

CAPITOL VISITOR CENTER ACT OF 2008

MARCH 3, 2008.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BRADY of Pennsylvania, from the Committee on House Administration, submitted the following

R E P O R T

[To accompany H.R. 5159]

[Including cost estimate of the Congressional Budget Office]

The Committee on House Administration, to whom was referred the bill (H.R. 5159) 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, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

(b) TABLE OF CONTENTS.—The table of contents of 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.

TITLE I—ADMINISTRATION AND MANAGEMENT OF CAPITOL VISITOR CENTER

Subtitle A—Description of Facility

SEC. 101. DESCRIPTION AND PURPOSES OF CAPITOL VISITOR CENTER.

(a) TREATMENT AS PART OF CAPITOL.—In this Act, the “Capitol Visitor Center” is the facility authorized for construction under the heading “Capitol Visitor Center” under chapter 5 of title II of division B of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–569), and such facility shall be considered to be part of the United States Capitol for all provisions of law in accordance with this Act.

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

- (1) provide enhanced security for persons working in or visiting the United States Capitol; and
- (2) improve the visitor experience by providing a structure that will afford improved visitor orientation and enhance the educational experience of those who have come to learn about Congress and the Capitol.

(c) CONFORMING AMENDMENT RELATING TO VISITOR CENTER SPACE IN THE CAPITOL.—Section 301 of the National Visitor Center Facilities Act of 1968 (2 U.S.C. 2165) is repealed.

SEC. 102. OVERSIGHT OF COMMITTEES.

The Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives (hereafter in this Act referred to as the “supervising Committees”) shall exercise policy review and oversight over the Capitol Visitor Center.

SEC. 103. SPECIAL RULE FOR CERTAIN SPACES IN THE CAPITOL VISITOR CENTER.

(a) SENATE AND HOUSE OF REPRESENTATIVES EXPANSION SPACE.—Notwithstanding any other provision of this Act, the Senate and House of Representatives expansion space described as “unassigned space” under the heading “Architect of the Capitol, Capitol Visitor Center” in the Legislative Branch Appropriations Act, 2002 (Public Law 107–68; 115 Stat. 588)—

- (1) shall not be treated as part of the Capitol Visitor Center for purposes of this Act; and
- (2) shall be treated for purposes of law (including rules of the House of Representatives and Senate)—

(A) in the case of space assigned for the use of the Senate, as part of the Senate wing of the Capitol and subject to the authority and control of the Committee on Rules and Administration of the Senate, or

- (B) in the case of space assigned for the use of the House, as part of the House of Representatives wing of the Capitol and subject to the authority and control of the Speaker.
- (b) TREATMENT OF CONGRESSIONAL AUDITORIUM AND RELATED ADJACENT AREAS.—
- (1) IN GENERAL.—Notwithstanding any other provision of this Act, the space in the Capitol Visitor Center known as the Congressional Auditorium, together with each of the areas referred to in paragraph (2), shall be assigned for Congressional use by the Chief Executive Officer for Visitor Services under guidelines established by the supervising Committees.
- (2) AREAS DESCRIBED.—The areas referred to in this paragraph are as follows, as identified and designated by the Architect of the Capitol on October 1, 2007:
- (A) The North Congressional Meeting Room (CVC268) and the South Congressional Meeting Room (CVC217).
- (B) The North Pre-function Area (CVC268CR) and the South Pre-function Area (CVC217CR).
- (C) Lobbies CVC215 and CVC 212.
- (D) The North Cloak Room (CVC210) and the South Cloak Room (CVC208).
- (E) The Projection Room (CVC209).
- (F) The Green Room (CVC207).
- (G) The TV Control Room (CVC105).
- (H) Offices CVC101, CVC102, CVC103, CVC104, CVC106, CVC204, and CVC205.

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

SEC. 111. ESTABLISHMENT.

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

SEC. 112. APPOINTMENT AND SUPERVISION OF CHIEF EXECUTIVE OFFICER FOR VISITOR SERVICES.

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

(b) SUPERVISION AND OVERSIGHT.—The Chief Executive Officer shall report directly to the Architect of the Capitol and shall be subject to policy review and oversight by the supervising Committees.

(c) REMOVAL.—Upon removal of the Chief Executive Officer, the Architect of the Capitol shall immediately notify the supervising Committees and the Committees on Appropriations of the House of Representatives and Senate, stating the reasons for the removal.

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

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

(1) APPOINTMENT.—The individual who serves as the Chief Executive Officer for Visitor Services under section 6701 of the U.S. Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriation Act of 2007 (2 U.S.C. 1806) as of the date of the enactment of this Act shall be the first Chief Executive Officer for Visitor Services appointed by the Architect under this section.

(2) CONFORMING AMENDMENT.—Section 6701 of the U.S. Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriation Act of 2007 (2 U.S.C. 1806) is repealed.

SEC. 113. GENERAL DUTIES OF CHIEF EXECUTIVE OFFICER.

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

(1) IN GENERAL.—Except to the extent otherwise provided in this Act, the Chief Executive Officer shall be responsible for—

(A) the operation, management, and budget preparation and execution of the Capitol Visitor Center, including all long term planning and day-to-day 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 PROVISIONS.—

(1) PERSONNEL, DISBURSEMENTS, AND CONTRACTS.—In carrying out this Act, the Chief Executive Officer shall have the authority—

(A) to appoint, hire, and fix the compensation of such personnel as may be necessary for operations of the Office, except that no employee may be paid at an annual rate in excess of the maximum rate payable for level 15 of the General Schedule unless otherwise authorized by law;

(B) to disburse funds as may be necessary and available for the needs of the Office (consistent with the requirements of section 213 in the case of amounts in the Capitol Visitor Center Revolving Fund); and

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

(2) TEMPORARY ASSIGNMENT OF PERSONNEL.—The Chief Executive Officer shall temporarily assign personnel of the Office based on a request from the Capitol Police Board to assist the United States Capitol Police by providing ushering and informational services, and other services not directly involving law enforcement, in connection with—

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

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

(C) other special or ceremonial occasions in the United States Capitol or on the United States Capitol Grounds that require the presence of additional Government personnel.

(3) AGREEMENTS WITH THE OFFICE OF THE ARCHITECT OF THE CAPITOL, WITH OTHER LEGISLATIVE BRANCH AGENCIES, AND WITH OFFICES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—Subject to the approval of the supervising Committees, the Chief Executive Officer may place orders and enter into agreements with the Office of the Architect of the Capitol, with other legislative branch agencies, and with any office or other entity of the Senate or House of Representatives for procuring goods and providing financial and administrative services on behalf of the Office, or to otherwise assist the Chief Executive Officer in the administration and management of the Capitol Visitor Center.

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

(d) SEMIANNUAL REPORTS.—The Chief Executive Officer shall submit a report to the supervising Committees not later than 45 days following the close of each semi-annual period ending on June 30 or December 31 of each year on the financial and operational status during the period of each function under the jurisdiction of the Chief Executive Officer. Each such report shall include financial statements and a description or explanation of current operations, the implementation of new policies and procedures, and future plans for each function.

SEC. 114. ACCEPTANCE OF GIFTS AND VOLUNTEER SERVICES.

(a) ACCEPTANCE OF GIFTS.—

(1) AUTHORITY TO ACCEPT AND USE GIFTS.—The Chief Executive Officer, with the approval of the supervising Committees, is authorized to receive, accept, and hold unrestricted gifts of money on behalf of the Capitol Visitor Center, and to use the gifts for the benefit of the Capitol Visitor Center

(2) ACCEPTANCE OF GIFTS OF WORKS OF ART AND OTHER RELATED OBJECTS BY OTHER LEGISLATIVE BRANCH ENTITIES.—

(A) IN GENERAL.—In the case of a gift consisting of a work of art, historical object, or exhibit for which the authority to accept the gift for display in the Capitol is provided to an entity referred to in subparagraph (B), the entity shall have the authority to accept the gift for display in the Capitol

Visitor Center in accordance with the authority provided under applicable law.

