

- (i) shall not affect the powers of the Council; and
- (ii) shall be filled in the same manner as the original appointment was made.

(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, 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.

(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. 108-184, § 5, Dec. 16, 2003, 117 Stat. 2677.)

§ 80r-4. 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.

(2) Duties

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

(b) Staff

The Secretary may appoint two 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. 108-184, § 6, Dec. 16, 2003, 117 Stat. 2679.)

§ 80r-5. Educational and liaison programs

(a) In general

(1) Programs authorized

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

(2) Specific activities described

In carrying out this section, the Director shall—

(A) carry out educational programs relating to African American life, art, history, and culture, including—

(i) programs using digital, electronic, and interactive technologies; and

(ii) programs carried out in collaboration with elementary schools, secondary schools, and postsecondary schools; and

(B) consult with the Director of the Institute of Museum and Library Services concerning the grant and scholarship programs carried out under subsection (b).

(b) Grant and scholarship programs

(1) In general

In consultation with the Council and the Director of the Museum, the Director of the Institute of Museum and Library Services shall establish—

(A) a grant program with the purpose of improving operations, care of collections, and development of professional management at African American museums;

(B) a grant program with the purpose of providing internship and fellowship opportunities at African American museums;

(C) a scholarship program with the purpose of assisting individuals who are pursuing careers or carrying out studies in the arts, humanities, and sciences in the study of African American life, art, history, and culture;

(D) in cooperation with other museums, historical societies, and educational institutions, a grant program with the purpose of promoting the understanding of modern-day practices of slavery throughout the world; and

(E) a grant program under which an African-American museum (including a non-profit education organization the primary mission of which is to promote the study of African-American diaspora) may use the funds provided under the grant to increase an endowment fund established by the museum (or organization) as of May 1, 2003, for the purposes of—

(i) enhancing educational programming; and

(ii) maintaining and operating traveling educational exhibits.

(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. 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.