National Foundation on the Arts and Humanities Act and Museum Services Act: Extensions (1979): Report 09

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potentially place persons in imminent lan-
gers of death or serious bodily injury. It up-
ggrades all offenses under this section to a fed-
eral felony offense, and expands the list of offens
ess it cross-references, Section 1858 as
well.

Senators Leahy and Bentsen added to Sec-
tion 7(f), following federal acts for which a
person could be charged with endanger-
ment: the Occupational Safety and Health
Act, the Federal Food, Drug and
Cosmetic Act and the Federal Metal and

THE CALENDAR

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent—this has been
clarified with Mr. STEVENS, and if it has
not I will undo it, but on my word it has
been or I will vitiate it—that the Senate
proceed to the consideration of Calendar
Orders S66, S67, and 601.

ARTS AND HUMANITIES ACT OF 1980

The PRESIDENT proclaims. The clerk
will state the first bill by title.

The legislative clerk read as follows:

Calendar S66, a bill (S. 1386) to amend
and extend the National Foundation on the
Arts and Humanities Act of 1965, and for
other purposes.

The Senate proceeded to consider.

The bill which had been reported from the
Committee on Labor and Human Re-
sources with an amendment to strike all
after the enacting clause and insert the
following:

That this Act may be cited as the “Arts
and Humanities Act of 1980.”

DEFINITION OF HUMANITIES

Sec. 2. Section 3(a) of the National Foun-

dation on the Arts and Humanities Act of
1965 (hereinafter referred to as the “Act”),
is amended by striking out “theory, and prac-
tice” and inserting in lieu thereof “and theory”.

PURPOSES OF ARTS GRANTS

Sec. 3. (a) Section 5(e)(1) of the Act is am-

ended by deleting “for remunerable” and adding
“and unfunded cultural diversity” after “American creativity”.

(b) Section 5(c) of the Act is amended

by redesignating clause (8) as clause (6) and
by inserting after clause (4) the follow-
ing new clause:

(8) programs for the arts at the local
level;

(2) The last sentence of section (5) (c) of
such Act is amended—

(A) by striking out “clause (5)” and in-
serting in lieu thereof “clause (6)”; and

(B) by striking out “Labor and Public
Welfare” and inserting in lieu thereof Labor
and Human Resources.

STATE ARTS GRANTS

Sec. 4. Section 5(g) of the Act is am-

ended—

(A) by striking out all that follows “State
plan” in the text of paragraph (2) (A) and
inserting in lieu thereof a semicolon and

(B) by striking out “the State agencies,
or other entities, under the provisions of this
section which have a State plan, a State
agency or a State government” and adding
the following:

“(A) The term ‘State agency’ means any
State, or any State, territory or posses-
sion, or the District of Columbia, or any
municipal corporation or public body which
has a State plan, is a State agency or a
State government.

“(B) For the purpose of paragraph (3) (B)
of this subsection the term ‘State’ includes,
in addition to the Federal States or the
Union, only the special jurisdictions listed in
section 3(g) of this Act having a population
of more than 20,000 people, according to the latest
decennial census.”

INTERGENCY AGREEMENTS

Sec. 5. Section 5(k) of the Act is amended

by adding at the end thereof the following:

“The Chairman may enter into interagency
agreements to promote or assist with the
arts-related activities of other Federal Gov-
ernment agencies, in order to avoid duplica-
tion of efforts or to maximize the leverage
of Federal financial assistance received by
such State under this subsection which is
not reimbursable, and may use funds au-
thorized for the purposes of section 5(e) of
this Act for the purposes of this subsection.

CHALLENGE GRANTS

Sec. 6. The matter preceding paragraph (1)
of section 5(f)(1) of the Act is amended by in-

serting “strengthening quality by” after “for
the purpose of”.

REPEALS

Sec. 7. Section 5 of the Act is amended by

repealing subsection (a).

NATIONAL COUNCIL ON THE ARTS

Sec. 8. Section 6 of the Act is amended by

inserting after the first sentence of subsec-

tion (2) thereof the following: “The term of
office of all Council members shall expire on
the third day of September in the year of ex-
piration.”

ACTIVITIES OF THE NATIONAL ENHANCEMENT FOR

THE ARTS

Sec. 9. (a) Section 7(c)(2) of the Act is am-

ended by inserting before the term “loans,” in
the matter preceding the last period, the fol-

lowing term:

“American creativity

(b) The last sentence of section 7(c) of
the Act is amended by inserting the word
“State” and Public Welfare” and inserting in lieu
thereof “Labor and Human Resources”.

