, Nov. 18, 1988, 102 Stat. 4610.)

CODIFICATION

Section was classified to section 188a–5 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

PART B—SENATE COMMISSION ON ART

§ 2101. Senate Commission on Art

(a) Establishment

There is hereby established a Senate Commission on Art (hereinafter referred to as ''the Commission'') consisting of the President pro tempore of the Senate, the chairman and ranking minority member of the Committee on Rules and Administration of the Senate, and the majority and minority leaders of the Senate.

(b) Chairman and Vice Chairman; quorum; Executive Secretary

The Majority Leader and Minority Leader of the Senate shall be the chairman and vice chairman, respectively, of the Commission. Three members of the Commission shall constitute a quorum for the transaction of business, except that the Commission may fix a lesser number which shall constitute a quorum for the taking of testimony. The Secretary of the Senate shall be the Executive Secretary of the Commission[1]

(c) Appointment of Senate Curator; assignment of assistants

The Secretary of the Senate shall appoint a Senate Curator approved by the Senate Commission on Art. The Senate Curator shall be an employee of the Secretary of the Senate assigned to assist the Commission. The Secretary of the Senate shall assign additional employees to assist the Commission, and provide such other assistance, as the Commission determines necessary.

(d) Hearings and meetings

The Commission shall be empowered to hold hearings, summon witnesses, administer oaths, employ reporters, request the production of papers and records, take such testimony, and adopt such rules for the conduct of its hearings and meetings, as it deems necessary.

(Pub. L. 100–696, title IX, § 901(a), (b)(1), (3), Nov. 18, 1988, 102 Stat. 4610, 4611; Pub. L. 108–83, title I, § 3(d)(1), Sept. 30, 2003, 117 Stat. 1012.)

CODIFICATION

Section was classified to section 188b of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on section 1 of Senate Resolution No. 382, Ninetieth Congress, Oct. 1, 1968, which was enacted into permanent law and amended by Pub. L. 100–696.

AMENDMENTS

2003—Subsec. (b). Pub. L. 108–83, § 3(d)(1)(A), substituted ''The Majority Leader and Minority Leader of the Senate shall be the chairman and vice chairman, respectively, of the Commission.'' for ''The Commission shall elect a Chairman and a Vice Chairman at the beginning of each Congress.''

Subsec. (c). Pub. L. 108–83, § 3(d)(1)(B), added subsec. (c) and struck out former subsec. (c) which read as follows: ''The Commission shall select a Curator of Art and Antiquities of the Senate who shall be appointed by and be an employee of the Secretary of the Senate. The Curator shall serve at the pleasure of the Commission, shall perform such duties as it may prescribe, and shall receive compensation at a gross rate, not to exceed $22,089 per annum to be fixed by the Commission. At the request of the Commission the Secretary of the Senate shall detail to the Commission such additional professional, clerical, and other assistants as, from time to time, it deems necessary.''

1988—Subsec. (a). Pub. L. 100–696, § 901(b)(3), substituted ''Senate Commission on Art'' for ''Commission on Art and Antiquities of the United States Senate''.

Subsec. (b). Pub. L. 100–696, § 901(b)(1), inserted ''The Secretary of the Senate shall be the Executive Secretary of the Commission''.

SENATE RULEMAKING POWER

Section 901(d) of Pub. L. 100–696 provided that: ''The provisions of this section [enacting sections 2101 to 2106 of this title and amending sections 2101, 2102, and 2106 of this title] are enacted by the Congress—

''(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

''(2) with full recognition of the constitutional right of the Senate to change such rules at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.''

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91–656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a–1 of this title.

§ 2102. Duties of Commission

(a) In general

The Commission is hereby authorized and directed to supervise, hold, place, protect, and make known all works of art, historical objects, and exhibits within the Senate wing of the United States Capitol, any Senate Office Buildings, and in all rooms, spaces, and corridors thereof, which are the property of the United States, and in its judgment to accept any works of art, historical objects, or exhibits which may

[1] So in original. Probably should be followed by a period.

hereafter be offered, given, or devised to the Senate, its committees, and its officers for placement and exhibition in the Senate wing of the Capitol, the Senate Office Buildings, or in rooms, spaces, or corridors thereof.

(b) Issuance and publication of regulations

The Commission shall prescribe such regulations as it deems necessary for the care, protection, and placement of such works of art, exhibits, and historical objects in the Senate wing of the Capitol and the Senate Office Buildings, and for their acceptance on behalf of the Senate, its committees, and officers. Such regulations shall be published in the Congressional Record at such time or times as the Commission may deem necessary for the information of the Members of the Senate and the public.

(c) Consistency of regulations

Regulations authorized by the provisions of section 2183 of this title to be issued by the Sergeant at Arms of the Senate for the protection of the Capitol, and any regulations issued, or activities undertaken, by the Committee on Rules and Administration of the Senate, or the Architect of the Capitol, in carrying out duties relating to the care, preservation, and protection of the Senate wing of the Capitol and the Senate Office Buildings, shall be consistent with such rules and regulations as the Commission may issue pursuant to subsection (b) of this section.

(d) Responsibilities of Committee on Rules and Administration of Senate

The Committee on Rules and Administration of the Senate in consultation with the Architect of the Capitol and consistent with regulations prescribed by the Commission under subsection (b) of this section, shall have responsibility for the supervision, protection, and placement of all works of art, historical objects, and exhibits which shall have been accepted on behalf of the Senate by the Commission or acknowledged as United States property by inventory of the Commission, and which may be lodged in the Senate wing of the Capitol or the Senate Office Buildings by the Commission.

(Pub. L. 100–696, title IX, §901(a), (b)(2), Nov. 18, 1988, 102 Stat. 4610, 4611.)

CODIFICATION

Section was classified to section 188b–1 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on section 2 of Senate Resolution No. 382, Ninetieth Congress, Oct. 1, 1968, which was enacted into permanent law and amended by Pub. L. 100–696.

AMENDMENTS

1988—Subsec. (a). Pub. L. 100–696, §901(b)(2), substituted ''protect, and make known'' for ''and protect'' and ''Senate wing of the United States Capitol, any Senate Office Buildings'' for ''Senate wing of the Capitol''.

§2103. Supervision and maintenance of Old Senate Chamber

The Commission shall have responsibility for the supervision and maintenance of the Old Senate Chamber on the principal floor of the Senate wing of the Capitol and of the Old Supreme Court Chamber insofar as each is to be preserved as a patriotic shrine in the Capitol for the benefit of the people of the United States.

(Pub. L. 100–696, title IX, §901(a), Nov. 18, 1988, 102 Stat. 4610; Pub. L. 107–68, title I, §108(a), Nov. 12, 2001, 115 Stat. 569.)

CODIFICATION

Section was classified to section 188b–2 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on section 3 of Senate Resolution No. 382, Ninetieth Congress, Oct. 1, 1968, which was enacted into permanent law by Pub. L. 100–696.

AMENDMENTS

2001—Pub. L. 107–68 substituted ''and of the Old Supreme Court Chamber insofar as each'' for ''insofar as it''.

EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107–68, title I, §108(c), Nov. 12, 2001, 115 Stat. 569, provided that: ''The amendments made by this section [amending this section and section 2105 of this title] shall apply to fiscal year 2002 and all succeeding fiscal years.''

§2104. Publication of list of works of art, historical objects, and exhibits

The Commission shall, from time to time, but at least once every ten years, publish as a Senate document a list of all works of art, historical objects, and exhibits currently within the Senate wing of the Capitol and the Senate Office Buildings, together with their description, location, and with such notes as may be pertinent to their history.

(Pub. L. 100–696, title IX, §901(a), Nov. 18, 1988, 102 Stat. 4610.)

CODIFICATION

Section was classified to section 188b–3 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on section 4 of Senate Resolution No. 382, Ninetieth Congress, Oct. 1, 1968, which was enacted into permanent law by Pub. L. 100–696.

§2105. Authorization of appropriations

There is hereby authorized to be appropriated out of the contingent fund of the Senate for the expenses of the Commission such amount as may be necessary each fiscal year, to be disbursed by the Secretary of the Senate on vouchers signed by the Executive Secretary of the Commission and approved by the Committee on Rules and Administration of the Senate: *Provided*, That no payment shall be made from such appropriation as salary.

(Pub. L. 100–696, title IX, §901(a), Nov. 18, 1988, 102 Stat. 4610; Pub. L. 107–68, title I, §108(b), Nov. 12, 2001, 115 Stat. 569.)

CODIFICATION

Section was classified to section 188b–4 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on section 5 of Senate Resolution No. 382, Ninetieth Congress, Oct. 1, 1968, which was enacted into permanent law by Pub. L. 100–696.

