

1985

## National Foundation on the Arts and Humanities: Reauthorization (1985): Report 13

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Sandy

I

99TH CONGRESS  
1ST SESSION

# H. R. 3248

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

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 1985

Mr. WILLIAMS of Montana (for himself and Mr. FORD of Michigan) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Arts, Humanities, and  
5 Museums Amendments of 1985".

1 **TITLE I—AMENDMENTS TO NA-**  
2 **TIONAL FOUNDATION ON THE**  
3 **ARTS AND THE HUMANITIES**  
4 **ACT OF 1965**

5 **SEC. 101. TECHNICAL AMENDMENT; SHORT TITLE.**

6 The National Foundation on the Arts and the Human-  
7 ities Act of 1965 (20 U.S.C. 951 et seq.) is amended—

8 (1) by striking out

9 “TITLE I—ENDOWMENTS FOR ARTS AND  
10 HUMANITIES”, and

11 (2) in section 1 by striking out “title” and insert-  
12 ing in lieu thereof “Act”.

13 **SEC. 102. DECLARATION OF PURPOSE.**

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

16 (1) in paragraph (2) by striking out “man’s”,

17 (2) in paragraph (3) by striking out “men” and  
18 inserting in lieu thereof “people”,

19 (3) in paragraph (7) by striking out “and” at the  
20 end thereof,

21 (4) by redesignating paragraph (8) as paragraph  
22 (9), and

23 (5) by inserting after paragraph (7) the following  
24 new paragraph:

1           “(8) that Americans should receive in school,  
2           background and preparation in the arts and humanities  
3           to enable them to recognize and appreciate the aesthet-  
4           ic dimensions of our lives, the diversity of excellence  
5           that comprises our cultural heritage, and artistic and  
6           scholarly expression; and”.

7   **SEC. 103. DEFINITIONS.**

8           Section 3 of the National Foundation on the Arts and  
9   the Humanities Act of 1965 (20 U.S.C. 952) is amended—

10           (1) in subsection (a)—

11                   (A) by inserting “and interpretation” after  
12           “study” the first place it appears, and

13                   (B) by inserting “to reflecting our diverse  
14           heritage, traditions, and history and” after “par-  
15           ticular attention”, and

16           (2) in subsection (d)(2)—

17                   (A) by inserting “for purposes of sections 5(l)  
18           and 7(h) only,” after “(2)”,

19                   (B) by inserting “or humanistic” after “artis-  
20           tic”, and

21                   (C) by inserting “and the National Council  
22           on the Humanities” after “the National Council  
23           on the Arts, as the case may be,”.

1 SEC. 104. ESTABLISHMENT OF A NATIONAL FOUNDATION ON  
 2 THE ARTS AND THE HUMANITIES.

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

6 (1) by striking out “Humanities,,” and inserting in  
 7 lieu thereof “Humanities,”, and

8 (2) by striking out “(hereinafter established)”.

9 SEC. 105. ESTABLISHMENT OF THE NATIONAL ENDOWMENT  
 10 FOR THE ARTS.

11 Section 5 of the National Foundation on the Arts and  
 12 the Humanities Act of 1965 (20 U.S.C. 954) is amended—

13 (1) in subsection (b)(1) by striking “chairman” and  
 14 inserting in lieu thereof “Chairperson”,

15 (2) in subsection (c)—

16 (A) by redesignating paragraphs (4), (5), and  
 17 (6) as paragraphs (5), (6), and (7), respectively,  
 18 and

19 (B) by inserting after paragraph (3) the  
 20 following new paragraph:

21 “(4) projects and productions which have substan-  
 22 tial artistic and cultural significance and that reach, or  
 23 reflect the culture of, a minority, inner city, rural, or  
 24 tribal community.”,

25 (D) by striking out “clause (5)” and inserting  
 26 in lieu thereof “clause (7)”, and

1           (E) by adding at the end thereof the  
2           following:

3    “In selecting individuals and groups of exceptional talent as  
4 recipients of financial assistance to be provided under this  
5 subsection, the Chairperson shall give priority to artists and  
6 artistic groups that have traditionally been underrepre-  
7 sented.”, and

8           (3) in subsection (g)(2)—

9           (A) in subparagraph (B) by striking out  
10          “and” at the end thereof,

