

§ 1201. Findings and purposes**(a) Findings**

The Congress makes the following findings and declarations:

(1) Space for consolidation of activities of the Administrative Office of the United States Courts and other offices of the judicial branch of Government and for providing office space for retired justices of the Supreme Court is necessary and should be located in the vicinity of the Supreme Court building.

(2) Orderly development of the Capitol Grounds should be consistent with the Master Plan for the United States Capitol, dated 1981.

(3) The cost of leasing space by the judicial branch of the Government is high.

(4) Development of squares 721 and 722 in the District of Columbia is necessary to achieve the objectives of the Union Station Redevelopment Act [40 U.S.C. 811 et seq.] and the revitalization of the Union Station area.

(5) The Judicial Conference of the United States endorsed by resolution the construction of an office building on the Capitol Grounds to house the Administrative Office of the United States Courts and related judicial branch offices.

(b) Purposes

The purposes of this chapter are as follows:

(1) To implement the report submitted to Congress by the Architect and the Secretary of Transportation under the Act of December 28, 1985 (99 Stat. 1749–1750), relating to the needs of the Federal judiciary for additional Federal office space.

(2) To authorize the Architect to acquire by lease space primarily for use by the judicial branch of the Government by entering into contracts for the design and construction of a building adjacent to Union Station.

(3) To ensure that the design and construction of such building will insofar as practicable result in a building which is efficient and economical and which provides visual testimony to the dignity, enterprise, vigor, and stability of the Federal Government.

(Pub. L. 100–480, § 2, Oct. 7, 1988, 102 Stat. 2328.)

REFERENCES IN TEXT

The Union Station Redevelopment Act, referred to in subsec. (a)(4), probably means the Union Station Redevelopment Act of 1981, Pub. L. 97–125, Dec. 29, 1981, 95 Stat. 1667, as amended, which is classified principally to part B (§811 et seq.) of subchapter I of chapter 18 of this title. For complete classification of this Act to the Code, see Short Title of 1981 Amendment note set out under section 801 of this title and Tables.

Act of December 28, 1985, referred to in subsec. (b)(1), is Pub. L. 99–229, Dec. 28, 1985, 99 Stat. 1749, which is not classified to the Code.

SHORT TITLE

Section 1 of Pub. L. 100–480 provided that: “This Act [enacting this chapter and amending section 816 of this title] may be cited as the ‘Judiciary Office Building Development Act’.”

DESIGNATION OF BUILDING

Pub. L. 103–4, Feb. 8, 1993, 107 Stat. 30, provided that: “SECTION 1. DESIGNATION.

“The Federal Judiciary Building in Washington, D.C., shall be known and designated as the ‘Thurgood Marshall Federal Judiciary Building’.

“SEC. 2. LEGAL REFERENCES.

“Any reference in any law, map, regulation, document, paper, or other record of the United States to the Federal Judiciary Building referred to in section 1 shall be deemed to be a reference to the ‘Thurgood Marshall Federal Judiciary Building’.”

§ 1202. Construction of building**(a) Selection process****(1) General rule**

The Architect, under the direction of the Commission and in accordance with such policies and procedures as the Architect shall establish, shall select in accordance with provision of this subsection a person to develop squares 721 and 722 (bounded by F Street, 2nd Street, Massachusetts Avenue, and Columbia Plaza, Northeast) in the District of Columbia.

(2) Revision of proposals

Not later than 90 days after October 7, 1988, each of the 5 persons who submitted a proposal for development of squares 721 and 722 under the study conducted under the Act of December 28, 1985 (99 Stat. 1749–1750), which is one of the 5 proposals under consideration by the Architect may revise such proposal to take into account the objectives of this chapter and resubmit such proposal to the Architect.

(3) Selection of revised proposal

Subject to paragraph (4), not later than 120 days after October 7, 1988, the Architect shall select one of the persons resubmitting a proposal under paragraph (2) to develop squares 721 and 722 in the District of Columbia.

(4) Nonsubmission of revised proposals; protection of United States interest

If no proposal is resubmitted to the Architect under paragraph (2) in the 90-day period or if the Architect determines that none of the proposals resubmitted under paragraph (2) is in the best interests of the United States, the Architect shall conduct a competition for selection of a person to develop squares 721 and 722 in the District of Columbia. Such competition shall be conducted in accordance with such policies and procedures as the Architect may establish for a development competition.

