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SUBCHAPTER I—GENERAL

§ 1801. Appointment

(a)(1) The Architect of the Capitol shall be appointed by the President by and with the advice and consent of the Senate for a term of 10 years.

(2) There is established a commission to recommend individuals to the President for appointment to the office of Architect of the Capitol. The commission shall be composed of—

(A) the Speaker of the House of Representatives,

(B) the President pro tempore of the Senate,

(C) the majority and minority leaders of the House of Representatives and the Senate, and

(D) the chairmen and the ranking minority members of the Committee on House Oversight of the House of Representatives, the Committee on Rules and Administration of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate.

The commission shall recommend at least three individuals for appointment to such office.

(3) An individual appointed Architect of the Capitol under paragraph (1) shall be eligible for reappointment to such office.

(b) Subsection (a) shall be effective in the case of appointments made to fill vacancies in the office of Architect of the Capitol which occur on or after November 21, 1989. If no such vacancy occurs within the six-year period which begins on November 21, 1989, no individual may, after the expiration of such period, hold such office unless the individual is appointed in accordance with subsection (a).

(Pub. L. 101-163, title III, § 319, Nov. 21, 1989, 103 Stat. 1068; Pub. L. 104-19, title I, § 701, July 27, 1995, 109 Stat. 220.)

Editorial Notes

CODIFICATION

Section was classified to section 162-1 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.

PRIOR PROVISIONS

Act Aug. 15, 1876, ch. 287, 19 Stat. 147, transferred duties relative to the Capitol theretofore performed by

Commissioner of Public Buildings and Grounds to Architect of the Capitol.

Act Mar. 2, 1867, ch. 167, § 2, 14 Stat. 466, abolished office of Commissioner of Public Buildings and Grounds referred to in section 1811 of this title, and transferred the duties of that office to the Chief of Engineers of the Army.

Act Sept. 30, 1850, ch. 90, § 1, 9 Stat. 538, made appropriation for “the extension of the Capitol” according to the plan as might be approved by the President, to be expended under his direction, “by such architect as he may appoint to execute the same.” Subsequent acts frequently referred to the Architect of the Capitol or to the Architect of the Capitol Extension.

Act Mar. 3, 1829, ch. 51, § 2, 4 Stat. 363, authorized President to continue office of Architect of the Capitol long enough to complete work in progress.

Act May 2, 1828, ch. 45, § 3, 4 Stat. 266, abolished office of Architect of the Capitol. The duties of that office were transferred to Commissioner of Public Buildings and Grounds, appointed by President under act April 29, 1816, ch. 150, § 2, 3 Stat. 324, to succeed a previously existing board of three commissioners of Public Buildings and Grounds.

AMENDMENTS

1995—Subsec. (a)(2). Pub. L. 104-19, § 701(1), (2), substituted “office” for “Office” in first sentence and “commission” for “Commission” in introductory provisions in second sentence.

Subsec. (a)(2)(D). Pub. L. 104-19, § 701(3), substituted “Oversight of the House of Representatives, the Committee on Rules and Administration of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate” for “Administration of the House of Representatives and the Committee on Rules and Administration of the Senate”.

Subsec. (b). Pub. L. 104-19, § 701(1), substituted “office” for “Office” in first sentence.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

The name of Superintendent of the Capitol Building and Grounds was changed to Architect of the Capitol by Act Mar. 3, 1921, ch. 124, 41 Stat. 1291, the Legislative, Executive, and Judicial Appropriation Act Mar. 3, 1921, fiscal year 1922.

The name of Architect of the Capitol was changed to Superintendent of the Capitol Building and Grounds, by act Feb. 14, 1902, ch. 17, 32 Stat. 20, popularly known as the “Urgent Deficiency Appropriation Act for 1902”.

SHORT TITLE OF 2016 AMENDMENT

Pub. L. 114-156, § 1, May 16, 2016, 130 Stat. 391, provided that: “This Act [enacting subchapter V of this chapter] may be cited as the ‘Fallen Heroes Flag Act of 2016.’”

