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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 line 29 on page 8 and insert in lieu thereof the following:

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

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

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

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

   "(iii) provides that the State agency will make such reports, in such form, and containing such information, as the Chairman may require."
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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 line 29 on page 8 and insert in lieu thereof the following:

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

3. “(2) (A) Whenever a State desires to designate or to provide for the establishment of a State agency as the sole agency for the administration of the State plan, such State shall, if no certification is made under subparagraph (B) of this paragraph, match from State funds, 50 per centum of that portion of Federal financial assistance received by such State under this subsection which is described in the first sentence of paragraph (4) of this subsection relating to the minimum basic State grant. In any State in which the State selects the option described in this paragraph the State shall submit an application for grants at such time as shall be specified by the Chairman and accompany such application with a plan which the Chairman finds--

4. “(1) designates or provides for the establishment of a State agency (hereafter in this section referred to as the ‘State agency’) as the sole agency for the administration of the State plan;

5. “(ii) provides, from State funds, an amount equal to
50 per centum of the amount of Federal financial
assistance described in the first sentence of paragraph
(4) of this subsection received by such State under this
subsection for the fiscal year involved;

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

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

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

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

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

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

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

(A) provides assurances that the grant recipient
will comply with the requirements of paragraph (2) (B) of this subsection;

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

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

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

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

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

''(G) establishes procedures to assure public access to information relating to such activities; and

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

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

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

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

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

(2) Section 7 (f) (5) (A) of the Act is amended by striking out "Whenever the provisions of paragraph (3) (B) of this subsection apply in any State, that part of any" and inserting in lieu thereof the following: "The amount of each allotment to a State for any fiscal year under this subsection shall be available to each State or grant recipient, which has a plan or application 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). The amount of any"

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

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

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

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

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

(C) by striking out "plan" in clause (B) and inserting in lieu thereof "State plan or grant recipient application";

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

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

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

(7) Section 7 (g) of the Act is amended by inserting
1 "agency or" 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 "(5) 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.".