

## **SUMMARY OF LEGISLATIVE REQUESTS**

### **National Endowment for the Arts (NEA)**

We urge support for a budget of \$155 million for the National Endowment for the Arts (NEA) in the FY 2015 Interior Appropriations bill to preserve citizen access to the cultural, educational, and economic benefits of the arts and to advance creativity and innovation in communities across the United States.

The final FY 2014 budget included \$146 million for the NEA. Yet current funding amounts to just 46 cents per capita, as compared to 70 cents per capita in 1992. Each direct grant dollar also leverages another nine dollars of non-federal support.

In FY 2013, with a budget of \$138.383 million, the agency awarded 2,153 grants totaling \$112.734 million. Forty percent of all NEA program funds—approximately \$46 million in FY 2013—are re-granted through state arts agencies. In partnership with the NEA, state arts agencies awarded more than 22,000 grants to organizations, schools, and artists in 5,000 communities across the United States.

### **Encouraging Charitable Gifts to Arts and Culture**

We urge Congress to preserve incentives for charitable giving by protecting the full scope and value of the charitable tax deduction in all forms of charitable gifts. We additionally urge Members of Congress to reject any attempts to divide the charitable sector by favoring certain types of charities over others, and also to reinstate and make permanent the IRA Charitable Rollover.

There have been proposals to curtail or eliminate the income tax deduction for gifts to 501(c)(3) organizations, including the nonprofit arts, in order to increase revenue for the federal government. President Obama's budget proposals have sought to decouple the value of tax deductions from income tax rates—capping deductions, including the charitable deduction, at 28 percent. Congress has previously rejected identical proposals from the Administration, and key tax policymakers have objected to the negative impact the proposal would have on charitable contributions. Another plan included in the House proposed *Tax Reform Act of 2014* would instate of two-percent floor of an individual's Adjusted Gross Income (AGI) in order to take deductions for charitable giving. Any of these changes would lead to decreased giving.

We also urge Congress to reinstate and make permanent the IRA Charitable Rollover. Without the IRA Rollover provision, individuals who make charitable gifts from their retirement accounts must withdraw funds and treat them as taxable income, reducing the amount available for donation to charity. The IRA Rollover has expired and been reinstated multiple times, most recently expired on December 31, 2013. Nonprofits report that the cycle of expiration and reinstatement of the IRA Rollover provision has left many donors unable to maximize their support for charitable work.

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

We urge Congress to enact the Artist-Museum Partnership Act (H.R. 2482), which would allow artists to take an income tax deduction for fair market value when they donate their works to charitable collecting institutions.

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 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 never come into the public domain.

## **Institute of Museum and Library Services (IMLS)—Office of Museum Services**

We urge Congress to support full funding for the Office of Museum Services (OMS) within the Institute of Museum and Library Services in the FY 2015 Labor-HHS-Education appropriations bill (OMS is authorized at \$38.6 million) and support Dear Colleague letters being circulated in the Senate by Sen. Kirsten Gillibrand (D-NY) and in the House by Reps. Paul Tonko (D-NY), Leonard Lance (R-NJ), Michael Grimm (R-NY), and Louise Slaughter (D-NY) in support of the Office of Museum Services to demonstrate leadership on museum funding.

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

We urge Congress to appropriate \$30 million for the Arts in Education program in the FY 2015 Labor-HHS-Education appropriations bill and retain the Arts in Education program as a distinct grant competition in FY 2015 appropriations. The Arts in Education program is authorized under the Elementary and Secondary Education Act (ESEA).

In FY 2014, the Senate Appropriations Committee recommended \$27 million to support continued program activities, and Congress ultimately approved \$25 million, restoring the program to pre-sequester levels.

Secondly, we urge Members of Congress, in the reauthorization of ESEA, to retain the arts in the definition of core academic subjects and strengthen equitable access to arts learning, including by: Requiring states to report annually on student access to, and participation in, all core academic subjects; strengthening arts education in provisions relating to early childhood education, afterschool learning, expanded learning time, teaching effectiveness, school turnaround, charter schools, and student assessment; and maintaining arts education grant support at the U.S. Department of Education.

## **Cultural Exchange Programs in the U.S. Department of State**

We urge Congress to direct the State Department to appropriate a minimum of \$15 million for the Cultural Programs Division of the State Department's Office of Citizen Exchanges within the FY 2015 State and Foreign Operations appropriations bill. Additionally, we ask Congress to direct the State Department to make information on projects funded through these programs readily available to the public.

## **Arts and Healthcare**

We urge Congress to direct the Veteran's Health Administration in the Department of Veterans Affairs and the Military Health System in the Department of Defense to expand cost-effective creative arts therapies and artist-directed programs designed to address health, well-being, and resilience across the military continuum. Additionally, we urge Members of Congress to support funding for creative arts in healthcare research priorities within the federal agencies involved with the Arts and Human Development Interagency Task Force. These include the National Institutes of Health, Administration on Aging, and the Department of Education.

We also urge Members of Congress to cosponsor the Veteran's Health and Benefits Improvement Act of 2013 (S.944) and the Veterans and Armed Forces Health Promotion Act (H.R. 3516) to improve access to complementary and alternative medicine interventions, including creative arts therapies.

