

CODIFICATION

Section is comprised of section 1 of Pub. L. 110-279. Subsec. (c)(4)(C) of section 1 of Pub. L. 110-279 repealed section 2048 of this title. Subsec. (g)(1), (2) of section 1 of Pub. L. 110-279 amended sections 1301 and 1331 of this title.

AMENDMENTS

2019—Subsec. (c)(2)(A). Pub. L. 116-21, §1(a)(1), struck out introductory provisions which read as follows: “For purposes of chapters 83, 84, and 87 of title 5—”.

Subsec. (c)(2)(A)(i). Pub. L. 116-21, §1(a)(1), (2), inserted heading, inserted “For purposes of chapters 83, 84, and 87 of title 5,” before “any period”, and substituted period for “; and” at end.

Subsec. (c)(2)(A)(ii). Pub. L. 116-21, §1(a)(3), inserted heading, inserted “For purposes of chapter 87 of title 5,” before “the rate of basic pay”, and substituted “a covered” for “the covered”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2019 AMENDMENT

Pub. L. 116-21, §1(c), June 12, 2019, 133 Stat. 903, provided that:

“(1) **DEFINITIONS.**—In this subsection, the terms ‘contractor’, ‘covered individual’, and ‘food services contract’ have the meanings given those terms in section 1(a) of Public Law 110-279 (2 U.S.C. 2051(a)).

“(2) **APPLICABILITY.**—The amendments made by this section shall apply with respect to—

“(A) a covered individual who separates from service as an employee of a contractor performing services under the food services contract before, on, or after the date of enactment of this Act [June 12, 2019]; and

“(B) each payment to a covered individual under chapter 83 or 84 of title 5, United States Code, made on or after the effective date of the regulations promulgated under subsection (b) [set out as a note below].”

REGULATIONS

Pub. L. 116-21, §1(b), June 12, 2019, 133 Stat. 903, provided that:

“(1) **IN GENERAL.**—The Director of the Office of Personnel Management shall promulgate regulations to carry out this section [amending this section and enacting provisions set out as a note under this section].

“(2) **EFFECTIVE DATE.**—The regulations promulgated under paragraph (1) shall take effect not later than 180 days after the date of enactment of this Act [June 12, 2019].”

§ 2052. Senate restaurant deficit fund; deposit of proceeds from surcharge on orders

The Committee on Rules and Administration of the United States Senate is authorized and directed hereafter to add a minimum of 10 per centum to each order in excess of 10 cents served in the Senate restaurants and 20 per centum to all orders served outside of said restaurants, and the proceeds accruing therefrom shall be placed in a fund to be used in the payment of any deficit incurred in the management of such kitchens and restaurants.

(May 18, 1937, ch. 223, §1, 50 Stat. 173; Aug. 2, 1946, ch. 753, title I, §102, 60 Stat. 814.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 121 of this title prior to editorial reclassification and renumbering as this section.

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 the amendment made by that act is effective Jan. 2, 1947.

SUBCHAPTER IV—CHILD CARE

§ 2061. Designation of play areas on Capitol grounds for children attending day care center**(a) Authority of Capitol Police Board**

Notwithstanding any other provision of law and subject to the provisions of paragraph (1) of subsection (b), the Capitol Police Board is authorized to designate certain portions of the Capitol grounds (other than a portion within the area bounded on the North by Constitution Avenue, on the South by Independence Avenue, on the East by First Street, and on the West by First Street) for use exclusively as play areas for the benefit of children attending a day care center which is established for the primary purpose of providing child care for the children of Members and employees of the Senate or the House of Representatives.

(b) Required approval; fences; termination of authority

(1) In the case of any such designation referred to in subsection (a) involving a day care center established for the benefit of children of Members and employees of the Senate, the designation shall be with the approval of the Senate Committee on Rules and Administration, and in the case of such a center established for the benefit of children of Members and employees of the House of Representatives, the designation shall be with the approval of the House Committee on House Oversight, with the concurrence of the House Office Building Commission.

(2) The Architect of the Capitol shall enclose with a fence any area designated pursuant to subsection (a) as a play area.

(3) The authority to use an area designated pursuant to subsection (a) as a play area may be terminated at any time by the Committee which approved such designation.

