



2017 CONGRESSIONAL ARTS HANDBOOK
FACTS & FIGURES AT YOUR FINGERTIPS

THANK YOU TO THE NATIONAL PARTNERS

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National Assembly of State Arts Agencies
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SAG-AFTRA
Santa Fe Art Institute
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Stage Directors and Choreographers Society
Theatre Communications Group
Theatre Development Fund
YoungArts
Young Audiences Arts for Learning

The 2017 Congressional Arts Handbook
is current as of February 15, 2017,
and can be found online at:
AmericansForTheArts.org/AAD/Handbook

Arts Advocacy Day is organized by Americans
for the Arts and cosponsored by more than
85 national organizations representing
thousands of arts, culture, business, civic,
and education organizations and individuals
nationwide in support of federal policies
for the arts and arts education in America.

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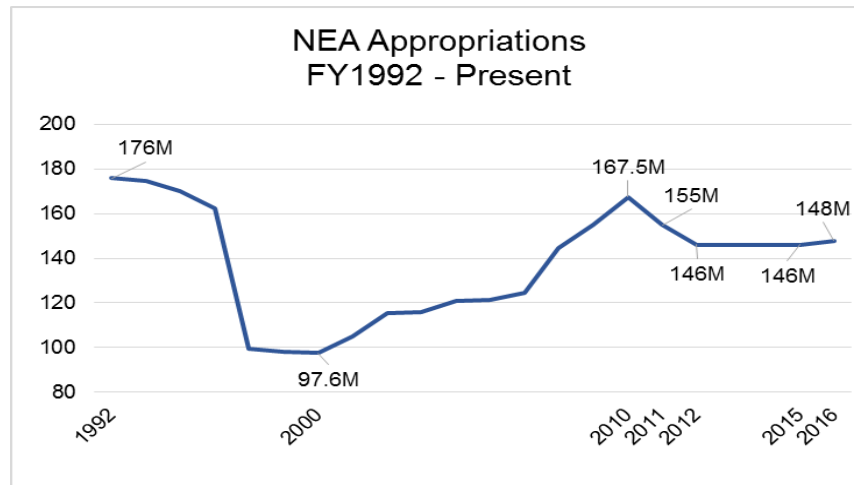
NATIONAL ENDOWMENT FOR THE ARTS (NEA)

PROMOTING CREATIVITY AND PUBLIC ACCESS TO THE ARTS

ACTION NEEDED

We urge Congress to:

- **Continue bipartisan support with a budget of \$155 million for the National Endowment for the Arts (NEA) in the FY 2018 Interior Appropriations bill in order to preserve access to the cultural, educational, and economic benefits of the arts and to advance creativity and innovation in communities across the United States.**



FEDERAL SUPPORT FOR THE ARTS IS UNIQUELY VALUABLE

The NEA's mission is to *strengthen the creative capacity of our communities by providing all Americans with diverse opportunities for arts participation.*

The NEA vision is a *nation in which every American benefits from arts engagement, and every community recognizes and celebrates its aspirations and achievements through the arts.* The goals of the agency include the creation of art meeting the highest standards of excellence, engaging the public with diverse and excellent art, and promoting public knowledge and understanding about the contributions of the arts in our national life and public discourse. Furthermore, the agency conducts essential research about trends relating to arts participation.

The NEA is America's chief supporter of the arts and celebrates the arts as a national priority, critical to America's future. The arts have the power to transport audiences, unite communities, promote empathy and understanding, and humanize difference. Arts organizations, at their best, serve as town halls in both rural and urban communities throughout the country, welcoming a diverse set of identities into a shared experience.

The Endowment's goals are fulfilled primarily through direct grants, reviewed and recommended by panels of experts, to arts organizations across the country. In FY 2016, these grants:

- Reached more than 20 million people attending live arts events through NEA-supported programs (exclusive of television and radio broadcast audiences). These included approximately 30,000 concerts, readings, and performances, and more than 3,000 exhibitions.
- Reached an additional 300 million people through television, radio, and cable broadcasts.
- Impacted almost 16,000 communities engaged in NEA-supported projects, many benefiting from touring and outreach initiatives.
- Generated more than \$500 million in matching support.

NEA—THREE KEY BENEFITS

PROVIDES HIGH RETURN ON INVESTMENT

- The NEA's budget is \$148 million (under a Continuing Resolution for FY17) -- just 0.004 percent of the federal budget and 47 cents per capita.
- The ratio of private and other public funds matching every NEA grant dollar will approach 9:1, far surpassing the required non-federal match of at least one to one.
- The nonprofit arts industry supports 4.13 million jobs in the arts and related industries. The Bureau of Economic Analysis and the NEA together calculated the arts and culture sector's contributions to the gross domestic product at 4.2 percent, which amounts to an impressive \$729 billion.

SUPPORTS PARTNERSHIPS THAT ADVANCE THE ARTS AND COMMUNITIES

- NEA supports military families by partnering with Blue Star Families to present Blue Star Museums, which offers free admission to active-duty military and their families, and Blue Star Theatres, which offers free and discounted tickets to active-duty military and veterans and their families, along with access to education programs and special events for military families. The NEA recently expanded the Creative Forces: NEA Military Healing Arts Network, which is a collaboration with the Department of Defense that supports music, writing, and visual art therapy at military care facilities.
- The NEA funds school- and community-based programs that help children and youth acquire knowledge and skills in the arts. It also supports educational programs for adults, collaborations between state arts agencies and state education agencies, and partnerships between arts institutions and K-12 and college/university educators.

BROADENS ACCESS TO ALL

- The NEA is the only arts funder in America, public or private, that supports the arts in 50 states, the District of Columbia, and U.S. territories. In fact, every congressional district benefits from an NEA grant.
- The NEA funds nonprofits throughout the country and has an exemplary partnership with the states, with 40 percent of program funds distributed through state arts agencies. This federal-state partnership supports tens of thousands of grants in communities all throughout the U.S.
- The **Challenge America** category specifically offers support for projects that extend the reach of the arts to populations whose opportunities to experience the arts are limited by geography, economics, or disability.
- NEA grants are awarded through national initiatives, including **Art Works** which supports the creation of art that meets the highest standards of excellence, public engagement with diverse and excellent art, lifelong learning in the arts, and the strengthening of communities through the arts. The NEA **Our Town** grant program supports creative placemaking projects that help to transform communities into lively, beautiful, and sustainable places with the arts at their core. The **Big Read** initiative brings together partners across the country to encourage reading for pleasure and enlightenment as well as supporting innovative reading programs in selected communities. The **Creativity Connects** pilot grant opportunity supports partnerships between arts organizations and organizations from non-arts sectors. Those sectors may include business, education, environment, faith, finance, food, health, law, science, and technology.

Legislative Recap of 2017 NEA & NEH Appropriations

As of February 8, 2017

Comparison of FY 2016 to FY 2018 Appropriations for NEA and NEH (in millions of dollars)

	President FY 2016 Request	FY 2016 House Approps Cmte	FY 2016 Senate Approps Subcmte	FY 2016 Final	President FY 2017 Request	FY 2017 House	FY 2017 Senate Approps Cmte	FY 2017 Final	President FY 2018 Request
NEA	\$147.949	\$146.021	\$146.021	\$147.949	\$149.849	\$149.849	\$148.449	TBD	TBD
NEH	\$147.942	\$146.021	\$146.021	\$147.942	\$149.848	\$149.848	\$148.442	TBD	TBD

FY 2017 Appropriations Timeline

February 9, 2016—In his last budget proposal as President, the **Obama administration proposes another almost \$2 million increase** - to nearly \$150 million - for the Endowments. It falls short of his initial requests, but continues a 2-year funding climb.

May 25, 2016—The **House Interior Appropriations Subcommittee unanimously approves legislation to fund the Endowments at the President’s request, \$150 million each.**

June 14, 2016—The **Senate Interior Appropriations Subcommittee approves a minor \$500,000 increase for the Endowments**, bringing proposed funding to about \$148.4 million for FY 2017. Surprisingly, this proposed funding is lower than the House. During committee discussion, Sen. Roy Blunt (R-Mo.) spoke positively about the slight increase, including the NEA’s Healing Arts Partnership work.

July 14, 2016—The **House passes the Interior Appropriations bill on the floor, retaining the \$2 million increase for the Endowments.** The last time the House passed an Interior spending bill was in 2009! Unlike last year, there is also no prohibition of funding for NEA’s Our Town program, which supports creative placemaking projects all across the country.

September 28, 2016—Having come to **no resolution on funding** as the start of the fiscal year approaches, Congress passes a continuing resolution to keep the government open until December 9th.

December 8-9, 2016—Post-election, **Congress decides to leave appropriations unfinished** and clears another continuing resolution, extending funding until April 28, 2017. Under the agreement, the Endowments continue to receive “level” funding of \$148 million—a disappointing outcome especially given the funding increases that the House, Senate, and administration had all proposed.

February 2017—As of this printing, it remains unclear when the White House will propose its **FY 2018 budget request.** Under current budget law, the White House is supposed to submit its request to Congress by the first Monday in February, but these deadlines have often been missed in recent years.

