

## CONGRESSIONAL AWARD ACT

[Public Law 96–114; Approved November 16, 1979]

[As Amended Through P.L. 115–268, Enacted October 11, 2018]

【Currency: This publication is a compilation of the text of Public Law 96-114. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To establish a Congressional Award Board to administer a Congressional Award Program designed to encourage initiative and achievement among youths.

*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 “Congressional Award Act”.

【2 U.S.C. 801 note】

## TITLE I—CONGRESSIONAL AWARD PROGRAM

### ESTABLISHMENT OF THE CONGRESSIONAL AWARD BOARD

SEC. 101. There is established a board to be known as the Congressional Award Board (hereinafter in this title <sup>1</sup> referred to as the “Board”), which shall be responsible for administering the Congressional Award Program described under section 102 of this title <sup>1</sup>. The Board shall not be an agency or instrumentality of the United States, and the United States is not liable for any obligation or liability incurred by the Board.

【2 U.S.C. 801】

<sup>1</sup> Section 1(b)(3)(A) of Public Law 106–533 (114 Stat. 2553) amended this section as follows:

“(3) in section 101 (as so redesignated)—

“(A) by striking ‘Act’ and inserting ‘title’; and”

The amendment was carried out in both places the term “Act” appeared to reflect the probable intent of Congress.

## CONGRESSIONAL AWARD PROGRAM

SEC. 102. (a) The Board shall establish and administer a program to be known as the Congressional Award Program, which shall be designed to promote initiative, achievement, and excellence among youths in the areas of public service, personal development, and physical and expedition fitness. Under the program medals shall be awarded to young people within the United States, aged fourteen through twenty-three (subject to such exceptions as the Board may prescribe), who have satisfied the standards of achievement established by the Board under subsection (b) of this section. Each medal shall consist of gold-plate over bronze, rhodium over bronze, or bronze and shall be struck in accordance with subsection (f).

(b) In carrying out the Congressional Award Program, the Board shall—

(1) establish the standards of achievement required for young people to qualify as recipients of the medals and establish such procedures as may be required to verify that individuals satisfy such qualifications;

(2) designate the recipients of the medals in accordance with the standards established under paragraph (1) of this subsection;

(3) delineate such roles as the Board considers to be appropriate for the Director and Regional Directors in administering the Congressional Award, and set forth in the bylaws of the Board the duties, salaries, and benefits of the Director and Regional Directors;

(4) raise funds for the operation of the program; and

(5) take such other actions as may be appropriate for the administration of the Congressional Award Program.

No salary established by the Board shall exceed \$75,000 per annum, except that for calendar years after 1986, such limit shall be increased in proportion to increases in the Consumer Price Index.

(c) The Board shall arrange for the presentation of the awards to the recipients and shall provide for participation by Members of Congress in such presentation, when appropriate. To the extent possible, recipients shall be provided with opportunities to exchange information and views with Members of Congress in connection with the presentation of the awards.

(d) The Board may award scholarships in such amounts as the Board determines to be appropriate to any recipient of the Congressional Award Gold, Silver, and Bronze Medals.

(e) The Board shall prepare and submit an annual report to the Congress before June 1 of each year summarizing the activities of the Congressional Award Program during the previous year and making appropriate recommendations. Any minority views and recommendations of members of the Board shall be included in such reports. The annual report shall contain the following items:

(1) Specific information regarding the methods used to raise funds for the Congressional Award Program and a list of the sources of all money raised by the Board.

(2) Detailed information regarding the expenditures made by the Board, including the percentage of funds which are used for administrative expenses.

(3) A description of the programs formulated by the Director under section 5(b)(1)<sup>2</sup>, including an explanation of the operation of such programs and a list of their sponsors.

(4) A detailed list of the administrative expenditures made by the Board, including the amounts expended for salaries, travel expenses, and reimbursed expenses for each member, officer, employee, and consultant of the Board (or of the Corporation established pursuant to section 106(g)(1)).

(5) A list of individuals given awards under the program, and their place of residence.

(6) A detailed description of the goals and objectives of the Board and the role of Congressional participation in fulfilling those goals and objectives.

(7) Plans for activities to be conducted during the remainder of the duration of the program, consistent with the functions and requirements established under this Act.

(8) Such other information as the Board may consider significant.

(f) CONGRESSIONAL AWARD PROGRAM MEDALS.—

(1) DESIGN AND STRIKING.—The Secretary of the Treasury shall strike the medals described in subsection (a) and awarded by the Board under this Act. Subject to subsection (a), the medals shall be of such quantity, design, and specifications as the Secretary of the Treasury may determine, after consultation with the Board.

