

## TITLE 40.—PUBLIC BUILDINGS, PROPERTY, AND WORKS

### Chapter 2.—CAPITOL BUILDING AND GROUNDS

#### 500 § 161. Title of Superintendent of Capitol Building and Grounds 500 changed to Architect of the Capitol.

The title of “Superintendent of the Capitol Building and Grounds” is changed to “Architect of the Capitol.” (Mar. 3, 1921, ch. 124, § 1, 41 Stat. 1291.)

#### 501 § 162. Architect of the Capitol; powers and duties. 501

The Architect of the Capitol shall perform all the duties relative to the Capitol Building performed prior to August 15, 1876, by the Commissioner of Public Buildings and Grounds, and shall be appointed by the President: *Provided*, That no change in the architectural features of the Capitol Building or in the landscape features of the Capitol Grounds shall be made except on plans to be approved by Congress. (Aug. 15, 1876, ch. 287, § 1, 19 Stat. 147; Feb. 14, 1902, ch. 17, § 1, 32 Stat. 20; Mar. 3, 1921, ch. 124, § 1, 41 Stat. 1291.)

#### 501.1 § 162–1. Appointment of Architect of the Capitol. 501.1

(a)(1) The Architect of the Capitol shall be appointed by the President by and with the advice and consent of the Senate for a term of 10 years.

(2) There is established a commission to recommend individuals to the President for appointment to the office of Architect of the Capitol. The Commission shall be composed of—

- (A) the Speaker of the House of Representatives,
- (B) the President pro tempore of the Senate,
- (C) the majority and minority leaders of the House of Representatives and the Senate, and

(D) the chairmen and the ranking minority members of the Committee on House Oversight of the House of Representatives, the Committee on Rules Administration of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate.

The commission shall recommend at least three individuals for appointment to such office.

(3) An individual appointed Architect of the Capitol under paragraph (1) shall be eligible for reappointment to such office.

(b) Subsection (a) of this section shall be effective in the case of appointments made to fill vacancies in the office of Architect of the Capitol which occur on or after November 21, 1989. If no such vacancy occurs within the six-year period which begins on November 21, 1989, no individual may, after the expiration of such period, hold such office unless the individual is appointed in accordance with subsection (a). (Pub. L. 101–163, Title III, § 319, Nov. 21, 1989, 103 Stat. 1068; Pub. L. 104–19, § 701, July 27, 1995, 109 Stat. 220.)

**501.2 § 162a. Compensation of Architect of Capitol.**

501.2

The compensation of the Architect of the Capitol shall be at an annual rate which is equal to the annual rate of basic pay payable for positions at level III of the Executive Schedule under section 5314 of Title 5. (Aug. 14, 1964, Pub. L. 88-426, §203(c), 78 Stat. 415; Dec. 16, 1967, Pub. L. 90-206, §219, 81 Stat. 639; Salary Recommendations, Budget, 1970, pursuant to Act Dec. 16, 1967, Pub. L. 90-206, §225(h), 81 Stat. 634; August 9, 1975, Pub. L. 94-82, Title II, §204(b), 89 Stat. 421; Dec. 14, 1979, Pub. L. 96-146, §1(1), 93 Stat. 1086.)

**501.3 § 162b. Semiannual report of expenditures by Architect of Capitol.**

(1) Commencing with the semiannual period beginning January 1, 1965, and for each semiannual period thereafter, the Architect of the Capitol shall compile and, not later than sixty days following the close of the semiannual period, submit to the Senate and the House of Representatives a report of all expenditures made from monies appropriated to the Architect of the Capitol, based on payrolls and other vouchers transmitted during such period to the Treasury Department for disbursement, such report to include (1) the name, title, and gross salary payment to each employee; (2) a list of government contributions to retirement, health insurance, and other similar funds; and (3) name of payee, brief description of service rendered or items furnished under contract, purchase order or other agreement. Such report shall be printed as a Senate document.

(2) The report by the Architect of the Capitol under paragraph (1) for the semiannual period beginning on January 1, 1976, shall include the period beginning on July 1, 1976, and ending on September 30, 1976, and such semiannual period shall be treated as closing on September 30, 1976. Thereafter, the report by the Architect of the Capitol under paragraph (1) shall be for the semiannual periods beginning on October 1 and ending on March 31 and beginning on April 1 and ending on September 30 of each year. (As amended Pub. L. 94-303, Title I, §118(c), June 1, 1976, 90 Stat. 616.)

**502 § 163. Care and superintendence of Capitol by Architect of Capitol.**

The Architect of the Capitol shall have the care and superintendence of the Capitol, including lighting. His office shall be in the Capitol Building. (Aug. 15, 1876, ch. 287, §1, 19 Stat. 147; Mar. 3, 1877, ch. 102, 19 Stat. 298; Oct. 31, 1951, ch. 654, §3(14), 65 Stat. 708.)

**503 § 163a. Exterior of Capitol, duty of Architect.**

503

It shall be the duty of the Architect to clean and keep in proper order the exterior of the Capitol. (July 7, 1884, ch. 332, 23 Stat. 209.)

**504 § 163b. Delegation of authority by Architect of Capitol.**

504

The Architect of the Capitol is authorized hereafter to delegate to the Assistant Architect and other assistants such authority of the Architect as he may deem proper. (Aug. 5, 1955, ch. 568, 69 Stat. 515.)

**505 § 164a. Assistant Architect of Capitol to act in case of absence, 505 disability, or vacancy.**

On and after August 18, 1970, the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect. (Aug. 18, 1970, Pub. L. 91-382, § 101, 84 Stat. 817; Pub. L. 101-163, § 106(d), 103 Stat. 1057, Nov. 21, 1989.)

**506 § 166. Architect of Capitol; repairs of Capitol. 506**

All improvements, alterations, additions, and repairs of the Capitol Building shall be made by the direction and under the supervision of the Architect of the Capitol. (R.S. § 1816; Feb. 14, 1902, ch. 17, § 1, 32 Stat. 20; Mar. 3, 1921, ch. 124, § 1, 41 Stat. 1291; Oct. 31, 1951, ch. 654, § 3(15), 65 Stat. 708.)

**506.1 EXTENSION, RECONSTRUCTION, AND REPLACEMENT OF CENTRAL PORTION 506.1 OF THE UNITED STATES CAPITOL**

Section 101 of Act of August 5, 1955, as amended by the Act of September 29, 1969, Pub. L. 91-77, 83 Stat. 124, provides in part that:

"The Architect of the Capitol is hereby authorized, under the direction of a Commission for Extension of the United States Capitol, to be composed of the President of the Senate, the Speaker of the House of Representatives, the majority leader of the Senate, the majority leader of the House of Representatives, the minority leader of the House of Representatives, and the Architect of the Capitol, to provide for the extension, reconstruction, and replacement of the central portion of the United States Capitol in substantial accordance with scheme B of the architectural plan submitted by a joint commission of Congress and reported to Congress on March 3, 1905 (House Document numbered 385, Fifty-eighth Congress), but with such modifications and additions, including provisions for restaurant facilities, and such other facilities on the Capitol Grounds, together with utilities, equipment, approaches, and other appurtenant or necessary items, as may be approved by said Commission."

## CROSS REFERENCE

Changes in architectural features of the Capitol Building or in landscape features of Capitol Grounds, see section 162 of this title (Senate Manual section 501).

## NOTE

Section 305 of the Legislative Branch Appropriations Act, 1993, provided that: "SEC. 305. (a) The Architect of the Capitol, in consultation with the heads of the agencies of the legislative branch, shall develop an overall plan for satisfying the telecommunications requirements of such agencies, using a common system architecture for maximum interconnection capability and engineering compatibility. The plan shall be subject to joint approval by the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, and, upon approval, shall be communicated to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate. No part of any appropriation in this Act or any other Act shall be used for acquisition of any new or expanded telecommunications system for an agency of the legislative branch, unless, as determined by the Architect of the Capitol, the acquisition is in conformance with the plan, as approved.

"(b) As used in this section—

"(1) the term "agency of the legislative branch" means, the Office of the Architect of the Capitol, the Botanic Garden, the General Accounting Office, the Government Printing Office, the Library of Congress, the Office of Technology Assessment, and the Congressional Budget Office; and

"(2) the term "telecommunications system" means an electronic system for voice, data, or image communication, including any associated cable and switching equipment."

“(c) This section shall apply with respect to fiscal years beginning after September 30, 1992.” (Pub. L. 102–392, Title III, § 305, Oct. 6, 1992, 106 Stat. 1721.)

## NOTE

Section 168 of the Energy Policy Act, 1992, provided Energy Management Requirements for Congressional Buildings as follows:

“(a) In general.—The Architect of the Capitol (hereafter in this section [this note] referred to as the ‘Architect’) shall undertake a program of analysis and, as necessary, retrofit of the Capitol Building, the Senate Office Buildings, the House Office Buildings, and the Capitol Grounds, in accordance with subsection (b).

“(b) Program.—

“(1) Lighting.—

“(A) Implementation.—

“(i) In general.—Not later than 18 months after the date of the enactment of this Act [Oct. 24, 1992] and subject to the availability of funds to carry out this section [this note], the Architect shall begin implementing a program to replace in each building described in subsection (a) all inefficient office and general use area fluorescent lighting systems with systems that incorporate the best available design and technology and that have payback periods of 10 years or less, as determined by using methods and procedures established under section 544(a) of the National Energy and Conservation Policy Act (42 U.S.C. 8254(a)).

“(ii) Replacement of incandescent lighting.—Whenever practicable in office and general use areas, the Architect shall replace incandescent lighting with efficient fluorescent lighting.

“(B) Completion.—Subject to the availability of funds to carry out this section [this note], the program described in subparagraph (A) shall be completed not later than 5 years after the date of the enactment of this Act [Oct. 24, 1992].

“(2) Evaluation and report.—

“(A) In general.—Not later than 6 months after the date of the enactment of this Act [Oct. 24, 1992], the Architect shall submit to the Speaker of the House of Representatives and the President pro tempore of the Senate a report evaluating potential energy conservation measures for each building described in subsection (a) in the areas of heating, ventilation, air conditioning equipment, insulation, windows, domestic hot water, food service equipment, and automatic control equipment.

“(B) Costs.—The report submitted under subparagraph (A) shall detail the projected installation cost, energy and cost savings, and payback period of each energy conservation measure, as determined by using methods and procedures established under section 544(a) of the National Energy Conservation Policy Act (42 U.S.C. 8254(a)).

“(3) Review and approval of energy conservation measures.—The Committee on Public Works and Transportation of the House of Representatives and the Committee on Rules and Administration of the Senate shall review the energy conservation measures identified in accordance with paragraph (2) and shall approve any such measure before it may be implemented.

“(4) Utility incentive programs.—In carrying out this section [this note], the Architect is authorized and encouraged to—

“(A) accept any rebate or other financial incentive offered through a program for energy conservation or demand management of electricity, water, or gas that—

“(i) is conducted by an electric, natural gas, or water utility;

“(ii) is generally available to customers of the utility; and

“(iii) provides for the adoption of energy efficiency technologies or practices that the Architect determines are cost-effective for the buildings described in subsection (a); and

“(B) enter into negotiations with electric and natural gas utilities to design a special demand management and conservation incentive program to address the unique needs of the buildings described in subsection (a).

“(5) Use of savings.—The Architect shall use an amount equal to the rebate or other savings from the financial incentive programs under paragraph (4)(A), without additional authorization or appropriation, for the implementation of

additional energy and water conservation measures in the buildings under the jurisdiction of the Architect.

“(c) Authorization of appropriations.—There are authorized to be appropriated such sums as are necessary to carry out this section [this note].” (Pub. L. 102-486, Title I, § 168, Oct. 24, 1992, 106 Stat. 2862.)

**507 § 166a. [Omitted].** **507**

**508.1 § 166b-1a. Compensation of employees under Architect of the Capitol; single per annum gross rates of pay.** **508.1**

Whenever the rate of pay of—

(1) an employee of the Office of Architect of the Capitol;

or

(2) an employee of the House Restaurant or of the Senate Restaurant, under the supervision of the Architect of the Capitol as an agent of the House or Senate, respectively, as the case may be,

is fixed or adjusted on or after the effective date of this section, that rate, as so fixed and adjusted, shall be a single per annum gross rate. (Oct. 26, 1970, Pub. L. 91-510, § 481, 84 Stat. 1196.)

**508.2 § 166b-1b. Conversion by Architect of Capitol of existing basic pay rates to per annum gross pay rates.** **508.2**

The Architect of the Capitol shall convert, as of the effective date of this section, to a single per annum gross rate, the rate of pay of each employee described in subparagraph (1) or subparagraph (2) of section 166b-1a of this title, whose pay immediately prior to such effective date was fixed at a basic rate with respect to which additional pay was payable by law. (Oct. 26, 1970, Pub. L. 91-510, § 482, 84 Stat. 1196.)

**508.3 § 166b-1c. Obsolete references in existing law to basic pay rates.** **508.3**

In any case in which—

(1) the rate of pay of, or any maximum or minimum rate of pay with respect to—

(A) any employee described in subparagraph (1) or subparagraph (2) of section 166b-1a of this title, or

(B) the position of such employee, or

(C) any class or group of such employees or positions, is referred to in or provided by statute or other authority;

and

(2) the rate so referred to or provided is a basic rate with respect to which additional pay is provided by law;

such statutory provision or authority shall be deemed to refer, in lieu of such basic rate, to the per annum gross rate which an employee receiving such basic rate immediately prior to the effective date of this section would receive, without regard to such statutory provision or authority, under section 166b-1b of this title on and after such date. (Oct. 26, 1970, Pub. L. 91-510, § 483, 84 Stat. 1196.)