(c) Playground equipment; required approval

Nothing in this or any other Act shall be construed as prohibiting any day care center referred to in subsection (a) from placing playground equipment within an area designated pursuant to subsection (a) for use solely in connection with the operation of such center, subject to, in the case of a day care center established for the benefit of children of Members and employees of the Senate, the approval of the Senate Committee on Rules and Administration, and in the case of such a center established for the benefit of children of Members and employees of the House of Representatives, the approval of the House Committee on House Oversight, with the concurrence of the House Office Building Commission.

(d) Day care center

The day care center referred to in S. Res. 269, Ninety-eighth Congress, first session, is a day care center for which space may be designated under subsection (a) for use as a play area.

(Pub. L. 98-392, §3, Aug. 21, 1984, 98 Stat. 1362; Pub. L. 104-186, title II, §221(14), Aug. 20, 1996, 110 Stat. 1750.)

Editorial Notes**REFERENCES IN TEXT**

S. Res. 269, Ninety-eighth Congress, first session, referred to in subsec. (d), is dated Nov. 14, 1983, and reads as follows: “*Resolved*, That payment is authorized from the contingent fund of the Senate in an amount not to exceed \$20,000 for the start-up costs, including the procurement of the services of individual consultants or organizations, for a Senate day care center, which shall be ready for occupancy by January 1, 1984.

“SEC. 2. Payments under this resolution shall be paid from the appropriation account for ‘Miscellaneous Items’ in the contingent fund of the Senate upon vouchers approved by the chairman of the Committee on Rules and Administration.

“SEC. 3. The Committee on Rules and Administration shall supervise any contract entered into on behalf of the Senate, under authority of this resolution. Such contract shall not be subject to the provisions of section 5 of title 41 of the United States Code [now 41 U.S.C. 6101] or any other provision of law requiring advertising.”

CODIFICATION

Section was classified to section 214b 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

1996—Subsecs. (b)(1), (c). Pub. L. 104-186 substituted “House Oversight” for “House Administration”.

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

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

§ 2062. House of Representatives Child Care Center**(a) Maintenance and operation; admission of children**

(1) The Chief Administrative Officer of the House of Representatives shall maintain and operate a child care center (to be known as the “House of Representatives Child Care Center”) to furnish pre-school child care and (subject to the approval of regulations by the Committee on House Administration) child care for school age children other than during the course of the ordinary school day—

(A) for children of individuals whose pay is disbursed by the Chief Administrative Officer of the House of Representatives and children of support personnel of the House of Representatives;

(B) if places are available after admission of all children who are eligible under subparagraph (A), for children of individuals whose pay is disbursed by the Secretary of the Sen-

ate and children of employees of agencies of the legislative branch; and

(C) if places are available after admission of all children who are eligible under subparagraph (A) or (B), for children of employees of other offices, departments, and agencies of the Federal Government.

(2) Children shall be admitted to the center on a nondiscriminatory basis and without regard to any office or position held by their parents.

(b) Advisory board; membership, functions, etc.

(1)(A) The Speaker of the House of Representatives shall appoint 15 individuals (of whom 7 shall be upon recommendation of the minority leader of the House of Representatives), to serve without pay, as members of an advisory board for the center. The board shall—

(i) provide advice to the Chief Administrative Officer on matters of policy relating to the administration and operation of the center (including the selection of the director of the center);

(ii) be chosen from among Members of the House of Representatives, spouses of Members, parents of children enrolled in the center, and other individuals with expertise in child care or interest in the center; and

(iii) serve during the Congress in which they are appointed, except that a member of the board may continue to serve after the expiration of a term until a successor is appointed.

(B) The director of the center shall serve as an additional member of the board, ex officio and without the right to vote.

(2) A vacancy on the board shall be filled in the manner in which the original appointment is made.

(3) The chairman of the board shall be elected by the members of the board.

(c) Duties of Chief Administrative Officer of House of Representatives

In carrying out subsection (a), the Chief Administrative Officer is authorized—

(1) to collect fees for child care services;

(2) to accept such gifts of money and property as may be approved by the Chairman and the ranking minority party member of the Committee on House Oversight of the House of Representatives, acting jointly; and

(3) to employ a director and other employees for the center.

