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*Pell option
(... 2000...)*

AMENDMENT NO. ____

Calendar No. ____

Purpose: To provide an option for 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 29 on page 8 and insert in lieu thereof the following:

3 Sec. 9. (a) Section 7 (f) (2) of the Act is amended to
4 read as follows:

5 "(2) (A) Whenever a State desires to receive financial
6 assistance under this subsection for any fiscal year, the
7 State, if no certification is made under subparagraph (B) of
8 this paragraph, shall submit an application for grants under
9 this subsection at such time as shall be specified by the
10 Chairman and accompany such applications with a plan which
11 the Chairman finds--

12 "(i) designates or provides for the establishment of
13 a State agency (hereafter in this section referred to as
14 the 'State agency') as the sole agency for the
15 administration of the State plan;

16 "(ii) provides that funds paid to the State under
17 this subsection will be expended solely on programs
18 approved by the State agency which carry out any of the
19 objectives of subsection (c); and

20 "(iii) provides that the State agency will make such
21 reports, in such form, and containing such information,
22 as the Chairman may require.

~~AD~~

NEW OPTION

069610.284

AMENDMENT NO. ___

Calendar No. ___

Purpose: To provide an opticon for State humanities grants.

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

S. 1386

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Viz:

1 On page 6, beginning with line 23, strike out through
2 line 29 on page 8 and insert in lieu thereof the following:
3 Sec. 9. (a) Section 7 (f) (2) of the Act is amended to
4 read as follows:

5 "(2) (A) Whenever a State desires to designate or to
6 provide for the establishment of a State agency as the sole
7 agency for the administration of the State plan, such State
8 shall, if no certification is made under subparagraph (B) of
9 this paragraph, match from State funds, 50 per centum of that
10 portion of Federal financial assistance received by such
11 State under this subsection which is described in the first
12 sentence of paragraph (4) of this subsection relating to the
13 ^{Minimum} basic State grant. In any State in which the State selects
14 the option described in this paragraph the State shall submit
15 an application for grants at such time as shall be specified
16 by the Chairman and accompany such application with a plan
17 which the Chairman finds--

"annually" should be stated

18 "(i) designates or provides for the establishment of
19 a State agency (hereafter in this section referred to as
20 the 'State agency') as the sole agency for the
21 administration of the State plan;

22 "(ii) provides, from State funds, an amount equal to

1 50 per centum of the amount of Federal financial
2 assistance described in the first sentence of paragraph
3 (4) of this subsection received by such State under this
4 subsection for the fiscal year involved;

5 (iii) provides that funds paid to the State under
6 this subsection will be expended solely on programs
7 approved by the State agency which carry out ~~(any of)~~ the
8 objectives of subsection (c); and

*could allow
State to carry
out anything
in Subsection C
all could go to
high school.*

9 (iv) provides that the State agency will make such
10 reports, in such form, and containing such information,
11 as the Chairman may require.

12 (B) In any State in which the chief executive officer
13 of the State certifies to the Chairman that the State does
14 not wish to comply with the option provided by subparagraph
15 (A) of this paragraph, the grant recipient in that State
16 shall--

17 (i) establish a procedure which assures that four
18 members of the governing body of such grant recipient
19 shall be appointed by an appropriate officer or agency of
20 such State; and

21 (ii) provide, from any source, an amount equal to
22 the amount of Federal financial assistance received by
23 such grant recipient under this subsection in the fiscal
24 year involved."

*before this
further
NEH interprets
it as total
grant - but
now it can
be \$280,000.*

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

27 (3) Whenever a State selects to receive Federal
28 financial assistance under this subsection in any fiscal year
29 under subparagraph (2) (B), any appropriate entity desiring
30 to receive such assistance shall submit an application for
31 such grants at such time as shall be specified by the
32 Chairman. Each such application shall be accompanied by a
33 plan which the Chairman finds--

34 (A) provides assurances that the grant recipient

1 will comply with the requirements of paragraph (2) (B) of
2 this subsection;

3 "(B) provides that funds paid to the grant recipient
4 will be expended solely on programs which carry out the
5 objectives of subsection (c) of this section;

6 "(C) establishes a membership policy which is
7 designed to assure broad public representation with
8 respect to programs administered by such grant recipient;

9 "(D) provides a nomination process which assures
10 opportunities for nomination to membership from various
11 groups within the State involved and from a variety of
12 segments of the population of such State, and including
13 individuals who by reason of their achievement,
14 scholarship, or creativity in the humanities, are
15 especially qualified to serve;

16 "(E) provides for a membership rotation process
17 which assures the regular rotation of the membership and
18 officers of such grant recipient;

19 "(F) establishes reporting procedures which are
20 designed to inform the chief executive officer of the
21 State involved, and other appropriate officers and
22 agencies, of the activities of such grant recipient;

23 "(G) establishes procedures to assure public access
24 to information relating to such activities; and

25 "(H) provides that such grant recipient will make
26 reports to the Chairman, in such form, at such times, and
27 containing such information, as the Chairman may
28 require."

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

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

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

34 (C) by inserting before "entities" the following:

1 ``States and regional groups and``.

2 (2) Section 7 (f) (5) (A) of the Act is amended by
3 striking out ``Whenever the provisions of paragraph (3) (B)
4 of this subsection apply in any State, that part of any`` and
5 inserting in lieu thereof the following: ``The amount of each
6 allotment to a State for any fiscal year under this
7 subsection shall be available to each State or grant
8 recipient, which has a plan or application approved by the
9 Chairman in effect on the first day of such fiscal year, to
10 pay not more than 50 per centum of the total cost of any
11 project or production described in paragraph (1). The amount
12 of any``.

13 (3) Section 7 (f) (5) (B) of the Act is amended by
14 inserting ``State agency or`` before ``grant recipient``.

15 (4) Section 7 (f) (6) of the Act is amended by inserting
16 ``a State or`` before ``any entity``.

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

18 (A) by inserting ``group or`` before ``grant
19 recipient``;

20 (B) by inserting ``State agency or`` before ``grant
21 recipient``;

22 (C) by striking cut ``plan`` in clause (B) and
23 inserting in lieu thereof ``State plan or grant recipient
24 application``;

25 (D) by inserting ``group or State agency or`` before
26 ``grant recipient`` in clause (C); and

27 (E) by inserting ``group, State agency or`` before
28 ``grant recipient`` each time it appears in the matter
29 following clause (C).

30 (6) Section 7 (f) (8) of the Act is amended by striking
31 cut ``paragraphs (4), (5), and (6)`` and inserting in lieu
32 thereof ``the third sentence of paragraph (4), and paragraphs
33 (5) and (6)``.

34 (7) Section 7 (g) of the Act is amended by inserting

1 ``agency cr'' before ``entity''.

2 (d) Section 7 (f) (5) of the Act is further amended by
3 adding at the end thereof the following new paragraph:

4 `` (E) For the purpose of paragraph (4) (B) of this
5 subsection, the term 'State' and the term 'grant recipient'
6 shall include, in addition to the several States of the
7 Union, only the special jurisdictions listed in section 3 (g)
8 of this Act having a population of 200,000 or more, according
9 to the latest decennial census.''.