STATE HUMANITIES COUNCILS

Sec. 10. (a) Section 7(b)(3) of the Act is am-

ended to read as follows:

“(2) Whenever a State desires to desig-

nate or to provide for the establishment of a
State agency or a State grant program for the
administration of the State plan, such State
shall designate the humanities council, or
equivalent body, as the State agency for the
administration of the State plan, or

(b) (A) The last sentence of paragraphs (6)(A) and (B) of section 7(f) of the Act is amended by inserting the following:

“1. The Senate and the House of Repre-
sentatives fund and grants under this sub-
section shall not be available to the State
agency or other entity to which funds were
available to the State agency or other entity
under the provisions of this Act for any fiscal
year under which such funds were available.

“(2) (A) Whenever a State desires to desig-
nate or to provide for the establishment of a
State agency or a State grant program for the
administration of the State plan, such State
shall designate the humanities council, or
equivalent body, as the State agency for the
administration of the State plan, or

“(B) The last sentence of section 7(c) of
the Act is amended by inserting the word
“State” and Public Welfare” and inserting in lieu
thereof “Labor and Human Resources”.

“(C) The last sentence of section 7(c) of
the Act is amended by inserting the word
“State” and Public Welfare” and inserting in lieu
thereof “Labor and Human Resources”.

“(D) The last sentence of section 7(c) of
the Act is amended by inserting the word
“State” and Public Welfare” and inserting in lieu
thereof “Labor and Human Resources”.

“THE CHAIRMAN may enter into interagency
agreements to promote or assist with the
arts-related activities of other Federal Gov-
ernment agencies, in order to avoid dupli-
cation of efforts or to maximize the leverage
of Federal financial assistance received by
such State under this subsection which is
not reimbursable, and may use funds au-
thorized for the purposes of section 5(e) of
this Act for the purposes of such activities.”

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not reimbursable, and may use funds au-
thorized for the purposes of section 5(e) of
this Act for the purposes of such activities.”
fraud" that Daniel Ellsberg could be prosecuted?

It is important to note that a new form of protection was found in §1301(b) which makes it a bar to prosecution if the obstruction is committed "solely for the purpose of preventing the entry of the person into the place of public business." Such a bar does not exist now in current law and it aimed at avoiding a repetition of Ellsberg for his access to the Pentagon Papers.

Ninth. Does the offense, "obstruction of a government function by physical interference," apply to all public officials?

The provision is now narrower than existing statutes insofar as the general term "public servant" in (a) (1) has been replaced with a more specific, defined term of "United States officials, a judge, a juror, a law enforcement officer, an employee of an official delegation facility", adding the Federal Probation System. This change substantially reduces the number of federal officials subject to obstruction under existing law.

Tenth. May prosecutions for violating "obstructing government function by physical interference with basic free speech?"

It is a defense to the exercise of First Amendment rights (§5). The criticism ignores §1503(b) which makes it a defense to prosecute former employees. These protections are not absolute rights of free speech or assembly, but did not involve violence and "did not significantly obstruct or impair a government function in current law.

Eleventh. Would the section of "obstructing government function by physical interference" interfere with basic free speech?

It is a defense to the exercise of First Amendment rights. There are two answers to the hypothetical: (1) It is technically already a crime to engage in this activity if a conspiracy is involved. The crime is §1831(a) for "obstructing or deceiving in current law; (2) It is a recognition for the first time in federal criminal law that an obstruction of some sort may be a defense to first amendment activity in certain cases.

Twelfth. Wouldn't the section of "obstructing government function by physical interference" permit a person that a person who rings a wiretap off his phone be guilty of an offense?

One can always think up some fact situation which would lead an unscrupulous prosecutor to invoke a provision never intended by the Congress to be enforced. But, in the absence of clear evidence of legislative intent, there is no rule.

Thirteenth. Does the bill weaken white collar crime provisions in current law?

The exact opposite is true; if there is one area of the new code which substantially strengthens existing law, it is this area of white collar crimes. A partial list of what the new law does for improvements includes: a new section making it a federal offense to engage in conduct that "any person" knew would either cause "death or serious bodily injury." A new conduct includes any act or omission that "is likely to cause death or serious bodily injury;" a new conduct which involved the "commission of a federal offense.

