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Ad

[COMMITTEE PRINT]

Calendar No.

96th CONGRESS
1st Session

S. 1386

[Report No. 96-__]

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

IN THE SENATE OF THE UNITED STATES

June 21 (legislative day, May 21), 1979

Mr. Pell introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

October 31, 1979

Reported by Mr. Pell, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

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

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

3 ~~That this Act may be cited as the "Arts, Humanities, and~~
4 ~~Museum Services Act of 1979."~~

5 ~~State humanities councils~~

6 ~~Sec. 2. (a) Section 7(f)(2) of the National Foundation on~~
7 ~~the Arts and the Humanities Act of 1965 is amended to read as~~
8 ~~follows:~~

9 ~~"(2) In order to receive assistance under this~~
10 ~~subsection in any fiscal year, a State shall submit an~~
11 ~~application for such grants at such time as shall be~~

7

1 specified-by-the-Chairman-and-accompany-such-applications
2 with-a-plan-which-the-Chairman-finds--

3 “(A)-designates-or-provides-for-the-establishment-of
4 a-State-agency-(hereafter-in-this-section-referred-to-as
5 the-“State-agency”)-as-the-sole-agency-for-the
6 administration-of-the-State-plan;

7 “(B)-provides-that-funds-paid-to-the-State-under
8 this-subsection-will-be-expended-solely-on-programs
9 approved-by-the-State-agency-which-carry-out-any-of-the
10 objectives-of-subsection-(c);-and

11 “(C)-provides-that-the-State-agency-will-make-such
12 reports,-in-such-form,-and-containing-such-information,
13 as-the-Chairman-may-require.”

14 (b)(1)-Section-7(f)(3)-of-each-Act-is-repealed.

15 (2)-Paragraphs-(4),-(5),-(6),-and-(7)-of-such-section
16 7(f)-are-redesignated-as-paragraphs-(3),-(4),-(5),-and-(6),
17 respectively.

18 (3)-Paragraph-(8)-of-such-section-7(f)-is-repealed.

19 (e)(1)-Section-7(f)(3)-of-such-Act-(as-redesignated-by
20 subsection-(b))-is-amended--

21 (A)-by-striking-out-“grant-recipient”-each-time-it
22 appears-and-inserting-in-lieu-thereof-“State”;

23 (B)-by-striking-out-“grant-recipients”-each-time-it
24 appears-and-inserting-in-lieu-thereof-“States”;

25 (C)-by-striking-out-“entities”-and-inserting-in
26 lieu-thereof-“States-and-regional-groups”.

27 (2)-Section-7(f)(4)(B)-of-such-Act-(as-redesignated-by
28 subsection-(b))-is-amended-by-striking-out-“grant
29 recipient”-and-inserting-in-lieu-thereof-“State-agency”.

30 (3)-Section-7(f)(5)-of-such-Act-(as-redesignated-by
31 subsection-(b))-is-amended-by-striking-out-“any-entity”-and
32 inserting-in-lieu-thereof-“a-State”.

33 (4)-Section-7(f)(6)-of-such-Act-(as-redesignated-by
34 subsection-(b))-is-amended--

1 (A)-by-striking-out-~~"grant-recipient"~~-in-clause-(A)
2 and-inserting-in-lieu-thereof-~~"group"~~;

3 (B)-by-striking-out-~~"grant-recipient"~~-in-clause-(B)
4 and-inserting-in-lieu-thereof-~~"State-agency"~~;

5 (C)-by-inserting-~~"State"~~-before-~~"plan"~~-in-clause
6 (B);

7 (D)-by-striking-out-~~"grant-recipient"~~-in-clause-(C)
8 and-inserting-in-lieu-thereof-~~"group-or-State-agency"~~;
9 and

10 (E)-by-striking-out-~~"grant-recipient"~~-each-time-it
11 appears-in-the-matter-following-clause-(C)-and-inserting
12 in-lieu-thereof-~~"group-or-State-agency"~~;

13 (5)-Section-7(g)-of-such-Act-is-amended-by-striking-out
14 ~~"entity"~~-and-inserting-in-lieu-thereof-~~"agency"~~;

15 AUTHORIZATION-OF-APPROPRIATIONS

16 Sec. 3-(a)(1)-Section-44(a)(1)(A)-of-the-National
17 Foundation-on-the-Arts-and-the-Humanities-Act-of-1965-is
18 amended-by-striking-out-~~"years"~~-and-inserting-in-lieu
19 thereof-~~"year"~~-and-by-striking-out-~~"and-1980"~~-and
20 inserting-in-lieu-thereof-~~"and-for-each-fiscal-year-ending~~
21 ~~prior-to-October-1, 1985"~~;