**508.4 § 166b-1d. Savings provisions.** **508.4**

The provisions of sections 166b-1a to 166b-1f of this title shall not be construed to—

(1) limit or otherwise affect any authority for the making of any appointment to, or for fixing or adjusting the pay for, the position

of any employee described in subparagraph (1) or subparagraph (2) of section 166b–1a of this title;

(2) affect the continuity of employment of, or reduce the pay of, any employee holding any position referred to in subparagraph (1) of this section; or

(3) modify, change, supersede, or otherwise affect the provisions of sections 5504 and 6101(a)(5) of title 5, insofar as such sections relate to the Office of the Architect of the Capitol. (Oct. 26, 1970, Pub. L. 91–510, §484, 84 Stat. 1197.)

**508.5 §166b–1e. Effect on existing law.**

**508.5**

(a) All provisions of law inconsistent with sections 166b–1a to 166b–1f of this title are hereby superseded to the extent of the inconsistency.

(b) Sections 5504 and 6101(a)(5) of title 5 shall apply to employees of the House and Senate Restaurants who are paid at per annum rates of pay as long as such employees are under the supervision of the Architect of the Capitol as an agent of the House or Senate, respectively, as the case may be. (Oct. 26, 1970, Pub. L. 91–510, §485, 84 Stat. 1197.)

**508.6 §166b–1f. Exemptions.**

**508.6**

Notwithstanding any other provision of sections 166b–1a to 166b–1f of this title, the foregoing provisions of such sections do not apply to any employee described in section 166b–1a of this title whose pay is fixed and adjusted—

(1) in accordance with chapter 51, and subchapter III of chapter 53, of title 5, relating to classification and General Schedule pay rates;

(2) in accordance with subchapter IV of chapter 53 of title 5, relating to prevailing rate pay systems;

(3) at per hour or per diem rates in accordance with section 3 of the Legislative Pay Act of 1929, as amended (46 Stat. 38; 55 Stat. 615), relating to employees performing professional and technical services for the Architect of the Capitol in connection with construction projects and employees under the Office of the Architect of the Capitol whose tenure of employment is temporary or of uncertain duration; or

(4) in accordance with prevailing rates under authority of sections 174j–1 to 174j–7 of this title entitled “Joint Resolution transferring the management of the Senate Restaurants to the Architect of the Capitol, and for other purposes”, or section 174k of this title, relating to the duties of the Architect of the Capitol with respect to the House of Representatives Restaurant. (Oct. 26, 1970, Pub. L. 91–510, §486, 84 Stat. 1197.)

**509 §166b–2. Registered nurses compensated under appropriations for Capitol Buildings, Senate Office Buildings, and House Office Buildings; allocation to General Schedule salary grade.**

**509**

Notwithstanding any other provision of law, effective on the first day of the first applicable pay period which begins on or after December 27, 1974, the positions of registered nurses compensated under appropriations for Capitol Buildings, Senate Office Buildings, and House Office Buildings shall be allocated by the Architect of the Capitol at not to exceed grade 12 of the General Schedule.

Notwithstanding any other provision of law, effective January 1, 1975, none of the funds appropriated to the Architect of the Capitol shall thereafter be available for any nursing position unless the position is occupied by a Registered Nurse: *Provided*, That such provision shall not be applicable to the present incumbents of such positions. (June 20, 1958, Pub. L. 85-462, 72 Stat. 208; Dec. 27, 1974, Pub. L. 93-554, §101, 88 Stat. 1777; Pub. L. 101-520, §109, Nov. 5, 1990, 104 Stat. 2269; Pub. L. 103-283, Title I, §103, July 22, 1994, 108 Stat. 1435.)

**509.1 §166b-3a. Compensation of certain positions in Office of Architect of Capitol. 509.1**

**(a) Amount of compensation to be that specified in appropriations Acts.**

Notwithstanding any other provision of law, the pay for positions described in subsection (b) shall be the amounts specified for such positions in appropriations Acts.

**(b) Positions covered.**

The positions referred to in subsection (a) of this section are—

(1) the position of assistant referred to in the proviso in the first undesignated paragraph under the center subheadings “Office of the Architect of the Capitol” and “salaries” in the first section of the Legislative Branch Appropriation Act, 1971 (40 U.S.C. 164a), and

(2) the eight positions provided for in the third and fourth undesignated paragraphs under the center subheadings “Office of the Architect of the Capitol” and “salaries” in the first section of the Legislative Branch Appropriation Act, 1960 (40 U.S.C. 166b-3).

**(c) Calculation of amounts.**

The pay for each position described in subsection (b) shall be the pay payable for such position with respect to the last pay period before this section takes effect, subject to any applicable adjustment during fiscal year 1988 under, or by reference to any applicable adjustment during fiscal year 1988 under, subchapter I of chapter 53 of title 5.

**(d) Effective date.**

This section shall apply in fiscal years beginning after September 30, 1987, with respect to pay periods beginning after December 22, 1987. (Pub. L. 100-202, §101(i) [Title III, §308], Dec. 22, 1987, 101 Stat. 1329-309; Pub. L. 101-163, Title I, §106(e), Nov. 21, 1989, 103 Stat. 1057.)

**509.2 §166b-6. Assignment and reassignment of personnel by Architect of the Capitol for personal services. 509.2**

Notwithstanding any other provisions of law, in order to improve the economic use of the personal services of his employees, the Architect of the Capitol is authorized hereafter to assign and reassign, without increase or decrease in basic salary or wages, any person on the employment rolls of his Office, for personal services in any buildings, facilities or grounds under his jurisdiction or for personal services in connection with any project under his jurisdiction for which appropriations have been made and are available, whenever such action, in his opinion,

will be most advantageous to the interest of or result in either specific or overall savings to the Government. Exceptions may be made where there are differences in equipment. No assignment or reassignment of personnel by the Architect of the Capitol pursuant to this provision shall operate in any respect to augment or decrease any general or specific appropriation. (Pub. L. 100–202, §106, Dec. 22, 1987, 101 Stat. 1329–433.)

## NOTE

Sections 104 and 105 of Pub. L. 100–458, Oct. 1, 1988, (102 Stat. 2171), provided that:

“SEC. 104. Notwithstanding any other provisions of law, the Architect of the Capitol is hereby authorized to (1) develop a pilot program to determine the economic feasibility and efficiency of centralizing certain maintenance functions, to assign and reassign, without increase or decrease in basic salary or wages, any person on the employment rolls of the Office of the Architect of the Capitol, for personal services in any buildings, facilities, or grounds under his jurisdiction for which appropriations have been made and are available; (2) maintain appropriate cost and productivity records for the program; and (3) report to appropriate authorities, including the Committees on Appropriations, on the results of the program, together with recommendations for continuation or expansion of the program.

“SEC. 105. The Architect of the Capitol, under the direction of the Joint Committee on the Library, is authorized to accept donations to restore and display the Statue of Freedom model.”.

**510 §168. Heating and ventilating Senate wing. 510**

All engineers and others who are engaged in heating and ventilating the Senate wing of the Capitol shall be subject to the orders and in all respects under the direction of the Architect of the Capitol, subject to the approval of the Senate Committee on Rules and Administration. (July 11, 1888, ch. 615, §1, 25 Stat. 258; Aug. 2, 1946, ch. 753, §§102, 224, 60 Stat. 814, 838.)

**511 §170. Purchase of furniture or carpets for House or Senate. 511**

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, §§102, 121, 224, 60 Stat. 814, 822, 838; Aug. 20, 1996, Pub. L. 104–186, Title II, §221(2), 110 Stat. 1748.)

**511.1 (Transferred) 511.1**

## NOTE

This section transferred to 2 U.S.C. §117b–1. (Senate Manual section 300.)

**512 §174b. Senate Office Building; approval of structural changes 512 by Architect of Capitol.**

Structural changes in the Senate Office Building<sup>1</sup> shall only be made with the approval of the Architect of the Capitol. (July 1, 1941, ch. 268, §1, 55 Stat. 458.)

<sup>1</sup> See Senate Manual sections 79.8, 79.9.



**513 § 174b-1. Additional Senate office building.**

513

Upon completion of the additional office building<sup>1</sup> for the United States Senate, the building and the grounds and sidewalks surrounding the same shall be subject to the provisions of sections 174c, 174d, 193a–193m, 212a, and 212b of this title, in the same manner and to the same extent as the present Senate Office Building<sup>1</sup> and the grounds and sidewalks surrounding the same. (June 25, 1948, ch. 658, § 1, 62 Stat. 1029.)

**513.1 EXTENSION OF ADDITIONAL SENATE OFFICE BUILDING SITE**

513.1

To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to acquire on behalf of the United States, by purchase, condemnation, transfer, or otherwise, in addition to the real property contained in square 724 in the District of Columbia heretofore acquired under Public Law 85-429, approved May 29, 1958 (72 Stat. 148–149), and Public Law 91-382, approved August 18, 1970 (84 Stat. 819), for purposes of further extension of such site or for additions to the United States Capitol Grounds, all publicly or privately owned real property contained in lot 18 in square 724 in the District of Columbia, as such square appears on the records in the Office of the Surveyor of the District of Columbia as of the date of the approval of this Act: *Provided*, That for the purposes of this Act, square 724 shall be deemed to extent to the outer face of the curbs surrounding such square: *Provided further*, That, upon acquisition of any real property under this Act, the jurisdiction of the Capitol Police shall extend over such property: *Provided further*, That, any proceeding for condemnation brought under this Act shall be conducted in accordance with the Act of December 23, 1963 (16 D.C. Code, secs. 1351–1368): *Provided further*, That upon acquisition of any real property pursuant to this Act, the Architect of the Capitol, when directed by the Senate Office Building Commission to so act, is authorized to provide for the demolition and/or removal of any structures on, or constituting a part of, such property and to use the property for Government purposes or to lease any or all of such property for such periods and under such terms and conditions as he may deem most advantageous to the United States and to incur any necessary expenses in connection therewith: *Provided further*, That, such real property, when acquired under authority of this Act, shall be subject to the provisions of the Act of July 31, 1946, as amended (40 U.S.C. 193a–193m, 212a, and 212b): *Provided further*, That, the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such expenditures, including expenditures for personal and other services, expenditures authorized by Public Law 91-646, approved January 2, 1971 (84 Stat. 1894–1907), applicable to the Architect of the Capitol, and expenditures for any other required items, as may be necessary to carry out the provisions of the appropriation; \$270,000, to remain available until expended. (Dec. 15, 1971, Pub. L. 92-184, 85 Stat. 637.)

**513.2 CONSTRUCTION OF AN EXTENSION TO THE NEW SENATE OFFICE BUILDING<sup>1</sup>**

513.2

To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to provide for the construction and equipment of an extension to the New Senate Office Building,<sup>1</sup> in accordance with plans approved by such Commission and by the Senate Committee on Public Works, on the east half of square 725 including the public alley separating the east and west halves of such square, but excluding lot 885 in such square, containing office rooms and such other rooms and accommodations as may be approved by the Senate Office Building Commission, and by the Senate Committee on Public Works, including structural and other changes in the existing new Senate Office Building<sup>1</sup> necessitated by such construction, together with approaches, connections with the Capitol Power Plant and public utilities, and architectural landscape treatment of the grounds: *Provided*, That upon completion of the project, the building and the grounds and sidewalks surrounding the same shall be subject to the provisions of the Act of June 8, 1942 (40 U.S.C. 174 (c) and (d)), and the Act of July 31, 1946 (40 U.S.C. 193a–193m, 212a and 212b) in the same manner and to the same extent as the present Senate Office Buildings and the grounds and

<sup>1</sup> See Senate Manual sections 79.8, 79.9.

sidewalks surrounding the same: *Provided further*, That during each fiscal year, the Senate Committee on Public Works shall examine the progress and costs of construction of such building and take such steps as are necessary to insure its economical construction: *Provided further*, That the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized and directed to enter into such contracts, incur such obligations, and make such expenditures, including expenditures for personal and other services, as may be necessary to carry out the provisions of this paragraph; \$47,925,000, to remain available until expended.

**513.3 ACQUISITION OF PROPERTY AS A SITE FOR PARKING FACILITIES FOR THE UNITED STATES SENATE 513.3**

To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, in addition to the real property contained in square 724 in the District of Columbia heretofore acquired under Public Law 85–429, approved May 29, 1958 (72 Stat. 148–149), Public Law 91–382, approved August 18, 1970 (84 Stat. 819), and Public Law 92–184, approved December 15, 1971 (85 Stat. 637), to acquire on behalf of the United States, by purchase, condemnation, transfer, or otherwise, as a site for parking facilities for the United States Senate, all publicly or privately owned real property contained in lots 79, 80, 86, 94, 805, 806, 833, 838, 839, 840, and 844 in square 724 in the District of Columbia, and all alleys or parts of alleys and streets contained within the curblines surrounding such square, as such square appears on the records in the office of the surveyor of the District of Columbia as of the date of the approval of this Act: *Provided*, That for the purposes of this paragraph, square 724 shall be deemed to extend to the outer face of the curbs surrounding such square: *Provided further*, That, upon acquisition of any real property under this paragraph, the jurisdiction of the Capitol Police shall extend over such property, and any property acquired under this paragraph shall become a part of the United States Capitol Grounds and be subject to the provisions of sections 193a–193m, 212a, and 212b of title 40, United States Code: *Provided further*, That any proceeding for condemnation brought under this paragraph shall be conducted in accordance with the Act of December 23, 1963 (16 D.C. Code secs. 1351–1368): *Provided further*, That, notwithstanding any other provision of law, any real property owned by the United States and any public alleys or parts of alleys and streets contained within the curblines surrounding square 724, shall, upon request of the Architect of the Capitol, made with the approval of the Senate Office Building Commission, be transferred to the jurisdiction and control of the Architect of the Capitol without reimbursement or transfer of funds, and any alleys or parts of alleys or streets contained within the curblines of said square shall be closed and vacated by the Commissioner of the District of Columbia, appointed pursuant to part III of Reorganization Plan Numbered 3 of 1967, in accordance with any request therefore made by the Architect of the Capitol with the approval of such Commission: *Provided further*, That, upon acquisition of any real property pursuant to this paragraph, the Architect of the Capitol, when directed by the Senate Office Building Commission to so act, is authorized to provide for the demolition and/or removal of any buildings or other structures on, or constituting a part of, such property and, pending demolition, to use the property for Government purposes or to lease any or all of such property for such periods and under such terms and conditions as he may deem most advantageous to the United States and to incur any necessary expenses in connection therewith: *Provided further*, That nothing herein shall be construed to prohibit the continued use of areas in square 724, acquired under authority of the Acts of May 29, 1958, August 18, 1970, and December 15, 1971, herein before cited, for the parking of automobiles, until such times as such areas may be required for construction purposes: *Provided further*, That the Architect of the Capitol, under the direction of Senate Office Building Commission, is authorized to enter into such contracts, incur such obligations, and make such expenditures, including expenditures for personal and other services, and expenditures authorized by Public Law 91–646, approved January 2, 1971 (84 Stat. 1894–1907) applicable to the Architect of the Capitol, as may be necessary to carry out the provisions of this paragraph; \$4,075,000, to remain available until expended.