Please visit www.AmericansForTheArts.org/AAD/Handbook to find the most up-to-date version of the Legislative Recap.

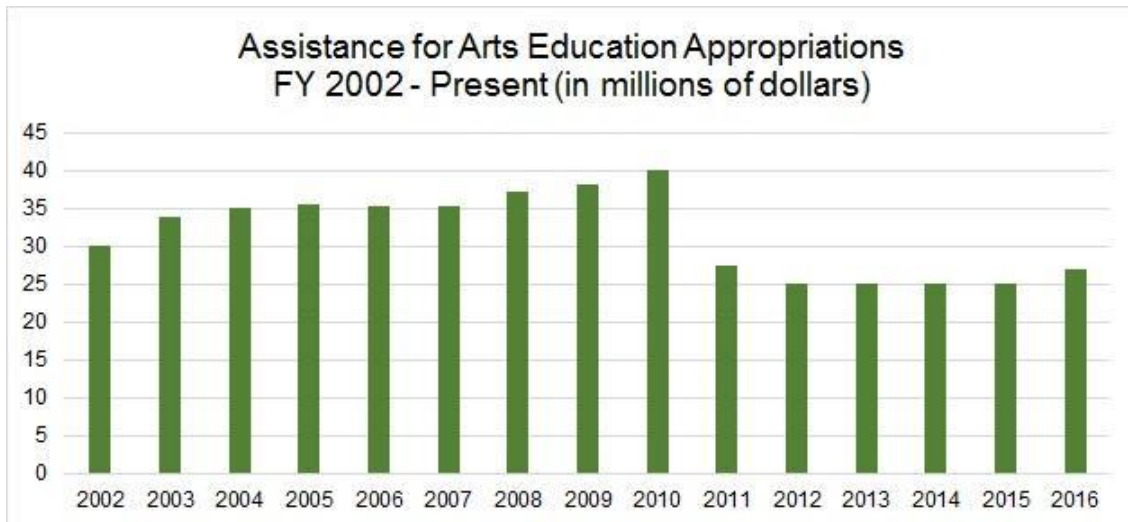
FUNDING THE ASSISTANCE FOR ARTS EDUCATION GRANT PROGRAM AT THE U.S. DEPARTMENT OF EDUCATION

IMPROVING ACCESS TO ARTS EDUCATION FOR ALL STUDENTS

ACTION NEEDED

We urge Congress to:

- **Appropriate \$30 million for the Assistance for Arts Education (AAE) programs in the FY 2018 Labor-HHS-Education appropriations bill. The Assistance for Arts Education program is authorized under Title IV of the *Every Student Succeeds Act (ESSA)*.**



TALKING POINTS

- Student learning is strengthened through standards-based arts education and integration of arts instruction into other subject areas supported by ***Arts Education Model Development and Dissemination (AEMDD) grants***. The program has funded a total of 185 projects, including rigorous evaluation of arts education strategies that can impact schools and communities nationwide.
- Innovative models to improve instruction for arts specialists and classroom teachers are supported by ***Professional Development for Arts Educators (PDAE) grants***. The PDAE grants program has supported a total of 82 projects that serve as national models for effective arts education professional development.
- The impact of these federal investments is multiplied by the program's ***Evaluation and National Dissemination*** component. State and local education agencies can adapt these models to provide rigorous arts instruction for all students.
- National level, high-quality arts education projects and programs for children and youth, with special emphasis on serving students from low-income families and students with disabilities, are supported by a ***National Program Competition***.

A reduction below the current level of Arts Education funding would result in under-funding multi-year projects that are midstream. Grant awards support projects over the course of up to four years. Cuts to funding would place these projects in extreme jeopardy.

TALKING POINTS (CONTINUED)

U.S. Department of Education directs grants through the Assistance for Arts Education program to strengthen the arts as part of a well-rounded education. Arts Education grants have served more than 230 congressional districts in 33 states, including these examples.

- Columbia College Chicago is partnering with the Evanston/Skokie School District on the MSEED Project. The project, an FY 2014 Model Development and Dissemination Project, expands the college's Arts Integration Mentorship Project (Project AIM) to include standards-based arts education into the core elementary and middle school curriculum and improve the academic performance of at-risk students in the arts, reading, writing, and mathematics. Through teaching artist residencies, teacher-artist collaborations, and sustained, intensive professional development, Project AIM integrates high quality instruction in media arts, music, dance, theater, and visual arts with other academic content areas with an economically diverse population of 1,200 students a year and 30 teachers in three project schools; the project will also indirectly serve approximately 650 additional students and 12-15 additional teachers.
- The Tennessee Arts Commission's four-year FY 2010 Model Development and Dissemination Grant of \$1 million to support the Arts360° program brought teachers together to improve instruction and impact student achievement by making arts-based and arts integrated learning a critical component of every child's educational experience, serving more than 1,000 students in four Knoxville pre-K-5 elementary schools.
- The Highline School District in King County, Washington is partnering with Art Corps to create the four-year \$1.7 million Highline Creative Schools Initiative, an FY 2014 Model Development and Dissemination Grant project that will serve a diverse population of 600 sixth-grade students in two high poverty middle schools. Expected outcomes include increased student achievement; increased literacy, visual arts, and theater arts learning; improved school engagement and middle school transition; and strengthened teacher capacity to deliver arts-integrated lessons and assessments.
- The most recent National Program Competition awarded a three-year grant to the John F. Kennedy Center for the Performing Arts to provide arts education programs and resources focusing on pre-K-12. The programs and resources are in three areas: Teaching, Learning, and Partnerships; Performances for Young Audiences; and Career Development for Artistically Talented Young People.

The U.S. Department of Education can maximize the impact of the direct federal investment in arts education by immediately disseminating information about the outcomes of projects funded by the Assistance for Arts Education grant programs.

BACKGROUND

The Assistance for Arts Education (AAE) program at the U.S. Department of Education is authorized under Title IV of the *Every Student Succeeds Act* (ESSA) and is a continuation of the programs previously authorized under the Elementary and Secondary Education Act as the "Arts in Education" program fund.

ESSA recognizes the arts as essential to a "well-rounded" education. The arts education programs have received consistent bipartisan support from Congress year after year—ultimately winning congressional support annually. Congress most recently approved a \$2 million increase in funding, approving \$27 million in support for the Arts Education program fund for FY 2016 and making possible a new round of competitive grants

The program is level-funded under the FY17 Continuing Resolution currently in place.

STRENGTHENING ARTS EDUCATION

HELPING CHILDREN ACHIEVE IN SCHOOL, WORK, AND LIFE

ACTION NEEDED

We urge Congress to strengthen equitable access to arts education in a Well-Rounded Education through the following provisions of the *Every Student Succeeds Act (ESSA)*:

- o Fully fund the Student Support and Academic Enrichment Grants under Title IV, Part A.
- o Make explicit the opportunity for the arts to help achieve Title I objectives.
- o Thoroughly implement the professional development opportunities for arts educators and school leaders in Title II and the expanded STEM program eligibility for the arts in Title IV, Part A.
- o Fully fund the 21st Century Community Learning Centers.

TALKING POINTS

- **The arts are included as part of a “Well-Rounded Education” in federal law.** This designation—alongside reading, math, science, and other subjects - is confirmation that the arts are essential to a complete education and belong in the main instructional day. Federal education funding (such as Title I, teacher training, and school improvement) is directed to support all aspects of a well-rounded education, including the arts.
- **There are huge, persistent disparities in access to arts education in the schools.** The 2009–2010 U.S. Department of Education’s Fast Response Statistical Survey - the most recent data collected at the federal level - found that schools with a higher concentration of students in poverty were less likely to offer arts education. In the 2010 National Art Education Foundation-funded study, *NCLB: A Study of Its Impact on Art Education Programs*, 67 percent of the arts educators surveyed reported that art schedules had been impacted by NCLB. Unfortunately, 2014 University of Indiana research indicates that elementary students from urban settings, from rural areas, from low income households and students of color do not share the same access to high quality music education as their white, suburban counterparts.
- **Learning in the arts can and should be included in multiple measures of student progress.** Rigorous and varied assessments in all subject areas—including the arts—can produce high-quality learning and motivate students to stay in school. The next generation 2014 National Core Arts Standards serve as a foundation for creating reliable measures of what children know and know how to do in dance, media arts, music, theater, and visual arts. Replicable assessments in grades 2, 5, 8 and three levels of high school are embedded within the 2014 arts standards framework and serve as a resource that educators can adapt to their own curriculum and students. The arts standards’ artistic processes of Creating, Performing/Presenting/Producing, Responding and Connecting are excellent models of performance and portfolio-based measurements.
- **Arts educators should be evaluated upon how well their students learn and perform in their respective subject areas.** Evaluation systems in some states and districts evaluate educators in all subject areas based on standardized test scores in reading and math. Through state implementation of ESSA, teachers should be evaluated and accountable based on their performance in their own subject areas. Evaluation systems should employ valid and reliable measures applied in the context of the number of students taught and the instructional time available, and all observation-based teacher evaluations should be conducted by individuals with adequate training and expertise in the arts.

