

Public Law 98-306
98th Congress

An Act

To amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

May 31, 1984
[H.R. 2751]

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 Amendments of 1983".

National
Foundation on
the Arts and the
Humanities Act
Amendments
of 1983.
20 USC 951 note.

TECHNICAL AMENDMENT

SEC. 2. The National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 951 et seq.) is amended by striking out the first section thereof and inserting in lieu thereof the following:

"TITLE I—ENDOWMENTS FOR ARTS AND HUMANITIES

"SHORT TITLE

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

National
Foundation
on the Arts and
the Humanities
Act of 1965.
20 USC 951 note.

DECLARATION OF PURPOSE

SEC. 3. Section 2 of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 951) is amended—

- (1) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively, and
- (2) by inserting after paragraph (5) the following new paragraph:

"(6) that museums are vital to the preservation of our cultural heritage and should be supported in their role as curator of our national consciousness;"

ENTITIES WITHIN FOUNDATION

SEC. 4. (a) Section 4(a) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 953(a)) is amended—

- (1) by striking out "and a Federal Council" and inserting in lieu thereof ", a Federal Council", and
- (2) by inserting ", and an Institute of Museum Services" before "(hereinafter established)".

(b) Section 4(b) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 953(b)) is amended by inserting ", and for institutions which preserve the cultural heritage of the United States after 'United States'".

CONTINUITY OF MEMBERSHIP OF NATIONAL COUNCILS

SEC. 5. (a) Section 6(c) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 955(c)) is amended by inserting at the end thereof the following: "Notwithstanding any other provision of this subsection, a member shall serve after the expiration of his term until his successor takes office."

(b) Section 8(c) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 957(c)) is amended by adding at the end thereof the following: "Notwithstanding any other provisions of this subsection, a member shall serve after the expiration of his term until his successor takes office."

MEMBERSHIP OF THE FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES

SEC. 6. (a) Section 9(b) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 958(b)) is amended by inserting "the Director of the Institute of Museum Services," after "Humanities,".

(b) Section 9(c)(4) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 958(c)(4)) is amended by striking out "and the Institute of Museum Services".

AUTHORIZATION OF APPROPRIATIONS

SEC. 7. (a) Section 11(a) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 960(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by striking out "\$154,000,000 for fiscal year 1984, and \$170,000,000" and inserting in lieu thereof "\$128,500,000 for fiscal year 1984, and such sums as may be necessary", and

(B) in subparagraph (B) by striking out "\$152,000,000 for fiscal year 1984, and \$167,500,000" and inserting in lieu thereof "\$127,000,000 for fiscal year 1984, and such sums as may be necessary",

(2) in paragraph (2)—

(A) in subparagraph (A) by striking out "\$20,000,000 for fiscal year 1984, and \$22,500,000" and inserting in lieu thereof "\$10,000,000 for fiscal year 1984, and such sums as may be necessary",

(B) in subparagraph (B) by striking out "\$16,500,000 for fiscal year 1984, and \$18,500,000" and inserting in lieu thereof "\$11,500,000 for fiscal year 1984, and such sums as may be necessary", and

(3) in paragraph (3)—

(A) in subparagraph (A) by striking out "\$36,000,000 for fiscal year 1984, and \$40,000,000" and inserting in lieu thereof "\$28,000,000 for fiscal year 1984, and such sums as may be necessary", and

(B) in subparagraph (B) by striking out "\$40,000,000 for fiscal year 1984, and \$44,000,000" and inserting in lieu thereof "\$20,000,000 for fiscal year 1984, and such sums as may be necessary".

(b) Section 11(d) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 960(d)) is amended by inserting "under this title" after "made".

ESTABLISHMENT OF INSTITUTE OF MUSEUM SERVICES

SEC. 8. Section 203 of the Museum Services Act (20 U.S.C. 962) is amended by striking out ", within the Department of Education" and inserting in lieu thereof "within the National Foundation on the Arts and the Humanities".

NATIONAL MUSEUM SERVICES BOARD

SEC. 9. (a) Section 204(a)(2) of the Museum Services Act (20 U.S.C. 963(a)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (iii) by inserting "and" at the end thereof,

(B) in clause (iv) by striking out "; and" and inserting in lieu thereof a period, and

(C) by striking out clause (v), and

(2) in subparagraph (B) by striking out "clause (v)" and inserting in lieu thereof "clause (iv)".

