such agency in Alaska without regard to any provision of law which precludes such sale where such energy is available from other local sources, if the agency determines that—

(1) such energy is generated by an existing coal-fired generating facility;

(2) such energy is surplus to such agency's needs and is in excess of the electric energy specifically generated for consumption by, or necessary to serve the requirements of, any department, agency, or instrumentality of the United States;

(3) the costs to the ultimate consumers of such energy is less than the costs which, in the absence of such sale, would be incurred by such consumers for the purchase of an equivalent amount of energy; and

(4) such sale will result in a reduction in the total consumption of oil or natural gas by the non-Federal person purchasing such electric energy below that consumption which would occur in the absence of such sale.

(b) Federally generated electric energy sold by an agency as provided in subsection (a) of this section shall be priced to recover the fuel costs and variable operation and maintenance costs of the Federal generating facility concerned which costs are attributable to such sale, plus an amount equal to one-half the difference between—

(1) the costs of producing the electric energy by coal generation, and

(2) the costs of producing electric energy by the oil or gas generation being displaced.

(Pub. L. 96–571, § 3, Dec. 22, 1980, 94 Stat. 3341.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 795c of this title.

§ 795b. Purchase of electric power; authority; applicable criteria

For purposes of economy and efficiency and conserving oil and natural gas, whenever practicable and consistent with other laws applicable to any agency and whenever consistent with the requirements applicable to any agency, such agency shall endeavor to purchase electric power from any non-Federal person for consumption in Alaska by any facility of such agency where such purchase—

(1) will result in a savings to other consumers of electric energy sold by such non-Federal person without increasing the cost incurred by any agency for electric energy, or

(2) will result in a cost savings to such agency of electric energy without increasing costs to other consumers of electric energy,

taking into account the remaining useful life of any facility available to such agency to generate electric energy for such agency and the cost of maintaining such facility on a standby basis.

(Pub. L. 96–571, § 4, Dec. 22, 1980, 94 Stat. 3342.)

§ 795c. Implementation powers and limitations

(a) Accommodation of needs of non-Federal person for electric energy

Nothing in this chapter shall be construed as requiring or authorizing any department, agency, or instrumentality of the United States to construct any new electric generating facility or related facility, to modify any existing facility, or to employ reserve or standby equipment in order to accommodate the needs of any non-Federal person for electric energy.

(b) Availability of revenues from sales

Revenues received by any agency pursuant to section 795a of this title from the sale of electric energy generated from any facility of such agency shall be available to the agency without fiscal year limitation for the purchase of fuel and for operation, maintenance, and other costs associated with such facility.

(c) Exercise of authorities

The authorities of this chapter shall be exercised for such periods and pursuant to such terms and conditions as the agency concerned deems necessary consistent with the provisions of this chapter and consistent with its responsibilities under other provisions of law.

(d) Negotiation and execution of contracts and other agreements

All contracts or other agreements executed under this chapter, notwithstanding any other provision of law, shall be negotiated and executed by the agency selling or purchasing electric energy under this chapter.

(Pub. L. 96–571, § 5, Dec. 22, 1980, 94 Stat. 3342.)

§ 795d. Repealed. Pub. L. 105–362, title IV, § 401(g), Nov. 10, 1998, 112 Stat. 3282

Section, Pub. L. 96–571, § 6, Dec. 22, 1980, 94 Stat. 3342; Pub. L. 103–437, § 14(c), Nov. 2, 1994, 108 Stat. 4591, related to biennial reports by Secretary of Energy on action taken by agencies pursuant to this chapter.

CHAPTER 18—NATIONAL VISITOR CENTER FACILITIES; UNION STATION REDEVELOPMENT; CAPITOL GUIDE SERVICE

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SUBCHAPTER I—UNION STATION

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 821 of this title.

PART A—NATIONAL VISITOR CENTER

PART REFERRED TO IN OTHER SECTIONS

This part is referred to in sections 811, 813, 819 of this title.

§ 801. National Visitor Center; designation; parking facility; authorization of agreements and leases for use of Union Station

The Secretary of the Interior (hereafter in this chapter referred to as the ''Secretary''), in consultation with the Administrator of General Services (hereafter in this chapter referred to as the ''Administrator''), is authorized to negotiate and enter into agreements and leases with The Washington Terminal Company, its successors or assigns (hereafter in this chapter referred to as the ''Company''), the owner of the property in the District of Columbia known as Union Station, for use of all or a part of such property for a national visitor center to be known as the National Visitor Center and a parking facility in connection therewith.

(Pub. L. 90–264, title I, § 101, Mar. 12, 1968, 82 Stat. 43.)

SHORT TITLE OF 1981 AMENDMENT

Pub. L. 97–125, § 1, Dec. 29, 1981, 95 Stat. 1667, provided: ''That this Act [enacting part B (§ 811 et seq.) of this subchapter, amending section 802 of this title, and enacting provisions set out as notes under section 811 of this title and section 582 of Title 45, Railroads] may be cited as the 'Union Station Redevelopment Act of 1981'.''

SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96–610, § 1, Dec. 28, 1980, 94 Stat. 3564, provided: ''That this Act [enacting section 809 of this title and provisions set out as a note under section 802 of this title] may be cited as the 'National Visitor Center Emergency Repair Act of 1980'.''

SHORT TITLE

Section 1 of Pub. L. 90–264 provided: ''That this Act [enacting this chapter and provisions set out as a note under section 804 of this title] may be cited as the 'National Visitor Center Facilities Act of 1968'.''

CAPITOL GROUNDS; ERECTION OF FLAGPOLES AND IMPROVEMENT OF TRAFFIC

Pub. L. 94–320, June 25, 1976, 90 Stat. 711, provided: ''That, subject to the approval of the Architect of the

Capitol and to such conditions as he may prescribe, the Secretary of the Interior is authorized to make such use of that portion of the United States Capitol Grounds adjacent or in close proximity to the sidewalks abutting the circular perimeter of the Union Station Plaza in front of Columbus Plaza and the National Visitor Center as may be necessary to enable the Secretary of the Interior to erect and maintain flagpoles to fly the flags of each of the States of the United States and its territories and possessions, generally as shown on NCPC Map File Numbered 1.11 (38.00)–27861.

''SEC. 2. (a) Notwithstanding any other provision of law, the Architect of the Capitol is authorized, subject to the provisions of this Act and to such conditions as the Architect of the Capitol may prescribe, to enter into an agreement with the appropriate officials of the government of the District of Columbia pursuant to which the Architect of the Capitol is authorized to permit the government of the District of Columbia to utilize certain areas of the United States Capitol Grounds for the purpose of making certain street changes in order to coordinate and improve the flow of traffic to and from the United States Capitol Grounds and the National Visitor Center (formerly Union Station), and the flow of traffic within Union Station Plaza.