To ensure equitable access to a Well-Rounded education for all students, state accountability plans should annually document and publicly report the status and condition of arts education and other subjects. States including Arizona, California, Wyoming, New Jersey, Ohio, Washington, and others have produced significant reports on the status and condition of the arts as part of a complete education often included in the development of state longitudinal data systems. Sample data points should include the number and range of

course offerings, student enrollment in each subject, pupil/teacher ratios, amount of instructional time, budget allocation, subject teacher certification, full-time equivalent teacher employment, and other measures chosen by the state and significant in the subject area.

- **Congress should fully fund the 21st Century Community Learning Centers**, allowing after-school programs to fully embrace the arts as a learning opportunity for all students in and out of the traditional school day.
- **The arts are a key component to successful early childhood programs.** Federal policy includes use of the Creative Arts Expression framework of evidence-based research as central to the implementation of early childhood education program. Similarly, ESSA implementation of Title IX should keep the arts in the definition of “Essential Domains of School Readiness” for pre-school grants.
- **Flexibility should not absolve charter schools from presenting a full, balanced education for every child.** According to the National Center for Education Statistics, overall public charter school enrollment increased from 0.8 million to 2.5 million between 2003-2014. Arts education data from Arizona and California show that students in charter schools are significantly less likely to receive an arts education than students in district schools. With the number of charter school students increasing to 5% of all public school students, federal leadership is needed to ensure that all students attending charter schools be provided with a well-rounded education in all academic subjects as envisioned in ESSA.
- **The Department of Education’s data collection efforts must be strengthened by systematically including pre-K–12 arts education in the School and Staffing Survey, the National Assessment for Educational Progress (NAEP), the Fast Response Survey System (FRSS), and other data instruments.** The Department should provide more timely updates on access to all arts education at multiple grade levels—using such tools as the School and Staffing Survey and the Fast Response Survey System (FRSS). The latest FRSS in the arts was released in 2012, with the next one scheduled to be in the field in 2019. Congress needs to provide funding support to fund a robust FRSS in arts education to help us track how and where the arts are taught to our nation’s students. The next NAEP, known as “the nation’s report card,” is scheduled to be released in April of 2017. Funding needs to be available for updating the NAEP Arts Framework to include more comprehensive measurements in dance, media arts, music, theater, and visual arts that assess the condition of arts education, practices that improve academic achievement, and the effectiveness of federal and other programs at multiple grade levels.

BACKGROUND

With the passage of the *Every Student Succeeds Act*, the U.S. Department of Education and state departments of education have begun taking up the implementation process by producing new federal regulations and state accountability plans. Education leaders in Congress have pledged to provide oversight as each state sets new directions with expanded responsibilities.

A major change in the law is that, while the *No Child Left Behind Act of 2001* listed the “arts” as a “core academic subject,” that term was discontinued in the *Every Student Succeeds Act of 2015*. The new law lists the “arts” and “music”—alongside reading, math, and a host of other subjects—in the federal definition of a “well-rounded education”.

Attached to this issue brief is a paper titled *Arts Education: Creating Student Success in School, Work, and Life*. This statement is intended to serve as a tool for communicating the benefits of arts education to policymakers at all levels as ESSA’s promise is realized across 50 states.

ARTS EDUCATION

Creating Student Success In School, Work, and Life

March 2017

A child's education is not complete unless it includes the arts. The *Every Student Succeeds Act* (ESSA), the current iteration of the *Elementary and Secondary Education Act of 1965* (ESEA), lists the arts and music in a definition of a "well-rounded education," including all arts disciplines (dance, media arts, music, theatre, and visual arts) as subject areas eligible for Title I funds and other federal resources administered by state and local education agencies. A comprehensive strategy for a complete education includes rigorous, sequential, standards-based arts K-12 instruction in the classroom, as well as participation and learning in community-based arts programs. The federal commitment to arts education must be affirmed at the state and local level so that the arts are part of the well-rounded curriculum of our nation's schools and are an integral part of every child's development.

THE ARTS PREPARE STUDENTS FOR SCHOOL, WORK, AND LIFE

- As this country works to strengthen our place in the 21st Century global economy, the arts equip students with a creative, competitive edge. The arts provide the skills and knowledge students need to develop the creativity and determination necessary for success.
- The arts teach children the skills necessary to succeed in life, including learning to solve problems and make decisions, learning to think creatively, building self-esteem and self-discipline, articulating a vision, developing the ability to imagine what might be, and accepting responsibility to complete tasks from start to finish.
- The Partnership for 21st Century Skills asserts that "the arts are among society's most compelling and effective paths for developing 21st Century Skills in our students."¹ A comprehensive arts education fosters the creativity and innovation needed for a more competitive workforce.

ARTS EDUCATION CAN HELP CLOSE THE ACHIEVEMENT GAP

- Studies have found that high school students from under-resourced environments who are highly involved in the arts have better grades, are less likely to drop out, and are more likely to go on to college.²
- The arts play a unique role in boosting learning and achievement for young children, middle school students, students with disabilities, students from under-resourced environments, and students needing remedial instruction.³
- The College Board's National Task Force on the Arts in Education recommends that "greater access to arts education can serve as an effective tool in closing the achievement gap, increasing the number of underserved students that achieve at the highest level in education."⁴

¹ Partnership for 21st Century Skills. (2010). *The 21st Century Skills Map in the Arts*. (p. 2)

² Catterall, J.S., Dumais, S.A., & Hampden-Thompson, G. (2012). *The Arts and Achievement in At-Risk Youth: Findings from Four Longitudinal Studies*. Washington, DC: National Endowment for the Arts.

³ Horowitz, R. & Webb-Dempsey, J. (2003). Promising signs of positive effects: Lessons from the multi-arts studies. Catterall, J.S and Arengé G. (2016) *JumpStart Theatre: Impacts in Three Middle Schools* (p. 25-34). In R. J. Deasy (Ed). *Critical Links: Learning in the Arts and Student Academic and Social Development*. Washington, DC: Arts Education Partnership. (p. 98-100). Mason, C.Y., Thormann, M.S., & Steedley, K. M. (2004). *How Students with Disabilities Learn in and through the Arts*. Washington, DC: VSAarts. (p. 19-25).

⁴ The College Board. (2009). *Arts at the Core: Recommendations for Advancing the State of Arts Education in the 21st Century*. (p.11).

- The U.S. Department of Education’s ten-year review of Arts in Education–funded programs finds that “students in arts programming had better attendance, fewer disciplinary issues and improved on-task behavior relative to comparison students.”⁵
- The National Coalition for Core Arts Standards’ document, *A Conceptual Framework for Arts Learning*, states that artistic literacy is critical to a child’s comprehensive education “in our increasingly multi-media age, where information is communicated less through numeracy and the written word.”⁶

THE ARTS CAN TRANSFORM THE LEARNING ENVIRONMENT

- A study by the Arts Education Partnership, *Third Space: When Learning Matters*, finds that schools with large populations of students in economic poverty—too often places of frustration and failure for both students and teachers—can be transformed into vibrant hubs of learning when the arts are infused into their culture and curriculum.⁷
- One-third of new teachers leave the profession within three years; half within five years.⁸ Having the arts in schools has been found to improve teacher morale, satisfaction, and attendance by fostering havens for creativity and innovation—places where students want to learn and teachers want to teach.⁹
- When schools embrace the arts, they can become vibrant and successful centers of learning and community life.¹⁰

ARTS EDUCATION MUST BE PROVIDED TO ALL STUDENTS

- The 2009–10 U.S. Department of Education Fast Response Statistical Survey (FRSS) found that schools with a higher concentration of students in poverty were less likely to offer arts education.¹¹ The results of the study were alarming enough to prompt the U.S. Department of Education (ED) to declare the status of arts education “an equity issue and a civil rights issue.”
- A 2011 national survey of 1,001 3rd to 12th grade public school teachers found that, “according to most teachers, schools are narrowing the curriculum, shifting instructional time and resources toward math and language arts and away from subjects such as [visual] art, music, foreign language, and social studies. Two-thirds (66 percent) say that other subjects ‘get crowded out by extra attention being paid to math or language arts.’”¹²
- Parents, educators, policy leaders, and the public should have full access to information about the availability of arts education in our nation’s schools. The federal government should collect data on a more frequent and complete basis. Statewide longitudinal data collection efforts should include all well-rounded subjects, including the arts, as stated in a recommendation by the Council of Chief State School Officers.¹³

⁵ U.S. Department of Education. Progress and Promise: Ten Years of the Arts Education Model Development and Dissemination Program. (p. 13)

⁶ National Coalition for Core Arts Standards (2012). *A Conceptual Framework* (p. 17)

⁷ Stevenson, L. M. & Deasy, R. J. (2005). *Third Space: When Learning Matters*. Washington, DC: Arts Education Partnership. (pp. 10-11).

⁸ Ingersoll, R. M. (2003). *Is There Really a Teacher Shortage*. (pp. 13 & 22).