## **Corporation for Public Broadcasting**

We urge Congress to maintain public broadcasting funding at the current level of \$445 million through the Corporation for Public Broadcasting (CPB). The FY 2015 Administration's budget request matches this level of funding. Local public radio and television stations have relied on funds provided by CPB and often air music and arts programming that is not available on commercial radio and television. The Public Broadcasting System (PBS), with its nearly 360 member stations, is the nation's largest stage for the arts with 480 hours of PBS arts and culture programming watched by 104 million people in 2013.

## Community Media

We urge Congress to co-sponsor and support the Community Access Preservation Act (the CAP Act), S.1789, or other legislation that would accomplish similar goals to preserve public, educational, and governmental (PEG) access television channels for local communities. 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. Such channels and stations are enabled by federal legislation and play a unique role in bringing both information and arts programming to the American public.

## Preserve an Open Internet

We urge Members of Congress to cosponsor the Open Internet Preservation Act of 2014 (H.R. 3982/S.1981) or support other efforts by the Federal Communications Commission (FCC) to preserve an open Internet. The open architecture of the Internet has created unprecedented opportunities for artists, cultural organizations, and entrepreneurs. Because of the Internet's level playing field, organizations and individuals can reach Internet users to promote their work or to sell their creative products and services without navigating a complex system of gatekeepers. On February 3, 2014, members of the House and Senate led by Rep. Henry Waxman (D-CA) and Sen. Ed Markey (D-MA) introduced the Open Internet Preservation Act of 2014 (H.R. 3982/S.1981). This legislation would restore the rules struck down by the D.C. Circuit court until the FCC adopts new final rules on net neutrality.

## Protect Wireless Technology for the Arts & Media

We urge Members of Congress to cosponsor the Wireless Microphone Users Interference Protection Act of 2013 (H.R. 2911). Additionally, we ask Congress to urge the Federal Communications Commission (FCC) to provide eligibility for Part 74 licenses to professional performing arts entities and to protect wireless microphones in the upcoming incentive spectrum auction by preserving the two safe-haven channels and access to a reliable geo-location database.

As the FCC monitors the operational effectiveness of these interference protection mechanisms, we encourage the Commission to ensure that it protects existing services, including wireless microphones for performers, performing arts organizations, venues, and educational facilities. Performances by opera and dance companies, symphony orchestras, community theaters, and regional theaters reach a combined audience of 190 million Americans annually and collectively represent an annual \$7.8 billion industry.

## Foreign Guest Artist Visas

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. We further call on Congress and the administration to persuade USCIS to take ongoing immediate administrative action to improve the artist visa process. The ARTS provision has strong bipartisan support and is included in the 2013 Senate comprehensive immigration reform bill.

## Statements of Concern

- Artists, Entrepreneurs, & Small Business – to invest in the country's workforce and creative economy
- National Service and the Arts – to strengthen the arts at the Corporation for National & Community Service

## Arts Advocacy Day 2014 National Cosponsors

*Arts Advocacy Day is a national advocacy and grassroots campaign presented by **Americans for the Arts**. It is also cosponsored by more than 85 national organizations representing thousands of arts, cultural, business, civic, and educational groups and individuals nationwide.*

Actors' Equity Association	Grantmakers in the Arts
The Actors Fund	International Alliance of Theatrical Stage Employees
Alliance for Community Media	International Art Materials Association (NAMTA)
Alliance for Women in Media	International Council of Fine Arts Deans
Alliance of Artists Communities	Iowa Thespians
American Alliance of Museums	League of American Orchestras
American Architectural Foundation	League of Resident Theaters
American Art Therapy Association	Literary Network
American Association of Community Theatre	The MacDowell Colony
American Community Television	Mid Atlantic Arts Foundation
American Dance Therapy Association	Mid-America Arts Alliance
American Federation of Musicians	Music for All
American Institute for Conservation of Historic & Artistic Works	Music Teachers National Association
American Music Therapy Association	NAMM - The National Association of Music Merchants
American Society of Composers, Authors & Publishers	National Alliance for Media Arts and Culture
American String Teachers Association	National Art Education Association
Americans for the Arts	National Assembly of State Arts Agencies
Americans for the Arts Action Fund	National Association for Music Education
Art Dealers Association of America	National Association of Latino Arts & Culture
Arts Management Program at American University	National Center for Creative Aging
Arts Schools Network	National Center on Time & Learning
ArtsGeorgia	National Dance Education Organization
Association for Theatre in Higher Education	National Federation of Music Clubs
Association of American Cultures, The	National Federation of State High School Associations
Association of American Publishers	National Guild for Community Arts Education
Association of Arts Administration Educators	New Music USA
Association of Independent Colleges of Art & Design	New York State Dance Education Association
Association of Performing Arts Presenters	North American Drama Therapy Association
Association of Writers & Writing Programs	Opera America
Best Principled Solutions	Performing Arts Alliance
CERF+	The Recording Academy
Certification Board for Music Therapists	Recording Industry Association of America
Chamber Music America	SAG-AFTRA
Chorus America	South Arts
College Art Association	Stage Directors and Choreographers Society
Colorado State Thespians	Theatre Communications Group
Council on Undergraduate Research	Theatre Development Fund
Dance/USA	Think 360 Arts
Dancing Classrooms	The United States Conference of Mayors
Educational Theatre Association	Veteran Artist Program
Fractured Atlas	VH1 Save The Music Foundation
Future of Music Coalition	Wisconsin Arts Board
Global Alliance for Arts & Health	Young Audiences Arts for Learning
	YoungArts