

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	re: non-selection (2 pages)	n.d.	b(6)
002. list	re: Invitation List for White House Dinner [partial] (2 pages)	n.d.	b(6)
003. list	re: Invitation List for White House Dinner [partial] (1 page)	n.d.	b(6)
004. list	re: Cultural Appointments (2 pages)	02/10/1993	b(6)
005. list	re: Recommendations for Appointments (9 pages)	n.d.	b(6)
006. list	re: National Council on the Arts Recommendations (4 pages)	05/28/1993	b(6)
007. letter	Applicant to Melanne Verveer (1 page)	07/28/1993	b(6)
008. resume	re: applicant (3 pages)	n.d.	b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Melanne Verveer
OA/Box Number: 20045

FOLDER TITLE:

NEH [National Endowment for the Humanities] [Folder 3]

2013-0534-S

rc1542

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



NATIONAL ENDOWMENT FOR THE HUMANITIES

WASHINGTON, D.C. 20306

THE CHAIRMAN

Arts and Humanities Month

Important Additions and Corrections

Lists include:

1. National Council on the Humanities changes²⁵
2. Addresses for CPB, PBS, and NPR³
3. Federal Council on the Arts and the Humanities (complete)²³
4. Names from the USIA
5. CULTURAL PRESS

Ann-

if you need anything else -
please call .

Martha

Withdrawal/Redaction Marker

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NATIONAL ENDOWMENT FOR THE HUMANITIES

WASHINGTON, D.C. 20306

THE CHAIRMAN

.38.
Ioan Challin
David

Arts and Humanities Month

State Dinner

(including Frankel prize Winners)

NATIONAL ENDOWMENT FOR THE HUMANITIES

WASHINGTON, D.C. 20506



Invitation List for White House Dinner

The Honorable Robert McC. Adams
Secretary
Smithsonian Institution
1000 Jefferson Drive, S.W.
Washington, DC 20560
202/357-1846

Mr. Ricardo Alegria
Executive Director
Center for Advanced Studies on
Puerto Rico and the Caribbean
P.O. Box S4467
San Juan, Puerto Rico 00902
809/723-8772 or 809/723-4481

Frankel Prize
Awardee

Mr. and Mrs. Walter H. Annenberg
St. Davids Center, Suite A-200
150 Radnor, Chester Road
St. Davids, PA 19087
215/293-8500 (O) 215/341-9330 (personal)

Mr. Robert H. Atwell
President
American Council on Education
One Dupont Circle, N.W.
Washington, DC 20036
202/939-9313

Mr. Gerald L. Baliles
Chairman of the Board
Public Broadcasting Service
Hunton and Williams
Riverfront Plaza
951 E. Byrd Street
Richmond, VA 23219
804/788-8200

The Honorable James H. Billington
The Librarian of Congress
10 First Street, S.E.
Washington, DC 20540
202/707-5205

Mr. William G. Bowen, President
The Andrew W. Mellon Foundation
140 62nd Street
New York, NY 10021
212/838-8400

Mr. and Mrs. Don Brown
JBG Associates
1250 Connecticut Avenue, N.W., Suite 500
Washington, DC 20036
202/364-6200

The Honorable Henry G. Cisneros
Secretary of Housing and Urban Development
451 Seventh Street, S.W.
Washington, DC 20410
202/708-0417

Dr. Edwin Delattre
Dean
School of Education, Room 354
Boston University
605 Commonwealth Avenue
Boston, MA 02215
617/353-5480 FAX 617/353-7777

Vice Chair, National
Council on the
Humanities

Ms. M. Christine DeVita
President
DeWitt Wallace-Reader's Digest Fund, Inc.
261 Madison Avenue
24th Floor
New York, NY 10016
212/953-1204

The Honorable Joseph D. Duffey
Director
United States Information Agency
301 Fourth Street, S.W.
Washington, DC 20547
202/619-4742

Mr. Richard J. Franke
Chairman and Chief Executive Officer
John Nuveen & Co., Inc.
333 West Wacker Drive
Chicago, IL 60606
312/917-7700

Withdrawal/Redaction Marker

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002. list	re: Invitation List for White House Dinner [partial] (2 pages)	n.d.	b(6)

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Invitation List for White House Dinner

3

Dr. John Hope Franklin
James B. Duke Professor Emeritus
Duke University
Durham, NC 27706
919/684-2465

Frankel Prize
Awardee

Dr. Henry Louis Gates, Jr.
W.E.B. DuBois Professor of Humanities
Afro-American Studies Department
Harvard University
1430 Massachusetts Avenue
Cambridge, MA 02138
617/496-1822 FAX 617/496-2871

(b)(6)

[002]

Mr. Gordon P. Getty
Chairman and President
The Ann and Gordon Getty Foundation
50 California Street, Suite 3315
San Francisco, CA 94111
415/788-5844

Mrs. Katherine Graham
The Washington Post
1150 15th Street, N.W.
Washington, DC 20071
202/334-6650

Dr. Hanna H. Gray
1126 East 59th Street
Box 109
Chicago, IL 60637
312/702-7799

Frankel Prize
Awardee

The Honorable Sheldon Hackney and Mrs. Hackney
Chairman
National Endowment for the Humanities
1100 Pennsylvania Avenue, N.W.
Washington, DC 20506
202/606-8310

Mr. John Hammer (no spouse)
Director
National Humanities Alliance
1527 New Hampshire Avenue, N.W.
Washington, DC 20036
202/296-4994 FAX 462-7849

Mr. Andrew Heiskell
Time Life Building
1271 Avenue of the Americas
Room 4345
New York, NY 10020
212/522-3495 (O) 212/308-0097 (H)

Frankel Prize
Awardee

Invitation List for White House Dinner

4

Mr. Vernon E. Jordan, Jr.
Aikin, Gump, Strauss & Hauer
Suite 400
1333 New Hampshire Avenue, N.W.
Washington, DC 20036
202/887-4000 202/887-4260 (Private)

Dr. Stanley N. Katz
President
American Council of Learned Societies
228 East 45th Street
New York, NY 10017-3398
212/697-1505 X123

Dr. Thomas W. Langfit
President
Pew Charitable Trust
One Commerce Square
2005 Market Street, Suite 1700
Philadelphia, PA 19103-7017
215/575-9050

Mr. Delano Lewis
President
National Public Radio
2025 M Street, N.W.
Washington, DC 20036
202/822-2010

The Honorable Emily Malino
Senior Partner
Metcalf, Tobey, and Partners
1750 Presidents Street
Reston, VA 22090
703/318-5000

Professor Elaine Marks
President
Modern Language Association of America
Department of French and Italian
University of Wisconsin
618 Van Hise Hall
Madison, WI 53706
608/262-3941

Mr. Peter McGrath
National Association of State Universities
and Land-Grant Colleges
One Dupont Circle, N.W., Suite 710
Washington, DC 20036
202/778-0818 FAX 296-6456

Invitation List for White House Dinner

5

Mr. Neil Pings
President
Association of American Universities
One Dupont Circle, N.W., Suite 730
Washington, DC 20036
202/466-5030 FAX 296-4438

The Honorable Richard W. Riley
Secretary of Education
Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202
202/401-3000

Ms. Adele Simmons
President
John D. and Catherine T. MacArthur Foundation
140 South Dearborn Street
Chicago, IL 60603
312/726-8000

Ms. Kathy Southern
Executive Director
National Cultural Alliance
1225 Eye Street, N.W.
Suite 200
Washington, DC 20005
202/8286

Ms. Nancy Stevenson
2117 North Fremont
Chicago, IL 60614
312/281-0378

(b)(6)

Ms. Louise Tilly
President
American Historical Association
New School of Social Research
64 University Place
New York, NY 10003
212/260-6854

Ms. Laurel T. Ulrich
University of New Hampshire
Durham, NH
603/862-3026 (O) 603/868-5028 (H)

Frankel Prize
Awardee

Mr. David Warren
President
National Association of Independent
Colleges and Universities
122 C Streets, N.W., Suite 750
Washington, DC 20001
202/347-7512 FAX 628-2513

Invitation List for White House Dinner

6

Mr. Garry Wills
History Department
Northwestern University
1881 Sheridan Road
Evanston, IL 60208
708/491-3406 (O) 708/491-9446 (H)

Pulitzer Prize-
winning historian

Mr. Jamil Zainaldin
Executive Director
Federation of State Humanities Councils
1600 Wilson Boulevard, Suite 902
Arlington, VA 22209
703/908-9700 FAX 908-9706



NATIONAL ENDOWMENT FOR THE HUMANITIES

WASHINGTON, D.C. 20306

THE CHAIRMAN

Ambassador Richard Carlson, CEO
Corporation for Public Broadcasting
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Washington, D. C. 20004-2087
202-879-9734

Delano Lewis, President
National Public Radio
2025 M St. N.W.
Washington, D. C. 20036
202-822-2000

Bruce L. Christensen, President and CEO
Public Broadcasting Service
1320 Braddock Place
Alexandria, VA 22314
703-739-5015



25

NATIONAL ENDOWMENT FOR THE HUMANITIES

WASHINGTON, D.C. 20506

THE CHAIRMAN

Arts and Humanities Month

Post-Dinner Reception

NATIONAL ENDOWMENT FOR THE HUMANITIES

WASHINGTON, D.C. 20506



Additional Invitees
White House Post-Dinner Reception List
(Alphabetical Order)

Edward H. Able
Executive Director
American Association of Museums
1225 Eye Street, N.W., Suite 200
Washington, DC 20005

Alberta Arthurs
Director, Arts & Humanities
Rockefeller Foundation
1133 Avenue of the Americas
New York, NY 10036

Susan L. Ball
Executive Director
College Art Association
275 Seventh Avenue
New York, NY 10001

Martha Chowning
Special Assistant to the Chairman
National Endowment for the Humanities
1100 Pennsylvania Avenue, N.W.
Washington, DC 20506

Leonard Fleischer
Executive Vice President
Meet the Composer
2112 Broad, Suite 505
New York, NY 11235

Phyllis Franklin
Executive Director
Modern Language Association
10 Astor Place
New York, NY 10001

Roderick S. French
Vice President for Academic Affairs
George Washington University
2121 Eye Street, N.W.
Washington, DC 20052

Invitee for White House Post-Dinner Reception

2

Donald Gibson
Acting Deputy Chairman
National Endowment for the Humanities
1100 Pennsylvania Avenue, N.W.
Washington, DC 20506

Mr. Peter C. Goldmark, Jr.
President
The Rockefeller Foundation
1133 Avenue of the Americas
New York, NY 10036

Candace Katz
Assistant to the Deputy Chairman
National Endowment for the Humanities
1100 Pennsylvania Avenue, N.W.
Washington, DC 20506

Catherine E. Rudder
Executive Director
American Political Science Association
1527 New Hampshire Avenue, N.W.
Washington, DC 20006
202/483-2512

Michael Shapiro
General Counsel
National Endowment for the Humanities
1100 Pennsylvania Avenue, N.W.
Washington, DC 20506

Mr. Franklin A. Thomas
President
The Ford Foundation
320 East 43rd Street
New York, 10017
212/573-5000

1. Mr. Nestor Davidson Staff Assistant,
Office of Legislative Affairs
The White House
Washington, D. C.
2. Mrs. Melanne Verveer Deputy Asst. to the President
and Dep. Chief of Staff to the First Lady
Old Executive Office Building
Washington D.C.
3. Ms. Ricki Seidman Deputy Asst. to the President
and Counsel to the Chief of Staff
The White House
Washington D. C.
4. Ms. Kathy Kruse Legislative Asst.
Office of the Hon. Edward Kennedy
United States Senate
Washington, D. C. 20510
5. Mr. Sandy Crary Professional Staff member,
U. S. Senate Subcmte on Education,
Arts and Humanities, Committee on
Labor and Human Resources
Dirksen SOB
Washington DC 20510

Home
9 Pomander Walk, NW
Washington D.C. 20007
6. Mr. John Gomperts Legislative Director
Office of the Hon. Harris Wofford
United States Senate
Washington, D.C. 20510
202-224-6324

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3751 Jennifer St. NW
Washington, D.C. 20015
202-363-9730
7. Ms. Julia Frifield Legislative Assistant
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United States Senate
Washington, D.C. 20510
202-224-6324

Home
1616 19th St. NW. #3
Washington, D.C. 20009
202-986-6962

(over)

10. Mr. Bill Gilcher The National Archives
800 Pennsylvania Avenue
Washington, D.C. 20408
202-501-5502

Home

Mr. and Mrs. Bill Gilcher (Kay)
8916 Walden Road
Silver Spring, Maryland 20901
301-495-6356

11. Mrs. Susan Clampitt National Endowment for the Arts
1100 Pennsylvania Avenue
Washington, D.C. 20
202-682-5006

Home

Mr. and Mrs. Robert Clampitt
13 9th St. S.E.
Washington, D. C. 20003
202-544-8998

10. Mr. John Hammer Executive Director,
National Humanities Alliance
21 Dupont Circle, NW Suite 604
Washington, D. C. 20036
202-296-4994

Home

1767 T St. NW
WDC
202-387-4454

11. Ms. Liz Robbins Liz Robbins & Associates
522 8th St. S.E.
Washington, D. C. 20003
202-544-6093

12. Mr. Jamil Zainaldin Executive Director
Federation of State
Humanities Councils
1600 Wilson Blvd., Suite 902
Arlington, VA 22209
703-908-9700

Home

Mr. Jamil Zainaldin
and Mrs. Ingrid Kelly
3870 Rodman Street #B218
Washington, D. C. 20016
202-363-3786



NATIONAL ENDOWMENT FOR THE HUMANITIES

WASHINGTON, D.C. 20306

THE CHAIRMAN

Sheldon Hackney Confirmation Team Members:

1. Mr. Nestor Davidson Staff Assistant,
Office of Legislative Affairs
The White House
Washington, D. C.
2. Mrs. Melanne Verveer Deputy Asst.to the President
and Dep. Chief of Staff to the First Lady
Old Executive Office Building
Washington D.C.
3. Ms. Ricki Seidman Deputy Asst. to the President
and Counsel to the Chief of Staff
The White House
Washington D. C.
4. Ms. Kathy Kruse Legislative Asst.
Office of the Hon.Edward Kennedy
United States Senate
Washington, D. C. 20510
5. Mr. Sandy Crary Professional Staff member,
U. S. Senate Subcmte on Education,
Arts and Humanities, Committee on
Labor and Human Resources
Dirksen SOB
Washington DC 20510

Home
9 Pomander Walk, NW
Washington D.C. 20007
6. Mr. John Gomperts Legislative Director
Office of the Hon. Harris Wofford
United States Senate
Washington, D.C. 20510
202-224-6324

(Gomperts cont'd)

Home

John Gomperts and Katherine Kline
3751 Jennifer St. NW
Washington, D.C. 20015
202-363-9730

7. Ms. Julia Frifield

Legislative Assistant
Office of the Hon. Harris Wofford
United States Senate
Washington, D.C. 20510
202-224-6324

Home

1616 19th St. NW. #3
Washington, D.C. 20009
202-986-6962

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The National Archives
800 Pennsylvania Avenue
Washington, D.C. 20408
202-501-5502

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Mr. and Mrs. Bill Gilcher (Kay)
8916 Walden Road
Silver Spring, Maryland 20901
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202-682-5006

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202-544-8998

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Executive Director,
National Humanities Alliance
21 Dupont Circle, NW Suite 604
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Home

1767 T St. NW
WDC
202-387-4454

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12. Mr. Jamil Zainaldin

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Humanities Councils
1600 Wilson Blvd., Suite 902
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Home

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and Mrs. Ingrid Kelly
3870 Rodman Street #B218
Washington, D. C. 20016
202-363-3786

NATIONAL COUNCIL ON THE HUMANITIES MEMBERS AS OF MAY 21, 1993

~~CONFIDENTIAL~~

Home Addresses and Telephone Numbers for NEH Use Only

Mr. Michael T. Bass (Therefa)
The Bass Group
601 Crown Cove
Pensacola, Florida 32501-6180

DETERMINED TO BE AN
ADMINISTRATIVE MARKING
INITIALS: JM DATE: 5/15/2014

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(H) (904) 438-6610
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Denver, Colorado 80202

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Bethesda, MD 20817
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Vice President for Program
The Bradley Foundation
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777 East Wisconsin Avenue
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4753 N. Larkin Street
Milwaukee, Wisconsin 53211

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Director, Office of Education
Office of the Mayor
City Hall
Atlanta, Georgia 30335

2396-E Dunwoody Crossing
Atlanta, Georgia 30338

(H) (404) 452-7218

(O) (404) 330-6090
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President
Assumption College
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Worcester, Massachusetts 01609
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Knox College
Galesburg, Illinois 61401

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Largo, Maryland 20772-2199

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Dr. Alan Charles Kors (Erika)
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Dr. Michael Malbin (Susan Lee)
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Dr. Miles Myers
Executive Director
National Council of Teachers
of English
1111 Kenyon Road
Urbana, IL 61801
217/328-3870 [FAX 217/328-9645]
Term: 4/91 through 4/94

Dr. Michael M. Sokal
Executive Secretary
History of Science Society
35 Dean Street
Worcester, MA 01609
508/831-5712 [FAX 508/831-5800]
Term: 4/91 through 4/94

Mr. Duane E. Webster
Executive Director
Association of Research Libraries
~~1527 New Hampshire Avenue, NW~~
Washington, DC 20036
202/232-2466 [FAX 202/462-7849]
Term: 4/89 through 4/93

21 Dupont Circle, NW, Suite 800

Dr. Stanley N. Katz
President
American Council of Learned
Societies
228 East 45th Street
New York, NY 10017
212/697-1505 [FAX 212/949-8058]
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* Dr. Catherine E. Rudder
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American Political Science
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Term: 4/91 through 4/93

Dr. John F. Stephens
Executive Director
American Studies Association
2101 South Campus Surge Building
University of Maryland
College Park, MD 20742
301/405-1364 [FAX 301/314-9148]
Term: 4/92 through 4/95

* Dr. Jamil S. Zainaldin
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Federation of State Humanities
Councils
1600 Wilson Boulevard
Suite 902
Arlington, VA 22209
703/908-9700 [FAX 703/908-9706]
Term: 4/88 through 4/94

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Melanne Verveer
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- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
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NEH list

Invitation List for White House Dinner

3

Dr. John Hope Franklin
James B. Duke Professor Emeritus
Duke University
Durham, NC 27706
919/684-2465

Frankel Prize
Awardee

Dr. Henry Louis Gates, Jr.
W.E.B. DuBois Professor of Humanities
Afro-American Studies Department
Harvard University
1430 Massachusetts Avenue
Cambridge, MA 02138
617/496-1822 FAX 617/496-2871

(b)(6)

[003]

Mr. Gordon P. Getty
Chairman and President
The Ann and Gordon Getty Foundation
50 California Street, Suite 3315
San Francisco, CA 94111
415/788-5844

Mrs. Katherine Graham
The Washington Post
1150 15th Street, N.W.
Washington, DC 20071
202/334-6650

Dr. Hanna H. Gray
1126 East 59th Street
Box 109
Chicago, IL 60637
312/702-7799

Frankel Prize
Awardee

The Honorable Sheldon Hackney and Mrs. Hackney
Chairman
National Endowment for the Humanities
1100 Pennsylvania Avenue, N.W.
Washington, DC 20506
202/606-8310

Mr. John Hammer (no spouse)
Director
National Humanities Alliance
1527 New Hampshire Avenue, N.W.
Washington, DC 20036
202/296-4994 FAX 462-7849

Mr. Andrew Heiskell
Time Life Building
1271 Avenue of the Americas
Room 4345
New York, NY 10020
212/522-3495 (O) 212/308-0097 (H)

Frankel Prize
Awardee

**Arts and Humanities Press List
First Priority
September 2, 1993**

Give to AB
Lisa call
~~Janet~~ Ginny
terz.

