

117TH CONGRESS 2D SESSION

H.R.3525

AN ACT

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-
- ${\it 2\ tives\ of\ the\ United\ States\ of\ America\ in\ Congress\ assembled},$

1 SECTION 1. SHORT TITLE.

- This Act may be cited as the "Commission To Study
- 3 the Potential Creation of a National Museum of Asian Pa-
- 4 cific American History and Culture Act".

5 SEC. 2. ESTABLISHMENT OF COMMISSION.

- 6 (a) In General.—There is established the Commis-
- 7 sion to Study the Potential Creation of a National Mu-
- 8 seum of Asian Pacific American History and Culture
- 9 (hereafter in this Act referred to as the "Commission").
- 10 (b) Membership.—The Commission shall be com-
- 11 posed of 8 members, of whom—
- 12 (1) 2 members shall be appointed by the major-
- ity leader of the Senate;
- 14 (2) 2 members shall be appointed by the Speak-
- er of the House of Representatives;
- 16 (3) 2 members shall be appointed by the minor-
- ity leader of the Senate; and
- 18 (4) 2 members shall be appointed by the minor-
- ity leader of the House of Representatives.
- 20 (c) Qualifications.—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-
- search, study, or promotion of Asian Pacific Amer-

1	ican history, art, political or economic status, or cul-					
2	ture; and					
3	(B)(i) expertise in museum administration;					
4	(ii) expertise in fundraising for nonprofit or cul-					
5	tural institutions;					
6	(iii) experience in the study and teaching of					
7	Asian Pacific American history;					
8	(iv) experience in studying the issue of the rep-					
9	resentation of Asian Pacific Americans in art, life					
10	history, and culture at the Smithsonian Institution					
11	or					
12	(v) extensive experience in public or elected					
13	service;					
14	(2) experience in the administration of, or the					
15	planning for, the establishment of, museums; or					
16	(3) experience in the planning, design, or con-					
17	struction of museum facilities.					
18	(d) Deadline for Initial Appointment.—The					
19	initial members of the Commission shall be appointed not					
20	later than the date that is 90 days after the date of enact-					
21	ment of this Act.					
22	(e) VACANCIES.—A vacancy in the Commission—					
23	(1) shall not affect the powers of the Commis-					
24	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 members, select 1 member of the						
5	Commission to serve as the Chairperson of the Commis						
6	sion.						
7	(g) Prohibition.—No employee of the Federal Gov-						
8	ernment may serve as a member of the Commission.						
9	SEC. 3. DUTIES OF THE COMMISSION.						
10	(a) Reports.—						
11	(1) PLAN OF ACTION.—The Commission shall						
12	submit to the President and Congress a report con-						
13	taining the recommendations of the Commission						
14	with respect to a plan of action regarding the feasi-						
15	bility of establishing and maintaining a National						
16	Museum of Asian Pacific American History and Cul-						
17	ture in Washington, DC, and its environs (hereafter						
18	in this Act referred to as the "Museum").						
19	(2) Report on issues.—The Commission shall						
20	submit to the President and Congress a report that						
21	addresses the following issues:						
22	(A) The availability and cost of collections						
23	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 becom-
9	ing part of the Smithsonian Institution, taking
10	into account the Museum's potential impact or
11	the Smithsonian's existing facilities mainte-
12	nance backlog, collections storage needs, and
13	identified construction or renovation costs for
14	new or existing museums.
15	(E) The governance and organizational
16	structure from which the Museum should oper-
17	ate.
18	(F) Best practices for engaging Asian Pa-
19	cific Americans in the development and design
20	of the Museum.
21	(G) The cost of constructing, operating
22	and maintaining the Museum.
23	(3) Deadline.—The reports required under
24	paragraphs (1) and (2) shall be submitted not later

than the date that is 18 months after the date of
the first meeting of the Commission.

