

**(B) Term**

Any member of the Council appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed for the remainder of that term.

**(e) Compensation****(1) In general**

Except as provided in paragraph (2), a member of the Council shall serve without pay.

**(2) Travel expenses**

A member of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Council.

**(f) Chairperson**

By a majority vote of its voting members, the Council shall elect a chairperson from its members.

**(g) Meetings****(1) In general**

The Council shall meet at the call of the chairperson or on the written request of a majority of the voting members of the Council, but not fewer than twice each year.

**(2) Initial meetings**

During the 1-year period beginning on the date of the first meeting of the Council, the Council shall meet not fewer than 4 times for the purpose of carrying out the duties of the Council under this subchapter.<sup>1</sup>

**(h) Quorum**

A majority of the voting members of the Council holding office shall constitute a quorum for the purpose of conducting business, but a lesser number may receive information on behalf of the Council.

(Pub. L. 116-260, div. T, title I, § 104, Dec. 27, 2020, 134 Stat. 2273.)

## REFERENCES IN TEXT

This subchapter, referred to in subsecs. (a) and (g)(2), was in the original "this Act", and was translated as reading "this title", meaning title I of div. T of Pub. L. 116-260, known as the Smithsonian American Women's History Museum Act, which is classified to this subchapter, to reflect the probable intent of Congress.

**§ 80t-3. Director and staff of the Museum****(a) Director****(1) In general**

The Museum shall have a Director who shall be appointed by the Secretary, taking into consideration individuals recommended by the council established under section 80t-2 of this title.

**(2) Duties**

The Director shall manage the Museum subject to the policies of the Board of Regents.

**(b) Staff**

The Secretary may appoint 2 additional employees to serve under the Director, except that

such additional employees may be appointed without regard to the provisions of title 5 governing appointments in the competitive service.

**(c) Pay**

The employees appointed by the Secretary under subsection (b) may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5 relating to classification of positions and General Schedule pay rates.

(Pub. L. 116-260, div. T, title I, § 105, Dec. 27, 2020, 134 Stat. 2275.)

**§ 80t-4. Educational and liaison programs****(a) Programs authorized**

The Director of the Museum may carry out educational and liaison programs in support of the goals of the Museum.

**(b) Collaboration with schools**

In carrying out this section, the Director shall carry out educational programs in collaboration with elementary schools, secondary schools, and postsecondary schools.

(Pub. L. 116-260, div. T, title I, § 106, Dec. 27, 2020, 134 Stat. 2276.)

**§ 80t-5. Building****(a) Location****(1) In general**

Not later than 2 years after December 27, 2020, the Board of Regents shall designate a site for the Museum.

**(2) Sites for consideration**

In designating a site under paragraph (1), the Board of Regents shall—

(A) select a site in the District of Columbia; and

(B) include the consideration of the following sites:

(i) The site known as the "South Monument site", located on the National Mall and bordered by 14th Street Northwest, Jefferson Drive Southwest, Raoul Wallenberg Place Southwest, and Independence Ave Southwest.

(ii) The Northwest United States Capitol site, bordered by 3rd Street Northwest, Constitution Avenue Northwest, 1st Street Northwest, and Pennsylvania Ave Northwest.

**(3) Factors considered**

In designating a site under paragraph (1), the Board of Regents shall take into consideration each of the following factors:

(A) An estimate of the costs associated with each potential site.

(B) An assessment of the suitability of the space of each potential site, including size, proximity to other buildings and transportation, and other external environmental conditions, as appropriate.

(C) The recommendations of the Congressional Commission.

**(4) Consultation**

The Board of Regents shall carry out its duties under this subsection in consultation with each of the following:

(A) The Chair of the National Capital Planning Commission.

(B) The Director of the National Park Service.

(C) The Chair of the National Capital Memorial Advisory Commission.

(D) The Chair of the Commission on Fine Arts.

(E) The Chair of the Congressional Commission.

(F) The Architect of the Capitol.