''(b) Pursuant to such agreement, the Architect of the Capitol is authorized to make available to the government of the District of Columbia, for the purposes referred to in subsection (a), certain portions of the United States Capitol Grounds as follows:

''(1) approximately two thousand one hundred square feet of land in Square 680, at the east end thereof, located within the United States Capitol Grounds adjacent to the Union Station Plaza, Massachusetts Avenue, and E Street Northeast, in order to enable the government of the District of Columbia to carry out the purposes referred to in subsection (a) of this section, and to change the curbline, and relocate existing sidewalks and curbs, to conform to such street change;

''(2) approximately three thousand five hundred square feet of land in Square 723, at the northwest end thereof, located within the United States Capitol Grounds adjacent to the Union Station Plaza, First Street, and Massachusetts Avenue Northeast, in order to enable the government of the District of Columbia to carry out the purposes referred to in subsection (a) of this section, and to change the curbline, and relocate existing sidewalks and curbs, to conform to such street change; and

''(3) approximately four hundred square feet of land in Square 721, at the southwest end thereof, located within the United States Capitol Grounds adjacent to the Union Station Plaza and Massachusetts Avenue Northeast, in order to enable the government of the District of Columbia to carry out the purposes referred to in subsection (a) of this section, and to change the curbline, and relocate existing sidewalks and curbs, to conform to such street change.

''SEC. 3. Nothing in this Act shall be construed to grant to the Secretary of the Interior or to the government of the District of Columbia any right, title, or interest in or to any part of the United States Capitol Grounds and such area affected by this Act or any agreement pursuant thereto shall continue to be a part of the United States Capitol Grounds. All areas of the United States Capitol Grounds, including sidewalks, lawns and other growth, streets, and curblines, disturbed by reason of operations pursuant to this Act shall be promptly relocated or restored by the Secretary of the Interior or the government of the District of Columbia, as the case may be, in a manner approved by, and satisfactory to the Architect of the Capitol.

''SEC. 4. The Congress shall not incur any expense, liability, obligation, or other responsibility (operational or otherwise), under or by reason of this Act, or any agreement pursuant to this Act, or be liable under any claim of any nature or kind that may arise from either the construction, operation, or maintenance of the flagpoles authorized by this Act, or from carrying out any agreement pursuant to this Act.''

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 802 of this title.

§ 802. Terms and conditions of agreements and leases

(a) General provisions

The agreements and leases authorized by section 801 of this title shall be subject to the following terms and conditions:

(1) Alterations

the Company shall agree to make such alterations of the Union Station Building as the Secretary determines necessary to provide adequate facilities for visitors, which facilities, including the parking facility under paragraph (3), shall be representative of the highest standards of excellence of design and function;

(2) Commencement; term

the lease of the Union Station Building shall commence on a date to be mutually agreed upon and shall not be for a term of more than twenty-five years;

(3) Parking facilities; term

the Company, in consultation with the Secretary, shall construct all or part of a parking facility, including necessary approaches and ramps for adequate circulation, to accommodate automobiles, charter buses, and other transportation, as appropriate, in the airspace northerly of and adjacent to the existing Union Station Building, and such structure shall be leased to the United States for a term not to exceed twenty-five years commencing upon a date to be mutually agreed upon;

(4) New railroad passenger station

the Company shall, and it is hereby authorized to construct a new railroad passenger station in the area beneath or adjacent to the parking facility referred to in paragraph (3);

(5) Purchase option; amount; fair market value; notice, terms and conditions, and credit of rentals paid

the United States shall have the option to purchase all of the property leased under this subchapter for an amount not in excess of the fair market value of such property any time after the first year of the lease on one year's written notice and on such terms and conditions including credit toward such purchase price of any portions of rentals paid by the United States as may be mutually agreed upon;

(6) Rentals; fair rental value

rentals paid by the United States shall not exceed the fair rental value of the property as mutually determined by the Secretary, the Administrator, and the Lessor;

(7) Limitation on annual cost of leases

the aggregate annual cost to the United States of all leases entered into under this subchapter shall not exceed $3,500,000;

(8) Limitation on alteration and parking facility construction costs

the total cost of all alterations referred to in paragraph (1) and all construction referred to

in paragraph (3) shall not exceed $16,000,000, except that total cost of such alterations shall not exceed $5,000,000.

(b) Other terms and conditions

In addition to the terms and conditions set forth in subsection (a) of this section, agreements and leases entered into under authority of this part shall include such other terms and conditions as the Secretary and the Administrator jointly shall prescribe.

(c) Supplemental alterations and construction; competitive bidding or negotiated contract; Federal title; purchase option; limitation of fund

In addition to the alterations and construction by the company pursuant to subsection (a) of this section, the Secretary is authorized to undertake, directly by competitive bidding or, if he deems it to be in the best interest of the United States, by negotiated contract with the company, its successors, agents, and assigns, such alterations and construction, with regard to the Union Station Building and the adjacent parking facility, as he deems necessary to supplement the activities of the company in providing adequate facilities for visitors under the agreements and leases referred to in subsection (a) of this section. The Secretary may exercise the authority under this subsection without regard to whether or not title to the Union Station Building or the airspace adjacent thereto is in the United States: *Provided*, That he shall have entered into an agreement for a lease (but such lease need not have commenced) with the company incorporating the provisions of paragraph (5) of subsection (a) of this section prior to the exercise of the authority under this subsection: *And provided further*, That not to exceed $21,580,000 of the funds authorized to be appropriated in section 807 of this title shall be available for the Secretary to carry out the provisions of this subsection.

(Pub. L. 90–264, title I, § 102, Mar. 12, 1968, 82 Stat. 43; Pub. L. 93–62, § 1, July 6, 1973, 87 Stat. 146; Pub. L. 93–478, §§ 1–3, Oct. 26, 1974, 88 Stat. 1449; Pub. L. 97–125, § 4(b), Dec. 29, 1981, 95 Stat. 1673.)

AMENDMENTS

1981—Subsec. (b). Pub. L. 97–125 substituted ''this part'' for ''this subchapter''.

1974—Subsec. (a)(2). Pub. L. 93–478, § 1, substituted ''mutually agreed upon'' for ''mutually agreed upon contingent upon when such facilities are available for public use,''.

Subsec. (a)(3). Pub. L. 93–478, § 2, substituted ''shall construct all or part of a parking facility, including necessary approaches and ramps for adequate circulation, to accommodate automobiles, charter buses, and other transportation, as appropriate, in the airspace northerly of and adjacent to the existing Union Station Building, and such structure shall be leased to the United States for a term not to exceed twenty-five years commencing upon a date to be mutually agreed upon'' for ''shall construct a parking facility, including necessary approaches and ramps, to accommodate as nearly as possible four thousand motor vehicles in the air space northerly of and adjacent to the existing Union Station Building, and such facility shall, upon completion, be leased to the United States for a term not to exceed twenty-five years''.

Subsec. (c). Pub. L. 93–478, § 3, substituted ''$21,580,000'' for ''$8,680,000''.

1973—Subsec. (c). Pub. L. 93–62 added subsec. (c).

NATIONAL VISITOR CENTER EMERGENCY REPAIRS; AUTHORIZATION OF APPROPRIATIONS; CONSULTATION; LEGAL LIABILITY FOR REPAIRS; CIVIL ACTION; EXISTING LEASE UNAFFECTED

Pub. L. 96–610, §§ 2, 3, Dec. 28, 1980, 94 Stat. 3564, provided that:

''SEC. 2. (a) There is hereby authorized to be appropriated to the Secretary of the Interior for the fiscal year ending September 30, 1981, the sum of $11,000,000 for the purpose of making emergency repairs to the primary structure and roofs of the National Visitor Center in the District of Columbia and for the purpose of providing protection of the structural elements of the unfinished parking facility and southeast ramp at such Center. Such sum shall remain available until expended.

