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MEMORANDUM

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.
AN ACT

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Foundation on the Arts and the Humanities Act Amendments of 1983".

TECHNICAL AMENDMENT

SEC. 2. The National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 951 et seq.) is amended by striking out the first section thereof and inserting in lieu thereof the following:
"TITLE I—ENDOWMENTS FOR ARTS AND HUMANITIES"

"SHORT TITLE"

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

DECLARATION OF PURPOSE


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

(2) by inserting after paragraph (5) the followi

new paragraph:

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

ENTITIES WITHIN FOUNDATION

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

(1) by striking out "and a Federal Council" ;

inserting in lieu thereof "a Federal Council" , and

(2) by inserting "and an Institute of Muse Services” before "(hereinafter established)".
3
(b) Section 4(b) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 953(b)) is amended by inserting “, and for institutions which preserve the cultural heritage of the United States after “United States”.

CONTINUITY OF MEMBERSHIP OF NATIONAL COUNCILS

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

(b) Section 8(c) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 957(c)) is amended by adding at the end thereof the following: “Notwithstanding any other provisions of this subsection, a member shall serve after the expiration of his term until his successor takes office.”.

MEMBERSHIP OF THE FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES

SEC. 6. (a) Section 9(b) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 958(b)) is amended by inserting “the Director of the Institute of Museum Services,” after “Humanities,”.
(b) Section 9(c)(4) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 958(c)(4)) is amended by striking out "and the Institute of Museum Services".

AUTHORIZATION OF APPROPRIATIONS

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

(1) in paragraph (1)—

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

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

(2) in paragraph (2)—

(A) in subparagraph (A) by striking out "$20,000,000 for fiscal year 1984, and $22,500,000" and inserting in lieu thereof "$10,000,000 for fiscal year 1984, and such sums as may be necessary",
(B) in subparagraph (B) by striking out
"$16,500,000 for fiscal year 1984, and
$18,500,000" and inserting in lieu thereof
"$11,500,000 for fiscal year 1984, and such sums
as may be necessary", and
(3) in paragraph (3)—
(A) in subparagraph (A) by striking out
"$36,000,000 for fiscal year 1984, and
$40,000,000" and inserting in lieu thereof
"$28,000,000 for fiscal year 1984, and such sums
as may be necessary", and
(B) in subparagraph (B) by striking out
"$40,000,000 for fiscal year 1984, and
$44,000,000" and inserting in lieu thereof
"$20,000,000 for fiscal year 1984, and such sums
as may be necessary".

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

Establishment of Institute of Museum Services
Sec. 8. Section 203 of the Museum Services Act (20
U.S.C. 962) is amended by striking out “, within the Depart-
ment of Education” and inserting in lieu thereof “within the
National Foundation on the Arts and the Humanities”.
SEC. 9. (a) Section 204(a)(2) of the Museum Services Act (20 U.S.C. 963(a)(2)) is amended—

(1) in subparagraph (A)—

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

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

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

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

(b) Section 204(b) of the Museum Services Act (20 U.S.C. 963(b)) is amended by adding at the end thereof the following: "Notwithstanding any other provision of this subsection, a member shall serve after the expiration of his term of office until his successor takes office."

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

(d) Section 204(d)(2) of the Museum Services Act (20 U.S.C. 963(d)(2)) is amended by striking out "eight" and inserting in lieu thereof "seven".
CONFORMING AMENDMENT

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

AUTHORIZATION OF APPROPRIATIONS

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

REPEALERS

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

NATIONAL MEDAL OF ARTS

Sec. 13. (a) There is hereby established a National Medal of Arts, which shall be a medal of such design as is deemed appropriate by the President, on the basis of recommendations submitted by the National Council on the Arts, and which shall be awarded as provided in subsection (b).

(b)(1) The President shall from time to time award the National Medal of Arts, on the basis of recommendations from the National Council on the Arts, to individuals or groups who in the President's judgment are deserving of special recognition by reason of their outstanding contributions
to the excellence, growth, support, and availability of the arts in the United States.

(2) Not more than twelve of such medals may be awarded in any calendar year.

