

expenses on and after October 7, 1997, shall be transferred at the beginning of each fiscal year to the special deposit account in the United States Treasury established under section 174j-4 of this title, and effective October 1, 1997, all management personnel of the Senate Restaurant facilities shall be paid from the special deposit account. Management personnel transferred hereunder shall be paid at the same rates of pay applicable immediately prior to the date of transfer, and annual and sick leave balances shall be credited to leave accounts of such personnel in the Senate Restaurants.

(Pub. L. 105-55, title I, Oct. 7, 1997, 111 Stat. 1189.)

REFERENCES IN TEXT

Appropriations under this heading, referred to in text, probably means appropriations under the headings "ARCHITECT OF THE CAPITOL", "CAPITAL BUILDINGS AND GROUNDS", and "SENATE OFFICE BUILDINGS" in the annual Legislative Branch Appropriations Act.

§ 174k. House of Representatives restaurant, cafeteria, and food services

(a) Management and duties

Notwithstanding any other authority with respect to the jurisdiction and control over the management of the House Restaurant and the cafeteria and other food service facilities of the House of Representatives, the jurisdiction over such restaurant and facilities and authority over the direction and supervision of the immediate management and operation thereof shall be vested in the Committee on House Oversight; and the immediate management and operation of such restaurant and facilities may be vested in such official or other authority, acting as the agent of the committee, as the committee may designate; and the official or authority so designated shall perform the duties vested in the Architect of the Capitol by section 208¹ of the First Supplemental Civil Functions Appropriation Act, 1941 (54 Stat. 1056; Public, No. 812, Seventy-sixth Congress).

(b) Transfer of accounts, records, supplies, equipment, and assets

The Architect of the Capitol is hereby authorized and directed to transfer, as the Committee on House Oversight directs, all accounts, records, supplies, equipment, and assets of the House Restaurant and the cafeteria and other food service facilities of the House which are in the possession or under the control of the Architect of the Capitol in order that all such items may be available for the maintenance and operation of the House Restaurant under the authority of, and as directed by, the Committee on House Oversight.

(c) Special deposit account

All authority, responsibility, and functions vested in or imposed upon the Architect of the Capitol in connection with the special deposit account established by section 208¹ of the First Supplemental Civil Functions Appropriation Act, 1941, shall be vested in or imposed upon

such other official, authority, or authorities as the Committee on House Oversight may designate.

(d) Effective date

The provisions of this section shall become effective on the first day of the first calendar month beginning after the date of adoption of this resolution, until otherwise provided by law.

(Pub. L. 92-51, July 9, 1971, 85 Stat. 133; Pub. L. 104-186, title II, §221(3)(A), Aug. 20, 1996, 110 Stat. 1748.)

REFERENCES IN TEXT

Section 208 of the First Supplemental Civil Functions Appropriation Act, 1941, referred to in subsecs. (a) and (c), is section 208 of act Oct. 9, 1940, ch. 780, title II, 54 Stat. 1056, which was formerly classified to this section, and was repealed by Pub. L. 104-186, title II, §221(3)(B), Aug. 20, 1996, 110 Stat. 1748. See Prior Provisions note below.

The first day of the first calendar month beginning after the date of adoption of this resolution, referred to in subsec. (d), is April 1, 1971.

CODIFICATION

Section is based on section 2 of House Resolution No. 317, Ninety-second Congress, Mar. 25, 1971, which was enacted into permanent law by Pub. L. 92-51.

PRIOR PROVISIONS

A prior section 174k, act Oct. 9, 1940, ch. 780, title II, §208, 54 Stat. 1056, which provided that the House Restaurant was to be managed under the direction of the Architect of the Capitol, was classified to this section and was repealed by Pub. L. 104-186, title II, §221(3)(B), Aug. 20, 1996, 110 Stat. 1748.

AMENDMENTS

1996—Subsecs. (a) to (c). Pub. L. 104-186 substituted "House Oversight" for "House Administration" wherever appearing.

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.

SPECIAL DEPOSIT ACCOUNT FROM VENDING OPERATIONS

Pub. L. 104-53, title I, §107A, Nov. 19, 1995, 109 Stat. 522, as amended by Pub. L. 104-197, title I, §101(a), Sept. 16, 1996, 110 Stat. 2400, provided that:

"(a) Subject to the direction of the Committee on House Oversight of the House of Representatives, the amounts deposited in the account specified in subsection (b) from vending operations of the House of Representatives Restaurant System shall be available to pay the cost of goods sold for such operations.

"(b) The account referred to in subsection (a) is the special deposit account established for the House of Representatives Restaurant by section 208 of the First Supplemental Civil Functions Appropriation Act, 1941 (40 U.S.C. 174k note)."

[Pub. L. 104-197, title I, §101(b), Sept. 16, 1996, 110 Stat. 2401, provided that: "The amendments made by subsection (a) [amending section 107A of Pub. L. 104-53, set out above] shall apply with respect to fiscal years beginning after September 30, 1996."]

TRANSFER OF FOOD SERVICE OPERATIONS; ELECTION BY CERTAIN AFFECTED EMPLOYEES; DISABILITY AND RETIREMENT BENEFITS; PROMULGATION OF REGULATIONS

Pub. L. 99-500, §111, Oct. 18, 1986, 100 Stat. 1783-348, and Pub. L. 99-591, §111, Oct. 30, 1986, 100 Stat. 3341-348, provided that:

¹ See References in Text note below.

