

Calendar No. 599

116TH CONGRESS
2D SESSION

S. 959

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

IN THE SENATE OF THE UNITED STATES

MARCH 28, 2019

Ms. COLLINS (for herself, Mrs. FEINSTEIN, Mrs. CAPITO, Ms. KLOBUCHAR, Mrs. HYDE-SMITH, Mrs. GILLIBRAND, Ms. MCSALLY, Ms. DUCKWORTH, Mrs. FISCHER, Ms. HASSAN, Ms. CORTEZ MASTO, Ms. WARREN, Mr. BROWN, Ms. BALDWIN, and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

DECEMBER 3, 2020

Reported by Mr. BLUNT, with an amendment

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

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 American
5 Women's 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 United States history
10 textbooks concluded that 10 percent of the ma-
11 terial 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) On December 19, 2014, Congress created a
25 Congressional Commission to study the potential for
26 an American museum of women's history. The bi-

1 partisan Commission unanimously concluded that
2 the United States needs and deserves a physical na-
3 tional museum dedicated to showcasing the historical
4 experiences and impact of women in the United
5 States.

6 (5) A comprehensive women's history museum
7 would document the full spectrum of the experiences
8 of women in the United States, represent a diverse
9 range of viewpoints, experiences, and backgrounds,
10 more accurately depict the history of the United
11 States, and add value to the Smithsonian Institu-
12 tion.

13 (6) The collections, exhibits, historical narrative
14 materials, and museum programming of the wom-
15 en's history museum should be inclusive, comprehen-
16 sive, and innovative. Such collections, exhibits, mate-
17 rials, and programming should present the diverse
18 range of experiences and viewpoints of all women in
19 the United States, reflecting upon the things that
20 set women apart from one another while also high-
21 lighting the experiences that many of these women
22 share.

23 **SEC. 3. ESTABLISHMENT OF MUSEUM.**

24 (a) **ESTABLISHMENT.**—There is established within
25 the Smithsonian Institution a comprehensive women's his-

1 tory museum, to be named by the Board of Regents in
 2 consultation with the council established under section 4
 3 (referred to in this Act as the “Museum”).

4 (b) PURPOSE.—The purpose of the Museum estab-
 5 lished under this section shall be to provide for—

6 (1) the collection and study of, and the estab-
 7 lishment of programs relating to, women’s contribu-
 8 tions to various fields and throughout different peri-
 9 ods of history that have influenced the direction of
 10 the United States;

11 (2) collaboration with other Smithsonian Insti-
 12 tution museums and facilities, outside museums, and
 13 educational institutions; and

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

17 **SEC. 4. COUNCIL.**

18 (a) ESTABLISHMENT.—There is established within
 19 the Smithsonian Institution a council to carry out the du-
 20 ties set forth under subsection (b) and other provisions
 21 of this Act (referred to in this section as the “Council”).

22 (b) DUTIES.—

23 (1) IN GENERAL.—The Council established
 24 under this section shall—

1 (A) make recommendations to the Board
2 of Regents concerning the planning, design, and
3 construction of the Museum;

4 (B) advise and assist the Board of Regents
5 on all matters relating to the administration,
6 operation, maintenance, and preservation of the
7 Museum;

8 (C) recommend annual operating budgets
9 for the Museum to the Board of Regents;

10 (D) report annually to the Board of Re-
11 gents on the acquisition, disposition, and dis-
12 play of objects relating to women's art, history,
13 and culture; and

14 (E) adopt bylaws for the operation of the
15 Council.

16 (2) PRINCIPAL RESPONSIBILITIES.—The Coun-
17 cil, subject to the general policies of the Board of
18 Regents, shall have sole authority to—

19 (A) purchase, accept, borrow, and other-
20 wise acquire artifacts for addition to the collec-
21 tions of the Museum;

22 (B) loan, exchange, sell, and otherwise dis-
23 pose of any part of the collections of the Mu-
24 seum, but only if the funds generated by that

1 disposition are used for additions to the collec-
 2 tions of the Museum; or

3 ~~(C)~~ specify criteria with respect to the use
 4 of the collections and resources of the Museum,
 5 including policies on programming, education,
 6 exhibitions, and research with respect to—

7 (i) the life, art, history, and culture of
 8 women;

9 (ii) the role of women in the history of
 10 the United States; and

11 (iii) the contributions of women to so-
 12 ciety.

