

103^D CONGRESS
1ST SESSION

H. R. 146

To amend the National Foundation on the Arts and the Humanities Act of 1965 to abolish the National Endowment for the Arts and the National Council on the Arts.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. CRANE introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the National Foundation on the Arts and the Humanities Act of 1965 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 “Privatization of Art
5 Act of 1991”.

1 **SEC. 2. TERMINATION OF THE NATIONAL ENDOWMENT FOR**
2 **THE ARTS.**

3 Sections 5 and 6 of the National Foundation on the
4 Arts and the Humanities Act of 1965 (42 U.S.C. 954,
5 955) are repealed.

6 **SEC. 3. CONFORMING AMENDMENTS.**

7 (a) DECLARATION OF PURPOSE.—Section 2 of the
8 National Foundation on the Arts and the Humanities Act
9 of 1965 (42 U.S.C. 951) is amended—

10 (1) in paragraphs (1) and (4) by striking “and
11 the arts”,

12 (2) in paragraphs (3) and (8) by striking “the
13 arts and”,

14 (3) in paragraph (5) by striking “the practice
15 of art and”, and

16 (4) in paragraph (9) by striking “the Arts
17 and”.

18 (b) DEFINITIONS.—Section 3 of the National Foun-
19 dation on the Arts and the Humanities Act of 1965 (42
20 U.S.C. 952) is amended—

21 (1) by striking subsections (c) and (f), and

22 (2) in subsection (d)—

23 (A) by striking “to foster American artistic
24 creativity, to commission works of art”,

25 (B) in paragraph (1)—

1 (i) by striking “the National Council
2 on the Arts or”, and

3 (ii) by striking “, as the case may
4 be,”,

5 (C) in paragraph (2)—

6 (i) by striking “sections 5(l) and” and
7 inserting “section”,

8 (ii) in subparagraph (A) by striking
9 “artistic or”, and

10 (iii) in subparagraph (B)—

11 (I) by striking “the National
12 Council on the Arts and”, and

13 (II) by striking “, as the case
14 may be,”, and

15 (D) by striking “(d)” and inserting “(c)”,

16 and

17 (3) by redesignating subsections (e) and (g) as
18 subsections (d) and (e), respectively.

19 (c) ESTABLISHMENT OF NATIONAL FOUNDATION ON
20 THE ARTS AND HUMANITIES.—Section 4(a) of the Na-
21 tional Foundation on the Arts and the Humanities Act
22 of 1965 (42 U.S.C. 953(a)) is amended—

23 (1) in subsection (a)—

24 (A) by striking “the Arts and” each place
25 it appears, and

1 (B) by striking “a National Endowment
2 for the Arts,”

3 (2) in subsection (b) by striking “and the arts”,
4 and

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

7 (d) FEDERAL COUNCIL ON THE ARTS AND THE HU-
8 MANITIES.—Section 9 of the National Foundation on the
9 Arts and the Humanities Act of 1965 (42 U.S.C. 958)
10 is amended—

11 (1) in subsection (a) by striking “the Arts
12 and”,

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

15 (3) in subsection (c)—

16 (A) in paragraph (1) by striking “the
17 Chairperson of the National Endowment for the
18 Arts and”,

19 (B) in paragraph (3)—

20 (i) by striking “the National Endow-
21 ment for the Arts”, and

22 (ii) by striking “Humanities,” and in-
23 serting “Humanities”, and

24 (C) in paragraph (6) by striking “the arts
25 and”.

1 (e) ADMINISTRATIVE FUNCTIONS.—Section 10 of the
2 National Foundation on the Arts and the Humanities Act
3 of 1965 (42 U.S.C. 959) is amended—

4 (1) in subsection (a)—

5 (A) in the matter preceding paragraph
6 (1)—

7 (i) by striking “in them”,

8 (ii) by striking “the Chairperson of
9 the National Endowment for the Arts
10 and”, and

11 (iii) by striking “, in carrying out
12 their respective functions,”,

13 (B) by striking “of an Endowment” each
14 place it appears,

15 (C) in paragraph (2)—

16 (i) by striking “of that Endowment”
17 the first place it appears and inserting
18 “the National Endowment for the Human-
19 ities”,

20 (ii) by striking “sections 6(f) and”
21 and inserting “section”, and

22 (iii) by striking “sections 5(c) and”
23 and inserting “section”,

24 (D) in paragraph (3) by striking “Chair-
25 person’s functions, define their duties, and su-

1 pervise their activities” and inserting “func-
2 tions, define the activities, and supervise the ac-
3 tivities of the Chairperson”,

4 (E) by striking the second, third, and
5 fourth sentences,

6 (F) in the fifth sentence by striking “one
7 of its Endowments and received by the Chair-
8 person of an Endowment” and inserting “the
9 National Endowment for the Humanities and
10 received by the Chairperson of that Endow-
11 ment”,

12 (G) in the sixth and eighth sentences by
13 striking “each Chairperson” each place it ap-
14 pears and inserting “the Chairperson”,

