

113TH CONGRESS  
1ST SESSION

# S. 398

To establish the Commission to Study the Potential Creation of a National Women’s History Museum, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2013

Ms. COLLINS (for herself, Ms. MIKULSKI, Ms. MURKOWSKI, Ms. KLOBUCHAR, Ms. AYOTTE, Ms. STABENOW, Mrs. SHAHEEN, Mrs. MURRAY, Ms. LANDRIEU, Mrs. BOXER, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To establish the Commission to Study the Potential Creation of a National Women’s History Museum, 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 “National Women’s His-

5       tory Museum Commission Act of 2013”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1           (1) COMMISSION.—The term “Commission”  
2 means the Commission to Study the Potential Cre-  
3 ation of a National Women’s History Museum estab-  
4 lished by section 3(a).

5           (2) MUSEUM.—The term “Museum” means the  
6 National Women’s History Museum.

7 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

8           (a) IN GENERAL.—There is established the Commis-  
9 sion to Study the Potential Creation of a National Wom-  
10 en’s History Museum.

11          (b) MEMBERSHIP.—The Commission shall be com-  
12 posed of 8 members, of whom—

13           (1) 2 members shall be appointed by the major-  
14 ity leader of the Senate;

15           (2) 2 members shall be appointed by the Speak-  
16 er of the House of Representatives;

17           (3) 2 members shall be appointed by the minor-  
18 ity leader of the Senate; and

19           (4) 2 members shall be appointed by the minor-  
20 ity leader of the House of Representatives.

21          (c) QUALIFICATIONS.—Members of the Commission  
22 shall be appointed to the Commission from among individ-  
23 uals, or representatives of institutions or entities, who pos-  
24 sess—

1           (1)(A) a demonstrated commitment to the re-  
2           search, study, or promotion of women’s history, art,  
3           political or economic status, or culture; and

4           (B)(i) expertise in museum administration;

5           (ii) expertise in fundraising for nonprofit or cul-  
6           tural institutions;

7           (iii) experience in the study and teaching of  
8           women’s history at the post-secondary level;

9           (iv) experience in studying the issue of the rep-  
10          resentation of women in art, life, history, and cul-  
11          ture at the Smithsonian Institution; or

12          (v) extensive experience in public or elected  
13          service;

14          (2) experience in the administration of, or the  
15          planning for, the establishment of, museums; or

16          (3) experience in the planning, design, or con-  
17          struction of museum facilities.

18          (d) PROHIBITION.—No employee of the Federal Gov-  
19          ernment may serve as a member of the Commission.

20          (e) DEADLINE FOR INITIAL APPOINTMENT.—The  
21          initial members of the Commission shall be appointed not  
22          later than the date that is 90 days after the date of enact-  
23          ment of this Act.

24          (f) VACANCIES.—A vacancy in the Commission—

1 (1) shall not affect the powers of the Commis-  
2 sion; and

3 (2) shall be filled in the same manner as the  
4 original appointment was made.

5 (g) CHAIRPERSON.—The Commission shall, by ma-  
6 jority vote of all of the members, select 1 member of the  
7 Commission to serve as the Chairperson of the Commis-  
8 sion.

9 **SEC. 4. DUTIES OF THE COMMISSION.**

10 (a) REPORTS.—

11 (1) PLAN OF ACTION.—The Commission shall  
12 submit to the President and Congress a report con-  
13 taining the recommendations of the Commission  
14 with respect to a plan of action for the establishment  
15 and maintenance of a National Women’s History  
16 Museum in Washington, DC.

17 (2) REPORT ON ISSUES.—The Commission shall  
18 submit to the President and Congress a report that  
19 addresses the following issues:

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

22 (B) The impact of the Museum on regional  
23 women history-related museums.

24 (C) Potential locations for the Museum in  
25 Washington, DC, and its environs (including

1 the location located on public land bounded by  
2 Independence Avenue SW., 14th Street SW.,  
3 15th Street SW., and Jefferson Drive SW., in  
4 Washington, DC, that is established subject to  
5 chapter 89 of title 40, United States Code  
6 (commonly known as the “Commemorative  
7 Works Act”).

8 (D) Whether the Museum should be part  
9 of the Smithsonian Institution.

10 (E) The governance and organizational  
11 structure from which the Museum should oper-  
12 ate.

13 (F) Best practices for engaging women in  
14 the development and design of the Museum.

15 (G) The cost of constructing, operating,  
16 and maintaining the Museum.

17 (3) DEADLINE.—The reports required under  
18 paragraphs (1) and (2) shall be submitted not later  
19 than the date that is 18 months after the date of  
20 the first meeting of the Commission.

