

117TH CONGRESS
1ST SESSION

S. 2077

To establish a bipartisan Presidential Commission to study the establishment of a National Museum of the American People to tell the story about the making of the American People, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 16, 2021

Mr. SCHATZ introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish a bipartisan Presidential Commission to study the establishment of a National Museum of the American People to tell the story about the making of the American People, 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 “National Museum of
5 the American People Presidential Commission Establish-
6 ment Act of 2021”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) Our Nation continues to struggle with ac-
2 ceptance of immigrant communities and individuals
3 having diverse ancestry despite the Nation's own di-
4 verse ancestry history and the major contributions of
5 immigrants to our country.

6 (2) Our Nation recognizes its imperfections yet
7 continues to strive to uphold the principles, aspira-
8 tions, and ideals based on its founding documents
9 upon which our Nation was founded and built.

10 (3) Our Nation is searching for unity and a Na-
11 tional Museum of the American People can serve as
12 a vehicle to bring all Americans together to help heal
13 our Nation's divisive wounds.

14 (4) A National Museum of the American People
15 would tell the full story about the making of the
16 American people from wherever they came: Europe,
17 Asia and the Pacific Islands, Oceania, the Middle
18 East, Africa, and the Americas, including the First
19 Peoples.

20 (5) There is no national museum in Wash-
21 ington, DC, that—

22 (A) tells the story of all of the people of
23 the United States; or

1 (B) tells a history of indigenous peoples,
2 colonization, slavery, immigration, and migra-
3 tion to and within the United States.

4 (6) A National Museum of the American People
5 would—

6 (A) recount the history of all groups of
7 people who came to the United States and the
8 contributions of those people to the United
9 States;

10 (B) embody the theme “E Pluribus
11 Unum”, the original motto of the United
12 States;

13 (C) celebrate all ethnicities, nationalities
14 and minorities within the United States;

15 (D) foster a sense of belonging by all
16 Americans;

17 (E) contribute to a common national iden-
18 tity as people of the United States;

19 (F) recognize the continued importance of
20 immigrants to our Nation’s success;

21 (G) highlight the role of the Declaration of
22 Independence, the Constitution, and the Bill of
23 Rights, the founding documents of the United
24 States;

1 (H) explore the ways in which those docu-
2 ments shaped the character of the people of the
3 United States and infused Americans with com-
4 mon values and a dedication to a democratic
5 form of government;

6 (I) be a resource for State, local, and eth-
7 nic museums throughout the United States that
8 present exhibits that celebrate the heritage of
9 the people of the United States; and

10 (J) include the stories of and benefit all
11 people of the United States.

12 (7) People from every ethnic group in the
13 United States would visit a National Museum of the
14 American People to learn their own history and the
15 history of every other ethnic group in the United
16 States.

17 (8) Leaders and visitors from every country
18 would visit a National Museum of the American
19 People to learn about the American people.

20 (9) The goal of a National Museum of the
21 American People would be to—

22 (A) be the best storytelling museum in the
23 world;

24 (B) recount one of the most amazing sto-
25 ries in human history;

1 (C) honor all of the people who have be-
2 come people of the United States;

3 (D) acknowledge that our Nation cele-
4 brates justice, equal opportunity, and respect
5 for the human dignity of all;

6 (E) educate every American about the mi-
7 gration and immigration stories that contrib-
8 uted to the successes and advancement of our
9 Nation; and

10 (F) foster learning about the American
11 people at the Museum and throughout the Na-
12 tion.

13 (10) Upon the date of enactment of this Act,
14 non-Federal sources will be sought to support fund-
15 ing for a Presidential Commission to study the es-
16 tablishment of the National Museum of the Amer-
17 ican People.

18 (11) Non-Federal sources are anticipated to
19 provide funding to design and build the National
20 Museum of the American People, its exhibitions, and
21 its components.

22 (12) Two hundred and fifty organizations rep-
23 resenting 73 different ethnic, nationality, minority,
24 and genealogical groups support the establishment of

1 a museum to tell their stories in a national Wash-
2 ington, DC, museum about becoming Americans.

3 **SEC. 3. COMMISSION TO STUDY ESTABLISHMENT OF A NA-**
4 **TIONAL MUSEUM OF THE AMERICAN PEOPLE.**

5 (a) IN GENERAL.—The President shall establish a bi-
6 partisan commission (referred to in this section as the
7 “Commission”) to study the establishment of a National
8 Museum of the American People (referred to as the “Mu-
9 seum”).

10 (b) MEMBERSHIP.—

11 (1) COMPOSITION.—The Commission shall be
12 composed of 32 members appointed not later than
13 60 days after the date of enactment of this Act as
14 follows:

15 (A) The President shall appoint 16 voting
16 members, including the Chair and Vice Chair of
17 the Commission.

