

AMERICAN ASSOCIATION OF MUSEUMS

Museums Advocacy Day

March 22–23, 2010 • Washington, DC

www.speakupformuseums.org

INSTITUTE OF MUSEUM AND LIBRARY SERVICES (IMLS)

Requests:

- We urge Congress to support \$50 million for the Institute of Museum and Library Services Office of Museum Services for FY11 – a \$15 million increase over FY10.
- Specifically, we urge **House** Members to sign the **Tonko-Slaughter-Lance Dear Colleague Letter** requesting \$50 million for the IMLS Office of Museum Services.
- We urge **Senate** Members to sign the **Gillibrand Dear Colleague Letter** requesting \$50 million for the IMLS Office of Museum Services.
- We urge Congress to pass a bill [not yet introduced] to reauthorize the Office of Museum Services (OMS) at \$95 million incrementally over the 5-year reauthorization period by strengthening existing national programs, initiating state needs assessments; devoting new funding to conservation endowment grants, traveling exhibitions and a new program to help smaller museums compete more effectively for federal grants; and establishing a federal-state partnership that dedicates funding to a state grant program for museums.

Introduction:

The Institute of Museum and Library Services (IMLS) is the primary federal agency responsible for supporting the nation's 17,500+ museums. The IMLS was established in 1996 by the Museum and Library Services Act of 1996, and reauthorized in 2003 by a vote of 416 – 2 (PL 108-081). Its Office of Museum Services (OMS) awards grants to museums to support them as institutions of learning and exploration, and keepers of our cultural, historical, and scientific heritages. OMS supports all types of museums – including aquariums, arboretums, art museums, botanical gardens, children's museums, historic sites, history museums, military museums, natural history museums, nature centers, planetariums, science & technology centers, zoological parks, and other specialty museums. Grants are awarded in a number of areas including educational programming, professional development, and collections management, among others.

Current funding has allowed the agency to fund only a small fraction of all highly-rated grant applications. Despite this funding shortfall, museum attendance has increased, collections are subject to increasing risk, and museum staff members need professional development in conservation, education, and technology. The educational services museums provide to schools and communities are in greater demand than ever.

As a result, museums need and deserve more federal support – both to strengthen existing national programs at IMLS and to pursue a new strategy to support museums directly at the state level. Only a small percentage of America's 17,500+ museums receive federal funding of any kind.

While funding occurs through the annual appropriations process, a five-year reauthorization of the agency was due to occur by September 2009. The museum community worked collaboratively to develop a package of reforms that are being incorporated into a bill being drafted by Sen. Jack Reed (D-RI).

Talking Points:

- Americans view museums as some of the most important resources for educating our children and as some of the most trustworthy sources of objective information. This credibility stems, in part, from the solid foundation research and collections provide for exhibitions and educational programs.
- Museums are not only valuable educational resources for our children, but for individuals of all ages and backgrounds. Museums stimulate and promote lifelong learning.
- Museums spend more than \$2.2 billion annually on educational programming (*American Association of Museums 2009 Museum Financial Information*).
- Teachers, students, and researchers are benefiting from access to trustworthy information through online collections and exhibits, although most museums need more help in developing their digital collections to meet this need. This is especially important when geographical distances prevent travel to a wide range of museums.
- Museums receive more than 90 million visits each year from students in school groups (IMLS study).
- Museums tailor educational programs in coordination with state and local curriculum standards in math, science, art, literacy, economics and financial literacy, language arts, history, civics and government, geography, and social studies (IMLS study).
- Each year, museums provide more than 18 million instructional hours for educational programs such as guided tours for students, staff visits to schools, school outreach through science vans and other traveling exhibits, and professional development for teachers (IMLS study).
- The 2005 *Heritage Health Index* concluded that immediate action is needed to prevent the loss of 190 million artifacts that are in need of conservation treatment.
 - 59% have collections damaged by light
 - 56% have insufficient security to protect their collections
 - 80% do not have an emergency plan that includes collections
 - 71% need additional training and expertise for staff caring for collections
 - only 13% have access to endowment funds for preservation
- Collections – including artifacts and specimens – play a vital role in the preservation and interpretation of cultural and natural heritage.

Status:

- The Administration's FY11 budget requested \$35 million – level funding – for the Office of Museum Services. Congress will determine funding for the agency through the annual Labor-HHS-Education appropriations bill.
- Senators Jack Reed (D-RI), Tom Harkin (D-IA), Michael Enzi (R-WY), and Richard Burr (R-NC) are in the process of drafting a bipartisan IMLS Reauthorization bill.

Funding History:

IMLS Office of Museum Services

	FY 2004 enacted	FY 2005 enacted	FY 2006 enacted	FY 2007 enacted	FY 2008 enacted	FY 2009 enacted	FY 2010 enacted	FY 2011 proposed
Appropriation (in millions)	\$27.3	\$30.3	\$31.8	\$31.8	\$31.7	\$35.0	\$35.2	\$35.2



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CHARITABLE GIVING

Request:

- Oppose efforts to reduce deductibility of charitable gifts.
- Support the Artist-Museum Partnership Act (S.405/H.R.1126).
- Support the Tax Extenders Act of 2009 (H.R.4213) as passed by the House on December 9, 2009, and the Senate on March 11, 2010.
- Permanently Extend the IRA Rollover Charitable Deduction and support the Public Good IRA Rollover Act of 2009 (H.R.1250/S.864).

Introduction:

Charitable giving is the lifeblood of museums of all sizes and disciplines; it accounts for more than one-third of museums' operating funds. At a time when our nation is facing economic uncertainty and many donors are unable to give as they once did, many museums have been forced to cut back on staff, programs, hours or even close down entirely. Many of those that remain open face a very uncertain future.

Talking Points:

Deductibility of Charitable Gifts

- A proposal to limit the deductibility of charitable gifts would create a disincentive for taxpayers who give the most to charitable organizations. This is especially harmful at a time when charitable organizations are facing enormous financial challenges stemming from the economic downturn.
- The Giving USA Foundation recently reported that in 2008, the decline in total charitable giving was the greatest since the organization began tracking charitable donations in 1956. 2009 was just as devastating for some charities, which after years of public service, closed their doors for good.
- Studies indicate that donors give for many reasons— incentives such as tax deductions being among them. While Americans do not make charitable gifts only for tax reasons, tax incentives make more and bigger gifts possible. This has been recently demonstrated: During times of crisis, such as the natural disasters like Hurricane Katrina, the 2008 Midwest flooding, and earthquakes in Haiti and Chile, Congress has passed charitable giving incentives to make it easier for Americans to give donations and support to the nonprofits serving individuals, families and communities in need.
- While we appreciate efforts to pass health care reform and that difficult fiscal choices need to be made, we oppose paying for such efforts by making it more difficult for nonprofits like museums to continue serving their communities.

