

ized to establish, or provide for the establishment of, exercise classes and other health services and activities on a continuing and regular basis. In providing for such classes, services, and activities, the Sergeant at Arms and Doorkeeper of the Senate is authorized to impose and collect fees, assessments, and other charges to defray the costs involved in promoting the health of Members, officers, and employees of the Senate. For purposes of this section, the term “employees of the Senate” shall have such meaning as the Sergeant at Arms, by regulation, may prescribe.

(2) All fees, assessments, and charges imposed and collected by the Sergeant at Arms pursuant to paragraph (1) shall be deposited in the revolving fund established pursuant to subsection (c) of this section and shall be available for purposes of this section.

(c) Senate Health Promotion Revolving Fund

There is established in the Treasury of the United States a revolving fund within the contingent fund of the Senate to be known as the Senate Health Promotion Revolving Fund (hereinafter referred to in this section as the “fund”). The fund shall consist of all amounts collected or received by the Sergeant at Arms and Doorkeeper of the Senate as fees, assessments, and other charges for activities and services to carry out the provisions of this section. All moneys in the fund shall be available without fiscal year limitation for disbursement by the Secretary of the Senate for promoting the health of Members, officers, and employees of the Senate. On or before December 31 of each year, the Secretary of the Senate shall withdraw from the fund and deposit in the Treasury of the United States as miscellaneous receipts all moneys in excess of \$5,000 in the fund at the close of the preceding fiscal year.

(d) Vouchers

Disbursements from the revolving fund shall be made upon vouchers signed by the Sergeant at Arms and Doorkeeper of the Senate.

(e) Inapplicability of provisions prohibiting sales, advertisements, or solicitations in Capitol grounds

The provisions of section 5104(c) of title 40 shall not be applicable to any class, service, or other activity carried out pursuant to the provisions of this section.

(f) Regulations

The provisions of this section shall be carried out in accordance with regulations which shall be promulgated by the Sergeant at Arms and Doorkeeper of the Senate and subject to approval at the beginning of each Congress by the Committee on Rules and Administration of the Senate.

(Pub. L. 101-163, title I, § 4, Nov. 21, 1989, 103 Stat. 1044; Pub. L. 102-90, title I, § 2, Aug. 14, 1991, 105 Stat. 450.)

CODIFICATION

Section is from the Congressional Operations Appropriations Act, 1990, which is title I of the Legislative Branch Appropriations Act, 1990.

In subsec. (e), “section 5104(c) of title 40” substituted for “section 4 of the Act of July 31, 1946 (40 U.S.C.

193d)” on authority of Pub. L. 107-217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

AMENDMENTS

1991—Subsec. (c). Pub. L. 102-90 inserted at end “On or before December 31 of each year, the Secretary of the Senate shall withdraw from the fund and deposit in the Treasury of the United States as miscellaneous receipts all moneys in excess of \$5,000 in the fund at the close of the preceding fiscal year.”

§ 121d. Senate Gift Shop

(a) Establishment

The Secretary of the Senate is authorized to establish a Senate Gift Shop for the purpose of providing for the sale of gift items to Members of the Senate, staff, and the general public.

(b) Deposit of receipts

All moneys received from sales and other services by the Senate Gift Shop shall be deposited in the revolving fund established by subsection (c) of this section and shall be available for purposes of this section.

(c) Revolving fund

(1) There is established in the Treasury of the United States a revolving fund within the contingent fund of the Senate to be known as the Senate Gift Shop Revolving Fund (hereafter referred to in this section as the “fund”). The fund shall consist of all amounts collected or received by the Secretary of the Senate from sales and services by the Senate Gift Shop. All moneys in the fund shall be available without fiscal year limitation for disbursement by the Secretary of the Senate in connection with the operation of the Senate Gift Shop, including supplies, equipment, and other expenses. In addition, such moneys may be used by the Secretary of the Senate to reimburse the Senate appropriations account, appropriated under the heading “SALARIES, OFFICERS AND EMPLOYEES” and “OFFICE OF THE SECRETARY”, for amounts used from such account to pay the salaries of employees of the Senate Gift Shop.

(2) The Secretary of the Senate may transfer from the fund to the Capitol Preservation Fund the net profits (as determined by the Secretary) from sales of items by the Senate Gift Shop which are intended to benefit the Capitol Visitor Center.

(3) The Secretary of the Senate may transfer from the fund to the Senate Employee Child Care Center proceeds from the sale of holiday ornaments by the Senate Gift Shop for the purpose of funding necessary activities and expenses of the Center, including scholarships, educational supplies, and equipment.

(d) Exception to prohibition of sale or solicitation on Capitol Grounds

The provisions of section 5104(c) of title 40 shall not be applicable to any activity carried out pursuant to this section.