(2) NATIONAL MEDALS.—The medals struck pursuant to this Act are National medals for purposes of chapter 51 of title 31, United States Code.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be charged against the Numismatic Public Enterprise Fund such amounts as may be necessary to pay for the cost of the medals struck pursuant to this Act.

[2 U.S.C. 802]

#### MEMBERSHIP OF THE BOARD

SEC. 103. (a)(1) The Board shall consist of 25 members, as follows:

(A) Six members appointed by the majority leader of the Senate, 1 of whom shall be a recipient of the Congressional Award Association.

(B) Six members appointed by the minority leader of the Senate, 1 of whom shall be a local Congressional Award program volunteer.

(C) Six members appointed by the Speaker of the House of Representatives, 1 of whom shall be a local Congressional Award program volunteer.

<sup>2</sup>Section 1(b)(4) of Public Law 106-533 (114 Stat. 2553) attempted to amend this paragraph by striking "section 5(g)(1)" and inserting "section 104(g)(1)". The amendment should probably have struck "section 5(b)(1)".

(D) Six members appointed by the minority leader of the House of Representatives, 1 of whom shall be a recipient of the Congressional Award Association.

(E) The Director of the Board, who shall serve as a non-voting member.

(2) In making appointments to the Board, the congressional leadership shall consider recommendations submitted by any interested party, including any member of the Board. One of the members appointed under each of subparagraphs (A) through (D) of paragraph (1) shall be a member of the Congress.

(3) Individuals appointed to the Board shall have an interest in one or more of the fields of concern of the Congressional Award Program.

(4) For the purpose of determining the derivation of the appointment of any person appointed to the Board under this section, if there is a change in the status of majority and minority between the parties of the House or the Senate, each person appointed under this section shall be deemed to have been appointed by the leadership position set out in subsection (a)(1) of the party of the individual who made the initial appointment of such person.

(b) TERMS OF APPOINTED MEMBERS; REAPPOINTMENT.—

(1) Appointed members of the Board shall continue to serve at the pleasure of the officer by whom they are appointed, and (unless reappointed under paragraph (2)) shall serve for a term of 4 years.

(2)(A) Subject to the limitations in subparagraph (B), members of the Board may be reappointed, except that no member may serve more than 2 full consecutive terms. Members may be reappointed to 2 full consecutive terms after being appointed to fill a vacancy on the Board.

(B) Members of the Board shall not be subject to the limitation on reappointment in subparagraph (A) during their period of service as Chairman of the Board and may be reappointed to an additional full term after termination of such Chairmanship.

(3)(A) Notwithstanding paragraph (1) or (2), the term of each member of the Board shall begin on October 1 of the even numbered year which would otherwise apply with one-half of the Board positions having terms which begin in each even numbered year.

(B) Subparagraph (A) shall apply to appointments made to the Board on or after the date of enactment of the Congressional Award Program Reauthorization Act of 2009.

(c)(1) Any vacancy in the Board shall be filled in the same manner in which the original appointment was made.

(2) Any appointed member of the Board may continue to serve after the expiration of his term until his successor has taken office.

(3) Vacancies in the membership of the Board shall not affect its power to function if there remain sufficient members to constitute a quorum under subsection (d) of this section.

(d)(1) A meeting of the Board may be convened only if—

(A) notice of the meeting was provided to each member in accordance with the bylaws; and

(B) not less than 11 members are present for the meeting at the time given in the notice.

(2) A majority of the members present when a meeting is convened shall constitute a quorum for the remainder of the meeting.

(e) Members of the Board shall serve without pay but may be compensated for reasonable travel expenses incurred by them in the performance of their duties as members of the Board.

(f) The Board shall meet at least twice a year at the call of the Chairman (with at least one meeting in the District of Columbia) and at such other times as the Chairman may determine to be appropriate. The Chairman shall call a meeting of the Board whenever one-third of the members of the Board submit written requests for such a meeting.

(g) The Chairman and the Vice Chairman of the Board shall be elected from among the members of the Board by a majority vote of the Board for such terms as the Board determines. The Vice Chairman shall perform the duties of the Chairman in his absence.

(h)(1) The Board may appoint such committees, and assign to the committees such functions, as may be appropriate to assist the Board in carrying out its duties under this Act. Members of such committees may include the members of the Board or such other qualified individuals as the Board may select.

(2) Any employee or officer of the Federal Government may serve as a member of a committee created by the Board, but may not receive compensation for services performed for such a committee.

(i) The Board shall establish such bylaws and other regulations as may be appropriate to enable the Board to carry out its functions under this Act. Such bylaws and other regulations shall include provisions to prevent any conflict of interest, or the appearance of any conflict of interest, in the procurement and employment actions taken by the Board or by any officer or employee of the Board. Such bylaws shall include appropriate fiscal control, funds accountability, and operating principles to ensure compliance with the provisions of section 106 of this Act. A copy of such bylaws shall be transmitted to each House of Congress not later than 90 days after the date of enactment of the Congressional Award Amendments of 1985 and not later than 10 days after any subsequent amendment or revision of such bylaws.

