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**APPROVED**  
JAN 2-1975

ACTION

THE WHITE HOUSE

Last Day: January 4

WASHINGTON

December 30, 1974

*Posted  
1/3  
To Archives  
1/3*

MEMORANDUM FOR THE PRESIDENT  
FROM: KEN COLL *C*  
SUBJECT: Enrolled Resolution S.J. Res. 262  
Capitol Grounds Construction

Attached for your consideration is S.J. Res. 262, which would authorize the Architect of the Capitol to permit temporary construction and excavation on the Capitol grounds in connection with erecting an addition to the Teamsters Building adjacent to the Capitol.

OMB recommends approval and provides additional background information in its enrolled bill report (Tab A).

Max Friedersdorf and Phil Areeda both recommend approval.

RECOMMENDATION

That you sign S.J. Res. 262 (Tab B).



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 27 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Resolution S.J. Res. 262 - Capitol grounds  
construction  
Sponsor - Sen. Randolph (D) West Virginia

Last Day for Action

January 4, 1975 - Saturday

Purpose

To authorize the Architect of the Capitol to permit construction work on the Capitol Grounds incidental to construction on private grounds adjacent to the Capitol.

Agency Recommendations

Office of Management and Budget	Approval
Architect of the Capitol	Approval
Department of Justice	No objection

Discussion

S.J. Res. 262 would permit temporary construction and excavation on the Capitol Grounds in connection with erecting an addition to the International Brotherhood of Teamsters (Brotherhood) national building which is located adjacent to the Capitol. The resolution also authorizes temporary entrance and exist across the Capitol Grounds to the building site, and permanent construction including sewer lines, water laterals, and removal and replacement of sidewalks in connection with the extension.

Approval by the Architect would be granted on condition that:

- the United States will not incur any expense or liability in connection with this resolution and
- the Capitol Grounds will be restored to their original condition.



A third condition was erroneously omitted from the versions which passed both the House and the Senate, and finally from the enrolled resolution itself. This provision would have prevented the Brotherhood from acquiring right, title or interest in or to any improvements made on the grounds.

The Architect of the Capitol did not feel this would compromise his ability to protect Capitol property. In a letter on the enrolled bill, the Architect states:

"...the Senate and House Reports contain the statement 'The Committee requests the Architect of the Capitol to enter into an agreement defining the terms and conditions under which the work will be performed.'

"...it is my intention to include the...omitted [section] from S.J. Res. 262...in the Agreement which I will prepare and enter into with the International Brotherhood of Teamsters."

Justice concurs that this approach would be sufficient to protect the Capitol property.

In 1953 an authorization for similar temporary work was granted for the construction of the Brotherhood's national headquarters building. Conditional provisions identical to the two included and one omitted in this resolution were part of the 1953 authorization. As this is an internal congressional matter, no executive branch agencies are affected.

*Welfred H. Rommel*

Assistant Director for  
Legislative Reference



To  
Hendricks  
12-27-74

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

DEC 27 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Resolution S.J. Res. 262 - Capitol grounds  
construction  
Sponsor - Sen. Randolph (D) West Virginia

Last Day for Action

January 4, 1975 - Saturday

Purpose

To authorize the Architect of the Capitol to permit construction work on the Capitol Grounds incidental to construction on private grounds adjacent to the Capitol.

Agency Recommendations

Office of Management and Budget	Approval
Architect of the Capitol	Approval
Department of Justice	No objection

Discussion

S.J. Res. 262 would permit temporary construction and excavation on the Capitol Grounds in connection with erecting an addition to the International Brotherhood of Teamsters (Brotherhood) national building which is located adjacent to the Capitol. The resolution also authorizes temporary entrance and exist across the Capitol Grounds to the building site, and permanent construction including sewer lines, water laterals, and removal and replacement of sidewalks in connection with the extension.

Approval by the Architect would be granted on condition that:

- the United States will not incur any expense or liability in connection with this resolution and
- the Capitol Grounds will be restored to their original condition.