11          (B) in subparagraph (C) by striking out the  
12          period at the end thereof and inserting in lieu  
13          thereof “, including a description of the progress  
14          made toward achieving the goals of the State  
15          plan;”, and

16          (C) by inserting after subparagraph (C) the  
17          following new subparagraphs:

18          “(D) provides—

19                 “(i) assurances that the State agency has  
20                 held, after reasonable notice, public meetings in  
21                 the State to allow all groups of artists, interested  
22                 organizations, and the public to present views and  
23                 make recommendations regarding the State plan;  
24                 and

1           “(ii) a summary of such recommendations  
2           and the State agency’s response to such recom-  
3           mendations; and

4           “(E) contains—

5           “(i) a description of the level of participation  
6           during the previous 2 years by artists, artists’ or-  
7           ganizations, and arts organizations in projects and  
8           productions for which financial assistance is pro-  
9           vided under this subsection;

10           “(ii) a description of the extent to which  
11           project and productions receiving financial assist-  
12           ance under this subsection are available to all  
13           people and communities in the State; and

14           “(iii) a description of projects and productions  
15           receiving financial assistance under this subsection  
16           that exist or are being developed to redress un-  
17           derrepresentation of artists, artists’ organizations,  
18           and arts organizations identified under clause (i) of  
19           this subparagraph or that address the availability  
20           of the arts to all people or communities identified  
21           under clause (ii) of this subparagraph.

22           No application may be approved unless the accompanying  
23           plan satisfies the requirements specified in this subsection.”,

24           (4) in subsection (i) by striking out “he” and  
25           inserting in lieu thereof “the Secretary of Labor”,

1 (5) in subsection (l)(1)(D)═

2 (A) by inserting “and local arts agencies”  
3 after “local arts groups”, and

4 (B) by striking out “including support of pro-  
5 fessional artists in community-based residencies;”  
6 and inserting in lieu thereof the following:

7 “including—

8 “(i) support of professional artists in commu-  
9 nity based residencies;

10 “(ii) support of rural arts development;

11 “(iii) support of and models for regional,  
12 statewide, or local organizations to provide tech-  
13 nical assistance to cultural organizations and insti-  
14 tutions;

15 “(iv) support of and models for visual and  
16 performing arts touring; and

17 “(v) support of and models for professional  
18 staffing of arts organizations and for stabilizing  
19 and broadening the financial base for arts organi-  
20 zations;”,

21 (6) by striking out “Chairman” each place it  
22 appears and inserting in lieu thereof “Chairperson”,

23 (7) by striking out “his” each place it appears and  
24 inserting in lieu thereof “the Chairperson’s”, and



1           (8) by adding at the end thereof the following new  
2       subsections:

3       “(m) The Chairperson of the National Endowment for  
4 the Arts shall, in consultation with State and local agencies,  
5 relevant organizations, and relevant Federal agencies, devel-  
6 op a practical system of national information and data collec-  
7 tion on the arts, artists and arts groups, and their audiences.  
8 Such system shall include artistic and financial trends in the  
9 various artistic fields, trends in audience participation, and  
10 trends in arts education on national, regional, and State  
11 levels. Not later than 1 year after the date of the enactment  
12 of the Arts, Humanities, and Museums Amendments of 1985,  
13 the Chairperson shall submit to the Committee on Education  
14 and Labor of the House of Representatives and the Commit-  
15 tee on Labor and Human Resources of the Senate a plan for  
16 the development and implementation of such system, includ-  
17 ing a recommendation regarding the need for any additional  
18 funds to be appropriated to develop and implement such  
19 system. Such system shall be used, along with a summary of  
20 the data submitted with State plans under subsection (g), to  
21 prepare a periodic report on the state of the arts in the  
22 Nation. The state of the arts report shall include a descrip-  
23 tion of the the availability of the Endowment’s programs to  
24 emerging and culturally diverse artists, arts organizations,  
25 and communities and of the participation by such artists, or-

1 ganizations, and communities in such programs. The state of  
2 the arts report shall be submitted to the President, the Con-  
3 gress, and the States not later than October 1, 1988, and  
4 biennially thereafter.”.