**513.4 PLANS FOR GARAGE AND RELATED FACILITIES FOR THE UNITED STATES SENATE 513.4**

To enable the Architect of the Capitol to initiate and conduct a study, after consultation with the appropriate Federal agencies and individuals experienced in the design of vehicle parking structures, to explore design and cost alternatives for construction, on square 724, of a parking garage with limited commercial facilities, and report his preliminary findings and recommendations to the Senate Committee on Public Works: *Provided*, That the Architect of the Capitol, concurrently with such study, is authorized to establish, for the purpose of development of a basic concept therefor, an architectural design competition, in order to encourage the preparation of an imaginative design for the garage structure, including limited commercial facilities and landscaping and to assure a pleasant transition to and maximum coordination with the surrounding residential and commercial community in that area of Northeast Washington within sight of or adjoining the Capitol Grounds: *Provided further*, That such design concept may consider and include existing and future land use and structures in said surrounding community, and shall consider any existing model cities or other governmental planning for such Northeast area, including that of the National Capitol Planning Commission: *Provided further*, That guidelines and criteria specifically defining the limits, scope, and all aspects of the competition shall be developed and promulgated by the Architect of the Capitol, with the approval of the Senate Office Building Commission, and an award for the best design or designs shall be determined by a committee jointly designated for this purpose by the Architect of the Capitol and the Senate Office Building Commission, in such amount as they may deem to be appropriate: *Provided further*, That the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized and directed to enter into such contracts, incur such obligations, and make such expenditures, including expenditures for personal and other services, as may be necessary to carry out the provisions of this paragraph; \$50,000, to remain available until expended. (Oct. 31, 1972, Pub. L. 92-607, 86 Stat. 1510.)

**513.5 CITY POST OFFICE BUILDING; LEASED PROPERTY AS PART OF SENATE OFFICE BUILDINGS 513.5**

(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. (Pub. L. 101-520, Title I, §107, Nov. 5, 1990, 104 Stat. 2267.)

**513.6 ACQUISITION OF PROPERTY FOR USE AS RESIDENTIAL FACILITY FOR UNITED STATES SENATE PAGES 513.6**

(a) Acquisition of property.—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 other-

wise, as an addition to the United States Capitol Grounds, all publicly and privately owned real property in lots 34 and 35 in square 758 in the District of Columbia as those lots appear on the records in the Office of the Surveyor of the District of Columbia as the date of the enactment of this Act [Aug. 3, 1992], extending to the outer face of the curbs of the square in which such lots are located and including all alleys or parts of alleys and streets within the lot lines and curb lines surrounding such real property, together with all improvements thereon.

(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.) [sections 193a to 193m, 212a, 212a–2 and 212b of this title and provisions set out as notes under sections 193a and 193h of this title], and the Act of June 8, 1942 (40 U.S.C. 174c) [sections 174c and 174d of this title].

(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 [section 5 of Title 41, Public Contracts], to enter into contracts and to make expenditures for 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 [this note]. 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 [this note]. 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. (Pub. L. 102–330, Aug. 3, 1992, 106 Stat 849.)

#### **514 §174c. Control, care, and supervision of Senate office building. 514**

The Senate Office Building,<sup>1</sup> 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, §1, 56 Stat. 343; Aug. 2, 1946, ch. 753, §§102, 224, 60 Stat. 814, 838.)

<sup>1</sup> See Senate Manual sections 79.8, 79.9.

**515 § 174d. Assignment of space in Senate office building. 515**

The assignment of rooms and other space in the Senate Office Building<sup>1</sup> 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, § 1, 56 Stat. 343; Aug. 2, 1946, ch. 753, §§ 102, 224, 60 Stat. 814, 838.)

**516 § 174d-1. Assignment of space for meetings of joint committees, 516  
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, § 242, 60 Stat. 839.)

**517 § 174e. Certification of vouchers by Architect of Capitol. 517**

It shall not be a duty of the Architect of the Capitol to certify any payroll or other voucher covering any expenditure from any appropriation for the Senate Office Building, or for any other building or activity, unless the obligation involved was incurred by him or under his direction. (June 8, 1942, ch. 396, § 1, 56 Stat. 343.)

**518 § 174j-1. Senate Restaurants; management by Architect of Capitol; 518  
approval of matters of general policy; termination.**

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 Restaurant 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. (Pub. L. 87-82, § 1, July 6, 1961, 75 Stat. 199.)

## NOTE

Section 5 of the Legislative Branch Appropriations Act, 1989, provided:  
“SEC. 5. The Committee on Rules and Administration of the Senate may provide for the distribution of unused food from the Senate cafeterias under the jurisdiction of the committee to the needy of the District of Columbia through an appropriate private distribution organization selected by the committee.” (Pub. L. 100-458, § 5, Oct. 1, 1988, 102 Stat. 2161.)

<sup>1</sup> See Senate Manual sections 79.8, 79.9

**518.1 [Omitted.]**

518.1

**518.2 §174j-3. Authorization and direction to effectuate purposes of 518.2 sections 174j-1 to 174j-7 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 174j-1 to 174j-7 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.)

**518.3 §174j-4. Special deposit account; establishment; appropriations; 518.3 approval of payments.**

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 174j-1 to 174j-7 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 section 174j-1 to 174j-7 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. (July 6, 1961, Pub. L. 87-82, §4, 75 Stat. 199; July 9, 1971, Pub. L. 92-51, §101, 85 Stat. 129; July 10, 1972, Pub. L. 92-342, §101, 86 Stat. 435.)

**518.4 §174j-5. Deposits and disbursements under special deposit account. 518.4**

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 General Accounting Office at such times and in such manner as the Comptroller General may direct: *Provided*, That payments made by or under 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.)

**518.5 §174j-6. Bond of Architect, Assistant Architect, and other employees. 518.5**

The Architect, Assistant Architect, and any employees of the Architect designated by the Architect under section 174j-5 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.)

**518.6 §174j-7. Supersedure of prior provisions for maintenance and 518.6 operation of Senate Restaurants.**

This Act 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.)

**518.6-1 §174j-8. Management personnel and miscellaneous expenses; 518.6-1 availability of appropriations; annual and sick leave.**

Hereafter, appropriations for the "Senate Office Buildings" shall be available for employment of management personnel of the Senate restaurant facilities and miscellaneous restaurant expenses (except cost of food and cigar stand sales) and, in fixing the compensation of such personnel, the compensation of four positions hereafter to be designated as Director of Food Service, Assistant Director of Food Service, Manager (special functions), and Administrative Officer 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, and shall thereafter be adjusted in accordance with section 5307 of title 5. Annual and sick leave balances of such personnel, as of July 9, 1971, shall be credited to the leave accounts of such personnel, subject to the provisions of section 6304 of title 5, upon their transfer to the appropriation for Senate Office Buildings and such personnel shall continue, while employed by the Architect of the Capitol, to earn leave at rates not less than their present accrual rates. (Pub. L. 92-51, §101, July 9, 1971, 85 Stat. 138, amended Pub. L. 94-59, Title V, §500, July 25, 1975, 89 Stat. 289; Pub. L. 101-509, 104 Stat. 1440, Nov. 5, 1990.)

**518.6-2 §174j-9. Loans for Senate Restaurants.****518.6-2****(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), 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, § 101, Aug. 22, 1984, 98 Stat. 1395.)

**518.7 § 184a. John W. McCormack Residential Page School**

518.7

**(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 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 193a to 193m, 212a, 212a–2, and 212b of this title.

**(g) Designation; employment of services under supervision and control of Architect of Capitol; joint approval and direction of Speaker and President pro tempore; annual estimates to Congress; regulations governing Architect of 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) Sections 88(a) and 88(b) of title 2 unaffected.**—Nothing in section 88b–1 of title 2 and this section shall affect the operation of section 88b of title 2, relating to educational facilities of pages and other minors who are congressional employees. (Oct. 26, 1970, Pub. L. 91–510, §492, 84 Stat. 1199; Dec. 24, 1973, Pub. L. 93–198, §421, 87 Stat. 789; Aug. 20, 1996, Pub. L. 104–186, Title II, §204(34)(c), 110 Stat. 1734.)

**518.8 ACQUISITION OF PROPERTY AS AN ADDITION TO THE CAPITOL GROUNDS 518.8**

To enable the Architect of the Capitol to acquire on behalf of the United States, as an addition to the United States Capitol Grounds, by purchase, condemnation, transfer, or otherwise, all publicly or privately owned property contained in square 764 in the District of Columbia, and all alleys or parts of alleys contained within the curblines surrounding such square, as such square appears on the records in the office of the surveyor of the District of Columbia as of the date of the approval of this Act: *Provided*, That any proceeding for condemnation brought under this paragraph shall be conducted in accordance with the Act of December 23, 1963 (16 D.C. Code, secs. 1351–1368): *Provided further*, That for the purposes of this paragraph, square 764 shall be deemed to extend to the outer face of the curbs surrounding such square: *Provided further*, That notwithstanding any other provision of law, any real property owned by the United States and any public alleys or parts of alleys and streets contained within the curblines surrounding such square shall, upon request of the Architect of the Capitol, be transferred to the jurisdiction and control of the Architect of the Capitol without reimbursement or transfer of funds, and any alleys or parts of alleys or streets contained within the curblines of said square shall be closed and vacated by the Commissioner of the District of Columbia, appointed pursuant to part III of Reorganization Plan numbered 3 of 1967, in accordance with any request therefor made by the Architect of the Capitol: *Provided further*, That, upon acquisition of such real property pursuant to this paragraph, the Architect of the Capitol is authorized to use such property as a green park area, pending its development for permanent use as the site of the John W. McCormack Residential Page School, subject to the approval of the Senate Office Building Commission and the House Office Building Commission: *Provided further*, That the jurisdiction of the Capitol Police shall extend over any real property acquired under this paragraph and such property shall become a part of the United States Capitol Grounds and be subject to the provisions of sections 193a–193m, 212a, and 212b of title 40, United States Code: *Provided further*, That the Architect of the Capitol, under the direction of the Senate Office Building Commission and the House Office Building Commission, is authorized and directed to enter into such contracts, incur such obligations, and make such expenditures, including expenditures for personal and other services, as may be necessary to carry out the provisions of this paragraph; \$1,450,000, to remain available until expended. (Oct. 31, 1972, Pub. L. 92–607, 86 Stat. 1512.)

**519 §185a. Senate garage; control, supervision, servicing of official motor vehicles. 519**

(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 assignment of space and the continued fur-

nishing 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, §1, 47 Stat. 391; Aug. 20, 1964, Pub. L. 88-454, 78 Stat. 545; Oct. 13, 1980, Pub. L. 96-444, §1(a)(1), (b), 94 Stat. 1889.)

**520 § 186. Transfer of material and equipment to Architect. 520**

The Secretary of the Army is authorized to transfer, without payment, to the Architect of the Capitol, such material and equipment, not required by the Department of the Army, as the Architect may request for use at the Capitol powerplant, the Capitol Building, and the Senate and House Office Buildings. (June 5, 1920, ch. 253, §1, 41 Stat. 1035; Mar. 3, 1921, ch. 124, §1, 41 Stat. 1291.)

**521 § 187. National Statuary Hall. 521**

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 indicated in this section. (R.S. §1814; Aug. 15, 1876, ch. 287, §1, 19 Stat. 147; Mar. 3, 1921, ch. 124, §1, 41 Stat. 1291.)

**521.1 LOCATION OF STATUES 521.1**

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 on 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."

**522 § 188. Works of fine arts. 522**

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.)

**522a § 188a. United States Capitol Preservation Commission.**

522a

**(a) Establishment and purposes.**

There is established in the Congress the United States Capitol Preservation Commission (hereinafter in sections 188a to 188a-5 of this title 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.)

**522a-1 §188a-1. 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 188a(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 188a(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 188a-2 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 188a(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.)

**522a-2 §188a-2. Capitol Preservation Fund.**

522a-2

**(a) In general.**

There is established in the Treasury a fund, to be known as the "Capitol Preservation Fund" (hereafter in sections 188a to 188a-5 of this title 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 188a-1 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 188a-1 of this title; and
- (4) for such other payments as may be required to carry out section 188a of this title or section 188a-1 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 188a-1 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.)