A third condition was erroneously omitted from the versions which passed both the House and the Senate, and finally from the enrolled resolution itself. This provision would have prevented the Brotherhood from acquiring right, title or interest in or to any improvements made on the grounds.

The Architect of the Capitol did not feel this would compromise his ability to protect Capitol property. In a letter on the enrolled bill, the Architect states:

"...the Senate and House Reports contain the statement 'The Committee requests the Architect of the Capitol to enter into an agreement defining the terms and conditions under which the work will be performed.'

"...it is my intention to include the...omitted [section] from S.J. Res. 262...in the Agreement which I will prepare and enter into with the International Brotherhood of Teamsters."

Justice concurs that this approach would be sufficient to protect the Capitol property.

In 1953 an authorization for similar temporary work was granted for the construction of the Brotherhood's national headquarters building. Conditional provisions identical to the two included and one omitted in this resolution were part of the 1953 authorization. As this is an internal congressional matter, no executive branch agencies are affected.

(signed) Wilfred H. Kowal

Assistant Director for  
Legislative Reference



Department of Justice  
Washington, D.C. 20530

DEC 24 1974

Honorable Roy L. Ash  
Director, Office of Management  
and Budget  
Washington, D.C. 20503

Dear Mr. Ash:

In compliance with your request, I have examined a facsimile of the enrolled bill (S.J. Res. 262), Authorizing the Architect of the Capitol to permit certain temporary and permanent construction work on the Capitol Grounds in connection with the erection of an addition to a building on privately owned property adjacent to the Capitol Grounds.

The purpose of this legislation is to permit the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers to perform temporary and permanent construction work on the Capitol Grounds for the addition to their headquarters building at Louisiana Avenue and D. Streets, N. W., Washington, D.C.

Authorization of the Congress is required for this type of work by an Act of February 14, 1902 which states that --

No change in the architectural features of the Capitol Building or in the landscape features of the Capitol Grounds shall be made except on plans to be approved by Congress.

and by Public Law 570, Section 5--

It is forbidden to step or climb upon, remove, or in any way injure any statue, seat, wall, fountain, or other erection or architectural feature, or any tree, shrub, plant, or turf in said United States Capitol Grounds.

Congress has traditionally authorized the Architect of the Capitol to act on its behalf.

Section 1(a) permits, on the Capitol Grounds, temporary construction for excavation and other work in connection with erecting an extension to the International Brotherhood of Teamsters national headquarters building on D. Street between New Jersey Avenue, and Louisiana Avenue, N. W. Temporary ingress and egress across Capitol Grounds to the building site is also authorized.



(b) Specifies improvements on the Capitol Grounds of a permanent nature necessary for the extention including connection of sewer and water laterals, related work, and removal and replacement of existing sidewalks. Additional trees and landscaping will be selected by the Architect of the Capitol.

Section 2 relieves the United States of liability for any claim growing out of this resolution.

Section 3 requires the grounds be restored to their original condition and work be performed under conditions satisfactory to the Architect of the Capitol.

The Department of Justice interposes no objection to Executive approval of this measure.

Sincerely,

A handwritten signature in cursive script, appearing to read "W. Vincent Rakestraw".

W. Vincent Rakestraw  
Assistant Attorney General



Washington, D.C. 20515

December 24, 1974

Mr. W. H. Rommel  
Assistant Director for  
Legislative Reference  
Office of Management and Budget  
Executive Office of the President  
Washington, D. C.

Attention: Mrs. Garziglia

Dear Sir:

In response to your communication of December 23, 1974, it is my recommendation that S.J. Res. 262, "Authorizing the Architect of the Capitol to permit certain temporary and permanent construction work on the Capitol Grounds in connection with the erection of an addition to a building on privately owned property adjacent to the Capitol Grounds", be enacted as a Public Law.

As discussed with Ms. Garten of your staff, the Senate and House in passing this Resolution, through inadvertence, omitted from the Resolution the following provision included in the Bill Draft and referred to in both the Senate and House Reports as being included in such Resolution:

"SEC.4. Nothing in this joint resolution shall be construed as conveying to the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers any right, title, or interest in or to any of the temporary or permanent improvements made by it within the Capitol Grounds pursuant to this joint resolution."

