

a result of their increasing use by the public.

The Act establishes an Institute of Museum Services (IMS) consisting of a National Museums Services Board and Director.

The Act provides that the National Museum Services Board shall consist of fifteen members appointed for fixed terms by the President with the advice and consent of the Senate. The Chairman of the Board is designated by the President from the appointed members. Members are broadly representative of various museum disciplines, including those relating to science, history, technology, art, zoos, and botanical gardens; of the curatorial, educational, and cultural resources of the United States; and of the general public. The Board has the responsibility for establishing the general policies of the Institute. The Director is authorized, subject to the policy direction of the Board, to make grants under the Act to museums.

IMS is an independent agency placed in the National Foundation on the Arts and the Humanities (National Foundation). Pub. L. 101-512 Nov. 5, 1990. The Act lists a number of illustrative activities for which grants may be made, including assisting museums to improve their operations.

The Need for the Amendment

The proposed amendment to the regulations are intended to simplify application requirements and make the programs more accessible to the applicants by making audit requirements apply evenly to all applicants, to make awards more responsive to the needs of applicants by increasing the maximum amount of conservation awards by distributing general operating awards more broadly across high quality museums and by assisting in program evaluation.

Amendment by Amendment Analysis

1. Eligibility for applying for General Operating Support (GOS) grants.

Amendment 1 amends § 1180.5 which states the eligibility requirements that a museum must meet in order to be considered for a grant from the Institute. The Institute proposes an additional criteria for applicants to the General Operating Support program which would prohibit a museum from applying if it had two consecutive awards in the immediately preceding 2-year cycles, effective 1996. For example, if a museum applied for and received a two-year GOS award in 1996 and applied for and received a two-year GOS award in 1998, it would not be eligible to apply for a third award in 2000, but

would be eligible to apply in 2001. However, if a museum applied for and received a two-year GOS award in 1996, and either did not apply in 1998 or applied for but did not receive an award in 1998, it would be eligible to apply for an award in 1999. The result of this change will allow a higher number of museums operating at high levels to benefit from the GOS program awards, and therefore provide greater benefit. The criteria would apply to applicants to the General Operating Support program only. The year 2000 would be the first deadline affected by this proposed rule.

2. Maximum awards for Conservation Project Support grants.

Amendment 2 revises § 1180.20(f)(1) which states that IMS normally makes a conservation award of no more than \$25,000. The Institute proposes to raise the amount to \$50,000. This increase will provide for the needs of museums to pursue more expensive projects to implement the recommendations of general conservation surveys and of institutional long range conservation plans.

3. Deleting "Special Project" from regulatory language.

Amendments 4 through 9 amend several regulations to remove references to a category of assistance no longer available. The Institute proposes to remove the term "Special Project" from the sections of the regulations provided below. The "Special Project" grant program has not been offered by the Institute since 1984. These changes have no impact on any other program and are made solely for clarification. The following sections will have references to "Special Project" removed: §§ 1180.17, 1180.35, 1180.40 (reserved), 1180.41, 1180.45, 1180.48 through 1180.50, 1180.58 and 1180.59.

4. Requiring final reports from recipients of assessment grants.

Amendment 10 revises § 1180.75(d) which states that a museum receiving a grant for an assessment need not submit a financial report or a performance report. The Institute intends to require reports from grantees for assessments so that the Institute will be better able to evaluate the effectiveness of assessment programs. The final reporting period would be extended beyond the normal deadline of 90 days after the close of the grant period to allow the museum to report on actions taken as a result of the assessment.

Invitation to Comment

Interested persons are invited to submit comments and recommendations regarding these proposed regulations. Written comments and

recommendations may be sent to the address given at the beginning of this document. All comments submitted on or before May 5, 1995, will be considered before the Director issues final regulations.

All comments submitted in response to these proposed regulations will be available for public inspection, during and after the comment period, at the Institute of Museum Services, room 510, 1100 Pennsylvania Ave., NW, Washington, DC between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday of each week except Federal holidays.

Executive Order 12291

These proposed amendments have been reviewed in accordance with Executive Order 12291. They are classified as non-major because they do not meet the criteria for major regulations established in the Order.

List of Subjects in 45 CFR Part 1180

Grant programs, Museums, National Boards.

Dated: February 28, 1995.

Diane B. Frankel,

Director, Institute of Museum Services.

The Institute of Museum Services proposes to amend part 1180, subchapter E of chapter XI of title 45 of the Code of Federal Regulations as set forth below:

SUBCHAPTER E—INSTITUTE OF MUSEUM SERVICES

PART 1180—GRANTS REGULATIONS

1. The authority citation for part 1180 is revised to read as follows:

Authority: 20 U.S.C. 961-969; Pub. L. 97-100, 95 Stat. 1414; Pub. L. 97-394, 96 Stat. 1994; 29 U.S.C. 794.

1a. Section 1180.5 is amended by adding paragraph (f) to read as follows:

§ 1180.5 Eligibility and burden of proof—Who may apply.

* * * * *

(f) In a given year, a museum that has not received two consecutive General Operating Support awards in the immediately preceding two-year cycles is eligible to apply to General Operating Support.

2. Section 1180.20 is amended by revising paragraph (f)(1) to read as follows:

§ 1180.20 Guidelines and standards for conservation projects.

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(f) *Limits for Federal funding.* (1) The normal maximum amount of a Conservation Project Support grant will