

116TH CONGRESS  
2D SESSION

# H. R. 1980

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2020

Received; read twice and referred to the Committee on Rules and  
Administration

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Smithsonian Women’s  
3 History Museum Act”.

4 **SEC. 2. FINDINGS.**

5       Congress finds the following:

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

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

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

15           (B) 9 statues out of 91 in the United  
16 States Capitol’s National Statuary Hall depict  
17 women; and

18           (C) only one of the 44 monuments oper-  
19 ated by the National Park Service specifically  
20 honors the achievements of women after the  
21 2016 designation of the Belmont-Paul Women’s  
22 Equality National Monument.

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

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

7   **SEC. 3. ESTABLISHMENT OF MUSEUM.**

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

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

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

19               (2) collaboration with other Smithsonian Insti-  
20               tution museums and facilities, outside museums, and  
21               educational institutions; and

22               (3) the creation of exhibitions and programs  
23               that recognize diverse perspectives on women's his-  
24               tory and contributions.

1 **SEC. 4. COUNCIL.**

2 (a) ESTABLISHMENT.—There is established within  
3 the Smithsonian Institution a council to carry out the du-  
4 ties set forth under subsection (b) and other provisions  
5 of this Act.

6 (b) DUTIES.—

7 (1) IN GENERAL.—The council established  
8 under this section shall—

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

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

17 (C) recommend annual operating budgets  
18 for the museum to the Board of Regents;

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

23 (E) adopt bylaws for the operation of the  
24 council.

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

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

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

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

16           (i) the life, art, history, and culture of  
17      women;

18           (ii) the role of women in the history of  
19      the United States; and

20           (iii) the contributions of women to so-  
21      ciety.

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

1 (A) to provide for preservation, restoration,  
2 and maintenance of the collections of the mu-  
3 seum; and

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

8 (4) ENSURING DIVERSITY OF POLITICAL VIEW-  
9 POINTS IN EXHIBITS AND PROGRAMS.—In carrying  
10 out its duties, the council shall ensure that the ex-  
11 hibits and programs of the museum reflect the diver-  
12 sity of the political viewpoints held by women of the  
13 United States on the events and issues relating to  
14 the history of women in the United States.

15 (c) COMPOSITION AND APPOINTMENT.—

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

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

21 (A) The Secretary of the Smithsonian In-  
22 stitution.

23 (B) One member of the Board of Regents,  
24 appointed by the Board of Regents.

1 (C) 23 individuals appointed by the Board  
2 or Regents. In appointing members under this  
3 subparagraph, the Board of Regents should  
4 give special consideration to appointing—

5 (i) members of the Congressional  
6 Commission;

7 (ii) board members of the National  
8 Women's History Museum, a nonprofit,  
9 educational organization described in sec-  
10 tion 501(c)(3) of the Internal Revenue  
11 Code of 1986 that was incorporated in  
12 1996 in the District of Columbia and that  
13 is dedicated for the purpose of establishing  
14 a women's history museum; and

15 (iii) scholars and representatives of  
16 organizations that are committed to the  
17 study of women's history.

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

22 (d) TERMS.—

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

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

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

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

9                   (C) 7 members shall be appointed for a  
 10                  term of 3 years.

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

19           (4) VACANCIES.—

20                   (A) IN GENERAL.—A vacancy on the coun-  
 21                   cil—

22                           (i) shall not affect the powers of the  
 23                           council; and

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

1 (B) TERM.—Any member of the council  
2 appointed to fill a vacancy occurring before the  
3 expiration of the term for which the member's  
4 predecessor was appointed shall be appointed  
5 for the remainder of that term.

6 (e) COMPENSATION.—

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

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

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

20 (g) MEETINGS.—

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

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

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

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

11       (a) DIRECTOR.—

12           (1) IN GENERAL.—The museum established  
13       under section 3 shall have a Director who shall be  
14       appointed by the Secretary, taking into consideration  
15       individuals recommended by the council established  
16       under section 4.

17           (2) DUTIES.—The Director shall manage the  
18       museum subject to the policies of the Board of Re-  
19       gents.

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

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

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

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

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

15 **SEC. 7. BUILDING.**

16       (a) IN GENERAL.—

17           (1) LOCATION.—

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

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

1 (i) The site known as the “South  
2 Monument site”, located on the National  
3 Mall and bordered by 14th Street North-  
4 west, Jefferson Drive Southwest, Raoul  
5 Wallenberg Place Southwest, and Inde-  
6 pendence Ave Southwest.

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

12 (iii) Any other appropriate location as  
13 identified by the Board of Regents in con-  
14 sultation with the council established under  
15 section 4.

16 (C) AVAILABILITY OF SITE.—

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

23 (ii) TRANSFER TO SMITHSONIAN IN-  
24 STITUTION.—If the site designated for the  
25 museum is in an area that is under the ad-

1           ministrative jurisdiction of a Federal agen-  
2           cy, as soon as practicable after the date on  
3           which the designation is made, the head of  
4           the Federal agency shall transfer to the  
5           Smithsonian Institution administrative ju-  
6           risdiction over the area.

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

11                 (i) An estimate of the costs associated  
12                 with each potential site.

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

18                 (iii) The recommendations of the Con-  
19                 gressional Commission.

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

24                 (i) The Chair of the National Capital  
25                 Planning Commission.

1 (ii) The Chair of the Commission on  
2 Fine Arts.

3 (iii) The Chair of the Congressional  
4 Commission.

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

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

14 (F) PRIORITY.—In designating a site  
15 under subparagraph (A), the Board of Regents  
16 shall give priority to a site which is on or near  
17 the National Mall.

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

23 (c) NONAPPLICABILITY OF PROVISIONS RELATING  
24 TO MONUMENTS AND COMMEMORATIVE WORKS.—Chap-

1 ter 89 of title 40, United States Code, shall not apply with  
2 respect to the museum.

3 (d) COST SHARING.—The Board of Regents shall  
4 pay—

5 (1) 50 percent of the costs of carrying out this  
6 section from Federal funds; and

7 (2) 50 percent of the costs of carrying out this  
8 section from non-Federal sources.

9 **SEC. 8. DEFINITIONS.**

10 In this Act, the following definitions apply:

11 (1) The term “Board of Regents” means the  
12 Board of Regents of the Smithsonian Institution.

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

19 (3) The term “Secretary” means the Secretary  
20 of the Smithsonian Institution.

21 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) IN GENERAL.—There are authorized to be appro-  
23 priated to the Smithsonian Institution to carry out this  
24 Act, including the planning, design, construction, and op-  
25 eration of the museum established under section 3, such

1 sums as may be necessary for fiscal year 2021 and each  
2 succeeding fiscal year.

3 (b) AVAILABILITY.—Amounts appropriated pursuant  
4 to the authorization under this section shall remain avail-  
5 able until expended.

6 (c) USE OF FUNDS FOR FUNDRAISING.—Amounts  
7 appropriated pursuant to the authorization under this sec-  
8 tion may be used to conduct fundraising in support of the  
9 museum established under section 3 from private sources.

Passed the House of Representatives February 11,  
2020.

Attest:

CHERYL L. JOHNSON,

*Clerk.*

By ROBERT F. REEVES,

*Deputy Clerk.*