It will be noted that Sec. 3 of the Resolution contains the provision "\*\*\*all work within the Capitol Grounds herein authorized shall be performed under conditions satisfactory to the Architect of the Capitol".

It will be further noted that both the Senate and House Reports contain the statement "The Committee requests the Architect of the Capitol to enter into an agreement defining the terms and conditions under which the work will be performed. The provisions of the resolution and other assurances including bonding should be specified in the agreement".

Under the circumstances, it is my intention to include the provisions of Section 4, omitted from S.J. Res. 262 through inadvertence on the part of the Committee Staff, in the Agreement which I will prepare and enter into with the International Brotherhood of Teamsters and I have been assured by their counsel that such provision will be deemed binding upon their organization in the same manner and to the same extent as if it had been specifically stated in S.J. Res. 262.



Page 3  
Mr. W. H. Rommel

I therefore have no hesitation in recommending enactment of  
S.J. Res. 262.

Sincerely,

A handwritten signature in black ink that reads "George W. White". The signature is written in a cursive style with a large, looping initial "G".

George W. White, FAIA  
Architect of the Capitol

Note:

On page 1, on the second line of (5), the  
words "north on the curblin" should read  
"north of the curblin".

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR: WARREN HENDRIKS

FROM: *Max L. Friedersdorf* MAX L. FRIEDERSDORF

SUBJECT: Action Memorandum - Log No. 863  
Enrolled Resolution S. J. Res 262

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 863

Date: December 28, 1974

Time: 9:00 a.m.

FOR ACTION: Max Friedersdorff  
Phil Areeda *no obj*

cc (for information): Warren Hendriks  
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

Time: 1:00 p.m.

SUBJECT:

Enrolled Resolution S.J. Res. 262 - Capitol grounds construction

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.  
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 863

Date: December 28, 1974

Time: 9:00 a.m.

FOR ACTION: Max Friedersdorf  
Phil Areeda

cc (for information): Warren Hendriks  
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FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

Time: 1:00 p.m.

SUBJECT:

Enrolled Resolution S.J. Res. 262 - Capitol grounds construction

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*No Objection  
p Areeda  
OK*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.  
For the President

## CONSTRUCTION ON THE U.S. CAPITOL GROUNDS IN CONNECTION WITH ADJACENT PRIVATE CONSTRUCTION

DECEMBER 4, 1974.—Ordered to be printed

Mr. RANDOLPH, from the Committee on Public Works,  
submitted the following

### REPORT

[To accompany S.J. Res. 262]

The Committee on Public Works, reports an original joint resolution (S.J. Res. 262) authorizing the Architect of the Capitol to permit certain temporary and permanent construction work on the Capitol Grounds in connection with the erection of an addition to a building on privately owned property adjacent to the Capitol Grounds and recommends that the joint resolution do pass.

#### PURPOSE

The purpose of this legislation is to permit the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers to perform temporary and permanent construction work on the Capitol Grounds for the addition to their headquarters building at Louisiana Avenue and D Streets, NW., Washington, D.C.

#### BACKGROUND

Authorization of the Congress is required for this type of work by an Act of February 14, 1902 which states that—

No change in the architectural features of the Capitol Building or in the landscape features of the Capitol Grounds shall be made except on plans to be approved by Congress.  
and by Public Law 570, Section 5—

It is forbidden to step or climb upon, remove, or in any way injure any statue, seat, wall, fountain, or other erection or

architectural feature, or any tree, shrub, plant, or turf in said United States Capitol Grounds.

Congress has traditionally authorized the Architect of the Capitol to act on its behalf.

#### SECTION-BY-SECTION ANALYSIS

Section 1(a) permits, on the Capitol Grounds, temporary construction for excavation and other work in connection with erecting an extension to the International Brotherhood of Teamsters national headquarters building on D Street between New Jersey Avenue, and Louisiana Avenue, N.W. Temporary ingress and egress across Capitol Grounds to the building site is also authorized.

