

powers by the Office of Inspector General shall be reviewed periodically by another Office of Inspector General or by a committee of Inspectors General. The results of each review shall be communicated in writing to the Inspector General, the Council of the Inspectors General on Integrity and Efficiency, and the appropriate committees of Congress.

(E) Alleged misconduct

Any allegation of misconduct by an individual granted authority under subparagraph (A) may be reviewed by the Integrity Committee of the Council of the Inspectors General on Integrity and Efficiency.

(F) Appropriate committees of Congress

In this paragraph, the term “appropriate committees of Congress” means—

- (i) the Committee on Rules and Administration and the Committee on Appropriations of the Senate; and
- (ii) the Committee on House Administration and the Committee on Appropriations of the House of Representatives.

(4) Budget independence

The Architect of the Capitol shall include the annual budget request of the Inspector General in the budget of the Office of the Architect of the Capitol without change.

(e) Transfers

All functions, personnel, and budget resources of the Office of the Inspector General of the Architect of the Capitol as in effect before the effective date of this section are transferred to the Office of Inspector General described under subsection (b).

(f) References

References in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or relating to the Inspector General of the Architect of the Capitol shall be deemed to refer to the Inspector General as set forth under this section.

(g) First appointment

By the date occurring 180 days after December 26, 2007, the Architect of the Capitol shall appoint an individual to the position of Inspector General of the Architect of the Capitol described under subparagraph (A) of subsection (c)(1) in accordance with that subparagraph.

(h) Effective date

(1) In general

Except as provided under paragraph (2), this section shall take effect 180 days after December 26, 2007, and apply with respect to fiscal year 2008 and each fiscal year thereafter.

(2) First appointment

Subsection (g) shall take effect on December 26, 2007, and the Architect of the Capitol shall take such actions as necessary after December 26, 2007, to carry out that subsection.

(Pub. L. 110–161, div. H, title I, §1301, Dec. 26, 2007, 121 Stat. 2240; Pub. L. 113–235, div. H, title I, §1301(b), Dec. 16, 2014, 128 Stat. 2537; Pub. L. 116–94, div. P, title XVI, §§1602(b), 1603(b), 1604(b),

1605(b), Dec. 20, 2019, 133 Stat. 3210, 3214, 3218, 3219; Pub. L. 117–286, §4(b)(3), Dec. 27, 2022, 136 Stat. 4342.)

Editorial Notes

REFERENCES IN TEXT

Sections 5 and 6(a)(8) of the Inspector General Act of 1978, referred to in subsec. (d)(2)(C), (3)(C)(i), are sections 5 and 6(a)(8) of Pub. L. 95–452, which were set out in the Appendix to Title 5, Government Organization and Employees, and were repealed and restated as sections 405 and 406(a)(8), respectively, of Title 5 by Pub. L. 117–286, §§3(b), 7, Dec. 27, 2022, 136 Stat. 4212, 4219, 4361.

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2008, which is div. H of the Consolidated Appropriations Act, 2008.

AMENDMENTS

2022—Subsec. (d)(1). Pub. L. 117–286 substituted “Sections 404, 405 (other than subsections (b)(13) and (f)(1)(B) thereof), 406 (other than subsection (a)(7) and (8) thereof), and 407 of title 5” for “Sections 4, 5 (other than subsections (a)(13) and (e)(1)(B) thereof), 6 (other than subsection (a)(7) and (8) thereof), and 7 of the Inspector General Act of 1978 (5 U.S.C. App.)” in introductory provisions.

2019—Subsec. (c). Pub. L. 116–94, §1602(b)(1), inserted “; pay; limits on bonuses; counsel” after “removal” in heading.

Subsec. (c)(2). Pub. L. 116–94, §1602(b)(2), added par. (2) and struck out former par. (2). Prior to amendment, text read as follows: “The Inspector General may be removed from office by the Architect of the Capitol. The Architect of the Capitol shall, promptly upon such removal, communicate in writing the reasons for any such removal to each House of Congress.”

Subsec. (c)(4), (5). Pub. L. 116–94, §1602(b)(3), added pars. (4) and (5).

Subsec. (d)(2). Pub. L. 116–94, §1605(b), designated existing provisions as subpar. (A), inserted subpar. heading and “; without the supervision or approval of any other employee, office, or other entity within the Office of the Architect of the Capitol,” after “is authorized”, and added subpars. (B) and (C).

Subsec. (d)(3). Pub. L. 116–94, §1603(b), added par. (3).

Subsec. (d)(4). Pub. L. 116–94, §1604(b), added par. (4).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“Government Publishing Office” substituted for “Government Printing Office” in subsec. (c)(1)(A) on authority of section 1301(b) of Pub. L. 113–235, set out as a note preceding section 301 of Title 44, Public Printing and Documents.

SUBCHAPTER II—GENERAL POWERS AND DUTIES

§ 1811. Powers and duties

The Architect of the Capitol shall perform all the duties relative to the Capitol Building performed prior to August 15, 1876, by the Commissioner of Public Buildings and Grounds, and shall be appointed by the President: *Provided*, That no change in the architectural features of the Capitol Building or in the landscape features of the Capitol Grounds shall be made except on plans to be approved by Congress.

