

## **MINUTES OF THE DECEMBER 13, 2016, EXECUTIVE COMMITTEE TELECONFERENCE MEETING**

The Executive Committee (“Committee”) of the Board of Regents (“Board”) of the Smithsonian Institution (“Smithsonian”) held a teleconference meeting on December 13, 2016. Participating were Executive Committee and Board Chair John W. McCarter, Jr. and Member David Rubenstein.

Also present by invitation of the Committee were Secretary David Skorton; Counselor to the Chief Justice Jeffrey P. Minear; Chief of Staff to the Secretary Greg Bettwy; Office of the Regents Senior Researcher & Writer Jennifer Ehlinger (recorder); General Counsel Judith Leonard; Deputy Chief of Staff to the Regents Rachel Parker; Director of the Office of Government Relations Nell Payne; and Chief of Staff to the Regents Porter Wilkinson.

### **CALL TO ORDER**

Mr. McCarter called the meeting to order at 3:59 p.m.

### **REVIEW OF JANUARY BOARD MEETING AGENDA**

Chief of Staff to the Regents Porter Wilkinson reviewed the draft agenda for the January 30, 2017, meeting of the Board of Regents (“Board”). Ms. Wilkinson highlighted the topics slated for discussion, noting several that would require modern audio-visual (“AV”) equipment to support the presentations. Recognizing that the Regents’ Room in the Smithsonian Castle has limited AV capabilities, the Committee agreed to hold the January Board meeting at the National Museum of the American Indian, which has more modern infrastructure.

### **UPDATE ON THE OPEN AND TRANSPARENT SMITHSONIAN ACT OF 2015 (H.R. 3387)**

The Committee received an update on the *Open and Transparent Smithsonian Act of 2015* (H.R. 3387), a bill introduced by Delegate Eleanor Holmes Norton (D-DC) on July 29, 2015. Secretary Skorton advised the Committee that the bill was not considered by the full House of Representatives (“House”) prior to the adjournment of the 114th Congress. Smithsonian staff will continue to work with the House Oversight and Government Reform Committee to address the Institution’s specific concerns if the bill is reintroduced in the 115th Congress.

### **UPDATE ON NMAAHC’S COVERAGE OF JUSTICE THOMAS**

Secretary Skorton updated the Committee on matters regarding the coverage of Supreme Court Justice Clarence Thomas in the Smithsonian’s National Museum of African American History and Culture (“NMAAHC”). Since the Committee met in November, the Smithsonian has provided tours of NMAAHC to a number of congressional offices, and arranged for congressional members and staff to talk with curators regarding the planning and execution of exhibits. The Secretary and staff from the Office of Government Relations have continued

meetings with individual members of Congress and Congressional Regents to keep them informed, to further address concerns, and to solicit individual members' feedback about the matter.

## **EXECUTIVE SESSION**

The Committee entered into an executive session at approximately 4:22 p.m. to receive an update on personnel matters related to the staffing of several senior positions at the Smithsonian.

The Committee also received a litigation update from General Counsel Judith Leonard.

Lastly, the Committee discussed the Secretary's annual performance evaluation for fiscal year 2016.

## **ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at approximately 4:47 p.m.

Respectfully submitted,

John W. McCarter, Jr.  
Chair