

(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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SUBCHAPTER XVII—NATIONAL MUSEUM OF  
THE AMERICAN LATINO

**§ 80u. National Museum of the American Latino**

**(a) Findings**

Congress finds the following:

(1) The United States is a symbol of democracy, freedom, and economic opportunity around the world, and the legacy of Latinos is deeply rooted in the very fabric of the history, democracy, freedom, and economic opportunity of the United States.

(2) There exists no national museum within the Smithsonian Institution that is devoted to the documentation and explication of Latino life, art, history, and culture.

(3) The establishment of the National Museum of the American Latino will be consistent with the purposes of the Smithsonian Institution, created by Congress in 1846, “for the increase and diffusion of knowledge”.

(4) The National Museum of the American Latino—

(A) will be the keystone for people in the United States and other Smithsonian Institution visitors to learn about Latino contributions to life, art, history, and culture in the United States at its signature location on the National Mall; and

(B) will serve as a gateway for visitors to view other Latino exhibitions, collections, and programming at other Smithsonian Institution facilities and museums throughout the United States and the territories of the United States.

**(b) Definitions**

In this section:

**(1) Board of Regents**

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

**(2) Board of trustees**

The term “Board of Trustees” means the Board of Trustees of the National Museum of the American Latino as established by subsection (d).

**(3) Director**

The term “Director” means the Director of the National Museum of the American Latino.

**(4) Museum**

The term “Museum” means the National Museum of the American Latino established by subsection (c).

**(5) Secretary**

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

**(c) Establishment of Museum**

**(1) Establishment**

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

**(2) Purposes**

The purposes of the Museum are—

(A) to illuminate the story of the United States for the benefit of all by featuring Latino contributions; and

(B) to provide for—

(i) the collection, study, research, publication, and establishment of exhibitions and programs relating to Latino life, art, history, and culture that encompass—

(I) Latino contributions to the early history of what now encompasses the United States of America and its territories;

(II) Latino contributions in the armed services from the earliest days of the American Revolution to current military activities in defense of our freedoms;

(III) Latino contributions to the freedom, well-being, and economic prosperity of all people in the United States through historical movements;

(IV) entrepreneurial and charitable activities of Latinos;

(V) contributions by Latinos to—

(aa) the social, natural, and physical sciences; and

(bb) art, history, and culture, including food, music, dance, film, theater, sports, and other forms of popular culture in the United States; and

(ii) collaboration between the Museum, other museums and research centers of the Smithsonian Institution, and other museums and educational institutions throughout the United States and abroad, to promote the study and appreciation of Latino life, art, history, culture, and its impact on society in the United States, including collaboration concerning joint research projects, programs, exhibitions, collection management, and training of museum staff.

**(d) Board of Trustees**

**(1) Establishment**

There is established within the Smithsonian Institution a Board of Trustees of the Museum with the duties, powers, and authority specified in this subsection.

**(2) Duties**

**(A) In general**

The Board of Trustees—

(i) shall—

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

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

(III) adopt bylaws for the Board of Trustees;

(IV) report annually to the Board of Regents on the acquisition, disposition, and display of Latino collections, objects and artifacts, and on other appropriate matters; and

(V) advise and assist the Board of Regents on all matters relating to the administration, operation, maintenance, and preservation of the Museum, including long-term maintenance; and