

112TH CONGRESS
2D SESSION

S. 3567

To establish the Commission to Study the Potential Creation of a National Women’s History Museum, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19, 2012

Ms. COLLINS (for herself, Ms. MIKULSKI, Mrs. HUTCHISON, Mr. LIEBERMAN, Mrs. MURRAY, Mr. AKAKA, Mr. MERKLEY, Ms. KLOBUCHAR, Ms. STABENOW, Ms. MURKOWSKI, Ms. LANDRIEU, Mrs. SHAHEEN, and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Commission to Study the Potential Creation of a National 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 “National Women’s His-

5 tory Museum Commission Act of 2012”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) COMMISSION.—The term “Commission”
 2 means the Commission to Study the Potential Cre-
 3 ation of a National Women’s History Museum estab-
 4 lished by section 3(a).

5 (2) MUSEUM.—The term “Museum” means the
 6 National Women’s History Museum.

7 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

8 (a) IN GENERAL.—There is established the Commis-
 9 sion to Study the Potential Creation of a National Wom-
 10 en’s History Museum.

11 (b) MEMBERSHIP.—The Commission shall be com-
 12 posed of 8 members, of whom—

13 (1) 2 members shall be appointed by the major-
 14 ity leader of the Senate;

15 (2) 2 members shall be appointed by the Speak-
 16 er of the House of Representatives;

17 (3) 2 members shall be appointed by the minor-
 18 ity leader of the Senate; and

19 (4) 2 members shall be appointed by the minor-
 20 ity leader of the House of Representatives.

21 (c) QUALIFICATIONS.—Members of the Commission
 22 shall be appointed to the Commission from among individ-
 23 uals, or representatives of institutions or entities, who pos-
 24 sess—

1 (1)(A) a demonstrated commitment to the re-
 2 search, study, or promotion of women’s history, art,
 3 political or economic status, or culture; and

4 (B)(i) expertise in museum administration;

5 (ii) expertise in fundraising for nonprofit or cul-
 6 tural institutions;

7 (iii) experience in the study and teaching of
 8 women’s history at the post-secondary level;

9 (iv) experience in studying the issue of the rep-
 10 resentation of women in art, life, history, and cul-
 11 ture at the Smithsonian Institution; or

12 (v) extensive experience in public or elected
 13 service;

14 (2) experience in the administration of, or the
 15 planning for, the establishment of, museums; or

16 (3) experience in the planning, design, or con-
 17 struction of museum facilities.

18 (d) PROHIBITION.—No employee of the Federal Gov-
 19 ernment may serve as a member of the Commission.

20 (e) DEADLINE FOR INITIAL APPOINTMENT.—The
 21 initial members of the Commission shall be appointed not
 22 later than the date that is 90 days after the date of enact-
 23 ment of this Act.

24 (f) VACANCIES.—A vacancy in the Commission—

1 (1) shall not affect the powers of the Commis-
 2 sion; and

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

5 (g) CHAIRPERSON.—The Commission shall, by ma-
 6 jority vote of all of the members, select 1 member of the
 7 Commission to serve as the Chairperson of the Commis-
 8 sion.

9 **SEC. 4. DUTIES OF THE COMMISSION.**

10 (a) REPORTS.—

11 (1) PLAN OF ACTION.—The Commission shall
 12 submit to the President and Congress a report con-
 13 taining the recommendations of the Commission
 14 with respect to a plan of action for the establishment
 15 and maintenance of a National Women’s History
 16 Museum in Washington, DC.

17 (2) REPORT ON ISSUES.—The Commission shall
 18 submit to the President and Congress a report that
 19 addresses the following issues:

20 (A) The availability and cost of collections
 21 to be acquired and housed in the Museum.

22 (B) The impact of the Museum on regional
 23 women history-related museums.

24 (C) Potential locations for the Museum in
 25 Washington, DC, and its environs (including

the location located on public land bounded by Independence Avenue SW., 14th Street SW., 15th Street SW., and Jefferson Drive SW., in Washington, DC, that is established subject to chapter 89 of title 40, United States Code (commonly known as the “Commemorative Works Act”).

(D) Whether the Museum should be part of the Smithsonian Institution.

(E) The governance and organizational structure from which the Museum should operate.

(F) Best practices for engaging women in the development and design of the Museum.

(G) The cost of constructing, operating, and maintaining the Museum.

