

110TH CONGRESS
2D SESSION

H. R. 5159

AN ACT

To establish the Office of the Capitol Visitor Center within the Office of the Architect of the Capitol, headed by the Chief Executive Officer for Visitor Services, to provide for the effective management and administration of the Capitol Visitor Center, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “Capitol Visitor Center Act of 2008”.

6 (b) TABLE OF CONTENTS.—The table of contents of
 7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ADMINISTRATION AND MANAGEMENT OF CAPITOL
VISITOR CENTER

Subtitle A—Description of Facility

Sec. 101. Description and purposes of Capitol Visitor Center.

Sec. 102. Oversight of committees.

Sec. 103. Special rule for certain spaces in the Capitol Visitor Center.

Subtitle B—Office of the Capitol Visitor Center; Chief Executive Officer for
Visitor Services

Sec. 111. Establishment.

Sec. 112. Appointment and supervision of Chief Executive Officer for Visitor
Services.

Sec. 113. General duties of Chief Executive Officer.

Sec. 114. Acceptance of gifts and volunteer services.

Sec. 115. Special rules regarding certain administrative matters.

TITLE II—RELATED SERVICES PROVIDED AT CAPITOL VISITOR
CENTER

Subtitle A—Related Services Described

Sec. 201. Gift shop.

Sec. 202. Food service operations.

Sec. 203. Licenses and other agreements for operations or other functions.

Subtitle B—Capitol Visitor Center Revolving Fund

Sec. 211. Establishment; accounts.

Sec. 212. Deposits in the Fund.

Sec. 213. Use of monies.

Sec. 214. Administration of Fund.

TITLE III—TREATMENT OF CAPITOL GUIDE SERVICE

Subtitle A—Transfer to Office of the Capitol Visitor Center

Sec. 301. Transfer of Capitol Guide Service.

Sec. 302. Duties of employees of Capitol Guide Service.

Subtitle B—Office of Congressional Accessibility Services

- Sec. 311. Establishment of Office of Congressional Accessibility Services.
 Sec. 312. Director of Accessibility Services.
 Sec. 313. Transfer from Capitol Guide Service.

Subtitle C—Technical and Conforming Amendments

- Sec. 321. Technical and conforming amendments.

Subtitle D—Transfer Date

- Sec. 331. Transfer date.

TITLE IV—GENERAL PROVISIONS

- Sec. 401. Authorization of appropriations.

1 **TITLE I—ADMINISTRATION AND**
 2 **MANAGEMENT OF CAPITOL**
 3 **VISITOR CENTER**

4 **Subtitle A—Description of Facility**

5 **SEC. 101. DESCRIPTION AND PURPOSES OF CAPITOL VIS-**
 6 **ITOR CENTER.**

7 (a) TREATMENT AS PART OF CAPITOL.—In this Act,
 8 the “Capitol Visitor Center” is the facility authorized for
 9 construction under the heading “Capitol Visitor Center”
 10 under chapter 5 of title II of division B of the Omnibus
 11 Consolidated and Emergency Supplemental Appropria-
 12 tions Act, 1999 (Public Law 105–277; 112 Stat. 2681–
 13 569), and such facility shall be considered to be part of
 14 the United States Capitol for all provisions of law in ac-
 15 cordance with this Act.

16 (b) PURPOSES OF THE FACILITY.—In accordance
 17 with the provisions of this Act, the Capitol Visitor Center
 18 shall be used to—

1 (1) provide enhanced security for persons work-
2 ing in or visiting the United States Capitol; and

3 (2) improve the visitor experience by providing
4 a structure that will afford improved visitor orienta-
5 tion and enhance the educational experience of those
6 who have come to learn about Congress and the
7 Capitol.

8 (c) CONFORMING AMENDMENT RELATING TO VIS-
9 ITOR CENTER SPACE IN THE CAPITOL.—Section 301 of
10 the National Visitor Center Facilities Act of 1968 (2
11 U.S.C. 2165) is repealed.

12 **SEC. 102. OVERSIGHT OF COMMITTEES.**

13 The Committee on Rules and Administration of the
14 Senate and the Committee on House Administration of
15 the House of Representatives (hereafter in this Act re-
16 ferred to as the “supervising Committees”) shall exercise
17 policy review and oversight over the Capitol Visitor Cen-
18 ter.

19 **SEC. 103. SPECIAL RULE FOR CERTAIN SPACES IN THE CAP-**
20 **ITOL VISITOR CENTER.**

21 (a) SENATE AND HOUSE OF REPRESENTATIVES EX-
22 PANSION SPACE.—Notwithstanding any other provision of
23 this Act, the Senate and House of Representatives expan-
24 sion space described as “unassigned space” under the
25 heading “Architect of the Capitol, Capitol Visitor Center”

1 in the Legislative Branch Appropriations Act, 2002 (Pub-
2 lic Law 107–68; 115 Stat. 588)—

3 (1) shall not be treated as part of the Capitol
4 Visitor Center for purposes of this Act; and

5 (2) shall be treated for purposes of law (includ-
6 ing rules of the House of Representatives and Sen-
7 ate)—

8 (A) in the case of space assigned for the
9 use of the Senate, as part of the Senate wing
10 of the Capitol and subject to the authority and
11 control of the Committee on Rules and Admin-
12 istration of the Senate, or

13 (B) in the case of space assigned for the
14 use of the House, as part of the House of Rep-
15 resentatives wing of the Capitol and subject to
16 the authority and control of the Speaker.

17 (b) TREATMENT OF CONGRESSIONAL AUDITORIUM
18 AND RELATED ADJACENT AREAS.—

19 (1) IN GENERAL.—Notwithstanding any other
20 provision of this Act, the space in the Capitol Visitor
21 Center known as the Congressional Auditorium, to-
22 gether with each of the areas referred to in para-
23 graph (2), shall be assigned for Congressional use by
24 the Chief Executive Officer for Visitor Services

1 under guidelines established by the supervising Com-
2 mittees.

