

**Second Inter-American Committee of Culture (CIC)
Organization of American States
Washington, DC
August 2005**

The United States is pleased to submit its report as requested by Jaime Nualart, President of the Inter-American Committee of Culture, in preparation for the Second Meeting of the CIC to be held in Washington, DC, August 25-26, 2005. This report outlines the progress the US has made over the past year with respect to the implementation of the Mexico Plan of Action.

In the U.S. arts and culture operate either as a commercial enterprise subject to the economics of the marketplace, or as non-profit organization meaning that income comes from contributions received from individuals, corporate and foundation donors and from the public sector – local, State and Federal government agencies. In the U.S. the major incentive for support of arts and culture is the U.S. tax system that encourages individuals to donate private funds to art and culture of the individual's choosing, with the individual receiving the benefit of a tax deduction.

It is important to note that the U.S. system to support arts and culture relies on a principle of decentralization. There is no cultural ministry, and no single agency or institution controls policy or funding. Civil society plays a dynamic role in every aspect of the cultural ecosystem, from funding of cultural projects to the development of data collection on cultural indicators. Especially with regard to cultural indicators and economic impact, this report indicates only a few examples of resources available to the non-profit arts and culture sector. Much research in this area is done by non-governmental organizations.

- 1. States should conduct studies to examine the economic impact of culture, in areas such as the music industry and cultural tourism associated with cultural heritage, festivals, and the arts, among others, and submit these studies to the CIC. The CIC is to report on the conclusions of these studies at the Third Inter-American Meeting of Ministers of Culture and recommend inter-American cooperative activities in this field.**

In the United States, studies on the economic impact of the arts are undertaken both by the government, primarily at the local and state levels, and by non-governmental organizations. Some of the most recent and significant studies have been conducted by Americans for the Arts, one of the nation's leading nonprofit organizations for advancing the arts. They have conducted a number of economic impact studies on culture and have provided useful reports that the United States wishes to highlight. These reports show, for example, that nonprofit arts industries generated 4.85 million full-time equivalent jobs; arts-related businesses employed over 20,000 people in the District of Columbia alone. For these and other highlights, please see the following:

Impact of non-profit

http://ww3.artsusa.org/information_resources/economic_impact/

Impact of cultural industries, including for profit -

http://ww3.artsusa.org/information_resources/creative_industries/default.asp

Comparative Studies with respect to U.S. Cities and Culture

- Atlanta (Attached)
- Miami (Attached)
- Los Angeles (Attached)
- New York (Attached)
- Chicago (Attached)
- District of Columbia (Attached)

1 Page Fact Sheets on Economic Impact

- Economic Impact Audiences (Attached)
- Economic Impact of the Nonprofit Arts Industry (Attached)
- Creative Industries: Business & Employment in the Arts (Attached)

Please see library and museum economic impact studies and citations on page 10.

2. **States should work toward the development of cultural indicators capable of measuring the contribution of culture to the social and economic development of the countries of the Hemisphere, in**

particular in the fight against poverty and in job creation. States should share these results through the CIC to further cooperation in this area.

Currently, the National Endowment for the Humanities (NEH) is involved in two efforts to develop U.S. Cultural indicators:

Since 1969, the Endowment, with several other federal agencies, has contributed to the support of the Survey of Earned Doctorates (SED).

Conducted by the National Science Foundation, SED is an annual census of all individuals who earn a research doctorate in the United States. SED collects data on the field of study, demographic characteristics, educational history, graduate financial support, and immediate career plans of newly minted Ph.D.s. This information reveals the extent and strength of programs that college and university professors, museum and library professionals, and others who have the qualifications to work in other types of cultural and educational organizations as well as the interest in these fields as revealed by the numbers of students willing to commit themselves to graduate training.

NEH is also participating in an effort by the American Academy of Arts and Sciences, an NGO, and a number of disciplinary societies and cultural organizations to produce a set of statistical indicators on the state of the humanities in the United States. This project is described on the Academy's website as follows:

Humanities Indicators

As part of the Initiative for the Humanities and Culture, the Academy is working with a consortium of humanities organizations to develop comprehensive data on the state of the humanities. Patterned after the influential *Science and Engineering Indicators* (published every other year by the National Science Board), the prototype currently under development will create a set of indicators that address the particular interests and concerns of the humanities.

