

1975

Arts, Humanities, and Cultural Affairs Act (1976): Correspondence 01

Jack Golodner

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November 7, 1975

Mr. Livingston Biddle
Senate Education Subcommittee
Room 4228
Dirksen Senate Office Bldg.
Washington D. C. 20510

Dear Liv:

Enclosed is a copy of the report that accompanied the Folklife bill. I call your attention to the underlined portions on page two, where appointments to the Board by the Speaker and the President Pro Tempore are discussed.

See you on Wednesday.

Sincerely,



Jack Golodner

JG:gml
enc.

PROVIDING FOR THE ESTABLISHMENT OF AN AMERICAN FOLKLIFE
CENTER IN THE LIBRARY OF CONGRESS, AND FOR OTHER
PURPOSES

JUNE 10, 1975.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. NEDZI, from the Committee on House Administration,
submitted the following

REPORT

[To accompany H.R. 6673]

The Committee on House Administration, to whom was referred the bill (H.R. 6673) having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

On May 14, 1975, a quorum being present, the committee, by a vote of 18 to 5, adopted a motion to report H.R. 6673, amended.

AMENDMENTS

On page 4, line 18, strike the word "eight" and insert in lieu thereof the word "four" and strike the word "Librarian".

On page 4, line 19, strike the words "of Congress" and insert in lieu thereof the words "President pro tempore of the Senate".

On page 4, line 23, strike the word "arts" and insert in lieu thereof "arts, and four members appointed by the Speaker of the House of Representatives from among such individuals;"

On page 5, line 8, strike the word "Librarian" and insert in lieu thereof "President pro tempore of the Senate and the Speaker of the House of Representatives".

On page 5, line 11, following the word "Board.", add the following: "Not more than three of the members appointed by the President pro tempore of the Senate or by the Speaker of the House of Representatives may be affiliated with the same political party."

On page 5, line 22, following the word "as", insert the word "jointly".

On page 5, lines 22 and 23, strike the word "Librarian," and add the following: "President pro tempore of the Senate and the Speaker of the House of Representatives,".

PURPOSE

H.R. 6673 would establish in the Library of Congress an American Folklife Center, under the direction of a Board of Trustees. The Board would be composed as follows: Four members appointed by the President from among officials of Federal agencies concerned with some aspect of folklife; four members appointed by the President pro tempore of the Senate and four members appointed by the Speaker of the House of Representatives from among individuals in private life who are recognized for their scholarship, experience, creativity, or interest in folklife; the Librarian of Congress; the Secretary of the Smithsonian Institution; the Chairman of the National Endowment for the Arts; the Chairman of the National Endowment for the Humanities; and the Director of the Center. The term of office of each appointed member would be 6 years, except that the terms of the original appointees would be staggered. In making appointments, the President Pro Tempore and the Speaker would be required to strive for appropriate regional balance, as well as to insure that no more than three of each of their four appointees would be from the same political party.

For the purposes of the bill, the term "American Folklife" is defined as follows:

"American Folklife" means the traditional customs, beliefs, dances, songs, tales, sayings, art crafts, and other expressions of the spirit common to a group of people within any area of the United States, and includes music (vocal and instrumental), dance, drama, lore, beliefs, language, humor, handicraft, painting, sculpture, architecture, other forms of creative and artistic expression, and skills related to the preservation, presentation, performance, and exhibition of the cultural heritage of any family, ethnic, religious, occupational, racial, regional, or other groupings of American people.

The Center would be authorized to enter into contracts, make grants and loans, and award scholarships to individuals and groups for activities including research, scholarship, training, exhibits, performances, and workshops; and the purchase, production, and support of educational projects for classroom and general usage. Additionally, the Center would be directed to establish and maintain in conjunction with any Federal agency a national archive and center for American folklife. Materials for this archive would be purchased, procured or otherwise received, and could be loaned, exhibited or displayed in accordance with Library of Congress procedures.

Grants made pursuant to the bill would be limited to 2 years' duration, except that with the concurrence of at least two-thirds of the Board, such term could be extended to not more than 5 years. No grants, loans, or other assistance could be used for purposes of land acquisition, construction, building acquisition, or acquisition of major equipment. No former Federal employee would be eligible to serve as a trustee of the Center or to receive any grants or other assistance for a period of 2 years following the termination of such employment.

The Librarian, and the Board, would appoint the Director and Deputy Director of the Center. The basic pay of these individuals would not exceed, respectively, GS-18 and GS-16 of the General Schedule.