⁹ Barry, N.H. (2010). *Oklahoma A+ Schools: What the research tells us 2002-2007. Volume 3, quantitative measures*.

¹⁰ Stevenson, L. M. & Deasy, R. J. (2005). *Third Space: When Learning Matters*. Washington, DC: Arts Education Partnership. (pp. 10-11).

¹¹ Parsad, Basmat & Spiegelman, Maura. (2012). *Arts Education in Public Elementary and Secondary Schools: 1999-2000 and 2009-10*. (p.14 & 28)

¹² Common Core. (2012). *Learning Less: Public School Teachers Describe a Narrowing Curriculum*. (p.1)

¹³ Council of Chief State School Officers/State Education Agency Directors of Arts Education, release, “Chiefs Embrace Call for Data Collection for All Courses,” December 10, 2009.

TAX POLICY

ENCOURAGING CHARITABLE GIFTS TO SUPPORT COMMUNITY ACCESS TO THE ARTS

ACTION NEEDED

We urge Congress to:

- **Preserve incentives for charitable giving by protecting the full scope and value of the tax deduction for all forms of charitable gifts.**
- **Ensure that changes made under tax reform will encourage more giving by more Americans.**

TALKING POINTS

- **Nonprofit arts organizations are an essential part of the broader community of approximately 1.4 million nonprofit 501(c)(3) organizations, working alongside hospitals, educational institutions, food assistance programs, and the full array of charitable organizations.** In recognition of their benefit to the public good, contributions made to 501(c)(3) nonprofits have been tax-deductible since 1917. Limiting the value of the charitable deduction would endanger a tradition of charitable giving unmatched in the world.
- **Support from donors across the economic spectrum enables nonprofit arts organizations to respond to public needs and form community partnerships through education, artistry, economic development, and social service programs.**
- **Diminishing charitable giving incentives will have lasting, harmful consequences for nonprofit services and U.S. jobs.** With essential support from charitable donations, the nonprofit sector boosts local economies and employs roughly 10 percent of America's workforce. The nonprofit sector contributes \$1.1 trillion in services every year and supports 13.5 million jobs.
- **Ticket sales and admission fees alone do not come close to subsidizing the artistic presentations, educational offerings, and community-based programming of nonprofit arts organizations.** Approximately 40 percent of financial support for nonprofit performing arts organizations is derived from charitable giving.
- **Proposed changes to the charitable tax deduction would reduce giving, limiting core services and public access.** While the initial charitable impulse to give comes "from the heart," history has shown that tax law impacts what, when, and how much donors give. A 2016 study by the American Enterprise Institute found that President Trump's proposal to limit itemized deductions to \$100,000 for singles and \$200,000 for joint filers could cause giving to decline by \$17.6 billion in the first year.
- **Charitable giving incentives do not enrich individual donors: they are an investment in the public good.** Charitable giving incentives encourage donors to give more, benefiting the millions of Americans who access services provided by nonprofit organizations.
- **The public consistently supports the charitable deduction.** A 2016 study by Independent Sector found that 88 percent of voters believe we should make it easier for people to deduct charitable contributions from their taxes. A public opinion poll commissioned by the United Way found that most Americans (79 percent) believe reducing or eliminating the charitable tax deduction would have a negative impact on charities and the people they serve.
- **Donated works of art are critical to building and maintaining collections at our nation's art institutions.** The House Ways and Means Committee in the previous Congress looked extensively at gifts of art and did not propose any changes to the existing deduction or the enforcement system administered by the IRS.
- **The nonprofit sector is committed to high standards of governance and accountability, and should be protected from unnecessary requirements that divert resources from essential nonprofit services.** As proposals for comprehensive tax reform are written, Congress must ensure that provisions related to nonprofit administration and reporting requirements do not inhibit service to communities.

TALKING POINTS (CONTINUED)

- **Charitable giving—including giving to the arts—builds civil society.** At a 2011 Senate Finance Committee hearing on tax reform, Sen. Orrin Hatch (R-UT) asked for comments on the public benefits of contributions to nonprofit arts organizations. The dean of the Southern Baptist Theological Seminary said, “It has to do with what it means to form a citizenry that understands what persons are for, that we’re not simply economic units. Giving to the arts, giving to religious organizations, giving to charitable organizations really can serve as a workshop of compassion in demonstrating to our fellow citizens that this is not simply a matter of raw power; that we have obligations to one another, not simply at the bureaucratic level of government, but as members of civil society.”

BACKGROUND

Preserving the Charitable Deduction: As the debate surrounding comprehensive tax reform and deficit reduction continues, multiple proposals to curtail or eliminate the income tax deduction for gifts to 501(c)(3) organizations have been offered, and an array of tax proposals are still being drafted. President Obama’s budget proposals have previously sought to decouple the value of tax deductions from income tax rates—capping all deductions, including the charitable deduction, at 28 percent for individual taxpayers in the top three tax brackets. Congress has previously rejected these proposals, and key policymakers, including House Speaker Paul Ryan (R-WI), have objected to the proposed cap on the charitable deduction. A 2014 tax reform proposal introduced by then House Ways and Means Committee Chairman Dave Camp (R-MI) suggested imposing a floor of 2 percent of adjusted gross income. President Trump has proposed setting a cap on all itemized deduction at \$100,000 for individual filers and \$250,000 for joint filers. Any of these changes would lead to decreased giving.

On January 23, 2014, Sens. John Thune (R-SD) and Ron Wyden (D-OR) along with 31 other Senators sent a bipartisan letter to the Senate Finance Committee, calling for preservation of the full value and scope of the charitable tax deduction. Congress recognized the value of charitable giving by taking action in 2015 to make the IRA Charitable Rollover provision permanent with passage of the *Protecting Americans from Tax Hikes* (PATH) Act. Nonprofit arts organizations, along with the broader nonprofit and philanthropic communities, join together in urging Congress to protect tax incentives for charitable giving, and recommend that Congress expand the charitable deduction to make it available to those that do not itemize their tax returns.

Protecting the Public Value of the Arts: Some have suggested that gifts to education, research, cause-related organizations, (e.g., the environment, animal welfare, etc.) and the arts should receive different treatment than do gifts to human services. Setting a hierarchy of charitable causes is detrimental and discriminatory to the arts, and is not supported by the broader nonprofit sector. “The current tax deduction for charitable giving should either be preserved or modified only in ways that will: strengthen incentives to give; respect the freedom of individuals to determine the causes and organizations they participate in and support and treat those choices equitably; and encourage all individuals to give more to communities and causes through charitable organizations.” (Independent Sector, 2012.) The nonprofit arts have always been eligible for the charitable deduction in keeping with this nation’s 100-year old tradition of incentivizing taxpayers to give to causes that they believe will benefit the public good.

TAX FAIRNESS FOR ARTISTS AND WRITERS

PROVIDING PUBLIC ACCESS TO AMERICA'S ARTISTIC HERITAGE

ACTION NEEDED

We urge Congress to:

- **Enact the Artist-Museum Partnership Act, which would allow artists to take an income tax deduction for the fair market value of their work when they donate it to charitable collecting institutions.**

TALKING POINTS

- Most museums, libraries, and archives acquire new works primarily through donations. However, artists, writers, choreographers, and composers—unlike collectors—have no financial incentive to donate their works because they cannot claim a tax deduction for the work's fair market value. Rather, they can deduct *only the value of materials*, such as paint and canvas. As a result, works of local, regional, and national significance are sold into private hands and may never come into the public domain.
- The Artist-Museum Partnership Act would allow creators of original works to deduct the fair market value of self-created works given to and retained by a nonprofit institution. It would encourage gifts of visual art, such as paintings and sculptures, as well as original manuscripts and supporting material created by composers, authors, and choreographers.
- Collectors have the right to deduct the fair market value of gifts that they donate. The creators of those works should have the same right when they donate their works. *It is only fair.*
- When artists die, works of art in their estate are taxable at their fair market value—the very same works they cannot claim tax deductions for donating while alive.
- If more works of contemporary, living artists were available to the public, emerging artists, visual artists, performers, scholars, and the public at large would benefit from this access and draw inspiration from these current pieces. Collectively, these works constitute an important part of America's heritage.
- When creators of artistic works do not have the same incentive to donate that other taxpayers enjoy, they are more likely to sell their work to private collectors, depriving the general public of the chance to experience and interact with it when it is new, fresh, and most relevant to contemporary society.
- A report prepared for Congress by the National Endowment for the Arts at the request of Sen. Patrick Leahy (D-VT) and former Sen. Robert Bennett (R-UT) demonstrates how current law impacts artists and writers and undermines the ability of cultural organizations to preserve our nation's heritage.

FREQUENTLY ASKED QUESTIONS

1. *Would people create art in order to donate it to some institution for personal financial gain?* No, only a relatively small number of people would be eligible under this bill, since all deductions must be claimed against income earned from artistic activity. Non-creators would not have such income. In addition, a library, archive, or museum would be extremely unlikely to accept material created purely for a deduction. Museums, for example, reject more than 90 percent of what is offered to them because of quality, incompatibility with the collection, cost of preservation and storage, or a belief that the work will never be shown or studied. They collect according to formal, written policies, and decisions are made not by individuals according to whim, but by staff committees subject to board approval.