- **STATUS:** Both the Administration's FY11 budget and the Administration's health care proposal included a provision to limit the value of itemized deductions for charitable contributions.

Artist-Museum Partnership Act

- Living artists, writers, choreographers, and composers – many of whom earn very little – have no financial incentive to donate their works, because they cannot claim a tax deduction for the works' fair market value. Rather, they can deduct only the value of materials, such as paper, ink, paint, and canvas. As a result, works of local, regional, and national significance are sold into private hands and are never made available to the public.
- Small and mid-sized museums – which often do not have the same financial resources and support as larger institutions – rely especially upon artist donations to build and enhance their collections.
 - **STATUS:** The "**Artist-Museum Partnership Act of 2009**" (S. 405, sponsored by Senator Patrick Leahy in the Senate, and H.R. 1126, sponsored by Representative John Lewis in the House) provides that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor. The House version of the bill has more than 78 cosponsors. The Senate bill has 21 cosponsors and similar bills have passed the Senate 5 times.

IRA Charitable Rollover

- The IRA Charitable Rollover is a tax incentive that allows individuals aged 70½ and older to donate up to \$100,000 from their Individual Retirement Accounts (IRAs) and Roth IRAs to public charities without having to count the distributions as taxable income. Since enactment in August 2006, the IRA Charitable Rollover has generated a significant amount of new charitable giving.
 - **STATUS:** The IRA Charitable Rollover and several other giving incentives expired on December 31, 2009. The House of Representatives passed the Tax Extenders Act of 2009 (H.R. 4213) – extending the previous law through 2010 – on December 9, 2009. The Senate followed suit on March 10, 2010. The "**Public Good IRA Rollover Act of 2009**" (H.R. 1250, sponsored by Representatives Earl Pomeroy and Wally Herger in the House, and S. 864, sponsored by Senators Byron Dorgan and Olympia Snowe in the Senate) would make the IRA Rollover permanent, remove the arbitrary \$100,000 cap, and reduce the qualifying age to 59 ½.



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ELEMENTARY AND SECONDARY EDUCATION ACT

Requests:

Elementary and Secondary Education Act (ESEA)

We urge Congress to...

- Ensure that a reauthorization of ESEA values experiential education by encouraging school districts to facilitate museum visits to help teach the curriculum.
- Retain the arts in the definition of core academic subjects of learning.
- Expand connections among museums, educators, and students to ensure schools are able to take full advantage of museums' unique human and material resources.
- Continue to expressly include museums in applicable sections of ESEA Title I, and Title II and other subject specific program where appropriate and justified.
- Recognize holders of advanced degrees in museum education as qualified to work directly with students.

Museum-Friendly Legislation

We urge Congress to...

- Co-sponsor the No Child Left Inside Act of 2009, H.R. 2054, which encourages environmental literacy through experiential environmental education.
- Co-sponsor the Access to a Complete Education Act, H.R. 597, which supports a well-rounded education, including the subjects of music and arts, civics and government, and history, through school partnerships with public or private cultural entities such as museums.

Introduction:

The No Child Left Behind Act of 2001 (NCLB) was the name given to the law that reauthorized the Elementary and Secondary Education Act of 1965 (ESEA), the principal federal education policy for kindergarten through high school. This legislation is expected to be reauthorized this year. NCLB was designed to re-focus federal policy on reading and math, with strong accountability provisions, including annual standardized testing (developed by each state) for all students in certain grades. Schools that do not achieve test scores showing "Adequate Yearly Progress" in tests focused on reading and math are subject to a host of sanctions.

Almost immediately after NCLB took effect in 2002, school districts began devoting more time to reading and math at the expense of other subjects.

Talking Points:

No Child Left Behind has had Unintended Consequences

- More than one third (36 percent) of all school districts have cut elementary social studies instruction – by an average of 76 minutes a week. Arts education is down at 16 percent of the schools, and science instruction is down at 28 percent of the schools.
- As a result, museum visits and instruction related to art, science and history education have decreased.

Museums are Critical Partners in Education

- Each year, museums provide more than 18 million instructional hours to students and educators, including the following:
 - Educational programming for students
 - Museum staff visits to schools
 - Traveling exhibits in schools
 - Professional development for teachers
 - More than 90 million visits each year from school students
- In some states, museums write part of the educational curriculum for the entire state school system.
- Museums design educational programs in coordination with state and local curriculum standards in math, science, art, literacy, language arts, history, civics and government, economics and financial literacy, geography, and social studies.
- Educational museum visits reach students in ways that textbooks and classroom instruction cannot. Experiential learning in museums activates students' curiosity and imagination.
- In recognition of the strong role museums play in the education of children, museums are expressly included in several sections of ESEA/NCLB – including Arts in Education, Teaching American History, Technology, and Professional Development.

The Partnership between Museums and Schools Should Be Strengthened

- The partnership between museums and schools has served and benefited students, teachers and communities immensely.
- Many museums already participate in 21st Century Community Learning Centers and magnet and charter school programs (under the rubric of "community-based organizations"). However, museums should be expressly included as eligible entities in these programs for clear association and recognition to be drawn by state and local education agencies and other key stakeholders in education.
- Positions that have been established within school districts with the responsibility of ensuring that museum resources are well utilized by students and educators have proven extremely successful.
- Educators report a desire to continue educational visits to museums, but are under increased pressure to devote more time to drilling for standardized tests.
- Budgetary constraints, fuel costs and other factors are leading school officials to approve fewer educational visits to museums, to the detriment of both students and educators.



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ZOOS AND AQUARIUMS

Request:

- We urge Members of Congress to restore full eligibility to receive funds for all types of museums, including zoos and aquariums.
- We urge Congress to reject future use of language – contained in the *American Recovery and Reinvestment Act of 2009 (Public Law 111-5)* – excluding zoos and aquariums from competing for funding.
- We urge the House Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies to allow funding for worthy zoo and aquarium projects.

