

(Pub. L. 110-437, title II, §203, Oct. 20, 2008, 122 Stat. 4987.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a)(1) and (b), was in the original “this Act”, meaning Pub. L. 110-437, Oct. 20, 2008, 122 Stat. 4983, known as the Capitol Visitor Center Act of 2008, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2201 of this title and Tables.

The General Schedule, referred to in subsec. (b)(1), is set out under section 5332 of Title 5, Government Organization and Employees.

§ 2214. Assistant to the Chief Executive Officer

(a) In general

The Architect of the Capitol shall—

(1) upon recommendation of the Chief Executive Officer, appoint an assistant who shall perform the responsibilities of the Chief Executive Officer during the absence or disability of the Chief Executive Officer, or during a vacancy in the position of the Chief Executive Officer; and

(2) notwithstanding section 2213(b)(1) of this title, fix the rate of basic pay for the position of the assistant appointed under subparagraph (A)¹ at a rate not to exceed the highest total rate of pay for the Senior Executive Service under subchapter VIII of chapter 53 of title 5 for the locality involved.

(b) Transition for current Assistant Chief Executive Officer

(1) Appointment

The individual who serves as the assistant under section 1807 of this title as of October 20, 2008, shall be the first Assistant Chief Executive Officer for Visitor Services appointed by the Architect under this section.

(2) Omitted

(Pub. L. 110-437, title II, §204, Oct. 20, 2008, 122 Stat. 4988.)

Editorial Notes

REFERENCES IN TEXT

Section 1807 of this title, referred to in subsec. (b)(1), was repealed by Pub. L. 110-437, title II, §204(b)(2), Oct. 20, 2008, 122 Stat. 4988.

CODIFICATION

Section is comprised of section 204 of Pub. L. 110-437. Subsec. (b)(2) of section 204 of Pub. L. 110-437 repealed section 1807 of this title.

§ 2215. Gift Shop

(a) Establishment

The Architect of the Capitol, acting through the Chief Executive Officer, shall establish a Capitol Visitor Center Gift Shop within the Capitol Visitor Center for the purpose of providing for the sale of gift items. All moneys received from sales and other services by the Capitol Visitor Center Gift Shop shall be deposited in the

¹So in original. Probably should be a reference to paragraph (1).

Capitol Visitor Center Revolving Fund established under section 2231 of this title and shall be available for purposes of this section.

(b) Exception to prohibition of sale or solicitation on Capitol grounds

Section 5104(c) of title 40 shall not apply to any activity carried out under this section.

(Pub. L. 110-437, title II, §205, Oct. 20, 2008, 122 Stat. 4988.)

§ 2216. Food service operations

(a) Restaurant, catering, and vending

The Architect of the Capitol, acting through the Chief Executive Officer, shall establish within the Capitol Visitor Center a restaurant and other food service facilities, including catering services and vending machines.

(b) Contract for food service operations

(1) In general

The Architect of the Capitol, acting through the Chief Executive Officer, may enter into a contract for food service operations within the Capitol Visitor Center.

(2) Existing contract unaffected

Nothing in paragraph (1) shall be construed to affect any contract for food service operations within the Capitol Visitor Center in effect on October 20, 2008.

(c) Deposits

All net profits from the food service operations within the Capitol Visitor Center and all commissions received from the contractor for such food service operations shall be deposited in the Capitol Visitor Center Revolving Fund established under section 2231 of this title.

(d) Exception to prohibition of sale or solicitation on Capitol grounds

Section 5104(c) of title 40 shall not apply to any activity carried out under this section.

(Pub. L. 110-437, title II, §206, Oct. 20, 2008, 122 Stat. 4988.)

SUBCHAPTER III—CAPITOL VISITOR CENTER REVOLVING FUND

§ 2231. Establishment and accounts

There is established in the Treasury of the United States a revolving fund to be known as the Capitol Visitor Center Revolving Fund (in this section referred to as the “Fund”), consisting of the following individual accounts:

- (1) The Gift Shop Account.
- (2) The Miscellaneous Receipts Account.

(Pub. L. 110-437, title III, §301, Oct. 20, 2008, 122 Stat. 4989.)

§ 2232. Deposits in the Fund

(a) Gift Shop Account

There shall be deposited in the Gift Shop Account all monies received from sales and other services by the gift shop established under section 2215 of this title, together with any interest accrued on balances in the Account.

