

§ 2107. Conservation, restoration, replication, or replacement of items in United States Senate Collection

(a) Use of moneys in Senate contingent fund

Effective with the fiscal year ending September 30, 2006, and each fiscal year thereafter, subject to the approval of the Committee on Appropriations of the Senate, any unexpended and unobligated funds in the appropriation account for the “Secretary of the Senate” within the contingent fund of the Senate which have not been withdrawn in accordance with section 4107 of this title, shall be available for the expenses incurred, without regard to the fiscal year in which incurred, for the purchase of art and historical objects for the United States Senate Collection, for exhibits and public education relating to the United States Senate Collection, for administrative and transitional expenses of the Senate Commission on Art, and for the conservation, restoration, and replication or replacement, in whole or in part, of works of art, historical objects, documents, or material relating to historical matters for placement or exhibition within the Senate wing of the United States Capitol, any Senate Office Building, or any room, corridor, or other space therein. In the case of replication or replacement of such works, objects, documents, or material, the funds available under this subsection shall be available for any such works, objects, documents, or material previously contained within the Senate wing of the Capitol, or a work, object, document, or material historically accurate.

(b) United States Senate Collection

All such works, objects, documents, or materials referred to in subsection (a) may be known as the “United States Senate Collection”.

(c) Approval of disbursements by Chairman or Executive Secretary of Senate Commission on Art

Disbursements for expenses incurred for the purposes in subsection (a) shall be made upon vouchers approved by the Chairman of the Senate Commission on Art or the Executive Secretary of the Senate Commission on Art.

(Pub. L. 101-302, title III, § 316, May 25, 1990, 104 Stat. 246; Pub. L. 101-520, title III, § 323, Nov. 5, 1990, 104 Stat. 2285; Pub. L. 102-90, title III, § 310, Aug. 14, 1991, 105 Stat. 467; Pub. L. 102-392, title III, § 312, Oct. 6, 1992, 106 Stat. 1723; Pub. L. 103-69, title III, § 314, Aug. 11, 1993, 107 Stat. 713; Pub. L. 103-283, title III, § 309, July 22, 1994, 108 Stat. 1442; Pub. L. 104-53, title III, § 311, Nov. 19, 1995, 109 Stat. 538; Pub. L. 104-197, title III, § 313, Sept. 16, 1996, 110 Stat. 2415; Pub. L. 105-55, title III, § 309, Oct. 7, 1997, 111 Stat. 1198; Pub. L. 105-275, title III, § 311, Oct. 21, 1998, 112 Stat. 2457; Pub. L. 106-57, title III, § 309, Sept. 29, 1999, 113 Stat. 427; Pub. L. 106-554, § 1(a)(2) [title I, § 8, title III, § 309], Dec. 21, 2000, 114 Stat. 2763, 2763A-98, 2763A-119; Pub. L. 107-68, title III, § 308, Nov. 12, 2001, 115 Stat. 592; Pub. L. 108-7, div. H, title II, § 207, Feb. 20, 2003, 117 Stat. 383; Pub. L. 108-83, title I, §§ 3(d)(2), 7, Sept. 30, 2003, 117 Stat. 1013; Pub. L. 108-447, div. G, title I, § 3, Dec. 8, 2004, 118 Stat. 3169; Pub. L. 109-55, title I, § 3, Aug. 2, 2005, 119 Stat. 568.)

Editorial Notes

CODIFICATION

Section was classified to section 188b-6 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107-217, § 1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

2005—Subsec. (a). Pub. L. 109-55 substituted “2006” for “2005” in first sentence.

2004—Subsec. (a). Pub. L. 108-447 substituted “2005” for “2004” in first sentence.

2003—Subsec. (a). Pub. L. 108-83, in first sentence, substituted “2004” for “2003” and inserted “for the purchase of art and historical objects for the United States Senate Collection, for exhibits and public education relating to the United States Senate Collection, for administrative and transitional expenses of the Senate Commission on Art, and” after “in which incurred.”

Pub. L. 108-7 substituted “2003” for “2002” in first sentence.

2001—Subsec. (a). Pub. L. 107-68 substituted “2002” for “2001” in first sentence.

2000—Subsec. (a). Pub. L. 106-554, § 1(a)(2) [title III, § 309], substituted “2001” for “2000” in first sentence.

Pub. L. 106-554, § 1(a)(2) [title I, § 8(1), (2)], in first sentence, substituted “works of art, historical objects, documents, or material relating to historical matters for placement or exhibition” for “items of art, fine art, and historical items” and, in second sentence, substituted “such works, objects, documents, or material” for “such items” in two places and “a work, object, document, or material” for “an item”.