(G) The chair and ranking member of each of the following committees:

(i) The Committee on Rules and Administration of the Senate.

(ii) The Committee on House Administration of the House of Representatives.

(iii) The Committee on Energy and Natural Resources of the Senate.

(iv) The Committee on Natural Resources of the House of Representatives.

(v) The Committee on Transportation and Infrastructure of the House of Representatives.

(vi) The Committee on Appropriations of the House of Representatives.

(vii) The Committee on Appropriations of the Senate.

#### **(5) Intent of Congress**

It is the intent of Congress that the Museum be located on or near the National Mall, to the maximum extent practicable, in accordance with this section.

#### **(b) Site under the jurisdiction of another Federal agency**

##### **(1) Written notification of agreement**

The Board of Regents shall not designate a site for the Museum that is under the administrative jurisdiction of another Federal agency or entity unless the head of the Federal agency or entity submits to each of the committees described in subsection (a)(4)(G) written notification stating that the head of the Federal agency or entity concurs with locating the Museum on the land or in the structure that is under the administrative jurisdiction of the Federal agency or entity.

##### **(2) Transfer**

As soon as practicable after the date on which Congress receives the written notification described in paragraph (1), the head of the Federal agency or entity shall transfer to the Smithsonian Institution its administrative jurisdiction over the land or structure that has been designated as the site for the Museum.

#### **(c) Construction of building**

The Board of Regents, in consultation with the council established under section 80t-2 of this title, may plan, design, and construct a building for the Museum, which shall be located at the site designated by the Board of Regents under subsection (a), in accordance with this section.

#### **(d) Commemorative Works Act**

Chapter 89 of title 40 shall not apply with respect to the Museum, except that the Museum shall not be located in the Reserve (as defined in section 8902(a) of that title).

#### **(e) Cost sharing**

The Board of Regents shall pay—

(1) 50 percent of the costs of carrying out this section from Federal funds; and

(2) 50 percent of the costs of carrying out this section from non-Federal sources.

(Pub. L. 116-260, div. T, title I, § 107, Dec. 27, 2020, 134 Stat. 2276.)

#### **§ 80t-6. Definitions**

In this subchapter,<sup>1</sup> the following definitions apply:

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

(2) The term “Congressional Commission” means the Commission to Study the Potential Creation of a National Women’s History Museum, established under section 3056 of the Military Construction Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3810).

(3) The term “Secretary” means the Secretary of the Smithsonian Institution.

(Pub. L. 116-260, div. T, title I, § 108, Dec. 27, 2020, 134 Stat. 2277.)

#### REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this Act”, and was translated as reading “this title”, meaning title I of div. T of Pub. L. 116-260, known as the Smithsonian American Women’s History Museum Act, which is classified to this subchapter, to reflect the probable intent of Congress.

Section 3056 of the Military Construction Authorization Act for Fiscal Year 2015, referred to in par. (2), is section 3056 of div. B of Pub. L. 113-291, Dec. 19, 2014, 128 Stat. 3810, which is not classified to the Code.

#### **§ 80t-7. Authorization of appropriations**

##### **(a) In general**

There are authorized to be appropriated to the Smithsonian Institution to carry out this subchapter,<sup>1</sup> including the planning, design, construction, and operation of the Museum established under section 80t-1 of this title, such sums as may be necessary for fiscal year 2020 and each succeeding fiscal year.

##### **(b) Availability**

Amounts appropriated pursuant to the authorization under this section shall remain available until expended.

##### **(c) Use of funds for fundraising**

Amounts appropriated pursuant to the authorization under this section may be used to conduct fundraising in support of the Museum from private sources.

(Pub. L. 116-260, div. T, title I, § 109, Dec. 27, 2020, 134 Stat. 2278.)

#### REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original “this Act”, and was translated as reading “this title”, meaning title I of div. T of Pub. L. 116-260, known as the Smithsonian American Women’s History Museum Act, which is classified to this subchapter, to reflect the probable intent of Congress.

<sup>1</sup> See References in Text note below.

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