

section (b)(2)). Retirement credit may not be allowed under this section for any such service unless the full amount of the deposit required under the preceding sentence has been paid.

“(d) CLARIFICATION.—Nothing in this section shall be considered to relate to the Thrift Savings Plan.

“(e) OPM FUNCTIONS.—The Office of Personnel Management shall—

“(1) prescribe any regulations which may be necessary to carry out this section; and

“(2) with respect to any service for which credit is sought under this section, accept the certification of the Clerk of the House of Representatives concerning the period of such service and the amount of pay which was paid for such service.”

#### AVAILABILITY OF AMOUNTS DEPOSITED IN ACCOUNT FOR SALARIES AND EXPENSES

Pub. L. 102-392, title III, §307, Oct. 6, 1992, 106 Stat. 1722, provided that: “The amounts deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (40 U.S.C. 184g(d)(1)) [now 2 U.S.C. 2062(d)(1)] shall be available for salaries and expenses of the House of Representatives Child Care Center without fiscal year limitation, subject to the approval of the Committee on Appropriations of the House of Representatives.”

### § 2063. Senate Employee Child Care Center

#### (a) Applicability of provisions

The provisions of this section shall apply to any individual who is employed by the Senate day care center (known as the “Senate Employee Child Care Center” and hereafter in this section referred to as the “Center”) established pursuant to Senate Resolution 269, Ninety-eighth Congress, and section 2061 of this title.

#### (b) Employee election of health care insurance coverage

Any individual described under subsection (a) who is employed by the Center on or after August 14, 1991, shall be deemed an employee under section 8901(1) of title 5 for purposes of health insurance coverage under chapter 89 of such title. An individual described under subsection (a) who is an employee of the Center on August 14, 1991, may elect coverage under this subsection during the 31-day period beginning on August 14, 1991, and during such periods as determined by the Office of Personnel Management for employees of the Center employed after August 14, 1991.

#### (c) Deductions and withholding from employee pay

The Center shall make such deductions and withholdings from the pay of an individual described under subsection (a) who is an employee of the Center in accordance with subsection (d) of this section.

#### (d) Employee records; amount of deductions

The Center shall—

(1) maintain records on all employees covered under this section in such manner as the Secretary of the Senate may require for administrative purposes; and

(2) after consultation with the Secretary of the Senate—

(A) make deductions from the pay of employees of amounts determined in accordance with section 8906 of title 5; and

(B) transmit such deductions to the Secretary of the Senate for deposit and remit-

tance to the Office of Personnel Management.

#### (e) Government contributions

Government contributions for individuals receiving benefits under this section, as computed under section 8906 of title 5, shall be made by the Secretary of the Senate from the appropriations account, within the contingent fund of the Senate, “miscellaneous items”.

#### (f) Regulations

The Office of Personnel Management may prescribe regulations to carry out the provisions of this section.

(Pub. L. 102-90, title III, §311, Aug. 14, 1991, 105 Stat. 467.)

### Editorial Notes

#### REFERENCES IN TEXT

For Senate Resolution 269, referred to in subsec. (a), see References in Text note set out under section 2061 of this title.

#### CODIFICATION

Section was classified to section 214c 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

#### SOURCE OF FUNDS USED FOR PAYMENT OF SALARIES AND EXPENSES OF SENATE EMPLOYEE CHILD CARE CENTER

Pub. L. 116-136, div. B, title IX, §19001, Mar. 27, 2020, 134 Stat. 577, as amended by Pub. L. 116-260, div. O, title XI, §1101(a), Dec. 27, 2020, 134 Stat. 2156, provided that:

“(a) REIMBURSEMENTS.—During the period beginning on July 1, 2020 and ending on the termination date 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, the Secretary of the Senate shall reimburse the Senate Employee Child Care Center for expenses, due to measures taken in the Capitol complex to combat coronavirus, as calculated under subsection (b) and from amounts in the appropriations account ‘Miscellaneous Items’ within the contingent fund of the Senate.

“(b) AMOUNT.—The amount of the reimbursement under this section for each month of the period described in subsection (a) shall be equal to the difference between—

“(1) the lesser of—

“(A) the amount of the operating costs (including payroll, general, and administrative expenses) of the Center for such month; or

“(B) \$105,000; and

“(2) the amount of tuition payments collected by the Center for such month.”

[For definition of “coronavirus” as used in section 19001 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.]

