

1979

National Foundation on the Arts and Humanities: S. 1386 (1979): Report 02

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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.

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

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

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

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

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

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

26 “(B) provides that funds paid to the grant recipient
27 will be expended solely on programs which carry out the
28 objectives of subsection (c) of this section;

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

32 “(D) provides a nomination process which assures
33 opportunities for nomination to membership from various
34 groups within the State involved and from a variety of

1 segments of the population of such State, and including
2 individuals who by reason of their achievement,
3 scholarship, or creativity in the humanities, are
4 especially qualified to serve;

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

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

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

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

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

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

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

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

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

1 of any''.

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

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

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

7 (A) by inserting ``group or'' before ``grant
8 recipient'';

9 (B) by inserting ``State agency or'' before ``grant
10 recipient'';

11 (C) by striking out ``plan'' in clause (B) and
12 inserting in lieu thereof ``State plan or grant recipient
13 application'';

14 (D) by inserting ``group or State agency or'' before
15 ``grant recipient'' in clause (C); and

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

19 (6) Section 7 (f) (8) of the Act is amended by striking
20 out ``paragraphs (4), (5), and (6)'' and inserting in lieu
21 thereof ``the third sentence of paragraph (4), and paragraphs
22 (5) and (6)''.

23 (7) Section 7 (g) of the Act is amended by inserting
24 ``agency or'' before ``entity''.

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

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