

such business methods as may produce the best results consistent with economical and modern management, subject to the approval of the Senate Committee on Rules and Administration as to matters of general policy: *Provided*, That the management of the Senate Restaurants by the Architect of the Capitol shall cease and the restaurants revert from the jurisdiction of the Architect of the Capitol to the jurisdiction of the Senate Committee on Rules and Administration upon adoption by that committee of a resolution ordering such transfer of jurisdiction at any time hereafter. The provisions of section 5104(c) of title 40, except for the provisions relating to solicitation, shall not apply to any activity carried out pursuant to this section, subject to the approval of such activities by the Committee on Rules and Administration.

(Pub. L. 87-82, §1, July 6, 1961, 75 Stat. 199; Pub. L. 106-57, title I, §5, Sept. 29, 1999, 113 Stat. 412.)

#### CODIFICATION

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

Section was classified to section 174j-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.

#### AMENDMENTS

1999—Pub. L. 106-57 inserted at end: “The provisions of section 193d of this title, except for the provisions relating to solicitation, shall not apply to any activity carried out pursuant to this section, subject to the approval of such activities by the Committee on Rules and Administration.”

#### § 2043. Authorization and direction to effectuate purposes of sections 2042 to 2047 of this title

The Architect of the Capitol is authorized and directed to carry into effect for the United States Senate the provisions of sections 2042 to 2047 of this title and to exercise the authorities contained herein, and any resolution of the Senate amendatory hereof or supplementary hereto hereafter adopted. Such authority and direction shall continue until the United States Senate shall by resolution otherwise order, or until the Senate Committee on Rules and Administration shall by resolution order the restaurants to be returned to the committee’s jurisdiction.

(Pub. L. 87-82, §3, July 6, 1961, 75 Stat. 199.)

#### REFERENCES IN TEXT

Herein, referred to in text, means Pub. L. 87-82, July 6, 1961, 75 Stat. 199, as amended, which enacted sections 2042 to 2047 of this title. For complete classification of this Act to the Code, see Tables.

#### CODIFICATION

Section was classified to section 174j-3 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.

#### § 2044. Special deposit account

There is established with the Treasurer of the United States a special deposit account in the name of the Architect of the Capitol for the

United States Senate Restaurants, into which shall be deposited all sums received pursuant to sections 2042 to 2047 of this title or any amendatory or supplementary resolutions hereafter adopted and from the operations thereunder and from which shall be disbursed the sums necessary in connection with the exercise of the duties required under sections 2042 to 2047 of this title or any amendatory or supplementary resolutions and the operations thereunder. Any amounts appropriated for fiscal year 1973 and thereafter from the Treasury of the United States, which shall be part of a “Contingent Expenses of the Senate” item for the particular fiscal year involved, shall be paid to the Architect of the Capitol by the Secretary of the Senate at such times and in such sums as the Senate Committee on Rules and Administration may approve. Any such payment shall be deposited by the Architect in full under such special deposit account.

(Pub. L. 87-82, §4, July 6, 1961, 75 Stat. 199; Pub. L. 92-51, July 9, 1971, 85 Stat. 129; Pub. L. 92-342, §101, July 10, 1972, 86 Stat. 435.)

#### CODIFICATION

Section was classified to section 174j-4 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

1972—Pub. L. 92-342 substituted provision that amounts appropriated for 1973 and thereafter which shall be part of “Contingent Expenses of the Senate” be paid to the Architect of the Capitol, for provision that amounts appropriated for 1972 and thereafter specifically for Senate Restaurants as “Contingent Expenses of the Senate” be paid to Architect of the Capitol.

1971—Pub. L. 92-51 substituted “amounts appropriated for fiscal year 1972 and thereafter” for Senate Restaurants for “amounts hereafter appropriated” for such Restaurants, provision that amounts appropriated specifically for such Restaurants as a Contingent Expense of the Senate item for fiscal year involved shall be paid to Architect of the Capitol, for prior provision declaring amounts appropriated for such Restaurants shall be a part of such Restaurants as a Contingent Expense of Senate for fiscal year involved and for payment of such part to Architect of the Capitol, and provision for approval of payments by Senate Committee on Rules and Administration, including times for payments, for prior provision for payments as appropriations shall specify.

#### § 2045. Deposits and disbursements under special deposit account

Deposits and disbursements under such special deposit account (1) shall be made by the Architect, or, when directed by him, by such employees of the Architect as he may designate, and (2) shall be subject to audit by the Government Accountability Office at such times and in such manner as the Comptroller General may direct: *Provided*, That payments made by or under the direction of the Architect of the Capitol from such special deposit account shall be conclusive upon all officers of the Government.

(Pub. L. 87-82, §5, July 6, 1961, 75 Stat. 200; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

#### CODIFICATION

Section was classified to section 174j-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.

