

**(c) Construction or improvement of real property**

Any authority under subsection (a) or (b) shall not apply to any agreement providing for the construction or improvement of real property.

**(d) Applicability**

This section shall apply with respect to fiscal year 2015 and each succeeding fiscal year.

(Pub. L. 113–235, div. H, title I, §1102, Dec. 16, 2014, 128 Stat. 2532.)

## SUBCHAPTER VII—OTHER ENTITIES AND SERVICES

**§ 2161. Transferred****Editorial Notes****CODIFICATION**

Section 2161 was editorially reclassified as section 4902 of this title.

**§ 2162. Capitol Power Plant****(a) Designation**

The heating, lighting, and power plant constructed under the terms of the Act approved April 28, 1904 (33 Stat. 479, chapter 1762) shall be known as the “Capitol Power Plant”.

**(b) Definition**

In this section, the term “carbon dioxide energy efficiency” means the quantity of electricity used to power equipment for carbon dioxide capture and storage or use.

**(c) Feasibility study**

The Architect of the Capitol shall conduct a feasibility study evaluating the available methods to capture, store, and use carbon dioxide emitted from the Capitol Power Plant as a result of burning fossil fuels. In carrying out the feasibility study, the Architect of the Capitol is encouraged to consult with individuals with expertise in carbon capture and storage or use, including experts with the Environmental Protection Agency, Department of Energy, academic institutions, non-profit organizations, and industry, as appropriate. The study shall consider—

- (1) the availability of technologies to capture and store or use Capitol Power Plant carbon dioxide emissions;
- (2) strategies to conserve energy and reduce carbon dioxide emissions at the Capitol Power Plant; and
- (3) other factors as determined by the Architect of the Capitol.

**(d) Demonstration projects****(1) In general**

If the feasibility study determines that a demonstration project to capture and store or use Capitol Power Plant carbon dioxide emissions is technologically feasible and economically justified (including direct and indirect economic and environmental benefits), the Architect of the Capitol may conduct 1 or more demonstration projects to capture and store or use carbon dioxide emitted from the Capitol Power Plant as a result of burning fossil fuels.

**(2) Factors for consideration**

In carrying out such demonstration projects, the Architect of the Capitol shall consider—

- (A) the amount of Capitol Power Plant carbon dioxide emissions to be captured and stored or used;
- (B) whether the proposed project is able to reduce air pollutants other than carbon dioxide;
- (C) the carbon dioxide energy efficiency of the proposed project;
- (D) whether the proposed project is able to use carbon dioxide emissions;
- (E) whether the proposed project could be expanded to significantly increase the amount of Capitol Power Plant carbon dioxide emissions to be captured and stored or used;
- (F) the potential environmental, energy, and educational benefits of demonstrating the capture and storage or use of carbon dioxide at the U.S. Capitol; and
- (G) other factors as determined by the Architect of the Capitol.

**(3) Terms and conditions**

A demonstration project funded under this section shall be subject to such terms and conditions as the Architect of the Capitol may prescribe.

**(e) Authorization of appropriations**

There is authorized to be appropriated to carry out the feasibility study and demonstration project \$3,000,000. Such sums shall remain available until expended.

(Mar. 4, 1911, ch. 285, 36 Stat. 1414; Mar. 3, 1921, ch. 124, 41 Stat. 1291; Pub. L. 110–140, title V, §505(2), Dec. 19, 2007, 121 Stat. 1657.)

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

Act approved April 28, 1904, referred to in subsec. (a), is act Apr. 28, 1904, ch. 1762, 33 Stat. 452, which provided, at 33 Stat. 479, an appropriation for the construction of a heating, lighting and power plant in connection with the office building for the House of Representatives to furnish the necessary heat, light, and power for the office building for the House of Representatives, the Capitol building, the Congressional Library building, and for such other public buildings erected after Apr. 28, 1904, on grounds adjacent to the Capitol grounds at the east of the Capitol building and facing the same.

**CODIFICATION**

Section was classified to section 185 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 based on act Mar. 4, 1911, popularly known as the “Sundry Civil Appropriation Act, fiscal year 1912”. It followed an appropriation for the Capitol power plant.

**AMENDMENTS**

2007—Pub. L. 110–140 added text of section and struck out former text which read as follows: “The heating, lighting, and power plant constructed under the terms of the Act approved April 28, 1904, shall be known as the ‘Capitol power plant’; and all vacancies occurring in the force operating said plant and the substations in connection therewith shall be filled by the Architect of the Capitol with the approval of the commission in con-