13 ~~(3)~~ OTHER RESPONSIBILITIES.—The Council,
 14 subject to the general policies of the Board of Re-
 15 gents, shall have authority—

16 ~~(A)~~ to provide for preservation, restoration,
 17 and maintenance of the collections of the Mu-
 18 seum; and

19 ~~(B)~~ to solicit, accept, use, and dispose of
 20 gifts, bequests, and devises of personal property
 21 for the purpose of aiding and facilitating the
 22 work of the Museum.

23 ~~(e)~~ COMPOSITION AND APPOINTMENT.—

1 (1) IN GENERAL.—The Council shall be com-
2 posed of 25 voting members as provided under para-
3 graph (2).

4 (2) VOTING MEMBERS.—The Council shall in-
5 clude the following voting members:

6 (A) The Secretary of the Smithsonian In-
7 stitution.

8 (B) One member of the Board of Regents,
9 appointed by the Board of Regents.

10 (C) Twenty-three individuals appointed by
11 the Board of Regents. In appointing members
12 under this subparagraph, the Board of Regents
13 should give special consideration to appoint-
14 ing—

15 (i) members of the Congressional
16 Commission;

17 (ii) board members of the National
18 Women's History Museum, a nonprofit,
19 educational organization described in sec-
20 tion 501(c)(3) of the Internal Revenue
21 Code of 1986 that was incorporated in
22 1996 in the District of Columbia and that
23 is dedicated for the purpose of establishing
24 a women's history museum; and

1 (iii) scholars and representatives of
2 organizations that are committed to the
3 study of women's history.

4 ~~(3)~~ INITIAL APPOINTMENTS.—The Board of
5 Regents shall make initial appointments to the
6 Council under paragraph ~~(2)~~ not later than 180
7 days after the date of the enactment of this Act.

8 ~~(d)~~ TERMS.—

9 ~~(1)~~ IN GENERAL.—Except as provided in this
10 subsection, each appointed member of the Council
11 shall be appointed for a term of ~~3~~ years.

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

16 ~~(A)~~ 8 members shall be appointed for a
17 term of ~~1~~ year;

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

20 ~~(C)~~ 7 members shall be appointed for a
21 term of ~~3~~ years.

22 ~~(3)~~ REAPPOINTMENT.—A member of the Coun-
23 cil may be reappointed, except that no individual
24 may serve on the Council for a total of more than
25 ~~2~~ terms. For purposes of this paragraph, the num-

1 ber of terms an individual serves on the Council
2 shall not include any portion of a term for which an
3 individual is appointed to fill a vacancy under para-
4 graph (4)(B).

5 (4) VACANCIES.—

6 (A) IN GENERAL.—A vacancy on the
7 Council—

8 (i) shall not affect the powers of the
9 Council; and

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

12 (B) TERM.—Any member of the Council
13 appointed to fill a vacancy occurring before the
14 expiration of the term for which the member's
15 predecessor was appointed shall be appointed
16 for the remainder of that term.

17 (e) COMPENSATION.—

18 (1) IN GENERAL.—Except as provided in para-
19 graph (2), a member of the Council shall serve with-
20 out pay.

21 (2) TRAVEL EXPENSES.—A member of the
22 Council shall be allowed travel expenses, including
23 per diem in lieu of subsistence, at rates authorized
24 for an employee of an agency under subchapter I of
25 chapter 57 of title 5, while away from the home or

1 regular place of business of the member in the per-
 2 formance of the duties of the Council.

3 (f) CHAIRPERSON.—By a majority vote of its voting
 4 members, the Council shall elect a chairperson from its
 5 members.

6 (g) MEETINGS.—

7 (1) IN GENERAL.—The Council shall meet at
 8 the call of the chairperson or on the written request
 9 of a majority of the voting members of the Council,
 10 but not fewer than twice each year.

11 (2) INITIAL MEETINGS.—During the 1-year pe-
 12 riod beginning on the date of the first meeting of the
 13 Council, the Council shall meet not fewer than 4
 14 times for the purpose of carrying out the duties of
 15 the Council under this Act.

