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Calendar No. 630

113TH CONGRESS
2D SESSION

S. 398

[Report No. 113–290]

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

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, Mrs. FEINSTEIN, Ms. CANTWELL, Ms. WARREN, Mrs. MCCASKILL, Mrs. HAGAN, Ms. HIRONO, Mr. BENNET, Mr. SANDERS, Mrs. GILLIBRAND, Mr. WARNER, Mr. BOOKER, Ms. BALDWIN, Ms. HEITKAMP, Mrs. FISCHER, Mr. CARDIN, Mr. SCHATZ, Mr. KAINE, Mr. MARKEY, Mr. WYDEN, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

DECEMBER 10, 2014

Reported by Ms. LANDRIEU, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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,*

~~SECTION 1. SHORT TITLE.~~

~~This Act may be cited as the "National Women's History Museum Commission Act of 2013".~~

~~SEC. 2. DEFINITIONS.~~

~~In this Act:~~

~~(1) COMMISSION.—The term "Commission" means the Commission to Study the Potential Creation of a National Women's History Museum established by section 3(a).~~

~~(2) MUSEUM.—The term "Museum" means the National Women's History Museum.~~

~~SEC. 3. ESTABLISHMENT OF COMMISSION.~~

~~(a) IN GENERAL.—There is established the Commission to Study the Potential Creation of a National Women's History Museum.~~

~~(b) MEMBERSHIP.—The Commission shall be composed of 8 members, of whom—~~

~~(1) 2 members shall be appointed by the majority leader of the Senate;~~

~~(2) 2 members shall be appointed by the Speaker of the House of Representatives;~~

~~(3) 2 members shall be appointed by the minority leader of the Senate; and~~

~~(4) 2 members shall be appointed by the minority leader of the House of Representatives.~~

~~(c) QUALIFICATIONS.—Members of the Commission shall be appointed to the Commission from among individuals, or representatives of institutions or entities, who possess—~~

~~(1)(A) a demonstrated commitment to the research, study, or promotion of women's history, art, political or economic status, or culture; and~~

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

~~(ii) expertise in fundraising for nonprofit or cultural institutions;~~

~~(iii) experience in the study and teaching of women's history at the post-secondary level;~~

~~(iv) experience in studying the issue of the representation of women in art, life, history, and culture at the Smithsonian Institution; or~~

~~(v) extensive experience in public or elected service;~~

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

~~(3) experience in the planning, design, or construction of museum facilities.~~

~~(d) PROHIBITION.—No employee of the Federal Government may serve as a member of the Commission.~~

~~(e) DEADLINE FOR INITIAL APPOINTMENT.—The initial members of the Commission shall be appointed not~~

later than the date that is 90 days after the date of enactment of this Act.

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

(1) shall not affect the powers of the Commission; and

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

(g) CHAIRPERSON.—The Commission shall, by majority vote of all of the members, select 1 member of the Commission to serve as the Chairperson of the Commission.

SEC. 4. DUTIES OF THE COMMISSION.

(a) REPORTS.—

(1) PLAN OF ACTION.—The Commission shall submit to the President and Congress a report containing the recommendations of the Commission with respect to a plan of action for the establishment and maintenance of a National Women's History Museum in Washington, DC.

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

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

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

~~(C) Potential locations for the Museum in Washington, DC, and its environs (including the location located on public land bounded by Independence Avenue SW., 14th Street SW., 15th Street SW., and Jefferson Drive SW., in Washington, DC, that is established subject to chapter 89 of title 40, United States Code (commonly known as the "Commemorative Works Act")).~~

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

~~(E) The governance and organizational structure from which the Museum should operate.~~

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

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

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

~~(b) FUNDRAISING PLAN.—~~

~~(1) IN GENERAL.—The Commission shall develop a fundraising plan to support the establishment and maintenance of the Museum through contributions from the public.~~

~~(2) CONSIDERATIONS.—In developing the fundraising plan under paragraph (1), the Commission shall consider—~~

~~(A) the role of the National Women's History Museum (a nonprofit, educational organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that was incorporated in 1996 in Washington, DC, and dedicated for the purpose of establishing a women's history museum) in raising funds for the construction of the Museum; and~~

~~(B) issues relating to funding the operations and maintenance of the Museum in perpetuity.~~

~~(c) LEGISLATION TO CARRY OUT PLAN OF ACTION.—Based on the recommendations contained in the report submitted under paragraphs (1) and (2) of subsection (a), the Commission shall submit for consideration to the Committees on Transportation and Infrastructure, House Administration, Natural Resources, and Appropriations of the House of Representatives and the Committees~~

~~on Rules and Administration, Energy and Natural Resources, Environment and Public Works, and Appropriations of the Senate recommendations for a legislative plan of action to establish and construct the Museum.~~

