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## National Foundation on the Arts and Humanities: Reauthorization (1985): Report 06

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STATEMENT IN SUPPORT OF THE ABM TREATY (By former Secretaries of Defense, released by the National Campaign to Save the ABM Treaty on October 3, 1985, the thirteenth anniversary of the Treaty)

On the thirteenth anniversary of the entering into force of the ABM Treaty, we reaffirm our view that this international agreement of unlimited duration makes an important contribution to American security and to reducing the risk of nuclear war. As former Secretaries of Defense, we call upon the American and Soviet governments both to avoid actions that would undermine the ABM Treaty and to bring to an end any prior departures from the terms of the Treaty, such as the Krasnoyarsk radar. We urge President Reagan and General Secretary Gorbachev to reach agreement in Geneva to negotiate new measures which would prevent further erosion of the Treaty and assure its continued viability.

Hon. HAROLD BROWN,  
Hon. CLARK M. CLIFFORD,  
Hon. MELVIN R. LAIRD,  
Hon. ROBERT S. MCNAMARA,  
Hon. ELLIOT L. RICHARDSON,  
Hon. JAMES R. SCHLESINGER.

Mr. STAFFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BUDGET ACT WAIVER

Mr. STAFFORD. Mr. President, after conferring with both the majority leader and the minority leader, I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 226, the budget waiver to accompany S. 1264, National Foundation on the Arts and the Humanities Amendments of 1985.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read as follows:

A resolution (S. Res. 226) waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 1264.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to, as follows:

#### S. Res. 226

*Resolved*, That pursuant to section 402(c) of the Congressional Budget Act of 1974, the provisions of section 402(a) of such Act are waived with respect to the consideration of S. 1264, a bill to amend the National Foundation on the Arts and Humanities Act of 1965, to extend the authorization of appropriations for that Act, and for other purposes. Such waiver is necessary to permit the authorization of funds for the National Endowment for the Arts, the National Endowment for the Humanities and the Institute of Museum Services.

Mr. STAFFORD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

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

The motion to lay on the table was agreed to.

#### NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES AMENDMENTS OF 1985

Mr. STAFFORD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 274, S. 1264.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (S. 1264) to amend the National Foundation on the Arts and Humanities Act of 1965, to extend the authorization of appropriations for that act, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Human Resources, with an amendment to strike out all after the enacting clause and insert the following:

That this Act may be cited as the "National Foundation on the Arts and the Humanities Amendments of 1985".

#### PROJECT DEFINITION; CONSTRUCTION OF FACILITIES

Sec. 2. Section 3(d)(2) of the National Foundation on the Arts and the Humanities Act of 1965 (hereafter in this Act referred to as the "Act") is amended by inserting "for the purposes of section 5(l) only," after "(2)".

#### APPLICATION APPROVAL OF NATIONAL COUNCIL ON THE ARTS

Sec. 3. The last sentence of section 6(f) of the Act is amended by striking out "\$17,500" and inserting in lieu thereof "\$30,000".

#### STATE HUMANITIES COUNCILS

Sec. 4. Section 7(f)(2)(B)(i) of the Act is amended—

(1) by striking out "four" and inserting in lieu thereof "six"; and

(2) by striking out "20 per centum" and inserting in lieu thereof "25 per centum".

#### PROGRAM FOR THE COMMEMORATION OF THE BICENTENNIAL OF THE CONSTITUTION OF THE UNITED STATES AND THE BILL OF RIGHTS

Sec. 5. Section 7 of the Act is amended by adding at the end thereof the following new subsection:

"(i)(1) The Chairman of the National Endowment for the Humanities, with the advice of the National Council on the Humanities, shall, in accordance with the provisions of this subsection, carry out a program in the humanities for the commemoration of the bicentennial of the Constitution of the United States and the Bill of Rights.

"(2) To commemorate the bicentennial anniversary of the Constitution of the United States and the Bill of Rights, the Chairman of the National Endowment for the Humanities—

"(A) is authorized to make grants to local educational agencies, private elementary and secondary schools, private organizations, individuals, and State and local public agencies in the United States for the development of instructional materials and programs on the Constitution of the United States and the Bill of Rights which are de-

signed for use by elementary or secondary school students; and

"(B) shall implement an annual national bicentennial Constitution and Bill of Rights competition based upon the programs developed and used by elementary and secondary schools.

"(3) In carrying out the program authorized by this subsection, the Chairman of the National Endowment for the Humanities shall have the same authority as is established in section 10."

#### NATIONAL COUNCIL ON THE HUMANITIES

Sec. 6. The second sentence of section 8(b) of the Act is amended by inserting after "selected" the following: "from citizens of the United States who are recognized for their knowledge of, expertise in, or commitment to the humanities and".

#### AUTHORIZATION OF APPROPRIATIONS

Sec. 7. (a) EXTENSION OF AUTHORIZATIONS.—(1)(A) The first sentence of section 11(a)(1)(A) of the Act is amended to read as follows: "For the purpose of carrying out section 5(c), there are authorized to be appropriated to the National Endowment for the Arts \$118,678,000 for fiscal year 1986, \$123,425,120 for fiscal year 1987, \$128,362,125 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990."

(B) The first sentence of section 11(a)(1)(B) of the Act is amended to read as follows: "For the purpose of carrying out section 7(c), there are authorized to be appropriated to the National Endowment for the Humanities \$95,207,000 for fiscal year 1986, \$99,015,280 for fiscal year 1987, \$102,975,891 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990."

(2)(A)(i) The matter preceding clause (i) of section 11(a)(2)(A) of the Act is amended by striking out "1985" and inserting in lieu thereof "1990".

(ii) The exception at the end of section 11(a)(2)(A) of the Act is amended to read as follows:

"except that the amounts so appropriated to the National Endowment for the Arts shall not exceed \$8,820,000 for fiscal year 1986, \$9,172,800 for fiscal year 1987, \$9,539,712 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990."

(B)(i) The matter preceding clause (i) of section 11(a)(2)(B) of the Act is amended by striking out "1985" and inserting in lieu thereof "1990".

(ii) Clause (ii) of section 11(a)(2)(B) of the Act is amended by inserting "and subgrantees" after "grantees" each time it appears in such clause.

(iii) The exception at the end of section 11(a)(2)(B) of the Act is amended to read as follows:

"except that the amounts so appropriated to the National Endowment for the Humanities shall not exceed \$10,780,000 for fiscal year 1986, \$11,211,200 for fiscal year 1987, \$11,659,648 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990."

(3)(A)(i) The matter preceding clause (i) of section 11(a)(3)(A) of the Act is amended by striking out "1985" and inserting in lieu thereof "1990".

(ii) The exception at the end of section 11(a)(3)(A) of the Act is amended to read as follows:

"except that the amounts so appropriated to such Endowment shall not exceed \$20,580,000 for fiscal year 1986, \$21,403,200 for fiscal year 1987, \$22,259,328 for fiscal year 1988, and such sums as may be neces-

sary for each of the fiscal years 1989 and 1990."