3 (2) AREAS DESCRIBED.—The areas referred to
4 in this paragraph are as follows, as identified and
5 designated by the Architect of the Capitol on Octo-
6 ber 1, 2007:

7 (A) The North Congressional Meeting
8 Room (CVC268) and the South Congressional
9 Meeting Room (CVC217).

10 (B) The North Pre-function Area
11 (CVC268CR) and the South Pre-function Area
12 (CVC217CR).

13 (C) Lobbies CVC215 and CVC212.

14 (D) The North Cloak Room (CVC210) and
15 the South Cloak Room (CVC208).

16 (E) The Projection Room (CVC209).

17 (F) The Green Room (CVC207).

18 (G) The TV Control Room (CVC105).

19 (H) Offices CVC101, CVC102, CVC103,
20 CVC104, CVC106, CVC204, and CVC205.

1 **Subtitle B—Office of the Capitol**
2 **Visitor Center; Chief Executive**
3 **Officer for Visitor Services**

4 **SEC. 111. ESTABLISHMENT.**

5 There is established within the Office of the Architect
6 of the Capitol the Office of the Capitol Visitor Center (in
7 this Act referred to as the “Office”), to be headed by the
8 Chief Executive Officer for Visitor Services (in this Act
9 referred to as the “Chief Executive Officer”).

10 **SEC. 112. APPOINTMENT AND SUPERVISION OF CHIEF EX-**
11 **ECUTIVE OFFICER FOR VISITOR SERVICES.**

12 (a) **APPOINTMENT.**—The Chief Executive Officer
13 shall be appointed by the Architect of the Capitol.

14 (b) **SUPERVISION AND OVERSIGHT.**—The Chief Exec-
15 utive Officer shall report directly to the Architect of the
16 Capitol and shall be subject to policy review and oversight
17 by the supervising Committees.

18 (c) **REMOVAL.**—Upon removal of the Chief Executive
19 Officer, the Architect of the Capitol shall immediately no-
20 tify the supervising Committees and the Committees on
21 Appropriations of the House of Representatives and Sen-
22 ate, stating the reasons for the removal.

23 (d) **COMPENSATION.**—The Chief Executive Officer
24 shall be paid at an annual rate of pay equal to the annual
25 rate of pay of the Deputy Architect of the Capitol and

1 Chief Operating Officer of the Office of the Architect of
2 the Capitol.

3 (e) TRANSITION FOR CURRENT CHIEF EXECUTIVE
4 OFFICER FOR VISITOR SERVICES.—

5 (1) APPOINTMENT.—The individual who serves
6 as the Chief Executive Officer for Visitor Services
7 under section 6701 of the U.S. Troop Readiness,
8 Veterans' Care, Katrina Recovery, and Iraq Ac-
9 countability Appropriation Act of 2007 (2 U.S.C.
10 1806) as of the date of the enactment of this Act
11 shall be the first Chief Executive Officer for Visitor
12 Services appointed by the Architect under this sec-
13 tion.

14 (2) CONFORMING AMENDMENT.—Section 6701
15 of the U.S. Troop Readiness, Veterans' Care,
16 Katrina Recovery, and Iraq Accountability Appro-
17 priation Act of 2007 (2 U.S.C. 1806) is repealed.

18 **SEC. 113. GENERAL DUTIES OF CHIEF EXECUTIVE OFFICER.**

19 (a) ADMINISTRATION OF FACILITIES, SERVICES, AND
20 ACTIVITIES.—

21 (1) IN GENERAL.—Except to the extent other-
22 wise provided in this Act, the Chief Executive Offi-
23 cer shall be responsible for—

24 (A) the operation, management, and budg-
25 et preparation and execution of the Capitol Vis-

itor Center, including all long term planning and day-today operational services and activities provided within the Capitol Visitor Center; and

(B) in accordance with subtitle A of title III, the management of guided tours of the interior of the United States Capitol.

(2) INDEPENDENT BUDGET SUBMISSION.—

(A) IN GENERAL.—The proposed budget for the Office for a fiscal year shall be prepared by the Chief Executive Officer, and shall be included without revision in the proposed budget for the year for the Office of the Architect of the Capitol (as submitted by the Architect of the Capitol to the President).

(B) EXCLUSION OF COSTS OF GENERAL MAINTENANCE AND REPAIR OF VISITOR CENTER.—In preparing the proposed budget for the Office under subparagraph (A), the Chief Executive Officer shall exclude costs attributable to the activities and services described in section 115(b) (relating to continuing jurisdiction of the Architect of the Capitol for the care and superintendence of the Capitol Visitor Center).

(b) PERSONNEL AND OTHER ADMINISTRATIVE PRO-

VISIONS.—

1 (1) PERSONNEL, DISBURSEMENTS, AND CON-
2 TRACTS.—In carrying out this Act, the Chief Execu-
3 tive Officer shall have the authority—

4 (A) to appoint, hire, and fix the compensa-
5 tion of such personnel as may be necessary for
6 operations of the Office, except that no em-
7 ployee may be paid at an annual rate in excess
8 of the maximum rate payable for level 15 of the
9 General Schedule unless otherwise authorized
10 by law;

11 (B) to disburse funds as may be necessary
12 and available for the needs of the Office (con-
13 sistent with the requirements of section 213 in
14 the case of amounts in the Capitol Visitor Cen-
15 ter Revolving Fund); and

16 (C) to designate an employee of the Office
17 to serve as contracting officer for the Office,
18 subject to subsection (c).

