

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.

“(c) COMPILATION AND CONFIRMATION OF LIST OF NAMES.—

“(1) LIST OF NAMES FOR PLAQUE.—The Chairs and Ranking Members of the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and the Subcommittees on the Legislative Branch of the Committees on Appropriations of the House of Representatives and Senate shall jointly compile and confirm a list 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 whose names should be included on the plaque under this section.

“(2) INCLUSION OF NAMES OF SPECIFIC OFFICERS.—In compiling the list under paragraph (1), the Chairs and Ranking Members of the Committees and Subcommittees described in such paragraph shall include the names of the specific individuals described in paragraph (2) of section 215(c) of H. R. 4346, One Hundred Seventeenth Congress, as passed by the House of Representatives on July 28, 2021.”

### § 2131. National Statuary Hall

Suitable structures and railings shall be erected in the old hall of Representatives for the reception and protection of statuary, and the same shall be under the supervision and direction of the Architect of the Capitol. And the President is authorized to invite all the States to provide and furnish statues, in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof, and illustrious for their historic renown or for distinguished civic or military services, such as each State may deem to be worthy of this national commemoration; and when so furnished, the same shall be placed in the old hall of the House of Representatives, in the Capitol of the United States, which is set apart, or so much thereof as may be necessary, as a national statuary hall for the purpose herein indicated.

(R.S. § 1814; Aug. 15, 1876, ch. 287, 19 Stat. 147.)

#### Editorial Notes

##### CODIFICATION

Section was classified to section 187 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.

R.S. § 1814 derived from act July 2, 1864, ch. 210, § 2, 13 Stat. 347.

Section 2 of act July 2, 1864, gave the supervision and direction of the National Statuary Hall to the Commissioner of Public Buildings.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred, etc., by prior acts, see Prior Provisions and Change of Name notes set out under section 1801 of this title.

### § 2131a. Eligibility for placement of statues in National Statuary Hall

#### (a) Eligibility

No statue of any individual may be placed in National Statuary Hall until after the expiration of the 10-year period which begins on the date of the individual's death.

#### (b) Exceptions

Subsection (a) does not apply with respect to—

(1) the statue obtained and placed in National Statuary Hall under this Act; or

(2) any statue provided and furnished by a State under section 2131 of this title or any replacement statue provided by a State under section 2132 of this title.

(Pub. L. 109–116, § 2, Dec. 1, 2005, 119 Stat. 2524.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in subsec. (b)(1), is Pub. L. 109–116, Dec. 1, 2005, 119 Stat. 2524, which enacted this section and provisions set out as a note under this section. For complete classification of this Act to the Code, see Tables.

#### Statutory Notes and Related Subsidiaries

##### PLACEMENT OF STATUE OF ROSA PARKS IN NATIONAL STATUARY HALL

Pub. L. 109–116, § 1, Dec. 1, 2005, 119 Stat. 2524, as amended by Pub. L. 110–120, § 1(a), Nov. 19, 2007, 121 Stat. 1348, provided that:

“(a) OBTAINING STATUE.—Not later than 4 years after the date of the enactment of this Act [Dec. 1, 2005], the Joint Committee on the Library shall enter into an agreement to obtain a statue of Rosa Parks, under such terms and conditions as the Joint Committee considers appropriate consistent with applicable law. The Joint Committee may authorize the Architect of the Capitol to enter into the agreement and related contracts required under this subsection on its behalf, under such terms and conditions as the Joint Committee may require.

“(b) PLACEMENT.—The Joint Committee shall place the statue obtained under subsection (a) in the United States Capitol in a suitable permanent location in National Statuary Hall.”

[Pub. L. 110–120, § 1(b), Nov. 19, 2007, 121 Stat. 1348, provided that: “The amendments made by subsection (a) [amending section 1 of Pub. L. 109–116, set out above] shall take effect as if included in the enactment of Public Law 109–116.”]

### § 2132. Replacement of statue in Statuary Hall

#### (a) Request by State

(1) Any State may request the Joint Committee on the Library of Congress to approve the replacement of a statue the State has provided for display in Statuary Hall in the Capitol of the United States under section 2131 of this title.

(2) A request shall be considered under paragraph (1) only if—

(A) the request has been approved by a resolution adopted by the legislature of the State and the request has been approved by the Governor of the State, and

(B) the statue to be replaced has been displayed in the Capitol of the United States for at least 10 years as of the time the request is made, except that the Joint Committee may waive this requirement for cause at the request of a State.

