

**(f) “State” defined**

For the purposes of this section, “State” means any of the States of the United States. (Pub. L. 94–59, title V, § 501, July 25, 1975, 89 Stat. 290.)

## CODIFICATION

Section was classified to section 166b-5 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.

**§ 1853. Exemption of officers and employees of Architect of Capitol from certain Federal pay provisions**

The classes of employees whose compensation is authorized by section 3 of the Legislative Pay Act of 1929, as amended (46 Stat. 38; 55 Stat. 615), to be fixed by the Architect of the Capitol without regard to the Classification Act of 1923, as amended, are authorized to be compensated without regard to chapter 51 and subchapter III of chapter 53 of title 5.

(Oct. 28, 1949, ch. 782, title II, § 204(a), 63 Stat. 957.)

## REFERENCES IN TEXT

Section 3 of the Legislative Pay Act of 1929, as amended (40 Stat. 38; 55 Stat. 615), referred to in text, which was an amendment of the Classification Act of 1923 and which was classified to section 662 of former Title 5, Executive Departments and Government Officers and Employees, was repealed by section 1202 of the Classification Act of 1949, Oct. 28, 1949, ch. 782, 63 Stat. 972.

The Classification Act of 1923, as amended, referred to in text, is act Mar. 4, 1923, ch. 265, 42 Stat. 1488, as amended, which was classified to section 661 et seq. of such former Title 5, and was repealed by section 1202 of the Classification Act of 1949.

## CODIFICATION

Section was formerly classified to section 60e-2a of this title prior to editorial reclassification and renumbering as this section.

Section is comprised of section 204(a) of act Oct. 28, 1949. Subsections (b) and (c) of such section were repealed by Pub. L. 89–554, § 8, Sept. 6, 1966, 80 Stat. 655, and reenacted as sections 5102(d) and 5103 of Title 5, Government Organization and Employees.

Section was classified to section 1084(a) of Title 5 prior to the general revision and enactment of Title 5 by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

“Chapter 51 and subchapter III of chapter 53 of title 5” substituted in text for “this Act”, referring to the Classification Act of 1949, on authority of section 7(b) of Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 631, section 1 of which enacted Title 5.

**§ 1854. Overtime compensation for certain employees of Architect of Capitol**

For overtime pay purposes, per diem and per hour employees under the Office of the Architect of the Capitol not subject to chapter 51 and subchapter III of chapter 53 of title 5, shall be regarded as subject to the provisions of sections 5544(a) and 6102 of title 5, and sections 60e-3 and 60e-4 of this title shall not be applicable to such employees.

(June 30, 1945, ch. 212, title V, § 503, 59 Stat. 301; Oct. 28, 1949, ch. 782, title XI, § 1106(a), 63 Stat. 972.)

## REFERENCES IN TEXT

Section 6102 of title 5, referred to in text, was repealed by Pub. L. 92–392, § 7(a), Aug. 19, 1972, 86 Stat. 573, and reenacted as section 6101(a)(1) of Title 5, Government Organization and Employees.

Sections 60e-3 and 60e-4 of this title, referred to in text, were omitted from the Code.

## CODIFICATION

Section was formerly classified to section 60e-2b of this title prior to editorial reclassification and renumbering as this section.

Section was classified to section 933 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

“Chapter 51 and subchapter III of chapter 53 of title 5” substituted in text for “the Classification Act of 1949, as amended”, and “sections 5544(a) and 6102 of title 5” substituted for “section 23 of the Act of March 28, 1934 (U.S.C., 1940 edition, title 5, sec. 673c)”, on authority of section 7(b) of Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 631, section 1 of which enacted Title 5.

## AMENDMENTS

1949—Act Oct. 28, 1949, substituted “Classification Act of 1949” for “Classification Act of 1923”.

## REPEALS

Act Oct. 28, 1949, ch. 782, cited as a credit to this section, was repealed (subject to a savings clause) by Pub. L. 89–554, Sept. 6, 1966, § 8, 80 Stat. 632, 655.

**SUBCHAPTER IV—APPROPRIATIONS AND EXPENDITURES****§ 1861. Appropriations under control of Architect of the Capitol**

Appropriations under the control of the Architect of the Capitol shall be available for expenses of advertising and personal and other services.

(Feb. 28, 1929, ch. 367, 45 Stat. 1395; June 6, 1930, ch. 407, 46 Stat. 513.)

## CODIFICATION

Section was classified to section 689 of former Title 31, prior to the enactment of Title 31, Money and Finance, by Pub. L. 97–258, § 1, Sept. 13, 1982, 96 Stat. 877, and then to section 166a-1 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, § 1, Aug. 21, 2002, 116 Stat. 1062.

Section consolidates provisions from the Legislative Branch Appropriation Acts for fiscal years 1930 and 1931.

