

115TH CONGRESS
1ST SESSION

S. 1498

To establish in the Smithsonian Institution a comprehensive American women's history museum, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2017

Ms. COLLINS (for herself, Mrs. FEINSTEIN, Ms. BALDWIN, Ms. CORTEZ MASTO, Mrs. GILLIBRAND, Ms. HASSAN, Ms. HEITKAMP, Mrs. MURRAY, Mrs. SHAHEEN, Ms. WARREN, Mr. BOOKER, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To establish in the Smithsonian Institution a comprehensive American 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 “Smithsonian American
5 Women’s History Museum Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Since its founding, the United States has
9 greatly benefitted from the contributions of women.

(2) Historical accounts, monuments, memorials, and museums disproportionately represent men's achievements and contributions and often neglect those of women. For example—

(A) a study of 18 American history textbooks concluded that 10 percent of the material documented contributions of women;

(B) 9 statues out of 91 in the United States Capitol's National Statuary Hall Collection depict women; and

(C) only 1 of the 44 monuments operated by the National Park Service specifically honors the achievements of women after the 2016 designation of the Belmont-Paul Women's Equality National Monument.

(3) There exists no national museum in the United States that is devoted to the documentation of women's contributions throughout the Nation's history.

(4) On December 19, 2014, Congress created a Congressional Commission to study the potential for an American museum of women's history. The bipartisan Commission unanimously concluded that the United States needs and deserves a physical national museum dedicated to showcasing the historical

1 experiences and impact of women in the United
2 States.

3 (5) Establishing a comprehensive women's his-
4 tory museum representing a diverse range of view-
5 points, experience, and backgrounds is necessary to
6 more accurately depict the history of the United
7 States and would add value to the Smithsonian In-
8 stitution.

9 **SEC. 3. ESTABLISHMENT OF MUSEUM.**

10 (a) ESTABLISHMENT.—There is established within
11 the Smithsonian Institution a comprehensive American
12 women's history museum, to be named by the Board of
13 Regents in consultation with the council established under
14 section 4.

15 (b) PURPOSE.—The purpose of the museum estab-
16 lished under this section shall be to provide for—

17 (1) the collection, study, and establishment of
18 programs relating to women's contributions to var-
19 ious fields and throughout different periods of his-
20 tory that have influenced the direction of the United
21 States;

22 (2) collaboration with other Smithsonian Insti-
23 tution museums and facilities, outside museums, and
24 educational institutions; and

1 (3) the creation of exhibitions and programs
 2 that recognize diverse perspectives on women’s his-
 3 tory and contributions.

4 **SEC. 4. COUNCIL.**

5 (a) ESTABLISHMENT.—There is established within
 6 the Smithsonian Institution a council to carry out the du-
 7 ties set forth under subsection (b) and other provisions
 8 of this Act (referred to in this Act as the “council”).

9 (b) DUTIES.—

10 (1) IN GENERAL.—The council shall—

11 (A) make recommendations to the Board
 12 of Regents concerning the planning, design, and
 13 construction of the museum established under
 14 section 3;

15 (B) advise and assist the Board of Regents
 16 on all matters relating to the administration,
 17 operation, maintenance, and preservation of the
 18 museum;

19 (C) recommend annual operating budgets
 20 for the museum to the Board of Regents;

21 (D) report annually to the Board of Re-
 22 gents on the acquisition, disposition, and dis-
 23 play of objects relating to women’s art, history,
 24 and culture; and

1 (E) adopt bylaws for the operation of the
2 council.

3 (2) PRINCIPAL RESPONSIBILITIES.—The coun-
4 cil, subject to the general policies of the Board of
5 Regents, shall have sole authority to—

6 (A) purchase, accept, borrow, and other-
7 wise acquire artifacts for addition to the collec-
8 tions of the museum;

9 (B) loan, exchange, sell, and otherwise dis-
10 pose of any part of the collections of the mu-
11 seum, but only if the funds generated by that
12 disposition are used for additions to the collec-
13 tions of the museum; or

14 (C) specify criteria with respect to the use
15 of the collections and resources of the museum,
16 including policies on programming, education,
17 exhibitions, and research with respect to—

18 (i) the life, art, history, and culture of
19 women;

20 (ii) the role of women in the history of
21 the United States; and

22 (iii) the contributions of women to so-
23 ciety.

1 (3) OTHER RESPONSIBILITIES.—The council,
2 subject to the general policies of the Board of Re-
3 gents, shall have authority to—

4 (A) provide for preservation, restoration,
5 and maintenance of the collections of the mu-
6 seum; and

7 (B) solicit, accept, use, and dispose of
8 gifts, bequests, and devises of personal property
9 for the purpose of aiding and facilitating the
10 work of the museum.

11 (c) COMPOSITION AND APPOINTMENT.—

12 (1) IN GENERAL.—The council shall be com-
13 posed of 25 voting members, as provided under
14 paragraph (2).

