National Foundation on the Arts and Humanities: S. 1386 (1979): Report 03

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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 \(2\{2\)-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
specified by the Chairman and accessory such applications

with a plan which the Chairman finds —

(a) 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

(b) 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

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

(b) Section 7(f)(3) of such Act is repealed.
(2) Paragraphs (5)(2) of such section
7(f) are redesignated as paragraphs (3)(5)(2) and (6),
respectively.

(e) Paragraph (b) of such section 7(f) is repealed.
(e)(4) Section 7(f)(3) of such Act (as redesignated by
subsection (b)) is amended —

(a) by striking out "grant recipient" each time it
appears and inserting in lieu thereof "State"

(b) by striking out "grant recipient" each time it
appears and inserting in lieu thereof "State"

(e) by striking out "entities" and inserting in
lieu thereof "States and regional groups"

(2) Section 7(f)(4)(b) of such Act (as redesignated by
subsection (b)) is amended by striking out "grant
recipient" and inserting in lieu thereof "State agency"

(3) Section 7(f)(5) of such Act (as redesignated by
subsection (b)) is amended by striking out "any entity" and
inserting in lieu thereof "a State"

(4) Section 7(f)(6) of such Act (as redesignated by
subsection (b)) is amended —
(A) by striking out "grant-recipient in clause (A) and inserting in lieu thereof "group",
(B) by striking out "grant-recipient in clause (B) and inserting in lieu thereof "State-agency",
(C) by inserting "State" before "plan" in clause (B),
(D) by striking out "grant-recipient in clause (C) and inserting in lieu thereof "group-or-State-agency",
and
(E) by striking out "grant-recipient each-time-it appears in the matter-following clause (E) and inserting in lieu thereof "group-or-State-agency",
(5) Section 7 of such Act is amended by striking out "entity" and inserting in lieu thereof "agency",
AUTHORIZATION OF APPROPRIATIONS
Section 3 (a)(4) of the National Foundation on the Arts and the Humanities Act of 1965 is amended by striking out "year" and inserting in lieu thereof a "year-and-for each fiscal year-ending prior to October 17, 1985-and"
(2) Section 4(a)(4)(A) of such Act is amended by striking out a "year-and-for each fiscal year-ending prior to October 17, 1985-and"
(3) Section 4(a)(2) of such Act is amended by striking out "October 17, 1985-and inserting in lieu thereof "October 17, 1985-and"
and inserting in lieu thereof "year-and-for each fiscal year-ending prior to October 17, 1985-and"
The first sentence of section 4(a)(3)(A) of such Act is amended by striking out "October 17, 1985-and"
inserting-in-lieu-thereof-

(b) The second sentence of such section is amended by

striking-out-"11years" and inserting-in-lieu-thereof

"1 year," and by striking-out-"11and-1985" and inserting-in

lieu-thereof-"and-for-each-fiscal-year-ending-prior-to"

October-1-1985,".

(2)(b) The first sentence of section 4 of the Museums Act is amended by striking-out-"11October-1-1985" and inserting-in-lieu-thereof-"11October-1-1985".

(b) The second sentence of such section is amended by

striking-out-"11years" and inserting-in-lieu-thereof

"1 year," and by striking-out-"11and-1985" and inserting-in

lieu-thereof-"and-for-each-fiscal-year-ending-prior-to"

November-1-1985.

(2)(4) Section 209(a) of the Museums Act is amended by striking-out-"11fiscal-years-1979 and 1980" and inserting-in-lieu-thereof-"11the-fiscal-year-1979 and for each

fiscal-year-ending-"111985".

(2)(d) Section 209(d) of such Act is amended by striking-out-"111985" and inserting-in-lieu-thereof-"111985".

Arts at the local level

Sec-47(a) Section 5(e) of the National Foundation on the Arts and Humanities Act of 1965 is amended by redesignating clause (5) as clause (6) and by inserting after clause (4) the following new clause:

"15 programs for the arts at the local level;"

and

(b) Section 5(e) of such Act is further amended by

striking-out-"11clause-(5)" and inserting-in-lieu-thereof

"12 clause-(6)".

That this Act may be cited as the "Arts and Humanities Act of 1979.".
Sec. 2. (a) Section 5 (c) (1) of the Act is amended by inserting "and cultural diversity" after "American creativity."

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

"(5) programs for the arts at the local level;"

and:

(2) The last sentence of section 5 (c) of such Act is amended—

(a) by striking out "clause (5)" and inserting in lieu thereof "clause (6)"; and

(b) by striking out "Labor and Public Welfare" and inserting in lieu thereof "Labor and Human Resources."