5 **SEC. 106. NATIONAL COUNCIL ON THE ARTS.**

6 Section 6 of the National Foundation on the Arts and  
7 the Humanities Act of 1965 (20 U.S.C. 955) is amended—

8 (1) in subsection (b)—

9 (A) by striking out “Chairman” the first  
10 place it appears and inserting in lieu thereof  
11 “Chairperson”,

12 (B) by striking out “Chairman of the Coun-  
13 cil” and inserting in lieu thereof “Chairperson of  
14 the Council”,

15 (C) in paragraph (1)—

16 (i) by inserting “(A)” after “who”, and

17 (ii) by inserting before the semicolon at  
18 the end thereof the following: “and (B) have  
19 established records of distinguished service,  
20 or achieved eminence, in the arts”,

21 (C) in the last sentence by striking out  
22 “him” and inserting in lieu thereof “the Presi-  
23 dent”, and

24 (D) by adding at the end thereof the  
25 following:

1 "In making such appointments, the President shall give due  
2 regard to equitable representation of women, minorities, and  
3 persons with disabilities who are involved in the arts."

4 (2) in subsection (c) by striking out "his" each  
5 place it appears and inserting in lieu thereof "such  
6 member's",

7 (3) in subsection (d) by striking out "Chairman"  
8 and inserting in lieu thereof "Chairperson",

9 (4) in subsection (e) by striking out "Chairman"  
10 and inserting in lieu thereof "Chairperson", and

11 (5) in subsection (f)—

12 (A) in the first sentence by striking out "his"  
13 and inserting in lieu thereof "the Chairperson's",

14 (B) in the second sentence by striking out  
15 "he" and inserting in lieu thereof "the Chair-  
16 person",

17 (C) in the third sentence by striking out  
18 "\$17,500" and inserting in lieu thereof  
19 "\$30,000", and

20 (D) by striking out "Chairman" each place it  
21 appears and inserting in lieu thereof "Chair-  
22 person".

1 SEC. 107. ESTABLISHMENT OF THE NATIONAL ENDOWMENT  
2 FOR THE HUMANITIES.

3 Section 7 of the National Foundation on the Arts and  
4 the Humanities Act of 1965 (20 U.S.C. 956) is amended—

5 (1) in subsection (b)—

6 (A) in paragraph (1) by striking out “chair-  
7 man” and inserting in lieu thereof “Chairperson”,  
8 and

9 (B) in paragraph (2) by striking out “his”  
10 each place it appears and inserting in lieu thereof  
11 “the Chairperson’s”,

12 (2) in subsection (c)—

13 (A) by redesignating paragraphs (4), (5), (6),  
14 and (7) as paragraphs (6), (7), (8), and (9), respec-  
15 tively, and

16 (B) by inserting after paragraph (3) the  
17 following new paragraphs:

18 “(4) initiate and support programs and research  
19 which have substantial scholarly and cultural signifi-  
20 cance and that reach, or reflect the culture of, a  
21 minority, inner city, rural, or tribal community;

22 “(5) foster international programs and ex-  
23 changes;”,

24 (C) in paragraph (3) by striking out “work-  
25 ships” and inserting in lieu thereof “workshops”,  
26 and

1 (D) by adding at the end thereof the  
2 following:

3 “In selecting individuals and groups of exceptional talent as  
4 recipients of financial assistance to be provided under this  
5 subsection, the Chairperson shall give priority to scholars,  
6 and educational and cultural institutions, that have tradition-  
7 ally been underrepresented.”,

8 (3) in subsection (f)—

9 (A) in paragraph (2)(A)—

10 (i) in the first sentence by striking out  
11 “the Arts and Humanities Act of 1980” and  
12 inserting in lieu thereof “the Arts, Human-  
13 ities, and Museums Amendments of 1985”,

14 (ii) in clause (ii) by inserting “officer”  
15 after “chief executive” each place it appears,

16 (iii) in clause (v) by striking out “and”  
17 at the end thereof,

18 (iv) in clause (vi) by striking out the  
19 period at the end thereof and inserting in lieu  
20 thereof “, including a description of the  
21 progress made toward achieving the goals of  
22 the State plan;”, and

23 (v) by inserting after clause (vi) the  
24 following new clauses:

25 “(vii) provides—

1           “(I) assurances that the State agency has  
2 held, after reasonable notice, public meetings in  
3 the State to allow scholars, interested organiza-  
4 tions, and the public to present views and make  
5 recommendations regarding the State plan; and

6           “(II) a summary of such recommendations  
7 and of the response of the State agency to such  
8 recommendations; and

9           “(viii) contains—

10           “(I) a description of the level of participation  
11 during the previous 2 years by scholars and schol-  
12 arly organizations in programs receiving financial  
13 assistance under this subsection;

14           “(II) a description of the extent to which the  
15 programs receiving financial assistance under this  
16 subsection are available to all people and commu-  
17 nities in the State; and

18           “(III) a description of programs receiving fi-  
19 nancial assistance under this subsection that exist  
20 or are being developed to redress underrepresenta-  
21 tion of scholars and scholarly organizations  
22 identified under subclause (I) of this clause or that  
23 address the availability of the humanities to all  
24 people or communities identified under subclause  
25 (II) of this clause.