(B)(i) The matter preceding clause (i) of section 11(a)(3)(B) of the Act is amended by striking out "1985" and inserting in lieu thereof "1990".

(ii) The exception at the end of section 11(a)(3)(B) of the Act is amended to read as follows:

"except that the amounts so appropriated to such Endowment shall not exceed \$19,600,000 for fiscal year 1986, \$20,384,000 for fiscal year 1987, \$21,189,360 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990."

(b) AUTHORIZATION FOR CONSTITUTION BICENTENNIAL PROGRAM.—Section 11(a) of the Act is amended—

(1) by redesignating paragraph (4) as paragraph (5), and

(2) by inserting after paragraph (3) the following new paragraph:

"(4) Of the amounts appropriated for the fiscal year 1987 and for each of the succeeding fiscal years ending prior to October 1, 1990, \$5,000,000 shall be available for the purpose of carrying out section 7(d)."

(c) AUTHORIZATION FOR ADMINISTRATION.—(1) Section 11(c)(1) of the Act is amended to read as follows:

"(1) There are authorized to be appropriated to the National Endowment for the Arts \$15,582,000 for fiscal year 1986, \$16,205,280 for fiscal year 1987, \$16,853,491 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990, to administer the provisions of this Act, or any other program for which the Chairman of the National Endowment for the Arts is responsible."

(2) Section 11(c)(2) of the Act is amended to read as follows:

"(2) There are authorized to be appropriated to the National Endowment for the Humanities \$13,891,000 for fiscal year 1986, \$14,446,640 for fiscal year 1987, \$15,024,506 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990, to administer the provisions of this Act, or any other program for which the Chairman of the National Endowment for the Humanities is responsible."

(d) AUTHORIZATION MAXIMUMS.—Section 11 of the Act is amended—

(1) by redesignating subsection (d) as subsection (e), and

(2) by inserting after subsection (c) the following new subsection:

"(d)(1) The total amount of appropriations to carry out the activities of the National Endowment for the Arts shall not exceed—

"(A) \$163,660,000 for fiscal year 1986,

"(B) \$170,206,400 for fiscal year 1987, and

"(C) \$177,014,656 for fiscal year 1988.

(2) The total amount of appropriations to carry out the activities for the National Endowment for the Humanities shall not exceed—

"(A) \$139,478,000 for fiscal year 1986,

"(B) \$145,057,120 for fiscal year 1987, and

"(C) \$150,859,405 for fiscal year 1988."

#### REPEALERS

SEC. 8. (a) EXECUTED INDEMNITY STUDY REPEALED.—Subsections (d) and (e) of section 9 of the Act are repealed.

(b) EXECUTED PROPERTY STUDY REPEALED.—Subsection (d) of section 10 of the Act is repealed.

#### MUSEUM SERVICES AUTHORIZATION

SEC. 9. Section 209(a) of the Museum Services Act is amended to read as follows:

"(a) For the purpose of making grants under section 206(a), there are authorized to be appropriated \$21,600,000 for fiscal

year 1986, \$22,464,000 for fiscal year 1987, \$23,362,560 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990."

#### ARTS AND ARTIFACTS INDEMNITY PROGRAM AMENDMENTS

SEC. 10. (a) FEDERAL COUNCIL MEMBERSHIP.—Section 2(b) of the Arts and Artifacts Indemnity Act is amended—

(1) by inserting "(1) after the subsection designation; and

(2) by adding at the end thereof the following new paragraph:

"(2) For purposes of this Act, the Secretary of the Smithsonian Institution, the Director of the National Gallery of Art, the member designated by the Chairman of the Senate Commission of Art and Antiquities and the member designated by the Speaker of the House of Representatives shall not serve as members of the Council."

(b) ELIGIBILITY FOR INDEMNITY.—(1) Section 3(b)(1) of the Arts and Artifacts Indemnity Act is amended by striking out ", or elsewhere when part of an exchange of exhibitions, but in no case shall both parts of such an exhibition be so covered" and inserting in lieu thereof "or elsewhere, preferably when part of an exchange of exhibitions".

(2) The amendment made by paragraph (1) shall apply with respect to any exhibition which is certified under section 3(a) of the Arts and Artifacts Indemnity Act after the date of enactment of this Act.

(c) INDEMNITY AGREEMENT LOSS LIMITATIONS.—(1) Section 5(b) of the Arts and Artifacts Indemnity Act is amended by striking out "\$400,000,000" and inserting in lieu thereof "\$650,000,000".

(2) Section 5(c) of the Arts and Artifacts Indemnity Act is amended by striking out "\$50,000,000" and inserting in lieu thereof "\$75,000,000".

#### STUDY OF ALTERNATIVE FEDERAL FUNDING OF THE ARTS AND THE HUMANITIES

SEC. 11. (a) STUDY REQUIRED.—(1) The Comptroller General of the United States shall conduct a study to determine the feasibility of supplementing expenditures made from the general fund of the Treasury of the United States for the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services through other Federal funding mechanisms. The study required by this section shall consider, but is not limited to, the consideration of the following funding sources:

(A) A revolving fund comprised of payments made to the Federal Government through an extension of the existing Federal copyright period for artistic, dramatic, literary, and musical works.

(B) A revolving fund comprised of payments made to the Federal Government for the right to use or publicly perform artistic, dramatic, literary, and musical works in the public domain.

(2) In carrying out the study required by this section, the Comptroller General shall frequently consult with and seek the advice of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the Director of the Institute of Museum Services, the Register of Copyrights, the Chairman of the Labor and Human Resources Committee of the Senate, and the Chairman of the Education and Labor Committee of the House of Representatives, concerning the scope, direction, and focus of the study.

(3) In conducting the study required by this section, the Comptroller General shall consider the impact which the implementation of each supplemental funding mechanism would have on—

(A) any international copyright treaties, commitments, and obligations to which the United States is a party;

(B) public participation in the arts and the humanities;

(C) private, corporate, and foundation support for the arts and the humanities;

(D) the overall quality of arts and the humanities in the United States;

(E) the creative activities of individual authors and artists; and

(F) the activities and operations of private copyrighting organizations.

(b) REPORT.—The Comptroller General shall prepare and submit to the Congress not later than one year after the date of enactment of this Act a report of the study required by this section, together with such recommendations as the Comptroller General deems appropriate.

Mr. STAFFORD. Mr. President, on behalf of the subcommittee on Education, Arts and Humanities, I am pleased to support S. 1264, the bill to reauthorize the National Foundation on the Arts and Humanities Act of 1965. In existence since 1965, this Act authorizes the National Endowment for the Arts, the National Endowment for the Humanities and the Institute of Museum Services. This bill is quite similar to the original bill introduced by our colleague, Senator QUAYLE, on June 7.

Since then, the merits of these programs have been described in hearings and throughout the entire reauthorization process. It has been stressed time and time again, Mr. President, that the combination of these three programs is important not only to our Nation's heritage and cultural developments but also to the educational well-being of all our citizens. Because of the success of the current programs, the bill we have before us is a relatively simple, straightforward reauthorization involving mostly technical changes.