Nita Lelyveld
Associated Press
20221 K Street, NW
Washington, DC 20006

Frederick Winship
UPI
5 Penn Plaza
NY, NY 10001-1803

Mike Posner
Reuters
1333 H Street, NW
Suite 410
Wash DC 20005

Jacqueline Trescott
Washington Post
1150 15th Street, NW
Washington, DC 20071

Karin Lipson
Newsday
235 Pinelawn Rd
Mellville, NY 11747

Diane Haithman
Los Angeles Times
Times Mirror Square
Los Angeles, CA 90053

✓ **David Zimmerman**
USA Today
P.O. Box 500
Washington, DC 20044

William Henry
Time Magazine
1270 Avenue of the Americas
NY, NY 10020

Daniel Glick
Newsweek
1750 Pennsylvania Avenue
Washington, DC 20006

Tom Cole
NPR
2025 M Street, NW
Washington, DC 20036

Dennis Wharton
Daily Variety
1483 Chain Bridge Road
Suite 202
McLean, VA 22101

Stephan Salisbury
Philadelphia Inquirer
400 North Broad Street
Philadelphia, PA 19101

Michael Killian
Chicago Tribune
1615 L Street, NW
Washington, DC 20036

Patti Hartigan
Boston Globe
P.O. Box 2378
Boston, MA 02107-2378

First Priority Press List, page 2

Steve Burd

Chronicle of Higher Education
1255 23rd Street, NW
Washington, DC 20037

Tom Walsh

Backstage
1515 Broadway
14th Floor
NY, NY 10036

Paul Goldberger

New York Times
229 W. 43rd Street
NY, NY 10036

Irv Molotsky

New York Times
1627 Eye Street, NW
7th Floor
Washington, DC 20036

Elizabeth McPike

American Educator
American Federation of Teachers
555 New Jersey Avenue, NW
Washington, DC 20001

Carol Innerst

The Washington Times
3600 New York Avenue, NE
Washington, DC 20002

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Executive Editor
"Education Week"
4301 Connecticut Avenue, NW
Washington, DC 20008

Bob Edwards

"Morning Edition"
National Public Radio
2025 M Street, NW
Washington, DC 20036

Peter Bernstein

Managing Editor
U.S. News & World Report
2400 N Street, NW
Washington, DC 20037-1196

**Arts and Humanities Press List
Second Priority
September 2, 1993**

Louise Sweeney
Christian Science Monitor
910 Sixteenth Street, NW
Washington, DC 20006

Miriam Horne
US News & World Report
1290 Ave of Americas
Suite 600
NY, NY 10194

Nina Burleigh
People
1050 Connecticut Ave, NW
Washington, DC 20036

Entertainment Tonight
Joelle Norwood
Air Waves, Suite 722
444 N. Capitol St., NW
Washington, DC 20001

Craig Winnaker
Roll Call
900 Second Street, NE
Washington, DC 20002

Gene Shalit
Today Show
30 Rockefeller Plaza
NY, NY 10112

Joel Siegel
Good Morning America
147 Columbus Ave
NY, NY 10023

Howard Rosenberg
Los Angeles Times
Times Mirror Square
Los Angeles, CA 90053

Jody Leader
Los Angeles Daily News
PO Box 4200
Woodland Hills, CA

Richard Christiansen
Chicago Tribune
435 N Michigan Ave
Chicago, IL 60611

Robert Atkins
Village Voice
603 W 11th Street
NY, NY 10025

Carol Dana
Arts & Culture
Funding Report
4608-D South 28th Rd
Arlington, VA 22206

Alvin Reiss
Arts Management
408 W 57th Street
NY, NY 10019

Milton Estrow
Art in America
575 Broadway
New York, NY 10012

Second Priority Press List, page 2

Robin Cembalist
ARTnews
48 W 38th Street
NY, NY 10018

Steven Vincent
Art and Auction
250 W 57th Street
NY, NY 10107

William Schulz
Managing Editor
Reader's Digest
1730 Rhode Island Ave., NW #406
Washington, DC 20036

Dennis Kelly
Education Editor
USA Today
1000 Wilson Boulevard
Arlington, VA 22229

Thomas Gaughan, Editor
"American Libraries"
American Library Association
50 East Huron
Chicago, IL 60611

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First Priority
September 2, 1993**

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Washington Post
1150 15th Street, NW
Washington, DC 20016

Cynthia Tornquist

CNN
5 Pennsylvania Plaza
NY, NY 10001-1878

Charlie Rose

WNET-Channel 13
356 W 58th Street
NY, NY 10019-1896

Liz Smith

160 East 38th Street
#26 C
NY, NY 10016

David Patrick Stearns

USA Today
535 Madison Ave
6th Floor
NY, NY 10022

Larry King

CNN
820 First Street, NE
Washington, DC 20002

Robert L. Johnson

President, Johnson Publishing
820 S Michigan Ave
Chicago, IL 60605

Ed Gordon

BET-TV
1899 9th Street, NE
Washington, DC 20018

Jann Wenner

Editor & Publisher
Rolling Stone
1290 Ave of the Americas
NY, NY 10104-0101

Elizabeth Drew

1815 15th Street, NW
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Washington, DC 20005

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NBC
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Washington, DC 20016

Tim Russert

NBC
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Washington DC 20016

Tom Oliphant

Boston Globe
2000 Pennsylvania Ave, NW
Suite 3800
Washington, DC 20006

Walter Shapiro

Esquire
1790 Broadway
NY, NY 10019-1412

-more-

First Priority Opinion Leaders, page 2

Meg Greenfield
Washington Post
1150 15th Street, NW
Washington DC 20071

Barbara Reynolds
USA Today
1000 Wilson Blvd
Arlington, VA 22209

Richard Cohen
Washington Post
1150 15th Street, NW
Washington DC 20071

William Raspberry
Washington Post
1150 15th Street, NW
Washington DC 20071

Mary McGrory
Washington Post
1150 15th Street, NW
Washington DC 20071

Maureen Orth
Vanity Fair
350 Madison Ave
NY, NY 10017-3799

Margaret Warner
Public Broadcasting Service
WETA
3620 27th Street, South
Arlington, VA 22206

Ellen Goodman
Boston Globe
PO Box 2378
Boston, MA 02107-2378

E.J. Dionne
Washington Post
1150 15th Street, NW
Washington DC 20071

Ron Cohen
Gannett News Service
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Arlington, VA 22229-0001

Susan Baer
Baltimore Sun
1627 K Street, NW
Washington, DC 20006

Mary Otto
Knight Ridder
700 Pennsylvania Ave NW
Washington, DC 20006

Don Lambro
Washington Times
3600 New York Ave, NE
Washington, DC 20002

Robin MacNeil
MacNeil-Lehrer Newshour
356 W. 58 Street
NY, NY 10019-1896

Bill Moyers
Public Affairs Television
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New York, NY 10019

Norman Podhoretz
Editor-in-Chief
Commentary
165 East 56th Street
New York, NY 10022

-more-

First Priority Opinion Leaders, page 3

Diane Sawyer
"Prime Time Live"
147 Columbus Avenue
New York, NY 10023

Howell Raines
The New York Times
229 West 43rd Street
New York, NY 10036

Brian Lamb
Chairman & CEO
C-Span
400 North Capitol Street, NW #650
Washington, DC 20001

George Will
1208 30th Street, NW
Washington, DC 20007

William Safire
The New York Times
1627 Eye Street, NW
Washington, DC 20006

Hal Bruno
ABC News
1717 DeSales Street, NW
Washington DC 20036

Cokie Roberts
ABC-TV News
1717 DeSales Street, NW
Washington, DC 20036

Dotty Lynch
CBS-TV News
2020 M Street, NW
Washington, DC 20036

Gene Randall
Cable News Network
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Washington, DC 20002

Anna Quindlan
New York Times
229 W 43rd St
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Jim Lehrer
MacNeil-Lehrer
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Washington Post
1150 15th Street, NW
Washington, DC 20071

Charles Kuralt
CBS Sunday Morning
524 W 57th Street
NY, NY 10019

Katie Couric
Today Show
30 Rockefeller Plaza
NY, NY 10112

Amei Wallach
Newsday
2 Park Avenue
NY, NY 10016-5675

**Opinion Leaders Interested in Arts and Humanities
Second Priority
September 2, 1993**

Jeannie Williams

USA Today
535 Madison Avenue - 6th floor
New York, NY 10022

Larry B. Smith

PARADE
750 Third Avenue
New York, NY 10017

Shirley Eder

North Park Towers
16500 North Park Drive
Southfield, MI 48025

Michael Kinsley

TRB
The New Republic
1220 19th Street, NW
Washington, DC 20036

Andrew Sullivan

The New Republic
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Washington, DC 20036

Ron Brownstein

Los Angeles Times
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Suite 110
Washington, DC 20006

Don Rothberg

Associated Press
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Ben Bradlee & Sally Quinn

The Washington Post
1150 15th Street, NW
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First Priority
September 2, 1993**

Jim Vance

WRC-TV News
4001 Nebraska Avenue, NW
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Lark McCarthy

WTTG-TV News
5151 Wisconsin Avenue, NW
Washington, DC 20016

Susan King

WJLA-TV News
3007 Tilden Street, NW
Washington, DC 20016

Gordon Peterson

WUSA-TV News
4100 Wisconsin Avenue, NW
Washington, DC 20016

Maureen Bunyon

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Washington, DC 20016

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Ron Cohen
Executive Editor
Gannett News Service
1000 Wilson Boulevard
Arlington, Va 22229-0001

Clark Hoyt
Knight-Ridder Newspapers
700 National Press Bldg.
Washington, DC 20045

Nancy Schwerzler
Medill News Service
1325 G Street, NW
Washington, DC 20005-1814

Dan K. Thomasson
Scripps Howard News Service
1090 Vermont Avenue, NW #1000
Washington, DC 20005

William Sternberg
Thomson Newspapers, Inc.
524 National Press Bldg.
Washington, DC 20045

Andrew J. Glass
Cox Newspapers
2000 Pennsylvania Ave. NW
Washington, DC 20006-1055

Joseph Kingsbury-Smith
Hearst Newspapers
1701 Pennsylvania Ave., NW
Washington, DC 20006

Leo Rennert
McClatchy Newspapers
624 National Press Bldg.
Washington, DC 20045

Deborah Nowell
Newhouse News Service
2000 Pennsylvania Ave., NW
Washington, DC 20006

Leland Schwartz
States News Service
1333 F Street, NW
Washington, DC 20004

FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES

June 16, 1993

2:00 - 4:30 p.m.

Room 526

ent for the Arts

National Endowment for the Humanities

Department of Education - skip

National Science Foundation - let

Library of Congress - John Hanna

Commission of Fine Arts skip 504-2200

National Archives and Records
Administration - MR to talk to

Public Buildings Service, G.S.A.

United States Information Agency

Department of the Interior

Department of Commerce

Department of Transportation

National Museum Services Board

Institute of Museum Services

Department of Housing and Urban
Development

General Services Administration

Department of Labor

Veterans Administration

Arts and Artifacts Indemnity Panel

National Endowment for the Arts

heads of agencies
Andrew Oliver, Jr., Director
Museum Program

MARSHA SEMMEL, PUBLIC PROGRAMS

Michael S. Shapiro, General Counsel

Rita Foy, Education Specialist
219-2027

Barbara H. Butler, Informal
Science Education 357-7076

Stephen E. Ostrow, Chief
Prints and Photographs Division
707-5836

Charles Atherton, Secretary

James Hemphill, Executive Assistant
to the Archivist 501-5500
- Truly Peter

✓ Alicia Weber, Arts and Historic
Preservation Program 501-1065 YES

✓ Susan F. Stirn, Program Manager
Arts America 619-6315

✓ Jim Pipkin, Counselor to the
Secretary 208-4123 lon

Rosalind A. Knapp, Deputy General (MC)
Counsel 366-4713

William Laney, Executive Assistant
606-8536

✓ Linda L. Bell, Acting Director
606-8536 Yes

Shirl Thomas, Special Assistant
to the Secretary (MC)

✓ Alicia Weber (see PBS, above)

[523-3885]
Nicholas Chybinski, Assistant General
Counsel

Duncan Robinson, Chairman
Director, Yale Center for British Art

Alice Whelihan, Indemnity
Administrator 682-5422

National Arts and Humanities Month

October, 1995

On a late September day 30 years ago in the Rose Garden, President Johnson signed into law a bill establishing the National Endowment for the Arts and the National Endowment for the Humanities. As a signal of our Nation's maturity as a civilization, the establishment of Federal agencies in support of American culture spoke to our progress and our promise. The arts and humanities, so crucial to society's well-being, are often neglected when pioneers begin the process of establishing democracies; it is only when a Nation comes of age that we turn our attention to improving the mind and the spirit of the people.

We are at just such a juncture in the United States of America. For 200 years we built our democracy, expanded our horizons, forged our industries and commerce. Thirty years ago we had the chance to reflect upon our achievements and heritage, and we found that while we had made tremendous progress in all spheres, the arts and the humanities merited our attention and our support. The greatness of America resides in its people, and the greatest strengths of our people are imagination and ideas.

We celebrate this month the finest achievements of the creative mind. National Arts and Humanities Month affords us the opportunity to reflect upon our rich cultural history and to envision and plan for an even better future. It is fitting that we do so now in Autumn when schoolchildren remind us of the joy of discovery through the humanities and when the changing colors of Autumn remind us of the palette of the arts.

Over 200 years ago, one of the founders of our Nation, President John Adams wrote that he studied politics so that his children might study mathematics and commerce in order to give their children the freedom to study the arts and humanities. We are the children of John Adams, the heirs to his wish and vision for America. We measure the success of our democracy in the freedom of all to think and write, to speak and debate, to dare and dream. We measure the maturity of our civilization by the place it accords our artists and scholars, our thinkers and dreamers. We measure the health of our society by how we encourage our children to discovery.

The month of October has been designated National Arts and Humanities Month, and I urge all Americans to celebrate the artistic and intellectual freedoms we enjoy and to reflect on the crucial role they play in renewing our great democracy every day. I encourage all of you to listen to each other's stories and songs, to experience each other's ideas and images, to be open to the texture of each other's expressions.

Bill Clinton

M E M O R A N D U M

July 19, 1995

TO: Ann Stock
Nicole Rabner
Katie Button

FROM: Sandy Crary *ADC*

RE: Organization Master list for Medals Ceremony

Attached is a master list of organizations that should be contacted for lists of names that should receive invitations to the National Medal of Arts Ceremony on October 5th.

I suggest that you request 12 names from each organization listed in order of priority. Those organizations marked with an asterisk (*) are high priority and ALL names on these lists should be on final invitation list. The top two individuals from all other organizations should be invited.

I will be providing further lists for you in the following categories:

Congressional
NEA Council and Staff
Special Guests
Former Medalists.

A separate list will be provided with recommended names for the medals dinner on October 5th.

[COMMITTEE PRINT]

COMPILATION
OF THE
NATIONAL FOUNDATION ON
THE ARTS AND THE HUMANITIES
ACT OF 1965

MUSEUM SERVICES ACT

ARTS AND ARTIFACTS
INDEMNITY ACT

As Amended Through December 31, 1991

PREPARED FOR THE USE OF THE
COMMITTEE ON EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES
ONE HUNDRED SECOND CONGRESS
SECOND SESSION



August 4, 1992

Serial No. 102-R

Printed for the use of the House Committee on Education and Labor
WILLIAM D. FORD, *Chairman*

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1992

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MICKEY EDWARDS, Oklahoma
RANDY "DUKE" CUNNINGHAM, California

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ARTS, HUMANITIES, AND CULTURAL AFFAIRS ACT OF 1976

* * * * *

MUSEUM SERVICES ACT

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National Foundation on the Arts and the Humanities Act of 1965

(P.L. 89-209)

AN ACT To provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes.

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

SHORT TITLE

Section 1. This Act may be cited as the "National Foundation on the Arts and the Humanities Act of 1965".

(20 U.S.C. 951, note) Enacted Sept. 29, 1965, P.L. 89-202, sec. 1, 79 Stat. 845; amended May 31, 1984, P.L. 98-306, sec. 2, 98 Stat. 223; amended Dec. 20, 1985, P.L. 99-194, sec. 101, 99 Stat. 1332.

DECLARATION OF FINDINGS AND PURPOSES

SEC. 2. The Congress finds and declares the following:

(1) The arts and the humanities belong to all the people of the United States.

(2) The encouragement and support of national progress and scholarship in the humanities and the arts, while primarily a matter for private and local initiative, are also appropriate matters of concern to the Federal Government.

(3) An advanced civilization must not limit its efforts to science and technology alone, but must give full value and support to the other great branches of scholarly and cultural activity in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future.

(4) Democracy demands wisdom and vision in its citizens. It must therefore foster and support a form of education, and access to the arts and the humanities, designed to make people of all backgrounds and wherever located masters of their technology and not its unthinking servants.

(5) It is necessary and appropriate for the Federal Government to complement, assist, and add to programs for the advancement of the humanities and the arts by local, State, regional, and private agencies and their organizations. In doing so, the Government must be sensitive to the nature of public sponsorship. Public funding of the arts and humanities is subject to the conditions that traditionally govern the use of public money. Such funding should contribute to public support and confidence in the use of taxpayer funds. Public funds provided by the Federal Government must ultimately serve public purposes the Congress defines.

(6) The arts and the humanities reflect the high place accorded by the American people to the nation's¹ rich cultural heritage and to the fostering of mutual respect for the diverse beliefs and values of all persons and groups.

(7) The practice of art and the study of the humanities require constant dedication and devotion. While no government can call a great artist or scholar into existence, it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent.

(8) The world leadership which has come to the United States cannot rest solely upon superior power, wealth, and technology, but must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as a leader in the realm of ideas and of the spirit.

(9) Americans should receive in school, background and preparation in the arts and humanities to enable them to recognize and appreciate the aesthetic dimensions of our lives, the diversity of excellence that comprises our cultural heritage, and artistic and scholarly expression.

(10) It is vital to a democracy to honor and preserve its multicultural artistic heritage as well as support new ideas, and therefore it is essential to provide financial assistance to its artists and the organizations that support their work.

(11) To fulfill its educational mission, achieve an orderly continuation of free society, and provide models of excellence to the American people, the Federal Government must transmit the achievement and values of civilization from the past via the present to the future, and make widely available the greatest achievements of art.

(12) In order to implement these findings and purposes, it is desirable to establish a National Foundation on the Arts and the Humanities.

(20 U.S.C. 951) Enacted Nov. 5, 1990, P.L. 101-512, sec. 101, 104 Stat. 1961.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "humanities" includes, but is not limited to, the study and interpretation of the following: language, both modern and classical; linguistics; literature; history; jurisprudence; philosophy; archeology; comparative religion; ethics; the history, criticism, and theory of the arts; those aspects of the social sciences which have humanistic content and employ humanistic methods; and the study and application of the humanities to the human environment with particular attention to reflecting our diverse heritage, traditions, and history and to the relevance of the humanities to the current conditions of national life.

(b) The term "the arts" includes, but is not limited to, music (instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion de-

¹ Should be capitalized.

sign, motion pictures, television, radio, film, video, tape and sound recording, the arts related to the presentation, performance, execution, and exhibition of such major art forms, all those traditional arts practiced by the diverse peoples of this country.¹ and the study and application of the arts to the human environment.

(c) The term "production" means plays (with or without music), ballet, dance and choral performances, concerts, recitals, operas, exhibitions, readings, motion pictures, television, radio, film, video, and² tape and sound recordings, and any other activities involving the execution or rendition of the arts and meeting such standards as may be approved by the National Endowment for the Arts established by section 5 of this Act.