(5) Purpose of development

The purpose of development of squares 721 and 722 is to provide office space for the Administrative Office of the United States Courts, the Federal Judicial Center, the Judicial Panel of Multidistrict Litigation, and the United States Sentencing Commission, chambers for retired justices of the Supreme Court, and other related offices of the judicial branch of the United States and other persons (including governmental entities).

(6) Approval of Chief Justice

All final decisions regarding architectural design of the building to be constructed under this Act shall be subject to the approval of the Chief Justice of the United States.

(7) Prohibition on payments for bids and designs

The Architect may not make any payment to any person for any bid or design proposal

under any competition conducted under this subsection.

(8) Limitations

(A) Size of building

The building (excluding parking facilities) to be constructed under this chapter may not exceed 520,000 gross square feet in size above the level of Columbia Plaza in the District of Columbia.

(B) Height of building

The height of the building and other improvements shall be compatible with the height of surrounding Government and historic buildings and conform to the provisions of the Act of June 1, 1910, commonly known as the Building Height Act of 1910 (36 Stat. 452).

(C) Design

The building and other improvements shall be designed in harmony with historical and Government buildings in the vicinity, shall reflect the symbolic importance and historic character of the United States Capitol and other buildings on the United States Capitol grounds, and shall represent the dignity and stability of the Federal Government.

(b) Development agreement

(1) Authority to enter

The Architect may enter into with the person selected to develop squares 721 and 722 under subsection (a) of this section an agreement for the development of such squares. Except as otherwise provided in this chapter, such agreement shall provide for development of such squares substantially in accordance with (A) alternative D of the report to Congress entitled "The Study of Alternatives for the Construction of an Office Building(s) for the Administrative Office of the United States Courts", submitted to Congress on August 10, 1987, by the Architect and the Secretary of Transportation, and (B) the Master Plan for the United States Capitol, dated 1981.

(2) Contents

The development agreement under paragraph (1) shall at a minimum provide for the following:

(A) Except to the extent otherwise provided by this chapter, all design, development, and construction costs incurred with respect to the building to be constructed under the agreement will be at no cost to the United States.

(B) Title to squares 721 and 722 will remain in the United States.

(C) Title to the building and other improvements constructed or otherwise made on or to squares 721 and 722 will immediately revert to the United States at the expiration of not more than 30 years from the effective date of the lease agreement entered into under section 1203 of this title without payment of any compensation by the United States.

(D) The building and other improvements constructed on or to squares 721 and 722 to

be leased to the United States will be in accordance with the provisions of this chapter and the lease agreement will contain such terms and conditions as may be prescribed by the Architect to carry out the objectives of this chapter.

The agreement shall include a copy of the lease agreement entered into under section 1203 of this title by the Architect and the person selected to develop squares 721 and 722.

(c) Chilled water and steam from Capitol Power Plant

(1) Authority for hookup to Capitol Power Plant

The building to be constructed under this chapter may be connected to the Capitol Power Plant through construction of extensions to the chilled water and steam lines which serve Union Station. If such building is to be connected to the Capitol Power Plant, the agreement under subsection (b) of this section between the Architect and the person selected to construct such building shall provide that such person will bear all costs associated with the installation of chilled water and steam lines to the building and shall reimburse the Union Station Redevelopment Corporation for an equitable share of the costs incurred by the Union Station Redevelopment Corporation in the construction of extensions of the chilled water and steam lines from such Plant to Union Station.

(2) Furnishing of chilled water and steam from Capitol Power Plant

If the building to be constructed under this chapter is connected with the Capitol Power Plant pursuant to paragraph (1), the Architect shall furnish, on a reimbursable basis, chilled water and steam from such Plant to such building.

(d) Construction standards and inspections

The building and other improvements constructed under this chapter shall meet all standards applicable to construction of a Federal building. During construction, the Architect shall conduct periodic inspections of such building for the purpose of assuring that such standards are being met. Such building shall not be subject to any law of the District of Columbia relating to building codes, permits, or inspection (including any such law enacted by Congress).

(e) Applicability of certain laws

The building and other improvements constructed under this chapter shall not be subject to any law of the District of Columbia relating to real estate and personal property taxes, special assessments, or other taxes (including any such law enacted by Congress).

