

104TH CONGRESS
2D SESSION

S. 2133

To authorize the establishment of the Center for American Cultural Heritage within the National Museum of American History of the Smithsonian Institution, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 1996

Mr. AKAKA introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To authorize the establishment of the Center for American Cultural Heritage within the National Museum of American History of the Smithsonian Institution, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Center for American
5 Cultural Heritage Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The history of the United States is in large
2 measure the history of how the United States was
3 populated.

4 (2) The evolution of the American population is
5 broadly termed the “peopling of America” and is
6 characterized by the movement of groups of people
7 across external and internal boundaries of the Unit-
8 ed States as well as by the interactions of such
9 groups with each other.

10 (3) Each of these groups has made unique, im-
11 portant contributions to American history, culture,
12 art, and life.

13 (4) The spiritual, intellectual, cultural, political,
14 and economic vitality of the United States is a result
15 of the pluralism and diversity of the population.

16 (5) The Smithsonian Institution operates 16
17 museums and galleries, a zoological park, and 5
18 major research facilities. None of these public enti-
19 ties is a national institution dedicated to presenting
20 the history of the peopling of the United States as
21 described in paragraph (2).

22 (6) The respective missions of the National Mu-
23 seum of American History of the Smithsonian Insti-
24 tution and the Ellis Island Immigration Museum of
25 the National Park Service limit the ability of such

1 museums to present fully and adequately the history
2 of the diverse population and rich cultures of the
3 United States.

4 (7) The absence of a national facility dedicated
5 solely to presenting the history of the peopling of the
6 United States restricts the ability of the citizens of
7 the United States to fully understand the rich and
8 varied heritage of the United States derived from
9 the unique histories of many peoples from many
10 lands.

11 (8) The establishment of a Center for American
12 Cultural Heritage to conduct educational and inter-
13 pretive programs on the history of the United
14 States' multiethnic, multiracial character will help to
15 inspire and better inform the citizens of the United
16 States about the rich and diverse cultural heritage
17 of the citizens of the United States.

18 **SEC. 3. ESTABLISHMENT OF THE CENTER FOR AMERICAN**
19 **CULTURAL HERITAGE.**

20 (a) **ESTABLISHMENT.**—There is established within
21 the National Museum of American History of the Smithso-
22 nian Institution a facility that shall be known as the “Cen-
23 ter for American Cultural Heritage”.

24 (b) **PURPOSES OF THE CENTER.**—The purposes of
25 the Center are to—

1 (1) promote knowledge of the life, art, culture,
2 and history of the many groups of people who com-
3 prise the United States;

4 (2) illustrate how such groups cooperated, com-
5 peted, or otherwise interacted with each other; and

6 (3) explain how the diverse, individual experi-
7 ences of each group collectively helped forge a uni-
8 fied national experience.

9 (c) COMPONENTS OF THE CENTER.—The Center
10 shall include—

11 (1) a location for permanent and temporary ex-
12 hibits depicting the historical process by which the
13 United States was populated;

14 (2) a center for research and scholarship relat-
15 ing to the life, art, culture, and history of the groups
16 of people of the United States;

17 (3) a repository for the collection, study, and
18 preservation of artifacts, artworks, and documents
19 relating to the diverse population of the United
20 States;

21 (4) a venue for public education programs de-
22 signed to explicate the multicultural past and
23 present of the United States;

24 (5) a location for the development of a stand-
25 ardized index of documents, artifacts, and artworks

1 in collections that are held by the Smithsonian Insti-
2 tution and classified in a manner consistent with the
3 purposes of the Center;

4 (6) a clearinghouse for information on docu-
5 ments, artifacts, and artworks on the groups of peo-
6 ple of the United States that may be available to re-
7 searchers, scholars, or the general public through
8 non-Smithsonian collections, such as documents, ar-
9 tifacts, and artworks of such groups held by other
10 Federal agencies, museums, universities, individuals,
11 and foreign institutions;