(b) Section 204(b) of the Museum Services Act (20 U.S.C. 963(b)) is amended by adding at the end thereof the following: "Notwithstanding any other provision of this subsection, a member shall serve after the expiration of his term of office until his successor takes office."

(c) Section 204(c) of the Museum Services Act (20 U.S.C. 963(c)) is amended by striking out "Eight" and inserting in lieu thereof "Except as provided in subsection (d)(2), eight".

(d) Section 204(d)(2) of the Museum Services Act (20 U.S.C. 963(d)(2)) is amended by striking out "eight" and inserting in lieu thereof "seven".

CONFORMING AMENDMENT

SEC. 10. Section 205(a)(2) of the Museum Services Act (20 U.S.C. 964(a)(2)) is amended by striking out the first sentence.

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. Section 209(a) of the Museum Services Act (20 U.S.C. 967(a)) is amended by striking out "\$40,000,000 for fiscal year 1984, and \$45,000,000" and inserting in lieu thereof "\$20,150,000 for fiscal year 1984, and such sums as may be necessary".

REPEALERS

SEC. 12. Sections 521, 523, and 524 of subtitle A of the Omnibus Education Reconciliation Act of 1981 are repealed.

20 USC 967 note,
960 note.

NATIONAL MEDAL OF ARTS

SEC. 13. (a) There is hereby established a National Medal of Arts, which shall be a medal of such design as is deemed appropriate by the President, on the basis of recommendations submitted by the National Council on the Arts, and which shall be awarded as provided in subsection (b).

20 USC 955b.

President of U.S.

(b)(1) The President shall from time to time award the National Medal of Arts, on the basis of recommendations from the National Council on the Arts, to individuals or groups who in the President's judgment are deserving of special recognition by reason of their outstanding contributions to the excellence, growth, support, and availability of the arts in the United States.

(2) Not more than twelve of such medals may be awarded in any calendar year.

(3) An individual may be awarded the National Medal of Arts only if at the time such award is made such individual—

(A) is a citizen or other national of the United States; or

(B) is an alien lawfully admitted to the United States for permanent residence who (i) has filed an application or petition for naturalization in the manner prescribed by section 334 of the Immigration and Nationality Act and (ii) is not permanently ineligible to become a citizen of the United States.

8 USC 1445.

(4) A group may be awarded the National Medal of Arts only if such group is organized or incorporated in the United States.

(5) The presentation of the National Medal of Arts shall be made by the President with such ceremonies as the President may deem proper, including attendance by appropriate Members of Congress.

Funds.

(c) Funds made available to the National Endowment for the Arts shall be used to carry out this section.

INSTITUTE OF AMERICAN INDIAN ARTS

25 USC 310.

Sec. 14. (a)(1) To the extent of the availability of funds for such purpose, the Secretary of the Interior shall:

(A) enter into a thirty-year agreement with the College of Santa Fe, Santa Fe, New Mexico, to provide educational facilities for the use of, and to develop cooperative educational/arts programs to be carried out with the postsecondary fine arts and museum services programs of, the Institute of American Indian Arts administered by the Bureau of Indian Affairs; and

(B) conduct such activities as are necessary to improve the facilities used by the Institute of American Indian Arts at the College of Santa Fe.

Effective date.

(2) The provisions of this subsection shall take effect on October 1, 1984.

Study.

(b)(1) The Secretary of the Interior, acting through the Bureau of Indian Affairs, is directed to conduct a study for the purpose of determining the need, if any, for a museum facility to be established for the benefit of the Institute of American Indian Arts, the feasibility of establishing such museum, and the need or desirability, if any, to establish any such museum in close proximity to the facilities currently being used by such Institute at the College of Santa Fe.

Report.

(2) On or before February 1, 1985, the Secretary of the Interior shall report the results of such study, together with his recommendations, to the Congress.

(3) Should the study recommend establishment of a museum, and should the College of Santa Fe be selected as the best site, any agreement entered into by the Secretary of the Interior for construction of such museum shall contain assurances, satisfactory to the Secretary, that appropriate lands at the College of Santa Fe will be available at no cost to the Federal Government for the establishment of a museum facility.

Approved May 31, 1984.

LEGISLATIVE HISTORY—H.R. 2751:

HOUSE REPORTS: No. 98-163 and Pt. 2 (Comm. on Education and Labor).

CONGRESSIONAL RECORD, Vol. 130 (1984):

Feb. 21, considered and passed House.

Apr. 5, considered and passed Senate, amended.

May 17, House concurred in Senate amendment.