AMENDMENTS

2001—Pub. L. 107–68 substituted ''such amount as may be necessary each fiscal year,'' for ''the sum of $15,000 each fiscal year,'' and ''the Executive Secretary of the Commission and approved by the Committee on Rules and Administration of the Senate'' for ''the Chairman or Vice Chairman of the Commission''.

EFFECTIVE DATE OF 2001 AMENDMENT

Amendment by Pub. L. 107–68 applicable to fiscal year 2002 and all succeeding fiscal years, see section 108(c) of Pub. L. 107–68, set out as a note under section 2103 of this title.

§ 2106. Repealed. Pub. L. 108–83, title I, § 3(a)(3), Sept. 30, 2003, 117 Stat. 1010

Section, based on S. Res. No. 95, Ninety-second Congress, Apr. 1, 1971, enacted into permanent law and amended by Pub. L. 100–696, title IX, § 901(a), (c), Nov. 18, 1988, 102 Stat. 4610, 4611, related to additional authority of the Senate Commission on Art to acquire works of art, historical objects, documents, or exhibits.

Section was classified to section 188b–5 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2107. Conservation, restoration, replication, or replacement of items in United States Senate Collection

(a) Use of moneys in Senate contingent fund

Effective with the fiscal year ending September 30, 2006, and each fiscal year thereafter, subject to the approval of the Committee on Appropriations of the Senate, any unexpended and unobligated funds in the appropriation account for the ''Secretary of the Senate'' within the contingent fund of the Senate which have not been withdrawn in accordance with section 102a of this title, shall be available for the expenses incurred, without regard to the fiscal year in which incurred, for the purchase of art and historical objects for the United States Senate Collection, for exhibits and public education relating to the United States Senate Collection, for administrative and transitional expenses of the Senate Commission on Art, and for the conservation, restoration, and replication or replacement, in whole or in part, of works of art, historical objects, documents, or material relating to historical matters for placement or exhibition within the Senate wing of the United States Capitol, any Senate Office Building, or any room, corridor, or other space therein. In the case of replication or replacement of such works, objects, documents, or material, the funds available under this subsection shall be available for any such works, objects, documents, or material previously contained within the Senate wing of the Capitol, or a work, object, document, or material historically accurate.

(b) United States Senate Collection

All such works, objects, documents, or materials referred to in subsection (a) of this section may be known as the ''United States Senate Collection''.

(c) Approval of disbursements by Chairman or Executive Secretary of Senate Commission on Art

Disbursements for expenses incurred for the purposes in subsection (a) of this section shall be made upon vouchers approved by the Chairman of the Senate Commission on Art or the Executive Secretary of the Senate Commission on Art.

(Pub. L. 101–302, title III, § 316, May 25, 1990, 104 Stat. 246; Pub. L. 101–520, title III, § 323, Nov. 5, 1990, 104 Stat. 2285; Pub. L. 102–90, title III, § 310, Aug. 14, 1991, 105 Stat. 467; Pub. L. 102–392, title III, § 312, Oct. 6, 1992, 106 Stat. 1723; Pub. L. 103–69, title III, § 314, Aug. 11, 1993, 107 Stat. 713; Pub. L. 103–283, title III, § 309, July 22, 1994, 108 Stat. 1442; Pub. L. 104–53, title III, § 311, Nov. 19, 1995, 109 Stat. 538; Pub. L. 104–197, title III, § 313, Sept. 16, 1996, 110 Stat. 2415; Pub. L. 105–55, title III, § 309, Oct. 7, 1997, 111 Stat. 1198; Pub. L. 105–275, title III, § 311, Oct. 21, 1998, 112 Stat. 2457; Pub. L. 106–57, title III, § 309, Sept. 29, 1999, 113 Stat. 427; Pub. L. 106–554, § 1(a)(2) [title I, § 8, title III, § 309], Dec. 21, 2000, 114 Stat. 2763, 2763A–98, 2763A–119; Pub. L. 107–68, title III, § 308, Nov. 12, 2001, 115 Stat. 592; Pub. L. 108–7, div. H, title II, § 207, Feb. 20, 2003, 117 Stat. 383; Pub. L. 108–83, title I, §§ 3(d)(2), 7, Sept. 30, 2003, 117 Stat. 1013; Pub. L. 108–447, div. G, title I, § 3, Dec. 8, 2004, 118 Stat. 3169; Pub. L. 109–55, title I, § 3, Aug. 2, 2005, 119 Stat. 568.)

CODIFICATION

Section was classified to section 188b–6 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

2005—Subsec. (a). Pub. L. 109–55 substituted ''2006'' for ''2005'' in first sentence.

2004—Subsec. (a). Pub. L. 108–447 substituted ''2005'' for ''2004'' in first sentence.

2003—Subsec. (a). Pub. L. 108–83, in first sentence, substituted ''2004'' for ''2003'' and inserted ''for the purchase of art and historical objects for the United States Senate Collection, for exhibits and public education relating to the United States Senate Collection, for administrative and transitional expenses of the Senate Commission on Art, and'' after ''in which incurred,''.

Pub. L. 108–7 substituted ''2003'' for ''2002'' in first sentence.

2001—Subsec. (a). Pub. L. 107–68 substituted ''2002'' for ''2001'' in first sentence.

2000—Subsec. (a). Pub. L. 106–554, § 1(a)(2) [title III, § 309], substituted ''2001'' for ''2000'' in first sentence.

Pub. L. 106–554, § 1(a)(2) [title I, § 8(1), (2)], in first sentence, substituted ''works of art, historical objects, documents, or material relating to historical matters for placement or exhibition'' for ''items of art, fine art, and historical items'' and, in second sentence, substituted ''such works, objects, documents, or material'' for ''such items'' in two places and ''a work, object, document, or material'' for ''an item''.

Subsec. (b). Pub. L. 106–554, § 1(a)(2) [title I, § 8(3)], substituted ''such works, objects, documents, or materials'' for ''such items of art'' and ''may'' for ''shall''.

1999—Subsec. (a). Pub. L. 106–57 substituted ''2000'' for ''1999''.

1998—Subsec. (a). Pub. L. 105–275 substituted ''1999'' for ''1998''.

1997—Subsec. (a). Pub. L. 105–55 substituted ''1998'' for ''1997''.

1996—Subsec. (a). Pub. L. 104–197 substituted ''1997'' for ''1996''.

1995—Subsec. (a). Pub. L. 104–53 substituted ''1996'' for ''1995''.

1994—Subsec. (a). Pub. L. 103–283 substituted ''1995'' for ''1994''.

1993—Subsec. (a). Pub. L. 103–69 substituted ''1994'' for ''1993''.

1992—Subsec. (a). Pub. L. 102–392 substituted ''1993'' for ''1992''.

1991—Subsec. (a). Pub. L. 102–90 substituted ''1992'' for ''1991''.

1990—Subsec. (a). Pub. L. 101–520 substituted ''1991'' for ''1990''.

§ 2108. Provisions relating to Senate Commission on Art

(a) Authority to acquire and dispose

(1) In general

The Senate Commission on Art (referred to in this section as the ''Commission'') may—

(A) accept gifts of money; and

(B) acquire (by gift, purchase, or otherwise) any work of art, historical object, document, or material relating to historical matters, or exhibit, for placement or exhibition in the Senate Wing of the Capitol, the Senate Office Buildings, or in rooms, spaces, or corridors thereof.

(2) Accession or disposal

All works of art, historical objects, documents, or material related to historical matters, or exhibits, acquired by the Commission may, as determined by the Commission and after consultation with the Curatorial Advisory Board, be—

(A) retained for accession to the United States Senate Collection or other use; or

(B) disposed of by sale or other transaction.

(3) Omitted

(b) Advisory boards

(1) Curatorial Advisory Board

There is established a Board which shall be chaired by the Senate Curator. The Curatorial Advisory Board shall provide advice and assistance to the Commission on the acquisition, care, and disposition of items for or within the United States Senate Collection, and on such other matters as the Commission determines appropriate.

(2) Additional advisory boards

(A) In general

The Commission, or the chairman and vice chairman acting jointly on behalf of the Commission and after giving notice to the Commission, may establish 1 or more additional advisory boards.

(B) Term

The term of existence for an additional advisory board—

(i) shall be specified by the Commission but no longer than 4 years; and

(ii) shall be renewable.

(C) Purpose

The purpose of an additional advisory board shall be to provide advice and assistance to the Commission and to further the purposes of the Commission.

(3) Appointments

(A) In general

Subject to subparagraph (B), the Curatorial Advisory Board and other advisory boards established by the Commission under paragraph (2) shall be composed of members appointed by the Commission, or the chairman and vice chairman acting jointly on behalf of the Commission and after giving notice to the Commission.

