

PUBLIC LAW 108-72—AUG. 15, 2003

SMITHSONIAN FACILITIES AUTHORIZATION  
ACT

Public Law 108–72  
108th Congress

An Act

Aug. 15, 2003  
[H.R. 2195]

To provide for additional space and resources for national collections held by the Smithsonian Institution, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Smithsonian  
Facilities  
Authorization  
Act.  
20 USC 41 note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Smithsonian Facilities Authorization Act”.

**SEC. 2. ADDITIONAL SPACE AND RESOURCES FOR NATIONAL COLLECTIONS HELD BY THE SMITHSONIAN INSTITUTION.**

(a) IN GENERAL.—Public Law 94–98 (20 U.S.C. 50 note; 89 Stat. 480) is amended by adding at the end the following:

**“SEC. 4. ADDITIONAL SPACE AND RESOURCES FOR NATIONAL COLLECTIONS HELD BY THE SMITHSONIAN INSTITUTION.**

“(a) IN GENERAL.—The Board of Regents of the Smithsonian Institution may plan, design, construct, and equip additional special use storage and laboratory space at the museum support facility of the Smithsonian Institution in Suitland, Maryland, to accommodate the care, preservation, conservation, deposit, and study of national collections held in trust by the Institution.

“(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$2,000,000 for fiscal year 2003;

“(2) \$10,000,000 for fiscal year 2004; and

“(3) such sums as are necessary for each of fiscal years 2005 through 2008.”

(b) CONFORMING AMENDMENT.—Section 3 of Public Law 94–98 (20 U.S.C. 50 note; 89 Stat. 480) is amended in the first sentence by striking “the purposes of this Act.” and inserting “this Act (other than section 4).”

20 USC 75b note.

**SEC. 3. PATENT OFFICE BUILDING IMPROVEMENTS.**

(a) AUTHORIZATION OF USE OF FUNDS.—

(1) IN GENERAL.—The Board of Regents of the Smithsonian Institution may plan, design, and construct improvements to the interior and exterior of the Patent Office Building (including the construction of a roof covering for the courtyard), using funds available to the Institution from nonappropriated sources.

(2) DEFINITION.—In this section, the term “Patent Office Building” means the building transferred to the Smithsonian Institution pursuant to Public Law 85–357.

(b) DESIGN AND SPECIFICATIONS.—The design and specifications for any exterior alterations authorized by subsection (a) shall be—

(1) submitted by the Secretary of the Smithsonian Institution (referred to in this section as the “Secretary”) to the Commission of Fine Arts for comments and recommendations; and

(2) subject to the review and approval of the National Capital Planning Commission in accordance with section 8722 of title 40, United States Code, and section 16 of the Act of June 20, 1938 (sec. 6–641.15, D.C. Official Code).

(c) AUTHORITY OF HISTORIC PRESERVATION AGENCIES.—

(1) IN GENERAL.—The Secretary shall—

(A) take into account the effect of the improvements authorized by subsection (a) on the historic character of the Patent Office Building; and

(B) provide the Advisory Council on Historic Preservation a reasonable opportunity to comment with regard to such improvements.

(2) STATUS OF SMITHSONIAN.—In carrying out this subsection, and in carrying out other projects in the District of Columbia which are subject to the review and approval of the National Capital Planning Commission in accordance with section 16 of the Act of June 20, 1938 (sec. 6–641.15, D.C. Official Code), the Smithsonian Institution shall be deemed to be an agency for purposes of compliance with regulations promulgated by the Advisory Council on Historic Preservation pursuant to section 106 of the National Historic Preservation Act (16 U.S.C. 470f).

**SEC. 4. CONTRACTING AUTHORITY OF SECRETARY.**

41 USC 253l–8.

(a) IN GENERAL.—The Secretary of the Smithsonian Institution may—

(1) enter into multi-year contracts for the acquisition of property and services under the authority of section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c); and

(2) enter into contracts for the acquisition of severable services for a period that begins in one fiscal year and ends in the next fiscal year under the authority of section 303L of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253l).

(b) EFFECTIVE DATE.—This section shall apply to contracts entered into on or after the date of the enactment of this Act.

Applicability.

**SEC. 5. VOLUNTARY SEPARATION INCENTIVE PAYMENTS.**

5 USC 3521 note.

The Secretary of the Smithsonian Institution may establish a program for making voluntary separation incentive payments for employees of the Smithsonian Institution which is substantially similar to the program established under subchapter II of chapter 35 of title 5, United States Code (as added by section 1313(a) of the Homeland Security Act of 2002).

**SEC. 6. SENSE OF CONGRESS REGARDING JAZZ APPRECIATION MONTH.**

(a) FINDINGS.—Congress finds the following:

(1) On December 4, 1987, Congress approved House Concurrent Resolution 57, designating jazz as “a rare and valuable national American treasure”.

(2) Jazz has inspired some of the Nation's leading creative artists and ranks as one of the greatest cultural exports of the United States.

(3) Jazz is an original American art form which has inspired dancers, choreographers, poets, novelists, filmmakers, classical composers, and musicians in many other kinds of music.

(4) Jazz has become an international language that bridges cultural differences and brings people of all races, ages, and backgrounds together.

(5) The jazz heritage of the United States should be appreciated as broadly as possible and should be part of the educational curriculum for children in the United States.

(6) The Smithsonian Institution has played a vital role in the preservation of American culture, including art and music.

(7) The Smithsonian Institution's National Museum of American History has established April as Jazz Appreciation Month to pay tribute to jazz as both a historic and living American art form.

(8) The Smithsonian Institution's National Museum of American History has received great contributions toward this effort from other governmental agencies and cultural organizations.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Smithsonian Institution's National Museum of American History should be commended for establishing a Jazz Appreciation Month; and

(2) musicians, schools, colleges, libraries, concert halls, museums, radio and television stations, and other organizations should develop programs to explore, perpetuate, and honor jazz as a national and world treasure.

Approved August 15, 2003.

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LEGISLATIVE HISTORY—H.R. 2195:

CONGRESSIONAL RECORD, Vol. 149 (2003):

July 15, considered and passed House.

July 31, considered and passed Senate.

