

2016

National Foundation on the Arts and Humanities: S. 1386 (1979): Report 12

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Purpose: Calendar No. _____

To provide an option for State humanities grants. Printed Amdt. No. _____

Un-Printed Amdt. No. _____

96th CONGRESS
1st Session

S. 1386

IN THE SENATE OF THE UNITED STATES

Ordered to lie on the table and to be printed.

Referred to the Committee on _____
and ordered to be printed.

AMENDMENT

Intended to be proposed by Mr. Pell to the Committee Print dated
September , 1979, of S. 1386, a bill to amend and extend
the National Foundation on the Arts and the Humanities Act of
1965, and for other purposes, viz:

1 On page 8, beginning with line 24, strike out through
2 line 23 on page 11 and insert in lieu thereof the following:

3 Sec. 1Ø. (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

1 assistance under this subsection for any fiscal year, the
2 State, if no certification is made under subparagraph (B) of
3 this paragraph, shall submit an application for grants under
4 this subsection at such time as shall be specified by the
5 Chairman and accompany such applications with a plan which
6 the Chairman finds--

7 “(i) designates or provides for the establishment of
8 a State agency (hereafter in this section referred to as
9 the ‘State agency’) as the sole agency for the
10 administration of the State plan;

11 “(ii) provides that funds paid to the State under
12 this subsection will be expended solely on programs
13 approved by the State agency which carry out any of the
14 objectives of subsection (c); and

15 “(iii) provides that the State agency will make such
16 reports, in such form, and containing such information,
17 as the Chairman may require.

18 “(B) In any State in which the chief executive officer
19 of the State certifies to the Chairman that the State does
20 not wish to comply with the option provided by subparagraph
21 (A) of this paragraph, the grant recipient in that State
22 shall--

23 “(i) establish a procedure which assures that two
24 members of the governing body of such grant recipient
25 shall be appointed by an appropriate officer or agency of

1 such State; and

2 ``(ii) provide, from any source, an amount equal to
3 the amount of Federal financial assistance received by
4 such grant recipient under this subsection in the fiscal
5 year involved.''.

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

8 ``(3) Whenever a State selects to receive Federal
9 financial assistance under this subsection in any fiscal year
10 under subparagraph (2) (B), any appropriate entity desiring
11 to receive such assistance shall submit an application for
12 such grants at such time as shall be specified by the
13 Chairman. Each such application shall be accompanied by a
14 plan which the Chairman finds--

15 ``(A) provides assurances that the grant recipient
16 will comply with the requirements of paragraph (2) (B) of
17 this subsection;

18 ``(B) provides that funds paid to the grant recipient
19 will be expended solely on programs which carry out the
20 objectives of subsection (c) of this section;

21 ``(C) establishes a membership policy which is
22 designed to assure broad public representation with
23 respect to programs administered by such grant recipient;

24 ``(D) provides a nomination process which assures
25 opportunities for nomination to membership from various

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (A) by inserting ``group or`` before ``grant
18 recipient``;

19 (B) by inserting ``State agency or`` before ``grant
20 recipient``;

21 (C) by striking out ``plan`` in clause (B) and
22 inserting in lieu thereof ``State plan or grant recipient
23 application``;

24 (D) by inserting ``group or State agency or`` before
25 ``grant recipient`` in clause (C); and

1 (E) by inserting "group, State agency or" before
2 "grant recipient" each time it appears in the matter
3 following clause (C).

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

8 (7) Section 7 (g) of the Act is amended by inserting
9 "agency or" before "entity".

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

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