

116TH CONGRESS  
1ST SESSION

# H. R. 919

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

JANUARY 30, 2019

Mr. QUIGLEY (for himself, Mr. GRIFFITH, Mr. COHEN, Mr. ZELDIN, Mr. MCNERNEY, Mr. HUFFMAN, Mr. GALLEG0, Mr. CARTWRIGHT, Mr. BLUMENAUER, Ms. WILSON of Florida, Mr. CICILLINE, Mr. CARSON of Indiana, Mr. LOWENTHAL, Mr. GRIJALVA, Ms. KUSTER of New Hampshire, Ms. SCHAKOWSKY, and Mr. SOTO) 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 “Bird-Safe Buildings  
5 Act of 2019”.

1 **SEC. 2. USE OF BIRD-SAFE BUILDING MATERIALS AND DE-**  
2 **SIGN FEATURES.**

3 (a) IN GENERAL.—Chapter 33 of title 40, United  
4 States Code, is further amended by adding at the end the  
5 following:

6 **“§ 3319. 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, acquired, or of which more than 50 percent of  
11 the facade is substantially altered (in the opinion of the  
12 Commissioner of Public Buildings) by the Administrator  
13 of General Services shall meet, to the maximum extent  
14 practicable, as determined by the Administrator, the fol-  
15 lowing standards:

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

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

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

21 “(i) elements that preclude bird colli-  
22 sions without completely obscuring vision,  
23 such as secondary facades, netting,  
24 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 subject to security and other  
25                   mission related requirements.

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 and consistent with security and other  
7 mission related requirements, as determined by the  
8 Administrator, shall reduce exterior building and site  
9 lighting for each public building. This paragraph  
10 shall not apply to buildings in which the Adminis-  
11 trator does not have control of the exterior building  
12 and site lighting.

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

18       “(d) ADDITIONAL METHODS.—In carrying out the  
19 requirements of this section, the Administrator may em-  
20 ploy any available methods and strategies that are in ac-  
21 cordance with existing effective best practices to reduce  
22 bird mortality.

23       “(e) EXCEPTION FOR SIGNIFICANT COST.—The re-  
24 quirements of this section shall not apply to any acquisi-  
25 tion or substantial alteration described in subsection (a)

1 if the Administrator, after consideration of multiple op-  
2 tions, determines that the use of the required building ma-  
3 terials and design features would result in a significant  
4 additional cost for the project.

5 “(f) EXEMPT BUILDINGS.—This section shall not  
6 apply to—

7 “(1) any building or site listed, or eligible for  
8 listing, on the National Register of Historic Places;

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

10 “(3) the Supreme Court building and its  
11 grounds; or

12 “(4) the United States Capitol and its related  
13 buildings and grounds.”.

14 (b) CLERICAL AMENDMENT.—The table of sections  
15 at the beginning of chapter 33 of title 40, United States  
16 Code, is further amended by adding at the end the fol-  
17 lowing new item:

“3319. Use of bird-safe building materials and design features.”.

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