15 (H) in the seventh sentence by striking
16 “Each chairperson” and inserting “The Chair-
17 person”, and

18 (I) by striking the ninth, tenth, and elev-
19 enth sentences,

20 (2) in subsection (b)—

21 (A) by striking “Chairperson of the Na-
22 tional Endowment for the Arts and the”, and

23 (B) by striking “each” the first place it
24 appears,

25 (3) in subsection (c)—

1 (A) by striking “National Council on the
2 Arts and the”, and

3 (B) by striking “, respectively,”,

4 (4) in subsection (d)—

5 (A) in paragraph (1)—

6 (i) by striking “Chairperson of the
7 National Endowment for the Arts and
8 the”, and

9 (ii) by striking “sections 5(c) and”
10 and inserting “section”,

11 (B) in paragraph (2)(A)—

12 (i) by striking “either of the Endow-
13 ments” and inserting “National Endow-
14 ment for the Humanities”, and

15 (ii) by striking “involved”, and

16 (C) in paragraph (3)—

17 (i) by striking “that provided such fi-
18 nancial assistance” each place it appears,
19 and

20 (ii) in subparagraph (C) by striking
21 “the National Endowment for the Arts
22 or”,

23 (5) in subsection (e)—

24 (A) in paragraph (1)—

- 1 (i) by striking “the Chairperson of the
2 National Endowment for the Arts and”,
3 (ii) by striking “jointly”,
4 (iii) in subparagraph (A) by striking
5 “arts education and”, and
6 (iv) in subparagraph (B) by striking
7 “arts and”,
8 (B) in paragraph (2) by striking “Endow-
9 ments” and inserting “Endowment”, and
10 (C) in paragraph (3)—
11 (i) by striking “Endowments” and in-
12 sserting “Endowment”,
13 (ii) in subparagraph (B) by striking
14 “Endowments’ ” each place it appears and
15 inserting “Endowment’s”,
16 (iii) in subparagraphs (B) and (C) by
17 striking “arts and” each place it appears,
18 (iv) in subparagraph (D)—
19 (I) by striking “National Endow-
20 ment for the Arts and the”, and
21 (II) by striking “arts education”,
22 and
23 (v) in subparagraph (E) by striking
24 “National Endowment for the Arts and
25 the”, and

1 (6) in subsection (f) by striking “each Endow-
2 ment” and inserting “the National Endowment for
3 the Humanities”.

4 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

5 Section 11 of the National Foundation on the Arts
6 and the Humanities Act of 1965 (42 U.S.C. 960) is
7 amended—

8 (1) in subsection (a)(1)—

9 (A) by striking subparagraphs (A) and
10 (C), and

11 (B) in subparagraph (B) by striking
12 “(B)”,

13 (2) in subsection (a)(2)—

14 (A) by striking subparagraph (A), and

15 (B) in subparagraph (B)—

16 (i) by striking “(B)”, and

17 (ii) by redesignating clauses (i) and

18 (ii) as subparagraphs (A) and (B), respec-
19 tively,

20 (3) in subsection (a)(3)—

21 (A) by striking subparagraph (A),

22 (B) by redesignating subparagraph (B) as
23 subparagraph (A),

24 (C) by striking subparagraph (C), and

25 (D) in subparagraph (D)—

1 (i) by striking “(D)” and inserting
2 “(B)”, and

3 (ii) by striking “and subparagraph
4 (B)”,

5 (4) in subsection (a)(4)—

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

8 (B) by striking “, as the case may be”,
9 and

10 (C) by striking “section 5(e), section
11 5(l)(2), section 7(f),” and inserting “section
12 7(f)”,

13 (5) in subsection (c)—

14 (A) by striking paragraph (1), and

15 (B) in paragraph (2) by striking “(2)”,
16 and

17 (6) in subsection (d)—

18 (A) by striking paragraph (1), and

19 (B) in paragraph (2) by striking “(2)”.

20 **SEC. 5. SHORT TITLE.**

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

1 **SEC. 6. TRANSITION PROVISIONS.**

2 (a) TRANSFER OF PROPERTY.—On the effective date
3 of the amendments made by this Act, all property donated,
4 bequeathed, or devised to the National Endowment for the
5 Arts and held by such Endowment on such date is hereby
6 transferred to the National Endowment for the Human-
7 ities.

8 (b) TERMINATION OF OPERATIONS.—The Director of
9 the Office of Management and Budget shall provide for
10 the termination of the affairs of the National Endowment
11 for the Arts and the National Council on the Arts. Except
12 as provided in subsection (a), the Director shall provide
13 for the transfer or other disposition of personnel, assets,
14 liabilities, grants, contracts, property, records, and unex-
15 pended balances of appropriations, authorizations, alloca-
16 tions, and other funds held, used, arising from, available
17 to, or to be made available in connection with implement-
18 ing the authorities terminated by the amendments made
19 by this Act.

20 **SEC. 7. EFFECTIVE DATES.**

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

24 (b) EFFECTIVE DATE OF AMENDMENTS.—Sections
25 2, 3, 4, and 5 shall take effect on the first day of the

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

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