22 (2)-Section-44(a)(1)(B)-of-such-Act-is-amended-by
23 striking-out-~~"years"~~-and-inserting-in-lieu-thereof-~~"year"~~
24 and-by-striking-out-~~"and-1980"~~-and-inserting-in-lieu
25 thereof-~~"and-for-each-fiscal-year-ending-prior-to-October-1,~~
26 ~~1985"~~;

27 (b)-Section-44(a)(2)-of-such-Act-is-amended-by-striking
28 out-~~"October-1, 1980"~~-and-inserting-in-lieu-thereof
29 ~~"October-1, 1985"~~, by-striking-out-~~"years"~~-and-inserting
30 in-lieu-thereof-~~"year"~~; and-by-striking-out-~~"and-1980"~~
31 and-inserting-in-lieu-thereof-~~"and-for-each-fiscal-year~~
32 ~~ending-prior-to-October-1, 1985"~~;

33 (e)(1)(A)-The-first-sentence-of-section-44(a)(3)(A)-of
34 such-Act-is-amended-by-striking-out-~~"October-1, 1980"~~-and

1 inserting in lieu thereof "October 17, 1985".

2 (B) The second sentence of such section is amended by
3 striking out "years" and inserting in lieu thereof
4 "year", and by striking out "and 1980" and inserting in
5 lieu thereof "and for each fiscal year ending prior to
6 October 17, 1985".

7 (2)(A) The first sentence of section 11(a)(3)(B) of such
8 Act is amended by striking out "October 17, 1980" and
9 inserting in lieu thereof "October 17, 1985".

10 (B) The second sentence of such section is amended by
11 striking out "years" and inserting in lieu thereof
12 "year", and by striking out "and 1980" and inserting in
13 lieu thereof "and for each fiscal year ending prior to
14 October 17, 1985".

15 (d)(1) Section 209(a) of the Museum Services Act is
16 amended by striking out "fiscal years 1979 and 1980" and
17 inserting in lieu thereof "the fiscal year 1979 and for each
18 of the succeeding fiscal years ending prior to October 17,
19 1985".

20 (2) Section 209(d) of such Act is amended by striking out
21 "1980" and inserting in lieu thereof "1985".

22 Arts at the local level

23 See 42 (a) Section 5(e) of the National Foundation on
24 the Arts and Humanities Act of 1965 is amended by
25 redesignating clause (5) as clause (6) and by inserting after
26 clause (4) the following new clause:

27 "(5) programs for the arts at the local level,
28 and".

29 (b) Section 5(e) of such Act is further amended by
30 striking out "clause (5)" and inserting in lieu thereof
31 "clause (6)".

32 That this Act may be cited as the "Arts and Humanities Act
33 of 1979".

34 PURPOSES OF ARTS GRANTS

1 Sec. 2. (a) Section 5 (c) (1) of the Act is amended by
 2 inserting ``and cultural diversity`` after ``American
 3 creativity``.

4 (b) (1) Section 5 (c) of the Act is amended by
 5 redesignating clause (5) as clause (6) and by inserting after
 6 clause (4) the following new clause:

7 ``(5) programs for the arts at the local level;
 8 and``.

9 (2) The last sentence of section 5 (c) of such Act is
 10 amended--

11 (A) by striking out ``clause (5)`` and inserting in
 12 lieu thereof ``clause (6)``; and

13 (B) by striking out ``Labor and Public Welfare`` and
 14 inserting in lieu thereof ``Labor and Human Resources``.

15 STATE ARTS GRANTS

16 Sec. 3. Section 5 (d) of the Act is amended--

17 (1) by striking out all that follows ``State plan``
 18 in the text of paragraph (2) (A) and inserting in lieu
 19 thereof a semicolon; and

20 (2) by adding at the end of paragraph (4) the
 21 following new subparagraph:

22 ``(E) For the purpose of paragraph (3) (B) of this
 23 subsection, the term `State` shall include, in addition to
 24 the several States of the Union, only the special
 25 jurisdictions listed in section 3 (a) of this Act having a
 26 population of 200,000 or more, according to the latest
 27 decennial census.``.

28 INTERAGENCY AGREEMENTS

29 Sec. 4. Section 5 (k) of the Act is amended by adding at
 30 the end thereof the following: ``The Chairman may enter into
 31 interagency agreements to promote or assist with the arts-
 32 related activities of other Federal Government agencies, on a
 33 reimbursable or nonreimbursable basis, and may use funds
 34 authorized for the purposes of section 5 (c) of this Act for

1 the costs of such activities.''