The Humanities Indicators will help equip researchers and policymakers at universities, foundations, public humanities institutions, and government agencies with better statistical tools for answering basic questions about undergraduate and graduate degrees in the humanities, employment of

humanities graduates, levels of program funding, public understanding of the humanities, and other areas of concern in the humanities.

The advisory committee also includes representatives from professional associations in the humanities, including, among others, the Modern Language Association, the American Historical Association, the College Art Association, the National Humanities Alliance, and the American Council of Learned Societies.

An Academy Occasional Paper, *Making the Humanities Count: The Importance of Data*, summarizes the findings of the advisory group. This report includes an evaluation of existing databases in the humanities as well as essays by Academy Fellows Francis Oakley and Robert Solow, among others.

The initial set of Humanities Indicators will respond to the most immediate needs of national humanities organizations and will be expanded over time to provide useful information to a wide range of users. Interpretive essays will accompany the model indicators. The indicators project has a tentative launch date of Winter 2005/2006.

- 3. To urge member states to consider mechanisms for supporting job creation in the cultural sector through horizontal cooperation pilot projects aimed at developing management and commercial skills and report on these initiatives at the next Meeting of Ministers of Culture.**

To be presented during Meeting of Ministers of Culture in 2006.

- 4. To urge states to design educational and cultural policies and programs that will ensure an environment in which creative expression and cultural industries may flourish and in which our peoples, particularly the young, may strengthen their identities. In addition, to urge states to take measures to generate public interest by encouraging artistic creativity. States shall report on these programs at the next Meeting of Ministers of Culture, in 2006.**

The American Folklife Center, Library of Congress has created a series of high school heritage documentation projects across the United States to encourage intergenerational dialogue and cultural appreciation.

- 5. Intensify inter-American cooperation in the identification, documentation, preservation, and appreciation of movable and immovable cultural resources vulnerable to pillage, illicit trafficking and possession of cultural objects through existing mechanisms, including, bilateral and multi-lateral agreements and treaties. Integral to fulfillment of the goals of agreements are national and regional capacity-building efforts for professionals in heritage stewardship and law enforcement, and public education programs.**

Cultural Property Protection Agreements between the U.S. and Countries in the Region:

For more than 20 years the United States has entered into cultural property protection agreements with countries in the Western Hemisphere. At present the U.S. has cultural property protection agreements with: Guatemala, El Salvador, Honduras, Nicaragua, Peru, and Bolivia; one is pending with Colombia. At least two other countries have expressed an interest in seeking similar agreements. These agreements restrict importation into the United States of pillaged pre-Colombian archaeological material, and in the case of Peru and Bolivia, Colonial period ecclesiastical material also. The intent of these agreements is to reduce the incentive for archaeological and ethnological pillage, an act that destroys the contextual record of mankind's development in the region and deprives cultural groups of material important for traditional ceremonial practices. U.S. Customs authorities frequently seize and repatriate objects imported in violation of U.S. law. Most recently, a 16th-century colonial masterpiece, El Altar de Challapampa, removed from Peru in 2002, brought into the U.S. and placed on the art market, was repatriated to Peru.

The Bureau for Educational and Cultural Affairs of the U.S. Department of State implements these cultural property protection agreements pursuant to U.S. obligations under the 1970 UNESCO Convention, a framework of cooperation among nations to reduce pillage and illicit trafficking in cultural

property. In addition to import restrictions, these bilateral agreements promote long-term strategies for strengthening a country's ability to better protect its cultural heritage through improved museum practices, archaeological training, public awareness and better law enforcement. Any country that is a State Party to the Convention may petition the U.S. for such an agreement.

Additionally, with respect to the repatriation of Native American cultural materials, the American Folklife Center at the Library of Congress has digitized and preserved over 10,000 wax cylinder recordings (1890-1920) and returned copies to the tribes of origin.

