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To extend and improve arts and humanities programs, museum services, and arts and artifacts indemnification, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 12 (legislative day, JUNE 11), 1990

Mr. Pell (for himself, Mr. Kennedy, Mr. Metzenbaum, Mr. Dodd, Mr. Simon, Mr. Jeffords, Mr. Durenberger, Mr. Chafee, and Mr. Danforth) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To extend and improve arts and humanities programs, museum services, and arts and artifacts indemnification, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2 SECTION 1. SHORT TITLE.

3 This Act may be cited as the “Arts, Humanities, and Museums Amendments of 1990”.
TITLE I—NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SEC. 101. DEFINITIONS.

Section 3 of the National Foundation on the Arts and the Humanities Act of 1965 (hereafter in this title referred to as the “Act”) (20 U.S.C. 952) is amended—

(1) in subsection (b), by inserting “the traditional arts practiced by the diverse peoples of the United States,” after “major art forms;”;

(2) in subsection (d), by inserting “the widest” after “develop and enhance”; and

(3) in subsection (d)(2), by inserting “, 7(c)(10),” after “section 5(l)”.

SEC. 102. ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE ARTS.

Section 5 of the Act (20 U.S.C. 954) is amended—

(1) in subsection (c)—

(A) in paragraph (2), by inserting “or tradition” after “authenticity”; 

(B) in paragraph (5), by inserting “education,” after “knowledge,”;

(C) by striking “and” at the end of paragraph (7);
(D) by redesignating paragraph (8) as paragraph (10);

(E) by inserting after paragraph (7) the following new paragraphs:

"(8) projects that enhance managerial and organizational skills and capabilities;

"(9) international projects and productions in the arts; and"; and

(F) in the second sentence, by striking "clause (8)" and inserting "paragraph (10)";

(2) in subsection (g)(2)(E)—

(A) in clause (i), by striking "the previous 2 years" and inserting "the most recent year for which information is available"; and

(B) by amending clause (ii) to read as follows:

"(ii) for the most recent year for which information is available, a description of the extent to which projects and productions receiving financial assistance from the State arts agency are available to all people and communities in the State; and";

(3) in subsection (l)(1)—

(A) by striking "and" at the end of subparagraph (E);
1. (B) by striking the period at the end of sub-
paragraph (F) and inserting "; and"; and
2. (C) by adding at the end the following new
subparagraph:
3. "(G) stimulating artistic activity and aware-
ness that are in keeping with the varied cultural
4. traditions of the United States."; and
5. (4) in subsection (m)—
6. (A) in the first sentence, by striking "devel-
7. op" and inserting "employ";
8. (B) by striking the fourth sentence; and
9. (C) in the last sentence, by striking "not
10. later than October 1, 1988, and biennially there-
11. after" and inserting "not later than October 1,
12. 1992, and quadrennially thereafter".

SEC. 103. ESTABLISHMENT OF THE NATIONAL ENDOWMENT
FOR THE HUMANITIES.
Section 7 of the Act (20 U.S.C. 956) is amended—
(1) in subsection (a), by striking "a National" and
inserting "the National";
(2) in subsection (c)—
(A) by inserting "enter into arrangements,
including contracts, grants, loans, and other forms
of assistance, to" after "is authorized to";
(B) in paragraph (2), by striking "(including contracts, grants, loans, and other forms of assistance)";

(C) in paragraph (3), by striking "award" and all that follows through "humanities." and inserting "initiate and support training and workshops in the humanities by making arrangements with institutions or individuals.";

(D) in paragraph (7), by striking ", through grants or other arrangements with groups,;";

(E) by striking "and" at the end of paragraph (8);

(F) by striking the period at the end of paragraph (9) and inserting "; and"; and

(G) by adding at the end the following new paragraph:

"(10) foster programs and projects that provide access to and preserve materials important to research, education, and public understanding of the humanities.";

(3) in subsection (d), by striking "correlate" and inserting "coordinate";