**§ 1862. Transfer of funds**

During fiscal year 1997 and fiscal years thereafter, amounts appropriated to the Architect of the Capitol (including amounts relating to the Botanic Garden) may be transferred among accounts available to the Architect of the Capitol upon the approval of—

(1) the Committee on Appropriations of the House of Representatives, in the case of amounts transferred from the appropriation for Capitol buildings and grounds under the heading “HOUSE OFFICE BUILDINGS”;

(2) the Committee on Appropriations of the Senate, in the case of amounts transferred from the appropriation for Capitol buildings and grounds under the heading “SENATE OFFICE BUILDINGS”; and

(3) the Committees on Appropriations of the Senate and the House of Representatives, in the case of amounts transferred from any other appropriation.

(Pub. L. 104-197, title III, §306, Sept. 16, 1996, 110 Stat. 2413.)

CODIFICATION

Section was classified to section 166h 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.

**§ 1862a. Use of construction project funds to reimburse Capitol Police for related overtime costs**

**(a) Payment of overtime costs**

The Architect of the Capitol shall transfer amounts made available for construction projects during a fiscal year to the applicable appropriations accounts of the United States Capitol Police in order to reimburse the Capitol Police for overtime costs incurred in connection with such projects.

**(b) Effective date**

This section shall apply with respect to fiscal year 2013 and each succeeding fiscal year.

(Pub. L. 112-74, div. G, title I, §1201, Dec. 23, 2011, 125 Stat. 1128.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 2012, which is div. G of the Consolidated Appropriations Act, 2012.

**§ 1863. Funds out of Contingent Expenses, Architect of the Capitol Appropriation**

Any expenditures required to implement the provisions of section 1818 of this title shall be paid from the appropriation “Contingent Expenses, Architect of the Capitol” and any funds appropriated under this head shall hereafter be available for such purpose.

(Pub. L. 93-180, §2, Dec. 13, 1973, 87 Stat. 705.)

CODIFICATION

Section was classified to section 166e 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.

**§ 1864. Funds out of Capitol Buildings, Architect of the Capitol Appropriation**

On and after October 18, 1986, the Architect of the Capitol may incur expenses authorized by section 1818 of this title to be paid from the appropriation “Capitol Buildings, Architect of the Capitol”.

(Pub. L. 99-500, §101(j), Oct. 18, 1986, 100 Stat. 1783-287, and Pub. L. 99-591, §101(j), Oct. 30, 1986, 100 Stat. 3341-287, as amended Pub. L. 100-71, title I, July 11, 1987, 101 Stat. 425.)

CODIFICATION

Section was classified to section 166f 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 the words “to hereafter incur expenses authorized by the Act of December 13, 1973 (87

Stat. 704)” appearing under heading “Architect of the Capitol” and subheading “Capitol Buildings” contained in H.R. 5203 (see House Report 99-805 as filed in the House on Aug. 15, 1986), as incorporated by reference in section 101(j) of Pub. L. 99-500 and Pub. L. 99-591, as amended by Pub. L. 100-71, to be effective as if enacted into law.

**§ 1865. Capitol Police Buildings and Grounds Account**

**(a) Establishment**

There is hereby established in the Treasury of the United States an account for the Architect of the Capitol to be known as “Capitol Police Buildings and Grounds” (hereinafter in this section referred to as the “account”).

**(b) Use of funds**

Funds in the account shall be used by the Architect of the Capitol for all necessary expenses for—

(1) resilience and security programs of the Architect of the Capitol; and

(2) the maintenance, care, and operation of buildings, grounds, and security enhancements for facilities of the United States Capitol Police and for other facilities associated with such resilience and security programs at any location.

**(c) Approval of transfers of appropriations from Legislative Branch agencies**

(1) For carrying out the purposes of the account, the Architect of the Capitol may receive transfers of appropriations from any agency of the Legislative Branch upon the approval of—

(A) the Committee on Appropriations of the House of Representatives, in the case of a transfer from an office of the House of Representatives;

(B) the Committee on Appropriations of the Senate, in the case of a transfer from an office of the Senate; or

(C) the Committees on Appropriations of the House of Representatives and the Senate, in the case of a transfer from any other office of the Government.

(2) Amounts transferred under this subsection shall be merged with the account and made available under this section.

(3) This subsection shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

**(d) Effective date; transfer of funds**

This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year. Any amounts provided to the Architect of the Capitol prior to August 2, 2002, for the maintenance, care, and operation of buildings of the United States Capitol Police during fiscal year 2002 shall be transferred to the account.

(Pub. L. 107-206, title I, §906, Aug. 2, 2002, 116 Stat. 877; Pub. L. 115-244, div. B, title I, §132, Sept. 21, 2018, 132 Stat. 2936.)

CODIFICATION

Section was classified to section 166l 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.

AMENDMENTS

2018—Subsecs. (b) to (d). Pub. L. 115-244 added subsec. (c), redesignated former subsec. (c) as (d), and amended