16 (h) QUORUM.—A majority of the voting members of
 17 the Council holding office shall constitute a quorum for
 18 the purpose of conducting business, but a lesser number
 19 may receive information on behalf of the Council.

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

21 (a) DIRECTOR.—

22 (1) IN GENERAL.—The Museum shall have a
 23 Director who shall be appointed by the Secretary,
 24 taking into consideration individuals recommended
 25 by the council established under section 4.

1 (2) DUTIES.—The Director shall manage the
2 Museum subject to the policies of the Board of Re-
3 gents.

4 (b) STAFF.—The Secretary may appoint 2 additional
5 employees to serve under the Director, except that such
6 additional employees may be appointed without regard to
7 the provisions of title 5, United States Code, governing
8 appointments in the competitive service.

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

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

15 (a) PROGRAMS AUTHORIZED.—The Director of the
16 Museum may carry out educational and liaison programs
17 in support of the goals of the Museum.

18 (b) COLLABORATION WITH SCHOOLS.—In carrying
19 out this section, the Director shall carry out educational
20 programs in collaboration with elementary schools, sec-
21 ondary schools, and postsecondary schools.

22 **SEC. 7. BUILDING.**

23 (a) IN GENERAL.—

24 (1) LOCATION.—

1 (A) IN GENERAL.—Not later than 6
2 months after the date of the enactment of this
3 Act, the Board of Regents shall designate a site
4 for the Museum.

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

9 (i) The site known as the “South
10 Monument site”, located on the National
11 Mall and bordered by 14th Street North-
12 west, Jefferson Drive Southwest, Raoul
13 Wallenberg Place Southwest, and Inde-
14 pendence Ave Southwest.

15 (ii) The Northwest United States
16 Capitol site, bordered by 3rd Street North-
17 west, Constitution Avenue Northwest, 1st
18 Street Northwest, and Pennsylvania Ave
19 Northwest.

20 (iii) Any other appropriate location as
21 identified by the Board of Regents in con-
22 sultation with the council established under
23 section 4.

24 (C) AVAILABILITY OF SITE.—

1 (i) IN GENERAL.—The sites described
2 in clauses (i) and (ii) of subparagraph (B)
3 shall remain available until the date on
4 which the Board of Regents designates a
5 site for the Museum under subparagraph
6 (A).

7 (ii) TRANSFER TO SMITHSONIAN IN-
8 STITUTION.—If the site designated for the
9 Museum is in an area that is under the ad-
10 ministrative jurisdiction of a Federal agen-
11 cy, as soon as practicable after the date on
12 which the designation is made, the head of
13 the Federal agency shall transfer to the
14 Smithsonian Institution administrative ju-
15 risdiction over the area.

16 (D) FACTORS CONSIDERED.—In desig-
17 nating a site under subparagraph (A), the
18 Board of Regents shall take into consideration
19 each of the following factors:

20 (i) An estimate of the costs associated
21 with each potential site.

22 (ii) An assessment of the suitability of
23 the space of each potential site, including
24 size, proximity to other buildings and

1 transportation, and other external environ-
2 mental conditions, as appropriate.

3 (iii) The recommendations of the Con-
4 gressional Commission.

5 (E) CONSULTATION.—The Board of Re-
6 gents shall carry out its duties under this para-
7 graph in consultation with each of the fol-
8 lowing:

9 (i) The Chair of the National Capital
10 Planning Commission.

11 (ii) The Chair of the Commission on
12 Fine Arts.

13 (iii) The Chair of the Congressional
14 Commission.

15 (iv) The chair and ranking minority
16 member of each of the following Commit-
17 tees:

18 (I) The Committee on Rules and
19 Administration of the Senate.

20 (II) The Committee on House
21 Administration of the House of Rep-
22 resentatives.

23 (III) The Committee on Trans-
24 portation and Infrastructure of the
25 House of Representatives.

1 (IV) The Committee on Appro-
2 priations of the House of Representa-
3 tives.

4 (V) The Committee on Appro-
5 priations of the Senate.