(4) in subsection (f)—

(A) in paragraph (2)(A) by striking "the humanities council in existence on the date of the
enactment of the Arts, Humanities, and Museums Amendments of 1985, as the State agency” and inserting “as the State agency the humanities council in existence on the date of designation”; (B) in paragraph (2)(A)(viii)(I), by striking “previous two years” and inserting “most recent year for which information is available”; (C) in paragraph (2)(A)(viii)(II), by inserting “for the most recent year for which information is available,” after “(II)”; (D) in paragraph (3)(J)(i), by striking “previous two years” and inserting “most recent year for which information is available”; and (E) in paragraph (3)(J)(ii), by inserting “for the most recent year for which information is available,” after “(ii)”; (5) in the third sentence of subsection (g), by striking “not later than” and all that follows through “1985”; (6) in the second sentence of subsection (h)(2)(B), by striking “Endowment on” and inserting “Endowment for”; (7) in subsection (k)— (A) in the first sentence, by striking “devel-
op” and inserting “employ”;
(B) by striking the third sentence; and

(C) in the last sentence, by striking “October 1, 1988, and biennially thereafter” and inserting “October 1, 1992, and quadrennially thereafter”; 

(8) by amending subsection (l) to read as follows:

“(l) A group shall be eligible for financial assistance under this section only if—

“(1) no part of the net earnings of the group inures to the benefit of any private stockholder or individual; and

“(2) donations to the group are allowable as a charitable contribution under section 170(c) of the Internal Revenue Code of 1986.”; and

(9) by adding at the end the following new subsection:

“(m) The Chairperson of the National Endowment for the Humanities, with the advice of the National Council on the Humanities, is authorized to make the following annual awards:

“(1) The Jefferson Lecture in the Humanities Award to honor an individual for distinguished intellectual achievement in the humanities. The annual award shall not exceed $10,000.
“(2) The Charles Frankel Prize to honor persons who have made outstanding contributions to the public understanding of the humanities. Up to five persons may receive the award each year. No award shall exceed $5,000.”.

SEC. 104. ESTABLISHMENT OF THE FEDERAL COUNCIL ON THE ARTS AND HUMANITIES.

Section 9 of the Act (20 U.S.C. 958) is amended by striking subsection (d).

SEC. 105. ADMINISTRATIVE PROVISIONS.

Section 10 of the Act (20 U.S.C. 959) is amended—

(1) in subsection (a)(6), by striking “529” and inserting “3324”;

(2) by striking subsections (e) and (f);

(3) by redesignating subsections (b), (c), and (d) as subsections (e), (f), and (g), respectively;

(4) by designating the second through the fifth sentences of the existing subsection (a) as subsection (b);

(5) by designating the sixth through the eighth sentences of the existing subsection (a) as subsection (c);

(6) by designating the ninth through the eleventh sentences of the existing subsection (a) as subsection (d);
(7) in subsection (c) (as designated by paragraph (5)), by striking "clause (4)" and inserting "subsection (a)(4)"; and

(8) in subsection (g)(3) (as redesignated by paragraph (3)), by striking "the last sentence of subsection (a)" and inserting "subsection (d)".

SEC. 106. AUTHORIZATION OF APPROPRIATIONS.

Section 11 of the Act (20 U.S.C. 960) is amended—

(1) in subsection (a)—

(A) in the first sentence of paragraph (1)(A), by striking "$121,678,000" and all that follows through "section 5(g)" and inserting "$125,800,000 for fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992 through 1995";

(B) in the first sentence of paragraph (1)(B), by striking "95,207,000" and all that follows through "section 7(f)" and inserting "$119,900,000 for fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992 through 1995";

(C) in paragraph (1), by striking subpara-

(D) in paragraph (2)(A)—
(i) by striking "1990" and inserting "1995";
(ii) by striking "paragraph (8)" and inserting "paragraph (10)"; and
(iii) by striking "$8,820,000" and all that follows through "1989 and 1990" and inserting "$13,000,000 for fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992 through 1995";
(E) in paragraph (2)(B)—
(i) by striking "1990" and inserting "1995"; and
(ii) by striking "$10,780,000" and all that follows through "1989 and 1990" and inserting "$12,000,000 for fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992 through 1995";
(F) in paragraph (3)(A)—
(i) by striking "1990" and inserting "1995"; and
(ii) by striking "$20,580,000" and all that follows through "1989 and 1990" and inserting "$15,000,000 for fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992 through 1995";
(G) in paragraph (3)(B)—

(i) by striking "1990" and inserting "1995"; and

(ii) by striking "$19,600,000" and all that follows through "1989 and 1990" and inserting "$15,150,000 for fiscal year 1991 and such sums as may be necessary for each fiscal year 1992 through 1995"; and

(H) in paragraph (3), by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C);