(b) Miscellaneous Receipts Account

There shall be deposited in the Miscellaneous Receipts Account each of the following (to-

gether with any interest accrued on balances in the Account):

- (1) Any amounts deposited under section 2216(c) of this title.
- (2) Any other receipts received from the operation of the Capitol Visitor Center.
- (3) Any amounts described under section 2273(d) of this title.

(Pub. L. 110-437, title III, §302, Oct. 20, 2008, 122 Stat. 4989.)

§ 2233. Use of monies

(a) Gift Shop Account

(1) In general

All monies in the Gift Shop Account shall be available without fiscal year limitation for disbursement by the Architect of the Capitol, upon recommendation of the Chief Executive Officer, in connection with the operation of the gift shop under section 2215 of this title, including supplies, inventories, equipment, and other expenses. In addition, such monies may be used by the Architect of the Capitol, upon recommendation of the Chief Executive Officer, to reimburse any applicable appropriations account for amounts used from such appropriations account to pay the salaries of employees of the gift shops.

(2) Use of remaining funds

To the extent monies in the Gift Shop Account are available after disbursements and reimbursements are made under paragraph (1), the Architect of the Capitol, upon recommendation of the Chief Executive Officer, may disburse such monies for the operation of the Capitol Visitor Center, after consultation with—

- (A) the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives; and
- (B) the Committees on Appropriations of the House of Representatives and Senate.

(b) Miscellaneous Receipts Account

All monies in the Miscellaneous Receipts Account shall be available without fiscal year limitation for disbursement by the Architect of the Capitol, upon recommendation of the Chief Executive Officer, for the operations of the Capitol Visitor Center, after consultation with—

- (1) the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives; and
- (2) the Committees on Appropriations of the House of Representatives and Senate.

(Pub. L. 110-437, title III, §303, Oct. 20, 2008, 122 Stat. 4989.)

§ 2234. Administration of Fund

(a) Disbursements

Disbursements from the Fund may be made by the Architect of the Capitol, upon recommendation of the Chief Executive Officer.

(b) Investment authority

The Secretary of the Treasury shall invest any portion of the Fund that, as determined by the

Architect of the Capitol, upon recommendation of the Chief Executive Officer, is not required to meet current expenses. Each investment shall be made in an interest-bearing obligation of the United States or an obligation guaranteed both as to principal and interest by the United States that, as determined by the Architect of the Capitol, upon recommendation of the Chief Executive Officer, has a maturity date suitable for the purposes of the Fund. The Secretary of the Treasury shall credit interest earned on the obligations to the Fund.

(c) Audit

The Fund shall be subject to audit by the Comptroller General at the discretion of the Comptroller General.

(Pub. L. 110-437, title III, §304, Oct. 20, 2008, 122 Stat. 4990.)

SUBCHAPTER IV—CAPITOL GUIDE SERVICE AND OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

PART A—CAPITOL GUIDE SERVICE

§ 2241. Transfer of Capitol Guide Service

(a) Transfer of authorities and personnel to Office of the Capitol Visitor Center

In accordance with the provisions of this subchapter, effective on the transfer date—

- (1) the Capitol Guide Service shall be an office within the Office;
- (2) the contracts, liabilities, records, property, appropriations, and other assets and interests of the Capitol Guide Service, established under section 2166 of this title, and the employees of the Capitol Guide Service, are transferred to the Office, except that the transfer of any amounts appropriated to the Capitol Guide Service that remain available as of the transfer date shall occur only upon the approval of the Committees on Appropriations of the House of Representatives and Senate; and

- (3) the Capitol Guide Service shall be subject to the direction of the Architect of the Capitol, upon recommendation of the Chief Executive Officer, in accordance with this part.

(b) Treatment of employees of Capitol Guide Service at time of transfer

(1) In general

Any individual who is an employee of the Capitol Guide Service on a non-temporary basis on the transfer date who is transferred to the Office under subsection (a) shall be subject to the authority of the Architect of the Capitol under section 2242(b) of this title, except that the individual's grade, compensation, rate of leave, or other benefits that apply with respect to the individual at the time of transfer shall not be reduced while such individual remains continuously so employed in the same position within the Office, other than for cause.

(2) Eligibility for immediate retirement on basis of involuntary separation

For purposes of section 8336(d) and section 8414(b) of title 5, an individual described in