(b) Specifies improvements on the Capitol Grounds of a permanent nature necessary for the extension including connection of sewer and water laterals, related work, and removal and replacement of existing sidewalks. Additional trees and landscaping will be selected by the Architect of the Capitol.

Section 2 relieves the United States of liability for any claim growing out of this resolution.

Section 3 requires the grounds be restored to their original condition and work be performed under conditions satisfactory to the Architect of the Capitol.

Section 4 prevents the Brotherhood from acquiring any right, title, or interest in or to any improvements made by them on the Capitol Grounds.

#### GENERAL STATEMENT

In 1953, authorization for similar temporary disruption of the Capitol Grounds was granted the Teamsters while erecting the main national headquarters structure. The Teamsters were forced to interrupt construction to obtain the 83rd Congress' permission. The approval granted contained two provisions identical to sections 2 and 3 of this Joint Resolution.

Section 2 will hold and save harmless the United States from any expense or liability that may arise from this authorization. Section 3 stipulates all areas within the grounds that are disturbed by this construction shall be restored to their original condition and the work shall be performed under conditions satisfactory to the Architect of the Capitol, at no expense to the United States.

In addition the joint resolution authorizes that certain permanent utility connections be made, specifically extension of existing sewer and water laterals and related work necessary to serve the westerly extension of the union building. Section 4 of this joint resolution prevents the International Brotherhood from acquiring any right, title, or interest in the temporary or permanent improvements on the Capitol Grounds.

The Committee requests the Architect of the Capitol to enter into an agreement defining the terms and conditions under which the work will be performed. The provisions of the resolution and other assurances including bonding should be specified in the agreement.

The cooperation received during the construction of the main portion of the headquarters building from the Teamsters in preserving

the integrity and beauty of the U.S. Capitol Grounds is instrumental in the Committee's favorable response to this resolution. It is the recommendation of the Committee that the Architect of the Capitol act for the Congress in approving detailed construction plans as they affect the Capitol Grounds.

#### COST OF LEGISLATION

Section 252(a)(1) of the Legislative Reorganization Act of 1970 requires publication in this report of the Committee's estimate of the cost of reported legislation, together with estimates prepared by any Federal agency. There is no cost to the Federal Government as a result of this legislation.

#### ROLLCALL VOTES

Section 133 of the Legislative Reorganization Act of 1970 and the rules of the Committee on Public Works require that any rollcall votes be announced in this report. During the Committee's consideration of this bill no rollcall votes were taken. The measure was, on a voice vote, unanimously ordered reported.

#### CHANGES IN EXISTING LAW

In compliance with subsection 4 of the rule XXIX of the Standing Rules of the Senate, it is reported that this bill effects no change in existing law.

THE ARCHITECT OF THE CAPITOL,  
*Washington, D.C., October 22, 1974.*

HON. JENNINGS RANDOLPH,  
*Chairman, Committee on Public Works,  
U.S. Senate, Washington, D.C.*

MY DEAR MR. CHAIRMAN: In response to your letter of October 16, 1974, I herewith submit the following report on the proposed Joint Resolution authorizing the Architect of the Capitol to permit the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America to perform certain temporary and permanent construction work on the Capitol Grounds, in connection with the erection, on privately owned property, of an addition to their headquarters building at 25 Louisiana Avenue, N.W.

Under the provisions of Public Law 570, 79th Congress, approved July 31, 1946, 40 USC 193e, and the Act of February 14, 1902, 40 USC 162, governing the United States Capitol Grounds, the Architect of the Capitol is without authority to grant permission to private parties to perform construction work within the United States Capitol Grounds or to use said Capitol Grounds for the purpose of construction work on adjacent property. In instances where Congress desires to grant such permission, it is necessary that special legislation for such purpose be enacted.

Public Law 570 specifically provides in pertinent part:

"Sec. 5. It is forbidden to step or climb upon, remove, or in any way injure any statue, seat, wall, fountain, or other erection or architectural feature, or any tree, shrub, plant, or turf in said United States Capitol Grounds."

The Act of February 14, 1902 provides in pertinent part:

"No change in the architectural features of the Capitol Building or in the landscape features of the Capitol Grounds shall be made except on plans to be approved by Congress."

