



2016 CONGRESSIONAL ARTS HANDBOOK
FACTS & FIGURES AT YOUR FINGERTIPS

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Grantmakers in the Arts
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The International Art Materials Association (NAMTA)
International Council of Fine Arts Deans
Iowa Thespians
League of American Orchestras
League of Resident Theaters
Literary Network
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Mid Atlantic Arts Foundation
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Music Teachers National Association
NAMM—The National Association of Music Merchants
National Art Education Association
National Assembly of State Arts Agencies
National Association for Music Education
National Association of Latino Arts & Culture
National Center for Creative Aging
National Council for the Social Studies
National Dance Education Organization
National Federation of Music Clubs
National Federation of State High School Associations
National Guild for Community Arts Education
National Music Council
National Performance Network / Visual Artists Network
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South Arts
Stage Directors and Choreographers Society
Theatre Communications Group
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Wisconsin Arts Board
Young Audiences Arts for Learning
YoungArts

The 2016 Congressional Arts Handbook is current as of February 1, 2016, 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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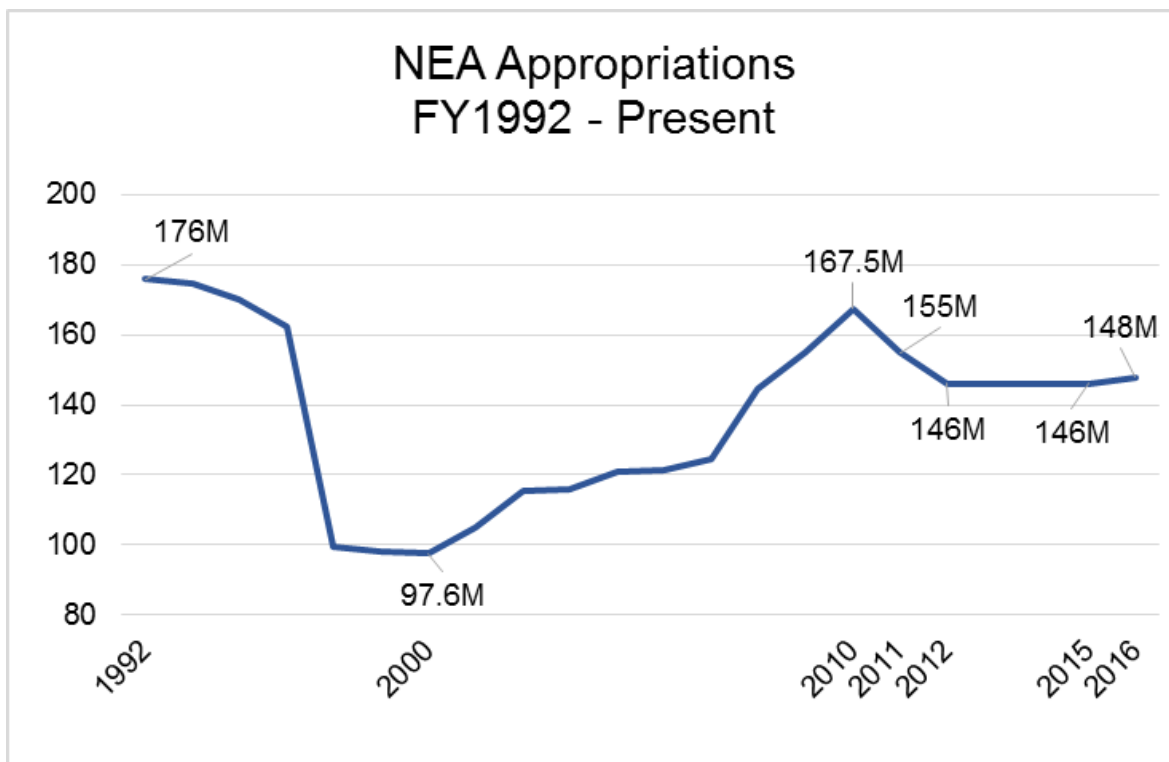
NATIONAL ENDOWMENT FOR THE ARTS (NEA)