15 (2) VOTING MEMBERS.—The council shall in-
16 clude the following voting members:

17 (A) The Secretary of the Smithsonian In-
18 stitution.

19 (B) One member of the Board of Regents,
20 appointed by the Board of Regents.

21 (C) Twenty-three individuals appointed by
22 the Board or Regents. In appointing members
23 under this subparagraph, the Board of Regents
24 should give special consideration to appoint-
25 ing—

1 (i) members of the Congressional
2 Commission;

3 (ii) board members of the National
4 Women's History Museum, a nonprofit,
5 educational organization described in sec-
6 tion 501(c)(3) of the Internal Revenue
7 Code of 1986 that was incorporated in
8 1996 in the District of Columbia and that
9 is dedicated for the purpose of establishing
10 a women's history museum; and

11 (iii) scholars and representatives of
12 organizations that are committed to the
13 study of women's history.

14 (3) INITIAL APPOINTMENTS.—The Board of
15 Regents shall make initial appointments to the coun-
16 cil under paragraph (2) not later than 180 days
17 after the date of the enactment of this Act.

18 (d) TERMS.—

19 (1) IN GENERAL.—Except as provided in this
20 subsection, each appointed member of the council
21 shall be appointed for a term of 3 years.

22 (2) INITIAL APPOINTEES.—As designated by
23 the Board of Regents at the time of appointment, of
24 the voting members first appointed under subpara-
25 graph (C) of subsection (c)(2)—

1 (A) 8 members shall be appointed for a
2 term of 1 year;

3 (B) 8 members shall be appointed for a
4 term of 2 years; and

5 (C) 7 members shall be appointed for a
6 term of 3 years.

7 (3) REAPPOINTMENT.—A member of the coun-
8 cil may be reappointed, except that no individual
9 may serve on the council for a total of more than
10 2 terms. For purposes of this paragraph, the num-
11 ber of terms an individual serves on the council shall
12 not include any portion of a term for which an indi-
13 vidual is appointed to fill a vacancy under paragraph
14 (4)(B).

15 (4) VACANCIES.—

16 (A) IN GENERAL.—A vacancy on the coun-
17 cil—

18 (i) shall not affect the powers of the
19 council; and

20 (ii) shall be filled in the same manner
21 as the original appointment was made.

22 (B) TERM.—Any member of the council
23 appointed to fill a vacancy occurring before the
24 expiration of the term for which the member's

1 predecessor was appointed shall be appointed
2 for the remainder of that term.

3 (e) COMPENSATION.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), a member of the council shall serve with-
6 out pay.

7 (2) TRAVEL EXPENSES.—A member of the
8 council shall be allowed travel expenses, including
9 per diem in lieu of subsistence, at rates authorized
10 for an employee of an agency under subchapter I of
11 chapter 57 of title 5, United States Code, while
12 away from the home or regular place of business of
13 the member in the performance of the duties of the
14 council.

15 (f) CHAIRPERSON.—By a majority vote of its voting
16 members, the council shall elect a chairperson from its
17 members.

18 (g) MEETINGS.—

19 (1) IN GENERAL.—The council shall meet at
20 the call of the chairperson or on the written request
21 of a majority of the voting members of the council,
22 but not fewer than twice each year.

23 (2) INITIAL MEETINGS.—Notwithstanding para-
24 graph (1), during the 1-year period beginning on the
25 date of the first meeting of the council, the council

1 shall meet not fewer than 4 times for the purpose
2 of carrying out the duties of the council under this
3 Act.

4 (h) QUORUM.—A majority of the voting members of
5 the council holding office shall constitute a quorum for
6 the purpose of conducting business, but a lesser number
7 may receive information on behalf of the council.

8 **SEC. 5. DIRECTOR AND STAFF OF THE MUSEUM.**

9 (a) DIRECTOR.—

10 (1) IN GENERAL.—The museum established
11 under section 3 shall have a Director who shall be
12 appointed by the Secretary, taking into consideration
13 individuals recommended by the council.

14 (2) DUTIES.—The Director shall manage the
15 museum subject to the policies of the Board of Re-
16 gents.

17 (b) STAFF.—The Secretary may appoint 2 additional
18 employees to serve under the Director, without regard to
19 the provisions of title 5, United States Code, governing
20 appointments in the competitive service.

21 (c) PAY.—The Secretary may fix the compensation
22 of the employees appointed by the Secretary under sub-
23 section (b) without regard to the provisions of chapter 51
24 and subchapter III of chapter 53 of title 5, United States

- 1 Code, relating to classification of positions and General
- 2 Schedule pay rates.

3 **SEC. 6. EDUCATIONAL AND LIAISON PROGRAMS.**

4 (a) PROGRAMS AUTHORIZED.—The Director of the
 5 museum established under section 3 may carry out edu-
 6 cational and liaison programs in support of the goals of
 7 the museum.

8 (b) COLLABORATION WITH SCHOOLS.—In carrying
 9 out this section, the Director shall carry out educational
 10 programs in collaboration with elementary schools, sec-
 11 ondary schools, and postsecondary educational institu-
 12 tions.