(d) The term "project" means programs organized to carry out the purposes of this Act, including programs to foster American artistic creativity, to commission works of art, to create opportunities for individuals to develop artistic talents when carried on as a part of a program otherwise included in this definition, and to develop and enhance public knowledge and understanding of the arts, and includes, where appropriate, rental or purchase of facilities, purchase or rental of land, and acquisition of equipment. Such term also includes—

(1) the renovation of facilities if (A) the amount of the expenditure of Federal funds for such purpose in the case of any project does not exceed \$250,000, or (B) two-thirds of the members of the National Council on the Arts or the National Council on the Humanities, as the case may be³ (who are present and voting) approve of the grant or contract involving an expenditure for such purpose; and

(2) for purposes of sections 5(l)⁴ and 7(h) only, the construction of facilities if (A) such construction is for demonstration purposes or under unusual circumstances where there is no other manner in which to accomplish an artistic or humanistic purpose, and (B) two-thirds of the members of the National Council on the Arts and⁵ the National Council on the Humanities, as the case may be, (who are present and voting) approve of the grant or contract involving an expenditure for such purpose.

(e) The term "group" includes any State or other public agency, and any nonprofit society, institution, organization, association, museum, or establishment in the United States, whether or not incorporated.

(f) The term "workshop" means an activity the primary purpose of which is to encourage the artistic development or enjoyment of amateur, student, or other nonprofessional participants, or to promote scholarship and teaching among the participants.

(g) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Co-

¹Error in amendment made by section 102(a)(1) of Public Law 101-512. The period should be stricken, and a comma should be inserted.

²So in original. Should strike "and".

³Should insert a comma.

⁴Amendment made by section 102(b)(3)(B) of Public Law 101-512 striking "5(l)" cannot be executed. Should amend to strike "5(l)" and insert "5(p), 7(c)(10)".

⁵Error in amendment made by section 103(2)(C) of Public Law 99-194. Should strike "and" and insert "or".

lumbia, Guam, American Samoa, the Northern Mariana Islands, and the Virgin Islands.

(h) The term "local arts agency" means a community organization, or an agency of local government, that primarily provides financial support, services, or other programs for a variety of artists and arts organizations, for the benefit of the community as a whole.

(i) The term "developing arts organization" means a local arts organization of high artistic promise which—

(1) serves as an important source of local arts programming in a community; and

(2) has the potential to develop artistically and institutionally to broaden public access to the arts in rural and innercity areas and other areas that are underserved artistically.

(j) The term "determined to be obscene" means determined, in a final judgment of a court of record and of competent jurisdiction in the United States, to be obscene.

(k) The term "final judgment" means a judgment that is either—

(1) not reviewed by any other court that has authority to review such judgment; or

(2) is not reviewable by any other court.

(l) The term "obscene" means with respect to a project, production, workshop, or program that—

(1) the average person, applying contemporary community standards, would find that such project, production, workshop, or program, when taken as a whole, appeals to the prurient interest;

(2) such project, production, workshop, or program depicts or describes sexual conduct in a patently offensive way; and

(3) such project, production, workshop, or program, when taken as a whole, lacks serious literary, artistic, political, or scientific value.

(20 U.S.C. 952) Enacted Sept. 29, 1965, P.L. 89-209, sec. 3, 79 Stat 845; amended June 18, 1968, P.L. 90-348, secs. 1, 7, 82 Stat. 184, 187; amended July 20, 1970, P.L. 91-346, sec. 3, 84 Stat. 443; amended Oct. 19, 1973, P.L. 93-133, sec. 2(a)(2), 87 Stat. 462; amended Dec. 4, 1980, P.L. 96-496, sec. 2, 94 Stat. 2583; amended Dec. 20, 1985, P.L. 99-194, sec. 103, 99 Stat. 1332; amended Nov. 5, 1990, P.L. 101-512, sec. 102, 104 Stat. 1962.

ESTABLISHMENT OF A NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SEC. 4. (a) There is established a National Foundation on the Arts and the Humanities (hereinafter referred to as the "Foundation"), which shall be composed of a National Endowment for the Arts, a National Endowment for the Humanities, a Federal Council on the Arts and the Humanities, and an Institute of Museum Services.

(b) The purpose of the Foundation shall be to develop and promote a broadly conceived national policy of support for the humanities and the arts in the United States, and for institutions which preserve the cultural heritage of the United States pursuant to this Act.

(c) In the administration of this Act no department, agency, officer, or employee of the United States shall exercise any direction,

supervision, or control over the policy determination, personnel, or curriculum, or the administration or operation of any school or other non-Federal agency, institution, organization, or association.

(20 U.S.C. 953) Enacted Sept. 29, 1965, P.L. 89-209, sec. 4, 79 Stat. 846; amended May 31, 1984, P.L. 98-306, sec. 4, 98 Stat. 223; amended Dec. 20, 1985, P.L. 99-194, sec. 104, 99 Stat. 1333.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE ARTS

SEC. 5. (a) There is established within the Foundation a National Endowment for the Arts.

(b)(1) The Endowment shall be headed by a chairperson, to be known as the Chairperson of the National Endowment for the Arts, who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) The term of office of the Chairperson shall be four years and the Chairperson shall be eligible for reappointment. The provisions of this subsection shall apply to any person appointed to fill a vacancy in the office of Chairperson. Upon expiration of the Chairperson's term of office the Chairperson shall serve until the Chairperson's successor shall have been appointed and shall have qualified.

(c) The Chairperson, with the advice of the National Council on the Arts, is authorized to establish and carry out a program of contracts with, or grants-in-aid or loans to, groups, or, in appropriate cases, individuals of exceptional talent engaged in or concerned with the arts, for the purpose of enabling them to provide or support—

(1) projects and productions which have substantial national or international artistic and cultural significance, giving emphasis to American creativity and cultural diversity and to the maintenance and encouragement of professional excellence;

(2) projects and productions, meeting professional standards of authenticity or tradition, irrespective of origin, which are of significant merit and which, without such assistance, would otherwise be unavailable to our citizens for geographic or economic reasons;

(3) projects and productions that will encourage and assist artists and enable them to achieve wider distribution of their works, to work in residence at an educational or cultural institution, or to achieve standards of professional excellence;

(4) projects and productions which have substantial artistic and cultural significance and that reach, or reflect the culture of, a minority, inner city, rural, or tribal community;

(5) projects and productions that will encourage public knowledge, education, understanding, and appreciation of the arts;

(6) workshops that will encourage and develop the appreciation and enjoyment of the arts by our citizens;

(7) programs for the arts at the local level;

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

(9) projects, productions, and workshops of the kinds described in paragraphs (1) through (8) through film, radio,

video, and similar media, for the purpose of broadening public access to the arts; and

(10) other relevant projects, including surveys, research, planning, and publications relating to the purposes of this subsection.

In the case of publications under paragraph (10) of this subsection such publications may be supported without regard for the provisions of section 501 of title 44, United States Code, only if the Chairperson consults with the Joint Committee on Printing of the Congress and the Chairperson submits to the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives a report justifying any exemption from such section 501. Any loans made by the Chairperson under this subsection shall be made in accordance with terms and conditions approved by the Secretary of the Treasury. In selecting individuals and groups of exceptional talent as recipients of financial assistance to be provided under this subsection, the Chairperson shall give particular regard to artists and artistic groups that have traditionally been underrepresented.

(d) No payment shall be made under this section except upon application therefor which is submitted to the National Endowment for the Arts in accordance with regulations issued and procedures established by the Chairperson. In establishing such regulations and procedures, the Chairperson shall ensure that—

(1) artistic excellence and artistic merit are the criteria by which applications are judged, taking into consideration general standards of decency and respect for the diverse beliefs and values of the American public; and

(2) applications are consistent with the purposes of this section. Such regulations and procedures shall clearly indicate that obscenity is without artistic merit, is not protected speech, and shall not be funded. Projects, productions, workshops, and programs that are determined to be obscene are prohibited from receiving financial assistance under this Act from the National Endowment for the Arts.

The disapproval or approval of an application by the Chairperson shall not be construed to mean, and shall not be considered as evidence that, the project, production, workshop, or program for which the applicant requested financial assistance is or is not obscene.

(e) The total amount of any grant to any group pursuant to subsection (c) of this section shall not exceed 50 per centum of the total cost of such project or production, except that not more than 20 per centum of the funds allotted by the National Endowment for the Arts for the purposes of subsection (c) for any fiscal year may be available for grants and contracts in that fiscal year without regard to such limitation.

(f) Any group shall be eligible for financial assistance pursuant to this section only if (1) no part of its net earnings inures to the benefit of any private stockholder or stockholders, or individual or individuals, and (2) donations to such group are allowable as a charitable contribution under the standards of subsection (c) of section 170 of the Internal Revenue Code of 1986.

(g)(1) The Chairperson, with the advice of the National Council on the Arts, is authorized to establish and carry out a program of

grants-in-aid to assist the several States in supporting existing projects and productions which meet the standards enumerated in section 5(c) of this Act, and in developing projects and productions in the arts in such a manner as will furnish adequate programs, facilities, and services in the arts to all the people and communities in each of the several States.

(2) In order to receive assistance under this subsection in any fiscal year, a State shall submit an application for such grants at such time as shall be specified by the Chairperson and accompany such applications with a plan which the Chairperson finds—

(A) designates or provides for the establishment of a State agency (hereinafter in this section referred to as the "State agency") as the sole agency for the administration of the State plan;

(B) provides that funds paid to the State under this subsection will be expended solely on projects and productions approved by the State agency which carry out one or more of the objectives of subsection (c);

(C) provides that the State agency will make such reports, in such form and containing such information, as the Chairperson may from time to time require, including a description of the progress made toward achieving the goals of the State plan;

(D) provides—

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

(ii) a summary of such recommendations and the State agency's response to such recommendations; and

(E) contains—

(i) a description of the level of participation during the most recent preceding year for which information is available by artists, artists' organizations, and arts organizations in projects and productions for which financial assistance is provided under this subsection;

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

(iii) a description of projects and productions receiving financial assistance under this subsection that exist or are being developed to secure wider participation of artists, artists' organizations, and arts organizations identified under clause (i) of this subparagraph or that address the availability of the arts to all people or communities identified under clause (ii) of this subparagraph.

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

(3) Of the sums available to carry out this subsection for any fiscal year, each State which has a plan approved by the Chairperson shall be allotted at least \$200,000. If the sums appropriated are in-

sufficient to make the allotments under the preceding sentence in full, such sums shall be allotted among such States in equal amounts. In any case where the sums available to carry out this subsection for any fiscal year are in excess of the amount required to make the allotments under the first sentence of this paragraph—

(A) the amount of such excess which is no greater than 25 per centum of the sums available to carry out this subsection for any fiscal year shall be available only to the Chairperson for making grants under this subsection to States and regional groups,¹ and

(B) the amount of such excess, if any, which remains after reserving in full for the Chairperson the amount required under clause (A) shall be allotted among the States which have plans approved by the Chairperson in equal amounts¹

but in no event shall any State be allotted less than \$200,000.

(4)(A) The amount of each allotment to a State for any fiscal year under this subsection shall be available to each State, which has a plan approved by the Chairperson in effect on the first day of such fiscal year to pay not more than 50 per centum of the total cost of any project or production described in paragraph (1). The amount of any allotment made under paragraph (3) for any fiscal year which exceeds \$125,000 shall be available, at the discretion of the Chairperson, to pay up to 100 per centum of such cost of projects and productions if such projects and productions would otherwise be unavailable to the residents of that State: *Provided*, That the total amount of any such allotment for any fiscal year which is exempted from such 50 per centum limitation shall not exceed 20 per centum of the total of such allotment for such fiscal year.

(B) Any amount allotted to a State under the first sentence of paragraph (3) for any fiscal year which is not obligated by the State prior to 60 days prior to the end of the fiscal year for which such sums are appropriated shall be available for making grants to regional groups.

(C) Funds made available under this subsection shall not be used to supplant non-Federal funds.

(D) For the purpose of paragraph (3) and paragraph (4) of this section the term "regional group" means any multistate group, whether or not representative of contiguous States.

(E) For purposes of paragraph (3)(B), the term "State" includes, in addition to the several States of the Union, only those special jurisdictions specified in section 3(g) which have a population of 200,000 or more, according to the latest decennial census.

(5) All amounts allotted or made available under paragraph (3) for a fiscal year which are not granted to a State during such year shall be available at the end of such year to the National Endowment for the Arts for the purpose of carrying out section 5(c).

(h) Whenever the Chairperson, after reasonable notice and opportunity for hearing, finds that—

(1) a group is not complying substantially with the provisions of this section;

¹ Should be amended to insert a semicolon.

(2) a State agency is not complying substantially with terms and conditions of its State plan approved under this section; or

(3) any funds granted to a group or State agency under this section have been diverted from the purposes for which they were allotted or paid,

the Chairperson shall immediately notify the Secretary of the Treasury and the group or State agency with respect to which such finding was made that no further grants will be made under this section to such group or agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until such group or agency repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

(i) It shall be a condition of the receipt of financial assistance provided under this section by the Chairperson or the State agency that the applicant for such assistance include in its application—

(1) a detailed description of the proposed project, production, workshop, or program for which the applicant requests such assistance;

(2) a timetable for the completion of such proposed project, production, workshop, or program;

(3) an assurance that the applicant will submit—

(A) interim reports describing the applicant's—

(i) progress in carrying out such project, production, workshop, or program; and

(ii) compliance with this Act and the conditions of receipt of such assistance;

(B) if such proposed project, production, workshop, or program will be carried out during a period exceeding 1 year, an annual report describing the applicant's—

(i) progress in carrying out such project, production, workshop, or program; and

(ii) compliance with this Act and the conditions of receipt of such assistance; and

(C) not later than 90 days after—

(i) the end of the period for which the applicant receives such assistance; or

(ii) the completion of such project, production, workshop, or program;

whichever occurs earlier, a final report to the Chairperson or the State agency (as the case may be) describing the applicant's compliance with this Act and the conditions of receipt of such assistance; and

(4) an assurance that the project, production, workshop, or program for which assistance is requested will meet the standards of artistic excellence and artistic merit required by this Act.

(j) The Chairperson shall issue regulations to provide for the distribution of financial assistance to recipients in installments except in those cases where the Chairperson determines that installments are not practicable. In implementing any such installments, the Chairperson shall ensure that—

(1) not more than two-thirds of such assistance may be provided at the time such application is approved; and

(2) the remainder of such assistance may not be provided until the Chairperson finds that the recipient of such assistance is complying substantially with this section and with the conditions under which such assistance is provided to such recipient.

(k) The Inspector General of the Endowment shall conduct appropriate reviews to ensure that recipients of financial assistance under this section comply with the regulations under this Act that apply with respect to such assistance, including regulations relating to accounting and financial matters.

(1)(1) If, after reasonable notice and opportunity for a hearing on the record, the Chairperson determines that a recipient of financial assistance provided under this section by the Chairperson or any non-Federal entity, used such financial assistance for a project, production, workshop, or program that is determined to be obscene, then the Chairperson shall require that until such recipient repays such assistance (in such amount, and under such terms and conditions, as the Chairperson determines to be appropriate) to the Endowment;¹ no subsequent financial assistance be provided under this section to such recipient.

(2) Financial assistance repaid under this section to the Endowment shall be deposited in the Treasury of the United States and credited as miscellaneous receipts.

(3)(A) This subsection shall not apply with respect to financial assistance provided before the effective date of this subsection.

(B) This subsection shall not apply with respect to a project, production, workshop, or program after the expiration of the 7-year period beginning on the latest date on which financial assistance is provided under this section for such project, production, workshop, or program.

(m) It shall be a condition of the receipt of any grant under this section that the group or individual of exceptional talent or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that (1) all professional performers and related or supporting professional personnel (other than laborers and mechanics with respect to whom labor standards are prescribed in subsection (n) of this section) employed on projects or productions which are financed in whole or in part under this section will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities; and (2) no part of any project or production which is financed in whole or in part under this section will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in such project or production. Compliance with the safety and sanitary laws of the State in which the performance or part thereof is to take place shall be prima facie evidence of compliance. The Secretary of Labor shall have the authority to prescribe standards, regulations, and proce-

¹ Error in amendment made by section 103(h) of Public Law 101-512. Should strike the semicolon and insert a comma.

dures as the Secretary of Labor may deem necessary or appropriate to carry out the provisions of this subsection.

(n) It shall be a condition of the receipt of any grant under this section that the group or individual of exceptional talent or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on construction projects assisted under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act¹, as amended (40 U.S.C. 276a-276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this subsection the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(o) The Chairperson shall correlate the programs of the National Endowment for the Arts insofar as practicable, with existing Federal programs and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs. The Chairperson may enter into interagency agreements to promote or assist with the arts-related activities of other Federal agencies, on a reimbursable or nonreimbursable basis, and may use funds authorized to be appropriated for the purposes of subsection (c) for the costs of such activities.

(p)(1) The Chairperson of the National Endowment for the Arts, with the advice of the National Council on the Arts, is authorized, in accordance with the provisions of this subsection, to establish and carry out a program of contracts with, or grants-in-aid to, public agencies and private nonprofit organizations, on a national, State, or local level, for the purpose of strengthening quality by—

(A) enabling cultural organizations and institutions to increase the levels of continuing support and to increase the range of contributors to the programs of such organizations or institutions;

(B) providing administrative and management improvements for cultural organizations and institutions, particularly in the field of long-range financial planning;

(C) enabling cultural organizations and institutions to increase audience participation in, and appreciation of, programs sponsored by such organizations and institutions;

(D) providing additional support for cooperative efforts undertaken by State arts agencies with local arts groups and local arts agencies to promote effective arts activity at the State and local level, including—

(i) support of professional artists in community based residencies;

(ii) support of rural arts development;

¹ Should strike "Davis-Bacon Act" and insert "Act of March 3, 1931, ch. 411, 46 Stat. 1494 (commonly known as the 'Davis-Bacon Act')".

(iii) support of and models for regional, statewide, or local organizations to provide technical assistance to cultural organizations and institutions;

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

(v) support of and models for professional staffing of arts organizations and for stabilizing and broadening the financial base for arts organizations;

(E) stimulating greater cooperation among cultural organizations and institutions especially designed to serve better the communities in which such organizations or institutions are located;

(F) fostering greater citizens involvement in planning the cultural development of a community; and

(G) stimulating artistic activity and awareness which are in keeping with the varied cultural traditions of this Nation.

(2)(A) The Chairperson of the National Endowment for the Arts, with the advice of the National Council on the Arts, is authorized in accordance with this subsection, to establish and carry out a program of contracts with, or grants to, States for the purposes of—

(i) raising the artistic capabilities of developing arts organizations by providing for—

(I) artistic and programmatic development to enhance artistic capabilities, including staff development; and

(II) technical assistance to improve managerial and organizational skills, financial systems management, and long-range fiscal planning; and

(ii) stimulating artistic activity and awareness and broadening public access to the arts in rural and innercity areas and other areas that are underserved artistically.

(B) For purposes of providing financial assistance under this paragraph, the Chairperson shall give priority to the activities described in subparagraph (A)(i).

(C) The Chairperson may not provide financial assistance under this paragraph to a particular applicant in more than 3 fiscal years for the purpose specified in subparagraph (A)(i).

(3) The total amount of any payment made under this subsection for a program or project may not exceed 50 per centum of the cost of such program or project.

(4) In carrying out the program authorized by this subsection, the Chairperson of the National Endowment for the Arts shall have the same authority as is established in subsection (c) and section 10.

(q) The Chairperson of the National Endowment for the Arts shall, in ongoing consultation with State and local agencies, relevant organizations, and relevant Federal agencies, continue to develop and implement a practical system of national information and data collection and public dissemination on the arts, artists and arts groups, and their audiences. Such system shall include artistic and financial trends in the various artistic fields, trends in audience participation, and trends in arts education on national, regional, and State levels. Such system shall also include information regarding the availability of the arts to various audience segments, including rural communities. Such system shall be used,

along with a summary of the data submitted with State plans under subsection (g), to prepare a periodic report on the state of the arts in the Nation. The state of the arts report shall include a description of the availability of the Endowment's programs to emerging, rural, and culturally diverse artists, arts organizations, and communities and of the participation by such artists, organizations, and communities in such programs. The state of the arts report shall be submitted to the President and the Congress, and provided to the States, not later than October 1, 1992, and quadrennially thereafter.

