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1 STATE HUMANITIES COUNCILS

2 SEC. ~~102.~~ 101. (a) (1) Section 7 of the National
3 Foundation on the Arts and the Humanities Act of 1965 is
4 amended by adding at the end thereof the following new
5 subsection:

6 “(f) (1) The Chairman, with the advice of the National
7 Council on the Humanities, is authorized to establish and
8 carry out ~~a program~~ *programs* of grants-in-aid ~~to assist in~~
9 *each of* the several States ~~in supporting in order to support~~
10 not more than 50 per centum of the cost of existing activities
11 which meet the standards enumerated in subsection (c),
12 and in developing programs in the humanities in such a man-
13 ner as will furnish adequate programs in the humanities ~~in~~
14 each of the several States.

15 “(2) In order to receive assistance under this subsec-
16 tion in any fiscal year, ~~and~~ *state any person or entity desiring*
17 *to receive such assistance* shall submit an application for such
18 grants at such time as shall be specified by the Chairman and
19 accompany such applications with a plan which the Chair-
20 man finds—

21 ~~“(A) designates or provides for the establishment~~
22 ~~of a State agency (hereafter in this section referred to~~
23 ~~as the State agency) as the sole agency for the adminis-~~
24 ~~tration of the State plan;~~

1 ~~“(B)~~ provides that funds paid to the State under
2 this subsection will be expended solely on programs ap-
3 proved by the State agency which carry out one or
4 more of the objectives of subsection ~~(c)~~; and

5 ~~“(C)~~ provides that the State agency will make such
6 reports, in such form, and containing such information,
7 as the Chairman may, from time to time, require.

8 “(A) provides that funds paid to the grant recipient
9 will be expended solely on programs which carry out the
10 objectives of subsection (c);

11 “(B) establishes a membership policy which is de-
12 signed to assure broad public representation with respect
13 to programs administered by such grant recipient;

14 “(C) provides a nomination process which assures
15 an opportunity for nomination to membership from
16 various groups within the State involved;

17 “(D) provides for the rotation of the membership
18 and officers of such grant recipient on a regular basis;

19 “(E) establishes reporting procedures which are
20 designed to inform the chief executive officer of the State
21 involved, and other appropriate officers and agencies, of
22 the activities of such grant recipient;

23 “(F) establishes procedures to assure public access
24 to information relating to such activities;

25

1 “(G) provides that such grant recipient shall make
2 reports to the Chairman from time to time, in such form
3 and containing such information as the Chairman may
4 require; and

5 “(H) provides that two members of the executive
6 body of such grant recipient shall be appointed by an
7 appropriate officer or agency of the State involved.

8 “(3) Of the sums available to carry out this subsection
9 for any fiscal year, each State grant recipient which has a
10 plan approved by the Chairman shall be allotted at least
11 ~~\$100,000~~ \$200,000. If the sums appropriated are insufficient
12 to make the allotments under the preceding sentence in full,
13 such sums shall be allotted among such States grant recipients
14 in equal amounts. In any case where the sums available to
15 carry out this subsection for any fiscal year are in excess of
16 the amount required to make the allotments under the first
17 sentence of this paragraph—

18 “(A) the amount of such excess which is no greater
19 than 25 per centum of the sums available to carry out
20 this subsection for any fiscal year shall be available to
21 the Chairman for making grants under this subsection to
22 States and persons and entities applying for such grants,
23 including regional groups; and

24

25

1 “(B) the amount of such excess, if any, which re-
2 mains after reserving in full for the Chairman the amount
3 required under clause (A) shall be allotted among the
4 States *grant recipients* which have plans approved by
5 the Chairman in equal amounts, but in no event shall
6 any *State grant recipient* be allotted less than \$100,000
7 \$200,000.

8 “(4) (A) That part of any allotment made under para-
9 graph (3) for any fiscal year—

10 “(i) which exceeds \$62,500 ~~\$125,000~~, but

11 “(ii) which does not exceed 20 per centum of such
12 allotment,

13 shall be available, at the discretion of the Chairman, to pay
14 up to 100 per centum of the cost of programs under this sub-
15 section if such programs would otherwise be unavailable to
16 the residents of ~~that~~ *the State involved*.

17 “(B) Any amount allotted to a *State grant recipient*
18 under the first sentence of paragraph (3) for any fiscal year
19 which is not obligated by the *State grant recipient* prior to
20 sixty days prior to the end of the fiscal year for which such
21 sums are appropriated shall be available to the Chairman for
22 making grants to regional groups.

23 “(C) Funds made available under this subsection shall
24 not be used to supplant non-Federal funds.

1 “(D) For the purposes of paragraph (3) and this
2 paragraph, the term ‘regional group’ means any multi-State
3 group, whether or not representative of contiguous States.

4 “(5) All amounts allotted or made available under
5 paragraph (3) for a fiscal year which are not granted to a
6 State *any person or entity* during such year shall be available
7 to the National Endowment for the Humanities for the pur-
8 pose of carrying out section ~~5(e)~~ ^{7(c)}.

9 “(6) Whenever the Chairman, after reasonable notice
10 and opportunity for hearing, finds that—

11 “(A) a ~~group~~ *grant recipient* is not complying sub-
12 stantially with the provisions of this section;

13 “(B) a ~~State agency~~ *grant recipient* is not comply-
14 ing substantially with terms and conditions of its State
15 plan approved under this section; or

16 “(C) any funds granted to a ~~group or State agency~~
17 *any person or entity* under this section have been
18 diverted from the purposes for which they are allotted
19 or paid,

20 the Chairman shall immediately notify the Secretary of the
21 Treasury and the ~~group or State Agency~~ grant recipient with
22 respect to which such finding was made that no further grants
23 will be made under this section to such group or agency until
24 there is no longer a default or failure to comply or the diversion
25 has been corrected, or, if the compliance or correction is im-
possible, until such group or agency repays or arranges the

1 repayment of the Federal funds which have been improperly
2 diverted or expended."

3 *"(7) The Chairman may not make grants to more*
4 *than one person or entity in any State."*

5 (b) The amendment made by subsection (a) shall be
6 effective with respect to fiscal year 197~~6~~⁷ and succeeding
7 fiscal years.