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

~~SEC. 5. DIRECTOR AND STAFF OF COMMISSION.~~

~~(a) DIRECTOR AND STAFF.—~~

~~(1) IN GENERAL.—The Commission may employ and compensate an executive director and any other additional personnel that are necessary to enable the Commission to perform the duties of the Commission.~~

~~(2) RATES OF PAY.—Rates of pay for persons employed under paragraph (1) shall be consistent with the rates of pay allowed for employees of a temporary organization under section 3161 of title 5, United States Code.~~

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

~~(c) TECHNICAL ASSISTANCE.—~~

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

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

~~SEC. 6. ADMINISTRATIVE PROVISIONS.~~

~~(a) COMPENSATION.—~~

~~(1) IN GENERAL.—A member of the Commission—~~

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

~~(B) shall serve without pay.~~

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

~~(b) GIFTS, BEQUESTS, DEVISES.—The Commission may solicit, accept, use, and dispose of gifts, bequests, or devises of money, services, or real or personal property for the purpose of aiding or facilitating the work of the Commission.~~

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

~~SEC. 7. TERMINATION.~~

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

~~SEC. 8. FUNDING.~~

~~(a) IN GENERAL.—The Commission shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the Commission.~~

~~(b) PROHIBITION.—No Federal funds may be obligated to carry out this Act.~~

SECTION 1. SHORT TITLE.

This Act may be cited as the "Commission to Study the Potential Creation of a National Women's History Museum Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term "Commission" means the Commission to Study the Potential Creation of a National Women's History Museum established by section 3(a).

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(1) 2 members shall be appointed by the majority leader of the Senate;

(2) 2 members shall be appointed by the Speaker of the House of Representatives;

(3) 2 members shall be appointed by the minority leader of the Senate; and

(4) 2 members shall be appointed by the minority leader of the House of Representatives.

(c) QUALIFICATIONS.—Members of the Commission shall be appointed to the Commission from among individuals, or representatives of institutions or entities, who possess—

(1)(A) a demonstrated commitment to the research, study, or promotion of women's history, art, political or economic status, or culture; and

(B)(i) expertise in museum administration;

(ii) expertise in fundraising for nonprofit or cultural institutions;

(iii) experience in the study and teaching of women's history;

(iv) experience in studying the issue of the representation of women in art, life, history, and culture at the Smithsonian Institution;

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

(vi) experience as a professional historian with expertise in women's history;

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

(3) experience in the planning, design, or construction of museum facilities.

(d) PROHIBITION.—No employee of the Federal Government may serve as a member of the Commission.

(e) DEADLINE FOR INITIAL APPOINTMENT.—The initial members of the Commission shall be appointed not later than the date that is 90 days after the date of enactment of this Act.

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

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

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

(E) The governance and organizational structure from which the Museum should operate.

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

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

(b) FUNDRAISING PLAN.—

(1) IN GENERAL.—The Commission shall develop a fundraising plan to support the establishment, operation, and maintenance of the Museum through contributions from the public.

(2) CONSIDERATIONS.—In developing the fundraising plan under paragraph (1), the Commission shall consider—

(A) the role of the National Women's History Museum (a nonprofit, educational organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that was incorporated in 1996 in Washington, DC, and dedicated for the

purpose of establishing a women's history museum) in raising funds for the construction of the Museum; and

(B) issues relating to funding the operations and maintenance of the Museum in perpetuity without reliance on appropriations of Federal funds.

(3) INDEPENDENT REVIEW.—The Commission shall obtain an independent review of the viability of the plan developed under paragraph (1) and such review shall include an analysis as to whether the plan is likely to achieve the level of resources necessary to fund the construction of the Museum and the operations and maintenance of the Museum in perpetuity without reliance on appropriations of Federal funds.

(4) SUBMISSION.—The Commission shall submit the plan developed under paragraph (1) and the review conducted under paragraph (3) to the Committees on Transportation and Infrastructure, House Administration, Natural Resources, and Appropriations of the House of Representatives and the Committees on Rules and Administration, Energy and Natural Resources, and Appropriations of the Senate.

(c) LEGISLATION TO CARRY OUT PLAN OF ACTION.—Based on the recommendations contained in the report sub-

mitted under paragraphs (1) and (2) of subsection (a), the Commission shall submit for consideration to the Committees on Transportation and Infrastructure, House Administration, Natural Resources, and Appropriations of the House of Representatives and the Committees on Rules and Administration, Energy and Natural Resources, and Appropriations of the Senate recommendations for a legislative plan of action to establish and construct the Museum.

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

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porary organization under section 3161 of title 5, United States Code.

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

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