(20 U.S.C. 954) Enacted Sept. 29, 1965, P.L. 89-209, sec. 5, 79 Stat. 846; amended Sept. 11, 1967, P.L. 90-83, sec. 10(b), 81 Stat. 223; amended June 18, 1968, P.L. 90-348, secs. 2, 3, 82 Stat. 185; amended July 20, 1970, P.L. 91-346, secs. 4, 5(a)(1), 6, 7, 84 Stat. 443, 455; amended Oct. 19, 1973, P.L. 93-133, secs. 2(a)(3), (4), 87 Stat. 462; amended Dec. 24, 1973, P.L. 93-198, sec. 421, 87 Stat. 789; amended Oct. 8, 1976, P.L. 94-462, secs. 101, 102, 90 Stat. 471; amended Dec. 4, 1980, P.L. 96-496, secs. 102, 109(a), (b), 94 Stat. 2583, 2591; amended Dec. 20, 1985, P.L. 99-194, sec. 105, 99 Stat. 1333; amended Nov. 5, 1990, P.L. 101-512, secs. 103(a)-(i)(1), 104, 104 Stat. 1963, 1966.

ACCESS TO THE ARTS THROUGH SUPPORT OF EDUCATION

SEC. 5A. (a) The purposes of this section are—

(1) to increase accessibility to the arts through providing education to all Americans, including diverse cultures, urban and rural populations by encouraging and developing quality education in the arts at all levels, in conjunction with programs of nonformal education for all age groups, with formal systems of elementary, secondary, and postsecondary education;

(2) to develop and stimulate research to teach quality education in the arts; and

(3) to encourage and facilitate the work of artists, arts institutions, and Federal, State, regional, and local agencies in the area of education in the arts.

(b) The Chairperson of the National Endowment for the Arts,¹ is authorized to establish and carry out a program of contracts with, or grants to, any State or other public agency, individual, artist, any nonprofit society, performing and nonperforming arts and educational institution or organization, association, or museum in the United States, in order to foster and encourage exceptional talent, public knowledge, understanding, and appreciation of the arts, and to support the education, training, and development of this Nation's artists, through such activities as² projects that will—

(1) promote and improve the availability of arts instruction for American youth and life-long learning in the arts;

(2) enhance the quality of arts instruction in programs of teacher education;

(3) develop arts faculty resources and talents;

(4) support and encourage the development of improved curriculum materials in the arts;

(5) improve evaluation and assessment of education in the arts programs and instruction;

¹ Error in original. Should strike the comma.

² Error as enacted by Public Law 101-512. Should strike "as" and insert "and".

(6) foster cooperative programs with the Department of Education and encourage partnerships between arts and education agencies at State and local levels, arts organizations, business colleges and universities;

(7) support apprenticeships, internships, and other career oriented work-study experiences for artists and arts teachers, and encourage residencies of artists at all educational levels;

(8) support the use of technology and improved facilities and resources in education in the arts programs at all levels; and

(9) foster the development of demonstration projects, demonstration productions, demonstration workshops, and demonstration programs in arts education and collect, and make available to the public, information on their implementation and effectiveness.

(c) In order to provide advice and counsel concerning arts education, the Chairperson shall appoint an advisory council on arts education.

(20 U.S.C. 954a) Enacted Nov. 5, 1990, P.L. 101-512, sec. 105, 104 Stat. 1967.

NATIONAL COUNCIL ON THE ARTS

SEC. 6. (a) There shall be, within the National Endowment for the Arts, a National Council on the Arts (hereinafter in this section referred to as the "Council").

(b) The Council shall be composed of the Chairperson of the National Endowment for the Arts, who shall be Chairperson of the Council, and twenty-six other members appointed by the President, by and with the advice and consent of the Senate, who shall be selected—

(1) from among private citizens of the United States who (A) are widely recognized for their broad knowledge of, or expertise in, or for their profound interest in, the arts and (B) have established records of distinguished service, or achieved eminence, in the arts;

(2) so as to include practicing artists, civic cultural leaders, members of the museum profession, and others who are professionally engaged in the arts; and

(3) so as collectively to provide an appropriate distribution of membership among the major art fields.

The President is requested, in the making of such appointments, to give consideration to such recommendations as may, from time to time, be submitted to the President by leading national organizations in these fields. In making such appointments, the President shall give due regard to equitable representation of women, minorities, and individuals with disabilities who are involved in the arts. Members of the Council shall be appointed so as to represent equitably all geographical areas in the United States.

(c) Each member shall hold office for a term of six years, and the terms of office shall be staggered. The terms of office of all Council members shall expire on the third day of September in the year of expiration. No member shall be eligible for reappointment during the two-year period following the expiration of such member's term. Any member appointed to fill a vacancy shall serve for the remainder of the term for which such member's predecessor was ap-

pointed. Notwithstanding any other provision of this subsection, a member shall serve after the expiration of such member's term until such member's successor takes office.

(d)(1) The Council shall meet at the call of the Chairperson but not less often than twice during each calendar year. Fourteen members of the Council shall constitute a quorum. All policy meetings of the Council shall be open to the public.

(2) The Council shall—

(A) create written records summarizing—

(i) all meetings and discussions of the Council; and

(ii) the recommendations made by the Council to the Chairperson; and

(B) make such records available to the public in a manner that protects the privacy of individual applicants, panel members, and Council members.

(e) Members shall receive compensation at a rate to be fixed by the Chairperson but not to exceed the per diem equivalent of the rate authorized for grade GS-18 by section 5332 of title 5 of the United States Code and be allowed travel expenses including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

(f) The Council shall advise the Chairperson with respect to policies, programs, and procedures for carrying out the Chairperson's functions, duties, or responsibilities under this Act, and review applications for financial assistance under this Act and make recommendations to the Chairperson with respect to the approval of each application and the amount of financial assistance (if any) to provide to each applicant. The Council shall make recommendations to the Chairperson concerning—

(1) whether to approve particular applications for financial assistance under subsections (c) and (p) of section 5 that are determined by panels under section 10(c) to have artistic excellence and artistic merit; and

(2) the amount of financial assistance the Chairperson should provide with respect to each such application the Council recommends for approval.

The Chairperson shall not approve or disapprove any such application until the Chairperson has received the recommendation of the Council on such application. The Chairperson shall have final authority to approve each application, except that the Chairperson may only provide to an applicant the amount of financial assistance recommended by the Council and may not approve an application with respect to which the Council makes a negative recommendation. In the case of an application involving \$30,000 or less, the Chairperson may approve or disapprove such request if such action is taken pursuant to the terms of an expressed and direct delegation of authority from the Council to the Chairperson, and provided that each such action by the Chairperson shall be reviewed by the Council, and that such action shall be used with discretion and shall not become a normal practice of providing assistance under such subsections, except that the terms of any such delegation of authority shall not permit obligations for expenditure of funds under such delegation for any fiscal year which exceed an amount equal to 10 per centum of the sums appropriated for that

fiscal year pursuant to subparagraph (A) of paragraph (1) of section 11(a).

(20 U.S.C. 955) Enacted Sept. 29, 1965, P.L. 89-209, sec. 6, 79 Stat. 849; amended June 18, 1968, P.L. 90-348, sec. 4, 82 Stat. 185; amended July 20, 1970, P.L. 91-346, sec. 5(b), 84 Stat. 144; amended Oct. 19, 1973, P.L. 93-133, sec. 2(a)(5), 87 Stat. 463; amended Oct. 8, 1976, P.L. 94-462, sec. 103(a), 90 Stat. 1971; amended Dec. 4, 1980, P.L. 96-496, sec. 103, 94 Stat. 2584; amended May 31, 1984, P.L. 98-306, sec. 5, 98 Stat. 224; amended Dec. 20, 1985, P.L. 99-194, sec. 106, 99 Stat. 1335; amended Nov. 5, 1990, P.L. 101-512, sec. 106, 104 Stat. 1968.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES

SEC. 7. (a) There is established within the Foundation the National Endowment for the Humanities.

(b)(1) The Endowment shall be headed by a chairperson, who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) The term of office of the Chairperson shall be four years, and the Chairperson shall be eligible for reappointment. The provisions of this paragraph shall apply to any person appointed to fill a vacancy in the office of the Chairperson. Upon expiration of the Chairperson's term of office the Chairperson shall serve until the Chairperson's successor shall have been appointed and shall have qualified.

(c) The Chairperson, with the advice of the National Council on the Humanities (hereinafter established), is authorized to enter into arrangements, including contracts, grants, loans, and other forms of assistance, to—

(1) develop and encourage the pursuit of a national policy for the promotion of progress and scholarship in the humanities;

(2) initiate and support research and programs to strengthen the research and teaching potential of the United States in the humanities by making arrangements with individuals or groups to support such activities; any loans made by the Endowment shall be made in accordance with terms and conditions approved by the Secretary of the Treasury;

(3) initiate and support training and workshops in the humanities by making arrangements with institutions or individuals (fellowships awarded to individuals under this authority may be for the purpose of study or research at appropriate non-profit institutions selected by the recipient of such aid, for stated periods of time);

(4) initiate and support programs and research which have substantial scholarly and cultural significance and that reach, or reflect the diversity and richness of our American cultural heritage, including the culture of¹, a minority, inner city, rural, or tribal community;

(5) foster international programs and exchanges;

(6) foster the interchange of information in the humanities;

(7) foster, with groups, education in, and public understanding and appreciation of the humanities;

(8) support the publication of scholarly works in the humanities;

¹ Should strike the comma.

(9) insure that the benefit of its programs will also be available to our citizens where such programs would otherwise be unavailable due to geographic or economic reasons; and

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

In the case of publications under clause (8) of this subsection such publications may be supported without regard for the provisions of section 501 of title 44, United States Code, only if the Chairperson consults with the Joint Committee on Printing of the Congress and the Chairperson submits to the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives a report justifying any exemption from such section 501. In selecting individuals and groups of exceptional talent as recipients of financial assistance to be provided under this subsection, the Chairperson shall give particular regard to scholars, and educational and cultural institutions, that have traditionally been underrepresented.

(d) The Chairperson shall coordinate the programs of the National Endowment for the Humanities, insofar as practicable, with existing Federal programs, designated State humanities agencies and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs.

(e) The total amount of any grant under subsection (c)(3) to any group engaging in workshop activities for which an admission or other charge is made to the general public shall not exceed 30 per centum of the total cost of such activities.

(f)(1) The Chairperson, with the advice of the National Council on the Humanities, is authorized, in accordance with the provisions of this subsection, to establish and carry out a program of grants-in-aid in each of the several States in order to support not more than 50 per centum of the cost of existing activities which meet the standards enumerated in subsection (c) of this section, and in order to develop a program in the humanities in such a manner as will furnish adequate programs in the humanities in each of the several States.

(2)(A) Whenever a State desires to designate or to provide for the establishment of a State agency as the sole agency for the administration of the State plan, such State shall designate the humanities council in existence on the date the State agency is established as the State agency, and shall match from State funds a sum equal to 50 per centum of that portion of Federal financial assistance received by such State under this subsection which is described in the first sentence of paragraph (4) relating to the minimum State grant, or 25 per centum of the total amount of Federal financial assistance received by such State under this subsection, whichever is greater, for the fiscal year involved. In any State in which the State selects the option described in this subparagraph, the State shall submit, before the beginning of each fiscal year, an application for grants and accompany such application with a plan which the Chairperson finds—

(i) designates or provides for the establishment of a State agency (hereinafter in this section referred to as the "State agency") as the sole agency for the administration of the State plan;

(ii) provides that the chief executive officer of the State will appoint new members to the State humanities council designated under the provisions of this subparagraph, as vacancies occur as a result of the expiration of the terms of members of such council, until the chief executive officer has appointed all of the members of such council;

(iii) provides, from State funds, an amount equal to 50 per centum of that portion of Federal financial assistance received by such State under this subsection which is described in the first sentence of paragraph (4) relating to the minimum State grant, or 25 per centum of the total amount of Federal financial assistance received by such State under this subsection, whichever is greater, for the fiscal year involved;

(iv) provides that funds paid to the State under this subsection will be expended solely on programs approved by the State agency which carry out the objectives of subsection (c) and which are designed to bring the humanities to the public;

(v) provides assurances that State funds will be newly appropriated for the purpose of meeting the requirements of this subparagraph;

(vi) provides that the State agency will make such reports, in such form and containing such information, as the Chairman¹ may require, including a description of the progress made toward achieving the goals of the State plan;

(vii) provides—

(I) assurances that the State agency has held, after reasonable notice, public meetings in the State to allow scholars, interested organizations, and the public to present views and make recommendations regarding the State plan; and

(II) a summary of such recommendations and of the response of the State agency to such recommendations; and

(viii) contains—

(I) a description of the level of participation during the most recent preceding year for which information is available by scholars and scholarly organizations in programs receiving financial assistance under this subsection;

(II) for the most recent preceding year for which information is available, a description of the extent to which the programs receiving financial assistance under this subsection are available to all people and communities in the State; and

(III) a description of programs receiving financial assistance under this subsection that exist or are being developed to secure wider participation of scholars and scholarly organizations identified under subclause (I) of this clause or that address the availability of the humanities to all

¹ Should strike "Chairman" and insert "Chairperson".

people or communities identified under subclause (II) of this clause.

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

(B) In any State in which the chief executive officer of the State fails to submit an application under subparagraph (A), the grant recipient in such State shall—

(i) establish a procedure which assures that six members of the governing body of such grant recipient shall be appointed by an appropriate officer or agency of such State, except that in no event may the number of such members exceed 25 per centum of the total membership of such governing body; and

(ii) provide, from any source, an amount equal to the amount of Federal financial assistance received by such grant recipient under this subsection for the fiscal year involved.

(3) Whenever a State selects to receive Federal financial assistance under this subsection for any fiscal year under paragraph (2)(B), any appropriate entity desiring to receive such assistance shall submit an application for such assistance at such time as shall be specified by the Chairperson. Each such application shall be accompanied by a plan which the Chairperson finds—

(A) provides assurances that the grant recipient will comply with the requirements of paragraph (2)(B);

(B) provides that funds paid to the grant recipient will be expended solely on programs which carry out the objectives of subsection (c);

(C) establishes a membership policy which is designed to assure broad public representation with respect to programs administered by such grant recipient;

(D) provides a nomination process which assures opportunities for nomination to membership from various groups within the State involved and from a variety of segments of the population of such State, and including individuals who by reason of their achievement, scholarship, or creativity in the humanities, are especially qualified to serve;

(E) provides for a membership rotation process which assures the regular rotation of the membership and officers of such grant recipient;

(F) establishes reporting procedures which are designed to inform the chief executive officer of the State involved, and other appropriate officers and agencies, of the activities of such grant recipient;

(G) establishes procedures to assure public access to information relating to such activities;

(H) provides that such grant recipient will make reports to the Chairperson, in such form, at such times, and containing such information, as the Chairperson may require, including a description of the progress made toward achieving the goals of the plan;

(I) provides—

(i) assurances that the grant recipient has held, after reasonable notice, public meetings in the State to allow scholars, interested organizations, and the public to

present views and make recommendations regarding the plan; and

(ii) a summary of such recommendations and of the response of the grant recipient to such recommendations; and

(J) contains—

(i) a description of the level of participation during the most recent preceding year for which information is available by scholars and scholarly organizations in programs receiving financial assistance under this subsection;

(ii) for the most recent preceding year for which information is available, a description of the extent to which the programs receiving financial assistance under this subsection are available to all people and communities in the State; and

(iii) a description of programs receiving financial assistance under this subsection that exist or are being developed to secure wider participation of scholars and scholarly organizations identified under clause (i) of this subparagraph or that address the availability of the humanities to all people or communities identified under clause (ii) of this subparagraph.

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

(4) Of the sums available to carry out this subsection for any fiscal year, each State and each grant recipient which has a plan approved by the Chairperson shall be allotted at least \$200,000. If the sums appropriated are insufficient to make the allotments under the preceding sentence in full, such sums shall be allotted among such States and grant recipients in equal amounts. In any case where the sums available to carry out this subsection for any fiscal year are in excess of the amount required to make the allotments under the first sentence of this paragraph—

(A) 34 per centum of the amount of such excess for such fiscal year shall be available to the Chairperson for making grants under this subsection to States and regional groups and entities applying for such grants;

(B) 44 per centum of the amount of such excess for such fiscal year shall be allotted in equal amounts among the States and grant recipients which have plans approved by the Chairperson; and

(C) 22 per centum of the amount of such excess for such fiscal year shall be allotted among the States and grant recipients which have plans approved by the Chairperson in amounts which bear the same ratio to such excess as the population of the State for which the plan is approved (or, in the case of a grant recipient other than a State, the population of the State in which such grant recipient is located) bears to the population of all the States.

(5)(A) The amount of each allotment to a State for any fiscal year under this subsection shall be available to each State or grant recipient, which has a plan or application approved by the Chairperson in effect on the first day of such fiscal year, to pay not more than 50 per centum of the total cost of any project or production

described in paragraph (1). The amount of any allotment made under paragraph (4) for any fiscal year—

(i) which exceeds \$125,000, but

(ii) which does not exceed 20 per centum of such allotment, shall be available, at the discretion of the Chairperson, to pay up to 100 per centum of the cost of programs under this subsection if such programs would otherwise be unavailable to the residents of that State.

(B) Any amount allotted to a State under the first sentence of paragraph (4) for any fiscal year which is not obligated by the State agency or grant recipient prior to sixty days prior to the end of the fiscal year for which such sums are appropriated shall be available to the Chairperson for making grants to regional groups.

(C) Funds made available under this subsection shall not be used to supplant non-Federal funds.

(D) For the purposes of this paragraph, the term "regional group" means any multistate group, whether or not representative of contiguous States.

(E) For purposes of paragraph (4)(B), the term "State" and the term "grant recipient" include, in addition to the several States of the Union, only those special jurisdictions specified in section 3(g) which have a population of 200,000 or more, according to the latest decennial census.

(6) All amounts allotted or made available under paragraph (4) for a fiscal year which are not granted to any entity during such fiscal year shall be available to the National Endowment for the Humanities for the purpose of carrying out subsection (c).

(7) Whenever the Chairperson, after reasonable notice and opportunity for hearing, finds that—

(A) a group or grant recipient is not complying substantially with the provisions of this subsection;

(B) a State agency or grant recipient is not complying substantially with terms and conditions of its State plan or grant recipient application approved under this subsection; or

(C) any funds granted to any group or State agency or grant recipient under this subsection have been diverted from the purposes for which they are allotted or paid,

the Chairperson shall immediately notify the Secretary of the Treasury and the group, State agency, or grant recipient with respect to which such finding was made that no further grants will be made under this subsection to such group, State agency, or grant recipient until there is no longer a default or failure to comply or the diversion has been corrected, or, if the compliance or correction is impossible, until such group, State agency, or grant recipient repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

(8) Except as provided in paragraphs (4), (5), and (6), the Chairperson may not make grants under this subsection to more than one entity in any State.

(g) It shall be a condition of the receipt of any grant under this section that the group, individual, or State agency or entity receiving such grant furnish adequate assurances to the Secretary of Labor that (1) all professional performers and related or supporting professional personnel employed on projects or productions which

are financed in whole or in part under this section will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities; and (2) no part of any project or production which is financed in whole or in part under this section will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in such project or production. Compliance with the safety and sanitary laws of the State in which the performance or part thereof is to take place shall be prima facie evidence of compliance. The Secretary of Labor shall prescribe standards, regulations, and procedures necessary to carry out this subsection.

(h)(1) The Chairperson of the National Endowment for the Humanities, with the advice of the National Council on the Humanities, is authorized, in accordance with the provisions of this subsection, to establish and carry out a program of contracts with, or grants-in-aid to, public agencies and private nonprofit organizations for the purpose of—

(A) enabling cultural organizations and institutions to increase the levels of continuing support and to increase the range of contributors to the program of such organizations or institutions;

(B) providing administrative and management improvements for cultural organizations and institutions, particularly in the field of long-range financial planning;

(C) enabling cultural organizations and institutions to increase audience participation in, and appreciation of, programs sponsored by such organizations and institutions;

(D) stimulating greater cooperation among cultural organizations and institutions especially designed to serve better the communities in which such organizations or institutions are located;

(E) fostering greater citizen involvement in planning the cultural development of a community; and

(F) for bicentennial programs, assessing where our society and Government stand in relation to the founding principles of the Republic, primarily focused on projects which will bring together the public and private citizen sectors in an effort to find new processes for solving problems facing our Nation in its third century.