Ambassador's Fund for Cultural Preservation

The Bureau also administers the Ambassador's Fund for Cultural Preservation, a program that enables U.S. ambassadors in less developed countries to propose preservation projects for endangered objects, sites, and forms of traditional expression. This year, 2005, 15 countries in the Western Hemisphere are recipients of Ambassador's Fund awards. Since its inception in 2001, the program has provided support to 21 countries in the region, representing a total of \$ 1,229,954. Many of these preservation projects include documentation of collections and improvements for safeguarding them, as well as site conservation and training.

In addition, museum professionals and archaeologists from the region have participated in numerous cultural heritage programs under the auspices of the International Visitors program of the State Department's Bureau for Educational and Cultural Affairs. As these programs continue to be offered, there will be more opportunities for professionals from the region to visit the U.S. and meet with colleagues here to exchange information about museum practices and research opportunities.

- 6. To design and implement public policies or programs geared toward educating and promoting our peoples' understanding of the benefits of intellectual property, as well as to increase awareness of traditional knowledge, popular culture and folklore. To acknowledge the work carried out by the World Intellectual Property Organization (WIPO).**

PROMOTING AWARENESS OF COPYRIGHT AND INTELLECTUAL PROPERTY ISSUES IN THE UNITED STATES

In the United States, intellectual property issues, including copyright, of digital resources are in the forefront of concerns of scholars and practitioners of digital librarianship and online access to cultural materials. During the last year, the United States has funded and coordinated numerous programs and partnerships to help raise awareness of and identify best practices regarding these issues.

In addition to workshops, the Institute of Museum and Library Services supported the development of “A Framework of Guidance for Building Good Digital Collections,” since adopted by the National Information Standards Organization as an information standard. Collections principle 5 states that: A good collection respects intellectual property rights. Collection managers should maintain a consistent record of rightsholders and permissions granted for all applicable materials. The Library of Congress recently convened a study group to evaluate intellectual property issues relating to cultural content and new technologies. Finally, the US is partnering with other countries to share best practices and information about the development and maintenance of digital cultural content.

The United States has conducted a number of Intellectual Property training programs over the past year as follows:

IP Training Programs August 3, 2004-July 29, 2005

Source: IPR Training Program Database (www.training.ipr.gov)

Note: Program recipients only include OAS members. Some of the programs also had other recipients besides OAS members.

- **Investigation of Music Piracy**—The State Government of Jalisco introduced an experimental licensed street traders project to eliminate illegal street traders. IFPI’s music group, along with the Mexican music industry, trained personnel from Jalisco to recognize pirated products and provided other forms of support. Held in Guadalajara, Mexico on Aug. 3-4, 2004. For Mexico.
- **The Investigation of Music Piracy Offenders**—IFPI and the Mexican Music Group held a seminar on the investigation of music piracy for approximately 60 personnel from the Procurator General’s Office. Held in Mexico City, Mexico on Aug. 5, 2004. For Mexico.