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; 127 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-
25 tion may be used to conduct fundraising in support of the
26 Museum from private sources.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Smithsonian American*
3 *Women’s 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 United States history*
13 *textbooks concluded that 10 percent of the mate-*
14 *rial documented contributions of women;*

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

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

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

1 (4) *On December 19, 2014, Congress created a*
2 *Congressional Commission to study the potential for*
3 *an American museum of women’s history. The bipar-*
4 *tisan Commission unanimously concluded that the*
5 *United States needs and deserves a physical national*
6 *museum dedicated to showcasing the historical experi-*
7 *ences and impact of women in the United States.*

8 (5) *A comprehensive women’s history museum*
9 *would document the full spectrum of the experiences*
10 *of women in the United States, represent a diverse*
11 *range of viewpoints, experiences, and backgrounds,*
12 *more accurately depict the history of the United*
13 *States, and add value to the Smithsonian Institution.*

14 (6) *The collections, exhibits, historical narrative*
15 *materials, and museum programming of the women’s*
16 *history museum should be inclusive, comprehensive,*
17 *and innovative. Such collections, exhibits, materials,*
18 *and programming should present the diverse range of*
19 *experiences and viewpoints of all women in the*
20 *United States, reflecting upon the things that set*
21 *women apart from one another while also high-*
22 *lighting the experiences that many of these women*
23 *share.*

1 **SEC. 3. ESTABLISHMENT OF MUSEUM.**

2 (a) *ESTABLISHMENT.*—*There is established within the*
3 *Smithsonian Institution a comprehensive women’s history*
4 *museum, to be named by the Board of Regents in consulta-*
5 *tion with the council established under section 4 (referred*
6 *to in this Act as the “Museum”).*

7 (b) *PURPOSE.*—*The purpose of the Museum established*
8 *under this section shall be to provide for—*

9 (1) *the collection and study of, and the establish-*
10 *ment of programs relating to, women’s contributions*
11 *to various fields and throughout different periods of*
12 *history that have influenced the direction of the*
13 *United States;*

14 (2) *collaboration with other Smithsonian Insti-*
15 *tution museums and facilities, outside museums, and*
16 *educational institutions; and*

17 (3) *the creation of exhibitions and programs that*
18 *recognize diverse perspectives on women’s history and*
19 *contributions.*

20 **SEC. 4. COUNCIL.**

21 (a) *ESTABLISHMENT.*—*There is established within the*
22 *Smithsonian Institution a council to carry out the duties*
23 *set forth under subsection (b) and other provisions of this*
24 *Act (referred to in this section as the “Council”).*

25 (b) *DUTIES.*—

1 (1) *IN GENERAL.*—*The Council established under*
2 *this section shall—*

3 (A) *make recommendations to the Board of*
4 *Regents concerning the planning, design, and*
5 *construction of the Museum;*

6 (B) *advise and assist the Board of Regents*
7 *on all matters relating to the administration, op-*
8 *eration, maintenance, and preservation of the*
9 *Museum;*

10 (C) *recommend annual operating budgets*
11 *for the Museum to the Board of Regents;*

12 (D) *report annually to the Board of Regents*
13 *on the acquisition, disposition, and display of*
14 *objects relating to women’s art, history, and cul-*
15 *ture; and*

16 (E) *adopt bylaws for the operation of the*
17 *Council.*

18 (2) *PRINCIPAL RESPONSIBILITIES.*—*The Council,*
19 *subject to the general policies of the Board of Regents,*
20 *shall have sole authority to—*

21 (A) *purchase, accept, borrow, and otherwise*
22 *acquire artifacts for addition to the collections of*
23 *the Museum;*

24 (B) *loan, exchange, sell, and otherwise dis-*
25 *pose of any part of the collections of the Museum,*

1 *but only if the funds generated by that disposi-*
2 *tion are used for additions to the collections of*
3 *the Museum; or*

4 (C) *specify criteria with respect to the use*
5 *of the collections and resources of the Museum,*
6 *including policies on programming, education,*
7 *exhibitions, and research with respect to—*

8 (i) *the life, art, history, and culture of*
9 *women;*

10 (ii) *the role of women in the history of*
11 *the United States; and*

12 (iii) *the contributions of women to so-*
13 *ciety.*

14 (3) *OTHER RESPONSIBILITIES.—The Council,*
15 *subject to the general policies of the Board of Regents,*
16 *shall have authority—*

17 (A) *to provide for preservation, restoration,*
18 *and maintenance of the collections of the Mu-*
19 *seum; and*