FREQUENTLY ASKED QUESTIONS (CONTINUED)

2. *Since art is so subjective, is it difficult to establish a fair evaluation?* No. For gifts worth more than \$5,000, taxpayers already must obtain a “qualified appraisal” to substantiate the amount of the proposed deduction. Appraisals cannot be delivered on a whim: they must take into account the objective record of free market sales of similar work by the creator. Moreover, when the IRS conducts audits, panels of experts review those appraisals to assess whether they are reasonable. The definition of a “qualified appraisal” is strict and the sanctions are severe. The IRS’s long history with this specific issue suggests that arriving at a legitimate value for donated material is not a problem.

3. *Who would benefit from the Artist-Museum Partnership Act?* First and foremost, the public at large would benefit by gaining greater access to the best of contemporary art. Artists would also benefit from greater exposure if their work were accepted into permanent collections, especially those who cannot afford to donate under current law. Third, museums and other collecting institutions would benefit, especially those that cannot afford to buy contemporary art. These institutions rely on donations to build their collections—in fact, 80 percent of the objects in museums arrived as gifts.

BACKGROUND

The Senate has passed artists deduction legislation five times in previous years, but the bills have not been reviewed by the House. In the 114th Congress, the Artist Museum Partnership Act was introduced in the House (H.R. 4948) by Rep. John Lewis (D-GA) and Rep. Vern Buchanan (R-FL), and in the Senate (S. 931) by Sen. Patrick Leahy (D-VT). At press time, it had not yet been reintroduced in the 115th Congress.

For many years, artists, writers, and composers were allowed to take a fair market value deduction for their works donated to a museum, library, or archive. In 1969, however, Congress changed the law, and as a result the number of works donated by artists dramatically declined. *The effect of this legislation was immediate and drastic:*

- The Museum of Modern Art in New York received 321 gifts from artists in the three years prior to 1969; in the three following years, the museum received 28 works of art from artists—a decrease of more than 90 percent.
- Particularly grave harm was done to the Library of Congress, which annually received 15–20 large gifts of manuscripts from authors. In the four years after the law was changed, it received one gift.
- Dr. James Billington, former Librarian of Congress, said: “The restoration of this tax deduction would vastly benefit our manuscript and music holdings, and remove the single major impediment to developing the Library’s graphic art holdings. [The] bill would also benefit local public and research libraries. When this tax deduction was allowed in the past, many urban and rural libraries profited from the donation of manuscripts and other memorabilia from authors and composers who wanted their creative output to be available for research in their local communities.”

OFFICE OF MUSEUM SERVICES (OMS)

PROMOTING LIFELONG LEARNING AND PROTECTING OUR NATIONAL HERITAGE

ACTION NEEDED

We urge Congress to:

- **Support full funding for the Office of Museum Services (OMS) within the Institute of Museum and Library Services (IMLS).**
- **Enact legislation reauthorizing IMLS, similar to S. 3391 in the 114th Congress.**

Office of Museum Services Appropriations, FY 2005 to present (in millions of dollars)

Fiscal Year	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	'15	'16
Appropriation	30.3	31.8	31.8	31.4	35.0	35.0	31.5	30.9	30.9*	30.1	30.1	31.3

*This total was reduced to \$29.2 million through sequestration under the Balanced Budget and Emergency Deficit Control Act as amended by PL 112-240. Figures above are not adjusted for inflation and do not include program administration. Source: IMLS.

TALKING POINTS

OMS advances the role of museums in lifelong learning and as key partners in education.

- The educational role of museums is at the core of their service to the public. They spend over \$2 billion annually on education programming, roughly three-quarters of which is at the K–12 level.
- Museums receive approximately 55 million visits each year from students in school groups, with art museums alone reaching approximately 40,000 public, private, charter, parochial, magnet, and home schools spanning nearly every congressional district.
- Through its 21st Century Skills initiative, OMS gives learners tools they will need in a modern economy: critical thinking, creativity, numerical literacy, problem solving, innovation, and communication skills.
- Visitors of all ages engage with art, history, science, and the natural world regardless of the size of their communities or their socioeconomic and ethnic backgrounds.
- Museums often tailor educational programs in coordination with state and local curriculum standards.

OMS enhances museums' economic impact.

- By helping museums engage their communities and build institutional capacity, OMS amplifies museums' \$21 billion direct economic impact and bolsters their 400,000 jobs nationwide.
- With schools and their local communities increasingly pressed for funding, museums are filling these gaps.

OMS helps museums care for their collections.

- Museums care for more than 1 billion objects. The 2005 *Heritage Health Index*, published by the Institute of Museum & Library Services and the National Endowment for the Humanities, together with support from foundations, concluded that immediate conservation action is needed to prevent the loss of millions of artifacts. An updated survey due this year is expected to show collections in an equally urgent state of need.

BACKGROUND

Dedicated to sustaining a nation of learners, the Office of Museum Services at the Institute of Museum and Library Services awards grants to museums to enable them to carry out educational programs, reach new audiences, and care for their collections. It supports all types of museums including art, history, science, children's, specialized institutions, and living collections, such as zoos and aquariums. The agency encourages leadership, innovation, and applications of the most current technologies and practices to enhance museum services. It supports museums as core providers of learning, both directly and in conjunction with schools, families, and communities.

IMLS has been regularly reauthorized by Congress with broad support, most recently in 2010 with a funding authorization of \$38.6 million for OMS. In September 2016, Senators Reed (D-RI), Cochran (R-MS), Gillibrand (D-NY), and Collins (R-ME) introduced S.3391, legislation that would reauthorize IMLS for six years and which contains many provisions supported by the museum field. At press time, it had not yet been reintroduced in 2017, and Congress had passed a continuing resolution to keep the government funded through April 28, 2017.

CORPORATION FOR PUBLIC BROADCASTING
SUPPORTING PUBLIC BROADCASTING AS PART OF OUR
NATIONAL ARTS INFRASTRUCTURE

ACTION NEEDED

We urge Congress to:

- **Maintain current funding levels of \$445 million for the Corporation for Public Broadcasting.**

THE VALUE FOR AMERICANS

- Public broadcasting, which is accessible to all Americans, reaches more than half of all Americans every month. Over the course of a year, 82% of all U.S. television households - and 198 million people - watch PBS. Each week, 36.6 million people listen to public radio.
- 170 million Americans connect through 364 public television stations, 1,131 public radio stations, thousands of online services, and in-person community events.
- Public broadcasting is local. Stations are locally licensed and governed, locally programmed, and locally staffed. In many rural areas, public broadcasting is the only source of free, locally managed news, arts, and cultural programming.
- Local public stations air music and arts programming that is not available on commercial radio and television, preserving and advancing America's unique cultural heritage.
- Notably, public radio features diverse genres and traditions that are less commonly found on commercial stations, including classical, folk, bluegrass, jazz, and blues.
- Public radio stations are also often the first to air emerging, independent artists in the earliest stages of their careers.
- Local public stations also have longstanding partnerships with local music venues and performing arts societies, helping to extend the reach of artists in communities throughout the country. Local public television and radio stations are an integral part of the "cultural infrastructure" that supports the music economy in America today.
- If CPB funding is reduced, hundreds of America's rural communities would lose their best (and sometimes only) source for arts and culture programming, many of whom might never have the opportunity to experience arts and culture programming otherwise.
- At a time when funding for music and arts in our schools is being cut, public broadcasting helps keep the arts alive for generations of children—today and for years to come.

FUNDING FOR AMERICA'S PUBLIC BROADCASTING

- The federal portion of the average public station's revenue is approximately 10–15 percent. For smaller stations serving rural, minority and other underserved communities, CPB's investment can represent as much as 40 percent of their budget. Stations leverage this seed money to attract investments from state and local governments, universities, businesses, and their local viewers and listeners. For every federal dollar invested through CPB, stations raise more than \$6.00 on their own. The federal investment in public broadcasting is a tiny portion of the federal budget—only one hundredth of one percent (.01 percent).

FUNDING FOR AMERICA'S PUBLIC BROADCASTING (CONTINUED)

- If federal funding were to disappear, stations would have to raise approximately 200 percent more in private donations to replace the federal investment. This is because CPB, in addition to direct payment to stations, pays for the system's technical backbone, copyright and other fees, and major investments in national content from which all stations benefit.
- If funding is cut, Americans would pay a major price—losing enriching, thought-provoking content that broadens people's horizons, introducing citizens to new artists, cultural programming, and ideas.
- The vast majority of funding through CPB goes directly to local public broadcast stations in the form of Community Service Grants.
- In FY 2012, public broadcasting funding was cut by a total of \$56 million. Public broadcasting absorbed further cuts of approximately 5 percent, or \$22 million, as part of the 2013 sequestration. These cuts have a direct impact on communities across the nation.