(2)(A) Except as provided in subparagraph (B) of this paragraph, the total amount of any payment made under this subsection for a program or project may not exceed 50 per centum of the cost of such program or project.

(B) The Chairperson, with the advice of the Council, may waive all or part of the requirement of matching funds provided in subparagraph (A) of this paragraph, but only for the purposes described in clause (F) of paragraph (1), whenever he determines that highly meritorious proposals for grants and contracts under such clause, could not otherwise be supported from non-Federal sources or from Federal sources other than funds authorized by section 11(a)(3), unless such matching requirement is waived. Such waiver

may not exceed 15 per centum of the amount appropriated in any fiscal year and available to the National Endowment for the Humanities for the purpose of this subsection.

(3) In carrying out the program authorized by this subsection, the Chairperson of the National Endowment for the Humanities shall have the same authority as is established in section 7(c) and section 10.

(i) The Chairperson may enter into interagency agreements to promote or assist with the humanities-related activities of other Federal agencies, on either a reimbursable or nonreimbursable basis, and may use funds authorized to be appropriated for the purposes of subsection (c) for the costs of such activities.

(j) It shall be a condition of the receipt of any grant under this section that the group or individual of exceptional talent or the State, State agency, or entity receiving such grant furnish adequate assurances to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on construction projects assisted under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act¹, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(k) The Chairperson of the National Endowment for the Humanities shall, in ongoing consultation with State and local agencies, other relevant organizations, and relevant Federal agencies, continue to develop and implement a practical system of national information and data collection and public dissemination on the humanities, scholars, educational and cultural groups, and their audiences. Such system shall include cultural and financial trends in the various humanities fields, trends in audience participation, and trends in humanities education on national, regional, and State levels. 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 and the Congress, and provided the States, not later than October 1, 1992, and quadrennially thereafter.

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

(1) no part of its net earnings inures to the benefit of any private stockholder or stockholders, or individual or individuals; and

¹ Should strike "Davis-Bacon Act" and insert "Act of March 3, 1931, ch. 411, 46 Stat. 1494 (commonly known as the 'Davis-Bacon Act')".

(2) donations to such group are allowable as a charitable contribution under the standards of section 170(c) of the Internal Revenue Code of 1986.

(m) The Chairperson, 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 one individual for distinguished intellectual achievement in the humanities. The annual award shall not exceed \$10,000.

(2) The Charles Frankel Prize to honor individuals who have made outstanding contributions to the public understanding of the humanities. Not more than 5 individuals may receive such prize each year. Each prize shall not exceed \$5,000.

(20 U.S.C. 956) Enacted Sept. 29, 1965, P.L. 89-209, sec. 7, 79 Stat. 850; amended Sept. 11, 1967, P.L. 90-83, sec. 10(b), 81 Stat. 223; amended July 20, 1970, P.L. 91-346, sec. 8, 84 Stat. 445; amended Oct. 19, 1973, P.L. 93-133, sec. 2(a)(6), 87 Stat. 464; amended Oct. 8, 1976, P.L. 94-462, secs. 104(a), 105, 301(b), 90 Stat. 1971, 1974, 1979; amended Dec. 4, 1980, P.L. 96-496, secs. 104, 109(c), 94 Stat. 2588, 2591; amended Dec. 20, 1985, P.L. 99-194, sec. 107, 99 Stat. 1335; amended Nov. 5, 1990, P.L. 101-512, sec. 107, 104 Stat. 1969.

ESTABLISHMENT OF THE NATIONAL COUNCIL ON THE HUMANITIES

SEC. 8. (a) There is established in the National Endowment for the Humanities a National Council on the Humanities.

(b) The Council shall be composed of the Chairman¹ of the National Endowment on² the Humanities, who shall be the Chairman¹ of the Council, and twenty-six other members appointed by the President, by and with the advice and consent of the Senate, from private life. Such members shall be individuals who (1) are selected from among private citizens of the United States who are recognized for their broad knowledge of, expertise in, or commitment to the humanities, and (2) have established records of distinguished service and scholarship or creativity and in a manner which will provide a comprehensive representation of the views of scholars and professional practitioners in the humanities and of the public throughout the United States. The President is requested in the making of such appointments to give consideration to such recommendations as may from time to time be submitted to him by leading national organizations concerned with the humanities. In making such appointments, the President shall give due regard to equitable representation of women, minorities, and individuals with disabilities who are involved in the humanities.

(c) Each member shall hold office for a term of six years, except that (1) the members first taking office shall serve, as designated by the President, nine for terms of two years, nine for terms of four years, and eight for terms of six years, and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which such member's predecessor was appointed. No member shall be eligible for reappointment during the two-year period following the expiration of such member's term. Notwithstanding any other provisions of this subsection, a member shall serve after the

¹The amendment made by P.L. 99-194, sec. 108(1)(A), 99 Stat. 1338, changing "Chairman" to "Chairperson" failed, by referring to the "Endowment for the Humanities" instead of the "Endowment on the Humanities".

²Inaccurate reference. Should be "for".

expiration of such member's term until such member's successor takes office.

(d) The Council shall meet at the call of the Chairperson but not less often than twice during each calendar year. Fourteen members shall constitute a quorum.

(e) Members shall receive compensation at a rate to be fixed by the Chairperson but not to exceed the per diem equivalent of the rate authorized for grade GS-18 by section 5332 of title 5 of the United States Code and be allowed travel expenses including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

(f) The Council shall (1) advise the Chairperson with respect to policies, programs, and procedures for carrying out the Chairperson's functions, and (2) shall review applications for financial support and make recommendations thereon to the Chairperson. The Chairperson shall not approve or disapprove any such application until the Chairperson has received the recommendation of the Council on such application, unless the Council fails to make a recommendation thereon within a reasonable time. In the case of any application involving \$30,000, or less, the Chairperson may approve or disapprove such request if such action is taken pursuant to the terms of a delegation of authority from the Council to the Chairperson, and provided that each such action by the Chairperson shall be reviewed by the Council: *Provided*, That the terms of any such delegation of authority shall not permit obligations for expenditure of funds under such delegation for any fiscal year which exceed an amount equal to 10 per centum of the sums appropriated for that fiscal year pursuant to subparagraph (B) of paragraph (1) of section 11(a).

(20 U.S.C. 957) Enacted Sept. 29, 1965, P.L. 89-209, sec. 8, 79 Stat. 851; amended July 18, 1968, P.L. 90-348, sec. 4, 82 Stat. 186; amended July 20, 1970, P.L. 91-346, sec. 5(c), 84 Stat. 444; amended Oct. 19, 1973, P.L. 93-133, sec. 2(a)(7), 87 Stat. 464; amended Oct. 8, 1976, P.L. 94-462, sec. 103(b), 90 Stat. 1971; amended Dec. 4, 1980, P.L. 96-496, sec. 105, 94 Stat. 2587; amended May 31, 1984, P.L. 98-306, sec. 5, 98 Stat. 224; amended Dec. 20, 1985, P.L. 99-194, sec. 108, 99 Stat. 1338.

ESTABLISHMENT OF THE FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES

SEC. 9. (a) There is established within the Foundation a Federal Council on the Arts and the Humanities.

(b) The Council shall be composed of the Chairperson of the National Endowment for the Arts, the Chairperson of the National Endowment for the Humanities, the Director of the Institute of Museum Services, the Secretary of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art, the Chairman of the Commission of Fine Arts, the Archivist of the United States, the Commissioner, Public Buildings Service, General Services Administration, the Commissioner on Aging, a member designated by the Secretary of State,¹ and a

¹ The authority of the Secretary of State to designate a member is now vested in the Director of the United States Information Agency. See section 7(a)(12) of Reorganization Plan No. 2 of 1977 (91 Stat. 1636) and section 303 of the United States Information Agency Authorization Act, Fiscal Years 1982 and 1983 (Public Law 97-241; 96 Stat. 291).

member designated by the Secretary of the Interior, a member designated by the Chairman of the Senate Commission on Art and Antiquities, and a member designated by the Speaker of the House. The President shall designate the presiding officer of the Council from among the members. The President is authorized to change the membership of the Council from time to time as the President deems necessary to meet changes in Federal programs or executive branch organization.

(c) The Council shall—

(1) advise and consult with the Chairperson of the National Endowment for the Arts and the Chairperson of the National Endowment for the Humanities on major problems arising in carrying out the purposes of the Foundation;

(2) advise and consult with the National Museum Services Board and with the Director of the Institute of Museum Services on major problems arising in carrying out the purposes of such Institute;

(3) coordinate, by advice and consultation, so far as is practicable, the policies and operations of the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services including joint support of activities, as appropriate;

(4) promote coordination between the programs and activities of the Foundation and related programs and activities of other Federal agencies;

(5) plan and coordinate appropriate participation (including productions and projects) in major and historic national events;

(6) undertake studies and make reports which address the state of the arts and humanities, particularly with respect to their economic needs and problems; and

(7) encourage an ongoing dialogue in support of the arts and the humanities among Federal agencies.

(20 U.S.C. 958) Enacted Sept. 29, 1965, P.L. 89-209, sec. 9, 79 Stat. 851; amended July 20, 1970, P.L. 91-346, sec. 9, 84 Stat. 446; amended Oct. 19, 1973, P.L. 93-133, sec. 2(a)(8), 87 Stat. 464; amended Oct. 8, 1976, P.L. 94-462, sec. 208, 90 Stat. 1977; amended Dec. 4, 1980, P.L. 96-496, secs. 106, 109(d), 94 Stat. 2587; amended May 31, 1984, P.L. 98-306, sec. 6, 98 Stat. 224; amended Dec. 20, 1985, P.L. 99-194, sec. 109, 99 Stat. 1339; amended Nov. 5, 1990, P.L. 101-512, sec. 108, 104 Stat. 1970.

ADMINISTRATIVE PROVISIONS

SEC. 10. (a) In addition to any authorities vested in them by other provisions of this Act, the Chairperson of the National Endowment for the Arts and the Chairperson of the National Endowment for the Humanities, in carrying out their respective functions, shall each have authority—

(1) to prescribe such regulations as the Chairperson deems necessary governing the manner in which the Chairperson's functions shall be carried out;

(2) in the discretion of the Chairperson of an Endowment, after receiving the recommendation of the National Council of that Endowment, to receive money and other property donated, bequeathed, or devised to that Endowment with or without a condition or restriction, including a condition that the Chairperson use other funds of that Endowment for the purposes of

the gift, except that a Chairperson may receive a gift without a recommendation from the Council to provide support for any application or project which can be approved without Council recommendation under the provisions of sections 6(f) and 8(f), and may receive a gift of \$15,000, or less, without Council recommendation in the event the Council fails to provide such recommendation within a reasonable period of time, and to use, sell, or otherwise dispose of such property for the purpose of carrying out sections 5(c) and 7(c);

(3) to appoint employees, subject to the civil service laws, as necessary to carry out the Chairperson's functions, define their duties, and supervise and direct their activities;

(4) to utilize experts and consultants, including panels of experts, who may be employed as authorized by section 3109 of title 5, United States Code;

(5) to accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by law (5 U.S.C. 73b-2¹) for persons in the Government service employed without compensation;

(6) to make advance, progress, and other payments without regard to section 3324 of title 31, United States Code;

(7) to rent office space in the District of Columbia; and

(8) to make other necessary expenditures.

(b)(1) In any case in which any money or other property is donated, bequeathed, or devised to the Foundation without designation of the Endowment for the benefit of which such property is intended, and without condition or restriction other than that it be used for the purposes of the Foundation, such property shall be deemed to have been donated, bequeathed, or devised in equal shares to each Endowment and each Chairperson of an Endowment shall have authority to receive such property.

(2) In any case in which any money or other property is donated, bequeathed, or devised to the Foundation with a condition or restriction, such property shall be deemed to have been donated, bequeathed, or devised to that Endowment whose function it is to carry out the purpose or purposes described or referred to by the terms of such condition or restriction, and each Chairperson of an Endowment shall have authority to receive such property.

(3) For the purposes of the preceding sentence, if one or more of the purposes of such a condition or restriction is covered by the functions of both Endowments, or if some of the purposes of such a condition or restriction are covered by the functions of one Endowment and other of the purposes of such a condition or restriction are covered by the functions of the other Endowment, the Federal Council on the Arts and the Humanities shall determine an equitable manner for distribution between each of the Endowments of the property so donated, bequeathed, or devised.

(4) For the purposes of the income tax, gift tax, and estate tax laws of the United States, any money or other property donated, bequeathed, or devised to the Foundation or one of its Endowments

¹Reference to section 73b-2 was made obsolete by the enactment of Public Law 89-554. Should strike "73b-2" and insert "5703".

and received by the Chairperson of an Endowment pursuant to authority derived under this subsection shall be deemed to have been donated, bequeathed, or devised to or for the use of the United States.¹

(c) The Chairperson of the National Endowment for the Arts shall utilize advisory panels to review applications, and to make recommendations to the National Council on the Arts in all cases except cases in which the Chairperson exercises authority delegated under section 6(f). When reviewing applications, such panels shall recommend applications for projects, productions, and workshops solely on the basis of artistic excellence and artistic merit. The Chairperson shall issue regulations and establish procedures—

(1) to ensure that all panels are composed, to the extent practicable, of individuals reflecting a wide geographic, ethnic, and minority representation as well as individuals reflecting diverse artistic and cultural points of view;

(2) to ensure that all panels include representation of lay individuals who are knowledgeable about the arts but who are not engaged in the arts as a profession and are not members of either artists' organizations or arts organizations;

(3) to ensure that, when feasible, the procedures used by panels to carry out their responsibilities are standardized;

(4) to require panels—

(A) to create written records summarizing—

(i) all meetings and discussions of such panel; and

(ii) the recommendations made by such panel to the Council; and

(B) to make such records available to the public in a manner that protects the privacy of individual applicants and panel members;

(5) to require, when necessary and feasible, the use of site visitations to view the work of the applicant and deliver a written report on the work being reviewed, in order to assist panelists in making their recommendations; and

(6) to require that the membership of each panel change substantially from year to year and to provide that each individual is ineligible to serve on a panel for more than 3 consecutive years.

In making appointments to panels, the Chairperson shall ensure that an individual who has a pending application for financial assistance under this Act, or who is an employee or agent of an organization with a pending application, does not serve as a member of any panel before which such application is pending. The prohibition described in the preceding sentence shall commence with respect to such individual beginning on the date such application is submitted and shall continue for so long as such application is pending.

(d) The Chairperson of the National Endowment for the Arts and the Chairperson of the National Endowment for the Humanities shall each submit an annual report to the President for transmittal to the Congress on or before the 15th day of April of each year. The

¹ Amendment made by section 109(8) of Public Law 101-512 cannot be executed. Should strike "For the purposes" and insert indented "(4) For the purpose".

report shall summarize the activities of the Endowment for the preceding year, and may include such recommendations as the Chairperson deems appropriate.

(e) The National Council on the Arts and the National Council on the Humanities, respectively, may each submit an annual report to the President for transmittal to the Congress on or before the 15th day of April of each year setting forth a summary of its activities during the preceding year or its recommendations for any measures which it considers necessary or desirable.

(f)(1) The Chairperson of the National Endowment for the Arts and the Chairperson of the National Endowment for the Humanities shall conduct a post-award evaluation of projects, productions, and programs for which financial assistance is provided by their respective Endowments under sections 5(c) and 7(c). Such evaluation may include an audit to determine the accuracy of the reports required to be submitted by recipients under clauses (i) and (ii) of paragraph (2)(A). As a condition of receiving such financial assistance, a recipient shall comply with the requirements specified in paragraph (2) that are applicable to the project, production, or program for which such financial assistance is received.

(2)(A) The recipient of financial assistance provided by either of the Endowments shall submit to the Chairperson of the Endowment involved—

(i) a financial report containing such information as the Chairperson deems necessary to ensure that such financial assistance is expended in accordance with the terms and conditions under which it is provided;

(ii) a report describing the project, production, or program carried out with such financial assistance; and

(iii) if practicable, as determined by the Chairperson, a copy of such project, production, or program.

(B) Such recipient shall comply with the requirements of this paragraph not later than 90 days after the end of the period for which such financial assistance is provided. The Chairperson may extend the 90-day period only if the recipient shows good cause why such an extension should be granted.

(3) If such recipient substantially fails to satisfy the purposes for which such financial assistance is provided and the criteria specified in subsection (c)(3)(A)¹, as determined by the Chairperson of the Endowment that provided such financial assistance, then such Chairperson may—

(A) for purposes of determining whether to provide any subsequent financial assistance, take into consideration the results of the post-award evaluation conducted under this subsection;

(B) prohibit the recipient of such financial assistance to use the name of, or in any way associate such project, production, or program with the Endowment that provided such financial assistance; and

(C) if such project, production, or program is published, require that the publication contain the following statement:

¹The reference to section (c)(3)(A) was added by section 109(2) of Public Law 101-512 and replaced a reference to "the last sentence of subsection (a)" appearing in what was then subsection (d), added by section 110(3), Public Law 99-194. Should probably amend to strike "criteria specified in subsection (c)(3)(A)" and insert "requirements of paragraph (2)(A)".

"The opinions, findings, conclusions, and recommendations expressed herein do not reflect the views of the National Endowment for the Arts or the National Endowment for the Humanities."

(20 U.S.C. 959) Enacted Sept. 29, 1965, P.L. 89-209, sec. 10, 79 Stat. 852; amended June 18, 1968, P.L. 90-348, sec. 5, 82 Stat. 186; amended July 20, 1970, P.L. 91-346, sec. 5(a)(3), 84 Stat. 443; amended Oct. 19, 1973, P.L. 93-133, sec. 2(a)(9), (10), 87 Stat. 465; amended Dec. 4, 1980, P.L. 96-496, sec. 107, 94 Stat. 2588; amended Dec. 20, 1985, P.L. 99-194, sec. 110, 99 Stat. 1339; amended Nov. 5, 1990, P.L. 101-512, sec. 109, 104 Stat. 1970.

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. (a)(1)(A)(i) For the purpose of carrying out section 5(c), there are authorized to be appropriated to the National Endowment for the Arts \$125,800,000 for fiscal year 1991 and such sums as may be necessary for fiscal years 1992 and 1993.

(ii) For fiscal years—

(I) 1991 and 1992 not less than 25 percent of the amount appropriated for the respective fiscal year; and

(II) 1993 not less than 27.5 percent of the amount appropriated for such fiscal year;

shall be for carrying out section 5(g).

(iii) For fiscal years—

(I) 1991 and 1992 not less than 5 percent of the amount appropriated for the respective fiscal year; and

(II) 1993 not less than 7.5 percent of the amount appropriated for such fiscal year;

shall be for carrying out programs under section 5(p)(2) (relating to programs to expand public access to the arts in rural and innercity areas). Not less than 50 percent of the funds required by this clause to be used for carrying out such programs shall be used for carrying out such programs in rural areas.

(B) For the purpose of carrying out section 7(c), there are authorized to be appropriated to the National Endowment for the Humanities \$119,900,000 for fiscal year 1991 and such sums as may be necessary for fiscal years 1992 and 1993. Of the sums so appropriated for any fiscal year, not less than 20 per centum shall be for carrying out section 7(f).

(2)(A) There are authorized to be appropriated for each fiscal year ending before October 1, 1993, to the National Endowment for the Arts an amount equal to the sum of—

(i) the total amounts received by such Endowment under section 10(a)(2), including the value of property donated, bequeathed, or devised to such Endowment; and

(ii) the total amounts received by the grantees of such Endowment from non-Federal sources, including the value of property donated, bequeathed, or devised to such grantees, for use in carrying out projects and other activities under paragraph (1) through paragraph (10) of section 5(c);

except that the amounts so appropriated to the National Endowment for the Arts shall not exceed \$13,000,000 for fiscal year 1991 and such sums as may be necessary for fiscal years 1992 and 1993.

