

Arts Board, as the case may be, transfer such property to the entity consulted;

(2) if a transfer described in paragraph (1) is not appropriate, dispose of the work of fine art by sale or other transaction; and

(3) in the case of property that is not directly related to the purposes referred to in section 2081(a) of this title, dispose of such property by sale or other transaction.

(c) Requirements for conduct of transactions

In conducting transactions under this section, the Commission shall—

(1) accept money only in the form of a check or similar instrument made payable to the Treasury of the United States and shall deposit any such check or instrument in accordance with section 2083 of this title;

(2) in making sales and engaging in other property transactions, take into consideration market conditions and other relevant factors; and

(3) assure that each transaction is directly related to the purposes referred to in section 2081(a) of this title.

(Pub. L. 100-696, title VIII, § 802, Nov. 18, 1988, 102 Stat. 4609; Pub. L. 101-302, title III, § 312(a), May 25, 1990, 104 Stat. 245.)

Editorial Notes

CODIFICATION

Section was classified to section 188a-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.

AMENDMENTS

1990—Subsec. (b)(1). Pub. L. 101-302 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “upon agreement with the Joint Committee on the Library, the Senate Commission on Art, or the House of Representatives Fine Arts Board, as the case may be, transfer such property to the entity with which the agreement is made;”.

§ 2083. Capitol Preservation Fund

(a) In general

There is established in the Treasury a fund, to be known as the “Capitol Preservation Fund” (hereafter in this part referred to as the “fund”), which shall consist of (1) amounts deposited, and interest and proceeds credited, under subsection (d), (2) obligations obtained under subsection (e), and (3) all surcharges received by the Secretary of the Treasury from the sale of coins minted under the Bicentennial of the United States Congress Commemorative Coin Act.

(b) Availability of fund

The fund shall be available to the Commission—

(1) for payment of transaction costs and similar expenses incurred under section 2082 of this title;

(2) subject to the approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, for improvement and preservation projects for the United States Capitol;

(3) for disbursement with respect to works of fine art and other property as provided in section 2082 of this title; and

(4) for such other payments as may be required to carry out section 2081 of this title or section 2082 of this title.

(c) Transaction costs and proportionality

In carrying out this section, the Commission shall, to the extent practicable, take such action as may be necessary—

(1) to minimize disbursements under subsection (b)(1); and

(2) to equalize disbursements under subsection (b) between the Senate and the House of Representatives.

(d) Deposits, credits, and disbursements

The Commission shall deposit in the fund gifts of money and proceeds of transactions under section 2082 of this title. 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. Disbursements from the fund shall be made on vouchers approved by the Commission and signed by the co-chairmen.

(e) Investments

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. Each investment shall be made in an interest bearing obligation of the United States or an obligation guaranteed as to principal and interest by the United States that, as determined by the Commission has a maturity suitable for the fund. In carrying out this subsection, the Secretary may make such purchases, sales, and redemptions of obligations as may be approved by the Commission.

(Pub. L. 100-696, title VIII, § 803, Nov. 18, 1988, 102 Stat. 4609; Pub. L. 101-302, title III, § 312(b), May 25, 1990, 104 Stat. 245.)

Editorial Notes

REFERENCES IN TEXT

The Bicentennial of the United States Congress Commemorative Coin Act, referred to in subsec. (a), is Pub. L. 100-673, Nov. 17, 1988, 102 Stat. 3992, which is set out as a note under section 5112 of Title 31, Money and Finance.

CODIFICATION

Section was classified to section 188a-2 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

1990—Subsec. (b). Pub. L. 101-302, § 312(b)(1), struck out “subject to the approval, except for the purchase of fine art and antiques, of the Committees on Appropriations of the House of Representatives and Senate, respectively” after “The fund shall be available to the Commission”.

Subsec. (b)(2). Pub. L. 101-302, § 312(b)(2), inserted “subject to the approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate,” before “For improvement”.

