

1976

Arts and Humanities: Appropriations (1976): Report 03

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CRISIS - BILLS - I

COMMITTEE PRINT

MAY 10, 1976

[Committee print for consideration of Subcommittee]

94TH CONGRESS
2D SESSION

S.

IN THE SENATE OF THE UNITED STATES

MAY , 1976

Mr. PELL introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To amend and extend the National Foundation on the Arts and Humanities Act of 1965, to provide for the improvement of museum services, to provide for a cultural challenge program, an arts education program and an American Bicentennial Photographic and Film Project, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That this Act may be cited as the "Arts, Humanities, and Cultural Affairs Act of 1976".

J. 71-003

CRISIS—BILLS—2
TITLE I—ARTS AND HUMANITIES

**SCOPE OF PROGRESS CARRIED OUT BY CHAIRMAN OF
NATIONAL ENDOWMENT FOR THE ARTS**

SEC. 101. Section 5 (c) of the National Foundation of the Arts and the Humanities Act of 1965 is amended by striking out "in the United States".

**ALLOTMENTS FOR PROJECTS AND PRODUCTION RELATING
TO THE ARTS**

SEC. 102. Section 5 (g) (4) (A) of the National Foundation on the Arts and the Humanities Act of 1965 is amended by inserting immediately after "(4) (A)" the following new sentence: "The amount of each allotment to a State for any fiscal year under this subsection shall be available to each State, which has a plan approved by the Chairman in effect on the first day of such fiscal year, to pay not more than 50 per centum of the total cost of any project or production described in paragraph (1).".

**APPOINTMENT OF MEMBERS OF NATIONAL COUNCIL ON
ARTS AND NATIONAL COUNCIL ON HUMANITIES**

SEC. 103. (a) The first sentence of section 6 (b) of the National Foundation on the Arts and the Humanities Act of 1965 is amended by inserting ", by and with the advice and consent of the Senate." immediately after "President".

(b) The first sentence of section 8 (b) of the National Foundation on the Arts and the Humanities Act of 1965

CRISIS — B I L L S — 3

is amended by inserting “; by and with the advice and consent of the Senate,” immediately after “President”.

STATE HUMANITIES COUNCIL

SEC. 104. (a) Section 7 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by adding at the end thereof the following new subsection:

“(f) (1) The Chairman, with the advice of the National Council on the Humanities, is authorized to establish and carry out a program of grants-in-aid to assist the several States in supporting not more than 50 per centum of the costs of existing activities which meet the standards enumerated in subsection (c), and in developing projects in the humanities in such a manner as will furnish adequate programs in the humanities in each of the several States.

“(2) In order to receive assistance under this subsection in any fiscal year, a State shall submit an application for such grants at such time as the Chairman shall specify. Each such application shall be accompanied by an annual plan which the Chairman finds—

“(A) designates an existing state agency having responsibility for the arts and the humanities to be the sole agency for administering the State plan; or

“(B) designates a State committee on the humanities or some other appropriate entity to be the sole agency for administering the State plan if the plan—

CRISIS — B I L L S — 4

“(i) is submitted for the approval of the Governor of the State or his designee, prior to submitting it to the Chairman;

“(ii) establishes procedures under which the Governor will appoint a majority of the members of the committee within three years after the date of enactment of the Arts, Humanities, and Cultural Affairs Act of 1976;

“(iii) establishes a membership policy designed to assure broad public representation on the committee;

“(iv) provides a nomination process which assures opportunities for nomination to membership on the committee from a variety of segments of the population of the State;

“(v) provides for the rotation of committee membership and committee officers on a regular basis;

“(vi) establishes adequate reporting procedures designed to inform the Governor of the State and other appropriate State agencies of the activities of the committee; and

“(vii) establishes procedures for public access to information about the activities of the committee; and

CRISIS — B I L L S — 5

“(C) provides that funds paid to the State under this subsection will be expended solely on programs, approved by the State agency in the case of States designating under clause (A) of this paragraph or by the State committee in the case of States designating under clause (B) of this paragraph, which carry out one or more of the objectives of subsection (c); and

“(D) provides that the State agency, in the case of a State designating under clause (A) of this paragraph, or the State committee in the case of a State designating under clause (B) of this paragraph, will make such reports, in such form, and containing such information, as the Chairman may require.