(B) Applicable rules

Members appointed under subparagraph (A)—

(i) shall be appointed from public and private life and shall serve at the pleasure of the Commission; and

(ii) in the case of individuals appointed to the Curatorial Advisory Board, shall be experts or have significant experience in the field of arts, historic preservation, or other appropriate fields.

Each member of the Commission may have appointed to an advisory board created by the Commission at least 1 individual requested by that member.

(4) Members

A member of a board under this subsection—

(A) may, at the discretion of the Commission, be reimbursed for actual and necessary expenses incurred in the performance of the official duties of the board from any funds available to the Commission in accordance with applicable Senate regulations for such expenses; and

(B) shall not, by virtue of such member's service on the board, be deemed to be an officer, employee, or agent of the Senate and may not bind the Senate in any contract or obligation.

(5) Terms for additional advisory board members

Members appointed to the other advisory boards created under paragraph (2) shall serve for terms as stated in their appointment, but no longer than a term of 4 years, except that any member may be reappointed upon the expiration of their term.

(6) Regulations

The Commission, or the chairman and vice chairman acting jointly on behalf of the Commission and after giving notice to the Commission, in consultation with the Committee on Rules and Administration, may promulgate such regulations governing advisory boards established under this subsection as are necessary to carry out the purposes of this subsection.

(7) Assistance

The Executive Secretary of the Commission shall provide assistance to an advisory board as authorized by the Commission.

(c) Establishment of Senate Preservation Fund

(1) Establishment

There is established in the Treasury a fund, to be known as the ''Senate Preservation Fund'' (in this section referred to as the ''fund''), which shall consist of amounts deposited and credited under paragraph (3).

(2) Payment of costs

The fund shall be available to the Commission for the payment of acquisition and trans-

action costs incurred for acquisitions under subsection (a) of this section, for official activities of any advisory board established under subsection (b) of this section, for any purposes for which funds from the contingent fund of the Senate may be used under section 2107(a) of this title, and for expenditures, not to exceed $10,000 in any fiscal year, for meals and refreshments in Capitol facilities in connection with official activities of the Commission or other authorized programs or activities.

(3) Deposits, credits, and disbursements

(A) Deposits

The Commission shall deposit in the fund amounts appropriated for use of the fund, gifts of money, and proceeds of transactions under subsection (a) of this section.

(B) Credits

The Secretary of the Treasury shall credit to the fund the interest on, and the proceeds from sale or redemption of, obligations held in the fund.

(C) Disbursements

Disbursements from the fund shall be made on vouchers approved by the Commission and signed by the Executive Secretary of the Commission.

(4) Investments

(A) In general

The Secretary of the Treasury shall invest any portion of the fund that, as determined by the Commission, is not required to meet current withdrawals.

(B) Type of obligation

Each investment required by this paragraph shall be made in an interest bearing obligation of the United States or an obligation guaranteed as to the principal and interest by the United States that, as determined by the Commission, has a maturity suitable for the fund.

(C) Commission approval

In carrying out this subsection, the Secretary of the Treasury may make such purchases, sales, and redemption of obligations as may be approved by the Commission.

(5) Services and support

The Library of Congress shall provide financial management and disbursing services and support to the Commission as may be required and mutually agreed to by the Librarian of Congress and the Executive Secretary of the Commission.

(6) Audits

The Comptroller General of the United States shall conduct annual audits of the Senate Preservation Fund and shall report the results of each audit to the Commission.

(Pub. L. 108–83, title I, § 3, Sept. 30, 2003, 117 Stat. 1010; Pub. L. 109–55, title I, § 4, Aug. 2, 2005, 119 Stat. 568.)

CODIFICATION

Section is comprised of section 3 of Pub. L. 108–83. Subsec. (a)(3) of section 3 of Pub. L. 108–83 repealed section 2106 of this title. Subsec. (d) of section 3 of Pub. L. 108–83 amended sections 2101 and 2107 of this title.

Section is from the Legislative Branch Appropriations Act, 2004.

AMENDMENTS

2005—Subsec. (c)(2). Pub. L. 109–55 substituted ''for any purposes for which funds from the contingent fund of the Senate may be used under section 2107(a) of this title, and for expenditures, not to exceed $10,000 in any fiscal year, for meals and refreshments in Capitol facilities in connection with official activities of the Commission or other authorized programs or activities'' for ''and for any purposes for which funds from the contingent fund of the Senate may be used under section 2107(a) of this title''.

PART C—HOUSE OF REPRESENTATIVES FINE ARTS BOARD

§ 2121. House of Representatives Fine Arts Board

(a) Establishment and authority

There is established in the House of Representatives a Fine Arts Board (hereafter in sections 2121 and 2122 of this title referred to as the ''Board''), comprised of the House of Representatives members of the Joint Committee on the Library. The chairman of the Committee on House Oversight of the House of Representatives shall be the chairman of the Board. The Board, in consultation with the House Office Building Commission, shall have authority over all works of fine art, historical objects, and similar property that are the property of the Congress and are for display or other use in the House of Representatives wing of the Capitol, the House of Representatives Office Buildings, or any other location under the control of the House of Representatives.

(b) Clerk of the House of Representatives

Under the supervision and direction of the Board, the Clerk of the House of Representatives shall be responsible for the administration, maintenance, and display of the works of fine art and other property referred to in subsection (a) of this section.

(c) Architect of the Capitol

The Architect of the Capitol shall provide assistance to the Board and to the Clerk of the House of Representatives in the carrying out of their responsibilities under sections 2121 and 2122 of this title.

(Pub. L. 100–696, title X, § 1001, Nov. 18, 1988, 102 Stat. 4611; Pub. L. 104–186, title II, § 221(8), Aug. 20, 1996, 110 Stat. 1749.)

CODIFICATION

Section was classified to section 188c of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104–186 substituted ''House Oversight'' for ''House Administration''.

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

§ 2122. Acceptance of gifts on behalf of the House of Representatives

The Board is authorized to accept, on behalf of the House of Representatives, gifts of works of fine art, historical objects, and similar property, including transfers from the United States Capitol Preservation Commission under section 2082 of this title, for display or other use in the House of Representatives wing of the Capitol, the House of Representatives Office Buildings, or any other location under the control of the House of Representatives.

(Pub. L. 100–696, title X, § 1002, Nov. 18, 1988, 102 Stat. 4612.)

CODIFICATION

Section was classified to section 188c–1 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

PART D—MISCELLANEOUS

§ 2131. National Statuary Hall

Suitable structures and railings shall be erected in the old hall of Representatives for the reception and protection of statuary, and the same shall be under the supervision and direction of the Architect of the Capitol. And the President is authorized to invite all the States to provide and furnish statues, in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof, and illustrious for their historic renown or for distinguished civic or military services, such as each State may deem to be worthy of this national commemoration; and when so furnished, the same shall be placed in the old hall of the House of Representatives, in the Capitol of the United States, which is set apart, or so much thereof as may be necessary, as a national statuary hall for the purpose herein indicated.

(R.S. § 1814; Aug. 15, 1876, ch. 287, 19 Stat. 147.)

CODIFICATION

Section was classified to section 187 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

R.S. § 1814 derived from act July 2, 1864, ch. 210, § 2, 13 Stat. 347.

Section 2 of act July 2, 1864, gave the supervision and direction of the National Statuary Hall to the Commissioner of Public Buildings.

CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior Provisions and Change of Name notes set out under section 1801 of this title.

§ 2131a. Eligibility for placement of statues in National Statuary Hall

(a) Eligibility

No statue of any individual may be placed in National Statuary Hall until after the expiration of the 10-year period which begins on the date of the individual's death.

(b) Exceptions

Subsection (a) of this section does not apply with respect to—

(1) the statue obtained and placed in National Statuary Hall under this Act; or

(2) any statue provided and furnished by a State under section 2131 of this title or any replacement statue provided by a State under section 2132 of this title.

(Pub. L. 109–116, § 2, Dec. 1, 2005, 119 Stat. 2524.)

REFERENCES IN TEXT

This Act, referred to in subsec. (b)(1), is Pub. L. 109–116, Dec. 1, 2005, 119 Stat. 2524, which enacted this section and provisions set out as a note under this section. For complete classification of this Act to the Code, see Tables.

PLACEMENT OF STATUE OF ROSA PARKS IN NATIONAL STATUARY HALL

Pub. L. 109–116, § 1, Dec. 1, 2005, 119 Stat. 2524, as amended by Pub. L. 110–120, § 1(a), Nov. 19, 2007, 121 Stat. 1348, provided that:

''(a) OBTAINING STATUE.—Not later than 4 years after the date of the enactment of this Act [Dec. 1, 2005], the Joint Committee on the Library shall enter into an agreement to obtain a statue of Rosa Parks, under such terms and conditions as the Joint Committee considers appropriate consistent with applicable law. The Joint Committee may authorize the Architect of the Capitol to enter into the agreement and related contracts required under this subsection on its behalf, under such terms and conditions as the Joint Committee may require.