''(b) Prior to entering into any contract for the repairs or protection authorized by subsection (a) of this section, the Secretary of the Interior shall consult with the Secretary of Transportation regarding the planning for such repairs or protection.

''SEC. 3. (a) The Office of Legal Counsel of the Department of Justice shall prepare an opinion on the question of whether the United States or the Terminal Realty Baltimore Co. and the Terminal Realty Penn Co. are legally liable for the repairs anticipated by the provisions of this Act [enacting section 809 of this title and this note]. If the Office of Legal Counsel determines that there is a reasonable cause to believe a party other than the United States is legally obligated to bear all or a portion of the costs of that repair authorized by this Act, the Attorney General shall institute an action to recover expenditures that were incurred by the Secretary pursuant to this Act.

''(b) None of the actions taken pursuant to the provisions of this Act shall be deemed to limit or affect in any way the rights of the United States under the lease for real property between Terminal Realty Baltimore Co. and Terminal Realty Penn Co. and the United States of America, dated March 1, 1972, or any additions or modifications thereto.''

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 808, 813, 819 of this title.

§ 803. Administration

The Secretary shall administer any property leased under this subchapter in accordance with those provisions of sections 1, 2, 3, and 4 of title 16, as amended and supplemented, applicable to the administration of the national park system.

(Pub. L. 90–264, title I, § 103, Mar. 12, 1968, 82 Stat. 44.)

§ 804. Interpretive transportation services; Federal areas

The Secretary is directed to utilize the authority under sections 1, 2, 3, and 4 of title 16, as amended and supplemented, to provide interpretive transportation services between or in Federal areas within the District of Columbia and environs, including, but not limited to, transportation of visitors on, among, and between the Mall, the Ellipse, the National Visitor Center, John F. Kennedy Center for the Performing Arts, and East and West Potomac Park, and such other visitor facilities as may be established pursuant to this chapter, and, with the concurrence of the Architect of the Capitol, to provide such services on, among, and between such areas and the United States Capitol Grounds. The Secretary shall determine that

such services are desirable to facilitate visitation and to insure proper management and protection of such areas. Such interpretive transportation services shall, notwithstanding any other provision of law to the contrary, be deemed transportation by the United States and shall be under the sole and exclusive charge and control of the Secretary.

(Pub. L. 90–264, title I, § 105, Mar. 12, 1968, 82 Stat. 44; Pub. L. 93–62, § 2, July 6, 1973, 87 Stat. 146.)

AMENDMENTS

1973—Pub. L. 93–62 substituted provisions for interpretive transportation services between or in Federal areas, for former provisions respecting parking facility, transfer of property for vehicular access to public roads and highways, and alteration of traffic pattern in Union Station Plaza after consultation with Architect of Capitol.

REPORT TO CONGRESS

Section 104 of Pub. L. 90–264 provided that the Secretary report to Congress, on or before Apr. 15, 1968, the results of the study concerning the problems of transporting visitors along the Mall, on the United States Capitol Grounds, and to and from the National Visitor Center, which report was to include types of transportation to be utilized, the operation of any transportation system, the feasibility of providing free transportation, and any proposed legislation to carry out his recommendations.

§ 805. Continuing study of needs of visitors to Washington metropolitan area; facility recommendations; annual report

(a) Notwithstanding the execution of any agreement or lease pursuant to this subchapter, the Secretary, in consultation with the National Visitor Facilities Advisory Commission established under subchapter II of this chapter, is directed (1) to make a continuing study of the needs of visitors to the Washington metropolitan area, including the necessity and desirability of different or additional visitor facilities, and of altering existing visitor facilities, and (2) to recommend that the Administrator acquire, alter, or construct such facilities.

(b) Repealed. Pub. L. 104–333, div. I, title VIII, § 814(d)(1)(G), Nov. 12, 1996, 110 Stat. 4196.

(Pub. L. 90–264, title I, § 106, Mar. 12, 1968, 82 Stat. 44; Pub. L. 104–333, div. I, title VIII, § 814(d)(1)(G), Nov. 12, 1996, 110 Stat. 4196.)

AMENDMENTS

1996—Subsec. (b). Pub. L. 104–333 struck out subsec. (b) which read as follows: "The Secretary shall submit annually a report to Congress on the National Visitor Center authorized by this subchapter and on all other visitor facilities authorized in accordance with this chapter, including the amendments made by this chapter."

§ 806. Repeals

All existing laws or parts of laws inconsistent with the provisions of this chapter are hereby repealed to the extent to which they are so inconsistent, but to no further or other extent.

(Pub. L. 90–264, title I, § 107, Mar. 12, 1968, 82 Stat. 44.)

§ 807. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this chapter.

(Pub. L. 90–264, title I, § 109, Mar. 12, 1968, 82 Stat. 45.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 802 of this title.

§ 808. Labor standards

The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the alterations referred to in section 802(a)(1), and the parking facility referred to in section 802(a)(3), of this title shall be paid wages at rates not less than those prevailing for the same type of work on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Act of March 3, 1931, as amended, known as the Davis-Bacon Act (46 Stat. 1494; 40 U.S.C. 276a—276a–5). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 276c of this title.

(Pub. L. 90–264, title I, § 110, Mar. 12, 1968, 82 Stat. 45.)

REFERENCES IN TEXT

Act of March 3, 1931, as amended, known as the Davis-Bacon Act, referred to in text, is act Mar. 3, 1931, ch. 411, 46 Stat. 1494, as amended, which is classified generally to sections 276a to 276a–5 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 276a of this title and Tables.

Reorganization Plan Numbered 14 of 1950, referred to in text, 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.

§ 809. Steam for Union Station-National Visitor Center complex; contract; costs

The Architect of the Capitol may enter into a contract or other agreement with the Secretary of the Interior providing for the Architect of the Capitol to furnish steam from the Capitol Power Plant to the Union Station-National Visitor Center complex. Under such contract, the Secretary of the Interior shall pay for such steam at rates, not less than cost, and shall connect the Union Station-National Visitor Center complex with the Capitol Power Plant steam lines without expenses to the Congress.

(Pub. L. 96–610, § 4, Dec. 28, 1980, 94 Stat. 3564.)

CODIFICATION

Section was enacted as part of the National Visitor Center Emergency Repair Act of 1980, and not as part of the National Visitor Center Facilities Act of 1968 which comprises this chapter.

PART B—UNION STATION REDEVELOPMENT

PART REFERRED TO IN OTHER SECTIONS

This part is referred to in section 1201 of this title.

