

any kind, discontinued or permanently out of service, to other branches of the service of the United States, or District of Columbia, whenever, in his judgment the interests of the Government service may require it.

(June 26, 1912, ch. 182, §11, 37 Stat. 184; Mar. 3, 1921, ch. 124, 41 Stat. 1291; May 29, 1928, ch. 901, §1(120), 45 Stat. 995; Oct. 31, 1951, ch. 654, §3(17), 65 Stat. 708.)

CODIFICATION

Section is based on act June 26, 1912, popularly known as the "District of Columbia Appropriation Act June 26, 1912, fiscal year 1913".

PRIOR PROVISIONS

Act Mar. 2, 1911, ch. 192, §9, 36 Stat. 1011.

AMENDMENTS

1951—Act Oct. 31, 1951, struck out "with the approval of the Secretary of the Interior." after "whenever."

1928—Act May 29, 1928, struck out provision that required a transfer statement to be submitted in the annual report to Congress by the Superintendent of the Capitol Building and Grounds.

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.

§ 172. Repealed. Oct. 31, 1951, ch. 654, §3(18), 65 Stat. 709

Section, act July 16, 1914, ch. 141, 38 Stat. 458, related to custodianship of the building or buildings on reservation numbered 13 in the District of Columbia selected for the purpose of storing unused documents and materials removed from the Capitol Building and Senate and House Office Buildings, and Patent Office models removed from the Senate and House Office Buildings.

§ 173. Estimates for improvements in grounds

All changes and improvements in the Capitol grounds, including approaches to the Capitol, shall be estimated for in detail, showing what modifications are proposed and the estimate cost of the same.

(Mar. 3, 1883, ch. 143, 22 Stat. 621.)

CODIFICATION

Section is based on act Mar. 3, 1883, popularly known as the "Sundry Civil Appropriation Act, fiscal year 1884".

SIMILAR PROVISIONS

Enlargement of the Capitol grounds by the acquisition of certain squares in the city of Washington, provided by the following Sundry Civil Appropriation Acts for the fiscal years 1911, 1912, 1913, and 1914.

June 23, 1913, ch. 3, 38 Stat. 44.

Aug. 24, 1912, ch. 355, 37 Stat. 454.

Mar. 4, 1911, ch. 285, 36 Stat. 1414.

June 25, 1910, ch. 384, 36 Stat. 738.

§§ 174, 174a. Omitted

CODIFICATION

Section 174, acts Aug. 26, 1912, ch. 408, 37 Stat. 605; Mar. 3, 1921, ch. 124, 41 Stat. 1291; May 29, 1928, ch. 901, §1(85), 45 Stat. 992, which related to control, supervision, and care of buildings and grounds, was superseded by act Mar. 4, 1929, ch. 708, 45 Stat. 1694, and act

July 31, 1946, ch. 707, §1, 60 Stat. 718. See sections 193a to 193m, 212a and 212b of this title.

Section 174a, act May 17, 1938, ch. 236, 52 Stat. 391, related to control and supervision of the Senate Office Building. See section 174c of this title. Similar provisions were contained in the following prior appropriation acts:

May 18, 1937, ch. 223, 50 Stat. 180.

July 8, 1935, ch. 374, 49 Stat. 470.

May 30, 1934, ch. 372, 48 Stat. 827.

Feb. 28, 1933, ch. 134, 47 Stat. 1361.

June 30, 1932, ch. 314, §1, 47 Stat. 392.

Feb. 20, 1931, ch. 234, 46 Stat. 1184.

June 6, 1930, ch. 407, 46 Stat. 514.

§ 174b. Senate Office Building; approval of structural changes by Architect of Capitol

Structural changes in the Senate Office Building shall only be made with the approval of the Architect of the Capitol.

(July 1, 1941, ch. 268, 55 Stat. 458.)

CODIFICATION

The following language preceded the text of this section in act July 1, 1941: "The care and operation of the Senate Office Building under the direction and supervision of the Senate Committee on Rules."

Section is based on act July 1, 1941, popularly known as the "Legislative Branch Appropriation Act, 1942".

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior acts:

June 18, 1940, ch. 396, 54 Stat. 473.

June 16, 1939, ch. 208, 53 Stat. 832.

IMPROVEMENT OF ACCOMMODATIONS; APPROPRIATION

Pub. L. 85-95, July 10, 1957, 71 Stat. 289, provided: "That the Architect of the Capitol, under the direction of the Senate Office Building Commission, created by the Sundry Civil Appropriation Act of April 28, 1904 (33 Stat. 481), as amended, is authorized and directed to enlarge and remodel Senators' suites and to make structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate, in accordance with plans to be prepared by or under direction of the Architect of the Capitol and to be submitted to and approved by the Senate Office Building Commission.

"SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this Act."