''(b) PLACEMENT.—The Joint Committee shall place the statue obtained under subsection (a) in the United States Capitol in a suitable permanent location in National Statuary Hall.''

[Pub. L. 110–120, § 1(b), Nov. 19, 2007, 121 Stat. 1348, provided that: ''The amendments made by subsection (a) [amending section 1 of Pub. L. 109–116, set out above] shall take effect as if included in the enactment of Public Law 109–116.'']

§ 2132. Replacement of statue in Statuary Hall

(a) Request by State

(1) Any State may request the Joint Committee on the Library of Congress to approve the replacement of a statue the State has provided for display in Statuary Hall in the Capitol of the United States under section 2131 of this title.

(2) A request shall be considered under paragraph (1) only if—

(A) the request has been approved by a resolution adopted by the legislature of the State and the request has been approved by the Governor of the State, and

(B) the statue to be replaced has been displayed in the Capitol of the United States for at least 10 years as of the time the request is made, except that the Joint Committee may waive this requirement for cause at the request of a State.

(b) Agreement upon approval

If the Joint Committee on the Library of Congress approves a request under subsection (a) of

this section, the Architect of the Capitol shall enter into an agreement with the State to carry out the replacement in accordance with the request and any conditions the Joint Committee may require for its approval. Such agreement shall provide that—

(1) the new statue shall be subject to the same conditions and restrictions as apply to any statue provided by a State under section 2131 of this title, and

(2) the State shall pay any costs related to the replacement, including costs in connection with the design, construction, transportation, and placement of the new statue, the removal and transportation of the statue being replaced, and any unveiling ceremony.

(c) Limitation on number of State statues

Nothing in this section shall be interpreted to permit a State to have more than two statues on display in the Capitol of the United States.

(d) Ownership of replaced statue; removal

(1) Subject to the approval of the Joint Committee on the Library, ownership of any statue replaced under this section shall be transferred to the State.

(2) If any statue is removed from the Capitol of the United States as part of a transfer of ownership under paragraph (1), then it may not be returned to the Capitol for display unless such display is specifically authorized by Federal law.

(e) Relocation of statues

The Architect of the Capitol, upon the approval of the Joint Committee on the Library and with the advice of the Commission of Fine Arts as requested, is authorized and directed to relocate within the United States Capitol any of the statues received from the States under section 2131 of this title prior to December 21, 2000, and to provide for the reception, location, and relocation of the statues received on and after December 21, 2000, from the States under such section.

(Pub. L. 106–554, § 1(a)(2) [title III, § 311], Dec. 21, 2000, 114 Stat. 2763, 2763A–119.)

CODIFICATION

Section was classified to section 187a of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

LOCATION OF STATUES

House Concurrent Resolution 47, passed Feb. 24, 1933, 47 Stat. Part 2, 1784, provided: ''That the Architect of the Capitol, upon the approval of the Joint Committee on the Library, with the advice of the Commission of Fine Arts, is hereby authorized and directed to relocate within the Capitol any of the statues already received and placed in Statuary Hall, and to provide for the reception and location of the statues received hereafter from the States.''

§ 2133. Acceptance and supervision of works of fine arts

The Joint Committee on the Library, whenever, in their judgment, it is expedient, are authorized to accept any work of the fine arts, on behalf of Congress, which may be offered, and to assign the same such place in the Capitol as they may deem suitable, and shall have the supervision of all works of art that may be placed in the Capitol.

(R.S. § 1831.)

CODIFICATION

Section was classified to section 188 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

R.S. § 1831 derived from act June 10, 1872, ch. 415, § 1, 17 Stat. 362.

§ 2134. Art exhibits

No work of art or manufacture other than the property of the United States shall be exhibited in the National Statuary Hall, the Rotunda, Emancipation Hall of the Capitol Visitor Center, or the corridors of the Capitol.

(R.S. § 1815; Mar. 3, 1875, ch. 130, 18 Stat. 376; Mar. 3, 1879, ch. 182, 20 Stat. 391; Pub. L. 110–437, title I, § 101(f)(2), Oct. 20, 2008, 122 Stat. 4985.)

CODIFICATION

Section was classified to section 189 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on act Mar. 3, 1879, popularly known as the ''Sundry Civil Appropriation Act, fiscal year 1879''.

R.S. § 1815 derived from act July 20, 1868, ch. 176, § 6, 15 Stat. 110.

AMENDMENTS

2008—Pub. L. 110–437 inserted ''Emancipation Hall of the Capitol Visitor Center,'' after ''Rotunda,''.

§ 2135. Private studios and works of art

No room in the Capitol shall be used for private studios or works of art, without permission from the Joint Committee on the Library, given in writing; and it shall be the duty of the Architect of the Capitol to carry this provision into effect.

(Mar. 3, 1875, ch. 130, 18 Stat. 376.)

CODIFICATION

Section was classified to section 190 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

SUBCHAPTER VI—BOTANIC GARDEN AND NATIONAL GARDEN

§ 2141. Supervision of Botanic Garden

The supervision of the Capitol police shall extend over the Botanical Garden.

(R.S. § 1826.)

CODIFICATION

Section was classified to section 215 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

R.S. § 1826 derived from Res. July 15, 1870, No. 131, 16 Stat. 391.

§ 2142. Superintendent of Botanic Garden and greenhouses

There shall be a superintendent and assistants in the Botanical Garden and greenhouses, who

shall be under the direction of the Joint Committee on the Library.

(R.S. § 1827.)

CODIFICATION

Section was classified to section 216 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

R.S. § 1827 derived from act Mar. 3, 1873, ch. 226, § 1, 17 Stat. 491.

§ 2143. Utilization of personnel by Architect of the Capitol for maintenance and operation of Botanic Garden

On and after December 27, 1974, with the approval of the Joint Committee on the Library, the Architect of the Capitol may utilize personnel paid from appropriations under his control for performance of administrative and clerical duties in connection with the maintenance and operation of the United States Botanic Garden, to such extent as he may deem feasible.

(Pub. L. 93–554, title I, ch. III, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section was classified to section 216b of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2144. Disbursement of appropriations for Botanic Garden

On and after November 5, 1990, all appropriations made on account of the Botanic Garden shall be disbursed for that purpose in the same manner as other appropriations under the control of the Architect of the Capitol.

(Pub. L. 101–520, title II, Nov. 5, 1990, 104 Stat. 2270.)

CODIFICATION

Section was classified to section 216d of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2145. Restriction on use of appropriation for Botanic Garden

On and after July 31, 1958, no part of any appropriation for the Botanic Garden shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

(Pub. L. 85–570, July 31, 1958, 72 Stat. 450.)

CODIFICATION

Section was classified to section 216a of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2146. National Garden

(a) Establishment; gifts

The Architect of the Capitol, subject to the direction of the Joint Committee on the Library, is authorized to—

(1) construct a National Garden demonstrating the diversity of plants, including the rose, our national flower, to be located between Maryland and Independence Avenues, S.W., and extending from the Botanic Garden Conservatory to Third Streets, S.W., in the District of Columbia; and

(2) solicit, receive, accept, and hold gifts, including money, plant material, and other property, on behalf of the Botanic Garden, and to dispose of, utilize, obligate, expend, disburse, and administer such gifts for the benefit of the Botanic Garden, including among other things, the carrying out of any programs, duties, or functions of the Botanic Garden, and for constructing, equipping, and maintaining the National Garden referred to in paragraph (1).

(b) Gifts and bequests of money; investment; appropriations

(1) Gifts or bequests of money under subsection (a)(2) of this section shall, when received by the Architect, be deposited with the Treasurer of the United States, who shall credit these deposits as offsetting collections to an account entitled ''Botanic Garden, Gifts and Donations''. The gifts or bequests described under subsection (a)(2) of this section shall be accepted only in the total amount provided in appropriations Acts.

(2) The Secretary of the Treasury shall invest any portion of the account designated in paragraph (1) that, as determined by the Architect, is not required to meet current expenses. Each investment shall be made in an interest-bearing obligation of the United States or an obligation guaranteed both as to principal and interest by the United States that, as determined by the Architect, has a maturity date suitable for the purposes of the account. The Secretary of the Treasury shall credit interest earned on the obligations to the account.

(3) Receipts, obligations, and expenditures of funds under this section shall be included in annual estimates submitted by the Architect for the operation and maintenance of the Botanic Garden and such funds shall be expended by the Architect, without regard to section 5 of title 41, for the purposes of this section after approval in appropriation Acts. All such sums shall remain available until expended, without fiscal year limitation.

(c) Donations of personal services

(1) In carrying out this section and his duties, the Architect of the Capitol may accept personal services, including educationally related work assignments for students in nonpay status, if the service is to be rendered without compensation.