“(3) of the sums available to carry out this subsection for any fiscal year, each State which has a plan approved by the Chairman shall be allotted at least \$200,000. If the sums appropriated are insufficient to make the allotments under the preceding sentence in full, such sums shall be allotted among such States in equal amounts. In any case where the sums available to carry out this subsection for any fiscal year are in excess of the amount required to make the allotments under the first sentence of this paragraph—

“(A) the amount of such excess which is no greater than 25 per centum of the sums available to carry out this subsection for any fiscal year shall be available to the Chairman for making grants under this subsection to States and regional groups; and

CRISIS — B I L L S — 6

“(B) the amount of such excess, if any, which remains after reserving in full for the Chairman the amount required under clause (A) shall be allotted among the States which have plans approved by the Chairman in equal amounts, but in no event shall any State be allotted less than \$200,000.

“(4) (A) That part of any allotment made under paragraph (3) for any fiscal year—

“(i) which exceeds \$125,000, but

“(ii) which does not exceed 20 per centum of such allotment,

shall be available, at the discretion of the Chairman, to pay up to 100 per centum of the cost of programs under this subsection if such programs would otherwise be unavailable to the residents of that State.

“(B) Any amount allotted to a State under the first sentence of paragraph (3) for any fiscal year which is not obligated by the State prior to sixty days prior to the end of the fiscal year for which such sums are appropriated shall be available to the Chairman for making grants to regional groups.

“(C) Funds made available under this subsection shall not be used to supplant non-Federal funds.

“(D) For the purposes of paragraph (3) and this paragraph, the term ‘regional group’ means any multi-State group, whether or not representative of contiguous States.

CRISIS — B I L L S — 7

“(5) All amounts allotted or made available under paragraph (3) for a fiscal year which are not granted to a State during such year shall be available to the National Endowment for the Humanities for the purpose of carrying out section 7 (c).

“(6) Whenever the Chairman, after reasonable notice and opportunity for hearing, find that—

“(A) a group is not complying substantially with the provisions of this section;

“(B) a State agency or a State committee, as the case may be, is not complying substantially with terms and conditions of its State plan approved under this section; or

“(C) any funds granted to a group, State agency, or State committee under this section have been diverted from the purposes for which they are allotted or paid, the Chairman shall immediately notify the Secretary of the Treasury and the group, State agency, or State committee with respect to which such finding was made that no further grants will be made under this section to such group, agency, or committee, until there is no longer a default or failure to comply or the diversion has been corrected, or, if the compliance or correction is impossible, until such group, or agency, or committee repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.”.

CRISIS — B I L L S — 8

(b) The amendment made by subsection (a) shall be effective with respect to fiscal year 1977 and succeeding fiscal years.

PAYMENT OF PERFORMERS AND SUPPORTING PERSONNEL

SEC. 105. Section 7 of the National Foundation on the Arts and the Humanities Act of 1965, as amended by section 104 (a), is further amended by adding at the end thereof the following new subsection:

“(g) It shall be a condition of the receipt of any grant under this section that the group or individual of exceptional talent or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that (1) all professional performers and related or supporting professional personnel employed on projects or productions which are financed in whole or in part under this section will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities; and (2) no part of any project or production which is financed in whole or in part under this section will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in such project or production. Compliance with the safety and sanitary laws of the State in which the performance or part thereof is to take

CRISIS — BILLS — 9

place shall be prima facie evidence of compliance. The Secretary of Labor shall have the authority to prescribe standards, regulations, and procedures as he may deem necessary or appropriate to carry out the provisions of this subsection.”.

ADMINISTRATIVE PROVISION WITH RESPECT TO SURPLUS PROPERTY

SEC. 106. Section 10 (a) of the National Foundation on the Arts and Humanities Act of 1965 is amended by redesignating clauses (6), (7), and (8) of such section as clauses (7), (8), and (9), respectively, and by inserting after clause (5) the following new clause:

“(6) to receive and dispose of by grant or loan excess and surplus personal property of all kinds without regard to the Federal Property and Administrative Services Act of 1949 for the purpose of carrying out sections 5 (c) and 7 (c) ;”.