(j) Any member of the Board who fails to attend 4 consecutive Board meetings scheduled pursuant to the bylaws of the Board and for which proper notice has been given under such bylaws, or to send a designee of such member (approved in advance by the Board under provisions of its bylaws), is, by operation of this subsection, removed, for cause, from the Board as of the date of the last meeting from which they are absent. The Chairman of the Board shall take such steps as are necessary to inform members who have 3 absences of this subsection. The Chairman shall notify the House and the Senate, including the appropriate committees of each body, whenever there is a vacancy created by the operation of this subsection.

【2 U.S.C. 803】

## NATIONAL DIRECTOR

SEC. 104. (a) In the administration of the Congressional Award Program, the Board shall be assisted by a Director, who shall be the principal executive of the program and who shall supervise the affairs of the Board. The Director shall be appointed by a majority vote of the Board, and shall serve for such term as the Board may determine. The Director may be removed by a majority vote of the Board.

(b) The Director shall, in consultation with the Board—

(1) formulate programs to carry out the policies of the Congressional Award Program;

(2) establish such divisions within the Congressional Award Program as may be appropriate; and

(3) employ and provide for the compensation of such personnel as may be necessary to carry out the Congressional Award Program, subject to such policies as the Board shall prescribe under its bylaws.

(c)(1) The Director shall, in consultation with the Board, ensure that appropriate policies and procedures for fiscal control and accounting are established for the financial operations of the Congressional Award Program, and that such operations are administered by personnel with expertise in accounting and financial management. Such personnel may be retained under contract. In carrying out this paragraph, the Director shall ensure that the liabilities of the Board do not, for any calendar year,<sup>3</sup> exceed the assets of the Board.

(2)(A)<sup>4</sup> The independent public accountant conducting the annual audit of the financial records of the Board pursuant to section 107(a) shall determine for each fiscal year whether the Director has substantially complied with paragraph (1). The findings made by the independent public accountant under the preceding sentence shall be included in the reports submitted under section 107(b).

(B) If the Director fails to substantially comply with paragraph (1), the Board shall instruct the Director to take such actions as may be necessary to correct such deficiencies, and shall remove and replace the Director if such deficiencies are not promptly corrected.

[2 U.S.C. 804]

## REGIONAL AWARD DIRECTORS

SEC. 105. Regional award directors may be appointed by the Board, upon recommendation of the Director, for any State or other appropriate geographic area of the United States. The Director shall make such recommendations with respect to a State or geographic area only after soliciting recommendations regarding such appointments from public and private youth organizations within such State or geographic area.

<sup>3</sup>Section 2(c)(1) of Public Law 111–200 attempts to amend subsection (c)(1) by striking “, in any calendar year,” and inserting “in any fiscal year”. Such amendment could not be enacted because the text proposed to be struck does not appear.

<sup>4</sup>Margin of paragraph (2) of subsection (c) so in law.

[2 U.S.C. 805]

## POWERS, FUNCTIONS, AND LIMITATIONS

SEC. 106. (a) Subject to such limitations as may be provided for under this section, the Board may take such actions and make such expenditures as may be necessary to carry out the Congressional Award Program, except that—

(1) the Board shall carry out its functions and make expenditures with—

(A) such resources as are available to the Board from sources other than the Federal Government; and

(B) funds awarded in any grant program administered by a Federal agency in accordance with the law establishing that grant program.

(2) the Board shall not take any actions which would disqualify the Board from treatment (for tax purposes) as an organization described in section 501(c)(3) of the Internal Revenue Code of 1954.

(b)(1) The Board shall establish such functions and procedures as may be necessary to carry out the provisions of this Act.

(2) The functions established by the Board under paragraph (1) shall include—

(A) communication with local Congressional Award Councils concerning the Congressional Award Program;

(B) provision, upon the request of any local Congressional Award Council, of such technical assistance as may be necessary to assist such council with its responsibilities, including the provision of medals, the preparation and provision of applications, guidance on disposition of applications, arrangements with respect to local award ceremonies, and other responsibilities of such council;

(C) conduct of outreach activities to establish new local Congressional Award Councils, particularly in inner-city areas and rural areas;

(D) in addition to those activities authorized under subparagraph (C), conduct of outreach activities to encourage, where appropriate, the establishment and development of Statewide Congressional Award Councils;

(E) fundraising;

(F) conduct of an annual Gold Medal Awards ceremony in the District of Columbia;

(G) consideration of implementation of the provisions of this Act relating to scholarships; and

(H) carrying out of duties relating to management of the national office of the Congressional Award Program, including supervision of office personnel and of the office budget.

