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National Foundation on the Arts and Humanities: Reauthorization (1985): Report 11

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NATIONAL ENDOWMENT FOR THE HUMANITIES

OPB
10/18/85

Comparison of Senate and House Reauthorization Bills

XXXXXXXXXXXXXXXXXXXXXXXXXX

| NFAH Section | Provision | Senate Bill | House Bill |
|-----------------|--|---|---|
| 2(3) | Declaration of Purpose | | Adds language to "wisdom and vision" paragraph (as underlined): ...and support a form of education, and <u>access to the arts and humanities designed to make people of all backgrounds and wherever located masters of their technology....</u> |
| 2(8) | Declaration of Purpose | | Adds new paragraph declaring Congressional intent to have the NFAH encourage the teaching of arts and humanities in the schools. |
| 3(a) | Definition of "humanities" | | Two changes: --asserts that "humanities" includes <u>interpretation</u> as well as "study" of disciplines --adds "to reflecting our diverse heritage, traditions, and history and" to last clause. |
| 3(d)(2) | Definition of "project" (Construction Authority) | Limits Arts Endowment construction awards to Challenge Grants program | Authorizes NEH to make awards for construction. Limits to Challenge program. |
| 7(b) | Appointment of Chairman | | "Chairman" changed to "Chairperson" ("gender neutral" language adopted throughout NFAH Act). |

FAH
ection

Provision

Senate Bill

House Bill

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

(c)(4)

New paragraph (Authority for programs aimed at minorities, etc.)

NEH authorized to "initiate and support" programs reflecting the culture of minorities, and "inner city, rural, or tribal" communities.

(c)(5)

New paragraph (Authority for international programs)

To "foster international programs and exchanges" added to agency authority.

7(c)

Additional language (awards to "underrepresented" constituents)

"Particular regard" in making awards to be given to scholars and institutions that have "traditionally been underrepresented".

7(f)(2)(A)

Requirements of State agency plan

Provides that only state councils in existence on the date of passage of the Arts and Humanities Act of 1985 are eligible to become state agencies.

7(f)(2)(A)

Annual reports of state agencies

Annual reports to include:
--assurances of public input in plan
--description of level of participation of scholars and scholarly organizations
--description of availability of programs to "all people and communities in the State"
--description of programs in state "to secure wider participation" of the above.

AH
ction

Provision

Senate Bill

House Bill

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

f)(2)(B)

Governor's appointments

Increases the number of state council members appointed by the governor of a state from four to six; also increases the maximum percentage of such members from 20 to 25 percent so that size of council remains the same.

(f)(3)

Annual reports of state humanities councils

Substance of reports same as required of state humanities agencies (see 7(f)(2)(A) above).

(g)

Minimum wage provision

Secretary of Labor "shall prescribe standards, regulations, and procedures" within 180 days of passage of this act for determining "prevailing" wages of personnel employed on NEH projects or productions.

(j)

New subsection
(Compliance w/Davis-Bacon Act)

Grantees with construction awards must assure the Secretary of Labor of compliance with Davis-Bacon Act provisions.

(k)

New subsection
(Data Collection System and Biennial Report)

Data collection system to monitor various "trends" in audiences, education, and financing in the humanities. Biennial report on the "State of the Humanities" to include discussion of availability of the Endowment's programs to "emerging and culturally diverse" groups.

| NFAH Section | Provision | Senate Bill | House Bill | XXXXXXXXXXXXXXXXXXXXXX |
|-----------------|--|--|---|------------------------|
| 7(d) | New subsection (EEOC compliance) | | NEH required to submit all EEOC- required plans and reports no later than 30 days after passage of reauthorization act. | |
| 8(b) | National Council on the Humanities (Qualifications) | Adds selection criteria stipulating that members are to be selected "from citizens of the U.S. who are recognized for their knowledge of, expertise in, or commitment to the humanities". | Adds criteria to Senate language requiring "established records of" service in the humanities. The President is also to give "due regard" to "equitable representation" of women, minorities, and the handicapped. | |
| 9(d) & (e) | Federal Council on the Arts and the Humanities | Repeals authority for FCAH to con- duct studies which have already been completed. | Mandates study of federal support for museums including impact of conservation and preservation programs and "overlap" of various agencies. | |
| 10(a)(4) | Broad representation on panels | No change | Repeals language referring to "broad geographic and culturally diverse representation." Adds new language specifying that panelists shall have expertise in the field under review, "broadly represent" diverse "aesthetic or humanistic perspectives" and geography, and "who broadly represent cultural diversity." | |

| | | | |
|-------------|--|---|---|
| 10(d) | Post-award evaluation and repealing out-dated language | Repeals mandate for Endowments to study use of treasury funds; studies have been completed. | Repeals out-dated treasury funds study language. Adds new requirement that the Chairman "shall conduct" post-award evaluations of grants and establishes final report requirements for grantees. |
| 10(e) | New subsection (Study of arts and humanities education) | | Endowments and D. Ed. to conduct study of state of arts and humanities education in public elementary and secondary schools. Report to make recommendations and to evaluate Endowments' policies affecting education. |
| 10(f) | New subsection (Report on panel system) | | Report to Congress on procedures for panel selection, for evaluating applications, and for avoiding conflicts of interest. |
| 11(a)(1)(B) | Definite funds | Authorization extended through September 30, 1990; funding authorized: FY 1986: \$95,207,000 FY 1987: \$99,015,280 FY 1988: \$102,975,891 FY 1989-90: "such sums" | Authorization extended through September 30, 1987; funding authorized: FY 1986: \$95,207,000 FY 1987: \$99,015,280 |

| Section | Provision | Senate Bill | House Bill | XXXXXXXXXXXXXXXXXXXXXXXXXX |
|-------------|----------------------|--|--|----------------------------|
| 11(a)(2)(B) | Treasury funds | Funding authorized through September 30, 1990: FY 1986: \$10,780,000 FY 1987: \$11,211,200 FY 1988: \$11,659,648 FY 1989-90 "such sums" Adds language that would have the effect of <u>permitting subgrantees</u> to certify gifts from third- parties for the purpose of of receiving matching funds. | Funding authorized through September 30, 1987: FY 1986: \$10,780,000 FY 1987: \$11,211,200 Adds language referring to "subgrantees." | |
| 11(a)(3)(B) | Challenge Grants | Funding authorized through September 30, 1990: FY 1986: \$19,600,000 FY 1987: \$20,384,000 FY 1988: \$21,199,360 FY 1989-90: "such sums" | Funding authorized through September 30, 1987: FY 1986: \$19,600,000 FY 1987: \$20,384,000 | |
| 11(c) | Administrative funds | Funding authorized through September 30, 1990: FY 1986: \$13,891,000 FY 1987: \$14,446,640 FY 1988: \$15,024,506 FY 1989-90: "such sums" Removes authority to use administrative appropriations for reception and representa- tion. | Funding authorized through September 30, 1987: FY 1986: \$14,291,000 FY 1987: \$14,446,640 (Retains reception and representation authority) | |

| NFAH Section | Provision | Senate Bill | House Bill | XXXXXXXXXXXXXXXXXXXXXXX |
|-----------------|---|--|------------|-------------------------|
| 11(d) | New subsection (replaces old section (d) which is redesignated section (e)) | Places appropriations limits on on NEH and NEA. NEH appropria- tions "shall not exceed": FY 1986: \$139,478,000 FY 1987: \$145,067,120 FY 1988: \$150,869,405 | -- | |
| No section | GAO study | GAO is directed to conduct a study of "supplemental federal funding mechanisms" for the arts and the humanities. | -- | |