**522a-3 §188a-3. Audits by the Comptroller General.**

522a-3

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.)

**522a-4 §188a-4. Advisory boards.**

522a-4

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 chair-

men) 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.)

**522a-5 § 188a-5. “Members of the House of Representatives” defined. 522a-5**

As used in sections 188a to 188a-5 of this title, 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.)

**522b § 188b. Senate Commission on Art. 522b**

**(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 Commission shall elect a Chairman and a Vice Chairman at the beginning of each Congress. 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<sup>1</sup>

**(c) Selection of Curator of Art and Antiquities of the Senate; availability of professional and clerical assistance.**

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.

**(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.)

<sup>1</sup> So in original. Probably should end with a period.

**522b-1 § 188b-1. Duties of Commission.**

522b-1

**(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 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 193 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 the 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 Building by the Commission. (Pub. L. 100-696, Title IX, § 901(a), (b)(2), Nov. 18, 1988, 102 Stat. 4610, 4611.)

**522b-2 § 188b-2. Supervision and maintenance of Old Senate Chamber. 522b-2**

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 insofar as it 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.)



**522b-3 § 188b-3. Publication of list of works of art, historical objects, 522b-3 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.)

**522b-4 § 188b-4. Authorization of appropriations. 522b-4**

There is hereby authorized to be appropriated out of the contingent fund of the Senate for the expenses of the Commission the sum of \$15,000 each fiscal year, to be disbursed by the Secretary of the Senate on vouchers signed by the Chairman or Vice Chairman of the Commission: *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.)

**522b-5 § 188b-5. Additional authority for Senate Commission on Art to 522b-5 acquire works of art, historical objects, documents, or exhibits.**

(a) The Senate Commission on Art, in addition to any authority conferred upon it by sections 188b to 188b-4 of this title, is authorized to acquire 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.

(b) This section shall be effective as of March 1, 1971. (Pub. L. 100-696, Title IX, §901(a), (c), Nov. 18, 1988, 102 Stat. 4610, 4611.)

**522b-6 § 188b-6. Conservation, restoration, replication, or replacement 522b-6 of items in United States Senate Collection.****(a) Use of moneys in Senate contingent fund.**

Effective with the fiscal year ending September 30, 2000, 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 title 2 shall be available for the expenses incurred, without regard to the fiscal year in which incurred, for the conservation, restoration, and replication or replacement, in whole or in part, of items of art, fine art, and historical items 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 items, the funds available under this subsection shall be available for any such items previously contained within the Senate wing of the Capitol, or an item historically accurate.

**(b) United States Senate Collection.**

All such items of art referred to in subsection (a) of this section shall be known as the "United States 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. 104–53, §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, Sept. 29, 1999, Pub. L. 106–57, §309, 113 Stat. 427.)

**523 § 189. Art exhibits. 523**

No work of art or manufacture other than the property of the United States shall be exhibited in the National Statuary Hall, the Rotunda, or the corridors of the Capitol. (Mar. 3, 1879, ch. 182, §1, 20 Stat. 391.)

**524 § 190. Private studios and works of art. 524**

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, §1, 18 Stat. 376.)

**525 § 193. Protection of buildings and property. 525**

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.)

CROSS REFERENCES

Policing of Capitol building and grounds, see section 212a of this title (Senate Manual section 546).

Use of Capitol Grounds for temporary recreational purposes permitted, see section 214a of this title (Senate Manual section 549a).

**526 § 193a. United States Capitol Grounds; area comprising; jurisdiction. 526**

The United States Capitol Grounds shall comprise all squares, reservations, streets, roadways, walks, and other areas as defined on a map entitled “Map showing areas comprising United States Capitol Grounds”, dated June 25, 1946, approved by the Architect of the Capitol and recorded in the Office of the Surveyor of the District of Columbia in book 127, page 8, including all additions added thereto by law subsequent to June 25, 1946, [and]

(i) That portion of the triangle of Federal land in Reservation No. 204 in the District of Columbia under the jurisdiction of the

Secretary of the Interior, including any contiguous sidewalks, bound by Constitution Avenue, N.E., on the north, the branch of Maryland Avenue, N.E., running in a northeast direction on the west, the major portion of Maryland Avenue, N.E., on the south, and 2nd Street, N.E., on the east, including the contiguous sidewalks.

(ii) That irregular area of Federal land in Reservation No. 204 in the District of Columbia under the jurisdiction of the Secretary of the Interior, including any contiguous sidewalks, northeast of the real property described in clause (i) bound by Constitution Avenue, N.E., on the north, the branch of Maryland Avenue, N.E., running to the northeast on the south, and the private property on the west known as lot 7, in square 726.

(iii) The two irregularly shaped medians lying north and east of the property described in clause (i), located between the north and south curbs of Constitution Avenue, N.E., west of its intersection with Second Street, N.E., all as shown in Land Record No. 268, dated November 22, 1957, in the Office of the Surveyor, District of Columbia, in Book 138, Page 58.

(iv) All sidewalks under the jurisdiction of the District of Columbia abutting on and contiguous to the land described in clauses (i), (ii), and (iii).

and the jurisdiction and control over the United States Capitol Grounds, vested prior to July 31, 1946, by law in the Architect of the Capitol, is extended to the entire area of the United States Capitol Grounds, and the Architect of the Capitol shall be responsible for the maintenance and improvement thereof, including those streets and roadways in said United States Capitol Grounds as shown on said map as being under the jurisdiction and control of the Commissioners of the District of Columbia, except that the Mayor of the District of Columbia shall be responsible for the maintenance and improvement of those portions of the following streets which are situated between the curblines thereof: Constitution Avenue from Second Street Northeast to Third Street Northwest, First Street from D Street N.E. to D Street S.E., D Street from First Street S.E. to Canal Street S.W., and First Street from the north side of Louisiana Avenue to the intersection of C Street and Canal Street S.W., Pennsylvania Avenue Northwest from First Street Northwest to Third Street Northwest, Maryland Avenue Southwest from First Street Southwest to Third Street Southwest, Second Street Northeast from F Street Northeast to C Street Southeast; C Street Southeast from Second Street Southeast to First Street Southeast; that portion of Maryland Avenue Northeast from Second Street Northeast to First Street Northeast; that portion of New Jersey Avenue Northwest from D Street Northwest to Louisiana Avenue; that portion of Second Street Southwest from the north curb of D Street to the south curb of Virginia Avenue Southwest; that portion of Virginia Avenue Southwest from the east curb of Second Street Southwest to the west curb of Third Street Southwest; that portion of Third Street Southwest from the south curb of Virginia Avenue Southwest to the north curb of D Street Southwest; that portion of D Street Southwest from the west curb of Third Street Southwest to the east curb of Second Street Southwest; that portion of Canal Street Southwest, including sidewalks and traffic islands, from the south curb of Independence Avenue Southwest to the west curb of South Capitol Street: *Provided*, That the Mayor of the District of

Columbia shall be permitted to enter any part of said United States Capitol Grounds for the purpose of repairing or maintaining or, subject to the approval of the Architect of the Capitol, for the purpose of constructing or altering, any utility service of the District of Columbia government.

(As amended Nov. 12, 1996, Pub. L. 104-333, Div. I, Title V, § 514(c)(3)(A), 110 Stat. 4167.)

NOTE

Public Law 97-379, December 22, 1982, 96 Stat. 1935, provided in part that the definition of United States Capitol Grounds should include the following additional areas which are situated as follows:

(1) All sidewalks and contiguous areas presently under the jurisdiction of the District of Columbia located on the south side of Pennsylvania Avenue, Northwest, between the west curb of First Street, Northwest and the east curb of Third Street, Northwest.

(2) All sidewalks and contiguous areas presently under the jurisdiction of the District of Columbia located on the north side of Maryland Avenue, Southwest, between the west curb of First Street, Southwest and the east curb of Third Street, Southwest.

(3) All sidewalks and contiguous areas presently under the jurisdiction of the District of Columbia, located on the west side of First Street between the south curb of Pennsylvania Avenue, Northwest and the north curb of Maryland Avenue, Southwest.

(4) All sidewalks and contiguous areas presently under the jurisdiction of the District of Columbia, located on the east side of Third Street between the south curb of Pennsylvania Avenue, Northwest and the north curb of Maryland Avenue, Southwest.

Section 3 of Pub. L. 96-432 provided that: "On and after the effective date of this section [See section 4 of Pub. L. 96-432], that portion of C Street Northeast from the west curb of Second Street Northeast to the east curb of First Street Northeast shall be under the exclusive jurisdiction and control of the Capitol Police Board and the Architect of the Capitol in the same manner and to the same extent as such Board or the Architect of the Capitol has over other streets comprising the United States Capitol Grounds, and the Architect of the Capitol shall be responsible for the maintenance and improvement thereof."

**527 § 193b. Public use of Capitol Grounds.**

527

Public travel in and occupancy of said United States Capitol Grounds shall be restricted to the roads, walks, and places prepared for that purpose by flagging, paving, or otherwise. (July 31, 1946, ch. 707, § 2, 60 Stat. 718.)

**528 § 193c. Obstruction of roads; conveyance of goods or merchandise; 528 Capitol Grounds.**

It is forbidden to occupy the roads in said United States Capitol Grounds in such manner as to obstruct or hinder their proper use, or to use the roads in the area of said United States Capitol Grounds, south of Constitution Avenue and B Street and north of Independence Avenue and B Street, for the conveyance of goods or merchandise, except to or from the Capitol on Government service. (July 31, 1946, ch. 707, § 3, 60 Stat. 718.)

**529 § 193d. Sale of articles; signs; solicitation on Capitol Grounds. 529**

It is forbidden to offer or expose any article for sale in said United States Capitol Grounds; to display any sign, placard, or other form of advertisement therein; to solicit fares, alms, subscriptions, or contributions therein. (July 31, 1946, ch. 707, § 4, 60 Stat. 718.)

**530 § 193e. Injuries to property; Capitol Grounds. 530**

It is forbidden to step or climb upon, remove, or in any way injure any statue, seat, wall, fountain, or other erection or architectural feature, or any tree, shrub, plant, or turf in said United States Capitol Grounds. (July 31, 1946, ch. 707, § 5, 60 Stat. 718.)

**531 § 193f. Capitol Grounds and Buildings security. 531****(a) Firearms, dangerous weapons, explosives, or incendiary devices.**

It shall be unlawful for any person or group of persons—

(1) Except as authorized by regulations which shall be promulgated by the Capitol Police Board:

(A) to carry on or have readily accessible to the person of any individual upon the United States Capitol Grounds or within any of the Capitol Buildings any firearm, dangerous weapon, explosive, or incendiary device; or

(B) to discharge any firearm or explosive, to use any dangerous weapon, or to ignite any incendiary device, upon the United States Capitol Grounds or within any of the Capitol Buildings; or

(C) to transport by any means upon the United States Capitol Grounds or within any of the Capitol Buildings any explosive or incendiary device; or

(2) Knowingly, with force and violence, to enter or to remain upon the floor of either House of the Congress.

**(b) Violent entry and disorderly conduct.**

It shall be unlawful for any person or group of persons willfully and knowingly—

(1) to enter or to remain upon the floor of either House of the Congress, to enter or to remain in any cloakroom or lobby adjacent to such floor, or to enter or to remain in the Rayburn Room of the House or the Marble Room of the Senate, unless such person is authorized, pursuant to rules adopted by that House or pursuant to authorization given by that House, to enter or to remain upon such floor or in such cloakroom, lobby, or room;

(2) to enter or to remain in the gallery of either House of the Congress in violation of rules governing admission to such gallery adopted by that House or pursuant to authorization given by that House;

(3) to enter or to remain in any room within any of the Capitol Buildings set aside or designated for the use of either House of the Congress or any Member, committee, subcommittee, officer, or employee of the Congress or either House thereof with intent to disrupt the orderly conduct of official business;

(4) to utter loud, threatening, or abusive language, or to engage in any disorderly or disruptive conduct, at any place upon the United States Capitol Grounds or within any of the Capitol Buildings with intent to impede, disrupt, or disturb the orderly conduct of any session of the Congress or either House thereof, or the orderly conduct within any such building of any hearing before, or any deliberations of, any committee or subcommittee of the Congress or either House thereof;

(5) to obstruct, or to impede passage through or within, the United States Capitol Grounds or any of the Capitol Buildings;

(6) to engage in any act of physical violence upon the United States Capitol Grounds or within any of the Capitol Buildings; or

(7) to parade, demonstrate, or picket within any of the Capitol Buildings.

**(c) Exemption of Government officials.**

Nothing contained in this section shall forbid any act of any Member of Congress, or any employee of a Member of the Congress, any officer or employee of the Congress or any committee or subcommittee thereof, or any officer or employee of either House of the Congress or any committee or subcommittee thereof, which is performed in the lawful discharge of his official duties. (July 31, 1946, ch. 707, §6, 60 Stat. 718; Aug. 6, 1962, Pub. L. 87-571, 76 Stat. 307; Oct. 20, 1967, Pub. L. 90-108, §1(b), 81 Stat. 276.)

**532 § 193g. Same; parades or assemblages; display of flags.**

532

It is forbidden to parade, stand, or move in processions or assemblages in said United States Capitol Grounds, or to display therein any flag, banner, or device designed or adapted to bring into public notice any party, organization, or movement, except as hereinafter provided in sections 193j and 193k of this title. (July 31, 1946, ch. 707, §7, 60 Stat. 719.)

NOTE

The Case of Jeannette Rankin Brigade v. Chief of Capitol Police, D.C., D.C. 1972, 342 F. Supp. 575, affirmed 93 S. Ct. 311, 409 U.S. 972, held that the governmental interest in maintenance of a "park-like setting" on Capitol grounds was not sufficient to sustain this section prohibiting parades or assemblages on the Capitol grounds and that the section is void on its face on both U.S.C.A. Const. Amends. 1 and 5 grounds.