(d) Salaries and expenses; funding limits

(1) There is established in the Treasury of the United States a revolving fund for the House of Representatives to be known as the “House Child Care Center Revolving Fund” (hereafter in this section referred to as the “Fund”), consisting of the amounts received under subsection (c) and any other funds deposited by the Chief Administrative Officer of the House of Representatives from amounts received by the House of Representatives with respect to the operation of the center. Except as provided in paragraphs (2) and (3), the Fund shall be the exclusive source for all salaries and expenses for activities carried out under this section.

(2) With respect to employees of the center, the House of Representatives shall make Gov-

ernment contributions and payments for health insurance, retirement, employment taxes, and similar benefits and programs (including the subsidies provided on behalf of employees of the center as a result of reductions in the amount of tuition otherwise charged with respect to children of such employees under paragraph (4)) in the same manner as such contributions and payments are made for other employees of the House of Representatives.

(3) The House of Representatives shall make payments from amounts provided in appropriations acts for salaries and expenses of the Office of the Chief Administrative Officer for the following activities carried out under this section:

(A) The payment of the salary of the director of the center, and, at the option of the Chief Administrative Officer during an emergency situation, the payment of the salary of other employees of the Center.

(B) The cost of training classes and conferences for individuals employed by the center in connection with the provision of child care services, together with the cost of travel (including transportation and subsistence) incurred in connection with such classes and conferences.

(C) During an emergency situation, the payment of such other expenses for activities carried out under this section as the Chief Administrative Officer determines appropriate.

(4) In the case of a child of an employee of the center who is furnished care at the center, the Chief Administrative Officer shall reduce the amount of tuition otherwise charged with respect to such child during a month by the greater of—

(A) 50 percent; or

(B) such percentage as may be necessary to ensure that the total amount of tuition paid by the employee with respect to all children of the employee who are furnished care at the center during the month does not exceed \$1,000.

(e) Fund as category of allowances and expenses

The Fund shall be treated as a category of allowances and expenses for purposes of section 5507(a) of this title.

(f) Definitions

As used in this section—

(1) the term “Member of the House of Representatives” means a Representative in, or a Delegate or Resident Commissioner to, the Congress;

(2) 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, the Congressional Budget Office, and the Copyright Royalty Tribunal; and

(3) the term “support personnel” means, with respect to the House of Representatives, any employee of a credit union or of the Architect of the Capitol, whose principal duties are to support the functions of the House of Representatives.

(Pub. L. 102–90, title III, §312, Aug. 14, 1991, 105 Stat. 467; Pub. L. 102–392, title III, §319(a), Oct. 6,

1992, 106 Stat. 1725; Pub. L. 104–186, title II, §221(5), (6), Aug. 20, 1996, 110 Stat. 1749; Pub. L. 106–100, §1(a), Nov. 12, 1999, 113 Stat. 1332; Pub. L. 108–7, div. H, title I, §108(a), Feb. 20, 2003, 117 Stat. 355; Pub. L. 108–271, §8(b), July 7, 2004, 118 Stat. 814; Pub. L. 111–8, div. G, title I, §106, Mar. 11, 2009, 123 Stat. 818; Pub. L. 111–248, §2(a)(1), (b), Sept. 30, 2010, 124 Stat. 2625; Pub. L. 113–235, div. H, title I, §1301(b), Dec. 16, 2014, 128 Stat. 2537; Pub. L. 116–94, div. E, title I, §117(a), (b), Dec. 20, 2019, 133 Stat. 2761; Pub. L. 116–136, div. B, title IX, §19002(a), Mar. 27, 2020, 134 Stat. 577; Pub. L. 117–328, div. I, title I, §116(a), Dec. 29, 2022, 136 Stat. 4923.)

Editorial Notes

CODIFICATION

Section was classified to section 184g 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 312 of Pub. L. 102–90. Another subsec. (f) of section 312 of Pub. L. 102–90 repealed sections 184b to 184f of former Title 40, Public Buildings, Property, and Works.

