

## **US Code**

*(Unofficial compilation from the Legal Information Institute)*

### **TITLE 40 - PUBLIC BUILDINGS, PROPERTY, AND WORKS SUBTITLE II - PUBLIC BUILDINGS AND WORKS PART B—UNITED STATES CAPITOL**

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## TITLE 40 PUBLIC BUILDINGS, PROPERTY, AND WORKS

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### TITLE 40—PUBLIC BUILDINGS, PROPERTY, AND WORKS

This title was enacted by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062

Subtitle ...Sec.

I. FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ...101

II. PUBLIC BUILDINGS AND WORKS ...3101

III. INFORMATION TECHNOLOGY MANAGEMENT ...11101

IV. APPALACHIAN REGIONAL DEVELOPMENT ...14101

V. REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT ...15101

VI. MISCELLANEOUS ...17101

#### Amendments

2008—Pub. L. 110–234, title XIV, § 14217(b), May 22, 2008, 122 Stat. 1482, and Pub. L. 110–246, title XIV, § 14217(b), June 18, 2008, 122 Stat. 2244, which directed identical amendments to the table of subtitles for “chapter 40, United States Code” by adding items for subtitles V and VI and striking out item for subtitle V, was executed by amending the table of subtitles for this title, to reflect the probable intent of Congress. Prior to amendment, the item for subtitle V read “Miscellaneous”. The amendment by Pub. L. 110–234 was repealed by Pub. L. 110–246, § 4(a), June 18, 2008, 122 Stat. 1664.

#### Table Showing Disposition of All Sections of Former Title 40

Title 40 Former Sections	Title 40 New Sections
1, 1a	Rep.
2	Rep.
3	Rep.
4	Rep.
5	Rep.
5a	Rep.
6	Rep.
7	Rep.
7a	Rep.
8–13	Rep.
13a, 13a note	6111
13b	6112
13c	6113
13d	Rep.
13e	6114
13f	6122
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13k	6135
13l	6102
13m	6137
13n(a)	6121
13n(b)	6123
13n(c)	6121
13n(d)	6101
13o	6136
13p	6101
14–18a	Rep.
19	8101

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20, 21	Rep.
22	Rep.
22a–22c	8143
23, 24	Rep.
25	Rep.
26	Rep.
27	Rep.
27a	Rep.
28	Rep.
29	Rep.
30	Rep.
30a	Rep.
31	8108
32, 33	Rep.
33a	Rep.
34	8141
35	8142
36–37a	Rep.
38	Rep.
39	Rep.
40	Rep.
40a	Rep. (Transferred to former 278 prior to repeal)
41	Rep.
42	8165
43	8107
44	Rep.
45–48	9501
49	9503
50	9504
51, 52	9502
53	Rep.
53a	Elim.
54	9507
55	9505
56	9506
57	Rep.
58	Elim.
59	Rep.
60	Elim.
60a	8161
61	Elim.
62	Elim.
63	Elim.
64	8122
65	Elim.
66	8121
67	Elim.
68	8106

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<b>Title 40 Former Sections</b>	<b>Title 40 New Sections</b>
69	Elim.
70	Elim.
71(a)	8701
71(b)	8702
71a(a)(1)	8711
71a(a)(2)	8712
71a(a)(3), (4)	8721
71a(b), (c)	8711
71a(d)	8721
71a(e), 71a note	8711
71b	Rep.
71c(a)	8721
71c(b), (c)	Rep.
71c(d), (e) (1st par.)	8721
71c(e) (last par.)	8722
71d	8722
71e	Rep.
71f	8723
71g(a)–(c)	8724
71g(d)	8725
71h	8711
71i	8726
72	8731
72a	8732
72b	8733
72c, 72d	8734
72e	8736
73 (1st, 2d sentences)	8737
73 (3d–last sentences)	8731
74	8711
74a–74c	8735
75	Elim.
76	Elim.
77	Elim.
77a	Rep.
78	Elim.
79	8123
80	Elim.
81	Elim.
82	8125
83	Elim.
84	Elim.
85	Elim.
86	Elim.
87	Elim.
88	Elim.
89	8126
90	Elim.

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Title 40 Former Sections	Title 40 New Sections
91	Rep.
92	Elim.
92a	Elim.
93	Elim.
94	Elim.
95	Elim.
96	Elim.
97	Elim.
98	Elim.
99	Elim.
100	8127
101	8103
102	8162
103	8163
104 (1st, 2d sentences)	9101
104 (3d–6th sentences)	9102
104 (last sentence words before comma)	9103
104 (last sentence words after comma)	9101
105	9103
106	9104
107	Elim.
108	Elim.
109–112	Rep.
112a	Rep.
113	8144
114	Rep.
115	Rep.
115a	Rep.
116–119	Rep.
120	Rep.
121	8104
122, 123	8124
124 (words before proviso)	9301
124 (proviso)	9302
125 (words before semicolon)	9303
125 (words after semicolon)	9304
126	Rep.
127	9301 note
128	8105
129	585 note
129a–130a	8164
131	8302
132	8303
133	8304
134	Rep.
135	8301
136(a)	8501
136(b), (c)	8502

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<b>Title 40 Former Sections</b>	<b>Title 40 New Sections</b>
136(d)	(See § 49–103 of the D.C. Official Code)
136(e)	Rep.
136(f)	8501
136(g)(1), (2)	Rep.
136(h)–(j)	8501
137	8102
138	Rep.
161	T. 2 § 1801 note
161a	Rep.
162	T. 2 § 1811
162–1	T. 2 § 1801
162a	T. 2 § 1802
162b	T. 2 § 1868
163	T. 2 § 1812
163a	T. 2 § 1813
163b	T. 2 § 1803
164	Rep.
164a	T. 2 § 1804
165	Rep.
166	T. 2 § 1814
166a	Rep.
166a–1	T. 2 § 1861
166b	Rep.
166b–1	Rep.
166b–1a	T. 2 § 1841
166b–1b	T. 2 § 1842
166b–1c	T. 2 § 1843
166b–1d	T. 2 § 1844
166b–1e	T. 2 § 1845
166b–1f	T. 2 § 1846
166b–2	T. 2 § 1850
166b–3	T. 2 § 1847
166b–3a	T. 2 § 1848
166b–3b	T. 2 § 1849
166b–4	T. 2 § 1851
166b–5	T. 2 § 1852
166b–6	T. 2 § 1832
166b–7	T. 2 § 1831
166c	Elim.
166d	T. 2 § 1818
166e	T. 2 § 1863
166f	T. 2 § 1864
166g	T. 2 § 1867
166h	T. 2 § 1862
166i	T. 2 § 1815
166j	T. 2 § 1816
166k	T. 2 § 1819
166l	T. 2 § 1865

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Title 40 Former Sections	Title 40 New Sections
166m	T. 2 § 1820
167	T. 2 § 1833
167a	Rep.
168	T. 2 § 1834
168a	Rep.
169	T. 2 § 2012
170	T. 2 § 2184
170a	(Previously transferred to T. 2 § 117b-1)
171	T. 2 § 1817
172	Rep.
173	T. 2 § 2185
174	Rep.
174a	Rep.
174b	Elim.
174b-1	T. 2 § 2021
174b-2	T. 2 § 2022
174c	T. 2 § 2023
174d	T. 2 § 2024
174d-1	T. 2 § 2181
174e	T. 2 § 1866
174f-174j	Rep.
174j-1	T. 2 § 2042
174j-2	Rep.
174j-3	T. 2 § 2043
174j-4	T. 2 § 2044
174j-5	T. 2 § 2045
174j-6	T. 2 § 2046
174j-7	T. 2 § 2047
174j-8	T. 2 § 2048
174j-9	T. 2 § 2049
174j-10	T. 2 § 2050
174k	T. 2 § 2041
175	T. 2 § 2001
175a	T. 2 § 2002
176	T. 2 § 2003
177	T. 2 § 2004
178	T. 2 § 2005
179	T. 2 § 2006
180	T. 2 § 2007
181	T. 2 § 2008
182	T. 2 § 2009
183	T. 2 § 2010
184	T. 2 § 2011
184a	T. 2 § 2161
184b-184f	Rep.
184g	T. 2 § 2062
185	T. 2 § 2162
185a	T. 2 § 2025

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186	T. 10 § 4689
187	T. 2 § 2131
187a	T. 2 § 2132
188	T. 2 § 2133
188a	T. 2 § 2081
188a-1	T. 2 § 2082
188a-2	T. 2 § 2083
188a-3	T. 2 § 2084
188a-4	T. 2 § 2085
188a-5	T. 2 § 2086
188b	T. 2 § 2101
188b-1	T. 2 § 2102
188b-2	T. 2 § 2103
188b-3	T. 2 § 2104
188b-4	T. 2 § 2105
188b-5	T. 2 § 2106
188b-6	T. 2 § 2107
188c	T. 2 § 2121
188c-1	T. 2 § 2122
189	T. 2 § 2134
190	T. 2 § 2135
190a	Rep.
190b	T. 2 § 2182
191	Rep.
192	Rep.
193	T. 2 § 2183
193a	5102
193b	5103
193c-193g	5104
193h	5109
193i	5105
193j, 193k	5106
193l	5107
193m(1)	5101
193m(2)-(5)	5104
193m-1	5108
193n	6306
193o	6302
193p, 193q	6303
193r	6304
193s	6307
193t	6306
193u	6305
193v	6301
193w	Rep.
193x	6306
194-205	Rep.
206	T. 2 § 1901

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Title 40 Former Sections	Title 40 New Sections
206-1	T. 2 § 1902
206a-206a-8	Elim. (Previously transferred to former 206 notes)
206a-9	T. 2 § 1903
206b	T. 2 § 1924
206c	T. 2 § 1925
206d	T. 2 § 1971
206d-1	T. 2 § 1972
206e	T. 2 § 1973
207	T. 2 § 1921
207a	T. 2 § 1922
207b	T. 2 § 1923
207b-1	T. 2 § 1926
206b-2	T. 2 § 1927
207c	T. 2 § 1951
207c-1	T. 2 § 1952
207c-2	T. 2 § 1953
207c-3	T. 2 § 1954
207d	T. 2 § 1904
207e	T. 2 § 1905
208	T. 2 § 1928
209	T. 2 § 1929
210	T. 2 § 1941
210a	T. 2 § 1942
211	T. 2 § 1943
212	T. 2 § 1944, 1944 notes
212a	T. 2 § 1961
212a-1	T. 2 § 1962, 1962 notes
212a-2	T. 2 § 1966
212a-3	T. 2 § 1967
212a-4	T. 2 § 1964
212a-4a	T. 2 § 1965
212a-5	T. 2 § 1968
212b	T. 2 § 1969
212c	T. 2 § 1970
213	Rep.
213a	Elim.
214	T. 2 § 1963
214a	Rep.
214b	T. 2 § 2061
214c	T. 2 § 2063
214d	T. 2 § 2064
214e	T. 2 § 2065
215	T. 2 § 2141
216	T. 2 § 2142
216a	T. 2 § 2145
216b	T. 2 § 2143
216c	T. 2 § 2146
216d	T. 2 § 2144

