

116TH CONGRESS
1ST SESSION

H. R. 1980

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2019

Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. FITZPATRICK, Mrs. LAWRENCE, Mrs. WAGNER, Ms. NORTON, Mrs. DINGELL, Mr. GRIJALVA, Mr. GONZALEZ of Texas, Ms. FRANKEL, Mr. KHANNA, Ms. WILD, Mr. YARMUTH, Ms. DEAN, Ms. HAALAND, Ms. STEFANIK, Mr. BARR, Mrs. BEATTY, Mr. HURD of Texas, Mr. TURNER, Mr. STIVERS, Mr. MCNERNEY, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. HORSFORD, Ms. PINGREE, Mr. COLLINS of New York, Mr. SWALWELL of California, and Mr. ZELDIN) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on Natural Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

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

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

9 (A) a study of 18 American history text-
10 books concluded that 10 percent of the material
11 documented contributions of women;

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

15 (C) only one of the 44 monuments oper-
16 ated by the National Park Service specifically
17 honors the achievements of women after the
18 2016 designation of the Belmont-Paul Women's
19 Equality National Monument.

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

24 (4) Establishing a comprehensive women's his-
25 tory museum representing a diverse range of view-
26 points, experience, and backgrounds is necessary to

1 more accurately depict the history of the United
2 States and would add value to the Smithsonian In-
3 stitution.

4 **SEC. 3. ESTABLISHMENT OF MUSEUM.**

5 (a) ESTABLISHMENT.—There is established within
6 the Smithsonian Institution a comprehensive women’s his-
7 tory museum, to be named by the Board of Regents in
8 consultation with the council established under section 4.

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

11 (1) the collection, study, and establishment of
12 programs relating to women’s contributions to var-
13 ious fields and throughout different periods of his-
14 tory that have influenced the direction of the United
15 States;

16 (2) collaboration with other Smithsonian Insti-
17 tution museums and facilities, outside museums, and
18 educational institutions; and

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

22 **SEC. 4. COUNCIL.**

23 (a) ESTABLISHMENT.—There is established within
24 the Smithsonian Institution a council to carry out the du-

1 ties set forth under subsection (b) and other provisions
2 of this Act.

3 (b) DUTIES.—

4 (1) IN GENERAL.—The council established
5 under this section shall—

6 (A) make recommendations to the Board
7 of Regents concerning the planning, design, and
8 construction of the museum established under
9 section 3;

10 (B) advise and assist the Board of Regents
11 on all matters relating to the administration,
12 operation, maintenance, and preservation of the
13 museum;

14 (C) recommend annual operating budgets
15 for the museum to the Board of Regents;

16 (D) report annually to the Board of Re-
17 gents on the acquisition, disposition, and dis-
18 play of objects relating to women's art, history,
19 and culture; and

20 (E) adopt bylaws for the operation of the
21 council.

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

1 (A) purchase, accept, borrow, and other-
2 wise acquire artifacts for addition to the collec-
3 tions of the museum;

4 (B) loan, exchange, sell, and otherwise dis-
5 pose of any part of the collections of the mu-
6 seum, but only if the funds generated by that
7 disposition are used for additions to the collec-
8 tions of the museum; or

9 (C) specify criteria with respect to the use
10 of the collections and resources of the museum,
11 including policies on programming, education,
12 exhibitions, and research with respect to—

13 (i) the life, art, history, and culture of
14 women;

15 (ii) the role of women in the history of
16 the United States; and

17 (iii) the contributions of women to so-
18 ciety.

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

22 (A) to provide for preservation, restoration,
23 and maintenance of the collections of the mu-
24 seum; and

1 (B) to solicit, accept, use, and dispose of
2 gifts, bequests, and devises of personal property
3 for the purpose of aiding and facilitating the
4 work of the museum.

5 (c) COMPOSITION AND APPOINTMENT.—

6 (1) IN GENERAL.—The council shall be com-
7 posed of 25 voting members as provided under para-
8 graph (2).

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

11 (A) The Secretary of the Smithsonian In-
12 stitution.

13 (B) One member of the Board of Regents,
14 appointed by the Board of Regents.

15 (C) 23 individuals appointed by the Board
16 of Regents. In appointing members under this
17 subparagraph, the Board of Regents should
18 give special consideration to appointing—

19 (i) members of the Congressional
20 Commission;

21 (ii) board members of the National
22 Women's History Museum, a nonprofit,
23 educational organization described in sec-
24 tion 501(c)(3) of the Internal Revenue
25 Code of 1986 that was incorporated in

1 1996 in the District of Columbia and that
2 is dedicated for the purpose of establishing
3 a women’s history museum; and

4 (iii) scholars and representatives of
5 organizations that are committed to the
6 study of women’s history.

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

11 (d) TERMS.—

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

15 (2) INITIAL APPOINTEES.—As designated by
16 the Board of Regents at the time of appointment, of
17 the voting members first appointed under subpara-
18 graph (C) of subsection (c)(2)—

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

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

23 (C) 7 members shall be appointed for a
24 term of 3 years.

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

9 (4) VACANCIES.—

10 (A) IN GENERAL.—A vacancy on the coun-
11 cil—

12 (i) shall not affect the powers of the
13 council; and

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

16 (B) TERM.—Any member of the council
17 appointed to fill a vacancy occurring before the
18 expiration of the term for which the member's
19 predecessor was appointed shall be appointed
20 for the remainder of that term.

21 (e) COMPENSATION.—

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

1 (2) TRAVEL EXPENSES.—A member of the
2 council shall be allowed travel expenses, including
3 per diem in lieu of subsistence, at rates authorized
4 for an employee of an agency under subchapter I of
5 chapter 57 of title 5, while away from the home or
6 regular place of business of the member in the per-
7 formance of the duties of the council.

