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National Foundation on the Arts and Humanities (1976-1979): Report 07

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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

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 of the United States of America in Congress assembled,
2 That this Act may be cited as the "Arts, Humanities, and Museum-Services Act of 1979,"
3 State-humanities-councils
4 Sec. 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:
5 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--
\(1^2\{(A)\}-designates-or-provides-for-the-establishment-of
a-State-agency-(hereafter-in-this-section-referred-to-as
the-\(1\)State-agency\(2\)\)-as-the-State-agency-for-the
administration-of-the-State-plan;
\(1^2\{(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
\(1^2\{(E)\}-provides-that-the-State-agency-will-make-such
reports,-in-such-form,-and-containing-such-information,
as-the-Chairman-may-require\(\ddagger\)
\(2\)\{(A\):-Section-\(7(f)\)-(3)-of-each-Act-is-repealed
\(2\)\{(B\):-Paragraphs-\(4\)\)-(5\)\)-(6\)\)-(and-\(7\))-of-such-section
\(7(f)\)-are-redesignated-as-paragraphs-\(3\)\)-(4\)\)-(5\)\)-(and-\(6\)\),
respectively;
\(3\)\{-Paragraph-\(6\)-of-such-section-\(7(f)\)-is-repealed
\(3\)\{Paragraph-\(7(f)\)-(3)-of-such-Act-(as-redesignated-by
\(2\)\)\{subsection-\(\{b\}\)-is-amended-
\(4\)\{by-striking-cut-\(1\)grant-recipient\(\ddagger\)-each-time-it
appears-and-inserting-in-lieu-the thereof-\(1\)State\(\ddagger\)
\(4\)\{by-striking-cut-\(1\)grant-recipients\(\ddagger\)-each-time-it
appears-and-inserting-in-lieu-the thereof-\(1\)States\(\ddagger\)
\(4\)\{by-striking-cut-\(1\)entitlement\(\ddagger\)-and-inserting-in
lieu-the thereof-\(1\)States-and-regional-groups\(\ddagger\)
\(4\)\{Section-\(7(f)\)-(4)-(b)-of-such-Act-(as-redesignated-by
\(2\)\)\{subsection-\(\{b\}\)-is-amended-by-striking-cut-\(1\)grant
recipient\(\ddagger\)-and-inserting-in-lieu-the thereof-\(1\)State-agency\(\ddagger\)
\(4\)\{Section-\(7(f)\)-(5)-of-such-Act-(as-redesignated-by
\(2\)\)\{subsection-\(\{b\}\)-is-amended-by-striking-cut-\(1\)any-entity\(\ddagger\)-and
inserting-in-lieu-the thereof-\(1\)a-State\(\ddagger\)
\(4\)\{Section-\(7(f)\)-(6)-of-such-Act-(as-redesignated-by
\(2\)\)\{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 (C),

(D) by striking out "grant-recipient" in clause (D) 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 (E) and inserting in lieu thereof "group or State-agency,"

1. Section 7(g) of such Act is amended by striking out "entity" and inserting in lieu thereof "agency,"

Authorization of Appropriations
Sec. 31-(a)(1) Section 44(a)(1)(A) of the National Foundation on the Arts and the Humanities Act of 1965 is amended by striking out "11 years" and inserting in lieu thereof "year,"

thereof "year" and by striking out "4900" and inserting in lieu thereof "and for each fiscal year ending prior to October 1-1985,"

(2) Section 44(a)(1)(B) of such Act is amended by striking out "11 years" and inserting in lieu thereof "year,"

and by striking out "4900" and inserting in lieu thereof "and for each fiscal year ending prior to October 1-1985,"

(3) Section 44(a)(2) of such Act is amended by striking out "October 1-1990" and inserting in lieu thereof "11 October 1-1995," by striking out "year" and inserting in lieu thereof "year,"

and by striking out "4900" and inserting in lieu thereof "and for each fiscal year ending prior to October 1-1995,"

(4)(A) The first sentence of section 44(a)(3)(A) of such Act is amended by striking out "October 1-1985" and
inserting-in-lieu-thereof—11 October 47-—1985