**533 § 193h. Prosecution and punishment of offenses.**

533

(a) Any violation of section 193f(a) of this title, and any attempt to commit any such violation, shall be a felony punishable by a fine not exceeding \$5,000, or imprisonment not exceeding five years, or both.

(b) Any violation of section 193b, 193c, 193d, 193e, 193f(b), or 193g of this title, and any attempt to commit any such violation, shall be a misdemeanor punishable by a fine not exceeding \$500, or imprisonment not exceeding six months, or both.

(c) Violations of sections 193a-193m, 212a, 212a-2, and 212b of this title, including attempts or conspiracies to commit such violations, shall be prosecuted by the United States attorney or his assistants in the name of the United States. None of the general laws of the United States and none of the laws of the District of Columbia shall be superseded by any provision of said sections. Where the conduct violating said sections also violates the general laws of the United States or the laws of the District of Columbia, both violations may be joined in a single prosecution. Prosecution for any violation of section 193f(a) of this title or for conduct which constitutes a felony under the general laws of the United States or the laws of the District of Columbia shall be in the United States District Court for the District of Columbia. All other prosecutions for violations of said sections may be in the Superior Court of the District of Columbia. Whenever any person is

convicted of a violation of said sections and of the general laws of the United States or the laws of the District of Columbia, in a prosecution under this subsection, the penalty which may be imposed for such violation is the highest penalty authorized by any of the laws for violation of which the defendant is convicted. (July 31, 1946, ch. 707, § 8, 60 Stat. 719; Oct. 20, 1967, Pub. L. 90-108, § 1(c), 81 Stat. 277; July 29, 1970, Pub. L. 91-358, § 155(a), 84 Stat. 570.)

**534 § 193i. Assistance to authorities by Capitol employees. 534**

It shall be the duty of all persons employed in the service of the Government in the Capitol or in the United States Capitol Grounds to prevent, as far as may be in their power, offenses against sections 193a-193m, 212a, 212a-2, and 212b of this title, and to aid the police, by information or otherwise, in securing the arrest and conviction of offenders. (July 31, 1946, ch. 707, § 10, 60 Stat. 719.)

**535 § 193j. Suspension of prohibitions against use of grounds. 535**

In order to admit of the due observance within the United States Capitol Grounds of occasions of national interest becoming the cognizance and entertainment of Congress, the President of the Senate and the Speaker of the House of Representatives, acting concurrently, are authorized to suspend for such proper occasions so much of the prohibitions contained in sections 193b-193g of this title as would prevent the use of the roads and walks of the said grounds by processions or assemblages, and the use upon them of suitable decorations, music, addresses, and ceremonies: *Provided*, That responsible officers shall have been appointed, and arrangements determined which are adequate, in the judgment of said President of the Senate and Speaker of the House of Representatives, for the maintenance of suitable order and decorum in the proceedings, and for guarding the Capitol and its grounds from injury. (July 31, 1946, ch. 707, § 11, 60 Stat. 719.)

**536 § 193k. Power of Capitol Police Board to suspend prohibitions. 536**

In the absence from Washington of either of the officers designated in section 193j of this title, the authority therein given to suspend certain prohibitions of sections 193(a) to 193(m), 212(a), 212(a)(2), and 212(b) of this title shall devolve upon the other, and in the absence from Washington of both it shall devolve upon the Capitol Police Board: *Provided*, That notwithstanding the provisions of sections 193g and 193j of this title, the Capitol Police Board is authorized to grant the Mayor of the District of Columbia authority to permit the use of Louisiana Avenue for any of the purposes prohibited by section 193g of this title. (July 31, 1946, ch. 707, § 12, 60 Stat. 719; Dec. 24, 1973, Pub. L. 93-198, Title IV, § 421, 87 Stat. 789.)

**537 § 193l. Concerts on grounds. 537**

Nothing in sections 193a-193k and 212a, and 212a-2 of this title shall be construed to prohibit the giving of concerts in the United States Capitol Grounds, at such times as will not interfere with the Congress, by any band in the service of the United States, when and as authorized by the Architect of the Capitol. (July 31, 1946, ch. 707, § 13, 60 Stat. 720.)

**538 § 193m. Definitions.**

538

(a) As used in sections 193a–193m, 212a, 212a–2, and 212b of this title—

(1) The term “Capitol Buildings” means the United States Capitol, the Senate and House Office Buildings and garages, the Capitol Power Plant, all subways and enclosed passages connecting two or more such structures, and the real property underlying and enclosed by any such structure.

(2) The term “firearm” shall have the same meaning as when used in section 901(3) of title 15.

(3) The term “dangerous weapon” includes all articles enumerated in section 14(a) of the Act of July 8, 1932 (47 Stat. 654, as amended; D.C. Code 22–3214(a)) and also any device designed to expel or hurl a projectile capable of causing injury to persons or property, daggers, dirks, stilettos, and knives having blades over three inches in length.

(4) The term “explosive” shall have the same meaning as when used in section 121(1) of title 50.

(5) The term “act of physical violence” means any act involving (1) an assault or any other infliction or threat of infliction of death or bodily harm upon any individual, or (2) damage to or destruction of any real property or personal property. (July 31, 1946, ch. 707, § 16(a), 60 Stat. 721; Oct. 20, 1967, Pub. L. 90–108, § 1(d), 81 Stat. 277.)

**538.1 § 193m-1. Audit for private organizations conducting activities or performing services in or on United States Capitol Buildings or Grounds; report to Congress.** 538.1

Any private organization, except political parties and committees constituted for election of Federal officials, whether or not organized for profit and whether or not any of its income inures to the benefit of any person, which performs services or conducts activities in or on the United States Capitol Buildings or Grounds, as defined by or pursuant to law, shall be subject, for each year in which it performs such services or conducts such activities, to a special audit of its accounts which shall be conducted by the General Accounting Office. The results of such audit shall be reported by the Comptroller General to the Senate and House of Representatives. (Oct. 26, 1970, Pub. L. 91–510, § 451, 84 Stat. 1193.)

**539 § 206. Capitol police; appointment; Chief of the Capitol Police.** 539

There shall be a Capitol police. The captain and lieutenants shall be selected jointly by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives; and one-half of the privates shall be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House of Representatives. The Capitol Police shall be headed by a Chief who shall be appointed by the Capitol Police Board and shall serve at the pleasure of the Board. (R.S. § 1821; Apr. 28, 1902, ch. 594, § 1, 32 Stat. 124; June 28, 1943, ch. 173, § 101, 57 Stat. 230; Dec. 20, 1979, Pub. L. 96–152, § 1(a), 93 Stat. 1099.)



**539.1 §206c. Emergency duty overtime pay for Capitol Police from 539.1 funds disbursed by Secretary of the Senate; compensatory time off in place of additional pay; election, accrual and transfer of time off; rules and regulations.**

Each officer or member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, who performs duty in addition to the number of hours of his regularly scheduled tour of duty for any day on or after July 1, 1974, is entitled to be paid compensation (when ordered to perform such duty by proper authority) or receive compensatory time off for each such additional hour of duty, except that an officer shall be entitled to such compensation only upon a determination made by the Capitol Police Board with respect to any additional hours. Compensation of an officer or member for each additional hour of duty shall be paid at a rate equal to his hourly rate of compensation in the case of an officer, and at a rate equal to one and one-half times his hourly rate of compensation for a member of such force. The hourly rate of compensation of such officer or member shall be determined by dividing his annual rate of compensation by 2,080. Any officer or member entitled to be paid compensation for such additional hours shall make a written election, which is irrevocable, whether he desires to be paid that compensation or to receive compensatory time off instead for each such hour. Compensation due officers and members under this paragraph shall be paid by the Secretary, upon certification by the Chief of the Capitol Police at the end of each calendar quarter and approval of the Capitol Police Board, from funds available in the Senate appropriation, "Salaries, Officers and Employees" for the fiscal year in which the additional hours of duty are performed without regard to the limitations specified therein. Any compensatory time off accrued and not used by an officer or member at the time he is separated from service on the Capitol Police force may not be transferred to any other department, agency, or establishment of the United States Government or the government of the District of Columbia, and no lump-sum amount shall be paid for such accrued time. The Capitol Police Board is authorized to prescribe regulations to carry out this section. (Pub. L. 92-51, §101, July 9, 1971; 85 Stat. 130, amended Pub. L. 93-145, §101, Nov. 1, 1973, 87 Stat. 532; Pub. L. 93-371, §101(5), Aug. 13, 1974, 88 Stat. 430.)

**540 §207. Payment of Capitol Police. 540**

The said police shall be paid on the order of the Sergeant at Arms of the Senate and the Sergeant at Arms of the House, or of either of them. (R.S. §1822.)

**540a §207a. Unified payroll administration for Capitol Police. 540a**

Payroll administration for the Capitol Police and civilian support personnel of the Capitol Police shall be carried out on a unified basis by a single disbursing authority. The Capitol Police Board, with the approval of the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate, acting jointly, shall, by contract or otherwise, provide for such unified payroll administration. (July 31, 1946, ch. 707, §9C, as added Oct. 6, 1992, Pub. L. 102-397, Title I, §102, 106 Stat. 1950; Pub. L. 104-186, Title II, §221(12), Aug. 21, 1996, 110 Stat. 1750.)

## NOTE

## EFFECTIVE DATE

Section 104 of Pub. L. 102–397, as amended Pub. L. 102–392, Title III, §321, Oct. 6, 1992, 106 Stat. 1726, provided that: “The unified payroll administration under the amendment made by section 102 [enacting this section] shall apply with respect to pay periods beginning after September 30, 1993.”

- 541 §208. Suspension of Capitol Police members.** 541  
 The captain of the Capitol police may suspend any member of the force, subject to the approval of the two Sergeants at Arms and of the Architect of the Capitol. (R.S. §1823; Mar. 3, 1921, ch. 124, §1, 41 Stat. 1291.)
- 542 §209. Pay of Capitol Police members under suspension.** 542  
 Whenever a member of the Capitol police or watch force is suspended from duty for cause, said policeman or watchman shall receive no compensation for the time of such suspension if he shall not be reinstated. (Mar. 3, 1875, ch. 129, §1, 18 Stat. 345.)
- 543 §210. Uniform; belts and arms; Capitol Police.** 543  
 The Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives shall select and regulate the pattern for a uniform for the Capitol police and watchmen, and furnish each member of the force with the necessary belts and arms, payable out of the contingent fund of the Senate and House of Representatives upon the certificate of the officers above named. Such arms so furnished shall be carried by each officer and member of the Capitol Police, while in the Capitol Building (as defined in section 16(a)(1) of the Act of July 31, 1946, as amended (40 U.S.C. 193m)), and while within or outside of the boundaries of the United States Capitol Grounds (as defined in the first section of the Act of July 31, 1946, as amended (40 U.S.C. 193a)), in such manner and at such times as the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives may, by regulations, prescribe. (R.S. §1824; Oct. 31, 1972, Pub. L. 92–607, §507, 86 Stat. 1508; May 4, 1977, Pub. L. 95–26, §112, 91 Stat. 87.)
- 544 §211. Uniform; at whose expense; Capitol Police.** 544  
 The members of the Capitol police shall furnish at their own expense, each his own uniform, which shall be in exact conformity to that required by regulation of the Sergeants at Arms. (R.S. §1825.)
- 545 §212. Wearing uniform on duty; Capitol Police.** 545  
 The officers, privates, and watchmen of the Capitol police shall, when on duty, wear the regulation uniform. (Mar. 18, 1904, ch. 716, §1, 33 Stat. 89.)
- 546 §212a. Policing of Capitol buildings and grounds; powers of Capitol police; arrests by Capitol Police for crimes of violence; arrests by District of Columbia police.** 546  
 The Capitol Police shall police the United States Capitol Buildings and Grounds under the direction of the Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, and shall have the power to enforce the provisions of sections

193a to 193m, 212a, 212a-2, and 212b of this title and regulations promulgated under section 212b of this title, and to make arrests within the United States Capitol Buildings and Grounds for any violations of any law of the United States, of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto: *Provided*, That for the fiscal year for which appropriations are made by this Act the Capitol Police shall have the additional authority to make arrests within the District of Columbia for crimes of violence, as defined in section 16 of title 18, committed within the Capitol Buildings and Grounds and shall have the additional authority to make arrests, without a warrant, for crimes of violence, as defined in section 16 of title 18, committed in the presence of any member of the Capitol Police performing official duties: *Provided further*, That the Metropolitan Police force of the District of Columbia are authorized to make arrests within the United States Capitol Buildings and Grounds for any violation of any such laws or regulations, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the Capitol Police Board, to enter such buildings to make arrests in response to complaints or to serve warrants or to patrol the United States Capitol Buildings and Grounds. For the purpose of this section, the word "grounds" shall include the House Office Buildings parking areas and that part or parts of property which have been or hereafter are acquired in the District of Columbia by the Architect of the Capitol, or by an officer of the Senate or the House, by lease, purchase, intergovernment transfer, or otherwise, for the use of the Senate, the House, or the Architect of the Capitol. (July 31, 1946, ch. 707, § 9, 60 Stat. 719; Dec. 24, 1973, Pub. L. 93-198, title VII, § 739(g)(4), (5), 87 Stat. 829; Pub. L. 101-520, Nov. 5, 1990, 104 Stat. 2264; Pub. L. 102-392, Title III, § 310, Oct. 6, 1992, 106 Stat. 1723; Pub. L. 102-397, Title I, § 103, Oct. 6, 1992, 106 Stat. 1950.)

