

fications and responsibilities, submission of an action plan and annual evaluation of its implementation, and removal of the Deputy Architect.

Subsecs. (i), (j). Pub. L. 116-260, § 702(b)(5), struck out subsecs. (i) and (j) which required the Deputy Architect to prepare and transmit an annual performance report and terminated the role of the Comptroller General and the Government Accountability Office in this section as of Oct. 1, 2006.

2010—Subsec. (e)(3). Pub. L. 111-316 struck out par. (3). Text read as follows: “Notwithstanding section 1849(a) of this title, as amended by section 129(c) of the Legislative Branch Appropriations Act, 2002, the Architect of the Capitol may fix the rate of basic pay for not more than 3 additional positions at a rate not to exceed the highest total rate of pay for the Senior Executive Service under subchapter VIII of chapter 53 of title 5 for the locality involved.”

2004—Subsecs. (f), (j). Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

2003—Subsec. (a). Pub. L. 108-11, substituted “not later than 180 days” for “not later than 90 days”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2010 AMENDMENT

Pub. L. 111-316, § 1(c), Dec. 18, 2010, 124 Stat. 3452, provided that: “The amendments made by this section [amending this section and section 1849 of this title] shall apply with respect to pay periods beginning on or after the date of the enactment of this Act [Dec. 18, 2010].”

##### EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108-11, title II, § 2601(b), Apr. 16, 2003, 117 Stat. 599, provided that: “The amendment made by subsection (a) [amending this section] shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2003 [Pub. L. 108-7, div. H].”

#### **§ 1805a. Deputy Architect of the Capitol to serve as acting in case of absence, disability, or vacancy**

##### **(a) In general**

The Deputy Architect of the Capitol (in this section referred to as the “Deputy Architect”) shall act as Architect of the Capitol (in this section referred to as the “Architect”) if the Architect is absent or disabled or there is no Architect.

##### **(b) Absence, disability, or vacancy in Office of Deputy Architect**

For purposes of subsection (a), if the Deputy Architect is also absent or disabled or there is no Deputy Architect, the congressional commission described in section 1801a(a) of this title shall designate, by a majority vote of the members of the commission, an individual to serve as acting Architect until—

(1) the end of the absence or disability of the Architect or the Deputy Architect; or

(2) in the case of vacancies in both positions, an Architect has been appointed under section 1801a(a) of this title.

##### **(c) Authority**

An officer serving as acting Architect under subsection (a) or (b) shall perform all the duties and exercise all the authorities of the Architect, including the authority to delegate the duties and authorities of the Architect in accordance with section 1803 of this title.

(Pub. L. 118-31, div. E, title LVII, § 5704, Dec. 22, 2023, 137 Stat. 961.)

#### Editorial Notes

##### CODIFICATION

Section is comprised of section 5704 of Pub. L. 118-31. Subsec. (d) of section 5704 of Pub. L. 118-31 repealed section 1804 of this title.

#### **§ 1806. Repealed. Pub. L. 110-437, title II, § 202(e)(2), Oct. 20, 2008, 122 Stat. 4987**

Section, Pub. L. 110-28, title VI, § 6701, May 25, 2007, 121 Stat. 182, related to Chief Executive Officer for Visitor Services.

#### **§ 1807. Repealed. Pub. L. 110-437, title II, § 204(b)(2), Oct. 20, 2008, 122 Stat. 4988**

Section, Pub. L. 110-161, div. H, title I, § 1309, Dec. 26, 2007, 121 Stat. 2244, related to Assistant to the Chief Executive Officer for Visitor Services.

#### **§ 1808. Inspector General of the Architect of the Capitol**

##### **(a) Short title**

This section may be cited as the “Architect of the Capitol Inspector General Act of 2007”.