(2) No person shall be permitted to donate his or her personal services under this section unless such person has first agreed, in writing, to waive any and all claims against the United States arising out of or in connection with such services, other than a claim under the provisions of chapter 81 of title 5.

(3) No person donating personal services under this section shall be considered an employee of the United States for any purpose other than for purposes of chapter 81 of title 5.

(4) In no case shall the acceptance of personal services under this section result in the reduction of pay or displacement of any employee of the Botanic Garden.

(d) Tax deductions

Any gift accepted by the Architect of the Capitol under this section shall be considered a gift to the United States for purposes of income, estate, and gift tax laws of the United States.

(Pub. L. 100–458, title III, § 307E, Oct. 1, 1988, 102 Stat. 2183; Pub. L. 102–229, title II, § 209(a), Dec. 12, 1991, 105 Stat. 1716; Pub. L. 104–53, title II, § 201(b), Nov. 19, 1995, 109 Stat. 529; Pub. L. 105–275, title II, § 201, Oct. 21, 1998, 112 Stat. 2445.)

REFERENCES IN TEXT

The income, estate, and gift tax laws of the United States, referred to in subsec. (d), are classified generally to Title 26, Internal Revenue Code.

CODIFICATION

Section was classified to section 216c of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1998—Subsec. (b)(2), (3). Pub. L. 105–275 added par. (2) and redesignated former par. (2) as (3).

1995—Subsec. (a)(1). Pub. L. 104–53 substituted ''plants'' for ''plans''.

1991—Pub. L. 102–229 amended section generally. Prior to amendment, section read as follows: ''The Architect of the Capitol, subject to the direction of the Joint Committee on the Library, is authorized to—

''(1) construct a National Garden demonstrating the diversity of plants, including the rose, our national flower, to be located between Maryland and Independence Avenues, S.W., and extending from the United States Botanic Garden Conservatory to Third Street, S.W., in the District of Columbia; and

''(2) accept gifts, including money, plants, volunteer time, planning, construction and installation expenses, assistance and implements, and garden structures, on behalf of the United States Botanic Garden for the purpose of constructing the National Garden described in paragraph (1).''

FUNDS AVAILABLE FOR CONSTRUCTING, EQUIPPING, AND MAINTAINING NATIONAL GARDEN

Pub. L. 102–392, title II, § 201, Oct. 6, 1992, 106 Stat. 1716, as amended by Pub. L. 104–53, title II, § 201(a), Nov. 19, 1995, 109 Stat. 529; Pub. L. 106–554, § 1(a)(2) [title III, § 312], Dec. 21, 2000, 114 Stat. 2763, 2763A–120; Pub. L. 107–68, title I, § 135, Nov. 12, 2001, 115 Stat. 583, provided that:

''(a) Pursuant to section 307E of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c) [now 2 U.S.C. 2146], not more than $16,500,000 shall be accepted and not more than $16,500,000 of the amounts accepted shall be available for obligation by the Architect of the Capitol for constructing, equipping, and maintaining the National Garden.

''(b) The Architect of the Capitol is authorized to solicit, receive, accept, and hold amounts under section 307E(a)(2) of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c(a)(2)) [now 2 U.S.C. 2146(a)(2)] in excess of the $16,500,000 authorized under subsection (a), but such amounts (and any interest thereon) shall not be expended by the Architect without approval in appropriation Acts as required under section 307E(b)(3) of such Act (40 U.S.C. 216c(b)(3)) [now 2 U.S.C. 2146(b)(3)].''

RENOVATION OF CONSERVATORY OF BOTANIC GARDEN

Section 209(b) of Pub. L. 102–229 provided that: ''Pursuant to section 307E of the Legislative Branch Appropriations Act, 1989 [2 U.S.C. 2146], not more than $2,000,000 shall be accepted and not more than $2,000,000 of the amounts accepted shall be available for obligation by the Architect for preparation of working drawings, specifications, and cost estimates for renovation of the Conservatory of the Botanic Garden.''

§ 2147. Plant material exchanges

On and after July 8, 1935, plant material exchanges may be made with botanic gardens, institutions, municipal parks, and gardens.

(July 8, 1935, ch. 374, 49 Stat. 471.)

CODIFICATION

Section was classified to section 217a of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on par. under heading ''BOTANIC GARDEN'' in act of July 8, 1935, known as the ''Legislative Branch Appropriation Act, 1936''.

SUBCHAPTER VII—OTHER ENTITIES AND SERVICES

§ 2161. John W. McCormack Residential Page School

(a) Construction authorization for dormitory and classroom facilities complex

There is hereby authorized to be constructed, on a site jointly approved by the Senate Office Building Commission and the House Office Building Commission, in accordance with plans which shall be prepared by or under the direction of the Architect of the Capitol and which shall be submitted to and jointly approved by the Senate Office Building Commission and the House Office Building Commission, a fireproof building containing dormitory and classroom facilities, including necessary furnishings and equipment, for pages of the Senate, the House of Representatives, and the Supreme Court of the United States.

(b) Acquisition of property in District of Columbia

The Architect of the Capitol, under the joint direction and supervision of the Senate Office Building Commission and the House Office Building Commission, is authorized to acquire on behalf of the United States, by purchase, condemnation, transfer, or otherwise, such publicly or privately owned real property in the District of Columbia (including all alleys, and parts of alleys, and streets within the curblines surrounding such real property) located in the vicinity of the United States Capitol Grounds, as may be approved jointly by the Senate Office Building Commission and the House Office Building Commission, for the purpose of constructing on such real property, in accordance with this section, a suitable dormitory and classroom facilities complex for pages of the Senate, the House of Representatives, and the Supreme Court of the United States.

(c) Condemnation proceedings

Any proceeding for condemnation instituted under subsection (b) of this section shall be conducted in accordance with subchapter IV of chapter 13 of title 16 of the District of Columbia Code.

(d) Transfer of United States owned property

Notwithstanding any other provision of law, any real property owned by the United States,

and any alleys, or parts of alleys and streets, contained within the curblines surrounding the real property acquired on behalf of the United States under this section shall be transferred, upon the request of the Architect of the Capitol made with the joint approval of the Senate Office Building Commission and the House Office Building Commission, to the jurisdiction and control of the Architect of the Capitol.

(e) Alley and street closures by Mayor of the District of Columbia

Notwithstanding any other provision of law, any alleys, or parts of alleys and streets, contained within the curblines surrounding the real property acquired on behalf of the United States under this section shall be closed and vacated by the Mayor of the District of Columbia in accordance with any request therefor made by the Architect of the Capitol with the joint approval of the Senate Office Building Commission and the House Office Building Commission.

(f) United States Capitol Grounds provisions applicable

Upon the acquisition on behalf of the United States of all real property under this section, such property shall be a part of the United States Capitol Grounds and shall be subject to the provisions of sections 1922, 1961, 1966, 1967, and 1969 of this title and sections 5101 to 5107 and 5109 of title 40.

(g) Designation; employment of services under supervision and control of Architect of the Capitol: joint approval and direction of Speaker and President pro tempore; annual estimates to Congress; regulations governing Architect of the Capitol

The building constructed on the real property acquired under this section shall be designated the ''John W. McCormack Residential Page School''. The employment of all services (other than that of the United States Capitol Police) necessary for its protection, care, maintenance, and use, for which appropriations are made by Congress, shall be under the control and supervision of the Architect of the Capitol. Such supervision and control shall be subject to the joint approval and direction of the Speaker and the President pro tempore. The Architect shall submit annually to the Congress estimates in detail for all services, other than those of the United States Capitol Police or those provided in connection with the conduct of school operations and the personal supervision of pages, and for all other expenses in connection with the protection, care, maintenance, and use of the John W. McCormack Residential Page School. The Speaker and the President pro tempore shall prescribe, from time to time, regulations governing the Architect in the provision of services and the protection, care, and maintenance, of the John W. McCormack Residential Page School.

(h) Joint appointee for supervision and control over page activities; regulations; Residence Superintendent of Pages: appointment, compensation, and duties; additional personnel: appointment and compensation

The Speaker of the House of Representatives and the President pro tempore of the Senate jointly shall designate an officer of the House and an officer of the Senate, other than a Member of the House or Senate, who shall jointly exercise supervision and control over the activities of the pages resident in the John W. McCormack Residential Page School. With the approval of the Speaker and the President pro tempore, such officers so designated shall prescribe regulations governing—

(1) the actual use and occupancy of the John W. McCormack Residential Page School including, if necessary, the imposition of a curfew for pages;

(2) the conduct of pages generally; and

(3) other matters pertaining to the supervision, direction, safety, and well-being of pages in off-duty hours.