Subsec. (b). Pub. L. 106-554, § 1(a)(2) [title I, § 8(3)], substituted “such works, objects, documents, or materials” for “such items of art” and “may” for “shall”.

1999—Subsec. (a). Pub. L. 106-57 substituted “2000” for “1999”.

1998—Subsec. (a). Pub. L. 105-275 substituted “1999” for “1998”.

1997—Subsec. (a). Pub. L. 105-55 substituted “1998” for “1997”.

1996—Subsec. (a). Pub. L. 104-197 substituted “1997” for “1996”.

1995—Subsec. (a). Pub. L. 104-53 substituted “1996” for “1995”.

1994—Subsec. (a). Pub. L. 103-283 substituted “1995” for “1994”.

1993—Subsec. (a). Pub. L. 103-69 substituted “1994” for “1993”.

1992—Subsec. (a). Pub. L. 102-392 substituted “1993” for “1992”.

1991—Subsec. (a). Pub. L. 102-90 substituted “1992” for “1991”.

1990—Subsec. (a). Pub. L. 101-520 substituted “1991” for “1990”.

§ 2108. Provisions relating to Senate Commission on Art

(a) Authority to acquire and dispose

(1) In general

The Senate Commission on Art (referred to in this section as the “Commission”) may—

(A) accept gifts of money; and

(B) acquire (by gift, purchase, or otherwise) any work of art, historical object, document, or material relating to historical matters, or exhibit, for placement or exhibition in the Senate Wing of the Capitol, the Senate Office Buildings, or in rooms, spaces, or corridors thereof.

(2) Accession or disposal

All works of art, historical objects, documents, or material related to historical mat-

ters, or exhibits, acquired by the Commission may, as determined by the Commission and after consultation with the Curatorial Advisory Board, be—

(A) retained for accession to the United States Senate Collection or other use; or

(B) disposed of by sale or other transaction.

(3) Omitted

(b) Advisory boards

(1) Curatorial Advisory Board

There is established a Board which shall be chaired by the Senate Curator. The Curatorial Advisory Board shall provide advice and assistance to the Commission on the acquisition, care, and disposition of items for or within the United States Senate Collection, and on such other matters as the Commission determines appropriate.

(2) Additional advisory boards

(A) In general

The Commission, or the chairman and vice chairman acting jointly on behalf of the Commission and after giving notice to the Commission, may establish 1 or more additional advisory boards.

(B) Term

The term of existence for an additional advisory board—

- (i) shall be specified by the Commission but no longer than 4 years; and
- (ii) shall be renewable.

(C) Purpose

The purpose of an additional advisory board shall be to provide advice and assistance to the Commission and to further the purposes of the Commission.

(3) Appointments

(A) In general

Subject to subparagraph (B), the Curatorial Advisory Board and other advisory boards established by the Commission under paragraph (2) shall be composed of members appointed by the Commission, or the chairman and vice chairman acting jointly on behalf of the Commission and after giving notice to the Commission.

(B) Applicable rules

Members appointed under subparagraph (A)—

- (i) shall be appointed from public and private life and shall serve at the pleasure of the Commission; and
- (ii) in the case of individuals appointed to the Curatorial Advisory Board, shall be experts or have significant experience in the field of arts, historic preservation, or other appropriate fields.

Each member of the Commission may have appointed to an advisory board created by the Commission at least 1 individual requested by that member.

(4) Members

A member of a board under this subsection—

(A) may, at the discretion of the Commission, be reimbursed for actual and necessary

expenses incurred in the performance of the official duties of the board from any funds available to the Commission in accordance with applicable Senate regulations for such expenses; and

(B) shall not, by virtue of such member's service on the board, be deemed to be an officer, employee, or agent of the Senate and may not bind the Senate in any contract or obligation.

(5) Terms for additional advisory board members

Members appointed to the other advisory boards created under paragraph (2) shall serve for terms as stated in their appointment, but no longer than a term of 4 years, except that any member may be reappointed upon the expiration of their term.

(6) Regulations

The Commission, or the chairman and vice chairman acting jointly on behalf of the Commission and after giving notice to the Commission, in consultation with the Committee on Rules and Administration, may promulgate such regulations governing advisory boards established under this subsection as are necessary to carry out the purposes of this subsection.

(7) Assistance

The Executive Secretary of the Commission shall provide assistance to an advisory board as authorized by the Commission.

(c) Establishment of Senate Preservation Fund

(1) Establishment

There is established in the Treasury a fund, to be known as the "Senate Preservation Fund" (in this section referred to as the "fund"), which shall consist of amounts deposited and credited under paragraph (3).

