(3) CHAIRMAN.—The Secretary shall appoint one member as Chairman.

(4) DUTIES.—The Committee shall advise the Secretary—

(A) in formulating construction safety and health standards and other regulations; and

(B) on policy matters arising in carrying out this section.

(5) EXPERTS AND CONSULTANTS.—The Secretary may appoint special advisory and technical experts or consultants as may be necessary to carry out the functions of the Committee.

(6) COMPENSATION AND EXPENSES.—Committee members are entitled to receive compensation at rates the Secretary fixes, but not more than $100 a day, including traveltime, when performing Committee business, and expenses under section 5703 of title 5.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1172; Pub. L. 109–284, § 6(16), (17), Sept. 27, 2006, 120 Stat. 1213; Pub. L. 111–350, § 5(*l*)(20), Jan. 4, 2011, 124 Stat. 3852.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3704(a)	40:333(a).	Pub. L. 87–581, title I, § 107(a)–(e), as added Pub. L. 91–54, § 1, Aug. 9, 1969, 83 Stat. 96; Pub. L. 103–355, title IV, § 4104(c)(2), Oct. 13, 1994, 108 Stat. 3342.
3704(b)	40:333(b), (c).	
3704(c)	40:333(d).	
3704(d)	40:333(e).	

In subsection (a)(1), the words ''in an amount greater than $100,000'' are substituted for ''(other than a contract referred to in section 329(c) of this title)'' for clarity.

In subsection (b), the text of 40:333(c) is omitted as unnecessary because the district courts have jurisdiction on all civil actions involving a federal question since the requirement of a threshold amount in controversy was deleted. In paragraph (2)(B), the words ''guarantee'' and ''insurance'' are added for consistency in this section and with section 3701(b)(1)(B)(iii) of the revised title.

In subsection (c)(2), the words ''The Secretary shall end the ban'' are substituted for ''he [sic] shall terminate the application of the preceding sentence to such contractor or subcontractor (and to any person in which the contractor or subcontractor has a substantial interest)'' for clarity and to eliminate unnecessary words. The word ''thereafter'' is omitted as unnecessary.

In subsection (c)(3), the words ''as provided in section 2112 of title 28'', ''make and'', and ''upon certiorari or certification'' are omitted as unnecessary.

In subsection (d)(2), before clause (A), the words ''chapter 33 of title 5'' are substituted for ''the civil service laws'' because of section 7(b) of the Act of September 6, 1966 (Public Law 89–554, 80 Stat. 631), the first section of which enacted Title 5, United States Code.

In subsection (d)(6), the words ''expenses under section 5703 of title 5'' are substituted for 40:333(e)(3)(words after semicolon) to eliminate unnecessary words.

REFERENCES IN TEXT

Reorganization Plan Numbered 14 of 1950, referred to in subsec. (a)(1), is Reorg. Plan No. 14 of 1950, eff. May 24, 1950, 15 F.R. 3176, 64 Stat. 1267, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

2011—Subsec. (b)(1). Pub. L. 111–350 substituted ''sections 6506 and 6507 of title 41'' for ''sections 4 and 5 of the Walsh-Healey Act (41 U.S.C. 38, 39)''.

2006—Subsec. (a)(1). Pub. L. 109–284, § 6(16), inserted ''of title 5'' after ''authorized by section 553''.

Subsec. (a)(2). Pub. L. 109–284, § 6(17), struck out ''of this section'' after ''subsection (d)''.

TERMINATION OF ADVISORY COMMITTEES

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

§ 3705. Safety programs

The Secretary of Labor shall—

(1) provide for the establishment and supervision of programs for the education and training of employers and employees in the recognition, avoidance, and prevention of unsafe working conditions in employment covered by this chapter; and

(2) collect reports and data and consult with and advise employers as to the best means of preventing injuries.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1174.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3705	40:333(f).	Pub. L. 87–581, title I, § 107(f), as added Pub. L. 91–54, § 1, Aug. 9, 1969, 83 Stat. 98.

§ 3706. Limitations, variations, tolerances, and exemptions

The Secretary of Labor may provide reasonable limitations to, and may prescribe regulations allowing reasonable variations to, tolerances from, and exemptions from, this chapter that the Secretary may find necessary and proper in the public interest to prevent injustice or undue hardship or to avoid serious impairment of the conduct of Federal Government business.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1174.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3706	40:331.	Pub. L. 87–581, title I, § 105, Aug. 13, 1962, 76 Stat. 359.

§ 3707. Contractor certification or contract clause in acquisition of commercial items not required

In a contract to acquire a commercial item (as defined in section 103 of title 41), a certification by a contractor or a contract clause may not be required to implement a prohibition or requirement in this chapter.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1174; Pub. L. 111–350, § 5(*l*)(21), Jan. 4, 2011, 124 Stat. 3852.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3707	40:334.	Pub. L. 87–581, title I, § 108, as added Pub. L. 103–355, title VIII, § 8301(b), Oct. 13, 1994, 108 Stat. 3396.

