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Technical Amendments (1983-1984): Memorandum 01

Alexander D. Crary

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M E M O R A N D U M

March 15, 1984

TO: Senator
FROM: ADC
RE: Arts Amendments Bill Attached

Attached is a bill of technical amendments that Senator Stafford may place on the consent calendar tomorrow (Friday). The issues in the bill are all non-controversial and have staff agreement.

The one piece of substance is the National Arts Medal which Frank Hodsoll spoke to you about. You told him you would support the Medal but would not take any lead role on it.

This bill (with Medal included) has come over from the House and Stafford may place it on the calendar on Friday. He will insert a statement with the bill and I have drafted a short statement that you could put in to accompany it.

The Indian Arts issue at the end of the bill will simplify something of concern to the Interior Committee. It does not concern the Arts and Humanities Endowments and does not involve any funds.

The bill and statement are attached. Copies will be in office.

Statement by Senator Pell in Support of H.R. 2751

I want to express my support for H.R. 2751, known as the National Foundation on the Arts and Humanities Act Amendments of 1983. As the original sponsor of the legislation that established the twin Endowments in 1965, I have had a long and happy relationship with these agencies for almost twenty years and have particularly enjoyed working with my colleague Senator Stafford who now chairs the Subcommittee on Education, Arts and Humanities.

H.R. 2751 makes a number of technical changes in the Museum Services Act of 1976 and the National Foundation on the Arts and Humanities Act of 1965. Though the Institute of Museum Services was transferred to its current independent status alongside the Arts and Humanities Endowments by action of the Appropriations Committees in 1982 and 1983, the authorizing legislation was not updated until now. The Institute now occupies an appropriate position as the third jewel in the crown of Federal arts support programs. It is especially gratifying to me to note that the Institute has a budget of \$20.1 million for this fiscal year which is almost double the amount it had the previous year. Our nation's museums will be able to use these funds to continue serving their audience as effectively as possible. I am also pleased that the Institute is initiating a program of grants for museum conservation projects. This important new direction is being taken thanks to the superlative efforts of Congressman Sid Yates who had done as much as anyone in advancing Federal support for culture in our country.

This legislation also contains a technical amendment that will raise the authorized ceilings for fiscal year 1984 so that these figures more closely conform to the amounts that were actually appropriated earlier this year.

Perhaps the most important section of this legislation establishes a National Medal of Arts that will be awarded from time to time by the President to artists or patrons who have contributed in exemplary ways to the arts in the United States. This medal is in no way meant to detract from the current Kennedy Center Honors which are presented to performing artists in an annual ceremony at the Kennedy Center. The National Council on the Arts will make recommendations to the President as to recipients for the new National Medal of Arts and it is expected that corporate entities as well as individuals will be considered for this new award.

It is a pleasure for me to join with my colleague from Vermont, Senator Stafford, in urging the adoption of this bill.

98TH CONGRESS
2D SESSION

H. R. 2751

IN THE SENATE OF THE UNITED STATES

FEBRUARY 23 (legislative day, FEBRUARY 20), 1984

Received; held at the desk pursuant to the order of November 17, 1983

AN ACT

To amend the National Foundation on the Arts and the Humanities Act of 1965, 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 SHORT TITLE

4 SECTION 1. This Act may be cited as the "National
5 Foundation on the Arts and the Humanities Act Amend-
6 ments of 1983".

7 TECHNICAL AMENDMENT

8 SEC. 2. The National Foundation on the Arts and the
9 Humanities Act of 1965 (20 U.S.C. 951 et seq.) is amended
10 by striking out the first section thereof and inserting in lieu
11 thereof the following:

1 "TITLE I—ENDOWMENTS FOR ARTS AND
2 HUMANITIES

3 "SHORT TITLE

4 "SECTION 1. This title may be cited as the 'Nation
5 Foundation on the Arts and the Humanities Act of 1965'.

6 DECLARATION OF PURPOSE

7 SEC. 3. Section 2 of the National Foundation on t
8 Arts and the Humanities Act of 1965 (20 U.S.C. 951)
9 amended—

10 (1) by redesignating paragraphs (6) and (7)
11 paragraphs (7) and (8), respectively, and

12 (2) by inserting after paragraph (5) the followi
13 new paragraph:

14 "(6) that museums are vital to the preservation
15 our cultural heritage and should be supported in th
16 role as curator of our national consciousness;"

17 ENTITIES WITHIN FOUNDATION

18 SEC. 4. (a) Section 4(a) of the National Foundation
19 the Arts and the Humanities Act of 1965 (20 U.S.C. 953)
20 is amended—

21 (1) by striking out "and a Federal Council" a
22 inserting in lieu thereof ", a Federal Council", and

23 (2) by inserting ", and an Institute of Muse
24 Services" before "(hereinafter established)".