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

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

(B) is an alien lawfully admitted to the United States for permanent residence who (i) has filed an application or petition for naturalization in the manner prescribed by section 334 of the Immigration and Nationality Act and (ii) is not permanently ineligible to become a citizen of the United States.

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

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

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

INSTITUTE OF AMERICAN INDIAN ARTS

SEC. 14. (a) The Secretary of the Interior shall—
(1) enter into a long-term agreement with the College of Santa Fe, Santa Fe, New Mexico, to provide educational facilities for the use of, and to develop cooperative educational/arts programs to be carried out with the postsecondary fine arts and museum services programs of, the Institute of American Indian Arts administered by the Bureau of Indian Affairs,

(2) conduct such activities as are necessary to improve the facilities used by the Institute of American Indian Arts of Santa Fe College, and

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

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


Attest: BENJAMIN J. GUTHRIE,
Clerk.
To amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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 Representatives of the United States of America in Congress assembled, SHORT TITLE

4 Section 1. This Act may be cited as the "National Foundation on the Arts and the Humanities Act Amendments of 1983".

TECHNICAL AMENDMENT

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

"TITLE I—ENDOWMENTS FOR ARTS AND HUMANITIES

"SHORT TITLE

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

DECLARATION OF PURPOSE

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

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

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

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

ENTITIES WITHIN FOUNDATION

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

(1) by striking out "and a Federal Council" and inserting in lieu thereof "a Federal Council", and
(2) by inserting "; and an Institute of Museum Services" before "(hereinafter established)".

MEMBERSHIP OF COUNCIL

Sec. 5. (a) Section 9(b) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 958(b)) is amended by inserting "the Director of the Institute of Museum Services," after "Humanities,".

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

AUTHORIZATION OF APPROPRIATIONS

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

(1) in paragraph (1)—

(A) in subparagraph (A) by striking out "$154,000,000 for fiscal year 1984, and $170,000,000" and inserting in lieu thereof "$120,000,000 for fiscal year 1984, and such sums as may be necessary", and

(B) in subparagraph (B) by striking out "$152,000,000 for fiscal year 1984, and $167,500,000" and inserting in lieu thereof...
"$115,000,000 for fiscal year 1984, and such
sums as may be necessary",
(2) in paragraph (2)—
(A) in subparagraph (A) by striking out
"$20,000,000 for fiscal year 1984, and
$22,500,000" and inserting in lieu thereof
"$18,500,000 for fiscal year 1984, and such sums
as may be necessary",
(B) in subparagraph (B) by striking out
"$16,500,000 for fiscal year 1984, and
$18,500,000" and inserting in lieu thereof
"$13,500,000 for fiscal year 1984, and such sums
as may be necessary", and
(3) in paragraph (3)—
(A) in subparagraph (A) by striking out
"$36,000,000 for fiscal year 1984, and
$40,000,000" and inserting in lieu thereof
"$28,000,000 for fiscal year 1984, and such sums
as may be necessary", and
(B) in subparagraph (B) by striking out
"$40,000,000 for fiscal year 1984, and
$44,000,000" and inserting in lieu thereof
"$30,000,000 for fiscal year 1984, and such sums
as may be necessary".
5

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

ALLOCATION OF FUNDS FOR DISTRICT OF COLUMBIA

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

ESTABLISHMENT OF INSTITUTE OF MUSEUM SERVICES

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

QUORUM OF NATIONAL MUSEUM SERVICES BOARD

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

(1) in subparagraph (A)—

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(A) in clause (iii) by inserting “and” at the end thereof,
(B) in clause (iv) by striking out “; and” and inserting in lieu thereof a period, and
(C) by striking out clause (v), and
(2) in subparagraph (B) by striking out “clause (v)” and inserting in lieu thereof “clause (iv)”.

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

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

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

AUTHORIZATION OF APPROPRIATIONS
SEC. 11. Section 209(a) of the Museum Services Act (20 U.S.C. 967(a)) is amended by striking out “$40,000,000 for fiscal year 1984, and $45,000,000” and inserting in lieu thereof “$13,490,000 for fiscal year 1984, and such sums as may be necessary".
REPEALERS

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