20 (B) *to solicit, accept, use, and dispose of*
21 *gifts, bequests, and devises of personal property*
22 *for the purpose of aiding and facilitating the*
23 *work of the Museum.*

24 (4) *ENSURING DIVERSITY OF POLITICAL VIEW-*
25 *POINTS IN EXHIBITS AND PROGRAMS.—In carrying*

1 *out its duties, the Council shall ensure that the exhib-*
2 *its and programs of the Museum reflect the diversity*
3 *of the political viewpoints held by women of the*
4 *United States on the events and issues relating to the*
5 *history of women in the United States.*

6 *(c) COMPOSITION AND APPOINTMENT.—*

7 *(1) IN GENERAL.—The Council shall be composed*
8 *of 25 voting members as provided under paragraph*
9 *(2).*

10 *(2) VOTING MEMBERS.—The Council shall in-*
11 *clude the following voting members:*

12 *(A) One member appointed by the majority*
13 *leader of the Senate.*

14 *(B) One member appointed by the minority*
15 *leader of the Senate.*

16 *(C) One member appointed by the Speaker*
17 *of the House of Representatives.*

18 *(D) One member appointed by the minority*
19 *leader of the House of Representatives.*

20 *(E) The Secretary of the Smithsonian Insti-*
21 *tution.*

22 *(F) One member of the Board of Regents,*
23 *appointed by the Board of Regents.*

24 *(G) Nineteen individuals appointed by the*
25 *Board of Regents. In appointing members under*

1 *this subparagraph, the Board of Regents should*
2 *give special consideration to appointing—*

3 *(i) members of the Congressional Com-*
4 *mission;*

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

13 *(iii) scholars and representatives of or-*
14 *ganizations that are committed to the study*
15 *of women’s history.*

16 (3) *INITIAL APPOINTMENTS.—The Board of Re-*
17 *gents shall make initial appointments to the Council*
18 *under paragraph (2) not later than 180 days after the*
19 *date of the enactment of this Act.*

20 (d) *TERMS.—*

21 (1) *IN GENERAL.—Except as provided in this*
22 *subsection, each appointed member of the Council*
23 *shall be appointed for a term of 3 years.*

24 (2) *INITIAL APPOINTEES.—As designated by the*
25 *Board of Regents at the time of appointment, of the*

1 *voting members first appointed under subparagraph*
 2 *(G) of subsection (c)(2)—*

3 *(A) 7 members shall be appointed for a*
 4 *term of 1 year;*

5 *(B) 6 members shall be appointed for a*
 6 *term of 2 years; and*

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

9 *(3) REAPPOINTMENT.—A member of the Council*
 10 *may be reappointed, except that no individual may*
 11 *serve on the Council for a total of more than 2 terms.*
 12 *For purposes of this paragraph, the number of terms*
 13 *an individual serves on the Council shall not include*
 14 *any portion of a term for which an individual is ap-*
 15 *pointed to fill a vacancy under paragraph (4)(B).*

16 *(4) VACANCIES.—*

17 *(A) IN GENERAL.—A vacancy on the Coun-*
 18 *cil—*

19 *(i) shall not affect the powers of the*
 20 *Council; and*

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

23 *(B) TERM.—Any member of the Council ap-*
 24 *pointed to fill a vacancy occurring before the ex-*
 25 *piration of the term for which the member's*

1 *predecessor was appointed shall be appointed for*
2 *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 Coun-*
8 *cil shall be allowed travel expenses, including per*
9 *diem in lieu of subsistence, at rates authorized for an*
10 *employee of an agency under subchapter I of chapter*
11 *57 of title 5, United States Code, while away from the*
12 *home or regular place of business of the member in*
13 *the performance of the duties of the Council.*

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

17 *(g) MEETINGS.—*

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

22 *(2) INITIAL MEETINGS.—During the 1-year pe-*
23 *riod beginning on the date of the first meeting of the*
24 *Council, the Council shall meet not fewer than 4*

1 *times for the purpose of carrying out the duties of the*
2 *Council under this Act.*

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

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

8 *(a) DIRECTOR.—*

9 *(1) IN GENERAL.—The Museum shall have a Di-*
10 *rector who shall be appointed by the Secretary, taking*
11 *into consideration individuals recommended by the*
12 *council established under section 4.*