Introduction:

The Institute of Museum and Library Services (IMLS) defines museums to "include **aquariums**, arboretums and botanical gardens, art museums, youth museums, general museums, historic houses and sites, history museums, nature centers, natural history and anthropology museums, planetariums, science and technology centers, specialized museums, and **zoological parks**." Federally operated and for-profit museums may not apply for IMLS funds. Museums that are eligible for IMLS grants must be:

- Either a unit of state or local government or a private not-for-profit organization that has tax-exempt status under the Internal Revenue Code;
- Located in one of the fifty states of the United States of America, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated states of Micronesia, or the Republic of Palau; and
- A museum that, using a professional staff, (1) is organized on a permanent basis for essentially educational or aesthetic purposes; (2) owns or uses tangible objects, either animate or inanimate; (3) cares for these objects; and (4) exhibits these objects to the general public on a regular basis through facilities which it owns or operates.

Despite the fact that zoos and aquariums explicitly meet the Federal definition of museums, Congress arbitrarily singled them out for exclusion in the American Recovery and Reinvestment Act (ARRA). Section 1604 of the ARRA states:

"None of the funds appropriated or otherwise made available in this Act may be used by any State or local government, or any private entity, for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool."

For more information, please contact American Association of Museums' Government Relations at 202-289-1818 or visit us online at www.speakupformuseums.org.

The original ARRA language has already adversely impacted public zoos and aquariums nationwide, especially during this period of severe economic stress. Many zoos and aquariums have had to lay off employees and decrease the services provided to local communities.

This prohibition on public zoos and aquariums has and would continue to unfairly deny communities the proven and effective job creation that zoos and aquariums can offer.

Examples of potential missed opportunities include:

- City infrastructure, including water/sewer systems and broadband telecommunications;
- Green building projects, including energy efficiency retrofits and construction;
- Endangered species recovery plans in partnership with the U.S. Fish and Wildlife Service;
- National Science Foundation and other direct Federal scientific research grants; and
- Environmental education, after school, and at-risk youth employment/training programs.

The ARRA language has caused confusion in the Federal Agencies, which are excluding zoos and aquariums from traditional funding sources not related to ARRA.

Now, the House Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies has said it will not fund zoo and aquarium projects. This is the Subcommittee that funds IMLS.

Talking Points:

It is unfair that public zoos and aquariums continue to be punished, especially when jobs are at stake. Please keep zoos and aquariums eligible for Federal funding as a matter of basic fairness.

Federal Agencies, States, and localities should be able to invest in valuable projects that save and create new jobs in their communities. Zoo and aquarium science/education/conservation programming and infrastructure projects can meet the test of accountability and public benefit, if allowed to compete on a level playing field for Federal funds.

Status:

Various pieces of legislation to create jobs continue to be introduced in both the House of Representatives and Senate. It is anticipated that Congress will work on its jobs agenda for the remainder of the year.



NATIONAL ENDOWMENT FOR THE ARTS (NEA)

Request:

- Support \$180 million for the National Endowment for the Arts for FY2011.

Introduction:

The National Endowment for the Arts (NEA) is the principal source of federal support for non-profit arts institutions and provides significant funding for museums. Its mission is to assist arts organizations in being accessible to all Americans, to promote artistic excellence, and to provide leadership in arts education. Established in 1965, NEA brings great art to all 50 states and six U.S. jurisdictions, including rural areas, inner cities, and military bases. Its grants help museums exhibit, preserve, and interpret visual material through exhibitions, residencies, publications, commissions, public art works, conservation, documentation, services to the field, and public programs. Grants are awarded for specific projects and require at least a one-to-one match from the recipient.

Talking Points:

- In 2009, NEA made 138 awards to museums for a wide variety of projects. Funds were also awarded in the 2009 stimulus package to 36 museums, expressly for the purpose of saving jobs. Museum jobs cover many professions, including curators, registrars, educators, fund-raisers, finance officers, administrators, exhibition designers and builders, security officers, and more.
- Many museums have reduced staff and budgets as a result of the recession, which has hit non-profit arts particularly hard. Despite the recession, however, attendance is up, causing increased pressure to serve more people with fewer staff and smaller budgets.
- Receiving an award confers prestige and increased credibility on supported projects, strengthening museums' ability to attract matching funds from other public and private funders. On average, each dollar awarded by the NEA leverages seven dollars from other public and private sources.
- Forty percent of NEA's grant funding is distributed by formula to state arts agencies for re-granting. The NEA makes awards in every state and every congressional district.

Status:

Funding for the National Endowment for the Arts is determined annually in the Department of the Interior, Environment, and Related Agencies appropriations bill. The President's FY11 budget request included \$161.3 million for NEA.

Funding History:

National Endowment for the Arts

	FY 2003 enacted	FY 2004 enacted	FY 2005 enacted	FY 2006 enacted	FY 2007 enacted	FY 2008 enacted	FY 2009 enacted	FY 2010 enacted	FY 2011 proposed
Appropriation (in millions)	\$104.8	\$115.7	\$121	\$121.3	\$124.4	\$144.7	\$155	\$167.5	\$161.3



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NATIONAL ENDOWMENT FOR THE HUMANITIES (NEH)

Request:

- We join the larger humanities community, including the National Humanities Alliance, in urging Congress to provide \$204 million in program funding for the National Endowment for the Humanities in FY 2011 – a \$64 million increase over FY 2010, including \$144 million for national programs (a \$44.4 million increase), and \$60 million for the federal/state partnership (a \$19.6 million increase).
- We urge Congress to oppose the \$7.2 million in program cuts proposed in the Administration's FY11 budget.*

Introduction:

The National Endowment for the Humanities is an independent federal agency created by Congress in 1965. Its awards go to nonprofit educational institutions, including museums, colleges, universities, archives, and libraries. NEH extends its reach through annual operating grants to state humanities councils located in every state and U.S. territory. Since its creation, the NEH has provided vital support to the museum community through its grant programs, which support museums as institutions of learning and exploration, and keepers of our cultural, historical, and scientific heritages. NEH funding provides grants to museums in a number of areas, including educational programming and collections management, among others.

