In subsec. (b)(3), ''section 6101 of title 41'' substituted for ''section 3709 of the Revised Statutes'' on authority of Pub. L. 111–350, § 6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

Section was classified to section 216c 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

1998—Subsec. (b)(2), (3). Pub. L. 105–275 added par. (2) and redesignated former par. (2) as (3).

1995—Subsec. (a)(1). Pub. L. 104–53 substituted ''plants'' for ''plans''.

1991—Pub. L. 102–229 amended section generally. Prior to amendment, section read as follows: ''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 United States Botanic Garden Conservatory to Third Street, S.W., in the District of Columbia; and

''(2) accept gifts, including money, plants, volunteer time, planning, construction and installation expenses, assistance and implements, and garden structures, on behalf of the United States Botanic Garden for the purpose of constructing the National Garden described in paragraph (1).''

Statutory Notes and Related Subsidiaries

FUNDS AVAILABLE FOR CONSTRUCTING, EQUIPPING, AND MAINTAINING NATIONAL GARDEN

Pub. L. 102–392, title II, § 201, Oct. 6, 1992, 106 Stat. 1716, as amended by Pub. L. 104–53, title II, § 201(a), Nov. 19, 1995, 109 Stat. 529; Pub. L. 106–554, § 1(a)(2) [title III, § 312], Dec. 21, 2000, 114 Stat. 2763, 2763A–120; Pub. L. 107–68, title I, § 135, Nov. 12, 2001, 115 Stat. 583, provided that:

''(a) Pursuant to section 307E of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c) [now 2 U.S.C. 2146], not more than $16,500,000 shall be accepted and not more than $16,500,000 of the amounts accepted shall be available for obligation by the Architect of the Capitol for constructing, equipping, and maintaining the National Garden.

''(b) The Architect of the Capitol is authorized to solicit, receive, accept, and hold amounts under section 307E(a)(2) of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c(a)(2)) [now 2 U.S.C. 2146(a)(2)] in excess of the $16,500,000 authorized under subsection (a), but such amounts (and any interest thereon) shall not be expended by the Architect without approval in appropriation Acts as required under section 307E(b)(3) of such Act (40 U.S.C. 216c(b)(3)) [now 2 U.S.C. 2146(b)(3)].''

RENOVATION OF CONSERVATORY OF BOTANIC GARDEN

Pub. L. 102–229, title II, § 209(b), Dec. 12, 1991, 105 Stat. 1717, provided that under section 2146 of this title, not more than $2,000,000 could be accepted or available for obligation by the Architect for certain preparations for renovation of the Conservatory of the Botanic Garden.

§ 2147. Plant material exchanges

On and after July 8, 1935, plant material exchanges may be made with botanic gardens, institutions, municipal parks, and gardens.

(July 8, 1935, ch. 374, 49 Stat. 471.)

Section was classified to section 217a 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 par. under heading ''BOTANIC GARDEN'' in act of July 8, 1935, known as the ''Legislative Branch Appropriation Act, 1936''.

§ 2148. Administration of educational outreach and services

(a) Cooperative agreements

The Architect of the Capitol, subject to the direction of the Joint Committee of Congress on the Library, may enter into cooperative agreements with entities under such terms as the Architect determines advisable, in order to support the United States Botanic Garden in carrying out its duties, authorities, and mission.

(b) No-cost agreements

(1) The Architect of the Capitol may, subject to the direction of the Joint Committee of Congress on the Library, enter into a no-cost agreement, through a contract, cooperative agreement, or memorandum of understanding, with a qualified entity to conduct, or provide support for, an educational exhibit, program, class, or outreach that benefits the educational mission of the United States Botanic Garden.

(2) Any agreement under paragraph (1) may—

(A) allow the qualified entity to accept fees for any program or class described in paragraph (1) in order to cover all or a portion of the entity's costs of any supplies, honoraria, or associated expenses for the program or class; and

(B) subject to such terms as the Architect considers appropriate and necessary, grant temporary concessions to the qualified entity, or allow the qualified entity to grant temporary concessions to another person, in connection with an educational exhibit, program, class, or outreach described in paragraph (1), including concessions for food and merchandise sales that are specifically related to the educational mission involved.

(3) Section 5104(c) of title 40 shall not apply to any activity carried out under this subsection.

(4) In this subsection, the term ''qualified entity'' means—

(A) the National Fund for the United States Botanic Garden; and

(B) any other organization described in section 501(c) of title 26 and exempt from tax under section 501(a) of such title that the Architect of the Capitol determines shares interests complementary to the educational mission of the United States Botanic Garden.

(c) Construction or improvement of real property

Any authority under subsection (a) or (b) shall not apply to any agreement providing for the construction or improvement of real property.

(d) Applicability

This section shall apply with respect to fiscal year 2015 and each succeeding fiscal year.

(Pub. L. 113–235, div. H, title I, § 1102, Dec. 16, 2014, 128 Stat. 2532.)