§ 811. Assignment of right, title, and interest in the Union Station complex to the Secretary of Transportation

(a) Reservation of certain rights by the Secretary; definition

Upon the request of the Secretary of Transportation, the Secretary shall assign to the Secretary of Transportation all of the Secretary's right, title, and interest in the Union Station complex, including all agreements and leases entered into under part A of this subchapter. Such assignment may reserve to the Secretary the right to lease space for visitor services, to the extent the Secretary and the Secretary of Transportation may agree. For purposes of this subchapter, the ''Union Station complex'' shall include all the real property, air rights, and improvements leased by the Secretary under part A of this subchapter, together with any property acquired and all improvements made in accordance with this part.

(b) Installation of new roofs and drainage systems

Notwithstanding the provisions of subsection (a) of this section, the Secretary shall, not later than twelve months after December 29, 1981, complete the installation of new roofs and associated drainage systems on all existing roof surfaces of the historic Union Station building. Of funds appropriated to the Secretary under the construction appropriation for the National Park System for the fiscal year ending September 30, 1982, not less than $8,100,000 shall be available to and allocated by the Secretary for such roof work. In the event the assignment provided for in subsection (a) of this section occurs prior to completion of such roof work, the Secretary shall continue to be responsible for such roof work until its completion, except as the Secretary and the Secretary of Transportation may otherwise agree.

(c) Permission to the Secretary of Transportation to carry out certain activities

Prior to the assignment provided for in subsection (a) of this section, the Secretary shall permit the Secretary of Transportation to carry out or cause to be carried out the activities authorized by this part or by title VII of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 851 et seq.).

(d) Secretary to be relieved of certain obligations upon assignment and roof installation

After both the assignment provided for in subsection (a) of this section and the completion of the roof installation required by subsection (b) of this section, the Secretary shall be relieved of the authority and obligation under part A of this subchapter to construct and operate a National Visitor Center at Union Station. The provisions of part A of this subchapter shall thereafter be deemed superseded by any contrary or inconsistent provisions of this part.

(Pub. L. 90–264, title I, § 111, as added Pub. L. 97–125, § 3(3), Dec. 29, 1981, 95 Stat. 1667.)

REFERENCES IN TEXT

The Railroad Revitalization and Regulatory Reform Act of 1976, referred to in subsec. (c), is Pub. L. 94–210, Feb. 5, 1976, 90 Stat. 31, as amended. Title VII of the Act, which enacted subchapter III (§ 851 et seq.) of chapter 17 of Title 45, Railroads, and amended sections 543, 545, 546, 562, 563, 564, and 791 of Title 45 and section 1653 of former Title 49, Transportation, was repealed and the provisions thereof reenacted principally in chapter 249 of Title 49, Transportation, by Pub. L. 103–272, July 5, 1994, 108 Stat. 745, the first section of which enacted subtitles II, III, and V to X of Title 49, and by Pub. L. 103–429, § 7(a)(1), Oct. 31, 1994, 108 Stat. 4388.

SALE OF AIR RIGHTS

Pub. L. 105–33, title IX, § 9102, Aug. 5, 1997, 111 Stat. 670, provided that:

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of General Services shall sell, at fair market value and in a manner to be determined by the Administrator, the air rights adjacent to Washington Union Station described in subsection (b), including air rights conveyed to the Administrator under subsection (d). The Administrator shall complete the sale by such date as is necessary to ensure that the proceeds from the sale will be deposited in accordance with subsection (c).

''(b) DESCRIPTION.—The air rights referred to in subsection (a) total approximately 16.5 acres and are depicted on the plat map of the District of Columbia as follows:

''(1) Part of lot 172, square 720.

''(2) Part of lots 172 and 823, square 720.

''(3) Part of lot 811, square 717.

''(c) PROCEEDS.—Before September 30, 2002, proceeds from the sale of air rights under subsection (a) shall be deposited in the general fund of the Treasury and credited as miscellaneous receipts.

''(d) CONVEYANCE OF AMTRAK AIR RIGHTS.—

''(1) GENERAL RULE.—As a condition of future Federal financial assistance, Amtrak shall convey to the Administrator of General Services on or before December 31, 1997, at no charge, all of the air rights of Amtrak described in subsection (b).

''(2) FAILURE TO COMPLY.—If Amtrak does not meet the condition established by paragraph (1), Amtrak shall be prohibited from obligating Federal funds after March 1, 1998.''

CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY

Section 2 of Pub. L. 97–125 provided that: ''The Congress finds and declares that—

''(1) Union Station in Washington, District of Columbia, commissioned by Congress in 1903, designed by Daniel H. Burnham in monumental Beaux Arts style, and completed by the Washington Terminal Company in 1907, is an important historic and architectural landmark of the Nation's Capital;

''(2) Union Station was built and used exclusively as a rail passenger station until Congress decided to make the historic Union Station building a National Visitor Center in 1968, allocating rail passenger operations to a replacement facility behind the historic building;

''(3) the use of rail passenger service to and from Washington, District of Columbia, declining when the National Visitor Center Facilities Act of 1968 [this chapter] was enacted, has dramatically increased since that time with the advent of and substantial Federal investment in the National Railroad Passenger Corporation and the northeast corridor improvement project, justifying a reversal of the policy adopted 13 years ago;

''(4) the historic Union Station building is now unsafe and unusable, and the replacement railroad station is inconvenient and inadequate for present and projected rail ridership demand;

''(5) it is in the national interest to preserve the architectural features of Union Station and to provide in the Union Station complex a sound and fully operational transportation terminal;

''(6) the Union Station complex and its vicinity present an opportunity for successful commercial de-

velopment integrated with the transportation functions of the facility; and

''(7) the purposes of this Act [see Short Title of 1981 Amendment note set out under section 801 of this title] are to achieve the goals of historic preservation and improved rail use of Union Station with maximum reliance on the private sector and minimum requirement for Federal assistance.''

§812. Rehabilitation and redevelopment of the Union Station complex; goals

The Secretary of Transportation shall provide for the rehabilitation and redevelopment of the Union Station complex primarily as a multiple-use transportation terminal serving the Nation's Capital, and secondarily as a commercial complex, in accordance with the following goals:

(a) Preservation of the exterior facade and other historically and architecturally significant features of the Union Station building;

(b) Restoration and operation of a portion of the historic Union Station building as a rail passenger station, together with holding facilities for charter, transit, and intercity buses in the Union Station complex;

(c) Commercial development of the Union Station complex that will, to the extent possible, financially support the continued operation and maintenance of such complex; and

(d) Withdrawal by the Federal Government from any active role in the operation and management of the Union Station complex as soon as practical and at the least possible Federal expense consistent with the goals set forth in subsections (a) through (c) of this section.

(Pub. L. 90–264, title I, §112, as added Pub. L. 97–125, §3(3), Dec. 29, 1981, 95 Stat. 1668.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 815 of this title.

§813. Authorization of appropriations

(a) There are authorized to be appropriated to the Secretary of Transportation such sums as may be necessary to meet lease and other obligations, including maintenance requirements, incurred by the Secretary and assigned to the Secretary of Transportation under this part. The Secretary shall transfer to the Secretary of Transportation at the time of such assignment such sums as may have been appropriated to the Secretary to meet such obligations and not yet expended as of the date of such assignment.