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

(i) The Joint Committee on the Library under section 1831 of the Revised Statutes of the United States (2 U.S.C. 2133).

(ii) The United States Capitol Preservation Commission under section 801 of the Arizona-Idaho Conservation Act of 1988 (2 U.S.C. 2081).

(iii) The House of Representatives Fine Arts Board under section 1000 of the Arizona-Idaho Conservation Act of 1988 (2 U.S.C. 2121).

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

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

(b) ACCEPTANCE OF VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Chief Executive Officer may accept and use voluntary and uncompensated services for the Capitol Visitor Center as the Chief Executive Officer determines necessary. No person shall be permitted to donate his or her personal services under this section unless such person has first agreed, in writing, to waive any and all claims against the United States arising out of or connection with such services, other than a claim under the provisions of chapter 81 of title 5, United States Code. No person donating personal services under this section shall be considered an employee of the United States for any purpose other than for purposes of chapter 81 of such title. In no case shall the acceptance of personal services under this subsection result in the reduction of pay or displacement of any employee of the Office.

SEC. 115. SPECIAL RULES REGARDING CERTAIN ADMINISTRATIVE MATTERS.

(a) SPECIAL RULES REGARDING SECURITY.—

(1) SECURITY JURISDICTION OF LAW ENFORCEMENT AGENCIES UNAFFECTED.—Nothing in this Act granting any authority to the Chief Executive Officer shall be construed to affect the exclusive jurisdiction of the United States Capitol Police, the Capitol Police Board, the Sergeant at Arms and Doorkeeper of the Senate, and the Sergeant at Arms of the House of Representatives to provide security for the Capitol Visitor Center.

(2) ATTENDANCE OF CHIEF EXECUTIVE OFFICER AT CERTAIN MEETINGS OF CAPITOL POLICE BOARD.—At the request of the Capitol Police Board, the Chief Executive Officer shall attend any portion of any meeting of the Capitol Police Board during which the Board considers issues relating to the security of the Capitol Visitor Center, including activities described in paragraph (3), or other issues relating to services provided by employees of the Office.

(3) CONSULTATION WITH CAPITOL POLICE BOARD ON SECURITY MATTERS.—The Office shall consult with the Capitol Police Board in carrying out any activity which affects the security of the Capitol Visitor Center or any other part of the Capitol, including activities relating to the hours of operation, tour routes and the number of visitors per tour guide, and other activities relating to the entry of members of the general public into the Capitol and the movement of members of the general public within the Capitol.

(4) PLAN FOR BACKGROUND CHECKS FOR EMPLOYEES.—The Chief Executive Officer, in coordination with the Chief of the Capitol Police, shall develop plans and procedures for conducting criminal history background checks on employees of the Office and individuals seeking employment with the Office (including employees of the Capitol Guide Service who are transferred to the Office under title III).

(b) SPECIAL RULES REGARDING CARE AND MAINTENANCE OF FACILITIES.—

(1) ARCHITECT OF THE CAPITOL JURISDICTION UNAFFECTED.—Nothing in this Act granting any authority to the Chief Executive Officer (including section 114) shall be construed to affect the exclusive jurisdiction of the Architect of the Capitol for the care and superintendence of the Capitol Visitor Center or any other part of the Capitol, and all maintenance services, groundskeeping services, improvements, alterations, additions, and repairs for the Capitol Visitor Center shall be carried out pursuant to the direction and supervision of the Architect subject to the oversight of Congress under applicable law (including rules of the House of Representatives and Senate).

(2) BUDGET SUBMISSION.—The Architect of the Capitol shall submit with the annual budget for the Office of the Architect of the Capitol for a fiscal year a separate, detailed statement of the costs anticipated to be incurred during the

year for the activities and services described in paragraph (1) which are excluded from the annual budget for the Office which is submitted by the Chief Executive Officer under section 113(a)(2).

(c) SPECIAL RULE REGARDING EXHIBITS AND TOURS.—The Chief Executive Officer shall consider comments and recommendations from the Clerk of the House of Representatives and the Secretary of the Senate regarding the content of exhibits contained in and tours operated out of the Capitol Visitor Center.

TITLE II—RELATED SERVICES PROVIDED AT CAPITOL VISITOR CENTER

Subtitle A—Related Services Described

SEC. 201. GIFT SHOP.

(a) ESTABLISHMENT.—In consultation with the supervising Committees, the Chief Executive Officer shall establish a gift shop within the Capitol Visitor Center for the purpose of providing for the sale of gift items.

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

SEC. 202. FOOD SERVICE OPERATIONS.

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

(b) USE OF CONTRACT TO CARRY OUT FOOD SERVICE OPERATIONS.—The Chief Executive Officer shall carry out all food service operations within the Capitol Visitor Center pursuant to a contract entered into with a private vendor.

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

SEC. 203. LICENSES AND OTHER AGREEMENTS FOR OPERATIONS OR OTHER FUNCTIONS.

(a) AUTHORITY.—The Chief Executive Officer is authorized—

(1) subject to the approval of the supervising Committees, to enter into licenses and other agreements to allow operations or other functions to occur within the Capitol Visitor Center; and

(2) to assess and collect charges or other fees as may be appropriate under such licenses and agreements, including the recoupment of costs associated with the operation or function being held.

(b) EXCEPTION TO PROHIBITION OF SALE OR SOLICITATION ON CAPITOL GROUNDS.—To the extent that a license or agreement entered into by the Chief Executive Officer under this section permits any person to sell or solicit the sale of goods or services within the Capitol Visitor Center, section 5104(c) of title 40, United States Code, shall not apply to the sale or solicitation of sales of such goods or services.

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

Subtitle B—Capitol Visitor Center Revolving Fund

SEC. 211. ESTABLISHMENT; ACCOUNTS.

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

- (1) The Gift Shop Account.
- (2) The Miscellaneous Receipts Account.

SEC. 212. DEPOSITS IN THE FUND.

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

(b) MISCELLANEOUS RECEIPTS ACCOUNT.—There shall be deposited in the Miscellaneous Receipts Account each of the following (together with any interest accrued on balances in the Account):

- (1) Any gifts of money accepted under section 114(a).
- (2) Any net profits or commissions paid to the Capitol Visitor Center under any contract for food service operations entered into under section 202(b).
- (3) Any charges or fees collected from the operations or other functions within the Capitol Visitor Center under licenses or other arrangements entered into under section 203(a).
- (4) Any other receipts received from the operation of the Capitol Visitor Center

SEC. 213. USE OF MONIES.

(a) **GIFT SHOP ACCOUNT.**—

(1) **IN GENERAL.**—All monies in the Gift Shop Account shall be available without fiscal year limitation for obligation by the Chief Executive Officer in connection with the operation of the gift shops under section 201(a), including supplies, inventories, equipment, and other expenses. In addition, such monies may be used by the Chief Executive Officer to reimburse any applicable appropriations account for amounts used from such appropriations account to pay the salaries of employees of the gift shops.

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

- (A) the supervising Committees; and
- (B) the Committees on Appropriations of the House of Representatives and Senate.

(b) **MISCELLANEOUS RECEIPTS ACCOUNT.**—All monies in the Miscellaneous Receipts Account shall be available without fiscal year limitation for obligation by the Chief Executive Officer for the operations of the Capitol Visitor Center, after consultation with—

- (1) the supervising Committees; and
- (2) the Committees on Appropriations of the House of Representatives and Senate.

SEC. 214. ADMINISTRATION OF FUND.