In carrying out the functions of the Center, the Librarian would be authorized to: Promulgate regulations; accept donations of money and other property, and use, sell, or otherwise dispose thereof; appoint such personnel as may be necessary; obtain the services of experts and consultants at rates not to exceed \$100 per diem; accept and utilize the services of voluntary personnel; enter into contracts, grants or other arrangements; and make advances and other payments with the approval of the Board.

The Center and its Director would be required to submit to the Librarian for inclusion in the annual report of the Library of Congress to the Congress an annual summary of its operations. That submission shall include a detailed accounting of all public and private funds received and expended, and such other matter deemed appropriate by the Center.

The bill would authorize to be appropriated to the Center to carry out the provisions therein: \$167,750 for the fiscal year ending September 30, 1976; \$710,000 for the fiscal year ending September 30, 1977; \$1,716,000 for the fiscal year ending September 30, 1978. These amounts include grant-making authority and were recommended by the Librarian who indicated that these funding levels were minimums necessary to establish and operate the Center.

BACKGROUND

Measures to increase the role of the Federal Government in preserving folklife have been pending in the Congress for more than 5 years. Although the initial impetus came from individuals and groups concerned with the cultures of the Appalachian region, and native Americans. They were soon joined by proponents of the so-called "ethnic," black, and Hispanic cultures as well as by individuals and groups from every section of the country. Whatever their backgrounds or areas of interest, they are agreed that Americans' cultural diversity is a valuable national asset and is well worth preserving in the face of increasing homogenization of American life. They have called for an intensified Federal commitment in this area. This point of view has grown to the extent that in the 94th Congress over 230 Members of the House and more than half the Senate have cosponsored bills similar to H.R. 6673.

HEARINGS

On May 9 and 10, 1974, the Subcommittee on Library and Memorials held comprehensive hearings on legislation to establish an American Folklife Center in the Library of Congress. Testimony was taken from the Librarian of Congress, the Smithsonian Institution, the National Endowment for the Arts, and several other witnesses including distinguished scholars and representatives of folk and ethnic organizations. A consensus was reached that the Federal Government

has an appropriate role in the fostering and preservation of folk and ethnic traditions, and that the Federal Government's effort thus far in this regard has been clearly inadequate.

COMMITTEE ACTION

The Committee on House Administration is agreed that a serious Federal effort should be made to make possible the preservation of the folk and ethnic cultures of Americans. The committee is aware that the National Endowments' enabling legislation permits activities in the folklife area; nonetheless, the committee has opted for a separate Folklife Center in the Library of Congress for these reasons: (1) To date, the Endowments have shown little inclination to make a genuine commitment in this area, apparently preferring instead to focus on "high culture." The Endowments have acknowledged that only a tiny fraction of total grant outlays have gone to the folk and ethnic areas; and admit that their efforts have been "inadequate." The committee agrees; (2) the nature of folk and ethnic cultural preservation efforts requires an archival function as well as a grant-making capability. The Endowments are not authorized to conduct archival activities; (3) given the relatively embryonic nature of folk and ethnic preservation programs, a Center should itself have the ability to produce and develop related activities for which a capability does not now exist in the private sector. The Endowments regard their mission as grant-making only and reject an operative role in programs; (4) a separate Center could become a focal point for Federal efforts and for private participation in this area.

The Library of Congress is an ideal place in which to locate this Center. The Library's Archive of Folk Song, established in 1928, has one of the most extensive collections of American folk music in the United States. In addition, large collections of other relevant folklife materials are housed by various divisions of the Library in the form of manuscripts, photographs, motion pictures, and other materials. The Library also has an extensive collection of published works relating to folklife.

The committee endorses the limitation on authorizations in H.R. 6673 in lieu of an open-ended provision. In authorizing funding of the Center through 1978, the committee believes that the Center will have sufficient time to establish itself as a viable force in the folklife area. At the end of the authorization period, the Congress would have the opportunity to evaluate the Center's performance and determine whether institutional adjustments are in order. The bill's authorization of minimum operating expenses will insure optimum organizational flexibility.

COST OF H. R. 6673

H.R. 6673 authorizes appropriations to the Center in the following amounts: \$167,750 for fiscal year 1976; \$710,000 for fiscal year 1977; \$1,716,000 for fiscal year 1978.

AMENDMENTS TO H.R. 6673

The committee agreed to amend the proposal in order to provide that the eight members of the Board of Trustees who are to come from

the private sector, would be appointed in such a manner that the President Pro Tempore of the Senate would appoint four members, and the Speaker of the House would appoint four members. The proposal was also amended to provide that as to each of these appointments by the President Pro Tempore of the Senate and Speaker of the House, that no more than three of the four appointees could represent the same political party. The remaining amendments are conforming in nature.

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