

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

“(b) As used in this section—

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

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

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

Similar provisions were contained in the following prior appropriations acts:

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

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

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

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

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

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

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 Repealed.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

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

**Editorial Notes**

**CODIFICATION**

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

**§ 1816. Construction contracts**

**(a) Liquidated damages**

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

**(b) Amount of payment**

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

(1) the daily liquidated damage payment rate; and

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

**(c) Daily liquidated damage payment rate**

**(1) In general**

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

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

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

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

**(2) Adjustment in rate permitted**

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

**(d) Effective date**

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

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

**Editorial Notes**

**CODIFICATION**

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

**§ 1816a. Design-build contracts**

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

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

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

**Editorial Notes**

**CODIFICATION**

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

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