

115TH CONGRESS  
1ST SESSION

# H. R. 2542

To amend title 40, United States Code, to direct the Administrator of General Services to incorporate bird-safe building materials and design features into public buildings, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2017

Mr. QUIGLEY (for himself, Mr. GRIFFITH, Mr. ZELDIN, Mr. CAPUANO, Mr. HUFFMAN, Mr. CICILLINE, Ms. SPEIER, Mr. CARTWRIGHT, Mr. MCGOVERN, Mr. GALLEG0, Mr. GUTIÉRREZ, Mr. MCNERNEY, Mr. COHEN, Mr. BEYER, Ms. DELBENE, Ms. NORTON, and Mr. LANGEVIN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 40, United States Code, to direct the Administrator of General Services to incorporate bird-safe building materials and design features into public buildings, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Bird-Safe  
5 Buildings Act of 2017”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Nearly one-third of the 800 bird species in  
4 the United States are endangered, threatened, or in  
5 significant decline.

6 (2) In the United States alone, an estimated 1  
7 billion birds die annually from striking buildings,  
8 bridges, and other manmade structures, with glass  
9 being one of the primary causes of the deaths.

10 (3) Birds have a significant impact on the  
11 United States economy, as evidenced by United  
12 States Fish and Wildlife Service estimates that the  
13 47 million birdwatchers in the United States con-  
14 tribute \$40 billion annually to the Nation's economy.

15 (4) The General Services Administration is obli-  
16 gated, under Executive Order 13186, to “support  
17 the conservation intent of the migratory bird conven-  
18 tions by integrating bird conservation principles,  
19 measures, and practices into agency activities and by  
20 avoiding or minimizing, to the extent practicable, ad-  
21 verse impacts on migratory bird resources when con-  
22 ducting agency actions”.

23 **SEC. 3. USE OF BIRD-SAFE BUILDING MATERIALS AND DE-**  
24 **SIGN FEATURES.**

25 (a) IN GENERAL.—Chapter 33 of title 40, United  
26 States Code, is amended—

1           (1) by redesignating sections 3314, 3315, and  
2           3316 as sections 3315, 3316, and 3317, respectively;  
3           and

4           (2) by inserting after section 3313 the fol-  
5           lowing:

6   **“§ 3314. Use of bird-safe building materials and de-**  
7           **sign features**

8           “(a) CONSTRUCTION, ALTERATION, AND ACQUI-  
9           TION OF PUBLIC BUILDINGS.—Each public building con-  
10          structed, substantially altered (in the opinion of the Com-  
11          missioner of Public Buildings), or acquired by the Admin-  
12          istrator of General Services shall meet, to the maximum  
13          extent practicable, as determined by the Administrator,  
14          the following standards:

15                 “(1) At least 90 percent of the exposed facade  
16          material from ground level to 40 feet—

17                         “(A) shall not be composed of glass; or

18                         “(B) shall be composed of glass employ-  
19          ing—

20                                 “(i) elements that preclude bird colli-  
21          sions without completely obscuring vision,  
22          such as secondary facades, netting,  
23          screens, shutters, and exterior shades;

1           “(ii) ultraviolet (UV) patterned glass  
2           that contains UV-reflective or contrasting  
3           patterns that are visible to birds;

4           “(iii) patterns on glass designed in ac-  
5           cordance with a rule that restricts hori-  
6           zontal spaces to less than 2 inches high  
7           and vertical spaces to less than 4 inches  
8           wide, commonly referred to as the ‘2 × 4  
9           rule’;

10           “(iv) opaque, etched, stained, frosted,  
11           or translucent glass; or

12           “(v) any combination of the methods  
13           described in this subparagraph.

14           “(2) At least 60 percent of the exposed facade  
15           material above 40 feet shall meet the standard de-  
16           scribed in paragraph (1)(A) or (1)(B).

17           “(3) There shall not be any transparent pas-  
18           sageways or corners.

19           “(4) All glass adjacent to atria or courtyards  
20           containing water features, plants, and other mate-  
21           rials attractive to birds shall meet the standard de-  
22           scribed in paragraph (1)(B).

23           “(5) Outside lighting shall be appropriately  
24           shielded and minimized.

1 “(b) MONITORING.—The Administrator shall take  
2 such actions as may be necessary to ensure that actual  
3 bird mortality is monitored at each public building.

4 “(c) EXISTING BUILDINGS AND LIGHTING.—

5 “(1) IN GENERAL.—The Administrator, where  
6 practicable, as determined by the Administrator,  
7 shall reduce exterior building and site lighting for  
8 each public building.

9 “(2) USE OF AUTOMATIC CONTROL TECH-  
10 NOLOGIES.—In carrying out paragraph (1), the Ad-  
11 ministrator shall make use of automatic control  
12 technologies, including timers, photo-sensors, and in-  
13 frared and motion detectors.

14 “(d) EXEMPT BUILDINGS.—This section shall not  
15 apply to—

16 “(1) a historic building of national significance  
17 within the meaning of the Act of August 21, 1935  
18 (16 U.S.C. 461 et seq.; commonly known as the His-  
19 toric Sites, Buildings, and Antiquities Act);

20 “(2) the White House and its grounds;

21 “(3) the Supreme Court building and its  
22 grounds; or

23 “(4) the United States Capitol and its related  
24 buildings and grounds.”.

1           (b) CLERICAL AMENDMENT.—The analysis for such  
2 chapter is amended by striking the items relating to sec-  
3 tions 3314, 3315, and 3316 and inserting the following:

“3314. Use of bird-safe building materials and design features.

“3315. Delegation.

“3316. Report to Congress.

“3317. Certain authority not affected.”.

