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Museum Services Act (1984): Report 03

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BACKGROUND INFORMATION ON TITLE II, MUSEUM SERVICES ACT OF THE
ARTS, HUMANITIES AND CULTURAL AFFAIRS ACT OF 1976
(P.L. 94-462), AS AMENDED BY THE ARTS AND HUMANITIES ACT OF 1980
(P.L. 96-496)

LEGISLATIVE HISTORY--TITLE II MUSEUM SERVICES ACT OF THE ARTS, HUMANITIES AND
CULTURAL AFFAIRS ACT OF 1976 (P.L. 94-462)

March 29, 1976--H.R. 12838 introduced by Representative Brademas and 24 others
April 9, 1976--H.R. 12838 reported with amendment H. Rept. 94-1024
April 26, 1976--H.R. 12838 passed House by a yea-nay vote of 279-59
May 14, 1976--S. 3440 reported S. Rept. 94-880
H.R. 12838 reported in Senate S. Rept. 94-881
May 20, 1976--H.R. 12838 considered and passed Senate amended in lieu of S. 3440
September 20, 1976--Conference reports H. Rept. 94-1631 and S. Rept. 94-1260
submitted
September 22, 1976--Senate agreed to Conference report
September 27, 1976--House agreed to Conference report
October 8, 1976--approved as P.L. 94-462

PROVISIONS OF TITLE II, MUSEUM SERVICES ACT OF THE ARTS, HUMANITIES, AND
CULTURAL AFFAIRS ACT OF 1976--P.L. 94-462

The Museum Services Act (Title II of the Arts, Humanities, and Cultural Affairs Act of 1976, P.L. 94-462) established within Health, Education, and Welfare (HEW) an Institute of Museum Services which consists of a National Museum Services Board and a Director. The purpose of creating the Institute of Museum Services is to assist museums in their educational role, in modernizing methods and facilities, and in easing the financial burden borne by museums as a result of their increasing use by the public. A Museum is defined (sec. 210) as a public or private nonprofit agency or institution organized on a permanent basis for

essentially educational or esthetic purposes, which utilizing a professional staff, owns or utilizes tangible objects, cares for them, and exhibits them to the public on a regular basis.

NATIONAL MUSEUM SERVICES BOARD

The Board consists of 15 members appointed by the President by and with the consent of the Senate. Members should be broadly representative of various museums. In addition, there will be the following non-voting members: Chairman, National Endowment for the Arts; Chairman, National Endowment for the Humanities; Secretary of the Smithsonian; Director, National Science Foundation; and Commissioner of Education. The Chairman shall be designated by the President. The Board shall meet when one-third of the appointed members request a meeting and not less than four times a year. Eight appointed members constitute a quorum.

Term of Office—The term of office of the appointed members of the Board shall be 5 years, except that of the members first appointed, 3 shall serve 5 years, 3 shall serve 4 years, 3 shall serve 3 years, 3 shall serve 2 years, and 3 shall serve 1 year, as designated by the President. Any appointed member who has been a member for more than 7 consecutive years shall be ineligible for reappointment to the Board for a 3-year period following expiration of the last consecutive year.

Compensation—Members not in regular full-time employ of the United States shall receive compensation not to exceed GS-18.

DIRECTOR OF THE INSTITUTE

The Director shall be appointed by the President by and with consent of the Senate and compensated at level V of the Executive Schedule. The Director shall advise the Board concerning policies of the Institute to assure coordination of the Institute's activities with other agencies of the Federal Government, and give a report to the Secretary of HEW with respect to the activities of the Institute.

GRANTS AND ACTIVITIES OF THE INSTITUTE

Allows that the Director make grants (sec. 206) subject to the policy direction of the Board to assist museums in:

1. Construction and installation of displays and exhibitions
2. Developing and maintaining professional trained staff
3. Meeting administrative costs in preserving and maintaining collections
4. Developing travel exhibitions
5. Conservation of artifacts
6. Specialized programs for specific segments of the population--urban neighborhoods, rural areas, Indian reservations, penal and State institutions

Grants may not exceed 50 percent of the cost of any program, except that not more than 20 percent of funds available for any fiscal year may be available for grants in that fiscal year without regard to the 50 percent limitation.

1980 AMENDMENTS TO THE MUSEUM SERVICES ACT--TITLE II--MUSEUM SERVICES,
ARTS AND HUMANITIES ACT OF 1980 (P.L. 96-496)

Legislative History

- June 21, 1979--S. 1386 introduced by Senator Pell
- January 29, 1980--S. 1386 reported by the Committee on Labor and Human Resources
(S. Rept. 96-557)
- February 7, 1980--Senate considered and passed S. 1386
- February 11, 1980--S. 1386 referred to the House Education and Labor Committee
as H.R. 7153
- May 12, 1980--H.R. 7153 reported, H. Rept. 96-937
- November 17, 1980--H.R. 7153 passed the House by voice vote S. 1386 (amended)
passed House in lieu of H.R. 7153
- November 20, 1980--Senate agreed to House amendment
- December 4, 1980--H.R. 7153 approved as P.L. 96-496

Summary of the Major Provisions

The Arts and Humanities Act of 1980 extended the Museum Services Act through FY 1985 with the following amendments:

- (1) Authorizes the Director of the Institute for Museum Services to enter into contracts and cooperative arrangements (for periods of up to one year) with professional museum organizations to carry out projects designed to improve the delivery of museum services. The amendment also provides that the total amount awarded under this provision cannot exceed 5 percent of the appropriation for this act in any fiscal year.
- (2) Authorizes the Director of the Institute to establish procedures for evaluating grants, contracts, and cooperative agreements made by the Institute.
- (3) Authorizes appropriations for this program through FY 1985 at the following rates: FY 1981--\$25 million, FY 1982--\$30 million, FY 1983--\$35 million, FY 1984--\$40 million, and FY 1985--\$45 million.

(4) Strikes out "Department of Health, Education and Welfare" and inserts in lieu thereof "Department of Education."

(5) Strikes out "Commissioner of Education" and inserts in lieu thereof "Secretary of Education."

Appropriations History

Appropriations for the Museum Services Act have increased as illustrated in table I, from \$100,000 in FY 1977 to \$12.857 million--for FY 1981. Of the FY 1981 appropriation, \$11.4 million will be distributed among museums for general operating support, \$967,000 for special projects, and \$500,000 for administration.

TABLE I. Authorizations and Appropriations for the National Museum Services Act (FY 1977-1981)

<u>Fiscal Year</u>	<u>Authorization</u>	<u>Appropriation</u>
FY 1977	\$15,000,000	\$100,000
FY 1978	\$25,000,000	\$4,000,000
FY 1979	Such sums as may be necessary	\$7,700,000
FY 1980	Such sums as may be necessary	\$10,400,000
FY 1981	\$25,000,000	\$12,857,000

Sources: Office of the Director, Institute of Museum Services (245-0413).

Besides the authorization listed above, the Museum Services Act in sec. 209 authorizes to be appropriated through FY 1985 "an amount equal to the amount contributed during such period to the Institute." Section 207 of the Museum Services Act provides the Institute with authority to accept gifts, grants, or bequests for carrying out the functions of the Institute and these contributions are to be placed in a special account in the U.S. Treasury. However, as of this date no funds have been contributed for these purposes.