

Union Calendar No. 219

117TH CONGRESS
2^D SESSION

H. R. 3525

[Report No. 117–297, Part I]

To establish the Commission to Study the Potential Creation of a National Museum of Asian Pacific American History and Culture, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2021

Ms. MENG (for herself, Mr. PASCRELL, Mr. TAKANO, Ms. NORTON, Mr. DANNY K. DAVIS of Illinois, Mr. LIEU, Mrs. CAROLYN B. MALONEY of New York, Mr. CASE, Mr. CARSON, Mr. SWALWELL, Mr. LOWENTHAL, Ms. DELBENE, Mr. SUOZZI, Mr. RASKIN, Mr. KHANNA, Ms. JAYAPAL, Mr. TORRES of New York, Ms. ESHOO, Ms. LEE of California, Mr. NADLER, Ms. CLARK of Massachusetts, Ms. WILLIAMS of Georgia, Ms. STRICKLAND, Mr. POCAN, Ms. CHU, Mrs. NAPOLITANO, Mr. KAHELE, Mr. BOWMAN, Ms. JACOBS of California, and Mr. SOTO) 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 25, 2022

Additional sponsors: Mr. YARMUTH, Mr. BERA, Ms. DAVIDS of Kansas, Mrs. WATSON COLEMAN, Mrs. MCBATH, Mr. ESPAILLAT, Ms. CLARKE of New York, Mr. CICILLINE, Mr. MFUME, Mrs. TRAHAN, Ms. VELÁZQUEZ, Mr. TRONE, Mr. CORREA, Mr. CÁRDENAS, Mr. HUFFMAN, Mr. COSTA, Mr. MOULTON, Mr. NEGUSE, Mr. KIM of New Jersey, Ms. BONAMICI, Ms. STANSBURY, Ms. TLAIB, Ms. PORTER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. KRISHNAMOORTHY, Ms. SCHAKOWSKY, Mr. VARGAS, Mr. SAN NICOLAS, Ms. BARRAGÁN, Mr. KILMER, Mr. JONES, Mr. PAYNE, Mr. GOMEZ, Mr. MCGOVERN, Ms. BUSH, Ms. DEAN, Mrs. TORRES of California, Mr. COHEN, Mr. SCHIFF, Mr. LARSEN of Washington, Ms. BROWN of Ohio, Mr. DOGGETT, Ms. TITUS, Ms. JACKSON LEE, Mr. PETERS, Ms. MALLIOTAKIS, Mrs. BEATTY, Ms. BASS, Mr. RUPPERS-

BERGER, Mr. TONKO, Mr. MEEKS, Mr. JEFFRIES, Mr. LYNCH, Mr. AUCHINCLOSS, Mr. WELCH, Mr. EVANS, Ms. WILD, Mr. PAPPAS, Ms. KUSTER, Ms. WEXTON, Ms. LOIS FRANKEL of Florida, Mr. HOYER, Mr. GARAMENDI, Mr. BROWN of Maryland, Mr. FITZPATRICK, Mr. CLEAVER, Ms. BROWNLEY, Ms. LEGER FERNANDEZ, Mrs. RADEWAGEN, Mr. MORELLE, Ms. WILSON of Florida, Ms. ADAMS, Mr. CASTEN, Mrs. BUSTOS, Mr. LEVIN of California, Mr. AGUILAR, Ms. GARCIA of Texas, Mr. SMITH of Washington, Mr. McEACHIN, Ms. SÁNCHEZ, Ms. PRESSLEY, Mr. STANTON, Mrs. HAYES, Mr. GOTTHEIMER, Mr. PALLONE, Ms. PLASKETT, Mr. GALLEG0, Mr. GREEN of Texas, Ms. OMAR, Mr. SABLÁN, and Mr. THOMPSON of Mississippi

APRIL 25, 2022

Reported from the Committee on Natural Resources with an amendment

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

APRIL 25, 2022

Committee on House Administration discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on May 25, 2021]

A BILL

To establish the Commission to Study the Potential Creation of a National Museum of Asian Pacific American History and Culture, 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 Museum of Asian Pa-*
6 *cific American History and Culture Act”.*

7 **SEC. 2. ESTABLISHMENT OF COMMISSION.**

8 *(a) IN GENERAL.—There is established the Commis-*
9 *sion to Study the Potential Creation of a National Museum*
10 *of Asian Pacific American History and Culture (hereafter*
11 *in this Act referred to as the “Commission”).*

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

14 *(1) 2 members shall be appointed by the major-*
15 *ity leader of the Senate;*

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

18 *(3) 2 members shall be appointed by the minor-*
19 *ity leader of the Senate; and*

20 *(4) 2 members shall be appointed by the minor-*
21 *ity leader of the House of Representatives.*

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

1 (1)(A) *a demonstrated commitment to the re-*
2 *search, study, or promotion of Asian Pacific Amer-*
3 *ican history, art, political or economic status, or cul-*
4 *ture; and*

5 (B)(i) *expertise in museum administration;*

6 (ii) *expertise in fundraising for nonprofit or cul-*
7 *tural institutions;*

8 (iii) *experience in the study and teaching of*
9 *Asian Pacific American history;*

10 (iv) *experience in studying the issue of the rep-*
11 *resentation of Asian Pacific Americans in art, life,*
12 *history, and culture at the Smithsonian Institution;*

13 *or*

14 (v) *extensive experience in public or elected serv-*
15 *ice;*

16 (2) *experience in the administration of, or the*
17 *planning for, the establishment of, museums; or*

18 (3) *experience in the planning, design, or con-*
19 *struction of museum facilities.*