Statutory Notes and Related Subsidiaries

CAPITOL VISITOR CENTER FUNDING

Pub. L. 107-117, div. B, § 913, Jan. 10, 2002, 115 Stat. 2324, provided that:

“(a) Notwithstanding any other provision of law, the United States Capitol Preservation Commission established under section 801 of the Arizona-Idaho Conservation Act of 1988 (40 U.S.C. 188a) [now 2 U.S.C. 2081] may transfer to the Architect of the Capitol amounts in the Capitol Preservation Fund established under section 803 of such Act (40 U.S.C. 188a-2) [now 2 U.S.C. 2083] if the amounts are to be used by the Architect for the planning, engineering, design, or construction of the Capitol Visitor Center.

“(b) Any amounts transferred pursuant to subsection (a) shall remain available for the use of the Architect of the Capitol until expended.

“(c) This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.”

§ 2084. Audits by the Comptroller General

The Comptroller General shall conduct periodic audits of the transactions of the Commission, 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 Committee on House Administration of the House of Representatives, the Secretary of the Senate, or the Clerk of the House of Representatives requests that an audit be conducted at an earlier date, and shall report the results of each audit to the Congress.

(Pub. L. 100-696, title VIII, § 804, Nov. 18, 1988, 102 Stat. 4610; Pub. L. 112-234, § 2(a), Dec. 28, 2012, 126 Stat. 1624.)

Editorial Notes

CODIFICATION

Section was classified to section 188a-3 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

2012—Pub. L. 112-234 substituted “periodic audits of the transactions of the Commission, 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 Committee on House Administration of the House of Representatives, the Secretary of the Senate, or the Clerk of the House of Representatives requests that an audit be conducted at an earlier date,” for “annual audits of the transactions of the Commission”.

§ 2085. Advisory boards

The Commission may establish appropriate boards to provide advice and assistance to the Commission and to further the purposes of the Commission. The boards shall be composed of members (including chairmen) who shall be appointed by the Commission from public and private life and shall serve at the pleasure of the Commission and each co-chairman of the Commission may appoint one member to any such board. The members of boards under this section may be reimbursed for actual and necessary expenses incurred in the performance of the duties of the boards, at the discretion of the Commission.

(Pub. L. 100-696, title VIII, § 805, Nov. 18, 1988, 102 Stat. 4610.)

Editorial Notes

CODIFICATION

Section was classified to section 188a-4 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.

§ 2086. Definition

As used in this part, the term “Member of the House of Representatives” means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

(Pub. L. 100-696, title VIII, § 806, Nov. 18, 1988, 102 Stat. 4610.)

Editorial Notes

CODIFICATION

Section was classified to section 188a-5 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 B—SENATE COMMISSION ON ART

§ 2101. Senate Commission on Art

(a) Establishment

There is hereby established a Senate Commission on Art (hereinafter referred to as “the Commission”) consisting of the President pro tempore of the Senate, the chairman and ranking minority member of the Committee on Rules and Administration of the Senate, and the majority and minority leaders of the Senate.

(b) Chairman and Vice Chairman; quorum; Executive Secretary

The Majority Leader and Minority Leader of the Senate shall be the chairman and vice chairman, respectively, of the Commission. Three members of the Commission shall constitute a quorum for the transaction of business, except that the Commission may fix a lesser number which shall constitute a quorum for the taking of testimony. The Secretary of the Senate shall be the Executive Secretary of the Commission¹

(c) Appointment of Senate Curator; assignment of assistants

The Secretary of the Senate shall appoint a Senate Curator approved by the Senate Commission on Art. The Senate Curator shall be an employee of the Secretary of the Senate assigned to assist the Commission. The Secretary of the Senate shall assign additional employees to assist the Commission, and provide such other assistance, as the Commission determines necessary.

(d) Hearings and meetings

The Commission shall be empowered to hold hearings, summon witnesses, administer oaths, employ reporters, request the production of papers and records, take such testimony, and adopt such rules for the conduct of its hearings and meetings, as it deems necessary.

(Pub. L. 100-696, title IX, § 901(a), (b)(1), (3), Nov. 18, 1988, 102 Stat. 4610, 4611; Pub. L. 108-83, title I, § 3(d)(1), Sept. 30, 2003, 117 Stat. 1012.)

¹ So in original. Probably should be followed by a period.