Talking Points:

- As the impact of the economic downturn deepens, many institutions and nonprofits around the country, including museums, are struggling to maintain continued access to high-quality programming and educational opportunities in the humanities.
- The \$44 million increase in funding will support NEH national programs, such as Preservation & Access, and Challenge Grants among other programs. In 2009, through the Preservation & Access Awards, 31 museums received a total of \$8.7 million dollars for a variety of programs showcasing our nation's rich cultural heritage.
- Demand for humanities project support, as demonstrated by NEH grant application rates, far exceeds available funding. In FY 2009, NEH received 4,366 competitive grant applications representing more than \$402 million in requested funds, but was only able to fund 16.9% of these peer-reviewed project proposals. An estimated \$37 million would be needed to increase the NEH award rate to 25%, if only the most critically underfunded of NEH's grant competitions – including those for preservation of historically-significant collections and challenge grants to build institutional capacity – were boosted.

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- NEH is well-positioned to provide leadership in support of increased U.S. global competency and competitiveness abroad, as well as civil engagement and understanding at home, as evidenced by the newly proposed Bridging Cultures national initiative.
- NEH is funded at \$167.5 million for FY 2010, including \$99.6 million for national programs and \$40.4 million for federal/state partnership.
- We encourage House members to sign on to the letter of support for NEH funding being circulated by Congressmen Price and Petri.

Status:

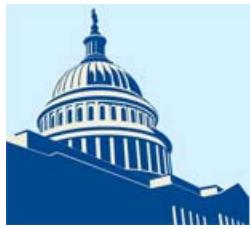
The National Endowment for the Humanities (NEH) is funded annually through the Department of the Interior, Environment, and Related Agencies appropriations bill. The Obama Administration has requested \$161.3 million for the NEH, which includes a \$7.2 million reduction in program funding from FY 2010.*

Funding History:

NATIONAL ENDOWMENT FOR THE HUMANITIES

	FY 2004 enacted	FY 2005 enacted	FY 2006 enacted	FY 2007 enacted	FY 2008 enacted	FY 2009 enacted	FY 2010 enacted	FY 2011 proposed
Appropriation (in millions)	\$135.3	\$138.1	\$140.9	\$141.1	\$144.7	\$155.0	\$167.5	\$161.3

*The Obama Administration's request for \$161.3 million for the NEH represents an overall cut of \$6.2 million to the agency as a whole. However, the budget request also proposes shifting an additional \$1 million from program funds to administrative costs, representing an overall proposed deduction of \$7.2 million to program funding.



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NATIONAL SCIENCE FOUNDATION

Request:

- We join the larger science community, including the Association of Science-Technology Centers, in urging Members of Congress to continue to recognize the value of informal STEM education by:
 - Restoring the proposed reduction for the Informal Science Education (ISE) program at the National Science Foundation (NSF), and
 - To the maximum extent possible, re-vitalizing the ISE program at a rate commensurate with the Administration's intent to double NSF's budget over the next ten years.

Introduction:

The National Science Foundation (NSF) is an independent federal agency created by Congress in 1950 "to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense..." With an annual budget of \$6.9 billion for FY 2010, NSF is the funding source for approximately 20 percent of all federally supported basic research conducted by America's colleges and universities. In many fields such as mathematics, computer science, and the social sciences, NSF is the major source of federal backing.

The agency is also charged with promoting the vitality of the nation's science, technology, engineering, and mathematics (STEM) research and education enterprises. As part of this mission, the Directorate for Education and Human Resources (EHR) has primary responsibility for providing national and research-based leadership in STEM education. EHR emphasizes six themes in fulfilling this responsibility: (1) Furthering public understanding of science and advancing STEM literacy; (2) Broadening participation to improve workforce development; (3) Promoting learning through research and evaluation; (4) Promoting cyber learning strategies to enhance STEM education; (5) Enriching the education of STEM teachers; and (6) Preparing scientists and engineers for tomorrow.

It is worth noting that, in addition to Informal Science Education, the Directorates for Biological Sciences, Education and Human Resources, Geosciences, and Social, Behavioral & Economic Sciences have all supported museums in the areas of collections improvements and digitization, database development, and educational programming. Museum exhibitions and educational programs and resources are built on a firm foundation of research, and museum researchers are making major original research contributions to the art, anthropology, and science communities.

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EHR's Informal Science Education (ISE) program – funded at \$66 million in FY10 – invests in projects that promote lifelong learning of STEM in a wide variety of informal settings. Funding is provided for projects that advance understanding of informal STEM learning, develop and implement innovative strategies and resources for informal STEM education, and build the national professional capacity for research, development, and practice in the field.

Talking Points:

In 2009, the National Research Council of the National Academies released a report entitled *Learning Science in Informal Environments: People, Places, and Pursuits*. The report included the following findings:

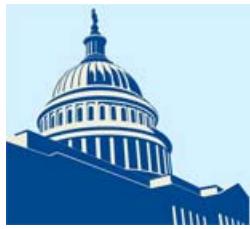
- "Each year, tens of millions of Americans, young and old, explore and learn about science by visiting informal learning institutions, participating in programs, and using media to pursue their interests."
- "Do people learn science in nonschool settings? This is a critical question for policy makers, practitioners, and researchers alike – and the answer is yes."
- "Designed spaces – including museums, science centers, zoos, aquariums, and environmental centers – can support science learning. Rich with real-world phenomena, these are places where people can pursue and develop science interests, engage in science inquiry, and reflect on their experiences through sense-making conversations."
- "Virtually all people of all ages and backgrounds engage in informal science learning in the course of daily life. Informal environments can stimulate science interest, build learners' scientific knowledge and skill, and – perhaps most importantly – help people learn to be more comfortable and confident in their relationship with science."
- "Informal environments can have a significant impact on science learning outcomes for individuals from non-dominant groups who are historically underrepresented in science."

Status:

Informal Science Education funding is determined annually in the Commerce, Justice, Science, and Related Agencies Appropriations bill. The President's budget request included a \$1.6 million reduction for FY11.

Funding History:

	FY 2004 enacted	FY 2005 enacted	FY 2006 enacted	FY 2007 enacted	FY 2008 enacted	FY 2009 enacted	FY 2010 enacted	FY 2011 proposed
Appropriation (in millions)	\$62.1	\$62.8	\$62.7	\$63.9	\$64.5	\$65.7	\$66.0	\$64.4



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HISTORIC PRESERVATION

Request:

- We urge Congress to restore funding of \$25 million for Save America's Treasures and \$4.6 million for Preserve America.
- We urge Congress to provide a meaningful increase in funding for State and Tribal Historic Preservation Offices (SHPOs and THPOs).