19 (2) TEMPORARY ASSIGNMENT OF PER-
20 SONNEL.—The Chief Executive Officer shall tempo-
21 rarily assign personnel of the Office based on a re-
22 quest from the Capitol Police Board to assist the
23 United States Capitol Police by providing ushering
24 and informational services, and other services not di-

1 rectly involving law enforcement, in connection
2 with—

3 (A) the inauguration of the President and
4 Vice President of the United States;

5 (B) the official reception of representatives
6 of foreign nations and other persons by the
7 Senate or House of Representatives; or

8 (C) other special or ceremonial occasions
9 in the United States Capitol or on the United
10 States Capitol Grounds that require the pres-
11 ence of additional Government personnel.

12 (3) AGREEMENTS WITH THE OFFICE OF THE
13 ARCHITECT OF THE CAPITOL, WITH OTHER LEGISLA-
14 TIVE BRANCH AGENCIES, AND WITH OFFICES OF
15 THE SENATE AND HOUSE OF REPRESENTATIVES.—

16 Subject to the approval of the supervising Commit-
17 tees, the Chief Executive Officer may place orders
18 and enter into agreements with the Office of the Ar-
19 chitect of the Capitol, with other legislative branch
20 agencies, and with any office or other entity of the
21 Senate or House of Representatives for procuring
22 goods and providing financial and administrative
23 services on behalf of the Office, or to otherwise as-
24 sist the Chief Executive Officer in the administra-
25 tion and management of the Capitol Visitor Center.

1 (c) REQUIRING APPROVAL OF CERTAIN CON-
2 TRACTS.—The Chief Executive Officer may not enter into
3 a contract for which the amount involved exceeds
4 \$250,000 without the prior approval of the supervising
5 Committees.

6 (d) SEMIANNUAL REPORTS.—The Chief Executive
7 Officer shall submit a report to the supervising Commit-
8 tees not later than 45 days following the close of each
9 semiannual period ending on June 30 or December 31 of
10 each year on the financial and operational status during
11 the period of each function under the jurisdiction of the
12 Chief Executive Officer. Each such report shall include fi-
13 nancial statements and a description or explanation of
14 current operations, the implementation of new policies and
15 procedures, and future plans for each function.

16 **SEC. 114. ACCEPTANCE OF GIFTS AND VOLUNTEER SERV-**
17 **ICES.**

18 (a) ACCEPTANCE OF GIFTS.—

19 (1) AUTHORITY TO ACCEPT AND USE GIFTS.—
20 The Chief Executive Officer, with the approval of
21 the supervising Committees, is authorized to receive,
22 accept, and hold unrestricted gifts of money on be-
23 half of the Capitol Visitor Center, and to use the
24 gifts for the benefit of the Capitol Visitor Center.

1 (2) ACCEPTANCE OF GIFTS OF WORKS OF ART
2 AND OTHER RELATED OBJECTS BY OTHER LEGISLA-
3 TIVE BRANCH ENTITIES.—

4 (A) IN GENERAL.—In the case of a gift
5 consisting of a work of art, historical object, or
6 exhibit for which the authority to accept the
7 gift for display in the Capitol is provided to an
8 entity referred to in subparagraph (B), the enti-
9 ty shall have the authority to accept the gift for
10 display in the Capitol Visitor Center in accord-
11 ance with the authority provided under applica-
12 ble law.

13 (B) ENTITIES DESCRIBED.—The entities
14 referred to in this subparagraph are as follows:

15 (i) The Joint Committee on the Li-
16 brary under section 1831 of the Revised
17 Statutes of the United States (2 U.S.C.
18 2133).

19 (ii) The United States Capitol Preser-
20 vation Commission under section 801 of
21 the Arizona-Idaho Conservation Act of
22 1988 (2 U.S.C. 2081).

23 (iii) The House of Representatives
24 Fine Arts Board under section 1000 of the

1 Arizona-Idaho Conservation Act of 1988 (2
2 U.S.C. 2121).

3 (iv) The Senate Commission on Art
4 under section 1 of Senate Resolution 382,
5 Ninetieth Congress, agreed to October 1,
6 1968 and enacted into law by section
7 901(a) of Public Law 100–690 (2 U.S.C.
8 2101).

9 (3) ANNUAL REPORT ON GIFTS ACCEPTED.—
10 Each semiannual report submitted under section
11 113(d) shall include a description of each accepted
12 by the Chief Executive Officer under this subsection
13 during the period covered by the report.

14 (b) ACCEPTANCE OF VOLUNTEER SERVICES.—Not-
15 withstanding section 1342 of title 31, United States Code,
16 the Chief Executive Officer may accept and use voluntary
17 and uncompensated services for the Capitol Visitor Center
18 as the Chief Executive Officer determines necessary. No
19 person shall be permitted to donate his or her personal
20 services under this section unless such person has first
21 agreed, in writing, to waive any and all claims against the
22 United States arising out of or connection with such serv-
23 ices, other than a claim under the provisions of chapter
24 81 of title 5, United States Code. No person donating per-
25 sonal services under this section shall be considered an

1 employee of the United States for any purpose other than
2 for purposes of chapter 81 of such title. In no case shall
3 the acceptance of personal services under this subsection
4 result in the reduction of pay or displacement of any em-
5 ployee of the Office.

6 **SEC. 115. SPECIAL RULES REGARDING CERTAIN ADMINIS-**
7 **TRATIVE MATTERS.**

8 (a) SPECIAL RULES REGARDING SECURITY.—

9 (1) SECURITY JURISDICTION OF LAW ENFORCE-
10 MENT AGENCIES UNAFFECTED.—Nothing in this Act
11 granting any authority to the Chief Executive Offi-
12 cer shall be construed to affect the exclusive jurisdic-
13 tion of the United States Capitol Police, the Capitol
14 Police Board, the Sergeant at Arms and Doorkeeper
15 of the Senate, and the Sergeant at Arms of the
16 House of Representatives to provide security for the
17 Capitol Visitor Center.