12 (7) a folklife center committed to highlighting
13 the cultural expressions of various peoples within the
14 United States;

15 (8) a center to promote mutual understanding
16 and tolerance among the groups of people of the
17 United States through exhibits, films, brochures,
18 and other appropriate means;

19 (9) an oral history library developed through
20 interviews with volunteers, including visitors;

21 (10) a location for a visitor center that shall
22 provide individually tailored orientation guides for
23 visitors to all Smithsonian Institution facilities;

24 (11) a location for the training of museum pro-
25 fessionals and others in the arts, humanities, and

1 sciences with respect to museum practices relating
2 to the life, art, history, and culture of the various
3 groups of people of the United States; and

4 (12) a location for developing, testing, dem-
5 onstrating, evaluating, and implementing new mu-
6 seum-related technologies that assist to fulfill the
7 purposes of the Center, enhance the operation of the
8 Center, and improve accessibility of the Center.

9 **SEC. 4. LOCATION AND CONSTRUCTION.**

10 (a) LOCATION.—The Center shall be located in new
11 or existing Smithsonian Institution facilities on or near
12 the National Mall located in the District of Columbia.

13 (b) CONSTRUCTION.—The Board of Regents is au-
14 thorized to plan, design, reconstruct, or construct appro-
15 priate facilities to house the Center.

16 **SEC. 5. DIRECTOR AND STAFF.**

17 (a) IN GENERAL.—The Secretary of the Smithsonian
18 Institution shall appoint and fix the compensation and du-
19 ties of a Director, Assistant Director, Secretary, and Chief
20 Curator of the Center and any other officers and employ-
21 ees necessary for the operation of the Center. The Director
22 of the Center shall report to the Director of the National
23 Museum of American History. The Director, Assistant Di-
24 rector, Secretary, and Chief Curator shall be qualified

1 through experience and training to perform the duties of
2 their offices.

3 (b) APPLICABILITY OF CERTAIN CIVIL SERVICE
4 LAWS.—The Secretary of the Smithsonian Institution
5 may—

6 (1) appoint the Director and 5 employees under
7 subsection (a), without regard to the provisions of
8 title 5, United States Code, governing appointments
9 in the competitive service; and

10 (2) fix the pay of the Director and such 5 em-
11 ployees, without regard to the provisions of chapter
12 51 and subchapter III of chapter 53 of such title,
13 relating to classification and General Schedule pay
14 rates.

15 **SEC. 6. ADVISORY COMMITTEE ON AMERICAN CULTURAL**
16 **HERITAGE.**

17 (a) ESTABLISHMENT OF ADVISORY COMMITTEE.—

18 (1) ESTABLISHMENT.—There is established an
19 advisory committee to be known as the “Advisory
20 Committee on American Cultural Heritage”.

21 (2) MEMBERSHIP.—

22 (A) COMPOSITION.—The Committee shall
23 be composed of 15 members who shall—

24 (i) be appointed by the Secretary;

1 (ii) have expertise in immigration his-
2 tory, ethnic studies, museum science, or
3 any other academic or professional field
4 that involves matters relating to the cul-
5 tural heritage of the citizens of the United
6 States; and

7 (iii) reflect the diversity of the citizens
8 of the United States.

9 (B) INITIAL APPOINTMENTS.—The initial
10 appointments of the members of the Committee
11 shall be made not later than 6 months after the
12 date of enactment of this Act.

13 (3) PERIOD OF APPOINTMENT; VACANCIES.—
14 Members shall be appointed for the life of the Com-
15 mittee. Any vacancy in the Committee shall not af-
16 fect its powers, but shall be filled in the same man-
17 ner as the original appointment.

18 (4) INITIAL MEETING.—Not later than 30 days
19 after the date on which all members of the Commit-
20 tee have been appointed, the Committee shall hold
21 its first meeting.

