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option*

AMENDMENT NO. ____

Calendar No. ____

Purpose: To provide an option involving three forms of membership of the governing body of the agency administering state humanities grants.

IN THE SENATE OF THE UNITED STATES--96th Cong., 1st Sess.

S. 1386

To amend and extend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

Amendment intended to be proposed by Mr. Pell to the Committee Print dated October 31, 1979

Viz:

1 On page 6, beginning with line 23, strike out through
2 line 9 on page 8, and insert in lieu thereof the following:

3 Sec. 9. (a) Section 7 (f) (2) of the Act is amended by
4 inserting after "entity" a comma and the following: "other
5 than the State agency designated or established pursuant to
6 paragraph (3) (B),".

7 (b) Section 7 (f) (3) of the Act is amended to read as
8 follows:

9 "(3) (A) Whenever a State desires that an appropriate
10 officer or agency of such State appoint 50 per centum of the
11 membership of the governing body of the grant recipient
12 involved such State shall, match, from State funds, 50 per
13 centum of that portion of Federal financial assistance
14 received by such grant recipient under this subsection which
15 is described in the first sentence of paragraph (4) of this
16 subsection, relating to the basic State grant. In any State
17 in which the State selects the option described in this
18 subparagraph the grant recipient shall--

19 "(i) establish a procedure which assures that one-
20 half of the members of the governing body of such grant
21 recipient shall be appointed by an appropriate officer or

1 agency of such State; and

2 "(ii) provide, from State funds, an amount equal to
3 the amount of Federal financial assistance described in
4 the first sentence of paragraph (4) of this subsection
5 received by such grant recipient under this subsection
6 for the fiscal year involved.

7 "(B) Whenever a State desires to designate or to provide
8 for the establishment of a State agency as the sole agency
9 for the administration of the State plan, such State shall,
10 match, from State funds, the total amount of Federal
11 financial assistance received by the State under this
12 subsection for the fiscal year involved. In any State in
13 which the State selects the option described in this
14 subparagraph the State shall--

15 "(i) designate or provide for the establishment of a
16 State agency as the sole agency for the administration of
17 the State plan;

18 "(ii) provide, from State funds, an amount equal to
19 the amount of Federal financial assistance received by
20 such State under this subsection in the fiscal year
21 involved;

22 "(iii) provide that funds paid to the State under
23 this subsection will be expended solely on programs
24 approved by the State agency which carry out any of the
25 objectives of subsection (c); and

26 "(iv) provide that the State agency will make such
27 reports, in such form and containing such information, as
28 the Chairman may require.

29 "(C) In any State in which the State does not desire to
30 comply with the requirements of subparagraph (A) or
31 subparagraph (B) of this paragraph, the grant recipient
32 shall--

33 "(i) establish a procedure which assures that four
34 members of the governing body of such grant recipient

1 shall be appointed by an appropriate officer or agency of
2 such State; and

3 "(ii) provide, from any source, an amount equal to
4 the amount of Federal assistance received by such grant
5 recipient under this subsection for the fiscal year
6 involved.

7 "(D) In any fiscal year in which a State fails to meet
8 the matching requirement from State funds made by
9 subparagraphs (B) and (C) of this paragraph, the number of
10 members on the governing Board of the State or grant
11 recipient who were appointed by the appropriate officer or
12 agency of such State shall be reduced so that the governing
13 body complies with the provisions of subparagraph (B) or
14 subparagraph (C) of this paragraph, as the case may be."

15 (c) (1) Section 7 (f) (4) of the Act is amended--

16 (A) by inserting "State and" immediately before
17 "grant recipient" each time it appears;

18 (B) by inserting "States and" immediately before
19 "grant recipients" each time it appears; and

20 (C) by inserting before "entities" the following:
21 "States and regional groups and".

22 (2) Section 7 (f) (5) (A) of the Act is amended by
23 striking out "paragraph (3) (E)" and inserting in lieu
24 thereof "paragraph (3) (C)".

25 (3) Section 7 (f) (5) (B) of the Act is amended by
26 inserting "State agency or" before "grant recipient".

27 (4) Section 7 (f) (6) of the Act is amended by inserting
28 "a State or" before "any entity".

29 (5) Section 7 (f) (7) of the Act is amended--

30 (A) by inserting "group or" before "grant
31 recipient";

32 (B) by inserting "State agency or" before "grant
33 recipient";

34 (C) by striking out "plan" in clause (B) and

1 inserting in lieu thereof "State plan or grant recipient
2 application";

3 (D) by inserting "group or State agency or" before
4 "grant recipient" in clause (C); and

5 (E) by inserting "group, State agency or" before
6 "grant recipient" each time it appears in the matter
7 following clause (C).

8 (6) Section 7 (f) (8) of the Act is amended by striking
9 cut "paragraphs (4), (5), and (6)" and inserting in lieu
10 thereof "the third sentence of paragraph (4), and paragraphs
11 (5) and (6)".

12 (7) Section 7 (g) of the Act is amended by inserting
13 "agency or" before "entity".

14 (d) Section 7 (f) of the Act is further amended by adding
15 at the end thereof the following new paragraph:

16 "(E) For the purpose of paragraph (4) (B) of this
17 subsection, the term 'State' and the term 'grant recipient'
18 shall include, in addition to the several States of the
19 Union, only the special jurisdictions listed in section 3 (g)
20 of this Act having a population of 200,000 or more, according
21 to the latest decennial census."