**546.1 § 212a-1. Capitol grounds and Library of Congress grounds; detail of police.**

The Capitol Police Board is authorized to detail police from the House Office, Senate Office, and Capitol Buildings for police duty on the Capitol Grounds and on the Library of Congress Grounds. (Pub. L. 96-432, § 5, Oct. 10, 1980, 94 Stat. 1853.)

**546.2 § 212a-2. Protection of Members of Congress, officers of Congress, and members of their families.**

**(a) Authority of the Capitol Police.**

Subject to the direction of the Capitol Police Board, the United States Capitol Police is authorized to protect, in any area of the United States, the person of any Member of Congress, officer of the Congress, as defined in section 60-1(b) of Title 2, and any member of the immediate family of any such Member or officer, if the Capitol Police Board determines such protection to be necessary.

**(b) Detail of police.**

In carrying out its authority under this section, the Capitol Police Board, or its designee, is authorized, in accordance with regulations issued by the Board pursuant to this section, to detail, on a case-by-case basis, members of the United States Capitol Police to provide such protection as the Board may determine necessary under this section.

**(c) Arrest of suspects.**

In the performance of their protective duties under this section, members of the United States Capitol Police are authorized (1) to make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony; and (2) to utilize equipment and property of the Capitol Police.

**(d) Fines and penalties.**

Whoever knowingly and willfully obstructs, resists, or interferes with a member of the Capitol Police engaged in the performance of the protective functions authorized by this section, shall be fined not more than \$300 or imprisoned not more than one year, or both.

**(e) Construction of provisions.**

Nothing contained in this section shall be construed to imply that the authority, duty, and function conferred on the Capitol Police Board and the United States Capitol Police are in lieu of or intended to supersede any authority, duty, or function imposed on any Federal department, agency, bureau, or other entity, or the Metropolitan Police of the District of Columbia, involving the protection of any such Member, officer, or family member.

**(f) "United States" defined.**

As used in this section, the term "United States" means each of the several States of the United States, the District of Columbia, and territories and possessions of the United States. (Pub. L. 97-143, §1(a), Dec. 29, 1981, 95 Stat. 1723.)

## NOTE

Supplemental Appropriations Act, 1977, Pub. L. 95-26, chapter VIII, §113.91 Stat. 87, provided:

"Sec. 113. The Chairman of the Capitol Police Board is authorized, subject to such conditions as he may impose, to authorize the assignment of a police motor vehicle for use by instructor personnel of the Capital Police Force while assigned to the Federal Law Enforcement Training Center."

## CROSS REFERENCE

For the definition of Capitol Buildings, see section 193m of this title. (Senate Manual section 538.)

**547 §212a-3. Law enforcement authority of Capitol Police oversight. 547****(a) Scope.**

Subject to such regulations as may be prescribed by the Capitol Police Board and approved by the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate, a member of the Capitol Police shall have authority to make arrests and otherwise enforce the laws of the United States, including the laws of the District of Columbia—

- (1) within the District of Columbia, with respect to any crime of violence committed within the United States Capitol Grounds;

- (2) within the District of Columbia, with respect to any crime of violence committed in the presence of the member, if the member is in the performance of official duties when the crime is committed;
- (3) within the District of Columbia, to prevent imminent loss of life or injury to person or property, if the officer is in the performance of official duties when the authority is exercised; and
- (4) within the area described in subsection (b) of this section.

**(b) Area.**

The area referred to in subsection (a)(4) of this section is that area bounded by the north curb of H Street from 3rd Street, N.W. to 7th Street, N.E., the east curb of 7th Street from H Street, N.E., to M Street, S.E., the south curb of M Street from 7th Street, S.E., to 1st Street, S.E., the east curb of 1st Street from M Street, S.E., to Potomac Avenue S.E., the southeast curb of Potomac Avenue from 1st Street, S.E. to South Capitol Street, S.W., the west curb of South Capitol Street from Potomac Avenue, S.W. to P Street, S.W., the north curb of P Street from South Capitol Street, S.W. to 3rd Street, S.W., and the west curb of 3rd Street from P Street, S.W. to H Street, N.W.

**(c) Authority of Metropolitan Police force unaffected.**

This section does not affect the authority of the Metropolitan Police force of the District of Columbia with respect to the area described in subsection (b) of this section.

**(d) "Crime of violence" defined.**

As used in this section, the term "crime of violence" has the meaning given that term in section 16 of title 18. (July 31, 1946, ch. 707, §9B, as added Oct. 6, 1992, Pub. L. 102-397, Title I, §101, 106 Stat. 1949; Aug. 20, 1996, Pub. L. 104-186, Title II, §221(13), 110 Stat. 1750.)

**547.1 §212b. Regulation of traffic by Capitol Police Board.**

**547.1**

(a) The Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, shall have exclusive charge and control of the regulation and movement of all vehicular and other traffic, including the parking and impounding of vehicles and limiting the speed thereof, within the United States Capitol Grounds; and said Board is authorized and empowered to make and enforce all necessary regulations therefor and to prescribe penalties for violation of such regulations, such penalties not to exceed a fine of \$300 or imprisonment for not more than ninety days. Notwithstanding the foregoing provisions of this section those provisions of the Superior Court of the District of Columbia Traffic Act of 1925, as amended, for the violation of which specific penalties are provided in said Act, as amended, shall be applicable to the United States Capitol Grounds. Prosecutions for violation of such regulations shall be in the Superior Court of the District of Columbia, upon information by the Corporation Counsel of the District of Columbia or any of his assistants.

**547.2 (b) Regulations authorized to be promulgated under this section shall**

**547.2**

be promulgated by the Capitol Police Board and such regulations may be amended from time to time by the Capitol Police Board whenever it shall deem it necessary: *Provided*, That until such regulations are

promulgated and become effective, the traffic regulations of the District of Columbia shall be applicable to the United States Capitol Grounds.

**547.3** (c) All regulations promulgated under the authority of this section shall, when adopted by the Capitol Police Board, be printed in one or more of the daily newspapers published in the District of Columbia, and shall not become effective until the expiration of ten days after the date of such publication, except that whenever the Capitol Police Board deems it advisable to make effective immediately any regulation relating to parking, diverting of vehicular traffic, or the closing of streets to such traffic, the regulation shall be effective immediately upon placing at the point where it is to be in force conspicuous signs containing a notice of the regulation. Any expenses incurred under this subsection shall be payable from the appropriation "Uniforms and Equipment, Capitol Police". **547.3**

**547.4** (d) It shall be the duty of the Commissioners of the District of Columbia, or any officer or employee of the government of the District of Columbia designated by said Commissioners, upon request of the Capitol Police Board, to cooperate with the Board in the preparation of the regulations authorized to be promulgated under this section, and any future amendments thereof. (July 31, 1946, ch. 707, § 14, 60 Stat. 720; July 11, 1947, ch. 211, §§ 1, 2, 61 Stat. 308; July 8, 1963, Pub. L. 88-60, 77 Stat. 78; Dec. 24, 1973, Pub. L. 93-198, Title VII, § 739(g)(6), 87 Stat. 829.) **547.4**

**548 [Omitted.]** **548**

**549 § 214. Protection of grounds.** **549**

It shall be the duty of the Capitol police to prevent any portion of the Capitol Grounds and terraces from being used as playgrounds or otherwise, so far as may be necessary to protect the public property, turf and grass from destruction or injury. (Apr. 29, 1876, ch. 86, 19 Stat. 41.)

**549a [Omitted.]** **549a**

**549b § 214b. Designation of Capitol grounds as play area for children of Members and employees of Senate or House of Representatives.** **549b**

**(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.)

**549c §214c. Senate Employee Child Care Center.**

**549c**

**(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 214b 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 5. 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 such date.

**(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 provisions of this section. (Pub. L. 102–90, Title III, §311, Aug. 14, 1991, 105 Stat. 467.)

**549d §214d. Child care center employee benefits.**

549d

**(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 214b 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, 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) Source of contributions for benefits.**

Government contributions for individuals receiving benefits under this section, as computed under sections 8423, 8432, and 8708, shall be made 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 the Internal Revenue Code of 1986 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, §1203, July 2, 1993, 107 Stat. 268.)

**550 §215. Supervision of Botanical Garden. 550**

The supervision of the Capitol police shall extend over the Botanical Garden. (R.S. §1826.)

**551 §216. Superintendent, etc., of Botanical Garden and greenhouses. 551**

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.)

**552 §216a. Restriction on use of appropriation for Botanical Garden. 552**

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. (July 31, 1958, Pub. L. 85-570, §101, 72 Stat. 450.)

**553 §223. Capitol Grounds shuttle service; purchase, etc., of vehicles. 553**

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, §601, Oct. 1, 1976, 90 Stat. 1453.)

**Chapter 18.—NATIONAL VISITOR CENTER FACILITIES**

**Part A.—National Visitor Center**

**554 §801. National Visitor Center; designation; parking facility; au- 554  
thorization of agreements and leases for use of Union Station.**

\* \* \* \* \*

NOTE

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 curblines, 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 curblines, 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 curblines, 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 or 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.

#### **Subchapter III.—Capitol Visitor Center**

##### **556 §831. Capitol educational and information center and information and distribution stations; operation agreements. 556**

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 House 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. (Mar. 12, 1968, Pub. L. 90-264, §301, 82 Stat. 46; Aug. 20, 1996, Pub. L. 104-186, Title II, §221(16), 110 Stat. 1750.)

#### **Subchapter IV.—Capitol Guide Service**

##### **558 §851. Capitol Guide Service. 558**

###### **558.1 (a) Establishment; designation; Supervision of Capitol Guide Board; membership of Board. 558.1**

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.

###### **558.2 (b) Guided tours; regulations. 558.2**

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.

**558.3 (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. 558.3**

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.

**558.4 (d) Uniforms. 558.4**

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.

**558.5 (e) Acceptance of fees; prohibition. 558.5**

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.

**558.6 (f) Personnel detail. 558.6**

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.

**558.7 (g) Historical and educational information. 558.7**

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.

**558.8 (h) Regulations for operation of service.** **558.8**

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.

**558.9 (i) Disciplinary action.** **558.9**

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 regulation prescribed by the Board pursuant to this section.

**558.10 (j) Volunteers.** **558.10**

(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 purposes 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.

(As amended Pub. L. 104–186, Title II, §221(17), Aug. 20, 1996, 110 Stat. 1750; Pub. L. 104–279, Oct. 9, 1996, 110 Stat. 3358.)

**Chapter 21.—NATIONAL CAPITAL MEMORIALS AND  
COMMEMORATIVE WORKS**

**559.1 § 1001. Purposes.** **559.1**

The purposes of this Act are as follows:

(a) to preserve the integrity of the comprehensive design of the L'Enfant and McMillan plans for the Nation's Capital;

(b) to ensure the continued public use and enjoyment of open space in the District of Columbia;

(c) to preserve, protect and maintain the limited amount of open space available to residents of, and visitors to, the Nation's Capital; and

(d) to ensure that future commemorative works in areas administered by the National Park Service and the General Services Administration in the District of Columbia and its environs (1) are appropriately designed, constructed, and located and (2) reflect a consensus of the lasting national significance of the subjects involved. (Pub. L. 99–652, § 1, Nov. 14, 1986, 100 Stat. 3650.)

**559.2 § 1002. Definitions.** **559.2**

As used in this Act—

(a) the term "Secretary" means the Secretary of the Interior;

(b) the term "Administrator" means the Administrator of the General Services Administration;

(c) the term "commemorative work" means any statue, monument, sculpture, memorial, plaque, inscription or other structure or landscape feature, including a garden or memorial grove, designed to perpetuate in a permanent manner the memory of an individual, group, event or other significant element of American history. The term does not include any such item which is located within the interior of a structure or a structure which is primarily used for other purposes;

(d) the term "person" means a public agency, and an individual, group or organization that is described in section 501(c)(3) of title 26 and exempt from tax under section 501(a) of such title, and which is authorized by Congress to establish a commemorative work in the District of Columbia and its environs;

(e) notwithstanding any other provision of law, the term "the District of Columbia and its environs" means those lands and properties administered by the National Park Service and the General Services Administration located in Areas I and II as depicted on the map numbered 869/86501, and dated May 1, 1986.

(Pub. L. 99-652, §2, Nov. 14, 1986, 100 Stat. 3650; Pub. L. 103-321, §2, Aug. 26, 1994, 108 Stat. 1793.)

**559.3 §1003. Congressional authorization of commemorative works. 559.3**

**(a) Works on Federal lands.**

No commemorative work may be established on Federal lands referred to in section 1001(d) of this title in the District of Columbia and its environs unless specifically authorized by law. All such authorized commemorative works shall be subject to applicable provisions of this chapter.

**(b) Military commemorative works.**

A military commemorative work may be authorized only to commemorate a war or similar major military conflict or to commemorate any branch of the Armed Forces. No commemorative work commemorating a lesser conflict or a unit of an Armed Force shall be authorized. Commemorative works to a war or similar major military conflict shall not be authorized until at least 10 years after the officially designated end of the event.

**(c) Works commemorating events, individuals, or groups.**

A commemorative work commemorating an event, individual, or group of individuals, other than a military commemorative work as described in subsection (b) of this section, shall not be authorized until after the 25th anniversary of the event, death of the individual, or death of the last surviving member of the group.

**(d) Consultation with National Capital Memorial Commission.**

In considering legislation authorizing commemorative works within the District of Columbia and its environs, the Committee on House Oversight of the House of Representatives and the Energy and Natural Resources Committee of the Senate shall solicit the views of the National Capital Memorial Commission. (Pub. L. 99-652, §3, Nov. 14, 1986, 100

Stat. 3651, amended Pub. L. 100–202, § 101(f) [Title II, § 3], Dec. 22, 1987, 101 Stat. 1329–196; Pub. L. 100–230, § 3, Jan. 5, 1988, 101 Stat. 1564; Pub. L. 103–321, § 2, Aug. 26, 1994, 108 Stat. 1794; Pub. L. 104–186, Title II, § 221(18) Aug. 20, 1996, 110 Stat. 1750.)

