

116TH CONGRESS
1ST 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 and Mrs. FEINSTEIN) 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 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.

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

5 (A) a study of 18 United States history
6 textbooks concluded that 10 percent of the ma-
7 terial documented contributions of women;

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

11 (C) only one of the 44 monuments oper-
12 ated by the National Park Service specifically
13 honors the achievements of women after the
14 2016 designation of the Belmont-Paul Women’s
15 Equality National Monument.

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

20 (4) On December 19, 2014, Congress created a
21 Congressional Commission to study the potential for
22 an American museum of women’s history. The bi-
23 partisan Commission unanimously concluded that
24 the United States needs and deserves a physical na-
25 tional museum dedicated to showcasing the historical

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

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

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

20 **SEC. 3. ESTABLISHMENT OF MUSEUM.**

21 (a) ESTABLISHMENT.—There is established within
22 the Smithsonian Institution a comprehensive women’s his-
23 tory museum, to be named by the Board of Regents in
24 consultation with the council established under section 4
25 (referred to in this Act as the “Museum”).

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

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

8 (2) collaboration with other Smithsonian Insti-
9 tution museums and facilities, outside museums, and
10 educational institutions; and

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

14 **SEC. 4. COUNCIL.**

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

19 (b) DUTIES.—

20 (1) IN GENERAL.—The Council established
21 under this section shall—

22 (A) make recommendations to the Board
23 of Regents concerning the planning, design, and
24 construction of the Museum;

1 (B) advise and assist the Board of Regents
2 on all matters relating to the administration,
3 operation, maintenance, and preservation of the
4 Museum;

5 (C) recommend annual operating budgets
6 for the Museum to the Board of Regents;

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

11 (E) adopt bylaws for the operation of the
12 Council.

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

16 (A) purchase, accept, borrow, and other-
17 wise acquire artifacts for addition to the collec-
18 tions of the Museum;

19 (B) loan, exchange, sell, and otherwise dis-
20 pose of any part of the collections of the Mu-
21 seum, but only if the funds generated by that
22 disposition are used for additions to the collec-
23 tions of the Museum; or

24 (C) specify criteria with respect to the use
25 of the collections and resources of the Museum,

1 including policies on programming, education,
2 exhibitions, and research with respect to—

3 (i) the life, art, history, and culture of
4 women;

5 (ii) the role of women in the history of
6 the United States; and

7 (iii) the contributions of women to so-
8 ciety.

9 (3) OTHER RESPONSIBILITIES.—The Council,
10 subject to the general policies of the Board of Re-
11 gents, shall have authority—

12 (A) to provide for preservation, restoration,
13 and maintenance of the collections of the Mu-
14 seum; and

15 (B) to solicit, accept, use, and dispose of
16 gifts, bequests, and devises of personal property
17 for the purpose of aiding and facilitating the
18 work of the Museum.

19 (c) COMPOSITION AND APPOINTMENT.—

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

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

1 (A) The Secretary of the Smithsonian In-
2 stitution.

3 (B) One member of the Board of Regents,
4 appointed by the Board of Regents.

5 (C) Twenty-three individuals appointed by
6 the Board or Regents. In appointing members
7 under this subparagraph, the Board of Regents
8 should give special consideration to appoint-
9 ing—

10 (i) members of the Congressional
11 Commission;

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

20 (iii) scholars and representatives of
21 organizations that are committed to the
22 study of women’s history.

23 (3) INITIAL APPOINTMENTS.—The Board of
24 Regents shall make initial appointments to the

1 Council under paragraph (2) not later than 180
2 days after the date of the enactment of this Act.

3 (d) TERMS.—

4 (1) IN GENERAL.—Except as provided in this
5 subsection, each appointed member of the Council
6 shall be appointed for a term of 3 years.

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

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

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

15 (C) 7 members shall be appointed for a
16 term of 3 years.

17 (3) REAPPOINTMENT.—A member of the Coun-
18 cil may be reappointed, except that no individual
19 may serve on the Council for a total of more than
20 2 terms. For purposes of this paragraph, the num-
21 ber of terms an individual serves on the Council
22 shall not include any portion of a term for which an
23 individual is appointed to fill a vacancy under para-
24 graph (4)(B).

25 (4) VACANCIES.—

1 (A) IN GENERAL.—A vacancy on the
2 Council—

3 (i) shall not affect the powers of the
4 Council; and

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

7 (B) TERM.—Any member of the Council
8 appointed to fill a vacancy occurring before the
9 expiration of the term for which the member's
10 predecessor was appointed shall be appointed
11 for the remainder of that term.

12 (e) COMPENSATION.—

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

16 (2) TRAVEL EXPENSES.—A member of the
17 Council shall be allowed travel expenses, including
18 per diem in lieu of subsistence, at rates authorized
19 for an employee of an agency under subchapter I of
20 chapter 57 of title 5, while away from the home or
21 regular place of business of the member in the per-
22 formance of the duties of the Council.