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

(b) **INVESTMENT AUTHORITY.**—The Secretary of the Treasury shall invest any portion of the Fund that, as determined by the Chief Executive Officer, is not required to meet current expenses. Each investment shall be made in an interest-bearing obligation of the United States or an obligation guaranteed both as to principal and interest by the United States that, as determined by the Chief Executive Officer, has a maturity date suitable for the purposes of the Fund. The Secretary of the Treasury shall credit interest earned on the obligations to the Fund.

(c) **AUDIT.**—The Fund shall be subject to audit by the Comptroller General at the discretion of the Comptroller General.

TITLE III—TREATMENT OF CAPITOL GUIDE SERVICE

Subtitle A—Transfer to Office of the Capitol Visitor Center

SEC. 301. TRANSFER OF CAPITOL GUIDE SERVICE.

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

(1) the contracts, liabilities, records, property, and other assets and interests of the Capitol Guide Service, established pursuant to section 441 of the Legislative Reorganization Act of 1970 (2 U.S.C. 2166), and the employees of the Capitol Guide Service, are transferred to the Office, except that the transfer of any amounts appropriated to the Capitol Guide Service that remain available as of the transfer date shall occur only upon the approval of the Committees on Appropriations of the House of Representatives and Senate; and

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

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

(1) IN GENERAL.—Any individual who is an employee of the Capitol Guide Service on a permanent basis on the transfer date who is transferred to the Office under subsection (a) shall be subject to authority of the Chief Executive Officer under section 302(b), except that the individual shall not be reduced in grade, compensation, rate of leave, or other benefits that apply with respect to the individual at the time of transfer while such individual remains continuously so employed as a Capitol Guide within the Office, other than for cause.

(2) ELIGIBILITY FOR IMMEDIATE RETIREMENT ON BASIS OF INVOLUNTARY SEPARATION.—For purposes of sections 8336(d) and section 8414(b) of title 5, United States Code, an individual described in paragraph (1) who is separated from service with the Office shall be considered to have separated from the service involuntarily if, at the time the individual is separated from service—

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

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

(3) CONTINUATION OF PARTICIPATION IN STUDENT LOAN REPAYMENT PROGRAM.—Notwithstanding any other provision of law, if an individual described in paragraph (1) has a written service agreement in effect under section 102 of the Legislative Branch Appropriations Act, 2002 (2 U.S.C. 60c-5) at the time the individual is transferred to the Office, the agreement shall remain in effect in accordance with the terms and conditions applicable to the agreement at the time the individual is transferred (including the provisions of such section permitting the individual to enter into additional service agreements for successive 1-year periods of employment), except that in applying such section to the individual, the following shall apply:

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

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

(C) Any reference to the Committee on Rules and Administration of the Senate and the Committee on Appropriations of the Senate shall be treated as a reference to the supervising Committees.

(D) If the individual is required to make any reimbursement under such section with respect to payments made after the individual is transferred, the individual shall reimburse the Office of the Architect of the Capitol.

(4) PROHIBITING IMPOSITION OF PROBATIONARY PERIOD.—The Chief Executive Officer may not impose a period of probation with respect to the transfer of any individual who is transferred to the Office under subsection (a).

(c) EXCEPTION FOR CONGRESSIONAL SPECIAL SERVICES OFFICE.—This section does not apply with respect to any employees, contracts, liabilities, records, property, and other assets and interests of the Congressional Special Services Office of the Capitol Guide Service that are transferred to the Office of Congressional Accessibility Services under subtitle B.

SEC. 302. DUTIES OF EMPLOYEES OF CAPITOL GUIDE SERVICE.

(a) PROVISION OF GUIDED TOURS.—

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

(2) ACCEPTANCE OF FEES PROHIBITED.—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.

(3) REGULATIONS OF CHIEF EXECUTIVE OFFICER.—All such tours shall be conducted in compliance with regulations approved by the Chief Executive Officer.

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

(1) subject to the availability of appropriations, to establish and revise such number of positions of Guide in the Capitol Guide Service as the Chief Executive Officer 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 and such deputies as the Chief Executive Officer considers appropriate for the effective administration of the Capitol Guide Service and, in addition, such number of Guides as may be authorized;

(3) with the approval of the supervising Committees, with respect to the individuals appointed pursuant to paragraph (2)—

- (A) to prescribe the individual's duties and responsibilities,
 - (B) to fix, and adjust from time to time, respective rates of pay at single per annum (gross) rates, and
 - (C) to take appropriate disciplinary action, including, when circumstances warrant, suspension from duty without pay, reduction in pay, demotion, or termination of employment with the Capitol Guide Service, against any employee who violates any provision of this section or any regulation prescribed by the Chief Executive Officer pursuant to paragraph (7);
 - (4) to prescribe a uniform dress, including appropriate insignia, which shall be worn by personnel of the Capitol Guide Service;
 - (5) from time to time and as may be necessary, to procure and furnish such uniforms to such personnel without charge to such personnel;
 - (6) to 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; and
 - (7) with the approval of the supervising Committees, to prescribe such regulations as the Chief Executive Officer considers necessary and appropriate for the operation of the Capitol Guide Service, including regulations with respect to tour routes and hours of operation, number of visitors per guide, staff-led tours, and non-law enforcement security and special event related support.
- (c) **PROVISION OF ACCESSIBLE TOURS IN COORDINATION WITH OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES.**—The Chief Executive Officer shall coordinate the provision of accessible tours for individuals with disabilities with the Office of Congressional Accessibility Services established under subtitle B.

Subtitle B—Office of Congressional Accessibility Services

SEC. 311. ESTABLISHMENT OF OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES.

- (a) **ESTABLISHMENT.**—There is established in the legislative branch the Office of Congressional Accessibility Services, to be headed by the Director of Accessibility Services.
- (b) **SUPERVISION AND CONTROL.**—The Office of Congressional Accessibility Services shall be subject to the direction, supervision, and control of the Capitol Police Board.
- (c) **MISSION AND FUNCTIONS.**—
 - (1) **IN GENERAL.**—The Office of Congressional Accessibility Services shall—
 - (A) provide and coordinate accessibility services for individuals with disabilities, including Members of Congress, employees of the House of Representatives and the Senate, and visitors, in the United States Capitol Complex; and
 - (B) in consultation with the Office of House Employment Counsel and the Senate Chief Counsel for Employment, provide information regarding accessibility for individuals with disabilities, as well as related training and staff development, to Members of Congress and employees of the House of Representatives and Senate.
 - (2) **SPECIFIC FUNCTIONS.**—The Director of Accessibility Services shall submit to the supervising Committees a list of the specific functions that the Office of Congressional Accessibility Services will perform in carrying out this subtitle with the approval of the supervising committees. The Director of Accessibility Services shall submit the list not later than 30 days after the transfer date.
 - (3) **NO EFFECT ON AUTHORITY OF EMPLOYMENT COUNSELS.**—Nothing in this subtitle shall be construed to limit any authority or function of the Office of House Employment Counsel or the Senate Chief Counsel for Employment that such Office or Counsel carries out prior to the transfer date.
 - (4) **UNITED STATES CAPITOL COMPLEX DEFINED.**—In this subsection, the term “United States Capitol Complex” means the Capitol buildings (as defined in section 5101 of title 40, United States Code) and the United States Capitol Grounds (as described in section 5102 of such title).
- (d) **CONFORMING AMENDMENT.**—Section 310 of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 130e) is repealed.

SEC. 312. DIRECTOR OF ACCESSIBILITY SERVICES.

- (a) **APPOINTMENT AND REMOVAL; COMPENSATION.**—
 - (1) **APPOINTMENT.**—The Director of Accessibility Services shall be appointed by the Capitol Police Board.

(2) REMOVAL.—The Director of Accessibility Services may be removed by the Capitol Police Board, upon notification to the supervising Committees.