**559.4 § 1004. National Capital Memorial Commission.**

**559.4**

(a) The National Capital Memorial Advisory Committee as established by the Secretary is redesignated as the National Capital Memorial Commission. The membership of the Commission shall be expanded to include:

Director, National Park Service (Chairman)  
 Architect of the Capitol  
 Chairman, American Battle Monuments Commission  
 Chairman, Commission of Fine Arts  
 Chairman, National Capital Planning Commission  
 Mayor, District of Columbia  
 Commissioner, Public Building Service, General Services Administration  
 Secretary, Department of Defense

(b) The National Capital Memorial Commission shall advise the Secretary and the Administrator on policy and procedures for establishment of (and proposals to establish) commemorative works in the District of Columbia and its environs, as well as such other matters concerning commemorative works in the Nation's Capital as it may deem appropriate. The Commission shall meet at least twice annually. (Pub. L. 99–652, § 4, Nov. 14, 1986, 100 Stat. 3651.)

**559.5 § 1005. Availability of map depicting Area I and Area II.**

**559.5**

The Secretary and the Administrator shall make available, for public inspection at appropriate offices of the National Park Service and the General Services Administration, the map numbered 869/86501, and dated May 1, 1986. (Pub. L. 99–652, § 5, Nov. 14, 1986, 100 Stat. 3651.)

**559.6 § 1006. Specific conditions applicable to Areas I and II.**

**559.6**

(a) AREA I.—The Secretary or Administrator (as appropriate) may, after seeking the advice of the National Capital Memorial Commission, recommend the location of a commemorative work in Area I only if the Secretary or Administrator (as appropriate) determines that the subject of the commemorative work is of preeminent historical and lasting significance to the Nation. The Secretary or Administrator (as appropriate) shall notify the National Capital Memorial Commission and the committees of Congress specified in section 3(b) of the recommendation by the Secretary or Administrator (as appropriate) that a commemorative work should be located in Area I. The location of a commemorative work in Area I shall be deemed not authorized, unless, not later than 150 calendar days after such notification, the recommendation is approved by law.

(b) AREA II.—Commemorative works of subjects of lasting historical significance to the American people may be located in Area II. (Pub. L. 99–652, § 6, Nov. 14, 1986, 100 Stat. 3651; Pub. L. 103–321, § 2, Aug. 26, 1994, 108 Stat. 1794.)



**559.7 § 1007. Site and design approval.**

559.7

(a) Any person authorized by law to establish a commemorative work in the District of Columbia and its environs shall comply with each of the following requirements before requesting the permit for the construction of the commemorative work:

(1) Such person shall consult with the National Capital Memorial Commission regarding the selection of alternative sites and designs for the commemorative work.

(2) Following consultation in accordance with paragraph (1), the Secretary or Administrator (as appropriate) shall submit, on behalf of such person, site and design proposals to the Commission on Fine Arts and the National Capital Planning Commission for their approval.

(b) In considering site and design proposals, the Commission on Fine Arts, the National Capital Planning Commission and the Secretary and Administrator shall be guided by, but not limited by, the following criteria:

(1) to the maximum extent possible, a commemorative work shall be located in surroundings that are relevant to the subject of the commemorative work;

(2) a commemorative work shall be so located as to prevent interference with, or encroachment upon, any existing commemorative work and to protect, to the maximum extent practicable, open space and existing public use; and

(3) a commemorative work shall be constructed of durable material suitable to the outdoor environment. Landscape features of commemorative works shall be compatible with the climate. (Pub. L. 99-652, § 7, Nov. 14, 1986, 100 Stat. 3652; Pub. L. 103-321, § 2(d), Aug. 26, 1994, 108 Stat. 1794.)

**559.8 § 1008. Criteria for issuance of construction permit.**

559.8

**(a) Issuance of construction permit.**

Prior to issuing a permit for the construction of a commemorative work in the District of Columbia and its environs, the Secretary or Administrator (as appropriate) shall determine that:

(1) the site and design have been approved by the Secretary or Administrator (as appropriate), the National Capital Planning Commission and the Commission on Fine Arts;

(2) knowledgeable persons qualified in the field of preservation and maintenance have been consulted to determine structural soundness and durability of the commemorative work, and to assure that the commemorative work meets high professional standards;

(3) the person authorized to construct the commemorative work has submitted contract documents for construction of the commemorative work to the Secretary or Administrator (as appropriate); and

(4) the person authorized to construct the commemorative work has available sufficient funds to complete construction of the project.

**(b) Donation for perpetual maintenance and preservation.**

In addition to the foregoing criteria, no construction permit shall be issued unless the person authorized to construct the commemorative work has donated an amount equal to 10 per centum of the total estimated cost of construction to offset the costs of perpetual maintenance

and preservation of the commemorative work: *Provided*, That the provisions of this subsection shall not apply in instances when the commemorative work is constructed by a Department or agency of the Federal Government and less than 50 per centum of the funding for such work is provided by private sources.

(1) Notwithstanding any other provision of law, all moneys provided by persons for maintenance pursuant to this subsection shall be credited to a separate account in the Treasury.

(2) Congress authorizes and directs that the Secretary of the Treasury shall make all or a portion of such moneys available to the Secretary or the Administrator at his request for maintenance of commemorative works. Under no circumstances may the Secretary or Administrator request funds from the separate account exceeding the total moneys deposited by persons establishing commemorative works in areas he administers. The Secretary and the Administrator shall maintain an inventory of funds available for such purposes: *Provided*, That such moneys shall not be subject to annual appropriations.

**(c) Suspension for misrepresentation of fundraising; annual reports.**

(1) The Secretary or the Administrator (as appropriate) may suspend any activity under the authority of this chapter with respect to the establishment of a commemorative work if the Secretary or Administrator determines the fundraising efforts with respect to the commemorative work have misrepresented an affiliation with the commemorative work or the United States.

(2) The person shall be required to submit to the Secretary or Administrator an annual report of operations, including financial statements audited by an independent certified public accountant, paid for by the person authorized to construct the commemorative work. (Pub. L. 99-652, §8, Nov. 14, 1986, 100 Stat. 3652; Pub. L. 103-321, §2, Aug. 26, 1994, 108 Stat. 1794.)

**559.9 § 1009. Temporary site designation.**

**559.9**

(a) If the Secretary, in consultation with the National Capital Memorial Commission, determines that a site where commemorative works may be displayed on a temporary basis is necessary in order to aid in the preservation of the limited amount of open space available to residents of, and visitors to, the Nation's Capital, a site may be designated on lands administered by the Secretary in the District of Columbia. A designation may not be made under the preceding sentence unless, at least one hundred and twenty days before the designation, the Secretary, in consultation with the National Capital Memorial Commission, prepares and submits to the Congress a plan for the site. The plan shall include specifications for the location, construction, and administration of the site, and criteria for displaying commemorative works at the site.

(b) Any commemorative work displayed at the site shall be installed, maintained, and removed at the sole expense and risk of the person authorized to display the commemorative works. Such person shall agree to indemnify the United States for any liability arising from the display of the commemorative work under this section. (Pub. L. 99-652, §9,

Nov. 14, 1986, 100 Stat. 3653; Pub. L. 103-321, §2(f), Aug. 26, 1994, 108 Stat. 1795.)

**559.10 § 1010. Miscellaneous provisions. 559.10**

**(a) Documentation of design and construction to Secretary or Administrator.**

Complete documentation of design and construction of each commemorative work located in the District of Columbia and its environs shall be provided to the Secretary or the Administrator (as appropriate) and shall be permanently maintained in the manner provided by law.

**(b) Expiration of legislative authority for commemorative work.**

Any legislative authority for a commemorative work shall expire at the end of the seven-year period beginning on the date of the enactment of such authority unless the Secretary or Administrator (as appropriate) has issued a construction permit for the commemorative work during that period.

**(c) Responsibility for maintenance of completed work.**

Upon completion of any commemorative work within the District of Columbia and its environs, the Secretary or Administrator (as appropriate) shall assume responsibility for the maintenance of such work.

**(d) Development of regulations or standards.**

The Secretary and the Administrator shall develop appropriate regulations or standards to carry out this chapter.

**(e) Commemorative works to which applicable.**

This Act shall not apply to commemorative works authorized by a law enacted before the commencement of the Ninety-ninth Congress. (Pub. L. 99-652, §10, Nov. 14, 1986, 100 Stat. 3654; Pub. L. 102-216, Dec. 11, 1991, 105 Stat. 1666; Pub. L. 103-321, §2(g), Aug. 26, 1994, 108 Stat. 1795.)

**Chapter 23.—JUDICIARY OFFICE BUILDING DEVELOPMENT**

**559.11 § 1201. Findings and purposes. 559.11**

**(a) Findings.**

The Congress makes the following findings and declarations:

(1) Space for consolidation of activities of the Administrative Office of the United States Courts and other offices of the judicial branch of Government and for providing office space for retired justices of the Supreme Court is necessary and should be located in the vicinity of the Supreme Court building.

(2) Orderly development of the Capitol Grounds should be consistent with the Master Plan for the United States Capitol, dated 1981.

(3) The cost of leasing space by the judicial branch of the Government is high.

(4) Development of squares 721 and 722 in the District of Columbia is necessary to achieve the objectives of the Union Station Redevelopment Act [40 U.S.C.A. §811 et seq.] and the revitalization of the Union Station area.

(5) The Judicial Conference of the United States endorsed by resolution the construction of an office building on the Capitol Grounds to house the Administrative Office of the United States Courts and related judicial branch offices.

**(b) Purposes.**

The purposes of this chapter are as follows:

(1) To implement the report submitted to Congress by the Architect and the Secretary of Transportation under the Act of December 28, 1985 (99 Stat. 1749–1750), relating to the needs of the Federal judiciary for additional Federal office space.

(2) To authorize the Architect to acquire by lease space primarily for use by the judicial branch of the Government by entering into contracts for the design and construction of a building adjacent to Union Station.

(3) To ensure that the design and construction of such building will insofar as practicable result in a building which is efficient and economical and which provides visual testimony to the dignity, enterprise, vigor, and stability of the Federal Government. (Pub. L. 100–480, § 2, Oct. 7, 1988, 102 Stat 2328.)

**559.12 § 1202. Construction of building.**

559.12

**(a) Selection process.**

**(1) General rule.**

The Architect, under the direction of the Commission and in accordance with such policies and procedures as the Architect shall establish, shall select in accordance with provision of this subsection a person to develop squares 721 and 722 (bounded by F Street, 2nd Street, Massachusetts Avenue, and Columbia Plaza, Northeast) in the District of Columbia.

**(2) Revision of proposals.**

Not later than 90 days after October 7, 1988, each of the 5 persons who submitted a proposal for development of squares 721 and 722 under the study conducted under the Act of December 28, 1985 (99 Stat. 1749–1750), which is one of the 5 proposals under consideration by the Architect may revise such proposal to take into account the objectives of this chapter and resubmit such proposal to the Architect.

**(3) Selection of revised proposal.**

Subject to paragraph (4), not later than 120 days after October 7, 1988, the Architect shall select one of the persons resubmitting a proposal under paragraph (2) to develop squares 721 and 722 in the District of Columbia.

**(4) Nonsubmission of revised proposals; protection of United States interest.**

If no proposal is resubmitted to the Architect under paragraph (2) in the 90-day period or if the Architect determines that none of the proposals resubmitted under paragraph (2) is in the best interests of the United States, the Architect shall conduct a competition for selection of a person to develop squares 721 and 722 in the District of Columbia. Such competition shall be conducted in

accordance with such policies and procedures as the Architect may establish for a development competition.

**(5) Purpose of development.**

The purpose of development of squares 721 and 722 is to provide office space for the Administrative Office of the United States Courts, the Federal Judicial Center, the Judicial Panel of Multidistrict Litigation, and the United States Sentencing Commission, chambers for retired justices of the Supreme Court, and other related offices of the judicial branch of the United States and other persons (including governmental entities).

**(6) Approval of Chief Justice.**

All final decisions regarding architectural design of the building to be constructed under this chapter shall be subject to the approval of the Chief Justice of the United States.

**(7) Prohibitions on payments for bids and designs.**

The Architect may not make any payment to any person for any bid or design proposal under any competition conducted under this subsection.

**(8) Limitations.**

**(A) Size of building.**

The building (excluding parking facilities) to be constructed under this chapter may not exceed 520,000 gross square feet in size above the level of Columbia Plaza in the District of Columbia.

**(B) Height of building.**

The height of the building and other improvements shall be compatible with the height of surrounding Government and historic buildings and conform to the provisions of the Act of June 1, 1910, commonly known as the Building Height Act of 1910 (36 Stat. 452).

**(C) Design.**

The building and other improvements shall be designed in harmony with historical and Government buildings in the vicinity, shall reflect the symbolic importance and historic character of the United States Capitol and other buildings on the United States Capitol grounds, and shall represent the dignity and stability of the Federal Government.

**(b) Development agreement.**

**(1) Authority to enter.**

The Architect may enter into with the person selected to develop squares 721 and 722 under subsection (a) of this section an agreement for the development of such squares. Except as otherwise provided in this chapter, such agreement shall provide for development of such squares substantially in accordance with (A) alternative D of the report to Congress entitled "The Study of Alternatives for the Construction of an Office Building(s) for the Administrative Office of the United States Courts", submitted to Congress on August 10, 1987, by the Architect and the Secretary of Transpor-

tation, and (B) the Master Plan for the United States Capitol, dated 1981.