21 (b) FUNDRAISING PLAN.—

22 (1) IN GENERAL.—The Commission shall de-  
23 velop a fundraising plan to support the establish-  
24 ment and maintenance of the Museum through con-  
25 tributions from the public.

1           (2) CONSIDERATIONS.—In developing the fund-  
2       raising plan under paragraph (1), the Commission  
3       shall consider—

4                   (A) the role of the National Women’s His-  
5       tory Museum (a nonprofit, educational organi-  
6       zation described in section 501(c)(3) of the In-  
7       ternal Revenue Code of 1986 that was incor-  
8       porated in 1996 in Washington, DC, and dedi-  
9       cated for the purpose of establishing a women’s  
10      history museum) in raising funds for the con-  
11     struction of the Museum; and

12                   (B) issues relating to funding the oper-  
13      ations and maintenance of the Museum in per-  
14      petuity.

15      (c) LEGISLATION TO CARRY OUT PLAN OF AC-  
16     TION.—Based on the recommendations contained in the  
17     report submitted under paragraphs (1) and (2) of sub-  
18     section (a), the Commission shall submit for consideration  
19     to the Committees on Transportation and Infrastructure,  
20     House Administration, Natural Resources, and Appropria-  
21     tions of the House of Representatives and the Committees  
22     on Rules and Administration, Energy and Natural Re-  
23     sources, Environment and Public Works, and Appropria-  
24     tions of the Senate recommendations for a legislative plan  
25     of action to establish and construct the Museum.

1 (d) NATIONAL CONFERENCE.—Not later than 18  
2 months after the date on which the initial members of the  
3 Commission are appointed under section 3, the Commis-  
4 sion may, in carrying out the duties of the Commission  
5 under this section, convene a national conference relating  
6 to the Museum, to be comprised of individuals committed  
7 to the advancement of the life, art, history, and culture  
8 of women.

9 **SEC. 5. DIRECTOR AND STAFF OF COMMISSION.**

10 (a) DIRECTOR AND STAFF.—

11 (1) IN GENERAL.—The Commission may em-  
12 ploy and compensate an executive director and any  
13 other additional personnel that are necessary to en-  
14 able the Commission to perform the duties of the  
15 Commission.

16 (2) RATES OF PAY.—Rates of pay for persons  
17 employed under paragraph (1) shall be consistent  
18 with the rates of pay allowed for employees of a tem-  
19 porary organization under section 3161 of title 5,  
20 United States Code.

21 (b) NOT FEDERAL EMPLOYMENT.—Any individual  
22 employed under this Act shall not be considered a Federal  
23 employee for the purpose of any law governing Federal  
24 employment.

25 (c) TECHNICAL ASSISTANCE.—

1           (1) IN GENERAL.—Subject to paragraph (2), on  
2 request of the Commission, the head of a Federal  
3 agency may provide technical assistance to the Com-  
4 mission.

5           (2) PROHIBITION.—No Federal employees may  
6 be detailed to the Commission.

7 **SEC. 6. ADMINISTRATIVE PROVISIONS.**

8           (a) COMPENSATION.—

9           (1) IN GENERAL.—A member of the Commis-  
10 sion—

11                   (A) shall not be considered to be a Federal  
12 employee for any purpose by reason of service  
13 on the Commission; and

14                   (B) shall serve without pay.

15           (2) TRAVEL EXPENSES.—A member of the  
16 Commission shall be allowed a per diem allowance  
17 for travel expenses, at rates consistent with the rates  
18 authorized under subchapter I of chapter 57 of title  
19 5, United States Code.

20           (b) GIFTS, BEQUESTS, DEVISES.—The Commission  
21 may solicit, accept, use, and dispose of gifts, bequests, or  
22 devises of money, services, or real or personal property for  
23 the purpose of aiding or facilitating the work of the Com-  
24 mission.



1           (c) FEDERAL ADVISORY COMMITTEE ACT.—The  
2 Commission shall not be subject to the Federal Advisory  
3 Committee Act (5 U.S.C. App.).

4 **SEC. 7. TERMINATION.**

5           The Commission shall terminate on the date that is  
6 30 days after the date on which the final versions of the  
7 reports required under section 4(a) are submitted.

8 **SEC. 8. FUNDING.**

9           (a) IN GENERAL.—The Commission shall be solely  
10 responsible for acceptance of contributions for, and pay-  
11 ment of the expenses of, the Commission.

12           (b) PROHIBITION.—No Federal funds may be obli-  
13 gated to carry out this Act.

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