Such officers, subject to the approval of the Speaker and the President pro tempore, jointly shall appoint and fix the per annum gross rate of pay of a Residence Superintendent of Pages, who shall perform such duties with respect to the supervision of pages resident therein as those officials shall prescribe. In addition, such officers, subject to the approval of the Speaker and the President pro tempore, jointly shall appoint and fix the per annum gross rates of pay of such additional personnel as may be necessary to assist those officers and the Residence Superintendent of Pages in carrying out their functions under this section.

(i) Section 88b of this title unaffected

Nothing in section 88b–1 of this title and this section shall affect the operation of section 88b of this title, relating to educational facilities of pages and other minors who are congressional employees.

(Pub. L. 91–510, title IV, § 492, Oct. 26, 1970, 84 Stat. 1199; Pub. L. 93–198, title IV, § 421, Dec. 24, 1973, 87 Stat. 789; Pub. L. 104–186, title II, § 204(34)(C), Aug. 20, 1996, 110 Stat. 1734.)

REFERENCES IN TEXT

Sections 1922, 1961, 1966, 1967, and 1969 of this title and sections 5101 to 5107 and 5109 of title 40, referred to in subsec. (f), was in the original a reference to the Act entitled ''An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes'', approved July 31, 1946, which is act July 31, 1946, ch. 707, 60 Stat. 718, as amended. Sections 9, 9A, 9B, 9C, and 14 of the Act are classified, respectively, to sections 1961, 1966, 1967, 1922, and 1969 of this title, and section 16(b) of the Act is set out as a note under section 1961 of this title. Sections 1 to 8, 10 to 13, and 16(a) of the Act, which were classified to sections 193a to 193m of former Title 40, Public Buildings, Property, and Works, were repealed and reenacted as sections 5101 to 5107 and 5109 of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §§ 1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1312, the first section of which enacted Title 40. Section 5(c) of Pub. L. 107–217, set out as a note preceding section 101 of Title 40, provides that a reference to a law replaced by section 1 of Pub. L. 107–217 is deemed to refer to the corresponding provision enacted by Pub. L. 107–217. For complete classification of the act of July 31, 1946, to the Code, see Tables. For disposition of sections of former Title 40, see table at the beginning of Title 40.

Section 88b–1 of this title and this section, referred to in subsec. (i), were in the original ''this part'', meaning part 9 of title IV of Pub. L. 91–510, Oct. 26, 1970, 84 Stat. 1199, which enacted section 88b–1 of this title and this section, repealed section 88c of this title, and enacted

a provision set out as a note under section 88b–1 of this title.

CODIFICATION

Section was classified to section 184a of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1996—Subsec. (i). Pub. L. 104–186 struck out ''section 88a of title 2 or'' after ''affect the operation of''.

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91–510, set out as an Effective Date of 1970 Amendment note under section 72a of this title.

TRANSFER OF FUNCTIONS

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 subsec. (e) for ''commissioners''.

ACQUISITION OF PROPERTY AS SITE FOR JOHN W. MCCORMACK RESIDENTIAL PAGE SCHOOL

Pub. L. 92–607, ch. V, Oct. 31, 1972, 86 Stat. 1512, authorized Architect of the Capitol to acquire certain specified real estate for use as a green park area pending its development for permanent use as site of John W. McCormack Residential Page School.

§ 2162. Capitol Power Plant

(a) Designation

The heating, lighting, and power plant constructed under the terms of the Act approved April 28, 1904 (33 Stat. 479, chapter 1762) shall be known as the ''Capitol Power Plant''.

(b) Definition

In this section, the term ''carbon dioxide energy efficiency'' means the quantity of electricity used to power equipment for carbon dioxide capture and storage or use.

(c) Feasibility study

The Architect of the Capitol shall conduct a feasibility study evaluating the available methods to capture, store, and use carbon dioxide emitted from the Capitol Power Plant as a result of burning fossil fuels. In carrying out the feasibility study, the Architect of the Capitol is encouraged to consult with individuals with expertise in carbon capture and storage or use, including experts with the Environmental Protection Agency, Department of Energy, academic institutions, non-profit organizations, and industry, as appropriate. The study shall consider—

(1) the availability of technologies to capture and store or use Capitol Power Plant carbon dioxide emissions;

(2) strategies to conserve energy and reduce carbon dioxide emissions at the Capitol Power Plant; and

(3) other factors as determined by the Architect of the Capitol.

(d) Demonstration projects

(1) In general

If the feasibility study determines that a demonstration project to capture and store or use Capitol Power Plant carbon dioxide emissions is technologically feasible and economically justified (including direct and indirect economic and environmental benefits), the Architect of the Capitol may conduct 1 or more demonstration projects to capture and store or use carbon dioxide emitted from the Capitol Power Plant as a result of burning fossil fuels.

(2) Factors for consideration

In carrying out such demonstration projects, the Architect of the Capitol shall consider—

(A) the amount of Capitol Power Plant carbon dioxide emissions to be captured and stored or used;

(B) whether the proposed project is able to reduce air pollutants other than carbon dioxide;

(C) the carbon dioxide energy efficiency of the proposed project;

(D) whether the proposed project is able to use carbon dioxide emissions;

(E) whether the proposed project could be expanded to significantly increase the amount of Capitol Power Plant carbon dioxide emissions to be captured and stored or used;

(F) the potential environmental, energy, and educational benefits of demonstrating the capture and storage or use of carbon dioxide at the U.S. Capitol; and

(G) other factors as determined by the Architect of the Capitol.

(3) Terms and conditions

A demonstration project funded under this section shall be subject to such terms and conditions as the Architect of the Capitol may prescribe.

(e) Authorization of appropriations

There is authorized to be appropriated to carry out the feasibility study and demonstration project $3,000,000. Such sums shall remain available until expended.

(Mar. 4, 1911, ch. 285, 36 Stat. 1414; Mar. 3, 1921, ch. 124, 41 Stat. 1291; Pub. L. 110–140, title V, §505(2), Dec. 19, 2007, 121 Stat. 1657.)

REFERENCES IN TEXT

Act approved April 28, 1904, referred to in subsec. (a), is act Apr. 28, 1904, ch. 1762, 33 Stat. 452, which provided, at 33 Stat. 479, an appropriation for the construction of a heating, lighting and power plant in connection with the office building for the House of Representatives to furnish the necessary heat, light, and power for the office building for the House of Representatives, the Capitol building, the Congressional Library building, and for such other public buildings erected after Apr. 28, 1904, on grounds adjacent to the Capitol grounds at the east of the Capitol building and facing the same.

CODIFICATION

Section was classified to section 185 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on act Mar. 4, 1911, popularly known as the ''Sundry Civil Appropriation Act, fiscal year 1912''. It followed an appropriation for the Capitol power plant.

AMENDMENTS

2007—Pub. L. 110–140 added text of section and struck out former text which read as follows: ''The heating,

lighting, and power plant constructed under the terms of the Act approved April 28, 1904, shall be known as the 'Capitol power plant'; and all vacancies occurring in the force operating said plant and the substations in connection therewith shall be filled by the Architect of the Capitol with the approval of the commission in control of the House Office Building appointed under section 2001 of this title.''

CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior Provisions and Change of Name notes set out under section 1801 of this title.

EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 110–140 effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110–140, set out as an Effective Date note under section 1824 of this title.

MANAGEMENT AND OPERATION OF THE CAPITOL POWER PLANT

Pub. L. 108–447, div. G, title I, § 1101, Dec. 8, 2004, 118 Stat. 3185, provided that:

''(a) DEFINITION.—In this section, the term 'appropriate congressional committees' means—

''(1) the Committee on Appropriations of the Senate and the House of Representatives;

''(2) the Committee on Rules and Administration of the Senate; and

''(3) the House Office Building Commission.

''(b) STUDY OF CONTRACT WITH A PRIVATE ENTITY.—Not later than 180 days after the date of enactment of this Act [Dec. 8, 2004], the Comptroller General shall conduct a study and submit to the appropriate congressional committees and the Architect of the Capitol a report that—

''(1) analyzes the costs, cost effectiveness, benefits, and feasibility of the Architect of the Capitol entering into a contract with a private entity for the management and operation of the Capitol Power Plant; and

''(2) makes a recommendation on whether the Architect of the Capitol should enter into such a contract.

''(c) IMPLEMENTATION PLAN.—If the Comptroller General makes a recommendation under subsection (b)(2) in favor of entering into a contract, the Architect of the Capitol shall submit an implementation plan for that contract to the appropriate congressional committees not later than the later of—

''(1) 270 days after the date of enactment of this Act [Dec. 8, 2004]; or

''(2) the date of the completion of the West Refrigeration Plant.

''(d) CONTRACT.—Subject to the approval of the appropriate congressional committees, the Architect of the Capitol shall enter into a contract with a private entity for the management and operation of the Capitol Power Plant.