(b) Notwithstanding the provisions of section 802(a)(5) of this title, the Secretary of Transportation is authorized to purchase for the United States any property that was leased by the Secretary under part A of this subchapter and assigned to the Secretary of Transportation under this part. The purchase agreement for such property may provide for payment by the Secretary of Transportation over a term not to exceed six years. There are authorized to be appropriated to the Secretary of Transportation, in addition to the sums authorized by subsection (a) of this section, not to exceed $275,000 per year for not to exceed six years to carry out such purchase. Such purchase shall not be subject to the provisions of title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4651 et seq.).

(Pub. L. 90–264, title I, §113, as added Pub. L. 97–125, §3(3), Dec. 29, 1981, 95 Stat. 1669.)

REFERENCES IN TEXT

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, referred to in subsec. (b), is Pub. L. 91–646, Jan. 2, 1971, 84 Stat. 1894, as amended. Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 is classified generally to subchapter III (§4651 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4601 of Title 42 and Tables.

§814. Studies to determine feasibility of rehabilitation and improvements; implementation of recommendations

(a) Engineering survey

The Secretary of Transportation shall, on an emergency basis, carry out an engineering survey of all existing structures at the Union Station complex for the following purposes:

(1) to determine those actions necessary or desirable to preserve the long-term structural integrity of, and provide functional utility systems for, the historic Union Station building;

(2) in cooperation with Amtrak, to determine those actions necessary or desirable to restore rail passenger handling functions to the historic Union Station building and otherwise improve rail passenger service facilities at Union Station, including improved passenger access to the trains; and

(3) to prepare detailed estimates of the costs of such rehabilitation and improvement.

(b) Planning and market feasibility studies to assess commercial development potential

Concurrently with the engineering survey required by subsection (a) of this section, the Secretary of Transportation, in cooperation with the National Railroad Passenger Corporation, shall carry out a planning and market feasibility study to assess the commercial development potential of the Union Station complex. Such study shall also include, but not be limited to, an assessment of the feasibility and desirability of:

(1) providing passenger transportation services from Union Station to the commercial airports in the area;

(2) constructing a heliport at or near the Union Station complex; and

(3) relocating to office space in Union Station the offices of Federal or other public transportation agencies.

(c) Time for completion of studies

The Secretary of Transportation shall complete the engineering survey required by this section not later than six months after December 29, 1981, and shall complete the planning and market feasibility study required by this section not later than twelve months after December 29, 1981.

(d) Availability of appropriated funds

Of amounts appropriated under section 704(a)(1) and (2) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 854(a)(1) and (2)), $1,000,000 shall be available to

and be utilized by the Secretary of Transportation to carry out the purposes of subsections (a) and (b) of this section.

(e) Reports to Congress; commitment of Federal funds

Within twelve months following December 29, 1981, the Secretary of Transportation shall submit a report to the Congress on the results of the engineering survey and planning and market feasibility studies carried out under this section. Such report shall be referred to the Committees on Commerce, Science, and Transportation and Environment and Public Works of the Senate and the Committees on Energy and Commerce and Public Works and Transportation of the House, respectively. Such report shall include a specific commitment of Federal funds for completion of the rehabilitation of the historic Union Station building, together with any necessary request for appropriations, in the amount determined by the Secretary of Transportation to be necessary in light of the survey and studies carried out under this section, from either or both of the following sources:

(1) funds authorized to be appropriated and not yet appropriated under section 704(a) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 854(a)) that are in excess of the amounts set out in the last sentence of such section 704(a); and

(2) funds programed or reprogramed from any other appropriation available to the Secretary of Transportation.

Notwithstanding any other provision of this subsection, no funds from the Northeast Corridor Improvement Project and other rail or rail-related programs in excess of $29,000,000 shall be available for the completion of the rehabilitation of the historic Union Station building or other purposes determined by the Secretary of Transportation to be necessary in light of the survey and studies carried out under this section if within ninety calendar days of continuous session of the Congress after any request for such excess funds either the Committee on Energy and Commerce of the House of Representatives or the Committee on Commerce, Science, and Transportation of the Senate disapproves of the availability of such excess funds for such purposes by majority vote. For purposes of this subsection, continuity of session of the Congress is broken only by an adjournment sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the period described in this subsection.

(Pub. L. 90–264, title I, § 114, as added Pub. L. 97–125, § 3(3), Dec. 29, 1981, 95 Stat. 1669.)

REFERENCES IN TEXT

Section 704(a) of the Railroad Revitalization and Regulatory Reform Act of 1976, referred to in subsecs. (d) and (e)(1), is section 704(a) of Pub. L. 97–125, which enacted section 854(a) of Title 45, Railroads, and was repealed and the provisions thereof reenacted in section 24909 of Title 49, Transportation, by Pub. L. 103–272, July 5, 1994, 108 Stat. 745, the first section of which enacted subtitles II, III, and V to X of Title 49.

CHANGE OF NAME

Committee on Energy and Commerce of House of Representatives treated as referring to Committee on Commerce of House of Representatives and Committee on Public Works and Transportation of House of Representatives treated as referring to Committee on Transportation and Infrastructure of House of Representatives by section 1(a) of Pub. L. 104–14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Commerce of House of Representatives changed to Committee on Energy and Commerce of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred to Committee on Financial Services of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

§ 815. Development agreements

(a) Agreements with developers

In order to achieve the goals set out in section 812 of this title, the Secretary of Transportation is authorized to select and subsequently enter into one or more agreements (hereafter in this chapter referred to as ''development agreements'') with one or more responsible individuals, corporations, or other private entities with demonstrated experience in the financing, undertaking, and managing of commercial real estate development (hereafter in this chapter referred to as ''developers'').

(b) Selection of developers

The Secretary of Transportation shall prescribe the procedures and criteria for selection of a developer for the Union Station complex: *Provided*, That no final developer selection shall be made unless and until at least two developers meeting minimum criteria prescribed by the Secretary of Transportation have submitted to the Secretary of Transportation specific design and financing proposals for the rehabilitation and redevelopment of the Union Station complex, and specific proposals for the acquisition, conveyance, or lease of real property. The Secretary of Transportation is directed to initiate discussions with potential developers as soon as possible following enactment of this section to assure the earliest possible selection of a developer or developers.

(c) Modification or waiver of application of regulations

Development agreements entered into under this section shall be considered cooperative agreements for purposes of chapter 63 of title 31. With respect to such development agreements, the Secretary of Transportation is authorized to modify or waive the application of regulations otherwise applicable to Federal or Department of Transportation financial assistance agreements, to the extent the Secretary of Transportation determines in his discretion to be necessary to accomplish the purposes of this part at the lowest cost to the Federal Government.

(d) Other agreements and contracts; assignment

The Secretary of Transportation is further authorized to enter into such other agreements and contracts, except any agreement or contract to sell property rights at the Union Station complex, with such persons, corporations, financial institutions, Federal, regional, or local agencies, or the Architect of the Capitol as the

Secretary of Transportation deems necessary or desirable to carry out the purposes of this part. Any such agreement may be made assignable to a selected developer or developers of the Union Station complex.

(Pub. L. 90–264, title I, §115, as added Pub. L. 97–125, §3(3), Dec. 29, 1981, 95 Stat. 1670.)