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Title 40 Former Sections	Title 40 New Sections
217	Rep.
217a	T. 2 § 2147
217b	Rep.
217c	T. 2 § 2167
218–220	Rep.
221	Rep.
222	Rep.
223	T. 2 § 2163
224	T. 2 § 2164
231	(Previously transferred to former T. 44 § 300 prior to repeal)
232, 232a	(Previously transferred to former T. 44 § 300a prior to repeal)
232b	Rep.
233–241	(Previously transferred to former T. 44:300c–300k prior to repeal)
251	Rep.
252	Rep.
253	311
254	Rep.
255 (1st–5th pars.)	3111
255 (last par.)	3112
256	Rep.
257	3113
258	Rep.
258a, 258b	3114
258c	3115
258d	3118
258e	3115
258e–1	3116
258f	3117
259, 260	Rep.
261	3171
262–265	Rep.
265a	Rep.
266, 267	Rep.
267a	Rep.
268, 269	Rep.
269a	Rep.
270	Rep.
270a	3131
270a note	3132
270b, 270c	3133
270d, 270d–1	3131
270e, 270f	3134
271	Rep.
272	Rep.
273–276	Rep.
276a(a)	3142

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<b>Title 40 Former Sections</b>	<b>Title 40 New Sections</b>
276a(b) (1st par. words before proviso)	3141
276a(b) (1st par. proviso, last par.)	3142
276a-1	3143
276a-2	3144
276a-3	3146
276a-4	Rep.
276a-5	3147
276a-6	Rep.
276a-7	3148
276b	Rep.
276c	3145
276d	3161
276d-1—276d-3	3162
277	Rep.
277a	Rep.
278, 278a	Rep.
278b	Rep.
278c	Rep.
279-281	Rep.
282	Rep.
283	3104
284	Rep.
285	3101
285a	Elim.
286	3105
287	Rep.
288	Elim.
289	Elim.
289a	(See former 289)
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291	3103
292	Rep.
293	3173
294	Rep.
295	3174
296	Rep.
297-298	Rep.
298a	3175
298b	3176
298c	Rep.
298d	3102
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302-303a	Rep.
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303c	T. 16 § 3b
304	1305
304a-304e	1303
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305	1311
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307	Rep.
308, 309	1313
310	1309
311, 311a	Rep.
311b	1308
312	Rep.
313	Rep.
313-1	Rep.
313-2	Rep.
313a	Rep.
314	1310
314a	Rep.
315	Rep.
316	1307
317	Rep.
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319	1314
319 note	1314
319a	1314
319a note	1314
319b	1314
319b note	1314
319c	1314
319c note	1314
321, 322	Rep.
323	Rep.
324-326	Rep.
327	Rep.
328	3702
329	3701
330	3703
331	3706
332	3708
333(a)-(e)	3704
333(f)	3705
334	3707
341-342a	Rep.
343	Rep.
344, 345	Rep.
345a	Rep.
345b, 345c, 345c note	1304
346-350a	Rep.
351	(See former 33a)
352-355	Rep.
356	Rep.
356a	Rep.

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357	Rep.
361–386, 401	Rep.
402–410	Rep.
411	Rep.
411a	Rep.
412	Rep.
413	Rep.
414	Rep.
421–425	Rep.
431–434	Rep.
435	Rep.
436	Rep.
437	Rep.
438	Rep.
439	Rep.
440	Rep.
441	Rep.
442	Rep.
443	Rep.
444	Rep.
451–455	Rep.
456	Rep.
457	Rep.
458	Rep.
459	Rep.
460	3501
461	Rep.
462(a), (b)	3502
462(c)	Rep.
462(d)	3502
462(e)	3503
462(f)	3504
462(g)	3505
462(h)	Rep.
471	101
472	102
473	112
474(a)	Rep.
474(b)	(See T. 5 § 901 note)
474(c)–(e)	113
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483(e)	529
483(f)	Rep.
483(g)	526
483(h)	527
483a	Rep.
483b	528
483c	Rep.
483d	556
484(a)	541
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484(c)	543
484(d)	544
484(e)	545
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484(g), (h)	547
484(i)	548
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484(o)	Rep.
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484a	Rep.
484b	Rep.
484c	Rep.
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490(l)	587
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490b, 490b note, 490b-1	590
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491(f) (1st sentence)	607
491(f) (last sentence)	610
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491(i)	608
491(j)	606
491(k)	609
491(l)	611
492	126
493	Rep.
511	701
512(a)	704
512(b)	703
512(c)	702
513	705
514	701
521-524	Rep.
531	901
532	904
533	903
534	905
535(a), (b)	902
535(c)	904
541	1102
542	1101
543	1103

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Title 40 Former Sections	Title 40 New Sections
544	1104
551–554	Rep.
601	3302
601a	3306
602	3304
602a	Rep.
603	3305
604	3304
605	3305
606(a)–(e), (f) (related to this section)	3307
606(f) (related to 40:603(b))	3305
607	3309
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610	3314
611	3303
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616	Elim.
617	3311
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651, 652, 661–665, 671	Rep.
672	Elim.
681	Elim.
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684	Rep.
685	Rep.
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726	17307
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728	17309
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*NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

Title 40 Former Sections	Title 40 New Sections
751(b), (c)	302
751(d)	Rep.
751(e)	Rep.
751(f)	121
752(a)	303
752(b)	Rep.
752(c), 753	303
754	121
755	Rep.
755a	312
756(a)–(c)	321
756(d)	Rep.
756(e), (f)	321
756(g) (1st–3d sentences)	313
756(g) (last sentence), 756a, 756b	321
757	322
758	311
759	Rep.
760	304
761, 761a	323
762	18101
762a	18102
762b	18103
762c	Rep.
762d	18104
771	17701
781	17702
782	17703
783	17704
784	17705
785	17706
786	17707
791	17708
792	Rep.
795	17901
795a	17902
795b	17903
795c	17904
795d	Rep.
801–809	Rep.
811(a) (1st, 2d sentences)	6902
811(a) (last sentence)	6901
811(b)	Rep.
811(c)	Rep.
811(d)	Rep.
812	Rep.
813(a)	6910
813(b)	Rep.

**TITLE 40 PUBLIC BUILDINGS, PROPERTY, AND WORKS**

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscprint.html>).*

<b>Title 40 Former Sections</b>	<b>Title 40 New Sections</b>
814	Rep.
815(a)–(c)	Rep.
815(d)	6903
816(a)(1)	6904
816(a)(2)	Rep.
816(b)	6904
817	6906
818	6908
819(a)	Rep.
819(b)	Rep.
819(c)	6907
819(d)	6909
819a	6905
821 (related to creation)	6921
821 (related to duties)	6922
822(a)	6921
822(b)	6923
822(c)	6922
823	6924
831	T. 2 § 2165
851	T. 2 § 2166
871	6711
872	Rep.
872 notes	6701, 6702
873	Rep.
874	Rep.
875	Rep.
876(a)	6712
876(b)	6713
877(a)	Rep.
877(b)–(d)	6714
878	6715
879(a)	Rep.
879(b)	6701
880	6716
881	Rep.
882	Rep.
883	Rep.
884	Rep.
885	Rep.
901	17502
902	17503
903	17504
904	17505
905	Rep.
906	Rep.
907	17506
908	17507

**TITLE 40 PUBLIC BUILDINGS, PROPERTY, AND WORKS**

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscodeprint.html>).*

<b>Title 40 Former Sections</b>	<b>Title 40 New Sections</b>
909	17508
910	17509
911	17510
912	Rep.
913	17501
1001	8901
1002	8902
1003	8903
1004	8904
1005, 1006	8908
1007	8905
1008	8906
1009	8907
1010(a)	8909
1010(b)	8903
1010(c), (d)	8909
1010(e)	8902
1101	Rep.
1101 note	6734
1102(a)(1)	Rep.
1102(a)(2) (1st sentence)	6733
1102(a)(2) (last sentence)	6734
1102(a)(3)	Rep.
1102(b)	Rep.
1103(a)	Rep.
1103(b)	6734
1103(c)–(g)	Rep.
1104(a), (b)(1), (2)(A)	Rep.
1104(b)(2)(B)	6734
1104(b)(2)(C), (D), (words after (D)), (c)	Rep.
1104(d)	6734
1104(e)	Rep.
1104(f)	6733
1104(g)	6732
1104(h), (i)	Rep.
1105	6734
1106	Elim.
1107	Elim.
1108	6731 note
1109	6731
1201	Rep.
1201 note	6502
1202(a)(1)–(5)	Rep.
1202(a)(6)	6502
1202(a)(7)	Rep.
1202(a)(8)	6502
1202(b)(1)	Rep.
1202(b)(2)(A)	Rep.

**TITLE 40 PUBLIC BUILDINGS, PROPERTY, AND WORKS**

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

<b>Title 40 Former Sections</b>	<b>Title 40 New Sections</b>
1202(b)(2)(B), (C)	6502
1202(b)(2)(D) (words before "and the lease")	Rep.
1202(b)(2)(D) (words after "provisions of this chapter")	6504
1202(b)(2) (words after (D))	Rep.
1202(c)–(e)	6502
1203(a), (b)	6504
1203(c)	6502
1203(d)	6504
1204	6505
1205	6506
1206	6503
1207	6507
1208	6501
1301	18301
1302(1), (2)	18302
1302(3)	18303
1302(4), (5)	18302
1302(6), 1303	18303
1304	18304
1401	11101
1411	11301
1412	11302
1413	11303
1421	11311
1422	11312
1423	11313
1424	11314
1425(a)	(See T. 44 § 3506)
1425(b)–(d)	11315
1426	11316
1427	11317
1428	11318
1441	11331
1441 notes	11332
1442	11102
1451, 1452	11103
1461	11704
1471	11501
1472	11502
1473	11503
1474	11504
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1491	11521
1492	11522
1501	11701
1502	11702
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**TITLE 40 PUBLIC BUILDINGS, PROPERTY, AND WORKS**

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscprint.html>).*

Title 40 Former Sections	Title 40 New Sections
T. 40 App. § 1	Rep.
T. 40 App. § 2	14101
T. 40 App. § 101(a)(1)	14301
T. 40 App. § 101(a)(2)	14307
T. 40 App. § 101(b)	14302
T. 40 App. § 101(c), (d)	14301
T. 40 App. § 102	14303
T. 40 App. § 103	14304
T. 40 App. § 104	14305
T. 40 App. § 105, 106(1), (2) (1st sentence)	14306
T. 40 App. § 106(2) (2d, last sentences)	14301
T. 40 App. § 106(3)–(9)	14306
T. 40 App. § 107	14308
T. 40 App. § 108	14309
T. 40 App. § 109	(See T. 5 § 5334)
T. 40 App. § 201	14501
T. 40 App. § 202	14502
T. 40 App. § 203	14504
T. 40 App. § 204	14505
T. 40 App. § 205	14506
T. 40 App. § 206	Rep.
T. 40 App. § 207	14503
T. 40 App. § 208, 211–213	Rep.
T. 40 App. § 214	14507
T. 40 App. § 221	14521
T. 40 App. § 222	14522
T. 40 App. § 223	14523
T. 40 App. § 223 note	14702
T. 40 App. § 224	14524
T. 40 App. § 225	14525
T. 40 App. § 226	14526
T. 40 App. § 301	14102
T. 40 App. § 302	14321
T. 40 App. § 303	14322
T. 40 App. § 304	14310
T. 40 App. § 401	14703
T. 40 App. § 402	14701
T. 40 App. § 403	14102
T. 40 App. § 404	Rep.
T. 40 App. § 405	14704

**Effective Date of 2003 Amendment by Pub. L. 108–178**

Pub. L. 108–178, enacting and amending notes set out below, effective Aug. 21, 2002, see section 5 of Pub. L. 108–178, set out as an Effective Date of 2003 Amendment note under section 5334 of Title 5, Government Organization and Employees.