22 (5) MEETINGS.—The Committee shall meet at
23 the call of the Chairperson, but shall meet not less
24 than 2 times each fiscal year.

1 (6) QUORUM.—A majority of the members of
2 the Committee shall constitute a quorum, but a less-
3 er number of members may hold hearings.

4 (7) CHAIRPERSON AND VICE CHAIRPERSON.—
5 The Committee shall select a Chairperson and Vice
6 Chairperson from among its members.

7 (b) DUTIES OF THE COMMITTEE.—The Committee
8 shall advise the Secretary, the Director of the National
9 Museum of American History, and the Director of the
10 Center on policies and programs affecting the Center.

11 (c) COMMITTEE PERSONNEL MATTERS.—

12 (1) COMPENSATION OF MEMBERS.—Each mem-
13 ber of the Committee who is not an officer or em-
14 ployee of the Federal Government shall be com-
15 pensated at a rate equal to the daily equivalent of
16 the annual rate of basic pay prescribed for level IV
17 of the Executive Schedule under section 5315 of title
18 5, United States Code, for each day (including travel
19 time) during which such member is engaged in the
20 performance of the duties of the Committee. All
21 members of the Committee who are officers or em-
22 ployees of the United States shall serve without com-
23 pensation in addition to that received for their serv-
24 ices as officers or employees of the United States.

1 (2) TRAVEL EXPENSES.—The members of the
2 Committee shall be allowed travel expenses, includ-
3 ing per diem in lieu of subsistence, at rates author-
4 ized for employees of agencies under subchapter I of
5 chapter 57 of title 5, United States Code, while
6 away from their homes or regular places of business
7 in the performance of services for the Committee.

8 (3) STAFF.—

9 (A) IN GENERAL.—The Chairperson of the
10 Committee may, without regard to the civil
11 service laws and regulations, appoint and termi-
12 nate an executive director and such other addi-
13 tional personnel as may be necessary to enable
14 the Committee to perform its duties. The em-
15 ployment of an executive director shall be sub-
16 ject to confirmation by the Committee.

17 (B) COMPENSATION.—The Chairperson of
18 the Committee may fix the compensation of the
19 executive director and other personnel without
20 regard to the provisions of chapter 51 and sub-
21 chapter III of chapter 53 of title 5, United
22 States Code, relating to classification of posi-
23 tions and General Schedule pay rates, except
24 that the rate of pay for the executive director
25 and other personnel may not exceed the rate

1 payable for level V of the Executive Schedule
2 under section 5316 of such title.

3 (4) **DETAIL OF GOVERNMENT EMPLOYEES.**—
4 Any Federal Government employee may be detailed
5 to the Committee without reimbursement, and such
6 detail shall be without interruption or loss of civil
7 service status or privilege.

8 (5) **PROCUREMENT OF TEMPORARY AND INTER-**
9 **MITTENT SERVICES.**—The Chairperson of the Com-
10 mittee may procure temporary and intermittent serv-
11 ices under section 3109(b) of title 5, United States
12 Code, at rates for individuals which do not exceed
13 the daily equivalent of the annual rate of basic pay
14 prescribed for level V of the Executive Schedule
15 under section 5316 of such title.

16 **SEC. 7. DEFINITIONS.**

17 As used in this Act:

18 (1) **BOARD OF REGENTS.**—The term “Board of
19 Regents” means the Board of Regents of the Smith-
20 sonian Institution.

21 (2) **CENTER.**—The term “Center” means the
22 Center for American Cultural Heritage established
23 under section 3(a).

1 (3) COMMITTEE.—The term “Committee”
2 means the advisory Committee on American Cultural
3 Heritage established under section 8(a).

4 (4) SECRETARY.—The term “Secretary” means
5 the Secretary of the Smithsonian Institution.

6 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

7 There are authorized to be appropriated to carry out
8 this Act such sums as may be necessary for each fiscal
9 year.

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