§ 174b-1. Additional Senate office building

Upon completion of the additional office building for the United States Senate, the building and the grounds and sidewalks surrounding the same shall be subject to the provisions of sections 174(c), 174(d), 174c, 174d, 193a to 193m, 207a, 212a, 212a-2, 212a-3, and 212b of this title, in the same manner and to the same extent as the present Senate Office Building and the grounds and sidewalks surrounding the same.

(June 25, 1948, ch. 658, title I, 62 Stat. 1029.)

REFERENCES IN TEXT

Sections 174(c) and 174(d) of this title, referred to in text, have been omitted from the Code.

ACQUISITION OF PROPERTY FOR USE AS RESIDENTIAL
FACILITY FOR UNITED STATES SENATE PAGES

Pub. L. 102-330, §1, Aug. 3, 1992, 106 Stat. 849, as amended by Pub. L. 103-50, ch. XII, §1202, July 2, 1993, 107 Stat. 267, provided that:

“(a) ACQUISITION OF PROPERTY.—(1) The Architect of the Capitol, under the direction of the Senate Committee on Rules and Administration, may acquire, on behalf of the United States Government, by purchase, condemnation, transfer or otherwise, as an addition to the United States Capitol Grounds, such real property in the District of Columbia as may be necessary to carry out the provisions of this Act [this note]. Real property acquired for purposes of this Act, may, in the discretion of the Architect of the Capitol, extend to the outer face of the curbs of such property so acquired, including alleys or parts of alleys and streets within the lot lines and curblines surrounding such real property, together with any or all improvements thereon.

“(2) Subject to the approval by the Committee on Appropriations of the Senate, an amount necessary to enable the Architect of the Capitol to carry out the provisions of this section may be transferred from any appropriation under the heading ‘SENATE’ and the subheadings ‘SALARIES, OFFICERS AND EMPLOYEES’, and ‘OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER’, and the subheadings ‘CONTINGENT EXPENSES OF THE SENATE’ and ‘SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE’ to the account appropriated under the heading ‘ARCHITECT OF THE CAPITOL’ and the subheadings ‘CAPITOL BUILDINGS AND GROUNDS’ and ‘SENATE OFFICE BUILDINGS’.

“(b) UNITED STATES CAPITOL GROUNDS AND BUILDINGS.—Immediately upon the acquisition by the Architect of the Capitol, on behalf of the United States, of the real property, and the improvements thereon, as provided under subsection (a), the real property acquired shall be a part of the United States Capitol Grounds, and the improvements on such real property shall be a part of the Senate Office Buildings. Such real property and improvements shall be subject to the Act of July 31, 1946 (40 U.S.C. 193a et seq.), and the Act of June 8, 1942 (40 U.S.C. 174c).

“(c) BUILDING CODES.—The real property and improvements acquired in accordance with subsection (a) shall be repaired and altered, to the maximum extent feasible as determined by the Architect of the Capitol, in accordance with a nationally recognized model building code, and other applicable nationally recognized codes (including electrical codes, fire and life safety codes, and plumbing codes, as determined by the Architect of the Capitol), using the most current edition of the nationally recognized codes referred to in this subsection.

“(d) REPAIRS; EXPENDITURES.—The Architect of the Capitol is authorized, without regard to the provisions of section 3709 of the Revised Statutes of the United States [41 U.S.C. 5], to enter into contracts and to make expenditures for (1) necessary repairs to, and refurbishment of, the real property and the improvements on such real property acquired in accordance with subsection (a), including expenditures for personal and other services as may be necessary to carry out the purposes of this Act; and (2) for the construction on such real property of any facilities thereon as authorized under subsection (f). In no event shall the aggregate value of contracts and expenditures under this subsection exceed an amount equal to that authorized to be appropriated pursuant to subsection (e).

“(e) AUTHORIZATION.—There is authorized to be appropriated to the account under the heading ‘Architect of the Capitol’ and the subheadings ‘Capitol Buildings and Grounds’ and ‘Senate Office Buildings’, \$2,000,000 for carrying out the purposes of this Act. Moneys appropriated pursuant to this authorization may remain available until expended.

“(f) USE OF PROPERTY.—The real property, and improvements thereon, acquired in accordance with subsection (a) shall be available to the Sergeant at Arms

and Doorkeeper of the Senate for use as a residential facility for United States Senate Pages, and for such other purposes as the Senate Committee on Rules and Administration may provide.”