## TITLE 40 PUBLIC BUILDINGS, PROPERTY, AND WORKS

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

### Enacting Clause

Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062, provided in part that: “Certain general and permanent laws of the United States, related to public buildings, property, and works, are revised, codified, and enacted as title 40, United States Code, ‘Public Buildings, Property, and Works’ ”.

### Legislative Purpose and Construction

Pub. L. 108–178, § 1, Dec. 15, 2003, 117 Stat. 2637, provided that:

“(a) Purpose.—The purpose of this Act [see Tables for classification] is to improve the United States Code by making necessary technical changes.

“(b) No Substantive Change.—This Act makes no substantive change in existing law and may not be construed as making a substantive change in existing law.

“(c) Severability.—If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

Pub. L. 107–217, § 5, Aug. 21, 2002, 116 Stat. 1303, provided that:

“(a) Purpose.—The purpose of this Act is to revise, codify, and enact without substantive change the general and permanent laws of the United States related to public buildings, property, and works, in order to remove ambiguities, contradictions, and other imperfections and to repeal obsolete, superfluous, and superseded provisions.

“(b) No Substantive Change.—

“(1) In general.—This Act makes no substantive change in existing law and may not be construed as making a substantive change in existing law.

“(2) Deemed date of enactment for certain purposes.—For purposes of determining whether one provision of law supersedes another based on enactment later in time, and otherwise to ensure that this Act makes no substantive change in existing law, the date of enactment of a provision restated in section 1 or 2 of this Act is deemed to remain unchanged, continuing to be the date of enactment of the underlying provision of public law that is being restated.

“(3) Inconsistent laws enacted after March 31, 2002.—This Act restates certain laws enacted before April 1, 2002. Any law enacted after March 31, 2002, that is inconsistent with this Act, including any law purporting to amend or repeal a provision that is repealed by this Act, supersedes this Act to the extent of the inconsistency.

“(c) References.—A reference to a law replaced by section 1 or 2 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

“(d) Continuing Effect.—An order, rule, or regulation in effect under a law replaced by section 1 or 2 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(e) Actions and Offenses Under Prior Law.—An action taken or an offense committed under a law replaced by section 1 or 2 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

“(f) Inferences.—An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of a caption or catch line of the provision.

“(g) Severability.—If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

### Repeals

Pub. L. 108–178, § 2(b), Dec. 15, 2003, 117 Stat. 2640, provided that: “Section 6(b) of Public Law 107–217 (116 Stat. 1304) [see below] is repealed insofar as it relates to the provisions listed below, and the provisions listed below are revived to read as if section 6 (b) had not been enacted:

“(1) Section 1(a) of the Act of June 30, 1949 (ch. 288, 63 Stat. 377) [41 U.S.C. 101 note ].

“(2) Section 509(b) of the Department of Education Organization Act (Public Law 96–88, 93 Stat. 695) [20 U.S.C. 3508 (b)].

“(3) Public Law 101–427 (104 Stat. 927) [23 U.S.C. 101 note ].

“(4) Section 7306 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 108 Stat. 3384).”

Pub. L. 107–217, § 6(a), Aug. 21, 2002, 116 Stat. 1304, provided that: “The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.”

**TITLE 40 - SUBTITLE II PUBLIC BUILDINGS AND WORKS**

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*NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

Pub. L. 107–217, § 6(b), Aug. 21, 2002, 116 Stat. 1304, as amended by Pub. L. 108–178, § 2, Dec. 15, 2003, 117 Stat. 2637, repealed specified laws, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Aug. 21, 2002.

## **SUBTITLE II—PUBLIC BUILDINGS AND WORKS**

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- 33. ACQUISITION, CONSTRUCTION, AND ALTERATION ...3301
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**TITLE 40 - SUBTITLE II - PART B - CHAPTER 51  
UNITED STATES CAPITOL BUILDINGS AND GROUNDS**

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*NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscodeprint.html>).*

**PART B—UNITED STATES CAPITOL**

## CHAPTER 51—UNITED STATES CAPITOL BUILDINGS AND GROUNDS

Sec.

- 5101. Definition.
- 5102. Legal description and jurisdiction of United States Capitol Grounds.
- 5103. Restrictions on public use of United States Capitol Grounds.
- 5104. Unlawful activities.
- 5105. Assistance to authorities by Capitol employees.
- 5106. Suspension of prohibitions.
- 5107. Concerts on grounds.
- 5108. Audit of private organizations.
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.....

### § 5101. Definition

In this chapter, the term “Capitol Buildings” means the United States Capitol, the Senate and House Office Buildings and garages, the Capitol Power Plant, all buildings on the real property described under section 5102 (c) (including the Administrative Building of the United States Botanic Garden)<sup>1</sup> all buildings on the real property described under section 5102 (d), all subways and enclosed passages connecting two or more of those structures, and the real property underlying and enclosed by any of those structures.

#### **Footnotes**

<sup>1</sup> So in original. Probably should be followed by a comma.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1174; Pub. L. 108–7, div. H, title I, § 1016(a), Feb. 20, 2003, 117 Stat. 364; Pub. L. 110–161, div. H, title I, § 1004(d)(2)(A)(i), Dec. 26, 2007, 121 Stat. 2233; Pub. L. 110–178, § 4(b)(1)(A), Jan. 7, 2008, 121 Stat. 2551; Pub. L. 111–145, § 6(d)(1), Mar. 4, 2010, 124 Stat. 54.)

### Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5101	40:193m(1).	July 31, 1946, ch. 707, § 16(a)(1), 60 Stat. 721; Pub. L. 90–108, § 1(d), Oct. 20, 1967, 81 Stat. 277.

#### **Amendments**

2010—Pub. L. 111–145 repealed Pub. L. 110–161, § 1004(d)(2)(A)(i). See 2007 Amendment note below.

2008—Pub. L. 110–178 inserted “all buildings on the real property described under section 5102 (d)” after “(including the Administrative Building of the United States Botanic Garden)”.

2007—Pub. L. 110–161, § 1004(d)(2)(A)(i), which made an amendment identical to that made by Pub. L. 110–178, was repealed by Pub. L. 111–145. See Effective Date of 2010 Amendment note below.

2003—Pub. L. 108–7 inserted “all buildings on the real property described under section 5102 (c) (including the Administrative Building of the United States Botanic Garden),” after “Capitol Power Plant,”.

#### **Effective Date of 2010 Amendment**

Repeal of section 1004 of Pub. L. 110–161 by Pub. L. 111–145 effective as if included in the enactment of Pub. L. 110–161 and provisions amended by section 1004 of Pub. L. 110–161 to be restored as if such section had not been enacted, and repeal to have no effect on the enactment or implementation of any provision of Pub. L. 110–178, see section 6(d) of Pub. L. 111–145, set out as a note under section 1901 of Title 2, The Congress.

**Effective Date of 2008 Amendment**

Amendment by Pub. L. 110–178 effective Oct. 1, 2009, see section 4(d) of Pub. L. 110–178, set out as an Effective Date of Repeal note under section 167 of Title 2, The Congress.

**Effective Date of 2007 Amendment**

Amendment by Pub. L. 110–161 effective Oct. 1, 2009, see section 1004(d)(4) of Pub. L. 110–161, set out as an Effective Date of Repeal note under section 167 of Title 2, The Congress.

**Effective Date of 2003 Amendment**

Amendment by Pub. L. 108–7 applicable to fiscal year 2003 and each fiscal year thereafter, see section 1016(d) of Pub. L. 108–7, set out as a note under section 1961 of Title 2, The Congress.

**Designation of Great Hall of the Capitol Visitor Center as Emancipation Hall**

Pub. L. 110–139, § 1, Dec. 18, 2007, 121 Stat. 1491, provided that:

“(a) In General.—The great hall of the Capitol Visitor Center shall be known and designated as ‘Emancipation Hall’, and any reference to the great hall in any law, rule, or regulation shall be deemed to be a reference to Emancipation Hall.

“(b) Effective Date.—This section shall apply on and after the date of the enactment of this Act [Dec. 18, 2007].”

.....

**§ 5102. Legal description and jurisdiction of United States Capitol Grounds**

(a) **Legal Description.**— The United States Capitol Grounds comprises all squares, reservations, streets, roadways, walks, and other areas as defined on a map entitled “Map showing areas comprising United States Capitol Grounds”, dated June 25, 1946, approved by the Architect of the Capitol, and recorded in the Office of the Surveyor of the District of Columbia in book 127, page 8, including all additions added by law after June 25, 1946.

(b) **Jurisdiction.**—

(1) **Architect of the capitol.**— The jurisdiction and control over the Grounds, vested prior to July 31, 1946, by law in the Architect, is extended to the entire area of the Grounds. Except as provided in paragraph (2), the Architect is responsible for the maintenance and improvement of the Grounds, including those streets and roadways in the Grounds as shown on the map referred to in subsection (a) as being under the jurisdiction and control of the Commissioners of the District of Columbia.

(2) **Mayor of the district of columbia.**—

(A) **In general.**— The Mayor of the District of Columbia is responsible for the maintenance and improvement of those portions of the following streets which are situated between the curblines of those streets: Constitution Avenue from Second Street Northeast to Third Street Northwest, First Street from D Street Northeast to D Street Southeast, D Street from First Street Southeast to Washington Avenue Southwest, and First Street from the north side of Louisiana Avenue to the intersection of C Street and Washington Avenue Southwest, Pennsylvania Avenue Northwest from First Street Northwest to Third Street Northwest, Maryland Avenue Southwest from First Street Southwest to Third Street Southwest, Second Street Northeast from F Street Northeast to C Street Southeast; C Street Southeast from Second Street Southeast to First Street Southeast; that portion of Maryland Avenue Northeast from Second Street Northeast to First Street Northeast; that portion of New Jersey Avenue Northwest from D Street Northwest to Louisiana Avenue; that portion of Second Street Southwest from the north curb of D Street to the south curb of Virginia Avenue Southwest; that portion of Virginia Avenue Southwest from the east curb of Second Street Southwest to the west curb of Third Street Southwest; that portion of Third Street Southwest from the south curb of Virginia Avenue Southwest to the north curb of D Street Southwest; that portion of D Street Southwest from the west curb of Third Street Southwest to the east curb of Second Street Southwest; that portion of Washington Avenue Southwest, including sidewalks and

traffic islands, from the south curb of Independence Avenue Southwest to the west curb of South Capitol Street.

**(B) Repair and maintenance of utility services.**— The Mayor may enter any part of the Grounds to repair or maintain or, subject to the approval of the Architect, construct or alter, any utility service of the District of Columbia Government.

**(c) National Garden of the United States Botanic Garden.**—

**(1) In general.**— Except as provided under paragraph (2), the United States Capitol Grounds shall include—

**(A)** the National Garden of the United States Botanic Garden;

**(B)** all grounds contiguous to the Administrative Building of the United States Botanic Garden, including Bartholdi Park; and

**(C)** all grounds bounded by the curblines of First Street, Southwest on the east; Washington Avenue, Southwest to its intersection with Independence Avenue, and Independence Avenue from such intersection to its intersection with Third Street, Southwest on the south; Third Street, Southwest on the west; and Maryland Avenue, Southwest on the north.

