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

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

State humanities councils

See § 2(a) Section 7(f)(2) of the National Foundation on the Arts and the Humanities Act of 1965 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 expended solely on programs approved by the State agency which carry out any of the objectives of subsection (e); and

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

(b)(4) Section 7(f)(3) of each Act is repealed.

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

(3)-Paragraph-(8)-of-such-section-7(f)-is-repealed;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-11grant-recipient"-each-time-it

appears-and-inserting-in-lieu-thereof-11State";

(B)-by-striking-out-11grant-recipients"-each-time-it

appears-and-inserting-in-lieu-thereof-11States";

(C)-by-striking-out-11entities"-and-inserting-in

lieu-thereof-11States-and-regional-groups";

(2)-Section-7(f)(4)(B)-of-such-act-(as-redesignated-by

subsection-(b))-is-amended-by-striking-out-11grant

recipient"-and-inserting-in-lieu-thereof-11State-agency";

(3)-Section-7(f)(5)-of-such-act-(as-redesignated-by

subsection-(b))-is-amended-by-striking-out-11any-entity"-and

inserting-in-lieu-thereof-11a-State";

(4)-Section-7(f)(6)-of-such-act-(as-redesignated-by

subsection-(b))-is-amended--

(A)-by-striking-out-11grant-recipient"-in-clause-(A)

and-inserting-in-lieu-thereof-11group";

(B)-by-striking-out-11grant-recipient"-in-clause-(B)

and-inserting-in-lieu-thereof-11State-agency";

(C)-by-inserting-11State"-before-11plan"-in-clause

(B);

(D)-by-striking-out-11grant-recipient"-in-clause-(C)
and-inserting-in-lieu-ther eof-

c (E)-by-striking-out-

appears-in-the-matter-following-clause-(c)-and-inserting-
in-lieu-ther eof-

(5)-Section-7(g)-of-such-Act-is-amended-by-striking-out-

entity-and-inserting-in-lieu-ther eof-

AUTHORIZATION-OF-APPROPRIATIONS-

See-(a)-(4)-Section-44(a)(4)(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-years-and-by-striking-out-and-

inserting-in-lieu-ther eof-and-for-each-fiscal-year-ending-

prior-to-October-1,-1985-

(2)-Section-44(a)(4)(F)-of-such-Act-is-amended-by-

striking-out-years-and-inserting-in-lieu-ther eof-years-

and-by-striking-out-and-and-inserting-in-lieu-

thereof-and-for-each-fiscal-year-ending-prior-to-October-1-

4985-

(b)-Section-44(a)(2)-of-such-Act-is-amended-by-striking-

cut-October-1,-1980-and-inserting-in-lieu-ther eof-

October-1,-1985-by-striking-out-years-and-inserting-

in-lieu-ther eof-year-and-by-striking-out-and-and-

and-inserting-in-lieu-ther eof-and-for-each-fiscal-year-

ending-prior-to-October-1,-1985-

(B)-The-second-sentence-of-such-section-is-amended-by striking-out-11^\text{th} years and-inserting-in-lieu-thereof 11^\text{th} year and-by-striking-out-11^\text{th} and-1988 and-inserting-in lieu-thereof-11^\text{th} and-for-each-fiscal-year-ending-prior-to 10\,\text{October-17-1985}.


(B)-The-second-sentence-of-such-section-is-amended-by striking-out-11^\text{th} years and-inserting-in-lieu-thereof 11^\text{th} year and-by-striking-out-11^\text{th} and-1988 and-inserting-in lieu-thereof-11^\text{th} and-for-each-fiscal-year-ending-prior-to 10\,\text{October-17-1985}.


Arts-at-the-local-level.

See-(a)-Section-5(c)-of-the-National-Foundation-on
6

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:

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

and".

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

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

DEFINITION

Sec. 2. Section 3 (a) of the National Foundation on the
Arts and the Humanities Act of 1965 (hereinafter referred to
as the "Act") is amended by inserting after "American
Samoa" a comma and the following: "the Northern Mariana
Islands".

PURPOSES OF ARTS GRANTS

Sec. 3. (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 (4) 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. 4. Section 5 (g) of the Act is amended--

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

(2) by adding at the end of paragraph (4) 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 (g) of this Act having a population of 200,000 or more, according to the latest decennial census.'"'

INTERAGENCY AGREEMENTS

Sec. 5. Section 5 (k) 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. 6. The matter preceding paragraph (1) of section 5 (l) of the Act is amended by inserting "strengthening quality by" after "for the purpose of"

REPEALER

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

NATIONAL COUNCIL ON THE ARTS

Sec. 8. 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. 9. (a) Section 7 (c) (2) of the Act is amended by striking out the word "\"leans\"" 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. 10. (a) Section 7 (f) (2) of the Act is amended to read as follows:
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 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)(1) Section 7(f)(3) of the Act is repealed.
(2) Paragraphs (4), (5), (6), and (7) of such section
7(f) are redesignated as paragraphs (3), (4), (5), and (6),
respectively.

(3) Paragraph (8) 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) (f) 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 centum 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)".

(3) 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".

(4) 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".

(5) 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":
(F) Section 7 (a) of the Act is amended by striking out
"entity" and inserting in lieu thereof "agency":
(G) Section 7 (f) (a) of the Act (as redesignated by
subsection (b)) is further amended by adding at the end
thereof 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 (a) of this Act having a
population of 200,000 or more, according to the latest
decennial census."
(H) Section 7 of the Act is further amended by inserting
immediately after subsection (b) the following new
subsection:

`'(1) 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 voting) 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 (f) (as added by subsection (e)) the following new subsection:

``(1) 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 (c) of the Act for the costs of such activities.''.

APPLICATION SUBJECT TO NATIONAL COUNCIL ON THE HUMANITIES RECOMMENDATIONS

Sec. 11. Section 8 (f) of the Act is amended by striking out '"$17,500"' and inserting in lieu thereof '"$30,000"'.

ADMINISTRATIVE PROVISIONS

Sec. 12. Section 10 of the Act is amended by--

(1) inserting in subsection (a) (4) '"and culturally diverse"' after the word '"geographic"; and
(2) by striking out "'January'" each time it appears
in subsections (b) and (c) and inserting in lieu thereof
"'April'".

AUTHORIZATION OF APPROPRIATIONS

Sec. 13. (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 1980'" 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'".

(b) 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'".

(c) (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'".

(c) (2) The second sentence of such section is amended by
1 striking out "years" and inserting in lieu thereof
2 "year", and by striking out "and 1980" and inserting in
3 lieu thereof "and for each fiscal year ending prior to
4 October 1, 1985."

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

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