

retary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Postmaster-General, the Attorney General, the Chief Justice, the Commissioner of Patents, the governor of the District of Columbia, and other such persons as they may elect honorary members”.

1877—Act Feb. 27, 1877, substituted “Patents” for “Patent Office”.

SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108-72, §1, Aug. 15, 2003, 117 Stat. 888, provided that: “This Act [enacting section 2531-8 of Title 41, Public Contracts, enacting provisions set out as notes under section 75b of this title and section 3521 of Title 5, Government Organization and Employees, and amending provisions set out as a note under section 50 of this title] may be cited as the ‘Smithsonian Facilities Authorization Act’.”

SHORT TITLE OF 1966 AMENDMENT

Pub. L. 89-674, §1, Oct. 15, 1966, 80 Stat. 953, provided: “That this Act [enacting section 65a of this title and repealing section 65 of this title] may be cited as the ‘National Museum Act of 1966’.”

**§ 42. Board of Regents; members**

(a) The business of the Institution shall be conducted at the city of Washington by a Board of Regents, named the Regents of the Smithsonian Institution, to be composed of the Vice President, the Chief Justice of the United States, three Members of the Senate, three Members of the House of Representatives, and nine other persons, other than Members of Congress, two of whom shall be resident in the city of Washington, and seven of whom shall be inhabitants of some State, but no two of them of the same State.

(b) Notwithstanding any other provision of law, the Board of Regents of the Smithsonian Institution may modify the number of members, manner of appointment of members, or tenure of members, of the boards or commissions under the jurisdiction of the Smithsonian Institution, other than—

(1) the Board of Regents of the Smithsonian Institution; and

(2) the boards or commissions of the National Gallery of Art, the John F. Kennedy Center for the Performing Arts, and the Woodrow Wilson International Center for Scholars.

(R.S. §5580; Mar. 12, 1894, ch. 36, 28 Stat. 41; Pub. L. 91-551, §1(a), Dec. 15, 1970, 84 Stat. 1439; Pub. L. 105-277, div. A, §101(e) [title III, §355], Oct. 21, 1998, 112 Stat. 2681-231, 2681-303.)

CODIFICATION

R.S. §5580 derived from acts Aug. 10, 1846, ch. 178, §3, 9 Stat. 103; Jan. 10, 1865, ch. 11, 13 Stat. 420; Mar. 20, 1871, ch. 1, 17 Stat. 1.

AMENDMENTS

1998—Pub. L. 105-277 designated existing provisions as subsec. (a) and added subsec. (b).

1970—Pub. L. 91-551 authorized three additional persons on the Board of Regents.

1894—Act Mar. 12, 1894, struck out “the governor of the District of Columbia” after “the Chief Justice of the United States.”

**§ 43. Appointment of regents; terms of office; vacancies**

The regents to be selected shall be appointed as follows: The Members of the Senate by the

President thereof; the Members of the House by the Speaker thereof; and the nine other persons by joint resolution of the Congress. The Members of the House so appointed shall serve for the term of two years; and on every alternate fourth Wednesday of December a like number shall be appointed in the same manner to serve until the fourth Wednesday in December, in the second year succeeding their appointment. The Senators so appointed shall serve during the term for which they shall hold, without re-election, their office as Senators. Vacancies, occasioned by death, resignation, or otherwise, shall be filled as vacancies in committees are filled. The regular term of service for the other nine members shall be six years; and new elections thereof shall be made by joint resolutions of Congress. Vacancies occasioned by death, resignation, or otherwise may be filled in like manner by joint resolution of Congress.

(R.S. §5581; Pub. L. 91-551, §1(b), (c), Dec. 15, 1970, 84 Stat. 1440.)

CODIFICATION

R.S. §5581 derived from act Aug. 10, 1846, ch. 178, §3, 9 Stat. 103.

AMENDMENTS

1970—Pub. L. 91-551 authorized appointment of three additional members of the board by joint resolution of Congress.

**§ 44. Organization of board; expenses; gratuitous services**

The Board of Regents shall meet in the city of Washington and elect one of their number as chancellor, who shall be the presiding officer of the Board of Regents, and called the chancellor of the Smithsonian Institution, and a suitable person as Secretary of the institution, who shall also be the secretary of the Board of Regents. The board shall also elect three of their own body as an executive committee, and shall fix the time for the regular meetings of the board; and, on application of any three of the regents to the Secretary of the institution, it shall be his duty to appoint a special meeting of the Board of Regents, of which he shall give notice, by letter, to each of the members; and, at any meeting of the board, eight shall constitute a quorum to do business. Each member of the board shall be paid his necessary traveling and other actual expenses, in attending meetings of the board, which shall be audited by the executive committee, and recorded by the Secretary of the board; but his service as regent shall be gratuitous.

(R.S. §5582; Pub. L. 91-551, §1(d), Dec. 15, 1970, 84 Stat. 1440.)

CODIFICATION

R.S. §5582 derived from act Aug. 10, 1846, ch. 178, §3, 9 Stat. 103.

AMENDMENTS

1970—Pub. L. 91-551 increased number of members required to constitute a quorum from five to eight.

**§ 45. Special meetings of members**

The members of the institution may hold stated and special meetings, for the supervision of