

115TH CONGRESS
1ST SESSION

H. R. 19

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2017

Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. ROYCE of California, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BERA, Ms. BLUNT ROCHESTER, Ms. BONAMICI, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARTWRIGHT, Mr. CASTRO of Texas, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. COHEN, Mr. CRIST, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFazio, Mr. DELANEY, Mrs. DEMINGS, Mr. DENT, Mr. DESAULNIER, Mrs. DINGELL, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ELLISON, Mr. ENGEL, Mr. FOSTER, Ms. FRANKEL of Florida, Mr. GARAMENDI, Mr. GRIJALVA, Ms. HANABUSA, Mr. HECK, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Ms. KELLY of Illinois, Mr. KIHUEN, Mr. KILDEE, Mr. KING of New York, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. LEE, Mr. LEVIN, Mr. TED LIEU of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. O'ROURKE, Mr. PALLONE, Mr. PAYNE, Mr. PERLMUTTER, Mr. PETERS, Mr. RICHMOND, Ms. ROS-LEHTINEN, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. SHERMAN, Ms. SINEMA, Ms. SPEIER, Mr. SWALWELL of California, Mr. THOMPSON of California, Ms. TITUS, Mr. TONKO, Mr. VARGAS, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. MAXINE WATERS of California, Mr. WELCH, Ms. WILSON of Florida, Mrs. LOWEY, Mr. HASTINGS, Mr. POLIS, Mr. SMITH of Washington, Ms. STEFANIK, Ms. ESHOO, Mr. CLEAVER, Mr. HIMES, Mr. DAVID SCOTT of Georgia, Mr. YARMUTH, Mr. HIGGINS of New York, Mr. EVANS, Ms. JUDY CHU of California, Ms. TSONGAS, Ms. SÁNCHEZ, Mr. BRADY of Pennsylvania, Mr. REED, Mr. BILIRAKIS, Mr. RASKIN, Ms. MOORE, Mr. MACARTHUR, Mr. BLUMENAUER, Mr. CONNOLLY, Mr. BROWN of Maryland, Mr. COOPER, Mr. ESPAILLAT, Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, Ms. KUSTER of New Hampshire, Mr. SARBANES, Mr. TROTT, Mr. LANCE, Miss RICE of New York, Mr. STIVERS, Mr. KATKO, Mr. VALADAO, Mrs. MIMI WALTERS of California,

Mr. McCAUL, Mr. PAULSEN, Ms. HERRERA BEUTLER, Mrs. LOVE, Mr. HURD, Mr. BACON, and Mr. BERGMAN) 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”.

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.

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

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

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

4 (C) only one of the 44 monuments oper-
5 ated by the National Park Service specifically
6 honors the achievements of women after the
7 2016 designation of the Belmont-Paul Women's
8 Equality National Monument.

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

13 (4) Establishing a comprehensive women's his-
14 tory museum representing a diverse range of view-
15 points, experience, and backgrounds is necessary to
16 more accurately depict the history of the United
17 States and would add value to the Smithsonian In-
18 stitution.

19 **SEC. 3. ESTABLISHMENT OF MUSEUM.**

20 (a) **ESTABLISHMENT.**—There is established within
21 the Smithsonian Institution a comprehensive women's his-
22 tory museum, to be named by the Board of Regents in
23 consultation with the Council established under section 4.

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

1 (1) the collection, study, and establishment of
2 programs relating to women’s contributions to var-
3 ious fields and throughout different periods of his-
4 tory that have influenced the direction of the United
5 States;

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

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

12 **SEC. 4. COUNCIL.**

13 (a) ESTABLISHMENT.—There is established within
14 the Smithsonian Institution a council to carry out the du-
15 ties set forth under subsection (b) and other provisions
16 of this Act.

17 (b) DUTIES.—

18 (1) IN GENERAL.—The council established
19 under this section shall—

20 (A) make recommendations to the Board
21 of Regents concerning the planning, design, and
22 construction of the museum established under
23 section 3;

24 (B) advise and assist the Board of Regents
25 on all matters relating to the administration,

1 operation, maintenance, and preservation of the
2 museum;

3 (C) recommend annual operating budgets
4 for the museum to the Board of Regents;

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

9 (E) adopt bylaws for the operation of the
10 council.

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

14 (A) purchase, accept, borrow, and other-
15 wise acquire artifacts for addition to the collec-
16 tions of the museum;

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

22 (C) specify criteria with respect to the use
23 of the collections and resources of the museum,
24 including policies on programming, education,
25 exhibitions, and research with respect to—

1 (i) the life, art, history, and culture of
2 women;

3 (ii) the role of women in the history of
4 the United States; and

5 (iii) the contributions of women to so-
6 ciety.

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

10 (A) to provide for preservation, restoration,
11 and maintenance of the collections of the mu-
12 seum; and

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

17 (c) COMPOSITION AND APPOINTMENT.—

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

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

23 (A) The Secretary of the Smithsonian In-
24 stitution.

1 (B) One member of the Board of Regents,
2 appointed by the Board of Regents.

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

8 (i) members of the Congressional
9 Commission;

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

18 (iii) scholars and representatives of
19 organizations that are committed to the
20 study of women's history.

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

25 (d) TERMS.—

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

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

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

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

12 (C) 7 members shall be appointed for a
13 term of 3 years.

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

22 (4) VACANCIES.—

23 (A) IN GENERAL.—A vacancy on the coun-
24 cil—

1 (i) shall not affect the powers of the
2 council; and

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

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

10 (e) COMPENSATION.—

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

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

21 (f) CHAIRPERSON.—By a majority vote of its voting
22 members, the council shall elect a chairperson from its
23 members.

24 (g) MEETINGS.—

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

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

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

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

15 (a) DIRECTOR.—

16 (1) IN GENERAL.—The museum established
17 under section 3 shall have a Director who shall be
18 appointed by the Secretary, taking into consideration
19 individuals recommended by the council established
20 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 two addi-
25 tional employees to serve under the Director, except that

1 such additional employees may be appointed without re-
2 gard to the provisions of title 5, United States Code, gov-
3 erning 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 established under section 3 may carry out edu-
12 cational and liaison programs in support of the goals of
13 the museum.

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

18 **SEC. 7. BUILDING.**

19 (a) IN GENERAL.—

20 (1) LOCATION.—

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

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

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

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

16 (C) AVAILABILITY OF SITE.—

17 (i) IN GENERAL.—Each site described
18 in subparagraph (B) shall remain available
19 until the date on which the Board of Re-
20 gents designates a site for the museum
21 under subparagraph (A).

22 (ii) TRANSFER TO SMITHSONIAN IN-
23 STITUTION.—If the site designated for the
24 museum is in an area that is under the ad-
25 ministrative jurisdiction of a Federal agen-

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

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

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

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

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

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

23 (i) The Chair of the National Capital
24 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 (b) CONSTRUCTION OF BUILDING.—The Board of
15 Regents, in consultation with the Council, may plan, de-
16 sign, and construct a building for the museum, which shall
17 be located at the site designated by the Board of Regents
18 under subsection (a).

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

23 (d) USE OF PRIVATE FUNDS FOR CONSTRUCTION.—
24 The Board of Regents shall construct the building for the
25 museum with funds provided 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, 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.

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