The International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America is intending to erect an addition to its headquarters building on property immediately to the west of its existing headquarters building at the intersection of D Street and Louisiana Avenue, N.W., in Washington, D.C. The proposed addition to the headquarters building will extend to the property line of the United States Capitol Grounds on D Street, N.W.

In order to erect the addition to its headquarters building, it is necessary for the Brotherhood to perform certain temporary and permanent construction work in the area of the Capitol Grounds immediately adjacent to the new building site.

This work will require construction of a temporary fence on Capitol Grounds property and installation of temporary sheet piling and shoring within the area of the Capitol Grounds. The construction contractor employed by the Brotherhood will have to cross the Capitol Grounds sidewalk on D Street, N.W. for hauling and removing construction and other materials, and he may also have to make temporary slope excavations which would, more or less, involve said sidewalk. The construction contractor will also have to perform some permanent construction work under said Capitol Grounds sidewalk, for the purpose of connecting the addition to their headquarters building to certain existing utilities under such sidewalk.

When the construction work is finished, the Brotherhood will have to remove the sheet piling, shoring and debris, backfill the excavated areas, and, except for underground utility connections, restore the Capitol Grounds area to its original condition, to the satisfaction of the Architect of the Capitol.

The proposed Joint Resolution authorizes the performance of the foregoing work.

The proposed Joint Resolution also authorizes certain permanent improvements consisting of the replacement of the existing sidewalks on the Capitol Grounds at D Street, N.W., between New Jersey Avenue and Louisiana Avenue, N.W.; the planting of additional trees between the street curb and the replaced sidewalk along D Street, N.W., between New Jersey Avenue and Louisiana Avenue, N.W.; the regrading and resodding of the areas between those trees; and the plugging and filling of any portion of abandoned sewer and repair or alteration of active sewer extending into the Capitol Grounds, to the extent encountered or damaged during excavation and construction of the proposed addition to the headquarters building of the Brotherhood.

The proposed Joint Resolution further authorizes other permanent improvements under the Capitol Grounds sidewalk at D Street, N.W., between New Jersey Avenue and Louisiana Avenue, N.W., for the installation and connection of sewer and water laterals required to serve the proposed addition to the headquarters of the Brotherhood.

The proposed Joint Resolution finally requires all work to be done under arrangements and conditions satisfactory to the Architect of

the Capitol and prevents the Brotherhood from acquiring any right, title, or interest in or to any improvements made by it within the Capitol Grounds.

I find the text of the proposed Joint Resolution to be in satisfactory form, sufficiently broad to authorize the granting of a permit to perform all necessary work for the construction in question, and entirely adequate to exclude any liability of the Government in connection with the proposed construction activities, on or off the Capitol Grounds, and to otherwise protect the interests of the United States. Hence, I recommend its enactment.

Upon its enactment I propose to enter into an agreement with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America which will grant the Brotherhood permission to use that portion of the Capitol Grounds needed for construction of the addition to their headquarters building; specify the work authorized to be performed in such Capitol Grounds, the terms and conditions under which it shall be performed, the kind and amount of restoration which will be required following completion of said construction; contain provisions against the incurrment of any liability or expenses by the United States on account of such agreement; and hold the United States harmless against all claims of any kind arising directly or indirectly from such agreement. In connection with such agreement I also intend to require the Brotherhood to furnish an appropriate bond to insure its undertakings.

Such agreement would conform essentially to the previous agreement entered into with the Brotherhood in connection with the construction of their original headquarters building at 25 Louisiana Avenue, N.W., adjacent to the Capitol Grounds.

Sincerely,

GEORGE M. WHITE, FAIA,  
*Architect of the Capitol.*

○

## CONSTRUCTION ON THE U.S. CAPITOL GROUNDS IN CONNECTION WITH ADJACENT PRIVATE CONSTRUCTION

DECEMBER 16, 1974.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BLATNIK, from the Committee on Public Works,  
submitted the following

### REPORT

[To accompany S.J. Res. 262]

The Committee on Public Works, to whom was referred the joint resolution (S.J. Res. 262) authorizing the Architect of the Capitol to permit certain temporary and permanent construction work on the Capitol Grounds in connection with the erection of an addition to a building on privately owned property adjacent to the Capitol Grounds, having considered the same, report favorably thereon without amendment and recommend that the joint resolution do pass.