AUTHORIZATION OF ARCHITECT OF CAPITOL TO LEASE
CITY POST OFFICE BUILDING FOR USE BY SENATE AND
FOR OTHER PURPOSES

Pub. L. 101-520, title I, §107, Nov. 5, 1990, 104 Stat. 2267, provided that:

“(a) Notwithstanding any other provision of law, the Architect of the Capitol, subject to the approval of the Committee on Rules and Administration, is authorized to lease, for use by the United States Senate, and for such other purposes as such committee may approve, 150,000 square feet of space, more or less, in the property located at 2 Massachusetts Avenue, N.E., Washington, District of Columbia, known as the City Post Office Building: *Provided*, That rental payments shall be paid from the account ‘Architect of the Capitol, Senate Office Buildings’ upon vouchers approved by the Architect of the Capitol: *Provided further*, That nothing in this section shall be construed so as to obligate the Senate or any of its Members, officers, or employees to enter into any such lease or to imply any obligation to enter into any such lease.

“(b) Notwithstanding any other provision of law, property leased under authority of subsection (a) shall be maintained by the Architect of the Capitol as part of the ‘Senate Office Buildings’ subject to the laws, rules, and regulations governing such buildings, and the Architect is authorized to incur such expenses as may be necessary to provide for such occupancy.

“(c) There is hereby authorized to be appropriated to the ‘Architect of the Capitol, Senate Office Buildings’ such sums as may be necessary to carry out the provisions of subsections (a) and (b).

“(d) There is authorized to be appropriated to the Sergeant at Arms of the United States Senate such sums as may be necessary to provide for the planning and relocation of offices and equipment to the property described in subsection (a), subject to direction by the Committee on Rules and Administration.

“(e) The authority under this section shall continue until otherwise provided by law.”

NORTH CAPITOL PLAZA BUILDING; CONTINUATION OF AUTHORITY FOR LEASE AND SUBLEASE OF PROPERTY; LEASED PROPERTY AS PART OF SENATE OFFICE BUILDINGS; RENT LIMITATIONS; NECESSITY OF SENATE RESOLUTION; TERM OF LEASE; PURCHASE OPTION

Pub. L. 94-157, title I, §112, Dec. 18, 1975, 89 Stat. 832, provided that:

“(a) Notwithstanding any other provision of law, the Sergeant at Arms of the Senate, subject to the approval of the Committee on Rules and Administration, and the Committee on Appropriations, is authorized to lease, for use by the United States Senate, and for such other purposes as such committees may approve, all or any part of the property located at 400 North Capitol Street, Washington, District of Columbia, known as the ‘North Capitol Plaza Building’: *Provided*, That rental payments under such lease for the entire property shall not exceed \$3,375,000 per annum, exclusive of amounts for reimbursement for taxes paid and utilities furnished by the lessor: *Provided further*, That a lease shall not become effective until approved by Senate Resolution. Prior to such approval process the General Accounting Office shall examine the terms of the proposed lease and shall report to the Senate on its reasonableness, taking into account such factors as rental rates for similar space, advantages of proximity, and possible alternative arrangements. Such payments shall be paid from the Contingent Fund of the Senate upon vouchers approved by the Sergeant at Arms: *Provided further*, That such lease may be for a term not in excess of five years, and shall contain an option to purchase such property, and shall include such other terms and conditions as such committees may determine to

be in the best interests of the Government: *Provided further*, That nothing in this section shall be construed so as to obligate the Senate or any of its Members, officers, or employees to enter into any such lease or to imply any obligation to enter into any such lease.

“(b) Notwithstanding any other provision of law, property leased under authority of subsection (a) shall be maintained by the Architect of the Capitol as part of the ‘Senate Office Buildings’ subject to the laws, rules, and regulations governing such buildings, and the Architect is authorized to incur such expenses as may be necessary to provide for such occupancy.

“(c) Notwithstanding any other provision of law, the Sergeant at Arms of the Senate, subject to the approval of the Committee on Rules and Administration and the Committee on Appropriations, is authorized to sublease any part of the property leased under authority of subsection (a) which is in excess of the requirements of the Senate. All rental payments under any such sublease shall be paid to the Sergeant at Arms of the Senate and such amounts shall thereupon be added to and merged with the appropriation ‘Miscellaneous Items’ under the Contingent Fund of the Senate.

“(d) Notwithstanding any other provision of law, upon the approval of the Committee on Rules and Administration and the Committee on Appropriations, the Secretary of the Senate shall transfer by voucher or vouchers to the Architect of the Capitol from the ‘Contingent Fund of the Senate’ such amounts as may be necessary for the Architect of the Capitol to carry out the provisions of subsection (b) and such amounts shall thereupon be added to and merged with the appropriation ‘Senate Office Buildings’.

“(e) The authority under this section shall continue until otherwise provided by law.”

CONSTRUCTION OF EXTENSION TO NEW SENATE OFFICE BUILDING

Pub. L. 96-69, title V, § 502, Sept. 25, 1979, 93 Stat. 450, appropriated additional funds of \$52,583,400 toward finishing construction of an extension to the New Senate Office Building, to remain available until expended, set the figure \$137,730,400 as the ceiling on the total cost for construction of the building, and further provided that the building and office space therein upon completion meet all needs for personnel presently supplied by the Carrol Arms, the Senate Courts, the Plaza Hotel, and the Capitol Hill Apartments and that those buildings be vacated.