“(a) Any individual who—

“(1) on the day before the date on which food services operations for the House of Representatives are transferred by contract to a corporation or other person—

“(A) is a congressional employee (as defined in section 2107 of title 5, United States Code), other than an employee of the Architect of the Capitol, engaged in providing such food services under the administrative control of the Architect of the Capitol; and

“(B) is subject to subchapter III of chapter 83 of title 5, United States Code, or chapter 84 of such title;

“(2) as a result of such contract, ceases to be an employee described in paragraph (1); and

“(3) becomes employed to provide such food services under contract, including a successor contract; may, for purposes of the provisions of law specified in subsection (b), elect to be treated, for so long as such individual continues to be employed (without a break in service) as described in paragraph (3), as if such individual had not ceased to be an employee described in paragraph (1). Such election shall be made on or before the day referred to in paragraph (1) and shall be available only to an individual whose transition from the employment described in paragraph (1) to the employment described in paragraph (3) takes place without a break in service.

“(b) The provisions of law referred to in subsection (a) are—

“(1) subchapter III of chapter 83 of title 5, United States Code (including section 8339(m) of such title (which shall be applied, when an employee retires on an immediate annuity or dies, as if the employment at the time of retirement or death were under a formal leave system), with respect to unused sick leave to the credit of an employee on the day referred to in subsection (a)(1));

“(2) chapter 84 of title 5, United States Code; and

“(3) title III of the Federal Employees' Retirement System Act of 1986 [sections 301 to 312 of Pub. L. 99-335, see Tables for classification].

“(c)(1) At the earliest practicable opportunity, the Director of the Office of Personnel Management shall, in consultation with the Architect of the Capitol, prescribe regulations to carry out this section with respect to matters within the jurisdiction of the Office, including regulations under which—

“(A) an individual who makes an election under subsection (a) shall pay into the Civil Service Retirement and Disability Fund any employee contributions which would be required if such individual were a Congressional employee; and

“(B) the employer furnishing food services under a contract referred to in subsection (a) shall pay into the Civil Service Retirement and Disability Fund amounts equal to any agency contributions which would be required if the individual were a Congressional employee.

“(2) At the earliest practicable opportunity, the Executive Director of the Federal Retirement Thrift Investment Board shall, in consultation with the Architect of the Capitol, prescribe regulations to carry out this section with respect to matters within the jurisdiction of the Board.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 166b-1f of this title; title 5 section 5533.

§ 175. House Office Building; control, supervision, and care

The House of Representatives Office Building, which shall hereafter be designated as the House Office Building and the employment of all service, other than officers and privates of the Capitol police, that may be appropriated for by Con-

gress, necessary for its protection, care, and occupancy, shall be under the control and supervision of the Architect of the Capitol, subject to the approval and direction of a commission consisting of the Speaker of the House of Representatives and two Representatives in Congress, to be appointed by the Speaker. Vacancies occurring by resignation, termination of service as Representatives in Congress, or otherwise in the membership of said commission shall be filled by the Speaker, and any two members of said commission shall constitute a quorum to do business. The Architect of the Capitol shall submit annually to Congress estimates in detail for all services, other than 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; and said commission herein referred to shall from time to time prescribe rules and regulations to govern said architect in making all such employments, together with rules and regulations governing the use and occupancy of all rooms and space in said building.

(Mar. 4, 1907, ch. 2918, 34 Stat. 1365; May 28, 1908, No. 30, 35 Stat. 578; Mar. 3, 1921, ch. 124, 41 Stat. 1291.)

CODIFICATION

Section is based on act Mar. 4, 1907, popularly known as the “Sundry Civil Appropriation Act, fiscal year 1908” appropriating for the maintenance of such Building.

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.

ACQUISITION OF SITE

Act Mar. 3, 1903, ch. 1007, 32 Stat. 1113, authorized acquisition of a site for and the construction of the House Office Building, and appointment of a Commission to supervise its construction.

Joint Resolution May 28, 1908, provided that it should be designated the House Office Building.

HOUSE PUBLIC ADDRESS SOUND SYSTEM ACTIVITIES; TRANSFER OF EMPLOYEES AND FUNDING

Pub. L. 104-197, title III, §307, Sept. 16, 1996, 110 Stat. 2413, provided that:

“(a) Upon approval of the Committee on Appropriations of the House of Representatives, and in accordance with conditions determined by the Committee on House Oversight [now Committee on House Administration], positions in connection with House public address sound system activities and related funding shall be transferred from the appropriation for the Architect of the Capitol for Capitol buildings and grounds under the heading ‘CAPITOL BUILDINGS’ to the appropriation for salaries and expenses of the House of Representatives for the Office of the Clerk under the heading ‘SALARIES, OFFICERS AND EMPLOYEES’.

“(b) For purposes of section 8339(m) of title 5, United States Code, the days of unused sick leave to the credit of any such employee as of the date such employee is transferred under subsection (a) shall be included in the total service of such employee in connection with the computation of any annuity under subsections (a) through (e) and (o) of such section.

“(c) In the case of days of annual leave to the credit of any such employee as of the date such employee is transferred under subsection (a), the Architect of the Capitol is authorized to make a lump sum payment to