PROMOTING CREATIVITY AND PUBLIC ACCESS TO THE ARTS

ACTION NEEDED

We urge Congress:

- To support a budget of \$155 million for the National Endowment for the Arts (NEA) in the FY 2017 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 mission is based on an abiding conviction that the arts play an integral role in our national life and public discourse: *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.*

As the Endowment celebrates its 50th anniversary, its mission and vision continue to be fulfilled primarily through direct grants to arts organizations across the country. In 2014, 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.
- Impacted almost 16,000 communities engaged in NEA-supported projects, many benefiting from touring and outreach initiatives.
- Generated more than \$600 million in matching support.

NEA—THREE KEY BENEFITS

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 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 also 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, 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.

Provides High Return on Investment

- The NEA's budget is \$148 million—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 10:1, 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 4.32 percent, which amounts to an impressive \$698 billion.

Supports Partnerships that Advance the Arts and Communities

- 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.
- 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 NEA Military Healing Arts Partnership, which is a collaboration with the Department of Defense that supports music, writing, and visual art therapy at military care facilities.

Legislative Recap of 2016 NEA & NEH Appropriations

As of January 25, 2016

Comparison of FY 2015 to FY 2017 Appropriations for NEA and NEH (in millions of dollars)

	President FY 2015 Request	FY 2015 House Approps Cmte	FY 2015 Senate Approps Cmte Draft	FY 2015 Final	President FY 2016 Request	FY 2016 House Approps Cmte	FY 2016 Senate Approps Cmte	FY 2016 Final	President FY 2017 Request
NEA	\$146.021	\$146.021	\$150	\$146.021	\$147.949	\$146.021	\$146.021	\$147.949	TBD
NEH	\$146.021	\$146.021	\$150	\$146.021	\$147.942	\$146.021	\$146.021	\$147.942	TBD

FY 2016 Appropriations Timeline

February 2, 2015—The **Obama administration proposes an almost \$2 million increase** - to nearly \$148 million - for the agencies. It falls short of earlier requests, but is an increase from a year ago.

March 18, 2015—The House Interior Appropriations Subcommittee holds a **Public and Outside Witness hearing** on the FY 2016 budget request. Three witnesses - **Karen Hanan**, *executive director*, Washington State Arts Commission (ArtsWA) in Olympia, WA; **Melia Tourangeau**, *president and ceo*, Utah Symphony | Utah Opera in Salt Lake City, UT; **Anita Stewart**, *executive & artistic director*, Portland Stage in Portland, ME - testify in support of federal funding of \$155 million for the NEA.

June 10, 2015—The **House Interior Appropriations Subcommittee proposes level-funding** for the NEA and NEH. Unlike the past two years, however, the subcommittee no longer targeted the NEA for funding cuts.

June 16, 2015—The **House Appropriations Committee approves sustained funding** (\$146 million) for the agencies. An amendment offered by Rep. Steve Israel (D-NY) to increase funding to the President's request did not receive a vote.

June 18, 2015—The **Senate Appropriations Committee approves sustained funding** for the NEA and NEH. An amendment offered by Sen. Tom Udall (D-NM) to increase funding in several areas of the budget to the President's request, including NEA and NEH, did not receive a vote. It was also the first time in nearly six years that the Senate considered the underlying legislation.

June 25, July 7-8—The **House considers the Interior Appropriations bill on the floor**. No amendments concerning NEA or NEH funding are considered. No final vote occurs.

December 18, 2015—The **Consolidated Appropriations Act, 2016 is signed into law**. The negotiated \$1.15 trillion omnibus legislation provides funding to the federal government through September 30, 2016. The NEA and NEH see slightly less than a \$2million funding increase, breaking the cycle of what would have been five years in a row of stagnant, level funding.

February 9, 2016—The White House will release its **FY 2017 budget request**, the last budget of the Obama administration.

