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National Foundation on the Arts and Humanities (1976-1979): Correspondence 02

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HARRISON A. WILLIAMS, JR.
CHAIRMAN

United States Senate

COMMITTEE ON
LABOR AND PUBLIC WELFARE

To: Senator

From: LB

Apr. 26

You may not want to get into
any of this Arts and Humanities
tonight -- but it's ready to go,
and I thought you might want to
glance at it later today.

It's for the Mark-up
Wednesday at 11 a.m.

TO: SENATOR
FROM: LB

Apr. 26

Attached is the Arts and Humanities bill with notations regarding the various sections. If this seems cumbersome, I can prepare it differently -- but on a flat surface it seems to work ok, and it keeps everything together.

The mark-up is for Wedd. at 11 a.m. in Room 4232 as you know.

We have had a number of staff meetings on the bill.

As of last Friday (Apr 23) there was general staff agreement with the following important exceptions. Greg Fusco asked especially that discussion on these controversial areas be deferred at a staff level until Sen. Javits has a chance to discuss them with you personally. I gather he plans to do this in advance of the meeting, but if not it would seem that it's not too likely they can be decided in mark-up. *I will keep at this -- as we want as quick action as possible.*

The controversial areas:

1. State Humanities. In the bill attached, your amendment appears which essentially would grandfather in a new State Humanities council format within the next three years -- or grandfather out the existing program.

I'm told both Stafford and Taft are most eager to maintain the present status quo -- they have been approached by personal friends on the existing State committees (Sen. Aiken, for one, in Vermont.)

I think we might win a close vote on this -- but at present Javits would oppose you on it, and this is to be avoided if possible.

Accordingly Fusco is working on a Javits compromise which he must first show to the Senator.

2. Museums. The House bill puts Museum Services under HEW. None of the staff members in the Senate like this -- but Brademas did it for very valid political reasons, unlikely to change and emanating from Al Quie who said he would back the program only under HEW. Fusco is working on a compromise which would put the program under the umbrella of the Arts and Humanities Foundation (but under neither Endowment). I like his plan. He volunteered to take this on, and I gladly accepted, as whatever comes out of the Javits camp on this would have to have clearance from the Arts and Humanities. Provided it's a good solution, it's good to have it come from the Republicans. The concept is yours -- they're merely concerned with the proper place.

3. Parity. This may be the most sticky of all. Brademas bowed to Berman's major push for parity. I know that Javits and Berman have had at least two private meetings -- without staff present. Javits is, as we know, more in favor of the arts -- but he is under lots of pressure.

ATTACHED ARE RECOMMENDED AUTHORIZATIONS AND BACK-UP

96th CONGRESS
1st Session

s. 1386

#2

IN THE SENATE OF THE UNITED STATES

Mr. Pell introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend and extend 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 Representatives
2 of the United States of America in Congress assembled,
3 That this Act may be cited as the "Arts, Humanities, and
4 Museum Services Act of 1979".

5 STATE HUMANITIES COUNCILS

6 Sec. 2. (a) Section 7 (f) (2) of the National Foundation
7 on the Arts and the Humanities Act of 1965 is amended to read
8 as follows:

9 "(2) In order to receive assistance under this
10 subsection in any fiscal year, a State shall submit an
11 application for such grants at such time as shall be
12 specified by the Chairman and accompany such applications

1 with a plan which the Chairman finds--

2 “(A) designates or provides for the establishment of
3 a State agency (hereafter in this section referred to as
4 the State agency) as the sole agency for the
5 administration of the State plan;

6 “(B) provides that funds paid to the State under
7 this subsection will be expended solely on programs
8 approved by the State agency which carry out any of the
9 objectives of subsection (c); and

10 “(C) provides that the State agency will make such
11 reports, in such form, and containing such information,
12 as the Chairman may require.”.

13 (b) (1) Section 7 (f) (3) of each Act is repealed.

14 (2) Paragraphs (4), (5), (6) and (7) of such section 7
15 (f) are redesignated as paragraphs (3), (4), (5), and (6),
16 respectively.

17 (3) Paragraph (8) of such section 7 (f) is repealed.

18 (c) (1) Section 7 (f) (3) of such Act (as redesignated by
19 subsection (b)) is amended--

20 (A) by striking out “grant recipient” each time it
21 appears and inserting in lieu thereof “State”;

22 (B) by striking out “grant recipients” each time it
23 appears and inserting in lieu thereof “States”;

24 (C) by striking out “entities” and inserting in
25 lieu thereof “States and regional groups”.

1 (2) Section 7 (f) (4) (B) of such Act (as redesignated by
2 subsection (b)) is amended by striking out "grant
3 recipient" and inserting in lieu thereof "State agency".

4 (3) Section 7 (f) (5) of such Act (as redesignated by
5 subsection (b)) is amended by striking out "any entity" and
6 inserting in lieu thereof "a State".

7 (4) Section 7 (f) (6) of such Act (as redesignated by
8 subsection (b)) is amended--

9 (A) by striking out "grant recipient" in clause (A)
10 and inserting in lieu thereof "group";

11 (B) by striking out "grant recipient" in clause (B)
12 and inserting in lieu thereof "State agency";

13 (C) by inserting "State" before "plan" in clause
14 (B);

15 (D) by striking out "grant recipient" in clause (C)
16 and inserting in lieu thereof "group or State agency";
17 and

18 (E) by striking out "grant recipient" each time it
19 appears in the matter following clause (C) and inserting
20 in lieu thereof "group or State agency".