**(2) Maintenance and improvements.**— Notwithstanding subsections (a) and (b), jurisdiction and control over the buildings on the grounds described in paragraph (1) shall be retained by the Joint Committee on the Library, and the Joint Committee on the Library shall continue to be solely responsible for the maintenance and improvement of the grounds described in such paragraph.

**(3) Authority not limited.**— Nothing in this subsection shall limit the authority of the Architect of the Capitol under section 307E of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c).<sup>1</sup>

**(d) Library of Congress Buildings and Grounds.**—

**(1) In general.**— Except as provided under paragraph (2), the United States Capitol Grounds shall include the Library of Congress grounds described under section 11 of the Act entitled “An Act relating to the policing of the buildings<sup>2</sup> of the Library of Congress”, approved August 4, 1950 (2 U.S.C. 167j).

**(2) Authority of librarian of congress.**— Notwithstanding subsections (a) and (b), the Librarian of Congress shall retain authority over the Library of Congress buildings and grounds in accordance with section 1 of the Act of June 29, 1922 (2 U.S.C. 141; 42 Stat. 715).

**Footnotes**

<sup>1</sup> See References in Text note below.

<sup>2</sup> So in original. Probably should be followed by “and grounds”.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1175; Pub. L. 108–7, div. H, title I, § 1016(b), Feb. 20, 2003, 117 Stat. 364; Pub. L. 110–161, div. H, title I, § 1004(d)(2)(A)(ii), Dec. 26, 2007, 121 Stat. 2233; Pub. L. 110–178, § 4(b)(1)(B), Jan. 7, 2008, 121 Stat. 2551; Pub. L. 111–145, § 6(d)(1), Mar. 4, 2010, 124 Stat. 54.)

**Definition of United States Capitol Grounds**

For provisions directing amendment of this section (or section 1 of the Act of July 31, 1946, as amended (former 40 U.S.C. 193a), which was repealed and reenacted by Pub. L. 107–217, §§ 1, 6 (b), Aug. 21, 2002, 116 Stat. 1062, 1304, as this section) to include within or exclude from the definition of the United States Capitol Grounds certain parcels or areas, see notes set out below and under section 6101 of this title.

## Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5102	40:193a.	July 31, 1946, ch. 707, § 1, 60 Stat. 718; Pub. L. 90-108, § 1(a), Oct. 20, 1967, 81 Stat. 275; Pub. L. 93-198, § 739(g)(7), Dec. 24, 1973, 87 Stat. 829; Pub. L. 96-432, § 2, Oct. 10, 1980, 94 Stat. 1852.

In subsection (b)(2), the words “Mayor of the District of Columbia” are substituted for “Commissioners of the District of Columbia” [meaning the Board of Commissioners of the District of Columbia] [subsequently changed to “Commissioner of the District of Columbia” because of section 401 of Reorganization Plan No. 3 of 1967 (eff. Aug. 11, 1967, 81 Stat. 951)] because of section 421 of the District of Columbia Home Rule Act (Public Law 93-198, 87 Stat. 789). In subparagraph (A), the words “Washington Avenue Southwest” are substituted for “Canal Street S. W.” and “Canal Street Southwest” because of section 2 of D.C. Law 8-39. See section 7-451 note of the District of Columbia Code.

### References in Text

Section 307E of the Legislative Branch Appropriations Act, 1989, referred to in subsec. (c)(3), is section 307E of Pub. L. 100-458, which was classified to section 216c of former Title 40, Public Buildings, Property, and Works, and was transferred to section 2146 of Title 2, The Congress.

### Amendments

2010—Subsec. (d). Pub. L. 111-145 repealed Pub. L. 110-161, § 1004(d)(2)(A)(ii). See 2007 Amendment note below.

2008—Subsec. (d). Pub. L. 110-178 added subsec. (d).

2007—Subsec. (d). Pub. L. 110-161, § 1004(d)(2)(A)(ii), which made an amendment identical to that made by Pub. L. 110-178, was repealed by Pub. L. 111-145. See Effective Date of 2010 Amendment note below.

2003—Subsec. (c). Pub. L. 108-7 added subsec. (c).

### Effective Date of 2010 Amendment

Repeal of section 1004 of Pub. L. 110-161 by Pub. L. 111-145 effective as if included in the enactment of Pub. L. 110-161 and provisions amended by section 1004 of Pub. L. 110-161 to be restored as if such section had not been enacted, and repeal to have no effect on the enactment or implementation of any provision of Pub. L. 110-178, see section 6(d) of Pub. L. 111-145, set out as a note under section 1901 of Title 2, The Congress.

### Effective Date of 2008 Amendment

Amendment by Pub. L. 110-178 effective Oct. 1, 2009, see section 4(d) of Pub. L. 110-178, set out as an Effective Date of Repeal note under section 167 of Title 2, The Congress.

### Effective Date of 2007 Amendment

Amendment by Pub. L. 110-161 effective Oct. 1, 2009, see section 1004(d)(4) of title I of div. H of Pub. L. 110-161, set out as an Effective Date of Repeal note under section 167 of Title 2, The Congress.

### Effective Date of 2003 Amendment

Amendment by Pub. L. 108-7 applicable to fiscal year 2003 and each fiscal year thereafter, see section 1016(d) of Pub. L. 108-7, set out as a note under section 1961 of Title 2, The Congress.

### Transfers and Conveyances Affecting Properties in the District of Columbia and General Provisions

Pub. L. 109-396, title II, §§ 201, 204, title IV, §§ 401-407, Dec. 15, 2006, 120 Stat. 2713, 2715, 2718-2720, provided that:

“SEC. 201. TRANSFER OF ADMINISTRATIVE JURISDICTION OVER CERTAIN PROPERTIES.

“(a) Transfer of Administrative Jurisdiction From District of Columbia to United States.—

“(1) In general.—Administrative jurisdiction over each of the following properties (owned by the United States and as depicted on the Map) is hereby transferred, subject to the terms in this subsection, from the District of Columbia to the Secretary of the Interior for administration by the Director:

“(A) An unimproved portion of Audubon Terrace Northwest, located east of Linnean Avenue Northwest, that is within U.S. Reservation 402 (National Park Service property).

“(B) An unimproved portion of Barnaby Street Northwest, north of Aberfoyle Place Northwest, that abuts U.S. Reservation 545 (National Park Service property).

“(C) A portion of Canal Street Southwest, and a portion of V Street Southwest, each of which abuts U.S. Reservation 467 (National Park Service property).

“(D) Unimproved streets and alleys at Fort Circle Park located within the boundaries of U.S. Reservation 497 (National Park Service property).

“(E) An unimproved portion of Western Avenue Northwest, north of Oregon Avenue Northwest, that abuts U.S. Reservation 339 (National Park Service property).

“(F) An unimproved portion of 17th Street Northwest, south of Shepherd Street Northwest, that abuts U.S. Reservation 339 (National Park Service property).

“(G) An unimproved portion of 30th Street Northwest, north of Broad Branch Road Northwest, that is within the boundaries of U.S. Reservation 515 (National Park Service property).

“(H) Subject to paragraph (2), lands over I-395 bounded by Washington Avenue Southwest, 2nd Street Southwest, and the C Street Southwest ramps to I-295.

“(I) A portion of U.S. Reservation 357 at Whitehaven Parkway Northwest, previously transferred to the District of Columbia in conjunction with the former proposal for a residence for the Mayor of the District of Columbia.

“(2) Use of certain property for memorial.—In the case of the property for which administrative jurisdiction is transferred under paragraph (1)(H), the property shall be used as the site for the establishment of a memorial to honor disabled veterans of the United States Armed Forces authorized to be established by the Disabled Veterans’ LIFE Memorial Foundation by Public Law 106-348 (114 Stat. 1358; 40 U.S.C. 8903 note ), except that—

“(A) the District of Columbia shall retain administrative jurisdiction over the subsurface area beneath the site for the tunnel, walls, footings, and related facilities;

“(B) C Street Southwest shall not be connected between 2nd Street Southwest and Washington Avenue Southwest without the approval of the Architect of the Capitol; and

“(C) a walkway shall be included across the site of the memorial between 2nd Street Southwest and Washington Avenue Southwest.

“(3) Additional transfer.—

“(A) In general.—Administrative jurisdiction over the parcel bounded by 2nd Street Southwest, the C Street Southwest ramp to I-295, the D Street Southwest ramp to I-395, and I-295 is hereby transferred, subject to the terms in this paragraph, from the District of Columbia as follows:

“(i) The northernmost .249 acres is transferred to the Secretary for administration by the Director, who (subject to the approval of the Architect of the Capitol) shall landscape the parcel or use the parcel for special needs parking for the memorial referred to in paragraph (2).

“(ii) The remaining portion is transferred to the Architect of the Capitol.

“(B) Retention of jurisdiction over subsurface area.—The District of Columbia shall retain administrative jurisdiction over the subsurface area beneath the parcel referred to in subparagraph (A) for the tunnel, walls, footings, and related facilities.

“(b) Transfer of Administrative Jurisdiction From United States to District of Columbia.—Administrative jurisdiction over the following property owned by the United States and depicted on the Map is hereby transferred from the Secretary to the District of Columbia for administration by the District of Columbia:

“(1) A portion of U.S. Reservation 451.

“(2) A portion of U.S. Reservation 404.

“(3) U.S. Reservations 44, 45, 46, 47, 48, and 49.

**TITLE 40 - Section 5102 - Legal description and jurisdiction of United States Capitol G...**

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“(4) U.S. Reservation 251.

“(5) U.S. Reservation 8.

“(6) U.S. Reservations 277A and 277C.

“(7) Portions of U.S. Reservation 470.

“(c) Effective Date.—The transfers of administrative jurisdiction under this section shall take effect on the date of the enactment of this Act [Dec. 15, 2006].

“SEC. 204. CONVEYANCE TO ARCHITECT OF THE CAPITOL.

“(a) In General.—Prior to conveyance of title to U.S. Reservation 13 to the District of Columbia under this Act [see Pub. L. 109–396, title I, § 101, Dec. 15, 2006, 120 Stat. 2711], the District of Columbia shall convey, with the approval of the Architect of the Capitol and subject to subsections (b) and (c), not more than 12 acres of real property to the Architect of the Capitol.

“(b) Title Held by Secretary.—If title to the real property identified for conveyance under subsection (a) is held by the Secretary, not later than 30 days after being notified by the Architect of the Capitol that property has been so identified, the Secretary shall agree or disagree to conveying the interest in such property to the Architect of the Capitol.

“(c) Review.—If the Secretary agrees to the conveyance under subsection (b), or if title to the property is held by the District of Columbia, the real property shall be conveyed after a 30-day review period beginning on the date on which notice of the conveyance is received by the Committee on Homeland Security and Governmental Affairs and the Committee on Rules of the Senate and the Committee on Government Reform and the Committee on Transportation and Infrastructure of the House of Representatives.

“(d) Study.—The Architect of the Capitol shall not construct a mail screening facility on any real property conveyed under this section unless each of the following conditions is satisfied:

“(1) A study is completed that analyzes—

“(A) whether one or more other underutilized, surplus, or excess Federal facilities exist in which such a mail screening facility could be more economically located; and

“(B) whether it would be more efficient and economical for the House of Representatives and Senate to share one mail screening facility.

“(2) The study is submitted to the relevant committees of Congress.