1 No application may be approved unless the accompanying  
2 plan satisfies the requirements specified in this subsection.”,

3 (B) in paragraph (3)—

4 (i) in subparagraph (G) by striking out  
5 “and” at the end thereof,

6 (ii) in subparagraph (H) by striking out  
7 the period at the end thereof and inserting in  
8 lieu thereof “, including a description of the  
9 progress made toward achieving the goals of  
10 the plan;”, and

11 (iii) by inserting after subparagraph (H)  
12 the following new subparagraphs:

13 “(I) provides—

14 “(i) assurances that the grant recipient has  
15 held, after reasonable notice, public meetings in  
16 the State to allow scholars, interested organiza-  
17 tions, and the public to present views and make  
18 recommendations regarding the plan; and

19 “(ii) a summary of such recommendations  
20 and of the response of the the grant recipient to  
21 such recommendations; and

22 “(J) contains—

23 “(i) a description of the level of participation  
24 during the previous 2 years by scholars and schol-

1 early organizations in programs receiving financial  
2 assistance under this subsection;

3 “(ii) a description of the extent to which the  
4 programs receiving financial assistance under this  
5 subsection are available to all people and commu-  
6 nities in the State; and

7 “(iii) a description of programs receiving fi-  
8 nancial assistance under this subsection that exist  
9 or are being developed to redress underrepresen-  
10 tation of scholars and scholarly organizations  
11 identified under clause (i) of this subparagraph or  
12 that address the availability of the humanities to  
13 all people or communities identified under clause  
14 (ii) of this subparagraph.

15 No application may be approved unless the accompanying  
16 plan satisfies the requirements specified in this subsection.”,

17 (4) by striking out the last sentence of subsection  
18 (g) and inserting in lieu thereof “The Secretary of  
19 Labor shall prescribe standards, regulations, and proce-  
20 dures necessary to carry out this subsection not later  
21 than 180 days after the date of the enactment of the  
22 Arts, Humanities, and Museums Amendments of  
23 1985.”,

24 (5) by striking out “Chairman” each place it ap-  
25 pears and inserting in lieu thereof “Chairperson”, and



1           (6) by adding at the end thereof the following new  
2 subsections:

3           “(i) It shall be a condition of the receipt of any grant  
4 under this section that the group or individual of exceptional  
5 talent or the State, State agency, or entity receiving such  
6 grant furnish adequate assurances to the Secretary of Labor  
7 that all laborers and mechanics employed by contractors or  
8 subcontractors on construction projects assisted under this  
9 section shall be paid wages at rates not less than those pre-  
10 vailing on similar construction in the locality, as determined  
11 by the Secretary of Labor in accordance with the Davis-  
12 Bacon Act, as amended (40 U.S.C. 276a-276a-5). The Sec-  
13 retary of Labor shall have, with respect to the labor stand-  
14 ards specified in this subsection, the authority and functions  
15 set forth in Reorganization Plan Numbered 14 of 1950 (15  
16 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of  
17 June 13, 1934, as amended (40 U.S.C. 276c).

18           “(j) The Chairperson of the National Endowment for the  
19 Humanities shall, in consultation with State and local agen-  
20 cies, other relevant organizations, and relevant Federal agen-  
21 cies, develop a practical system of national information and  
22 data collection on the humanities, scholars, educational and  
23 cultural groups, and their audiences. Such system shall in-  
24 clude cultural and financial trends in the various humanities  
25 fields, trends in audience participation, and trends in human-

ities education on national, regional, and State levels. Not later than 1 year after the date of the enactment of the Arts, Humanities, and Museums Amendments of 1985, the Chairperson shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate a plan for the development and implementation of such system, including a recommendation regarding the need for any additional funds to be appropriated to develop and implement such system. Such system shall be used, along with a summary of the data submitted with plans under subsection (f), to prepare a report on the state of the humanities in the Nation. The state of the humanities report shall include a description of the availability of the Endowment's programs to emerging and culturally diverse scholars, cultural and educational organizations, and communities and of the participation of such scholars, organizations, and communities in such programs. The state of the humanities report shall be submitted to the President, the Congress, and the States not later than October 1, 1988, and biennially thereafter.