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

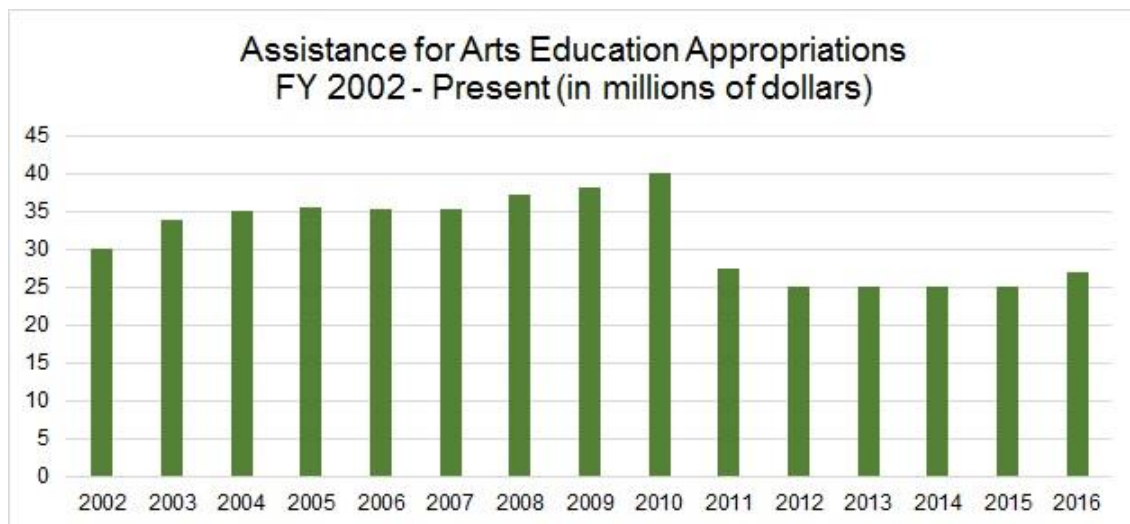
FUNDING THE ARTS IN EDUCATION PROGRAM AT THE U.S. DEPARTMENT OF EDUCATION

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 2017 Labor-HHS-Education appropriations bill. The Assistance for Arts Education programs are authorized under Title IV of the Every Student Succeeds Act (ESSA).**



TALKING POINTS

Increased funding would support emerging models that improve arts learning in high-poverty schools.

- 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 **Evaluation and National Dissemination**. 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.

- Dance Art, in partnership with Chicago Public Schools and Northwestern University, completed the four-year \$1.1 million FY 2010 Model Development and Dissemination grant project, Cultural Arts of the Americas Transforming Education (CAATE). The partnership increased teachers' professional skills in integrating the arts into the core curricula and students' academic performance in reading, mathematics, and the social sciences through authentic and inquiry-based arts curricula.
- 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 Arts in Education 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 Related Events; 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 (formerly Arts In 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 also recognizes the arts as essential to a "well-rounded" education. The Arts Education programs have received consistent bipartisan support from Congress—despite intense funding challenges 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.

STRENGTHENING ARTS EDUCATION

HELPING CHILDREN ACHIEVE IN SCHOOL, WORK, AND LIFE

ACTION NEEDED

We urge Congress, during the implementation of the *Every Student Succeeds Act*, to fully fund and implement the Well-Rounded Education provisions by strengthening equitable access to arts learning through the following actions:

- 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, the Student Support and Academic Enrichment grant program that includes the arts, and the expanded STEM program eligibility for the arts in Title IV.
- o Require states to report annually on student access to, and participation in, the arts.
- o To support early childhood program implementation, maintain the Creative Arts Expression framework and keep the arts in the definition of “Essential Domains of School Readiness” for pre-school grants.
- o Improve the U.S. Department of Education’s national data collection regarding what students know and are able to do in the arts and the conditions for teaching and learning in arts education.

