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.

Refer to the Committee on ____________________________ and ordered to be printed

Amendment intended to be proposed by Mr. Pell to the Committee

Printed dated October 31, 1979

Viz:

On page 6, beginning with line 23, strike out through line 29 on page 8 and insert in lieu thereof the following:

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.
(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 two 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) (E), 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;

(B) 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) (B) 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 cut ''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 ''agency or'' before ''entity''.

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

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