18 (B) The Speaker of the House of Rep-
19 resentatives, the minority leader of the House
20 of Representatives, the majority leader of the
21 Senate, and the minority leader of the Senate
22 shall each appoint 4 voting members.

23 (2) QUALIFICATIONS.—Members of the Com-
24 mission shall be chosen from among individuals, or

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

3 (A) a demonstrated commitment to the re-
 4 search, study, or promotion of the American
 5 people as described in section 2 of this Act, to-
 6 gether with—

7 (i) expertise in museum administra-
 8 tion;

9 (ii) expertise in fundraising or serving
 10 as a funder for nonprofit or cultural insti-
 11 tutions;

12 (iii) experience as a scholar focused on
 13 any aspect of the making of the American
 14 people from first peoples through today;

15 (iv) experience in studying the Smith-
 16 sonian Institution's representation of
 17 American art, life, history, and culture;

18 (v) extensive experience in public or
 19 elected service;

20 (vi) leadership of, or national rep-
 21 resentation for, ethnic or minority groups;
 22 or

23 (vii) extensive experience with mu-
 24 seum public relations and instituting a new
 25 national museum; or

1 (B) experience or expertise in the adminis-
 2 tration of, or the planning and design for the
 3 establishment of, museums or other institutions
 4 devoted to the study and promotion of the role
 5 of ethnic, racial, or cultural groups in American
 6 history.

7 (3) PERIOD OF APPOINTMENT; VACANCIES.—
 8 Members shall be appointed for the life of the Com-
 9 mission. Any vacancy in the Commission shall not
 10 affect its powers, but shall be filled in the same
 11 manner as the original appointment.

12 (4) QUORUM.—A majority of the members of
 13 the Commission shall constitute a quorum, but a
 14 lesser number of members may hold hearings.

15 (5) INITIAL MEETING.—Not later than 30 days
 16 after the date on which a quorum of members of the
 17 Commission have been appointed, the Commission
 18 shall hold its first meeting.

19 (6) MEETINGS.—The Commission shall meet at
 20 the call of the Chair.

21 (c) DUTIES OF THE COMMISSION.—

22 (1) STUDY.—The Commission shall conduct a
 23 thorough study of all matters relating to the estab-
 24 lishment of a National Museum of the American
 25 People.

1 (2) REPORT.—Not later than 6 months after
2 the date of the first meeting of the Commission, the
3 Commission shall submit a publicly available report
4 to the President and Congress, which shall contain
5 a detailed statement of the findings and conclusions
6 of the Commission, together with the Commission’s
7 recommendations for such legislation or administra-
8 tive actions as the Commission considers appro-
9 prium, on the following issues:

10 (A) The mission of the National Museum
11 of the American People, which is to advance
12 and share knowledge about the full history of
13 the making of the American people who came
14 from every corner of our planet and are tied to-
15 gether by our Constitution’s first words: “We
16 the People”.

17 (B) The story about the making of the
18 American people in 4 chapters:

19 (i) First Peoples Come: 10,000+
20 years ago (est.)–1607.

21 (ii) The Nation Takes Form: 1607–
22 1820.

23 (iii) The Great In-Gathering: 1820–
24 1924.

25 (iv) Still They Come: 1924–present.

1 (C) A review of possible Museum compo-
2 nents, including—

3 (i) a Center for the Advanced Study
4 of the American People;

5 (ii) a National Ancestry Center;

6 (iii) an Archive and Library of Amer-
7 ican Immigration and Migration;

8 (iv) an Education Resource Center;

9 (v) a National Museum of the Amer-
10 ican People Film Center;

11 (vi) a Peopling of America Center;

12 (vii) Museum collections;

13 (viii) public programs;

14 (ix) special exhibitions;

15 (x) traveling exhibitions;

16 (xi) Museum bookstores and gift
17 shops; and

18 (xii) Museum food venues.

19 (D) The availability and cost of collections
20 to be acquired and housed in the Museum.

21 (E) Possible locations for the Museum in
22 Washington, DC, and its environs, to be consid-
23 ered in consultation with the National Capital
24 Planning Commission, the Commission of Fine
25 Arts, and the National Park Service.

1 (F) The governance and organizational
2 structure from which the Museum should oper-
3 ate, including whether the Museum should be
4 part of the Smithsonian Institution.

5 (G) The cost of constructing, operating,
6 and maintaining the Museum.

7 (3) LEGISLATION TO CARRY OUT PLAN OF AC-
8 TION.—Based on the recommendations from the
9 study under paragraph (1) and the report submitted
10 under paragraph (2), the Commission shall submit
11 for consideration to the Committee on Transpor-
12 tation and Infrastructure of the House of Represent-
13 atives, the Committee on House Administration of
14 the House of Representatives, the Committee on
15 Rules and Administration of the Senate, the Com-
16 mittee on Natural Resources of the House of Rep-
17 resentatives, the Committee on Energy and Natural
18 Resources of the Senate, and the Committees on Ap-
19 propriations of the House of Representatives and the
20 Senate recommendations for a legislative plan of ac-
21 tion to create and construct the Museum.

