

which may be allowed by the Committee on House Oversight [now Committee on House Administration] based on performance exceeding an acceptable level of competence over a 52-week period (except that no such performance-based increase shall affect the waiting period or effective date of any longevity step-increase or increase under such section 5306(a)(1)(B)).”

COMPENSATION OF PERSONNEL ASSIGNED TO HOUSE GARAGES IN CONNECTION WITH PARKING ACTIVITIES

Pub. L. 93-245, ch. VI, Jan. 3, 1974, 87 Stat. 1079, provided that: “Effective on the first day of the first applicable pay period which begins on or after the date of enactment of this Act [Jan. 3, 1974], the compensation of personnel assigned to the House garages in connection with parking activities and paid from the appropriation ‘House Office Building’ under the Architect of the Capitol, shall be fixed by the Architect of the Capitol without regard to chapter 51 and subchapters III and IV of chapter 53 of title 5, United States Code, and shall thereafter be adjusted in accordance with 5 U.S.C. 5307.”

**§ 2002. Acquisition of buildings and facilities for use in emergency situation**

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

Notwithstanding any other provision of law, in order to respond to an emergency situation, the Chief Administrative Officer of the House of Representatives may acquire buildings and facilities, subject to the availability of appropriations, for the use of the House of Representatives by lease, purchase, or such other arrangement as the Chief Administrative Officer considers appropriate (including a memorandum of understanding with the head of an executive agency, as defined in section 105 of title 5, in the case of a building or facility under the control of such Agency), subject to the approval of the House Office Building Commission.

**(b) Agreements**

Notwithstanding any other provision of law, for purposes of carrying out subsection (a), the Chief Administrative Officer may carry out such activities and enter into such agreements related to the use of any building or facility acquired pursuant to such subsection as the Chief Administrative Officer considers appropriate, including—

- (1) agreements with the United States Capitol Police or any other entity relating to the policing of such building or facility; and
- (2) agreements with the Architect of the Capitol or any other entity relating to the care and maintenance of such building or facility.

**(c) Authority of Capitol Police and Architect**

**(1) Architect of the Capitol**

Notwithstanding any other provision of law, the Architect of the Capitol may take any action necessary to carry out an agreement entered into with the Chief Administrative Officer pursuant to subsection (b).

**(2) Omitted**

**(d) Transfer of certain funds**

Subject to the approval of the Committee on Appropriations of the House of Representatives, the Architect of the Capitol may transfer to the Chief Administrative Officer amounts made available to the Architect for necessary ex-

penses for the maintenance, care and operation of the House office buildings during a fiscal year in order to cover any portion of the costs incurred by the Chief Administrative Officer during the year in acquiring a building or facility pursuant to subsection (a).

**(e) Effective date**

This section and the amendments made by this section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

(Pub. L. 107-117, div. B, §903, Jan. 10, 2002, 115 Stat. 2317; Pub. L. 107-206, title I, §903(a)(1), Aug. 2, 2002, 116 Stat. 876.)

REFERENCES IN TEXT

For the amendments made by this section, referred to in subsec. (e), see Codification note below.

CODIFICATION

Section was classified to section 175a of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

Section is comprised of section 903 of Pub. L. 107-117. Subsec. (c)(2) of section 903 of Pub. L. 107-117 amended section 1961 of this title.

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-206 substituted “buildings and facilities, subject to the availability of appropriations,” for “buildings and facilities”.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-206, title I, §903(c), Aug. 2, 2002, 116 Stat. 876, provided that: “The amendment made by this section [amending this section and section 1961 of this title] shall take effect as if included in the enactment of the Emergency Supplemental Act, 2002 [Pub. L. 107-117, div. B].”

**§ 2003. Speaker as member of House Office Building commission**

The Speaker shall continue a member of the commission in control of said building until his successor as Speaker is elected or his term as a Representative in Congress shall have expired.

(Mar. 4, 1911, ch. 240, 36 Stat. 1306.)

CODIFICATION

Section was classified to section 176 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

Section is based on act Mar. 4, 1911, popularly known as the “Deficiency Appropriation Act, fiscal year 1911”.

