

108TH CONGRESS
2D SESSION

S. 2434

To establish the Commission to Study the Potential Creation of a National Museum of the American Latino Community to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, DC, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 18, 2004

Mr. HATCH (for himself, Mrs. BOXER, Mrs. HUTCHISON, and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Commission to Study the Potential Creation of a National Museum of the American Latino Community to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, DC, 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 “Commission to Study
5 the Potential Creation of a National Museum of the Amer-
6 ican Latino Community Act of 2004”.

1 **SEC. 2. FINDINGS.**

2 Congress finds as follows:

3 (1) American Latinos are an ethnically and ra-
4 cially diverse population. Still, whether known by the
5 term “Hispanic” or “Latino”, or by the various na-
6 tional identities from which they obtain their eth-
7 nicity, American Latinos share a common heritage
8 rooted in the mixture of the cultures of the indige-
9 nous peoples of the American continent, of the Euro-
10 pean colonizers from Spain, and of Africans who
11 were brought to those colonies as slaves.

12 (2) While the history of the United States for-
13 mally dates from 1776, American civilization was al-
14 ready centuries old by then. Latinos were present on
15 the continent for more than 200 years prior to the
16 Declaration of Independence. Spanish colonists
17 founded the first permanent settlement on future
18 United States territory in St. Augustine, Florida in
19 1565. Indigenous nations that had thrived for cen-
20 turies prior to the landing of Columbus would later
21 mix with colonists of various ethnicities from Spain
22 to create a third culture, one that continues to thrive
23 in various forms throughout the Americas today.

24 (3) Since before our Nation’s founding, Latinos
25 have come to this land searching for opportunity,
26 prosperity, and chance. In this regard, not much has

1 changed in over 3 centuries. Through every era of
2 our Nation's history, whether in the fields of plenty
3 or on the field of battle, a Latino presence was felt.
4 Through every war and conflict, Latinos have served
5 honorably and proudly next to their fellow Ameri-
6 cans to defend the ideals of freedom, democracy, and
7 liberty worldwide, earning countless awards for valor
8 and sacrifice.

9 (4) The history, art, politics, economy, and cul-
10 ture of the United States have been enriched by the
11 influence of American Latinos and their traditions
12 and innovations. Both native and foreign-born
13 Latinos in the United States continue to make sig-
14 nificant contributions to the arts and humanities,
15 academia, and the popular culture that have bene-
16 fitted all Americans.

17 (5) According to the Bureau of the Census, the
18 population of American Latinos recently grew to be-
19 come the largest demographic minority group in the
20 country. As of July 2002, there were an estimated
21 38.8 million Latinos in the United States. One out
22 of every three of these is under the age of 18. The
23 youthfulness and rapid growth of this population en-
24 sure that American Latinos will have a substantial
25 role in American life ranging from public policy to

1 popular entertainment. Greater understanding of
2 this role will benefit all of American society.

3 (6) The American Latino population historically
4 has been concentrated in certain regions of the
5 United States. In the last several decades, however,
6 there has been more dispersed growth of the commu-
7 nity throughout the entire country.

8 (7) Despite the contributions that American
9 Latinos make to the cultural life of the United
10 States, there remains a lack of awareness by other
11 Americans about the rich and diverse character of
12 Latino culture and history, which may contribute to
13 stereotypes or misconceptions about Latinos. Great-
14 er effort is needed at a national level to educate
15 other Americans about Latinos and to celebrate and
16 disseminate information about Latino culture and
17 history. Americans of all backgrounds benefit from
18 greater understanding of the diversity that exists in
19 the United States.

20 (8) The Smithsonian Institution is the world's
21 largest museum and research complex, with 16 mu-
22 seums in the District of Columbia and New York
23 City. The Smithsonian Institution museums play a
24 unique and important role in educating visitors to
25 the Nation's capital about our history, arts, and cul-

1 ture. The American people and international visitors
2 recognize the Smithsonian Institution as the premier
3 American museum, representing the vast diversity of
4 cultural history of the United States.

5 (9) A task force appointed to examine the
6 Smithsonian Institution's representation of Amer-
7 ican Latinos in its permanent exhibits and other
8 public programs published "Willful Neglect: The
9 Smithsonian Institution and U.S. Latinos" (May
10 1994) and "Toward a Shared Vision: U.S. Latinos
11 and the Smithsonian Institution" (October 1997).
12 The reports indicate that the Smithsonian histori-
13 cally had a poor record of representing Hispanics.
14 This criticism led to the creation of the
15 Smithsonian's Center for Latino Initiatives in 1998.

16 (10) The Center for Latino Initiatives has in-
17 creased the profile of Latino arts and culture and
18 should be commended for promoting diversity and
19 understanding of American Latino culture by the
20 Smithsonian's patrons. The Center's short history
21 has shown that American Latino exhibits and pro-
22 grams are well received by the public and by the
23 Latino community. However, given American Latino
24 history, demography, and contributions to the Amer-

1 ican cultural landscape, a more complete representa-
2 tion is in order.

3 (11) Fro these reasons, it is necessary to estab-
4 lish a commission to draft a plan of action for cre-
5 ating a National Museum of the American Latino
6 Community within the Smithsonian Institution, on
7 or near the National Mall in Washington, DC.

8 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

9 (a) IN GENERAL.—There is established the Commis-
10 sion to Study the Potential Creation of a National Mu-
11 seum of the American Latino Community (hereafter in
12 this Act referred to as the “Commission”).