#### PURPOSE

The purpose of this legislation is to permit the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers to perform temporary and permanent construction work on the Capitol Grounds for the addition to their headquarters building at Louisiana Avenue and D Streets, N.W., Washington, D.C.

#### BACKGROUND

Authorization of the Congress is required for this type of work by an Act of February 14, 1902 which states that—

No change in the architectural features of the Capitol Building or in the landscape features of the Capitol Grounds shall be made except on plans to be approved by Congress.

and by Public Law 570, 79th Congress, Section 5—

It is forbidden to step or climb upon, remove, or in any way injure any statue, seat, wall, fountain, or other erection or architectural feature, or any tree, shrub, plant, or turf in said United States Capitol Grounds.

Congress has traditionally authorized the Architect of the Capitol to act on its behalf.

#### SECTION-BY-SECTION ANALYSIS

Section 1(a) permits, on the Capitol Grounds, temporary construction for excavation and other work in connection with erecting an extension to the International Brotherhood of Teamsters national headquarters building on D Street between New Jersey Avenue and Louisiana Avenue, N.W. Temporary ingress and egress across Capitol Grounds to the building site is also authorized.

(b) Specifies improvements on the Capitol Grounds of a permanent nature necessary for the extension including connection of sewer and water laterals, related work, and removal and replacement of existing sidewalks. Additional trees and landscaping will be selected by the Architect of the Capitol.

Section 2 relieves the United States of liability for any claim growing out of this resolution.

Section 3 requires the grounds be restored to their original condition and work be performed under conditions satisfactory to the Architect of the Capitol.

Section 4 prevents the Brotherhood from acquiring any right, title, or interest in or to any improvements made by them on the Capitol Grounds.

#### GENERAL STATEMENT

In 1953, authorization for similar temporary disruption of the Capitol Grounds was granted the Teamsters while erecting the main national headquarters structure. The Teamsters were forced to interrupt construction to obtain the 83rd Congress' permission. The approval granted contained two provisions identical to sections 2 and 3 of this Joint Resolution.

Section 2 will hold and save harmless the United States from any expense or liability that may arise from this authorization. Section 3 stipulates all areas within the grounds that are disturbed by this construction shall be restored to their original condition and the work shall be performed under conditions satisfactory to the Architect of the Capitol, at no expense to the United States.

In addition, the joint resolution authorizes that certain permanent utility connections be made, specifically extension of existing sewer and water laterals and related work necessary to serve the westerly extension of the union building. Section 4 of this joint resolution prevents the Brotherhood from acquiring any right, title, or interest in the temporary or permanent improvements on the Capitol Grounds.

The Committee requests the Architect of the Capitol to enter into an agreement defining the terms and conditions under which the work will be performed. The provisions of the resolution and other assurances including bonding should be specified in the agreement.

The cooperation received during the construction of the main portion of the headquarters building from the Teamsters in preserving the integrity and beauty of the U.S. Capitol Grounds is instrumental in the Committee's favorable response to this resolution. It is the recom-

mentation of the Committee that the Architect of the Capitol act for the Congress in approving detailed construction plans as they affect the Capitol Grounds.

COST OF LEGISLATION

Rule XII (7) of the Rules of the House of Representatives requires a statement of the estimated costs to the United States which would be included in carrying out S.J. Res. 262, as reported, in Fiscal Year 1975, and each of the following five Fiscal Years:

Enactment of this legislation will not result in any cost to the United States.

VOTE

The Committee ordered the bill reported by voice vote.

THE ARCHITECT OF THE CAPITOL,  
*Washington, D.C., October 22, 1974.*

HON. JENNINGS RANDOLPH,  
*Chairman, Committee on Public Works,  
U.S. Senate, Washington, D.C.*

MY DEAR MR. CHAIRMAN: In response to your letter of October 16, 1974, I herewith submit the following report on the proposed Joint Resolution authorizing the Architect of the Capitol to permit the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America to perform certain temporary and permanent construction work on the Capitol Grounds, in connection with the erection, on privately owned property, of an addition to their headquarters building at 25 Louisiana Avenue, N.W.