**§ 2004. Assignment of rooms in House Office Building**

The assignment of rooms in the House Office Building, made prior to May 28, 1908, by resolution or order of the House of Representatives, shall continue in force until modified or changed in accordance with the provisions of sections 2004 to 2011 of this title, and the room so assigned to any Representative shall continue to be held by such Representative as his individual office room so long as he shall remain a Member or Member-elect of the House of Representatives, or until he shall relinquish the same, subject, however, to the provisions of said sections, and no Representative shall allow his office room to be used for any other purpose.

(May 28, 1908, No. 30, 35 Stat. 578.)

## CODIFICATION

Section was classified to section 177 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

**§ 2005. Vacant rooms; assignment to Representatives**

Any Member or Member-elect of the House of Representatives may file with the Architect of the Capitol a request in writing that any individual office room be assigned to him whenever it shall become vacant. If only one such request has been made for any room which shall at any time have become vacant, the room shall be assigned as requested. If two or more requests are made for the same vacant room, preference shall be given to the Representative making the request who has been longest in continuous service as a Member and Member-elect of the House of Representatives. If two or more Representatives with equal length of continuous service, or two or more Representatives-elect make request for the same room, preference shall be given to the one first preferring his request.

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

## CODIFICATION

Section was classified to section 178 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

## CHANGE OF NAME

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

**§ 2006. Withdrawal by Representative of request for vacant rooms**

A Representative or Representative-elect making request for the assignment of a vacant room may withdraw the same at any time and no one shall have pending at the same time more than one such request. The assignment of a new room to a Representative, upon his request, or the appointment of any Representative having an individual office room as chairman of a committee having a committee room, shall act as a relinquishment by him of the room previously assigned to him.

(May 28, 1908, No. 30, 35 Stat. 578.)

## CODIFICATION

Section was classified to section 179 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

**§ 2007. Exchange of rooms**

Representatives having rooms assigned to them in the foregoing manner may exchange rooms one with another, but such exchange shall be valid only so long as both Members making the exchange shall remain continuously Members or Members-elect of the House of Representatives.

(May 28, 1908, No. 30, 35 Stat. 578.)

## CODIFICATION

Section was classified to section 180 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

**§ 2008. Record of assignment of rooms**

The Architect of the Capitol shall keep a record of the assignment of rooms made, exchanges which may be made, requests for vacant rooms which may be filed, and the assignment thereof, which record shall be open for the inspection of Representatives or Representatives-elect of the House.

(May 28, 1908, No. 30, 35 Stat. 579; Mar. 3, 1921, ch. 124, 41 Stat. 1291.)

## CODIFICATION

Section was classified to section 181 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

## CHANGE OF NAME

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

**§ 2009. Assignment of rooms to Commissioner from Puerto Rico**

In the matter of the assignment of rooms under sections 2004 to 2011 of this title, Delegates in Congress and the Commissioner from Puerto Rico shall be treated the same as Representatives.

(May 28, 1908, No. 30, 35 Stat. 579; May 17, 1932, ch. 190, 47 Stat. 158; Proc. No. 2695, eff. July 4, 1946, 11 F.R. 7517, 60 Stat. 1352.)

## CODIFICATION

Section was classified to section 182 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062.

Words “and the Philippine Islands” after “Puerto Rico” were omitted pursuant to 1946 Proc. No. 2695, eff. July 4, 1946, 11 F.R. 7517, 60 Stat. 1352, which granted independence to the Philippine Islands on July 4, 1946, under the authority of act Mar. 24, 1934, ch. 84, §10, 48 Stat. 463, as amended, which is classified to section 1394 of Title 22, Foreign Relations and Intercourse.

## CHANGE OF NAME

“Puerto Rico” substituted in text for “Porto Rico” pursuant to act May 17, 1932, which is classified to section 731a of Title 48, Territories and Insular Possessions.

COMMISSIONER FROM PUERTO RICO AS RESIDENT  
COMMISSIONER

Section 2106 of Title 5, Government Organization and Employees, provides that the term “Members of Congress” shall include the “Resident Commissioner from Puerto Rico.”

**§ 2010. Assignment of rooms; control of by House**

The assignment and reassignment of the rooms and other space in the House Office Building shall be subject to the control of the House of Representatives by rule, resolution, order, or