

Union Calendar No.

118TH CONGRESS
2^D SESSION

H. R. 7764

[Report No. 118-]

To establish a commission to study the potential transfer of the Weitzman National Museum of American Jewish History to the Smithsonian Institution, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2024

Ms. WASSERMAN SCHULTZ (for herself, Mr. TURNER, Mr. BOYLE of Pennsylvania, and Mr. MILLER of Ohio) introduced the following bill; which was referred to the Committee on House Administration

SEPTEMBER --, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on March 20, 2024]

A BILL

To establish a commission to study the potential transfer of the Weitzman National Museum of American Jewish History to the Smithsonian Institution, 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 Transfer of the Weitzman National Museum*
6 *of American Jewish History to the Smithsonian Institution*
7 *Act”.*

8 **SEC. 2. ESTABLISHMENT OF COMMISSION.**

9 (a) *IN GENERAL.*—*There is established the Commis-*
10 *sion to Study the Potential Transfer of the Weitzman Na-*
11 *tional Museum of American Jewish History to the Smithso-*
12 *nian Institution (hereafter in this Act referred to as the*
13 *“Commission”).*

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

16 (1) *2 voting members shall be appointed by the*
17 *majority leader of the Senate;*

18 (2) *2 voting members shall be appointed by the*
19 *Speaker of the House of Representatives;*

20 (3) *2 voting members shall be appointed by the*
21 *minority leader of the Senate; and*

22 (4) *2 voting members shall be appointed by the*
23 *minority leader of the House of Representatives.*

24 (c) *QUALIFICATION.*—*Members of the Commission*
25 *shall be appointed to the Commission from among individ-*

1 uals, or representatives of institutions or entities, who pos-
2 sess—

3 (1)(A) a demonstrated commitment to the re-
4 search, study, or promotion of Jewish American his-
5 tory, art, political or economic status, or culture; and

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

7 (ii) expertise in fund-raising for nonprofit or
8 cultural institutions;

9 (iii) experience in the study and teaching of
10 Jewish American history;

11 (iv) experience in the study and teaching of com-
12 bating and countering antisemitism;

13 (v) experience in studying the issue of the rep-
14 resentation of Jewish Americans in art, life, history,
15 and culture at the Smithsonian Institution; or

16 (vi) extensive experience in public or elected serv-
17 ice;

18 (2) experience in the administration of, or the
19 strategic planning for, museums; or

20 (3) experience in the planning or design of mu-
21 seum facilities.

22 (d) DEADLINE FOR INITIAL APPOINTMENT.—The ini-
23 tial members of the Commission shall be appointed not later
24 than the date that is 90 days after the date of enactment
25 of this Act.

1 (e) *VACANCIES.*—*A vacancy in the Commission—*

2 (1) *shall not affect the powers of the Commission;*

3 *and*

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

6 (f) *CHAIRPERSON.*—*The Commission shall, by major-*
7 *ity vote of all of the voting members, select 1 member of*
8 *the Commission to serve as the Chairperson of the Commis-*
9 *sion.*

10 (g) *PROHIBITION.*—*No employee of the Federal Gov-*
11 *ernment may serve as a member of the Commission.*

12 **SEC. 3. DUTIES OF COMMISSION.**

13 (a) *REPORTS AND OTHER DELIVERABLES.*—*Not later*
14 *than 2 years after the date of the first meeting of the Com-*
15 *mission, the Commission shall submit to the President and*
16 *to Congress the report, plan, and recommendations de-*
17 *scribed in paragraphs (1) through (3).*

18 (1) *REPORT ON ISSUES.*—*A report that addresses*
19 *the following issues relating to the Weitzman National*
20 *Museum of American Jewish History in Philadelphia,*
21 *PA, and its environs (hereafter in this Act referred to*
22 *as the “Museum”):*

23 (A) *The collections held by the Museum at*
24 *the time of the report, the extent to which such*
25 *collections are already represented in the Smith-*

1 *sonian Institution and Federal memorials at the*
2 *time of the report, and the availability and cost*
3 *of future collections to be acquired and housed in*
4 *the Museum.*

5 *(B) The impact of the Museum on edu-*
6 *cational and governmental efforts to study and*
7 *counter antisemitism.*

8 *(C) The financial assets and liabilities held*
9 *by the Museum, and the cost of operating and*
10 *maintaining the Museum.*

11 *(D) The governance and organizational*
12 *structure from which the Museum should operate*
13 *if transferred to the Smithsonian Institution.*

14 *(E) The financial and legal considerations*
15 *associated with the potential transfer of the Mu-*
16 *seum to the Smithsonian Institution, includ-*
17 *ing—*

18 *(i) any donor or legal restrictions on*
19 *the Museum's collections, endowments, and*
20 *real estate;*

21 *(ii) costs associated with actions that*
22 *will be necessary to resolve the status of em-*
23 *ployees of the Museum, if the Museum is*
24 *transferred to the Smithsonian Institution;*
25 *and*

1 (iii) all additional costs for the Smith-
2 sonian Institution that would be associated
3 with operating and maintaining a new mu-
4 seum outside of the Washington, D.C. met-
5 ropolitan area.