23 (f) CHAIRPERSON.—By a majority vote of its voting
24 members, the Council shall elect a chairperson from its
25 members.

1 (g) MEETINGS.—

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

6 (2) INITIAL MEETINGS.—During the 1-year pe-
7 riod beginning on the date of the first meeting of the
8 Council, the Council shall meet not fewer than 4
9 times for the purpose of carrying out the duties of
10 the Council under this Act.

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

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

16 (a) DIRECTOR.—

17 (1) IN GENERAL.—The Museum shall have a
18 Director who shall be appointed by the Secretary,
19 taking into consideration individuals recommended
20 by the council established under section 4.

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

24 (b) STAFF.—The Secretary may appoint 2 additional
25 employees to serve under the Director, except that such

1 additional employees may be appointed without regard to
2 the provisions of title 5, United States Code, governing
3 appointments in the competitive service.

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

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

10 (a) PROGRAMS AUTHORIZED.—The Director of the
11 Museum may carry out educational and liaison programs
12 in support of the goals of the Museum.

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

17 **SEC. 7. BUILDING.**

18 (a) IN GENERAL.—

19 (1) LOCATION.—

20 (A) IN GENERAL.—Not later than 6
21 months after the date of the enactment of this
22 Act, the Board of Regents shall designate a site
23 for the Museum.

24 (B) SITES FOR CONSIDERATION.—In des-
25 ignating a site under subparagraph (A), the

1 Board of Regents shall select from among the
2 following sites in the District of Columbia:

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

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

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

18 (C) AVAILABILITY OF SITE.—

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

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

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

14 (i) An estimate of the costs associated
15 with each potential site.

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

21 (iii) The recommendations of the Con-
22 gressional Commission.

23 (E) CONSULTATION.—The Board of Re-
24 gents shall carry out its duties under this para-

1 graph in consultation with each of the fol-
2 lowing:

3 (i) The Chair of the National Capital
4 Planning Commission.

5 (ii) The Chair of the Commission on
6 Fine Arts.

7 (iii) The Chair of the Congressional
8 Commission.

9 (iv) The chair and ranking minority
10 member of each of the following Commit-
11 tees:

12 (I) The Committee on Rules and
13 Administration of the Senate.

14 (II) The Committee on House
15 Administration of the House of Rep-
16 resentatives.

17 (III) The Committee on Trans-
18 portation and Infrastructure of the
19 House of Representatives.

20 (IV) The Committee on Appro-
21 priations of the House of Representa-
22 tives.

23 (V) The Committee on Appro-
24 priations of the Senate.

1 (F) PRIORITY.—In designating a site
2 under subparagraph (A), the Board of Regents
3 shall give priority to a site which is on or near
4 the National Mall.

5 (b) CONSTRUCTION OF BUILDING.—The Board of
6 Regents, in consultation with the council established under
7 section 4, may plan, design, and construct a building for
8 the Museum, which shall be located at the site designated
9 by the Board of Regents under subsection (a).

10 (c) NONAPPLICABILITY OF PROVISIONS RELATING
11 TO MONUMENTS AND COMMEMORATIVE WORKS.—Chap-
12 ter 89 of title 40, United States Code, shall not apply with
13 respect to the Museum.

14 (d) COST SHARING.—The Board of Regents shall
15 pay—

16 (1) 50 percent of the costs of carrying out this
17 section from Federal funds; and

18 (2) 50 percent of the costs of carrying out this
19 section from non-Federal sources.

20 **SEC. 8. DEFINITIONS.**

21 In this Act, the following definitions apply:

22 (1) The term “Board of Regents” means the
23 Board of Regents of the Smithsonian Institution.

24 (2) The term “Congressional Commission”
25 means the Commission to Study the Potential Cre-

1 ation of a National Women’s History Museum, es-
2 tablished under section 3056 of the Military Con-
3 struction Authorization Act for Fiscal Year 2015
4 (Public Law 113–291; 127 Stat. 3810).

5 (3) The term “Secretary” means the Secretary
6 of the Smithsonian Institution.

7 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

8 (a) IN GENERAL.—There are authorized to be appro-
9 priated to the Smithsonian Institution to carry out this
10 Act, including the planning, design, construction, and op-
11 eration of the Museum established under section 3, such
12 sums as may be necessary for fiscal year 2020 and each
13 succeeding fiscal year.

14 (b) AVAILABILITY.—Amounts appropriated pursuant
15 to the authorization under this section shall remain avail-
16 able until expended.

17 (c) USE OF FUNDS FOR FUNDRAISING.—Amounts
18 appropriated pursuant to the authorization under this sec-
19 tion may be used to conduct fundraising in support of the
20 Museum from private sources.

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