

November 2016

Reauthorization: S. 2724 (1990): Report 04

Follow this and additional works at: https://digitalcommons.uri.edu/pell_neh_l_77

Recommended Citation

"Reauthorization: S. 2724 (1990): Report 04" (2016). *Reauthorization: S. 2724 (1990)*. Paper 44.
https://digitalcommons.uri.edu/pell_neh_l_77/44https://digitalcommons.uri.edu/pell_neh_l_77/44

This Report is brought to you for free and open access by the Education: National Endowment for the Arts and Humanities, Subject Files I (1973-1996) at DigitalCommons@URI. It has been accepted for inclusion in Reauthorization: S. 2724 (1990) by an authorized administrator of DigitalCommons@URI. For more information, please contact digitalcommons@etal.uri.edu.

S. 2724
is introduced

Arts, Humanities, and Museums Amendments of 1990

Summary

TO AMEND THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965, AS AMENDED (20 U.S.C. 951, et. seq.), AND FOR OTHER PURPOSES.

Title I: National Foundation on the Arts and Humanities

* The definition of "the arts" is amended to include the traditional arts as practiced throughout the country. The Endowment is now explicitly charged with targeting the arts of a wide variety of cultures emphasizing their historical and cultural importance.

* The term "project" is amended to underscore that programs which enhance public knowledge and understanding of the arts should be available to all peoples throughout the nation.

* A provision is included to ensure that a National Endowment for the Humanities preservation project could use grant funds for renovation and construction purposes. Currently, NEH may fund renovation and construction activities only with challenge grant funds.

* The bill is amended to recognize that excellence is embodied in the artistic standards applicable to the traditional arts and to reference education explicitly among the types of arts projects which may be supported.

* Authority is granted to the NEA to provide organizational and managerial assistance to arts organizations and to support international arts activities.

* The bill conforms the basic grant making authority of the NEA to that of the NEH.

* The bill revises reporting requirements for state arts agencies. It requires that they report annually on their activities over the previous year. Formerly, they were required to report annually on their activities over the previous two years. This new reporting system will prevent unnecessary duplication of information. The new reporting requirement also includes all projects funded by the arts agencies.

* The bill amends the use of NEA Challenge Grants to include stimulation and awareness of the varied cultural traditions throughout the nation.

* The requirement that a "national information and data collection system" be developed by both the NEA and NEH is removed and the requirement that such a systems be employed is inserted. This change is being made because the systems have been developed by the NEA and NEH pursuant to the 1985 reauthorization requirement.

* The bill requires the submission of an NEA "state of the arts" report and an NEH "state of the humanities" report in 1992 and quadrennially thereafter. Formerly, the agencies were required to submit their report bi-annually, but changes in the arts and humanities fields do not occur rapidly enough to warrant such frequent reporting. Developments occurring between reports could be brought to the attention of Congress through planning documents, Congressional budget submissions and reports, or other appropriate formats.

* The amendmends provide that the Chairperson of the NEH may use contracts, grants, loans, and other forms of assistance" to carry out the nine program areas set forth in the Endowment's authorizing legislation. This makes explicit what has been understood since the creation of the NEH.

* The Chairperson of the NEH is given the authority to to foster programs and projects which provide access to and preservation of materials "important to research, education, and public understanding of the humanities."

* The bill mandates that whenever a state chooses to establish a state agency to administer the state's humanities plan, that state must designate the humanities council which is in existence on the date the state agency is established as the state agency. The current language requires that only the humanities councils "in existence on the date of the enactment of the Arts and Humanities Act of 1985" are eligible to be designated the sole state agency.

* Certain reporting requirements are amended in the event that any state humanities agencies are created. Reporting requirements would now include information for the preceding year, rather than for the preceding two years as per the current language. The same changes are made to reporting requirements for state humanities councils.

* The bill requires that a group applicant for NEH funding must meet certain statutory tests in order to qualify as a non-profit organization. This conforms the NEH to current NEA provisions.

* The authority to make annual \$10,000 Jefferson Lecturer and \$5,000 Frankel Prize awards is given to the NEH Chairperson, in consultation with the National Council on the Humanities. These awards have been made in the past with the knowledge and implicit approval of Congress.

* A five-year reauthorization of the NEA is mandated for fiscal years 1991 through 1995.

* A five-year reauthorization for the NEH is mandated for fiscal years 1991 through 1995.

Appropriations

	Fiscal Year	NEA	NEH
Program	'91	\$125,800,000	\$119,900,000
	'92-'95	such sums	such sums
Treasury	'91	\$13,000,000	\$12,000,000
	'92-'95	such sums	such sums
Challenge Grants	'91	\$15,000,000	\$15,150,000
	'92-'95	such sums	such sums
Administration	'91	\$21,200,000	\$17,950,000
	'92-'95	such sums	such sums
Totals	'91	\$175,000,000	\$165,000,000
	'92-'95	such sums	such sums

* The requirement mandating that any money left in either of the Endowments' Challenge Grant funds at the end of the ninth month of a fiscal year be transferred to the other Endowment is struck. This eventuality has not occurred since the inception of the enabling legislation, thus, the deletion of this provision is consistent with past experience.

* The \$35,000 cap on the use of NEH funds for reception and representation expenses is restricted only to appropriated funds. Funds reserved by the NEH from other sources, such as gifts and bequests, would not be subject to the \$35,000 limitation. Rising

costs of events intended to be made statutory such as the Jefferson Lecture and the Frankel Prize make this change advisable.

Title II: Museum Services

* The bill adds "conservation" to the types of resources that are to be represented by the membership of the National Museum Services Board, emphasizing the importance of conservation concerns to Institute of Museum Services programs.

* The bill removes the restriction on salary level of the IMS Director. The Director's compensation level is to be provided for Chapter 53 of title 5 of the U.S. Code.

* The bill eliminates provisions limiting funding to professional museum organizations. This will allow the IMS to fund other organizations proposing worthwhile programs .

* The bill eliminates a one-year limit on funding for projects. This will allow quality projects which can not be completed within one year to be funded and will allow funding to continue in the event of unexpected project delay.

* The bill extends for five years the authorization of appropriations for all IMS programs, as well as the authorization to match contributions to the IMS.

IMS Appropriations

Fiscal Year '91	\$24,000,000
Fiscal Years '92-'95	such sums

* The bill increases the aggregate level of insurance available for international exhibitions at any one time from \$1,200,000,000 to \$3,000,000,000. This increase is justified by continuing escalation in art market values and by the demand for coverage. The minimal number of claims in the past suggests this amendment will have no significant budgetary impact.

* The bill increases the amount of insurance available for any one exhibit to \$300,000,000. The current limit of \$125,000,000 is insufficient to cover many international exhibit loans due to the marked increase in the value of art objects. Since the inception of this indemnity program, there have been

only two certified claims totalling \$104,000. Based on past experience, it is anticipated that this amendment will have no significant budgetary impact.

* The deductible amounts under indemnity agreements are amended by adding layers of \$100,000 and \$200,000, based on the total value of the exhibition. The current statutory limits are \$15,000, \$25,000, and \$50,000, depending on the value of the exhibition. The deductible layers protect the U.S. Treasury from multiple claims for minor losses or damage. This amendment would actually limit the budgetary impacts or claims against the Federal government by increasing the exposure of the exhibition organizer who would be responsible for arranging for additional insurance to cover the deductible amount.

* The Director of Museum Services position is added to level IV of the Executive Schedule for compensation purposes to reflect the increase in both the budget of the organization and responsibilities of the position. Formerly, the Director's position was a level V position. This reflects an increase in salary to \$83,500 from \$78,200.