

**(2) Authorization of appropriations**

There are authorized to be appropriated to the Director of the Institute of Museum and Library Services to carry out this subsection—

(A) \$15,000,000 for fiscal year 2004; and

(B) such sums as are necessary for each fiscal year thereafter.

(Pub. L. 108-184, § 7, Dec. 16, 2003, 117 Stat. 2679.)

**§ 80r-6. Building for the National Museum of African American History and Culture****(a) In general****(1) Location****(A) In general**

Not later than 12 months after December 16, 2003, the Board of Regents shall designate a site for the Museum.

**(B) Sites for consideration**

In designating a site under subparagraph (A), the Board of Regents shall select from among the following sites in the District of Columbia:

(i) The Arts and Industries Building of the Smithsonian Institution, located on the National Mall at 900 Jefferson Drive, Southwest, Washington, District of Columbia.

(ii) The area bounded by Constitution Avenue, Madison Drive, and 14th and 15th Streets, Northwest.

(iii) The site known as the “Liberty Loan site”, located on 14th Street Southwest at the foot of the 14th Street Bridge.

(iv) The site known as the “Banneker Overlook site”, located on 10th Street Southwest at the foot of the L’Enfant Plaza Promenade.

**(C) Availability of site****(i) In general**

A site described in subparagraph (B) shall remain available until the date on which the Board of Regents designates a site for the Museum under subparagraph (A).

**(ii) Transfer to Smithsonian Institution**

Except with respect to a site described in clause (i) of subparagraph (B), if the site designated for the Museum is in an area that is under the administrative jurisdiction of a Federal agency, as soon as practicable after the date on which the designation is made, the head of the Federal agency shall transfer to the Smithsonian Institution administrative jurisdiction over the area.

**(D) Consultation**

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

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

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

(iii) The Chair and Vice Chair of the Presidential Commission referred to in section 80r-8 of this title.

(iv) The Chair of the Building and Site Subcommittee of the Presidential Commission referred to in section 80r-8 of this title.

(v) The Chair and ranking minority 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 Transportation and Infrastructure of the House of Representatives.

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

(V) The Committee on Appropriations of the Senate.

**(2) Construction of building**

The Board of Regents, in consultation with the Council, may plan, design, and construct a building for the Museum, which shall be located at the site designated by the Board of Regents under this paragraph.

**(3) Nonapplicability of provisions relating to monuments and commemorative works**

Chapter 89 of title 40 shall not apply with respect to the Museum.

**(b) 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.

**(c) Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out this section.

(Pub. L. 108-184, § 8, Dec. 16, 2003, 117 Stat. 2680.)

**Statutory Notes and Related Subsidiaries****PROCUREMENT FOR CONSTRUCTION**

Pub. L. 112-74, div. E, title III, Dec. 23, 2011, 125 Stat. 1033, provided in part: “That during fiscal year 2012 and any succeeding fiscal year, a single procurement for construction of the National Museum of African American History and Culture, as authorized under section 8 of the National Museum of African American History and Culture Act (20 U.S.C. 80r-6), may be issued that includes the full scope of the project”.

**§ 80r-7. Congressional Budget Act compliance**

Authority under this subchapter to enter into contracts or to make payments shall be effective in any fiscal year only to the extent provided in advance in an appropriations Act, except as provided under section 80r-9(b) of this title.

(Pub. L. 108-184, § 9, Dec. 16, 2003, 117 Stat. 2682.)

**Editorial Notes****REFERENCES IN TEXT**

The Congressional Budget Act, referred to in section catchline, probably means the Congressional Budget Act of 1974, which is titles I through IX of Pub. L. 93-344, July 12, 1974, 88 Stat. 297, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 621 of Title 2, The Congress, and Tables.