21 (5) Section 7 (g) of such Act is amended by striking out
22 "entity" and inserting in lieu thereof "agency".

23 AUTHORIZATION OF APPROPRIATIONS

24 Sec. 3. (a) (1) Section 11 (a) (1) (A) of the National
25 Foundation on the Arts and the Humanities Act of 1965 is

1 amended by striking out ``years`` and inserting in lieu
2 thereof ``year`` and by striking out ``and 1980`` and
3 inserting in lieu thereof ``and for each fiscal year ending
4 prior to October 1, 1985``.

5 (2) Section 11 (a) (1) (B) of such Act is amended by
6 striking out ``years`` and inserting in lieu thereof ``year``
7 and by striking out ``and 1980`` and inserting in lieu
8 thereof ``and for each fiscal year ending prior to October 1,
9 1985``.

10 (b) Section 11 (a) (2) of such Act is amended by striking
11 out ``October 1, 1980`` and inserting in lieu thereof
12 ``October 1, 1985``, by striking out ``years`` and inserting
13 in lieu thereof ``year``, and by striking out ``and 1980``
14 and inserting in lieu thereof ``and for each fiscal year
15 ending prior to October 1, 1985``.

16 (c) (1) (A) The first sentence of section 11 (a) (3) (A)
17 of such Act is amended by striking out ``October 1, 1980``
18 and inserting in lieu thereof ``October 1, 1985``.

19 (B) The second sentence of such section is amended by
20 striking out ``years`` and inserting in lieu thereof
21 ``year``, and by striking out ``and 1980`` and inserting in
22 lieu thereof ``and for each fiscal year ending prior to
23 October 1, 1985``.

24 (2) (A) The first sentence of section 11 (a) (3) (B) of
25 such Act is amended by striking out ``October 1, 1980`` and

1 inserting in lieu thereof ``October 1, 1985``.

2 (B) The second sentence of such section is amended by
3 striking out ``years`` and inserting in lieu thereof
4 ``year``, and by striking out ``and 1980`` and inserting in
5 lieu thereof ``and for each fiscal year ending prior to
6 October 1, 1985``.

7 (d) (1) Section 209 (a) of the Museum Services Act is
8 amended by striking out ``fiscal years 1979 and 1980`` and
9 inserting in lieu thereof ``the fiscal year 1979 and for each
10 of the succeeding fiscal years ending prior to October 1,
11 1985``.

12 (2) Section 209 (d) of such Act is amended by striking
13 out ``1980`` and inserting in lieu thereof ``1985``.

ARTS AT THE LOCAL LEVEL

Sec. 4. (a) Section 5(c) of the National Foundation on the Arts and Humanities Act of 1965 is amended by redesignating clause (5) as clause (6) and by inserting after clause (4) the following new clause:

"(5) programs for the arts at the local level;
and".

(b) Section 5(c) of such Act is further amended by striking out "clause (5)" and inserting in lieu thereof "clause (6)".

Changes incorporated in Pell Bill S. 1386	Recommended By	Comments
<p>- Change in status of State-based Humanities Committees. Compromise can be offered. See separate data on this issue.</p>	<p>Senator Pell</p>	<p>This is perhaps the single most controversial issue of the reauthorization bill. No support for the Pell position has been forthcoming. Sens. Randolph, Eagleton, Stafford expected to oppose Pell. Mail is overwhelmingly against change.</p>
<p>Adds "local arts agencies" to list of areas worthy of NEA support</p>	<p>National Assembly of State Arts Agencies. Community</p>	<p>Support for local arts orgs. is just beginning to take off. This brief mention is a gesture in the right direction. Other competing groups will go along with it since no \$\$ is involved</p>
<p>Adds phrase "cultural diversity" to general NEA mandate</p>	<p>Administration</p>	<p>A gesture to minority organizations.</p>
<p>Adds Northern Marianas to the definition of a "State"</p>	<p>Administration</p>	<p>Public Law 94-241 requires the Northern Marianas to be eligible for Federal funds in same manner as other territories.</p>
<p>Strikes obsolete reference to "District of Columbia Recreation Board"</p>	<p>Administration</p>	<p>Language is obsolete</p>
<p>Adds paragraph to limit "States" to those several states of the Union and those special jurisdictions with population over 200,000 (i.e. Puerto Rico and D.C.)</p>	<p>Administration</p>	<p>The less populous jurisdictions cannot effectively use the full "Basic State Operating Grant" from the Endowment</p>
<p>Gives NEA Chairman permission to make interagency agreements</p>	<p>Administration</p>	<p>This is a major thrust of the Federal Council on the Arts & Humanities. Joan Mondale very supportive. ICA, Veterans, GSA and Interior are already involved.</p>

Changes incorporated in Pell Bill s. 1386	Recommended By	Comments
Repeals Bicentennial Film Project	Administration	Program has never been funded since first authorized in 1976.
Provides for all Council members to end their respective terms on Sep 3rd	Administration	Will simplify appointment process
Repeals "loan" authority for NEH	Administration	Loans have never been made by NEH.