(Aug. 15, 1876, ch. 287, 19 Stat. 147; Feb. 14, 1902, ch. 17, 32 Stat. 20; Mar. 3, 1921, ch. 124, 41 Stat. 1291.)

Editorial Notes**CODIFICATION**

Section was classified to section 162 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

Section is a composite of the acts of Aug. 15, 1876, and Feb. 14, 1902, cited in the credits.

Statutory Notes and Related Subsidiaries**CHANGE OF NAME**

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior Provisions and Change of Name notes set out under section 1801 of this title.

TRANSFER TO ARCHITECT OF THE CAPITOL

Pub. L. 112-74, div. G, title I, §1202, Dec. 23, 2011, 125 Stat. 1129, provided that:

“(a) TRANSFER.—To the extent that the Director of the National Park Service has jurisdiction and control over any portion of the area described in subsection (b) and any monument or other facility which is located within such area, such jurisdiction and control is hereby transferred to the Architect of the Capitol as of the date of the enactment of this Act [Dec. 23, 2011].

“(b) AREA DESCRIBED.—The area described in this subsection is the property which is bounded on the north by Pennsylvania Avenue Northwest, on the east by First Street Northwest and First Street Southwest, on the south by Maryland Avenue Southwest, and on the west by Third Street Southwest and Third Street Northwest.”

ACQUISITION OF PROPERTY BY ARCHITECT OF THE CAPITOL

Pub. L. 107-68, title I, §128, Nov. 12, 2001, 115 Stat. 579, provided that: “Notwithstanding any other provision of law and subject to the availability of appropriations, the Architect of the Capitol is authorized to secure, through multi-year rental, lease, or other appropriate agreement, the property located at 67 K Street, S.W., Washington, D.C., for use of Legislative Branch agencies, and to incur any necessary incidental expenses including maintenance, alterations, and repairs in connection therewith: *Provided*, That in connection with the property referred to under the preceding proviso, the Architect of the Capitol is authorized to expend funds appropriated to the Architect of the Capitol for the purpose of the operations and support of Legislative Branch agencies, including the United States Capitol Police, as may be required for that purpose.”

§ 1812. Care and superintendence of Capitol

The Architect of the Capitol shall on and after March 3, 1977, have the care and superintendence of the Capitol, including lighting. His office shall be in the Capitol Building.

(Aug. 15, 1876, ch. 287, 19 Stat. 147; Mar. 3, 1877, ch. 102, 19 Stat. 298; Oct. 31, 1951, ch. 654, §3(14), 65 Stat. 708.)

Editorial Notes**CODIFICATION**

Section was classified to section 163 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

The first sentence of this section is from act Mar. 3, 1877. The second sentence of this section is from act Aug. 15, 1876, popularly known as the “Sundry Civil Appropriation Act”.

PRIOR PROVISIONS

Provisions similar to those comprising the first sentence of this section were contained in act Aug. 15, 1876, ch. 287, 19 Stat. 147.

AMENDMENTS

1951—Act Oct. 31, 1951, struck out “, and shall submit through the Secretary of the Interior estimates thereof” at end of first sentence.

Statutory Notes and Related Subsidiaries**CHANGE OF NAME**

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior Provisions and Change of Name notes set out under section 1801 of this title.

§ 1813. Exterior of Capitol

On and after July 7, 1884, it shall be the duty of the Architect to clean and keep in proper order the exterior of the Capitol.

(July 7, 1884, ch. 332, 23 Stat. 209.)

Editorial Notes**REFERENCES IN TEXT**

The Architect, referred to in text, means the Architect of the Capitol.

CODIFICATION

Section was classified to section 163a of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

Section is from the Sundry Civil Appropriation Act July 7, 1884, fiscal year 1885.

§ 1814. Repairs of Capitol

All improvements, alterations, additions, and repairs of the Capitol Building shall be made by the direction and under the supervision of the Architect of the Capitol.

(R.S. §1816; Feb. 14, 1902, ch. 17, 32 Stat. 20; Mar. 3, 1921, ch. 124, 41 Stat. 1291; Oct. 31, 1951, ch. 654, §3(15), 65 Stat. 708.)

Editorial Notes**CODIFICATION**

Section was classified to section 166 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

R.S. §1816 derived from Res. Apr. 16, 1862, No. 28, 12 Stat. 617; acts Mar. 30, 1867, ch. 24, §2, 15 Stat. 13; July 20, 1868, ch. 177, §1, 15 Stat. 115; Mar. 3, 1869, ch. 121, §1, 15 Stat. 283, 284; Mar. 3, 1871, ch. 114, §1, 16 Stat. 500; Aug. 15, 1876, ch. 287, 19 Stat. 147.

Provision of R.S. §1816 relating to purchase of furniture or carpets for House or Senate is classified to section 2184 of this title.

AMENDMENTS

1951—Act Oct. 31, 1951, struck out requirement that such improvements, etc., should be paid for by Secretary of the Interior out of appropriations for Capitol extension, and from no other appropriation.

Statutory Notes and Related Subsidiaries**CHANGE OF NAME**

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior

Provisions and Change of Name notes set out under section 1801 of this title.