(B) There are authorized to be appropriated for each fiscal year ending before October 1, 1993, to the National Endowment for the Humanities an amount equal to the sum of—

(i) the total amounts received by such Endowment under section 10(a)(2), including the value of property donated, bequeathed, or devised to such Endowment; and

(ii) the total amounts received by the grantees and subgrantees of such Endowment from non-Federal sources, including the value of property donated, bequeathed, or devised to such grantees and subgrantees, for use in carrying out activities under paragraph (1) through paragraph (10) of section 7(c);

except that the amounts so appropriated to the National Endowment for the Humanities shall not exceed \$12,000,000 for fiscal year 1991 and such sums as may be necessary for fiscal years 1992 and 1993.

(3)(A) There are authorized to be appropriated for each fiscal year ending before October 1, 1993, to the National Endowment for the Arts an amount equal to the sum of—

(i) the total amounts received by such Endowment, including the value of property donated, bequeathed, or devised to such Endowment, for the purposes set forth in section 5(p)(1) pursuant to the authority of section 10(a)(2); and

(ii) the total amounts received by the grantees of such Endowment from non-Federal sources, including the value of property donated, bequeathed, or devised to such grantees, for use in carrying out activities under subparagraph (A) through subparagraph (F) of section 5(p)(1);

except that the amounts so appropriated to such Endowment shall not exceed \$15,000,000 for fiscal year 1991 and such sums as may be necessary for fiscal years 1992 and 1993.

(B) There are authorized to be appropriated for each fiscal year ending before October 1, 1993, to the National Endowment for the Humanities an amount equal to the sum of—

(i) the total amounts received by such Endowment, including the value of property donated, bequeathed, or devised to such Endowment, for the purposes set forth in section 7(h)(1) pursuant to the authority of section 10(a)(2); and

(ii) the total amounts received by the grantees of such Endowment from non-Federal sources, including the value of property donated, bequeathed, or devised to such grantees, for use in carrying out activities under subparagraph (A) through subparagraph (F) of section 7(h)(1);

except that the amounts so appropriated to such Endowment shall not exceed \$15,150,000 for fiscal year 1991 and such sums as may be necessary for fiscal years 1992 and 1993.

(C) Sums appropriated pursuant to subparagraph (A) and subparagraph (B) for any fiscal year shall remain available for obligation and expenditure until expended.

(4) The Chairperson of the National Endowment for the Arts and the Chairperson of the National Endowment for the Humanities, as the case may be, shall issue guidelines to implement the provisions of paragraph (2) and paragraph (3). Such guidelines shall be con-

sistent with the requirements of section 5(e), section 5(l)(2)¹, section 7(f), and section 7(h)(2), as the case may be, regarding total Federal support of activities, programs, projects, or productions carried out under authority of this Act.

(b)(1) Sums appropriated pursuant to subsection (a) for any fiscal year shall remain available for obligation and expenditure until expended.

(2) In order to afford adequate notice to interested persons of available assistance under this Act, appropriations authorized under subsection (a) are authorized to be included in the measure making appropriations for the fiscal year preceding the fiscal year for which such appropriations become available for obligation.

(c)(1) There are authorized to be appropriated to the National Endowment for the Arts \$21,200,000² for fiscal year 1991 and such sums as may be necessary for fiscal years 1992 and 1993, to administer the provisions of this Act, or any other program for which the Chairperson of the National Endowment for the Arts is responsible, including not to exceed \$50,000 for each such fiscal year for official reception and representation expenses. The total amount which may be obligated or expended for such expenses for any fiscal year through the use of appropriated funds or any other source of funds shall not exceed \$50,000.

(2) There are authorized to be appropriated to the National Endowment for the Humanities \$17,950,000 for fiscal year 1991 and such sums as may be necessary for fiscal years 1992 and 1993, to administer the provisions of this Act, or any other program for which the Chairperson of the National Endowment for the Humanities is responsible, including not to exceed \$50,000 for each such fiscal year for official reception and representation expenses. The total amount which may be obligated or expended for such expenses for any fiscal year through the use of appropriated funds or any other source of funds shall not exceed \$50,000.

(d)(1) The total amount of appropriations to carry out the activities of the National Endowment for the Arts shall not exceed—

- (A) \$167,060,000 for fiscal year 1986,
- (B) \$170,206,400 for fiscal year 1987, and
- (C) \$177,014,656 for fiscal year 1988.

(2) The total amount of appropriations to carry out the activities for the National Endowment for the Humanities shall not exceed—

- (A) \$139,878,000 for fiscal year 1986,
- (B) \$145,057,120 for fiscal year 1987, and
- (C) \$150,859,405 for fiscal year 1988.

(e) No grant shall be made to a workshop (other than a workshop conducted by a school, college, or university) for a production for which direct or indirect admission charge is asked if the proceeds, after deducting reasonable costs, are used for purposes other than assisting the grantee to develop high standards of artistic excellence or encourage greater appreciation of the arts and humanities by our citizens.

¹ Amendment made by section 103(i)(2)(B) of Public Law 101-512 striking "section 5(l)(1)" cannot be executed. Should strike "section 5(l)(2)" and insert "section 5(p)(2)".

² Error in amendment made by section 110(f) of Public Law 101-512. Should strike the close quotation marks.

(f)(1) Subject to subparagraph (2), in any fiscal year in which the aggregate amount appropriated to the National Endowment for the Arts exceeds \$175,000,000, 50 percent of such excess shall be available to carry out section 5A.

(2) In each fiscal year, the amount made available to carry out section 5A shall not exceed \$40,000,000, in the aggregate.

(3) Funds made available to carry out section 5A shall remain available until expended.

(20 U.S.C. 960) Enacted Sept. 29, 1965, P.L. 89-209, sec. 11, 79 Stat. 853; amended June 18, 1968, P.L. 90-348, sec. 6, 82 Stat. 167; amended July 20, 1970, P.L. 91-346, secs. 5(a)(4), 12, 84 Stat. 444; amended Oct. 19, 1973, P.L. 93-133, sec. 2(a)(11), 87 Stat. 465; amended Oct. 8, 1976, P.L. 94-462, secs. 106(a), 302, 401(b), 90 Stat. 1974, 1980, 1981; amended Oct. 19, 1976, P.L. 94-555, sec. 219(b), 90 Stat. 2629; amended Dec. 4, 1980, P.L. 96-496, sec. 108, 94 Stat. 2589; amended May 31, 1984, P.L. 98-306, sec. 7, 98 Stat. 224-225; amended Dec. 20, 1985, P.L. 99-194, sec. 11, 99 Stat. 1342; amended July 9, 1986, P.L. 99-362, section 1, 99 Stat. 769; amended Nov. 5, 1990, P.L. 101-512, secs. 103(i)(2), 110, 104 Stat. 1966, 1972.-

Museum Services Act

(Title II of P.L. 94-462)

AN ACT To amend and extend the National Foundation on the Arts and Humanities Act of 1965, to provide for the improvement of museum services, to establish a challenge grant program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Arts, Humanities, and Cultural Affairs Act of 1976".

* * * * *

TITLE II—MUSEUM SERVICES

SHORT TITLE

SEC. 201. This title may be cited as the "Museum Services Act".

(20 U.S.C. 961 note) Enacted October 8, 1976, P.L. 94-462, Title II, sec. 201, 90 Stat. 1975.

PURPOSE

SEC. 202. It is the purpose of this title to encourage and assist museums in their educational role, in conjunction with formal systems of elementary, secondary, and post-secondary education and with programs of nonformal education for all age groups; to assist museums in modernizing their methods and facilities so that they may be better able to conserve our cultural, historic, and scientific heritage; and to ease the financial burden borne by museums as a result of their increasing use by the public.

(20 U.S.C. 961) Enacted October 8, 1976, P.L. 94-462, Title II, sec. 203, 90 Stat. 1975.

INSTITUTE OF MUSEUM SERVICES

SEC. 203. There is hereby established within the National Foundation on the Arts and the Humanities, an Institute of Museum Services. The Institute shall consist of a National Museum Services Board and a Director of the Institute.

(20 U.S.C. 962) Enacted Oct. 8, 1976, P.L. 462, Title II, sec. 203, 90 Stat. 1975; amended Dec. 4, 1980, P.L. 96-496, sec. 201(a), 94 Stat. 2591; amended May 31, 1984, P.L. 98-306, sec. 8, 98 Stat. 225.

NATIONAL MUSEUM SERVICES BOARD

SEC. 204. (a)(1) The Board shall consist of fifteen members appointed by the President by and with the advice and consent of the Senate. Such members shall be selected from among citizens of the United States who are members of the general public and who are—

(A) broadly representative of the various museums, including museums relating to science, history, technology, art, zoos, and botanical gardens, and of the curatorial, conservation, educational, and cultural resources of the United States; and

(B) recognized for their broad knowledge, expertise, or experience in museums or commitment to museums.

Members shall be appointed to reflect various geographical regions of the United States. The Board may not include, at any time, more than three members from a single State. In making such appointments, the President shall give due regard to equitable representation of women, minorities, and persons with disabilities who are involved in such museums.

(2)(A) In addition to members appointed by the President under paragraph (1), the following persons shall serve as members of the Board—

(i) the Chairperson of the National Endowment for the Arts;

(ii) the Chairperson of the National Endowment for the Humanities;

(iii) the Secretary of the Smithsonian Institution; and

(iv) the Director of the National Science Foundation.

(B) The members of the Board listed in clause (i) through clause (iv) of subparagraph (A) shall be nonvoting members.

(b) The term of office of the appointed members of the Board shall be five years, except that—

(1) any such member appointed to fill a vacancy shall serve only such portion of a term as shall not have expired at the time of such appointment; and

(2) in the case of initial members, three shall serve for terms of five years, three shall serve for terms of four years, three shall serve for terms of three years, three shall serve for terms of two years, and three shall serve for terms of one year, as designated by the President at the time of nomination for appointment.

Any appointed member who has been a member of the Board for more than seven consecutive years shall thereafter be ineligible for reappointment to the Board during the three-year period following the expiration of the last such consecutive year. Notwithstanding any other provision of this subsection, a member shall serve after the expiration of such member's term of office until such member's successor takes office.

(c) The Chairperson of the Board shall be designated by the President from among the appointed members of the Board. Except as provided in subsection (d)(2), eight appointed members of the Board shall constitute a quorum.

(d) The Board shall meet at the call of the Chairperson, except that—

(1) it shall meet not less than three times each year; and

(2) it shall meet whenever one-third of the appointed members request a meeting in writing, in which event seven of the appointed members shall constitute a quorum.

(e) Members of the Board who are not in the regular full-time employ of the United States shall receive, while engaged in the business of the Board, compensation for service at a rate to be fixed by the President, except that such rate shall not exceed the rate

specified at the time of such service for grade GS-18 set forth in section 5332 of title 5, United States Code, including traveltime, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed in Government service.

(f) The Board shall have the responsibility for the general policies with respect to the powers, duties, and authorities vested in the Institute under this title. The Director shall make available to the Board such information and assistance as may be necessary to enable the Board to carry out its functions.

(g) The Board shall, with the advice of the Director, take steps to assure that the policies and purposes of the Institute are coordinated with other activities of the Federal Government.

(20 U.S.C. 963) Enacted, Oct. 8, 1976, Title II, sec. 204, 90 Stat. 1975, 1976; amended Dec. 4, 1980, P.L. 96-496, sec. 201(b), 94 Stat. 2592; amended May 31, 1984, P.L. 98-306, sec. 9, 98 Stat. 225; amended Dec. 20, 1985, P.L. 99-194, sec. 201, 99 Stat. 1344; amended Nov. 5, 1990, P.L. 101-512, sec. 201, 104 Stat. 1974.

DIRECTOR OF THE INSTITUTE

SEC. 205. (a)(1) The Director of the Institute shall be appointed by the President, by and with the advice and consent of the Senate, and shall serve at the pleasure of the President. The Director shall be compensated at the rate provided for level V of the Executive Schedule (5 U.S.C. 5316), and shall¹ perform such duties and exercise such powers as the Board may prescribe.

(2) The Director shall not delegate any of the Director's functions to any other officer who is not directly responsible to the Director.

(b) The Director shall advise the Board regarding policies of the Institute to assure coordination of the Institute's activities with other agencies and organizations of the Federal Government having interest in and responsibilities for the improvement of museums. Such Government agencies shall include the National Endowment for the Arts, the National Endowment for the Humanities, the National Science Foundation, appropriate units in the Department of Education, the Library of Congress, and the Smithsonian Institution and related organizations.

(c) The Director may appoint without regard to the provisions of title 5, United States Code, governing appointment in the competitive service and may compensate without regard to the provisions of chapter 51 or subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates not to exceed one-fifth of the number of full-time regular technical or professional employees of the Institute. The rate of basic compensation for such employees may not equal or exceed the rate prescribed for GS-16

¹ Amendment made by section 202(a) of Pub. L. 101-512 attempted to strike "be compensated at the rate provided for level V of the Executive Schedule (section 5316 of title 5), and shall" and therefore cannot be executed. A correctly worded amendment is necessary to remove this obsolete language.

of the General Schedule under section 5332 of title 5, United States Code.

(20 U.S.C. 964) Enacted Oct. 8, 1976, P.L. 94-462, Title II, sec. 205, 90 Stat. 1976, 1977; amended Dec. 4, 1980, P.L. 96-496, sec. 201(c), 94 Stat. 2592; amended May 31, 1984, P.L. 98-306, sec. 10, 98 Stat. 225; amended Dec. 20, 1985, P.L. 99-194, sec. 202, 99 Stat. 1344; amended Nov. 5, 1990, P.L. 101-512, sec. 202(b), 104 Stat. 1974.

ACTIVITIES OF THE INSTITUTE

SEC. 206. (a) The Director, subject to the policy direction of the Board, is authorized to make grants to museums to increase and improve museum services, through such activities as—

(1) programs to enable museums to construct or install displays, interpretations, and exhibitions in order to improve their services to the public;

(2) assisting them in developing and maintaining professionally-trained or otherwise experienced staff to meet their needs;

(3) assisting them to meet their administrative costs in preserving and maintaining their collections, exhibiting them to the public, and providing educational programs to the public through the use of their collections;

(4) assisting museums in cooperation with each other in the development of traveling exhibitions, meeting transportation costs, and identifying and locating collections available for loan;

(5) assisting them in conservation of their collections; and

(6) developing and carrying out specialized programs for specific segments of the public, such as programs for urban neighborhoods, rural areas, Indian reservations, and penal and other State institutions.

(b)(1) The Director, subject to the policy direction of the National Museum Services Board, is authorized to enter into contracts and cooperative agreements to provide financial assistance in order to undertake projects designed to strengthen museum services, except that any contracts or cooperative agreements entered into pursuant to this subsection shall be effective only to such extent or in such amounts as are provided in appropriations Acts.

(2) No financial assistance may be provided under this subsection to pay for operational expenses.

(3) The aggregate amount of financial assistance made under this subsection shall not exceed 5 percent of the amount appropriated under this Act for such fiscal year.

(c) Grants, contracts, and cooperative agreements under this section for any fiscal year may not exceed 50 per centum of the cost of the program for which the grant or financial assistance is made, except that not more than 20 per centum of the funds available under this section for any fiscal year may be available for grants or financial assistance in such fiscal year without regard to such limitation.

(d) The Director shall establish procedures for reviewing and evaluating grants, contracts, and cooperative agreements made or entered into under this section. Procedures for reviewing grant applications or contracts and cooperative agreements for financial as-

sistance under this section shall not be subject to any review outside of the Institute.

(20 U.S.C. 965) Enacted Oct. 8, 1976, Title II, sec. 206, 90 Stat. 1977; amended Dec. 4, 1980, P.L. 96-496, sec. 201(d), 94 Stat. 2592; amended Nov. 5, 1990, P.L. 101-512, sec. 203, 104 Stat. 1975.

CONTRIBUTIONS

SEC. 207. The Institute shall have authority to accept in the name of the United States, grants, gifts, or bequests of money for immediate disbursement in furtherance of the functions of the Institute. Such grants, gifts, or bequests, after acceptance by the Institute, shall be paid by the donor or his representative to the Treasurer of the United States whose receipt shall be their acquittance. The Treasurer of the United States shall enter them in a special account to the credit of the Institute for the purposes in each case specified.

(20 U.S.C. 966) Enacted Oct. 8, 1976, Title II, sec. 207, 90 Stat. 1977.

FUNCTIONS OF FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES

SEC. 208. [Contained amendments to section 9(c) of the National Foundation on the Arts and the Humanities Act of 1965.]

AUTHORIZATION OF APPROPRIATIONS

SEC. 209. (a) For the purpose of making grants under section 206 (a), there are authorized to be appropriated \$24,000,000 for fiscal year 1991 and such sums as may be necessary for fiscal years 1992 and 1993.

(b) There are authorized to be appropriated such sums as may be necessary to administer the provisions of this title.

(c) Sums appropriated pursuant to subsection (a) for any fiscal year shall remain available for obligation and expenditure until expended.

(d) For the purpose of enabling the Institute to carry out its functions under this title, there is authorized to be appropriated for each fiscal year ending before October 1, 1993, an amount equal to the amount contributed during such fiscal year period to the Institute under section 207.

(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.

(20 U.S.C. 967) Enacted Oct. 8, 1976, P.L. 94-462, Title II, sec. 209, 90 Stat. 1978; amended Dec. 4, 1980, P.L. 96-496, sec. 201(e), 94 Stat. 2593; amended May 31, 1984, P.L. 98-306, sec. 11, 98 Stat. 225; amended Dec. 20, 1985, P.L. 99-194, sec. 203, 99 Stat. 1344; amended Nov. 5, 1990, P.L. 101-512, sec. 204, 205(b), 104 Stat. 1975, 1976.

DEFINITIONS

SEC. 210. For the purpose of this title, the term—

(1) "Board" means the National Museum Services Board established under section 203;

(2) "Director" means the Director of the Institute established under section 203;

(3) "Institute" means the Institute of Museum Services established under section 203; and

(4) "museum" means a public or private nonprofit agency or institution organized on a permanent basis for essentially educational or esthetic purposes, which, utilizing a professional staff, owns or utilizes tangible objects, cares for them, and exhibits them to the public on a regular basis.

(20 U.S.C. 968). Enacted Oct. 8, 1976, P.L. 94-462, Title II, sec. 210, 90 Stat 1978.

ASSESSMENT OF CERTAIN MUSEUMS

SEC. 211.¹ 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:

(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 ²—

(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 ³ the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(b) ⁴).

(20 U.S.C. 969). Enacted Nov. 5, 1990, P.L. 101-512, sec. 205, 104 Stat. 1975.-

¹ Error in original. Should amend to insert "(a)".

² Error in original. Should strike "subsection" and insert "section".

³ Error in original. Should amend to insert "section 4(e)".

⁴ Error in original. Should amend to strike "450b(b)" and insert "450b(e)".

Arts and Artifacts Indemnity Act

(P.L. 94-158)

AN ACT To provide indemnities for exhibitions of artistic and humanistic endeavors, and for other purposes.

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Arts and Artifacts Indemnity Act".

(20 U.S.C. 971) Enacted Dec. 20, 1975, P.L. 94-158, sec. 1, 89 Stat. 844.

FEDERAL COUNCIL

SEC. 2. (a) The Federal Council on the Arts and Humanities (hereinafter in this Act referred to as the "Council"), established under section 9 of the National Foundation on the Arts and the Humanities Act of 1965, is authorized to make agreements to indemnify against loss or damage such items as may be eligible for such indemnity agreements under section 3—

- (1) in accordance with the provisions of this Act; and
- (2) on such terms and conditions as the Council shall prescribe, by regulation, in order to achieve the purposes of this Act and, consistent with such purposes, to protect the financial interest of the United States.