Introduction:

Established by Executive Order in 1998, **Save America's Treasures** is a public-private partnership that includes the National Trust for Historic Preservation, the National Park Service, the President's Committee on the Arts and Humanities, and the federal cultural agencies. Since its creation, Save America's Treasures has designated and restored over 1,100 projects, created an estimated 16,000 jobs, and awarded about \$300 million in public and private grants to preservation efforts across the country. The projects range from such iconic objects as the Star-Spangled Banner to historically and architecturally significant structures like the Acoma Pueblo and the Conservatory of Flowers.

Preserve America was launched in 2003 as a White House initiative to promote and support community preservation efforts. There are several components of the Preserve America initiative, including grants to over 250 projects since 2006. These grants range from \$20,000 to \$250,000, and are designed to complement the Save America's Treasures grant program. To date, more than \$20 million has been awarded for interpretation and education, promotion, planning, research and documentation, and training.

State and Tribal Historic Preservation Offices (SHPOs and THPOs): SHPOs carry out the work of the federal government in the States: finding America's historic places, making nominations to the National Register, reviewing impacts of federal projects, providing assistance to developers seeking a rehabilitation tax credit, creating alliances with local government preservation commissions, and conducting preservation education and planning. This Federal-State-Local foundation of America's historic preservation program was established by the National Historic Preservation Act. In FY10, the Historic Preservation Fund provided \$46.5 million to SHPOs and \$8 million to THPOs.

Talking Points:

- The 2005 Heritage Health Index of archives, libraries, historical societies, and museums concluded that immediate action is needed to prevent the loss of 190 million artifacts that are in need of conservation treatment.
 - 59% have collections damaged by light.
 - 56% have insufficient security to protect their collections.
 - 80% do not have an emergency plan that includes collections.
 - 71% need additional training and expertise for staff caring for collections.
 - Only 13% have access to endowment funds for preservation.
- Historic preservation programs matter now more than ever – not only because they protect our national heritage, but because they serve as economic development engines and job creators in the thousands of communities they serve. For example, Save America's Treasures alone has been responsible for more than 16,000 jobs since it was created just ten years ago.
- A 2009 report to Congress by the Advisory Council on Historic Preservation found that Preserve America is addressing many state, local, and regional heritage tourism needs with a relatively small federal investment.
- A February 2010 Government Accountability Office report highlighted that SHPO staff shortages have delayed various projects funded by the Economic Stimulus bill passed in 2009.

Status:

These historic preservation programs are funded annually through the Department of the Interior, Environment, and Related Agencies appropriations bill. In early February, President Obama released his FY 2011 budget request, which would eliminate funding for Save America's Treasures and Preserve America.



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Native American Graves Protection and Repatriation Act (NAGPRA)

Request:

- Ensure that efforts to interpret NAGPRA or to regulate its application remain consistent with the original intent of Congress to resolve repatriation issues based on collaboration between museums and Federally recognized tribes.
- Ensure that efforts to interpret NAGPRA or to regulate its application continue to require a significant relationship be found between remains and presently existing, Federally recognized Native American tribes.

Introduction:

Enacted in 1990, the Native American Graves Protection and Repatriation Act (NAGPRA) provides a process for museums and Federal agencies to return certain Native American cultural items – human remains, funerary objects, sacred objects, and objects of cultural patrimony – to lineal descendants, culturally affiliated Indian tribes, and Native Hawaiian organizations. The law requires museums to inventory their extensive collections, send notices to Native American tribes and the government, and, in certain instances, to work with the tribes to settle disposition of objects. A National Park Service program provides grants to both museums and tribes to implement the law.

On October 16, 2007, a notice was published in the Federal Register on the disposition of culturally unidentifiable human remains. The proposed rule – which required museums to repatriate all culturally unidentifiable human remains – would undermine the consultative process between museums and Federally-recognized tribes which has made NAGPRA so productive. It would undercut the constitutional underpinnings of the original NAGPRA legislation and expose museums to major new legal risks by mandating consultation with “all Indian tribes and Native Hawaiian organizations” (which would encompass non-Federally recognized tribes and any other groups claiming a “cultural relationship”).

On March 15, 2010, a final rule with request for comments was published. The final rule becomes effective May 14, 2010 and, at press time, AAM was reviewing the new rule to determine what, if any, action was needed to address the new rule.

Talking Points:

- The core NAGPRA process for resolving issues, based on respect and collaboration between museums and Federally-recognized tribes, has been enormously fruitful. It has built bridges of trust, fostered new relationships, and enriched cultural understanding.
- In its seventeen years, the existing NAGPRA process has a strong record of accomplishment.

For more information, please contact American Association of Museums' Government Relations at 202-289-1818 or visit us online at www.speakupformuseums.org.



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COPYRIGHT

Request:

- We urge Congress to support legislation to allow better use of and access to "orphan works" after reasonably diligent efforts to identify and find copyright holders have been conducted by museums.

Introduction:

"Orphan Works" are copyrighted works – such as illustrations, music, films, graphics, photographs or stories – whose owners are difficult or impossible to identify or locate. Currently, museums are hesitant to use certain works in exhibits and museum materials in order to avoid potential liability and adverse publicity.

Talking Points:

- The nation's great archives, libraries and museums care for tens of thousands of items which are individually of little monetary value, but are of immense significance to our national memory – such as old family photographs or letters from Holocaust survivors, for example.
- Orphan Works are often not made available to the public for fear of legal action if a copyright holder later comes forward. Legislation is needed to help make valuable works of art, documents, and photographs more available to the public.
- Orphan Works legislation (S. 2913/H.R. 5889 in the 110th Congress) would help bring copies of Orphan Works out of museum storage rooms by providing a limitation on judicial remedies in copyright infringement cases involving orphan works where a copyright holder later comes forward. The legislation would also have ensured that museums would have a safe harbor in allowing public access to important collections when a copyright holder cannot be identified.

STATUS

No legislation has been introduced in the 111th Congress. In the 110th Congress, S. 2913 (the "Shawn Bentley Orphan Works Act") passed the Senate on September 26, 2008. H.R. 5889 – a similar but less effective version – was introduced in the House.



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SECURITY AND DISASTER PREPAREDNESS

Request:

- Ensure that implementation of the cargo screening requirements of the Implementing Recommendations of the 9/11 Commission Act of 2007 do not make the sharing of museum exhibits cost prohibitive.
- Foster cooperation between museums, first responders and emergency managers.
- Continue to support agencies and programs that help museums and other cultural institutions better prepare for emergencies and obtain needed resources when a disaster occurs.