(3) DEADLINE.—The reports required under paragraphs (1) and (2) shall be submitted not later than the date that is 18 months after the date of the first meeting of the Commission.

(b) FUNDRAISING PLAN.—

(1) IN GENERAL.—The Commission shall develop a fundraising plan to support the establishment and maintenance of the Museum through contributions from the public.

1 (2) CONSIDERATIONS.—In developing the fund-
2 raising plan under paragraph (1), the Commission
3 shall consider—

4 (A) the role of the National Women’s His-
5 tory Museum (a nonprofit, educational organi-
6 zation described in section 501(c)(3) of the In-
7 ternal Revenue Code of 1986 that was incor-
8 porated in 1996 in Washington, DC, and dedi-
9 cated for the purpose of establishing a women’s
10 history museum) in raising funds for the con-
11 struction of the Museum; and

12 (B) issues relating to funding the oper-
13 ations and maintenance of the Museum in per-
14 petuity.

15 (c) LEGISLATION TO CARRY OUT PLAN OF AC-
16 TION.—Based on the recommendations contained in the
17 report submitted under paragraphs (1) and (2) of sub-
18 section (a), the Commission shall submit for consideration
19 to the Committees on Transportation and Infrastructure,
20 House Administration, Natural Resources, and Appropria-
21 tions of the House of Representatives and the Committees
22 on Rules and Administration, Energy and Natural Re-
23 sources, Environment and Public Works, and Appropria-
24 tions of the Senate recommendations for a legislative plan
25 of action to establish and construct the Museum.

1 (d) NATIONAL CONFERENCE.—Not later than 18
2 months after the date on which the initial members of the
3 Commission are appointed under section 3, the Commis-
4 sion may, in carrying out the duties of the Commission
5 under this section, convene a national conference relating
6 to the Museum, to be comprised of individuals committed
7 to the advancement of the life, art, history, and culture
8 of women.

9 **SEC. 5. DIRECTOR AND STAFF OF COMMISSION.**

10 (a) DIRECTOR AND STAFF.—

11 (1) IN GENERAL.—The Commission may em-
12 ploy and compensate an executive director and any
13 other additional personnel that are necessary to en-
14 able the Commission to perform the duties of the
15 Commission.

16 (2) RATES OF PAY.—Rates of pay for persons
17 employed under paragraph (1) shall be consistent
18 with the rates of pay allowed for employees of a tem-
19 porary organization under section 3161 of title 5,
20 United States Code.

21 (b) NOT FEDERAL EMPLOYMENT.—Any individual
22 employed under this Act shall not be considered a Federal
23 employee for the purpose of any law governing Federal
24 employment.

25 (c) TECHNICAL ASSISTANCE.—

1 (1) IN GENERAL.—Subject to paragraph (2), on
 2 request of the Commission, the head of a Federal
 3 agency may provide technical assistance to the Com-
 4 mission.

5 (2) PROHIBITION.—No Federal employees may
 6 be detailed to the Commission.

7 **SEC. 6. ADMINISTRATIVE PROVISIONS.**

8 (a) COMPENSATION.—

9 (1) IN GENERAL.—A member of the Commis-
 10 sion—

11 (A) shall not be considered to be a Federal
 12 employee for any purpose by reason of service
 13 on the Commission; and

14 (B) shall serve without pay.

15 (2) TRAVEL EXPENSES.—A member of the
 16 Commission shall be allowed a per diem allowance
 17 for travel expenses, at rates consistent with the rates
 18 authorized under subchapter I of chapter 57 of title
 19 5, United States Code.

20 (b) GIFTS, BEQUESTS, DEVISES.—The Commission
 21 may solicit, accept, use, and dispose of gifts, bequests, or
 22 devises of money, services, or real or personal property for
 23 the purpose of aiding or facilitating the work of the Com-
 24 mission.

1 (c) FEDERAL ADVISORY COMMITTEE ACT.—The
2 Commission shall not be subject to the Federal Advisory
3 Committee Act (5 U.S.C. App.).

4 **SEC. 7. TERMINATION.**

5 The Commission shall terminate on the date that is
6 30 days after the date on which the final versions of the
7 reports required under section 4(a) are submitted.

8 **SEC. 8. FUNDING.**

9 (a) IN GENERAL.—The Commission shall be solely
10 responsible for acceptance of contributions for, and pay-
11 ment of the expenses of, the Commission.

12 (b) PROHIBITION.—No Federal funds may be obli-
13 gated to carry out this Act.

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