STATE ARTS GRANTS

Sec. 3. Section 5 (c) of the Act is amended—

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

(b) by adding at the end of paragraph (2) the following new subparagraph:

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

INTERAGENCY AGREEMENTS

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

CHALLENGE GRANTS

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

REPEALER

Sec. 6. Section 5 of the Act is amended by repealing subsection (e).

NATIONAL COUNCIL ON THE ARTS

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

ACTIVITIES OF THE NATIONAL ENDOWMENT ON THE HUMANITIES

Sec. 8. (a) Section 7 (c) (2) of the Act is amended by striking out the word "leaves." in the matter in parentheses and by deleting all that follows the first semicolon.

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

STATE HUMANITIES COUNCILS

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

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

"(A) 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;

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

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

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

(2) Paragraphs (a), (b), (c), and (d) of such section
7(f) are redesignated as paragraphs (3), (4), (5), and (6),
respectively.

(3) Paragraph (6) of such section 7(f) is repealed.

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

(a) by striking out "grant recipient" each time it
appears and inserting in lieu thereof "State";

(b) by striking out "grant recipients" each time it
appears and inserting in lieu thereof "States"; and

(c) by striking out "entities" and inserting in
lieu thereof "States and regional groups".

(2) (A) Section 7(f)(4)(A) of the Act (as redesignated
by subsection (b)) is amended by striking out "whenever the
provisions of paragraph (3)(A) 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, which has a plan approved by the Chairman in
effect on the first day of such fiscal year, to pay not more
than 50 per cent of the total cost of any project or
production described in paragraph (1). The amount of any"

(B) Such section 7(f)(4)(A) is further amended by
striking out "paragraph (4)" and inserting in lieu thereof
"paragraph (3)".

(2) Section 7(f)(4)(B) of the Act (as redesignated by
subsection (b)) is amended by striking out "grant
recipient'' and inserting in lieu thereof ''State agency''.

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

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

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

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

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

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

and

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

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

(d) Section 7 (f) (4) of the Act (as redesignated by subsection (b)) is further amended by adding at the end thereof the following new sub-paragraph:

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

(a) Section 7 of the Act is further amended by inserting immediately after subsection (b) the following new subsection:

''(l) The Chairman is authorized to renovate facilities under this section if (A) the amount of the expenditure of
Federal funds for such renovation in the case of any project
does not exceed $250,000, or (b) two-thirds of the members of
the National Council on the Humanities (who are present and
vote) approve of the grant or contract involving an
expenditure for the renovation.''.

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

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

APPLICATION SUBJECT TO NATIONAL COUNCIL ON THE HUMANITIES
RECOMMENDATIONS
Sec. 18: Section 9 (f) of the Act is amended by striking
out '"$17,500'' and inserting in lieu thereof '"$38,000''.''

ADMINISTRATIVE PROVISIONS
Sec. 11: (a) Section 10 (a) (4) of the Act is amended by
inserting '"and culturally diverse'" after the word
'"geographic.'"

(b) (1) Section 18 (a) of the Act is amended by striking
out '"January'" and inserting in lieu thereof '"April.'"

(2) Section 18 (a) of the Act is amended by striking out
"'January'" and inserting in lieu thereof '"April.'"

AUTHORIZATION OF APPROPRIATIONS
Sec. 12: (a) (1) Section 11 (a) (1) (A) of the National
Foundation on the Arts and the Humanities Act of 1965 is
amended by striking out '"years'" and inserting in lieu
thereof '"year'" and by striking out '"and 1988'" and
inserting in lieu thereof '"and for each fiscal year ending
prior to October 1, 1985'".

(2) Section 11 (a) (1) (B) of such Act is amended by
striking out ""years"" and inserting in lieu thereof ""year"")
and by striking out ""and 1980"" and inserting in lieu
thereof ""and for each fiscal year ending prior to October 1, 1985.""

(a) Section 11 (a) (2) of such Act is amended by striking
out ""October 1, 1980"" and inserting in lieu thereof
""October 1, 1985"", by striking out ""years"" and inserting
in lieu thereof ""year"", and by striking out ""and 1980"" and
inserting in lieu thereof ""and for each fiscal year ending prior to October 1, 1985"".

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

(A) The second sentence of such section is amended by
striking out ""years"" and inserting in lieu thereof
""year"", and by striking out ""and 1980"" and inserting in
lieu thereof ""and for each fiscal year ending prior to October 1, 1985"".

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

(b) The second sentence of such section is amended by
striking out ""years"" and inserting in lieu thereof
""year"", and by striking out ""and 1980"" and inserting in
lieu thereof ""and for each fiscal year ending prior to October 1, 1985"".

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