Introduction:

Museum security and risk management are part of daily museum operations and encompass issues such as protection from fires, floods and other natural disasters, precautions against theft and vandalism, and ensuring the safety of all museum visitors and staff. Museums and other cultural agencies often rely on agencies, task forces and other coalitions that focus on preparedness. The Heritage Emergency National Task Force, for example – which is sponsored by the Federal Emergency Management Agency and Heritage Preservation – works to help museums, historic sites, archives and libraries safeguard their collections.

In a post-9/11 world, museums also face challenges from international terrorism. The Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53), signed into law in August 2007, provides for the implementation of security-related recommendations of the National Commission on Terrorist Attacks Upon the United States (9/11 Commission). The law mandates the screening of cargo originating in the U.S. and transported on passenger aircraft, 50% of all cargo by February 2009, and 100% of all cargo by August 2010.

The Transportation Security Administration's answer to that challenge is to create secure shipping locations outside of the airports to help facilitate the safe transfer of air cargo. TSA has worked collaboratively with museums – in some cases setting up "secure shipping locations" directly in museums – but the requirements have created an enormous financial burden for museums wishing to share collections.

Talking Points:

- Museums must be prepared to prevent the loss of cultural heritage from disasters.
- Fostering cooperation between museums, first responders and emergency managers will help improve local planning efforts and enhance the protection of cultural heritage.
- Museums that routinely share exhibits and other works could face an enormous burden of now having to use a third-party shipper to comply with the new TSA requirements. This will significantly increase their operating costs.

For more information, please contact American Association of Museums' Government Relations at 202-289-1818 or visit us online at www.speakupformuseums.org.



MUSEUM FACTS

Museums Serve the Public

- Museums are working every day in the public interest, educating and engaging our communities, preserving our cultural, artistic, historic, natural, and scientific heritage.
- Museums of all kinds – including aquariums, arboretums, archaeological museums, art museums, botanical gardens, children's museums, culturally specific museums, historic sites, history museums, maritime museums, military museums, natural history museums, nature centers, planetariums, presidential libraries, science and technology centers, zoological parks, and other specialty museums – are important institutions that are struggling to maintain essential services.
- Only a small percentage of America's 17,500+ museums receive federal funding of any kind.

Museums are Trustworthy

- Americans view museums as one of the most important resources for educating our children and as one of the most trustworthy sources of objective information.
- In 2001, 38% of Americans cited museums as among the most trustworthy sources of information while 87% stated they are trustworthy overall.
- According to a study by Indiana University, museums are considered a more reliable source of historical information than books, teachers, or even personal accounts by grandparents or other relatives.
- Museums preserve and protect more than a billion objects (Heritage Health Index).

Museums are Popular

- Americans from all income and education ranges visit museums.
- According to IMLS, two-thirds (66.4%) of American adults visited a museum in 2006 (including virtual visits via the Internet).
- There are nearly 850 million visits per year to American museums, more than the attendance for all professional sporting events and theme parks combined (478 million in 2006).
- And there are an equally impressive number of virtual visits to museums – 542 million visits via the Internet a year, according to a 2008 IMLS study.

Museums Serve Every Community

- At least 22% of museums are located in rural areas and other museums frequently reach rural communities by incorporating traveling vans or portable exhibits.
- A third of U.S. museums are always free to the public, and more than 97% of the rest offer discounts, special fee schedules, or free admission days, according to AAM's 2009 Museum Financial Information Survey.
- Teachers, students, and researchers benefit from access to trustworthy information through online collections and exhibits, although most museums need more help in developing their digital collections to meet this need. This is especially important when geographical distance prevents travel to a wide range of museums.
- Museum websites serve a diverse and growing online community.

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- Museums are reaching a whole new tech-savvy audience by engaging the online public in creative ways such as adding museum exhibits to their Facebook page or opening a virtual museum on *Second Life*.

Museums Partner with Schools

- Museums spend more than \$2.2 billion a year on education – and the typical museum devotes three-quarters of its education budget specifically to K-12 students.
- Museums receive more than 90 million visits each year from students in school groups.
- Museums tailor educational programs in math, science, art, literacy, language arts, history, civics and government, economics and financial literacy, geography, and social studies, often in coordination with state and local curriculum standards (IMLS study).
- Each year, museums provide more than 18 million instructional hours for educational programs such as guided tours for students, staff visits to schools, school outreach through science vans and other traveling exhibits, and professional development for teachers (IMLS study).

Museums Educate our Communities

- The educational role of museums is at the core of their service to the public.
- People of all ages and backgrounds come to learn about the past and present, the natural and cultural world, and human creativity through unique museum experiences.
- Children find the spark that inspires them to become scientists, artists, political leaders, historians, and entrepreneurs.
- Museums tell these stories by collecting, preserving, researching, and interpreting objects, living specimens, and history.
- Museums are reaching increasingly diverse audiences, helping communities better understand and appreciate cultural diversity.
- Through museums, visitors make tangible connections to their heritage, art, or the natural world regardless of their ages, the size of their communities, or their economic and ethnic backgrounds.

Museums are Economic Engines

- Museums employ as many as half a million Americans, according to the American Association of Museums' analysis of the 2007 American Community Survey.
- Museums contributed approximately \$20.7 billion to the American economy in 2008, encouraging economic growth in their communities (2009 Museum Financial Information Survey).
- Museums rank among the top three family vacation destinations.
- Trips including cultural and heritage activities comprise one of the most popular and significant segments of the travel industry, accounting for over 23% of all domestic trips, according to the U.S. Travel Association.
- Visitors to historic sites and cultural attractions, including museums, stay 53% longer and spend 36% more money than other kinds of tourists (U.S. Travel Association).
- Quality of life issues contribute significantly to decisions businesses make in choosing to relocate, including access to cultural resources that includes a dynamic museum community.
- The National Governors Association has found that "civic leaders are beginning to take stock of artistic and cultural assets, recognizing that they are essential to quality of life."
- The U.S. Conference of Mayors has found that "the arts, humanities, and museums are critical to the quality of life and livability of America's cities. It has been shown that the nonprofit arts and culture industry generates over \$166 billion in economic activity annually, supports over 5.7 million full time jobs, and returns over \$12 billion in federal income taxes annually. Governments which support the arts on average see a return on investment of over \$7 in taxes for every \$1 that the government appropriates."