1 (b) Section 4(b) of the National Foundation on the Arts
2 and the Humanities Act of 1965 (20 U.S.C. 953(b)) is
3 amended by inserting “, and for institutions which preserve
4 the cultural heritage of the United States after “United
5 States”.

6 CONTINUITY OF MEMBERSHIP OF NATIONAL COUNCILS

7 SEC. 5. (a) Section 6(c) of the National Foundation on
8 the Arts and the Humanities Act of 1965 (20 U.S.C. 955(c))
9 is amended by inserting at the end thereof the following:
10 “Notwithstanding any other provision of this subsection, a
11 member shall serve after the expiration of his term until his
12 successor takes office.”.

13 (b) Section 8(c) of the National Foundation on the Arts
14 and the Humanities Act of 1965 (20 U.S.C. 957(c)) is
15 amended by adding at the end thereof the following: “Not-
16 withstanding any other provisions of this subsection, a
17 member shall serve after the expiration of his term until his
18 successor takes office.”.

19 MEMBERSHIP OF THE FEDERAL COUNCIL ON THE ARTS
20 AND THE HUMANITIES

21 SEC. 6. (a) Section 9(b) of the National Foundation on
22 the Arts and the Humanities Act of 1965 (20 U.S.C. 958(b))
23 is amended by inserting “the Director of the Institute of
24 Museum Services,” after “Humanities,”.

1 (b) Section 9(c)(4) of the National Foundation on the
2 Arts and the Humanities Act of 1965 (20 U.S.C. 958(c)(4)) is
3 amended by striking out "and the Institute of Museum Serv-
4 ices".

5 AUTHORIZATION OF APPROPRIATIONS

6 SEC. 7. (a) Section 11(a) of the National Foundation on
7 the Arts and the Humanities Act of 1965 (20 U.S.C. 960(a))
8 is amended—

9 (1) in paragraph (1)—

10 (A) in subparagraph (A) by striking out
11 "\$154,000,000 for fiscal year 1984, and
12 \$170,000,000" and inserting in lieu thereof
13 "\$128,500,000 for fiscal year 1984, and such
14 sums as may be necessary", and

15 (B) in subparagraph (B) by striking out
16 "\$152,000,000 for fiscal year 1984, and
17 \$167,500,000" and inserting in lieu thereof
18 "\$127,000,000 for fiscal year 1984, and such
19 sums as may be necessary",

20 (2) in paragraph (2)—

21 (A) in subparagraph (A) by striking out
22 "\$20,000,000 for fiscal year 1984, and
23 \$22,500,000" and inserting in lieu thereof
24 "\$10,000,000 for fiscal year 1984, and such sums
25 as may be necessary",

1 (B) in subparagraph (B) by striking out
2 "\$16,500,000 for fiscal year 1984, and
3 \$18,500,000" and inserting in lieu thereof
4 "\$11,500,000 for fiscal year 1984, and such sums
5 as may be necessary", and
6 (3) in paragraph (3)—

7 (A) in subparagraph (A) by striking out
8 "\$36,000,000 for fiscal year 1984, and
9 \$40,000,000" and inserting in lieu thereof
10 "\$28,000,000 for fiscal year 1984, and such sums
11 as may be necessary", and

12 (B) in subparagraph (B) by striking out
13 "\$40,000,000 for fiscal year 1984, and
14 \$44,000,000" and inserting in lieu thereof
15 "\$20,000,000 for fiscal year 1984, and such sums
16 as may be necessary".

17 (b) Section 11(d) of the National Foundation on the Arts
18 and the Humanities Act of 1965 (20 U.S.C. 960(d)) is
19 amended by inserting "under this title" after "made".

20 ESTABLISHMENT OF INSTITUTE OF MUSEUM SERVICES

21 SEC. 8. Section 203 of the Museum Services Act (20
22 U.S.C. 962) is amended by striking out ", within the Depart-
23 ment of Education" and inserting in lieu thereof "within the
24 National Foundation on the Arts and the Humanities".

1 NATIONAL MUSEUM SERVICES BOARD

2 SEC. 9. (a) Section 204(a)(2) of the Museum Services
3 Act (20 U.S.C. 963(a)(2)) is amended—

4 (1) in subparagraph (A)—

5 (A) in clause (iii) by inserting “and” at the
6 end thereof,

7 (B) in clause (iv) by striking out “; and” and
8 inserting in lieu thereof a period, and

9 (C) by striking out clause (v), and

10 (2) in subparagraph (B) by striking out “clause
11 (v)” and inserting in lieu thereof “clause (iv)”.

12 (b) Section 204(b) of the Museum Services Act (20
13 U.S.C. 963(b)) is amended by adding at the end thereof the
14 following: “Notwithstanding any other provision of this sub-
15 section, a member shall serve after the expiration of his term
16 of office until his successor takes office.”.