18 (2) ATTENDANCE OF CHIEF EXECUTIVE OFFI-
19 CER AT CERTAIN MEETINGS OF CAPITOL POLICE
20 BOARD.—At the request of the Capitol Police Board,
21 the Chief Executive Officer shall attend any portion
22 of any meeting of the Capitol Police Board during
23 which the Board considers issues relating to the se-
24 curity of the Capitol Visitor Center, including activi-

1 ties described in paragraph (3), or other issues relat-
2 ing to services provided by employees of the Office.

3 (3) CONSULTATION WITH CAPITOL POLICE
4 BOARD ON SECURITY MATTERS.—The Office shall
5 consult with the Capitol Police Board in carrying
6 out any activity which affects the security of the
7 Capitol Visitor Center or any other part of the Cap-
8 itol, including activities relating to the hours of oper-
9 ation, tour routes and the number of visitors per
10 tour guide, and other activities relating to the entry
11 of members of the general public into the Capitol
12 and the movement of members of the general public
13 within the Capitol.

14 (4) PLAN FOR BACKGROUND CHECKS FOR EM-
15 PLOYEES.—The Chief Executive Officer, in coordi-
16 nation with the Chief of the Capitol Police, shall de-
17 velop plans and procedures for conducting criminal
18 history background checks on employees of the Of-
19 fice and individuals seeking employment with the Of-
20 fice (including employees of the Capitol Guide Serv-
21 ice who are transferred to the Office under title III).

22 (b) SPECIAL RULES REGARDING CARE AND MAINTEN-
23 NANCE OF FACILITIES.—

24 (1) ARCHITECT OF THE CAPITOL JURISDICTION
25 UNAFFECTED.—Nothing in this Act granting any

1 authority to the Chief Executive Officer (including
2 section 114) shall be construed to affect the exclu-
3 sive jurisdiction of the Architect of the Capitol for
4 the care and superintendence of the Capitol Visitor
5 Center or any other part of the Capitol, and all
6 maintenance services, groundskeeping services, im-
7 provements, alterations, additions, and repairs for
8 the Capitol Visitor Center shall be carried out pur-
9 suant to the direction and supervision of the Archi-
10 tect subject to the oversight of Congress under ap-
11 plicable law (including rules of the House of Rep-
12 resentatives and Senate).

13 (2) BUDGET SUBMISSION.—The Architect of
14 the Capitol shall submit with the annual budget for
15 the Office of the Architect of the Capitol for a fiscal
16 year a separate, detailed statement of the costs an-
17 ticipated to be incurred during the year for the ac-
18 tivities and services described in paragraph (1)
19 which are excluded from the annual budget for the
20 Office which is submitted by the Chief Executive Of-
21 ficer under section 113(a)(2).

22 (c) SPECIAL RULE REGARDING EXHIBITS AND
23 TOURS.—The Chief Executive Officer shall consider com-
24 ments and recommendations from the Clerk of the House
25 of Representatives and the Secretary of the Senate regard-

1 ing the content of exhibits contained in and tours operated
 2 out of the Capitol Visitor Center.

3 **TITLE II—RELATED SERVICES**
 4 **PROVIDED AT CAPITOL VIS-**
 5 **ITOR CENTER**

6 **Subtitle A—Related Services**
 7 **Described**

8 **SEC. 201. GIFT SHOP.**

9 (a) ESTABLISHMENT.—In consultation with the su-
 10 pervising Committees, the Chief Executive Officer shall es-
 11 tablish a gift shop within the Capitol Visitor Center for
 12 the purpose of providing for the sale of gift items.

13 (b) EXCEPTION TO PROHIBITION OF SALE OR SOLIC-
 14 ITATION ON CAPITOL GROUNDS.—Section 5104(c) of title
 15 40, United States Code, shall not apply to any activity
 16 carried out under this subsection.

17 **SEC. 202. FOOD SERVICE OPERATIONS.**

18 (a) RESTAURANT, CATERING, AND VENDING.—The
 19 Chief Executive Officer is authorized to establish within
 20 the Capitol Visitor Center a restaurant and other food
 21 service facilities, including catering services and vending
 22 machines.

23 (b) USE OF CONTRACT TO CARRY OUT FOOD SERV-
 24 ICE OPERATIONS.—The Chief Executive Officer shall
 25 carry out all food service operations within the Capitol

1 Visitor Center pursuant to a contract entered into with
2 a private vendor.

3 (c) EXCEPTION TO PROHIBITION OF SALE OR SOLIC-
4 ITATION ON CAPITOL GROUNDS.—Section 5104(c) of title
5 40, United States Code, shall not apply to any activity
6 carried out under this subsection.

7 **SEC. 203. LICENSES AND OTHER AGREEMENTS FOR OPER-**
8 **ATIONS OR OTHER FUNCTIONS.**

9 (a) AUTHORITY.—The Chief Executive Officer is au-
10 thorized—

11 (1) subject to the approval of the supervising
12 Committees, to enter into licenses and other agree-
13 ments to allow operations or other functions to occur
14 within the Capitol Visitor Center; and

15 (2) to assess and collect charges or other fees
16 as may be appropriate under such licenses and
17 agreements, including the recoupment of costs asso-
18 ciated with the operation or function being held.

19 (b) EXCEPTION TO PROHIBITION OF SALE OR SOLIC-
20 ITATION ON CAPITOL GROUNDS.—To the extent that a li-
21 cense or agreement entered into by the Chief Executive
22 Officer under this section permits any person to sell or
23 solicit the sale of goods or services within the Capitol Vis-
24 itor Center, section 5104(c) of title 40, United States

1 Code, shall not apply to the sale or solicitation of sales
2 of such goods or services.

3 (c) APPROVAL OF CONGRESS REQUIRED FOR CER-
4 TAIN EVENTS.—No event intended for purposes other
5 than those described in section 101(b) shall be held in the
6 central hall of the Capitol Visitor Center unless authorized
7 by a resolution agreed to by both houses of the Congress.

