

mentation of women's contributions throughout the Nation's history.

(4) On December 19, 2014, Congress created a Congressional Commission to study the potential for an American museum of women's history. The bipartisan Commission unanimously concluded that the United States needs and deserves a physical national museum dedicated to showcasing the historical experiences and impact of women in the United States.

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

(6) The collections, exhibits, historical narrative materials, and museum programming of the women's history museum should be inclusive, comprehensive, and innovative. Such collections, exhibits, materials, and programming should present the diverse range of experiences and viewpoints of all women in the United States, reflecting upon the things that set women apart from one another while also highlighting the experiences that many of these women share.

(Pub. L. 116–260, div. T, title I, § 102, Dec. 27, 2020, 134 Stat. 2272.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 116–260, div. T, title I, § 101, Dec. 27, 2020, 134 Stat. 2272, provided that: "This title [enacting this subchapter] may be cited as the 'Smithsonian American Women's History Museum Act'."

§ 80t-1. Establishment of Museum

(a) Establishment

There is established within the Smithsonian Institution a comprehensive women's history museum, to be named by the Board of Regents in consultation with the council established under section 80t-2 of this title (referred to in this subchapter¹ as the "Museum").

(b) Purpose

The purpose of the Museum established under this section shall be to provide for—

(1) the collection and study of, and the establishment of programs relating to, women's contributions to various fields and throughout different periods of history that have influenced the direction of the United States;

(2) collaboration with other Smithsonian Institution museums and facilities, outside museums, and educational institutions; and

(3) the creation of exhibitions and programs that recognize diverse perspectives on women's history and contributions.

(Pub. L. 116–260, div. T, title I, § 103, Dec. 27, 2020, 134 Stat. 2273.)

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original "this Act", and was translated as reading "this

title", meaning title I of div. T of Pub. L. 116–260, known as the Smithsonian American Women's History Museum Act, which is classified to this subchapter, to reflect the probable intent of Congress.

§ 80t-2. Council

(a) Establishment

There is established within the Smithsonian Institution a council to carry out the duties set forth under subsection (b) and other provisions of this subchapter¹ (referred to in this section as the "Council").

(b) Duties

(1) In general

The Council established under this section shall—

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

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

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

(D) report annually to the Board of Regents on the acquisition, disposition, and display of objects relating to women's art, history, and culture; and

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

(2) Principal responsibilities

The Council, subject to the general policies of the Board of Regents, shall have sole authority to—

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

(B) loan, exchange, sell, and otherwise dispose of any part of the collections of the Museum, but only if the funds generated by that disposition are used for additions to the collections of the Museum; or

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

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

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

(iii) the contributions of women to society.

(3) Other responsibilities

The Council, subject to the general policies of the Board of Regents, shall have authority—

(A) to provide for preservation, restoration, and maintenance of the collections of the Museum; and

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

(4) Ensuring diversity of political viewpoints in exhibits and programs

In carrying out its duties, the Council shall ensure that the exhibits and programs of the

¹ See References in Text note below.

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Museum reflect, to the extent practicable, an equal representation of the diversity of the political viewpoints held by women of the United States on the events and issues relating to the history of women in the United States.

(c) Composition and appointment

(1) In general

The Council shall be composed of 25 voting members as provided under paragraph (2).

(2) Voting members

The Council shall include the following voting members:

- (A) One member appointed by the majority leader of the Senate.
- (B) One member appointed by the minority leader of the Senate.
- (C) One member appointed by the Speaker of the House of Representatives.
- (D) One member appointed by the minority leader of the House of Representatives.
- (E) The Secretary of the Smithsonian Institution.
- (F) One member of the Board of Regents, appointed by the Board of Regents.
- (G) Nineteen individuals appointed by the Board of Regents. In appointing members under this subparagraph, the Board of Regents should give special consideration to appointing—
 - (i) members of the Congressional Commission;
 - (ii) board members of the National Women's History Museum, a nonprofit, educational organization described in section 501(c)(3) of title 26 that was incorporated in 1996 in the District of Columbia and that is dedicated for the purpose of establishing a women's history museum; and
 - (iii) scholars and representatives of organizations that are committed to the study of women's history.

(3) Initial appointments

The Board of Regents shall make initial appointments to the Council under paragraph (2) not later than 180 days after December 27, 2020.

(d) Terms

(1) In general

Except as provided in this subsection, each appointed member of the Council shall be appointed for a term of 3 years.

(2) Initial appointees

As designated by the Board of Regents at the time of appointment, of the voting members first appointed under subparagraph (G) of subsection (c)(2)—

- (A) 7 members shall be appointed for a term of 1 year;
- (B) 6 members shall be appointed for a term of 2 years; and
- (C) 6 members shall be appointed for a term of 3 years.

(3) Reappointment

A member of the Council may be reappointed, except that no individual may serve on the Council for a total of more than 2 terms. For purposes of this paragraph, the

number of terms an individual serves on the Council shall not include any portion of a term for which an individual is appointed to fill a vacancy under paragraph (4)(B).

