

## MINUTES OF THE AUGUST 15, 2023, EXECUTIVE COMMITTEE MEETING

The Executive Committee (“Committee”) of the Board of Regents (“Board”) of the Smithsonian Institution (“Smithsonian”) conducted a meeting on August 15, 2023. Board and Executive Committee Chair Risa J. Lavizzo-Mourey, Vice Chair John Fahey, and Committee member Barbara M. Barrett.

Also present by invitation of the Committee were Secretary Lonnie Bunch; Counselor to the Chief Justice Robert M. Dow, Jr.; Chief of Staff to the Secretary Greg Bettwy; Acting General Counsel Farleigh Earhart; Special Assistant to the Regents Mallory Gianola (recorder); and Chief of Staff to the Regents Porter Wilkinson.

### CALL TO ORDER

Board and Executive Committee Chair Risa J. Lavizzo-Mourey called the meeting to order at 11:00 a.m. and reviewed the agenda.

### MINUTES OF THE EXECUTIVE COMMITTEE

Upon motion duly made and seconded, the Committee approved the draft minutes of the July 13, 2023, meeting.

### ADVISORY BOARD APPOINTMENTS AND REAPPOINTMENTS

The Committee reviewed the proposed slate of candidates for appointment or reappointment to 11 Smithsonian advisory boards. Dr. Lavizzo-Mourey noted that the advisory board candidates were approved by the Governance and Nominating Committee via email ballot completed on July 31, and all candidates presented have the support of the respective unit advisory board, the unit director, the relevant Under Secretary, the Assistant Secretary for Advancement, and the Secretary. The Executive Committee was asked to approve the appointments and reappointments on behalf of the Board to accommodate terms that are to take effect immediately, before the next meeting of the Board of Regents, and to help mitigate delays in onboarding new advisory board members.

Upon motion duly made and seconded, the following motion was approved:

**VOTED** that the Executive Committee, on behalf of the Board of Regents pursuant to Board Bylaw 3.01, approves the proposed slate of candidates for appointment or reappointment to 11 Smithsonian Institution Advisory Boards.

### AMENDMENTS TO THE BYLAWS OF THE SMITHSONIAN ASTROPHYSICAL OBSERVATORY

Dr. Lavizzo-Mourey presented the proposed amendments to the bylaws of the Smithsonian Astrophysical Observatory (“SAO”) Advisory Board. The proposed amendments include language clarifying philanthropic expectations, an increase in the size of the advisory board, and Emeritus appointments in conformance with both the Emeritus/Alumni Guidance for Advisory Boards and the

standards of conduct set forth in the Smithsonian Advisory Board Ethics Statement and Statement of Values. The proposed amendments also include the addition of an Advancement Committee, modified duties and responsibilities of the Nominating Committee, and a change in composition and size of the Nominating and Executive Committees. The proposed amendments also clarify electronic communications, actions by ballot without a meeting, and meeting format and provide updated language related to the Smithsonian advisory board ethics statement and conflict-of-interest statement. The proposed bylaw amendments were approved by the Governance and Nominating Committee via email ballot completed on July 31. The Executive Committee was asked to approve the proposed amendments on behalf of the Board so that the updated bylaws could take effect immediately.

Upon motion duly made and seconded, the following motion was approved:

**VOTED** that the Executive Committee, on behalf of the Board of Regents pursuant to Board Bylaw 3.01, approves the proposed amendments to the bylaws of the Smithsonian Astrophysical Observatory Advisory Board.

#### **AMENDMENTS TO THE BYLAWS OF THE SMITHSONIAN TROPICAL RESEARCH INSTITUTE**

The Committee also reviewed the proposed amendments to the bylaws of the Smithsonian Tropical Research Institute (“STRI”) Advisory Board. The proposed amendments include an increase in the size and composition of the Executive Committee, and clarify electronic communications, actions by ballot without a meeting, and meeting format. The proposed bylaw amendments were approved by the Governance and Nominating Committee via email ballot completed on July 31. The Executive Committee was asked to approve the proposed amendments on behalf of the Board so that the updated bylaws could take effect immediately.

Upon motion duly made and seconded, the following motion was approved:

**VOTED** that the Executive Committee, on behalf of the Board of Regents pursuant to Board Bylaw 3.01, approves the proposed amendments to the bylaws of the Smithsonian Tropical Research Institute Advisory Board.

#### **REPORT OF THE SECRETARY**

The Secretary updated the Committee on the state of the Smithsonian, and led a discussion with the Committee on a recent Washington Post article regarding human remains in the Smithsonian’s collections. Since its founding in 1846, the Smithsonian has developed one of the largest scientific collections in the world of human remains, with most of the remains being acquired during the 19th and early 20th centuries. The Secretary shared the Smithsonian’s response to the article, including recognition that certain collection practices of the past were unethical, and while once standard in the museum field are no longer acceptable. The Secretary reminded the Committee that in April 2022, the Smithsonian adopted an Institution-wide Shared Stewardship and Ethical Returns policy allowing shared stewardship arrangements and the return of collections in appropriate circumstances based on

ethical considerations. In 2023, the Smithsonian also formed a task force to develop a policy that addresses the future of human remains held within the museums' collections. The task force is developing an Institution-wide policy for the appropriate care, shared stewardship, or ethical return of human remains and has enhanced efforts to promote respectful engagement with descendants and descendant communities. The Secretary also informed the Committee that the Institution has placed temporary restrictions on research on human remains in its care and the acquisition of any additional remains while it forms its human remains policy. The Committee discussed how the policy will guide the Institution as it assesses the human remains in its collections, including examining the circumstances under which they were acquired, and examining and clarifying the scientific and ethical reasons for holding human remains in its permanent collections.

## **EXECUTIVE SESSION**

The Committee moved into an executive session at approximately 11:43 a.m. to discuss confidential personnel and business matters.

## **ADJOURNMENT**

With no other business to consider the meeting was adjourned at approximately 12:00 p.m.

Respectfully submitted,

Risa J. Lavizzo-Mourey, Chair