THE CREATE ACT

SUPPORTING ARTISTS, ENTREPRENEURS, AND THE CREATIVE ECONOMY

ACTION NEEDED

We urge Congress to:

- **Cosponsor the CREATE Act in order to invest in the country's workforce and creative economy; to recognize artists, entrepreneurs, and nonprofit arts organizations as contributors to the small business community; and support the creative economy through federal programs and actions.**

TALKING POINTS

STRENGTHENING FEDERAL POLICY TO SUPPORT THE CREATIVE ECONOMY

The Comprehensive Resources for Entrepreneurs in the Arts to Transform the Economy (CREATE) Act aims to serve more thoroughly the people, places, and programs that make our nation's creative economy prosper in all its cultural, social, and commercial forms. The legislation outlines similar steps to better invest in our country's workforce and creative economy.

This sweeping legislation expands on the research of numerous economic studies. A 2017 Bureau of Economic Analysis study found that arts and cultural production contributed \$729 billion to the U.S. economy (4.2% of GDP), a 32.5% increase since 1998. The Arts and Cultural Production Satellite Account (ACPSA) is the first federal effort to provide in-depth analysis of the sector's contributions to the economy. Additional sector studies include the Americans for the Arts' *Arts and Economic Prosperity Study*, and *Creative Industries* reports.

14 KEY PROVISIONS THAT SPAN SEVERAL FEDERAL AGENCIES

Through 14 provisions that make minor adjustments to existing federal programs, the CREATE Act takes steps to better invest in our country's workforce and creative industries, while empowering the entrepreneurial spirit of artists and encouraging their role as contributors to the small business community.

Primarily, the bill aims to support the people who comprise the creative economy—artists and creative entrepreneurs—by:

- Expanding programs at the Small Business Administration (SBA) to increase micro-loans, business loans, and technical assistance for artists;
- Requiring the Economic Development Administration (EDA) and U.S. Department of Agriculture's Rural Development Administration ensure that traditional economic development tools, such as incubators and grant programs, support the creative economy throughout the country;
- Ensuring access to FEMA's disaster relief assistance for artists impacted by natural disasters.

TALKING POINTS (CONTINUED)

The CREATE Act also supports creative community development, improving the places each of us call home through:

- Developing a model to promote the creative arts in local economic initiatives, such as cultural district planning; and
- Creating an Artist Corps to increase national service through the arts, as called for in the *Serve America Act*.

Lastly, the bill seeks to amend and enhance federal tax policies surrounding the creative economy by:

- Modifying the rules to encourage charitable contributions of fractional gifts;
- Lowering the capital gains tax pertaining to art to make it uniform; and
- Allowing artists to take an income tax deduction of the fair market value of their work when making a charitable contribution.
- Improving the visa processing time for foreign guest artists.

BACKGROUND

On Arts Advocacy Day 2016, Sen. Tom Udall (D-NM) announced new legislation to strengthen the creative economy. Entitled *Comprehensive Resources for Entrepreneurs in the Arts to Transform the Economy (CREATE) Act (S.2648)*, the comprehensive bill aims to better support our nation's creative economy and builds off of research of numerous economic studies.

The bill, as introduced, has three titles: 1) Support for artists and entrepreneurs; 2) Support for the creative economy, and 3) Creative community development.

Provisions include direction that the U.S. Small Business Administration (SBA) works with micro-lenders, traditional lenders, and regulators to ensure that artists and entrepreneurs have access to micro-loans and that loan program criteria are not discriminatory toward arts-related businesses. There is also a requirement that the Economic Development Administration (EDA) and Rural Development Administration ensure that traditional economic development tools, such as incubators and grant programs, support the arts industry. The legislation also includes a demonstration project to promote the creative arts in local economic planning and support to artists trying to get back on their feet after a disaster.

CULTURAL EXCHANGES THROUGH THE U.S. DEPARTMENT OF STATE

STRENGTHENING TIES BETWEEN THE UNITED STATES AND THE WORLD

ACTION NEEDED

We urge Congress to:

- **Appropriate \$110 million to the Office of Citizen Exchanges within the State Department’s Bureau of Educational and Cultural Affairs within the FY 2018 State and Foreign Operations appropriations bill.**
- **Direct the State Department to dedicate increased resources to, and increase operational capacity within, the Cultural Programs Division to strengthen its ability to oversee grants and programs. Despite increases overall for the Office of Citizen Exchanges—the Cultural Programs Department is funded at lower levels now than five years ago, including competitively awarded programs and those run by the State Department.**
- **Encourage the State Department to evaluate and publicly report on the impact, value, and success of arts diplomacy as part of its strategies to build cross-cultural understanding.**

Office of Citizen Exchanges Annual Appropriations, FY 2010 to present (in millions of dollars)*

FY	FY 10	FY 11	FY 12	FY 13	FY 14	FY 15	FY 16	FY 17
\$	\$102	\$95.4	\$99.4	\$96	\$101	\$100	\$102	TBD

**These amounts represent the total funding for the Office of Citizen Exchanges, which includes a variety of exchange programs, including sports and youth programs. Federal budgets do not indicate totals for these individual programs.*

TALKING POINTS

- **Policymakers and diplomacy experts agree that cultural exchange enhances international understanding.**
 - A January 2017 report from the nonpartisan Center for Strategic and International Studies states that while the U.S. has invested heavily in hard power tactics to fight terrorism, “it has overlooked the soft power necessary to blunt the appeal of extremist ideologies.” The report also states that public diplomacy “requires a toolkit of information, cultural, and educational activities and is not defined by one particular program,” and that it is important to understand the “role that [public diplomacy] as a whole plays in our national security.”
 - At South By Southwest in 2014, U.S. House Homeland Security Committee Chairman Michael McCaul (R-TX), said, “I think Western music could have an influence in countries where people otherwise don’t want to listen to us. We need a combination of hard and soft power, and I think the music piece goes to that soft power idea.”
 - All 14 of the cultural diplomacy programs are implemented through public-private partnerships. In 2016, the estimated costs of outbound, short-term programs, which include American Film Showcase, American Music Abroad, Arts Envoy Program, and DanceMotion USA was \$8.420 million. While this primarily pays for travel for U.S.-based artists, each beneficiary has the potential to connect with tens of thousands of people overseas.

Increased funding and operational capacity for the Cultural Programs Division will strengthen exchange and collaboration in the arts and culture fields that build bridges among people of different countries, cultures, and faiths.

TALKING POINTS (CONTINUED)

- According to a January 2017 report released by the State Department's U.S. Advisory Commission on Public Diplomacy, public diplomacy programs receive only 2% of the entire State Department and USAID FY2016 planned budget.
- A review of 29 studies on public diplomacy in 2005 identified the most popular recommendation for public diplomacy reform was to increase U.S. exchange programs. The studies were compiled by the nonpartisan Congressional Research Service.
- An October 2009 report by the New York University Brademas Center called for America to have a renewed role in cultural exchange and cultural diplomacy. "To these ends, [the] report recommends that international arts and cultural exchanges be integrated into the planning strategies of U.S. policymakers as a key element of public diplomacy. History has proven that robust public diplomacy is essential to U.S. national security and the promotion of American interests around the globe. The arts community has observed first-hand the value of international artistic exchanges in promoting moderation and tolerance among widely diverse religious and cultural groups."
- **Cultural exchange supports U.S. industry and employment.**
 - According to the National Governors Association's report, *How States Are Using Arts & Culture to Strengthen Their Global Trade Development*, state governments find that including artistic and cultural exchanges in their international trade and business development serves to expand trading relationships with other nations and open markets abroad as a complement to more traditional efforts to generate exports.
 - International exchange prepares Americans for success in the global economy. Seventy-three percent of U.S. employers put significant value on international experience when hiring, according to a study from the British Council and NAFSA: Association of International Educators.
 - Exchanges bring resources to U.S. communities. Virtually the entire State Department exchanges budget is spent on American participants or in the United States.

BACKGROUND

Support for cultural exchange and cultural diplomacy has never fully recovered from the elimination of the former United States Information Agency (USIA) and the USIA's Arts America Program. Before USIA was dismantled in 1999, the agency administered educational and cultural exchanges; international radio, television, and film broadcasting; and extensive information programs.

The Bureau of Educational and Cultural Affairs (ECA) at the State Department is responsible for the public diplomacy activities of the United States, including international cultural exchange programs. Within ECA, the Cultural Programs Division focuses on cultural diplomacy, exchange, and collaboration by sharing the rich artistic traditions of the United States. The Cultural Programs Division provides grant opportunities to U.S. nonprofits for cultural exchange activities; residencies, mentoring, and training programs; programs that are carried out overseas by or under the sponsorship of U.S. Embassy public diplomacy offices; and presentations at major international visual arts exhibitions and cultural centers.

In 2013, the State Department facilitated 327 arts diplomacy projects in 132 countries and territories, reaching 9 million foreign participants. An additional 102 Arts Envoy programs were completed in 73 countries.