“(k) Not later than 30 days after the date of enactment of the Arts, Humanities, and Museums Amendments of 1985, the Chairperson of the National Endowment for the Humanities shall transmit to the Equal Employment Opportunity Commission each plan and each report required under any

1 regulation or management directive that is issued by the  
2 Commission and is in effect on such date of enactment.”.

3 **SEC. 108. ESTABLISHMENT OF THE NATIONAL COUNCIL ON**  
4 **THE HUMANITIES.**

5 Section 8 of the National Foundation on the Arts and  
6 the Humanities Act of 1965 (20 U.S.C. 957) is amended—

7 (1) in subsection (b)—

8 (A) in the first sentence by striking out  
9 “Chairman of the National Endowment for the  
10 Humanities, who shall be the Chairman” and in-  
11 serting in lieu thereof “Chairperson of the Nation-  
12 al Endowment for the Humanities, who shall be  
13 the Chairperson”,

14 (B) in the second sentence by striking out  
15 “selected on the basis of” and inserting in lieu  
16 thereof “individuals who (1) are selected from  
17 among private citizens of the United States who  
18 are recognized for their broad knowledge of, ex-  
19 pertise in, or commitment to the humanities, and  
20 (2) have established records of”, and

21 (C) by adding at the end thereof the  
22 following:

23 “In making such appointments, the President shall give due  
24 regard to equitable representation of women, minorities, and

1 persons with disabilities who are involved in the  
2 humanities.”,

3 (2) in subsection (c) by striking out “his” each  
4 place it appears and inserting in lieu thereof “such  
5 member’s”,

6 (3) in subsections (d), (e), and (f) by striking out  
7 “Chairman” each place it appears and inserting in lieu  
8 thereof “Chairperson”, and

9 (4) in subsection (f)—

10 (A) in the first sentence by striking out “his”  
11 and inserting in lieu thereof “the Chairperson’s”,  
12 and

13 (B) in the second sentence by striking out  
14 “he” and inserting in lieu thereof “the Chair-  
15 person”.

16 **SEC. 109. ESTABLISHMENT OF THE FEDERAL COUNCIL ON**  
17 **THE ARTS AND THE HUMANITIES.**

18 Section 9 of the National Foundation on the Arts and  
19 the Humanities Act of 1965 (20 U.S.C. 958) is amended—

20 (1) in subsection (b)—

21 (A) in the first sentence by striking out  
22 “Chairman of the National Endowment for the  
23 Arts, the Chairman of the National Endowment  
24 for the Humanities” and inserting in lieu thereof  
25 “Chairperson of the National Endowment for the

1 Arts, the Chairperson of the National Endowment  
2 for the Humanities”,

3 (B) in the second sentence by striking out  
4 “Chairman” and inserting in lieu thereof “presid-  
5 ing officer”,

6 (C) in the last sentence by striking out “he”  
7 and inserting in lieu thereof “the President”, and

8 (D) by adding at the end thereof the  
9 following:

10 “For the purposes of the Arts and Artifacts Indemnity Act  
11 (20 U.S.C. 971 et seq.), the Secretary of the Smithsonian  
12 Institution, the Director of the National Gallery of Art, and  
13 the members of the Council who are designated by the Chair-  
14 man of the Senate Commission on Art and Antiquities and  
15 the Speaker of the House of Representatives shall not serve  
16 as members of the Council.”,

17 (2) in subsection (c)(1) by striking out “Chairman”  
18 each place it appears and inserting in lieu thereof  
19 “Chairperson”, and

20 (3) by striking out subsections (d) and (e) and  
21 inserting in lieu thereof the following new subsections:

22 “(d) The Council shall conduct a study to determine—

23 “(1) the nature and level of Federal support  
24 provided to museums;

1           “(2) the areas in which such support overlaps or  
2 is inadequate, particularly in case of emerging  
3 museums;

4           “(3) the impact of the Institute of Museum  
5 Services in carrying out its stated purpose; and

6           “(4) the impact and nature of conservation and  
7 preservation programs being carried out under this Act  
8 and other Federal laws and the areas in which such  
9 programs overlap or are inadequate.