Under the provisions of Public Law 570, 79th Congress, approved July 31, 1946, 40 USC 193e, and the Act of February 14, 1902, 40 USC 162, governing the United States Capitol Grounds, the Architect of the Capitol is without authority to grant permission to private parties to perform construction work within the United States Capitol Grounds or to use said Capitol Grounds for the purpose of construction work on adjacent property. In instances where Congress desires to grant such permission, it is necessary that special legislation for such purpose be enacted.

Public Law 570 specifically provides in pertinent part:

"Sec. 5. It is forbidden to step or climb upon, remove, or in any way injure any statue, seat, wall, fountain, or other erection or architectural feature, or any tree, shrub, plant, or turf in said United States Capitol Grounds."

The Act of February 14, 1902 provides in pertinent part:

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The International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America is intending to erect an addition to its headquarters building on property immediately to the west of its existing headquarters building at the intersection of D Street and Louisiana Avenue, N.W., in Washington, D.C. The proposed addition

to the headquarters building will extend to the property line of the United States Capitol Grounds on D Street, N.W.

In order to erect the addition to its headquarters building, it is necessary for the Brotherhood to perform certain temporary and permanent construction work in the area of the Capitol Grounds immediately adjacent to the new building site.

This work will require construction of a temporary fence on Capitol Grounds property and installation of temporary sheet piling and shoring within the area of the Capitol Grounds. The construction contractor employed by the Brotherhood will have to cross the Capitol Grounds sidewalk on D Street, N.W., for hauling and removing construction and other materials, and he may also have to make temporary slope excavations which would, more or less, involve said sidewalk. The construction contractor will also have to perform some permanent construction work under said Capitol Grounds sidewalk, for the purpose of connecting the addition to their headquarters building to certain existing utilities under such sidewalk.

When the construction work is finished, the Brotherhood will have to remove the sheet piling, shoring and debris, backfill the excavated areas, and, except for underground utility connections, restore the Capitol Grounds area to its original condition, to the satisfaction of the Architect of the Capitol.

The proposed Joint Resolution authorizes the performance of the foregoing work.

The proposed Joint Resolution also authorizes certain permanent improvements consisting of the replacement of the existing sidewalks on the Capitol Grounds at D Street, N.W., between New Jersey Avenue and Louisiana Avenue, N.W.; the planting of additional trees between the street curb and the replaced sidewalk along D Street, N.W., between New Jersey Avenue and Louisiana Avenue, N.W.; the regarding and resodding of the areas between those trees; and the plugging and filling of any portion of abandoned sewer and repair or alteration of active sewer extending into the Capitol Grounds, to the extent encountered or damaged during excavation and construction of the proposed addition to the headquarters building of the Brotherhood.

The proposed Joint Resolution further authorizes other permanent improvements under the Capitol Grounds sidewalk at D Street, N.W., between New Jersey Avenue and Louisiana Avenue, N.W., for the installation and connection of sewer and water laterals required to serve the proposed addition to the headquarters of the Brotherhood.

The proposed Joint Resolution finally requires all work to be done under arrangements and conditions satisfactory to the Architect of the Capitol and prevents the Brotherhood from acquiring any right, title, or interest in or to any improvements made by it within the Capitol Grounds.

I find the text of the proposed Joint Resolution to be in satisfactory form, sufficiently broad to authorize the granting of a permit to perform all necessary work for the construction in question, and entirely adequate to exclude any liability of the Government in connection

with the proposed construction activities, on or off the Capitol Grounds, and to otherwise protect the interests of the United States. Hence, I recommend its enactment.

