

**(c) Requests for withholding and remittance; amount of withholding; number and effective date of requests; change of designated State; revocation of request; rules and regulations**

(1) An individual employed by the Office of the Architect of the Capitol, the United States Botanic Garden, or the Senate Restaurant may request the Architect to withhold sums from his pay for remittance to the appropriate authorities of the State that he designates. Amounts of withholdings shall be made in accordance with those provisions of the law of that State which apply generally to withholding by employers.

(2) An individual may have in effect at any time only one request for withholdings, and he may not have more than two such requests in effect with respect to different States during any one calendar year. The request for withholdings is effective on the first day of the first pay period commencing on or after the day on which the request is received in the Office of the Architect, the Botanic Garden Office, or the Senate Restaurant Accounting Office except that—

(A) when the Architect first enters into an agreement with a State, a request for withholdings shall be effective on such date as the Architect may determine; and

(B) when an individual first receives an appointment, the request shall be effective on the day of appointment, if the individual makes the request at the time of appointment.

(3) An individual may change the State designated by him for the purposes of having withholdings made and request that the withholdings be remitted in accordance with such change, and he may also revoke his request for withholdings. Any change in the State designated or revocation is effective on the first day of the first pay period commencing on or after the day on which the request for change or the revocation is received in the appropriate office.

(4) The Architect is authorized to issue rules and regulations he considers appropriate in carrying out this subsection.

**(d) Time or times of agreements by Architect**

The Architect may enter into agreements under subsection (a) of this section at such time or times as he considers appropriate.

**(e) Provisions as not imposing duty, burden, requirement or penalty upon United States or any officer or employee of United States**

This section imposes no duty, burden, or requirement upon the United States, or any officer or employee of the United States, except as specifically provided in this section. Nothing in this section shall be deemed to consent to the application of any provision of law which has the effect of subjecting the United States, or any officer or employee of the United States to any penalty or liability by reason of the provisions of this section.

**(f) "State" defined**

For the purposes of this section, "State" means any of the States of the United States.

(Pub. L. 94-59, title V, § 501, July 25, 1975, 89 Stat. 290.)

**Editorial Notes**

**CODIFICATION**

Section was classified to section 166b-5 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.

**§ 1853. Exemption of officers and employees of Architect of Capitol from certain Federal pay provisions**

The classes of employees whose compensation is authorized by section 3 of the Legislative Pay Act of 1929, as amended (46 Stat. 38; 55 Stat. 615), to be fixed by the Architect of the Capitol without regard to the Classification Act of 1923, as amended, are authorized to be compensated without regard to chapter 51 and subchapter III of chapter 53 of title 5.

(Oct. 28, 1949, ch. 782, title II, § 204(a), 63 Stat. 957.)

**Editorial Notes**

**REFERENCES IN TEXT**

Section 3 of the Legislative Pay Act of 1929, as amended (40 Stat. 38; 55 Stat. 615), referred to in text, which was an amendment of the Classification Act of 1923 and which was classified to section 662 of former Title 5, Executive Departments and Government Officers and Employees, was repealed by section 1202 of the Classification Act of 1949, Oct. 28, 1949, ch. 782, 63 Stat. 972.

The Classification Act of 1923, referred to in text, is act Mar. 4, 1923, ch. 265, 42 Stat. 1488, as amended, which was classified to section 661 et seq. of such former Title 5, and was repealed by section 1202 of the Classification Act of 1949.

**CODIFICATION**

Section was formerly classified to section 60e-2a of this title prior to editorial reclassification and renumbering as this section.

Section is comprised of section 204(a) of act Oct. 28, 1949. Subsections (b) and (c) of such section were repealed by Pub. L. 89-554, § 8, Sept. 6, 1966, 80 Stat. 655, and reenacted as sections 5102(d) and 5103 of Title 5, Government Organization and Employees.

Section was classified to section 1084(a) of Title 5 prior to the general revision and enactment of Title 5 by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

"Chapter 51 and subchapter III of chapter 53 of title 5" substituted in text for "this Act", referring to the Classification Act of 1949, on authority of section 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, section 1 of which enacted Title 5.

**§ 1854. Overtime compensation for certain employees of Architect of Capitol**

For overtime pay purposes, per diem and per hour employees under the Office of the Architect of the Capitol not subject to chapter 51 and subchapter III of chapter 53 of title 5, shall be regarded as subject to the provisions of sections 5544(a) and 6102 of title 5, and sections 60e-3 and 60e-4 of this title shall not be applicable to such employees.

(June 30, 1945, ch. 212, title V, § 503, 59 Stat. 301; Oct. 28, 1949, ch. 782, title XI, § 1106(a), 63 Stat. 972.)