#### (b) Agreement upon approval

If the Joint Committee on the Library of Congress approves a request under subsection (a), the Architect of the Capitol shall enter into an agreement with the State to carry out the replacement in accordance with the request and any conditions the Joint Committee may re-

quire for its approval. Such agreement shall provide that—

(1) the new statue shall be subject to the same conditions and restrictions as apply to any statue provided by a State under section 2131 of this title, and

(2) the State shall pay any costs related to the replacement, including costs in connection with the design, construction, transportation, and placement of the new statue, the removal and transportation of the statue being replaced, and any unveiling ceremony.

**(c) Limitation on number of State statues**

Nothing in this section shall be interpreted to permit a State to have more than two statues on display in the Capitol of the United States.

**(d) Ownership of replaced statue; removal**

(1) Subject to the approval of the Joint Committee on the Library, ownership of any statue replaced under this section shall be transferred to the State.

(2) If any statue is removed from the Capitol of the United States as part of a transfer of ownership under paragraph (1), then it may not be returned to the Capitol for display unless such display is specifically authorized by Federal law.

**(e) Relocation of statues**

The Architect of the Capitol, upon the approval of the Joint Committee on the Library and with the advice of the Commission of Fine Arts as requested, is authorized and directed to relocate within the United States Capitol any of the statues received from the States under section 2131 of this title prior to December 21, 2000, and to provide for the reception, location, and relocation of the statues received on and after December 21, 2000, from the States under such section.

(Pub. L. 106-554, §1(a)(2) [title III, §311], Dec. 21, 2000, 114 Stat. 2763, 2763A-119.)

**Editorial Notes**

**CODIFICATION**

Section was classified to section 187a 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.

**Statutory Notes and Related Subsidiaries**

**LOCATION OF STATUES**

House Concurrent Resolution 47, passed Feb. 24, 1933, 47 Stat. Part 2, 1784, provided: “That the Architect of the Capitol, upon the approval of the Joint Committee on the Library, with the advice of the Commission of Fine Arts, is hereby authorized and directed to relocate within the Capitol any of the statues already received and placed in Statuary Hall, and to provide for the reception and location of the statues received hereafter from the States.”

**§ 2133. Acceptance and supervision of works of fine arts**

The Joint Committee on the Library, whenever, in their judgment, it is expedient, are authorized to accept any work of the fine arts, on behalf of Congress, which may be offered, and to assign the same such place in the Capitol as they may deem suitable, and shall have the su-

pervision of all works of art that may be placed in the Capitol.

(R.S. §1831.)

**Editorial Notes**

**CODIFICATION**

Section was classified to section 188 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.

R.S. §1831 derived from act June 10, 1872, ch. 415, §1, 17 Stat. 362.

**Statutory Notes and Related Subsidiaries**

**WORKS OF ART ACCEPTED OR REMOVED**

The following provisions relate to works of art accepted or removed by the Joint Committee on the Library:

Pub. L. 117-326, Dec. 27, 2022, 136 Stat. 4452.—Replacement of bust of Roger Brooke Taney with bust of Thurgood Marshall.

Pub. L. 117-111, Apr. 13, 2022, 136 Stat. 1166.—Statues of Sandra Day O'Connor and Ruth Bader Ginsburg.

Pub. L. 112-174, Sept. 20, 2012, 126 Stat. 1311.—Statue of Frederick Douglass.

Pub. L. 109-427, Dec. 20, 2006, 120 Stat. 2912.—Bust of Sojourner Truth.

**§ 2134. Art exhibits**

No work of art or manufacture other than the property of the United States shall be exhibited in the National Statuary Hall, the Rotunda, Emancipation Hall of the Capitol Visitor Center, or the corridors of the Capitol.

(R.S. §1815; Mar. 3, 1875, ch. 130, 18 Stat. 376; Mar. 3, 1879, ch. 182, 20 Stat. 391; Pub. L. 110-437, title I, §101(f)(2), Oct. 20, 2008, 122 Stat. 4985.)

**Editorial Notes**

**CODIFICATION**

Section was classified to section 189 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.

Section is based on act Mar. 3, 1879, popularly known as the “Sundry Civil Appropriation Act, fiscal year 1879”.

R.S. §1815 derived from act July 20, 1868, ch. 176, §6, 15 Stat. 110.