“(3) No fewer than 30 days have lapsed since the date of the submission under paragraph (2).

“SEC. 401. DEFINITIONS.

“In this Act [see Short Title of 2006 Amendment note set out under section 101 of this title], the following definitions apply:

“(1) The term ‘Administrator’ means the Administrator of General Services.

“(2) The term ‘Director’ means the Director of the National Park Service.

“(3) The term ‘Map’ means the map entitled ‘Transfer and Conveyance of Properties in the District of Columbia’, numbered 869/80460, and dated July 2005, which shall be kept on file in the appropriate office of the National Park Service.

“(4) The term ‘park purposes’ includes landscaped areas, pedestrian walkways, bicycle trails, seating, opensided shelters, natural areas, recreational use areas, and memorial sites reserved for public use.

“(5) The term ‘Secretary’ means the Secretary of the Interior.

“SEC. 402. LIMITATION ON COSTS.

“The United States shall not be responsible for paying any costs and expenses, other than costs and expenses related to or associated with environmental liabilities or cleanup actions provided under law, which are incurred by the District of Columbia or any other parties at any time in connection with effecting the provisions of this Act or any amendment made by this Act.

“SEC. 403. AUTHORIZATION OF PARTIES TO ENTER INTO CONTRACTS.

“An officer or employee of the United States or the District of Columbia may contract for payment of costs or expenses related to any properties which are conveyed or for which administrative jurisdiction is transferred under this Act or any amendment made by this Act.

“SEC. 404. NO EFFECT ON COMPLIANCE WITH ENVIRONMENTAL LAWS.

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“Nothing in this Act or any amendment made by this Act may be construed to affect or limit the application of or obligation to comply with any environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620 (h)).

**“SEC. 405. CONGRESSIONAL REPORTS.**

“(a) District of Columbia.—Not later than January 31 of each year, the Mayor of the District of Columbia shall report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform, the Committee on Energy and Commerce, the Committee on Resources, and the Committee on Transportation and Infrastructure of the House of Representatives on the use and development during the previous year of land for which title is conveyed to the District of Columbia and land for which administrative jurisdiction is transferred to the District of Columbia pursuant to this Act.

“(b) Comptroller General.—The Comptroller General shall report periodically to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform, the Committee on Energy and Commerce, the Committee on Resources, and the Committee on Transportation and Infrastructure of the House of Representatives on—

“(1) the use and development during the previous 2 years of land for which title is conveyed and land for which administrative jurisdiction is transferred pursuant to this Act; and

“(2) if applicable, how such use and development complies with the Anacostia Waterfront Framework Plan referred to in section 103 of the Anacostia Waterfront Corporation Act of 2004 (sec. 2–1223.03, D.C. Official Code).

“(c) Sunset.—This section shall expire 10 years after the date of enactment of this Act [Dec. 15, 2006].

**“SEC. 406. TREATMENT AS PROPERTIES TRANSFERRED TO ARCHITECT OF THE CAPITOL AS PART OF CAPITOL BUILDINGS AND GROUNDS.**

“Upon transfer to the Architect of the Capitol of title to, or administrative jurisdiction over, any property pursuant to this Act, the property shall be a part of the United States Capitol Grounds and shall be subject to sections 9, 9A, 9B, 9C, 14, and 16(b) of the Act entitled ‘An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes’ [2 U.S.C. 1961, 1966, 1967, 1922, 1969, 1961 note ] (relating to the policing of the United States Capitol Grounds) and sections 5101 to 5107 and 5109 of title 40, United States Code (relating to prohibited acts within the United States Capitol Grounds).

**“SEC. 407. DEADLINE FOR PROVISION OF DEEDS AND RELATED DOCUMENTS.**

“With respect to each property conveyed under this Act or any amendment made by this Act, the Mayor of the District of Columbia, the Administrator, or the Secretary (as the case may be) shall execute and deliver a quitclaim deed or prepare and record a transfer plat, as appropriate, not later than 6 months after the property is conveyed.”

## **Changes in United States Capitol Grounds**

Pub. L. 108–447, div. G, title II, § 213, Dec. 8, 2004, 118 Stat. 3196, provided that:

**“(a) Transfer of Jurisdiction.—**

“(1) In general.—Jurisdiction over the parcels of Federal real property described under paragraph (2) (over which jurisdiction was transferred under section 514(b)(2)(C) of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 5102 note ; Public Law 104–333)) is transferred to the Architect of the Capitol, without consideration.

“(2) Parcels.—The parcels of Federal real property referred to under paragraph (1) are the following:

“(A) That portion of New Jersey Avenue, N.W., between the northernmost point of the intersection of New Jersey Avenue, N.W., and D Street, N.W., and the northernmost point of the intersection of New Jersey Avenue, N.W., and Louisiana Avenue, N.W., between squares 631 and W632, which remains Federal property, and whose maintenance and repair shall be the responsibility of the District of Columbia.

“(B) That portion of D Street, N.W., between its intersection with New Jersey Avenue, N.W., and its intersection with Louisiana Avenue, N.W., between squares 630 and W632, which remains Federal property.

**“(b) Miscellaneous.—**

“(1) Compliance with other laws.—Compliance with this section shall be deemed to satisfy the requirements of all laws otherwise applicable to transfers of jurisdiction over parcels of Federal real property.

“(2) United states capitol grounds.—

“(A) Definition.—Section 5102 of title 40, United States Code, is amended to include within the definition of the United States Capitol Grounds the parcels of Federal real property described in subsection (a)(2).

*TITLE 40 - Section 5102 - Legal description and jurisdiction of United States Capitol G...*

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscodeprint.html>).*

“(B) Jurisdiction of capitol police.—The United States Capitol Police shall have jurisdiction over the parcels of Federal real property described in subsection (a)(2) in accordance with section 9 of the Act entitled ‘An Act to define the United States Capitol Grounds, to regulate the use thereof, and for other purposes’, approved July 31, 1946 (2 U.S.C. 1961).

“(3) Effect of transfer.—A person relinquishing jurisdiction over any parcel of Federal real property transferred by subsection (a) shall not retain any interest in the parcel except as specifically provided in this section.

“(c) Effective Date.—This Act [probably means this section] shall apply to fiscal year 2005 and each fiscal year thereafter.”

Pub. L. 104–333, div. I, title V, § 514, Nov. 12, 1996, 110 Stat. 4165, provided that:

“(a) Purpose.—It is the purpose of this section—

“(1) to assist in the effort to timely establish within the District of Columbia a national memorial to Japanese American patriotism in World War II; and

“(2) to improve management of certain parcels of Federal real property located within the District of Columbia,

by the transferring jurisdiction over such parcels to the Architect of the Capitol, the Secretary of the Interior, and the Government of the District of Columbia.

“(b) Transfers of Jurisdiction.—

“(1) In general.—Effective on the date of the enactment of this Act [Nov. 12, 1996] and notwithstanding any other provision of law, jurisdiction over the parcels of Federal real property described in paragraph (2) is transferred without additional consideration as provided by paragraph (2).

“(2) Specific transfers.—

“(A) Transfers to secretary of the interior.—

“(i) In general.—Jurisdiction over the following parcels is transferred to the Secretary of the Interior:

“(I) That triangle of Federal land, including any contiguous sidewalks and tree space, that is part of the United States Capitol Grounds under the jurisdiction of the Architect of the Capitol bound by D Street, N.W., New Jersey Avenue, N.W., and Louisiana Avenue, N.W., in square W632 in the District of Columbia, as shown on the Map Showing Properties Under Jurisdiction of the Architect of the Capitol, dated November 8, 1994.

“(II) That triangle of Federal land, including any contiguous sidewalks and tree space, that is part of the United States Capitol Grounds under the jurisdiction of the Architect of the Capitol bound by C Street, N.W., First Street, N.W., and Louisiana Avenue, N.W., in the District of Columbia, as shown on the Map Showing Properties Under Jurisdiction of the Architect of the Capitol, dated November 8, 1994.

“(ii) Limitation.—The parcels transferred by clause (i) shall not include those contiguous sidewalks abutting Louisiana Avenue, N.W., which shall remain part of the United States Capitol Grounds under the jurisdiction of the Architect of the Capitol.

“(iii) Consideration as memorial site.—The parcels transferred by subclause (I) of clause (i) may be considered as a site for a national memorial to Japanese American patriotism in World War II.

“(B) Transfers to architect of the capitol.—Jurisdiction over the following parcels is transferred to the Architect of the Capitol:

“(i) That portion of the triangle of Federal land in Reservation No. 204 in the District of Columbia under the jurisdiction of the Secretary of the Interior, including any contiguous sidewalks, bound by Constitution Avenue, N.E., on the north, the branch of Maryland Avenue, N.E., running in a northeast direction on the west, the major portion of Maryland Avenue, N.E., on the south, and 2nd Street, N.E., on the east, including the contiguous sidewalks.

“(ii) That irregular area of Federal land in Reservation No. 204 in the District of Columbia under the jurisdiction of the Secretary of the Interior, including any contiguous sidewalks, northeast of the real property described in clause (i) bound by Constitution Avenue, N.E., on the north, the branch of Maryland Avenue, N.E., running to the northeast on the south, and the private property on the west known as lot 7, in square 726.

“(iii) The two irregularly shaped medians lying north and east of the property described in clause (i), located between the north and south curbs of Constitution Avenue, N.E., west of its intersection with Second Street, N.E., all as shown in Land Record No. 268, dated November 22, 1957, in the Office of the Surveyor, District of Columbia, in Book 138, Page 58.

“(iv) All sidewalks under the jurisdiction of the District of Columbia abutting on and contiguous to the land described in clauses (i), (ii), and (iii).

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“(C) Transfers to district of columbia.—Jurisdiction over the following parcels is transferred to the Government of the District of Columbia:

“(i) That portion of New Jersey Avenue, N.W., between the northernmost point of the intersection of New Jersey Avenue, N.W., and D Street, N.W., and the northernmost point of the intersection of New Jersey Avenue, N.W., and Louisiana Avenue, N.W., between squares 631 and W632, which remains Federal property.

“(ii) That portion of D Street, N.W., between its intersection with New Jersey Avenue, N.W., and its intersection with Louisiana Avenue, N.W., between squares 630 and W632, which remains Federal property.

“(c) Miscellaneous.—

“(1) Compliance with other laws.—Compliance with this section shall be deemed to satisfy the requirements of all laws otherwise applicable to transfers of jurisdiction over parcels of Federal real property.

“(2) Law enforcement responsibility.—Law enforcement responsibility for the parcels of Federal real property for which jurisdiction is transferred by subsection (b) shall be assumed by the person acquiring such jurisdiction.

“(3) United states capitol grounds.—

“(A) Definition.—The first section of the Act entitled ‘An Act to define the United States Capitol Grounds, to regulate the use thereof, and for other purposes’, approved July 31, 1946 (40 U.S.C. 193a) [now 40 U.S.C. 5102], is amended to include within the definition of the United States Capitol Grounds the parcels of Federal real property described in subsection (b)(2)(B).

“(B) Jurisdiction of capitol police.—The United States Capitol Police shall have jurisdiction over the parcels of Federal real property described in subsection (b)(2)(B) in accordance with section 9 of such Act of July 31, 1946 (40 U.S.C. 212a) [now 2 U.S.C. 1961].

“(4) Effect of transfers.—A person relinquishing jurisdiction over a parcel of Federal real property transferred by subsection (b) shall not retain any interest in the parcel except as specifically provided by this section.”