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

(4) TRANSITION FOR CURRENT HEAD OF CONGRESSIONAL SPECIAL SERVICES OFFICE OF CAPITOL GUIDE SERVICE.—The individual serving as the head of the Congressional Special Services Office of the Capitol Guide Service as of the transfer date shall be appointed by the Capitol Police Board as the first Director of Accessibility Services under this subtitle.

(b) PERSONNEL AND OTHER ADMINISTRATIVE FUNCTIONS.—

(1) PERSONNEL, DISBURSEMENTS, AND CONTRACTS.—In carrying out the functions of the Office of Congressional Accessibility Services under section 311, the Director of Accessibility Services shall have the authority—

(A) to appoint, hire, and fix the compensation of such personnel as may be necessary for operations of the Office of Congressional Accessibility Services, except that no employee may be paid at an annual rate in excess of the annual rate of pay for the Director of Accessibility Services;

(B) to disburse funds as may be necessary and available for the needs of the Office of Congressional Accessibility Services; and

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

(2) AGREEMENTS WITH THE OFFICE OF THE ARCHITECT OF THE CAPITOL, WITH OTHER LEGISLATIVE BRANCH AGENCIES, AND WITH OFFICES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—Subject to the approval of the supervising Committees, the Director of Accessibility Services may place orders and enter into agreements with the Office of the Architect of the Capitol, with other legislative branch agencies, and with any office or other entity of the Senate or House of Representatives for procuring goods and providing financial and administrative services on behalf of the Office of Accessibility Services, or to otherwise assist the Director in the administration and management of the Office of Accessibility Services.

(c) SEMIANNUAL REPORTS.—The Director of Accessibility Services shall submit a report to the supervising Committees not later than 45 days following the close of each semiannual period ending on June 30 or December 31 of each year on the financial and operational status during the period of each function under the jurisdiction of the Director. Each such report shall include financial statements and a description or explanation of current operations, the implementation of new policies and procedures, and future plans for each function.

SEC. 313. TRANSFER FROM CAPITOL GUIDE SERVICE.

(a) TRANSFER OF AUTHORITIES AND PERSONNEL OF CONGRESSIONAL SPECIAL SERVICES OFFICE OF CAPITOL GUIDE SERVICE.—In accordance with the provisions of this subtitle, effective on the transfer date—

(1) the contracts, liabilities, records, property, and other assets and interests of the Congressional Special Services Office of the Capitol Guide Service, and the employees of such Office, are transferred to the Office of Congressional Accessibility Services established under section 311(a), except that the transfer of any amounts appropriated to the Congressional Special Services Office that remain available as of the transfer date shall occur only upon the approval of the Committees on Appropriations of the House of Representatives and Senate; and

(2) the employees of such Office shall be subject to the direction, supervision, and control of the Director of Accessibility Services.

(b) TREATMENT OF EMPLOYEES AT TIME OF TRANSFER.—

(1) IN GENERAL.—Any individual who is an employee of the Congressional Special Services Office of the Capitol Guide Service on a permanent basis on the transfer date who is transferred under subsection (a) shall be subject to authority of the Director of Accessibility Services under section 312, except that the individual shall not be reduced in grade, compensation, rate of leave, or other benefits that apply with respect to the individual at the time of transfer while such individual remains continuously so employed within the Office of Congressional Accessibility Services established under section 311(a), other than for cause.

(2) ELIGIBILITY FOR IMMEDIATE RETIREMENT ON BASIS OF INVOLUNTARY SEPARATION.—For purposes of section 8336(d) and section 8414(b) of title 5, United States Code, an individual described in paragraph (1) who is separated from service with the Office of Congressional Accessibility Services shall be consid-

ered to have separated from the service involuntarily if, at the time the individual is separated from service—

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

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

(3) PROHIBITING IMPOSITION OF PROBATIONARY PERIOD.—The Director of Accessibility Services may not impose a period of probation with respect to the transfer of any individual who is transferred to the Office of Congressional Accessibility Services under subsection (a).

Subtitle C—Technical and Conforming Amendments

SEC. 321. TECHNICAL AND CONFORMING AMENDMENTS.

(a) EXISTING AUTHORITY OF CAPITOL GUIDE SERVICE.—Section 441 of the Legislative Reorganization Act of 1970 (2 U.S.C. 2166) is repealed.

(b) COVERAGE UNDER CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(1) TREATMENT OF EMPLOYEES AS COVERED EMPLOYEES.—Section 101(3)(C) of the Congressional Accountability Act of 1995 (2 U.S.C. 1301(3)(C)) is amended to read as follows:

“(C) the Office of Congressional Accessibility Services;”.

(2) TREATMENT OF OFFICE AS EMPLOYING OFFICE.—Section 101(9)(D) of such Act (2 U.S.C. 1301(9)(D)) is amended by striking “the Capitol Guide Board,” and inserting “the Office of Congressional Accessibility Services,”.

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

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

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

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

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

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

Subtitle D—Transfer Date

SEC. 331. TRANSFER DATE.

In this title, the “transfer date” means the date on which the Chief Executive Officer, in consultation with the Architect of the Capitol, certifies that a certificate of occupancy for the Capitol Visitor Center has been issued by the appropriate authorities.

TITLE IV—GENERAL PROVISIONS

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

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

PURPOSE OF THE LEGISLATION

The Capitol Visitor Center Act of 2008 (H.R. 5159) provides for the management and administration of the Capitol Visitor Center, provided for by H.R. 4328, FY1999 Omnibus Consolidated and Emergency Supplemental Appropriations Act (Public Law 105–277).

BILL SUMMARY

H.R. 5159 establishes a framework for the day to day operations, management and overview of the Capitol Visitor Center.

To accomplish this goal, the bill: (1) provides a legal description of the Capitol Visitor Center and its intended purposes; (2) designates the committees that shall exercise policy review and oversight over the Visitor Center; (3) establishes rules for the use of certain spaces in the Center; (4) establishes the Office of the Capitol Visitor Center within the Office of the Architect of the Capitol, transfers the Chief Executive Officer for Visitor Services to the Office of the Capitol Visitor Center, and defines the general duties and functions of the Office; (5) establishes related Visitor Center services such as the gift shop and restaurants; (6) establishes in the Treasury of the United States a revolving fund to be known as the Capitol Visitor Center Revolving Fund; (7) transfers the Capitol Guide Service to the Office of the Capitol Visitor Center; and (8) establishes the Office of Congressional Accessibility Services headed by a Director of Accessibility Services.

COMMITTEE CONSIDERATION

On Wednesday, October 17, 2007, the Committee held a hearing dealing with oversight and operational issues pertaining to the Capitol Visitor Center. The issues and organizational structure discussed at that hearing helped to form the foundation of H.R. 5159, introduced by Chairman Brady and Ranking Minority Member Ehlers on January 29, 2008. On February 12, 2008, the Committee considered H.R. 5159 and ordered it reported favorably to the House with one amendment. No recorded votes were taken during the Committee's consideration of the bill.

BACKGROUND AND NEED FOR H.R. 5159

The idea for the implementation of a centrally located facility to better manage visitors to the U.S. Capitol had been discussed since the 104th Congress. Bills were introduced in both the House (H.R. 1230) and Senate (S. 954) during the 104th Congress to authorize the implementation and construction of a Capitol Visitor Center but no action was taken on either bill.

During the 105th Congress three bills were introduced; two in the House (H.R. 20 and H.R. 4347) and one in the Senate (S. 1508). All three bills authorized the planning and construction of a Capitol Visitor Center, but none of these bills was reported out of the committees to which they were referred.

However, the 1998 entry into the Capitol by a gunman and shooting of two Capitol Police officers illustrated the security vulnerabilities of the Capitol complex. As a result, language was included in H.R. 4328, the Omnibus Consolidated and Emergency Supplemental Appropriations Act for FY1999, which provided money for the planning, design and construction of a Capitol Visitor Center.