(c)(1) In carrying out its functions with respect to Statewide Congressional Award Councils (hereinafter in this subsection referred to as Statewide Councils) under subsection (b), the Board shall develop guidelines, criteria, and standards for the formation of Statewide Councils. In order to create a Statewide Council, Members of Congress and Senators from each respective State are encouraged to work jointly with the Board.

(2) The establishment of Statewide Councils is intended to—

(A) facilitate expanded public participation and involvement in the program; and

(B) promote greater opportunities for involvement by members of the State congressional delegation.

(3) The duties and responsibilities of each Statewide Council established pursuant to this section shall include, but not be limited to, the following:

(A) promoting State and local awareness of the Congressional Award Program;

(B) review of participant records and activities;

(C) review and verification of information on, and recommendation of, candidates to the national board for approval;

(D) planning and organization of bronze and silver award ceremonies;

(E) assisting gold award recipients with travel to and from the national gold award ceremony; and

(F) designation of a Statewide coordinator to serve as a liaison between the State and local boards and the national board.

(4)<sup>5</sup> Each Statewide Council established under this section may receive contributions, and use such contributions for the purposes of the Program. The Board shall adopt appropriate financial management methods in order to ensure the proper accounting of these funds. Each Statewide Council shall comply with subsections (a), (d), (e), and (h) governing the Board.

(5) Each Statewide Council established pursuant to this section shall comply with the standard charter requirements of the national board of directors.

(d) The Board may enter into and perform such contracts as may be appropriate to carry out its business, but the Board may not enter into any contract which would obligate the Board to expend an amount greater than the amount available to the Board for the purpose of such contract during the fiscal year in which the expenditure is to be made.

(e)(1) Subject to the provisions of paragraph (2), the Board may seek and accept funds and other resources to carry out its activities. The Board may not accept any funds or other resources which are—

(A) donated with a restriction on their use unless such restriction merely provides that such funds or other resources be used in furtherance of the Congressional Award Program or a specific regional or local program or for scholarships; and

(B) donated subject to the condition that the identity of the donor of the funds or resources shall remain anonymous.

The Board may permit donors to use the name of the Board or the name “Congressional Award Program” in advertising.

(2) Except as otherwise provided in this Act, the Board may not receive any Federal funds or resources. The Board may benefit from in-kind and indirect resources provided by Offices of Members of Congress or the Congress. Further, the Board is not prohibited from receiving indirect benefits from efforts or activities under-

<sup>5</sup> Margin so in law.



taken in collaboration with entities which receive Federal funds or resources.

(f) The Board may accept and utilize the services of voluntary, uncompensated personnel.

(g) The Board may lease (or otherwise hold), acquire, or dispose of real or personal property necessary for, or relating to, the duties of the Board.

(h) The Board shall have no power—

(1) to issue bonds, notes, debentures, or other similar obligations creating long-term indebtedness;

(2) to issue any share of stock or to declare or pay any dividends; or

(3) to provide for any part of the income or assets of the Board to inure to the benefit of any director, officer, or employee of the Board except as reasonable compensation for services or reimbursement for expenses.

(i)(1) The Board shall provide for the incorporation of a nonprofit corporation to be known as the Congressional Award Foundation (together with any subsidiary nonprofit corporations determined desirable by the Board, collectively referred to in this title as the “Corporation”) for the sole purpose of assisting the Board to carry out the Congressional Award Program, and shall delegate to the Corporation such duties as it considers appropriate, including the employment of personnel, expenditure of funds, and the incurrence of financial or other contractual obligations.

(2) The articles of incorporation of the Congressional Award Foundation shall provide that—

(A) the members of the Board of Directors of the Foundation shall be the members of the Board, with up to 24 additional voting members appointed by the Board, and the Director who shall serve as a nonvoting member; and

(B) the extent of the authority of the Foundation shall be the same as that of the Board.

(3) No director, officer, or employee of any corporation established under this subsection may receive compensation, travel expenses, or benefits from both the Corporation and the Board.

[2 U.S.C. 806]

#### AUDITS

SEC. 107. (a) **CONTRACTS WITH INDEPENDENT PUBLIC ACCOUNTANT.**—The Board shall enter into a contract with an independent public accountant to conduct an annual audit in accordance with generally accepted government auditing standards, of the financial records of the Board and of any corporation established under section 106(i), and shall ensure that the independent public accountant has access for the purpose of the audit to any books, documents, papers, and records of the Board or such corporation (or any agent of the Board or such corporation) which the independent public accountant reasonably determines to be pertinent to the Congressional Award Program.

