

REFERENCES IN TEXT

Sections 9, 9A, 9B, 9C, and 14 of the Act of July 31, 1946, referred to in text, are classified to sections 1961, 1966, 1967, 1922, and 1969, respectively, of Title 2, The Congress.

§ 5106. Suspension of prohibitions

(a) AUTHORITY TO SUSPEND.—To allow the observance in the United States Capitol Grounds of occasions of national interest becoming the cognizance and entertainment of Congress, the President of the Senate and the Speaker of the House of Representatives concurrently may suspend any of the prohibitions contained in sections 5103 and 5104 of this title that would prevent the use of the roads and walks within the Grounds by processions or assemblages, and the use in the Grounds of suitable decorations, music, addresses, and ceremonies, if responsible officers have been appointed and the President and the Speaker determine that adequate arrangements have been made to maintain suitable order and decorum in the proceedings and to guard the United States Capitol and its grounds from injury.

(b) POWER TO SUSPEND PROHIBITIONS IN ABSENCE OF PRESIDENT OR SPEAKER.—If either the President or Speaker is absent from the District of Columbia, the authority to suspend devolves on the other officer. If both officers are absent, the authority devolves on the Capitol Police Board.

(c) AUTHORITY OF MAYOR TO PERMIT USE OF LOUISIANA AVENUE.—Notwithstanding subsection (a) and section 5104(f) of this title, the Capitol Police Board may grant the Mayor of the District of Columbia authority to permit the use of Louisiana Avenue for any of the purposes prohibited by section 5104(f).

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1178.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5106(a) .....	40:193j.	July 31, 1946, ch. 707, §§11, 12, 60 Stat. 719.
5106(b) .....	40:193k (words before proviso).	
5106(c) .....	40:193k (proviso).	

In subsection (b), the words “District of Columbia” are substituted for “Washington” for clarity and consistency.

In subsection (c), the words “Mayor of the District of Columbia” are substituted for “Commissioners of the District of Columbia” [meaning the Board of Commissioners of the District of Columbia] [subsequently changed to “Commissioner of the District of Columbia” because of section 401 of Reorganization Plan No. 3 of 1967 (eff. Aug. 11, 1967, 81 Stat. 951)] because of section 421 of the District of Columbia Home Rule Act (Public Law 93-198, 87 Stat. 789).

§ 5107. Concerts on grounds

Sections 5102, 5103, 5104(b)–(f), 5105, 5106, and 5109 of this title and sections 9, 9A, 9B, and 9C of the Act of July 31, 1946 (ch. 707, 60 Stat. 719, 720), do not prohibit a band in the service of the Federal Government from giving concerts in the United States Capitol Grounds at times which will not interfere with Congress and as authorized by the Architect of the Capitol.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1178; Pub. L. 108-178, §3(2), Dec. 15, 2003, 117 Stat. 2640.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5107 .....	40:193l.	July 31, 1946, ch. 707, §13, 60 Stat. 720.

REFERENCES IN TEXT

Sections 9, 9A, 9B, and 9C of the Act of July 31, 1946, referred to in text, are classified to sections 1961, 1966, 1967, and 1922, respectively, of Title 2, The Congress.

AMENDMENTS

2003—Pub. L. 108-178 substituted “5105, 5106” for “5105, 5105”.

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-178 effective Aug. 21, 2002, see section 5 of Pub. L. 108-178, set out as a note under section 5334 of Title 5, Government Organization and Employees.

§ 5108. Audit of private organizations

A private organization (except a political party or committee constituted for the election of federal officials), whether or not organized for profit and whether or not any of its income inures to the benefit of any person, that performs services or conducts activities in the United States Capitol Buildings or Grounds is subject to a special audit of its accounts for each year in which it performs those services or conducts those activities. The Comptroller General shall conduct the audit and report the results of the audit to the Senate and the House of Representatives.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1178.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5108 .....	40:193m-1.	Pub. L. 91-510, title IV, §451(a), Oct. 26, 1970, 84 Stat. 1193.

The words “as defined by or pursuant to law” are omitted as unnecessary because of sections 5101 and 5102 of the revised title. The words “Comptroller General” are substituted for “General Accounting Office” because of 31:702 and for consistency in the revised title.

§ 5109. Penalties

(a) FIREARMS, DANGEROUS WEAPONS, EXPLOSIVES, OR INCENDIARY DEVICE OFFENSES.—An individual or group violating section 5104(e)(1) of this title, or attempting to commit a violation, shall be fined under title 18, imprisoned for not more than five years, or both.