10          “(e) Not later than October 1, 1987, the Council shall  
11 develop and submit to the President policy recommendations  
12 regarding the acquisition of works of art for use on Federal  
13 property, the disposal of such works of art, and the mainte-  
14 nance of such works of art. Such recommendations shall—

15           “(1) address the need for participation by local  
16 citizens and by State and local arts agencies in the  
17 process of placing works of art on Federal property  
18 and removing such works of art from such property,

19           “(2) provide that planning for Federal commis-  
20 sions of works of art will be included in the preliminary  
21 planning of new Federal buildings and will be an inte-  
22 gral part of the architectural design of such buildings,

23           “(3) provide for making determinations that works  
24 of art located or to be located in existing Federal build-

1       ings are appropriate for their respective settings and  
2       spaces, and

3               “(4) avoid the development of an official style, in  
4       either architecture or associated works of art, and en-  
5       courage Federal commissions of works of art that will  
6       give expression to the full diversity and vitality of  
7       American life.”.

8   **SEC. 110. ADMINISTRATIVE PROVISIONS.**

9       Section 10 of the National Foundation on the Arts and  
10      the Humanities Act of 1965 (20 U.S.C. 959) is amended—

11             (1) in subsection (a)—

12               (A) in the matter preceding paragraph (1) by  
13             striking out “Chairman of the National Endow-  
14             ment for the Arts and the Chairman of the Na-  
15             tional Endowment for the Humanities” and in-  
16             serting in lieu thereof “Chairperson of the Nation-  
17             al Endowment for the Arts and the Chairperson  
18             of the National Endowment for the Humanities”,

19             (B) in paragraph (1)—

20               (i) by striking out “he” and inserting in  
21             lieu thereof “the Chairperson”, and

22               (ii) by striking out “his” and inserting  
23             in lieu thereof “the Chairperson’s”,

1 (C) in paragraph (2) by striking out "Chair-  
2 man" each place it appears and inserting in lieu  
3 thereof "Chairperson",

4 (D) in paragraph (3) by striking out "his"  
5 and inserting in lieu thereof "the Chairperson's",

6 (E) in paragraph (4) by striking out "section  
7 15" and all that follows through "representation"  
8 and inserting in lieu thereof "section 3109 of title  
9 5, United States Code",

10 (F) in the matter following paragraph (8) by  
11 striking out "Chairman" each place it appears  
12 and inserting in lieu thereof "Chairperson", and

13 (G) by adding at the end thereof the  
14 following:

15 "In selecting panels of experts under paragraph (4) to review  
16 and make recommendations with respect to the approval of  
17 applications for financial assistance under this Act, each  
18 Chairperson shall appoint persons who have exhibited exper-  
19 tise and leadership in the field under review, who broadly  
20 represent diverse characteristics in terms of aesthetic per-  
21 spective, and geographical factors, and who broadly repre-  
22 sent cultural diversity. The term for which an expert may be  
23 appointed to a subpanel of a panel may not exceed 3 years.  
24 Any expert who is a member of a subpanel for 3 consecutive  
25 years shall be ineligible for appointment under paragraph (4)



1 to the same subpanel until the expiration of the 1-year period  
2 beginning on the date such service is concluded. The terms  
3 for which experts are appointed under paragraph (4) to a  
4 subpanel shall be staggered, to ensure the each subpanel in-  
5 cludes individuals who have experience as members of such  
6 subpanel.”,

7 (2) in subsection (b) by striking out “Chairman”  
8 each place it appears and inserting in lieu thereof  
9 “Chairperson”, and

10 (3) by striking out subsection (d) and inserting in  
11 lieu thereof the following new subsections:

12 “(d) The Chairperson of the the National Endowment  
13 for the Arts and the Chairperson of the the National Endow-  
14 ment for the Humanities, shall each ensure post-award  
15 evaluation of financial assistance provided under this Act.

16 “(e)(1) The Chairperson of the National Endowment for  
17 the Arts and the Chairperson of the National Endowment for  
18 the Humanities, with the cooperation of the Secretary of  
19 Education, shall conduct jointly a study of—

20 “(A) the state of arts education and humanities  
21 education, as currently taught in the public elementary  
22 and secondary schools in the United States; and

23 “(B) the current and future availability of qualified  
24 instructional personnel, and other factors, affecting the

1 quality of education in the arts and humanities in such  
2 schools.