For a complete listing of programs, please visit: <http://exchanges.state.gov/us/special-focus-areas>

IMPROVING THE VISA PROCESS FOR FOREIGN GUEST ARTISTS AT U.S. CITIZENSHIP AND IMMIGRATION SERVICES AND STATE DEPARTMENT

ACTION NEEDED

We urge Congress to:

- **Enact the Arts Require Timely Service (ARTS) provision, which will require U.S. Citizenship and Immigration Services (USCIS) to reduce the total processing time for petitions filed by, or on behalf of, nonprofit arts-related organizations.**
- **Take steps, in cooperation with the Administration, to make immediate improvements at USCIS and State Department so that artist visa processing will be accessible, reliable, and efficient.**

TALKING POINTS

- **The ARTS provision has a long history of strong, bipartisan support.** Both the House and Senate have signaled bipartisan support for improving the artist visa process. In February 2016, Sens. Orrin Hatch (R-UT) and Patrick Leahy (D-VT) re-introduced the ARTS provision as S. 2510, which had previously been included in the 2013 Senate comprehensive immigration reform bill. Prior to that, the provision was included in the 2006 and 2007 comprehensive Senate immigration reform bills, and the full House approved a stand-alone version of the measure, H.R. 1312, in April 2008.
- **The inconsistency of the U.S. visa process for foreign guest artists has harmful results for everyone.**
 - ***When artists are unable to come to the United States for guest engagements, the American public is denied the opportunity to experience international artistry.*** Performances and other cultural events are date-, time-, and location-specific. The nature of scheduling and confirming highly sought after guest artists in the U.S. requires that the visa process at USCIS and U.S. consulates be efficient and reliable.
 - ***The absence of international guest artists costs American artists important employment opportunities.*** If an international guest artist cannot obtain a visa in time to make a scheduled performance, then the many American artists who were scheduled to work alongside the guest artist may lose a valuable and much-needed source of income and artistic promotion.
 - ***Delays and unpredictability in the visa process create high economic risks for U.S. nonprofit arts organizations and the local economies they support.*** Nonprofit arts groups frequently sell tickets in advance, creating a financial obligation to their audiences. Regular visa processing at USCIS can take too long for arts organizations to accommodate given that delays can unpredictably stretch to weeks and months, and the cost to upgrade the petition or to cancel altogether directly impacts the bottom line of U.S. nonprofit arts employers. Any delays at USCIS immediately impact the remaining time for artists to undergo consular processing in order to obtain the physical visa.
- **Immediate assistance is needed to improve the artist visa process. Congress recognized the time-sensitive nature of arts events** when writing the 1991 federal law regarding O and P visas—the categories used by artists—in which the USCIS is instructed to process O and P arts visas in 14 days. In the event the 14-day timeframe is not met, passage of the Arts Require Timely Service (ARTS) provision would require that USCIS process of nonprofit O and P arts-related visa petitions within a total of 29 days—*twice* the current statutory requirement, which in itself is eminently reasonable and consistent with security concerns. Although USCIS has made efforts in recent years to observe the statutory timeframe, the mandate has not been consistently implemented. Under its current authority, the agency can make other immediate changes to remedy unreasonable delays, cost, and uncertainty, such as improving the accuracy of the petition process.

TALKING POINTS (CONTINUED)

- **Nonprofit arts organizations of all sizes cannot afford the \$1,225 premium processing fee, leaving them to await the unpredictability of regular visa processing.** Nonprofit arts organizations from all regions of the country and in communities of all sizes engage extraordinary foreign guest artists. The premium processing fee reduces the amount of money available for a production/performance and represents a significant portion of an organization's operating budget and costs. This burden has already grown heavier with the December 2016 decision by USCIS to impose a 42% increase in the regular filing fee.
- **Global cultural exchange is important now more than ever.** American nonprofit arts organizations provide an important public service and boost international diplomacy by presenting foreign guest artists in performances, educational events, and cultural programs in communities across the country. The United States should be easing the visa burden for nonprofit arts organizations who are engaging foreign guest artists, not increasing it. The 2009 report from New York University's John Brademas Center for the Study of Congress, *Moving Forward: A Renewed Role for American Arts and Artists in the Global Age*, calls for passage of the ARTS Act.

BACKGROUND

Foreign guest artists engaged by U.S. arts-related organizations are required to obtain an O visa for individual foreign artists, or a P visa for groups of foreign artists, reciprocal exchange programs, and culturally unique artists. Visas are first processed for approval by USCIS before artists undergo final steps to obtain their visas at State Department consular locations world-wide. Artists and nonprofit arts organizations have confronted uncertainty in gaining approval for visa petitions due to lengthy and inconsistent processing times, inconsistent interpretation of statute and implementation of policies, expense, and unwarranted requests for further evidence.

Delays began when USCIS adopted a Premium Processing Service (PPS) in June 2001, guaranteeing processing within 15 calendar days at \$1,225 per petition, which is often an unaffordable cost for most nonprofit arts organizations. Following the creation of PPS, regular O and P visa processing has varied widely, ranging from 30 days to six months. In the summer of 2010, USCIS pledged to meet the statutory 14-day regular processing time and promised public stakeholders that significant improvements would be made to the quality of artist visa processing for several years, petitioners experienced incremental improvements to processing times, only to encounter lengthy delays once again in the past year. These delays, combined with inconsistent processing procedures, result in petitioners having to upgrade to PPS at an unsustainable rate or to cancel plans to engage foreign artists.

Comprehensive immigration reform provides an opportunity to make enduring improvements to the visa process, therefore we ask Congress to include enactment of the Arts Require Timely Service (ARTS) provision in any immigration reform effort. USCIS would be required to treat any arts-related O and P visa petition that it fails to adjudicate within the 14-day statutory timeframe as a Premium Processing case (additional 15-day turn-around), free of additional charge. This legislation would not diminish the standards by which artists qualify for a visa—it would hold USCIS to a reasonable timeframe, imparting sorely needed reliability to an unpredictable process that affects U.S. nonprofit arts employers, foreign guest artists, and U.S. audiences.

ARTS IN HEALTH

IMPROVING THE HEALTH OF AMERICANS THROUGH THE ARTS

ACTION NEEDED

We urge Congress to:

- **Support programs within the Administration on Aging (AoA) included in the *Older Americans Act Reauthorization Act of 2016* that provide access to creative arts therapies and artist-directed activities for well elderly and individuals diagnosed with Alzheimer’s Disease and other dementias.**
- **Support access to creative arts therapies interventions in behavioral health treatments and services under Department of Health and Human Services (HHS) Programs, such as the Medicare Prospective Payment Systems (PPS) and Centers for Medicaid and CHIP Services (CMCS).**

TALKING POINTS

- “Arts in Health” includes the professional creative arts therapies disciplines of art therapy, music therapy, dance/movement therapy, drama therapy, psychodrama, and biblio/poetry therapy, all of which are nationally board certified therapies with licensure in selected states, as well as artist-directed applications of visual, literary and performing arts, and design. These creative arts therapists and community artists work together to provide quality, cost-effective services within a wide variety of healthcare and community settings.

Creative Arts Therapies and Artist-Directed Programs Support Healthy Aging

- The *Older Americans Act Reauthorization Act of 2016* provides funding for support services, including creative arts therapies; directs funding for behavioral health programs; and requires the Administration on Aging to focus on health and welfare needs of older individuals, which could increase access to creative arts therapies and artist-directed programs.
- The Older Americans Act provides opportunities for states and area agencies on aging to increase access to support services and health promotion services for older individuals.
- Research demonstrates the following positive outcomes when creative arts therapies and artist-directed programs are integrated into medical treatment and community prevention and wellness programs:
 - Improved cognitive functioning, including improved communication/socialization and caregiver interaction
 - Reduced reports of pain and anxiety related to illness and invasive treatment
 - Improvements in quality of life, including reduced levels of depression and agitation
 - Decreased need for use of sedatives during medical procedures
 - Decreased use of higher cost medical interventions
- Accessibility to and active participation in the arts provides lifelong learning opportunities and increases the quality of life across the lifespan.
- Community-based cultural programs for older adults reveal positive impacts on maintaining independence and reducing dependency, which appear to reduce risk factors that drive the need for long-term care.

Creative Arts Therapies in Behavioral Health Programs

- Creative Arts Therapists commonly serve persons with mental health and functional wellness issues in a variety of settings including public and private psychiatric hospitals or schools, mental health centers, private practice, community-based programs, correctional and forensic facilities, and substance abuse treatment programs.
- The Second Lady of the United States, Karen Pence supports art therapy services. Her White House biography states that she "...works to bring attention to issues facing children and families by shining the spotlight on the mental health profession of art therapy...Those who benefit from art therapy include individuals who have survived trauma resulting from combat, abuse, and natural disaster; people with adverse physical health conditions such as cancer, traumatic brain injury, and other health disability; and individuals with autism, dementia, depression, and other disorders."

Creative Arts Therapies Outcomes

- Art Therapy is effective at improving functioning, exploring feelings, fostering self-awareness, managing behavior and addictions, and promoting a sense of personal well-being.
- Dance/Movement Therapy is effective at increasing quality of life, improving mood, affect and body image and in decreasing clinical symptoms such as depression and anxiety.
- Music Therapy is effective in reducing muscle tension and anxiety, promoting self-expression, facilitating successful interactions, and developing positive coping skills.