(b) OTHER OFFENSES.—A person violating section 5103 or 5104(b), (c), (d), (e)(2), or (f) of this title, or attempting to commit a violation, shall be fined under title 18, imprisoned for not more than six months, or both.

(c) PROCEDURE.—

(1) IN GENERAL.—An action for a violation of this chapter or section 9, 9A, 9B, 9C or 14 of the Act of July 31, 1946 (ch. 707, 60 Stat. 719, 720), including an attempt or a conspiracy to commit a violation, shall be brought by the Attorney General in the name of the United States. This chapter and sections 9, 9A, 9B, 9C and 14 do not supersede any provision of federal law

or the laws of the District of Columbia. Where the conduct violating this chapter or section 9, 9A, 9B, 9C or 14 also violates federal law or the laws of the District of Columbia, both violations may be joined in a single action.

(2) VENUE.—An action under this section for a violation of—

(A) section 5104(e)(1) of this title or for conduct that constitutes a felony under federal law or the laws of the District of Columbia shall be brought in the United States District Court for the District of Columbia; and

(B) any other section referred to in subsection (a) may be brought in the Superior Court of the District of Columbia.

(3) AMOUNT OF PENALTY.—The penalty which may be imposed on a person convicted in an action under this subsection is the highest penalty authorized by any of the laws the defendant is convicted of violating.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1178.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5109 .....	40:193h.	July 31, 1946, ch. 707, §8, 60 Stat. 719; Pub. L. 87–571, Aug. 6, 1962, 76 Stat. 307; Pub. L. 90–108, §1(c), Oct. 20, 1967, 81 Stat. 277.

In subsection (a), the words “fined under title 18” are substituted for “a felony punishable by a fine not exceeding \$5,000” for consistency with chapter 227 of title 18.

In subsection (b), the words “fined under title 18” are substituted for “a misdemeanor punishable by a fine not exceeding \$500” for consistency with chapter 227 of title 18.

In subsection (c)(1), the words “An action . . . shall be brought” are substituted for “[]shall be prosecuted” for consistency with other titles of the United States Code. The words “the Attorney General” are substituted for “the United States attorney or his assistants” because of 28:509.

In subsection (c)(2)(B), the words “Superior Court of the District of Columbia” are substituted for “Municipal Court for the District of Columbia” [subsequently changed to “District of Columbia Court of General Sessions” because of sections 1 and 7 of the Act of July 8, 1963 (Public Law 88–60, 77 Stat. 77, 78)] because of section 155(a) of the District of Columbia Court Reorganization Act of 1970 (Public Law 91–358, 85 Stat. 570).

In subsection (c)(3), the words “of a violation of said sections and of the general laws of the United States or the laws of the District of Columbia” are omitted as unnecessary.

#### REFERENCES IN TEXT

Sections 9, 9A, 9B, 9C, and 14 of the Act of July 31, 1946, referred to in subsec. (c)(1), are classified to sections 1961, 1966, 1967, 1922, and 1969, respectively, of Title 2, The Congress.

### PART C—FEDERAL BUILDING COMPLEXES

#### CHAPTER 61—UNITED STATES SUPREME COURT BUILDING AND GROUNDS

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##### SUBCHAPTER I—GENERAL

#### § 6101. Definitions and application

(a) DEFINITIONS.—In this chapter, the following definitions apply:

(1) OFFICIAL GUEST OF THE SUPREME COURT.—The term “official guest of the Supreme Court” means an individual who is a guest of the Supreme Court, as determined by the Chief Justice of the United States or any Associate Justice of the Supreme Court;

(2) STATE.—The term “State” means a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, Palau, and any territory or possession of the United States; and

(b) APPLICATION.—For purposes of section 6102 of this title and subchapters III and IV, the Supreme Court grounds—

(1) extend to the line of the face of—

(A) the east curb of First Street Northeast, between Maryland Avenue Northeast and East Capitol Street;

(B) the south curb of Maryland Avenue Northeast, between First Street Northeast and Second Street Northeast;

(C) the west curb of Second Street Northeast, between Maryland Avenue Northeast and East Capitol Street; and

(D) the north curb of East Capitol Street between First Street Northeast and Second Street Northeast; and

(2) comprise any property under the custody and control of the Supreme Court as part of the Supreme Court grounds, including property acquired as provided by law on behalf of the Federal Government in lots 2, 3, 800, 801, and 802 in square 758 in the District of Columbia as an addition to the grounds of the Supreme Court Building and that parcel transferred under the Supreme Court Grounds Transfer Act of 2005.