

TITLE 20.—EDUCATION

Chapter 3.—SMITHSONIAN INSTITUTION, NATIONAL MUSEUMS AND ART GALLERIES

§ 42. Board of Regents; members.

1330

(a) Composition

The business of the Institution shall be conducted at the city of Washington by a Board of Regents, named the Regents of the Smithsonian Institution, to be composed of the Vice President, the Chief Justice of the United States, three Members of the Senate, three Members of the House of Representatives, and nine other persons, other than Members of Congress, two of whom shall be resident in the city of Washington, and seven of whom shall be inhabitants of some State, but no two of them of the same State.

(b) Modification of number, appointment or tenure of members; exceptions

Notwithstanding any other provision of law, the Board of Regents of the Smithsonian Institution may modify the number of members, manner of appointment of members, or tenure of members, of the boards or commissions under the jurisdiction of the Smithsonian Institution, other than—

- (1) the Board of Regents of the Smithsonian Institution; and
- (2) the boards or commissions of the National Gallery of Art, the John F. Kennedy Center for the Performing Arts, and the Woodrow Wilson International Center for Scholars.

(As amended Oct. 21, 1998, Pub.L. 105-277, Div. A, § 101(e) [Title III, § 355], 112 Stat. 2681-231, 2681-303.)

§ 43. Appointment of regents; terms of office; vacancies.

1331

The regents to be selected shall be appointed as follows: The Members of the Senate by the President thereof; the Members of the House by the Speaker thereof; and the nine other persons by joint resolution of the Congress. The Members of the House so appointed shall serve for the term of two years; and on every alternate fourth Wednesday of December a like number shall be appointed in the same manner, to serve until the fourth Wednesday in December, in the second year succeeding their appointment. The Senators so appointed shall serve during the term for which they shall hold, without reelection, their office as Senators. Vacancies, occasioned by death, resignation, or otherwise, shall be filled as vacancies in committees are filled. The regular term of service for the other nine members shall be six years; and new elections thereof shall be made by joint resolutions of Congress. Vacancies occasioned by death, resignation, or otherwise may be filled in like manner by joint resolution of Congress. (R.S. § 5581; Dec. 15, 1970, Pub.L. 91-551, 84 Stat. 1440.)

1332 § 76h. Board of Trustees.**(a) Establishment**

(1) In general

There is established in the Smithsonian Institution a bureau, which shall be directed by a board to be known as the Trustees of the John F. Kennedy Center for the Performing Arts (hereafter in this subchapter referred to as the "Board"), whose duty it shall be to maintain and administer the John F. Kennedy Center for the Performing Arts and site thereof as the National Center for the Performing Arts, a living memorial to John Fitzgerald Kennedy, and to execute such other functions as are vested in the Board by this subchapter.

(2) Membership

The Board shall be composed of—

- (A) the Secretary of Health and Human Services;
- (B) the Librarian of Congress;
- (C) the Secretary of State;
- (D) the Chairman of the Commission of Fine Arts;
- (E) the Mayor of the District of Columbia;
- (F) the Superintendent of Schools of the District of Columbia;
- (G) the Director of the National Park Service;
- (H) the Secretary of Education;
- (I) the Secretary of the Smithsonian Institution;
- (J)(i) the Speaker and the Minority Leader of the House of Representatives;
 - (ii) the chairman and ranking minority member of the Committee on Transportation and Infrastructure of the House of Representatives; and
 - (iii) three additional Members of the House of Representatives appointed by the Speaker of the House of Representatives;
- (K)(i) the Majority Leader and the Minority Leader of the Senate;
 - (ii) the chairman and ranking minority member of the Committee on Environment and Public Works of the Senate; and
 - (iii) three additional Members of the Senate appointed by the President of the Senate; and
- (L) thirty-six general trustees, who shall be citizens of the United States, to be appointed in accordance with subsection (b) of this section.

(b) General trustees

The general trustees shall be appointed by the President of the United States. Each trustee shall hold office as a member of the Board for a term of 6 years, except that—

- (1) any member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of the member was appointed shall be appointed for the remainder of the term;
- (2) a member shall continue to serve until the successor of the member has been appointed; and
- (3) the term of office of a member appointed before July 21, 1994, shall expire as designated at the time of appointment.

(c) Advisory Committee on the Arts

There shall be an Advisory Committee on the Arts composed of such members as the President of the United States may designate, to serve at the pleasure of the President. Persons appointed to the Advisory Committee on the Arts, including officers or employees of the United States, shall be persons who are recognized for their knowledge of, or experience or interest in, one or more of the arts in the fields covered by the John F. Kennedy Center for the Performing Arts. The President shall designate the Chairman of the Advisory Committee on the Arts. In making such appointments the President shall give consideration to such recommendations as may from time to time be submitted to him by leading national organizations in the appropriate art fields. The Advisory Committee on the Arts shall advise and consult with the Board and make recommendations to the Board regarding existing and prospective cultural activities to be carried out by the John F. Kennedy Center for the Performing Arts. The Advisory Committee on the Arts shall assist the Board in carrying out section 76k(a) of this title. Members of the Advisory Committee on the Arts shall serve without compensation. (Pub.L. 85-874, § 2, Sept. 2, 1958, 72 Stat. 1698; Pub.L. 88-100, §§ 1, 2, Aug. 19, 1963, 77 Stat. 128; Pub.L. 88-260, § 1(2), Jan. 23, 1964, 78 Stat. 4; Pub.L. 103-279, § 2(b)(1), (c), (d), July 21, 1994, 108 Stat. 1409, 1410; Pub.L. 107-117, Div. D, Title II, § 201(a), Jan. 10, 2002, 115 Stat. 2353; Pub.L. 110-338, § 2, Oct. 3, 2008, 122 Stat. 3731.)