##### **(b) Office of Inspector General**

There is an Office of Inspector General within the Office of the Architect of the Capitol which is an independent objective office to—

(1) conduct and supervise audits and investigations relating to the Architect of the Capitol;

(2) provide leadership and coordination and recommend policies to promote economy, efficiency, and effectiveness; and

(3) provide a means of keeping the Architect of the Capitol and the Congress fully and currently informed about problems and deficiencies relating to the administration of programs and operations of the Architect of the Capitol.

##### **(c) Appointment of Inspector General; supervision; removal; pay; limits on bonuses; counsel**

##### **(1) Appointment and supervision**

##### **(A) In general**

There shall be at the head of the Office of Inspector General, an Inspector General who shall be appointed by the Architect of the Capitol, in consultation with the Inspectors General of the Library of Congress, Government Publishing Office, Government Accountability Office, and United States Capitol Police. The appointment shall be made without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations. The Inspector General shall report to, and be under the general supervision of, the Architect of the Capitol.

##### **(B) Audits, investigations, reports, and other duties and responsibilities**

The Architect of the Capitol shall have no authority to prevent or prohibit the Inspector General from—

(i) initiating, carrying out, or completing any audit or investigation;

- (ii) issuing any subpoena during the course of any audit or investigation;
- (iii) issuing any report; or
- (iv) carrying out any other duty or responsibility of the Inspector General under this section.

**(2) Removal or transfer**

**(A) In general**

The Inspector General may be removed from office, or transferred to another position within, or another location of, the Office of the Architect of the Capitol, by the Architect of the Capitol.

**(B) Notice**

Not later than 30 days before the Architect of the Capitol removes or transfers the Inspector General under subparagraph (A), the Architect of the Capitol shall communicate in writing the reason for the removal or transfer to—

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

**(C) Applicability**

Nothing in this paragraph shall prohibit a personnel action (except for removal or transfer) that is otherwise authorized by law.

**(3) Compensation**

The Inspector General shall be paid at an annual rate of pay equal to \$1,500 less than the annual rate of pay of the Architect of the Capitol.

**(4) No bonuses**

The Inspector General may not receive any cash award or cash bonus, including a cash award under chapter 45 of title 5.

**(5) Counsel**

The Inspector General shall, in accordance with applicable laws and regulations governing selections, appointments, and employment at the Office of the Architect of the Capitol, obtain legal advice from a counsel reporting directly to the Inspector General or another Inspector General.

**(d) Duties, responsibilities, authority, and reports**

**(1) In general**

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 shall apply to the Inspector General of the Architect of the Capitol and the Office of such Inspector General and such sections shall be applied to the Office of the Architect of the Capitol and the Architect of the Capitol by substituting—

- (A) “Office of the Architect of the Capitol” for “establishment”; and
- (B) “Architect of the Capitol” for “head of the establishment”.

**(2) Employees**

**(A) In general**

The Inspector General, in carrying out this section, is authorized, without the super-

vision or approval of any other employee, office, or other entity within the Office of the Architect of the Capitol, to select, appoint, and employ such officers and employees (including consultants) as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General subject to the provisions of law governing selections, appointments, and employment in the Office of the Architect of the Capitol.

**(B) Security and suitability**

Appointments under the authority under subparagraph (A) shall be made consistent with personnel security and suitability requirements.

**(C) Consultants**

Any appointment of a consultant under the authority under subparagraph (A) shall be made consistent with section 6(a)(8) of the Inspector General Act of 1978 (5 U.S.C. App.).<sup>1</sup>

**(3) Law enforcement authority**

**(A) In general**

Subject to subparagraph (B), any supervisory special agent under the Inspector General and any special agent supervised by such a supervisory special agent is authorized to—

- (i) make an arrest without a warrant while engaged in official duties as authorized under this section or any other statute for any offense against the United States committed in the presence of such supervisory special agent or special agent, or for any felony cognizable under the laws of the United States if such supervisory special agent or special agent has reasonable grounds to believe that the person to be arrested has committed or is committing such felony;
- (ii) seek and execute warrants for arrest, search of a premises, or seizure of evidence issued under the authority of the United States upon probable cause to believe that a violation has been committed; and
- (iii) carry a firearm while engaged in official duties as authorized under this section or any other statute.

