

118TH CONGRESS
2D SESSION

H. R. 7764

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

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 Institu-
7 tion Act”.

1 **SEC. 2. ESTABLISHMENT OF COMMISSION.**

2 (a) IN GENERAL.—There is established the Commis-
3 sion to Study the Potential Transfer of the Weitzman Na-
4 tional Museum of American Jewish History to the Smith-
5 sonian Institution (hereafter in this Act referred to as the
6 “Commission”).

7 (b) MEMBERSHIP.—The Commission shall be com-
8 posed of 9 members, of whom—

9 (1) 2 voting members shall be appointed by the
10 majority leader of the Senate;

11 (2) 2 voting members shall be appointed by the
12 Speaker of the House of Representatives;

13 (3) 2 voting members shall be appointed by the
14 minority leader of the Senate;

15 (4) 2 voting members shall be appointed by the
16 minority leader of the House of Representatives; and

17 (5) 1 nonvoting member shall be appointed by
18 the board of the Weitzman National Museum of
19 American Jewish History.

20 (c) QUALIFICATION.—Members of the Commission
21 shall be appointed to the Commission from among individ-
22 uals, or representatives of institutions or entities, who pos-
23 sess—

24 (1)(A) a demonstrated commitment to the re-
25 search, study, or promotion of Jewish American his-

1 tory, art, political or economic status, or culture;
2 and

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

4 (ii) expertise in fund-raising for nonprofit or
5 cultural institutions;

6 (iii) experience in the study and teaching of
7 Jewish American history;

8 (iv) experience in the study and teaching of
9 combating and countering antisemitism;

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

13 (vi) extensive experience in public or elected
14 service;

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

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

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

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

24 (1) shall not affect the powers of the Commis-
25 sion; and

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

3 (f) CHAIRPERSON.—The Commission shall, by major-
4 ity vote of all of the voting members, select 1 member of
5 the Commission to serve as the Chairperson of the Com-
6 mission.

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

9 **SEC. 3. DUTIES OF COMMISSION.**

10 (a) REPORTS AND OTHER DELIVERABLES.—Not
11 later than 2 years after the date of the first meeting of
12 the Commission, the Commission shall submit to the
13 President and to Congress the report, plan, and rec-
14 ommendations described in paragraphs (1) through (3).

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

20 (A) The collections held by the Museum at
21 the time of the report, the extent to which such
22 collections are already represented in the
23 Smithsonian Institution and Federal memorials
24 at the time of the report, and the availability

1 and cost of future collections to be acquired and
2 housed in the Museum.

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

6 (C) The financial assets and liabilities held
7 by the Museum, and the cost of operating and
8 maintaining the Museum.

9 (D) The governance and organizational
10 structure from which the Museum should oper-
11 ate if transferred to the Smithsonian Institu-
12 tion.

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

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

20 (ii) costs associated with actions that
21 will be necessary to resolve the status of
22 employees of the Museum, if the Museum
23 is transferred to the Smithsonian Institu-
24 tion; 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, DC, met-
5 ropolitan area.

6 (F) The feasibility of the Museum becom-
7 ing part of the Smithsonian Institution, taking
8 into account the Museum's potential impact on
9 the Smithsonian's existing facilities mainte-
10 nance backlog, collections storage needs, and
11 identified construction or renovation costs for
12 new or existing 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
17 through contributions from the public, including
18 potential 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 re-
24 port containing recommendations regarding a legis-
25 lative plan for transferring the Museum to the

1 Smithsonian Institution, which shall include each of
2 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 Smith-
9 sonian Institution.

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

25 (B) shall serve without pay.

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

6 (3) GIFTS, BEQUESTS, AND DEVISES.—The
7 Commission may solicit, accept, use, and dispose of
8 gifts, bequests, or devises of money, services, or real
9 or personal property for the purpose of aiding or fa-
10 cilitating the work of the Commission. Such gifts,
11 bequests, or devises may be from the Museum.

12 (4) FEDERAL ADVISORY COMMITTEE ACT.—
13 Chapter 10 of title 5, United States Code, shall not
14 apply to the Commission.

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

19 (c) FUNDING.—The Commission shall be solely re-
20 sponsible for acceptance of contributions for, and payment
21 of the expenses of, the Commission.

22 (d) DIRECTOR AND STAFF OF COMMISSION.—

23 (1) DIRECTOR AND STAFF.—

24 (A) IN GENERAL.—The Commission may
25 employ and compensate an executive director

1 and any other additional personnel that are
2 necessary to enable the Commission to perform
3 the duties of the Commission.

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

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

13 (3) TECHNICAL ASSISTANCE.—

14 (A) IN GENERAL.—Subject to subpara-
15 graph (B), on request of the Commission, the
16 head of a Federal agency shall provide technical
17 assistance to the Commission.

18 (B) PROHIBITION.—No Federal employees
19 may be detailed to the Commission.

20 (4) VOLUNTEER SERVICES.—Notwithstanding
21 section 1342 of title 31, United States Code, the
22 Commission may accept and use voluntary and un-
23 compensated services as the Commission determines
24 necessary.

1 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon re-
2 quest of the Commission, the Administrator of the General
3 Services Administration shall provide to the Commission,
4 on a reimbursable basis, the administrative support serv-
5 ices necessary for the Commission to carry out its respon-
6 sibilities under this Act. The involvement of the General
7 Services Administration shall be limited to providing ad-
8 ministrative support to the Commission, and such involve-
9 ment shall terminate upon termination of the Commission.

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

12 (g) APPOINTMENT DELAYS.—The Commission may
13 begin to meet and carry out activities under this Act be-
14 fore all members of the Commission have been appointed
15 if—

16 (1) 90 days have passed since the date of enact-
17 ment of this Act; and

18 (2) a majority of the members of the Commis-
19 sion have been appointed.

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