**AMENDMENTS**

2008—Pub. L. 110-437 inserted “Emancipation Hall of the Capitol Visitor Center,” after “Rotunda,”.

**§ 2135. Private studios and works of art**

No room in the Capitol shall be used for private studios or works of art, without permission from the Joint Committee on the Library, given in writing; and it shall be the duty of the Architect of the Capitol to carry this provision into effect.

(Mar. 3, 1875, ch. 130, 18 Stat. 376.)

**Editorial Notes**

**CODIFICATION**

Section was classified to section 190 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.

SUBCHAPTER VI—BOTANIC GARDEN AND  
NATIONAL GARDEN

**§ 2141. Supervision of Botanic Garden**

The supervision of the Capitol police shall extend over the Botanical Garden.

(R.S. § 1826.)

**Editorial Notes**

CODIFICATION

Section was classified to section 215 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.

R.S. § 1826 derived from Res. July 15, 1870, No. 131, 16 Stat. 391.

**§ 2142. Superintendent of Botanic Garden and greenhouses**

There shall be a superintendent and assistants in the Botanical Garden and greenhouses, who shall be under the direction of the Joint Committee on the Library.

(R.S. § 1827.)

**Editorial Notes**

CODIFICATION

Section was classified to section 216 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.

R.S. § 1827 derived from act Mar. 3, 1873, ch. 226, § 1, 17 Stat. 491.

**§ 2143. Utilization of personnel by Architect of the Capitol for maintenance and operation of Botanic Garden**

On and after December 27, 1974, with the approval of the Joint Committee on the Library, the Architect of the Capitol may utilize personnel paid from appropriations under his control for performance of administrative and clerical duties in connection with the maintenance and operation of the United States Botanic Garden, to such extent as he may deem feasible.

(Pub. L. 93-554, title I, ch. III, Dec. 27, 1974, 88 Stat. 1777.)

**Editorial Notes**

CODIFICATION

Section was classified to section 216b 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.

**§ 2144. Disbursement of appropriations for Botanic Garden**

On and after November 5, 1990, all appropriations made on account of the Botanic Garden shall be disbursed for that purpose in the same manner as other appropriations under the control of the Architect of the Capitol.

(Pub. L. 101-520, title II, Nov. 5, 1990, 104 Stat. 2270.)

**Editorial Notes**

CODIFICATION

Section was classified to section 216d 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.

**§ 2145. Restriction on use of appropriation for Botanic Garden**

On and after July 31, 1958, no part of any appropriation for the Botanic Garden shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

(Pub. L. 85-570, July 31, 1958, 72 Stat. 450.)

**Editorial Notes**

CODIFICATION

Section was classified to section 216a 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.

**§ 2146. National Garden**

**(a) Establishment; gifts**

The Architect of the Capitol, subject to the direction of the Joint Committee on the Library, is authorized to—

(1) construct a National Garden demonstrating the diversity of plants, including the rose, our national flower, to be located between Maryland and Independence Avenues, S.W., and extending from the Botanic Garden Conservatory to Third Streets, S.W., in the District of Columbia; and

(2) solicit, receive, accept, and hold gifts, including money, plant material, and other property, on behalf of the Botanic Garden, and to dispose of, utilize, obligate, expend, disburse, and administer such gifts for the benefit of the Botanic Garden, including among other things, the carrying out of any programs, duties, or functions of the Botanic Garden, and for constructing, equipping, and maintaining the National Garden referred to in paragraph (1).

**(b) Gifts and bequests of money; investment; appropriations**

(1) Gifts or bequests of money under subsection (a)(2) shall, when received by the Architect, be deposited with the Treasurer of the United States, who shall credit these deposits as offsetting collections to an account entitled "Botanic Garden, Gifts and Donations". The gifts or bequests described under subsection (a)(2) shall be accepted only in the total amount provided in appropriations Acts.

(2) The Secretary of the Treasury shall invest any portion of the account designated in paragraph (1) that, as determined by the Architect, is not required to meet current expenses. Each investment shall be made in an interest-bearing obligation of the United States or an obligation guaranteed both as to principal and interest by the United States that, as determined by the Architect, has a maturity date suitable for the purposes of the account. The Secretary of the Treasury shall credit interest earned on the obligations to the account.

(3) Receipts, obligations, and expenditures of funds under this section shall be included in annual estimates submitted by the Architect for the operation and maintenance of the Botanic Garden and such funds shall be expended by the