(2) in subsection (c)—

(A) in the first sentence of paragraph (1), by striking "$15,982,000" and all that follows through "fiscal years 1989 and 1990" and inserting "$21,200,000 for fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992 through 1995"; and

(B) in paragraph (2)—

(i) in the first sentence, by striking "$14,291,000" and all that follows through "fiscal years 1989 and 1990" and inserting "$17,950,000 for fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992 through 1995"; and
(ii) in the second sentence, by striking
“or any other source of funds”; and
(3) by amending subsection (d) to read as follows:
“(d)(1) The total amount of appropriations to carry out
the activities of the National Endowment for the Arts shall
be $175,000,000 for fiscal year 1991 and such sums as may
be necessary for each of the fiscal years 1992 through 1995.
“(2) The total amount of appropriations to carry out the
activities of the National Endowment for the Humanities
shall be $165,000,000 for fiscal year 1991 and such sums as
may be necessary for each of the fiscal years 1992 through
1995.”.

TITLE II—MUSEUM SERVICES

SEC. 201. NATIONAL MUSEUM SERVICES BOARD.
Section 204 of the Museum Services Act (hereafter in
this title referred to as the “Act”) (20 U.S.C. 963) is
amended—
(1) in subsection (a)(1)(A), by inserting “conserva-
tional,” after “curatorial,”; and
(2) in subsection (d)(1), by striking “four” and in-
serting “three”.

SEC. 202. DIRECTOR OF THE INSTITUTE.
Section 205(a) of the Act (20 U.S.C. 964(a)) is
amended—
(1) in paragraph (1), by striking "be compensated
at the rate provided for level V of the Executive
Schedule (5 U.S.C. 5316), and shall"; and;
(2) in paragraph (2), by striking "Chairperson's"
and inserting "Director's".

SEC. 203. ACTIVITIES OF THE INSTITUTE.
Section 206 of the Act (20 U.S.C. 965) is amended—
(1) in subsection (a)(5), by striking "artifacts and
art objects" and inserting "museum collections"; and
(2) in subsection (b)—
(A) in paragraph (1), by striking "with pro-
fessional museum organizations", "to such organi-
zations", and "enable such organizations";
(B) in paragraph (2)(B), by striking—
(i) "the"; and
(ii) "of any professional museum organi-
(zation";
(C) in paragraph (2), by striking "(A)" and
all that follows through "(B)";
(D) in paragraph (3), by striking "to profes-
sional museum organizations"; and
(E) by striking paragraph (4).

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.
Section 209 of the Act (20 U.S.C. 967) is amended—
(1) by amending subsection (a) to read as follows:
“(a) For the purpose of making awards under section 206, there are authorized to be appropriated $24,000,000 for fiscal year 1991 and such sums as may be necessary for each of the fiscal years 1992 through 1995.”; and

(2) in subsection (d)—

(A) by striking “during the period beginning on the date of the enactment of this Act and ending October 1, 1990,”; and

(B) by inserting “for each of the fiscal years 1991 through 1995” after “to be appropriated”.

TITLE III—MISCELLANEOUS

SEC. 301. INDEMNITY AGREEMENT.

Section 5 of the Arts and Artifacts Indemnity Act (20 U.S.C. 974) is amended—

(1) in subsection (b), by striking “$1,200,000,000” and inserting “$3,000,000,000”; and

(2) in subsection (c), by striking “$125,000,000” and inserting “$300,000,000”; and

(3) in subsection (d)—

(A) by striking “or” at the end of paragraph (2); and

(B) by striking paragraph (3) and inserting the following new paragraphs:

“(3) $10,000,000 but less than $125,000,000, then coverage under this Act shall extend to loss or
damage in excess of the first $50,000 of loss or damage to items covered;

“(4) $125,000,000 but less than $200,000,000, then coverage under this Act shall extend to loss or damage in excess of the first $100,000 of loss or damage to items covered; or

“(5) $200,000,000 or more, then coverage under this Act shall extend only to loss or damage in excess of the first $200,000 of loss or damage to items covered.”.

SEC. 302. STUDY OF ALTERNATIVE FUNDING OF THE HUMANITIES.

Section 401 of the Arts, Humanities and Museums Amendments of 1985 (Public Law 99-194; 99 Stat. 1345) is repealed.

SEC. 303. POSITIONS AT LEVEL IV.

Section 5315 of title 5, United States Code, is amended by adding at the end the following:

“Director of the Institute of Museum Services”.