(b) **ANNUAL REPORT TO CONGRESS ON AUDIT RESULTS.**—Not later than May 15 of each calendar year, the Board shall submit to appropriate officers, committees, and subcommittees of Congress

and to the Comptroller General of the United States a report on the results of the most recent audit conducted pursuant to this section, and shall include in the report information on any such additional areas as the independent public accountant who conducted the audit determines deserve or require evaluation.

(c) REVIEW BY THE COMPTROLLER GENERAL OF ANNUAL AUDIT.—

(1) The Comptroller General of the United States shall review each annual audit conducted under subsection (a).

(2) For purposes of a review under paragraph (1), the Comptroller General, or any duly authorized representative of the Comptroller General, shall have access to any books, documents, papers, and records of the Board or such corporation, or any agent of the Board or such corporation, including the independent external auditor designated under subsection (a), which, in the opinion of the Comptroller General, may be pertinent.

(3) Not later than 180 days after the date on which the Comptroller General receives a report under subsection (b), the Comptroller General shall submit to Congress a report containing the results of the review conducted under paragraph (1) with respect to the preceding year.

[2 U.S.C. 807]

#### TERMINATION

SEC. 108. The Board shall terminate October 1, 2023.

[2 U.S.C. 808]

## TITLE II—CONGRESSIONAL RECOGNITION FOR EXCELLENCE IN ARTS EDUCATION

### SEC. 201. SHORT TITLE.

This title may be cited as the “Congressional Recognition for Excellence in Arts Education Act”.

[2 U.S.C. 801 note ]

### SEC. 202. FINDINGS.

Congress makes the following findings:

(1) Arts literacy is a fundamental purpose of schooling for all students.

(2) Arts education stimulates, develops, and refines many cognitive and creative skills, critical thinking and nimbleness in judgment, creativity and imagination, cooperative decision-making, leadership, high-level literacy and communication, and the capacity for problem-posing and problem-solving.

(3) Arts education contributes significantly to the creation of flexible, adaptable, and knowledgeable workers who will be needed in the 21st century economy.

(4) Arts education improves teaching and learning.

(5) Where parents and families, artists, arts organizations, businesses, local civic and cultural leaders, and institutions are actively engaged in instructional programs, arts education is more successful.

(6) Effective teachers of the arts should be encouraged to continue to learn and grow in mastery of their art form as well as in their teaching competence.

(7) The 1999 study, entitled “Gaining the Arts Advantage: Lessons from School Districts that Value Arts Education”, found that the literacy, education, programs, learning and growth described in paragraphs (1) through (6) contribute to successful districtwide arts education.

(8) Despite all of the literacy, education, programs, learning and growth findings described in paragraphs (1) through (6), the 1997 National Assessment of Educational Progress reported that students lack sufficient opportunity for participatory learning in the arts.

(9) The Arts Education Partnership, a coalition of national and State education, arts, business, and civic groups, is an excellent example of one organization that has demonstrated its effectiveness in addressing the purposes described in section 205(a) and the capacity and credibility to administer arts education programs of national significance.

[2 U.S.C. 811]

#### SEC. 203. DEFINITIONS.

In this title:

(1) ARTS EDUCATION PARTNERSHIP.—The term “Arts Education Partnership” means a private, nonprofit coalition of education, arts, business, philanthropic, and government organizations that demonstrates and promotes the essential role of arts education in enabling all students to succeed in school, life, and work, and was formed in 1995.

(2) BOARD.—The term “Board” means the Congressional Recognition for Excellence in Arts Education Awards Board established under section 204.

(3) ELEMENTARY SCHOOL; SECONDARY SCHOOL.—The terms “elementary school” and “secondary school” mean—

(A) a public or private elementary school or secondary school (as the case may be), as defined in section 8101 of the Elementary and Secondary Education Act of 1965; or

(B) a bureau funded school as defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026).

(4) STATE.—The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

[2 U.S.C. 812]

#### SEC. 204. ESTABLISHMENT OF BOARD.

There is established within the legislative branch of the Federal Government a Congressional Recognition for Excellence in

Arts Education Awards Board. The Board shall be responsible for administering the awards program described in section 205.

[2 U.S.C. 813]

**SEC. 205. BOARD DUTIES.**

(a) **AWARDS PROGRAM ESTABLISHED.**—The Board shall establish and administer an awards program to be known as the “Congressional Recognition for Excellence in Arts Education Awards Program”. The purpose of the program shall be to—

- (1) celebrate the positive impact and public benefits of the arts;
- (2) encourage all elementary schools and secondary schools to integrate the arts into the school curriculum;
- (3) spotlight the most compelling evidence of the relationship between the arts and student learning;
- (4) demonstrate how community involvement in the creation and implementation of arts policies enriches the schools;
- (5) recognize school administrators and faculty who provide quality arts education to students;
- (6) acknowledge schools that provide professional development opportunities for their teachers;
- (7) create opportunities for students to experience the relationship between early participation in the arts and developing the life skills necessary for future personal and professional success;
- (8) increase, encourage, and ensure comprehensive, sequential arts learning for all students; and
- (9) expand student access to arts education in schools in every community.