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 107. (a) Section 11 (a) (1) (A) of the National Foundation on the Arts and the Humanities Act of 1965 is amended to read as follows:

“SEC. 11. (a) (1) (A) For the purpose of carrying out section 5, there are authorized to be appropriated \$92,500,000 for fiscal year 1977, and \$105,000,000 for fiscal year 1978; and there are so authorized such sums as may be necessary for the fiscal years 1979 and 1980. Of the sums so

CRISIS — BILLS — 10

appropriated for any fiscal year, not less than 20 per centum shall be for carrying out section 5 (g).”.

(B) Section 11 (a) (1) (B) of such Act is amended by striking out all that follows “Humanities” and inserting in lieu thereof the following: “\$82,500,000 for fiscal year 1977, and \$95,000,000 for fiscal year 1978; and there are so authorized such sums as may be necessary for the fiscal years 1979 and 1980. Of the sums so appropriated for any fiscal year, not less than 20 per centum shall be for carrying out section 7 (f).”.

(2) Section 11 (a) (2) of such Act is amended (A) by striking out “July 1, 1976” and inserting in lieu thereof “October 1, 1980”; and (B) by striking out all that follows “not exceed” and inserting in lieu thereof “\$15,000,000 for the fiscal year ending September 30, 1977, \$20,000,000 for the fiscal year ending September 30, 1978, and such sums as may be necessary for the fiscal years ending September 30, 1979, and September 30, 1980.”.

(b) The amendments made by subsection (a) shall be effective with respect to fiscal year 1977 and succeeding fiscal years.

TITLE II—MUSEUM SERVICES PROGRAM

SHORT TITLE

SEC. 201. This title may be cited as the “Museum Services Act”.

CRISIS — B I L L S — 11
PURPOSE

SEC. 202. It is the purpose of this title to encourage and assist museums in their educational role so that they may better serve the communities in which they are located; to assist museums in modernizing their methods and facilities so that they may better be able to conserve our cultural, historic, and scientific heritage; and to ease the financial burden borne by museums as a result of their increasing use by the public.

INSTITUTE FOR THE IMPROVEMENT OF MUSEUM SERVICES

SEC. 203. There is established, within the National Foundation on the Arts and the Humanities, an Institute for the Improvement of Museum Services (hereinafter referred to as the "Institute"). The Institute shall consist of a National Museum Services Board (hereinafter referred to as the "Board") and a Director of the Institute (hereinafter referred to as the "Director").

NATIONAL MUSEUM SERVICES BOARD

SEC. 204. (a) The Board shall consist of fifteen members, of whom five members are also members of the National Council on the Arts, including and designated by the Chairman of the National Council on the Arts; and, also, of whom five members are also members of the National Council on the Humanities, including and designated by the Chairman of the National Council on the Humanities; and, also, five members who are not members of the National

CRISIS — BILLS — 12

Council on the Arts or the National Council on the Humanities, appointed by the President, by and with the advise and consent of the Senate. The appointed members of the Board shall be broadly representative of curatorial, education, and cultural resources of the United States and of the general public.

(b) The term of office of appointed members of the Board shall be five years, except that—

(1) any such member appointed to fill a vacancy shall serve only such portion of a term as shall not have been expired at the time of such appointment; and

(2) in the case of initial members, one shall serve for a term of four years, one shall serve for a term of three years, one shall serve for a term of two years, and one shall serve for a term of one year.

Any appointed member who has been a member of the Board for more than seven consecutive years shall thereafter be ineligible for reappointment to the Board during the three-year period following the expiration of the last such consecutive year.

(c) The Chairman of the Board shall be designated by the President from among the members of the Board who are not also members of the National Council on the Arts or the National Council on the Humanities. Eight members of the Board shall constitute a quorum.

(d) The Board shall meet at the call of the Chairman except that—

CRISIS—BILLS—13

(1) it shall meet not less than four times each year;

(2) in cases where the Director determines that a meeting of the Board is necessary, it shall meet whenever one-third of the total number of members request a meeting in writing, in which event one-half of the total number of members shall constitute a quorum; and

(3) whenever one-third of the members request a meeting in writing, it shall meet, in which event one-third of the members shall constitute a quorum.

