

Calendar No. 8

105TH CONGRESS  
1ST Session

**S. 48**

**A BILL**

To abolish the National Endowment for the Arts  
and the National Council on the Arts.

JANUARY 21, 1997

Read twice and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1997

Mr. HELMS introduced the following bill; which was read twice and placed on  
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**A BILL**

To abolish the National Endowment for the Arts and the  
National Council on the Arts.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Endowment  
5       for the Arts Termination Act of 1997”.

1 **SEC. 2. TERMINATION OF THE NATIONAL ENDOWMENT FOR**  
 2 **THE ARTS AND THE NATIONAL COUNCIL ON**  
 3 **THE ARTS.**

4 Sections 5, 5A, and 6 of the National Foundation on  
 5 the Arts and the Humanities Act of 1965 (20 U.S.C. 954,  
 6 954A, and 955) are repealed.

7 **SEC. 3. CONFORMING AMENDMENTS.**

8 (a) DECLARATION OF PURPOSE.—Section 2 of the  
 9 National Foundation on the Arts and the Humanities Act  
 10 of 1965 (20 U.S.C. 951) is amended—

11 (1) in paragraphs (1) and (6) by striking “arts  
 12 and the”;

13 (2) in paragraphs (2) and (5) by striking “and  
 14 the arts”;

15 (3) in paragraph (4) by striking “the arts and”;

16 (4) in paragraph (5) by striking—

17 (A) by striking “and the arts”; and

18 (B) by striking “arts and”;

19 (5) in paragraph (7)—

20 (A) by striking “practice of art and the”;

21 (B) by striking “artist or”; and

22 (C) by striking “creative”;

23 (6) in paragraph (9) by striking “arts and”;

24 (7) by striking paragraph (11); and

25 (8) in paragraph (12)—

26 (A) by striking “the Arts and”; and

1 (B) by redesignating such paragraph as  
 2 paragraph (11).

3 (b) DEFINITIONS.—Section 3 of the National Foun-  
 4 dation on the Arts and the Humanities Act of 1965 (20  
 5 U.S.C. 952) is amended—

6 (1) by striking subsections (b), (c), and (f); and

7 (2) in subsection (d) by striking “, including  
 8 programs” and all that follows through “under-  
 9 standing of the arts,”;

10 (A) in paragraph (1)—

11 (i) by striking “the National Council  
 12 on the Arts or”; and

13 (ii) by striking “, as the case may  
 14 be,”;

15 (B) in paragraph (2)—

16 (i) by striking “sections 5(l) and” and  
 17 inserting “section”;

18 (ii) in subparagraph (A) by striking  
 19 “artistic or”; and

20 (iii) in subparagraph (B)—

21 (I) by striking “the National  
 22 Council on the Arts and”; and

23 (II) by striking “, as the case  
 24 may be,”; and

1 (C) by striking “(d) The” and inserting  
 2 “(b) The”; and

3 (3) by redesignating subsections (e) and (g) as  
 4 subsections (c) and (d), respectively.

5 (c) ESTABLISHMENT OF NATIONAL FOUNDATION ON  
 6 THE ARTS AND HUMANITIES.—Section 4(a) of the Na-  
 7 tional Foundation on the Arts and the Humanities Act  
 8 of 1965 (20 U.S.C. 953(a)) is amended—

9 (1) in subsection (a)—

10 (A) by striking “the Arts and” each place  
 11 it appears; and

12 (B) by striking “a National Endowment  
 13 for the Arts,”;

14 (2) in subsection (b) by striking “and the arts”;  
 15 and

16 (3) in the heading of such section by striking  
 17 “THE ARTS AND”.

18 (d) FEDERAL COUNCIL ON THE ARTS AND THE HU-  
 19 MANITIES.—Section 9 of the National Foundation on the  
 20 Arts and the Humanities Act of 1965 (20 U.S.C. 958)  
 21 is amended—

22 (1) in subsection (a) by striking “the Arts  
 23 and”;

24 (2) in subsection (b) by striking “the Chair-  
 25 person of the National Endowment for the Arts,”;

1 (3) in subsection (c)—

2 (A) in paragraph (1) by striking “the  
3 Chairperson of the National Endowment for the  
4 Arts and”;

5 (B) in paragraph (3)—

6 (i) by striking “the National Endow-  
7 ment for the Arts,”; and

8 (ii) by striking “Humanities,” and in-  
9 serting “Humanities”;

10 (C) in paragraph (6) by striking “arts  
11 and”; and

12 (D) in paragraph (7) by striking “the arts  
13 and”.