AMENDMENTS

2022—Subsec. (d)(3)(B). Pub. L. 117–328 substituted “The cost of training classes and conferences for individuals employed by the center” for “The reimbursement of individuals employed by the center for the cost of training classes and conferences”.

2020—Subsec. (d)(3)(A). Pub. L. 116–136, §19002(a)(1), substituted “, and, at the option of the Chief Administrative Officer during an emergency situation, the payment of the salary of other employees of the Center.” for period at end.

Subsec. (d)(3)(C). Pub. L. 116–136, §19002(a)(2), which directed that subpar. (C) be added “at the end” of subsec. (d)(3)(A), was executed by adding subpar. (C) at the end of subsec. (d)(3), to reflect the probable intent of Congress.

2019—Subsec. (d)(2). Pub. L. 116–94, §117(b), inserted “(including the subsidies provided on behalf of employees of the center as a result of reductions in the amount of tuition otherwise charged with respect to children of such employees under paragraph (4))” after “similar benefits and programs”.

Subsec. (d)(4). Pub. L. 116–94, §117(a), added par. (4).

2010—Subsec. (d)(1). Pub. L. 111–248, §2(a)(1), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “There is established an account which, subject to appropriation, and except as provided in paragraphs (2) and (3), shall be the exclusive source for all salaries and expenses for activities carried out under this section. The Chief Administrative Officer shall deposit in the account any amounts received under subsection (c) of this section.”

Subsecs. (e), (f). Pub. L. 111–248, §2(b), added subsec. (e) and redesignated former subsec. (e) as (f).

2009—Subsec. (a)(1). Pub. L. 111–8 substituted “pre-school child care and (subject to the approval of regulations by the Committee on House Administration) child care for school age children other than during the course of the ordinary school day” for “pre-school child care” in introductory provisions.

2004—Subsec. (e)(2). Pub. L. 108–271 substituted “Government Accountability Office” for “General Accounting Office”.

2003—Subsec. (d)(1). Pub. L. 108–7, §108(a)(1), substituted “paragraphs (2) and (3)” for “paragraph (2)”.

Subsec. (d)(3). Pub. L. 108–7, §108(a)(2), added par. (3). 1999—Subsec. (a)(1)(C). Pub. L. 106–100 added subpar. (C).

1996—Pub. L. 104–186, §221(5)(A), substituted “Chief Administrative Officer” for “Clerk” wherever appearing.

Subsec. (a)(1)(A). Pub. L. 104-186, § 221(5)(B), struck out “or the Sergeant at Arms of the House of Representatives” before “and children”.

Subsec. (b)(1)(A). Pub. L. 104-186, § 221(6)(A), substituted “minority leader” for “Minority Leader”.

Subsec. (c)(2). Pub. L. 104-186, § 221(6)(B), substituted “House Oversight” for “House Administration”.

Subsec. (d)(1). Pub. L. 104-186, § 221(6)(C), struck out “in the contingent fund of the House of Representatives” after “established”.

Subsec. (d)(2). Pub. L. 104-186, § 221(5)(C), substituted “With respect” for “with respect”.

1992—Subsec. (d)(2). Pub. L. 102-392 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “During fiscal year 1992, of the funds provided in this Act for the ‘HOUSE OF REPRESENTATIVES’ under ‘SALARIES AND EXPENSES’, not more than \$45,000 may be expended to carry out this section, subject to approval of the Committee on Appropriations of the House of Representatives. Any amount under this paragraph shall be in addition to any amount made available under paragraph (1).”

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

“Government Publishing Office” substituted for “Government Printing Office” in subsec. (f)(2) 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.

EFFECTIVE DATE OF 2022 AMENDMENT

Pub. L. 117-328, div. I, title I, § 116(b), Dec. 29, 2022, 136 Stat. 4924, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to fiscal year 2023 and each succeeding fiscal year.”

EFFECTIVE DATE OF 2020 AMENDMENT

Pub. L. 116-136, div. B, title IX, § 19002(b), Mar. 27, 2020, 134 Stat. 577, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to fiscal year 2020 and each succeeding fiscal year.”

EFFECTIVE DATE OF 2019 AMENDMENT

Pub. L. 116-94, div. E, title I, § 117(c), Dec. 20, 2019, 133 Stat. 2761, provided that: “The amendments made by this section [amending this section] shall apply with respect to fiscal year 2020 and each succeeding fiscal year.”

