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Arts, Humanities, Museums: Background (1973-1976): Report 02

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NATIONAL FOUNDATION ON THE ARTS
AND THE HUMANITIES ACT OF 1965
(Public Law 209—89th Congress)
as amended through October 19, 1973

AN ACT

To provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Foundation on the Arts and the Humanities Act of 1965."

DECLARATION OF PURPOSE

SEC. 2. (20 U.S.C. 951) The Congress hereby finds and declares—

(1) that the encouragement and support of national progress and scholarship in the humanities and the arts, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government;

(2) that a high civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of man's scholarly and cultural activity in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future;¹

(3) that democracy demands wisdom and vision in its citizens and that it must therefore foster and support a form of education designed to make men masters of their technology and not its unthinking servant;

(4) that it is necessary and appropriate for the Federal Government to complement, assist, and add to programs for the advancement of the humanities and the arts by local, State, regional, and private agencies and their organizations;

(5) that the practice of art and the study of the humanities requires constant dedication and devotion and that, while no government can call a great artist or scholar into existence, it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent;

(6) that the world leadership which has come to the United States cannot rest solely upon superior power, wealth, and technology, but must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as a leader in the realm of ideas and of the spirit; and

(7) that, in order to implement these findings, it is desirable to establish a National Foundation on the Arts and the Humanities.²

¹Public Law 91-346 of July 20, 1970 added the following words "in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future".

²Public Law 93-133 of October 19, 1973 deleted the words "and to strengthen the responsibilities of the Office of Education with respect to education in the arts and the humanities" following the word "Humanities" in this paragraph.

DEFINITIONS

SEC. 3. (20 U.S.C. 952) As used in this Act—

(a) The term "humanities" includes, but is not limited to, the study of the following: language, both modern and classical;³ linguistics; literature; history; jurisprudence; philosophy; archeology; comparative religion; ethics;⁴ the history, criticism, theory, and practice of the arts; those aspects of the social sciences which have humanistic content and employ humanistic methods; and the study and application of the humanities to the human environment⁵ with particular attention to the relevance of the humanities to the current conditions of national life.⁶

(b) The term "the arts" includes, but is not limited to, music (instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio, tape and sound recording, the arts related to the presentation, performance, execution, and exhibition of such major art forms, and the study and application of the arts to the human environment.⁷

(c) The term "production" means plays (with or without music), ballet, dance and choral performances, concerts, recitals, operas, exhibitions, readings, motion pictures, television, radio, and tape and sound recordings, and any other activities involving the execution or rendition of the arts and meeting such standards as may be approved by the National Endowment for the Arts established by section 5 of this Act.

(d) The term "project" means existing programs which further the purposes of this Act, and programs newly organized to further such purposes, including programs to foster American artistic creativity, to commission works of art, to create opportunities for individuals to develop artistic talents when carried on as a part of a program otherwise included in this definition, and to develop and enhance public knowledge and understanding of the arts, and includes, where appropriate, rental, or purchase⁸ of facilities, purchase or rental of land, and acquisition of equipment. Such term also includes—

(1) the renovation of facilities if (A) the amount of the expenditure of Federal funds for such purpose in the case of any project does not exceed \$250,000, or (B) two-thirds of the members of the National Council on the Arts (who are present and voting) approve of the grant or contract involving an expenditure for such purpose; and

(2) the construction of facilities if (A) such construction is for demonstration purposes or under unusual circumstances where there is no other manner in which to accomplish an artistic purpose, and (B) two-thirds of the members of the National Council on the Arts (who are present and voting) approve of the grant or contract involving an expenditure for such purpose.⁹

(e) The term "group" includes any State or other public agency, and any nonprofit society, institution, organization, association, museum, or establishment in the United States, whether or not incorporated.

³Public Law 90-348 of June 18, 1968 substituted the word "classical" for "classic".

⁴Public Law 91-346 of July 20, 1970 added the words "comparative religion; ethics;".

⁵Public Law 90-348 of June 18, 1968 added the words "and the study and application of the humanities to the human environment".

⁶Public Law 91-346 of July 20, 1970 added the following words "with particular attention to the relevance of the humanities to the current condition of national life".

⁷Public Law 90-348 of June 18, 1968 added the words "and the study and application of the arts to the human environment".

⁸Public Law 93-133 of October 19, 1973 substituted the words "or purchase" for the words, "purchase, renovation, or construction".

⁹Public Law 93-133 of October 19, 1973 added, after the sentence ending with the word "equipment" in this section, the words "Such term also includes—" and subsections (1) and (2) immediately following.

THE METROPOLITAN MUSEUM
OF ART

Vice Director for
Finance

Monday

Lis _____

Hope this was
helpful - we also followed
up through James Engelhardt.
Best regards,
Jan