A design and engineering obligation plan was approved by the House and Senate legislative appropriations subcommittees in November 1999 and January 2000. Design development work for the center was started on January 31, 2000, and on June 20, 2000 a ceremonial groundbreaking took place.

The Capitol Visitor Center constitutes the largest expansion to the Capitol complex since the Civil War. With the center currently scheduled to open in the fall of 2008, the Center needs an established blueprint for its internal operations and organization in order to carry out the main objectives of the Center: security, functional improvements, visitor education and comfort (1999 Revalidation Study, p.7).

CONGRESS OF THE UNITED STATES,
Washington, DC, March 30, 2007.

Mr. STEPHEN AYERS,
Acting Architect of the Capitol, The Capitol, Washington, DC.

DEAR MR. AYERS: As we move closer to the completion of the Capitol Visitor Center (CVC), operational planning has taken on great importance. Two critical issues that impact the operations of the CVC are the administration of the facility and recruiting a qualified person to manage the operations of the facility.

The bi-cameral and bi-partisan Leadership of the 110th Congress has concluded that the management of the operations and administration of the CVC, including the administration and management of its facilities and visitor services, should be carried out within the Architect of the Capitol's (AOC) organization. That conclusion is based on the condition that managing the operations and administration of the CVC shall be carried out as a separate, self-contained line of business for the AOC, independently run under the direct management of a Chief Executive Officer for Visitor Services (CEOVS), who reports to the AOC, as well as to the Committees of the House of Representatives and the Senate with responsibilities for the operation, management and funding of the CVC. Although the Architect will be responsible for the CVC, we expect the CEOVS to: conduct both long term planning and day-to-day operations; interact and be the CVC point person with leadership and oversight committees; develop and prepare the CVC budget; be responsible for the efficiency and effectiveness of the visitor experience; and be the outside spokesperson for the CVC. The annual rate of pay for the CEOVS shall be equivalent to that of the AOC's Chief Operating Officer.

To maximize the effectiveness of the visitor services component in CVC operations, we also conclude that the Capitol Guide Service be part of this independently run function, under the management of the AOC, but specifically reporting to the CEOVS.

We recognize that in order to effect these changes statutory modifications appear to be necessary. Notwithstanding the timing of such legislation, we encourage you to start planning for CVC operations under this structure and to begin recruitment for and subsequently hire a Chief Executive Officer for Visitor Services as soon as possible.

Oversight responsibility for the operations of the CVC, including the CEOVS and the Capitol Guide Service, shall rest with the Senate Rules Committee and the Committee on House Administration.

As you know, under current statutes, the Capitol Preservation Commission (CPC) and the respective Committees on Appropriations will continue their responsibilities over the CVC.

We look forward to working with you and the appropriate Committees to bring about these organizational changes; and your con-

tinued consultation, as you plan for the management, operation and opening of the CVC.

Sincerely,

HARRY REID,
Majority Leader, U.S. Senate.

NANCY PELOSI,
Speaker, U.S. House of Representatives.

MITCH MCCONNELL,
Republican Leader, U.S. Senate.

JOHN A. BOEHNER,
Republican Leader, U.S. House of Representatives.

ANALYSIS OF THE BILL (AS REPORTED)

Section 1. Short title of the Act—(the “Capitol Visitor Center Act of 2008”).

Section 101. This section provides a legal definition of the “Capitol Visitor Center.” Under this provision the Capitol Visitor Center shall be considered to be part of the United States Capitol for all provisions of law. The section lays out the purposes of the Capitol Visitor Center (1) to provide enhanced security for persons working in or visiting the Capitol; and (2) to improve the experience of Visitor to the Capitol by providing a structure that will improve visitor orientation and enhance the educational experience of visiting the Capitol. This section also repeals provisions of the National Visitor Center Facilities Act of 1968 pertaining to the availability and use of existing visitor space in the Capitol building.

Section 102. This section designates the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House as the committees that shall exercise policy review and oversight of the Capitol Visitor Center.

Section 103. This section stipulates that the Senate and House expansion space are not to be treated as part of the Capitol Visitor Center for the purposes of the Act. The space assigned for the use of the Senate would be considered part of the Senate wing of the Capitol and subject to the authority and control of the Committee on Rules and Administration of the Senate. The space assigned for the use of the House would be considered part of the House wing of the Capitol and subject to the authority and control of the Speaker.

This section further provides that certain spaces in the Capitol Visitor Center be assigned for congressional use by the Chief Executive Officer for Visitor Services, under guidelines established by the Committee on House Administration and the Committee on Rules and Administration of the Senate.

The following rooms would be assigned for use in this manner: the Congressional Auditorium; the North and South Congressional Meeting Rooms (CVC268 and CVC217); the North and South Prefunction Areas (CVC268CR and CVC217CR); Lobbies CVC215 and CVC212; the North and South Cloak Rooms (CVC210 and CVC208); the Projection Room (CVC209); the Green Room

(CVC207); the TV Control Room (CVC105); and Offices CVC101, CVC102, CVC103, CVC104, CVC106, CVC204, and CVC205.

Section 111. This section establishes 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.

Section 112. This section provides that the Chief Executive Officer shall be appointed by the Architect of the Capitol. The Chief Executive Officer reports directly to the Architect of the Capitol and is subject to policy review and oversight of the Committee on House Administration and the Committee on Rules and Administration of the Senate.

This section also stipulates that upon removal of the Chief Executive Officer, the Architect of the Capitol shall immediately notify the Committee on House Administration and the Committee on Rules and Administration of the Senate, as well as the House and Senate Appropriations Committees, stating the reasons for removal.

The Chief Executive Officer shall be paid at the annual rate equal to the Deputy Architect of the Capitol and the Chief Operating Officer of the Office of the Architect of the Capitol.

The current Chief Executive Officer for Visitor Services as of the date of enactment of the Act shall become the first Chief Executive Officer for Visitor Services appointed by the Architect under this section.

This section also includes conforming provisions that repeal existing law regarding the position, compensation, and duties of the Chief Executive Officer for Visitor Services.

Section 113. This section defines the duties of the Chief Executive Officer for Visitor Services. The Chief Executive Officer would be responsible for the operation, management, and execution of the Capitol Visitor Center, including all long-term planning and day-to-day operations. The Chief Executive Officer would also be responsible for the management of guided tours of the interior of the Capitol, as provided in Title III.

The Chief Executive Officer would prepare the proposed budget for the Office of the Capitol Visitor Center, and the proposed budget would be included without revision in the proposed budget for the year for the Office of the Architect of the Capitol. The Chief Executive Officer would exclude from a proposed budget costs attributable to the care and superintendence of the Capitol Visitor Center, as provided in Section 115 of Title I.

The Chief Executive Officer would have authority to hire personnel as may be necessary for operations of the Office. The maximum pay rate for such personnel is set at the maximum rate payable for level 15 of the General Schedule. The Chief Executive Officer would have the authority to disburse funds for the needs of the Office and to designate an employee of the Office to serve as the contracting officer.

The Chief Executive Officer shall assign office personnel to the Capitol Police upon request of the Capitol Police Board for services not directly involving law enforcement, in connection with the Presidential and Vice-Presidential Inauguration; the official reception of representatives of foreign nations; and other special or ceremonial occasions.

The Chief Executive Officer is authorized to place orders and enter into agreements with the Office of the Architect, other legislative branch agencies, and with entities of the House and Senate for procuring goods or providing assistance in the administration and management of the Office, subject to approval of the Committee on House Administration and the Committee on Rules and Administration of the Senate. The Chief Executive Officer may not enter into contracts for amounts over \$250,000 without prior approval from the supervising Committees.

The Chief Executive Officer is directed to submit a semi-annual report to the Committee on House Administration and the Committee on Rules and Administration of the Senate, which would include financial statements.