EFFECTIVE DATE OF 2010 AMENDMENT

Pub. L. 111-248, § 2(c), Sept. 30, 2010, 124 Stat. 2626, provided that: “This section [amending this section and enacting provisions set out as a note under this section] and the amendments made by this section shall take effect October 1, 2010, and shall apply with respect to fiscal year 2011 and each succeeding fiscal year.”

EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108-7, div. H, title I, § 108(b), Feb. 20, 2003, 117 Stat. 355, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to fiscal year 2003 and each succeeding fiscal year.”

EFFECTIVE DATE OF 1999 AMENDMENT

Pub. L. 106-100, § 1(b), Nov. 12, 1999, 113 Stat. 1332, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to children admitted to the House of Representatives Child Care Center on or after the date of the enactment of this Act [Nov. 12, 1999].”

EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102-392, title III, § 319(b), Oct. 6, 1992, 106 Stat. 1725, provided that: “The amendment made by subsection (a) [amending this section] shall apply to fiscal years beginning after September 30, 1992.”

TRANSFER OF EXISTING ACCOUNT

Pub. L. 111-248, § 2(a)(2), Sept. 30, 2010, 124 Stat. 2625, provided that: “Any amounts in the account established by section 312(d)(1) of such Act [2 U.S.C. 2062(d)(1)] as of the day before the effective date of this section [see Effective Date of 2010 Amendment note above], together with any amounts in the House Services Revolving Fund as of the effective date of this section which, at the time of deposit into the House Services Revolving Fund, were designated for purposes of the House Child Care Center, shall be transferred to the House Child Care Center Revolving Fund established by such section, as amended by paragraph (1).”

RETIREMENT CREDIT FOR CERTAIN PRIOR SERVICE WITH HOUSE CHILD CARE CENTER

Pub. L. 103-69, title III, § 309, Aug. 11, 1993, 107 Stat. 711, provided that:

“(a) DEFINITIONS.—For the purpose of this section—

“(1) the term ‘House Child Care Center’ means the House of Representatives Child Care Center; and

“(2) the term ‘Congressional employee’ has the meaning given such term—

“(A) in subchapter III of chapter 83 of title 5, United States Code, to the extent that this section relates to the Civil Service Retirement System; or

“(B) in chapter 84 of title 5, United States Code, to the extent that this section relates to the Federal Employees’ Retirement System.

“(b) CSRS.—(1) Subject to paragraph (2), any individual who is an employee of the House Child Care Center on the date of enactment of this Act [Aug. 11, 1993] shall be allowed credit under subchapter III of chapter 83 of title 5, United States Code, as a Congressional employee, for any service if—

“(A) such service was performed before October 1, 1991, as an employee of the House Child Care Center (as constituted before that date); and

“(B) the employee is subject to subchapter III of chapter 83 of such title as of the date of enactment of this Act.

“(2) Credit for service described in paragraph (1)(A) shall not be allowed under this section unless there is paid into the Civil Service Retirement and Disability Fund, by or on behalf of the employee involved, an amount equal to the deductions from pay which would have been applicable under section 8334(c) of title 5, United States Code, for the period of service involved, if such employee were then a Congressional employee, including interest. 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.

“(c) FERS.—(1) Subject to paragraph (2), any individual who is an employee of the House Child Care Center on the date of enactment of this Act [Aug. 11, 1993] shall be allowed credit under chapter 84 of title 5, United States Code, as a Congressional employee, for any service if—

“(A) such service was performed before October 1, 1991, as an employee of the House Child Care Center (as constituted before that date); and

“(B) the employee is subject to chapter 84 of such title as of the date of enactment of this Act.

“(2) Credit for service described in paragraph (1)(A) shall not be allowed under this section unless there is paid into the Civil Service Retirement and Disability Fund, by or on behalf of the employee involved, an amount equal to the deductions from pay which would have been payable under applicable provisions of law, for the period of service involved, if such employee were then a Congressional employee, including interest (computed in the same way as interest under sub-

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,¹ 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 8708,² 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

¹ So in original. The comma probably should not appear.

² 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,