

# Union Calendar No. 327

113TH CONGRESS  
2D SESSION

# H. R. 863

**[Report No. 113–411, Parts I and II]**

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2013

Mrs. CAROLYN B. MALONEY of New York (for herself, Mrs. BLACKBURN, Ms. NORTON, Mr. RANGEL, Ms. MOORE, Mr. MORAN, Mrs. DAVIS of California, Mr. HONDA, Mr. GRIJALVA, Ms. SPEIER, Ms. SCHAKOWSKY, Mr. CICILLINE, Ms. MATSUI, Mr. ELLISON, Ms. LORETTA SANCHEZ of California, Mr. PETERS of Michigan, Mrs. CAPPES, Ms. DELAURO, Mr. MCGOVERN, and Ms. BROWN of Florida) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on House Administration, 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

APRIL 10, 2014

Reported from the Committee on House Administration

MAY 6, 2014

Additional sponsors: Ms. CASTOR of Florida, Ms. LEE of California, Mr. CLAY, Mrs. NAPOLITANO, Ms. WASSERMAN SCHULTZ, Ms. ROYBAL-ALLARD, Mrs. BEATTY, Ms. KAPTUR, Mr. TONKO, Ms. HAHN, Mr. LOWENTHAL, Mr. TAKANO, Ms. KELLY of Illinois, Mr. FRELINGHUYSEN, Ms. CLARKE of New York, Ms. BROWNLEY of California, Mrs. ELLMERS, Mr. WAXMAN, Mr. COHEN, Mr. FITZPATRICK, Mr. BLUMENAUER, Ms. KUSTER, Mr. PETERS of California, Mr. ISRAEL, Mr. DOGGETT, Mr. PAYNE, Mr. HOLT, Mr. SEAN PATRICK MALONEY of New York, Mr. RIGELL, Mr. SERRANO, Mrs. NEGRETE MCLEOD, Mr. NADLER, Ms. JACKSON LEE, Ms. FUDGE, Ms. BONAMICI, Mr. MEEKS, Mrs. MCMORRIS RODGERS, Mr. KILDEE, Mr. MAFFEI, Mr. CONYERS, Ms. BORDALLO, Ms. WILSON of Florida, Mrs. BUSTOS, Mr. O’ROURKE, Mrs. LUMMIS, Mr. LEVIN, Mr. SWALWELL of California, Mr. OWENS, Ms. EDWARDS, Ms.

HANABUSA, Mr. KING of New York, Ms. DELBENE, Mrs. MCCARTHY of New York, Ms. FRANKEL of Florida, Mr. WALZ, Ms. CHU, Ms. MCCOLLUM, Ms. MENG, Ms. ROS-LEHTINEN, Mr. HANNA, Ms. SHEA-PORTER, Mrs. CAPITO, Mr. MCNERNEY, Mr. LATTI, Mrs. CHRISTENSEN, Mr. THOMPSON of California, Mr. VARGAS, Mr. DENT, Mr. NOLAN, Mr. HOYER, Mrs. BROOKS of Indiana, Mr. DELANEY, Mr. PASCRELL, Mr. WEBSTER of Florida, Ms. CLARK of Massachusetts, Ms. PINGREE of Maine, Ms. ESTY, Ms. LOFGREN, and Mr. CARTWRIGHT

MAY 6, 2014

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 27, 2013]

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## **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 “Commission to Study*  
5 *the Potential Creation of a National Women’s History Mu-*  
6 *seum Act”.*

7 **SEC. 2. DEFINITIONS.**

8        *In this Act:*

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

13            (2) **MUSEUM.**—*The term “Museum” means the*  
14 *National Women’s History Museum.*

15 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

16            (a) **IN GENERAL.**—*There is established the Commis-*  
17 *sion to Study the Potential Creation of a National Women’s*  
18 *History Museum.*

19            (b) **MEMBERSHIP.**—*The Commission shall be com-*  
20 *posed of 8 members, of whom—*

21            (1) *2 members shall be appointed by the major-*  
22 *ity leader of the Senate;*

23            (2) *2 members shall be appointed by the Speaker*  
24 *of the House of Representatives;*

1           (3) 2 members shall be appointed by the minor-  
2           ity leader of the Senate; and

3           (4) 2 members shall be appointed by the minor-  
4           ity leader of the House of Representatives.

5           (c) *QUALIFICATIONS.*—Members of the Commission  
6 shall be appointed to the Commission from among individ-  
7 uals, or representatives of institutions or entities, who pos-  
8 sess—

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

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

13                 (ii) expertise in fundraising for nonprofit or cul-  
14          tural institutions;

15                 (iii) experience in the study and teaching of  
16          women’s history;

17                 (iv) experience in studying the issue of the rep-  
18          resentation of women in art, life, history, and culture  
19          at the Smithsonian Institution; or

20                 (v) extensive experience in public or elected serv-  
21          ice;

22           (2) experience in the administration of, or the  
23          planning for, the establishment of, museums; or

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

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

3       (e) *DEADLINE FOR INITIAL APPOINTMENT.*—The ini-  
4       tial members of the Commission shall be appointed not later  
5       than the date that is 90 days after the date of enactment  
6       of this Act.