(b)(1) For purposes of this Act, the Council shall be an "agency" within the meaning of the appropriate definitions of such term in title 5, United States Code.

(2) For purposes of this Act, the Secretary of the Smithsonian Institution, the Director of the National Gallery of Art, the member designated by the Chairman of the Senate Commission of¹ Art and Antiquities and the member designated by the Speaker of the House of Representatives shall not serve as members of the Council.

(20 U.S.C. 971) Enacted Dec. 20, 1975, P.L. 94-158, sec. 2, 89 Stat. 844; amended Dec. 20, 1985, P.L. 99-194, sec. 301, 99 Stat. 1345.

ELIGIBLE ITEMS

SEC. 3. (a) The Council may make an indemnity agreement under this Act with respect to—

- (1) works of art, including tapestries, paintings, sculpture, folk art, graphics and craft arts;
- (2) manuscripts, rare documents, books, and other printed or published materials;

¹ So in original. Should be "on".

(3) other artifacts or objects; and

(4) photographs, motion pictures, or audio and video tape;

which are (A) of educational, cultural, historical, or scientific value, and (B) the exhibition of which is certified by the Secretary of State¹ or his designee as being in the national interest.

(b)(1) An indemnity agreement made under this Act shall cover eligible items while on exhibition in the United States or elsewhere preferably when part of an exchange of exhibitions.

(2) For purposes of this subsection, the term "on exhibition" includes that period of time beginning on the date the eligible items leave the premises of the lender or place designated by the lender and ending on the date such items are returned to the premises of the lender or place designated by the lender.

(20 U.S.C. 972) Enacted Dec. 20, 1975, P.L. 94-158, sec. 3, 89 Stat. 844; amended Dec. 20, 1985, P.L. 99-194, sec. 302, 99 Stat. 1345.

APPLICATION

SEC. 4. (a) Any person, nonprofit agency, institution, or government desiring to make an indemnity agreement for eligible items under this Act shall make application therefor in accordance with such procedures, in such form, and in such manner as the Council shall, by regulation, prescribe.

(b) An application under subsection (a) shall—

(1) describe each item to be covered by the agreement (including an estimated value of such item);

(2) show evidence that the items are eligible under section 3(a); and

(3) set forth policies, procedures, techniques, and methods with respect to preparation for, and conduct of, exhibition of the items, and any transportation related to such items.

(c) Upon receipt of an application under this section, the Council shall, if such application conforms with the requirements of this Act, approve the application and make an indemnity agreement with the applicant. Upon such approval, the agreement shall constitute a contract between the Council and the applicant pledging the full faith and credit of the United States to pay any amount for which the Council becomes liable under such agreement. The Council, for such purpose, is hereby authorized to pledge the full faith and credit of the United States.

(20 U.S.C. 973) Enacted Dec. 20, 1975, P.L. 94-158, 89 Stat. 845.

INDEMNITY AGREEMENT

SEC. 5. (a) Upon receipt of an application meeting the requirements of subsections (a) and (b) of section 4, the Council shall review the estimated value of the items for which coverage by an indemnity agreement is sought. If the Council agrees with such estimated value, for the purposes of this Act, the Council shall, after approval of the application as provided in subsection (c) of section 4, make an indemnity agreement.

¹The certification authority of the Secretary of State and the Secretary's designee is now vested in the Director of the United States Information Agency and the Director's designee. See section 7(a)(10) of Reorganization Act No. 2 of 1977 (91 Stat. 1636) and section 303 of the United States Information Agency Authorization Act, Fiscal Years 1982 and 1983 (Public Law 97-241; 96 Stat. 291).

(b) The aggregate of loss or damage covered by indemnity agreements made under this Act shall not exceed \$3,000,000,000, at any one time.

(c) No indemnity agreement for a single exhibition shall cover loss or damage in excess of \$300,000,000.

(d) If the estimated value of the items covered by an indemnity agreement for a single exhibition is—

(1) \$2,000,000 or less, then coverage under this Act shall extend only to loss or damage in excess of the first \$15,000 of loss or damage to items covered;

(2) more than \$2,000,000 but less than \$10,000,000, then coverage under this Act shall extend only to loss or damage in excess of the first \$25,000 of loss or damage to items covered;

(3) not less than \$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) not less than \$125,000,000 but less than \$200,000¹, 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 the Act shall extend only to loss or damage in excess of the first \$200,000, of loss or damage to items covered.

(20 U.S.C. 974) Enacted Dec. 20, 1975, P.L. 94-158, sec. 5, 89 Stat. 845; amended Dec. 4, 1980, P.L. 96-496, secs. 301, 302, 94 Stat. 2593; amended Dec. 20, 1985, P.L. 99-194, sec. 303, 99 Stat. 1345; amended Dec. 22, 1987, P.L. 100-202, sec. 101, 101 Stat. 13329-213, 1329-2219; amended Nov. 5, 1990, P.L. 101-512, sec. 301, 104 Stat. 1976.

REGULATIONS

SEC. 6. (a) The Council shall prescribe regulations providing for prompt adjustment of valid claims for losses which are covered by an agreement made pursuant to section 5, including provision for arbitration of issues relating to the dollar value of damages involving less than total loss or destruction of such covered objects.

(b) In the case of a claim of loss with respect to an item which is covered by an agreement made pursuant to section 5, the Council shall certify the validity of the claim and the amount of the loss to the Speaker of the House of Representatives and the President pro tempore of the Senate.

(20 U.S.C. 975) Enacted Dec. 20, 1975, P.L. 94-158, sec. 6, 89 Stat. 845.

AUTHORIZATION OF APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary (1) to enable the Council to carry out

¹ Error in amendment made by section 301(b)(2)(C) of Public Law 101-512. Should amend to strike "\$200,000" and insert "\$200,000,000".

its functions under this Act, and (2) to pay claims certified pursuant to section 6(b).

(20 U.S.C. 976) Enacted Dec. 20, 1978, P.L. 94-158, sec. 7, 89 Stat. 846.

REPORT

SEC. 8. The Council shall report annually to the Congress (1) all claims actually paid pursuant to this Act during the preceding fiscal year, (2) pending claims against the Council under this Act as of the close of that fiscal year, and (3) the aggregate face value of contracts entered into by the Council which are outstanding at the close of that fiscal year.

(20 U.S.C. 977) Enacted Dec. 20, 1975, P.L. 94-158, sec. 8, 89 Stat. 846.

EFFECTIVE DATE

SEC. 9. This Act shall become effective 30 days after the date of the enactment of this Act.

(20 U.S.C. 971, note) Enacted Dec. 20, 1975, P.L. 94-158, sec. 9, 89 Stat. 846.-

ISBN 0-16-039004-4



NATIONAL
ENDOWMENT
FOR THE

ARTS

FAX TRANSMITTAL FORM

*The Federal agency
that supports the
visual, literary and
performing arts to
benefit all Americans*

TO: Melanne Verveer
Name

456-6244
Company
FAX Number

FROM: ANA Steele
Name

Chairman's Office
Program/Office/Division
202/682-5414
Telephone Number
DATE: 7/29/93

*Sandy gave this to Marianne Rink; told
her Anne - Inelda is "peddling it" as an
OP ED piece. We're drafting response.
We still need to talk per
my earlier notes to you.*

NUMBER OF PAGES (including this page) 6 If you do not receive all pages
or otherwise need this message to be retransmitted, please contact Susan
at 202/682-5414.

WHAT THE CONGRESS SHOULD DO ABOUT THE NEA

Recent attempts to set a policy agenda for The National Endowment for the Arts prompts me to make this public comment about the future of the Agency. Although many may hope that no one notices reauthorization is underway, the proposal simply to extend the agency's authorization for two years more without a Chairman in place is irresponsible to everyone.

My purpose is to urge caution rather than expediency as negotiations proceed for the reauthorization of the National Endowment for the Arts. Having served as Acting Chairman of the Arts Endowment as well as its Senior Deputy Chairman, convinced me that there is little ambiguity of purpose for the Agency. However, there continues to be a need for the Agency to set clear policy priorities which must be linked to responsibility and accountability. The Agency will not do that without Congressional supervision. I offer a few observations about critical issues.

Arts advocates suggest grant applications are reviewed by peer panels using "artistic merit and excellence", the legislatively mandated tenets, as the criteria for evaluation. However, from the countless transcripts I have read it is clear these criteria are being fused. Congress did not intend they be one and the same and must remain distinct if the Agency is to follow the law. Congress intended "excellence" to speak to

2

technical ability. Excellence directs responsible field officials to choose what projects among those of artistic quality will best serve the American public while "merit" would seem to concern the public interest addressed through the support of quality arts projects. The Arts Endowment is not a private foundation for the arts. It is a public institution which by statute must serve the public at large. It best fulfills its mission when it helps place culture back in schools, supports groups which preserve cultural traditions and provides technical assistance to many constituencies. A particular exhibit might show great technical abilities but have little merit when compared with other submissions. Also, might one region of a country "merit" more support than another, perhaps to create more opportunities for citizens in underserved and isolated areas to participate in the arts. These are heady questions not easily answered by panels alone whose expertise is standards of professional artistic ability.

Through the panel process the agency has grown like topay. There are approximately one hundred twenty specific grant categories evaluated in one hundred plus panels which generate about one hundred fifty administrative and policy meetings a year. The Arts Endowment has grown into an unwieldy organization and grant administration is inefficient. Accountability is

difficult to insure. Can Congress and the American public afford more of the same?

National recognition of our cultural/artistic heritage is fundamental to preserving the American contribution to the arts. Thus, awards by a federal agency should not be clouded by the ephemeral, the trendy, the politically correct or the "who you know" network. Strong and responsible leadership and oversight can assure all Americans their participation in the arts. After over a quarter of a century, the priorities of the agency are in need of reconsideration not only for the art world but also to highlight how the fruits of public support resulted in new opportunities that should be preserved in the public interest.

It is difficult to foresee the direction or role of the NEA at the moment. No Chairman has been appointed. A strong chairman is essential. In the absence of an appointment one cannot foresee the policy direction of this Administration except more of the same that gave us the Finley, Serrano and Hapletherpe controversies as well as a host of lesser known questionable grants. The Chairman has a responsibility to the arts community but also, more broadly to the public at large. By statute, the Chairman holds the public trust and is the one accountable to the Congress and the American people and must act

as more than a mere signatory in awards. The vacuum during this period of reauthorization is troubling. A leader should be in place to work with Congress and the Administration to set clear policy priorities. The reauthorization process involves more than a call for additional money or pep rallies about the value of the arts. Guidance and the goals of the agency must be clearly articulated and accountability firmly in place.

Of late the Endowment has not received much press attention. That will change as more folks hear about the recent expensive settlement of the NRA Four lawsuit. Contrary to what was reported by The Washington Post (8/18), the \$250,000 is likely to come right out of the Endowment's budget and not the budget of the Justice Department. How reassuring to know that lawyers are now eligible for large endowment sums! The settlement did not provide an opportunity for a full airing of the disregard for procedural safeguards, which protect Agency and artist alike.. However, the case is not closed. The Justice Department continues to defend the decency clause and is appealing the judge's ruling on that part of the case. It's all so ironic.

There is a leadership vacuum at the Endowment. Absent any Administration commitment to co-operate in a legislative discussion there can be no debate on priorities. The Agency is adrift until another blow-up occurs. By then it will have lost

the support of the people. Matters of fairness, accountability, taste, public policy, merit and excellence touch the soul of every American. Let's not discount the public!

In 1990, The NRA had the benefit of the wisdom of a bipartisan Independent Commission. Its recommendations are excellent. It offers a blueprint. One astute suggestion "A system should be established to require that the grant advisory panels and the National Council recommend more grants than funds available for them, thereby giving the Chairperson, [the one who is accountable], a genuine choice in awarding grants." That would go a long way to using merit as well as excellence in judging grant applications.

In conclusion, consider the very first Independent Commission recommendation "the standards for publicly funded art must go beyond the standards for privately funded art." I hope Congress will remember that observation from the group they established. The Arts -- and by extension the Arts Endowment-- belong to all the American people not only to its citizen artists.

Anne-Imelda M. Radice
(former Acting Chairman, National Endowment for the Arts)

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. list	re: Cultural Appointments (2 pages)	02/10/1993	b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Melanne Verveer
OA/Box Number: 20045

FOLDER TITLE:

NEH [National Endowment for the Humanities] [Folder 3]

2013-0534-S

rc1542

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

As of April 15

814 filled	3,306	Total Presidential job appointments
213 PAS	526	PAS
70 PA	300	PA
149 Non-career SES	880	Non-career SES
384 Schedule C	1,600	Schedule C
	200	U.S. Attorneys and Marshals
	115	Federal vacancies

Presidential Announcements
by 100 Days

Clinton

140 goal

Bush

96

Reagan

137

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. list	re: Recommendations for Appointments (9 pages)	n.d.	b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Melanne Verveer
OA/Box Number: 20045

FOLDER TITLE:

NEH [National Endowment for the Humanities] [Folder 3]

2013-0534-S

rc1542

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b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. list	re: National Council on the Arts Recommendations (4 pages)	05/28/1993	b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Melanne Verveer
OA/Box Number: 20045

FOLDER TITLE:

NEH [National Endowment for the Humanities] [Folder 3]

2013-0534-S
rc1542

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

File
NEA

THE WHITE HOUSE
WASHINGTON

September 10, 1996

MEMORANDUM FOR LEON PANETTA

FROM: MELANNE VERVEER *MV*
RE: FY '97 NEA Appropriations

I understand that Jane Alexander has requested to talk to you about NEA's FY '97 appropriations. Jane believes that there is strong support for an add-on in the Senate. Senators Bennett and Jeffords intend to offer an amendment to increase the House-passed \$99.5 million level by \$5 to \$15 million, if and when the Interior appropriations bill reaches the Senate floor. NEA believes Gorton will take the amendment. Nevertheless, there won't be time to conference that bill, and it seems certain Interior will be in a C.R.

The Administration originally asked for \$136 million for NEA in FY '97. The House-passed Interior appropriations bill provided \$99.5 million. Although the \$99.5 million is level funding from FY '96, it represents a 39% cut from FY '95.

Jane hopes that a likely C.R. will include a \$20 million increase and believes it would be accepted in the context of the overall C.R. negotiations if the White House asks for it and stands by it.



NATIONAL ENDOWMENT FOR THE ARTS

The Nancy Hanks Center
1100 Pennsylvania Avenue NW
Washington DC 20506-0001
202/682-5400

CONGRESSIONAL LIAISON OFFICE

Facsimile Cover Sheet

Fax Number: (202) 682-5638

Phone Number: (202) 682-5434

Date: _____

To: Melanne Verveer

Office: _____

Fax Number: 456-6244

From: _____

- ☒ Richard Woodruff, Director
- ☐ Nancy Iacomini, Assistant Director
- ☐ Mindy Garfinkel, Specialist
- ☐ Eileen Kennedy, Intern

Comments:

Jane + Panetta traded
several phone calls, but
didn't connect - so she
sent him this memo today.
Any reaction on your side?
Please let me know if you

This transmission is 2 page(s) in length, including this page. Please call (202) 682-5434 if there are any transmission difficulties.

hear anything. Thanks again.
Dick



NATIONAL ENDOWMENT FOR THE ARTS

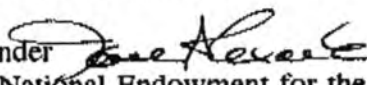
The Nancy Hanks Center
1100 Pennsylvania Avenue NW
Washington DC 20506-0001
202/682-5400

MEMORANDUM

Office of the Chairman

September 10, 1996

To: Leon E. Panetta
Chief of Staff to the President

From: Jane Alexander 
Chairman, National Endowment for the Arts

Re: FY 97 NEA funding

I called you because I believe the upcoming C.R. negotiations present an opportunity to get an increase over the \$99.5 million provided to NEA in the House-passed Interior bill.

There is strong Republican (and Democratic) support for an add-on in the Senate. Bennett and Jeffords have been working on a deal with Gorton to increase NEA and NEH funding if the Interior bill ever reaches the Senate floor. But there may not be a Senate bill, much less a conference.

I understand the House Republicans are desperate to get out without a budget fight. In that context, would you be willing to push for an NEA increase? We were devastated by the 39 percent cut in FY 96. I laid off 89 people and completely reorganized the agency, but our grants budget has been cut so much, we're beginning to lose key political support.

A \$20 million increase still represents a cut of \$16 million from the President's request of \$136 million -- and a 26 percent cut from the FY 95 post-rescission level of \$163.4 million.

You've been a good friend to me and to the arts, and I look forward to seeing you again soon.

(You're the one who can do this!)
It ~~doesn't~~ mean so much to all of us.)
J.



NATIONAL ENDOWMENT FOR THE ARTS

The Nancy Hanks Center
1100 Pennsylvania Avenue NW
Washington DC 20506-0001
202/682-5400

MEMORANDUM

September 5, 1996

To: Melanne Verveer
From: Dick Woodruff
Re: NEA funding

To: Leon Panetta

from: Mr. V

Re: NEA Appropriation

I understand that Jane Alexander has requested to be kept above NEA ~~off~~ 's FY 97 appropriation

② --The Administration asked for \$136 million for NEA in FY 97. The House-passed Interior appropriation bill provided \$99.5 million. Although the \$99.5 million is level funding from FY 96, it represents a 39 percent cut from the FY 95 level of \$162.3 million.

--Our grant budget is so decimated that we are losing key political support both on the Hill and in the field.

① --There is strong support for an add-on in the Senate. ^{Senators} ~~Republicans~~ Bennett and Jeffords intend to offer an amendment to increase by \$5 to \$15 million if and when the Interior reaches the Senate floor. ^{NEA} We believe Gorton will take the amendment. ⁴

--Nevertheless, there won't be time to conference that bill, and it seems certain Interior will be in a C.R.

--I think the Hill Republicans are so desperate to get out of town, they'd take a \$20 million NEA increase in the context of the overall C.R. negotiations if the White House asks for it and stands by it. ³ Don't forget, the \$20 million still represents a cut of \$16 million from the President's request. You could say you're meeting them half-way.

Jane believes that there is strong ①

The adm. originally ②

Jane hopes that a likely CR will include \$20 million increase and believe it would be accepted ③

file NEH

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

June 17, 1994

PRESIDENT CLINTON ANNOUNCES HIS INTENTION TO NOMINATE 10 MEMBERS TO THE NATIONAL COUNCIL ON THE HUMANITIES

President Clinton today announced his intention to nominate ten scholars and civic leaders, including two winners of MacArthur Foundation fellowships -- the so-called "genius awards" -- to the National Council on the Humanities.

"Over the past three decades, our nation's cultural life has become immensely richer because of the work of the National Endowment for the Humanities. The scholars and distinguished citizens I am naming today will help that tradition of excellence to continue to flourish," the President said.

NEH Chairman Sheldon Hackney said the choices were "superb," adding: "Their contributions as scholars, teachers and administrators, in concert with their lifelong records of commitment to the humanities, are unparalleled. I look forward to obtaining their wise council."

The National Council on the Humanities is responsible for advising the Chairperson with respect to the policies, programs and procedures necessary for the operation of the National Endowment for the Humanities (NEH). In addition, the Council reviews applications for the awarding of grants and makes recommendations to the Chairman.

The ten are being named to vacancies on the 26-member council and the nominations are subject to Senate confirmation. The NEH is an independent federal agency that supports education, research, preservation projects and public programs in the humanities. The Endowment observes its 30th anniversary in 1995.

Brief bios of the nominees follow:

RAMON GUTIERREZ of California

Mr. Gutierrez is currently a Fellow at the Getty Foundation. He is also a Professor of History at the University of California at San Diego, and has been a MacArthur Fellow, a Mellon Fellow, and a Fulbright-Hayes Fellow.

-MORE-

DARRYL GLESS of North Carolina

Mr. Gless is a Professor in the School of Arts and Sciences at the University of North Carolina at Chapel Hill.