(e) Members of the Board who are not in the regular full-time employ of the United States shall receive, while engaged in the business of the Board, compensation for service at a rate to be fixed by the President, except that such rate shall not exceed the rate specified at the time of such service for grade GS-18 in section 5332 of title 5, United States Code, including traveltime, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed in Government service.

(f) The Board shall have the responsibility for the general policies with respect to the power, duties, and authorities vested in the Institute under this title. The Director shall make available to the Board such information and assistance as may be necessary to enable the Board to carry out its functions.

CRISIS — BILLS — 14

(g) The Board shall, with the advice of the Director, take steps to assure that the policies and purposes of the Institute are well coordinated with other activities of the Federal Government.

DIRECTOR OF THE INSTITUTE

SEC. 205. (a) The Director of the Institute shall be appointed by the President, by and with the advice and consent of the Senate, and shall serve at the pleasure of the President. The Director shall be compensated at the rate provided for level V, United States Code, and shall perform such duties and exercise such powers as the Board may prescribe.

(b) The Director shall advise the Board regarding policies of the Institute to assure coordination of the Institute's activities with other agencies and organizations of the Federal Government having interest in and responsibilities for the improvement of museums. Such Government agencies shall include but are not limited to the National Endowment for the Arts, National Endowment for the Humanities, National Science Foundation, the Department of Health, Education and Welfare, Library of Congress, and the Smithsonian Institution and related organizations.

ACTIVITIES OF THE INSTITUTE

SEC. 206. (a) The Director, subject to the management of the Board, is authorized to make grants to museums to increase and improve museum service, through such activities as—

CRISIS - BILLS - 15

(1) projects to enable museums to construct or install displays, interpretations, and exhibitions in order to improve their services to the public;

(2) assisting them in developing and maintaining professionally trained or otherwise experienced staff to meet their needs;

(3) assisting them to meet their administrative costs in preserving and maintaining their collections, exhibiting them to the public, and providing educational programs to the public through the use of their collections;

(4) assisting museums in cooperation with each other in the development of traveling exhibitions, meeting transportation costs, and identifying and locating collections available for loan;

(5) assisting them in conservation of artifacts and art objects; and

(6) developing and carrying out specialized programs for specific segments of the public such as programs for urban neighborhoods, rural areas, Indian reservations, penal and other State institutions.

(b) Grants under this section for any fiscal year may not exceed 50 per centum of the cost of the program for which the grant is made.

CONTRIBUTIONS

SEC. 207. The Institute shall have authority to accept in the name of the United States, grants, gifts, or bequests of

CRISIS — B I L L S — 16

money for immediate disbursement in furtherance of the functions of the Institute. Such grants, gifts, or bequests, after acceptance by the Institute, shall be paid by the donor or his representative to the Treasurer of the United States whose receipt shall be their acquittance. The Treasurer of the United States shall enter them in a special account to the credit of the Institute for the purposes in each case specified.

AUTHORIZATION OF APPROPRIATIONS

SEC. 208. (a) For the purpose of making grants under section 206 (a), there are authorized to be appropriated \$15,000,000 for the fiscal year 1977, \$25,000,000 for the fiscal year 1978, and such sums as may be necessary for the fiscal years 1979 and 1980.

(b) Sums appropriated pursuant to subsection (a) for any fiscal year shall remain available for obligation and expenditure until expended.

(c) For the purpose of enabling the Institute to carry out its functions under this title, during the period beginning on the date of enactment of this Act and ending October 1, 1980, there is authorized to be appropriated an amount equal to the amount contributed during such period to the Institute under section 207.

DEFINITION

SEC. 209. For purposes of this title, the term "museum" means a public or private nonprofit agency or institution

CRISIS—BILLS—17

organized on a permanent basis for essentially educational or esthetic purposes, which, utilizing a professional staff, owns and utilizes tangible objects, cares for them, and exhibits them to the public on a regular basis.

SEC. 210. Section 4 (a) of the National Foundation on the Arts and the Humanities Act of 1965 (Public Law 89-209) is amended to read as follows: "There is established a National Foundation on the Arts and the Humanities (hereinafter referred to as the 'Foundation'), which shall be composed of a National Endowment for the Arts, a National Endowment for the Humanities, a Federal Council on the Arts and the Humanities (hereinafter established), and the Institute for the Improvement of Museum Services as established by the Arts, Humanities and Cultural Affairs Act of 1976."