Section 114. This section authorizes the Chief Executive Officer, with the approval of the supervising Committees, to accept gifts of money on behalf of the Capitol Visitor Center. It also authorizes the Joint Committee on the Library, the United States Capitol Preservation Commission, the House of Representatives Fine Arts Board, and the Senate Commission on Art to accept any works of art, historical objects, or exhibits for display in the Capitol Visitor Center that they otherwise would have the authority to accept.

The section stipulates that the semi-annual report of the Chief Executive Officer should include a description of each gift accepted. The Chief Executive Officer is authorized to accept volunteer and uncompensated services. However, all volunteers would be required to waive all claims against the United States arising out of or connected to such services, except for claims under chapter 81 of Title 5. Volunteers would not be considered employees of the United States, except under chapter 81 of Title 5. The acceptance of volunteer services may not result in the reduction of pay or displacement of an employee of the Office.

Section 115. This section clarifies that nothing in the Act granting authority to the Chief Executive Officer would be construed as affecting the jurisdiction of the Capitol police, the Capitol Police Board, the Sergeant at Arms and Doorkeeper of the Senate, and the Sergeant at Arms of the House to provide security for the Capitol Visitor Center. At the request of the Capitol Police Board, the Chief Executive Officer shall attend meetings of the Capitol Police Board relating to the Capitol Visitor Center, and that the Chief Executive Officer shall consult with the Capitol Police Board in carrying out any activity that affects the security of the Capitol Visitor Center or any other part of the Capitol. The Chief Executive Officer is directed to develop, in coordination with the Chief of the Capitol Police, plans and procedures for conducting criminal background checks on employees and those seeking employment in the Office.

This section also stipulates that nothing in the Act granting authority to the Chief Executive Officer shall be construed as affecting the jurisdiction of the Architect of the Capitol for care and superintendence of the Capitol Visitor Center or any part of the Capitol.

The Architect of the Capitol is directed to submit a separate statement, with the annual budget for the Office of the Architect, of the costs of care and superintendence of the Capitol Visitor Center.

The Chief Executive Officer is directed to consider comments and recommendations from the Clerk of the House and the Secretary of the Senate regarding exhibits and tours.

Section 201. This section provides for the Chief Executive Officer, in consultation with the supervising Committees, to establish a gift shop within the Capitol Visitor Center, and exempt the gift shop from the prohibition on sales and signs in 40 U.S.C. § 5104(c).

Section 202. This section establishes a restaurant and other food service facilities within the Capitol Visitor Center, including catering services and vending machines. All food service operations are required to be carried out pursuant to a contract with a private vendor. Food services are exempt from the prohibition on sales and signs in 40 U.S.C. § 5104(c).

The section prohibits all events other than those for the defined purposes of the Capitol Visitor Center from being held in the central hall unless authorized by a resolution agreed to by both houses of the Congress.

Section 211. This section establishes a revolving fund in the Treasury of the United States known as the Capitol Visitor Center Revolving Fund with two individual accounts: the Gift Shop Account and the Miscellaneous Receipts Account.

Section 212. This section stipulates that all monies received by the gift shop are to be deposited in the Gift Shop Account. The Miscellaneous Receipts Account would receive all gifts of money, all net profits or commissions paid to the Capitol Visitor Center under any food service contract, any charges or fees collected under licenses or other arrangements, and any other receipts received from the operation of the Capitol Visitor Center.

Section 213. This section provides that all monies in the Gift Shop Account be available without fiscal year limitation for obligation by the Chief Executive Officer in connection with the operation of the gift shop or to reimburse any applicable appropriations account for amounts used to pay the salaries of employees of the gift shop. Any monies available after such obligations and reimbursements could be obligated by the Chief Executive Officer for the operations of the Capitol Visitor Center after consultation with the supervising Committees and the Committees on Appropriations of the House and Senate.

This section establishes that all monies in the Miscellaneous Receipts Account shall be available without fiscal year limitation for obligation by the Chief Executive Officer for the operations of the Capitol Visitor Center, after consultation with the supervising Committees and the Committees on Appropriations of the House and Senate.

Section 214. This section authorizes the Chief Executive Officer to make obligations from the Revolving Fund and directs the Secretary of the Treasury to invest any portion of the Fund that is not required to meet current expenses, as determined by the Chief Executive Officer. The section stipulates the type of investments that may be made, and directs the Secretary of the Treasury to credit interest earned to the Fund. The section also makes the fund subject to audit by the Comptroller General at his discretion.

Section 301. Section 301 transfers the contracts, liabilities, records, property, employees, and other assets and interests of the Capitol Guide Service to the Office of the Capitol Visitor Center.

The transfer of any amounts appropriated to the Guide Service that remain available at the time of the transfer would occur only upon the approval of the Committees of Appropriations of the House and Senate.

The Capitol Guide Service is subject to the direction, supervision, and control of the Chief Executive Officer. Individuals employed by the Capitol Guide Service on a permanent basis at the time of transfer would not be reduced in grade, compensation, rate of leave, or other benefits that apply with respect to the individual at the time of the transfer, other than for cause, while such individual remains continuously employed as a Capitol Guide.

Any employee of the Guide Service who is separated from service with the Office would be considered to have separated involuntarily if the employee had completed 25 years of service, or 20 years of service and is 50 years of age or older, under the provisions of sections 8336(d) and 8414(b) of title 5.

The section also provides that for Guide Service employees who have written service agreements under the student loan repayment program, such agreements will remain in effect. Certain technical conforming provisions are contained in the section. The Chief Executive Officer is prohibited from imposing a period of probation on any Guide Service employee transferred to the Office.

This section does not apply to employees, contracts, liabilities, records, property, and other assets and interests of the Congressional Special Service Office of the Capitol Guide Service that are transferred under subtitle B of this title to the Office of Congressional Accessibility Services.

Section 302. Section 302 provides for the duties of the Capitol Guide Service. The Guide Service would provide free tours of the interior of the United States Capitol, and employees of the Guide Service would be prohibited from accepting any fee or gratuity for official services. All such tours shall be conducted in compliance with regulations of the Chief Executive Officer. The Chief Executive Officer is authorized, subject to availability of appropriations, to establish and revise the number of Guides, and to appoint a Chief Guide and Deputy Guides, without regard to political affiliation and solely on the basis of fitness to perform their duties.

The Chief Executive Officer is authorized, with the approval of the supervising Committees, to prescribe the duties, responsibilities, and rates of pay of the Guides, and to take appropriate disciplinary action against any employee who violates provisions of this section or regulations prescribed by the Chief Executive Officer.

The Chief Executive Officer is authorized to prescribe a uniform dress and insignia for personnel of the Guide Service and to procure and furnish such uniforms without charge. The Chief Executive Officer may receive and consider advice and information from historical or educational organizations with regard to operations of the Guide Service that involve furnishing historical or educational information to the public.

The Chief Executive Officer, with approval of the supervising Committees, may prescribe regulations for the operations of the Guide Service.

The Chief Executive Officer is directed to coordinate the provision of accessible tours for individuals with disabilities with the Office of Congressional Accessibility Services.

Section 311. Section 311 establishes in the legislative branch the Office of Congressional Accessibility Services, which would be headed by the Director of Accessibility Services. The Office is subject to the direction, supervision, and control of the Capitol Police Board.

The Office shall provide and coordinate accessibility services for Members, employees, and Visitors to the United States Capitol Complex. The Office would also provide in consultation with the Office of House Employment Counsel and the Senate Chief Counsel for Employment, information regarding accessibility for individuals with disabilities, and related training, to Members and employees of the House and Senate.