CODIFICATION

In subsec. (c), ''chapter 63 of title 31'' substituted for ''the Federal Grant and Cooperative Agreement Act of 1977 (41 U.S.C. 501 et seq.)'' on authority of Pub. L. 97–258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

§816. Acquisition and maintenance of property

(a)(1) The Secretary of Transportation is authorized to acquire for the United States, by lease, purchase, or otherwise, any interest in real property (including, without limitation, interests in the nature of easements or reservations) and any other property interest (including, without limitation, contract rights) in or relating or adjacent to the Union Station complex that the Secretary of Transportation deems necessary to carry out the purposes of this part.

(2) Repealed. Pub. L. 100–480, §8, Oct. 7, 1988, 102 Stat. 2334.

(b) Notwithstanding any other provision of law, the Secretary of Transportation is authorized to maintain, use, operate, manage, and lease, either directly, by contract, or through development agreements, any property interest held or acquired by the Secretary of Transportation for the United States under this part, in such manner and subject to such terms, conditions, covenants, and easements as the Secretary of Transportation deems necessary or desirable to carry out the purposes of this part.

(Pub. L. 90–264, title I, §116, as added Pub. L. 97–125, §3(3), Dec. 29, 1981, 95 Stat. 1671; amended Pub. L. 100–480, §8, Oct. 7, 1988, 102 Stat. 2334.)

AMENDMENTS

1988—Subsec. (a)(2). Pub. L. 100–480 struck out par. (2) which read as follows: ''If the Secretary of Transportation determines that property under the jurisdiction of the Architect of the Capitol in squares 721 and 722 eastward of the historic Union Station building is necessary to carry out the purposes of this part, the Secretary of Transportation may request assignment of such property to the use of the Secretary of Transportation, as a part of the Union Station complex, and subject to the provisions of this part, and the Architect of the Capitol shall so assign such property.''

§817. Union Station Fund; establishment; administration; authority of the Secretary to use income received toward expenses

(a) The Secretary of Transportation is authorized to use income and proceeds received from activities authorized by this part, including, without limitation, operating and leasing income and payments made to the Federal Government under development agreements, to pay expenses incurred by the Secretary of Transportation in carrying out the purposes of this part, including, without limitation, construction, acquisition, leasing, operation, and maintenance expenses, and payments made to developers under development agreements.

(b) A special deposit account is hereby established in the Treasury of the United States, to be known as the Union Station Fund, which shall be administered as a revolving fund. Such special deposit account shall be credited with receipts of the Secretary of Transportation from activities authorized by this part and the balance in such special deposit account shall be available in such amounts as are specified in annual appropriation Acts for making expenditures authorized by this part.

(Pub. L. 90–264, title I, §117, as added Pub. L. 97–125, §3(3), Dec. 29, 1981, 95 Stat. 1671.)

PAYMENTS BY UNION STATION REDEVELOPMENT CORPORATION OR SUCCESSOR ON FIRST DEED OF TRUST

Pub. L. 106–346, §101(a) [title I], Oct. 23, 2000, 114 Stat. 1356, 1356A–14, provided in part: ''That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make payments on such deed of trust on the Secretary's behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with those funds''.

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 106–69, title I, Oct. 9, 1999, 113 Stat. 998.
Pub. L. 105–277, div. A, §101(g) [title I], Oct. 21, 1998, 112 Stat. 2681–439, 2681–450.
Pub. L. 105–66, title I, Oct. 27, 1997, 111 Stat. 1433.
Pub. L. 104–205, title I, Sept. 30, 1996, 110 Stat. 2961.
Pub. L. 104–50, title I, Nov. 15, 1995, 109 Stat. 445.
Pub. L. 103–331, title I, Sept. 30, 1994, 108 Stat. 2479.
Pub. L. 103–122, title I, Oct. 27, 1993, 107 Stat. 1209.
Pub. L. 102–388, title I, Oct. 6, 1992, 106 Stat. 1533.
Pub. L. 102–143, title I, Oct. 28, 1991, 105 Stat. 931.
Pub. L. 101–516, title I, Nov. 5, 1990, 104 Stat. 2170.
Pub. L. 101–164, title I, Nov. 21, 1989, 103 Stat. 1084.
Pub. L. 100–457, title I, Sept. 30, 1988, 102 Stat. 2139.

§818. Parking facility; completion with interstate highway funds; limitation on apportionment of funds excepted; agreement with District of Columbia for the administration of the project

(a) Notwithstanding any other provision of title 23, and other Acts pertaining to Federal-Aid Highways, the Secretary of Transportation shall immediately approve the completion of the parking facility, and associated ramps (including any necessary pedestrian access and walkways, escalators, elevators, moving sidewalk access, and connections) at Union Station, to be financed with interstate highway funds apportioned to the District of Columbia. To the extent necessary to complete such project, such apportionment shall not be subject to any obligation limitation enacted for the fiscal year ending September 30, 1982, or the fiscal year ending September 30, 1983. The amount of such apportionment necessary to complete such project, not to exceed $40,000,000, shall remain available to the District of Columbia until expended, without regard to the provisions of section 118(b) of title 23. The Federal share shall be 100 per centum of the total cost of such project.

(b) Within sixty days of December 29, 1981, the Secretary of Transportation shall enter into an

agreement with the District of Columbia's Department of Transportation for the Secretary of Transportation's administration of the project described in subsection (a) of this section. Such project agreement shall provide that all right, title, and interest in such parking facility shall remain in the United States. The rate of fees charged for use of the parking facility may exceed the rate required for maintenance and operation of the facility, and shall be established in a manner that encourages its use by rail passengers and participants in activities in the Union Station complex and area.

(Pub. L. 90–264, title I, § 118, as added Pub. L. 97–125, § 3(3), Dec. 29, 1981, 95 Stat. 1672.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 819 of this title.

§ 819. Waiver or release of obligations under other provisions

(a) Release of Washington Terminal Company from its obligation to construct a new railroad passenger station

The Secretary of Transportation is authorized, on such terms and conditions as he may prescribe, to release the Washington Terminal Company from any or all of its obligations under agreements and leases entered into under part A of this subchapter, including, without limitation, the obligation to construct a new railroad passenger station as provided in section 802(a)(4) of this title.

(b) Waiver of statutory and contractual restrictions on the use of the parking facility

The Secretary of Transportation shall waive such statutory or contractual restrictions on the use of the parking structure and associated ramps described in section 818 of this title as would otherwise be required or imposed because funds for such construction were or are provided under chapter 53 of title 49.

(c) Use of funds appropriated under other provisions without matching funds requirement

The Secretary of Transportation is authorized to use funds appropriated under section 24909(a)(2)(A) of title 49 to carry out the purposes of this part without regard to the matching funds requirement of section 24902(c)(1)[1] of title 49. Funds appropriated under section 24909 of title 49 may not be used for design, construction, or operation of a heliport at or near Union Station.

(d) Architect of Capitol authorized to supply steam or chilled water to the Union Station complex

The Architect of the Capitol is authorized to enter into agreements with the Secretary of Transportation or his designee or assign to furnish steam or chilled water or both from the Capitol Power Plant to the Union Station complex, at no expense to the legislative branch.