(b) The second sentence of such section is amended by striking out "11 years" and inserting in lieu thereof "11 years and for each fiscal year ending prior to October 47-—1985"

(c) The first sentence of section 44(a)(3)(B) of such Act is amended by striking out "11 October 47-—1980" and inserting in lieu thereof "11 October 47-—1985"

(d) Section 289(d) of the Museums and Services Act is amended by striking out "fiscal years 1979 and 1980" and inserting in lieu thereof "fiscal year 1979 and for each of the succeeding fiscal years ending prior to October 47-—1985"

Sec 47(a) Section 5(c) of the National Foundation on the Arts and Humanities Act of 1965 is amended by redesignating clause (5) as clause (6) and 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 "clause (5)" and inserting in lieu thereof "clause (6)"

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

Purposes of Arts Grants
Sec. 2. (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:

(6) programs for the arts at the local level;

(2) The last sentence of section 5 (c) of such Act is amended--

(1) by striking out "clause (5)" and inserting in lieu thereof "clause (6)"; and

(2) by striking out "Labor and Public Welfare" and inserting in lieu thereof "Labor and Human Resources."

STATE ARTS GRANTS

Sec. 3. Section 5 (d) 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:

(5) 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 (c) of this Act having a population of 200,000 or more, according to the latest decennial census.

INTERAGENCY AGREEMENTS

Sec. 4. Section 5 (f) 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. 5. The matter preceding paragraph (1) of section 5 (1) of the Act is amended by inserting "strengthening quality by" after "for the purpose of":

REPEALER

Sec. 6. Section 5 of the Act is amended by repealing subsection (m).

NATIONAL COUNCIL ON THE ARTS

Sec. 7. 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. 8. (a) Section 7 (f) (2) of the Act is amended by striking out the word "loans:" in the matter in parentheses and by deleting all that follows the first semicolon.

(b) The last sentence of section 7 (f) 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. 9. (a) Section 7 (f) (2) of the Act 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 extended 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.
(b) Paragraphs (4), (5), (6), and (7) of such section
7(f) are redesignated as paragraphs (2), (3), (4), and (5),
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--
(1) by striking out "grant recipient:*' each time it
appears and inserting in lieu thereof "State:'
(2) by striking out "grant recipients:*' each time it
appears and inserting in lieu thereof "States:*' and
(3) 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) (A) 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 58 per cent of the total cost of any project or
production described in paragraph (1). The amount of any:*',
(3) Such section 7 (f) (A) (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'';

(a) 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'';

(b) Section 7(f)(5) 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

(d)

(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(1) of the Act is amended by striking out
''entity'' and inserting in lieu thereof ''agency'';

(g) Section 7(f)(6) of the Act (as redesignated by
subsection (b)) is further amended by adding at the end
thereof the following new sub-paragraph:

'(E) For the purpose of paragraph (E) (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:

'(A) The Chairman is authorized to repurpose 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 (ii) 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:

(ii) Section 7 of the Act is further amended by inserting
immediately after subsection (a) (as added by subsection (e) of
the following new subsection:

''(a) 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 (e) of the Act for
the costs of such activities.'''

Application Subject to National Council on the Humanities
Recommendations

Sec. 10. Section 9 (f) of the Act is amended by striking
out ''$17,500'' and inserting in lieu thereof ''$325,000''

Administrative Provisions

Sec. 11. (a) Section 10 (a) (4) of the Act is amended by
inserting ''and culturally diverse'' after the word
''geographic''

(b) (1) Section 10 (b) of the Act is amended by striking
out ''January'' and inserting in lieu thereof ''April''
(2) Section 10 (c) of the Act is amended by striking out
''January'' and inserting in lieu thereof ''April''

Authorization of Appropriations

Sec. 12. (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 ''2 years'' and inserting in lieu
thereof ''4 years'' 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."

(a) (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."

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

(b) The second sentence of such section 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."

(d) Section 11 (c) of the Act is amended by inserting after the word "Act" a comma and the following: "including not to exceed $35,000 in any fiscal year for official reception and representation expenses."