13 **SEC. 7. BUILDING.**

14 (a) IN GENERAL.—

15 (1) LOCATION.—

16 (A) IN GENERAL.—Not later than 180
 17 days after the date of enactment of this Act,
 18 the Board of Regents shall designate a site for
 19 the museum established under section 3.

20 (B) SITES FOR CONSIDERATION.—In des-
 21 ignating a site under subparagraph (A), the
 22 Board of Regents shall select from among the
 23 following sites in the District of Columbia:

24 (i) The site known as the “South
 25 Monument site”, located on the National

1 Mall and bordered by 14th Street North-
 2 west, Jefferson Drive Southwest, Raoul
 3 Wallenberg Place Southwest, and Inde-
 4 pendence Ave Southwest.

5 (ii) The Northwest United States
 6 Capitol site, bordered by 3rd Street North-
 7 west, Constitution Avenue Northwest, 1st
 8 Street Northwest, and Pennsylvania Ave
 9 Northwest.

10 (iii) Any other appropriate location as
 11 identified by the Board of Regents in con-
 12 sultation with the council.

13 (C) AVAILABILITY OF SITE.—

14 (i) IN GENERAL.—The sites described
 15 in clauses (i) and (ii) of subparagraph (B)
 16 shall remain available until the date on
 17 which the Board of Regents designates a
 18 site for the museum under subparagraph
 19 (A).

20 (ii) TRANSFER TO SMITHSONIAN IN-
 21 STITUTION.—If the site designated for the
 22 museum is in an area that is under the ad-
 23 ministrative jurisdiction of a Federal agen-
 24 cy, as soon as practicable after the date on
 25 which the designation is made, the head of

1 the Federal agency shall transfer to the
2 Smithsonian Institution administrative ju-
3 risdiction over the area.

4 (D) FACTORS CONSIDERED.—In desig-
5 nating a site under subparagraph (A), the
6 Board of Regents shall take into consideration
7 each of the following factors:

8 (i) An estimate of the costs associated
9 with each potential site.

10 (ii) An assessment of the suitability of
11 the space of each potential site, including
12 size, proximity to other buildings and
13 transportation, and other external environ-
14 mental conditions, as appropriate.

15 (iii) The recommendations of the Con-
16 gressional Commission.

17 (E) CONSULTATION.—The Board of Re-
18 gents shall carry out its duties under this para-
19 graph in consultation with each of the fol-
20 lowing:

21 (i) The Chair of the National Capital
22 Planning Commission.

23 (ii) The Chairperson of the Commis-
24 sion on Fine Arts.

1 (iii) The Chairperson of the Congres-
2 sional Commission.

3 (iv) The chair and ranking minority
4 member of the Committees on Appropria-
5 tions and Rules and Administration of the
6 Senate.

7 (v) The chair and ranking minority
8 member of the Committees on Appropria-
9 tions, House Administration, and Trans-
10 portation and Infrastructure of the House
11 of Representatives.

12 (b) CONSTRUCTION OF BUILDING.—The Board of
13 Regents, in consultation with the council, may plan, de-
14 sign, and construct a building for the museum, which shall
15 be located at the site designated by the Board of Regents
16 under subsection (a).

17 (c) NONAPPLICABILITY OF PROVISIONS RELATING
18 TO MONUMENTS AND COMMEMORATIVE WORKS.—Chap-
19 ter 89 of title 40, United States Code, shall not apply with
20 respect to the museum.

21 (d) USE OF PRIVATE FUNDS FOR CONSTRUCTION.—
22 The Board of Regents shall construct the building for the
23 museum with funds provided from non-Federal sources.

24 **SEC. 8. DEFINITIONS.**

25 In this Act:

1 (1) BOARD OF REGENTS.—The term “Board of
2 Regents” means the Board of Regents of the Smith-
3 sonian Institution.

4 (2) CONGRESSIONAL COMMISSION.—The term
5 “Congressional Commission” means the Commission
6 to Study the Potential Creation of a National Wom-
7 en’s History Museum, established under section
8 3056 of the Military Construction Authorization Act
9 for Fiscal Year 2015 (Public Law 113–291; 128
10 Stat. 3810).

11 (3) SECRETARY.—The term “Secretary” means
12 the Secretary of the Smithsonian Institution.

13 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) IN GENERAL.—There are authorized to be appro-
15 priated to the Smithsonian Institution to carry out this
16 Act, including the planning, design, and operation of the
17 museum established under section 3, such sums as may
18 be necessary for fiscal year 2018 and each succeeding fis-
19 cal year.

20 (b) AVAILABILITY.—Amounts appropriated pursuant
21 to the authorization under this section shall remain avail-
22 able until expended.

23 (c) USE OF FUNDS FOR FUNDRAISING.—Amounts
24 appropriated pursuant to the authorization under this sec-

- 1 tion may be used to conduct fundraising in support of the
- 2 museum established under section 3 from private sources.