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 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.
- **Learning in the arts can and should be included in the 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 and assessable 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 system in some states and districts evaluate educators in all subject areas based on standardized test scores in reading and math. Through the 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.

TALKING POINTS (CONTINUED)

- **To ensure equitable access to a comprehensive education for all students, states should annually document and publically 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 Well-Rounded 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, “From 2005 to 2012, the number of students enrolled in public charter schools more than doubled from 1 million to 2.2 million students.” With the number of charter school students increasing, federal leadership is needed to ensure that all students attending charter schools be provided with a full and balanced education in all academic subjects.
- **The Department of Education’s data collection efforts must be strengthened by systematically including pre-K–12 arts education in the National Assessment for Educational Progress (NAEP) and other data instruments.** NAEP, known as “the nation’s report card,” needs to include 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. The Department should also be encouraged to provide more timely updates on access to all arts education at multiple grade levels—using such tools as the Fast Response Statistical Survey (FRSS) with newly relevant questions and measures. The latest FRSS in the arts was released in 2012—the first time in a decade since such data was collected.

BACKGROUND

With the passage of the *Every Student Succeeds Act*, the U.S. Department of Education and state departments of education are rapidly 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

February 2016

A child's education is not complete unless it includes the arts. The Every Student Succeeds Act (ESSA), the newest 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 (such as 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 systems. A comprehensive strategy for a complete education includes rigorous, sequential standards-based arts 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, 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. 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 – places where students want to learn and teachers want to teach.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.**

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.**
- **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 2013 study by the American Enterprise Institute found that the proposed 28 percent cap on the charitable deduction could cause giving to decline by more than \$9 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.
- **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.
- **The public consistently supports the charitable deduction.** A 2013 national study by Dunham+Company showed that 75 percent of Americans say they value the charitable deduction as it currently stands, with steady results across geography, gender, age, and race. 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.

TALKING POINTS (CONTINUED)

- **The nonprofit sector is committed to high standards of governance and accountability, and should be protected from unnecessary regulations that divert resources from essential nonprofit services.** For instance, a recently considered (and withdrawn) IRS proposal for nonprofits to voluntarily collect donors' Social Security Numbers when substantiating charitable gifts would needlessly decrease giving, impose new costs, and make nonprofits vulnerable to data theft.
- **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."

POLICY 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. President Obama's budget proposals have 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 identical proposals from the administration, 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. Any of these changes would lead to decreased giving.

The President's FY 2016 budget proposal did acknowledge the unique value of the charitable deduction, retaining it as the only deduction that would be available to taxpayers subject to the "Buffet Rules" 30 percent minimum tax rate on incomes greater than \$1 million. 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, joined together in urging Congress to protect tax incentives for charitable giving.

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 strong 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 (S.931) 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. *Why should a creator be able to deduct fair-market value for donating his work to a nonprofit organization, when a volunteer cannot deduct his time?* The tax code provides that donations of tangible property are deductible while donations of volunteer services and time are not. If the Artist-Museum Partnership Act is enacted, the creator would be claiming the tax deduction for the donation of property, not of volunteer services, since none were rendered.

4. *How much would the Artist-Museum Partnership Act cost?* Revenue loss estimates have varied over several Congresses, running from as low as \$6 million per year to as much as \$20 million.

5. *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 111th Congress, this legislation gained 93 cosponsors in the House and 23 in the Senate. At press time, Rep. John Lewis (D-GA) had not yet reintroduced the legislation in the House for the 114th Congress, but is expected to do so shortly.

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). OMS is authorized at \$38.6 million.**
- **Sign appropriations letters being circulated in the House and Senate.**
- **Enact legislation in 2017 reauthorizing IMLS.**

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.
Notes: 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 was reauthorized in 2010 through FY 2016, with approval by voice vote in the House and unanimous consent in the Senate, demonstrating broad bipartisan support for a funding authorization of \$38.6 million for OMS. The reauthorization (now Public Law 111-340) was co-introduced by then Sens. Burr (R-NC), Enzi (R-WY), Harkin (D-IA), and Reed (D-RI). Though the President's FY 2017 budget request for OMS was not available at press time, it requested a significant increase, to \$35.1 million, in FY 2016.

