

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7764
OFFERED BY MR. STEIL OF WISCONSIN**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Commission to Study
3 the Potential Transfer of the Weitzman National Museum
4 of American Jewish History to the Smithsonian Institu-
5 tion Act”.

6 SEC. 2. ESTABLISHMENT OF COMMISSION.

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

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

14 (1) 2 voting members shall be appointed by the
15 majority leader of the Senate;

16 (2) 2 voting members shall be appointed by the
17 Speaker of the House of Representatives;

1 (3) 2 voting members shall be appointed by the
2 minority leader of the Senate; and

3 (4) 2 voting members shall be appointed by the
4 minority leader of the House of Representatives.

5 (c) QUALIFICATION.—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 Jewish American his-
11 tory, art, political or economic status, or culture;
12 and

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

14 (ii) expertise in fund-raising for nonprofit or
15 cultural institutions;

16 (iii) experience in the study and teaching of
17 Jewish American history;

18 (iv) experience in the study and teaching of
19 combating and countering antisemitism;

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

23 (vi) extensive experience in public or elected
24 service;

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

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

5 (d) DEADLINE FOR INITIAL APPOINTMENT.—The
6 initial members of the Commission shall be appointed not
7 later than the date that is 90 days after the date of enact-
8 ment of this Act.

9 (e) VACANCIES.—A vacancy in the Commission—

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

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

14 (f) CHAIRPERSON.—The Commission shall, by major-
15 ity vote of all of the voting members, select 1 member of
16 the Commission to serve as the Chairperson of the Com-
17 mission.

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

20 **SEC. 3. DUTIES OF COMMISSION.**

21 (a) REPORTS AND OTHER DELIVERABLES.—Not
22 later than 2 years after the date of the first meeting of
23 the Commission, the Commission shall submit to the
24 President and to Congress the report, plan, and rec-
25 ommendations described in paragraphs (1) through (3).

1 (1) REPORT ON ISSUES.—A report that ad-
2 dresses the following issues relating to the Weitzman
3 National Museum of American Jewish History in
4 Philadelphia, PA, and its environs (hereafter in this
5 Act referred to as the “Museum”):

6 (A) The collections held by the Museum at
7 the time of the report, the extent to which such
8 collections are already represented in the
9 Smithsonian Institution and Federal memorials
10 at the time of the report, and the availability
11 and cost of future collections to be acquired and
12 housed in the Museum.

13 (B) The impact of the Museum on edu-
14 cational and governmental efforts to study and
15 counter antisemitism.

16 (C) The financial assets and liabilities held
17 by the Museum, and the cost of operating and
18 maintaining the Museum.

19 (D) The governance and organizational
20 structure from which the Museum should oper-
21 ate if transferred to the Smithsonian Institu-
22 tion.

23 (E) The financial and legal considerations
24 associated with the potential transfer of the

1 Museum to the Smithsonian Institution, includ-
2 ing—

3 (i) any donor or legal restrictions on
4 the Museum's collections, endowments, and
5 real estate;

6 (ii) costs associated with actions that
7 will be necessary to resolve the status of
8 employees of the Museum, if the Museum
9 is transferred to the Smithsonian Institu-
10 tion; and

11 (iii) all additional costs for the Smith-
12 sonian Institution that would be associated
13 with operating and maintaining a new mu-
14 seum outside of the Washington, D.C. met-
15 ropolitan area.

16 (F) The feasibility of the Museum becom-
17 ing part of the Smithsonian Institution, taking
18 into account the Museum's potential impact on
19 the Smithsonian's existing facilities mainte-
20 nance backlog, collections storage needs, and
21 identified construction or renovation costs for
22 new or existing museums.

23 (2) FUND-RAISING PLAN.—A fund-raising plan
24 that addresses the following topics:

1 (A) The ability to support the transfer, op-
2 eration, and maintenance of the Museum
3 through contributions from the public, including
4 potential charges for admission.

5 (B) Any potential issues with funding the
6 operations and maintenance of the Museum in
7 perpetuity without reliance on appropriations of
8 Federal funds.

9 (3) LEGISLATIVE RECOMMENDATIONS.—A re-
10 port containing recommendations regarding a legis-
11 lative plan for transferring the Museum to the
12 Smithsonian Institution, which shall include each of
13 the following:

14 (A) Proposals regarding the time frame,
15 one-time appropriations level, and continuing
16 appropriations levels that might be included in
17 such legislation.

18 (B) Recommendations for the future name
19 of the Museum if it is transferred to the Smith-
20 sonian Institution.

21 (b) NATIONAL CONFERENCE.—Not later than 2
22 years after the date on which the initial members of the
23 Commission are appointed under section 2, the Commis-
24 sion may, in carrying out the duties of the Commission
25 under this section, convene a national conference relating

1 to the Museum, to be comprised of individuals committed
2 to the advancement of the life, art, history, and culture
3 of Jewish Americans.

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

5 (a) COMPENSATION.—

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

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

11 (B) shall serve without pay.

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

17 (3) GIFTS, BEQUESTS, AND DEVICES.—The
18 Commission may solicit, accept, use, and dispose of
19 gifts, bequests, or devises of money, services, or real
20 or personal property for the purpose of aiding or fa-
21 cilitating the work of the Commission. Such gifts,
22 bequests, or devises may be from the Museum.

23 (b) TERMINATION.—The Commission shall terminate
24 on the date that is 30 days after the date on which the

1 final versions of the report, plan, and recommendations
2 required under section 3 are submitted.

3 (c) FUNDING.—The Commission shall be solely re-
4 sponsible for acceptance of contributions for, and payment
5 of the expenses of, the Commission.

6 (d) DIRECTOR AND STAFF OF COMMISSION.—

7 (1) DIRECTOR AND STAFF.—

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

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

18 (2) NOT FEDERAL EMPLOYMENT.—Any indi-
19 vidual employed under this subsection shall not be
20 considered a Federal employee for the purpose of
21 any law governing Federal employment.

22 (3) TECHNICAL ASSISTANCE.—

23 (A) IN GENERAL.—Subject to subpara-
24 graph (B), on request of the Commission, the

1 head of a Federal agency shall provide technical
2 assistance to the Commission.

3 (B) PROHIBITION.—No Federal employees
4 may be detailed to the Commission.

5 (4) VOLUNTEER SERVICES.—Notwithstanding
6 section 1342 of title 31, United States Code, the
7 Commission may accept and use voluntary and un-
8 compensated services as the Commission determines
9 necessary.

10 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon re-
11 quest of the Commission, the Administrator of the General
12 Services Administration shall provide to the Commission,
13 on a reimbursable basis, the administrative support serv-
14 ices necessary for the Commission to carry out its respon-
15 sibilities under this Act. The involvement of the General
16 Services Administration shall be limited to providing ad-
17 ministrative support to the Commission, and such involve-
18 ment shall terminate upon termination of the Commission.

19 (f) MEETING LOCATION.—The Commission may
20 meet virtually or in-person.

21 (g) APPOINTMENT DELAYS.—The Commission may
22 begin to meet and carry out activities under this Act be-
23 fore all members of the Commission have been appointed
24 if—

1 (1) 90 days have passed since the date of the
2 enactment of this Act; and

3 (2) a majority of the members of the Commis-
4 sion have been appointed.