6 (F) The feasibility of the Museum becoming
7 part of the Smithsonian Institution, taking into
8 account the Museum's potential impact on the
9 Smithsonian's existing facilities maintenance
10 backlog, collections storage needs, and identified
11 construction or renovation costs for new or exist-
12 ing museums.

13 (2) *FUND-RAISING PLAN.*—A fund-raising plan
14 that addresses the following topics:

15 (A) The ability to support the transfer, op-
16 eration, and maintenance of the Museum through
17 contributions from the public, including poten-
18 tial charges for admission.

19 (B) Any potential issues with funding the
20 operations and maintenance of the Museum in
21 perpetuity without reliance on appropriations of
22 Federal funds.

23 (3) *LEGISLATIVE RECOMMENDATIONS.*—A report
24 containing recommendations regarding a legislative

1 *plan for transferring the Museum to the Smithsonian*
2 *Institution, which shall include each of the following:*

3 (A) *Proposals regarding the time frame,*
4 *one-time appropriations level, and continuing*
5 *appropriations levels that might be included in*
6 *such legislation.*

7 (B) *Recommendations for the future name*
8 *of the Museum if it is transferred to the Smithso-*
9 *nian Institution.*

10 (b) *NATIONAL CONFERENCE.—Not later than 2 years*
11 *after the date on which the initial members of the Commis-*
12 *sion are appointed under section 2, the Commission may,*
13 *in carrying out the duties of the Commission under this*
14 *section, convene a national conference relating to the Mu-*
15 *seum, to be comprised of individuals committed to the ad-*
16 *vancement of the life, art, history, and culture of Jewish*
17 *Americans.*

18 **SEC. 4. ADMINISTRATIVE PROVISIONS.**

19 (a) *COMPENSATION.—*

20 (1) *IN GENERAL.—A member of the Commis-*
21 *sion—*

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

25 (B) *shall serve without pay.*

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

6 (3) *GIFTS, BEQUESTS, AND DEVISES.*—The Com-
7 mission may solicit, accept, use, and dispose of gifts,
8 bequests, or devises of money, services, or real or per-
9 sonal property for the purpose of aiding or facili-
10 tating the work of the Commission. Such gifts, be-
11 quests, or devises may be from the Museum.

12 (b) *TERMINATION.*—The Commission shall terminate
13 on the date that is 30 days after the date on which the final
14 versions of the report, plan, and recommendations required
15 under section 3 are submitted.

16 (c) *FUNDING.*—The Commission shall be solely respon-
17 sible for acceptance of contributions for, and payment of
18 the expenses of, the Commission.

19 (d) *DIRECTOR AND STAFF OF COMMISSION.*—

20 (1) *DIRECTOR AND STAFF.*—

21 (A) *IN GENERAL.*—The Commission may
22 employ and compensate an executive director
23 and any other additional personnel that are nec-
24 essary to enable the Commission to perform the
25 duties of the Commission.

1 (B) *RATES OF PAY.*—Rates of pay for per-
2 sons employed under subparagraph (A) shall be
3 consistent with the rates of pay allowed for em-
4 ployees of a temporary organization under sec-
5 tion 3161 of title 5, United States Code.

6 (2) *NOT FEDERAL EMPLOYMENT.*—Any indi-
7 vidual employed under this subsection shall not be
8 considered a Federal employee for the purpose of any
9 law governing Federal employment.

10 (3) *TECHNICAL ASSISTANCE.*—

11 (A) *IN GENERAL.*—Subject to subparagraph
12 (B), on request of the Commission, the head of a
13 Federal agency shall provide technical assistance
14 to the Commission.

15 (B) *PROHIBITION.*—No Federal employees
16 may be detailed to the Commission.

17 (4) *VOLUNTEER SERVICES.*—Notwithstanding
18 section 1342 of title 31, United States Code, the Com-
19 mission may accept and use voluntary and uncom-
20 pensated services as the Commission determines nec-
21 essary.

22 (e) *ADMINISTRATIVE SUPPORT SERVICES.*—Upon re-
23 quest of the Commission, the Administrator of the General
24 Services Administration shall provide to the Commission,
25 on a reimbursable basis, the administrative support services

1 *necessary for the Commission to carry out its responsibil-*
2 *ities under this Act. The involvement of the General Services*
3 *Administration shall be limited to providing administra-*
4 *tive support to the Commission, and such involvement shall*
5 *terminate upon termination of the Commission.*

6 (f) *MEETING LOCATION.—The Commission may meet*
7 *virtually or in-person.*

8 (g) *APPOINTMENT DELAYS.—The Commission may*
9 *begin to meet and carry out activities under this Act before*
10 *all members of the Commission have been appointed if—*

11 (1) *90 days have passed since the date of the en-*
12 *actment of this Act; and*

13 (2) *a majority of the members of the Commission*
14 *have been appointed.*