**(B) Requirements to exercise authority**

**(i) Required certification**

**(I) In general**

In order to exercise the authority under subparagraph (A), a supervisory special agent or a special agent supervised by such a supervisory special agent shall certify that he or she—

- (aa) is a citizen of the United States;
- (bb) has successfully completed a basic law enforcement training program or military or other equivalent; and
- (cc) is not prohibited from receiving a firearm under Federal law, including under section 922(g)(9) of title 18, because of a conviction of a misdemeanor crime of domestic violence.

<sup>1</sup> See References in Text note below.

**(II) Additional requirements**

After providing notice to the appropriate committees of Congress, the Inspector General may add requirements to the certification required under subclause (I), as determined appropriate by the Inspector General.

**(ii) Maintenance of requirements**

The Inspector General shall maintain firearms-related requirements (including quarterly firearms qualifications) and use of force training requirements that, except to the extent the Inspector General determines necessary to effectively carry out the duties of the Office of the Inspector General, are in accordance with the Council of the Inspectors General on Integrity and Efficiency use of force policies, which incorporate Department of Justice guidelines.

**(iii) Eligibility determination****(I) In general**

The Inspector General shall—

(aa) determine whether an individual meets the requirements under this paragraph; and

(bb) revoke any authority granted to an individual under subparagraph (A) if the individual is not in compliance with the requirements of this paragraph.

**(II) Reauthorization**

The Inspector General may reauthorize an individual to exercise the authority granted under subparagraph (A) if the Inspector General determines the individual has achieved compliance with the requirements under this paragraph.

**(III) Limitation on appeal**

A revocation of the authority granted under subparagraph (A) shall not be subject to administrative, judicial, or other review, unless the revocation results in an adverse action. Such an adverse action may, at the election of the applicable individual, be reviewed in accordance with the otherwise applicable procedures.

**(C) Semiannual certification of program****(i) In general**

Before the first grant of authority under subparagraph (A), and semiannually thereafter as part of the report under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.),<sup>1</sup> the Inspector General shall submit to the appropriate committees of Congress a written certification that adequate internal safeguards and management procedures exist that, except to the extent the Inspector General determines necessary to effectively carry out the duties of the Office of the Inspector General, are in compliance with standards established by the Council of the Inspectors General on Integrity and Efficiency, which incorporate Department of Justice guidelines, to ensure proper exercise of the powers authorized under this paragraph.

**(ii) Suspension of authority**

The authority granted under this paragraph (including any grant of authority to an individual under subparagraph (A), without regard to whether the individual is in compliance with subparagraph (B)) may be suspended by the Inspector General if the Office of Inspector General fails to comply with the reporting and review requirements under clause (i) of this subparagraph or subparagraph (D). Any suspension of authority under this clause shall be reported to the appropriate committees of Congress.

**(D) Peer review**

To ensure the proper exercise of the law enforcement powers authorized under this paragraph, the Office of Inspector General shall submit to and participate in the external review process established by the Council of the Inspectors General on Integrity and Efficiency for ensuring that adequate internal safeguards and management procedures continue to exist. Under the review process, the exercise of the law enforcement 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: *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; Pub. L. 118–31, div. E, title LVII, §5702(d)(2), Dec. 22, 2023, 137 Stat. 961.)

**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.

**AMENDMENTS**

2023—Pub. L. 118–31 struck out “, and he shall be appointed by the President” after “Commissioner of Public Buildings 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 former section 1801 of this title.

**EFFECTIVE DATE OF 2023 AMENDMENT**

Amendment by Pub. L. 118–31 applicable with respect to appointments made on or after Dec. 22, 2023, see section 1801a(e) 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