8 **Subtitle B—Capitol Visitor Center**
9 **Revolving Fund**

10 **SEC. 211. ESTABLISHMENT; ACCOUNTS.**

11 There is established in the Treasury of the United
12 States a revolving fund to be known as the Capitol Visitor
13 Center Revolving Fund (in this section referred to as the
14 “Fund”), consisting of the following individual accounts:

15 (1) The Gift Shop Account.

16 (2) The Miscellaneous Receipts Account.

17 **SEC. 212. DEPOSITS IN THE FUND.**

18 (a) GIFT SHOP ACCOUNT.—There shall be deposited
19 in the Gift Shop Account all monies received from sales
20 and other services by the gift shop established under sec-
21 tion 201, together with any interest accrued on balances
22 in the Account.

23 (b) MISCELLANEOUS RECEIPTS ACCOUNT.—There
24 shall be deposited in the Miscellaneous Receipts Account

1 each of the following (together with any interest accrued
2 on balances in the Account):

3 (1) Any gifts of money accepted under section
4 114(a).

5 (2) Any net profits or commissions paid to the
6 Capitol Visitor Center under any contract for food
7 service operations entered into under section 202(b).

8 (3) Any charges or fees collected from the oper-
9 ations or other functions within the Capitol Visitor
10 Center under licenses or other arrangements entered
11 into under section 203(a).

12 (4) Any other receipts received from the oper-
13 ation of the Capitol Visitor Center.

14 **SEC. 213. USE OF MONIES.**

15 (a) GIFT SHOP ACCOUNT.—

16 (1) IN GENERAL.—All monies in the Gift Shop
17 Account shall be available without fiscal year limita-
18 tion for obligation by the Chief Executive Officer in
19 connection with the operation of the gift shops under
20 section 201(a), including supplies, inventories, equip-
21 ment, and other expenses. In addition, such monies
22 may be used by the Chief Executive Officer to reim-
23 burse any applicable appropriations account for
24 amounts used from such appropriations account to
25 pay the salaries of employees of the gift shops.

1 (2) OBLIGATION OF FUNDS REMAINING AFTER
2 USE OF FUNDS FOR GIFT SHOP.—To the extent
3 monies in the Gift Shop Account are available after
4 disbursements and reimbursements are made under
5 subparagraph (A), the Chief Executive Officer may
6 obligate such monies for the operation of the Capitol
7 Visitor Center, after consultation with—

8 (A) the supervising Committees; and

9 (B) the Committees on Appropriations of
10 the House of Representatives and Senate.

11 (b) MISCELLANEOUS RECEIPTS ACCOUNT.—All mon-
12 ies in the Miscellaneous Receipts Account shall be avail-
13 able without fiscal year limitation for obligation by the
14 Chief Executive Officer for the operations of the Capitol
15 Visitor Center, after consultation with—

16 (1) the supervising Committees; and

17 (2) the Committees on Appropriations of the
18 House of Representatives and Senate.

19 **SEC. 214. ADMINISTRATION OF FUND.**

20 (a) OBLIGATIONS.—Obligations from the Fund may
21 be made by the Chief Executive Officer.

22 (b) INVESTMENT AUTHORITY.—The Secretary of the
23 Treasury shall invest any portion of the Fund that, as de-
24 termined by the Chief Executive Officer, is not required
25 to meet current expenses. Each investment shall be made

1 in an interest-bearing obligation of the United States or
 2 an obligation guaranteed both as to principal and interest
 3 by the United States that, as determined by the Chief Ex-
 4 ecutive Officer, has a maturity date suitable for the pur-
 5 poses of the Fund. The Secretary of the Treasury shall
 6 credit interest earned on the obligations to the Fund.

7 (c) AUDIT.—The Fund shall be subject to audit by
 8 the Comptroller General at the discretion of the Comp-
 9 troller General.

10 **TITLE III—TREATMENT OF**
 11 **CAPITOL GUIDE SERVICE**
 12 **Subtitle A—Transfer to Office of**
 13 **the Capitol Visitor Center**

14 **SEC. 301. TRANSFER OF CAPITOL GUIDE SERVICE.**

15 (a) TRANSFER OF AUTHORITIES AND PERSONNEL TO
 16 OFFICE OF THE CAPITOL VISITOR CENTER.—Except as
 17 provided in subsection (c), effective on the transfer date—

18 (1) the contracts, liabilities, records, property,
 19 and other assets and interests of the Capitol Guide
 20 Service, established pursuant to section 441 of the
 21 Legislative Reorganization Act of 1970 (2 U.S.C.
 22 2166), and the employees of the Capitol Guide Serv-
 23 ice, are transferred to the Office, except that the
 24 transfer of any amounts appropriated to the Capitol
 25 Guide Service that remain available as of the trans-

1 fer date shall occur only upon the approval of the
2 Committees on Appropriations of the House of Rep-
3 resentatives and Senate; and

4 (2) the Capitol Guide Service shall be subject to
5 the direction, supervision, and control of the Chief
6 Executive Officer in accordance with this subtitle.

7 (b) TREATMENT OF EMPLOYEES OF CAPITOL GUIDE
8 SERVICE AT TIME OF TRANSFER.—

9 (1) IN GENERAL.—Any individual who is an
10 employee of the Capitol Guide Service on a perma-
11 nent basis on the transfer date who is transferred to
12 the Office under subsection (a) shall be subject to
13 authority of the Chief Executive Officer under sec-
14 tion 302(b), except that the individual shall not be
15 reduced in grade, compensation, rate of leave, or
16 other benefits that apply with respect to the indi-
17 vidual at the time of transfer while such individual
18 remains continuously so employed as a Capitol
19 Guide within the Office, other than for cause.