**(2) Contents.**

The development agreement under paragraph (1) shall at a minimum provide for the following:

(A) Except to the extent otherwise provided by this chapter, all design, development, and construction costs incurred with respect to the building to be constructed under the agreement will be at no cost to the United States.

(B) Title to squares 721 and 722 will remain in the United States.

(C) Title to the building and other improvements constructed or otherwise made on or to squares 721 and 722 will immediately revert to the United States at the expiration of not more than 30 years from the effective date of the lease agreement entered into under section 1203 of this title without payment of any compensation by the United States.

(D) The building and other improvements constructed on or to squares 721 and 722 to be leased to the United States will be in accordance with the provisions of this chapter and the lease agreement will contain such terms and conditions as may be prescribed by the Architect to carry out the objectives of this chapter.

The agreement shall include a copy of the lease agreement entered into under section 1203 of this title by the Architect and the person selected to develop squares 721 and 722.

**(c) Chilled water and steam from the Capitol Power Plant.**

**(1) Authority for hookup to Capitol Power Plant.**

The building to be constructed under this chapter may be connected to the Capitol Power Plant through construction of extensions to the chilled water and steam lines which serve Union Station. If such building is to be connected to the Capitol Power Plant, the agreement under subsection (b) of this section between the Architect and the person selected to construct such building shall provide that such person will bear all costs associated with the installation of chilled water and steam lines to the building and shall reimburse the Union Station Redevelopment Corporation for an equitable share of the costs incurred by the Union Station Redevelopment Corporation in the construction of extensions of the chilled water and steam lines from such Plant to Union Station.

**(2) Furnishing of chilled water and steam from Capitol Power Plant.**

If the building to be constructed under this chapter is connected with the Capitol Power Plant pursuant to paragraph (1), the Architect shall furnish, on a reimbursable basis, chilled water and steam from such Plant to such building.

**(d) Construction standards and inspections.**

The building and other improvements constructed under this chapter shall meet all standards applicable to construction of a Federal building. During construction, the Architect shall conduct periodic inspections of

such building for the purpose of assuring that such standards are being met. Such building shall not be subject to any law of the District of Columbia relating to building codes, permits, or inspection (including any such law enacted by Congress).

**(e) Applicability of certain laws.**

The building and other improvements constructed under this chapter shall not be subject to any law of the District of Columbia relating to real estate and personal property taxes, special assessments, or other taxes (including any such law enacted by Congress). (Pub. L. 100-480, § 3, Oct. 7, 1988, 102 Stat. 2329.)

**559.13 § 1203. Lease of building by the Architect of the Capitol. 559.13**

**(a) Entry into lease agreement.**

Before the development agreement is entered into under section 1202 of this title, the Architect shall enter into with the person selected to construct the building under this chapter an agreement for the lease of such building by the Architect to carry out the objectives of this chapter.

**(b) Terms of lease agreement.**

The agreement entered into under this section shall include at a minimum the following terms:

(1) The Architect will lease the building and other improvements for a term not to exceed 30 years from the effective date of such lease agreement.

(2) The rental rate per square foot of occupiable space for all space in the building and other improvements will be in the best interest of the United States and carry out the objectives of this chapter, but in no case may the aggregate rental rate for all space in the building and other improvements produce an amount less than the amount necessary to amortize the cost of development of squares 721 and 722 over the term of the lease.

(3) Authority for the Architect to make space available and to sublease space in the building and other improvements in accordance with section 1205 of this title.

**(c) Accounting system.**

The Architect shall maintain an accounting system for operation and maintenance of the building and other improvements to be constructed under this chapter which will permit accurate projections of the dates and the costs of major repairs, improvements, reconstructions, and replacements of such building and improvements and other capital expenditures on such building and improvements.

**(d) Obligation of funds.**

Obligation of funds for lease payments under this section may only be made on an annual basis and may only be made from the account established by section 1207 of this title. (Pub. L. 100-480, § 4, Oct. 7, 1988, 102 Stat. 2331.)

**559.14 § 1204. Structural and mechanical care and security.**

559.14

**(a) Structural and mechanical care.**

Upon occupancy by the United States of the building and other improvements constructed under this chapter, the structural and mechanical care and maintenance of such building and improvements (including the care and maintenance of the grounds of such building) shall be the responsibility of the Architect, under the direction of the Commission, in the same manner and to the same extent as the structural and mechanical care and maintenance of the United States Supreme Court Building under section 13a of this title, and all other duties and work required for the operation and domestic care of such building and improvements shall be performed by the Architect, under the direction of the Commission.

**(b) Security.****(1) General rule.**

The United States Capitol Police shall be responsible for all exterior security of the building and other improvements constructed under this chapter.

**(2) Authority of Supreme Court Marshal.**

Nothing in this chapter shall be construed to interfere with the obligation of the Marshal of the Supreme Court of the United States to protect justices, officers, employees, or other personnel of the Supreme Court who may occupy the building and other improvements.

**(3) Reimbursement.**

The Architect shall transfer from the account established by section 1207 of this title such amounts as may be necessary to reimburse the United States Capitol Police for expenses incurred in providing exterior security under this subsection. The United States Capitol Police may accept amounts transferred by the Architect under this paragraph, and such amounts shall be credited to the appropriation account charged by the United States Capitol Police in executing the performance of security duties.

**(c) Authority of Capitol Police.**

The United States Capitol Police are authorized to police the building and other improvements constructed pursuant to this chapter, including the interior and exterior thereof, and to make arrests within the interior and exterior of such building and other improvements for any violation of any law of the United States, of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto. (Pub. L. 100-480, § 5, Oct. 7, 1988, 102 Stat. 2331; Pub. L. 102-392, Title III, § 311(a), Oct. 6, 1992, 106 Stat. 1723.)

**559.15 § 1205. Allocation of space.**

559.15

**(a) Governmental entities.****(1) Judicial branch.**

Subject to the provisions of this section, the Architect shall make available, on a reimbursable basis, all space in the building and other improvements constructed under this chapter to the judicial



branch of the United States substantially in accordance with the report referred to in section 1202(b)(1) of this title.

**(2) Other.**

Any space in the building and other improvements constructed under this chapter which the Chief Justice determines is not needed by the judicial branch of the United States may be made available by the Architect, on a reimbursable basis, to Federal governmental entities which are not part of the judicial branch and which are not staff of Members of Congress or Congressional Committees.

**(3) Terms and conditions.**

Space made available under this subsection shall be subject to such terms and conditions as are necessary to carry out the objectives of this chapter.

**(4) Reimbursement rate.**

All space made available by the Architect under this subsection shall be subject to reimbursement at the rate established under section 1203(b)(2) of this title plus such amount as the Architect and—

(A) in the case of the judicial branch, the Director of the Administrative Office of the United States Courts, or

(B) in the case of any governmental entity not a part of the judicial branch, such entity,

determine is necessary to pay on an annual basis for the cost of administering the building and other improvements (including costs of operation, maintenance, rehabilitation, security, and structural, mechanical, and domestic care) which are attributable to such space.

**(5) Meeting judicial branch needs.**

**(A) In general.**

Whenever the Chief Justice notifies the Architect that the judicial branch of the United States requires additional space in the building and other improvements constructed under this chapter, the Architect shall accommodate those requirements (i) in the case of space made available to the Administrator of General Services, by a date agreed upon under subparagraph (B), or (ii) in the case of space made available to any person or governmental entity (other than the General Services Administration), within 90 days after the date of such notification.

**(B) Space available to GSA.**

In any case in which such additional space is provided from space in the building made available to the Administrator of General Services, the space shall be vacated expeditiously by not later than a date mutually agreed upon by the Chief Justice and the Administrator of General Services.

**(C) Unoccupied space**

Whenever any space in the building is unoccupied, the Chief Justice shall have a right of first refusal to use such space to meet the needs of the judicial branch in accordance with this subsection.

**(6) Assignment of space within the judicial branch.**

The Director of the Administrative Office of the United States Courts may assign and reassign space made available to the judicial branch of the United States under this subsection among offices of the judicial branch as the Director deems appropriate.

**(7) Lease authority.**

The Architect of the Capitol is authorized to lease and occupy not more than 75,000 square feet of space in the Thurgood Marshall Federal Judiciary Building. Payments under any such lease shall be made upon vouchers approved by the Architect of the Capitol. There are authorized to be appropriated—

(A) to the Architect of the Capitol such sums as may be necessary to carry out this paragraph, including sums for the acquisition and installation of furniture and furnishings for space leased under this paragraph; and

(B) to the Sergeant at Arms of the Senate such sums as may be necessary for the planning, acquisition, and installation of telecommunications equipment and services for the Architect of the Capitol with respect to space leased under this paragraph.

**(8) Lease approval.**

Any lease under paragraph (7) shall be subject to approval by the Committee on Appropriations of the House of Representatives, the Committee on Appropriations of the Senate, the House Office Building Commission, and the Committee on Rules and Administration of the Senate.

**(b) Nongovernmental tenants.****(1) General rule.**

Any space in the building and other improvements constructed under this chapter which the Chief Justice determines is not needed by the judicial branch of the United States shall first be offered to other Federal governmental entities which are not staff of Members of Congress or Congressional Committees; and then, if any space remains, it may be subleased by the Architect, under the direction of the Commission, to any person.

**(2) Rental rate.**

All space subleased by the Architect under this subsection shall be subject to reimbursement at a rate which is comparable to prevailing rental rates for similar facilities in the area but not less than the rate established under section 1203(b)(2) of this title plus such amount as the Architect and the person subleasing such space agree is necessary to pay on an annual basis for the cost of administering the building (including costs of operation, maintenance, rehabilitation, security, and structural, mechanical, and domestic care) which are attributable to such space.

**(3) Limitation.**

Subleases under this subsection must be compatible with the dignity and functions of the judicial branch offices housed in the building and must not unduly interfere with the activities and operations of the judicial branch agencies housed in the building. The provisions

of section 193d, and section 193m-1 of this title shall not apply to any space in the building and other improvements subleased to a non-Government tenant under this subsection.

**(4) Collection of rent.**

The Architect shall collect rent for space subleased under this subsection.

**(c) Deposit of rent and reimbursements.**

All funds received under this subsection (including lease payments and reimbursements) shall be deposited into the account established by section 1207 of this title. (Pub. L. 100-480, §6, Oct. 7, 1988, 102 Stat. 2332; Pub. L. 102-392, Title III, §318, Oct. 6, 1992, 106 Stat. 1724; Pub. L. 103-4, §2, Feb. 8, 1993, 107 Stat. 30.)

**559.16 § 1206. Commission for Judiciary Office Building.**

559.16

**(a) Establishment.**

There is established a Commission to be known as the Commission for the Judiciary Office Building.

**(b) Membership.**

The Commission shall be composed of the following 13 members:

- (1) Two individuals appointed by the Chief Justice from among justices of the Supreme Court and other judges of the United States (or their designees).
- (2) The members of the House Office Building Commission (or their designees).
- (3) The majority leader and minority leader of the Senate (or their designees).
- (4) The Chairman and the ranking minority member of the Senate Committee on Rules and Administration (or their designees).
- (5) The Chairman and the ranking minority member of the Senate Committee on Environment and Public Works (or their designees).
- (6) The Chairman and ranking minority member of the Committee on Public Works and Transportation of the House of Representatives (or their designees).

**(c) Duties.**

The Commission shall be responsible for supervision of design, construction, operation, maintenance, structural, mechanical, and domestic care and security of the building to be constructed under this chapter. The Commission shall from time to time prescribe rules and regulations to govern the actions of the Architect under this chapter and to govern the use and occupancy of all space in such building.

**(d) Quorum.**

Seven members of the Commission shall constitute a quorum. (Pub. L. 100-480, §7, Oct. 7, 1988, 102 Stat. 2334.)

**559.17 § 1207. Funding.**

559.17

**(a) Separate account.**

There is established in the Treasury of the United States a separate account. Such account shall include all amounts deposited therein under section 1205(c) of this title and such amounts as may be appropriated

thereto but not to exceed \$2,000,000. Amounts in the account shall be available to the Architect for paying expenses for structural, mechanical, and domestic care, maintenance, operation, and utilities of the building and other improvements constructed under this chapter, for reimbursing the United States Capitol Police for expenses incurred in providing exterior security for the building and other improvements, for making lease payments under section 1203 of this title and for necessary personnel (including consultants).

**(b) Unexpended balances of funds.**

The unexpended balance of funds appropriated by the Urgent Supplemental Appropriations Act, 1986 under the heading “Study of Construction of Office Building” (100 Stat. 717) are transferred to the Architect on October 7, 1988. Such unexpended balance shall be available for design review, construction inspection, contract administration, and such other project related costs under this chapter as the Architect may deem appropriate. (Pub. L. 100–480, §9, Oct. 7, 1988, 102 Stat. 2334; Pub. L. 102–392, Title III, §311(b), Oct. 6, 1992, 106 Stat. 1723.)

**559.18 § 1208. Definitions.**

**559.18**

As used in this chapter—

**(1) Architect.**

The term “Architect” means the Architect of the Capitol.

**(2) Chief Justice.**

The term “Chief Justice” means the Chief Justice of the United States or his designee; except that in any case in which there is a vacancy of the office of the Chief Justice of the United States, the most senior associate justice of the Supreme Court shall be treated as the Chief Justice of the United States for purposes of this chapter until such time as such vacancy is filled.

**(3) Commission.**

The term “Commission” means the Commission for the Judiciary Office Building established by section 1206 of this title. (Pub. L. 100–480, §10, Oct. 7, 1988, 102 Stat. 2335.)