7       (f) *VACANCIES.*—A vacancy in the Commission—

8             (1) shall not affect the powers of the Commission;  
9       and

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

12       (g) *CHAIRPERSON.*—The Commission shall, by major-  
13       ity vote of all of the members, select 1 member of the Com-  
14       mission to serve as the Chairperson of the Commission.

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

16       (a) *REPORTS.*—

17             (1) *PLAN OF ACTION.*—The Commission shall  
18       submit to the President and Congress a report con-  
19       taining the recommendations of the Commission with  
20       respect to a plan of action for the establishment and  
21       maintenance of a National Women’s History Museum  
22       in Washington, DC.

23             (2) *REPORT ON ISSUES.*—The Commission shall  
24       submit to the President and Congress a report that  
25       addresses the following issues:

1           (A) *The availability and cost of collections*  
2           *to be acquired and housed in the Museum.*

3           (B) *The impact of the Museum on regional*  
4           *women history-related museums.*

5           (C) *Potential locations for the Museum in*  
6           *Washington, DC, and its environs.*

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

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

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

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

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

19          (b) *FUNDRAISING PLAN.—*

20                 (1) *IN GENERAL.—The Commission shall develop*  
21                 *a fundraising plan to support the establishment, oper-*  
22                 *ation, and maintenance of the Museum through con-*  
23                 *tributions 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 organiza-*  
6                   *tion described in section 501(c)(3) of the Internal*  
7                   *Revenue Code of 1986 that was incorporated in*  
8                   *1996 in Washington, DC, and dedicated for the*  
9                   *purpose of establishing a women’s history mu-*  
10                   *seum) in raising funds for the construction of the*  
11                   *Museum; and*

12                   (B) *issues relating to funding the operations*  
13                   *and maintenance of the Museum in perpetuity.*

14           (c) *LEGISLATION TO CARRY OUT PLAN OF ACTION.*—

15           *Based on the recommendations contained in the report sub-*  
16           *mitted under paragraphs (1) and (2) of subsection (a), the*  
17           *Commission shall submit for consideration to the Commit-*  
18           *tees on Transportation and Infrastructure, House Adminis-*  
19           *tration, Natural Resources, and Appropriations of the*  
20           *House of Representatives and the Committees on Rules and*  
21           *Administration, Energy and Natural Resources, and Ap-*  
22           *propriations of the Senate recommendations for a legisla-*  
23           *tive plan of action to establish and construct the Museum.*

24           (d) *NATIONAL CONFERENCE.*—*Not later than 18*  
25           *months after the date on which the initial members of the*

1 *Commission are appointed under section 3, the Commission*  
2 *may, in carrying out the duties of the Commission under*  
3 *this section, convene a national conference relating to the*  
4 *Museum, to be comprised of individuals committed to the*  
5 *advancement of the life, art, history, and culture of women.*

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

7 *(a) DIRECTOR AND STAFF.—*

8 *(1) IN GENERAL.—The Commission may employ*  
9 *and compensate an executive director and any other*  
10 *additional personnel that are necessary to enable the*  
11 *Commission to perform the duties of the Commission.*

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

17 *(b) NOT FEDERAL EMPLOYMENT.—Any individual*  
18 *employed under this Act shall not be considered a Federal*  
19 *employee for the purpose of any law governing Federal em-*  
20 *ployment.*

21 *(c) TECHNICAL ASSISTANCE.—*

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

1           (2) *PROHIBITION.*—No Federal employees may  
2       *be detailed to the Commission.*

3 **SEC. 6. ADMINISTRATIVE PROVISIONS.**

4       (a) *COMPENSATION.*—

5           (1) *IN GENERAL.*—A member of the Commis-  
6       *sion—*

7           (A) *shall not be considered to be a Federal*  
8       *employee for any purpose by reason of service on*  
9       *the Commission; and*

10          (B) *shall serve without pay.*

11          (2) *TRAVEL EXPENSES.*—A member of the Com-  
12       *mission shall be allowed a per diem allowance for*  
13       *travel expenses, at rates consistent with those author-*  
14       *ized under subchapter I of chapter 57 of title 5,*  
15       *United States Code.*

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

21       (c) *FEDERAL ADVISORY COMMITTEE ACT.*—The Com-  
22       *mission shall not be subject to the Federal Advisory Com-*  
23       *mittee Act (5 U.S.C. App.).*

1 **SEC. 7. TERMINATION.**

2       *The Commission shall terminate on the date that is*  
3 *30 days after the date on which the final versions of the*  
4 *reports required under section 4(a) are submitted.*

5 **SEC. 8. FUNDING.**

6       *(a) IN GENERAL.—The Commission shall be solely re-*  
7 *sponsible for acceptance of contributions for, and payment*  
8 *of the expenses of, the Commission.*

9       *(b) PROHIBITION.—No Federal funds may be obligated*  
10 *to carry out this Act.*



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