Fourth. Isn't false oral statements a totally new offense?

False oral statements are already a federal crime, covered in 18 U.S.C. 1001. Defendants continually makes reference to the fact that one can circumvent the new law by falsely making false oral statements because the old law has not been followed by other courts. See Committee Report at 378. But beyond this opponents are unfair in minimizing the protection. The new crime is a newly created requirement not found in current law (1895(b)(4)) which was offered by Senator Baucus. Great concern was raised over the possibility of a "my word against your .

Fifteenth. Do the extortion provisions make Federal law in new extortion prosecutions against labor union members who picket or puncture tires?

This year's labor extortion provision is limited to labor conduct causing "death or severe bodily injury," i.e., property damage is exempt. In addition, the provision is only applicable if state or local authorities are unable or unwilling to prosecute.
February 7, 1980.

CONGRESSIONAL RECORD—SENATE

S 1281

recipient, which has a plan or application
approved by the Chairman in effect on the
first day of such fiscal year, to pay not more
than 60 per centum of the total
proceeds, as described in paragraph (1),
amount of any

(3) Section 7(1) (b) (5) of the Act is amended
by inserting “Grant agency or” before “every entity”.

(4) Section 7(f) (8) of the Act is amended
by inserting “a State” before “any entity.”

(5) Section 7(f) (7) of the Act is amended
(a) by inserting “group or” before “grant record
relative amount of grant record or
relative grant record recipient”;

(b) by inserting “State agency or” before “grant recipient” in clause (B); and

(c) by striking out “plan” in clause (B) and
inserting in lieu thereof “State plan or
grant recipient application”;

(d) Section 7(f) (5) of the Act is further amended by
inserting at the end thereof the following
new paragraph:

“(A) forth the purpose of paragraph (4) (5) of
the Act is further amended by
inserting immediately after subsection (b) the following new subsection:

“(1) The Chairman may authorize the
Chairman or any other person to
revenue services and any
with the humanities-related activities
of other agencies of the Federal Government,
other than revenue services and any
with the humanities-related activities
of other agencies of the Federal Government,
other than the services and activities of
the humanities-related activities
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GRANTS BY THE CHAIRMAN

Sec. 13. Section 10(a) (2) (C) of the Act is amended
by inserting “January” and “inserting in
thereafter “April”.

(2) Section 10(c) of the Act is amended
by striking out “January” and inserting in
thereafter “April”.

AUTORIZATION OF APPROPRIATIONS

Sec. 15. (a) (1) The first sentence of section 7(a) (b) of the Act is amended to read as follows:

“(A) For the purpose of carrying out section
8(e), there are authorized to be appropriated
for the National Endowment for the
Arts $15,500,000 for each fiscal year 1981, $13,000,000 for each fiscal year 1982, and for each fiscal year thereafter, $12,000,000 for each fiscal year 1984 and 1985.

(b) The first sentence of section 11(b) (1)
(iii) of the Act is amended to read as follows:

“(A) For the purpose of carrying out section
8(c), there are authorized to be appropriated
for the endowment for the Humanities
$11,000,000 for each fiscal year 1981, $12,500,000 for each fiscal year 1982, and for each fiscal year thereafter, $12,000,000 for each fiscal year 1984 and 1985.”

(c) The first sentence of section 11(c) (1)
(ii) of the Act is amended to read as follows:

“(A) There are authorized to be appropriated
for the National Endowment for the
Arts $12,500,000 for each fiscal year 1981, $13,000,000 for each fiscal year 1982, $16,500,000 for each fiscal year 1983, $18,000,000 for each fiscal year 1984, and $17,500,000 for each fiscal year, to endow the provisions of this Act, including
not to exceed $5,000,000 in any fiscal year for official representation and reception expenses, any other purpose, or any of the purposes of this Act, in which case the
Chairman of the National Endowment for the
Arts is responsible.”

Mr. FELL, Mr. President, today we are considering S. 1386, a bill to reauthorize the National Endowment for the Arts and the National Endowment for the Humanities for 5 years or through fiscal year 1985.

The legislation contains a number of provisions which will allow the endowments to serve their respective constituencies from a broader financial base and yet at the same time operate more effectively and efficiently. Accordingly, the bill provides for a continuation of the funding levels of the arts and humanities programs at the levels authorized under the 1976 reauthorization legislation.