3 “(2) The Endowments shall consult with the Committee  
4 on Labor and Human Resources of the Senate and the Com-  
5 mittee on Education and Labor of the House of Representa-  
6 tives in the design and implementation of the study required  
7 by this subsection.

8 “(3) Not later than 2 years after the date of the enact-  
9 ment of the Arts, Humanities, and Museums Amendments of  
10 1985, the Endowments shall submit to the President, the  
11 Congress, and the States a report containing—

12 “(A) the findings in paragraph (1);

13 “(B) the Endowments’ views of the role of the  
14 arts and humanities in elementary and secondary edu-  
15 cation;

16 “(C) recommendations designed to encourage  
17 making arts and humanities education available  
18 throughout the public;

19 “(D) recommendations for the participation by the  
20 National Endowment for the Arts and the National  
21 Endowment for the Humanities in arts education and  
22 humanities education in such schools; and

23 “(E) an evaluation of existing policies of the  
24 National Endowment for the Arts and the National  
25 Endowment for the Humanities that expressly or

1 inherently interfere with the Endowments' abilities to  
2 expand such participation."

3 **SEC. 111. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) **FUNDS AUTHORIZED FOR PROGRAM GRANTS.—**

5 Section 11(a)(1) of the National Foundation on the Arts and  
6 the Humanities Act of 1965 (20 U.S.C. 960(a)(1)) is  
7 amended—

8 (1) in subparagraph (A)—

9 (A) by striking out "\$115,500,000" and all  
10 that follows through "1984, and" and inserting in  
11 lieu thereof "\$132,500,000 for fiscal year 1986  
12 and", and

13 (B) by striking out "fiscal year 1985" and  
14 inserting in lieu thereof "each of the fiscal years  
15 1987, 1988, and 1989", and

16 (2) in subparagraph (B)—

17 (A) by striking out "\$114,500,000" and all  
18 that follows through "1984, and" and inserting in  
19 lieu thereof "\$127,000,000 for fiscal year 1986  
20 and", and

21 (B) by striking out "fiscal year 1985" and  
22 inserting in lieu thereof "each of the fiscal years  
23 1987, 1988, and 1989".

24 (b) **FUNDS AUTHORIZED TO MATCH NON-FEDERAL**  
25 **FUNDS RECEIVED.—**Section 11(a) of the National Founda-

1 tion on the Arts and the Humanities Act of 1965 (20 U.S.C.  
2 960(a)) is amended==

3 (1) in paragraph (2)—

4 (A) in subparagraph (A)—

5 (i) by striking out “October 1, 1985”  
6 and inserting in lieu thereof “October 1,  
7 1989”,

8 (ii) by striking out “\$18,500,000” the  
9 first place it appears and all that follows  
10 through “1984, and” and inserting in lieu  
11 thereof “\$14,000,000 for fiscal year 1986  
12 and”, and

13 (iii) by striking out “fiscal year 1985”  
14 and inserting in lieu thereof “each of the  
15 fiscal years 1987, 1988, and 1989”,

16 (B) in subparagraph (B)—

17 (i) by striking out “October 1, 1985”  
18 and inserting in lieu thereof “October 1,  
19 1989”,

20 (ii) in clause (ii) by inserting “subgran-  
21 tees” after “grantees” each place it appears,

22 (iii) by striking out “\$12,500,000” and  
23 all that follows through “1984, and” and in-  
24 serting in lieu thereof “\$13,000,000 for  
25 fiscal year 1986 and”, and

1 (iv) by striking out "fiscal year 1985"  
2 and inserting in lieu thereof "each of the  
3 fiscal years 1987, 1988, and 1989", and

4 (2) in paragraph (3)—

5 (A) in subparagraph (A)—

6 (i) by striking out "October 1, 1985"  
7 and inserting in lieu thereof "October 1,  
8 1989",

9 (ii) by striking out "\$27,000,000" and  
10 all that follows through "1984, and" and in-  
11 scribing in lieu thereof "\$22,000,000 for  
12 fiscal year 1986, and", and

13 (iii) by striking out "fiscal year 1985"  
14 and inserting in lieu thereof "each of the  
15 fiscal years 1987, 1988, and 1989", and

