

#### § 46. Duties of Secretary

The Secretary of the Board of Regents shall take charge of the building and property of the institution, and shall, under their direction, make a fair and accurate record of all their proceedings, to be preserved in the institution until no longer needed in conducting current business; and shall also discharge the duties of librarian and of keeper of the museum, and may, with the consent of the Board of Regents, employ assistants.

(R.S. § 5583; Oct. 25, 1951, ch. 562, §2(4), 65 Stat. 639.)

##### CODIFICATION

R.S. § 5583 derived from act Aug. 10, 1846, ch. 178, §7, 9 Stat. 105.

##### AMENDMENTS

1951—Act Oct. 25, 1951, inserted “until no longer needed in conducting current business”.

#### § 46a. Employment of aliens by Secretary

The Secretary of the Smithsonian Institution, subject to adequate security and other investigations as he may determine to be appropriate, and subject further to a prior determination by him that no qualified United States citizen is available for the particular position involved, is authorized to employ and compensate aliens in a scientific or technical capacity at authorized rates of compensation without regard to statutory provisions prohibiting payment of compensation to aliens.

(Pub. L. 88-549, Aug. 31, 1964, 78 Stat. 754.)

#### § 47. Acting Secretary

The chancellor of the Smithsonian Institution may, by an instrument in writing filed in the office of the Secretary thereof, designate and appoint a suitable person to act as Secretary of the Institution when there shall be a vacancy in said office, and whenever the Secretary shall be unable from illness, absence, or other cause to perform the duties of his office; and in such case the person so appointed may perform all the duties imposed on the Secretary by law until the vacancy shall be filled or such inability shall cease. The said chancellor may change such designation and appointment from time to time as the interests of the Institution may in his judgment require.

(May 13, 1884, ch. 44, 23 Stat. 21.)

##### PRIOR PROVISIONS

Similar prior provisions were contained in act Jan. 24, 1879, ch. 21, 20 Stat. 264.

#### § 48. Salary and removal of Secretary and assistants

The Secretary and his assistants shall, respectively, receive for their services such sum as may be allowed by the Board of Regents; and shall be removable by the Board of Regents whenever, in their judgment, the interests of the institution require such removal.

(R.S. § 5584.)

##### CODIFICATION

R.S. § 5584 derived from act Aug. 10, 1846, ch. 178, §7, 9 Stat. 105.

Provisions which related to semi-annual payments on the first day of January and July have been omitted.

#### § 49. Omitted

##### CODIFICATION

Section, act Oct. 2, 1888, ch. 1069, 25 Stat. 529, which required the Secretary of the Smithsonian Institution to submit to Congress annually a detailed statement of expenditures under appropriations for “International Exchanges,” “North American Ethnology,” and the “National Museum,” terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 192 of House Document No. 103-7.

#### § 50. Reception and arrangement of specimens and objects of art

Whenever suitable arrangements can be made from time to time for their reception, all objects of art and of foreign and curious research, and all objects of natural history, plants, and geological and mineralogical specimens belonging to the United States, which may be in the city of Washington, in whosoever custody they may be, shall be delivered to such persons as may be authorized by the Board of Regents to receive them, and shall be so arranged and classified in the building erected for the institution as best to facilitate the examination and study of them; and whenever new specimens in natural history, geology, or mineralogy are obtained for the museum of the institution, by exchanges of duplicate specimens, which the Regents may in their discretion make, or by donation, which they may receive, or otherwise, the Regents shall cause such new specimens to be appropriately classed and arranged. The minerals, books, manuscripts, and other property of James Smithson, which have been received by the Government of the United States, shall be preserved separate and apart from other property of the institution.

(R.S. § 5586.)

##### CODIFICATION

R.S. § 5586 derived from act Aug. 10, 1846, ch. 178, §6, 9 Stat. 105.

##### LABORATORY SPACE, GAMBOA, PANAMA

Pub. L. 111-11, title XV, §15102, Mar. 30, 2009, 123 Stat. 1456, provided that:

“(a) AUTHORITY TO CONSTRUCT.—The Board of Regents of the Smithsonian Institution is authorized to construct laboratory space to accommodate the terrestrial research program of the Smithsonian tropical research institute in Gamboa, Panama.

“(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section a total of \$14,000,000 for fiscal years 2009 and 2010. Such sums shall remain available until expended.”

##### VERITAS ASTROPHYSICAL OBSERVATORY PROJECT; AUTHORIZATION OF CONSTRUCTION AND APPROPRIATIONS

Pub. L. 108-331, Oct. 16, 2004, 118 Stat. 1281, as amended by Pub. L. 110-341, §1(2), Oct. 3, 2008, 122 Stat. 3738, provided that:

“SECTION 1. AUTHORIZING BOARD OF REGENTS OF SMITHSONIAN INSTITUTION TO CARRY OUT CONSTRUCTION AND RELATED ACTIVITIES IN SUPPORT OF VERITAS ASTROPHYSICAL OBSERVATORY PROJECT.

“The Board of Regents of the Smithsonian Institution is authorized to carry out construction and related