These grants, which were an important feature of the 1976 reauthorization legislation, have had an important impact in providing cultural enrichment and in the levels of their financial support from private sources. The required match of $3 nonfederal for each Federal dollar has produced a uniquely successful cultural partnership between Federal and private sectors. While continuing to serve the major cultural institutions, I believe that the Arts Endowment should expand the challenge grant concept to include a broader range of small arts organizations, especially those whose own fundraising capabilities are not yet highly developed. Challenge grants should assist all institutions in achieving better financial and management results.

In order to administer the Challenge and Treasury grant money as efficiently as possible, the legislation allows those states to receive these grants to the endowments that the matching dollars are actually in hand rather than transmit these dollars to the Treasury for retransmission to the state, as is required under the current regulations. These changes will substantially reduce the time required to make these changes in the committee bill, since the cumbersome transfer of funds will no longer be required.

Another feature of the bill which is of special interest to me authorizes the Chairman of the National Endowment for the Arts to support the arts at the local level.

The emergence of strong local or community arts agencies is a tremendously positive development on the national art scene. Partly due to the assistance and encouragement of the State arts councils, the number of community arts agencies, has increased from 200 to well over 2,000 in the last 10 years. These agencies are large and small, urban, suburban, and rural, and they are the ones that actually touch the lives of more people across the country. I sincerely hope that the arts endowment will develop a program of support for these increasingly important local arts organizations.

The section of the bill which deals with the humanities programs in the States is the result of many months of
thought and concern. As some of my colleagues may recall, I have been especially interested in the success of State humanities programs for many years. The 1976 reauthorizing legislation, which I sponsored, helped bring the programs of the humanities committees in each State to a broader and a very receptive public. The ever-wider variety of humanities programs is tremendously encouraging to me.

I am disappointed, however, in one important aspect of this report on the reauthorization of the State's allotment of funds must be named. In addition, the State must match 50 percent of the minimum State grant or 25 percent of the total amount of Federal grants to the State for the fiscal year. These moneys must come from newly appropriated State funds and should not be transferred from other State programs such as those in the arts. The committee believes that separate programs are important to the continued strength of the arts. I am especially gratified to see the growing number of professional symphony orchestras eligible for assistance has grown from 58 to 144; opera companies from 27 to 65; professional theaters from 23 to 270; dance companies from 37 to 260. This magnificent growth has been accompanied by a concomitant improvement in the quality of cultural programs. And, as a result of the informed policy of the central, State, and local officials, both generated, and responded to, public involvement in the arts. Orchestrations have tripled their audiences since 1986, from 70 million per year. Over 5,000 museums last year, more than nine times the paid attendance of professional baseball, football, and basketball games.

This authorization of arts, humanities, and museum programs reflects the subcommittee's general satisfaction with the operation of the two endowments and the Institute of Museum Services, and this is only a small extension of these activities. The endowment of $300 million funded 2 years for the Institute, $3,186, the Arts and Humanities Act of 1986, recognizes an expanded role for community arts councils, and I initiated in 1976, which has proven to be a critical link in establishing a cultural partnership between the public and private sectors—to include a greater diversity of cultural institutions, while maintaining the highest standards of quality we have come to expect from our country.

The principal feature of our reauthorization of the Humanities Endowment programs relates to the role of the State humanities programs. Current law provides that a State may appoint two members to a public State humanities council, unless the State chooses to match Federal financial assistance, in which case the Governor may appoint one-half the membership of the council.

My friend, and the initiator of the humanities endowment concept, Senator Pell and I, have been pleased to see a State may establish an official State humanities council based upon a requisite level of State appropriation for the humanities and the designation of the existing humanities organizations as the State council. If a State elects to meet these criteria, the Governor of that State will be entitled to appoint new members as terms of current members expire. It is especially important for the new members to officially play a greater role in the development of State humanities programs, similar to their activity in arts programs. Accordingly, the committee expressed interest in the possibility that the existing councils be retained, while the guarantee that State councils may be more assertive in their stewardship of public funds. The committee also emphasized that any officially designated council is to be the central, policymaking council for a State humanities agency, rather than an advisory adjunct of a new State bureaucracy under the aegis of a State Governor.

Mr. President, S. 1429 reauthorizes the Institute of Museum Services for a period of 2 years rather than a longer period, to allow the subcommittee to determine the best use of the money and place it in the Smithsonian, as part of a trial with the two endowments, or in the Department of Education, which is its current home. As the Institute is a fledgling entity, established only 5 years ago, we will have the opportunity next 2 years to examine its functioning as a relatively autonomous segment of the new Department, and whether the...
necessary improvements in management of the Institute's grant-making procedures specified in S. 1429 will render most an alternative location.