CONDITIONS FOR USE OF CERTAIN TELECOMMUNICATIONS SYSTEMS AND SERVICES BY AGENCY OF LEGISLATIVE BRANCH

Pub. L. 101-520, title III, §306, Nov. 5, 1990, 104 Stat. 2277, as amended by Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814; Pub. L. 113-235, div. H, title I, §1301(b), Dec. 16, 2014, 128 Stat. 2537, provided that:

“(a) Hereafter, notwithstanding any other provision of law, any agency of the legislative branch is authorized to use telecommunications systems and services provided by the Architect of the Capitol or the House of Representatives or the Senate under the approved plan required by section 305 of Public Law 100-202 (101 Stat. 1329-308) [see source credits following note below] if such systems and services—

“(1) have been acquired competitively; and

“(2) in the case of long distance service, have been determined by the Architect of the Capitol to be at least equal in quality to, and not greater in cost than, the systems and services available under the procurement conducted by the Administrator of General Services known as ‘FTS2000’.

“(b) As used in this section, the term ‘agency of the legislative branch’ means the office of the Architect of the Capitol, the Botanic Garden, the Government Accountability Office, the Government Publishing Office, the Library of Congress, the Office of Technology Assessment, and the Congressional Budget Office.”

Similar provisions were contained in the following prior appropriations acts:

Pub. L. 101-163, title III, §306, Nov. 21, 1989, 103 Stat. 1064.

Pub. L. 100-458, title III, §307B, Oct. 1, 1988, 102 Stat. 2183.

DEVELOPMENT OF OVERALL PLAN FOR SATISFYING TELECOMMUNICATIONS REQUIREMENTS OF AGENCIES OF LEGISLATIVE BRANCH

Pub. L. 102-392, title III, §305, Oct. 6, 1992, 106 Stat. 1721, as amended by Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814; Pub. L. 113-235, div. H, title I, §1301(b), Dec. 16, 2014, 128 Stat. 2537, provided that:

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

“(b) As used in this section—

“(1) the term ‘agency of the legislative branch’ means the Office of the Architect of the Capitol, the Botanic Garden, the Government Accountability Office, the Government Publishing Office, the Library of Congress, the Office of Technology Assessment, and the Congressional Budget Office; and

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

“(c) This section shall apply with respect to fiscal years beginning after September 30, 1992.”

Similar provisions were contained in the following prior appropriations acts:

Pub. L. 102-90, title III, §305, Aug. 14, 1991, 105 Stat. 466.

Pub. L. 101-520, title III, §305, Nov. 5, 1990, 104 Stat. 2276.

Pub. L. 101-163, title III, §305, Nov. 21, 1989, 103 Stat. 1063.

Pub. L. 100-458, title III, §305, Oct. 1, 1988, 102 Stat. 2182.

Pub. L. 100-202, §101(i) [title III, §305], Dec. 22, 1987, 101 Stat. 1329-290, 1329-308.

Pub. L. 99-500, §101(j) [H.R. 5203, title III, §305], Oct. 18, 1986, 100 Stat. 1783-287, and Pub. L. 99-591, §101(j) [H.R. 5203, title III, §305], Oct. 30, 1986, 100 Stat. 3341-287.

§ 1815. Repealed. Pub. L. 109-58, title I, § 101(c), Aug. 8, 2005, 119 Stat. 606

Section, Pub. L. 105-275, title III, §310, Oct. 21, 1998, 112 Stat. 2456, related to energy conservation and management.

Editorial Notes

CODIFICATION

Section was classified to section 166i of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

§ 1816. Construction contracts

(a) Liquidated damages

The Architect of the Capitol may not enter into or administer any construction contract with a value greater than \$50,000 unless the contract includes a provision requiring the payment of liquidated damages in the amount determined under subsection (b) in the event that completion of the project is delayed because of the contractor.

(b) Amount of payment

The amount of payment required under a liquidated damages provision described in subsection (a) shall be equal to the product of—

(1) the daily liquidated damage payment rate; and

(2) the number of days by which the completion of the project is delayed.

(c) Daily liquidated damage payment rate

(1) In general

In subsection (b), the “daily liquidated damage payment rate” means—

(A) \$140, in the case of a contract with a value greater than \$50,000 and less than \$100,000;

(B) \$200, in the case of a contract with a value equal to or greater than \$100,000 and equal to or less than \$500,000; and

(C) the sum of \$200 plus \$50 for each \$100,000 increment by which the value of the contract exceeds \$500,000, in the case of a contract with a value greater than \$500,000.

(2) Adjustment in rate permitted

Notwithstanding paragraph (1), the daily liquidated damage payment rate may be adjusted by the contracting officer involved to a rate greater or lesser than the rate described in such paragraph if the contracting officer makes a written determination that the rate described does not accurately reflect the anticipated damages which will be suffered by the United States as a result of the delay in the completion of the contract.

(d) Effective date

This section shall apply with respect to contracts entered into during fiscal year 2002 or any succeeding fiscal year.

(Pub. L. 107–68, title I, §130, Nov. 12, 2001, 115 Stat. 580.)

Editorial Notes**CODIFICATION**

Section was classified to section 166j of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

§ 1816a. Design-build contracts

(a) Notwithstanding any other provision of law, the Architect of the Capitol may use the two-phase selection procedures authorized in section 3309 of title 41 for entering into a contract for the design and construction of a public building, facility, or work in the same manner and under the same terms and conditions as the head of an executive agency under such section.