AMENDMENTS

2004—Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

**§ 2046. Bond of Architect, Assistant Architect, and other employees**

The Architect, Assistant Architect, and any employees of the Architect designated by the Architect under section 2045 of this title shall each give bond in the sum of \$5,000 with such surety as the Secretary of the Treasury may approve for the handling of the financial transactions under such special deposit account.

(Pub. L. 87-82, §6, July 6, 1961, 75 Stat. 200.)

CODIFICATION

Section was classified to section 174j-6 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.

**§ 2047. Supersedure of prior provisions for maintenance and operation of Senate Restaurants**

Sections 2042 to 2047 of this title shall supersede any other Acts or resolutions heretofore approved for the maintenance and operation of the Senate Restaurants: *Provided, however,* That any Acts or resolutions now in effect shall again become effective, should the restaurants at any future time revert to the jurisdiction of the Senate Committee on Rules and Administration.

(Pub. L. 87-82, §7, July 6, 1961, 75 Stat. 200.)

CODIFICATION

Section was classified to section 174j-7 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.

**§ 2048. Repealed. Pub. L. 110-279, §1(c)(4)(C), July 17, 2008, 122 Stat. 2606**

Section, Pub. L. 92-51, July 9, 1971, 85 Stat. 138; Pub. L. 94-59, title V, July 25, 1975, 89 Stat. 289; Pub. L. 101-509, title V, §529 [title I, §101(b)(5)], Nov. 5, 1990, 104 Stat. 1427, 1440, related to appropriations for certain miscellaneous restaurant expenses, appropriations for employment of management personnel of Senate restaurant facilities, and compensation and annual and sick leave of such personnel.

CODIFICATION

Section was classified to section 174j-8 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.

EFFECTIVE DATE OF REPEAL

Repeal effective July 17, 2008, and applicable to remainder of fiscal year in which enacted and each fiscal year thereafter, see section 2051(i) of this title.

**§ 2049. Loans for Senate Restaurants**

**(a) Borrowing authority**

Subject to the approval of the Senate Committee on Rules and Administration, the Architect of the Capitol shall have authority to borrow (and be accountable for), from time to time, from the appropriation account, within the con-

tingent fund of the Senate, for “Miscellaneous Items”, such amount as he may determine necessary to carry out the provisions of the joint resolution entitled “Joint Resolution transferring the management of the Senate Restaurants to the Architect of the Capitol, and for other purposes”, approved July 6, 1961, as amended (40 U.S.C. 174j-1 through 174j-8) [2 U.S.C. 2042 et seq.],<sup>1</sup> and resolutions of the Senate amendatory thereof or supplementary thereto.

**(b) Amount and period of loan; voucher**

Any such loan authorized pursuant to subsection (a) of this section shall be for such amount and for such period as the Senate Committee on Rules and Administration shall prescribe, and shall be made by the Secretary of the Senate to the Architect of the Capitol upon a voucher approved by the Chairman of the Senate Committee on Rules and Administration.

**(c) Deposit, credit, and future availability of proceeds from repayment**

All proceeds from the repayment of any such loan shall be deposited in the appropriation account, within the contingent fund of the Senate, for “Miscellaneous Items”, shall be credited to the fiscal year during which such loan was made, and shall thereafter be available for the same purposes for which the amount loaned was initially appropriated.

(Pub. L. 98-396, title I, Aug. 22, 1984, 98 Stat. 1395.)

REFERENCES IN TEXT

The Joint Resolution entitled “Joint Resolution transferring the management of the Senate Restaurants to the Architect of the Capitol, and for other purposes”, approved July 6, 1961, referred to in subsec. (a), is Pub. L. 87-82, July 6, 1961, 75 Stat. 199, as amended, which enacted sections 174j-1 to 174j-7 of former Title 40, Public Buildings, Property, and Works. Sections 174j-1 and 174j-3 to 174j-7 of former Title 40 were transferred to sections 2042 and 2043 to 2047 of this title, respectively. Section 174j-2 of former Title 40 was repealed by Pub. L. 107-217, §6(b), Aug. 21, 2002, 116 Stat. 1304. Section 174j-8 of former Title 40, which was not enacted by Pub. L. 87-82, was transferred to section 2048 of this title and subsequently repealed. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was classified to section 174j-9 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.

**§ 2050. Transfer of appropriations for management personnel and miscellaneous restaurant expenses to special deposit account**

Appropriations under this heading for management personnel and miscellaneous restaurant expenses on and after October 7, 1997, shall be transferred at the beginning of each fiscal year to the special deposit account in the United States Treasury established under section 2044 of this title, and effective October 1, 1997, all management personnel of the Senate Restaurant facilities shall be paid from the special deposit account. Management personnel transferred hereunder shall be paid at the same rates

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