TITLE III—CULTURAL CHALLENGE PROGRAM

PROGRAM AUTHORIZED

SEC. 301. (a) The Chairman of the National Endowment for the Arts, with the advice of the National Council on the Arts, is authorized, in accordance with the provisions of this title, to establish and carry out a program of contracts with, or grants-in-aid to, public agencies and nonprofit organizations for the purpose of—

- (1) enabling cultural organizations and institutions to increase the levels of continuing support and to increase the range of contributors to the program of such organizations or institutions;

CRISIS—BILLS—18

(2) providing administrative and management improvements for cultural organizations and institutions particularly in the field of long-range financial planning;

(3) enabling cultural organizations and institutions to increase audience participation in and appreciation of programs sponsored by the organizations and institutions;

(4) simulating greater collaboration and cooperation among cultural organizations and institutions especially designed to serve better the communities in which such organizations or institutions are located; and

(5) fostering greater citizen involvement in planning the cultural development of a community.

(b) The total amount of any payment made under this section for a program or project may not exceed 50 per centum of the cost of such program or project.

(c) In carrying out the program authorized by this title the Chairman of the National Endowment for the Arts shall have the same authority as is prescribed in section 10 of the National Foundation on the Arts and the Humanities Act of 1965.

(d) The provisions of sections 5 (i) and (j) of the National Foundation on the Arts and the Humanities Act of 1965 shall apply to the program authorized by this title.

CRISIS — B I L L S — 19

AUTHORIZATION OF APPROPRIATIONS

SEC. 302. (a) There are authorized to be appropriated for each fiscal year ending prior to October 1, 1981, to the National Endowment for the Arts an amount equal to the total amounts received by the Endowment for the purposes set forth in section 301 (a) pursuant to the authority of section 10 (a) (2) of the National Foundation on the Art and the Humanities Act of 1965 (relating to the receipt of money and property donated, bequeathed, or devised to the Endowment), except that the amount so appropriated for any fiscal year shall not exceed the following limitations: \$15,000,000 for fiscal year 1977, and \$20,000,000 for fiscal year 1978. Such sums as may be necessary are authorized to be appropriated for fiscal years 1979 and 1980.

(b) Sums appropriated pursuant to subsection (a) for any fiscal year shall remain available for obligation and expenditure until expended.

TITLE IV—ARTS EDUCATION PROGRAM

STATEMENT OF PURPOSE

SEC. 401. It is the purpose of this title to improve the quality and availability of arts education for all students by providing financial assistance for inservice training and retraining programs, demonstration projects of exemplary achievements in arts education and the development of the dissemination of information and materials on arts education.

CRISIS—BILLS—20

AUTHORIZATION OF APPROPRIATIONS

SEC. 402. (a) There are authorized to be appropriated to carry out the provisions of this title \$10,000,000 for the fiscal year 1977, \$10,000,000 for the fiscal year 1978, and such sums as may be necessary for each of the fiscal years 1979 and 1980.

(b) Sums appropriated pursuant to subsection (a) for any fiscal year shall remain available for obligation and expenditure until expended.

ARTS EDUCATION PROGRAM AUTHORIZED

SEC. 403. (a) The Chairman of the National Endowment for the Arts, with the advice of the National Council on the Arts, is authorized to make grants to, or enter into contracts with, State educational agencies, local educational agencies, State arts agencies, institutions of higher education, or other appropriate public agencies or nonprofit organizations for the purpose of—

(1) developing short-term and long-term inservice training and retraining programs for art teachers, teaching artists, and administrators and other educational personnel involved in arts education;

(2) conducting workshops, seminars, festivals, and other appropriate activities on a national, regional, State, or local basis designed to develop and demonstrate outstanding arts education programs, including materials and techniques involving the arts as defined in

CRISIS — BILLS — 21

section 3 (b) of the Arts and the Humanities Act of
1965:

(3) collecting, analyzing, developing, and disseminating information and materials on arts education programs and resources.