(b) This section shall apply with respect to fiscal year 2008 and each succeeding fiscal year.

(Pub. L. 110–161, div. H, title I, §1308, Dec. 26, 2007, 121 Stat. 2244.)

Editorial Notes**CODIFICATION**

In subsec. (a), “section 3309 of title 41” substituted for “section 303M of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253m)” on authority of Pub. L. 111–350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

Section is from the Legislative Branch Appropriations Act, 2008, which is div. H of the Consolidated Appropriations Act, 2008.

§ 1816b. Architect of the Capitol, authority for personal services contracts with legal entities

Notwithstanding any other provision of law, the Architect of the Capitol is authorized to contract for personal services with any firm, partnership, corporation, association, or other legal entity in the same manner as he is authorized to contract for personal services with individuals under the provisions of section 6101 of title 41.

(Pub. L. 96–558, Dec. 19, 1980, 94 Stat. 3263.)

Editorial Notes**CODIFICATION**

In text, “section 6101 of title 41” substituted for “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” on authority of Pub. L. 111–350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

Section was classified to section 6a–2 of former Title 41, prior to the enactment of Title 41, Public Contracts, by Pub. L. 111–350, §3, Jan. 4, 2011, 124 Stat. 3677.

Statutory Notes and Related Subsidiaries**AUTHORIZING PAYMENTS UNDER SERVICE CONTRACTS DURING THE CORONAVIRUS EMERGENCY**

Pub. L. 116–136, div. B, title IX, §19005, Mar. 27, 2020, 134 Stat. 578, as amended by Pub. L. 116–159, div. A, §159(3), Oct. 1, 2020, 134 Stat. 722, provided that:

“(a) **AUTHORIZING PAYMENTS.**—Notwithstanding section 3324(a) of title 31, United States Code, or any other provision of law and subject to subsection (b), if the employees of a contractor with a service contract with the Architect of the Capitol are furloughed or otherwise unable to work during closures, stop work orders, or reductions in service arising from or related to the impacts of coronavirus, the Architect of the Capitol may continue to make the payments provided for under the contract for the weekly salaries and benefits of such employees until the termination of the public health emergency declared pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) resulting from the COVID–19 pandemic.

“(b) **AVAILABILITY OF APPROPRIATIONS.**—The authority of the Architect of the Capitol to make payments under the authority of subsection (a) is subject to the availability of appropriations to make such payments.

“(c) **REGULATIONS.**—The Architect of the Capitol shall promulgate such regulations as may be necessary to carry out this section.”

[For definition of “coronavirus” as used in section 19005 of Pub. L. 116–136, set out above, see section 23005 of Pub. L. 116–136, set out as a note under section 162b of this title.]

§ 1817. Transfer of discontinued apparatus to other branches

The Architect of the Capitol may transfer apparatus, appliances, equipments, and supplies of any kind, discontinued or permanently out of service, to other branches of the service of the United States, or District of Columbia, whenever, in his judgment the interests of the Government service may require it.

(June 26, 1912, ch. 182, §11, 37 Stat. 184; Mar. 3, 1921, ch. 124, 41 Stat. 1291; May 29, 1928, ch. 901, §1(120), 45 Stat. 995; Oct. 31, 1951, ch. 654, §3(17), 65 Stat. 708.)

Editorial Notes**CODIFICATION**

Section was classified to section 171 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on section 11 of act June 26, 1912, popularly known as the “District of Columbia Appropriation Act June 26, 1912, fiscal year 1913”.

PRIOR PROVISIONS

Act Mar. 2, 1911, ch. 192, §9, 36 Stat. 1011.

AMENDMENTS

1951—Act Oct. 31, 1951, struck out “with the approval of the Secretary of the Interior,” after “whenever,”.

1928—Act May 29, 1928, struck out provision that required a transfer statement to be submitted in the annual report to Congress by the Superintendent of the Capitol Building and Grounds.

Statutory Notes and Related Subsidiaries**CHANGE OF NAME**

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior Provisions and Change of Name notes set out under section 1801 of this title.

§ 1817a. Disposition of surplus or obsolete personal property**(a) In general**

The Architect of the Capitol shall have the authority, within the limits of available appropria-

tions, to dispose of surplus or obsolete personal property by inter-agency transfer, donation, sale, trade-in, or discarding. Amounts received for the sale or trade-in of personal property shall be credited to funds available for the operations of the Architect of the Capitol and be available for the costs of acquiring the same or similar property. Such funds shall be available for such purposes during the fiscal year received and the following fiscal year.

(b) Effective date

This section shall apply with respect to fiscal year 2010, and each fiscal year thereafter.

(Pub. L. 111-68, div. A, title I, §1301, Oct. 1, 2009, 123 Stat. 2034.)

Editorial Notes

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2010, which is div. A of Pub. L. 111-68.

§ 1818. Rental or lease of storage space

Notwithstanding any other provision of law, the Architect of the Capitol, with the approval of the House Office Building Commission and Senate Committee on Rules and Administration, is authorized to secure, through rental, lease, or other appropriate agreement, storage space in areas within the District of Columbia and its environs beyond the boundaries of the United States Capitol Grounds for use of the United States Senate, the United States House of Representatives, and the Office of the Architect of the Capitol, under such terms and conditions as such Commission and committee may authorize, and to incur any necessary incidental expenses in connection therewith.