17 (c) Section 204(c) of the Museum Services Act (20
18 U.S.C. 963(c)) is amended by striking out “Eight” and in-
19 serting in lieu thereof “Except as provided in subsection
20 (d)(2), eight”.

21 (d) Section 204(d)(2) of the Museum Services Act (20
22 U.S.C. 963(d)(2)) is amended by striking out “eight” and in-
23 serting in lieu thereof “seven”.

1 CONFORMING AMENDMENT

2 SEC. 10. Section 205(a)(2) of the Museum Services Act
3 (20 U.S.C. 964(a)(2)) is amended by striking out the first
4 sentence.

5 AUTHORIZATION OF APPROPRIATIONS

6 SEC. 11. Section 209(a) of the Museum Services Act
7 (20 U.S.C. 967(a)) is amended by striking out "\$40,000,000
8 for fiscal year 1984, and \$45,000,000" and inserting in lieu
9 thereof "\$20,150,000 for fiscal year 1984, and such sums as
10 may be necessary".

11 REPEALERS

12 SEC. 12. Sections 521, 523, and 524 of subtitle A of the
13 Omnibus Education Reconciliation Act of 1981 are repealed.

14 NATIONAL MEDAL OF ARTS

15 SEC. 13. (a) There is hereby established a National
16 Medal of Arts, which shall be a medal of such design as is
17 deemed appropriate by the President, on the basis of recom-
18 mendations submitted by the National Council on the Arts,
19 and which shall be awarded as provided in subsection (b).

20 (b)(1) The President shall from time to time award the
21 National Medal of Arts, on the basis of recommendations
22 from the National Council on the Arts, to individuals or
23 groups who in the President's judgment are deserving of spe-
24 cial recognition by reason of their outstanding contributions

1 to the excellence, growth, support, and availability of the art
2 in the United States.

3 (2) Not more than twelve of such medals may be award
4 ed in any calendar year.

5 (3) An individual may be awarded the National Medal of
6 Arts only if at the time such award is made such individual—

7 (A) is a citizen or other national of the United
8 States; or

9 (B) is an alien lawfully admitted to the United
10 States for permanent residence who (i) has filed an ap
11 plication or petition for naturalization in the manner
12 prescribed by section 334 of the Immigration and Na
13 tionality Act and (ii) is not permanently ineligible to
14 become a citizen of the United States.

15 (4) A group may be awarded the National Medal of Arts
16 only if such group is organized or incorporated in the United
17 States.

18 (5) The presentation of the National Medal of Arts shall
19 be made by the President with such ceremonies as the Presi
20 dent may deem proper, including attendance by appropriate
21 Members of Congress.

22 (c) Funds made available to the National Endowment
23 for the Arts shall be used to carry out this section.

24 INSTITUTE OF AMERICAN INDIAN ARTS

25 SEC. 14. (a) The Secretary of the Interior shall—

1 (1) enter into a long-term agreement with the
2 College of Santa Fe, Santa Fe, New Mexico, to pro-
3 vide educational facilities for the use of, and to develop
4 cooperative educational/arts programs to be carried
5 out with the postsecondary fine arts and museum serv-
6 ices programs of, the Institute of American Indian Arts
7 administered by the Bureau of Indian Affairs,

8 (2) conduct such activities as are necessary to im-
9 prove the facilities used by the Institute of American
10 Indian Arts of Santa Fe College, and

11 (3) provide museum facilities in Santa Fe, New
12 Mexico, for the benefit of the Institute of American
13 Indian Arts.

14 (b) Subsection (a) shall take effect on October 1, 1984.

Passed the House of Representatives February 21,
1984.

Attest: BENJAMIN J. GUTHRIE,
Clerk.

98TH CONGRESS
1ST SESSION

H. R. 2751

To amend the National Foundation on the Arts and the Humanities Act of 1965,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 1983

Mr. SIMON introduced the following bill; which was referred to the Committee on
Education and Labor

A BILL

To amend the National Foundation on the Arts and the
Humanities Act of 1965, 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 SHORT TITLE

4 SECTION 1. This Act may be cited as the "National
5 Foundation on the Arts and the Humanities Act Amend-
6 ments of 1983".

7 TECHNICAL AMENDMENT

8 SEC. 2. The National Foundation on the Arts and the
9 Humanities Act of 1965 (20 U.S.C. 951 et seq.) is amended

1 by striking out the first section thereof and inserting in lieu
2 thereof the following:

3 "TITLE I—ENDOWMENTS FOR ARTS AND
4 HUMANITIES

5 "SHORT TITLE

6 "SECTION 1. This title may be cited as the 'National
7 Foundation on the Arts and the Humanities Act of 1965'."

