

115TH CONGRESS  
1ST SESSION

# S. 1920

To amend title 40, United States Code, to direct the Administrator of General Services to incorporate bird-safe building materials and design features into public buildings, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 4, 2017

Mr. BOOKER introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend title 40, United States Code, to direct the Administrator of General Services to incorporate bird-safe building materials and design features into public buildings, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Federal Bird-Safe  
5       Buildings Act of 2017”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

1           (1) nearly  $\frac{1}{3}$  of the 800 bird species in the  
2           United States are endangered, threatened, or in sig-  
3           nificant decline;

4           (2) in the United States alone, an estimated  
5           1,000,000,000 birds die annually from striking  
6           buildings, bridges, and other manmade structures,  
7           with glass being one of the primary causes of the  
8           deaths;

9           (3) birds have a significant impact on the  
10          United States economy, as evidenced by United  
11          States Fish and Wildlife Service estimates that the  
12          47,000,000 birdwatchers in the United States con-  
13          tribute \$40,000,000,000 annually to the economy of  
14          the United States; and

15          (4) the General Services Administration is obli-  
16          gated, under Executive Order 13186 (16 U.S.C. 701  
17          note; relating to responsibilities of Federal agencies  
18          to protect migratory birds), to “support the con-  
19          servation intent of the migratory bird conventions by  
20          integrating bird conservation principles, measures,  
21          and practices into agency activities and by avoiding  
22          or minimizing, to the extent practicable, adverse im-  
23          pacts on migratory bird resources when conducting  
24          agency actions”.

1 **SEC. 3. USE OF BIRD-SAFE BUILDING MATERIALS AND DE-**  
 2 **SIGN FEATURES.**

3 (a) IN GENERAL.—Chapter 33 of title 40, United  
 4 States Code, is amended—

5 (1) by redesignating sections 3315, 3316, and  
 6 3317 as sections 3316, 3317, and 3318, respectively;  
 7 and

8 (2) by inserting after section 3314 the fol-  
 9 lowing:

10 **“§ 3315. Use of bird-safe building materials and de-**  
 11 **sign features**

12 “(a) CONSTRUCTION, ALTERATION, AND ACQUI-  
 13 SITION OF PUBLIC BUILDINGS.—Each public building con-  
 14 structed, substantially altered (as determined by the Com-  
 15 missioner of Public Buildings), or acquired by the Admin-  
 16 istrator of General Services (referred to in this section as  
 17 the ‘Administrator’) shall meet, to the maximum extent  
 18 practicable, as determined by the Administrator, the fol-  
 19 lowing standards:

20 “(1) Not less than 90 percent of the exposed  
 21 facade material from ground level to 40 feet—

22 “(A) shall not be composed of glass; or

23 “(B) shall be composed of glass employ-  
 24 ing—

25 “(i) elements that preclude bird colli-  
 26 sions without completely obscuring vision,

1           such as secondary facades, netting,  
2           screens, shutters, and exterior shades;

3           “(ii) ultraviolet (UV) patterned glass  
4           that contains UV-reflective or contrasting  
5           patterns that are visible to birds;

6           “(iii) patterns on glass designed in ac-  
7           cordance with a rule (commonly referred to  
8           as the ‘2 x 4 rule’) that restricts—

9                   “(I) horizontal spaces to less  
10                  than 2 inches high; and

11                  “(II) vertical spaces to less than  
12                  4 inches wide;

13                  “(iv) opaque, etched, stained, frosted,  
14                  or translucent glass; or

15                  “(v) any combination of the methods  
16                  described in clauses (i) through (iv).

17           “(2) Not less than 60 percent of the exposed  
18           facade material above 40 feet shall meet the stand-  
19           ard described in paragraph (1) (A) or (B).

20           “(3) There shall not be any transparent pas-  
21           sageways or corners.

22           “(4) All glass adjacent to atria or courtyards  
23           containing water features, plants, and other mate-  
24           rials attractive to birds shall meet the standard de-  
25           scribed in paragraph (1)(B).

1           “(5) Outside lighting shall be appropriately  
2       shielded and minimized.

3           “(b) MONITORING.—The Administrator shall take  
4       such actions as may be necessary to ensure that actual  
5       bird mortality is monitored at each public building.

6           “(c) EXISTING BUILDINGS AND LIGHTING.—

7           “(1) IN GENERAL.—The Administrator, where  
8       practicable, as determined by the Administrator,  
9       shall reduce exterior building and site lighting for  
10      each public building.

11          “(2) USE OF AUTOMATIC CONTROL TECH-  
12      NOLOGIES.—In carrying out paragraph (1), the Ad-  
13      ministrator shall make use of automatic control  
14      technologies, including timers, photo-sensors, and in-  
15      frared and motion detectors.

16          “(d) EXEMPT BUILDINGS.—This section shall not  
17      apply to—

18           “(1) a historic building of national significance  
19      within the meaning of chapter 3201 of title 54;

20           “(2) the White House and grounds;

21           “(3) the Supreme Court building and grounds;

22      or

23           “(4) the United States Capitol and related  
24      buildings and grounds.”.

1       (b) CLERICAL AMENDMENT.—The table of sections  
2 for chapter 33 of title 40, United States Code, is amended  
3 by striking the items relating to sections 3315, 3316, and  
4 3317 and inserting the following:

“3315. Use of bird-safe building materials and design features.

“3316. Delegation.

“3317. Report to Congress.

“3318. Certain authority not affected.”.

