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Purpose: To provide an option involving three forms of membership of the governing body of the agency administering state humanities grants.

IN THE SENATE OF THE UNITED STATES--96th Cong., 1st Sess.
S. 1386

To amend and extend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

Referred to the Committee on __________________________and ordered to be printed
Ordered to lie on the table and to be printed

Amendment intended to be proposed by Mr. Pell to the Committee
Print dated October 31, 1979

Viz:
1. On page 6, beginning with line 23, strike out through line 9 on page 8, and insert in lieu thereof the following:
2. Sec. 9. (a) Section 7 (f) (2) of the Act is amended by inserting after "entity" a comma and the following: "other than the State agency designated or established pursuant to paragraph (3) (B),".
3. (b) Section 7 (f) (3) of the Act is amended to read as follows:
4. "(3) (A) Wherever a State desires that an appropriate officer or agency of such State appoint 50 per centum of the membership of the governing body of the grant recipient involved such State shall, match, from State funds, 50 per centum of that portion of Federal financial assistance received by such grant recipient under this subsection which is described in the first sentence of paragraph (4) of this subsection, relating to the basic State grant. In any State in which the State selects the option described in this subparagraph the grant recipient shall--
5. "(i) establish a procedure which assures that one-half of the members of the governing body of such grant recipient shall be appointed by an appropriate officer or
agency of such State; and

"(ii) provide, from State funds, an amount equal to
the amount of Federal financial assistance described in
the first sentence of paragraph (4) of this subsection
received by such grant recipient under this subsection
for the fiscal year involved.

"(B) Whenever a State desires to designate or to provide
for the establishment of a State agency as the sole agency
for the administration of the State plan, such State shall,
match, from State funds, the total amount of Federal
financial assistance received by the State under this
subsection for the fiscal year involved. In any State in
which the State selects the option described in this
subparagraph the State shall--

"(i) designate or provide for the establishment of a
State agency as the sole agency for the administration of
the State plan;

"(ii) provide, from State funds, an amount equal to
the amount of Federal financial assistance received by
such State under this subsection in the fiscal year
involved;

"(iii) provide 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

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

"(C) In any State in which the State does not desire to
comply with the requirements of subparagraph (A) or
subparagraph (B) of this paragraph, the grant recipient
shall--

"(i) establish a procedure which assures that four
members of the governing body of such grant recipient
shall be appointed by an appropriate officer or agency of such State; and

"(a) provide, from any source, an amount equal to the amount of Federal assistance received by such grant recipient under this subsection for the fiscal year involved.

"(b) In any fiscal year in which a State fails to meet the matching requirement from State funds made by subparagraphs (B) and (C) of this paragraph, the number of members on the governing Board of the State grant recipient who were appointed by the appropriate officer or agency of such State shall be reduced so that the governing body complies with the provisions of subparagraph (B) or subparagraph (C) of this paragraph, as the case may be."

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

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

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

(C) by inserting before ""entities"" the following:

""States and regional groups and"".

(2) Section 7 (f) (5) (A) of the Act is amended by striking out ""paragraph (3) (E)"" and inserting in lieu thereof ""paragraph (3) (C)"".

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

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

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

(A) by inserting ""group cr"" before ""grant recipient"";

(B) by inserting ""State agency or"" before ""grant recipient"";

(C) by striking out ""plan"" in clause (B) and
inserting in lieu thereof "State plan or grant recipient application'';

(D) by inserting "group or State agency or'' before "grant recipient'' in clause (C); and

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

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

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

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

"(E) For the purpose of paragraph (4) (8) of this subsection, the term 'State' and the term 'grant recipient' 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.'".