

funds administered by it and all works of art acquired by it.

**(d) Annual reports**

The board shall submit to the Smithsonian Institution an annual report of its operations under this subchapter, including a detailed statement of all acquisitions and loans of works of art and of all public and private moneys received and disbursed.

(Mar. 24, 1937, ch. 50, § 5, 50 Stat. 53.)

**SUBCHAPTER III—NATIONAL PORTRAIT GALLERY**

**§ 75a. Definitions**

For the purposes of this subchapter—

(a) The term “Board” means the Board of Regents of the Smithsonian Institution.

(b) The term “Commission” means the National Portrait Gallery Commission as provided for in this subchapter.

(c) The term “Gallery” means the National Portrait Gallery established by this subchapter.

(d) The term “gift” includes a gift, bequest, or devise, whether outright or in trust, and any legal instrument by which the gift is effected.

(e) The term “portraiture” includes portraits and reproductions thereof made by any means or process, whether invented or developed heretofore or hereafter.

(Pub. L. 87-443, § 2, Apr. 27, 1962, 76 Stat. 62; Pub. L. 94-209, Feb. 5, 1976, 90 Stat. 30.)

**AMENDMENTS**

1976—Subsec. (e). Pub. L. 94-209 substituted “includes portraits and reproductions thereof made by any means or process, whether invented or developed heretofore or hereafter” for “for purposes of this subchapter shall mean painted or sculptured likenesses”.

**SHORT TITLE**

Pub. L. 87-443, § 1, Apr. 27, 1962, 76 Stat. 62, provided: “That this Act [enacting this subchapter] may be cited as the ‘National Portrait Gallery Act.’”

**§ 75b. Establishment of National Portrait Gallery; functions**

(a) There is established in the Smithsonian Institution a bureau which shall be known as the National Portrait Gallery. The functions of such bureau shall be those authorized by this subchapter. The use for the purposes of the Gallery of any part of the building transferred to the Smithsonian Institution pursuant to the Act of March 28, 1958 (72 Stat. 68), is authorized.

(b) The Gallery shall function as a free public museum for the exhibition and study of portraiture and statuary depicting men and women who have made significant contributions to the history, development, and culture of the people of the United States and of the artists who created such portraiture and statuary.

(Pub. L. 87-443, § 3, Apr. 27, 1962, 76 Stat. 62.)

**REFERENCES IN TEXT**

Act of March 28, 1958, referred to in subsec. (a), is act Mar. 28, 1958, Pub. L. 85-357, 72 Stat. 68, which was not classified to the Code.

**PATENT OFFICE BUILDING IMPROVEMENTS**

Pub. L. 108-72, § 3, Aug. 15, 2003, 117 Stat. 888, provided that:

**“(a) AUTHORIZATION OF USE OF FUNDS.—**

“(1) IN GENERAL.—The Board of Regents of the Smithsonian Institution may plan, design, and construct improvements to the interior and exterior of the Patent Office Building (including the construction of a roof covering for the courtyard), using funds available to the Institution from nonappropriated sources.

“(2) DEFINITION.—In this section, the term ‘Patent Office Building’ means the building transferred to the Smithsonian Institution pursuant to Public Law 85-357 [72 Stat. 68].

“(b) DESIGN AND SPECIFICATIONS.—The design and specifications for any exterior alterations authorized by subsection (a) shall be—

“(1) submitted by the Secretary of the Smithsonian Institution (referred to in this section as the ‘Secretary’) to the Commission of Fine Arts for comments and recommendations; and

“(2) subject to the review and approval of the National Capital Planning Commission in accordance with section 8722 of title 40, United States Code, and section 16 of the Act of June 20, 1938 (sec. 6-641.15, D.C. Official Code).

“(c) AUTHORITY OF HISTORIC PRESERVATION AGENCIES.—

“(1) IN GENERAL.—The Secretary shall—

“(A) take into account the effect of the improvements authorized by subsection (a) on the historic character of the Patent Office Building; and

“(B) provide the Advisory Council on Historic Preservation a reasonable opportunity to comment with regard to such improvements.

“(2) STATUS OF SMITHSONIAN.—In carrying out this subsection, and in carrying out other projects in the District of Columbia which are subject to the review and approval of the National Capital Planning Commission in accordance with section 16 of the Act of June 20, 1938 (sec. 6-641.15, D.C. Official Code), the Smithsonian Institution shall be deemed to be an agency for purposes of compliance with regulations promulgated by the Advisory Council on Historic Preservation pursuant to section 106 of the National Historic Preservation Act ([former] 16 U.S.C. 470f) [see 54 U.S.C. 306108].”

**§ 75c. Creation of National Portrait Gallery Commission; members; functions; powers**

There is created the National Portrait Gallery Commission. The number, manner of appointment and tenure of the members of the Commission shall be such as the Board may from time to time prescribe. The Board may delegate to the Commission any function of the Gallery or any function of the Board with respect to the Gallery. The Board may make rules and regulations for the conduct of the affairs of the Commission and the operation of the Gallery, and to the extent and under such limitations as the Board deems advisable, the Board may delegate to the Commission the power to make such rules and regulations.

(Pub. L. 87-443, § 4, Apr. 27, 1962, 76 Stat. 62.)

**§ 75d. Acceptance of gifts; title to property**

(a) The Board is authorized to accept for the Smithsonian Institution gifts of any property for the benefit of the Gallery.

(b) Legal title to all property (except property of the United States) held for the use or benefit of the Gallery shall be vested in the Smithsonian Institution. Subject to any limitations otherwise expressly provided by law, and, in the case of any gift, subject to any applicable restrictions under the terms of such gift, the