Finally, Mr. President, I would like to note that any friend and colleague from the House, Ted Weiss, has introduced innovative legislation, which we did not have the opportunity to consider prior to S. 1366's reaching the floor, to fund a national fund and the Endowment, to employ artists in community-related creative projects. This Federal arts' program would channel funds to local sponsoring organizations selected by regional, State, city, and community arts agencies to reduce endemic unemployment and underemployment among artists and simultaneously increase the availability of cultural experiences to the public. Sponsoring organizations would supply a portion of the artist's salary and supply necessary materials, with the endowment providing the remaining share. I believe that Congressman Weiss' proposal merits serious consideration as the other body continues its deliberations on NFA programs. I hope that we will be able to review this proposal, or a modification thereof, when we reach conference on this bill.

Mr. President, last June 28, my dear friend Agnes DeMille opened her most recent Ballet, which extended Federal role in cultural affairs by quoting Bernard Shaw: "Next to torture, art persuades fastest." With this caveat in mind, I urge my colleagues to support these measures.

UP AMENDMENT NO. 822

Mr. PELL. Mr. President, I send to the desk technical amendments which have been worked out in cooperation with the Budget Committee, and I ask the clerk to read them.

THE PRESIDENT. The amendment will be stated.

THE PRESIDENT. The amendment is as follows:

The Senator from Rhode Island (Mr. PELL) proposes an unprinted amendment numbered 672.

Mr. PELL. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with.

The PRESIDENT. Without objection, it is so ordered.

The amendments are as follows:

On page 7, line 18, strike out "may" and insert in lieu thereof "shall".
On page 7, line 32, strike out "authorized" and insert in lieu thereof "appropriated".
On page 8, line 22, strike out "1979" and insert in lieu thereof "1980".
On page 14, line 21, strike out "may" and insert in lieu thereof "shall".
On page 27, line 30, strike out "authorized" and insert in lieu thereof "appropriated".

Mr. PELL. These amendments are designed to avoid any implication that contract authority vested in the endowments could be back-door funding in violation of the Budget Act. The amendments have been cleared on both sides. I move the adoption of these amendments at this time.

The PRESIDENT. The question is on agreeing to the amendments.

The amendments were agreed to.

The PRESIDENT. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. PELL. I move to lay that motion on the table.

The motion to lay the bill on the table was agreed to.

MUSEUM SERVICES AMENDMENTS OF 1980

THE PRESIDENT. The clerk will state the next bill by title.

The legislative clerk read as follows: Calendar 357, a bill (S. 1429) to extend the Museum Services Act for 2 years, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Labor and Human Resources with an amendment to strike all after the enacting clause and insert the following:

That this Act may be cited as the "Museum Services Amendments of 1989."

Sec. 2. Section 302 of the Museum Services Act is amended by adding at the end thereof the following:

(c) The Director may appoint without regard to the provisions of title 5 of the United States Code governing appointment in the competitive service and may compensate without regard to the provisions of chapter 45 of title 5 of such title relating to classification and General Schedule pay rates not to exceed one-fifth of the number of full-time regular technical or professional employees of the institution. The rate of basic compensation for such employees may not equal or exceed the rate prescribed in the General Schedule applicable to the question of this Act.

(b) The Senate Committee on Labor and Human Resources, and the House Committee on Appropriations, may recommend to the Director the addition of museums to the list of eligible museums to receive grants under this Act.

Sec. 3. Section 306 of the Museum Services Act is amended by redesignating subsection (b) as subsection (c) and by adding after subsection (a) the following new subsection:

(b) (1) The Director, subject to the policy direction of the National Museum Services Board, is authorized to enter into contracts and cooperative agreements with professional museum organizations to provide financial assistance to such organizations in order to enable such organizations to undertake projects designed to strengthen museum services.

(b) (2) No financial assistance may be made under this subsection for any project in excess of one year.

(b) (3) No grant may be made under this subsection, in the case of any financial assistance or contract payments, to any professional museum organization.

(b) (4) The aggregate amount of financial assistance made under this subsection to professional museum organizations shall not exceed 5 per centum of the amount appropriated under this Act for fiscal year 1982.