First of all, Mr. President, in keeping with the Congress' concern over budget deficits, the numbers in this proposal stay within the limits contained in the first concurrent budget resolution.

This bill also reauthorizes the Institute of Museum Services which, albeit small, is an important program for the operation of many of our Nation's museums. The administration has tried to eliminate the Institute repeatedly again, but we, the Congress, have just as consistently given our full support.

Furthermore, the bill amends the Arts and Artifacts Indemnity Act, the program which insures art works and thereby increases artistic and cultural opportunities in the United States. By increasing the aggregate level of insurance available at any one time to \$650 million and the level of individual exhibits to \$75,000 we take into consideration the inflationary impact on art works.

CBO estimates no cost increase to the Federal Government from this change as there has been only one claim submitted since enactment of this program in 1975. Furthermore,

Mr. President, the amendment also modifies the exchange requirement in the Arts and Artifacts Indemnity Program to make it possible for coverage for a U.S.-owned work to go abroad. It is my belief that this change will allow for the consideration of unique exhibits which benefit the American taxpayer by fostering better worldwide understanding of American culture and heritage.

As I said earlier Mr. President, this bill is straightforward and includes mostly technical language to clarify congressional intent. I am very pleased with the bipartisan support that went into this reauthorization and am especially grateful to all the members of the subcommittee and, especially, their staff members. I commend this bill to my colleagues.

Mr. PELL. Mr. President, as the chief Senate sponsor of the original National Foundation on the Arts and Humanities Act of 1965, I am especially pleased to join with my colleague Senator STAFFORD in supporting the extension of the vital programs that assist the arts and humanities and provide critically needed aid to our Nation's museums.

With Senator STAFFORD's supportive leadership as chairman of the Subcommittee on Education, Arts and Humanities, we have developed what I believe is a sound and realistic bill that will reauthorize the component parts of the Foundation for 5 years. The current legislation expires as of October 1, 1985 and we propose to extend it through fiscal year 1990.

S. 1264 reflects the subcommittee's general satisfaction with the operation of the two Endowments and the Institute of Museum Services. The Arts and Humanities Endowments are coincidentally observing their 20th anniversary this year and it is a tremendous personal satisfaction to see the growth that has occurred over these two decades. The skepticism and distrust that met our original proposal has long since faded and these agencies are now the very cornerstone of American cultural activity. Endowment grants are now viewed as marks of distinction and achievement and they have had a profound impact on the development and appreciation of the arts and humanities in the United States.

It has also been personally rewarding to note how bipartisan support for these agencies has increased and strengthened over the years. It marks a reaffirmation that our Federal Government does indeed have an important role to play in the support of culture in this country. This role has always been that of the junior partner in any project so as to avoid a dominant Government role in dictating our cultural environment. A fundamental concept of the 1965 legislation holds true today—that private initiative should continue to be the principal and primary source for the support

and encouragement of the arts and humanities in this country.

One major area which has been of particular concern to me over the past two decades has been the humanities programs in the States. I regret that these organizations were not mandated to be official agencies of the States when the legislation was first enacted in 1965. Arts councils have been official State organizations for this entire period and one cannot help but note how successful they have become in attracting State funds for their respective programs.

I believe that the humanities councils would benefit in the long run if they had similar status as official agencies of the States. However, since the first councils were established in the early 1970's, many of them have established very positive and fruitful relationships with their State governments and I commend them for this. In the 1980 reauthorization I asked that four members of each council be appointed by the Governor in each State to broaden the membership and reinforce the linkage between council and State.

The legislation before us today will increase the Governor's appointees to six. As most councils have between 20 and 25 members, 6 gubernatorial appointees is a reasonable and appropriate number and should serve to enhance relations with the States even further.

Many of the administration's own proposals for reauthorization have been incorporated into this bill—changes that are noncontroversial, reasonably and timely. In the Arts and Artifacts Indemnification Program, for example, the aggregate amount of insurance available for exhibitions is raised from \$400 to \$650 million. This is a sensible change which reflects the increased value of works of art as well as the greater demand by museums for indemnification of exhibitions. This program has made it possible for the American public to view an enormous variety of arts and artifacts while saving museums over \$11 million in insurance premiums. The level of indemnity for individual exhibitions is also raised from \$50 to \$75 million in the first increase per exhibition in the history of the program.

The Institute of Museum Services was established in 1976 in the Department of Health, Education, and Welfare and in 1984 was moved by action of the congressional authorizing committees to its current place alongside the Endowments as the third independent cultural agency under the National Foundation on the Arts and Humanities. The Institute operates a unique grant program which provides urgently needed general operating support to our Nation's museums. It also has recently developed a highly useful program of conservation support which has greatly assisted museums in caring properly for their collections.

This year 449 American museums from every geographical area of the country received GOS awards which totaled \$16,723,000. Funds are provided for basic services such as security, maintenance, education and outreach programs—areas that have traditionally been the most difficult to raise private funds for.

It is absolutely critical that these institutions which preserve our national heritage and make it accessible to the public be healthy and secure both fiscally and physically. The American museum-going public and their future generations deserve no less. The Institute of Museum Services makes an important contribution toward insuring the vitality and permanence of all our museums. I am pleased to support the extension of these important Federal cultural programs and I urge my colleagues to do the same.

Mr. HATCH. Mr. President, it is fitting that on the 20th anniversary of the creation of the Arts and Humanities Foundation we in Congress both reauthorize and remember this important program. The National Endowment for the Humanities, the National Endowment on the Arts, and the Institute of Museum Services have contributed significantly to the enrichment of our Nation's cultural life. Today we have the opportunity to reaffirm the importance of these programs.

Wide public support for and appreciation of the arts and humanities is critical to any society which wants to be a civilization. Science and technology have made our lives not only more meaningful but more safe and healthful as well. However, our society must also give equal emphasis to culture and beauty. In truth, the disciplines of the arts and the humanities are much the same as the disciplines of the sciences. They all seek to understand our world and are simply different methods for making our lives more satisfying and more meaningful.

It is important that we in Congress, as well as all Americans, continue to support these disciplines and the museums that protect and display our cultural heritage. The creative impulse that generates new ideas and new solutions to society's problems should be encouraged. Today, with the passage of this reauthorization bill, Congress signals to the rest of the Nation that these programs should continue to be a high priority for public and private support.

(By request of Mr. BYRD, the following statement was ordered printed in the RECORD:)

● Mr. KENNEDY. Mr. President, I am pleased to be a cosponsor of the legislation before us now, S. 1264, to reauthorize the activities of the National Foundation on the Arts and Humanities. The National Endowment for the Arts, the National Endowment for the Humanities and the Institute of Museum Services are programs which enjoy strong bipartisan support.

The hearings held by the Subcommittee on Education, Arts and Humanities reaffirmed our enthusiastic commitment to a Federal policy in support of the arts.

Over the period of the last 20 years, the Endowments have fully realized the expectation of their enabling legislation. They have helped enormously to bring quality arts programming to more Americans. They have helped increase awareness of the arts and have been a strong impetus for fundraising for private and local sources.