22 (4) FUNDRAISING PLAN.—The Commission
23 shall develop a fundraising plan for supporting the
24 creation and maintenance of the Museum through

1 contributions by the American people and other
2 sources.

3 (d) POWERS OF THE COMMISSION.—

4 (1) HEARINGS.—The Commission may hold
5 such hearings, sit and act at such times and places,
6 take such testimony, and receive such evidence as
7 the Commission considers advisable to carry out this
8 Act.

9 (2) INFORMATION FROM FEDERAL AGENCIES.—

10 The Commission may secure directly from any Fed-
11 eral department or agency such information as the
12 Commission considers necessary to carry out this
13 Act. Upon request of the Chair of the Commission,
14 the head of such department or agency shall furnish
15 such information to the Commission.

16 (3) POSTAL SERVICES.—The Commission may
17 use the United States mails in the same manner and
18 under the same conditions as other departments and
19 agencies of the Federal Government.

20 (4) GIFTS.—The Commission may accept, use,
21 and dispose of gifts or donations of services or prop-
22 erty.

23 (e) COMMISSION PERSONNEL MATTERS.—

24 (1) COMPENSATION OF MEMBERS.—Each mem-
25 ber of the Commission who is not an officer or em-

1 ployee of the Federal Government shall be com-
 2 pensated at a rate equal to the daily equivalent of
 3 the annual rate of basic pay prescribed for level IV
 4 of the Executive Schedule under section 5315 of title
 5 5, United States Code, for each day (including travel
 6 time) during which such member is engaged in the
 7 performance of the duties of the Commission. All
 8 members of the Commission who are officers or em-
 9 ployees of the United States shall serve without com-
 10 pensation in addition to that received for their serv-
 11 ices as officers or employees of the United States.

12 (2) TRAVEL EXPENSES.—The members of the
 13 Commission shall be allowed travel expenses, includ-
 14 ing per diem in lieu of subsistence, at rates author-
 15 ized for employees of agencies under subchapter I of
 16 chapter 57 of title 5, United States Code, while
 17 away from their homes or regular places of business
 18 in the performance of services for the Commission.

19 (3) STAFF.—

20 (A) IN GENERAL.—The Chair of the Com-
 21 mission may, without regard to the civil service
 22 laws and regulations, appoint and terminate an
 23 executive director and such other additional
 24 personnel as may be necessary to enable the
 25 Commission to perform its duties. The employ-

1 ment of an executive director shall be subject to
2 confirmation by the Commission.

3 (B) COMPENSATION.—The Chair of the
4 Commission may fix the compensation of the
5 executive director and other personnel without
6 regard to chapter 51 and subchapter III of
7 chapter 53 of title 5, United States Code, relat-
8 ing to classification of positions and General
9 Schedule pay rates, except that the rate of pay
10 for the executive director and other personnel
11 may not exceed the rate payable for level V of
12 the Executive Schedule under section 5316 of
13 such title.

14 (C) PERSONNEL AS FEDERAL EMPLOY-
15 EES.—

16 (i) IN GENERAL.—The executive di-
17 rector and any personnel of the Commis-
18 sion who are employees shall be employees
19 under section 2105 of title 5, United
20 States Code, for purposes of chapters 63,
21 81, 83, 84, 85, 87, 89, 89A, 89B, and 90
22 of that title.

23 (ii) MEMBERS OF COMMISSION.—
24 Clause (i) shall not be construed to apply
25 to members of the Commission.

1 (4) DETAIL OF GOVERNMENT EMPLOYEES.—

2 Any Federal Government employee may be detailed
3 to the Commission without reimbursement, and such
4 detail shall be without interruption or loss of civil
5 service status or privilege.

6 (5) PROCUREMENT OF TEMPORARY AND INTER-

7 MITTENT SERVICES.—The Chair of the Commission
8 may procure temporary and intermittent services
9 under section 3109(b) of title 5, United States Code,
10 at rates for individuals which do not exceed the daily
11 equivalent of the annual rate of basic pay prescribed
12 for level V of the Executive Schedule under section
13 5316 of such title.

14 (f) TERMINATION OF THE COMMISSION.—The Com-
15 mission shall terminate 90 days after the date on which
16 the Commission submits its recommendations under sub-
17 section (c)(3).

18 (g) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated for carrying out the ac-
20 tivities of the Commission \$3,000,000 for the fiscal year
21 beginning after the date of enactment of this Act. Such
22 amount shall remain available until expended.

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