13 (b) MEMBERSHIP.—The Commission shall consist of
14 23 members appointed not later than 6 months after the
15 date of the enactment of this Act as follows:

16 (1) The President shall appoint 7 voting mem-
17 bers.

18 (2) The Speaker of the House of Representa-
19 tives, the minority leader of the House of Represent-
20 atives, the majority leader of the Senate, and the mi-
21 nority leader of the Senate shall each appoint 3 vot-
22 ing members.

23 (3) In addition to the members appointed under
24 paragraph (2), the Speaker of the House of Rep-
25 resentatives, the minority leader of the House of

1 Representatives, the majority leader of the Senate,
2 and the minority leader of the Senate shall each ap-
3 point 1 nonvoting member.

4 (c) QUALIFICATIONS.—Members of the Commission
5 shall be chosen from among individuals, or representatives
6 of institutions or entities, who possess either—

7 (1) a demonstrated commitment to the re-
8 search, study, or promotion of American Latino life,
9 art, history, political or economic status, or culture,
10 together with—

11 (A) expertise in museum administration;

12 (B) expertise in fundraising for nonprofit
13 or cultural institutions;

14 (C) experience in the study and teaching of
15 Latino culture and history at the post-sec-
16 ondary level;

17 (D) experience in studying the issue of the
18 Smithsonian Institution's representation of
19 American Latino art, life, history, and culture;
20 or

21 (E) extensive experience in public or elect-
22 ed service; or

23 (2) experience in the administration of, or the
24 planning for the establishment of, museums devoted

1 to the study and promotion of the role of ethnic, ra-
2 cial, or cultural groups in American history.

3 **SEC. 4. FUNCTIONS OF THE COMMISSION.**

4 (a) **PLAN OF ACTION FOR ESTABLISHMENT AND**
5 **MAINTENANCE OF MUSEUM.**—The Commission shall sub-
6 mit a report to the President and the Congress containing
7 its recommendations with respect to a plan of action for
8 the establishment and maintenance of a National Museum
9 of the American Latino Community in Washington, DC
10 (hereafter in this Act referred to as the “Museum”).

11 (b) **FUNDRAISING PLAN.**—The Commission shall de-
12 velop a fundraising plan for supporting the creation and
13 maintenance of the Museum through contributions by the
14 American people, and a separate plan on fundraising by
15 the American Latino community.

16 (c) **REPORT ON ISSUES.**—The Commission shall ex-
17 amine (in consultation with the Secretary of the Smithso-
18 nian Institution), and submit a report to the President
19 and the Congress on, the following issues:

20 (1) The availability and cost of collections to be
21 acquired and housed in the Museum.

22 (2) The impact of the Museum on regional
23 Hispanic- and Latino-related museums.

24 (3) Possible locations for the Museum in Wash-
25 ington, DC and its environs, to be considered in con-

1 sultation with the National Capital Planning Com-
2 mission and the Commission of Fine Arts.

3 (4) Whether the Museum should be located
4 within the Smithsonian Institution.

5 (5) The governance and organizational struc-
6 ture from which the Museum should operate.

7 (6) How to engage the American Latino com-
8 munity in the development and design of the Mu-
9 seum.

10 (d) LEGISLATION TO CARRY OUT PLAN OF AC-
11 TION.—Based on the recommendations contained in the
12 report submitted under subsection (a) and the report sub-
13 mitted under subsection (c), the Commission shall submit
14 for consideration to the Committee on Transportation and
15 Infrastructure of the House of Representatives, the Com-
16 mittee on House Administration of the House of Rep-
17 resentatives, the Committee on Resources of the House
18 of Representatives, the Committee on Energy and Natural
19 Resources of the Senate, and the Committees on Appro-
20 priations of the House of Representatives and the Senate
21 a legislative plan of action to create and construct the Mu-
22 seum.

23 (e) NATIONAL CONFERENCE.—In carrying out its
24 functions under this section, the Commission shall convene
25 a national conference on the Museum, comprised of indi-

1 individuals committed to the advancement of American Latino
2 life, art, history, and culture, not later than 9 months
3 after the date of the enactment of this Act.

4 **SEC. 5. ADMINISTRATIVE PROVISIONS.**

5 (a) FACILITIES AND SUPPORT OF SECRETARY OF IN-
6 TERIOR.—The Secretary of the Interior shall provide the
7 administrative services, facilities, and funds necessary for
8 the performance of the Commission’s functions.

9 (b) COMPENSATION.—Each member of the Commis-
10 sion who is not an officer or employee of the Federal Gov-
11 ernment may receive compensation for each day on which
12 the member is engaged in the work of the Commission,
13 at a daily rate to be determined by the Secretary of the
14 Interior.

15 (c) TRAVEL EXPENSES.—Each member shall receive
16 travel expenses, including per diem in lieu of subsistence,
17 in accordance with applicable provisions under subchapter
18 I of chapter 57 of title 5, United States Code.

19 **SEC. 6. DEADLINE FOR SUBMISSION OF REPORTS; TERMI-**
20 **NATION.**

21 (a) DEADLINE.—The Commission shall submit final
22 versions of the reports and plans required under section
23 4 not later than 18 months after the date of the enactment
24 of this Act.

1 (b) **TERMINATION.**—The Commission shall terminate
2 not later than 30 days after submitting the final versions
3 of reports and plans pursuant to subsection (a).

4 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

5 There are authorized to be appropriated for carrying
6 out the activities of the Commission \$2,100,000 for fiscal
7 year 2005 and \$1,100,000 for fiscal year 2006.

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