(Pub. L. 93-180, §1, Dec. 13, 1973, 87 Stat. 704.)

Editorial Notes

CODIFICATION

Section was classified to section 166d of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

§ 1819. Computer backup facilities for legislative offices

(a) Acquisition of buildings and facilities

The Architect of the Capitol is authorized, subject to the availability of appropriations, to acquire (through purchase, lease, or otherwise) buildings and facilities for use as computer backup facilities (and related uses) for offices in the legislative branch.

(b) Acquisition subject to approval

The acquisition of a building or facility under subsection (a) shall be subject to the approval of—

- (1) the House Office Building Commission, in the case of a building or facility acquired for the use of an office of the House of Representatives;
- (2) the Committee on Rules and Administration of the Senate, in the case of a building or facility acquired for the use of an office of the Senate; or

(3) the House Office Building Commission in the case of a building or facility acquired for the use of any other office in the legislative branch as part of a joint facility with (1) above, or the Committee on Rules and Administration of the Senate, in the case of a building or facility acquired for the use of any other office in the legislative branch as part of a joint facility with (2) above.

(c) United States Capitol grounds provisions applicable

Any building or facility acquired by the Architect of the Capitol pursuant to subsection (a) shall be a part of the United States Capitol Grounds and shall be subject to the provisions of sections 1922, 1961, 1966, 1967, and 1969 of this title and sections 5101 to 5107 and 5109 of title 40.

(d) Lease of buildings and facilities

In the case of a building or facility acquired through purchase pursuant to subsection (a), the Architect of the Capitol may enter into or assume a lease with another person for the use of any portion of the building or facility that the Architect of the Capitol determines is not required to be used to carry out the purposes of this section, subject to the approval of the entity which approved the acquisition of such building or facility under subsection (b).

(e) Effective date

This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

(Pub. L. 107-206, title I, §905, Aug. 2, 2002, 116 Stat. 877; Pub. L. 109-55, title I, §1202(a), Aug. 2, 2005, 119 Stat. 579.)

Editorial Notes

REFERENCES IN TEXT

Sections 1922, 1961, 1966, 1967, and 1969 of this title and sections 5101 to 5107 and 5109 of title 40, referred to in subsec. (c), was in the original a reference to the Act entitled “An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes”, approved July 31, 1946, which is act July 31, 1946, ch. 707, 60 Stat. 718. Sections 9, 9A, 9B, 9C, and 14 of the Act are classified, respectively, to sections 1961, 1966, 1967, 1922, and 1969 of this title, and section 16(b) of the Act is set out as a note under section 1961 of this title. Sections 1 to 8, 10 to 13, and 16(a) of the Act, which were classified to sections 193a to 193m of former Title 40, Public Buildings, Property, and Works, were repealed and reenacted as sections 5101 to 5107 and 5109 of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §§1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1312, the first section of which enacted Title 40. Section 5(c) of Pub. L. 107-217, set out as a note preceding section 101 of Title 40, provides that a reference to a law replaced by section 1 of Pub. L. 107-217 is deemed to refer to the corresponding provision enacted by Pub. L. 107-217. For complete classification of the act of July 31, 1946, to the Code, see Tables. For disposition of sections of former Title 40, see table at the beginning of Title 40.

CODIFICATION

Section was classified to section 166k of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

2005—Subsecs. (d), (e). Pub. L. 109-55 added subsec. (d) and redesignated former subsec. (d) as (e).

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE OF 2005 AMENDMENT**

Pub. L. 109-55, title I, §1202(b), Aug. 2, 2005, 119 Stat. 579, provided that: “The amendments made by subsection (a) [amending this section] shall apply with respect to leases entered into on or after the date of the enactment of this Act [Aug. 2, 2005].”

§ 1820. Acquisition of real property for Capitol Police**(a) Authority for acquisition**

Subject to the approval of the House Office Building Commission and the Senate Committee on Rules and Administration, the Architect of the Capitol is authorized to acquire (through purchase, lease, transfer from another Federal entity, or otherwise) real property, subject to the availability of appropriations and upon approval of an obligation plan by the Committees on Appropriations of the House and Senate, for the use of the United States Capitol Police.

(b) United States Capitol grounds provisions applicable

Any real property acquired by the Architect of the Capitol pursuant to subsection (a) shall be a part of the United States Capitol Grounds and shall be subject to the provisions of sections 1922, 1961, 1966, 1967, and 1969 of this title and sections 5101 to 5107 and 5109 of title 40.

(c) Effective date

This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

(Pub. L. 107-206, title I, §907, Aug. 2, 2002, 116 Stat. 877.)