(b) (5) The term "professional museum organization" means a nonprofit professional organization, or association which engages in activities designed to advance the well-being of museums and the museum profession.

(b) (6) Section 206(c) of such Act (as redesignated by subsection (a)) is amended—

(1) by inserting "contracts and cooperative agreements after "Grants;"

(2) by inserting "or financial assistance" after "grant;" and

(3) by inserting "or financial assistance" after "grants.

Sec. 4. Section 206 of the Museum Services Act is further amended by adding at the end thereof the following new subsection:

(d) The Director shall establish procedures for reviewing grant applications or contracts and cooperative agreements made or entered into under this section. Procedures for reviewing grant applications or contracts and cooperative agreements made or entered into under this section may not be subject to any review outside of the Institute.

Sec. 5. (a) Section 309 of the Museum Services Act is amended by striking out "and" and by inserting before the period at the end thereof the following: "$21,500,000 for fiscal year 1981, and $22,000,000 for fiscal year 1982."

(b) Section 206(d) of such Act is amended by striking out "1980" and inserting in lieu thereof "1982."

Mr. PELL. Mr. President, today the Senate is taking up S. 1429, the Museum Services Amendments of 1989. This legislation would extend the Services Act for 2 years, rather than the usual five, so that it could be treated to the Senate's location within the Federal Government at the end of that period.

The bill was ordered to be read a third time.

The PRESIDENT. The question is on agreeing to the amendments.

S. 1429 makes minor changes to the existing statute. One of these changes would allow the Institute to use up to 5 percent of its appropriation to make contracts and cooperative agreements with professional museum organizations. These organizations, which are currently not eligible for assistance, engage in activities designed to advance the well-being of museums and the museum profession. Contracts would be limited to 1 year, and would be reviewed locally for specific projects rather than for general operating support.

A second change authorizes the Institute to establish its own grant review procedures. This would allow the Institute to utilize peer review, similar to that employed by the Endowments for the Arts and Humanities. If it believed that such an advisory panel system would result in the highest quality judgments.

A third change authorizes the Institute to hire a limited number of experts in the museum field as excepted personnel. There is at present no specific
The Senate proceeded to consider joint resolution (S.J. Res. 130) to authorize and request the President to proclaim May 1, 1980, as "National Save the Children Day.

Mr. WEICKER. Mr. President, I would like to express my sincere appreciation to the Senate Committee on the Judiciary for their expeditious action in favorably reporting Senate Joint Resolution 130, which I introduced December 16, 1979, as "National Save the Children Day". Second, I would like to express my thanks to Senators Ribicoff, Javits, Hatfield, Moynihan, Harris, Stafford, McGovern, Chafee, Laksi, Thomas, Williams, and Hary, who joined with me in cosponsoring this resolution.

Mr. President, for centuries the first day of May has been the traditional symbol of spring, the flowering of new life and the rebirth of hope for the future. Children represent that new life and hope for the future of our Nation. With this in mind, I believe we can all agree that there is no better measure of the spiritual strength of our Nation than the commitment we make to our children.

By designating May 1, 1980, as "National Save the Children Day," we will begin a new decade with the reaffirmation to our children as a national priority and our most precious resource. On that day, every American must come together to secure our national resilience, tenacity and adaptability. But we will also concentrate on their matevety, vulnerability and defenselessness so that we can be prepared to grow to adulthood.

All of us are the beneficiaries of generations of Americans who cared about us. Because you are fed, housed, educated, and healthy. For us opportunity abounds. However, with that blessing comes the obligation of stewardship for the American tradition. We must must in every way, assess the unique opportunity to broaden the horizon of our children's lives so that they may be the future beneficiaries of those things that make America great.

Therefore, we must keep faith in those who need our faith, our children. They have no voice in the day-to-day decisions being made by the powerful private sectors of our society. So they must put their trust in adults, responsible adults, for comfort, direction and inspiration until they reach adulthood themselves. John Stuart Mill said it well, more than a century ago: "The existing generation is master both of the training and the entire experience of the generation to come."