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

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

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

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

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

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

10 **SEC. 3. DUTIES OF THE COMMISSION.**

11 (a) *REPORTS.—*

12 (1) *PLAN OF ACTION.—The Commission shall*
13 *submit to the President and Congress a report con-*
14 *taining the recommendations of the Commission with*
15 *respect to a plan of action regarding the feasibility of*
16 *establishing and maintaining a National Museum of*
17 *Asian Pacific American History and Culture in*
18 *Washington, DC, and its environs (hereafter in this*
19 *Act referred to as the “Museum”).*

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

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

1 (B) *The impact of the Museum on existing*
2 *Asian Pacific American history-related muse-*
3 *ums.*

4 (C) *In consultation with the Smithsonian*
5 *Institution, develop criteria for evaluating pos-*
6 *sible locations for the Museum in Washington,*
7 *DC, and its environs.*

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

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

17 (F) *Best practices for engaging Asian Pa-*
18 *cific Americans in the development and design of*
19 *the Museum.*

20 (G) *The cost of constructing, operating, and*
21 *maintaining the Museum.*

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

1 (b) *FUNDRAISING PLAN*.—

2 (1) *IN GENERAL*.—*The Commission shall develop*
3 *a fundraising plan that will address the ability to*
4 *support the establishment, operation, and maintenance*
5 *of the Museum through contributions from the*
6 *public.*

7 (2) *CONSIDERATIONS*.—*In developing the fund-*
8 *raising plan under paragraph (1), the Commission*
9 *shall consider issues relating to funding the oper-*
10 *ations and maintenance of the Museum in perpetuity*
11 *without reliance on appropriations of Federal funds.*

12 (3) *INDEPENDENT REVIEW*.—*The Commission*
13 *shall obtain an independent review of the viability of*
14 *the plan developed under paragraph (1) and such re-*
15 *view shall include an analysis as to whether the plan*
16 *is able to achieve the level of resources necessary to*
17 *fund the construction of the Museum and the oper-*
18 *ations and maintenance of the Museum in perpetuity*
19 *without reliance on appropriations of Federal funds.*

20 (4) *SUBMISSION*.—*The Commission shall submit*
21 *the plan developed under paragraph (1) and the re-*
22 *view conducted under paragraph (3) to the Commit-*
23 *tees on House Administration, Natural Resources,*
24 *and Appropriations of the House of Representatives*
25 *and the Committees on Rules and Administration,*

1 *Energy and Natural Resources, and Appropriations*
 2 *of the Senate.*

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

4 *Based on the recommendations contained in the report sub-*
 5 *mitted under paragraphs (1) and (2) of subsection (a), the*
 6 *Commission shall submit for consideration to the Commit-*
 7 *tees on House Administration, Natural Resources, and Ap-*
 8 *propriations of the House of Representatives and the Com-*
 9 *mittees on Rules and Administration, Energy and Natural*
 10 *Resources, and Appropriations of the Senate recommenda-*
 11 *tions for a legislative plan of action on the feasibility of*
 12 *establishing and constructing the Museum.*

13 (d) *NATIONAL CONFERENCE.*—*Not later than 18*
 14 *months after the date on which the initial members of the*
 15 *Commission are appointed under section 2, the Commission*
 16 *may, in carrying out the duties of the Commission under*
 17 *this section, convene a national conference relating to the*
 18 *Museum, to be comprised of individuals committed to the*
 19 *advancement of the life, art, history, and culture of Asian*
 20 *Pacific Americans.*

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

22 (a) *COMPENSATION.*—

23 (1) *IN GENERAL.*—*A member of the Commis-*
 24 *sion—*

1 (A) shall not be considered to be a Federal
2 employee for any purpose by reason of service on
3 the Commission; and

4 (B) shall serve without pay.

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

10 (3) GIFTS, BEQUESTS, AND DEVISES.—The Com-
11 mission may solicit, accept, use, and dispose of gifts,
12 bequests, or devises of money, services, or real or per-
13 sonal property for the purpose of aiding or facili-
14 tating the work of the Commission.

15 (4) FEDERAL ADVISORY COMMITTEE ACT.—The
16 Commission shall not be subject to the Federal Advi-
17 sory Committee Act (5 U.S.C. App.).

18 (b) TERMINATION.—The Commission shall terminate
19 on the date that is 30 days after the date on which the final
20 versions of the reports required under section 3 are sub-
21 mitted.

22 (c) FUNDING.—

23 (1) IN GENERAL.—The Commission shall be sole-
24 ly responsible for acceptance of contributions for, and
25 payment of the expenses of, the Commission.

1 (2) *PROHIBITION.*—No Federal funds may be ob-
2 ligated to carry out this Act.

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

4 (1) *DIRECTOR AND STAFF.*—

5 (A) *IN GENERAL.*—The Commission may
6 employ and compensate an executive director
7 and any other additional personnel that are nec-
8 essary to enable the Commission to perform the
9 duties of the Commission.

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

15 (2) *NOT FEDERAL EMPLOYMENT.*—Any indi-
16 vidual employed under this section shall not be con-
17 sidered a Federal employee for the purpose of any law
18 governing Federal employment.

19 (3) *TECHNICAL ASSISTANCE.*—

20 (A) *IN GENERAL.*—Subject to subparagraph
21 (B), on request of the Commission, the head of a
22 Federal agency may provide technical assistance
23 to the Commission.

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

Union Calendar No. 219

117TH CONGRESS
2D Session

H. R. 3525

[Report No. 117-297, Part I]

A BILL

To establish the Commission to Study the Potential
Creation of a National Museum of Asian Pacific
American History and Culture, and for other
purposes.

APRIL 25, 2022

Reported from the Committee on Natural Resources with
an amendment

APRIL 25, 2022

Committee on House Administration discharged; com-
mitted to the Committee of the Whole House on the
State of the Union and ordered to be printed