

112TH CONGRESS  
1ST SESSION

# H. R. 1643

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

APRIL 15, 2011

Mr. QUIGLEY 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 2011”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1           (1) a multi-agency report issued in 2009, enti-  
2           tled “The State of the Birds, United States of  
3           America”, provides the most comprehensive assess-  
4           ment to date on the status of bird populations;

5           (2) the multi-agency report concludes that near-  
6           ly one-third of the Nation’s 800 bird species are en-  
7           dangered, threatened, or in significant decline;

8           (3) death from collisions with man-made struc-  
9           tures is one of the most serious sources of avian  
10          mortality, and it is increasing;

11          (4) not only are birds beautiful and interesting  
12          creatures that are eagerly welcomed by millions of  
13          Americans into their backyards every year, but birds  
14          also have an impact on the United States economy;

15          (5) the United States Fish and Wildlife Service  
16          has reported that birdwatchers contribute \$36 billion  
17          annually to the United States economy, and birds  
18          naturally provide billions of dollars worth of pest  
19          control, benefitting farmers and consumers alike;

20          (6) the U.S. Green Building Council has added  
21          bird-friendly language to the Leadership in Energy  
22          and Environmental Design (LEED) Reference  
23          Guide, which will have the impact of recognizing  
24          bird-friendly design in awarding LEED credits;

1 (7) bird-safe design features can be incor-  
2 porated into new construction and major renovation  
3 projects at no extra cost, and existing buildings may  
4 be made bird-safe through the use of simple, low-  
5 cost adaptations;

6 (8) the General Services Administration is obli-  
7 gated, under Executive Order 13186, to “support  
8 the conservation intent of the migratory bird conven-  
9 tions by integrating bird conservation principles,  
10 measures, and practices into agency activities and by  
11 avoiding or minimizing, to the extent practicable, ad-  
12 verse impacts on migratory bird resources when con-  
13 ducting agency actions”; and

14 (9) the General Services Administration has al-  
15 ready constructed many award-winning, bird-friendly  
16 buildings, including the San Francisco Federal  
17 Building, the Suitland Census Complex, the United  
18 States courthouse in Eugene, Oregon, the Beltsville  
19 ATF Laboratory Center, and the United States  
20 courthouse in Buffalo, New York.

21 **SEC. 3. USE OF BIRD-SAFE BUILDING MATERIALS AND DE-**  
22 **SIGN FEATURES.**

23 (a) IN GENERAL.—Chapter 33 of title 40, United  
24 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, altered, or acquired by the Administrator of Gen-  
11          eral Services shall incorporate, to the maximum extent  
12          feasible as determined by the Administrator, bird-safe  
13          building materials and design features.

14          “(b) EXISTING BUILDINGS AND LIGHTING.—The Ad-  
15          ministrator, where practicable, shall—

16                 “(1) incorporate bird-safe building materials  
17                 and design features into existing public buildings;  
18                 and

19                 “(2) address interior and exterior lighting’s im-  
20                 pacts on native bird species.

21          “(c) BIRD-SAFE BUILDING MATERIALS DEFINED.—  
22          In this section, the term ‘bird-safe building materials and  
23          design features’ includes the materials and features rec-  
24          ommended by—

1           “(1) the city of Chicago’s ‘Bird-Safe Building  
2           Design Guide for New Construction and Renova-  
3           tion’;

4           “(2) the city of Toronto’s ‘Bird-Friendly Devel-  
5           opment Guidelines’; and

6           “(3) the American Bird Conservancy and New  
7           York City Audubon’s ‘Bird-Safe Building Guide-  
8           lines’.”.

9           (b) CLERICAL AMENDMENT.—The analysis for such  
10          chapter is amended by striking the items relating to sec-  
11          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.”.

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