

such sums as may be necessary to carry out the provisions of subsections (a) and (b).

“(d) There is authorized to be appropriated to the Sergeant at Arms of the United States Senate such sums as may be necessary to provide for the planning and relocation of offices and equipment to the property described in subsection (a), subject to direction by the Committee on Rules and Administration.

“(e) The authority under this section shall continue until otherwise provided by law.”

**NORTH CAPITOL PLAZA BUILDING; CONTINUATION OF AUTHORITY FOR LEASE AND SUBLEASE OF PROPERTY; LEASED PROPERTY AS PART OF SENATE OFFICE BUILDINGS; RENT LIMITATIONS; NECESSITY OF SENATE RESOLUTION; TERM OF LEASE; PURCHASE OPTION**

Pub. L. 94-157, title I, §112, Dec. 18, 1975, 89 Stat. 832, as amended by Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814, provided that:

“(a) Notwithstanding any other provision of law, the Sergeant at Arms of the Senate, subject to the approval of the Committee on Rules and Administration, and the Committee on Appropriations, is authorized to lease, for use by the United States Senate, and for such other purposes as such committees may approve, all or any part of the property located at 400 North Capitol Street, Washington, District of Columbia, known as the ‘North Capitol Plaza Building’: *Provided*, That rental payments under such lease for the entire property shall not exceed \$3,375,000 per annum, exclusive of amounts for reimbursement for taxes paid and utilities furnished by the lessor: *Provided further*, That a lease shall not become effective until approved by Senate Resolution. Prior to such approval process the Government Accountability Office shall examine the terms of the proposed lease and shall report to the Senate on its reasonableness, taking into account such factors as rental rates for similar space, advantages of proximity, and possible alternative arrangements. Such payments shall be paid from the Contingent Fund of the Senate upon vouchers approved by the Sergeant at Arms: *Provided further*, That such lease may be for a term not in excess of five years, and shall contain an option to purchase such property, and shall include such other terms and conditions as such committees may determine to be in the best interests of the Government: *Provided further*, That nothing in this section shall be construed so as to obligate the Senate or any of its Members, officers, or employees to enter into any such lease or to imply any obligation to enter into any such lease.

“(b) Notwithstanding any other provision of law, property leased under authority of subsection (a) shall be maintained by the Architect of the Capitol as part of the ‘Senate Office Buildings’ subject to the laws, rules, and regulations governing such buildings, and the Architect is authorized to incur such expenses as may be necessary to provide for such occupancy.

“(c) Notwithstanding any other provision of law, the Sergeant at Arms of the Senate, subject to the approval of the Committee on Rules and Administration and the Committee on Appropriations, is authorized to sublease any part of the property leased under authority of subsection (a) which is in excess of the requirements of the Senate. All rental payments under any such sublease shall be paid to the Sergeant at Arms of the Senate and such amounts shall thereupon be added to and merged with the appropriation ‘Miscellaneous Items’ under the Contingent Fund of the Senate.

“(d) Notwithstanding any other provision of law, upon the approval of the Committee on Rules and Administration and the Committee on Appropriations, the Secretary of the Senate shall transfer by voucher or vouchers to the Architect of the Capitol from the ‘Contingent Fund of the Senate’ such amounts as may be necessary for the Architect of the Capitol to carry out the provisions of subsection (b) and such amounts shall thereupon be added to and merged with the appropriation ‘Senate Office Buildings’.

“(e) The authority under this section shall continue until otherwise provided by law.”

**CONSTRUCTION OF EXTENSION TO NEW SENATE OFFICE BUILDING**

Pub. L. 92-607, ch. V, Oct. 31, 1972, 86 Stat. 1510, appropriated funds for the construction and equipment of an extension to the New Senate Office Building and for structural and other changes in the existing New Senate Office Building necessitated by such construction and provided that the building and the grounds and sidewalks surrounding it are subject to the Act of July 31, 1946 (2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101 to 5107, 5109), and the Act of June 8, 1942 (2 U.S.C. 2023, 2024).

**ACQUISITION OF PROPERTY AS SITE FOR PARKING FACILITIES FOR SENATE**

Pub. L. 92-607, ch. V, Oct. 31, 1972, 86 Stat. 1510, as amended by Pub. L. 93-305, title I, ch. VIII, §801, June 8, 1974, 88 Stat. 206, authorized the Architect of the Capitol to acquire certain real property as a site for parking facilities for the Senate, with such property to become a part of the United States Capitol Grounds upon acquisition.

**ACQUISITION OF PROPERTY TO EXTEND ADDITIONAL SENATE OFFICE BUILDING SITE**

Pub. L. 85-429, May 29, 1958, 72 Stat. 148; Pub. L. 85-591, Aug. 6, 1958, 72 Stat. 495; Pub. L. 91-145, Dec. 12, 1969, 83 Stat. 352; Pub. L. 91-382, Aug. 18, 1970, 84 Stat. 819; Pub. L. 92-184, ch. IV, Dec. 15, 1971, 85 Stat. 637, in part authorized the Architect of the Capitol to acquire certain real property for purposes of extension of Additional Senate Office Building Site and provided that such property become a part of the United States Capitol Grounds or that it be subject to the act of July 31, 1946 (2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101 to 5107, 5109).