Mr. President, Eglantyne Jebb, an Englishwoman, founded the World Children Movement after World War I, in 1919. She also authorized the original version of the Declaration of the Rights of the Child for the League of Nations. Seventy years ago, the United Nations issued a similar declaration based on the original League of Nations' version. The 10 basic rights of the child are as follows:

1. The right to affection, love and understanding.
2. The right to adequate nutrition and medical care.
3. The right to free education.
4. The right to full opportunity for play and recreation.
5. The right to a name and nationality.
6. The right to special care, if handicapped.
7. The right to be among the first to receive relief in times of disaster.
8. The right to learn to be a useful member of society and to develop individual abilities.
9. The right to be brought up in a spirit of peace and universal brotherhood.
10. The right to enjoy these rights, regardless of race, color, sex, religion, national or social origin.

The essential rights outlined above are very important to these members of the human family, and they should also be important to us, the parents.

Mr. President, I urge full support of Joint Resolution 130 by my colleagues in the Senate. Our Nation must focus on our children, we must listen to their voices of concern, seek remedies and provide solutions so that they will be able to carry on the future of this country.

The joint resolution was ordered to be engrossed for a third reading, read the second time, and passed.

Mr. GLENN. Mr. President, I move to reconsider the vote by which the joint resolution was agreed to and, Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. Res. 130

Whereas for centuries the first day of May has been the traditional symbol of spring, the beginning of a new decade, new life and the rebirth of hope for the future; and

Whereas children represent that new life and hope for the future of our Nation; and

Whereas our Nation should concentrate on creating a better future world in which our children will grow so that they will feel assured that they will have every opportunity to achieve their maximum potential as adults; and

Whereas twenty years ago, the United Nations, in recognition of the importance of these members of the human family, issued a declaration outlining the essential rights of all children; and

Whereas during the year 1979 forty-two of our Nation's State Governors issued proclamations declaring May 1 as "Save the Children Day"; and

Whereas into the 1980's and beyond, Americans should continue to acknowledge children as a national priority and our most precious resource; and

Whereas our Nation should reaffirm its commitment to preserving our Nation's children so that they will be able to carry on the future of this country: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating May 1, 1980, as "National Save the Children Day"; and calling upon Federal, State, and local government agencies, interested groups, organizations, and the people of the United States to observe May 1 as a day with appropriate ceremonies, programs, and activities.

TRADE WITH CHINA

Mr. THURMOND. Mr. President, the recognition of the People's Republic of China offers the United States a huge new market for international trade.

It is vital, however, that the United States carefully approach the potential trade with China so that large commodities of cheap goods, such as textiles, will not flood U.S. markets.

Mr. President, a recent editorial by WBSP Radio and TV of Spartanburg, S. 1284

CONGRESSIONAL RECORD—SENATE
February 7, 1980

civil service classification for museum specialists. The excepted personnel would fill this gap in the Institute's staff.

I believe S. 1429 provides an excellent basis for the future of the Museum Services Institute. I urge my colleagues to support the legislation.

UP AMENDMENT NO. 973

Mr. PELl. I send to the desk a technical amendment which has been worked out in cooperation with the Budget Committee. This amendment merely corrects technical errors in the bill and has been cleared on both sides. I ask the clerk to enter into the record:

The PRESIDENT OF THE SENATE. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Rhode Island (Mr. Pell) proposes an unprinted amendment numbered 973.

Mr. PELL. Mr. President, I ask unanimous consent that further reading of the amendment to be dispensed with.

The PRESIDENT OF THE SENATE. Without objection it is so ordered.

The amendment is as follows:

On page 4, line 34, insert after "amended" the following: "by inserting 'and for the purpose of entering into contract and cooperative agreements under section 206(b), and after 'section 206(a)', and".

Mr. PELL. Mr. President, I move the adoption of the amendment.

The PRESIDENT OF THE SENATE. The question on adoption of the amendment of the Senator from Rhode Island.

The amendment was agreed to.

The PRESIDENT OF THE SENATE. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. GLENN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

NATIONAL SAVE THE CHILDREN DAY

This Senate proceeded to consider joint resolution (S.J. Res. 130) to authorize and request the President to proclaim May 1, 1980, as "National Save the Children Day."

Mr. WEICKER. Mr. President, I would like to express my sincere appreciation to the Senate Committee on the Judiciary for their expeditious action in favorably reporting Senate Joint Resolution 130, which I introduced December 16, 1979, as "National Save the Children Day". Second, I would like to express my thanks to Senators Ribicoff, Javits, Hatfield, Moynihan, Harris, Stafford, McGovern, Chafee, Laksi, Thomas, Williams, and Hary, who joined with me in cosponsoring this resolution.

Mr. President, for centuries the first day of May has been the traditional