A provision which I strongly support provides important new improvements in the indemnity program so that it will have wider availability and application without a loss of focus.

I attended a press conference last week when the challenge grants for 1986 were announced. For five institutions in my State of Massachusetts, the new awards will mean major capital improvement and fundraising support. The national impact of the Challenge Program is extraordinary. The program has been an exceptional one, utilizing in a very positive way, the principles of public and private partnership. For these reasons, I believe it is one of the most effective programs sponsored by the Endowment.

I would like to commend Subcommittee Chairman STAFFORD and Senator PELL for their painstaking efforts to ensure a bill that strengthens these already sound agencies.

In these days of severe budget crisis, it would be easy to overlook the arts and humanities. This bill reaffirms congressional commitment to the program that ensures that our country is as proud of its artistic achievements as it is of its scientific and technical accomplishments. It is this vision for a more complete Nation which is at the center of this bill.

This week we celebrate the 20th anniversary of the Endowments and it is entirely appropriate that the Senate mark the occasion with its endorsement of this legislation to underscore our commitment not to a Federal arts policy, but to a Federal policy in support of the arts.

I read with great interest a recent article in the New York Times which discusses the traditional American support for the arts. It echoes much of our discussion today in the Senate Chamber and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### THE ARTS' KEY ROLE IN OUR SOCIETY

(By Arthur Schlesinger, Jr.)

This is a year curiously dotted by anniversaries; and one must hope that, as we salute the bitter memories of war, a less dramatic anniversary will not slip by unnoticed.

Twenty years ago this week, the Congress passed the National Foundation of the Arts and Humanities Act. The act's preamble declared that support of the arts and humanities, "while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Govern-

ment." In enacting this law, which led to the establishment of the National Endowments for the Arts and for the Humanities, Congress affirmed a conviction that the arts and humanities are vital to the health and glory of the Republic.

This was not a novel idea. In his first annual message, President George Washington told Congress he was "persuaded that you will agree with me in opinion that there is nothing which can better deserve your patronage than the promotion of science and literature." A third of a century later, President John Quincy Adams called for laws promoting "the cultivation and encouragement of the mechanic and of the elegant arts, the advancement of literature, and the progress of the sciences." In the third year of the Civil War, President Abraham Lincoln ordered that construction of the Capitol dome be completed. When critics objected to the diversion of labor and money from the prosecution of the war, President Lincoln said, "If people see the Capitol going on, it is a sign that we intend this Union shall go on."

President Franklin D. Roosevelt recalled this story in 1941 when, in a world ablaze with war, he dedicated the National Gallery of Art in Washington. And President John F. Kennedy recalled both these stories when he urged public support for the arts in 1962. Both Lincoln and Roosevelt, Kennedy said, "understood that the life of the arts, far from being an interruption, a distraction, in the life of a nation, is very close to the center of a nation's purpose—and is a test of the quality of a nation's civilization."

The policy of Federal support is an expression of the value the Republic places on the arts, a symbol of the role assigned to the arts in our national life. And Congress today remains steadfast in its belief in the centrality of arts to a civilized society. It has shown no disposition to repeal the act of 1965 and has steadily resisted Presidential attempts to cut National Endowments budgets.

Yet the idea of public support, and with it the idea that the state of the arts is a matter of national concern, are under increasing challenge—ironically not from Congress but from renegade parts of the intellectual community itself. We live in a decade that likes to disparage government and to exalt the market. We are told that, if a cultural institution cannot pay its way, then it has not economic justification and, if no economic justification, no social justification. Art, we are given to understand, must stand or fall by the box-office test, and the devil take the hindmost.

To deny the arts a public role is the real *trahison des clercs*. For painters, composers, writers, film-makers, sculptors, architects, orchestras, museums, libraries, concert halls, opera houses contribute indispensably to the pride and glory of the nation. They are crucial to the forming of national traditions and to the preservation of civic cohesion. George Washington wrote: "The Arts and Sciences essential to the prosperity of the State and to the ornament and happiness of human life have a primary claim to the encouragement of every lover of his Country and mankind." The arts and humanities serve us all. They are surely as worthy as banks, corporations and other agencies of private profit to be objects of Federal concern, subsidy and even bail-out.

If history tells us anything, it tells us that the United States, like all other nations, will be measured in the eyes of posterity less by the size of its gross national product and the menace of its military arsenal than by its character and achievement as a civilization. Government cannot create civilization. Its action can at best be marginal to the adven-

ture and mystery of art. But public support reinvigorates the understanding of art as a common participation, a common possession.

"Great-nations," said John Ruskin, "Write their autobiographies in three manuscripts—the book of their deeds, the book of their words and the book of their art. Not one of these books can be understood unless we read the two others; but of the three the only quite trustworthy one is the last. The acts of a nation may be triumphant by its good fortune; and its words mighty by the genius of a few of its children; but its art only by the general gifts and common sympathies of the race."\*

Mr. SIMON. Mr. President, I am pleased to support the reauthorization of the National Foundation on the Arts and Humanities Act before us today.

It is fitting that we consider a 5-year extension of the National Endowment for the Arts and the National Endowment for the Humanities on the 20th anniversary of their creation by Congress. Their sister agency, the Institute of Museum Services, is a newer addition to the Foundation and likewise makes a vital contribution to this Nation's cultural life.

Each of us has had an opportunity to benefit from the work of the two Endowments and the IMS. When we enjoy and learn from an afternoon at one of our Nation's museums or a local historical society, chances are that operations or exhibits have received support from the Endowments or the IMS. When a magnificent international touring exhibition such as the King Tut or Picasso shows comes to our country, we have the programs authorized under the Foundation Act to thank. Community outreach and touring programs by performing companies like the Eglegvsky Ballet are largely the product of Foundation agency support. This year's publication of the first volumes of the Dictionary of American Dialects could not have happened without support from Foundation agencies. Many fine public broadcasting presentations, works of visual and performing artists and scholars, and local cultural agencies exist today because of the impetus they have received from small Federal grants.

These benefits come from a very small investment. Our 65 cents per capita investment in the arts and humanities can be compared to the \$75 invested per capita by the Austrian Government. While Federal money is important, and the modest increases in the reauthorization bill recognize this, Foundation agencies have been very successful in generating private interest in arts and humanities program support. The Endowments leverage private support requirements of matching grants, and the substantial increase in private, foundation, and corporate giving over the past two decades is solid proof that the Endowments do spur private support.

This private/public cooperation has yielded great results. I am pleased to say that the achievements of past sup-

port for the arts and humanities can be seen in my home State of Illinois. The Newberry Library, the Art Institute of Chicago, the Field Museum, the Museum of Science and Technology, the Illinois Historical Society and individual scholars at the University of Chicago, Loyola, Northwestern, and many of our smaller private colleges and fine public institutions all receive Foundation or Foundation-generated support and provide a return on this investment that is enjoyed the world over. The Lyric Opera, the Chicago Symphony Orchestra, and experimental theater groups such as Steppenwolf and Wisdom Bridge only begin to name the outstanding Illinois artists who have won the recognition and support of the Foundation agencies. I applaud the last two decades of achievement of the Endowments, and urge my colleagues to support this reauthorization bill to continue their excellent programs through fiscal year 1990. We will benefit as a people if we continue to support that which is best in creativity and scholarship.