## **§ 2022. Acquisition of buildings and facilities for use in emergency situation**

### **(a) Acquisition of buildings and facilities**

Notwithstanding any other provision of law, in order to respond to an emergency situation, the Sergeant at Arms of the Senate may acquire buildings and facilities, subject to the availability of appropriations, for the use of the Senate, as appropriate, by lease, purchase, or such other arrangement as the Sergeant at Arms of the Senate considers appropriate (including a memorandum of understanding with the head of an executive agency, as defined in section 105 of title 5, in the case of a building or facility under the control of such Agency). Actions taken by the Sergeant at Arms of the Senate must be approved by the Committees on Appropriations and Rules and Administration.

### **(b) Agreements**

Notwithstanding any other provision of law, for purposes of carrying out subsection (a), the Sergeant at Arms of the Senate may carry out such activities and enter into such agreements related to the use of any building or facility acquired pursuant to such subsection as the Sergeant at Arms of the Senate considers appropriate, including—

(1) agreements with the United States Capitol Police or any other entity relating to the policing of such building or facility; and

(2) agreements with the Architect of the Capitol or any other entity relating to the care and maintenance of such building or facility.



**(c) Authority of Capitol Police and Architect****(1) Architect of the Capitol**

Notwithstanding any other provision of law, the Architect of the Capitol may take any action necessary to carry out an agreement entered into with the Sergeant at Arms of the Senate pursuant to subsection (b).

**(2) Omitted****(d) Transfer of certain funds**

Subject to the approval of the Committee on Appropriations of the Senate, the Architect of the Capitol may transfer to the Sergeant at Arms of the Senate amounts made available to the Architect for necessary expenses for the maintenance, care and operation of the Senate office buildings during a fiscal year in order to cover any portion of the costs incurred by the Sergeant at Arms of the Senate during the year in acquiring a building or facility pursuant to subsection (a).

**(e) Effective date**

This section and the amendments made by this section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

(Pub. L. 107-117, div. B, §901, Jan. 10, 2002, 116 Stat. 2315; Pub. L. 107-206, title I, §902(a)(1), Aug. 2, 2002, 116 Stat. 876.)

**Editorial Notes****REFERENCES IN TEXT**

For the amendments made by this section, referred to in subsec. (e), see Codification note below.

**CODIFICATION**

Section was classified to section 174b-2 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 comprised of section 901 of Pub. L. 107-117. Subsec. (c)(2) of section 901 of Pub. L. 107-117 amended section 1961 of this title.

**AMENDMENTS**

2002—Subsec. (a). Pub. L. 107-206 substituted “buildings and facilities, subject to the availability of appropriations,” for “buildings and facilities”.

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE OF 2002 AMENDMENT**

Pub. L. 107-206, title I, §902(c), Aug. 2, 2002, 116 Stat. 876, provided that: “The amendment made by this section [amending this section and section 1961 of this title] shall take effect as if included in the enactment of the Emergency Supplemental Act, 2002 [Pub. L. 107-117, div. B].”

**§ 2023. Control, care, and supervision of Senate Office Building**

On and after June 8, 1942, the Senate Office Building, and the employment of all services (other than for the United States Capitol Police) necessary for its protection, care, and occupancy, together with all other items that may be appropriated for by the Congress for such purposes, shall be under the control and supervision of the Architect of the Capitol, subject to the approval of the Senate Committee on Rules and Administration as to matters of general policy;

and the Architect of the Capitol shall submit annually to the Congress estimates in detail for all services (other than for the United States Capitol Police) and for all other expenses in connection with said office building and necessary for its protection, care, and occupancy.

(June 8, 1942, ch. 396, 56 Stat. 343; Aug. 2, 1946, ch. 753, title I, §102, title II, §224, 60 Stat. 814, 838; Pub. L. 111-145, §6(c)(2), Mar. 4, 2010, 124 Stat. 54.)

**Editorial Notes****CODIFICATION**

Section was classified to section 174c 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**

2010—Pub. L. 111-145 substituted “other than for the United States Capitol Police” for “other than for officers and privates of the Capitol Police” in two places.

1946—Act Aug. 2, 1946, substituted “Committee on Rules and Administration” for “Committee on Rules”.

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE OF 1946 AMENDMENT**

Act Aug. 2, 1946, ch. 753, title I, §142, 60 Stat. 834, provided that section 102 of that act shall take effect on Jan. 2, 1947, and section 245 of title II of that act, 60 Stat. 839, provided that section 224 thereof shall “take effect on the day on which the Eightieth Congress convenes”. The Eightieth Congress convened on Jan. 3, 1947.

**§ 2024. Assignment of space in Senate Office Building**

On and after June 8, 1942, the assignment of rooms and other space in the Senate Office Building shall be under the direction and control of the Senate Committee on Rules and Administration and shall not be a part of the duties of the Architect of the Capitol.

(June 8, 1942, ch. 396, 56 Stat. 343; Aug. 2, 1946, ch. 753, title I, §102, title II, §224, 60 Stat. 814, 838.)

**Editorial Notes****CODIFICATION**

Section was classified to section 174d 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**

1946—Act Aug. 2, 1946, substituted “Committee on Rules and Administration” for “Committee on Rules”.

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE OF 1946 AMENDMENT**

Act Aug. 2, 1946, ch. 753, title I, §142, 60 Stat. 834, provided that section 102 of that act shall take effect on Jan. 2, 1947, and section 245 of title II of that act, 60 Stat. 839, provided that section 224 thereof shall “take effect on the day on which the Eightieth Congress convenes”. The Eightieth Congress convened on Jan. 3, 1947.

**§ 2025. Senate Garage**

(a) The employees of the Senate garage engaged by the Architect of the Capitol for the pri-