(Pub. L. 90–264, title I, § 119, as added Pub. L. 97–125, § 3(3), Dec. 29, 1981, 95 Stat. 1672; amended Pub. L. 102–240, title III, § 3003(b), Dec. 18, 1991, 105 Stat. 2088.)

[1] See References in Text note below.

REFERENCES IN TEXT

Section 24902(c) of title 49, referred to in subsec. (c), was repealed and subsec. (f) of that section was redesignated (c) by Pub. L. 105–134, title IV, § 405(b)(1)(A), Dec. 2, 1997, 111 Stat. 2586. Provisions relating to matching funds requirement no longer appear in section 24902.

CODIFICATION

In subsecs. (b) and (c), ''chapter 53 of title 49'' substituted for ''the Federal Transit Act, as amended (49 U.S.C. 1601 et seq.)'', ''section 24909(a)(2)(A) of title 49'' substituted for ''section 704(a)(2) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 854(a)(2))'', ''section 24902(c)(1) of title 49'' substituted for ''section 703(1)(B) of such Act (45 U.S.C. 853(1)(B))'', and ''section 24909 of title 49'' substituted for ''section 704(a) of such Act'' on authority of Pub. L. 103–272, § 6(b), July 5, 1994, 108 Stat. 1378, the first section of which enacted subtitles II, III, and V to X of Title 49, Transportation.

AMENDMENTS

1991—Subsec. (b). Pub. L. 102–240 substituted ''Federal Transit Act'' for ''Urban Mass Transportation Act of 1964''.

§ 819a. Union Station Redevelopment Corporation

To further the rehabilitation, redevelopment and operation of the Union Station complex, the Secretary of Transportation, the Administrator of the Federal Railroad Administration, or their designees are authorized to serve as ex officio members of the Board of Directors of the Union Station Redevelopment Corporation.

(Pub. L. 90–264, title I, § 120, as added Pub. L. 105–178, title I, § 1211(b), June 9, 1998, 112 Stat. 188.)

SUBCHAPTER II—ADVISORY COMMISSION

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 805 of this title.

§ 821. National Visitor Facilities Advisory Commission; establishment; functions

There is hereby created a National Visitor Facilities Advisory Commission (hereafter in this chapter referred to as the ''Commission'') which shall (1) conduct a continuing review of the National Visitor Center established pursuant to subchapter I of this chapter, (2) conduct continuing investigations and studies of sites and plans to provide additional facilities and services for visitors and students coming to the Nation's Capital, and (3) advise the Secretary and the Administrator with respect to the planning, construction, acquisition, and operation of all such visitor facilities.

(Pub. L. 90–264, title II, § 201, Mar. 12, 1968, 82 Stat. 45.)

TERMINATION OF ADVISORY COMMISSIONS

Advisory commissions 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 commission established by the President or an officer of the Federal Government, such commission is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a commission established by the Congress, its duration is otherwise provided by law. See sections 3(2) and 14 of Pub. L.

92–463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 822. Composition of Commission

(a) Tenure; Chairman

The Commission shall be composed of the Secretary, the Administrator, the Secretary of the Smithsonian Institution, the Chairman of the National Capital Planning Commission, the Chairman of the Commission of Fine Arts, six Members of the Senate, three from each party, to be appointed by the President of the Senate, and six Members of the House of Representatives, three from each party, to be appointed by the Speaker of the House of Representatives, and three members appointed by the President, at least two of whom shall not be officers of the Federal Government, and one member of whom shall be a representative of the District of Columbia government. Non-Federal members shall serve at the pleasure of the President. The Secretary shall be the Chairman of the Commission. The Commission shall meet at the call of the Chairman.

(b) Compensation and travel expenses

Members of the Commission who are not officers or employees of the Federal Government or the government of the District of Columbia shall be entitled to receive compensation in accordance with section 3109 of title 5 and travel expenses including per diem in lieu of subsistence as authorized by section 5703 of title 5 for persons in the government service employed intermittently.

(c) Staff and facilities

The Director of the National Park Service, in consultation with the Administrator, shall provide the necessary staff and facilities to assist the Commission in carrying out its duties under this subchapter.

(Pub. L. 90–264, title II, § 202, Mar. 12, 1968, 82 Stat. 45.)

§ 823. Reports and recommendations

The Commission shall, from time to time, report to the Secretary and the Administrator the results of its reviews, studies, and investigations. In the case of any report recommending additional facilities for visitors, such report shall include the Commission's recommendations as to a site or sites for the facilities to be provided, together with preliminary plans, specifications, and architectural drawings for such facilities as well as the estimated cost of the recommended sites and facilities.

(Pub. L. 90–264, title II, § 203, Mar. 12, 1968, 82 Stat. 46.)

SUBCHAPTER III—CAPITOL VISITOR CENTER

§ 831. Capitol educational and informational center and information and distribution stations; operation agreements

Notwithstanding any other provision of law, the Architect of the Capitol, in consultation with the House Office Building Commission and the Senate Office Building Commission, is hereby authorized and directed to provide adequate space and facilities in the Capitol Building for an educational and informational center and information and distribution stations to afford visitors to the Capitol Building an opportunity to acquire (1) information relative to Congressional offices, (2) assistance relative to their visit to the Capitol, (3) pamphlets, books, drawings, slides and photographs, and related materials, and (4) information about the Capitol and the history of the Capitol Building and past and present Congresses. All materials distributed by such educational and informational center and such stations shall first be approved by the Architect of the Capitol, after consultation with the Committee on House Oversight of the House of Representatives, the Senate Committee on Rules and Administration, the United States Capitol Historical Society, and such other educational and historical groups as the Architect of the Capitol deems appropriate. The Architect of the Capitol is hereby authorized to enter into such agreements as may be reasonably necessary to operate such educational and informational center and stations.

(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.)

AMENDMENTS

1996—Pub. L. 104–186 substituted ''Committee on House Oversight of the House of Representatives'' for ''House Committee on 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.

IMPROVING EDUCATIONAL EXPERIENCE OF SENATE VISITORS; STUDY AND REPORT

Pub. L. 103–283, title I, § 2, July 22, 1994, 108 Stat. 1426, provided that:

''(a) Not later than September 30, 1995, the Secretary of the Senate shall submit to the Committee on Rules and Administration a report evaluating the quality and scope of the educational experience available to visitors to the Senate concerning the constitutional and historical role of the Senate in American Government and society.

''(b) The Secretary of the Senate shall include in the report a plan for the improvement of the educational experience available to Senate visitors. Senate officers and officials and legislative branch support agencies shall work with the Secretary of the Senate in the development of the plan. Appropriate executive branch agencies, such as the National Archives and Records Administration and the Smithsonian Institution, are encouraged to offer assistance to the Secretary of the Senate in developing the plan.

''(c) There are authorized to be paid out of the contingent fund of the Senate, upon vouchers approved by the Secretary of the Senate, such sums as are necessary to reimburse the routine expenses associated with developing the report required by this section.''