Our Nation's continued support for the arts and humanities is possible within the constraints of fiscal responsibility. This bill before us falls within the budget limits set by the 1985 budget resolution yet provides modest increases for Arts, Humanities, and IMS. This funding will generate many times greater private support and cement the public/private partnership which was so carefully nurtured under the chairmanships of Roger Stevens, Nancy Hanks, Livingston Biddle, and Frank Hodsell at the Arts Endowment and of Barnaby Keeney, Ronald Berman, Joe Duffey, and Bill Bennett at the Humanities Endowment. Our firm support will continue their good work.

I am a strong supporter of the Foundation because it gives us all so much—from the third grader in Vermont who writes his first poem because of the artists-in-the-schools program, to the ghetto teenagers in Pittsburgh who hear their first opera through a community outreach program, to the folk artist in southern Illinois whose quiltmaking is recognized for its artistry and history, to the scholars who produce a collected edition of Colonial papers and make them available to both the academic community and the public. Individuals, institutions and indeed our Nation benefit from our support for the arts and humanities. The commitment we make today will help insure that we will have a vital culture, and wide access to that culture, for generations to come.

## AMENDMENT NO. 728

(Purpose: To authorize the Commission on the Bicentennial of the Constitution of the United States to carry out an education program for the commemoration of the Bicentennial of the Constitution of the United States and the Bill of Rights and to provide for the position of Poet Laureate Consultant in Poetry in the Library of Congress)

Mr. STAFFORD. Mr. President, I send to the desk an amendment to the committee substitute.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Vermont (Mr. STAFFORD) proposes an amendment numbered 728.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 9, beginning with line 5, strike out through line 10 on page 10.

On page 10, line 12, strike out "Sec. 6" and insert in lieu thereof "Sec. 5".

On page 10, line 18, strike out "Sec. 7" and insert in lieu thereof "Sec. 6".

On page 13, strike out lines 1 through 10.

On page 13, line 11, strike out "(c)" and insert in lieu thereof "(b)".

On page 14, line 6, strike out "(d)" and insert in lieu thereof "(c)".

On page 15, line 2, strike out "Sec. 8" and insert in lieu thereof "Sec. 7".

On page 15, line 8, strike out "Sec. 9" and insert in lieu thereof "Sec. 8".

On page 15, line 17, strike out "Sec. 10" and insert in lieu thereof "Sec. 9".

On page 16, line 9, strike out the comma.

On page 16, line 23, strike out "Sec. 11" and insert in lieu thereof "Sec. 10".

On page 18, between lines 20 and 21 insert the following:

**EDUCATION PROGRAM FOR THE COMMEMORATION OF THE BICENTENNIAL OF THE CONSTITUTION OF THE UNITED STATES AND THE BILL OF RIGHTS**

Sec. 11. (a) GENERAL AUTHORITY.—(1) The Commission on the Bicentennial of the United States Constitution shall, in accordance with the provisions of this section, carry out an education program for the commemoration of the bicentennial of the Constitution of the United States and the Bill of Rights.

(2) To commemorate the bicentennial anniversary of the Constitution of the United States and the Bill of Rights, the Commission—

(A) is authorized to make grants to local educational agencies, private elementary and secondary schools, private organizations, individuals, and State and local public agencies in the United States for the development of instructional materials and programs on the Constitution of the United States and the Bill of Rights which are designed for use by elementary or secondary school students; and

(B) shall implement an annual national bicentennial Constitution and Bill of Rights competition based upon the programs developed and used by elementary and secondary schools.

(3) In carrying out the program authorized by this section, the Chairman of the Commission shall have the same authority as is established in section 10 of the Nation-

al Foundation on the Arts and the Humanities Act of 1965.

(b) DEFINITION.—For the purpose of this section, the term "Commission" means the Commission on the Bicentennial of the United States Constitution.

(c) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated \$5,000,000 for each of the fiscal years 1987, 1988, 1989, 1990 and 1991 to carry out the provisions of this section.

(2) Amounts appropriated pursuant to paragraph (1) may be used for necessary administrative expenses, including staff.

## POET LAUREATE CONSULTANT IN POETRY

Sec. 12. (a) RECOGNITION OF THE CONSULTANT IN POETRY.—The Congress recognizes that the Consultant in Poetry to the Library of Congress has for some time occupied a position of prominence in the literary life of the Nation, has spoken effectively for literary causes, and has occasionally performed duties and functions sometimes associated with the position of poet laureate in other nations and societies. Individuals are appointed to the position of Consultant in Poetry by the Librarian of Congress for one- or two-year terms solely on the basis of literary merit, and are compensated from endowment funds administered by the Library of Congress Trust Fund Board. The Congress further recognizes this position is equivalent to that of Poet Laureate of the United States.

(b) POET LAUREATE CONSULTANT IN POETRY ESTABLISHED.—(1) There is established in the Library of Congress the position of Poet Laureate Consultant in Poetry. The Poet Laureate Consultant in Poetry shall be appointed by the Librarian of Congress pursuant to the same procedures of appointment as established on the date of enactment of this section for the Consultant in Poetry to the Library of Congress.

(2) Each department and office of the Federal Government is encouraged to make use of the services of the Poet Laureate Consultant in Poetry for ceremonial and other occasions of celebration under such procedures as the Librarian of Congress shall approve designed to assure that participation under this paragraph does not impair the continuation of the work of the individual chosen to fill the position of Poet Laureate Consultant in Poetry.

(c) POETRY PROGRAM.—(1) The Chairman of the National Endowment for the Arts, with the advice of the National Council on the Arts, shall annually sponsor a program at which the Poet Laureate Consultant in Poetry will present a major work or the work of other distinguished poets.

(2) There are authorized to be appropriated to the National Endowment for the Arts \$10,000 for the fiscal year 1987 and for each succeeding fiscal year ending prior to October 1, 1990, for the purpose of carrying out this subsection.

Mr. MATSUNAGA. Mr. President, on behalf of myself and the Senator from Maine (Mr. COHEN), I rise in support of the committee amendment which would create the Office of poet laureate/consultant in poetry of the United States.

This amendment is based on the provisions of my bill, S. 313, which was introduced in January of this year. S. 313 provided for the appointment of a poet laureate of the United States by the President of the United States. During consideration of this measure in connection with the reauthorization of the National Foundation for the

Arts and the Humanities Act, however, I was asked to consider combining the proposed poet laureate of the United States with the existing Office of Poetry Consultant in the Library of Congress, and this I agreed to do. My amendment provides that the poet laureate/consultant in poetry will be appointed and compensated by the Librarian of Congress pursuant to the same procedures in effect when this measure is enacted.