### § 2064. Senate Employee Child Care Center employee benefits

#### (a) Election for coverage

The provisions of this section shall apply to any individual who—

(1)(A) on October 6, 1992, is employed by the Senate day care center (known as the “Senate Employee Child Care Center”) established pursuant to Senate Resolution 269, Ninety-eighth Congress, and section 2061 of this title; and

(B) makes an election to be covered by this section with the Secretary of the Senate, no later than 60 days after October 6, 1992; or

(2) is hired by the Center after October 6, 1992, and makes an election to be covered by this section with the Secretary of the Senate, no later than 60 days after the date such individual begins employment.

**(b) Payment of deposit; payroll deduction**

(1) Any individual described under subsection (a) may be credited,<sup>1</sup> under section 8411 of title 5 for service as an employee of the Senate day care center before January 1, 1993, if such employee makes a payment of the deposit under section 8411(f)(2) of such title without application of the provisions of section 8411(b)(3) of such title.

(2) An individual described under subsection (a) shall be credited under section 8411 of title 5 for any service as an employee of the Senate day care center on or after October 6, 1992, if such employee has such amounts deducted and withheld from his pay as determined by the Office of Personnel Management (in accordance with regulations prescribed by such Office subject to subsection (h) of this section) which would be deducted and withheld from the basic pay of an employee under section 8422 of title 5.

**(c) Survivor annuities and disability benefits**

Notwithstanding any other provision of this section, any service performed by an individual described under subsection (a) as an employee of the Senate day care center is deemed to be civilian service creditable under section 8411 of title 5 for purposes of qualifying for survivor annuities and disability benefits under subchapters IV and V of chapter 84 of such title, if such individual makes payment of an amount, determined by the Office of Personnel Management, which would have been deducted and withheld from the basic pay of such individual if such individual had been an employee subject to section 8422 of title 5 for such period so credited, together with interest thereon.

**(d) Participation in Thrift Savings Plan**

An individual described under subsection (a) shall be deemed a congressional employee for purposes of chapter 84 of title 5 including subchapter III thereof and may make contributions under section 8432 of such title effective for the first applicable pay period beginning on or after October 6, 1992.

**(e) Life insurance coverage**

An individual described under subsection (a) shall be deemed an employee under section 8701(a)(3) of title 5 for purposes of life insurance coverage under chapter 87 of such title.

**(f) Government contributions**

Government contributions for individuals receiving benefits under this section, as computed under sections 8423, 8432, and 8708,<sup>2</sup> shall be made by the Secretary of the Senate from the appro-

priations account, within the contingent fund of the Senate, "Miscellaneous Items".

**(g) Certification of creditable service**

The Office of Personnel Management shall accept the certification of the Secretary of the Senate concerning creditable service for the purpose of this section.

**(h) Payment to center of amounts equal to Federal tax on employers**

(1) Subject to the provisions of paragraph (2), the Secretary of the Senate shall pay such amounts to the Senate day care center equal to the tax on employers under section 3111 of title 26 with respect to each employee of the Senate day care center. Such payments shall be made from the appropriations account, within the contingent fund of the Senate, "Miscellaneous Items".

(2) The Senate day care center shall provide appropriate documentation to the Secretary of the Senate of payment by such center of the tax described under paragraph (1), before the Secretary of the Senate may pay any amount to such center as provided under paragraph (1).

**(i) Administrative provisions**

The Center shall—

(1) consult with the Secretary of the Senate on the administration of this section;

(2) maintain records on all employees covered under this section in such manner as the Secretary of the Senate may require for administrative purposes;

(3) make deductions and withholdings from the pay of employees in the amounts determined under sections 8422, 8432, and 8707 of title 5; and

(4) transmit such deductions and withholdings to the Secretary of the Senate for deposit and remittance to the Office of Personnel Management.

**(j) Regulations**

The Office of Personnel Management may prescribe regulations to carry out the provisions of this section.

(Pub. L. 102-392, title III, §320, Oct. 6, 1992, 106 Stat. 1725; Pub. L. 103-50, ch. XII, §1203(a)(1), (b)(1), July 2, 1993, 107 Stat. 268.)

**Editorial Notes**

**REFERENCES IN TEXT**

For Senate Resolution 269, referred to in subsec. (a)(1)(A), see References in Text note set out under section 2061 of this title.

**CODIFICATION**

Section was classified to section 214d 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**

1993—Subsec. (b)(1). Pub. L. 103-50, §1203(b)(1), substituted "January 1, 1993" for "October 6, 1992".

Subsecs. (h) to (j). Pub. L. 103-50, §1203(a)(1), added subsec. (h) and redesignated former subsecs. (h) and (i) as (i) and (j), respectively.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 1993 AMENDMENT**

Pub. L. 103-50, ch. XII, §1203(a)(2), July 2, 1993, 107 Stat. 268, provided that: "The amendments made by

<sup>1</sup> So in original. The comma probably should not appear.