20 (2) ELIGIBILITY FOR IMMEDIATE RETIREMENT
21 ON BASIS OF INVOLUNTARY SEPARATION.—For pur-
22 poses of section 8336(d) and section 8414(b) of title
23 5, United States Code, an individual described in
24 paragraph (1) who is separated from service with
25 the Office shall be considered to have separated from

1 the service involuntarily if, at the time the individual
2 is separated from service—

3 (A) the individual has completed 25 years
4 of service under such title; or

5 (B) the individual has completed 20 years
6 of service under such title and is 50 years of
7 age or older.

8 (3) CONTINUATION OF PARTICIPATION IN STU-
9 DENT LOAN REPAYMENT PROGRAM.—Notwith-
10 standing any other provision of law, if an individual
11 described in paragraph (1) has a written service
12 agreement in effect under section 102 of the Legis-
13 lative Branch Appropriations Act, 2002 (2 U.S.C.
14 60c–5) at the time the individual is transferred to
15 the Office, the agreement shall remain in effect in
16 accordance with the terms and conditions applicable
17 to the agreement at the time the individual is trans-
18 ferred (including the provisions of such section per-
19 mitting the individual to enter into additional service
20 agreements for successive 1-year periods of employ-
21 ment), except that in applying such section to the in-
22 dividual, the following shall apply:

23 (A) The Office shall serve as the employing
24 office, and the Chief Executive Officer shall
25 serve as the head of the employing office.

1 (B) The Architect of the Capitol shall
2 carry out the responsibilities of the Secretary of
3 the Senate.

4 (C) Any reference to the Committee on
5 Rules and Administration of the Senate and the
6 Committee on Appropriations of the Senate
7 shall be treated as a reference to the super-
8 vising Committees.

9 (D) If the individual is required to make
10 any reimbursement under such section with re-
11 spect to payments made after the individual is
12 transferred, the individual shall reimburse the
13 Office of the Architect of the Capitol.

14 (4) PROHIBITING IMPOSITION OF PROBA-
15 TIONARY PERIOD.—The Chief Executive Officer may
16 not impose a period of probation with respect to the
17 transfer of any individual who is transferred to the
18 Office under subsection (a).

19 (c) EXCEPTION FOR CONGRESSIONAL SPECIAL SERV-
20 ICES OFFICE.—This section does not apply with respect
21 to any employees, contracts, liabilities, records, property,
22 and other assets and interests of the Congressional Special
23 Services Office of the Capitol Guide Service that are trans-
24 ferred to the Office of Congressional Accessibility Services
25 under subtitle B.

1 **SEC. 302. DUTIES OF EMPLOYEES OF CAPITOL GUIDE SERV-**
2 **ICE.**

3 (a) **PROVISION OF GUIDED TOURS.—**

4 (1) **TOURS.**—In accordance with this section,
5 the Capitol Guide Service shall provide guided tours
6 of the interior of the United States Capitol without
7 charge, including the Capitol Visitor Center, for the
8 education and enlightenment of the general public.

9 (2) **ACCEPTANCE OF FEES PROHIBITED.**—An
10 employee of the Capitol Guide Service shall not
11 charge or accept any fee, or accept any gratuity, for
12 or on account of his official services.

13 (3) **REGULATIONS OF CHIEF EXECUTIVE OFFI-**
14 **CER.**— All such tours shall be conducted in compli-
15 ance with regulations approved by the Chief Execu-
16 tive Officer.

17 (b) **AUTHORITY OF CHIEF EXECUTIVE OFFICER.**—
18 In providing for the direction, supervision, and control of
19 the Capitol Guide Service, the Chief Executive Officer is
20 authorized—

21 (1) subject to the availability of appropriations,
22 to establish and revise such number of positions of
23 Guide in the Capitol Guide Service as the Chief Ex-
24 ecutive Officer considers necessary to carry out ef-
25 fectively the activities of the Capitol Guide Service;

1 (2) to appoint, on a permanent basis without
2 regard to political affiliation and solely on the basis
3 of fitness to perform their duties, a Chief Guide and
4 such deputies as the Chief Executive Officer con-
5 siders appropriate for the effective administration of
6 the Capitol Guide Service and, in addition, such
7 number of Guides as may be authorized;

8 (3) with the approval of the supervising Com-
9 mittees, with respect to the individuals appointed
10 pursuant to paragraph (2)—

11 (A) to prescribe the individual's duties and
12 responsibilities,

13 (B) to fix, and adjust from time to time,
14 respective rates of pay at single per annum
15 (gross) rates, and

16 (C) to take appropriate disciplinary action,
17 including, when circumstances warrant, suspen-
18 sion from duty without pay, reduction in pay,
19 demotion, or termination of employment with
20 the Capitol Guide Service, against any employee
21 who violates any provision of this section or any
22 regulation prescribed by the Chief Executive
23 Officer pursuant to paragraph (7);

1 (4) to prescribe a uniform dress, including ap-
2 appropriate insignia, which shall be worn by personnel
3 of the Capitol Guide Service;

4 (5) from time to time and as may be necessary,
5 to procure and furnish such uniforms to such per-
6 sonnel without charge to such personnel;

7 (6) to receive and consider advice and informa-
8 tion from any private historical or educational orga-
9 nization, association, or society with respect to those
10 operations of the Capitol Guide Service which involve
11 the furnishing of historical and educational informa-
12 tion to the general public; and

13 (7) with the approval of the supervising Com-
14 mittees, to prescribe such regulations as the Chief
15 Executive Officer considers necessary and appro-
16 priate for the operation of the Capitol Guide Service,
17 including regulations with respect to tour routes and
18 hours of operation, number of visitors per guide,
19 staff-led tours, and non-law enforcement security
20 and special event related support.