(b) **DUTIES.**—

(1) **SCHOOL AWARDS.**—The Board shall—

(A) make annual awards to elementary schools and secondary schools in the States in accordance with criteria established under subparagraph (B), which awards—

(i) shall be of such design and materials as the Board may determine, including a well-designed certificate or a work of art, designed for the awards event by an appropriate artist; and

(ii) shall be reflective of the dignity of Congress;

(B) establish criteria required for a school to receive the award, and establish such procedures as may be necessary to verify that the school meets the criteria, which criteria shall include criteria requiring—

(i) that the school—

(I) provides comprehensive, sequential arts learning; and

(II) integrates the arts throughout the curriculum in subjects other than the arts; and

(ii) 3 of the following:

(I) that the community serving the school is actively involved in shaping and implementing the arts policies and programs of the school;

(II) that the school principal supports the policy of arts education for all students;

(III) that arts teachers in the school are encouraged to learn and grow in mastery of their art form as well as in their teaching competence;

(IV) that the school actively encourages the use of arts assessment techniques for improving student, teacher, and administrative performance; and

(V) that school leaders engage the total school community in arts activities that create a climate of support for arts education; and

(C) include, in the procedures necessary for verification that a school meets the criteria described in subparagraph (B), written evidence of the specific criteria, and supporting documentation, that includes—

(i) 3 letters of support for the school from community members, which may include a letter from—

(I) the school's Parent Teacher Association (PTA);

(II) community leaders, such as elected or appointed officials; and

(III) arts organizations or institutions in the community that partner with the school; and

(ii) the completed application for the award signed by the principal or other education leader such as a school district arts coordinator, school board member, or school superintendent;

(D) determine appropriate methods for disseminating information about the program and make application forms available to schools;

(E) delineate such roles as the Board considers to be appropriate for the Director in administering the program, and set forth in the bylaws of the Board the duties, salary, and benefits of the Director;

(F) raise funds for the operation of the program;

(G) determine, and inform Congress regarding, the national readiness for interdisciplinary individual student awards described in paragraph (2), on the basis of the framework established in the 1997 National Assessment of Educational Progress and such other criteria as the Board determines appropriate; and

(H) take such other actions as may be appropriate for the administration of the Congressional Recognition for Excellence in Arts Education Awards Program.

(2) STUDENT AWARDS.—

(A) IN GENERAL.—At such time as the Board determines appropriate, the Board—

(i) shall make annual awards to elementary school and secondary school students for individual interdisciplinary arts achievement; and

(ii) establish criteria for the making of the awards.

(B) AWARD MODEL.—The Board may use as a model for the awards the Congressional Award Program and the President's Physical Fitness Award Program.

(c) PRESENTATION.—The Board shall arrange for the presentation of awards under this section to the recipients and shall provide for participation by Members of Congress in such presentation, when appropriate.

(d) DATE OF ANNOUNCEMENT.—The Board shall determine an appropriate date or dates for announcement of the awards under this section, which date shall coincide with a National Arts Education Month or a similarly designated day, week or month, if such designation exists.

(e) REPORT.—

(1) IN GENERAL.—The Board shall prepare and submit an annual report to Congress not later than March 1 of each year summarizing the activities of the Congressional Recognition for Excellence in Arts Education Awards Program during the previous year and making appropriate recommendations for the program. Any minority views and recommendations of members of the Board shall be included in such reports.

(2) CONTENTS.—The annual report shall contain the following:

(A) Specific information regarding the methods used to raise funds for the Congressional Recognition for Excellence in Arts Education Awards Program and a list of the sources of all money raised by the Board.

(B) Detailed information regarding the expenditures made by the Board, including the percentage of funds that are used for administrative expenses.

(C) A description of the programs formulated by the Director under section 207(b)(1), including an explanation of the operation of such programs and a list of the sponsors of the programs.

(D) A detailed list of the administrative expenditures made by the Board, including the amounts expended for salaries, travel expenses, and reimbursed expenses.

(E) A list of schools given awards under the program, and the city, town, or county, and State in which the school is located.

(F) An evaluation of the state of arts education in schools, which may include anecdotal evidence of the effect of the Congressional Recognition for Excellence in Arts Education Awards Program on individual school curriculum.

(G) On the basis of the findings described in section 202 and the purposes of the Congressional Recognition for Excellence in Arts Education Awards Program described in section 205(a), a recommendation regarding the national readiness to make individual student awards under subsection (b)(2).