Pub. L. 97–379, Dec. 22, 1982, 96 Stat. 1935, provided: “That section 1 of the Act of July 31, 1946, as amended (40 U.S.C. 193a) [now 40 U.S.C. 5102], is amended to include within the definition of the United States Capitol Grounds the following additional areas which are situated as follows:

“(1) All sidewalks and contiguous areas presently under the jurisdiction of the District of Columbia located on the south side of Pennsylvania Avenue, Northwest, between the west curb of First Street, Northwest and the east curb of Third Street, Northwest.

“(2) All sidewalks and contiguous areas presently under the jurisdiction of the District of Columbia located on the north side of Maryland Avenue, Southwest, between the west curb of First Street, Southwest and the east curb of Third Street, Southwest.

“(3) All sidewalks and contiguous areas presently under the jurisdiction of the District of Columbia located on the west side of First Street between the south curb of Pennsylvania Avenue, Northwest and the north curb of Maryland Avenue, Southwest.

“(4) All sidewalks and contiguous areas presently under the jurisdiction of the District of Columbia located on the east side of Third Street between the south curb of Pennsylvania Avenue, Northwest and the north curb of Maryland Avenue, Southwest.”

Pub. L. 96–432, § 1, Oct. 10, 1980, 94 Stat. 1851, provided: “That section 1 of the Act of July 31, 1946, as amended (40 U.S.C. 193a) [now 40 U.S.C. 5102], is amended to include within the definition of the United States Capitol Grounds the following additional areas and portions of streets which are situated as follows:

“(1) that portion of D Street Northeast from the east curb of Second Street Northeast to the east curb of First Street Northeast;

“(2) that portion of Second Street Northeast and Southeast from the south curb of F Street Northeast to the south curb of C Street Southeast;

“(3) that portion of Constitution Avenue Northeast from the east curb of Second Street Northeast to the east curb of First Street Northeast;

“(4) that portion of Pennsylvania Avenue Northwest from the west curb of First Street Northwest to the east curb of Third Street Northwest;

“(5) that portion of Maryland Avenue Southwest from the west curb of First Street Southwest to the east curb of Third Street Southwest;

“(6) that portion of Constitution Avenue Northwest from the east curb of Second Street Northwest to the east curb of Third Street Northwest;

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- “(7) that portion of Independence Avenue Southwest from the west curb of First Street Southwest to the east curb of Third Street Southwest;
- “(8) that portion of Maryland Avenue Northeast from the east curb of Second Street Northeast to the east curb of First Street Northeast;
- “(9) that portion of East Capitol Street from the east curb of Second Street Southeast to the east curb of First Street Southeast;
- “(10) that portion of Independence Avenue Southeast from the east curb of Second Street Southeast to the east curb of First Street Southeast;
- “(11) that portion of C Street Southeast from the east curb of Second Street Southeast to the east curb of First Street Southeast;
- “(12) that portion of North Capitol Street from the south curb of Massachusetts Avenue to the north curb of Louisiana Avenue;
- “(13) that portion of New Jersey Avenue Northwest from the north curb of D Street Northwest to the north curb of Louisiana Avenue;
- “(14) that portion of Second Street Southwest from the north curb of D Street to the south curb of Virginia Avenue Southwest;
- “(15) that portion of Virginia Avenue Southwest from the east curb of Second Street Southwest to the west curb of Third Street Southwest;
- “(16) that portion of Third Street Southwest from the south curb of Virginia Avenue Southwest to the north curb of D Street Southwest;
- “(17) that portion of D Street Southwest from the west curb of Third Street Southwest to the east curb of Second Street Southwest;
- “(18) that portion of Canal Street Southwest, including sidewalks and traffic islands, from the south curb of Independence Avenue Southwest to the west curb of South Capitol Street; and
- “(19) all that area contiguous to, and surrounding, square numbered 724 from the property line thereof to the contiguous curb;
- “(20) those areas contiguous to, and surrounding, the areas comprising the grounds of the United States Botanic Garden from the property line of such grounds to the contiguous curb;
- “(21) all that area contiguous to, and surrounding, the structures comprising the United States Capitol Power Plant, from the building lines of such structures to the contiguous curbs; and
- “(22) all that area contiguous to, and surrounding, square numbered 581 from the property line thereof to the contiguous curb.”

Pub. L. 93–198, title VII, § 739(g)(3), Dec. 24, 1973, 87 Stat. 828, effective Jan. 2, 1975, [title IV of Pub. L. 93–198 having been accepted by a majority of the registered qualified electors in the District of Columbia voting on the charter issue in the charter referendum conducted May 8, 1974], provided in part that the definition of United States Capitol Grounds should include the following streets: Independence Avenue from the west curb of First Street S.E. to the east curb of First Street S.W., New Jersey Avenue S.E. from the south curb of Independence Avenue to the north curb of D Street S.E., South Capitol Street from the south curb of Independence Avenue to the north curb of D Street; Delaware Avenue S.W. from the south curb of C Street S.W. to the North Curb of D Street S.W., C Street from the west curb of First Street S.E. to the intersection of First and Canal Streets, S.W., D Street from the west curb of First Street S.E. to the intersection of Canal Street and Delaware Avenue S.W., that part of First Street lying west of the outer face of the curb of the sidewalk on the east side thereof from D Street, N.E. to D Street S.E., that part of First Street within the east and west curblines thereof extending from the north side of Pennsylvania Avenue N.W. to the intersection of C Street and Canal Street S.W., including the two circles within such area, but that nothing in the inclusion of such streets should be construed as repealing, or otherwise altering, modifying, affecting, or superseding those provisions of law in effect prior to the vesting of authority in the United States Supreme Court police and Library of Congress police by title IV of Pub. L. 93–198 to make arrests in adjacent streets, including First Street N.E. and First Street S.E.

**Jurisdiction of the Capitol Police Board and the Architect of the Capitol**

Pub. L. 96–432, § 3, Oct. 10, 1980, 94 Stat. 1852, provided that: “On and after the effective date of this section [see Pub. L. 96–432, § 4, Oct. 10, 1980, 94 Stat. 1853], that portion of C Street Northeast from the west curb of Second Street Northeast to the east curb of First Street Northeast shall be under the exclusive jurisdiction and control of the Capitol Police Board and the Architect of the Capitol in the same manner and to the same extent as such Board or the

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Architect of the Capitol has over other streets comprising the United States Capitol Grounds, and the Architect of the Capitol shall be responsible for the maintenance and improvement thereof.”

### **United States Supreme Court and Library of Congress; Jurisdictional Boundaries**

Pub. L. 96–432, § 6(a), (b), Oct. 10, 1980, 94 Stat. 1853, provided that:

“(a) Notwithstanding any other provisions of this Act [enacting section 1962 of Title 2, The Congress, amending section 193a of former Title 40, Public Buildings, Property, and Works, and enacting provisions set out as notes under this section], with respect to those squares occupied by the United States Supreme Court and the Library of Congress, those streets or portions thereof referred to in the first section of this Act [set out as a note above] which surround such squares shall be considered a part of the Capitol Grounds only to the face of the curbs contiguous to such squares.

“(b) Nothing in this Act shall be construed as repealing, or otherwise altering, modifying, affecting, or superseding those provisions of law in effect on the date immediately preceding the date of the enactment of this Act [Oct. 10, 1980] vesting authority in the United States Supreme Court Police and the Library of Congress Police to make arrests in adjacent streets.”

### **Architect of the Capitol; Acquisition of Additional Property**

Pub. L. 97–12, title I, June 5, 1981, 95 Stat. 64, provided in part: “That upon acquisition of such real property pursuant to this paragraph [incorporating by reference the provisions of Pub. L. 96–432, Oct. 10, 1980, 94 Stat. 1851, which related to the acquisition of property in squares 693, 640, and 582 in the District of Columbia], the structure located on lot 801 of square 693 shall become a part of the House Office Buildings, subject to the provisions of the Act of July 31, 1946 (40 U.S.C. secs. 193a through 193m, [207a,] 212a, [212a–2, 212a–3,] and 212b) [now 2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101–5107, 5109, see References in Text note under section 1819 of Title 2, The Congress], including any amendments thereto, which are applicable to the Capitol Buildings, and to the Act of March 4, 1907 (40 U.S.C. 175) [now 2 U.S.C. 2001].”

Pub. L. 96–432, §§ 7–10, Oct. 10, 1980, 94 Stat. 1853, 1854, provided that:

“Sec. 7. (a) The Architect of the Capitol, under the direction of the House Office Building Commission, is hereby authorized to acquire, on behalf of the United States, by purchase, condemnation, transfer, or otherwise, for addition to the United States Capitol Grounds, all publicly or privately owned property contained in lot 49 in square 582; lot 70 in square 640; and lots 1, 2, 67, 79, 80, 800, 801, 807, 814 through 822, and 834 in square 693 in the District of Columbia (including all alleys or parts of alleys and streets within the lotlines and curblines surrounding such real property): Provided, That upon the acquisition of any such real property by the Architect of the Capitol on behalf of the United States, such property shall be subject to the provisions of the Act of July 31, 1946 (60 Stat. 718) [2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101–5107, 5109, see References in Text note under section 1819 of Title 2, The Congress] as amended in the same manner and to the same extent as all other areas comprising the United States Capitol Grounds.

“(b) For the purposes of this section the properties authorized to be acquired hereunder, shall be deemed to extend to the outer face of the curbs of the squares in which they are located.

“(c) There is hereby authorized to be appropriated to the Architect of the Capitol for the fiscal year ending September 30, 1981, the sum of \$11,500,000 for the purpose of carrying out the provisions of this section, said appropriation to remain available until expended.

“Sec. 8. The acquisition of real property under this Act [enacting section 1962 of Title 2, amending section 193a of former Title 40, Public Buildings, Property, and Works, and enacting provisions set out as notes under this section] shall be conducted in accordance with the Act entitled ‘Uniform Relocation Assistance and Land Acquisition Policies Act of 1970’, Public Law 91–646, approved January 2, 1971 [42 U.S.C. 4601 et seq.], and any proceeding for condemnation brought in its course shall be conducted in accordance with the Act entitled ‘An Act to provide for the acquisition of land in the District of Columbia for the use of the United States’, approved March 1, 1929 (16 D.C. Code, secs. 1351–1368).

“Sec. 9. The Architect of the Capitol is authorized to enter into contracts and to make expenditures for grading and paving and such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of section 7 of this Act.

“Sec. 10. Any contract entered into pursuant to this Act or pursuant to any amendment made by this Act shall be effective only to such extent and in such amounts as may be provided in advance in an appropriation Act.”

## **Acquisition of Property for Additions to United States Capitol Grounds**

Pub. L. 85–429, May 29, 1958, 72 Stat. 148 and Pub. L. 85–591, Aug. 6, 1958, 72 Stat. 495, in part authorized the Architect of the Capitol to acquire certain real property for additions to United States Capitol Grounds.