8 (f) CHAIRPERSON.—By a majority vote of its voting
9 members, the council shall elect a chairperson from its
10 members.

11 (g) MEETINGS.—

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

16 (2) INITIAL MEETINGS.—During the 1-year pe-
17 riod beginning on the date of the first meeting of the
18 council, the council shall meet not fewer than 4
19 times for the purpose of carrying out the duties of
20 the council under this subchapter.

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

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

2 (a) DIRECTOR.—

3 (1) IN GENERAL.—The museum established
4 under section 3 shall have a Director who shall be
5 appointed by the Secretary, taking into consideration
6 individuals recommended by the council established
7 under section 4.

8 (2) DUTIES.—The Director shall manage the
9 museum subject to the policies of the Board of Re-
10 gents.

11 (b) STAFF.—The Secretary may appoint two addi-
12 tional employees to serve under the Director, except that
13 such additional employees may be appointed without re-
14 gard to the provisions of title 5, United States Code, gov-
15 erning appointments in the competitive service.

16 (c) PAY.—The employees appointed by the Secretary
17 under subsection (b) may be paid without regard to the
18 provisions of chapter 51 and subchapter III of chapter 53
19 of title 5, United States Code, relating to classification
20 of positions and General Schedule pay rates.

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

22 (a) PROGRAMS AUTHORIZED.—The Director of the
23 museum established under section 3 may carry out edu-
24 cational and liaison programs in support of the goals of
25 the museum.

1 (b) COLLABORATION WITH SCHOOLS.—In carrying
2 out this section, the Director shall carry out educational
3 programs in collaboration with elementary schools, sec-
4 ondary schools, and postsecondary schools.

5 **SEC. 7. BUILDING.**

6 (a) IN GENERAL.—

7 (1) LOCATION.—

8 (A) IN GENERAL.—Not later than 6
9 months after the date of the enactment of this
10 Act, the Board of Regents shall designate a site
11 for the museum established under section 3.

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

16 (i) The site known as the “South
17 Monument site”, located on the National
18 Mall and bordered by 14th Street North-
19 west, Jefferson Drive Southwest, Raoul
20 Wallenberg Place Southwest, and Inde-
21 pendence Avenue Southwest.

22 (ii) The Northwest United States
23 Capitol site, bordered by 3rd Street North-
24 west, Constitution Avenue Northwest, 1st

1 Street Northwest, and Pennsylvania Ave-
2 nue Northwest.

3 (iii) Any other appropriate location as
4 identified by the Board of Regents in con-
5 sultation with the council established under
6 section 4.

7 (C) AVAILABILITY OF SITE.—

8 (i) IN GENERAL.—The sites described
9 in clauses (i) and (ii) of subparagraph (B)
10 shall remain available until the date on
11 which the Board of Regents designates a
12 site for the museum under subparagraph
13 (A).

14 (ii) TRANSFER TO SMITHSONIAN IN-
15 STITUTION.—If the site designated for the
16 museum is in an area that is under the ad-
17 ministrative jurisdiction of a Federal agen-
18 cy, as soon as practicable after the date on
19 which the designation is made, the head of
20 the Federal agency shall transfer to the
21 Smithsonian Institution administrative ju-
22 risdiction over the area.

23 (D) FACTORS CONSIDERED.—In desig-
24 nating a site under subparagraph (A), the

1 Board of Regents shall take into consideration
2 each of the following factors:

3 (i) An estimate of the costs associated
4 with each potential site.

5 (ii) An assessment of the suitability of
6 the space of each potential site, including
7 size, proximity to other buildings and
8 transportation, and other external environ-
9 mental conditions, as appropriate.

10 (iii) The recommendations of the Con-
11 gressional Commission.

12 (E) CONSULTATION.—The Board of Re-
13 gents shall carry out its duties under this para-
14 graph in consultation with each of the fol-
15 lowing:

16 (i) The Chair of the National Capital
17 Planning Commission.

18 (ii) The Chair of the Commission on
19 Fine Arts.

20 (iii) The Chair of the Congressional
21 Commission.

22 (iv) The chair and ranking minority
23 member of the Committees on Appropria-
24 tions and Rules and Administration of the
25 Senate.

1 (v) The chair and ranking minority
2 member of the Committees on Appropria-
3 tions, House Administration, and Trans-
4 portation and Infrastructure of the House
5 of Representatives.

6 (F) PRIORITY.—In designating a site
7 under subparagraph (A), the Board of Regents
8 shall give priority to a site which is on or near
9 the National Mall.

10 (b) CONSTRUCTION OF BUILDING.—The Board of
11 Regents, in consultation with the council established under
12 section 4, may plan, design, and construct a building for
13 the museum, which shall be located at the site designated
14 by the Board of Regents under subsection (a).

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

19 (d) COST SHARING.—The Board of Regents shall
20 pay—

21 (1) 50 percent of the costs of carrying out this
22 section from Federal funds; and

23 (2) 50 percent of the costs of carrying out this
24 section from non-Federal sources.

1 **SEC. 8. DEFINITIONS.**

2 In this Act, the following definitions apply:

3 (1) The term “Board of Regents” means the
4 Board of Regents of the Smithsonian Institution.

5 (2) The term “Congressional Commission”
6 means the Commission to Study the Potential Cre-
7 ation of a National Women’s History Museum, es-
8 tablished under section 3056 of the Military Con-
9 struction Authorization Act for Fiscal Year 2015
10 (Public Law 113–291; 128 Stat. 3810).

11 (3) The term “Secretary” means the Secretary
12 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, construction, and op-
17 eration of the museum established under section 3, such
18 sums as may be necessary for fiscal year 2020 and each
19 succeeding fiscal 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.

○