21 (c) PROVISION OF ACCESSIBLE TOURS IN COORDINA-
22 TION WITH OFFICE OF CONGRESSIONAL ACCESSIBILITY
23 SERVICES.—The Chief Executive Officer shall coordinate
24 the provision of accessible tours for individuals with dis-

1 abilities with the Office of Congressional Accessibility
2 Services established under subtitle B.

3 **Subtitle B—Office of Congressional**
4 **Accessibility Services**

5 **SEC. 311. ESTABLISHMENT OF OFFICE OF CONGRESSIONAL**
6 **ACCESSIBILITY SERVICES.**

7 (a) ESTABLISHMENT.—There is established in the
8 legislative branch the Office of Congressional Accessibility
9 Services, to be headed by the Director of Accessibility
10 Services.

11 (b) SUPERVISION AND CONTROL.—The Office of
12 Congressional Accessibility Services shall be subject to the
13 direction, supervision, and control of the Capitol Police
14 Board.

15 (c) MISSION AND FUNCTIONS.—

16 (1) IN GENERAL.—The Office of Congressional
17 Accessibility Services shall—

18 (A) provide and coordinate accessibility
19 services for individuals with disabilities, includ-
20 ing Members of Congress, employees of the
21 House of Representatives and the Senate, and
22 visitors, in the United States Capitol Complex;
23 and

24 (B) in consultation with the Office of
25 House Employment Counsel and the Senate

1 Chief Counsel for Employment, provide infor-
2 mation regarding accessibility for individuals
3 with disabilities, as well as related training and
4 staff development, to Members of Congress and
5 employees of the House of Representatives and
6 Senate.

7 (2) SPECIFIC FUNCTIONS.—The Director of Ac-
8 cessibility Services shall submit to the supervising
9 Committees a list of the specific functions that the
10 Office of Congressional Accessibility Services will
11 perform in carrying out this subtitle with the ap-
12 proval of the supervising committees. The Director
13 of Accessibility Services shall submit the list not
14 later than 30 days after the transfer date.

15 (3) NO EFFECT ON AUTHORITY OF EMPLOY-
16 MENT COUNSELS.—Nothing in this subtitle shall be
17 construed to limit any authority or function of the
18 Office of House Employment Counsel or the Senate
19 Chief Counsel for Employment that such Office or
20 Counsel carries out prior to the transfer date.

21 (4) UNITED STATES CAPITOL COMPLEX DE-
22 FINED.—In this subsection, the term “United States
23 Capitol Complex” means the Capitol buildings (as
24 defined in section 5101 of title 40, United States

1 Code) and the United States Capitol Grounds (as
2 described in section 5102 of such title).

3 (d) CONFORMING AMENDMENT.—Section 310 of the
4 Legislative Branch Appropriations Act, 1990 (2 U.S.C.
5 130e) is repealed.

6 **SEC. 312. DIRECTOR OF ACCESSIBILITY SERVICES.**

7 (a) APPOINTMENT AND REMOVAL; COMPENSA-
8 TION.—

9 (1) APPOINTMENT.—The Director of Accessi-
10 bility Services shall be appointed by the Capitol Po-
11 lice Board.

12 (2) REMOVAL.—The Director of Accessibility
13 Services may be removed by the Capitol Police
14 Board, upon notification to the supervising Commit-
15 tees.

16 (3) COMPENSATION.—The Director of Accessi-
17 bility Services shall be paid at an annual rate of pay
18 determined by the Capitol Police Board, except that
19 such rate may not exceed the maximum rate payable
20 for level 15 of the General Schedule.

21 (4) TRANSITION FOR CURRENT HEAD OF CON-
22 GRESSIONAL SPECIAL SERVICES OFFICE OF CAPITOL
23 GUIDE SERVICE.—The individual serving as the head
24 of the Congressional Special Services Office of the
25 Capitol Guide Service as of the transfer date shall

1 be appointed by the Capitol Police Board as the first
2 Director of Accessibility Services under this subtitle.

3 (b) PERSONNEL AND OTHER ADMINISTRATIVE
4 FUNCTIONS.—

5 (1) PERSONNEL, DISBURSEMENTS, AND CON-
6 TRACTS.—In carrying out the functions of the Office
7 of Congressional Accessibility Services under section
8 311, the Director of Accessibility Services shall have
9 the authority—

10 (A) to appoint, hire, and fix the compensa-
11 tion of such personnel as may be necessary for
12 operations of the Office of Congressional Acces-
13 sibility Services, except that no employee may
14 be paid at an annual rate in excess of the an-
15 nual rate of pay for the Director of Accessibility
16 Services;

17 (B) to disburse funds as may be necessary
18 and available for the needs of the Office of Con-
19 gressional Accessibility Services; and

20 (C) to serve as contracting officer for the
21 Office of Congressional Accessibility Services.

22 (2) AGREEMENTS WITH THE OFFICE OF THE
23 ARCHITECT OF THE CAPITOL, WITH OTHER LEGISLA-
24 TIVE BRANCH AGENCIES, AND WITH OFFICES OF
25 THE SENATE AND HOUSE OF REPRESENTATIVES.—

1 Subject to the approval of the supervising Commit-
2 tees, the Director of Accessibility Services may place
3 orders and enter into agreements with the Office of
4 the Architect of the Capitol, with other legislative
5 branch agencies, and with any office or other entity
6 of the Senate or House of Representatives for pro-
7 curing goods and providing financial and administra-
8 tive services on behalf of the Office of Accessibility
9 Services, or to otherwise assist the Director in the
10 administration and management of the Office of Ac-
11 cessibility Services.

12 (c) SEMIANNUAL REPORTS.—The Director of Acces-
13 sibility Services shall submit a report to the supervising
14 Committees not later than 45 days following the close of
15 each semiannual period ending on June 30 or December
16 31 of each year on the financial and operational status
17 during the period of each function under the jurisdiction
18 of the Director. Each such report shall include financial
19 statements and a description or explanation of current op-
20 erations, the implementation of new policies and proce-
21 dures, and future plans for each function.