(2) Payment of costs

The fund shall be available to the Commission for the payment of acquisition and transaction costs incurred for acquisitions under subsection (a), for official activities of any advisory board established under subsection (b), for any purposes for which funds from the contingent fund of the Senate may be used under section 2107(a) of this title, and for expenditures, not to exceed \$10,000 in any fiscal year, for meals and refreshments in Capitol facilities in connection with official activities of the Commission or other authorized programs or activities.

(3) Deposits, credits, disbursements, and transfers

(A) Deposits

The Commission shall deposit in the fund amounts appropriated for use of the fund, gifts of money, and proceeds of transactions under subsection (a).

(B) Credits

The Secretary of the Treasury shall credit to the fund the interest on, and the proceeds from sale or redemption of, obligations held in the fund.

(C) Disbursements

Disbursements from the fund shall be made on vouchers approved by the Commis-

sion and signed by the Executive Secretary of the Commission.

(D) Transfers

(i) In general

The Commission may, for individual conservation or restoration projects estimated to cost greater than \$100,000, transfer amounts in the fund to the Architect of the Capitol for the cost of conservation or restoration, in whole or in part, by the Architect of the Capitol of works of art, historical objects, documents, or material relating to historical matters placed or exhibited, or to be placed or exhibited, within the Senate wing of the United States Capitol or any Senate Office Building.

(ii) Availability

Amounts transferred to the Architect of the Capitol under clause (i) and not subject to return under clause (v) shall remain available until expended.

(iii) Approval and oversight of conservation or restoration

Before authorizing transfers under clause (i), in whole or in part, the Commission, or the chairman and vice chairman acting jointly on behalf of the Commission and after giving notice to the Commission, shall review and approve a conservation or restoration project for which such amounts are intended (referred to in this section as the “Project”). The Commission may require updated reports on the Project before any additional amounts are transferred for the Project. No disbursements may be made from funds transferred under clause (i) that are inconsistent with the Project approved by the Commission upon which the relevant transfer is based.

(iv) Acceptance of donations

The Commission retains the discretion whether or not to approve the acceptance of any donation to the fund regardless of whether the donation is intended for a conservation or restoration Project under clause (i).

(v) Issuance of guidelines

The Commission may prescribe such guidelines as it deems necessary for the approval and transfer of any amounts under clause (i) and the return of any undisbursed amounts.

(vi) Return of unused funds

The Commission may require the return of amounts transferred to the Architect of the Capitol under clause (i) and not disbursed pursuant to an approved Project within five years of the transfer. Such amounts will be returned to the fund for use or disposition as the Commission shall determine appropriate. For purposes of this subsection, the Commission may, at any time, specify a date of return greater than five years from the transfer.

(vii) Disbursement and audit responsibility

Once amounts are transferred pursuant to clause (i), disbursements from trans-

ferred funds shall be made by the Architect of the Capitol upon review of vouchers by the Architect of the Capitol and not subject to the audit provisions of clause¹ (c)(6) of this section. Such disbursements shall be limited to purposes for which funds may be disbursed pursuant to this section.

(viii) Termination

The authority to transfer amounts to the Architect of the Capitol under clause (i) shall expire ten years after the date of its initial enactment. Any amounts transferred prior to the termination of authority to transfer may continue to be expended in accordance with this section.

(4) Investments

(A) In general

The Secretary of the Treasury shall invest any portion of the fund that, as determined by the Commission, is not required to meet current withdrawals.

(B) Type of obligation

Each investment required by this paragraph shall be made in an interest bearing obligation of the United States or an obligation guaranteed as to the principal and interest by the United States that, as determined by the Commission, has a maturity suitable for the fund.

(C) Commission approval

In carrying out this subsection, the Secretary of the Treasury may make such purchases, sales, and redemption of obligations as may be approved by the Commission.

(5) Services and support

The Library of Congress shall provide financial management and disbursing services and support to the Commission as may be required and mutually agreed to by the Librarian of Congress and the Executive Secretary of the Commission.

(6) Audits

The Comptroller General of the United States shall conduct periodic audits of the Senate Preservation Fund, which shall be conducted at least once every 3 years, unless the Chairman or the Ranking Member of the Committee on Rules and Administration of the Senate or the Secretary of the Senate requests that an audit be conducted at an earlier date, and shall report the results of each audit to the Commission.

(Pub. L. 108–83, title I, § 3, Sept. 30, 2003, 117 Stat. 1010; Pub. L. 109–55, title I, § 4, Aug. 2, 2005, 119 Stat. 568; Pub. L. 112–234, § 2(h), Dec. 28, 2012, 126 Stat. 1625; Pub. L. 115–31, div. I, title I, § 2, May 5, 2017, 131 Stat. 571.)