2 CHALLENGE GRANTS

3 Sec. 5. The matter preceding paragraph (1) of section 5
 4 (1) of the Act is amended by inserting ''strengthening
 5 quality by'' after ''for the purpose of''.

6 REPEALER

7 Sec. 6. Section 5 of the Act is amended by repealing
 8 subsection (m).

9 NATIONAL COUNCIL ON THE ARTS

10 Sec. 7. Section 6 of the Act is amended by inserting
 11 after the first sentence of subsection (c) thereof the
 12 following: ''The term of office of all Council members shall
 13 expire on the third day of September in the year of
 14 expiration.''

15 ACTIVITIES OF THE NATIONAL ENDOWMENT ON THE HUMANITIES

16 Sec. 8. (a) Section 7 (c) (2) of the Act is amended by
 17 striking out the word ''loans,'' in the matter in parentheses
 18 and by deleting all that follows the first semicolon.

19 (b) The last sentence of section 7 (c) of the Act is
 20 amended by striking out ''Labor and Public Welfare'' and
 21 inserting in lieu thereof ''Labor and Human Resources''.

22 STATE HUMANITIES COUNCILS

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

25 ''(2) In order to receive assistance under this
 26 subsection in any fiscal year, a State shall submit an
 27 application for such grants at such time as shall be
 28 specified by the Chairman and accompany such applications
 29 with a plan which the Chairman finds--

30 ''(A) designates or provides for the establishment of
 31 a State agency (hereafter in this section referred to as
 32 the 'State agency') as the sole agency for the
 33 administration of the State plan;

34 ''(B) provides that funds paid to the State under

1 this subsection will be expended solely on programs
2 approved by the State agency which carry out any of the
3 objectives of subsection (c); and

4 “(C) provides that the State agency will make such
5 reports, in such form, and containing such information,
6 as the Chairman may require.”.

7 (b)(1) Section 7(f)(3) of the Act is repealed.

8 (2) Paragraphs (4), (5), (6), and (7) of such section
9 7(f) are redesignated as paragraphs (3), (4), (5), and (6),
10 respectively.

11 (3) Paragraph (8) of such section 7(f) is repealed.

12 (c)(1) Section 7(f)(3) of the Act (as redesignated by
13 subsection (b)) is amended--

14 (A) by striking out “grant recipient” each time it
15 appears and inserting in lieu thereof “State”;

16 (B) by striking out “grant recipients” each time it
17 appears and inserting in lieu thereof “States”; and

18 (C) by striking out “entities” and inserting in
19 lieu thereof “States and regional groups”.

20 (2) (A) Section 7 (f) (4) (A) of the Act (as redesignated
21 by subsection (b)) is amended by striking out “Whenever the
22 provisions of paragraph (3) (B) of this subsection apply in
23 any State, that part of any” and inserting in lieu thereof
24 the following: “The amount of each allotment to a State for
25 any fiscal year under this subsection shall be available to
26 each State, which has a plan approved by the Chairman in
27 effect on the first day of such fiscal year, to pay not more
28 than 50 per centum of the total cost of any project or
29 production described in paragraph (1). The amount of any”.

30 (B) Such section 7 (f) (4) (A) is further amended by
31 striking out “paragraph (4)” and inserting in lieu thereof
32 “paragraph (3)”.

33 (3) Section 7(f)(4)(B) of the Act (as redesignated by
34 subsection (b)) is amended by striking out “grant

1 recipient'' and inserting in lieu thereof ''State agency''.

2 (4) Section 7(f)(5) of the Act (as redesignated by
 3 subsection (b)) is amended by striking out ''any entity'' and
 4 inserting in lieu thereof ''a State''.

5 (5) Section 7(f)(6) of the Act (as redesignated by
 6 subsection (b)) is amended--

7 (A) by striking out ''grant recipient'' in clause (A)
 8 and inserting in lieu thereof ''group'';

9 (B) by striking out ''grant recipient'' in clause (B)
 10 and inserting in lieu thereof ''State agency'';

11 (C) by inserting ''State'' before ''plan'' in clause
 12 (B);

13 (D) by striking out ''grant recipient'' in clause (C)
 14 and inserting in lieu thereof ''group or State agency'';
 15 and

16 (E) by striking out ''grant recipient'' each time it
 17 appears in the matter following clause (C) and inserting
 18 in lieu thereof ''group or State agency''.