COMPREHENSIVE MANAGEMENT STUDY AND RESPONSE

Pub. L. 107-68, title I, § 129(d), Nov. 12, 2001, 115 Stat. 580, provided that:

“(1) **STUDY BY COMPTROLLER GENERAL.**—Not later than November 1, 2002, the Comptroller General shall conduct a comprehensive management study of the operations of the Architect of the Capitol, and submit the study to the Architect of the Capitol and the Committees on Appropriations of the House of Representatives and Senate.

“(2) **PLAN BY ARCHITECT IN RESPONSE.**—After the Comptroller General submits the study conducted under paragraph (1) to the Committees referred to in such paragraph, the Architect of the Capitol shall develop and submit to such Committees a management improvement plan which addresses the study and which

indicates how the personnel for whom the Architect fixes the rate of basic pay under the amendment made by subsection (c)(1) [amending section 1849 of this title] will support such plan.”

ACCOUNTING AND FINANCIAL MANAGEMENT SYSTEM

Pub. L. 107-68, title I, § 132, Nov. 12, 2001, 115 Stat. 581, which directed the Architect of the Capitol to develop and maintain an accounting and financial management system, including financial reporting and internal controls, was from the Legislative Branch Appropriations Act, 2002.

§ 1802. Compensation

The compensation of the Architect of the Capitol shall be at an annual rate which is equal to the maximum rate of pay in effect under section 4575(f) of this title.

(Pub. L. 96-146, § 1, formerly § 1(1), Dec. 14, 1979, 93 Stat. 1086; Pub. L. 107-68, title I, § 129(a), Nov. 12, 2001, 115 Stat. 579; renumbered § 1 and amended Pub. L. 116-94, div. E, title II, § 212(a)(3)(D), Dec. 20, 2019, 133 Stat. 2775.)

Editorial Notes

CODIFICATION

Section was classified to section 162a 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.

PRIOR PROVISIONS

Prior provisions prescribing the annual rate of compensation of the Architect of the Capitol were contained in the following prior sections 162a of former Title 40, Public Buildings, Property, and Works:

Pub. L. 88-426, title II, § 203(c), Aug. 14, 1964, 78 Stat. 415; Pub. L. 90-206, title II, § 219(2), Dec. 16, 1967, 81 Stat. 639; Pub. L. 94-82, title II, § 204(b), Aug. 9, 1975, 89 Stat. 421, which was omitted as superseded by Pub. L. 96-146, § 1(1).

Acts Oct. 15, 1949, ch. 695, § 5(a), 63 Stat. 880; Aug. 5, 1955, ch. 568, § 101, 69 Stat. 515, which was repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 655.

AMENDMENTS

2019—Pub. L. 116-94 amended section generally. Prior to amendment, text read as follows: “The compensation of the Architect of the Capitol shall be at an annual rate which is equal to the lesser of the annual salary for the Sergeant at Arms of the House of Representatives or the annual salary for the Sergeant at Arms and Doorkeeper of the Senate.”

2001—Pub. L. 107-68, which directed amendment of “Section 203(c) of the Federal Legislative Salary Act of 1964 (40 U.S.C. 162a)” by striking “the annual rate of basic pay” and all that follows and inserting “the lesser of the annual salary for the Sergeant at Arms of the House of Representatives or the annual salary for the Sergeant at Arms and Doorkeeper of the Senate.”, was executed by substituting the new language for “the annual rate of basic pay payable for positions at level III of the Executive Schedule under section 5314 of title 5” in this section, which is section 1(1) of Pub. L. 96-146, to reflect the probable intent of Congress.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2019 AMENDMENT

Amendment by Pub. L. 116-94 effective on the later of the first day of the first applicable pay period beginning on or after Jan. 1, 2020, or the first day of the first applicable pay period beginning on or after Dec. 20, 2019, see section 212(c) of Pub. L. 116-94, set out as a note under section 282b of this title.