Editorial Notes**REFERENCES IN TEXT**

Sections 1922, 1961, 1966, 1967, and 1969 of this title and sections 5101 to 5107 and 5109 of title 40, referred to in subsec. (b), was in the original a reference to the Act entitled “An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes”, approved July 31, 1946, which is act July 31, 1946, ch. 707, 60 Stat. 718. Sections 9, 9A, 9B, 9C, and 14 of the Act are classified, respectively, to sections 1961, 1966, 1967, 1922, and 1969 of this title, and section 16(b) of the Act is set out as a note under section 1961 of this title. Sections 1 to 8, 10 to 13, and 16(a) of the Act, which were classified to sections 193a to 193m of former Title 40, Public Buildings, Property, and Works, were repealed and reenacted as sections 5101 to 5107 and 5109 of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §§1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1312, the first section of which enacted Title 40. Section 5(c) of Pub. L. 107-217, set out as a note preceding section 101 of Title 40, provides that a reference to a law replaced by section 1 of Pub. L. 107-217 is deemed to refer to the corresponding provision enacted by Pub. L. 107-217. For complete classification of the act of July 31, 1946, to the Code, see Tables. For disposition of sections of former Title 40, see table at the beginning of Title 40.

CODIFICATION

Section was classified to section 166m of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

Statutory Notes and Related Subsidiaries**ACQUISITION OF PROPERTY BY ARCHITECT OF THE CAPITOL**

Pub. L. 108-199, div. H, §152, Jan. 23, 2004, 118 Stat. 448, provided that:

“(a) Notwithstanding section 907(a) of Public Law 107-206 (116 Stat. 977) [2 U.S.C. 1820(a)] or section 1102 of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 1822(b)), the Architect of the Capitol, at any time after the date of the enactment of this Act [Jan. 23, 2004] and subject to the availability of appropriations, may enter into an agreement to acquire by lease any portion of the real property located at 499 South Capitol Street Southwest in the District of Columbia for the use of the United States Capitol Police.

“(b) Any real property acquired by the Architect of the Capitol pursuant to subsection (a) shall be subject to the provisions of the Act entitled ‘An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes’, approved July 31, 1946 [2 U.S.C. 1922, 1961, 1966, 1967, 1969, see References in Text note above].”

§ 1821. Small purchase contracting authority**(a) In general**

To promote efficiency and economy in contracting and to avoid unnecessary burdens, the Architect of the Capitol is granted authority to utilize special simplified procedures for purchases of property and services the aggregate amount of which does not exceed \$250,000. Notwithstanding any other provision of law—

(1) section 6101 of title 41 shall apply with respect to purchases and contracts for the Architect of the Capitol as if the reference to “\$25,000” in paragraph (1) of such section were a reference to “\$100,000”; and

(2) the Architect may procure services, equipment, and construction for security related projects in the most efficient manner he determines appropriate.

(b) Effective date

This section shall apply to fiscal year 2003 and each fiscal year thereafter.

(Pub. L. 108-7, div. H, title I, §1201, Feb. 20, 2003, 117 Stat. 372; Pub. L. 115-244, div. B, title I, §133(a), Sept. 21, 2018, 132 Stat. 2936.)

Editorial Notes**CODIFICATION**

In subsec. (a)(1), “section 6101 of title 41” substituted for “section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

Section is from the Legislative Branch Appropriations Act, 2003, which is div. H of Pub. L. 108-7.

PRIOR PROVISIONS

Prior similar provisions were contained in Pub. L. 107-68, title I, §131, Nov. 12, 2001, 115 Stat. 581.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-244, which directed amendment of “2 U.S.C. 1821” by inserting “To promote efficiency and economy in contracting and to avoid unnecessary burdens, the Architect of the Capitol is granted authority to utilize special simplified procedures for purchases of property and services the aggregate amount of which does not exceed \$250,000.” before “Notwithstanding any other provision of law—”, was

executed by making the insertion in subsec. (a) of section 1201 of Pub. L. 108-7, div. H, title I, which is classified to this section, to reflect the probable intent of Congress.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Pub. L. 115-244, div. B, title I, §133(b), Sept. 21, 2018, 132 Stat. 2936, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to fiscal year 2019 and each succeeding fiscal year.”

§ 1822. Leasing of space

(a) In general

Funds appropriated to the Architect of the Capitol shall be available—

(1) for the leasing of space in areas within the District of Columbia and its environs beyond the boundaries of the United States Capitol Grounds to meet space requirements of the United States Senate, United States House of Representatives, United States Capitol Police, and the Architect of the Capitol under such terms and conditions as the Committee or Commission referred to under subsection (b) may authorize; and

(2) to incur any necessary expense in connection with any leasing of space under paragraph (1).

(b) Conditions to lease space

The Architect of the Capitol may lease space under subsection (a) upon submission of written notice of intent to lease such space to, and approved by—

(1) the Committees on Appropriations and Rules and Administration of the Senate for space to be leased for the Senate;

(2) the Committee on Appropriations of the House of Representatives and the House Office Building Commission for space to be leased for the House of Representatives; and

(3) the Committees on Appropriations of the Senate and House of Representatives, for space to be leased for any other entity under subsection (a).

(c) Effective date

This section shall apply with respect to fiscal year 2004, and each fiscal year thereafter.

(Pub. L. 108-83, title I, §1102, Sept. 30, 2003, 117 Stat. 1027; Pub. L. 110-161, div. H, title I, §1306(a), Dec. 26, 2007, 121 Stat. 2243.)

Editorial Notes

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2004.

AMENDMENTS

2007—Subsec. (b)(1). Pub. L. 110-161, §1306(a)(1), substituted “Committees on Appropriations and Rules and Administration” for “Committee on Rules and Administration”.

