

SUMMARY OF LEGISLATIVE REQUESTS

National Endowment for the Arts (NEA)

We urge Congress to support a budget of \$180 million for the NEA in the FY 2011 Interior Appropriations bill to increase funding for the creation, preservation, and presentation of the arts in America through the NEA's core programs—Access to Artistic Excellence, Challenge America: Reaching Every Community, Federal/State Partnerships, and Learning in the Arts. In addition, after designating an increase for core programs above FY 2010 levels, we urge Congress to provide funds for the President's proposed new initiative, Our Town.

The President's budget request would reduce current NEA support to \$161.3 million in 2011 from \$167.5 million in 2010. In FY 2009, the NEA awarded more than \$110 million in appropriated funds through almost 2,400 grants reaching all 435 congressional districts. In addition, \$50 million in 2009 American Recovery and Reinvestment Act (ARRA) funds were used to distribute 693 grants, reaching all 50 states. Funding the NEA at \$180 million not only would restore the agency to its 1992 level, but also would provide additional support to help maintain a healthy nonprofit arts sector that can contribute fully to communities nationwide. Current funding amounts to just 54 cents per capita, as compared to 70 cents per capita in FY 1992, not including inflation.

Allow Artists a Tax Deduction for Charitable Gifts of Their Own Work

We urge Congress to cosponsor the Artist-Museum Partnership Act, S. 405, introduced by Sens. Patrick Leahy (D-VT) and Robert Bennett (R-UT), or H.R. 1126, introduced by Reps. John Lewis (D-GA) and Todd Platts (R-PA). Most museums, libraries, and archives have limited funds to acquire new works; the primary way is through donations. However, artists, writers, choreographers, and composers have no financial incentive to give their works because they cannot claim a tax deduction for a work's fair-market value. Unlike collectors who can deduct for fair-market value, artists can deduct only the value of materials, such as paint and canvas. Moreover, the same work in the artist's estate, whose value is minimized for the purposes of charitable deductions, are suddenly taxable at their fair-market value upon the artist's death. As a result, works of local, regional, and national significance are sold into private hands and never come into the public domain.

Arts Education through the U.S. Department of Education and ESEA

We urge Congress to appropriate \$53 million for the Arts in Education programs in the FY 2011 Labor-HHS-Education appropriations bill and to require the U.S. Department of Education to produce timely and comprehensive reports on the status of all arts education disciplines in America's public schools, when implementing future *Fast Response Statistical Surveys* and *National Assessments of Educational Progress*.

Increased Arts in Education funds will provide unique federal support for: Model Development and Dissemination projects; Professional Development for Arts Educators grants; Evaluation & National Dissemination; the Kennedy Center for the Performing Arts' national arts education initiatives, and the efforts of VSA arts to ensure the participation of people with disabilities in arts programming in schools and communities. The president's budget request proposes consolidating the Arts in Education program into a new, broader funding pool entitled "Effective Teaching and Learning for a Well-Rounded Education." Arts advocates seek to keep the Arts in Education programs intact for FY 2011 and recommend that any major restructuring of the Arts in Education programs be considered in the context of ESEA reauthorization.

Secondly, we urge Members of Congress to conduct dedicated hearings on arts education related to reauthorization of ESEA and include the following provisions when reauthorizing the Elementary and Secondary Education Act (ESEA): Retain the arts in the definition of core academic subjects of learning; reauthorize the Arts in Education Programs of the U.S. Department of Education; improve national data collection and research in arts education; require states to annually report on student access to all core academic subjects. Numerous national organizations have endorsed a paper titled *Arts Education: Creating Student Success in School, Work, and Life*, which serves as a tool for communicating the benefits of arts education to policymakers at all levels as federal lawmakers begin the process of reauthorizing the Elementary and Secondary Education Act.