(b) In making grants or entering into contracts under the provisions of this section for inservice training and retraining of arts teachers, the Chairman, to the extent practicable, shall give preference to proposals in which artists and art resources of the community (including museums, performing arts groups, and other similar groups) will be used in carrying out the proposal.

(c) In making grants or entering into contracts under the provisions of this section, the Chairman shall, whenever the proposal is made by an institution of higher education, by a public agency (other than the State or local educational agency) or by a nonprofit organization require that the proposal contain adequate provision for consultation with, and whenever practicable, participation by the appropriate State or local educational agency, or both.

(d) In carrying out the program authorized by this title the Chairman shall have the same authority as is prescribed in section 10 of the National Foundation on the Arts and the Humanities Act of 1965.

CONSULTATION; COOPERATIVE PROGRAMS

SEC. 404. (a) In the development and review of grants and contracts made under this title, the Chairman shall con-

CRISIS—BILLS—22

sult with the Commissioner of Education and with the John F. Kennedy Center for the Performing Arts through the Alliance for Arts Education to insure improved coordination in the arts education program assisted under this title.

(b) Whenever appropriate, the Chairman, with the advice of the National Council on the Arts, is authorized to enter into cooperative programs for arts education with the National Endowment on the Humanities, the John F. Kennedy Center for the Performing Arts, and the Office of Education.

TITLE V

PART A—BICENTENNIAL CHALLENGE GRANTS

PROGRAM AUTHORIZED

SEC. 501. (a) The Chairman of the National Endowment for the Humanities with the advice of the National Council on the Humanities, is authorized in accordance with provisions of this part, to establish and carry out a program of contracts with, or grants-in-aid to, public agencies and nonprofit organizations for the purposes of this part.

(b) The total amount of any payment made under this section for a program or project may not exceed 50 per centum of the cost of such program or project, except as provided by section 504.

(c) In carrying out the program authorized by this title, the Chairman shall have the same authority as is prescribed in section 10 of the National Foundation on the Arts and

CRISIS — B I L L S — 23

the Humanities Act of 1965. The Chairman, with the advice of the Council, shall take such steps as he deems necessary to coordinate the program authorized by this part with the other activities of the Endowment.

FINDINGS AND PURPOSES

SEC. 502. (a) The Congress finds that—

(1) the continued vitality of our representative democracy is dependent upon a renewed commitment to, and understanding and strengthening of, the principles underlying the Constitution;

(2) the period between the two hundredth anniversary of the signing of the Declaration of Independence and the two hundredth anniversary of the ratification of the Constitution is an appropriate time to take measures to insure the future of such vitality by assessing where our society and Government stand in relation to founding principles and seeking to determine the most effective methods to pursue goals appropriate to America and its citizens in the third century; and

(3) while the commemorative efforts regarding the Bicentennial of the Declaration of Independence have, until the present, been largely celebratory in nature, the observance of the Bicentennial of the Constitution should be primarily focused on projects which will bring together the public and private sectors in an effort to find new processes for solving problems facing our Nation in its third century.

CRISIS—BILLS—24

(b) It is the purpose of this part to establish a Bicentennial Challenge Grant program which shall seek to—

(1) maintain and strengthen democratic processes and institutions through encouraging citizen participation in such processes and institutions;

(2) develop new and innovative insights and approaches to resolving, in an integrated manner, problems of a social, political, and economic nature, which confront America in its third century;

(3) develop new approaches for citizen involvement in the democratic system which attempt to make participation in the decisionmaking processes compatible with the daily lives of all Americans who desire and who seek to participate.

AUTHORIZATION OF APPROPRIATIONS

SEC. 503. (a) There are authorized to be appropriated for each fiscal year ending prior to October 1, 1981, to the National Endowment for the Humanities an amount equal to the total amounts received by the Endowment for the purposes set forth in section 502 pursuant to the authority of section 10 (a) (2) of the National Foundation on the Arts and the Humanities Act of 1965 (relating to the receipt of money and property donated, bequeathed, or devised to the Endowment), except that the amount so appropriated for any fiscal year shall not exceed the following limitations:

CRISIS — B I L L S — 25

\$15,000,000 for fiscal year 1977, and \$20,000,000 for fiscal year 1978. Such sums as may be necessary are authorized to be appropriated for fiscal years 1979 and 1980.