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.
- 170 million Americans connect through 368 public television stations, 934 public radio stations, hundreds of online services, and in-person events.
- These local stations, services, and events are America's "largest stages" for the arts.
- Local public stations air music and arts programming that is not available on commercial radio and television.
- Notably, public radio broadcasts numerous music genres that are less commonly found on commercial stations, including classical, folk, jazz, and blues.
- Public radio stations are also often the first to air emerging, independent artists before they rise to fame.
- 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.
- 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.
- 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. 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. (For many stations, the ratio is much larger.)
- The federal investment in public broadcasting is a tiny portion of the federal budget—only one hundredth of one percent (.01 percent).
- 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.

SUPPORTING COMMUNITY MEDIA

KEEPING ARTS AND CULTURE PROGRAMMING ON LOCAL TV

ACTION NEEDED

We urge Congress to:

- **Co-sponsor and support the Community Access Preservation Act (the CAP Act, S.1244) or other legislation that would accomplish similar goals to preserve public, educational, and governmental (PEG) access television channels for local communities.**

COMMUNITY MEDIA SHOWCASES LOCAL ARTS PROGRAMMING

Community media is composed of public, educational, and governmental (PEG) access television channels and community radio stations. Community media has a long history of presenting local, regional, and national nonprofit arts programming, a great majority of which is not available on commercial channels and which reflect local needs. Such channels and stations are enabled by federal legislation and play a unique role in bringing information and arts programming to the American public.

Congress recognized the need for non-commercial local and neighborhood-based media outlets when it passed the Local Community Radio Act in 2010. As the House and Senate contemplate telecommunications reform in the current Congress, we encourage similar consideration of the proposals offered by Sens. Tammy Baldwin (D-WI) and Ed Markey (D-MA) on how to preserve and strengthen PEG access television.

Historically, PEG access organizations received support from cable companies through fees paid to municipalities or their designees. In many communities, community media outlets are the sole source for local news, political debate, religious expression, and cultural arts programming. These organizations also provide critical media arts and media literacy training not available elsewhere. PEG channels reach large segments of the population often underserved by commercial media that show programming created for national or international audiences. Sustaining these noncommercial local media outlets is critical for coverage of the nonprofit arts and culture community.

SUPPORT FLEXIBILITY IN PEG SPENDING TO KEEP LOCAL MEDIA ALIVE

- In 2007, the FCC ruled that in many cases, part of the fees paid by cable operators in support of PEG access television would be restricted only to facilities and equipment—and not for operating expenses (such as salaries). As a result, PEG facilities in a number of communities have closed. We are asking Congress to amend the Cable Act to ensure that PEG fees can be used for *any* PEG-related purpose, including arts and culture programming and media arts training. The U.S. Conference of Mayors and the California legislature have endorsed this federal action.
- We urge support for a requirement that cable operators deliver PEG channels to all subscribers, via channels whose quality, accessibility, functionality, and placement is equivalent to local commercial television stations. These channels are invaluable assets in their communities, providing local nonprofit arts programs reflecting each community's unique character. In townships and rural areas, PEG channels provide the only media coverage of local arts performances and local cultural events.
- Examples of community PEG access arts programming include:
 - o [Evening on Broadway](#), Dakota Media Access, Bismarck, ND
 - o [That Art Show](#) and [The Friday Extra Concert Series](#), CCTV, Tampa, FL
 - o [Fairy Tale Access](#), Access Nashua, Nashua NH
 - o [Bloomfield Civic Band and Choir Holiday Concert](#), WBMA-TV, Bloomfield Twp., NJ
 - o [Local Roots: Katy and the Null Sets](#), CCTV, Salem, OR
 - o [Kenosha Symphony Orchestra: Ode To Joy](#), Kenosha Community Media, Kenosha, WI
 - o [CAT Jazz Series](#), Columbia Access Television, Columbia, MO
 - o [Simley Dance Extravaganza](#), Town Square TV, Inver Grove Hts., MN
 - o [Art Talks](#), WHCTV, West Hartford, CT
 - o [Cambridge Uncovered: Central Square Cultural Arts District](#), CCTV, Cambridge, MA