''(e) EFFECTIVE DATE.—This section shall apply to fiscal year 2005 and each fiscal year thereafter.''

GENERAL SERVICES ADMINISTRATION COAL YARD

Pub. L. 100–458, title I, Oct. 1, 1988, 102 Stat. 2170, provided: ''That appropriations under this head [''CAPITOL POWER PLANT''] shall hereafter be available for maintenance, alterations, personal and other services, and for all other necessary expenses of the Government owned property, buildings and facilities located in Lot 803, Square 695, formerly known as the General Services Administration Coal Yard at 42 I Street, S.E., in the District of Columbia.''

§ 2162a. Promoting maximum efficiency in operation of Capitol Power Plant

(a) Steam boilers

(1) In general

The Architect of the Capitol shall take such steps as may be necessary to operate the steam boilers at the Capitol Power Plant in the most energy efficient manner possible to minimize carbon emissions and operating costs, including adjusting steam pressures and adjusting the operation of the boilers to take into account variations in demand, including seasonality, for the use of the system.

(2) Effective date

The Architect shall implement the steps required under paragraph (1) not later than 30 days after December 19, 2007.

(b) Chiller plant

(1) In general

The Architect of the Capitol shall take such steps as may be necessary to operate the chiller plant at the Capitol Power Plant in the most energy efficient manner possible to minimize carbon emissions and operating costs, including adjusting water temperatures and adjusting the operation of the chillers to take into account variations in demand, including seasonality, for the use of the system.

(2) Effective date

The Architect shall implement the steps required under paragraph (1) not later than 30 days after December 19, 2007.

(c) Meters

Not later than 90 days after December 19, 2007, the Architect of the Capitol shall evaluate the accuracy of the meters in use at the Capitol Power Plant and correct them as necessary.

(d) Report on implementation

Not later than 180 days after December 19, 2007, the Architect of the Capitol shall complete the implementation of the requirements of this section and submit a report describing the actions taken and the energy efficiencies achieved to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate.

(Pub. L. 110–140, title V, § 504, Dec. 19, 2007, 121 Stat. 1656.)

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110–140, set out as a note under section 1824 of this title.

§ 2163. Capitol Grounds shuttle service

Funds appropriated for the Capitol Grounds after October 1, 1976, shall be available for the purchase or rental, maintenance and operation of passenger motor vehicles to provide shuttle service for Members and employees of Congress to and from the buildings in the Legislative group.

(Pub. L. 94–440, title VI, Oct. 1, 1976, 90 Stat. 1453.)

CODIFICATION

Section was classified to section 223 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

§ 2164. Transportation of House Pages by Capitol Grounds shuttle service

The passenger motor vehicles authorized by section 2163 of this title to provide a shuttle service for Members and employees of Congress may be used for the transportation of House Pages to and from special events associated with their education when approved by the House of Representatives Page Board: *Provided further*, That the use of the said passenger motor vehicles for transportation of House Pages shall not interfere with the shuttle service for Members and employees of the Congress.

(Pub. L. 99–151, title I, Nov. 13, 1985, 99 Stat. 801.)

CODIFICATION

Section was classified to section 224 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

§ 2165. Repealed. Pub. L. 110–437, title I, § 101(e), Oct. 20, 2008, 122 Stat. 4985

Section, Pub. L. 90–264, title III, § 301, Mar. 12, 1968, 82 Stat. 46; Pub. L. 104–186, title II, § 221(16), Aug. 20, 1996, 110 Stat. 1750, related to Capitol educational and informational center and information and distribution stations and operation agreements.

CODIFICATION

Section was classified to section 831 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

§ 2166. Repealed. Pub. L. 110–437, title IV, § 422(a), Oct. 20, 2008, 122 Stat. 4996

Section, Pub. L. 91–510, title IV, § 441, Oct. 26, 1970, 84 Stat. 1190; Pub. L. 95–94, title I, Aug. 5, 1977, 91 Stat. 671; Pub. L. 104–186, title II, § 221(17), Aug. 20, 1996, 110 Stat. 1750; Pub. L. 104–279, Oct. 9, 1996, 110 Stat. 3358, related to Capitol Guide Service. See section 2241 of this title.

CODIFICATION

Section was classified to section 851 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

EFFECTIVE DATE OF REPEAL

Repeal effective first day of first pay period (applicable to employees transferred under section 2241 of this title) on or after 30 days after Oct. 20, 2008, see section 422(d) of Pub. L. 110–437, set out as a note under section 1301 of this title.

§ 2167. Congressional Award Youth Park

(a) Designation

The parcel of approximately 5 acres of land located on the Capitol Grounds and described in subsection (b) of this section shall be known and designated as the ''Congressional Award Youth Park''.

(b) Area included

(1) In general

The parcel of land described in subsection (a) of this section is—

(A) bounded on the north by Constitution Avenue, N.W.;

(B) bounded on the east by First Street, N.W.;

(C) bounded on the south by Pennsylvania Avenue, N.W.; and

(D) bounded on the west by Third Street N.W.

(2) Extension

The park shall extend to the curbs of the streets described in paragraph (1).

(c) Design

(1) Competition

The Architect of the Capitol shall sponsor a competition for the design of the park, based on specifications developed by the Architect.

(2) Specifications

(A) In general

Not later than June 30, 2002, the Architect, in consultation with the majority leader and the minority leader of the Senate, and the Speaker and the minority leader of the House of Representatives, shall develop the specifications for the park.

(B) Requirements

(i) In general

The specifications shall require an outdoor design that is accessible to the public.

(ii) Inclusions

To the maximum extent practicable, the specifications shall include requirements for—

(I) a fountain;

(II) extensive use of trees and flowering plants from each of the 50 States;

(III) large-scale replicas of the medals awarded under the Congressional Award Program; and

(IV) the inscription of the names of all Congressional Award recipients.

(3) Selection

(A) In general

As soon as practicable after the competition is completed, the Architect shall forward at least 3 designs, with recommendations, to the United States Capitol Preservation Commission.

(B) Final selection

The United States Capitol Preservation Commission shall select and approve the final design from among the 3 designs submitted under subparagraph (A).

(d) Funding

Funds otherwise made available to the Architect of the Capitol under this Act shall be available to carry out this section.

(Pub. L. 107–68, title I, § 134, Nov. 12, 2001, 115 Stat. 582.)

REFERENCES IN TEXT

This Act, referred to in subsec. (d), is Pub. L. 107–68, Nov. 12, 2001, 115 Stat. 560, as amended, known as the Legislative Branch Appropriations Act, 2002. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was classified to section 217c of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

§ 2168. Memorandum of understanding for provision of services of the United States Capitol telephone exchange for the House

(a) In general

The Chief Administrative Officer of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate may enter into a memorandum of understanding under which the Sergeant at Arms and Doorkeeper shall provide all services of the United States Capitol telephone exchange for the House of Representatives, in accordance with such terms and conditions as may be provided in the memorandum of understanding.

(b) Transfer of positions and personnel

For any period during which a memorandum of understanding is in effect pursuant to this section—

(1) all positions in the United States Capitol telephone exchange for which the employing authority is the Chief Administrative Officer shall be transferred to the Sergeant at Arms and Doorkeeper;

(2) all employees in the United States Capitol telephone exchange for whom the employing authority is the Chief Administrative Officer shall be transferred to, and appointed by, the Sergeant at Arms and Doorkeeper; and

(3) the Sergeant at Arms and Doorkeeper shall serve as the employing authority for all personnel of the United States Capitol telephone exchange.

(c) Pay and leave accrual

In carrying out a memorandum of understanding pursuant to this section, the Sergeant at Arms and Doorkeeper shall ensure that, with respect to any employee of the United States Capitol telephone exchange whose employing authority prior to the effective date of the memorandum was the Chief Administrative Officer—

(1) the rate of pay and leave accrual for the employee shall not be less than the employee's rate of pay and leave accrual for the most recent pay period prior to such date, unless—

(A) the employee does not remain in the same position with the exchange; or

(B) the rate of pay or leave accrual is reduced for cause; and

(2) any leave accrued by the employee that remains unused as of such date shall be transferred to the employee and made available for the employee to use under the same terms and conditions that applied to the use of the leave prior to such date.

(d) Omitted

(e) Reimbursement of expenses by House

(1) A memorandum of understanding under this section may include a provision requiring the reimbursement by the House of Representatives during a fiscal year (paid out of the applicable accounts of the House) of the expenses incurred by the Sergeant at Arms and Doorkeeper during the fiscal year in carrying out the memorandum with respect to the employees of the United States Capitol telephone exchange whose employing authority prior to the effective date of the memorandum was the Chief Administrative Officer.