Pub. L. 93-245, ch. VI, Jan. 3, 1974, 87 Stat. 1079, appropriated funds for the construction of an extension of the Senate subway transportation system, construction of additional floor levels on the rear center wing of the Dirksen Office Building, changes to the Dirksen and Russell Office Buildings to provide improved means of circulation to, in, and through those buildings and the extension, and other changes required to properly correlate use of the three buildings.

Pub. L. 92-607, ch. V, § 508, Oct. 31, 1972, 86 Stat. 1510, appropriated funds for the construction and equipment of an extension to the New Senate Office Building and for structural and other changes in the existing New Senate Office Building necessitated by such construction.

DEVELOPMENT OF PLANS FOR GARAGE AND RELATED FACILITIES FOR SENATE

Pub. L. 92-607, ch. V, § 508, Oct. 31, 1972, 86 Stat. 1512, authorized the Architect of the Capitol to conduct a study of design and cost alternatives for construction of a parking garage and to establish an architectural design competition for design of the garage structure.

ACQUISITION OF PROPERTY AS SITE FOR PARKING FACILITIES FOR SENATE

Pub. L. 92-607, ch. V, § 508, Oct. 31, 1972, 86 Stat. 1510, as amended by Pub. L. 93-305, title I, ch. VIII, § 801, June 8, 1974, 88 Stat. 206, authorized the Architect of the Capitol to acquire certain real property as a site for

parking facilities for the Senate, with such property to become a part of the United States Capitol Grounds upon acquisition.

ACQUISITION OF PROPERTY TO EXTEND ADDITIONAL SENATE OFFICE BUILDING SITE

Pub. L. 85-429, May 29, 1958, 72 Stat. 148; Pub. L. 85-591, Aug. 6, 1958, 72 Stat. 495; Pub. L. 91-145, Dec. 12, 1969, 83 Stat. 352; Pub. L. 91-382, Aug. 18, 1970, 84 Stat. 819; Pub. L. 92-184, ch. IV, Dec. 15, 1971, 85 Stat. 637, in part authorized the Architect of the Capitol to acquire certain real property for purposes of extension of Additional Senate Office Building Site.

ADDITIONAL SENATE OFFICE BUILDING

Act Aug. 1, 1953, ch. 304, title I, 67 Stat. 328, authorized certain appropriations made available for expenditure for the preparation of additional preliminary plans and cost estimates for an additional Senate Office Building, such expenditure to be made by the Architect of the Capitol under the supervision of the Senate Office Building Commission, whose membership was increased by act Aug. 1, 1953 from five to seven members.

Act July 11, 1947, ch. 220, 61 Stat. 307, increased the membership of the Senate Office Building Commission from three to five members and provided that the Architect of the Capitol, under the supervision of the Commission, was to prepare preliminary plans and cost estimates for an additional Senate Office Building and authorized certain appropriations therefore.

FURNITURE AND FURNISHINGS

Pub. L. 85-93, July 10, 1957, 71 Stat. 284, directed Architect of the Capitol to provide furniture and furnishings for additional Senate Office Building, authorized appropriations necessary therefore, and authorized Architect of the Capitol to enter into contracts and make such expenditures as are necessary to furnish the building.

§ 174c. Control, care, and supervision of Senate Office Building

On and after June 8, 1942 the Senate Office Building, and the employment of all services (other than for officers and privates of the Capitol Police) necessary for its protection, care, and occupancy, together with all other items that may be appropriated for by the Congress for such purposes, shall be under the control and supervision of the Architect of the Capitol, subject to the approval of the Senate Committee on Rules and Administration as to matters of general policy; and the Architect of the Capitol shall submit annually to the Congress estimates in detail for all services (other than for officers and privates of the Capitol Police) and for all other expenses in connection with said office building and necessary for its protection, care, and occupancy.

(June 8, 1942, ch. 396, 56 Stat. 343; Aug. 2, 1946, ch. 753, title I, § 102, title II, § 224, 60 Stat. 814, 838.)

AMENDMENTS

1946—Act Aug. 2, 1946, substituted “Committee on Rules and Administration” for “Committee on Rules”.

EFFECTIVE DATE OF 1946 AMENDMENT

Section 142 of act Aug. 2, 1946, provided that section 102 of that act shall take effect on Jan. 2, 1947, and section 245 of that act provided that section 224 thereof shall “take effect on the day on which the Eightieth Congress convenes”. The Eightieth Congress convened on Jan. 3, 1947.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 174b-1 of this title.