

116TH CONGRESS
2D SESSION

H. R. 8380

To obtain and direct the placement in the United States Capitol or on the United States Capitol Grounds of a monument to honor Associate Justice of the Supreme Court of the United States Ruth Bader Ginsburg.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2020

Ms. FRANKEL (for herself, Ms. SPEIER, Mrs. LAWRENCE, Ms. ESCOBAR, Ms. HAALAND, and Mr. KRISHNAMOORTHY) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To obtain and direct the placement in the United States Capitol or on the United States Capitol Grounds of a monument to honor Associate Justice of the Supreme Court of the United States Ruth Bader Ginsburg.

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. FINDINGS.**

4 Congress finds the following:

5 (1) Ruth Bader Ginsburg was born in 1933 in
6 Brooklyn, New York, and grew up in a low-income,
7 working-class neighborhood.

1 (2) Ginsburg graduated from Cornell University
2 in 1954, finishing first in her class.

3 (3) Ginsburg enrolled at Harvard Law School
4 in 1956, entering into a class of 552 men and only
5 8 other women.

6 (4) As a law student, Ginsburg became the first
7 female member of the prestigious legal journal, the
8 Harvard Law Review. She also cared for her hus-
9 band, Martin Ginsburg, who had been diagnosed
10 with cancer, and their young daughter.

11 (5) Ginsburg finished her legal education at Co-
12 lumbia Law School, where she graduated first in her
13 class in 1959.

14 (6) Ginsburg taught at Rutgers University Law
15 School from 1963 to 1972 and at Columbia Law
16 School from 1972 to 1980, where she became the
17 school's first female tenured professor.

18 (7) During the 1970s, Ginsburg served as the
19 director of the Women's Rights Project of the Amer-
20 ican Civil Liberties Union. In this position, she led
21 the fight against gender discrimination and success-
22 fully argued 6 landmark cases before the Supreme
23 Court of the United States (in this section referred
24 to as the "Supreme Court").

1 (8) Ginsburg won 5 cases on gender discrimina-
2 tion before the Supreme Court, including the case
3 Weinberger v. Wiesenfeld, which involved a portion
4 of the Social Security Act that favored women over
5 men, because the Act granted certain benefits to
6 widows, but not widowers.

7 (9) In 1980, President Jimmy Carter appointed
8 Ginsburg to the United States Court of Appeals for
9 the District of Columbia Circuit.

10 (10) In 1993, President Bill Clinton appointed
11 Ginsburg to the Supreme Court to fill the seat va-
12 cated by Associate Justice Byron White.

13 (11) On August 3, 1993, the Senate confirmed
14 Ginsburg's nomination to the Supreme Court by a
15 96 to 3 vote.

16 (12) Ginsburg became the second female justice
17 to serve on the Supreme Court as well as the first
18 Jewish female justice to serve on the Supreme
19 Court.

20 (13) As a justice, Ginsburg presented a strong
21 voice in favor of gender equality, voting rights, the
22 rights of workers, and the separation of church and
23 state.

24 (14) In 1996, Ginsburg wrote the Supreme
25 Court's landmark decision in *United States v. Vir-*

1 ginia, which held that the State-supported Virginia
2 Military Institute could not refuse to admit women.

3 (15) Despite her reputation for restrained writ-
4 ing, Ginsburg gathered considerable attention for
5 her dissenting opinion in *Bush v. Gore* by subtly
6 concluding her decision with the words, “I dissent”,
7 a significant departure from the traditional “respect-
8 fully dissent”.

9 (16) Ginsburg famously dissented in *Ledbetter*
10 *v. Goodyear Tire & Rubber Co.*, where the plaintiff,
11 a female worker being paid significantly less than
12 males with her same qualifications, sued under title
13 VII of the Civil Rights Act of 1964 (42 U.S.C.
14 2000e et seq.), but was denied relief under a statute
15 of limitation issue. Ginsburg broke with tradition
16 and wrote a high colloquial version of her dissent to
17 read from the bench. In her dissent, she also called
18 for Congress to undo this improper interpretation of
19 the law.

20 (17) Following her dissent in *Ledbetter v.*
21 *Goodyear Tire & Rubber Co.*, Ginsburg worked with
22 President Barack Obama to pass the first piece of
23 legislation he signed, the Lilly Ledbetter Fair Pay
24 Act of 2009 (Public Law 111–2; 123 Stat. 5).

(18) In 2013, when the Supreme Court ruled in a 5–4 decision in *Shelby County v. Holder* to gut the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), Ginsburg wrote, “Throwing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet.”.

(19) Until the 2018 term, Ginsburg had not missed a day of oral arguments, not even when she was undergoing chemotherapy for pancreatic cancer, after surgery for colon cancer, or the day after her husband passed away in 2010.

SEC. 2. MONUMENT HONORING JUSTICE RUTH BADER GINSBURG.

(a) OBTAINING OF MONUMENT.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, and in consultation with the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, the Joint Committee on the Library shall enter into an agreement to obtain a monument honoring Associate Justice of the Supreme Court of the United States Ruth Bader Ginsburg under such terms and

1 conditions as the Joint Committee considers appro-
2 priate, consistent with applicable law.

3 (2) CONSIDERATION.—In selecting an artist to
4 make the monument obtained under paragraph (1),
5 the Joint Committee on the Library shall make the
6 announcement available to and consider artists from
7 underrepresented demographic groups.

8 (b) INSTALLATION.—The Architect of the Capitol,
9 under the direction of the Joint Committee on the Library,
10 shall permanently install the monument obtained under
11 subsection (a) in a prominent location in the United States
12 Capitol or a prominent location on the United States Cap-
13 itol Grounds, as described in section 5102 of title 40,
14 United States Code.

15 (c) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated such sums as are nec-
17 essary to carry out this Act. Amounts appropriated pursu-
18 ant to this subsection shall remain available until ex-
19 pended.

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