8 DECLARATION OF PURPOSE

9 SEC. 3. Section 2 of the National Foundation on the
10 Arts and the Humanities Act of 1965 (20 U.S.C. 951) is
11 amended—

12 (1) by redesignating paragraphs (6) and (7) as
13 paragraphs (7) and (8), respectively, and

14 (2) by inserting after paragraph (5) the following
15 new paragraph:

16 "(6) that museums are vital to the preservation of
17 our cultural heritage and should be supported in their
18 role as curator of our national consciousness;"

19 ENTITIES WITHIN FOUNDATION

20 SEC. 4. (a) Section 4(a) of the National Foundation on
21 the Arts and the Humanities Act of 1965 (20 U.S.C. 953(a))
22 is amended—

23 (1) by striking out "and a Federal Council" and
24 inserting in lieu thereof "a Federal Council", and

1 “\$115,000,000 for fiscal year 1984, and such
2 sums as may be necessary”,

3 (2) in paragraph (2)—

4 (A) in subparagraph (A) by striking out
5 “\$20,000,000 for fiscal year 1984, and
6 \$22,500,000” and inserting in lieu thereof
7 “\$18,500,000 for fiscal year 1984, and such sums
8 as may be necessary”,

9 (B) in subparagraph (B) by striking out
10 “\$16,500,000 for fiscal year 1984, and
11 \$18,500,000” and inserting in lieu thereof
12 “\$13,500,000 for fiscal year 1984, and such sums
13 as may be necessary”, and

14 (3) in paragraph (3)—

15 (A) in subparagraph (A) by striking out
16 “\$36,000,000 for fiscal year 1984, and
17 \$40,000,000” and inserting in lieu thereof
18 “\$28,000,000 for fiscal year 1984, and such sums
19 as may be necessary”, and

20 (B) in subparagraph (B) by striking out
21 “\$40,000,000 for fiscal year 1984, and
22 \$44,000,000” and inserting in lieu thereof
23 “\$30,000,000 for fiscal year 1984, and such sums
24 as may be necessary”.

1 (b) Section 11(d) of the National Foundation on the Arts
2 and the Humanities Act of 1965 (20 U.S.C. 960(d)) is
3 amended by inserting "under this title" after "made".

4 ALLOCATION OF FUNDS FOR DISTRICT OF COLUMBIA

5 SEC. 7. With funds made available to carry out the Na-
6 tional Foundation on the Arts and the Humanities Act of
7 1965 (20 U.S.C. 951 et seq.), the Chairman of the National
8 Endowment for the Arts shall exercise the Chairman's au-
9 thority under such Act to make grants, in an aggregate
10 amount of not less than \$500,000 for each of the fiscal years
11 1984 and 1985, to groups in the District of Columbia which
12 are of national significance and which receive no funds under
13 any program administered by the Secretary of the Interior or
14 by any entity established within the Department of the
15 Interior.

16 ESTABLISHMENT OF INSTITUTE OF MUSEUM SERVICES

17 SEC. 8. Section 203 of the Museum Services Act (20
18 U.S.C. 962) is amended by striking out " , within the Depart-
19 ment of Education" and inserting in lieu thereof "within the
20 National Foundation on the Arts and the Humanities".

21 QUORUM OF NATIONAL MUSEUM SERVICES BOARD

22 SEC. 9. (a) Section 204(a)(2) of the Museum Services
23 Act (20 U.S.C. 963(a)(2)) is amended—

24 (1) in subparagraph (A)—

1 (A) in clause (iii) by inserting "and" at the
2 end thereof,

3 (B) in clause (iv) by striking out "; and" and
4 inserting in lieu thereof a period, and

5 (C) by striking out clause (v), and

6 (2) in subparagraph (B) by striking out "clause
7 (v)" and inserting in lieu thereof "clause (iv)".

8 (b) Section 204(c) of the Museum Services Act (20
9 U.S.C. 963(c)) is amended by striking out "Eight" and in-
10 serting in lieu thereof "Except as provided in subsection
11 (d)(2), eight".

12 (c) Section 204(d)(2) of the Museum Services Act (20
13 U.S.C. 963(d)(2)) is amended by striking out "eight" and in-
14 serting in lieu thereof "seven".

15 **CONFORMING AMENDMENT**

16 **SEC. 10.** Section 205(a)(2) of the Museum Services Act
17 (20 U.S.C. 964(a)(2)) is amended by striking out the first
18 sentence.

19 **AUTHORIZATION OF APPROPRIATIONS**

20 **SEC. 11.** Section 209(a) of the Museum Services Act
21 (20 U.S.C. 967(a)) is amended by striking out "\$40,000,000
22 for fiscal year 1984, and \$45,000,000" and inserting in lieu
23 thereof "\$13,490,000 for fiscal year 1984, and such sums as
24 may be necessary".

1

REPEALERS

2

SEC. 12. Sections 521, 523, and 524 of subtitle A of the

3

Omnibus Education Reconciliation Act of 1981 are repealed.

○