### **Order of the House Office Building Commission**

October 17, 1967

WHEREAS, under authority of Section 1202 of Public Law 24, 84th Congress (69 Stat. 41), approved April 22, 1955, known as the “Additional House Office Building Act of 1955”, the Architect of the Capitol, at the direction of the House Office Building Commission, acquired during the period of 1955 to 1960, on behalf of the United States, by condemnation, seven squares in the District of Columbia, located south of Independence Avenue, in the vicinity of the United States Capitol Grounds, as a site for an additional office building and other necessary facilities for the House of Representatives and for additions to the United States Capitol Grounds;

WHEREAS, under the aforesaid authority, the Architect of the Capitol, at the direction of the Commission, acquired in 1965 on behalf of the United States, through transfer from the Redevelopment Land Agency, Square 639, also located south of Independence Avenue, for an addition to the United States Capitol Grounds;

WHEREAS, the aforesaid eight squares are identified and bound as follows: Square 635, bounded on the north by Independence Avenue, on the east by Delaware Avenue, on the west by First Street, on the south by C Street; Square 637, bounded on the north by C Street, on the east by South Capitol Street, on the west by Delaware Avenue, on the south by D Street; Square South of 635, bounded on the north by C Street, on the east by Delaware Avenue, on the west and south by Canal Street; Square 691, bounded on the north by C Street, on the east by New Jersey Avenue, on the west by South Capitol Street, on the south by D Street; Square 692, bounded on the north by C Street, on the east by First Street, on the west by New Jersey Avenue, on the south by D Street; Square 732 north, bounded on the north by Independence Avenue, on the east by Second Street, on the west by First Street, on the south by Carroll Street; Square 732 south, bounded on the north by Carroll Street, on the east by Second Street, on the west by First Street, on the south by C Street; and Square 639, bounded on the north by D Street, on the east by South Capitol Street, on the west and south by Canal Street;

WHEREAS, title to all real property in these 8 squares is now vested in fee simple absolute in the United States of America;

WHEREAS, subsequent to acquisition of these 8 squares, under the aforesaid authority, all alleys in these squares were closed and vacated, as were also Delaware Avenue between Independence Avenue and C Street and Carroll Street between First and Second Streets, by the Commissioners of the District of Columbia, and all areas between the property lines and outer faces of curbs surrounding these squares and Square 636 were transferred from the jurisdiction of the Commissioners of the District of Columbia to the jurisdiction of the Architect of the Capitol;

WHEREAS, the Rayburn House Office Building has been constructed on Squares 635 and 636 (the latter square being already owned by the government and having been combined with Square 635 as a site for this building under the aforesaid authority), and the said building is now maintained by the Architect of the Capitol as a part of the House Office Buildings, and the sidewalks and other paved and grassed areas surrounding this building are now maintained as part of the Capitol Grounds;

WHEREAS, underground garages for the House of Representatives have been constructed in Squares 637 and 691 and are now maintained by the Architect of the Capitol as part of the House Office Buildings, and the areas above these garages have been landscaped as a part of the Capitol Grounds;

WHEREAS, Squares South of 635 and 639 have been developed as parking lots for automobiles for Members and employees of the House and are now maintained as part of the Capitol Grounds;

WHEREAS, part of Square 692 is occupied by the Congressional Hotel, acquired by the Architect of the Capitol under the aforesaid authority and leased to the Knott Hotels Corporation for use as a hotel, and the remainder of this square has been converted into a parking lot for automobiles for Members and employees of the House and is now maintained as a part of the Capitol Grounds;

WHEREAS, Squares 732 north and south were acquired as an addition to the Capitol Grounds, are now maintained as part of the Capitol Grounds, and will continue to be so maintained until such time as required for construction thereon of the Library of Congress James Madison Memorial Building, authorized by Public Law 89–260, approved October 19, 1965;

WHEREAS, the aforesaid Additional House Office Building Act provides, in pertinent part, with respect to these properties, as follows:

“\* \* \* At such time or times as may be fixed by order of the House Office Building Commission, (1) any real property acquired under, or made available for the purposes of, this chapter shall become part of the United States Capitol

**TITLE 40 - Section 5103 - Restrictions on public use of United States Capitol Grounds**

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscodeprint.html>).

Grounds and subject to the Act entitled ‘An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes’, approved July 31, 1946 (40 U.S.C., secs. 193a—193m, [207a,] 212a, [212a–2, 212a–3,] and 212b) [now 2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101–5107, 5109, see References in Text note under section 1819 of Title 2, The Congress], and (2) the building and all facilities constructed pursuant to section 1201 of this chapter shall become subject to such Act approved July 31, 1946, and to the provisions of law relating to the control, supervision, and care of the House Office Building contained in the Act approved Mar. 4, 1907, as amended (40 U.S.C., sec. 175) [now 2 U.S.C. 2001].”

NOW, THEREFORE, in formal compliance with the aforementioned provisions of the Additional House Office Building Act, the House Office Building Commission, in confirmation of actions heretofore taken by the Commission, hereby orders:

1. The Rayburn House Office Building, the subway connecting such building to the Capitol Building, the pedestrian tunnels connecting such building to the Longworth House Office Building, the underground garages in Squares 637 and 691 and the tunnels connecting these garages to the House Office Buildings, are hereby declared to be House Office Buildings and, as such, are hereby made subject to those provisions of the Act of July 31, 1946 (40 U.S.C., secs. 193a to 193m, [207a,] 212a, [212a–2, 212a–3,] and 212b) [now 2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101–5107, 5109], including any amendments to such Act, which are applicable to the Capitol Buildings, and to the Act of Mar. 4, 1907 (40 U.S.C. 175) [now 2 U.S.C. 2001].

2. All other real property acquired by the Architect of the Capitol under authority of the Additional House Office Building Act is hereby declared to be part of the United States Capitol Grounds and is hereby made subject to the Act of July 31, 1946 (40 U.S.C., secs. 193a to 193m, [207a,] 212a, [212a–2, 212a–3,] and 212b) [now 2 U.S.C. 1922, 1961, 1966, 1967, 1969; 40 U.S.C. 5101–5107, 5109], including any amendments to such Act.

3. Nothing herein shall be construed to contravene (a) the provisions of Public Law 89–260 authorizing the future use of Squares 732 north and south as a site for the Library of Congress James Madison Memorial Building; or (b) the authority delegated by the House Office Building Commission to the Select House Committee under authority of H. Res. 514, 90th Congress, pertaining to the direction and supervision of the use and operation of the four House Garages and outdoor parking lots.

4. This order shall become effective immediately.

HOUSE OFFICE BUILDING COMMISSION

John W. McCormack, Chairman.

Emanuel Celler, Member.

Charles E. Goodell, Member.

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**§ 5103. Restrictions on public use of United States Capitol Grounds**

Public travel in, and occupancy of, the United States Capitol Grounds is restricted to the roads, walks, and places prepared for that purpose.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1176.)

**Historical and Revision Notes**

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5103	40:193b.	July 31, 1946, ch. 707, § 2, 60 Stat. 718.

The words “by flagging, paving, or otherwise” are omitted as unnecessary.

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**§ 5104. Unlawful activities**

(a) **Definitions.**— In this section—

(1) **Act of physical violence.**— The term “act of physical violence” means any act involving—

(A) an assault or other infliction or threat of infliction of death or bodily harm on an individual; or

(B) damage to, or destruction of, real or personal property.

- (2) **Dangerous weapon.**— The term “dangerous weapon” includes—
- (A) all articles enumerated in section 14(a) of the Act of July 8, 1932 (ch. 465, 47 Stat. 654); and
  - (B) a device designed to expel or hurl a projectile capable of causing injury to individuals or property, a dagger, a dirk, a stiletto, and a knife having a blade over three inches in length.
- (3) **Explosives.**— The term “explosives” has the meaning given that term in section 841 (d) of title 18.
- (4) **Firearm.**— The term “firearm” has the meaning given that term in section 921 (3)<sup>1</sup> of title 18.
- (b) **Obstruction of Roads.**— A person may not occupy the roads in the United States Capitol Grounds in a manner that obstructs or hinders their proper use, or use the roads in the area of the Grounds, south of Constitution Avenue and B Street and north of Independence Avenue and B Street, to convey goods or merchandise, except to or from the United States Capitol on Federal Government service.
- (c) **Sale of Articles, Display of Signs, and Solicitations.**— A person may not carry out any of the following activities in the Grounds:
- (1) offer or expose any article for sale.
  - (2) display a sign, placard, or other form of advertisement.
  - (3) solicit fares, alms, subscriptions, or contributions.
- (d) **Injuries to Property.**— A person may not step or climb on, remove, or in any way injure any statue, seat, wall, fountain, or other erection or architectural feature, or any tree, shrub, plant, or turf, in the Grounds.
- (e) **Capitol Grounds and Buildings Security.**—
- (1) **Firearms, dangerous weapons, explosives, or incendiary devices.**— An individual or group of individuals—
    - (A) except as authorized by regulations prescribed by the Capitol Police Board—
      - (i) may not carry on or have readily accessible to any individual on the Grounds or in any of the Capitol Buildings a firearm, a dangerous weapon, explosives, or an incendiary device;
      - (ii) may not discharge a firearm or explosives, use a dangerous weapon, or ignite an incendiary device, on the Grounds or in any of the Capitol Buildings; or
      - (iii) may not transport on the Grounds or in any of the Capitol Buildings explosives or an incendiary device; or
    - (B) may not knowingly, with force and violence, enter or remain on the floor of either House of Congress.
  - (2) **Violent entry and disorderly conduct.**— An individual or group of individuals may not willfully and knowingly—
    - (A) enter or remain on the floor of either House of Congress or in any cloakroom or lobby adjacent to that floor, in the Rayburn Room of the House of Representatives, or in the Marble Room of the Senate, unless authorized to do so pursuant to rules adopted, or an authorization given, by that House;
    - (B) enter or remain in the gallery of either House of Congress in violation of rules governing admission to the gallery adopted by that House or pursuant to an authorization given by that House;
    - (C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of—
      - (i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or
      - (ii) the Library of Congress;

**TITLE 40 - Section 5104 - Unlawful activities**

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

- (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress;
  - (E) obstruct, or impede passage through or within, the Grounds or any of the Capitol Buildings;
  - (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; or
  - (G) parade, demonstrate, or picket in any of the Capitol Buildings.
- (3) **Exemption of government officials.**— This subsection does not prohibit any act performed in the lawful discharge of official duties by—
- (A) a Member of Congress;
  - (B) an employee of a Member of Congress;
  - (C) an officer or employee of Congress or a committee of Congress; or
  - (D) an officer or employee of either House of Congress or a committee of that House.
- (f) **Parades, Assemblages, and Display of Flags.**— Except as provided in section 5106 of this title, a person may not—
- (1) parade, stand, or move in processions or assemblages in the Grounds; or
  - (2) display in the Grounds a flag, banner, or device designed or adapted to bring into public notice a party, organization, or movement.

**Footnotes**

<sup>1</sup> So in original. Probably should be “921(a)(3)”.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1176; Pub. L. 110–161, div. H, title I, § 1004(d)(2)(A)(iii), Dec. 26, 2007, 121 Stat. 2234; Pub. L. 110–178, § 4(b)(1)(C), Jan. 7, 2008, 121 Stat. 2552; Pub. L. 111–145, § 6(d)(1), Mar. 4, 2010, 124 Stat. 54.)

**Historical and Revision Notes**

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5104(a)	40:193m(2)–(5).	July 31, 1946, ch. 707, § 16(a)(2)–(5), 60 Stat. 721; Pub. L. 90–108, § 1(d), Oct. 20, 1967, 81 Stat. 277.
5104(b)	40:193c.	July 31, 1946, ch. 707, §§ 3–5, 7, 60 Stat. 718, 719.
5104(c)	40:193d.	
5104(d)	40:193e.	
5104(e)	40:193f.	July 31, 1946, ch. 707, § 6, 60 Stat. 718; Pub. L. 87–571, Aug. 6, 1962, 76 Stat. 307; Pub. L. 90–108, § 1(b), Oct. 20, 1967, 81 Stat. 276.
5104(f)	40:193g.	