SUBCHAPTER IV—CAPITOL GUIDE SERVICE

§ 851. Capitol Guide Service

(a) Establishment; designation; supervision of Capitol Guide Board; membership of Board

There is hereby established an organization under the Congress of the United States, to be

designated the ''Capitol Guide Service'', which shall be subject to the direction, supervision, and control of a Capitol Guide Board consisting of the Architect of the Capitol, the Sergeant at Arms of the Senate, and the Sergeant at Arms of the House of Representatives.

(b) Guided tours; regulations

The Capitol Guide Service is authorized and directed to provide guided tours of the interior of the United States Capitol Building for the education and enlightenment of the general public, without charge for such tours. All such tours shall be conducted in compliance with regulations prescribed by the Capitol Guide Board.

(c) Duties of Capitol Guide Board; positions of Guide in Capitol Guide Service; establishment and revision; Chief, Deputy Chief, and Assistant Chief Guide and Guides: appointment, duties, pay, and termination of employment

The Capitol Guide Board is authorized—

(1) with the prior approval of the Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representatives, to establish and revise such number of positions of Guide in the Capitol Guide Service as the Board considers necessary to carry out effectively the activities of the Capitol Guide Service;

(2) to appoint, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform their duties, a Chief Guide, a Deputy Chief Guide, and an Assistant Chief Guide, and, in addition, such number of Guides as may be authorized under subparagraph (1) of this subsection;

(3) to prescribe their duties and responsibilities;

(4) with the prior approval of the Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representatives, to fix, and adjust from time to time, their respective rates of pay at single per annum (gross) rates; and

(5) to terminate their employment as the Board considers appropriate.

(d) Uniforms

The Capitol Guide Board shall—

(1) prescribe a uniform dress, including appropriate insignia, which shall be worn by personnel of the Capitol Guide Service when on duty; and

(2) from time to time, as may be necessary, procure and furnish such uniforms to such personnel without charge to such personnel.

(e) Acceptance of fees; prohibition

An employee of the Capitol Guide Service shall not charge or accept any fee, or accept any gratuity, for or on account of his official services.

(f) Personnel detail

The Capitol Guide Board may detail personnel of the Capitol Guide Service to assist the United States Capitol Police by providing ushering and informational services, and other services not directly involving law enforcement, in connection with the inauguration of the President and Vice President of the United States, the official reception of representatives of foreign nations and other persons by the Senate or House of Representatives, and other special or ceremonial occasions in the United States Capitol Building or on the United States Capitol Grounds which require the presence of additional Government personnel and which cause the temporary suspension of the performance of the regular duties of the Capitol Guide Service.

(g) Historical and educational information

The Capitol Guide Board may receive and consider advice and information from any private historical or educational organization, association, or society with respect to those operations of the Capitol Guide Service which involve the furnishing of historical and educational information to the general public.

(h) Regulations for operation of Service

With the prior approval of the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives, the Capitol Guide Board shall prescribe such regulations as the Board considers necessary and appropriate for the operation of the Capitol Guide Service.

(i) Disciplinary action

The Capitol Guide Board may take appropriate disciplinary action, including, when circumstances warrant, suspension from duty without pay, reduction in pay, demotion, or removal from employment with the Capitol Guide Service, against any employee who violates any provision of this section or any regulations prescribed by the Board pursuant to this section.

(j) Volunteers

(1) Notwithstanding section 1342 of title 31, the Capitol Guide Service is authorized to accept voluntary personal services.

(2) No person shall be permitted to donate personal services under this subsection unless the person has first agreed, in writing, to waive any claim against the United States arising out of or in connection with such services, other than a claim under 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 Capitol Guide Service.

(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.)

CODIFICATION

Section was not enacted as part of the National Visitor Center Facilities Act of 1968 which comprises this chapter.

AMENDMENTS

1996—Subsec. (c)(1), (4). Pub. L. 104–186, § 221(17)(A), substituted ''House Oversight'' for ''House Administration''.

Subsec. (j). Pub. L. 104–279 added subsec. (j).

Pub. L. 104–186, § 221(17)(B), struck out subsec. (j) which read as follows: ''The expenses of the Capitol

Guide Service shall be paid from the contingent fund of the House of Representatives, until appropriations are available for the payment of such expenses.''

1977—Subsec. (c)(2). Pub. L. 95–94 inserted reference to Deputy Chief Guide.

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 1977 AMENDMENT

Pub. L. 95–94 provided that the amendment is effective Oct. 1, 1977.

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 Title 2, The Congress.

TRANSFER OF FUNCTIONS

Certain functions of Sergeant at Arms 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.

INCREASES IN COMPENSATION

Increases in compensation for the Capitol Guide Board, the Chief Guide, the Deputy Chief Guide, the Assistant Chief Guide, and the Guides of the Capitol Guide Service 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 Title 2, The Congress.

TRANSITIONAL PROVISIONS

Section 443 of Pub. L. 91–510 provided that:

''(a) The initial appointments, under section 441(c)(2) of this Act [subsec. (c)(2) of this section], of personnel of the Capitol Guide Service shall be effective on the effective date of this section. The Capitol Guide Board shall afford, to each person who is a member of the United States Capitol Guides immediately prior to such effective date, the opportunity to be appointed to a comparable position in the Capitol Guide Service without reduction in level of rank and seniority. For the purposes of the initial appointments of such persons, the number of such persons shall be considered to have been authorized for the Capitol Guide Service under section 441(c)(1) of this Act [subsec. (c)(1) of this section]. The per annum (gross) rate of pay of each such person so initially appointed shall be a rate equal to the per annum rate of pay received by the United States Capitol Guides, who worked full tours of duty, averaged over the last five calendar years (excluding 1968) ending prior to the date of enactment of this Act [Oct. 26, 1970]. Subject to section 441(i) of this Act [subsec. (i) of this section], the rate of each such person so initially appointed shall not, at any time after such initial appointment, be less than the rate at which he was initially appointed so long as he remains in the same position; but, when such position becomes vacant, the rate of pay of any subsequent appointee thereto shall be fixed in accordance with section 441 of this Act [this section].

''(b) The United States Capitol Police Board shall transfer, on the effective date of this section, to the Capitol Guide Board, all personnel records, financial records, assets, and other property of the United States Capitol Guides, which exist immediately prior to such effective date.

''(c) As soon as practicable after the effective date of this section but not later than the close of the sixtieth day after such effective date, the Capitol Guide Board shall, out of the assets and property transferred under subsection (b) of this section, on the basis of a special audit which shall be conducted by the General Accounting Office—

''(1) settle and pay any outstanding accounts payable of the United States Capitol Guides,

''(2) discharge the financial and other obligations of the United States Capitol Guides (including reimbursement to purchasers of tickets for guided tours which are purchased and paid for in advance of intended use and are unused), and

''(3) otherwise wind up the affairs of the United States Capitol Guides,

which exist immediately prior to such effective date. The Capitol Guide Board shall dispose of any net monetary amounts remaining after the winding up of the affairs of the United States Capitol Guides, in accordance with the practices and procedures of the United States Capitol Guides, existing immediately prior to the effective date of this section, with respect to disposal of monetary surpluses.''

Section 443 of Pub. L. 91–510 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 Title 2, The Congress.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 2 section 60j.

CHAPTER 19—CAPITOL AND WHITE HOUSE-PENNSYLVANIA AVENUE DEVELOPMENT

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