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 2017 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 smart power 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
\$	\$102	\$95.4	\$99.4	\$96	\$101	\$100	\$102

*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 agree that cultural exchange enhances international understanding.***
 - Secretary of State John Kerry, at the Kennedy Center Honors Dinner in 2014, said, "People make connections in lots of ways, and sometimes that connection is quicker to take hold through music, dance, theater, film, more so than the words of a diplomat...the connection of this endeavor of the arts connects, it touches, really, something deep in every human spirit. And whether it's the pianists or the dobro players, Zydeco bands, jazz singers, filmmakers, dance companies, and artists that we send to every corner of the globe, this is about citizen diplomats who go to remote and troubled communities and open doors for conversations with the young, with the poor, and the too-often overlooked."
 - 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."
- ***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.***
 - The Cultural Programs Division should simplify the application process and provide ample time for artists to apply for projects, and make information on funded projects readily available to the public.
 - 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."

TALKING POINTS (CONTINUED)

- **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.

Cultural Exchange Program Highlights

Museums Connect: We, the People: Afghanistan, America & the Minority Imprint

"This has been one of the single greatest and most poignant projects I've been involved in. Meeting the Afghan students has taught me volumes of things that I didn't know about Afghanistan, Islam, and the Muslim world in general. I have regained faith, not only in humanity, but especially in my own generation, my global brothers and sisters." Ian McShea, National Constitution Center, Philadelphia, PA

DanceMotion USA: CONTRA-TIEMPO

"In an increasingly complex world, this program reminds us of our humanity. Through movement, cultural realities are shared, explored, and embodied. In touring and sharing our work with DanceMotion USA, we were able to learn more about our own humanity and discover an authentic connection between our reality as North Americans to the countries where we traveled. Dance is powerful, dance is real, dance is full of expression of self—and through it we can discover how deeply we are all connected." Ana Maria Alvarez, CONTRA-TIEMPO, Los Angeles, CA

Arts Envoy Program: Bond Street Theatre

"The arts are about communication, and young people here [in Afghanistan] are so motivated and ready to be voices for positive change. Creative exchanges, such as our Youth Engagement Project, give young people a chance to speak out and take positive steps toward improving their community and influencing others around them toward peace." Joanna Sherman, Bond Street Theatre, New York, NY

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

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 persuade USCIS to take ongoing immediate administrative action to improve the artist visa process.**

TALKING POINTS

- **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.
- **The inconsistency of the U.S. visa process for foreign artists has extremely harmful results.**
 - ***When foreign artists are unable to come to the United States, 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, booking, and confirming highly sought after guest soloists and performing groups requires that the timing of the visa process 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 institutions and the local economies they support.*** Nonprofit arts groups frequently sell tickets in advance, creating a financial obligation to their audiences. Regular visa processing 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.
- **The ARTS provision has strong, bipartisan support.** The House and Senate have signaled bipartisan support for improving the artist visa process. Most recently, the 2013 Senate comprehensive immigration reform bill included the ARTS provision, which was introduced and supported by Sens. Patrick Leahy (D-VT) and Orrin Hatch (R-UT). Prior to that, a 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.

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 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.
- **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; and only with steady improvements over time will confidence in the U.S. visa process continue to be rebuilt among U.S. petitioning organizations and foreign artists alike, greatly enhancing international cultural exchange. 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. 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. The nature of scheduling, booking, and confirming highly sought after guest soloists and performing groups requires that the timing of the visa process be efficient and reliable, otherwise the American public is denied the opportunity to experience international artistry and American artists scheduled to work alongside international guest artists lose important employment opportunities. Additionally, the bottom line is impacted for nonprofit arts groups that have a financial obligation to their audiences.