The Substance Abuse and Mental Health Services Administration's (SAMHSA) Children's Mental Health Initiative (CMHI) and the Centers for Medicare & Medicaid Services (CMS) Psychiatric Residential Treatment Facility (PRTF) Demonstration Program report the following benefits of Medicaid Home and Community-Based Behavioral Health Services for children and youth:

- Reduced costs of care
- Improved school attendance and performance
- Increase in behavioral and emotional strengths
 - ability to form interpersonal relationships, such as positive connection with family members
 - positive functioning at school
 - ability to demonstrate self-confidence
- Improved clinical and functional outcomes

Increased access to evidence-based creative arts therapies interventions through established behavioral health programs would enhance children and youth's successful participation in family and community life.

BACKGROUND

Today, creative arts therapists and community artists work in diverse settings across a wide spectrum of populations, assisting people through all life stages. Besides private for-profit and nonprofit health facilities, settings for this work include, but are not limited to, hospice programs, long-term care facilities, mental health programs, schools, rehabilitation treatment centers, special needs camps, disaster response teams, psychiatric forensic units, veterans' facilities, prisons, community centers, wellness programs, and military bases.

Economic analyses, cost studies, and clinical research show a positive trend in the use of creative arts therapies and their impact on containing healthcare costs and facilitating functional outcomes achievement. Creative arts therapies and artist-directed programs have the potential to positively impact healthcare spending concerns, quality of care issues, and treatment needs of older adults and individuals seeking behavioral health services. An investment in "Arts in Health" is an investment in America's health.

ARTS AND THE MILITARY

IMPROVING THE HEALTH OF ACTIVE MILITARY AND VETERANS THROUGH THE ARTS

ACTION NEEDED

We urge Congress to:

- **Support H.R. 102, Expanding Care for Veterans Act, sponsored by Rep. Julia Brownley (D-CA) to improve access to evidence-based complementary alternative treatments for veterans, including creative arts therapies.**

TALKING POINTS

- “Arts and the Military” includes the professional creative arts therapies disciplines of art therapy, music therapy, dance/movement therapy, drama therapy, psychodrama, and biblio/poetry therapy, all of which are nationally board certified therapies with licensure in selected states, as well as artist-directed applications of visual, literary and performing arts, and design. These creative arts therapists and community artists work together to provide quality, cost-effective healthcare and wellness services for active military, veterans, and their families.

Complementary, Alternative, and Integrative Health Interventions Help Veterans

- Creative arts therapies and artist-directed programs and services within Veterans Administration (VA) hospitals and on military bases will provide increased access to affordable, outcomes-based healthcare and successful treatment options for veterans and military personnel who do not respond to traditional interventions.
- Complementary and alternative/integrative medicine includes the creative arts therapies professions.
- Creative arts therapies interventions have been shown to be effective for relieving symptoms related to insomnia, anxiety, pain, and issues associated with Post Traumatic Stress Disorder (PTSD).
- Artist-directed programs create opportunities for service members and their families to spend quality time with one another while being celebrated and supported by local arts organizations. These programs provide meaningful opportunities for families to access affordable cultural and educational experiences.

Creative Forces: NEA Military Healing Arts Network at the National Intrepid Center of Excellence (NICoE) at Walter Reed Bethesda in Maryland, and the NICoE Intrepid Spirit-1 at Fort Belvoir in Virginia.

- This network provides art therapy, music therapy, dance/movement therapy and therapeutic writing for service members with traumatic brain injury and associated psychological health issues.
- Recognizing the success of this program, Congress appropriated a \$1.98 million budget increase for the National Endowment for the Arts in FY 2016, specifically allocated to expand this military healing arts program. The House approved a similar \$2 million increase for FY 2017, currently under a continuing resolution.

- Additional Creative Forces clinical sites include:
 - **Joint Base Elmendorf-Richardson (JBER), AK**
 - **Marine Corps Base Camp Pendleton, CA**
 - **Marine Corps Base Camp Lejeune, NC**
 - **Fort Hood, TX**
 - **Madigan Army Medical Center, WA**

The **NEA** and **Department of Defense** collaboration also offers creative writing workshops, performing arts programs, the Blue Star Museums military appreciation program, and grant funding for projects that reach veterans.

BACKGROUND

Despite strong historical beginnings in veterans' hospitals during World War II, and inclusion in VA Hospital programs across the U.S., there remains a need to expand opportunities for creative arts therapies and artist-directed programs so that more military members and veterans can access these services in their communities.

Economic analyses, cost studies, and clinical research show a positive trend in the use of creative arts therapies and their impact on containing healthcare costs and facilitating functional outcomes achievement. Creative arts therapies and artist-directed programs have the potential to positively impact the healthcare spending concerns, quality of care issues, and healthcare needs of active military and veterans.

H.R. 102 Expanding Care for Veterans Act:

- Key aspects of H.R. 102 were previously a part of H.R. 2256, the Veterans Information Modernization Act, which had strong bipartisan support and passed the House in July 2015.
- H.R. 102 directs the Department of Veterans Affairs (VA) to develop a plan to expand the scope of VA's research and education on, and delivery and integration of, complementary and alternative medicine services.
- H.R. 102 proposes a three-year program through the **VA's Office of Patient Centered Care and Cultural Transformation** with the following goals:
 - (1) assess the feasibility and advisability of integrating the delivery of selected complementary and alternative medicine services with other VA health care services for veterans, and
 - (2) identify and resolve barriers to providing such services and integrating them with other VA health services.

ARTS & INFRASTRUCTURE

SUPPORTING ART IN PUBLIC TRANSPORTATION PROJECTS

ACTION NEEDED

We urge Congress to:

- **Provide flexibility through infrastructure legislation to state transit authorities to permit the incorporation of art into federally-funded transit facilities.**

TALKING POINTS

- **Until December 2015, federal law allowed the Federal Transit Administration (FTA) to support project costs associated with art**, including the employment of an artist as a member of a design team, provided that the artistic elements were *integrated into the facility* or served a *functional* transit-related purpose.
- In December 2015, Congress passed the *Fixing America's Surface Transportation (FAST) Act*, P.L. 114-94 to reauthorize highway and transit programs for five years, lasting until 2020. **This law established a new prohibition on the use of FTA funds. These funds could no longer be used for the “incremental costs of incorporating art or non-functional landscaping into facilities, including the costs of an artist on the design team.”** (49 U.S.C. 5323(h)(2) as amended by FAST.)
- **This blanket prohibition on art applies to all FTA programs and grants**, including all programs authorized under Chapter 53 of Title 49, U.S.C. and other programs for which FTA serves as the grant making agency (e.g. TIGER).
- Many past projects that incorporated art into transit facilities—which communities have come to expect and eagerly anticipate—are now no longer eligible uses of funding. **This blanket restriction severely limits the ability to continue to construct art in transit projects, especially because local funds to match federal FTA funds also face the same federal restrictions and prohibitions.**
- **In cities large and small across America, transit agencies employ artists to enhance transit projects**, including to aid in their design, improve flow and safety, increase ridership, facilitate communication and community pride, and boost economic activity through tourism, to name a few.

*For example, the **Maryland Transit Administration** works with artists on proposals to incorporate artwork into new stations that highlight the cultural vitality of the region—and reflect the artistic, cultural, and historical interests of the community. In Washington State, the **Sound Transit** works with artists to create welcoming and engaging environments for riders. In North Carolina, the **Charlotte Area Transit System** integrates art into most major projects, including stations and surrounding areas, park and ride lots, transportation centers, maintenance facilities, and passenger amenities to provide efficient, cost-effective public transportation that creates vibrant and well-utilized mass transit commuter and passenger options.*

BACKGROUND

The new federal policy restricting transit funding for art is sweeping and significant. Further, it continues a steady progression of funding restrictions on public art.

In the previous highway reauthorization, *Moving Ahead for Progress in the 21st Century Act* (MAP-21), another significant change occurred, in that “stand-alone” art was prohibited. Prior to that legislation, federal transit law permitted the use of FTA grant funds for costs associated with including art in public transportation projects. This permitted use was one of several types of projects termed “transit enhancements.” Communities all across the nation created innovative projects through art, which proved to be a vital component in public transportation, encouraging use, revitalizing neighborhoods, mitigating crime, and driving tourism.

Beginning in 2013, federal transit law no longer included art as an eligible project expense. In implementation, that meant that works of art not integral to a facility, such as sculptures, would no longer be eligible, but in practice, transit agencies could continue to use FTA funds to support the employment of an artist as a member of a design team, or other costs associated with art, provided that the artistic elements were integrated into the facility or served a functional transit-related purpose.

However, with enactment of the FAST Act, Congress established yet another barrier, escalating the gradual restrictions to an outright prohibition. These restrictions on art apply only for transit projects, which include bus, subway, light rail, commuter rail, trolley, and ferry projects, and are deeply concerning to the public art field, transit agencies, and communities in every state.