

(4) Secretary

The term “Secretary” means the Secretary of the Smithsonian Institution.

(Pub. L. 108–184, §3, Dec. 16, 2003, 117 Stat. 2676.)

§ 80r-2. Establishment of Museum**(a) Establishment**

There is established within the Smithsonian Institution a museum to be known as the “National Museum of African American History and Culture”.

(b) Purpose

The purpose of the Museum shall be to provide for—

(1) the collection, study, and establishment of programs relating to African American life, art, history, and culture that encompass—

- (A) the period of slavery;
- (B) the era of Reconstruction;
- (C) the Harlem renaissance;
- (D) the civil rights movement; and
- (E) other periods of the African American diaspora;

(2) the creation and maintenance of permanent and temporary exhibits documenting the history of slavery in America and African American life, art, history, and culture during the periods referred to in paragraph (1);

(3) the collection and study of artifacts and documents relating to African American life, art, history, and culture; and

(4) collaboration between the Museum and other museums, historically black colleges and universities, historical societies, educational institutions, and other organizations that promote the study or appreciation of African American life, art, history, or culture, including collaboration concerning—

- (A) development of cooperative programs and exhibitions;
- (B) identification, management, and care of collections; and
- (C) training of museum professionals.

(Pub. L. 108–184, §4, Dec. 16, 2003, 117 Stat. 2677.)

§ 80r-3. Council**(a) Establishment**

There is established within the Smithsonian Institution a council to be known as the “National Museum of African American History and Culture Council”.

(b) Duties**(1) In general**

The Council shall—

(A) make recommendations to the Board of Regents concerning the planning, design, and construction of the Museum;

(B) advise and assist the Board of Regents on all matters relating to the administration, operation, maintenance, and preservation of the Museum;

(C) recommend annual operating budgets for the Museum to the Board of Regents;

(D) report annually to the Board of Regents on the acquisition, disposition, and display of objects relating to African American life, art, history, and culture; and

(E) adopt bylaws for the operation of the Council.

(2) Principal responsibilities

The Council, subject to the general policies of the Board of Regents, shall have sole authority to—

(A) purchase, accept, borrow, and otherwise acquire artifacts for addition to the collections of the Museum;

(B) loan, exchange, sell, and otherwise dispose of any part of the collections of the Museum, but only if the funds generated by that disposition are used for additions to the collections of the Museum; or

(C) specify criteria with respect to the use of the collections and resources of the Museum, including policies on programming, education, exhibitions, and research with respect to—

- (i) the life, art, history, and culture of African Americans;
- (ii) the role of African Americans in the history of the United States from the period of slavery to the present; and
- (iii) the contributions of African Americans to society.

(3) Other responsibilities

The Council, subject to the general policies of the Board of Regents, shall have authority—

(A) to provide for preservation, restoration, and maintenance of the collections of the Museum; and

(B) to solicit, accept, use, and dispose of gifts, bequests, and devises of personal property for the purpose of aiding and facilitating the work of the Museum.

(c) Composition and appointment**(1) In general**

The Council shall be composed of 19 voting members as provided under paragraph (2).

(2) Voting members

The Council shall include the following voting members:

(A) The Secretary of the Smithsonian Institution.

(B) One member of the Board of Regents, appointed by the Board of Regents.

(C) Seventeen individuals appointed by the Board of Regents—

(i) taking into consideration individuals recommended by organizations and entities that are committed to the advancement of knowledge of African American life, art, history, and culture; and

(ii) taking into consideration individuals recommended by the members of the Council.

(3) Initial appointments

The Board of Regents shall make initial appointments to the Council under paragraph (2) not later than 180 days after December 16, 2003.

(d) Terms**(1) In general**

Except as provided in this subsection, each appointed member of the Council shall be appointed for a term of 3 years.