(4) Vacancies

(A) In general

A vacancy on the Council—

- (i) shall not affect the powers of the Council; and
- (ii) shall be filled in the same manner as the original appointment was made.

(B) Term

Any member of the Council appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed for the remainder of that term.

(e) Compensation

(1) In general

Except as provided in paragraph (2), a member of the Council shall serve without pay.

(2) Travel expenses

A member of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Council.

(f) Chairperson

By a majority vote of its voting members, the Council shall elect a chairperson from its members.

(g) Meetings

(1) In general

The Council shall meet at the call of the chairperson or on the written request of a majority of the voting members of the Council, but not fewer than twice each year.

(2) Initial meetings

During the 1-year period beginning on the date of the first meeting of the Council, the Council shall meet not fewer than 4 times for the purpose of carrying out the duties of the Council under this subchapter.¹

(h) Quorum

A majority of the voting members of the Council holding office shall constitute a quorum for the purpose of conducting business, but a lesser number may receive information on behalf of the Council.

(Pub. L. 116-260, div. T, title I, § 104, Dec. 27, 2020, 134 Stat. 2273.)

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in subsecs. (a) and (g)(2), was in the original “this Act”, and was translated as reading “this title”, meaning title I of div. T of Pub. L. 116-260, known as the Smithsonian American Women's History Museum Act, which is classified to this subchapter, to reflect the probable intent of Congress.

§ 80t-3. Director and staff of the Museum**(a) Director****(1) In general**

The Museum shall have a Director who shall be appointed by the Secretary, taking into consideration individuals recommended by the council established under section 80t-2 of this title.

(2) Duties

The Director shall manage the Museum subject to the policies of the Board of Regents.

(b) Staff

The Secretary may appoint 2 additional employees to serve under the Director, except that such additional employees may be appointed without regard to the provisions of title 5 governing appointments in the competitive service.

(c) Pay

The employees appointed by the Secretary under subsection (b) may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5 relating to classification of positions and General Schedule pay rates.

(Pub. L. 116-260, div. T, title I, §105, Dec. 27, 2020, 134 Stat. 2275.)

§ 80t-4. Educational and liaison programs**(a) Programs authorized**

The Director of the Museum may carry out educational and liaison programs in support of the goals of the Museum.

(b) Collaboration with schools

In carrying out this section, the Director shall carry out educational programs in collaboration with elementary schools, secondary schools, and postsecondary schools.

(Pub. L. 116-260, div. T, title I, §106, Dec. 27, 2020, 134 Stat. 2276.)

§ 80t-5. Building**(a) Location****(1) In general**

Not later than 2 years after December 27, 2020, the Board of Regents shall designate a site for the Museum.

(2) Sites for consideration

In designating a site under paragraph (1), the Board of Regents shall—

(A) select a site in the District of Columbia; and

(B) include the consideration of the following sites:

(i) The site known as the “South Monument site”, located on the National Mall and bordered by 14th Street Northwest, Jefferson Drive Southwest, Raoul Wallenberg Place Southwest, and Independence Ave Southwest.

(ii) The Northwest United States Capitol site, bordered by 3rd Street Northwest, Constitution Avenue Northwest, 1st Street Northwest, and Pennsylvania Ave Northwest.

(3) Factors considered

In designating a site under paragraph (1), the Board of Regents shall take into consideration each of the following factors:

(A) An estimate of the costs associated with each potential site.

(B) An assessment of the suitability of the space of each potential site, including size, proximity to other buildings and transportation, and other external environmental conditions, as appropriate.

(C) The recommendations of the Congressional Commission.

(4) Consultation

The Board of Regents shall carry out its duties under this subsection in consultation with each of the following:

(A) The Chair of the National Capital Planning Commission.

(B) The Director of the National Park Service.

(C) The Chair of the National Capital Memorial Advisory Commission.

(D) The Chair of the Commission on Fine Arts.

(E) The Chair of the Congressional Commission.

(F) The Architect of the Capitol.

(G) The chair and ranking member of each of the following committees:

(i) The Committee on Rules and Administration of the Senate.

(ii) The Committee on House Administration of the House of Representatives.

(iii) The Committee on Energy and Natural Resources of the Senate.

(iv) The Committee on Natural Resources of the House of Representatives.

(v) The Committee on Transportation and Infrastructure of the House of Representatives.

(vi) The Committee on Appropriations of the House of Representatives.

(vii) The Committee on Appropriations of the Senate.

(5) Intent of Congress

It is the intent of Congress that the Museum be located on or near the National Mall, to the maximum extent practicable, in accordance with this section.

(b) Site under the jurisdiction of another Federal agency**(1) Written notification of agreement**

The Board of Regents shall not designate a site for the Museum that is under the administrative jurisdiction of another Federal agency or entity unless the head of the Federal agency or entity submits to each of the committees described in subsection (a)(4)(G) written notification stating that the head of the Federal agency or entity concurs with locating the Museum on the land or in the structure that is under the administrative jurisdiction of the Federal agency or entity.

(2) Transfer

As soon as practicable after the date on which Congress receives the written notification described in paragraph (1), the head of the