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House Committee on Education and Labor

Democrats

George Miller, California, Chairman
Dale E. Kildee, Michigan
Donald M. Payne, New Jersey
Robert E. Andrews, New Jersey
Robert C. Scott, Virginia
Lynn C. Woolsey, California
Rubén Hinojosa, Texas
Carolyn McCarthy, New York
John F. Tierney, Massachusetts
Dennis J. Kucinich, Ohio
David Wu, Oregon
Rush D. Holt, New Jersey
Susan A. Davis, California
Raúl M. Grijalva, Arizona
Timothy H. Bishop, New York
Joe Sestak, Pennsylvania
Dave Loebsack, Iowa
Mazie Hirono, Hawaii
Jason Altmire, Pennsylvania
Phil Hare, Illinois
Yvette Clarke, New York
Joe Courtney, Connecticut
Carol Shea-Porter, New Hampshire
Marcia Fudge, Ohio
Jared Polis, Colorado
Paul Tonko, New York
Pedro Pierluisi, Puerto Rico
Gregorio Sablan, Northern Mariana Islands*
Dina Titus, Nevada
Judy Chu, California

Republicans

John Kline, Minnesota, Ranking Member
Thomas E. Petri, Wisconsin
Howard "Buck" McKeon, California
Peter Hoekstra, Michigan
Michael N. Castle, Delaware
Mark E. Souder, Indiana
Vernon J. Ehlers, Michigan
Judy Biggert, Illinois
Todd Russell Platts, Pennsylvania
Joe Wilson, South Carolina
Cathy McMorris Rodgers, Washington
Tom Price, Georgia
Rob Bishop, Utah
Brett Guthrie, Kentucky
Bill Cassidy, Louisiana
Tom McClintock, California
Duncan D. Hunter, California
David P. Roe, Tennessee
Glenn "GT" Thompson, Pennsylvania

*Denotes Independent



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Senate Committee on Health, Education, Labor and Pensions

Democrats

Tom Harkin, Iowa, Chairman
Christopher Dodd, Connecticut
Barbara A. Mikulski, Maryland
Jeff Bingaman, New Mexico
Patty Murray, Washington
Jack Reed, Rhode Island
Bernard Sanders, Vermont*
Sherrod Brown, Ohio
Robert P. Casey, Jr., Pennsylvania
Kay Hagan, North Carolina
Jeff Merkley, Oregon
Al Franken, Minnesota
Michael Bennet, Colorado

Republicans

Michael B. Enzi, Wyoming, Ranking Member
Judd Gregg, New Hampshire
Lamar Alexander, Tennessee
Richard Burr, North Carolina
Johnny Isakson, Georgia
John McCain, Arizona
Orrin G. Hatch, Utah
Lisa Murkowski, Alaska
Tom Coburn, M.D., Oklahoma
Pat Roberts, Kansas

*Denotes Independent

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House Committee on Appropriations

Democrats

David R. Obey, Wisconsin, Chairman
Norman D. Dicks, Washington
Alan B. Mollohan, West Virginia
Marcy Kaptur, Ohio
Peter J. Visclosky, Indiana
Nita M. Lowey, New York
José E. Serrano, New York
Rosa L. DeLauro, Connecticut
James P. Moran, Virginia
John W. Olver, Massachusetts
Ed Pastor, Arizona
David E. Price, North Carolina
Chet Edwards, Texas
Patrick J. Kennedy, Rhode Island
Maurice D. Hinchey, New York
Lucille Roybal-Allard, California
Sam Farr, California
Jesse L. Jackson, Jr., Illinois
Carolyn C. Kilpatrick, Michigan
Allen Boyd, Florida
Chaka Fattah, Pennsylvania
Steven R. Rothman, New Jersey
Sanford D. Bishop Jr., Georgia
Marion Berry, Arkansas
Barbara Lee, California
Adam Schiff, California
Michael Honda, California
Betty McCollum, Minnesota
Steve Israel, New York
Tim Ryan, Ohio
C.A "Dutch" Ruppersberger, Maryland
Ben Chandler, Kentucky
Debbie Wasserman Schultz, Florida
Ciro Rodriguez, Texas
Lincoln Davis, Tennessee
John T. Salazar, Colorado

Republicans

Jerry Lewis, California, Ranking Member
C.W. Bill Young, Florida
Harold Rogers, Kentucky
Frank R. Wolf, Virginia
Jack Kingston, Georgia
Rodney P. Frelinghuysen, New Jersey
Todd Tiahrt, Kansas
Zach Wamp, Tennessee
Tom Latham, Iowa
Robert B. Aderholt, Alabama
Jo Ann Emerson, Missouri
Kay Granger, Texas
Michael K. Simpson, Idaho
John Abney Culberson, Texas
Mark Steven Kirk, Illinois
Ander Crenshaw, Florida
Dennis R. Rehberg, Montana
John R. Carter, Texas
Rodney Alexander, Louisiana
Ken Calvert, California
Jo Bonner, Alabama
Steven C. LaTourette, Ohio
Tom Cole, Oklahoma



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Senate Committee on Appropriations

Democrats

Daniel K. Inouye, Hawaii, Chairman
Robert C. Byrd, West Virginia
Patrick J. Leahy, Vermont
Tom Harkin, Iowa
Barbara A. Mikulski, Maryland
Herb Kohl, Wisconsin
Patty Murray, Washington
Byron Dorgan, North Dakota
Dianne Feinstein, California
Richard J. Durbin, Illinois
Tim Johnson, South Dakota
Mary L. Landrieu, Louisiana
Jack Reed, Rhode Island
Frank R. Lautenberg, New Jersey
Ben Nelson, Nebraska
Mark Pryor, Arkansas
Jon Tester, Montana
Arlen Specter, Pennsylvania

Republicans

Thad Cochran, Mississippi, Vice Chairman
Christopher S. Bond, Missouri
Mitch McConnell, Kentucky
Richard C. Shelby, Alabama
Judd Gregg, New Hampshire
Robert F. Bennett, Utah
Kay Bailey Hutchison, Texas
Sam Brownback, Kansas
Lamar Alexander, Tennessee
Susan Collins, Maine
George Voinovich, Ohio
Lisa Murkowski, Alaska

* HOUSE LETTER *

Congress of the United States
Washington, DC 20515

Invest in Our Cultural and Educational Infrastructure

Support Funding for the Office of Museum Services

Dear Colleague,

We invite you to join us in signing the attached letter requesting increased support for the Office of Museum Services (OMS) within the Institute of Museum and Library Services (IMLS) in the Labor, Health and Human Services, and Education FY 2011 Appropriations bill.