[2 U.S.C. 814]

#### SEC. 206. COMPOSITION OF BOARD; ADVISORY BOARD.

(a) COMPOSITION.—

(1) IN GENERAL.—The Board shall consist of 9 members as follows:

(A) 2 Members of the Senate appointed by the Majority Leader of the Senate.

(B) 2 Members of the Senate appointed by the Minority Leader of the Senate.

(C) 2 Members of the House of Representatives appointed by the Speaker of the House of Representatives.

(D) 2 Members of the House of Representatives appointed by the Minority Leader of the House of Representatives.

(E) The Director of the Board, who shall serve as a nonvoting member.

(2) ADVISORY BOARD.—There is established an Advisory Board to assist and advise the Board with respect to its duties under this title, that shall consist of 15 members appointed—

(A) in the case of the initial such members of the Advisory Board, by the leaders of the Senate and House of Representatives making the appointments under paragraph (1), from recommendations received from organizations and entities involved in the arts such as businesses, civic and cultural organizations, and the Arts Education Partnership steering committee; and

(B) in the case of any other such members of the Advisory Board, by the Board.

(3) SPECIAL RULE FOR ADVISORY BOARD.—In making appointments to the Advisory Board, the individuals and entity making the appointments under paragraph (2) shall consider recommendations submitted by any interested party, including any member of the Board.

(4) INTEREST.—

(A) IN GENERAL.—Members of Congress appointed to the Board shall have an interest in 1 of the purposes described in section 205(a).

(B) DIVERSITY.—The membership of the Advisory Board shall represent a balance of artistic and education professionals, including at least 1 representative who teaches in each of the following disciplines:

- (i) Music.
- (ii) Theater.
- (iii) Visual Arts.
- (iv) Dance.

(b) TERMS.—

(1) BOARD.—Members of the Board shall serve for terms of 6 years, except that of the members first appointed—

(A) 1 Member of the House of Representatives and 1 Member of the Senate shall serve for terms of 2 years;

(B) 1 Member of the House of Representatives and 1 Member of the Senate shall serve for terms of 4 years; and

(C) 2 Members of the House of Representatives and 2 Members of the Senate shall serve for terms of 6 years, as determined by lot when all such members have been appointed.

(2) ADVISORY BOARD.—Members of the Advisory Board shall serve for terms of 6 years, except that of the members first appointed, 3 shall serve for terms of 2 years, 4 shall serve

for terms of 4 years, and 8 shall serve for terms of 6 years, as determined by lot when all such members have been appointed.

(c) VACANCY.—

(1) IN GENERAL.—Any vacancy in the membership of the Board or Advisory Board shall be filled in the same manner in which the original appointment was made.

(2) TERM.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of such term.

(3) EXTENSION.—Any appointed member of the Board or Advisory Board may continue to serve after the expiration of the member's term until the member's successor has taken office.

(4) SPECIAL RULE.—Vacancies in the membership of the Board shall not affect the Board's power to function if there remain sufficient members of the Board to constitute a quorum under subsection (d).

(d) QUORUM.—A majority of the members of the Board shall constitute a quorum.

(e) COMPENSATION.—Members of the Board and Advisory Board shall serve without pay but may be compensated, from amounts in the trust fund, for reasonable travel expenses incurred by the members in the performance of their duties as members of the Board.

(f) MEETINGS.—The Board shall meet annually at the call of the Chairperson and at such other times as the Chairperson may determine to be appropriate. The Chairperson shall call a meeting of the Board whenever  $\frac{1}{3}$  of the members of the Board submit written requests for such a meeting.

(g) OFFICERS.—The Chairperson and the Vice Chairperson of the Board shall be elected from among the members of the Board, by a majority vote of the members of the Board, for such terms as the Board determines. The Vice Chairperson shall perform the duties of the Chairperson in the absence of the Chairperson.

(h) COMMITTEES.—

(1) IN GENERAL.—The Board may appoint such committees, and assign to the committees such functions, as may be appropriate to assist the Board in carrying out its duties under this title. Members of such committees may include the members of the Board or the Advisory Board.

(2) SPECIAL RULE.—Any employee or officer of the Federal Government may serve as a member of a committee created by the Board, but may not receive compensation for services performed for such a committee.

(i) BYLAWS AND OTHER REQUIREMENTS.—The Board shall establish such bylaws and other requirements as may be appropriate to enable the Board to carry out the Board's duties under this title.

[2 U.S.C. 815]

#### SEC. 207. ADMINISTRATION.

(a) IN GENERAL.—In the administration of the Congressional Recognition for Excellence in Arts Education Awards Program, the



Board shall be assisted by a Director, who shall be the principal executive of the program and who shall supervise the affairs of the Board. The Director shall be appointed by a majority vote of the Board.