**Editorial Notes**

**REFERENCES IN TEXT**

Section 6102 of title 5, referred to in text, was repealed by Pub. L. 92-392, § 7(a), Aug. 19, 1972, 86 Stat. 573,

and reenacted as section 6101(a)(1) of Title 5, Government Organization and Employees.

Sections 60e-3 and 60e-4 of this title, referred to in text, were omitted from the Code.

#### CODIFICATION

Section was formerly classified to section 60e-2b of this title prior to editorial reclassification and renumbering as this section.

Section was classified to section 933 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

“Chapter 51 and subchapter III of chapter 53 of title 5” substituted in text for “the Classification Act of 1949, as amended”, and “sections 5544(a) and 6102 of title 5” substituted for “section 23 of the Act of March 28, 1934 (U.S.C., 1940 edition, title 5, sec. 673c)”, on authority of section 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, section 1 of which enacted Title 5.

#### AMENDMENTS

1949—Act Oct. 28, 1949, substituted “Classification Act of 1949” for “Classification Act of 1923”.

#### Statutory Notes and Related Subsidiaries

##### REPEALS

Act Oct. 28, 1949, ch. 782, cited as a credit to this section, was repealed (subject to a savings clause) by Pub. L. 89-554, Sept. 6, 1966, §8, 80 Stat. 632, 655.

#### SUBCHAPTER IV—APPROPRIATIONS AND EXPENDITURES

### § 1861. Appropriations under control of Architect of the Capitol

Appropriations under the control of the Architect of the Capitol shall be available for expenses of advertising and personal and other services.

(Feb. 28, 1929, ch. 367, 45 Stat. 1395; June 6, 1930, ch. 407, 46 Stat. 513.)

#### Editorial Notes

##### CODIFICATION

Section was classified to section 689 of former Title 31, prior to the enactment of Title 31, Money and Finance, by Pub. L. 97-258, §1, Sept. 13, 1982, 96 Stat. 877, and then to section 166a-1 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 consolidates provisions from the Legislative Branch Appropriation Acts for fiscal years 1930 and 1931.

### § 1862. Transfer of funds

During fiscal year 1997 and fiscal years thereafter, amounts appropriated to the Architect of the Capitol (including amounts relating to the Botanic Garden) may be transferred among accounts available to the Architect of the Capitol upon the approval of—

(1) the Committee on Appropriations of the House of Representatives, in the case of amounts transferred from the appropriation for Capitol buildings and grounds under the heading “HOUSE OFFICE BUILDINGS”;

(2) the Committee on Appropriations of the Senate, in the case of amounts transferred from the appropriation for Capitol buildings and grounds under the heading “SENATE OFFICE BUILDINGS”; and

(3) the Committees on Appropriations of the Senate and the House of Representatives, in the case of amounts transferred from any other appropriation.

(Pub. L. 104-197, title III, §306, Sept. 16, 1996, 110 Stat. 2413.)

#### Editorial Notes

##### CODIFICATION

Section was classified to section 166h 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.

### § 1862a. Use of construction project funds to reimburse Capitol Police for related overtime costs

#### (a) Payment of overtime costs

The Architect of the Capitol shall transfer amounts made available for construction projects during a fiscal year to the applicable appropriations accounts of the United States Capitol Police in order to reimburse the Capitol Police for overtime costs incurred in connection with such projects.

#### (b) Effective date

This section shall apply with respect to fiscal year 2013 and each succeeding fiscal year.

(Pub. L. 112-74, div. G, title I, §1201, Dec. 23, 2011, 125 Stat. 1128.)

#### Editorial Notes

##### CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2012, which is div. G of the Consolidated Appropriations Act, 2012.

### § 1862b. Transfer of amounts appropriated for Architect of the Capitol under House Office Buildings

(a) During fiscal year 2019 and each succeeding fiscal year, amounts appropriated or otherwise made available for the Architect of the Capitol under the heading “House Office Buildings” may be transferred to the House of Representatives and merged with and made available under the heading “Allowances and Expenses”, subject to the approval of the Committee on Appropriations of the House of Representatives.

(b) The period of availability of any amounts transferred to the House of Representatives under this section shall be the same period of availability applicable to such amounts as appropriated for the Architect of the Capitol.

(c) The aggregate amount transferred under this section in any fiscal year may not exceed \$30,000,000.

(Pub. L. 116-6, div. H, title II, §204, Feb. 15, 2019, 133 Stat. 476.)

### § 1863. Funds out of Contingent Expenses, Architect of the Capitol Appropriation

Any expenditures required to implement the provisions of section 1818 of this title shall be paid from the appropriation “Contingent Expenses, Architect of the Capitol” and any funds