

applicable to, and as part of, the audit of the other Federal and trust funds of the Smithsonian Institution.

(Pub. L. 90-637, § 8, formerly § 7, Oct. 24, 1968, 82 Stat. 1359, renumbered Pub. L. 95-286, § 1(1), May 26, 1978, 92 Stat. 278.)

#### SUBCHAPTER XII—MUSEUM OF AFRICAN ART

##### **§ 80k. Donation and transfer of lands and improvements, works of art, and other assets and property of Museum of African Art to Smithsonian Institution**

The Board of Regents of the Smithsonian Institution (hereinafter in this subchapter referred to as the "Board") is authorized to accept a deed or other instrument donating and transferring to the Smithsonian Institution, the land and improvements thereto, collections of works of art, and all other assets and property of the Museum of African Art.

(Pub. L. 95-414, § 1, Oct. 5, 1978, 92 Stat. 911.)

##### **Statutory Notes and Related Subsidiaries**

###### **EFFECTIVE DATE**

Pub. L. 95-414, § 7, Oct. 5, 1978, 92 Stat. 913, provided that: "Except for the provisions in sections 1 and 6(b) [this section and section 80p(b) of this title], the provisions of this Act [this subchapter] shall take effect on the date of transfer of a deed or other instrument under the provisions of section 1 [this section]."

##### **§ 80l. Establishment of Museum of African Art; functions**

There is established in the Smithsonian Institution a bureau which shall be known as the "Museum of African Art" (hereinafter in this subchapter referred to as the "Museum"). The functions of such bureau shall be those authorized by section 80m(a) of this title.

(Pub. L. 95-414, § 2, Oct. 5, 1978, 92 Stat. 911.)

##### **Statutory Notes and Related Subsidiaries**

###### **CONSTRUCTION OF NATIONAL MUSEUM OF AFRICAN ART**

Regents of Smithsonian Institution authorized to construct building for National Museum of African Art, see Pub. L. 97-203, June 24, 1982, 96 Stat. 129, set out as a note under section 50 of this title.

##### **§ 80m. Powers of Board**

###### **(a) Acquisition, retention, and disposition of property; research and education programs**

For the purpose of carrying out sections 80k and 80l of this title, the Board may—

- (1) purchase, accept, borrow, or otherwise acquire additional works of art or any other real or personal property for the Museum;
- (2) preserve, maintain, restore, display, loan, transfer, store, or otherwise hold any property of whatsoever nature acquired pursuant to section 80k of this title or paragraph (1) of this subsection;
- (3) conduct programs of research and education; and
- (4) subject to any limitations otherwise expressly provided by law, and, in the case of any gift, subject to any applicable restrictions

under the terms of such gift, sell, exchange, or otherwise dispose of any property of whatsoever nature acquired pursuant to the provisions of this subchapter: *Provided*, That the proceeds from the sale of any property acquired pursuant to section 80k of this title shall be designated for the benefit of the Museum.

###### **(b) Recommendations of Commission**

In carrying out the purposes of this subchapter, the Board shall consider the recommendations of the Commission established pursuant to section 80n of this title.

(Pub. L. 95-414, § 3, Oct. 5, 1978, 92 Stat. 911.)

##### **§ 80n. Commission for the Museum of African Art**

###### **(a) Establishment; duties**

There is established a Commission for the Museum of African Art (hereinafter the "Commission") which shall provide advice and assistance to the Board concerning the operation and development of the Museum, its collections and programs.

###### **(b) Membership**

The Commission shall consist of fifteen members to be appointed by the Board. In addition, the Secretary and an Assistant Secretary of the Smithsonian Institution shall serve as ex officio members. The Board shall appoint to the first term on the Commission no less than ten members of the Board of Trustees of the Museum of African Art who are serving on October 5, 1978. Each initial member so appointed shall serve for a three-year term. Thereafter, in appointing members of the Commission the Board shall continue to include representatives of African descendants in the United States, collectors of African Art, and scholars in the fields of African art and culture.

###### **(c) Terms of office**

Members of the Commission shall be appointed to serve for a three-year term, except that after the appointment of the first term of the Commission as specified in subsection (b), the terms of office of members next appointed shall expire, as designated by the Board at the time of appointment, one-third at the end of one year, one-third at the end of two years, and one-third at the end of three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. Members may be reappointed.

###### **(d) Quorum; vacancies**

A majority of the appointed members of the Commission shall constitute a quorum and any vacancy in the Commission shall not affect its power to function.

###### **(e) Travel, subsistence, and other expenses**

Members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

###### **(f) Selection of officers; bylaws**

The Commission shall select officers, from among its members biennially and shall make