Museums are a vital part of our communities and educational infrastructure. Each year, museums provide more than 18 million instructional hours to schoolchildren and educators and spend more than \$14.5 billion in their communities. They are economic engines – employing more than a half million Americans, spurring local tourism and contributing to the cultural fabric of our nation.

Museums have been hard hit by the current economic crisis. Many rely heavily on philanthropic donations to keep admission rates low and provide new exhibitions for their communities. **According to a 2009 report by the Giving USA Foundation, museums and other cultural organizations saw their charitable donations fall by nearly 10% in 2008.**

Funding for museum grants within IMLS' Office of Museum Services (OMS) – which is the primary source of federal support for the nation's 17,500 museums – has been essentially flat for the past several fiscal years. Despite this funding shortfall, museum attendance has increased, collections are subject to increasing risk, and museum staff members need professional development in conservation, education, and technology. The educational services museums provide are in greater demand than ever, and in this volatile economy, museums have taken an active role in providing critical social services in their communities.

Yet, like so many other nonprofits, museums are struggling to balance an increasing demand for their services with decreasing sources of funding. **We recommend a significant new investment in our nation's museums to support the important work they are doing in our communities. Specifically, we are requesting \$50 million for IMLS' Office of Museum Services for FY11.** This funding would also support crucial technology upgrades, capacity building, preservation of important collections, community engagement and data collection.

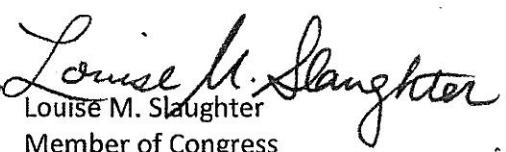
For more information or to sign onto this letter, please contact Becky Cornell with Rep. Tonko at Becky.Cornell@mail.house.gov or Kathleen Schmermund with Rep. Lance at Kathleen.Schmermund@mail.house.gov. **The deadline to sign on is March 31, 2010.**

Sincerely,



Paul D. Tonko
Member of Congress

Leonard Lance
Member of Congress



Louise M. Slaughter
Member of Congress

March 31, 2010

The Honorable David R. Obey
Chairman
House Appropriations Subcommittee on
Labor, Health and Human Services and Education
2358B Rayburn House Office Building
Washington, DC 20515

The Honorable Todd Tiahrt
Ranking Member
House Appropriations Subcommittee on
Labor, Health and Human Services and Education
1016 Longworth House Office Building
Washington, DC 20515

Dear Chairman Obey and Ranking Member Tiahrt,

We are writing to thank you for your support for the Institute of Museum and Library Services (IMLS)'s Office of Museum Services (OMS) and to urge the Subcommittee to support \$50 million for OMS in the FY 2011 Labor, Health and Human Services and Education Appropriations bill.

The demand for museum services is greater than ever. At a time when school resources are strained and many families cannot afford to travel or make ends meet, museums are working overtime to fill the gaps – providing more than 18 million instructional hours to schoolchildren, bringing art and cultural heritage, dynamic exhibitions and living specimens into local communities, partnering with other nonprofits to encourage national service and volunteerism, and offering free or reduced admission. Museums are part of a robust nonprofit community working to address our nation's greatest challenges, from creating energy efficient public buildings to collecting food, funding and other resources for needy families and individuals.

Unfortunately, museums are struggling significantly in these difficult economic times. They are being forced to cut back on hours, educational programming, community services and jobs. And according to the 2005 *Heritage Health Index*, at least 190 million artifacts are at risk, suffering from light damage and harmful and insecure storage conditions. Many museums also rely heavily on philanthropic donations to keep admission rates low and provide new exhibitions for their communities. According to a 2009 report by the Giving USA Foundation, museums and other cultural organizations saw their charitable donations fall by nearly 10 percent in 2008.

The Institute of Museum and Library Services (IMLS) is the primary federal agency responsible for supporting the nation's more than 17,500 museums, and its Office of Museum Services has been essentially flat funded over the past several years. Although the agency has been successful in creating and supporting advancements in areas such as technology, lifelong community learning and conservation and preservation efforts, only a small fraction of the nation's museums are currently being reached, and many highly rated grant applications go unfunded each year.

We recommend a significant new investment in our nation's museums to support the important work they are doing in our communities, especially in these difficult economic times. Specifically, we urge the Subcommittee to support \$50 million for IMLS' Office of Museum Services for FY11. This vital funding will aid museums of all types – aquariums, arboretums, archaeological museums, art museums, botanical gardens, children's museums, culturally specific museums, historic sites, history museums, maritime museums, military museums, natural history museums, nature centers, planetariums, science and technology centers, zoological parks, and other specialty museums – and enable them to continue serving our schools and communities and preserving our cultural heritage for future generations.

Again, we appreciate the Subcommittee's prior support for OMS and request this robust new investment to strengthen and sustain the work of our nation's museums.

Sincerely,

2009

Tonko-Slaughter Dear Colleague Co-signers
(Support \$50 million for the Office of Museum Services)

Paul D. Tonko (NY-21-D)
Louise M. Slaughter (NY-28-D)
John Boccieri (OH-16-D)
Yvette D. Clarke (NY-11-D)
Steve Cohen (TN-9-D)
Joe Courtney (CT-2-D)
Susan Davis (CA-53-D)
Charles Gonzalez (TX-20-D)
Raúl M. Grijalva (AZ-7-D)
Philip G. Hare (IL-17-D)
Rush Holt (NJ-12-D)
Dennis J. Kucinich (OH-10-D)
Leonard Lance (NJ-7-R)
Dave Loebsack (IA-2-D)
Zoe Lofgren (CA-16-D)
Carolyn Maloney (NY-14-D)
James P. McGovern (MA-3-D)
John McHugh (NY-23-R)
Jerrold Nadler (NY-8-D)
Pedro R. Pierluisi (PR-D)
Todd Platts (PA-19-R)
Charles B. Rangel (NY-15 -D)
Robert C. "Bobby" Scott (VA-3-D)
Vic Snyder (AR-2-D)
Dina Titus (NV-3-D)