The section provides that the Director of Accessibility Services submit to the supervising Committees within 30 days of the transfer a list of the specific functions the Office will carry out in relation to its duties. The section also stipulates that no portion of the subtitle shall be construed as to limit the authority or function of the Office of House Employment Counsel or the Senate Chief Counsel for Employment carried out prior to the transfer date.

"United States Capitol Complex" is defined as the Capitol buildings and the United States Capitol Grounds.

The establishment of the Special Services Office and related legislation found in 2 U.S.C. § 130e is repealed.

Section 312. Section 312 provides that the Director of Accessibility Services shall be appointed by the Capitol Police Board and may be removed by the Capitol Police Board upon notification of the supervising Committees. The Capitol Police Board is also authorized to set the rate of pay for the Director at no greater than the maximum rate payable for level 15 of the General Schedule.

The current head of the Congressional Special Services Office of the Capitol Guide Service as of the date of transfer is the first Director of Accessibility Services appointed by the Capitol Police Board.

The Director of Accessibility Services is authorized to appoint, hire, and fix the compensation rate of personnel necessary for the operations of the Office of Congressional Accessibility Services. No employee would be eligible to be paid at an annual rate in excess of the rate of pay for the Director.

The Director is authorized to disburse funds and serve as contracting officer for the Office. The Director may place orders and enter into agreements with the Office of the Architect, other legislative branch agencies, and with entities of the House and Senate for procuring goods or providing assistance in the administration and management of the Office, subject to approval of the Committee on House Administration and the Committee on Rules and Administration in the Senate.

The Director shall submit a semi-annual report to the Committee on House Administration and the Committee on Rules and Administration of the Senate, which would include financial statements and a description of operations, the implementation of new policies, and future plans.

Section 313. Section 313 transfers the contracts, liabilities, records, property, employees, and other assets and interests of the

Congressional Special Services Office to the Office of Congressional Accessibility Services. The transfer of any amounts appropriated to the Congressional Special Services Office that remain available at the time of the transfer would occur only upon the approval of the Committees of Appropriations of the House and Senate.

The employees of the Office of Congressional Accessibility Services shall be subject to the direction, supervision, and control of the Director of Accessibility Services. Individuals employed by the Congressional Special Services Office of the Capitol Guide Service on a permanent basis at the time of transfer may not be reduced in grade, compensation, rate of leave, or other benefits that apply with respect to the individual at the time of the transfer, other than for cause, and while such individual remains continuously employed.

Employees of the Guide Service who are separated from service with the Office would be considered to have separated involuntarily if they had completed 25 years of service, or 20 years of service and are 50 years of age or older, under the provisions of sections 8336(d) and 8414(b) of title 5. The Director of Accessibility Services may not impose a period of probation on any employee transferred to the Office from the Congressional Special Services Office.

Section 321. Section 321 repeals the existing authority of the Capitol Guide Service. This section also makes several technical conforming amendments concerning the Congressional Accountability Act and the treatment of employees of the Office of Congressional Accessibility Services as Congressional employees for retirement purposes.

Section 331. Section 331 defines the “transfer date” as the date on which the Chief Executive Officer, in consultation with the Architect of the Capitol, certifies that a certificate of occupancy for the Capitol Visitor Center has been issued.

Section 401. Section 401 authorizes to be appropriated such sums as necessary to carry out this Act.

MATTERS REQUIRED UNDER THE RULES OF THE HOUSE

CONSTITUTIONAL AUTHORITY

Clause 3(d)(1) of House Rule XIII requires each Committee report on a public bill or joint resolution to include a statement citing the specific constitutional power(s) granted to the Congress on which the Committee relies for enactment of the measure under consideration.

The Committee cites the legislative power broadly granted to Congress under Article I, Section 8 of the Constitution.

COMMITTEE VOTES

Clause 3(b) of House Rule XIII requires the results of each recorded vote on an amendment or motion to report, together with the names of those voting for and against, to be printed in the Committee report. No recorded votes were taken during the Committee’s consideration of H.R. 5159.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Clause 3(c)(3) of House Rule XIII requires the report of a committee on a measure which has been approved by the Committee

to include a cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 403 of the CBA (Congressional Budget Act), if timely submitted. The Director submitted the following estimate:

FEBRUARY 26, 2008.

Hon. ROBERT A. BRADY,
Chairman, Committee on House Administration,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 5159, the Capitol Visitor Center Act of 2008.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

PETER R. ORSZAG.

Enclosure.

H.R. 5159—Capitol Visitor Center Act of 2008

Summary: H.R. 5159 would authorize the appropriation of whatever amounts are necessary to operate the new capitol visitor center (CVC) at the U.S. Capitol building. Assuming appropriation of the necessary amounts, CBO estimates that implementing the legislation would cost \$166 million over the 2009–2013 period. Enacting the bill would have no impact on revenues and no net impact on direct spending.

H.R. 5159 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 5159 is shown in the following table. The costs of this legislation fall within budget function 800 (general government).

	By fiscal year, in millions of dollars—					
	2008	2009	2010	2011	2012	2013
SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law for CVC and Capitol Guide Operations:						
Budget Authority ¹	14	0	0	0	0	0
Estimated Outlays	9	5	0	0	0	0
Proposed Changes:						
Estimated Authorization Level	0	31	34	35	36	37
Estimated Outlays	0	25	33	35	36	37
CVC Spending Under H.R. 5159:						
Estimated Authorization Level/Budget Authority	14	31	34	35	36	37
Estimated Outlays	9	30	33	35	36	37

¹ The 2008 level is the amount appropriated for that year for the CVC operations and the Capitol Guide Service.

Basis of estimate: H.R. 5159 would establish an operating structure for the new CVC that would include moving the Capitol Guide Service into the center's operations and creating within it an office of accessibility from an existing part of the guide operation. The bill would authorize the CVC to operate restaurants and gift shops through revolving funds and would allow the center to retain any profits from those operations for the CVC expenses. Finally, the bill

would authorize the appropriation of whatever amounts are necessary for those purposes.

Assuming appropriation of the necessary amounts, CBO estimates that operating the CVC as required by the bill would cost \$25 million from appropriations for 2009, the center's first full year of operation. We expect that costs to maintain the center and employ about 275 guides and other workers would rise to \$37 million annually by 2013. CBO estimates that total costs over the 2009–2013 period would be \$166 million.

Beginning in 2009, the CVC also would establish appropriate revolving funds to operate commercial activities, such as gift shops and restaurants, under the authority provided in the bill. All income earned from such commercial operations would be deposited in the funds and would be available without further appropriation for those operations. Income to and spending from those revolving funds would increase offsetting receipts and direct spending, but CBO estimates that such transactions would offset each other in most years.

This estimate is based on information provided by the Architect of the Capitol (which would manage the CVC) and the Capitol Guide Service.

Intergovernmental and private-sector impact: H.R. 5159 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

Estimate prepared by: Federal Costs: Deborah Reis; Impact on State, Local, and Tribal Governments: Elizabeth Cove; Impact on the Private Sector: Paige Piper/Bach.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

FEDERAL MANDATES

Section 423 of the CBA requires a committee report on any public bill or joint resolution that includes a federal mandate to include specific information about such mandates. The Committee states that H.R. 5159 includes no federal mandates.

PREEMPTION CLARIFICATION

Section 423 of the CBA requires a Committee report on any public bill or joint resolution to include a committee statement on the extent to which the measure is intended to preempt state or local law. The Committee states that H.R. 5159 is not intended to preempt any state or local law.

OVERSIGHT FINDINGS

Clause 3(c)(1) of rule XIII requires each Committee report to contain oversight findings and recommendations required pursuant to clause 2(b)(1) of House Rule X. The Committee has general oversight authority over the Architect of the Capitol and the United States Capitol Police.