In subsection (a)(3), the words “section 841 (d) of title 18” are substituted for “section 121 (1) of title 50” because of the enactment of 18:ch. 39 and the repeal of the provisions classified to 50:121(1) by sections 1102 and 1106(a) of the Organized Crime Control Act of 1970 (Public Law 91–452, 84 Stat. 952, 960). The plural form “explosives” is used because that is the term defined in 18:841(d).

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscript.html>).*

In subsection (a)(4), the words “section 921 (3) of title 18” are substituted for “section 901 (3) of title 15” because of the enactment of 18:ch. 44 and the repeal of the provisions classified to 15:901(3) by sections 902 and 906 of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351, 82 Stat. 226, 234).

In subsection (e)(1)(A), the plural “explosives” is used for consistency with the term defined in subsection (a)(3). In subclause (iii), the words “by any means” are omitted as unnecessary.

In subsection (e)(2)(A), the words “unless authorized to do so pursuant to rules adopted, or authorization given, by that House” are substituted for “unless such person is authorized, pursuant to rules adopted by that House or pursuant to authorization given by that House, to enter or to remain upon such floor or in such cloakroom, lobby, or room” to eliminate unnecessary words.

### **References in Text**

The Act of July 8, 1932, referred to in subsec. (a)(2)(A), is act July 8, 1932, ch. 465, 47 Stat. 650, as amended, which is not classified to the Code.

### **Amendments**

2010—Subsec. (e)(2)(C). Pub. L. 111–145 repealed Pub. L. 110–161, § 1004(d)(2)(A)(iii). See 2007 Amendment note below.

2008—Subsec. (e)(2)(C). Pub. L. 110–178 added subpar. (C) and struck out former subpar. (C) which read as follows: “with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of either House of Congress or a Member, committee, officer, or employee of Congress or either House of Congress;”.

2007—Subsec. (e)(2)(C). Pub. L. 110–161, § 1004(d)(2)(A)(iii), which made an amendment identical to that made by Pub. L. 110–178, was repealed by Pub. L. 111–145. See Effective Date of 2010 Amendment note below.

### **Effective Date of 2010 Amendment**

Repeal of section 1004 of Pub. L. 110–161 by Pub. L. 111–145 effective as if included in the enactment of Pub. L. 110–161 and provisions amended by section 1004 of Pub. L. 110–161 to be restored as if such section had not been enacted, and repeal to have no effect on the enactment or implementation of any provision of Pub. L. 110–178, see section 6(d) of Pub. L. 111–145, set out as a note under section 1901 of Title 2, The Congress.

### **Effective Date of 2008 Amendment**

Amendment by Pub. L. 110–178 effective Oct. 1, 2009, see section 4(d) of Pub. L. 110–178, set out as an Effective Date of Repeal note under section 167 of Title 2, The Congress.

### **Effective Date of 2007 Amendment**

Amendment by Pub. L. 110–161 effective Oct. 1, 2009, see section 1004(d)(4) of title I of div. H of Pub. L. 110–161, set out as an Effective Date of Repeal note under section 167 of Title 2, The Congress.

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## **§ 5105. Assistance to authorities by Capitol employees**

Each individual employed in the service of the Federal Government in the United States Capitol or within the United States Capitol Grounds shall prevent, as far as may be in the individual’s power, a violation of a provision of this chapter or section 9, 9A, 9B, 9C, or 14 of the Act of July 31, 1946 (ch. 707, 60 Stat. 719, 720), and shall aid the police in securing the arrest and conviction of the individual violating the provision.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1178.)

TITLE 40 - Section 5106 - Suspension of prohibitions

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see http://www.law.cornell.edu/uscode/uscprint.html).

Historical and Revision Notes

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 5105, 40:193i, July 31, 1946, ch. 707, § 10, 60 Stat. 719.

The words "by information or otherwise" are omitted as unnecessary.

References in Text

Sections 9, 9A, 9B, 9C, and 14 of the Act of July 31, 1946, referred to in text, are classified to sections 1961, 1966, 1967, 1922, and 1969, respectively, of Title 2, The Congress.

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§ 5106. Suspension of prohibitions

(a) Authority To Suspend.— To allow the observance in the United States Capitol Grounds of occasions of national interest becoming the cognizance and entertainment of Congress, the President of the Senate and the Speaker of the House of Representatives concurrently may suspend any of the prohibitions contained in sections 5103 and 5104 of this title that would prevent the use of the roads and walks within the Grounds by processions or assemblages, and the use in the Grounds of suitable decorations, music, addresses, and ceremonies, if responsible officers have been appointed and the President and the Speaker determine that adequate arrangements have been made to maintain suitable order and decorum in the proceedings and to guard the United States Capitol and its grounds from injury.

(b) Power To Suspend Prohibitions in Absence of President or Speaker.— If either the President or Speaker is absent from the District of Columbia, the authority to suspend devolves on the other officer. If both officers are absent, the authority devolves on the Capitol Police Board.

(c) Authority of Mayor To Permit Use of Louisiana Avenue.— Notwithstanding subsection (a) and section 5104 (f) of this title, the Capitol Police Board may grant the Mayor of the District of Columbia authority to permit the use of Louisiana Avenue for any of the purposes prohibited by section 5104 (f).

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1178.)

Historical and Revision Notes

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Rows: 5106(a), 5106(b), 5106(c).

In subsection (b), the words "District of Columbia" are substituted for "Washington" for clarity and consistency.

In subsection (c), the words "Mayor of the District of Columbia" are substituted for "Commissioners of the District of Columbia" [meaning the Board of Commissioners of the District of Columbia] [subsequently changed to "Commissioner of the District of Columbia" because of section 401 of Reorganization Plan No. 3 of 1967 (eff. Aug. 11, 1967, 81 Stat. 951)] because of section 421 of the District of Columbia Home Rule Act (Public Law 93–198, 87 Stat. 789).

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§ 5107. Concerts on grounds

Sections 5102, 5103, 5104 (b)–(f), 5105, 5106, and 5109 of this title and sections 9, 9A, 9B, and 9C of the Act of July 31, 1946 (ch. 707, 60 Stat. 719, 720), do not prohibit a band in the service of

the Federal Government from giving concerts in the United States Capitol Grounds at times which will not interfere with Congress and as authorized by the Architect of the Capitol.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1178; Pub. L. 108–178, § 3(2), Dec. 15, 2003, 117 Stat. 2640.)

**Historical and Revision Notes**

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5107	40:193l.	July 31, 1946, ch. 707, § 13, 60 Stat. 720.

**References in Text**

Sections 9, 9A, 9B, and 9C of the Act of July 31, 1946, referred to in text, are classified to sections 1961, 1966, 1967, and 1922, respectively, of Title 2, The Congress.

**Amendments**

2003—Pub. L. 108–178 substituted “5105, 5106” for “5105, 5105”.

**Effective Date of 2003 Amendment**

Amendment by Pub. L. 108–178 effective Aug. 21, 2002, see section 5 of Pub. L. 108–178, set out as a note under section 5334 of Title 5, Government Organization and Employees.

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**§ 5108. Audit of private organizations**

A private organization (except a political party or committee constituted for the election of federal officials), whether or not organized for profit and whether or not any of its income inures to the benefit of any person, that performs services or conducts activities in the United States Capitol Buildings or Grounds is subject to a special audit of its accounts for each year in which it performs those services or conducts those activities. The Comptroller General shall conduct the audit and report the results of the audit to the Senate and the House of Representatives.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1178.)

**Historical and Revision Notes**

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5108	40:193m–1.	Pub. L. 91–510, title IV, § 451(a), Oct. 26, 1970, 84 Stat. 1193.

The words “as defined by or pursuant to law” are omitted as unnecessary because of sections 5101 and 5102 of the revised title. The words “Comptroller General” are substituted for “General Accounting Office” because of 31:702 and for consistency in the revised title.

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**§ 5109. Penalties**

**(a) Firearms, Dangerous Weapons, Explosives, or Incendiary Device Offenses.**— An individual or group violating section 5104 (e)(1) of this title, or attempting to commit a violation, shall be fined under title 18, imprisoned for not more than five years, or both.

**(b) Other Offenses.**— A person violating section 5103 or 5104 (b), (c), (d), (e)(2), or (f) of this title, or attempting to commit a violation, shall be fined under title 18, imprisoned for not more than six months, or both.

**(c) Procedure.—**

**(1) In general.—** An action for a violation of this chapter or section 9, 9A, 9B, 9C or 14 of the Act of July 31, 1946 (ch. 707, 60 Stat. 719, 720), including an attempt or a conspiracy to commit a violation, shall be brought by the Attorney General in the name of the United States. This chapter and sections 9, 9A, 9B, 9C and 14 do not supersede any provision of federal law or the laws of the District of Columbia. Where the conduct violating this chapter or section 9, 9A, 9B, 9C or 14 also violates federal law or the laws of the District of Columbia, both violations may be joined in a single action.

**(2) Venue.—** An action under this section for a violation of—

**(A)** section 5104 (e)(1) of this title or for conduct that constitutes a felony under federal law or the laws of the District of Columbia shall be brought in the United States District Court for the District of Columbia; and

**(B)** any other section referred to in subsection (a) may be brought in the Superior Court of the District of Columbia.

**(3) Amount of penalty.—** The penalty which may be imposed on a person convicted in an action under this subsection is the highest penalty authorized by any of the laws the defendant is convicted of violating.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1178.)

**Historical and Revision Notes**

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
5109	40:193h.	July 31, 1946, ch. 707, § 8, 60 Stat. 719; Pub. L. 87–571, Aug. 6, 1962, 76 Stat. 307; Pub. L. 90–108, § 1(c), Oct. 20, 1967, 81 Stat. 277.

In subsection (a), the words “fined under title 18” are substituted for “a felony punishable by a fine not exceeding \$5,000” for consistency with chapter 227 of title 18.

In subsection (b), the words “fined under title 18” are substituted for “a misdemeanor punishable by a fine not exceeding \$500” for consistency with chapter 227 of title 18.

In subsection (c)(1), the words “An action . . . shall be brought” are substituted for [“]shall be prosecuted” for consistency with other titles of the United States Code. The words “the Attorney General” are substituted for “the United States attorney or his assistants” because of 28:509.

In subsection (c)(2)(B), the words “Superior Court of the District of Columbia” are substituted for “Municipal Court for the District of Columbia” [subsequently changed to “District of Columbia Court of General Sessions” because of sections 1 and 7 of the Act of July 8, 1963 (Public Law 88–60, 77 Stat. 77, 78)] because of section 155(a) of the District of Columbia Court Reorganization Act of 1970 (Public Law 91–358, 85 Stat. 570).

In subsection (c)(3), the words “of a violation of said sections and of the general laws of the United States or the laws of the District of Columbia” are omitted as unnecessary.

**References in Text**

Sections 9, 9A, 9B, 9C, and 14 of the Act of July 31, 1946, referred to in subsec. (c)(1), are classified to sections 1961, 1966, 1967, 1922, and 1969, respectively, of Title 2, The Congress.