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Reauthorization: S. 2724 (1990): Report 22

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(2)

The sanctions described in paragraph (1) shall include:

(a) repayment by the recipient or recipients of such funds, of the funds or portion of the funds provided by the Endowment used to support the project or production found to be obscene pursuant to paragraph (1); provided that such funds will be repaid in the case of matching grants to state or local arts agencies and regional arts groups, by said agency or arts group; in the case of matching grants to organizations, by said organization; and in the case of non-matching fellowships, by the recipient of such fellowships; provided further, that if the funds received by a recipient were used to support other projects or productions which were separable from those projects or productions found to be obscene pursuant to paragraph (1), then the Chairman may determine that only that portion of the funds received by the recipient and actually used to support the project or production found to be obscene pursuant to paragraph (1) will be required to be repaid; and provided further, that repayment of such funds required to be repaid will be made within 90 days from the date such project or production is found to be obscene pursuant to paragraph (1), but such period for repayment may be extended pursuant to a determination by the Chairman; and

(b) the recipient or recipients of such funds used to support a project or production found to be obscene pursuant to paragraph (1), shall be ineligible to receive additional funds under this Act for a period to be determined by the Chairman, but in any event, not less than three years from the date such project or production is found to be obscene pursuant to paragraph (1); provided that this section (b) shall apply only to such person or organization or other recipient of funds who or which actually produced, or actually used such funds to support, such project or production found to be obscene pursuant to paragraph 1.