AMENDMENTS

2011—Pub. L. 111–350 substituted ''section 103 of title 41'' for ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)''.

§ 3708. Criminal penalties

A contractor or subcontractor having a duty to employ, direct, or control a laborer or mechanic employed in the performance of work contemplated by a contract to which this chapter applies that intentionally violates this chapter shall be fined under title 18, imprisoned for not more than six months, or both.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1174.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3708	40:332.	Pub. L. 87–581, title I, § 106, Aug. 13, 1962, 76 Stat. 359.

The words ''shall be fined under title 18'' are substituted for ''shall be deemed guilty of a misdemeanor, and for each and every such offense shall, upon conviction, be punished by a fine of not to exceed $1,000'' for consistency with chapter 227 of title 18. The words ''in the discretion of the court having jurisdiction thereof'' are omitted as unnecessary.

PART B—UNITED STATES CAPITOL

CHAPTER 51—UNITED STATES CAPITOL BUILDINGS AND GROUNDS

Sec.
5101. Definition.
5102. Legal description and jurisdiction of United States Capitol Grounds.
5103. Restrictions on public use of United States Capitol Grounds.
5104. Unlawful activities.
5105. Assistance to authorities by Capitol employees.
5106. Suspension of prohibitions.
5107. Concerts on grounds.
5108. Audit of private organizations.
5109. Penalties.

§ 5101. Definition

In this chapter, the term ''Capitol Buildings'' means the United States Capitol, the Senate and House Office Buildings and garages, the Capitol Power Plant, all buildings on the real property described under section 5102(c) (including the Administrative Building of the United States Botanic Garden)[1] all buildings on the real property described under section 5102(d), all subways and enclosed passages connecting two or more of those structures, and the real property underlying and enclosed by any of those structures.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1174; Pub. L. 108–7, div. H, title I, § 1016(a), Feb. 20, 2003, 117 Stat. 364; Pub. L. 110–161, div. H, title I, § 1004(d)(2)(A)(i), Dec. 26, 2007, 121 Stat. 2233; Pub. L. 110–178, § 4(b)(1)(A), Jan. 7, 2008, 121 Stat. 2551; Pub. L. 111–145, § 6(d)(1), Mar. 4, 2010, 124 Stat. 54.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
5101	40:193m(1).	July 31, 1946, ch. 707, § 16(a)(1), 60 Stat. 721; Pub. L. 90–108, § 1(d), Oct. 20, 1967, 81 Stat. 277.

AMENDMENTS

2010—Pub. L. 111–145 repealed Pub. L. 110–161, § 1004(d)(2)(A)(i). See 2007 Amendment note below.

2008—Pub. L. 110–178 inserted ''all buildings on the real property described under section 5102(d)'' after ''(including the Administrative Building of the United States Botanic Garden)''.

2007—Pub. L. 110–161, § 1004(d)(2)(A)(i), which made an amendment identical to that made by Pub. L. 110–178, was repealed by Pub. L. 111–145. See Effective Date of 2010 Amendment note below.

2003—Pub. L. 108–7 inserted ''all buildings on the real property described under section 5102(c) (including the Administrative Building of the United States Botanic Garden),'' after ''Capitol Power Plant,''.

EFFECTIVE DATE OF 2010 AMENDMENT

Repeal of section 1004 of Pub. L. 110–161 by Pub. L. 111–145 effective as if included in the enactment of Pub. L. 110–161 and provisions amended by section 1004 of Pub. L. 110–161 to be restored as if such section had not been enacted, and repeal to have no effect on the enactment or implementation of any provision of Pub. L. 110–178, see section 6(d) of Pub. L. 111–145, set out as a note under section 1901 of Title 2, The Congress.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110–178 effective Oct. 1, 2009, see section 4(d) of Pub. L. 110–178, set out as an Effective Date of Repeal note under section 167 of Title 2, The Congress.

EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 110–161 effective Oct. 1, 2009, see section 1004(d)(4) of Pub. L. 110–161, set out as an Effective Date of Repeal note under section 167 of Title 2, The Congress.

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108–7 applicable to fiscal year 2003 and each fiscal year thereafter, see section 1016(d) of Pub. L. 108–7, set out as a note under section 1961 of Title 2, The Congress.

DESIGNATION OF GREAT HALL OF THE CAPITOL VISITOR CENTER AS EMANCIPATION HALL

Pub. L. 110–139, § 1, Dec. 18, 2007, 121 Stat. 1491, provided that:

''(a) IN GENERAL.—The great hall of the Capitol Visitor Center shall be known and designated as 'Emancipation Hall', and any reference to the great hall in any

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