22 **SEC. 313. TRANSFER FROM CAPITOL GUIDE SERVICE.**

23 (a) TRANSFER OF AUTHORITIES AND PERSONNEL OF
24 CONGRESSIONAL SPECIAL SERVICES OFFICE OF CAPITOL

1 GUIDE SERVICE.—In accordance with the provisions of
2 this subtitle, effective on the transfer date—

3 (1) the contracts, liabilities, records, property,
4 and other assets and interests of the Congressional
5 Special Services Office of the Capitol Guide Service,
6 and the employees of such Office, are transferred to
7 the Office of Congressional Accessibility Services es-
8 tablished under section 311(a), except that the
9 transfer of any amounts appropriated to the Con-
10 gressional Special Services Office that remain avail-
11 able as of the transfer date shall occur only upon the
12 approval of the Committees on Appropriations of the
13 House of Representatives and Senate; and

14 (2) the employees of such Office shall be sub-
15 ject to the direction, supervision, and control of the
16 Director of Accessibility Services.

17 (b) TREATMENT OF EMPLOYEES AT TIME OF TRANS-
18 FER.—

19 (1) IN GENERAL.—Any individual who is an
20 employee of the Congressional Special Services Of-
21 fice of the Capitol Guide Service on a permanent
22 basis on the transfer date who is transferred under
23 subsection (a) shall be subject to authority of the
24 Director of Accessibility Services under section 312,
25 except that the individual shall not be reduced in

1 grade, compensation, rate of leave, or other benefits
2 that apply with respect to the individual at the time
3 of transfer while such individual remains continu-
4 ously so employed within the Office of Congressional
5 Accessibility Services established under section
6 311(a), other than for cause.

7 (2) ELIGIBILITY FOR IMMEDIATE RETIREMENT
8 ON BASIS OF INVOLUNTARY SEPARATION.—For pur-
9 poses of section 8336(d) and section 8414(b) of title
10 5, United States Code, an individual described in
11 paragraph (1) who is separated from service with
12 the Office of Congressional Accessibility Services
13 shall be considered to have separated from the serv-
14 ice involuntarily if, at the time the individual is sep-
15 arated from service—

16 (A) the individual has completed 25 years
17 of service under such title; or

18 (B) the individual has completed 20 years
19 of service under such title and is 50 years of
20 age or older.

21 (3) PROHIBITING IMPOSITION OF PROBA-
22 TIONARY PERIOD.—The Director of Accessibility
23 Services may not impose a period of probation with
24 respect to the transfer of any individual who is

1 transferred to the Office of Congressional Accessi-
2 bility Services under subsection (a).

3 **Subtitle C—Technical and**
4 **Conforming Amendments**

5 **SEC. 321. TECHNICAL AND CONFORMING AMENDMENTS.**

6 (a) EXISTING AUTHORITY OF CAPITOL GUIDE SERV-
7 ICE.—Section 441 of the Legislative Reorganization Act
8 of 1970 (2 U.S.C. 2166) is repealed.

9 (b) COVERAGE UNDER CONGRESSIONAL ACCOUNT-
10 ABILITY ACT OF 1995.—

11 (1) TREATMENT OF EMPLOYEES AS COVERED
12 EMPLOYEES.—Section 101(3)(C) of the Congres-
13 sional Accountability Act of 1995 (2 U.S.C.
14 1301(3)(C)) is amended to read as follows:

15 “(C) the Office of Congressional Accessi-
16 bility Services;”.

17 (2) TREATMENT OF OFFICE AS EMPLOYING OF-
18 FICE.—Section 101(9)(D) of such Act (2 U.S.C.
19 1301(9)(D)) is amended by striking “the Capitol
20 Guide Board,” and inserting “the Office of Congres-
21 sional Accessibility Services;”.

22 (3) RIGHTS AND PROTECTIONS RELATING TO
23 PUBLIC SERVICES AND ACCOMMODATIONS.—Section
24 210(a)(4) of such Act (2 U.S.C. 1331(a)(4)) is
25 amended to read as follows:

1 “(4) the Office of Congressional Accessibility
2 Services;”.

3 (4) PERIODIC INSPECTIONS FOR OCCUPATIONAL
4 SAFETY AND HEALTH COMPLIANCE.—Section
5 215(e)(1) of such Act (2 U.S.C. 1341(e)(1)) is
6 amended by striking “the Capitol Guide Service,”
7 and inserting “the Office of Congressional Accessi-
8 bility Services;”.

9 (c) TREATMENT AS CONGRESSIONAL EMPLOYEES
10 FOR RETIREMENT PURPOSES.—Section 2107(9) of title 5,
11 United States Code, is amended to read as follows:

12 “(9) an employee of the Office of Congressional
13 Accessibility Services.”.

14 (d) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect on the transfer date.

16 **Subtitle D—Transfer Date**

17 **SEC. 331. TRANSFER DATE.**

18 In this title, the “transfer date” means the date on
19 which the Chief Executive Officer, in consultation with the
20 Architect of the Capitol, certifies that a certificate of occu-
21 pancy for the Capitol Visitor Center has been issued by
22 the appropriate authorities.

1 **TITLE IV—GENERAL**
2 **PROVISIONS**

3 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated such sums
5 as are necessary to carry out this Act.

 Passed the House of Representatives March 5,
2008.

Attest:

Clerk.

110TH CONGRESS
2D Session

H. R. 5159

AN ACT

To establish the Office of the Capitol Visitor Center within the Office of the Architect of the Capitol, headed by the Chief Executive Officer for Visitor Services, to provide for the effective management and administration of the Capitol Visitor Center, and for other purposes.