Subsec. (b)(2). Pub. L. 110-161, §1306(a)(2), substituted “the Committee on Appropriations of the House of Representatives and the House Office Building Commission” for “the House Office Building Commission”.

Subsec. (b)(3). Pub. L. 110-161, §1306(a)(3), substituted “, for space to be leased for any other entity under subsection (a).” for period at end.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2007 AMENDMENT

Pub. L. 110-161, div. H, title I, §1306(b), Dec. 26, 2007, 121 Stat. 2243, provided that: “The amendments made by subsection (a) [amending this section] shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2004 [Pub. L. 108-83].”

§ 1823. Acquisition of real property for Sergeant at Arms and Doorkeeper of the Senate

(1) The Architect of the Capitol may acquire (through purchase, lease, transfer from another Federal entity, or otherwise) real property, for the use of the Sergeant at Arms and Doorkeeper of the Senate to support the operations of the Senate—

(A) subject to the approval of the Committee on Rules and Administration of the Senate; and

(B) subject to the availability of appropriations and upon approval of an obligation plan by the Committee on Appropriations of the Senate.

(2) Subject to the approval of the Committee on Appropriations of the Senate, the Secretary of the Senate may transfer funds for the acquisition or maintenance of any property under paragraph (1) from the account under the heading “Senate, Contingent Expenses of the Senate, Sergeant at Arms and Doorkeeper of the Senate” to the account under the heading “Architect of the Capitol, Senate Office Buildings”.

(3) This section shall apply with respect to fiscal year 2007 and each fiscal year thereafter.

(Pub. L. 109-289, div. B, title II, §20701(b), as added Pub. L. 110-5, §2, Feb. 15, 2007, 121 Stat. 37.)

Editorial Notes

CODIFICATION

Section is from the Continuing Appropriations Resolution, 2007.

§ 1823a. Acquisition of real property for Library of Congress

(a) Permitting leasing of space

Subject to the availability of funds, the Architect of the Capitol may acquire real property by lease for the use of the Library of Congress in any State or the District of Columbia if—

(1) the Architect of the Capitol and the Librarian of Congress submit a joint request for the Architect to lease the property to the Joint Committee on the Library and to the Committees on Appropriations of the House of Representatives and Senate; and

(2) the Joint Committee on the Library and the Committees on Appropriations of the House of Representatives and Senate each approve the request.

(b) Transfer of funds

Subject to the approval of the Joint Committee on the Library and the Committees on Appropriations of the House of Representatives and the Senate, the Architect of the Capitol and the Librarian of Congress may transfer between themselves appropriations or other available

funds to pay the costs incurred in acquiring real property pursuant to the authority of this section and the costs of necessary expenses incurred in connection with the acquisition of the property.

(c) Limit on obligations

No obligation entered into pursuant to the authority of this section shall be in advance of, or in excess of, available appropriations.

(d) Effective date

This section shall apply with respect to fiscal year 2009 and each succeeding fiscal year.

(Pub. L. 111–8, div. G, title I, § 1102, Mar. 11, 2009, 123 Stat. 823.)

Editorial Notes

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2009, which is div. G of the Omnibus Appropriations Act, 2009.

§ 1824. Energy and environmental measures in Capitol Complex Master Plan

(a) In general

To the maximum extent practicable, the Architect of the Capitol shall include energy efficiency and conservation measures, greenhouse gas emission reduction measures, and other appropriate environmental measures in the Capitol Complex Master Plan.

(b) Report

Not later than 6 months after December 19, 2007, the Architect of the Capitol shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Rules and Administration of the Senate, a report on the energy efficiency and conservation measures, greenhouse gas emission reduction measures, and other appropriate environmental measures included in the Capitol Complex Master Plan pursuant to subsection (a).

(Pub. L. 110–140, title V, § 503, Dec. 19, 2007, 121 Stat. 1655.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 110–140, title XVI, § 1601, Dec. 19, 2007, 121 Stat. 1801, provided that: “This Act [see Tables for classification] and the amendments made by this Act take effect on the date that is 1 day after the date of enactment of this Act [Dec. 19, 2007].”

§ 1824a. Recyclable materials

(a) Collection and sale of recyclable materials

(1) Establishment of program

The Architect of the Capitol shall establish a program for the collection and sale of recyclable materials collected from or on the Capitol buildings and grounds, in accordance with the procedures applicable under subchapter III of chapter 5 of subtitle I of title 40, to the sale of surplus property by an executive agency.

(2) Exclusion of materials subject to other programs

The program established under this section shall not apply with respect to any materials

which are subject to collection and sale under—

(A) section 6516 of this title;

(B) section 5540 of this title;

(C) section 2026 of this title; or

(D) any other authorized program for the collection and sale of recyclable materials.

(b) Revolving fund

(1) In general

There is established in the Treasury a revolving fund for the Office of the Architect of the Capitol, which shall consist of—

(A) proceeds from the sale of recyclable materials under the program established under this section; and

(B) such amounts as may be appropriated under law.

(2) Use of fund

Amounts in the revolving fund established under paragraph (1) shall be available without fiscal year limitation to the Architect of the Capitol, subject to the Architect providing prior notice to the Committees on Appropriations of the House of Representatives and Senate—

(A) to carry out the program established under this section;

(B) to carry out authorized programs and activities of the Architect to improve the environment; and

(C) to carry out authorized programs and activities of the Architect to promote energy savings.

