

**Commission to Study the Potential Transfer of the
Weitzman National Museum of American Jewish History
to the Smithsonian Institution Act**

[Public Law 118–144]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 118–144. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT 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.

*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Commission to Study the Potential Transfer of the Weitzman National Museum of American Jewish History to the Smithsonian Institution Act”.

SEC. 2. ESTABLISHMENT OF COMMISSION.

(a) **IN GENERAL.**—There is established the Commission to Study the Potential Transfer of the Weitzman National Museum of American Jewish History to the Smithsonian Institution (hereafter in this Act referred to as the “Commission”).

(b) **MEMBERSHIP.**—The Commission shall be composed of 8 members, of whom—

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

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

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

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

(c) **QUALIFICATION.**—Members of the Commission shall be appointed to the Commission from among individuals, or representatives of institutions or entities, who possess—

(1)(A) a demonstrated commitment to the research, study, or promotion of Jewish American history, art, political or economic status, or culture; and

(B)(i) expertise in museum administration;

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

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

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

(v) experience in studying the issue of the representation of Jewish Americans in art, life, history, and culture at the Smithsonian Institution; or

(vi) extensive experience in public or elected service;

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

(3) experience in the planning or design of museum facilities.

(d) DEADLINE FOR INITIAL APPOINTMENT.—The initial members of the Commission shall be appointed not later than the date that is 90 days after the date of enactment of this Act.

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

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

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

(f) CHAIRPERSON.—The Commission shall, by majority vote of all of the voting members, select 1 member of the Commission to serve as the Chairperson of the Commission.

(g) PROHIBITION.—No employee of the Federal Government may serve as a member of the Commission.

SEC. 3. DUTIES OF COMMISSION.

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

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

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

(B) The impact of the Museum on educational and governmental efforts to study and counter antisemitism.

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

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

(E) The financial and legal considerations associated with the potential transfer of the Museum to the Smithsonian Institution, including—

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

(ii) costs associated with actions that will be necessary to resolve the status of employees of the Museum, if the Museum is transferred to the Smithsonian Institution; and

(iii) all additional costs for the Smithsonian Institution that would be associated with operating and maintaining a new museum outside of the Washington, D.C. metropolitan area.

(F) The feasibility of the Museum becoming part of the Smithsonian Institution, taking into account the Museum's potential impact on the Smithsonian's existing facilities maintenance backlog, collections storage needs, and identified construction or renovation costs for new or existing museums.

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

(A) The ability to support the transfer, operation, and maintenance of the Museum through contributions from the public, including potential charges for admission.

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

(3) **LEGISLATIVE RECOMMENDATIONS.**—A report containing recommendations regarding a legislative plan for transferring the Museum to the Smithsonian Institution, which shall include each of the following:

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

(B) Recommendations for the future name of the Museum if it is transferred to the Smithsonian Institution.

(b) **NATIONAL CONFERENCE.**—Not later than 2 years after the date on which the initial members of the Commission are appointed under section 2, the Commission may, in carrying out the duties of the Commission under this section, convene a national conference relating to the Museum, to be comprised of individuals committed to the advancement of the life, art, history, and culture of Jewish Americans.

SEC. 4. ADMINISTRATIVE PROVISIONS.

(a) **COMPENSATION.**—

(1) **IN GENERAL.**—A member of the Commission—

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

(B) shall serve without pay.

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

(3) GIFTS, BEQUESTS, AND DEVISES.—The Commission may solicit, accept, use, and dispose of gifts, bequests, or devises of money, services, or real or personal property for the purpose of aiding or facilitating the work of the Commission. Such gifts, bequests, or devises may be from the Museum.

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

(c) FUNDING.—The Commission shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the Commission.

(d) DIRECTOR AND STAFF OF COMMISSION.—

(1) DIRECTOR AND STAFF.—

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

(B) RATES OF PAY.—Rates of pay for persons employed under subparagraph (A) shall be consistent with the rates of pay allowed for employees of a temporary organization under section 3161 of title 5, United States Code.

(2) NOT FEDERAL EMPLOYMENT.—Any individual employed under this subsection shall not be considered a Federal employee for the purpose of any law governing Federal employment.

(3) TECHNICAL ASSISTANCE.—

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

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

(4) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon request of the Commission, the Administrator of the General Services Administration shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act. The involvement of the General Services Administration shall be limited to providing administrative support to the Commission, and such involvement shall terminate upon termination of the Commission.

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

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

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- (1) 90 days have passed since the date of the enactment of this Act; and
 - (2) a majority of the members of the Commission have been appointed.