My amendment further encourages other departments and agencies of the Federal Government to use the services of the poet laureate/consultant in poetry for ceremonial occasions, as long as the work of the poet laureate/consultant in poetry is not impaired, and it provides for an annual program, sponsored by the National Endowment for the Arts, at which the poet laureate/consultant in poetry would present a major work or the work of other distinguished poets. Funds in the amount of \$10,000 per year are authorized for this program under the provisions of my amendment.

Mr. President, my amendment recognizes the contributions made by the Library of Congress, which has appointed poetry consultants for nearly 50 years now. The Library's consultant in poetry is well-known among poets and writers and has occasionally performed functions associated with poet laureates in other countries. Nonetheless, the poetry consultant has remained all but invisible publicly. By upgrading this position, by making the poetry consultant a poet laureate, and by giving the poet laureate a public platform, I hope to foster increased recognition and appreciation of poetry in the United States. Our country is one of only a few advanced nations which has failed to give adequate recognition to its great poets. England, from which we inherited many of our cherished democratic ideals, officially created the position of poet laureate in the 17th century, but the unofficial origin of the position dates back to the reign of King Henry III in the 13th century. In this country, poets such as Carl Sandburg, Walt Whitman, Robert Frost, Henry Wadsworth Longfellow, Archibald MacLeish, Robert Penn Warren, Phyllis McGinley and James Dickey have captured the American spirit in a unique and timeless way. Had they been recognized as poet laureates in their time, Americans in learning institutions would no doubt have been inspired to pursue poetry as a means of creative expression.

It is my hope that the work of the future poet laureate/consultant in poetry will also reflect our Nation's great diversity—its multiethnic, multicultural, multiracial heritage, its strength and compassion, and its democratic idealism. I anticipate that this more visible, more prestigious position will inspire younger, less well-known American poets and give them a goal to which they might aspire. In this spirit, I am looking forward to the

installation of our Nation's first poet laureate/consultant in poetry. I strongly urge favorable consideration of my amendment by the Senate.

Mr. BRADLEY. Mr. President, when the word "Bicentennial" is mentioned, most Americans conjure up very fond memories of tall ships, fireworks, celebrations and festivities. In 1976, we held a celebration of national scale on the 200th anniversary of the signing of the Declaration of Independence, and Americans showed their pride in our 200 years of freedom.

Why do we as a people like to celebrate the signing of the Declaration of Independence? One hundred and twenty seven years ago, Abraham Lincoln said:

We hold this annual celebration to remind ourselves of all the good done in this process of time, of how it was done and who did it, and how we are historically connected with it; and we go from these meetings in better humor with ourselves—we feel more attached to the one to the other, and more firmly bound to the country we inhabit.

The Bicentennial of the Declaration of Independence gave Americans a chance to pause for a moment and reflect on the importance of the actions in 1776 and the shared values on which this Nation is based.

Mr. President, a new bicentennial will soon be upon us—the 200th anniversary of our Constitution and Bill of Rights. This bicentennial will give Americans another opportunity to celebrate that which binds us together as a people.

We should celebrate this monumental work. And in our celebration, it is my hope that Americans—young and old—will pause to consider the central principles of the Constitution—separation of powers, checks and balances, federalism, civil liberties, and republican government. Our Constitution—200 years young—is still the model for the world.

Mark Cannon, the Executive Director of the Commission on the Bicentennial of the Constitution, recently stated that:

Very few projects in 1976 were intended primarily to educate. But the end result was, in varying degrees, education—not only of schoolchildren, but of all Americans. However successful the Declaration Bicentennial was, several things can and should be done differently from 1987 to 1989. The Constitution Bicentennial celebration should be more than tall ships and medallions. It should be a "celebration" with greater emphasis on civic education.

I fully agree with Mark Cannon's statement. The Bicentennial of the Constitution presents us with an opportunity to educate Americans—and the peoples of the world—about our Constitution and Bill of Rights. We need to take advantage of this opportunity.

It is to this end, Mr. President, that I am pleased to cosponsor an amendment with my colleague from Vermont [Mr. STAFFORD] to establish under the jurisdiction of the Commission on the Bicentennial of the Constitution a Na-

tional Competition on the Constitution and the Bill of Rights.

The competition is aimed at awakening young Americans' interest in Government and the writings of the Constitution. The competition will involve classes in hundreds of school districts throughout the Nation in local, intermediate, and State level competitions. In addition, a national competition would be held in Washington, DC, for winning classes from each State participating in the program.

Mr. President, the Commission on the Bicentennial of the Constitution will be developing many programs to involve Americans in a greater understanding of the Constitution. This program deserves to be under their jurisdiction. I urge support of this measure.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 728) was agreed to.

Mr. STAFFORD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee substitute as amended.

The committee substitute, as amended, was agreed to.

Mr. STAFFORD. Mr. President, I move to reconsider the vote by which the committee substitute, as amended, was agreed to.

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

The motion to lay on the table was agreed to.

Mrs. HAWKINS. Mr. President, the Arts and Artifacts Indemnities Act is one of the most important steps ever taken to facilitate the international exchange of works of art. It has been of major benefit to American art lovers by bringing international art exhibitions to this country. The bill before us, S. 1264, would alter the eligibility requirements a bit for indemnification. Would the distinguished chairman of the subcommittee with jurisdiction of this bill, the Senator from Vermont, explain the nature of the proposed change in eligibility?

Mr. Stafford. I would be happy to.

The thrust of the current program is to bring international art to the United States. Statistics bear out this orientation: since its inception, indemnification has been approved for 164 foreign exhibits coming to the United States, and only 9 American exhibits going abroad. Under the present statutory requirements, an American exhibit going abroad can receive indemnification only if it is part of an exchange of exhibits. The committee feels that this exchange requirement is in some instances too restrictive. Occasionally there will be an American exhibit or

program which warrants indemnification, but which is not part of an exchange of exhibits. The committee amendment would eliminate the present requirement for an exchange, and substitute a preference. This is not intended to encourage a major shift in emphasis in the program. Instead, this will give the Federal Council for the Arts and Humanities, the Government body with the final approval of indemnity applications, the flexibility to provide coverage for exceptional American exhibitions of national or international importance which are not part of an exchange of exhibits.

Mrs. HAWKINS. Is the chairman aware of the planned program of the Rauschenberg Overseas Culture Interchange [ROCI]? America's Bicentennial artist, Robert Rauschenberg, is in the process of creating 10 original works of art reflecting the culture of each of 22 nations. Exhibits of these works, eventually numbering over 200, will tour the 22 nations, and the interchange will conclude with an exhibition of all the works at the National Gallery in Washington late in this decade. One work from each of the nations will be donated to the National Gallery, a collection of very significant value.

Mr. Rauschenberg has not sought direct Government funding for the program, but has applied for indemnification. But ROCI is not part of an exchange of exhibits, so at present it cannot qualify.

Mr. STAFFORD. I am certainly aware of the Rauschenberg Overseas Culture Interchange. This is the sort of program which in my view qualified under the committee report language as an exceptional exhibition of national or international importance. Should the Senate provision become law, I hope the Federal Council will give careful consideration to indemnification for ROCI.

Mrs. HAWKINS. I thank the Senator, and join him in supporting ROCI.