19 (6) Section 7(g) of the Act is amended by striking out
 20 ''entity'' and inserting in lieu thereof ''agency''.

21 (d) Section 7 (f) (4) of the Act (as redesignated by
 22 subsection (b)) is further amended by adding at the end
 23 thereof the following new subparagraph:

24 ''(E) For the purpose of paragraph (3) (B) of this
 25 subsection, the term 'State' shall include, in addition to
 26 the several States of the Union, only the special
 27 jurisdictions listed in section 3 (a) of this Act having a
 28 population of 200,000 or more, according to the latest
 29 decennial census.''

30 (e) Section 7 of the Act is further amended by inserting
 31 immediately after subsection (h) the following new
 32 subsection:

33 ''(i) The Chairman is authorized to renovate facilities
 34 under this section if (A) the amount of the expenditure of

1 Federal funds for such renovation in the case of any project
2 does not exceed \$250,000, or (B) two-thirds of the members of
3 the National Council on the Humanities (who are present and
4 voting) approve of the grant or contract involving an
5 expenditure for the renovation.''.

6 (f) Section 7 of the Act is further amended by inserting
7 immediately after subsection (i) (as added by subsection (e))
8 the following new subsection:

9 ''(i) The Chairman may enter into interagency agreements
10 to promote or assist with the humanities-related activities
11 of other Federal Government agencies, on either a
12 reimbursable or nonreimbursable basis, and may use funds
13 authorized for the purposes of section 7 (c) of the Act for
14 the costs of such activities.''.

15 APPLICATION SUBJECT TO NATIONAL COUNCIL ON THE HUMANITIES
16 RECOMMENDATIONS

17 Sec. 10. Section 8 (f) of the Act is amended by striking
18 out '\$17,500'' and inserting in lieu thereof '\$30,000''.

19 ADMINISTRATIVE PROVISIONS

20 Sec. 11. (a) Section 10 (a) (4) of the Act is amended by
21 inserting 'and culturally diverse'' after the word
22 'geographic''.

23 (b) (1) Section 10 (b) of the Act is amended by striking
24 out 'January'' and inserting in lieu thereof 'April''.

25 (2) Section 10 (c) of the Act is amended by striking out
26 'January'' and inserting in lieu thereof 'April''.

27 AUTHORIZATION OF APPROPRIATIONS

28 Sec. 12. (a) (1) Section 11 (a) (1) (A) of the National
29 Foundation on the Arts and the Humanities Act of 1965 is
30 amended by striking out 'years'' and inserting in lieu
31 thereof 'year'' and by striking out 'and 1980'' and
32 inserting in lieu thereof 'and for each fiscal year ending
33 prior to October 1, 1985''.

34 (2) Section 11 (a) (1) (B) of such Act is amended by

1 striking out ``years`` and inserting in lieu thereof ``year``
2 and by striking out ``and 1980`` and inserting in lieu
3 thereof ``and for each fiscal year ending prior to October 1,
4 1985``.

5 (b) Section 11 (a) (2) of such Act is amended by striking
6 out ``October 1, 1980`` and inserting in lieu thereof
7 ``October 1, 1985``, by striking out ``years`` and inserting
8 in lieu thereof ``year``, and by striking out ``and 1980``
9 and inserting in lieu thereof ``and for each fiscal year
10 ending prior to October 1, 1985``.

11 (c) (1) (A) The first sentence of section 11 (a) (3) (A)
12 of such Act is amended by striking out ``October 1, 1980``
13 and inserting in lieu thereof ``October 1, 1985``.

14 (B) The second sentence of such section is amended by
15 striking out ``years`` and inserting in lieu thereof
16 ``year``, and by striking out ``and 1980`` and inserting in
17 lieu thereof ``and for each fiscal year ending prior to
18 October 1, 1985``.

19 (2) (A) The first sentence of section 11 (a) (3) (B) of
20 such Act is amended by striking out ``October 1, 1980`` and
21 inserting in lieu thereof ``October 1, 1985``.

22 (B) The second sentence of such section is amended by
23 striking out ``years`` and inserting in lieu thereof
24 ``year``, and by striking out ``and 1980`` and inserting in
25 lieu thereof ``and for each fiscal year ending prior to
26 October 1, 1985``.

27 (d) Section 11 (c) of the Act is amended by inserting
28 after the word ``Act`` a comma and the following: ``including
29 not to exceed \$35,000 in any fiscal year for official
30 reception and representation expenses,``.