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 to the quality of artist visa processing would soon be underway as part of the agency's major effort to revise its policy and training programs. While these statements were encouraging, they have yet to be fully implemented, and absent legislative action, improvements to the artist visa process are subject to the discretion of USCIS leadership. For several years, petitioners experienced incremental improvements to processing times, only to encounter lengthy delays once again in the past year—particularly at the Vermont Service Center, which is one of two centers that process artist visa petitions. 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. The ARTS provision has strong bipartisan support and was most recently passed by the Senate as part of its 2013 comprehensive immigration reform bill.

ARTS IN HEALTH

IMPROVING THE HEALTH OF VETERANS AND OLDER AMERICANS THROUGH THE ARTS

ACTION NEEDED

We urge Congress to:

- **Support H.R. 4063, the Jason Simcakoski PROMISE Act, sponsored by Rep. Bilirakis (R-FL), to improve access to evidence-based complementary alternative treatments for veterans, including creative arts therapies.**
- **Enact S. 192, the Older Americans Act Reauthorization Act of 2015, sponsored by Sen. Alexander (R-TN), which passed in the Senate in July 2015 and was referred to the House Committee on Education and the Workforce.**

“Arts in Health” includes the professional creative arts therapies disciplines of art therapy, music therapy, dance/movement therapy, drama therapy, 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.

TALKING POINTS

Complementary, Alternative, and Integrative Health Interventions Help Veterans

- H.R.4063, the Jason Simcakoski PROMISE Act, sponsored by Rep. Bilirakis (R-FL), would expand research and education on and delivery of complementary and integrative health to veterans and develop a pilot program on integration of complementary alternative medicines and related issues for veterans and family members of veterans.
- 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 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.

Program Examples

Museum of Glass: Healing with Fire (Tacoma, WA)

In 2013, Museum of Glass introduced Hot Shop Heroes: Healing with Fire. This partnership with the Warrior Transition Battalion (WTB) at Joint Base Lewis-McChord serves soldiers with physical and mental injuries. From one soldier, "This class awakened a previously hidden joy in creating things by hand. I was able to actually feel something other than numb."

The NEA Military Healing Arts Partnership (Bethesda, MD and Fort Belvoir, VA)

Since November 2011, programs that include art therapy, music therapy, and therapeutic writing have reached more than 1,000 service members at the National Intrepid Center of Excellence at Walter Reed Bethesda and 128 service members at Fort Belvoir Community Hospital Brain Wellness Center in Virginia through this NEA-supported partnership.

TALKING POINTS (CONTINUED)

Creative Arts Therapies and Artist-Directed Programs Support Healthy Aging

- S. 192 reauthorizes 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.
- S. 192 would provide 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
 - Reduced reports of pain and anxiety related to illness and invasive treatment
 - Improvements in quality of life
 - Reduced levels of depression and agitation
 - Decreased need for use of sedatives during medical procedures
 - Reduced lengths of hospital stays
 - Decreased use of medical interventions covered by Medicare among the aging
- 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.

Research citations and program examples are available in the Arts in Health Field-at-a-Glance document [online](#).

BACKGROUND

Key aspects of H.R. 4063 that reference access to complementary alternative treatment were previously a part of H.R. 2256, the Veterans Information Modernization Act, which passed the House in July 2015. Unfortunately, unrelated sections within H.R. 2256 limit successful legislative progress in the Senate and with the Administration. H.R. 4063 offers improved focus on expansion of research, education, and delivery of complementary and integrative health services to veterans.

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.

Despite strong historical beginnings in veterans hospitals during World War II, and inclusion in federal programs and research grant awards over many years through agencies within the Department of Health and Human Services, there remains a need to expand opportunities for creative arts therapies and artist-directed programs so that more Americans 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 veterans and older adults currently facing our nation.

An investment in "Arts in Health" is an investment in America's health.