Mr. STAFFORD. Mr. President, I know of no other speakers on this side with respect to the bill.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 1264), as amended was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1264

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Foundation on the Arts and the Humanities Amendments of 1985".*

**PROJECT DEFINITION; CONSTRUCTION OF FACILITIES**

SEC. 2. Section 3(d)(2) of the National Foundation on the Arts and the Humanities Act of 1965 (hereafter in this Act referred to as the "Act") is amended by inserting "for the purposes of section 5(l) only," after "(2)".

**APPLICATION APPROVAL OF NATIONAL COUNCIL ON THE ARTS**

SEC. 3. The last sentence of section 6(f) of the Act is amended by striking out "\$17,500" and inserting in lieu thereof "\$30,000".

**STATE HUMANITIES COUNCILS**

SEC. 4. Section 7(f)(2)(B)(i) of the Act is amended—

(1) by striking out "four" and inserting in lieu thereof "six"; and

(2) by striking out "20 per centum" and inserting in lieu thereof "25 per centum".

**NATIONAL COUNCIL ON THE HUMANITIES**

SEC. 5. The second sentence of section 8(b) of the Act is amended by inserting after "selected" the following: "from citizens of the United States who are recognized for their knowledge of, expertise in, or commitment to the humanities and".

**AUTHORIZATION OF APPROPRIATIONS**

SEC. 6. (a) EXTENSION OF AUTHORIZATIONS.—(1)(A) The first sentence of section 11(a)(1)(A) of the Act is amended to read as follows: "For the purpose of carrying out section 5(c), there are authorized to be appropriated to the National Endowment for the Arts \$118,878,000 for fiscal year 1986, \$123,425,120 for fiscal year 1987, \$128,362,125 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990."

(B) The first sentence of section 11(a)(1)(B) of the Act is amended to read as follows: "For the purpose of carrying out section 7(c), there are authorized to be appropriated to the National Endowment for the Humanities \$95,207,000 for fiscal year 1986, \$99,015,280 for fiscal year 1987, \$102,975,891 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990."

(2)(A)(i) The matter preceding clause (1) of section 11(a)(2)(A) of the Act is amended by striking out "1985" and inserting in lieu thereof "1990".

(ii) The exception at the end of section 11(a)(2)(A) of the Act is amended to read as follows:

"except that the amounts so appropriated to the National Endowment for the Arts shall not exceed \$8,820,000 for fiscal year 1986, \$9,172,800 for fiscal year 1987, \$9,539,712 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990."

(B)(i) The matter preceding clause (1) of section 11(a)(2)(B) of the Act is amended by striking out "1985" and inserting in lieu thereof "1990".

(ii) Clause (ii) of section 11(a)(2)(B) of the Act is amended by inserting "and subgrantees" after "grantees" each time it appears in such clause.

(iii) The exception at the end of section 11(a)(2)(B) of the Act is amended to read as follows:

"except that the amounts so appropriated to the National Endowment for the Humanities shall not exceed \$10,780,000 for fiscal year 1986, \$11,211,200 for fiscal year 1987, \$11,659,648 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990."

(3)(A)(i) The matter preceding clause (1) of section 11(a)(3)(A) of the Act is amended by striking out "1985" and inserting in lieu thereof "1990".

(ii) The exception at the end of section 11(a)(3)(A) of the Act is amended to read as follows:

"except that the amounts so appropriated to such Endowment shall not exceed \$20,580,000 for fiscal year 1986, \$21,403,200 for fiscal year 1987, \$22,259,328 for fiscal year 1988, and such sums as may be neces-

sary for each of the fiscal years 1989 and 1990."

(B)(i) The matter preceding clause (i) of section 11(a)(3)(B) of the Act is amended by striking out "1985" and inserting in lieu thereof "1990".

(ii) The exception at the end of section 11(a)(3)(B) of the Act is amended to read as follows:

"except that the amounts so appropriated to such Endowment shall not exceed \$19,600,000 for fiscal year 1986, \$20,384,000 for fiscal year 1987, \$21,199,360 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990."

(b) AUTHORIZATION FOR ADMINISTRATION.—(1) Section 11(c)(1) of the Act is amended to read as follows:

"(1) There are authorized to be appropriated to the National Endowment for the Arts \$15,582,000 for fiscal year 1986, \$16,205,280 for fiscal year 1987, \$16,853,491 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990, to administer the provisions of this Act, or any other program for which the Chairman of the National Endowment for the Arts is responsible."

(2) Section 11(c)(2) of the Act is amended to read as follows:

"(2) There are authorized to be appropriated to the National Endowment for the Humanities \$13,891,000 for fiscal year 1986, \$14,446,640 for fiscal year 1987, \$15,024,506 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990, to administer the provisions of this Act, or any other program for which the Chairman of the National Endowment for the Humanities is responsible."

(c) AUTHORIZATION MAXIMUMS.—Section 11 of the Act is amended—

(1) by redesignating subsection (d) as subsection (e), and

(2) by inserting after subsection (c) the following new subsection:

"(d)(1) The total amount of appropriations to carry out the activities of the National Endowment for the Arts shall not exceed—

"(A) \$163,660,000 for fiscal year 1986,

"(B) \$170,206,400 for fiscal year 1987, and

"(C) \$177,014,656 for fiscal year 1988.

(2) The total amount of appropriations to carry out the activities for the National Endowment for the Humanities shall not exceed—

"(A) \$139,478,000 for fiscal year 1986,

"(B) \$145,057,120 for fiscal year 1987, and

"(C) \$150,859,405 for fiscal year 1988."

**REPEALERS**

SEC. 7. (a) EXECUTED INDEMNITY STUDY REPEALED.—Subsections (d) and (e) of section 9 of the Act are repealed.

(b) EXECUTED PROPERTY STUDY REPEALED.—Subsection (d) of section 10 of the Act is repealed.

**MUSEUM SERVICES AUTHORIZATION**

SEC. 8. Section 209(a) of the Museum Services Act is amended to read as follows:

"(a) For the purpose of making grants under section 206(a), there are authorized to be appropriated \$21,600,000 for fiscal year 1986, \$22,464,000 for fiscal year 1987, \$23,362,560 for fiscal year 1988, and such sums as may be necessary for each of the fiscal years 1989 and 1990."

**ARTS AND ARTIFACTS INDEMNITY PROGRAM AMENDMENTS**

SEC. 9. (a) FEDERAL COUNCIL MEMBER-SHIP.—Section 2(b) of the Arts and Artifacts Indemnity Act is amended—

(1) by inserting "(1) after the subsection designation; and



(2) by adding at the end thereof the following new paragraph:

"(2) For purposes of this Act, the Secretary of the Smithsonian Institution, the Director of the National Gallery of Art, the member designated by the Chairman of the Senate Commission of Art and Antiquities and the member designated by the Speaker of the House of Representatives shall not serve as members of the Council."