(b) **DIRECTOR'S RESPONSIBILITIES.**—The Director shall, in consultation with the Board—

(1) formulate programs to carry out the policies of the Congressional Recognition for Excellence in Arts Education Awards Program;

(2) establish such divisions within the Congressional Recognition for Excellence in Arts Education Awards Program as may be appropriate; and

(3) employ and provide for the compensation of such personnel as may be necessary to carry out the Congressional Recognition for Excellence in Arts Education Awards Program, subject to such policies as the Board shall prescribe under its bylaws.

(c) **APPLICATION.**—Each school or student desiring an award under this title shall submit an application to the Board at such time, in such manner and accompanied by such information as the Board may require.

[2 U.S.C. 816]

#### **SEC. 208. LIMITATIONS.**

(a) **IN GENERAL.**—Subject to such limitations as may be provided for under this section, the Board may take such actions and make such expenditures as may be necessary to carry out the Congressional Recognition for Excellence in Arts Education Awards Program, except that the Board shall carry out its functions and make expenditures with only such resources as are available to the Board from the Congressional Recognition for Excellence in Arts Education Awards Trust Fund under section 211.

(b) **CONTRACTS.**—The Board may enter into such contracts as may be appropriate to carry out the business of the Board, but the Board may not enter into any contract which will obligate the Board to expend an amount greater than the amount available to the Board for the purpose of such contract during the fiscal year in which the expenditure is made.

(c) **GIFTS.**—The Board may seek and accept, from sources other than the Federal Government, funds and other resources to carry out the Board's activities. The Board may not accept any funds or other resources that are—

(1) donated with a restriction on their use unless such restriction merely provides that such funds or other resources be used in furtherance of the Congressional Recognition for Excellence in Arts Education Awards Program; or

(2) donated subject to the condition that the identity of the donor of the funds or resources shall remain anonymous.

(d) **VOLUNTEERS.**—The Board may accept and utilize the services of voluntary, uncompensated personnel.

(e) **REAL OR PERSONAL PROPERTY.**—The Board may lease (or otherwise hold), acquire, or dispose of real or personal property necessary for, or relating to, the duties of the Board.

(f) **PROHIBITIONS.**—The Board shall have no power—

- (1) to issue bonds, notes, debentures, or other similar obligations creating long-term indebtedness;
- (2) to issue any share of stock or to declare or pay any dividends; or
- (3) to provide for any part of the income or assets of the Board to inure to the benefit of any director, officer, or employee of the Board except as reasonable compensation for services or reimbursement for expenses.

[2 U.S.C. 817]

#### SEC. 209. AUDITS.

The financial records of the Board may be audited by the Comptroller General of the United States at such times as the Comptroller General may determine to be appropriate. The Comptroller General, or any duly authorized representative of the Comptroller General, shall have access for the purpose of audit to any books, documents, papers, and records of the Board (or any agent of the Board) which, in the opinion of the Comptroller General, may be pertinent to the Congressional Recognition for Excellence in Arts Education Awards Program.

[2 U.S.C. 817a]

#### SEC. 210. TERMINATION.

The Board shall terminate 6 years after the date of enactment of this title. The Board shall set forth, in its bylaws, the procedures for dissolution to be followed by the Board.

[2 U.S.C. 817b]

#### SEC. 211. TRUST FUND.

(a) ESTABLISHMENT OF FUND.—There shall be established in the Treasury of the United States a trust fund which shall be known as the Congressional Recognition for Excellence in Arts Education Awards Trust Fund”. The fund shall be administered by the Board, and shall consist of amounts donated to the Board under section 208(c) and amounts credited to the fund under subsection (d).

(b) INVESTMENT.—

(1) IN GENERAL.—It shall be the duty of the Secretary of the Treasury to invest, at the direction of the Director of the Board, such portion of the fund that is not, in the judgment of the Director of the Board, required to meet the current needs of the fund.

(2) AUTHORIZED INVESTMENTS.—Such investments shall be in public debt obligations with maturities suitable to the needs of the fund, as determined by the Director of the Board. Investments in public debt obligations shall bear interest at rates determined by the Secretary of the Treasury taking into consideration the current market yield on outstanding marketable obligations of the United States of comparable maturity.

(c) AUTHORITY TO SELL OBLIGATIONS.—Any obligation acquired by the fund may be sold by the Secretary of the Treasury at the market price.

(d) PROCEEDS FROM CERTAIN TRANSACTIONS CREDITED TO FUND.—The interest on, and the proceeds from the sale or redemp-

tion of, any obligations held in the fund shall be credited to and form a part of the fund.

**[2 U.S.C. 817c]**