<sup>2</sup> So in original. The words "of title 5" probably should precede the comma.

paragraph (1) [amending this section] shall take effect on the first day of the first month beginning on or after the date of the enactment of this Act [July 2, 1993].”

Pub. L. 103-50, ch. XII, § 1203(b)(2), July 2, 1993, 107 Stat. 268, provided that: “The amendment made by paragraph (1) [amending this section] shall take effect on the date of the enactment of this Act [July 2, 1993].”

#### **§ 2065. Reimbursement of Senate day care center employees**

##### **(a) Cost of training classes, conferences, and related expenses**

Notwithstanding section 1345 of title 31, the Secretary of the Senate may reimburse any individual employed by the Senate day care center for the cost of training classes and conferences in connection with the provision of child care services and for travel, transportation, and subsistence expenses incurred in connection with the training classes and conferences.

##### **(b) Documentation**

The Senate day care center shall certify and provide appropriate documentation to the Secretary of the Senate with respect to any reimbursement under this section. Reimbursements under this section shall be made from the appropriations account “MISCELLANEOUS ITEMS” within the contingent fund of the Senate on vouchers approved by the Secretary of the Senate.

##### **(c) Regulations and limitations**

Reimbursements under this section shall be subject to the regulations and limitations prescribed by the Committee on Rules and Administration of the Senate for travel and related expenses for which payment is authorized to be made from the contingent fund of the Senate.

##### **(d) Effective date**

This section shall be effective on and after October 1, 1996.

(Pub. L. 104-197, title I, § 6, Sept. 16, 1996, 110 Stat. 2397.)

#### **Editorial Notes**

##### **CODIFICATION**

Section was classified to section 214e 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.

#### **SUBCHAPTER V—HISTORICAL PRESERVATION AND FINE ARTS**

##### **PART A—UNITED STATES CAPITOL PRESERVATION COMMISSION**

#### **§ 2081. United States Capitol Preservation Commission**

##### **(a) Establishment and purposes**

There is established in the Congress the United States Capitol Preservation Commission (hereinafter in this part referred to as the “Commission”) for the purposes of—

- (1) providing for improvements in, preservation of, and acquisitions for, the United States Capitol;
- (2) providing for works of fine art and other property for display in the United States Cap-

itol and at other locations under the control of the Congress; and

(3) conducting other activities that directly facilitate, encourage, or otherwise support any purposes specified in paragraph (1) or (2).

##### **(b) Membership**

The Commission shall be composed of the following Members of Congress:

(1) The President pro tempore of the Senate and the Speaker of the House of Representatives, who shall be co-chairmen.

(2) The Chairman and Vice-Chairman of the Joint Committee on the Library.

(3) The Chairman and the ranking minority party member of the Committee on Rules and Administration of the Senate, and the Chairman and the ranking minority party member of the Committee on House Oversight of the House of Representatives.

(4) The majority leader and the minority leader of the Senate.

(5) The majority leader and the minority leader of the House of Representatives.

(6) The Chairman of the Commission on the Bicentennial of the United States Senate and the Chairman of the Commission of the House of Representatives Bicentenary, to be succeeded upon expiration of such commissions, by a Senator or Member of the House of Representatives, as appropriate, appointed by the Senate or House of Representatives co-chairman of the Commission, respectively.

(7) One Senator appointed by the President pro tempore of the Senate and one Senator appointed by the minority leader of the Senate.

(8) One Member of the House of Representatives appointed by the Speaker of the House of Representatives and one Member of the House of Representatives appointed by the minority leader of the House of Representatives.

##### **(c) Designees**

Each member of the Commission specified under subsection (b) (other than a member under paragraph (7) or (8) of such subsection) may designate a Senator or Member of the House of Representatives, as the case may be, to serve as a member of the Commission in place of the member so specified.

##### **(d) Architect of the Capitol**

In addition to the members under subsection (b), the Architect of the Capitol shall participate in the activities of the Commission, ex officio, and without the right to vote.

##### **(e) Staff support and assistance**

The Senate Commission on Art, the House of Representatives Fine Arts Board, and the Architect of the Capitol shall provide to the Commission such staff support and assistance as the Commission may request.

(Pub. L. 100-696, title VIII, § 801, Nov. 18, 1988, 102 Stat. 4608; Pub. L. 104-186, title II, § 221(7), Aug. 20, 1996, 110 Stat. 1749.)

#### **Editorial Notes**

##### **CODIFICATION**

Section was classified to section 188a of former Title 40, prior to the enactment of Title 40, Public Buildings,