(b) Sums appropriated pursuant to subsection (a) for any fiscal year shall remain available for obligation and expenditure until expended.

WAIVER OF MATCHING REQUIREMENTS

SEC. 504. The Chairman, with the advice of the Council, shall waive the requirement of non-Federal matching of funds provided by section 501 (b) of this part, when he determines that highly meritorious proposals for grants and contracts under this part could not otherwise be supported from non-Federal sources or from Federal sources other than those authorized by this part, unless such matching requirements are waived.

DEFINITIONS

SEC. 505. For purposes of this part—

(a) "Chairman" shall mean the Chairman of the National Endowment for the Humanities;

(b) "Endowment" shall mean the National Endowment for the Humanities; and

(c) "Council" shall mean the National Council for the Humanities.

SEC. 506. The provisions of section 105 of this Act shall apply to the program authorized by this part.

CRISIS—BILLS—26

PART B—AMERICAN BICENTENNIAL PHOTOGRAPHIC AND FILM PROJECT

FINDINGS AND STATEMENT OF PURPOSES

SEC. 521. (a) The Congress finds (1) that the federally supported photographic projects conducted during the 1930's created a lasting national historic and artistic resource of priceless value and (2) that the American Revolution Bicentennial presents the opportunity to create a similar portrait, through photographs and film, of the people and communities of the United States.

(b) It is the purpose of this part to establish the American Bicentennial photographic and film project, by providing assistance to State arts agencies to support qualified photographic and film projects within their States, and by establishing the National Endowment for the Arts as national coordinator for the national Bicentennial photographic and film project.

AUTHORIZATION OF APPROPRIATIONS

SEC. 522. (a) (1) There are authorized to be appropriated to the National Endowment for the Arts for the purpose of this part not to exceed \$5,000,000 for each of the fiscal years 1977 and 1978 and such sums as may be necessary for each of the fiscal years 1979 and 1980.

(2) Sums appropriated pursuant to this subsection shall remain available until expended.

(b) Of the amounts appropriated pursuant to subsection (a) of this section, not to exceed one-fifth shall be reserved

CRISIS—BILLS—27

by the National Endowment for the Arts for purposes of section 524, and the remainder shall be apportioned among the States on the following basis: The first \$3,000,000 shall be allocated among the States in equal amounts, and the remainder shall be apportioned among the States on the basis of population.

STATE PROJECTS

SEC. 523. (a) From funds appropriated and apportioned to each State pursuant to section 522, the Endowment is authorized to provide, by grant or contract, financial assistance to the State arts agency of each State, pursuant to such regulations and guidelines as the Endowment shall establish, to permit such State agency to support one or more photographic or film projects meeting the purposes of this title. Such assistance shall also be available for acquiring equipment and supplies, and for administrative or supervisory personnel, and for processing and cataloging, and for the display (and related activities) of the photographs and films produced with assistance under this part.

(b) (1) No financial assistance may be made under this part unless an application is made at such time, in such manner and containing or accompanied by information, as the Endowment determines is reasonably necessary.

(2) In providing financial assistance under this part, the Endowment shall give priority to proposals which involve promising photographers or film makers who are unemployed or underemployed.

CRISIS — B I L L S — 28
NATIONAL PROJECT

SEC. 524. From funds allotted to the Endowment pursuant to section 522 (b) , the Endowment shall pay the costs of administration, provide for collection and dissemination of photographs and films produced pursuant to this section, and provide direct assistance to applicants for photographic or film projects of special merit which meet the purposes of this title. The Endowment shall assure that representative photographs and films (including, where appropriate, negatives) produced with assistance furnished under this part are made available for the permanent collection of the Library of Congress.

[COMMITTEE PRINT]

MAY 10, 1976

**[Committee print for consideration of
Subcommittee]**

94TH CONGRESS
2D SESSION

S.

A BILL

To amend and extend the National Foundation on the Arts and Humanities Act of 1965, to provide for the improvement of museum services, to provide for a cultural challenge program, an arts education program, and an American Bicentennial Photographic and Film Project, and for other purposes.

By Mr. PELL

MAY , 1976

Read twice and referred to the Committee on Labor and Public Welfare