(2) Any reimbursement made pursuant to this subsection—

(A) in the case of a reimbursement for salaries or agency contributions and related expenses, shall be deposited in the account under the heading ''OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER'' or ''AGENCY CONTRIBUTIONS AND RELATED EXPENSES'', under the heading ''SALARIES, OFFICERS AND EMPLOYEES''; and

(B) in the case of a reimbursement for expenses, shall be deposited in the account under the heading ''SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE'' under the heading ''CONTINGENT EXPENSES OF THE SENATE''.

(3) Any funds deposited under paragraph (2) shall be available in like manner and for the same purposes as are other funds in the account to which the funds were deposited.

(f) Effective date

This section and the amendment made by this section shall apply with respect to fiscal year 2005 and each succeeding fiscal year.

(Pub. L. 108–447, div. G, title II, § 215, Dec. 8, 2004, 118 Stat. 3197.)

CODIFICATION

Section is comprised of section 215 of div. G of Pub. L. 108–447. Subsec. (d) of section 215 of div. G of Pub. L. 108–447 amended section 293 of this title.

Section is from the Legislative Branch Appropriations Act, 2005, which is div. G of the Consolidated Appropriations Act, 2005.

§ 2169. Capitol complex E–85 refueling station

(a) Construction

The Architect of the Capitol may construct a fuel tank and pumping system for E–85 fuel at or within close proximity to the Capitol Grounds Fuel Station.

(b) Use

The E–85 fuel tank and pumping system shall be available for use by all legislative branch vehicles capable of operating with E–85 fuel, subject to such other legislative branch agencies reimbursing the Architect of the Capitol for the costs of E–85 fuel used by such other legislative branch vehicles.

(c) Authorization of appropriations

There is authorized to be appropriated to carry out this section $640,000 for fiscal year 2008.

(Pub. L. 110–140, title V, § 502, Dec. 19, 2007, 121 Stat. 1655.)

EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110–140, set out as a note under section 1824 of this title.

SUBCHAPTER VIII—MISCELLANEOUS

§ 2181. Assignment of space for meetings of joint committees, conference committees, etc.

The President pro tempore of the Senate and the Speaker of the House of Representatives shall cause a survey to be made of available space within the Capitol which could be utilized for joint committee meetings, meetings of conference committees, and other meetings, requiring the attendance of both Senators and Members of the House of Representatives; and shall recommend the reassignment of such space to accommodate such meetings.

(Aug. 2, 1946, ch. 753, title II, § 242, 60 Stat. 839.)

CODIFICATION

Section was classified to section 174d–1 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

EFFECTIVE DATE

Section effective Aug. 2, 1946, see section 245 of act Aug. 2, 1946, set out as a note under section 72a of this title.

§ 2182. Use of space formerly occupied by Library of Congress

The rooms and space recently occupied by the Library of Congress in the Capitol building shall be divided into three stories, the third story of which shall be fitted up and used for a reference library for the Senate and House of Representatives, and that portion of the other two stories north of a line drawn east and west through the center of the Rotunda shall be used for such purpose as may be designated by the Senate of the United States, and that portion of the first and second stories south of said line shall be used for such purpose as may be designated by the House of Representatives.

(June 6, 1900, No. 33, 31 Stat. 719.)

CODIFICATION

Section was classified to section 190b of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

§ 2183. Protection of buildings and property

The Sergeants at Arms of the Senate and of the House of Representatives are authorized to make such regulations as they may deem necessary for preserving the peace and securing the Capitol from defacement, and for the protection of the public property therein, and they shall have power to arrest and detain any person violating such regulations, until such person can be brought before the proper authorities for trial.

(R.S. § 1820.)

CODIFICATION

Section was classified to section 193 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

R.S. § 1820 derived from acts Mar. 30, 1867, ch. 20, § 2, 15 Stat. 12; Apr. 29, 1876, ch. 86, 19 Stat. 41.

§ 2184. Purchase of furniture or carpets for House or Senate

No furniture or carpets for either House shall be purchased without the written order of the chairman of the Committee on Rules and Administration, for the Senate, or without the written order of the chairman of the Committee on House Oversight of the House of Representatives, for the House of Representatives.

(R.S. § 1816; Aug. 2, 1946, ch. 753, title I, § 102, title II, § 224, 60 Stat. 814, 838; Pub. L. 104–186, title II, § 221(2), Aug. 20, 1996, 110 Stat. 1748.)

CODIFICATION

Section was classified to section 170 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

R.S. § 1816 derived from Res. Apr. 16, 1862, No. 28, 12 Stat. 617; acts Mar. 30, 1867, ch. 24, § 2, 15 Stat. 13; July 20, 1868, ch. 177, § 1, 15 Stat. 115; Mar. 3, 1869, ch. 121, § 1, 15 Stat. 283, 284; Mar. 3, 1871, ch. 114, § 1, 16 Stat. 500; Aug. 15, 1876, ch. 287, 19 Stat. 147.

Provision of R.S. § 1816 relating to repairs of Capitol is classified to section 1814 of this title.

AMENDMENTS

1996—Pub. L. 104–186 substituted ''House Oversight of the House of Representatives, for the House of Representatives'' for ''Accounts of the House of Representatives, for the House''.

1946—Act Aug. 2, 1946, substituted ''Committee on Rules and Administration'' for ''Committee to Audit and Control the Contingent Expenses of the Senate''.

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

EFFECTIVE DATE OF 1946 AMENDMENT

Section 142 of act Aug. 2, 1946, provided that section 102 of that act shall take effect on Jan. 2, 1947, and section 245 of that act provided that section 224 thereof shall ''take effect on the day on which the Eightieth Congress convenes''. The Eightieth Congress convened on Jan. 3, 1947.

§ 2185. Estimates for improvements in grounds

All changes and improvements in the Capitol grounds, including approaches to the Capitol, shall be estimated for in detail, showing what modifications are proposed and the estimate cost of the same.

(Mar. 3, 1883, ch. 143, 22 Stat. 621.)

CODIFICATION

Section was classified to section 173 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on act Mar. 3, 1883, popularly known as the ''Sundry Civil Appropriation Act, fiscal year 1884''.

SIMILAR PROVISIONS

Enlargement of the Capitol grounds by the acquisition of certain squares in the city of Washington, provided by the following Sundry Civil Appropriation Acts for the fiscal years 1911, 1912, 1913, and 1914.

June 23, 1913, ch. 3, 38 Stat. 44.

Aug. 24, 1912, ch. 355, 37 Stat. 454.

Mar. 4, 1911, ch. 285, 36 Stat. 1414.

June 25, 1910, ch. 384, 36 Stat. 738.

CHAPTER 31—CAPITOL VISITOR CENTER

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SUBCHAPTER I—IN GENERAL

§ 2201. Designation of facility as Capitol Visitor Center; purposes of facility; treatment of the Capitol Visitor Center

(a) Designation

The facility authorized for construction under the heading ''Capitol Visitor Center'' under chapter 5 of title II of division B of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–569) is designated as the Capitol Visitor Center and is a part of the Capitol.

(b) Purposes of the facility

The Capitol Visitor Center shall be used—

(1) to provide enhanced security for persons working in or visiting the United States Capitol;

(2) to improve the visitor experience by providing a structure that will afford improved visitor orientation and enhance the educational experience of those who have come to learn about the Congress and the Capitol; and

(3) for other purposes as determined by Congress or the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives.

(c) Treatment of the Capitol Visitor Center

(1) Oversight

The Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives shall have oversight of the Capitol Visitor Center.

(2) Treatment of expansion space of the Senate and House of Representatives in the Capitol Visitor Center

(A) Senate

The expansion space of the Senate described as unassigned space under the heading ''Capitol Visitor Center'' under the heading ''ARCHITECT OF THE CAPITOL'' under title II of the Act entitled ''An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes'', approved November 12, 2001 (Public Law 107–68; 115 Stat. 588) shall be part of the Senate wing of the Capitol.

(B) House of Representatives

The expansion space of the House of Representatives described as unassigned space under the heading ''Capitol Visitor Center'' under the heading ''ARCHITECT OF THE CAPITOL'' under title II of the Act entitled ''An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes'', approved November 12, 2001 (Public Law 107–68; 115 Stat. 588) shall be part of the House of Representatives wing of the Capitol.

(d) Treatment of Congressional Auditorium and related adjacent areas

(1) In general

The Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives shall jointly prescribe regulations for the assignment of the space in the Capitol Visitor Center known as the Congressional Auditorium and the related adjacent areas.

(2) Related adjacent areas

The regulations under paragraph (1) shall include a designation of the areas that are related adjacent areas to the Congressional Auditorium.

(e) Omitted

(f) Exhibits for displays

(1) In general

(A) Loan agreements

Subject to subparagraph (B), the Architect of the Capitol may enter into loan agreements to place historical objects for display