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

16 *(b) STAFF.—The Secretary may appoint 2 additional*
17 *employees to serve under the Director, except that such ad-*
18 *ditional employees may be appointed without regard to the*
19 *provisions of title 5, United States Code, governing ap-*
20 *pointments in the competitive service.*

21 *(c) PAY.—The employees appointed by the Secretary*
22 *under subsection (b) may be paid without regard to the pro-*
23 *visions of chapter 51 and subchapter III of chapter 53 of*
24 *title 5, United States Code, relating to classification of posi-*
25 *tions and General Schedule pay rates.*

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

2 (a) *PROGRAMS AUTHORIZED.*—*The Director of the*
 3 *Museum may carry out educational and liaison programs*
 4 *in support of the goals of the Museum.*

5 (b) *COLLABORATION WITH SCHOOLS.*—*In carrying*
 6 *out this section, the Director shall carry out educational*
 7 *programs in collaboration with elementary schools, sec-*
 8 *ondary schools, and postsecondary schools.*

9 **SEC. 7. BUILDING.**

10 (a) *IN GENERAL.*—

11 (1) *LOCATION.*—

12 (A) *IN GENERAL.*—*Not later than 24*
 13 *months after the date of the enactment of this*
 14 *Act, the Board of Regents shall designate a site*
 15 *for the Museum.*

16 (B) *SITES FOR CONSIDERATION.*—*In desig-*
 17 *nating a site under subparagraph (A), the Board*
 18 *of Regents shall select from among the following*
 19 *sites in the District of Columbia:*

20 (i) *The site known as the “South*
 21 *Monument site”, located on the National*
 22 *Mall and bordered by 14th Street North-*
 23 *west, Jefferson Drive Southwest, Raoul*
 24 *Wallenberg Place Southwest, and Independ-*
 25 *ence Ave Southwest.*

1 (ii) *The Northwest United States Cap-*
2 *itol site, bordered by 3rd Street Northwest,*
3 *Constitution Avenue Northwest, 1st Street*
4 *Northwest, and Pennsylvania Ave North-*
5 *west.*

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

10 (C) *AVAILABILITY OF SITE.—*

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

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

1 (D) *FACTORS CONSIDERED.*—*In designating*
2 *a site under subparagraph (A), the Board of Re-*
3 *gents shall take into consideration each of the fol-*
4 *lowing factors:*

5 (i) *An estimate of the costs associated*
6 *with each potential site.*

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

12 (iii) *The recommendations of the Con-*
13 *gressional Commission.*

14 (E) *CONSULTATION.*—*The Board of Regents*
15 *shall carry out its duties under this paragraph*
16 *in consultation with each of the following:*

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

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

21 (iii) *The Chair of the Congressional*
22 *Commission.*

23 (iv) *The chair and ranking minority*
24 *member of each of the following Committees:*

1 (I) *The Committee on Rules and*
2 *Administration of the Senate.*

3 (II) *The Committee on House Ad-*
4 *ministration of the House of Rep-*
5 *resentatives.*

6 (III) *The Committee on Transpor-*
7 *tation and Infrastructure of the House*
8 *of Representatives.*

9 (IV) *The Committee on Appro-*
10 *priations of the House of Representa-*
11 *tives.*

12 (V) *The Committee on Appropria-*
13 *tions of the Senate.*

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

18 (b) *CONSTRUCTION OF BUILDING.*—*The Board of Re-*
19 *gents, 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 TO*
24 *MONUMENTS AND COMMEMORATIVE WORKS.*—*Chapter 89*

1 *of title 40, United States Code, shall not apply with respect*
2 *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, estab-*
16 *lished under section 3056 of the Military Construction*
17 *Authorization Act for Fiscal Year 2015 (Public Law*
18 *113–291; 128 Stat. 3810).*

19 (3) *The term “Secretary” means the Secretary of*
20 *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 oper-*
25 *ation of the Museum established under section 3, such sums*

1 *as may be necessary for fiscal year 2020 and each suc-*
2 *ceeding 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 ap-*
7 *propriated pursuant to the authorization under this section*
8 *may be used to conduct fundraising in support of the Mu-*
9 *seum from private sources.*

Calendar No. 599

116TH CONGRESS
2^D SESSION

S. 959

A BILL

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

DECEMBER 3, 2020

Reported with an amendment