

procured on designs and specifications made or approved by the said Architect.

(Apr. 28, 1902, ch. 594, 32 Stat. 125.)

#### CODIFICATION

Section was classified to section 169 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 is based on par. from act Apr. 28, 1902, popularly known as the “Legislative, Executive, and Judicial Appropriation Act, fiscal year 1903”.

#### CHANGE OF NAME

Change of name of the Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior Provisions and Change of Name notes set out under section 1801 of this title.

### SUBCHAPTER II—SENATE

#### § 2021. 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 1922, 1961, 1966, 1967, 1969, 2023, and 2024 of this title and sections 5101 to 5107 and 5109 of title 40, 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 1922, 1961, 1966, 1967, and 1969 of this title and sections 5101 to 5107 and 5109 of title 40, referred to in text, was in the original a reference to the Act of July 31, 1946, ch. 707, 60 Stat. 718. Sections 9, 9A, 9B, 9C, and 14 of the Act are classified, respectively, to sections 1961, 1966, 1967, 1922, and 1969 of this title, and section 16(b) of the Act is set out as a note under section 1961 of this title. Sections 1 to 8, 10 to 13, and 16(a) of the Act, which were classified to sections 193a to 193m of former Title 40, Public Buildings, Property, and Works, were repealed and reenacted as sections 5101 to 5107 and 5109 of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §§1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1312, the first section of which enacted Title 40. Section 5(c) of Pub. L. 107-217, set out as a note preceding section 101 of Title 40, provides that a reference to a law replaced by section 1 of Pub. L. 107-217 is deemed to refer to the corresponding provision enacted by Pub. L. 107-217. For complete classification of the act of July 31, 1946, to the Code, see Tables. For disposition of sections of former Title 40, see table at the beginning of Title 40.

Sections 2023 and 2024 of this title, referred to in text, was in the original a reference to “the Act of June 8, 1942 (U.S.C., title 40, sec. 174(c) and (d))”, which, to reflect the probable intent of Congress, was translated as meaning the provisions of the act of June 8, 1942, ch. 396, 56 Stat. 330, which were classified to sections 174c and 174d of former Title 40, Public Buildings, Property, and Works. Sections 174c and 174d of former Title 40 have been transferred to sections 2023 and 2024, respectively, of this title.

#### CODIFICATION

Section was classified to section 174b-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.

#### 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.) [2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101 to 5107, 5109], and the Act of June 8, 1942 (40 U.S.C. 174c) [2 U.S.C. 2023, 2024].

“(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 sub-

section (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, as amended by Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814, 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 Government Accountability 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 pur-

chase 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. 92-607, ch. V, 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 and provided that the building and the grounds and sidewalks surrounding it are subject to the Act of July 31, 1946 (2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101 to 5107, 5109), and the Act of June 8, 1942 (2 U.S.C. 2023, 2024).

**ACQUISITION OF PROPERTY AS SITE FOR PARKING FACILITIES FOR SENATE**

Pub. L. 92-607, ch. V, 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 and provided that such property become a part of the United States Capitol Grounds or that it be subject to the act of July 31, 1946 (2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101 to 5107, 5109).

**§ 2022. Acquisition of buildings and facilities for use in emergency situation**

**(a) Acquisition of buildings and facilities**

Notwithstanding any other provision of law, in order to respond to an emergency situation, the