(b) **ELIGIBILITY FOR INDEMNITY.**—(1) Section 3(b)(1) of the Arts and Artifacts Indemnity Act is amended by striking out "or elsewhere when part of an exchange of exhibitions, but in no case shall both parts of such an exhibition be so covered" and inserting in lieu thereof "or elsewhere preferably when part of an exchange of exhibitions".

(2) The amendment made by paragraph (1) shall apply with respect to any exhibition which is certified under section 3(a) of the Arts and Artifacts Indemnity Act after the date of enactment of this Act.

(c) **INDEMNITY AGREEMENT LOSS LIMITATIONS.**—(1) Section 5(b) of the Arts and Artifacts Indemnity Act is amended by striking out "\$400,000,000" and inserting in lieu thereof "\$650,000,000".

(2) Section 5(c) of the Arts and Artifacts Indemnity Act is amended by striking out "\$50,000,000" and inserting in lieu thereof "\$75,000,000".

**STUDY OF ALTERNATIVE FEDERAL FUNDING OF THE ARTS AND THE HUMANITIES**

**SEC. 10. (a) STUDY REQUIRED.**—(1) The Comptroller General of the United States shall conduct a study to determine the feasibility of supplementing expenditures made from the general fund of the Treasury of the United States for the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services through other Federal funding mechanisms. The study required by this section shall consider, but is not limited to, the consideration of the following funding sources:

(A) A revolving fund comprised of payments made to the Federal Government through an extension of the existing Federal copyright period for artistic, dramatic, literary, and musical works.

(B) A revolving fund comprised of payments made to the Federal Government for the right to use or publicly perform artistic, dramatic, literary, and musical works in the public domain.

(2) In carrying out the study required by this section, the Comptroller General shall frequently consult with and seek the advice of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the Director of the Institute of Museum Services, the Register of Copyrights, the Chairman of the Labor and Human Resources Committee of the Senate, and the Chairman of the Education and Labor Committee of the House of Representatives, concerning the scope, direction, and focus of the study.

(3) In conducting the study required by this section, the Comptroller General shall consider the impact which the implementation of each supplemental funding mechanism would have on—

(A) any international copyright treaties, commitments, and obligations to which the United States is a party;

(B) public participation in the arts and the humanities;

(C) private, corporate, and foundation support for the arts and the humanities;

(D) the overall quality of arts and the humanities in the United States;

(E) the creative activities of individual authors and artists; and

(F) the activities and operations of private copyrighting organizations.

(b) **REPORT.**—The Comptroller General shall prepare and submit to the Congress not later than one year after the date of enactment of this Act a report of the study required by this section, together with such recommendations as the Comptroller General deems appropriate.

**EDUCATION PROGRAM FOR THE COMMEMORATION OF THE BICENTENNIAL OF THE CONSTITUTION OF THE UNITED STATES AND THE BILL OF RIGHTS**

**SEC. 11. (a) GENERAL AUTHORITY.**—(1) The Commission on the Bicentennial of the United States Constitution shall, in accordance with the provisions of this section, carry out an education program for the commemoration of the bicentennial of the Constitution of the United States and the Bill of Rights.

(2) To commemorate the bicentennial anniversary of the Constitution of the United States and the Bill of Rights, the Commission—

(A) is authorized to make grants to local educational agencies, private elementary and secondary schools, private organizations, individuals, and State and local public agencies in the United States for the development of instructional materials and programs on the Constitution of the United States and the Bill of Rights which are designed for use by elementary or secondary school students; and

(B) shall implement an annual national bicentennial Constitution and Bill of Rights competition based upon the programs developed and used by elementary and secondary schools.

(3) In carrying out the program authorized by this section, the Chairman of the Commission shall have the same authority as is established in section 10 of the National Foundation on the Arts and the Humanities Act of 1965.

(b) **DEFINITION.**—For the purpose of this section, the term "Commission" means the Commission on the Bicentennial of the United States Constitution.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) There are authorized to be appropriated \$5,000,000 for each of the fiscal years 1987, 1988, 1989, 1990, and 1991 to carry out the provisions of this section.

(2) Amounts appropriated pursuant to paragraph (1) may be used for necessary administrative expenses, including staff.

**POET LAUREATE CONSULTANT IN POETRY**

**SEC. 12. (a) RECOGNITION OF THE CONSULTANT IN POETRY.**—The Congress recognizes that the Consultant in Poetry to the Library of Congress has for some time occupied a position of prominence in the literary life of the Nation, has spoken effectively for literary causes, and has occasionally performed duties and functions sometimes associated with the position of poet laureate in other nations and societies. Individuals are appointed to the position of Consultant in Poetry by the Librarian of Congress for one- or two-year terms solely on the basis of literary merit, and are compensated from endowment funds administered by the Library of Congress Trust Fund Board. The Congress further recognizes this position is equivalent to that of Poet Laureate of the United States.

(b) **POET LAUREATE CONSULTANT IN POETRY ESTABLISHED.**—(1) There is established in the Library of Congress the position of Poet Laureate Consultant in Poetry. The Poet Laureate Consultant in Poetry shall be appointed by the Librarian of Congress pursuant to the same procedures of appointment as established on the date of enactment of

this section for the Consultant in Poetry to the Library of Congress.

(2) Each department and office of the Federal Government is encouraged to make use of the services of the Poet Laureate Consultant in Poetry for ceremonial and other occasions of celebration under such procedures as the Librarian of Congress shall approve designed to assure that participation under this paragraph does not impair the continuation of the work of the individual chosen to fill the position of Poet Laureate Consultant in Poetry.

(c) **POETRY PROGRAM.**—(1) The Chairman of the National Endowment for the Arts, with the advice of the National Council on the Arts, shall annually sponsor a program at which the Poet Laureate Consultant in Poetry will present a major work or the work of other distinguished poets.

(2) There are authorized to be appropriated to the National Endowment for the Arts \$10,000 for the fiscal year 1987 and for each succeeding fiscal year ending prior to October 1, 1990, for the purpose of carrying out this subsection.

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

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

The motion to lay on the table was agreed to.

The title was amended so as to read:

A bill to amend the National Foundation on the Arts and Humanities Act of 1965, the Museum Services Act, and the Arts and Artifacts Indemnity Act, to extend the authorization of appropriations for such acts, and for other purposes.

**EXTENSION OF TIME FOR ROUTINE MORNING BUSINESS**

Mr. DOLE. Mr. President, I ask unanimous consent that the period for the transaction of routine morning business be extended until 1 p.m., with statements therein limited to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

**CHILD HEALTH DAY**

Mr. KASTEN. Mr. President, October 7 will mark the observance of Child Health Day, which has been celebrated on the first Monday of every October since 1928.

In 1983, President Reagan announced a new effort to ensure that no child in need of medical care is denied access to the care that he or she needs, and he enlisted the support of the American people—parents, volunteers, health professionals, and educators—in this effort.

The health care needs of our Nation's children are great, but in the last few years we have seen the overwhelming and agonizing needs of children around the world, who face death by starvation, by malnutrition, or by one of a myriad of accompanying diseases. Each year nearly 14 million children in developing countries die from malnutrition and disease.

This year the drought-driven epidemic of starvation and infant mortality