- **IP Enforcement Post CAFTA**—An IP enforcement-focused program for judges and prosecutors. Sponsored by IPI, USPTO and SIECA. Held in Guatemala on Sept. 27-28, 2004. For Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua.
- **USPTO Fall 2004 Enforcement Academy**—Training, interactive exercises and case studies on IPR enforcement for police, customs officials, prosecutors and judges. Topics covered: criminal prosecution, civil infringement actions and border measures, with focus on provisional measures, investigative techniques, Customs best practices, deterrent penalties and digital infringement. Sponsored by USPTO. Held in Washington, D.C. on Oct. 5-8, 2004. For Mexico, Peru, and Uruguay.
- **Technical Assistance Program**—This training session was organized by the WCO IPR strategic group and attended by IFPI amongst other industries. The seminar was attended by approximately 40 customs officers from throughout Panama and dealt with assistance offered by various industries together with the identification of product. Sponsored by IFPI. Held in Panama City on Oct. 7-8, 2004. For Panama.
- **The investigation of music piracy**—Seminar organized by IFPI for members of Costa Rican police, customs and government forensics experts. The seminar concentrated on the identification of illicit product and assistance IFPI offers. Held in San Jose on Oct. 11-12, 2004. For Costa Rica.
- **USPTO Enforcement Academy**—USPTO and State's semi-annual IP enforcement-centered program for Customs officials, prosecutors, judges and other executive branch officials. Held in Alexandria, VA on Feb. 8-11, 2005. For Belize, Costa Rica, El Salvador, Honduras, Nicaragua and Panama.
- **Intellectual property rights and piracy**—Seminar dealing with international treaties, identification of product, risk analysis, customs documentation, smuggling and investigation of cases for Customs officials. Sponsored by IFPI. Held in Panama City on Mar. 30, 2005. For Panama.
- **Intellectual property rights and piracy**—Training program for police officers dealing with the investigation of piracy offenses and the identification of product. Sponsored by IFPI. Held in Panama City on Mar. 31, 2005. For Panama.
- **USPTO Visiting Scholars Program**—The USPTO's Visiting Scholars Program provides participants with two weeks of classroom and hands-on study of the U.S. system for protecting intellectual property. The

goals of the program are to foster a better understanding of international property obligations and norms, to expose participants to at least on method of providing TRIPs level protection for a variety of intellectual property disciplines and to promote discussion of intellectual property issues in a friendly and supportive environment. Held in Alexandria, VA on Apr. 18-29, 2005. For Argentina.

- **USPTO-WIPO Academy for the Judiciary (IPR Enforcement)**— Academy for the judiciary on the enforcement of intellectual property rights. Sponsored by USPTO. Held in on July 25-29, 2005. For Costa Rica, Jamaica, St. Vincent and the Grenadines and Trinidad and Tobago.
7. **To continue strengthening regular consultative mechanisms, through the pertinent organs of the OAS, so as to ensure that civil society plays an active role in decisions on cultural policy and in the implementation of strategic programs at the hemispheric level.**

To be presented during Meeting of Ministers of Culture in 2006.

8. **States shall report on their activities pursuant to the items in this Plan of Action to the Technical Secretariat six months prior to the next Meeting of Ministers of Culture, in 2006, in accordance with the guidelines to be drawn up by the CIC.**

To be presented during Meeting of Ministers of Culture in 2006.

Library and Museum Economic and Social Impact Studies

http://www.rand.org/pubs/monographs/2005/RAND_MG218.pdf

Kevin F. McCarthy, Elizabeth Heneghan Ondaatje, Laura Zakaras and Arthur Brooks (2005), Gifts of the Muse: Reframing the Debate About the Benefits of the Arts, available at http://www.rand.org/pubs/monographs/2005/RAND_MG218.pdf, 126 pp. pdf.

Controversial in its conclusions (arts have questionable direct economic value, other impacts are more significant and should be studied further):

<http://www.bl.uk/about/cooperation/pdf/laserfinal6.pdf>

Price Waterhouse Coopers (July 2005), Laser Foundation Libraries Impact Project, available at <http://www.bl.uk/about/cooperation/pdf/laserfinal6.pdf>, 92 pp. pdf. A project funded by Resource - The Council for Museums, Archives and Libraries, Nov. 1999-Nov. 2000.

<http://web.syr.edu/~jryan/infopro/stateco.html#Economic>

I. Economic Value of Libraries

See also: [\[Impact Measures & Studies\]](#).

Association of Research Libraries (ARL). [Investigation of cost drivers](#).

Bertot, John C. and McClure, Charles R. (1997). Impacts of public access to the Internet through Pennsylvania public libraries. *Information Technology and Libraries*, 16 (4), 151-164.

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Holt, Glen E. & Elliott, Donald. (1998, September). [Development of a portable cost benefit methodology for urban libraries.](#)

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II. **Impact Measures & Studies**

See also: [\[Economic Value of Libraries\]](#).

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Childers, Thomas & Van House, Nancy A. (1993). *What's good? Describing your public library's effectiveness*. Chicago: American Library Association. 93 p. ISBN 0838906176.

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