14 (e) ADMINISTRATIVE FUNCTIONS.—Section 10 of the  
15 National Foundation on the Arts and the Humanities Act  
16 of 1965 (20 U.S.C. 959) is amended—

17 (1) in subsection (a)—

18 (A) in the matter preceding paragraph

19 (1)—

20 (i) by striking “in them”;

21 (ii) by striking “the Chairperson of  
22 the National Endowment for the Arts  
23 and”; and

24 (iii) by striking “, in carrying out  
25 their respective functions,”;

1 (B) by striking “of an Endowment” each  
 2 place it appears;

3 (C) in paragraph (2)—

4 (i) by striking “of that Endowment”  
 5 the first place it appears and inserting  
 6 “the National Endowment for the Human-  
 7 ities”;

8 (ii) by striking “sections 6(f) and”  
 9 and inserting “section”; and

10 (iii) by striking “sections 5(c) and”  
 11 and inserting “section”; and

12 (D) in paragraph (3) by striking “define  
 13 their duties, and supervise and direct their ac-  
 14 tivities” and inserting “define the activities of  
 15 the employees, and supervise and direct the ac-  
 16 tivities of the employees”;

17 (2) in subsection (b)—

18 (A) by striking paragraphs (1), (2), and  
 19 (3); and

20 (B) in paragraph (4)—

21 (i) by striking “one of its Endow-  
 22 ments and received by the Chairperson of  
 23 an Endowment” and inserting “the Na-  
 24 tional Endowment for the Humanities and

1 received by the Chairperson of that En-  
 2 dowment”; and

3 (ii) by striking “(4)”;

4 (3) by striking subsection (c);

5 (4) in subsection (d)—

6 (A) by striking “Chairperson of the Na-  
 7 tional Endowment for the Arts and the”; and

8 (B) by striking “each” the first place it  
 9 appears;

10 (5) in subsection (e)—

11 (A) by striking “National Council on the  
 12 Arts and the”; and

13 (B) by striking “, respectively, may each”  
 14 and inserting “may”; and

15 (6) in subsection (f)—

16 (A) in paragraph (1)—

17 (i) by striking “Chairperson of the  
 18 National Endowment for the Arts and  
 19 the”; and

20 (ii) by striking “their respective En-  
 21 dowments under sections 5(c) and” and in-  
 22 serting “the Endowment under section”;

23 (B) in paragraph (2)(A)—



1 (i) by striking “either of the Endow-  
 2 ments” and inserting “the National En-  
 3 dowment for the Humanities”; and

4 (ii) by striking “involved”; and  
 5 (C) in paragraph (3)—

6 (i) by striking “that provided such fi-  
 7 nancial assistance” each place it appears;  
 8 and

9 (ii) in subparagraph (C) by striking  
 10 “the National Endowment for the Arts  
 11 or”.

#### 12 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 11 of the National Foundation on the Arts  
 14 and the Humanities Act of 1965 (20 U.S.C. 960) is  
 15 amended—

16 (1) in subsection (a)(1)—

17 (A) by striking subparagraph (A); and

18 (B) in subparagraph (B) by striking  
 19 “(B)”;

20 (2) in subsection (a)(2)—

21 (A) by striking subparagraph (A); and

22 (B) in subparagraph (B)—

23 (i) by striking “(B)”;

1 (ii) by redesignating clauses (i) and  
 2 (ii) as subparagraphs (A) and (B), respec-  
 3 tively;

4 (3) in subsection (a)(3)—

5 (A) by striking subparagraph (A);

6 (B) in subparagraph (B)—

7 (i) by striking “(B)”; and

8 (ii) by redesignating clauses (i) and  
 9 (ii) as subparagraphs (A) and (B), respec-  
 10 tively; and

11 (C) by striking subparagraph (C);

12 (4) in subsection (a)(4)—

13 (A) by striking “Chairperson of the Na-  
 14 tional Endowment for the Arts and the”;

15 (B) by striking “, as the case may be,”;

16 and

17 (C) by striking “section 5(e), section  
 18 5(l)(2), section 7(f),” and inserting “section  
 19 7(f)”;

20 (5) in subsection (c)—

21 (A) by striking paragraph (1); and

22 (B) in paragraph (2) by striking “(2)”;

23 (6) in subsection (d)—

24 (A) by striking paragraph (1); and

1 (B) in paragraph (2) by striking “(2)”;  
2 and  
3 (7) by striking subsection (f).

4 **SEC. 5. SHORT TITLE.**

5 Section 1 of the National Foundation on the Arts and  
6 the Humanities Act of 1965 (20 U.S.C. 951 note) is  
7 amended by striking “the Arts and”.

8 **SEC. 6. TRANSITION PROVISIONS.**

9 The Director of the Office of Management and Budg-  
10 et shall provide for the termination of the affairs of the  
11 National Endowment for the Arts and the National Coun-  
12 cil on the Arts, including the appropriate transfer or other  
13 disposition of personnel, assets, liabilities, grants, con-  
14 tracts, property, records, and unexpended balances of ap-  
15 propriations, authorizations, allocations, and other funds  
16 held, used, arising from, available to, or to be made avail-  
17 able in connection with implementing the authorities ter-  
18 minated by the amendments made by this Act.

19 **SEC. 7. EFFECTIVE DATES.**

20 (a) GENERAL EFFECTIVE DATE.—Except as pro-  
21 vided in subsection (b), this Act shall take effect on the  
22 date of enactment of this Act.

23 (b) EFFECTIVE DATE OF AMENDMENTS.—Sections  
24 2, 3, 4, and 5 shall take effect on the first day of the

- 1 first fiscal year beginning after the date of enactment of
- 2 this Act.