CHARLES PATRICK HENRY of California

Mr. Henry is an Associate Professor of Afro-American Studies at the University of California at Berkeley. He has also taught at Denison University, Howard University, the University of Maryland, and Malcolm X City College. Additionally, he has served as Chair of the National Council for Black Studies and as a Member of the Executive Committee of Amnesty International.

NICOLAS KANELLOS of Texas

Mr. Kanellos is a Professor of Hispanic and Classical Languages at the University of Houston. He is also the Director of the Arte Publico Press and a prolific author. Mr. Kanellos has received the Hispanic Heritage Award for Literature from President Reagan, a commendation for academic excellence from the Governor of Texas, and has served on panels for the National Endowment for the Arts and the Educational Testing Service. Mr. Kanellos is also a member of the Hispanic Forum of Houston.

BEV LINDSEY of Arkansas

Ms. Lindsey is currently the Director of the Department of Arkansas Heritage. She was previously the Director of the Arkansas Arts Council, a member of the Delta Cultural Center Advisory Board, a member of the Mid America Arts Alliance, and has been involved with numerous additional cultural and civic associations.

ROBERT ROTBERG of Massachusetts

Mr. Rotberg is President of the World Peace Foundation and a lecturer at the John F. Kennedy School of Government at Harvard University. He is also a former President of Lafayette College and has taught at Tufts University, M.I.T., Princeton University, and Boston University. Mr. Rotberg is a Trustee of Oberlin College, the Director of the American-South African Scholarship Association, a Board Member of the Council for the International Exchange of Scholars, and a Board Member of the International Commission of the American Council on Education.

JOHN D'ARMS of Michigan

Mr. D'Arms is currently a Professor of Classics at the University of Michigan. He is also Vice Provost for Academic Affairs and Dean of the Horace H. Rackham School of Graduate Studies. He previously served as the President of the Association of Graduate Schools of the Association of American Universities and has been a Board Member of the American Council of Learned Societies.

-MORE-

Humanities nominations

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THOMAS HOLT of Illinois

Mr. Holt is a historian and MacArthur Foundation Fellow. He was a Professor of American History at the University of Chicago, the University of Michigan, the University of California at Berkeley, and Howard University. He is a renowned author and has received numerous fellowships and awards for his scholarship.

MARTHA HOWELL of New York

Ms. Howell is Professor of History and Director of the Institute for Research on Women and Gender and the Women's Studies Program at Columbia University. She previously taught at Rutgers University and has been a Fulbright-Hays Research Fellow and a Mellon Fellow in the Humanities. She has written numerous books and articles related to women's studies in medieval and early modern history.

HAROLD SKRAMSTAD of Michigan

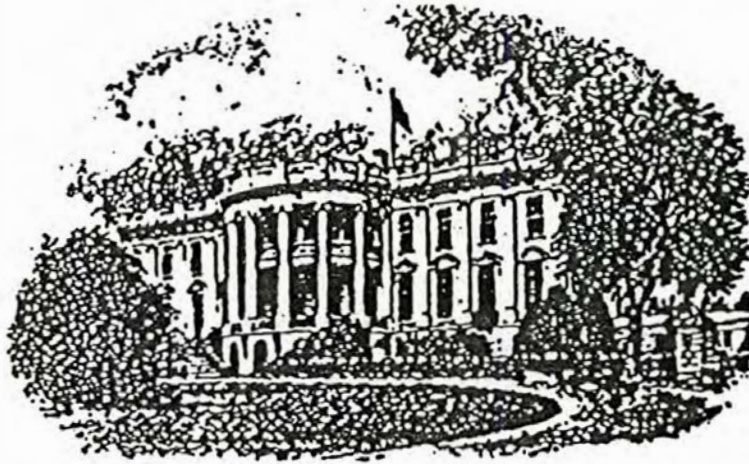
Mr. Skramstad is currently the President of the Henry Ford Museum and Greenfield Village in Dearborn, Michigan. He was formerly Director of the Chicago Historical Society and worked at the National Museum of American History at the Smithsonian Institution for over ten years. He is a member of numerous museum and historically related associations and boards in addition to being civically and culturally active in Michigan. In 1992, he was awarded the Charles Frankel Prize for the Humanities.

Sent 9/7
9:50

THE WHITE HOUSE
Office of the First Lady

1100 Pennsylvania NW
Suite 502
20506

DATE: September 7, 1993
TO: Sheldon Hackney
FROM: Melanne Verveer
RECEIVER FAX: 606 - 8588
RECEIVER PHONE: 606 - 8310
NUMBER OF PAGES (INCLUDING COVER SHEET): 56



COMMENTS:

McBox

September 7, 1997

To: Sheldon Hackney
From: Melanne Verveer

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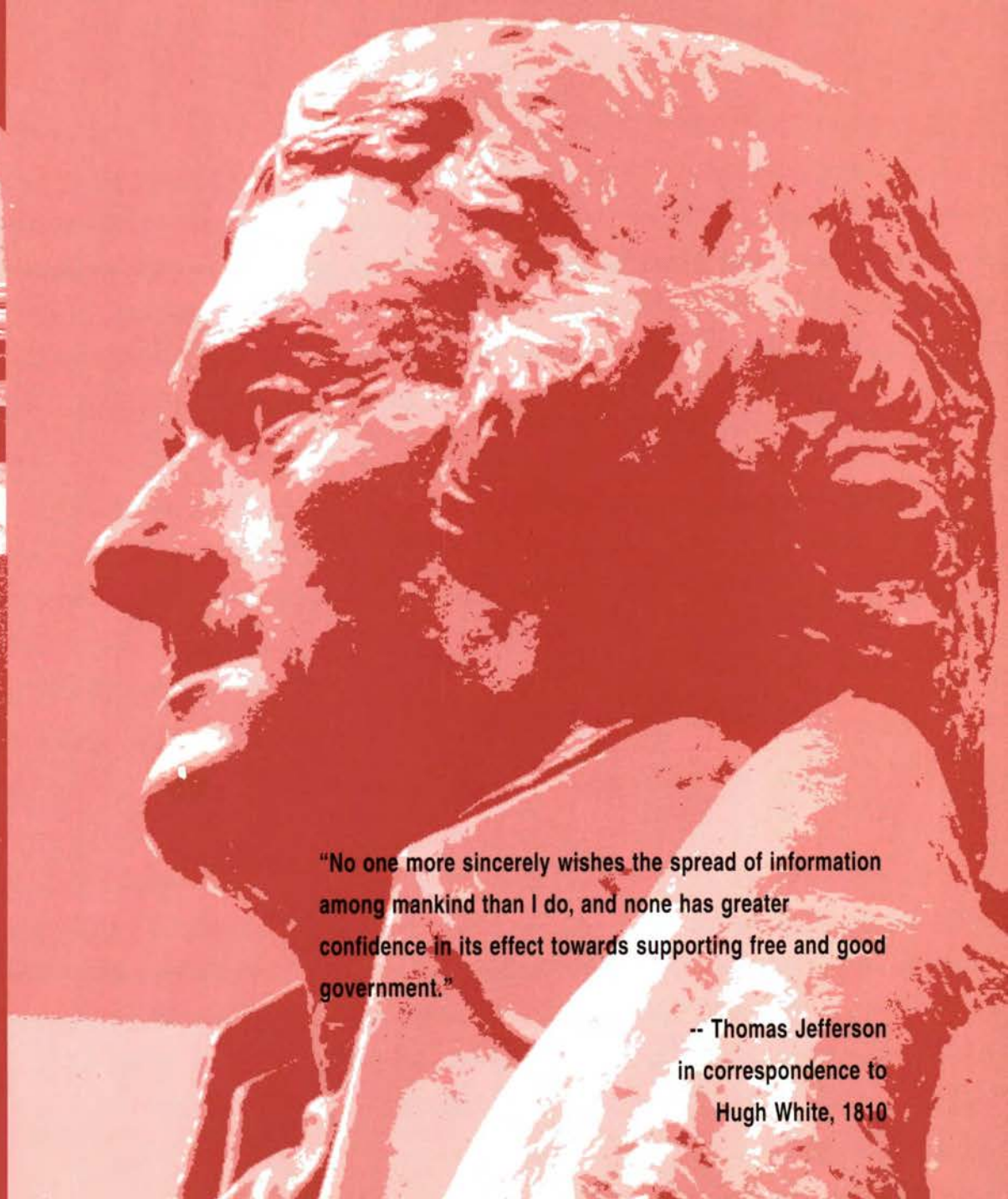
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National Endowment for the Humanities



"No one more sincerely wishes the spread of information among mankind than I do, and none has greater confidence in its effect towards supporting free and good government."

-- Thomas Jefferson
in correspondence to
Hugh White, 1810

10 FACTS ABOUT THE NATIONAL ENDOWMENT FOR THE HUMANITIES

1. **NEH preserves our national heritage.** By supporting such projects as the papers of George Washington, Frederick Douglass, and Mark Twain, NEH helps keep our historical record intact for new generations of Americans. NEH is the primary funding source for these complex research undertakings, which often require teams of scholars. And the knowledge gained from this research in turn reaches the public through books, films, and museum exhibitions.
2. **NEH builds citizenship.** Through seminars and exhibitions on the Constitution, through films such as *Eisenhower* and *LBJ* and *The Civil War*, through preservation of newspapers giving the day-to-day accounts of our nation's early history, NEH provides a way for citizens to study and understand the principles and practices of American democracy.
3. **NEH strengthens our communities.** A strong community needs a sense of its history and traditions. NEH and state humanities councils make grants that engage Americans where they live and work. In 1992 more than 6 million Americans participated in reading-and-discussion groups and other local educational programs through state councils alone.
4. **NEH is a good buy.** The cost to each American is only 68 cents a year. It is one one-hundredth of 1% of the federal budget. Although the humanities—history, literature, languages, philosophy, and other subjects—are 2/3 of America's school curriculum, the federal government spends only \$177 million on NEH, compared with \$3.4 billion for the National Science Foundation.
5. **NEH leverages private giving.** Many NEH grants require from \$1 to \$4 in nonfederal money for every NEH dollar. Since the agency's inception, these grants have attracted \$1 billion in private funds in challenge grants alone, and \$400 million in other matching programs.
6. **NEH stimulates local economies.** “The Age of Rubens” exhibition in Toledo, Ohio, broke attendance records during 1994 and was credited with pumping \$22.8 million into the local economy. Visits to Virginia's Civil War attractions jumped from 7,000 to 45,000 in the month following the airing of *The Civil War*.

7. NEH fosters better teaching. More than 2,000 schoolteachers and 1,000 college teachers are involved each year in intensive NEH-sponsored humanities seminars, enriching the classroom learning experience for 500,000 students in the first year alone.

8. NEH promotes lifelong learning. From museum exhibitions on Thomas Edison to the Library of America to the celebrated film series on *The Civil War*, NEH commits itself to lifetime learning. Last summer, state humanities councils sent chautauqua programs featuring historical figures such as Thomas Jefferson and Meriwether Lewis into eight Western states. This year, an exhibition on "The Many Realms of King Arthur" is visiting 62 sites in 40 states.

9. NEH makes the humanities available to all Americans. One million Americans, many of them far from urban universities, have heard the nation's finest poetry via cassette on *Voices and Visions* supported by NEH. In Montana, literature by local authors reaches the scattered population on "Big Sky Radio," a state humanities council project. In Bozeman (pop. 22,600) 115,000 visitors came to see the NEH-supported "Sacred Encounters," an exhibition on the 19th-century encounter of European missionaries and Native Americans. These examples are replicated in community after community across the country.

10. NEH is supported by a majority of Americans. James Madison saw learning as a way for Americans to make certain "that their political institutions are as favorable to the intellectual and moral improvement of Man as they are conformable to his individual and social rights." Present-day Americans see the same importance in the humanities: A 1993 survey showed that 73% agreed that "in spite of economic hardship, public and private support of the arts and humanities should not be curtailed."



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NATIONAL ENDOWMENT FOR THE
HUMANITIES

PRESERVING
THE NATION'S
NEWSPAPERS

*"We confront the danger
of historical amnesia."*

—James M. McPherson, Historian

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NATIONAL ENDOWMENT FOR THE
HUMANITIES

AMERICAN
EXPERIENCE

*"History is, after all,
a biography of a nation."*

—Shelby Foote

file NEH**NATIONAL ENDOWMENT FOR THE HUMANITIES**

WASHINGTON, D.C. 20506

THE CHAIRMAN

In light of questions recently raised about the selection of the Jefferson Lecturer, I want to clarify the Endowment's plans for the lectureship in the year 2000 and beyond.

The Jefferson Lecturer is not announced until several months before the actual lecture. An invitation has been sent to the President to deliver the 2000 lecture. Because we do not yet know whether the President will accept our offer, we cannot make any further statements at this time.

Our invitation to the President launches our plan to invite this President and all future sitting Presidents to address the nation on the American presidency and its historical context. These lectures will allow each President to present his or her perspective on national and world history.

As Chairman of the Endowment, my highest priority is to bring the humanities to the American people. This priority echoes Congress's reminder in founding the agency that "The arts and humanities belong to all the people of the United States." In keeping with our Congressional mandate, the Endowment seeks to broaden public awareness of, access to, and participation in the humanities through all its programs.

Our overall theme "Rediscovering America" underscores the Endowment's mission to build public understanding and appreciation of the humanities. Each division within the agency is working toward fulfilling this mission, and I am enormously proud of their programs. These programs include our initiatives for regional centers, My History is America's History, the digitization of humanities collections, grants to smaller institutions, programs for traditionally underserved populations and institutions, Millennial schools, Edsitement, and family literacy and radio programs. Through these and other programs the Endowment is reaching out to more Americans than ever before.

Over the past few years members of the Endowment's National Council have discussed how the Jefferson Lecture might bring greater visibility to the humanities. We believe strongly that it is appropriate for each sitting President to address both the humanities community and the nation in offering his or her perspective on the American presidency. As the Endowment's enabling legislation notes, "Democracy demands wisdom and vision in its citizens." The Jefferson Lecture is one of many ways that the Endowment brings this wisdom to our citizenry.

—William R. Ferris
Chairman

Chronicle of Higher Education
Monday, September 20, 1999

HEADLINE: In a Break With the Past, NEH Asks the President to Deliver Jefferson Lecture

By Patrick Healy

Washington

The National Endowment for the Humanities has invited President Clinton to deliver the 2000 Jefferson Lecture in the Humanities, a decision that stunned many scholars Friday and that would break a 27-year-old tradition of giving the signature honor to leading humanists.

William R. Ferris, the chairman of the N.E.H. and an appointee and friend of President Clinton, said Friday that the invitation was made some months ago and had been intended to stay private until later this year. He said he expected Mr. Clinton to accept and give the Jefferson address next spring.

Mr. Ferris emphasized that his hope was to establish a new tradition: He wants the N.E.H. to invite each future sitting President to give a Jefferson Lecture on the Presidency and the history of the nation. By doing so, Mr. Ferris said, he and future N.E.H. leaders would deepen the nation's understanding of the humanities and strengthen political support for the endowment.

"This will bring the humanities into the lives of millions of Americans who don't know what the humanities are and have no sense of the great work we do here," Mr. Ferris said. "This is one of many ways that we are broadening our support in a bipartisan appeal to every American."

The Jefferson award, which was established in 1972 to honor "supreme scholarship in the humanities" and usually carries a \$10,000 cash prize, is among the most prestigious in the field. Recent recipients have included the medievalist Caroline Walker Bynum (1999), the historian Bernard Bailyn (1998), and the philosopher Stephen E. Toulmin (1997). (See the complete list below.)

Indeed, the importance of the honor to many scholars inflamed some of the reactions to the Clinton invitation Friday. Several said they felt the Clinton speech would cast a stronger spotlight on their work and the needs of the endowment. But others thought it would open the N.E.H. to partisan warfare at a time when the Republican-controlled Congress was considering an increase in the endowment's budget after an overall cut of about 40 percent in the mid-1990s.

"At a time when one is very careful about trying to de-politicize the humanities and the arts in the United States and in the eyes of Congress, a speech by President Clinton might have the reverse effect," said John H. D'Arms, president of the American Council of Learned Societies.

While such a speech could attract more publicity for the humanities, Mr. D'Arms questioned whether it was the best way to do so. He said the standing Presidential invitation would change the

character of the Jefferson Lecture, which is often a capstone in the career of a major figure in the humanities.

A tradition-minded scholar, Gertrude Himmelfarb of the City University of New York's graduate school, agreed. "I think it is totally redefining the notion of the Jefferson Lecture," said Ms. Himmelfarb, who herself gave the speech in 1991. "Ferris could have given him a Presidential lecture. It certainly won't be a scholar's lecture."

Mr. Ferris said he opted to offer the Jefferson forum, instead of another venue, because it is the N.E.H.'s "highest honor." He also said the invitation was in keeping with President Jefferson's vision of "a nation of citizens, all of whom have the right to express their ideas about democracy."

Calls to the White House on Friday about the invitation were not returned. President Clinton is a strong supporter of the N.E.H. and new programs there to catalogue and communicate the history of the nation. A lawyer by training who has also taught law, he is also known to be a voracious reader of histories and Presidential biographies.

No President is ever believed to have been offered the Jefferson Lecture before. (And Mr. Clinton will almost certainly turn down the \$10,000 honorarium.) Several scholars said Friday that while Woodrow Wilson would have been well suited for the address, they were somewhat skeptical of Mr. Clinton as a humanist.

"He reads books -- at least that's the P.R. -- and collects them," said Stanley N. Katz, director of the Center for Arts and Cultural Policy Studies at Princeton University. "But that doesn't mean he should be giving this speech."

And some Republicans on Capitol Hill were far from enthusiastic. Jim Wilkinson, a spokesman for House Majority Leader Richard K. Armey -- a Republican of Texas who has at times opposed federal funds for the N.E.H. -- said: "Mr. Clinton supports funding of this group, so it's not too surprising. But Mr. Armey can't wait until President George W. Bush gets to speak there."

Jefferson Lecturers

Following is a list of previous Jefferson lecturers and their topics, in reverse chronological order:

1999: Caroline Walker Bynum, Shape and Story: Metamorphosis in the Western Tradition

1998: Bernard Bailyn, To Begin the World Anew: Politics and the Creative Imagination

1997: Stephen Toulmin, A Dissenter's Story

1996: Toni Morrison, The Future of Time: Literature and Diminished Expectations

- 1995: Vincent Scully, *The Architecture of Community*
- 1994: Gwendolyn Brooks, *Family Pictures*
- 1993: Robert Conquest, *History, Humanity and Truth*
- 1992: Bernard M.W. Knox, *The Oldest Dead White European Males*
- 1991: Gertrude Himmelfarb, *Of Heroes, Villains and Valets*
- 1990: Bernard Lewis, *Western Civilization: A View from the East*
- 1989: Walker Percy, *The Fateful Rift: The San Andreas Fault in the Modern Mind*
- 1988: Robert Nisbet, *The Present Age*
- 1987: Forrest McDonald, *The Intellectual World of the Founding Fathers*
- 1986: Leszek Kolakowski, *The Idolatry of Politics*
- 1985: Cleanth Brooks, *Literature and Technology*
- 1984: Sidney Hook, *Education in Defense of a Free Society*
- 1983: Jaroslav Pelikan, *The Vindication of Tradition*
- 1982: Emily T. Vermeule, *Greeks and Barbarians: The Classical Experience in the Larger World*
- 1981: Gerald Holton, *Where is Science Taking Us?*
- 1980: Barbara Tuchman, *Mankind's Better Moments*
- 1979: Edward Shils, *Render Unto Caesar: Government, Society, and Universities In Their Reciprocal Rights and Duties*
- 1978: C. Vann Woodward, *The European Vision of America*
- 1977: Saul Bellow, *The Writer and His Country Look Each Other Over*
- 1976: John Hope Franklin, *Racial Equality in America*
- 1975: Paul A. Freund, *Liberty: The Great Disorder of Speech*

1974: Robert Penn Warren, Poetry and Democracy

1973: Erik Erikson, Dimensions of a New Identity

1972: Lionel Trilling, Mind in the Modern World

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