(e) Transfer of moneys from Stationery Revolving Fund

To provide capital for the fund, the Secretary of the Senate is authorized to transfer, from moneys in the Stationery Revolving Fund in the contingent fund of the Senate, to the fund such

sum as he may determine necessary, not to exceed \$300,000.

(f) Authorization to expend from appropriations account for initial expenses

For the purpose of acquiring supplies, equipment, and meeting other initial expenses in implementing subsection (a) of this section, the Secretary of the Senate is authorized, upon October 6, 1992, to expend, from moneys appropriated to the appropriations account, within the contingent fund of the Senate, for expenses of the Secretary of the Senate, by the Legislative Branch Appropriations Act, 1991, such amounts as may be necessary to carry out this section.

(g) Disbursement on approved voucher

Disbursements from the fund shall be made upon vouchers approved by the Secretary of the Senate, or his designee.

(h) Regulations

The Secretary of the Senate is authorized to prescribe such regulations as may be necessary to carry out the provisions of this section.

(Pub. L. 102-392, title I, § 2, Oct. 6, 1992, 106 Stat. 1706; Pub. L. 107-68, title I, § 107(a), Nov. 12, 2001, 115 Stat. 568; Pub. L. 110-39, § 1, June 21, 2007, 121 Stat. 231.)

REFERENCES IN TEXT

The Legislative Branch Appropriations Act, 1991, referred to in subsec. (f), is Pub. L. 101-520, Nov. 5, 1990, 104 Stat. 2254. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section is from the Congressional Operations Appropriations Act, 1993, which is title I of the Legislative Branch Appropriations Act, 1993.

In subsec. (d), “section 5104(c) of title 40” substituted for “section 4 of the Act of July 31, 1946 (40 U.S.C. 193d)” on authority of Pub. L. 107-217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

AMENDMENTS

2007—Subsec. (c)(3). Pub. L. 110-39 added par. (3).

2001—Subsec. (c). Pub. L. 107-68 designated existing provisions as par. (1) and added par. (2).

EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-68, title I, § 107(b), Nov. 12, 2001, 115 Stat. 569, provided that: “The amendments made by this section [amending this section] shall apply to fiscal years beginning before, on, or after the date of enactment of this Act [Nov. 12, 2001].”

ADDITIONAL CAPITALIZATION

Pub. L. 103-283, title I, § 1, July 22, 1994, 108 Stat. 1426, provided that: “Effective on and after the date of enactment of this Act [July 22, 1994], the Secretary of the Senate, subject to the approval of the Committee on Appropriations of the Senate, is authorized to transfer up to \$300,000 from any Senate appropriations account with respect to which the Secretary has disbursing authority to the revolving fund established under section 2(c) under the subheading ‘ADMINISTRATIVE PROVISIONS’ under the heading ‘SENATE’ in Public Law 102-392 (2 U.S.C. 121d(c)) to provide additional capitalization for such revolving fund. Any moneys so transferred shall be available for use in the same manner and to the same extent as the moneys otherwise in such revolving fund.”

§ 121e. Payment of fees for services of Attending Physician and for use of Senate health and fitness facilities

(a) Regulations

The Senate Committee on Rules and Administration shall promulgate regulations—

(1) pertaining to the services provided by the Attending Physician and the operation and use of the Senate health and fitness facilities; and

(2) requiring the payment of fees for services received from the Attending Physician and for the use of the Senate health and fitness facilities pursuant to such regulations.

(b) Withholding of fees from salary

The Secretary of the Senate is authorized to withhold fees from the salary of an individual authorized by such regulations to receive such services from the Attending Physician and to use the Senate health and fitness facilities.

(c) Deposit in General Fund

The Secretary of the Senate shall remit all fees required by subsection (a)(2) of this section that are collected pursuant to subsection (b) of this section or by direct payment to the General Fund of the Treasury as miscellaneous receipts unless otherwise provided by law.

(d) Effective date

The provision¹ of this section shall take effect on April 9, 1992.

(Pub. L. 102-392, title III, § 314, Oct. 6, 1992, 106 Stat. 1723.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 1993.

§ 121f. Senate Staff Health and Fitness Facility Revolving Fund

(a) Establishment

There is established in the Treasury of the United States a revolving fund to be known as the Senate Staff Health and Fitness Facility Revolving Fund (“the revolving fund”).

(b) Deposit of receipts

The Architect of the Capitol shall deposit in the revolving fund—

(1) any amounts received as dues or other assessments for use of the Senate Staff Health and Fitness Facility, and

(2) any amounts received from the operation of the Senate waste recycling program.

(c) Availability of funds

Subject to the approval of the Committee on Appropriations of the Senate, amounts in the revolving fund shall be available to the Architect of the Capitol, without fiscal year limitation, for payment of costs of the Senate Staff Health and Fitness Facility.

(d) Withdrawal of excess amounts

The Architect of the Capitol shall withdraw from the revolving fund and deposit in the Treasury of the United States as miscellaneous

¹ So in original. Probably should be “provisions”.