In 1998, Congress enacted legislation (H.R. 4328, the Omnibus Consolidated and Emergency Supplemental Appropriations Act for FY1999 (Pub. L. 105–277)) appropriating money to the Architect of the Capitol for planning and construction of a Capitol Visitor Cen-

ter. In the exercise of its oversight responsibilities, the Committee finds the new proposed organizational structure and offices established by H.R. 5159, under the guidance of the Architect, as necessary to carry out the day-to-day operations and fulfillment of the goals of the Capitol Visitor Center. The Committee recommends enactment of H.R. 5159, with one amendment, in order to meet the original objectives of the Capitol Visitor Center (“* * * providing greater security for all persons working in or visiting the United States Capitol” and “enhance[ing] the educational experience of those who have come to learn about the Capitol building and Congress,” conference report to accompany H.R. 4328, 105th Cong., 2d sess., H. Rpt. 105–825, p. 590).

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Clause 3(c)(4) of House Rule XIII requires committee reports to include a statement of general performance goals and objectives. The Committee believes that the organizational structure, as embodied in H.R. 5159 and recommended to the House with one amendment, will meet both goals of the Capitol Visitor Center—enhanced security and improved visitor experience as expressed by the conferees in Pub. L. 105–277.

CONGRESSIONAL “EARMARKS”

Clause 9 of House Rule XXI requires committee reports on public bills and resolutions to contain an identification of congressional “earmarks,” limited tax benefits, limited tariff benefits, and the names of requesting Members. The bill contains no such items either as introduced or as reported to the House.

CONGRESSIONAL ACCOUNTABILITY ACT APPLICABILITY

Section 102(b)(3) of the Congressional Accountability Act of 1995 (Pub. L. 104–1) (CAA) requires each report on a public bill or joint resolution relating to terms and conditions of employment or access to public services or accommodations to describe the manner in which the legislation applies to the Legislative Branch.

Currently, employment related claims raised by the Capitol Guide Service are resolved using the procedures established under the CAA. The transfer of the Capitol Guide Service to the Office of the Capitol Visitor Center will not alter the applicability of the CAA to guide service employees transferred or hired. Likewise, the creation of the Congressional Accessibility Services will fall under the Capitol Police Board which resolves employment related matters through the CAA.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

NATIONAL VISITOR CENTER FACILITIES ACT OF 1968

* * * * *

TITLE III—CAPITOL VISITOR CENTER

【SEC. 301. 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 Administration, 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.】

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U.S. TROOP READINESS, VETERANS' CARE, KATRINA RECOVERY, AND IRAQ ACCOUNTABILITY APPROPRIATION ACT OF 2007

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TITLE VI—OTHER MATTERS

* * * * *

CHAPTER 7

LEGISLATIVE BRANCH

* * * * *

GENERAL PROVISION—THIS CHAPTER

【SEC. 6701. (a) There is established in the Office of the Architect of the Capitol the position of Chief Executive Officer for Visitor Services (in this section referred to as the “Chief Executive Officer”), who shall be appointed by the Architect of the Capitol.

【(b) The Chief Executive Officer shall be responsible for the operation and management of the Capitol Visitor Center, subject to the direction of the Architect of the Capitol. In carrying out these responsibilities, the Chief Executive Officer shall report directly to the Architect of the Capitol and shall be subject to policy review and oversight by the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives.

[(c) The Chief Executive Officer shall be paid at an annual rate equal to the annual rate of pay for the Chief Operating Officer of the Office of the Architect of the Capitol.

[(d) This section shall apply with respect to fiscal year 2007 and each succeeding fiscal year.]

* * * * *

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1990

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 1990, and for other purposes, namely:

* * * * *

TITLE III—GENERAL PROVISIONS

* * * * *

[SEC. 310. There is established, as a joint office of Congress, the Special Services Office, which (under the supervision and control of a board, to be known as the Special Services Board, comprised of the Sergeant at Arms of the House of Representatives, the Sergeant at Arms and Doorkeeper of the Senate, and the Architect of the Capitol) shall provide special services to Members of Congress, and to officers, employees, and guests of Congress.]

* * * * *

LEGISLATIVE REORGANIZATION ACT OF 1970

* * * * *

TITLE IV—CONGRESS AS AN INSTITUTION

* * * * *

PART 4—THE CAPITOL GUIDE SERVICE

[ESTABLISHMENT AND OPERATION OF THE CAPITOL GUIDE SERVICE

[SEC. 441. (a) There is hereby established an organization under the Congress of the United States, to be designated the “Capitol Guide Service”, which shall be subject to the direction, supervision, and control of a Capitol Guide Board consisting of the Architect of the Capitol, the Sergeant at Arms of the Senate, and the Sergeant at Arms of the House of Representatives.

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

[(c) The Capitol Guide Board is authorized—

[(1) with the prior approval of the Committee on Rules and Administration of the Senate and the Committee on House

Oversight of the House of Representatives, to establish and revise such number of positions of Guide in the Capitol Guide Service as the Board considers necessary to carry out effectively the activities of the Capitol Guide Service;

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

[(3) to prescribe their duties and responsibilities;

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

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

[(d) The Capitol Guide Board shall—

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

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

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

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

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

[(h) 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, the Capitol Guide Board shall prescribe such regulations as the Board considers necessary and appropriate for the operation of the Capitol Guide Service.

[(i) 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.

[(j)(1) Notwithstanding section 1342 of title 31, United States Code, 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, United States Code.

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

[(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.]

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CONGRESSIONAL ACCOUNTABILITY ACT OF 1995

* * * * *

TITLE I—GENERAL

SEC. 101. DEFINITIONS.

Except as otherwise specifically provided in this Act, as used in this Act:

(1) * * *

* * * * *

(3) COVERED EMPLOYEE.—The term “covered employee” means any employee of—

(A) * * *

* * * * *

[(C) the Capitol Guide Service;]

(C) *the Office of Congressional Accessibility Services;*

* * * * *

(9) EMPLOYING OFFICE.—The term “employing office” means—

(A) * * *

* * * * *

(D) [the Capitol Guide Board,] *the Office of Congressional Accessibility Services*, the Capitol Police Board, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, the Office of Compliance, and the Office of Technology Assessment.

* * * * *

TITLE II—EXTENSION OF RIGHTS AND PROTECTIONS

* * * * *

PART B—PUBLIC SERVICES AND ACCOMMODATIONS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990

SEC. 210. RIGHTS AND PROTECTIONS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990 RELATING TO PUBLIC SERVICES AND ACCOMMODATIONS; PROCEDURES FOR REMEDY OF VIOLATIONS.

(a) ENTITIES SUBJECT TO THIS SECTION.—The requirements of this section shall apply to—

(1) * * *

* * * * *

[(4) the Capitol Guide Service;]

(4) *the Office of Congressional Accessibility Services;*

* * * * *

PART C—OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

SEC. 215. RIGHTS AND PROTECTIONS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970; PROCEDURES FOR REMEDY OF VIOLATIONS.

(a) * * *

* * * * *

(e) PERIODIC INSPECTIONS; REPORT TO CONGRESS.—

(1) PERIODIC INSPECTIONS.—On a regular basis, and at least once each Congress, the General Counsel, exercising the same authorities of the Secretary of Labor as under subsection (c)(1), shall conduct periodic inspections of all facilities of the House of Representatives, the Senate, [the Capitol Guide Service,] *the Office of Congressional Accessibility Services*, the Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, the Office of Compliance, the Office of Technology Assessment, the Library of Congress, and the General Accounting Office to report on compliance with subsection (a).

* * * * *

TITLE 5, UNITED STATES CODE

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PART III—EMPLOYEES

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SUBPART A—General Provisions

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CHAPTER 21—DEFINITIONS

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§ 2107. Congressional employee

For the purpose of this title, “Congressional employee” means—

(1) * * *

* * * * *

[(9) an employee of the Capitol Guide Service.]

(9) an employee of the Office of Congressional Accessibility Services.

* * * * *