(Pub. L. 100-480, §3, Oct. 7, 1988, 102 Stat. 2329.)

REFERENCES IN TEXT

Act of December 28, 1985, referred to in subsec. (a)(2), is Pub. L. 99-229, Dec. 28, 1985, 99 Stat. 1749, which is not classified to the Code.

Act of June 1, 1910, commonly known as the Building Height Act of 1910, referred to in subsec. (a)(8)(B), is act June 1, 1910, ch. 263, 36 Stat. 452, which is not classified to the Code.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1203, 1205 of this title.

§ 1203. Lease of building by Architect of the Capitol

(a) Entry into lease agreement

Before the development agreement is entered into under section 1202 of this title, the Architect shall enter into with the person selected to construct the building under this chapter an agreement for the lease of such building by the Architect to carry out the objectives of this chapter.

(b) Terms of lease agreement

The agreement entered into under this section shall include at a minimum the following terms:

(1) The Architect will lease the building and other improvements for a term not to exceed 30 years from the effective date of such lease agreement.

(2) The rental rate per square foot of occupiable space for all space in the building and other improvements will be in the best interest of the United States and carry out the objectives of this chapter, but in no case may the aggregate rental rate for all space in the building and other improvements produce an amount less than the amount necessary to amortize the cost of development of squares 721 and 722 over the term of the lease.

(3) Authority for the Architect to make space available and to sublease space in the building and other improvements in accordance with section 1205 of this title.

(c) Accounting system

The Architect shall maintain an accounting system for operation and maintenance of the building and other improvements to be constructed under this chapter which will permit accurate projections of the dates and the costs of major repairs, improvements, reconstructions, and replacements of such building and improvements and other capital expenditures on such building and improvements.

(d) Obligation of funds

Obligation of funds for lease payments under this section may only be made on an annual basis and may only be made from the account established by section 1207 of this title.

(Pub. L. 100-480, § 4, Oct. 7, 1988, 102 Stat. 2331.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1202, 1205, 1207 of this title.

§ 1204. Structural and mechanical care and security

(a) Structural and mechanical care

Upon occupancy by the United States of the building and other improvements constructed under this chapter, the structural and mechanical care and maintenance of such building and improvements (including the care and maintenance of the grounds of such building) shall be the responsibility of the Architect, under the direction of the Commission, in the same manner

and to the same extent as the structural and mechanical care and maintenance of the United States Supreme Court Building under section 13a of this title, and all other duties and work required for the operation and domestic care of such building and improvements shall be performed by the Architect, under the direction of the Commission.

(b) Security

(1) General rule

The United States Capitol Police shall be responsible for all exterior security of the building and other improvements constructed under this chapter.

(2) Authority of Supreme Court Marshal

Nothing in this chapter shall be construed to interfere with the obligation of the Marshal of the Supreme Court of the United States to protect justices, officers, employees, or other personnel of the Supreme Court who may occupy the building and other improvements.

(3) Reimbursement

The Architect shall transfer from the account established by section 1207 of this title such amounts as may be necessary to reimburse the United States Capitol Police for expenses incurred in providing exterior security under this subsection. The United States Capitol Police may accept amounts transferred by the Architect under this paragraph, and such amounts shall be credited to the appropriation account charged by the United States Capitol Police in executing the performance of security duties.

(c) Authority of Capitol Police

The United States Capitol Police are authorized to police the building and other improvements constructed pursuant to this chapter, including the interior and exterior thereof, and to make arrests within the interior and exterior of such building and other improvements for any violation of any law of the United States, of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto.

(Pub. L. 100-480, § 5, Oct. 7, 1988, 102 Stat. 2331; Pub. L. 102-392, title III, § 311(a), Oct. 6, 1992, 106 Stat. 1723.)

AMENDMENTS

1992—Subsec. (b)(1), (3). Pub. L. 102-392 substituted “exterior security” for “exterior and interior security”.

Subsec. (c). Pub. L. 102-392 added subsec. (c).

§ 1205. Allocation of space

(a) Governmental entities

(1) Judicial branch

Subject to the provisions of this section, the Architect shall make available, on a reimbursable basis, all space in the building and other improvements constructed under this chapter to the judicial branch of the United States substantially in accordance with the report referred to in section 1202(b)(1) of this title.

(2) Other

Any space in the building and other improvements constructed under this chapter