(c) Effective date

This section shall apply with respect to fiscal year 2009 and each fiscal year thereafter.

(Pub. L. 111–8, div. G, title I, § 1101, Mar. 11, 2009, 123 Stat. 822; Pub. L. 113–76, div. I, title I, § 1303, Jan. 17, 2014, 128 Stat. 429.)

Editorial Notes

CODIFICATION

Section was formerly classified as a note under section 1811 of this title.

AMENDMENTS

2014—Subsec. (c). Pub. L. 113–76 substituted “fiscal year 2009 and each fiscal year thereafter” for “each of the fiscal years 2009 through 2013”.

§ 1825. Repealed. Pub. L. 110–437, title V, § 501(b)(2), Oct. 20, 2008, 122 Stat. 4997

Section, Pub. L. 110–161, div. H, title I, § 1305, Dec. 26, 2007, 121 Stat. 2242, related to CVC maintenance.

§ 1826. Easements for rights-of-way

(a) In general

The Architect of the Capitol may grant, upon such terms as the Architect of the Capitol considers advisable, including monetary consideration, easements for rights-of-way over, in, and upon the Capitol Grounds and any other public lands under the jurisdiction and control of the Architect of the Capitol.

(b) Limitation

No easement granted under this section may include more land than is necessary for the easement.

(c) Easement account

There is established in the Treasury an easement account for the Architect of the Capitol. The Architect of the Capitol shall deposit in the account all proceeds received relating to the granting of easements under this section. The proceeds deposited in that account shall be available to the Architect, in such amounts and for such purposes provided in appropriations acts.

(d) In-kind consideration

Subject to subsection (f), the Architect may accept in-kind consideration instead of, or in addition to, any monetary consideration, for any easement granted under this section.

(e) Termination of easement

The Architect of the Capitol may terminate all or part of any easement granted under this section for—

- (1) failure to comply with the terms of the grant;
- (2) nonuse for a 2-year period; or
- (3) abandonment.

(f) Approval

The Architect of the Capitol may grant an easement for rights-of-way under subsection (a) upon submission of written notice of intent to grant that easement and the amount or type of consideration to be received, and approval by—

- (1) the Committee on Rules and Administration of the Senate for easements granted on property under Senate jurisdiction;
- (2) the House Office Building Commission for property under House of Representatives jurisdiction; and
- (3) the Committee on Rules and Administration of the Senate and the House Office Building Commission for easements granted on any other property.

(g) Effective date

This section shall apply to fiscal year 2008 and each fiscal year thereafter.

(Pub. L. 110–161, div. H, title I, §1307, Dec. 26, 2007, 121 Stat. 2243.)

Editorial Notes**CODIFICATION**

Section is from the Legislative Branch Appropriations Act, 2008, which is div. H of the Consolidated Appropriations Act, 2008.

§ 1827. Support and maintenance during emergencies

(a) During an emergency involving the safety of human life or the protection of property, as determined or declared by the Capitol Police Board, the Architect of the Capitol—

- (1) may accept contributions of comfort and other incidental items and services to support employees of the Office of the Architect of the Capitol while such employees are on duty in response to the emergency; and
- (2) may incur obligations and make expenditures out of available appropriations for meals, refreshments, and other support and maintenance for the Office of the Architect of the Capitol if, in the judgment of the Archi-

tect, such obligations and expenditures are necessary to respond to the emergency.

(b) This section shall apply with respect to fiscal year 2010 and each succeeding fiscal year.

(Pub. L. 111–68, div. A, title I, §1305, Oct. 1, 2009, 123 Stat. 2035.)

Editorial Notes**CODIFICATION**

Section is from the Legislative Branch Appropriations Act, 2010, which is div. A of Pub. L. 111–68.

SUBCHAPTER III—PERSONNEL**PART A—GENERAL****§ 1831. Human resources program****(a) Short title**

This section may be cited as the “Architect of the Capitol Human Resources Act”.

(b) Finding and purpose**(1) Finding**

The Congress finds that the Office of the Architect of the Capitol should develop human resources management programs that are consistent with the practices common among other Federal and private sector organizations.

(2) Purpose

It is the purpose of this section to require the Architect of the Capitol to establish and maintain a personnel management system that incorporates fundamental principles that exist in other modern personnel systems.

(c) Personnel management system**(1) Establishment**

The Architect of the Capitol shall establish and maintain a personnel management system.

(2) Requirements

The personnel management system shall at a minimum include the following:

(A) A system which ensures that applicants for employment and employees of the Architect of the Capitol are appointed, promoted, and assigned on the basis of merit and fitness after fair and equitable consideration of all applicants and employees through open competition.

(B) An equal employment opportunity program which includes an affirmative employment program for employees and applicants for employment, and procedures for monitoring progress by the Architect of the Capitol in ensuring a workforce reflective of the diverse labor force.

(C) A system for the classification of positions which takes into account the difficulty, responsibility, and qualification requirements of the work performed, and which conforms to the principle of equal pay for substantially equal work.

(D) A program for the training of Architect of the Capitol employees which has among its goals improved employee performance and opportunities for employee advancement.