(b) Fundraising Plan.—

- (1) IN GENERAL.—The Commission shall develop a fundraising plan that will address the ability to support the establishment, operation, and maintenance of the Museum through contributions from the public.
- (2) Considerations.—In developing the fundraising plan under paragraph (1), the Commission shall consider issues relating to funding the operations and maintenance of the Museum in perpetuity without reliance on appropriations of Federal funds.
- (3) Independent review.—The Commission shall obtain an independent review of the viability of the plan developed under paragraph (1) and such review shall include an analysis as to whether the plan is able to achieve the level of resources necessary to fund the construction of the Museum and the operations and maintenance of the Museum in perpetuity without reliance on appropriations of Federal funds.
- (4) Submission.—The Commission shall submit the plan developed under paragraph (1) and the review conducted under paragraph (3) to the Committees on House Administration, Natural Re-

- 1 sources, and Appropriations of the House of Rep-
- 2 resentatives and the Committees on Rules and Ad-
- 3 ministration, Energy and Natural Resources, and
- 4 Appropriations of the Senate.
- 5 (c) LEGISLATION TO CARRY OUT PLAN OF AC-
- 6 TION.—Based on the recommendations contained in the
- 7 report submitted under paragraphs (1) and (2) of sub-
- 8 section (a), the Commission shall submit for consideration
- 9 to the Committees on House Administration, Natural Re-
- 10 sources, and Appropriations of the House of Representa-
- 11 tives and the Committees on Rules and Administration,
- 12 Energy and Natural Resources, and Appropriations of the
- 13 Senate recommendations for a legislative plan of action
- 14 on the feasibility of establishing and constructing the Mu-
- 15 seum.
- 16 (d) National Conference.—Not later than 18
- 17 months after the date on which the initial members of the
- 18 Commission are appointed under section 2, the Commis-
- 19 sion may, in carrying out the duties of the Commission
- 20 under this section, convene a national conference relating
- 21 to the Museum, to be comprised of individuals committed
- 22 to the advancement of the life, art, history, and culture
- 23 of Asian Pacific Americans.
- 24 SEC. 4. ADMINISTRATIVE PROVISIONS.
- 25 (a) Compensation.—

1	(1) In General.—A member of the Commis-
2	sion—
3	(A) shall not be considered to be a Federal
4	employee for any purpose by reason of service
5	on the Commission; and
6	(B) shall serve without pay.
7	(2) Travel expenses.—A member of the
8	Commission shall be allowed a per diem allowance
9	for travel expenses, at rates consistent with those
10	authorized under subchapter I of chapter 57 of title
11	5, United States Code.
12	(3) Gifts, bequests, and devises.—The
13	Commission may solicit, accept, use, and dispose of
14	gifts, bequests, or devises of money, services, or real
15	or personal property for the purpose of aiding or fa-
16	cilitating the work of the Commission.
17	(4) Federal advisory committee act.—The
18	Commission shall not be subject to the Federal Advi-
19	sory Committee Act (5 U.S.C. App.).
20	(b) TERMINATION.—The Commission shall terminate
21	on the date that is 30 days after the date on which the
22	final versions of the reports required under section 3 are
23	submitted.
24	(c) Funding.—

1	(1) In general.—The Commission shall be					
2	solely responsible for acceptance of contributions for,					
3	and payment of the expenses of, the Commission.					
4	(2) Prohibition.—No Federal funds may be					
5	obligated to carry out this Act.					
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 section shall not be con-					
20	sidered a Federal employee for the purpose of any					
21	law governing Federal employment.					
22	(3) Technical assistance.—					
23	(A) In General.—Subject to subpara-					
24	graph (B), on request of the Commission, the					

I	head of a Federal agency may provide technical					
2	assistance to the Commission.					
3	(B) Prohibition.—No Federal employees					
4	may be detailed to the Commission.					
5	SEC. 5. DETERMINATION OF BUDGETARY EFFECTS.					
6	The budgetary effects of this Act, for the purpose of					
7	complying with the Statutory Pay-As-You-Go Act of 2010,					
8	shall be determined by reference to the latest statement					
9	titled "Budgetary Effects of PAYGO Legislation" for this					
10	Act, submitted for printing in the Congressional Record					
11	by the Chairman of the House Budget Committee, pro-					
12	vided that such statement has been submitted prior to the					
13	vote on passage.					
	Passed the House of Representatives April 26, 2022.					
	Attest:					

Clerk.

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