Editorial Notes

CODIFICATION

Section is comprised of section 3 of Pub. L. 108–83. Subsec. (a)(3) of section 3 of Pub. L. 108–83 repealed sec-

¹ So in original. Probably should be “subsection”.

tion 2106 of this title. Subsec. (d) of section 3 of Pub. L. 108–83 amended sections 2101 and 2107 of this title.

Section is from the Legislative Branch Appropriations Act, 2004.

AMENDMENTS

2017—Subsec. (c)(3). Pub. L. 115–31, §2(1), substituted “disbursements, and transfers” for “and disbursements” in heading.

Subsec. (c)(3)(D). Pub. L. 115–31, §2(2), added subpar. (D).

2012—Subsec. (c)(6). Pub. L. 112–234 substituted “periodic audits of the Senate Preservation Fund, which shall be conducted at least once every 3 years, unless the Chairman or the Ranking Member of the Committee on Rules and Administration of the Senate or the Secretary of the Senate requests that an audit be conducted at an earlier date,” for “annual audits of the Senate Preservation Fund”.

2005—Subsec. (c)(2). Pub. L. 109–55 substituted “for any purposes for which funds from the contingent fund of the Senate may be used under section 2107(a) of this title, and for expenditures, not to exceed \$10,000 in any fiscal year, for meals and refreshments in Capitol facilities in connection with official activities of the Commission or other authorized programs or activities” for “and for any purposes for which funds from the contingent fund of the Senate may be used under section 2107(a) of this title”.

PART C—HOUSE OF REPRESENTATIVES FINE ARTS BOARD

§ 2121. House of Representatives Fine Arts Board

(a) Establishment and authority

There is established in the House of Representatives a Fine Arts Board (hereafter in sections 2121 and 2122 of this title referred to as the “Board”), comprised of the House of Representatives members of the Joint Committee on the Library. The chairman of the Committee on House Oversight of the House of Representatives shall be the chairman of the Board. The Board, in consultation with the House Office Building Commission, shall have authority over all works of fine art, historical objects, and similar property that are the property of the Congress and are for display or other use in the House of Representatives wing of the Capitol, the House of Representatives Office Buildings, or any other location under the control of the House of Representatives.

(b) Clerk of the House of Representatives

Under the supervision and direction of the Board, the Clerk of the House of Representatives shall be responsible for the administration, maintenance, and display of the works of fine art and other property referred to in subsection (a).

(c) Architect of the Capitol

The Architect of the Capitol shall provide assistance to the Board and to the Clerk of the House of Representatives in the carrying out of their responsibilities under sections 2121 and 2122 of this title.

(Pub. L. 100–696, title X, §1001, Nov. 18, 1988, 102 Stat. 4611; Pub. L. 104–186, title II, §221(8), Aug. 20, 1996, 110 Stat. 1749.)

Editorial Notes

CODIFICATION

Section was classified to section 188c of former Title 40, prior to the enactment of Title 40, Public Buildings,

Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104–186 substituted “House Oversight” for “House Administration”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

§ 2122. Acceptance of gifts on behalf of the House of Representatives

The Board is authorized to accept, on behalf of the House of Representatives, gifts of works of fine art, historical objects, and similar property, including transfers from the United States Capitol Preservation Commission under section 2082 of this title, for display or other use in the House of Representatives wing of the Capitol, the House of Representatives Office Buildings, or any other location under the control of the House of Representatives.

(Pub. L. 100–696, title X, §1002, Nov. 18, 1988, 102 Stat. 4612.)

Editorial Notes

CODIFICATION

Section was classified to section 188c–1 of former Title 40, prior to the enactment of Title 40, Public Buildings, Property, and Works, by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

PART D—MISCELLANEOUS

Statutory Notes and Related Subsidiaries

PLAQUE TO HONOR MEMBERS OF LAW ENFORCEMENT WHO RESPONDED ON JANUARY 6, 2021

Pub. L. 117–103, div. I, title II, §214, Mar. 15, 2022, 136 Stat. 527, provided that:

“(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States owes its deepest gratitude to those officers of the United States Capitol Police and the Metropolitan Police Department of the District of Columbia, as well as officers from other Federal, State, and local law enforcement agencies and protective entities, who valiantly protected the United States Capitol, Members of Congress, and staff on January 6, 2021.

“(b) PLAQUE.—Not later than 1 year after the date of the enactment of this Act [Mar. 15, 2022], the Architect of the Capitol shall obtain an honorific plaque listing the names of all of the officers of the United States Capitol Police, the Metropolitan Police Department of the District of Columbia, and other Federal, State, and local law enforcement agencies and protective entities who responded to the violence that occurred at the United States Capitol on January 6, 2021, and shall place the plaque at a permanent location on the western front of the United States Capitol.