2016

Reauthorization: S. 2724 (1990): Report 02

Follow this and additional works at: http://digitalcommons.uri.edu/pell_neh_I_76

Recommended Citation

http://digitalcommons.uri.edu/pell_neh_I_76/10

This Report is brought to you for free and open access by the Education: National Endowment for the Arts and Humanities, Subject Files I (1973-1996) at DigitalCommons@URI. It has been accepted for inclusion in Reauthorization: S. 2724 (1990) by an authorized administrator of DigitalCommons@URI. For more information, please contact digitalcommons@etal.uri.edu.
Section 10 of the Act is amended by inserting at the end thereof the following new subsection:

"(g)(1) The Chairperson shall establish sanctions for recipients of funds under this Act whose project or production is found to be obscene, as determined by a final court decision after appeals in the state or states in which the project was produced.

(2) The sanctions described in paragraph (1) shall include:

(a) repayment by the recipient or recipients of such funds, of the funds or portion of the funds provided by the Endowment used to support the project or production found to be obscene pursuant to paragraph (1), provided that such funds will be repaid in the case of matching grants to the state or local arts agencies and regional arts groups, by said agency or arts group; in the case of matching grants to organizations, by the said organization; and in the case of non-matching fellowships, by the recipient of such fellowship, provided further that if the funds received by a recipient were used to support other projects or productions which were separable from those projects or productions found to be obscene pursuant to paragraph (1), then the Chairperson may determine that only that portion of the funds received by the recipient and actually used to support the project or production found to be obscene pursuant to paragraph (1) will be required to be repaid; and provided further, that repayment of such funds required to be repaid will be made within 90 days from the date such project or production is found to be obscene pursuant to paragraph (1), but such period for repayment may be extended for a period of up to two years for a determination by the Chairperson; and

(b) the recipient or recipients of such funds used to support a project or production found to be obscene pursuant to paragraph (1), shall be ineligible to receive additional funds under this Act for a period to be determined by the Chairperson, but in any event, not less than three years from the date such project or production is found to be obscene pursuant to paragraph (1); provided that this section (b) shall apply only to such person or organization or other recipient of funds who or which actually produced, or actually used such funds to support, such project or production found to be obscene pursuant to paragraph (1).

(3) The Chairperson shall ensure that all recipients of assistance under this Act are subject to the sanctions described in paragraph (1).
(4) In carrying out the provisions of this section the Chairperson shall consult with the National Council on the Arts.

Sanctions described shall be referred to in the above language will be appeal to

The terms and conditions as follows:

- repayment of funds, etc.