16 (B) in subparagraph (B)—

17 (i) by striking out "October 1, 1985"  
18 and inserting in lieu thereof "October 1,  
19 1989",

20 (ii) by striking out "\$30,000,000" and  
21 all that follows through "1984, and" and in-  
22 scribing in lieu thereof "\$21,000,000 for  
23 fiscal year 1986 and", and

1 (iii) by striking out "fiscal year 1985"  
 2 and inserting in lieu thereof "each of the  
 3 fiscal years 1987, 1988, and 1989", and  
 4 (C) in subparagraph (C)—

5 (i) by striking out "Chairman" and in-  
 6 serting in lieu thereof "Chairperson", and

7 (ii) by striking out "he" and inserting in  
 8 lieu thereof "the Chairperson", and

9 (3) in paragraph (4) by striking out "Chairman"  
 10 each place it appears and by inserting in lieu thereof  
 11 "Chairperson".

12 (c) FUNDS AUTHORIZED FOR ADMINISTRATION OF  
 13 PROGRAMS OF THE NATIONAL ENDOWMENTS.—Section  
 14 11(c) of the National Foundation on the Arts and the Hu-  
 15 manities Act of 1965 (20 U.S.C. 960(c)) is amended—

16 (1) in paragraph (1) by striking out  
 17 "\$14,000,000" and all that follows through "1985"  
 18 and inserting in lieu thereof "\$16,500,000 for fiscal  
 19 year 1986 and such sums as may be necessary for each  
 20 of the fiscal years 1987, 1988, and 1989",

21 (2) in paragraph (2) by striking out  
 22 "\$13,000,000" and all that follows through "1985"  
 23 and inserting in lieu thereof "\$15,000,000 for fiscal  
 24 year 1986 and such sums as may be necessary for each  
 25 of the fiscal years 1987, 1988, and 1989", and



1           “(B) recognized for their broad knowledge, exper-  
2       tise, or experience in museums or commitment to  
3       museums.

4 Members shall be appointed to reflect various geographical  
5 regions of the United States. The Board may not include, at  
6 any time, more than three members from a single State.

7 In making such appointments, the President shall give due  
8 regard to equitable representation of women, minorities, and  
9 persons with disabilities who are involved in such  
10 museums.”, and

11           (B) in paragraph (2)(A) by striking out  
12       “Chairman” each place it appears and inserting in  
13       lieu thereof “Chairperson”, and

14           (2) in the last sentence of subsection (b) by strik-  
15       ing out “his” each place it appears and inserting in  
16       lieu thereof “such member’s”, and

17           (3) in subsections (c) and (d) by striking out  
18       “Chairman” each place it appears and inserting in lieu  
19       thereof “Chairperson”.

20 **SEC. 202. DIRECTOR OF THE INSTITUTE.**

21       Section 205(a)(2) of the Museum Services Act (20  
22 U.S.C. 964(a)(2)) is amended by striking out “his” each place  
23 it appears and inserting in lieu thereof “the Chairperson’s”.



1 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 209(a) of the Museum Services Act (20 U.S.C.  
3 967(a)) is amended—

4 (1) by striking out “\$25,000,000” and all that  
5 follows through “1984, and” and inserting in lieu  
6 thereof “\$24,000,000 for fiscal year 1986 and”, and

7 (2) by striking out “fiscal year 1985” and insert-  
8 ing in lieu thereof “each of the fiscal years 1987,  
9 1988, and 1989”.

10 **TITLE III—AMENDMENTS TO ARTS AND**  
11 **ARTIFACTS INDEMNITY ACT**

12 **SEC. 301. INDEMNITY AGREEMENT.**

13 Section 5(b) of the Arts and Artifacts Indemnity Act (20  
14 U.S.C. 974(b)) is amended by striking out “\$400,000,000”  
15 and inserting in lieu thereof “\$650,000,000”.

16 **TITLE IV—EFFECTIVE DATE; APPLICATION**  
17 **OF AMENDMENTS**

18 **SEC. 401. EFFECTIVE DATE.**

19 This Act and the amendments made by this Act shall  
20 take effect on October 1, 1985.

21 **SEC. 402. APPLICATION OF AMENDMENTS.**

22 The amendments made by sections 105(3) and 107(3)  
23 shall not apply with respect to plans submitted for financial  
24 assistance to be provided with funds appropriated for fiscal  
25 year 1986.