Upon its enactment I propose to enter into an agreement with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America which will grant the Brotherhood permission to use that portion of the Capitol Grounds needed for construction of the addition to their headquarters building; specify the work authorized to be performed in such Capitol Grounds, the terms and conditions under which it shall be performed, the kind and amount of restoration which will be required following completion of said construction; contain provisions against the incurrment of any liability or expenses by the United States on account of such agreement; and hold the United States harmless against all claims of any kind arising directly or indirectly from such agreement. In connection with such agreement I also intend to require the Brotherhood to furnish an appropriate bond to insure its undertakings.

Such agreement would conform essentially to the previous agreement entered into with the Brotherhood in connection with the construction of their original headquarters building at 25 Louisiana Avenue, N.W., adjacent to the Capitol Grounds.

Sincerely,

GEORGE M. WHITE, FAIA,  
*Architect of the Capitol.*

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# Ninety-third Congress of the United States of America

## AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,  
one thousand nine hundred and seventy-four*

### Joint Resolution

Authorizing the Architect of the Capitol to permit certain temporary and permanent construction work on the Capitol Grounds in connection with the erection of an addition to a building on privately owned property adjacent to the Capitol Grounds.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. (a) The Architect of the Capitol is hereby authorized to permit (1) the performance within the United States Capitol Grounds of excavation, temporary construction, or other work, that may be necessary for the construction of an addition to the national headquarters building, and other related facilities, of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers on D Street Northwest between New Jersey Avenue Northwest and Louisiana Avenue Northwest commencing at the westerly end of the existing headquarters building and extending westward to a point approximately thirty-five feet from the intersection of New Jersey Avenue and D Street Northwest, in the District of Columbia; and (2) the use of Capitol Grounds property located north of the street curb on D Street Northwest between New Jersey Avenue Northwest and Louisiana Avenue Northwest, for purposes of ingress and egress to and from the building site during such construction. No permanent construction shall extend into the United States Capitol Grounds except as otherwise provided in subsection (b) of this section.

(b) The Architect of the Capitol is hereby authorized to permit the following improvements of a permanent nature to be made on Capitol Grounds property located north of the street curb at D Street Northwest between New Jersey Avenue Northwest and Louisiana Avenue Northwest:

(1) the extension of existing sewers and the building of new manholes under the northern sidewalk of D Street Northwest between New Jersey Avenue Northwest and Louisiana Avenue Northwest, to accommodate service laterals from the proposed new building addition, and the installation of necessary laterals;

(2) the installation of service laterals from existing water mains under the northern sidewalk of D Street Northwest between New Jersey Avenue Northwest and Louisiana Avenue Northwest, as may be required for the proposed new building addition;

(3) the removal and replacement of existing sidewalks located on Capitol Grounds property north of the curbline on D Street Northwest between New Jersey Avenue Northwest and Louisiana Avenue Northwest, including the removal and replacement of a driveway into an existing parking lot, to serve building facilities after construction of the proposed new building addition;

(4) the planting of additional trees between the street curb and the new sidewalk along D Street Northwest between New Jersey Avenue Northwest and Louisiana Avenue Northwest, of a number and kind prescribed and selected by the Architect of the Capitol;

(5) the regrading and resodding of the remaining area between the street curb and the new sidewalk north on the curbline on D Street Northwest between New Jersey Avenue Northwest and Louisiana Avenue Northwest; and

(6) the plugging and filling of any portion of abandoned sewer and the repair and/or alteration of any active sewer which extend into the Capitol Grounds on D Street Northwest between New

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Jersey Avenue Northwest and Louisiana Avenue Northwest and which are encountered or damaged during excavation for, and construction of, the proposed new building addition.

SEC. 2. The United States shall not incur any expense or liability whatsoever, under or by reason of this joint resolution, or be liable under any claim of any nature or kind that may arise from anything that may be connected with or grow out of this joint resolution.

SEC. 3. No work shall be performed within the Capitol Grounds pursuant to this joint resolution until the Architect of the Capitol shall have been furnished with such assurances as he may deem necessary that all areas within such grounds, disturbed by reason of such construction, shall, except as otherwise provided in this joint resolution, be restored to their original condition without expense to the United States; and all work within the Capitol Grounds herein authorized shall be performed under conditions satisfactory to the Architect of the Capitol.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*