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Museum Services Act (1984): Correspondence 03

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May 21, 1991

Sandy Crary
Office of Senator Clairborne Pell
Senate Subcommittee on Education,
Arts and Humanities
SD-648 Dirksen SOB
Washington, D.C. 20510

Dear Mr. Crary:

Last November, Congress authorized the Institute of Museum Services to assess the needs of small, emerging, rural and minority museums. These institutions contribute in so many ways to the cultural identity of their communities. An assessment is necessary to address the growing concern that lack of knowledge and resources jeopardizes the integrity, indeed the very existence, of these important collections. Although the money allotted to this endeavor is small, I am looking forward to producing a useful study.

We are currently making initial contacts with other federal agencies and museum organizations to collect the most recent research and to assist with the assessment content and design.

I welcome your comments on our assessment and have attached the following for your review.

- o the section of the law that authorizes IMS to conduct the needs assessment
- o a draft definition of "museums" that will be included in the assessment
- o a draft statement of the goals of the assessment.

I will keep you informed about our progress. If you are aware of institutions or individuals who may be interested please contact me or the IMS Congressional Liaison, Mamie Bittner, at (202) 786-0536.

Sincerely,

Susannah Simpson Kent
Director

SEC. 205. ASSESSMENT OF CERTAIN MUSEUMS.

The Museum Services Act (20 U.S.C. 961-968) is amended by adding at the end the following:

“ASSESSMENT OF CERTAIN MUSEUMS

“SEC. 211. The Director, subject to the policy direction of the Board and in consultation with appropriate representatives of the museum and cultural communities shall undertake an assessment of the needs of small, emerging, minority, and rural museums. The assessment, to be completed and presented to Congress within two years of enactment, shall include but not necessarily be limited to, the following subjects: 20 U

“(1) The need for resources to identify, collect, document, research, preserve and interpret tangible and nontangible collections and to communicate with and involve their own communities and the general public.

“(2) The personnel staffing and training needs for small, emerging, minority, and rural museums, including needs for professional positions and for the community persons employed or utilized by museums who are expert in the history, culture, customs, and other human resources of the communities.

“(3) The building and construction needs, including impediments to accessing Federal and non-Federal funds for this purpose.

“(4) The maintenance, operation and repair needs, including impediments to accessing Federal and non-Federal funds for these purposes.

“(5) The status of the museums' current collections and the museums' interest in accessing, through gift, purchase, repatriation or borrowing, objects now held privately or in public collections.

“(b) As used in this subsection—

“(1) the term ‘small, emerging, minority, and rural museums’ includes tribal museums and museums of other ethnic and cultural groups; and

“(2) the term ‘Indian tribe’ has the meaning given in the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(b)).”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 209 of the Museum Services Act (20 U.S.C. 967) is amended by adding at the end the following:

“(e)(1) Subject to paragraph (2), there are authorized to be appropriated \$1,000,000 for each of two fiscal years to carry out section 211.

“(2) Paragraph (1) shall not be effective for any fiscal year for which the amount appropriated under subsection (a) is less than \$24,000,000.”.

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Definition of museum for needs assessment:

For the "assessment of certain museums" authorized by Congress, the definition of museum shall conform closely with the current IMS definition of museum as given is in 45 CFR 1180.3(a)(1-3):

"Museum" means a public or private nonprofit institution which is organized on a permanent basis for essentially educational or aesthetic purposes and which, using a professional staff: (1) Owns or uses tangible objects, either animate or inanimate; (2) Cares for these objects; and (3) exhibits them to the general public on a regular basis.

and as given in 45 CFR 1180.3(b):

"Museum" includes (but is not limited to) the following institutions if they satisfy the provisions of this section: (1) Aquariums and zoological parks; (2) Botanical gardens and arboretums; (3) Nature Centers; (4) Museums relating to art, history (including historic buildings), natural history, science and technology; and (5) Planetariums.

and as given in 45 CFR 1180.3(d)(1-2):

an institution exhibits objects to the general public for the purposes of this [assessment] if such exhibition is a primary purpose of the institution.

As the purpose of the needs assessment specifically includes small and emerging museums, IMS will not exclude any museum from the assessment based on the following three criteria used by IMS to establish eligibility for receiving IMS funds [1180.3(a)(3)(i-ii), 1180.3(c), and 1180.5(a)(b)] having to be open at least 120 days a year, to employ a professional fulltime, and to be open for two years.

The assessment will include museums within all fifty States of the Union and the District of Columbia. The assessment will exclude museums that are owned or operated by a department or agency of the Federal Government.

For related institutions, museums will be counted as independent organizations when they demonstrate autonomy as described in 1180.6(b):

(1) The institution has its own governing body; (2) The institution has budgetary autonomy; (3) The institution has administrative autonomy.

IMS will conduct an assessment of the needs of small, emerging, minority, and rural museums. In accord with the language in P.L. 101-512-Nov. 5, 1990, the assessment will include the following subjects:

resources to identify, collect, document, research, preserve and interpret tangible and nontangible collections and to communicate with and involve their own communities and the general public.

personnel staffing and training needs for professional positions and for the community persons employed or utilized by museums who are expert in the history, culture, customs, and other human resources of the communities.

building and construction needs, including impediments to accessing Federal and non-Federal funds for this purpose.

maintanance, operation and repair needs, including impediments to accessing Federal and non-Federal funds for this purpose.

status of the museums' current collections and the museums' interest in accessing, through gift, purchase, repratriation or borrowing, objects now held privately or in public collections.

The final product of the needs assessment will be a report to the Congress, which will assist in the development of public and private policy for these museums.

Other than the overarching goal of reporting to Congress, other goals are:

communicate a Federal interest in the ability of these museums to provide public service

stimulate these museums to identify strengths and weaknesses in their resources and to identify their access to resources which allow them to accomplish their stated missions

provide a means for the museums and their supporters to compare their needs with similar museums

identify potential resources to meet the identified needs of the museums and foster communication among museums and potential resources

consider the needs of these museums in the context of national interests and resources

validate the social and cultural value these museums provide, or have the potential to provide, for their communities

"Resources" includes people, time, knowledge, skills, facilities, and collections, as well as financial support.