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§ 161. Title of Superintendent of Capitol Building and Grounds changed to Architect of Capitol

The title of "Superintendent of the Capitol Building and Grounds" is changed to "Architect of the Capitol."

(Feb. 14, 1902, ch. 17, 32 Stat. 20; Mar. 3, 1921, ch. 124, 41 Stat. 1291.)

CODIFICATION

The title of Architect of the Capitol was changed to Superintendent of the Capitol Building and Grounds, by act Feb. 14, 1902, popularly known as the "Urgent Deficiency Appropriation Act for 1902".

Act Mar. 3, 1921, restored the original title, and is based on the Legislative, Executive, and Judicial Appropriation Act Mar. 3, 1921, fiscal year 1922.

PRIOR PROVISIONS

Act May 2, 1828, ch. 45, §1, 4 Stat. 266, abolished office of Architect of the Capitol. The duties of that office were transferred to Commissioner of Public Buildings and Grounds, appointed by President under act April 29, 1816, ch. 150, §2, 3 Stat. 324, to succeed a previously existing board of three commissioners of Public Buildings and Grounds.

Act Mar. 3, 1829, ch. 151, §2, 4 Stat. 363, authorized President to continue office of Architect of the Capitol long enough to complete work in progress.

Act Sept. 30, 1850, ch. 90, §1, 9 Stat. 538, made appropriation for "the extension of the Capitol" according to the plan as might be approved by the President, to be expended under his direction, "by such architect as he may appoint to execute the same." Subsequent acts frequently referred to the Architect of the Capitol or to the Architect of the Capitol Extension.

Act Mar. 2, 1867, ch. 167, §2, 14 Stat. 466, abolished office of Commissioner of Public Buildings and Grounds

referred to in section 162 of this title, and transferred the duties of that office to the Chief of Engineers of the Army.

Act Aug. 15, 1876, ch. 287, §1, 19 Stat. 147, transferred duties relative to the Capitol theretofore performed by Commissioner of Public Buildings and Grounds to Architect of the Capitol.

§ 161a. Repealed. June 20, 1929, ch. 33, § 6, 46 Stat. 39

Section, act May 24, 1924, ch. 183, 43 Stat. 149, related to compensation of employees of the office of the Architect of the Capitol. Under section 3 of act June 20, 1929, such employees came within the Classification Act of 1923, which was set out in section 661 et seq. of former Title 5, Executive Departments and Government Officers and Employees. The Classification Act of 1923 was repealed, and superseded by the Classification Act of 1949, which was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 644. The former provisions of the Classification Act of 1949 are now covered by chapter 51 and subchapter III of chapter 53 of Title 5, Government Organization and Employees.

§ 162. Architect of Capitol; 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, and shall be appointed by the President: *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.)

CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Codification and Prior Provisions notes set out under section 161 of this title.

§ 162-1. Appointment of Architect of Capitol

(a)(1) The Architect of the Capitol shall be appointed by the President by and with the advice and consent of the Senate for a term of 10 years.

(2) There is established a commission to recommend individuals to the President for appointment to the office of Architect of the Capitol. The commission shall be composed of—

(A) the Speaker of the House of Representatives,

(B) the President pro tempore of the Senate,

(C) the majority and minority leaders of the House of Representatives and the Senate, and

(D) the chairmen and the ranking minority members of the Committee on House Oversight of the House of Representatives, the Committee on Rules and Administration of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate.

The commission shall recommend at least three individuals for appointment to such office.

(3) An individual appointed Architect of the Capitol under paragraph (1) shall be eligible for reappointment to such office.

(b) Subsection (a) of this section shall be effective in the case of appointments made to fill vacancies in the office of Architect of the Capitol

which occur on or after November 21, 1989. If no such vacancy occurs within the six-year period which begins on November 21, 1989, no individual may, after the expiration of such period, hold such office unless the individual is appointed in accordance with subsection (a) of this section.

(Pub. L. 101-163, title III, §319, Nov. 21, 1989, 103 Stat. 1068; Pub. L. 104-19, title I, §701, July 27, 1995, 109 Stat. 220.)

AMENDMENTS

1995—Subsec. (a)(2). Pub. L. 104-19, §701(1), (2), substituted “office” for “Office” in first sentence and “commission” for “Commission” in introductory provisions in second sentence.

Subsec. (a)(2)(D). Pub. L. 104-19, §701(3), substituted “Oversight of the House of Representatives, the Committee on Rules and Administration of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate” for “Administration of the House of Representatives and the Committee on Rules and Administration of the Senate”.

Subsec. (b). Pub. L. 104-19, §701(1), substituted “office” for “Office” in first sentence.

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

§ 162a. Compensation of Architect of Capitol

The compensation of the Architect of the Capitol shall be at an annual rate which is equal to the annual rate of basic pay payable for positions at level III of the Executive Schedule under section 5314 of title 5.

(Pub. L. 88-426, title II, §203(c), Aug. 14, 1964, 78 Stat. 415; Pub. L. 90-206, title II, §219(2), Dec. 16, 1967, 81 Stat. 639; Pub. L. 94-82, title II, §204(b), Aug. 9, 1975, 89 Stat. 421; Pub. L. 96-146, §1(1), Dec. 14, 1979, 93 Stat. 1086.)

PRIOR PROVISIONS

A prior section 162a, acts Oct. 15, 1949, ch. 695, §5(a), 63 Stat. 880; Aug. 5, 1955, ch. 568, §101, 69 Stat. 515, prescribed annual rate of basic compensation of Architect of the Capitol, prior to repeal by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 655.

AMENDMENTS

1979—Pub. L. 96-146 increased compensation of Architect to an annual rate equal to annual rate of basic pay payable for positions at level III of the Executive Schedule under section 5314 of title 5.

1975—Pub. L. 94-82 increased compensation of Architect to an annual rate equal to rate for positions at level IV of the Executive Schedule.

1967—Pub. L. 90-206, §219(2), substituted “\$28,750” for “\$27,000”.

EFFECTIVE DATE OF 1979 AMENDMENT

Section 2 of Pub. L. 96-146 provided that: “The provisions of this Act [amending this section and section 166b of this title] shall take effect on the first day of the first applicable pay period commencing on or after the date of the enactment of this Act [Dec. 14, 1979].”

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-206 effective at beginning of first pay period which begins on or after Dec. 16, 1967, see section 220(a)(3) of Pub. L. 90-206, set out as a note under section 603 of Title 28, Judiciary and Judicial Procedure.