

Public Law 91-346

AN ACT

July 20, 1970
[S. 3215]

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as “The National Foundation on the Arts and the Humanities Amendments of 1970”.

The National Foundation on the Arts and the Humanities Amendments of 1970.

AMENDMENT WITH RESPECT TO THE DECLARATION OF PURPOSE

SEC. 2. Clause (2) of section 2 of the National Foundation on the Arts and Humanities Act of 1965 is amended by inserting before the semicolon at the end thereof the following: “in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future”.

79 Stat. 845.
20 USC 951.

ADDITION TO DEFINITION OF HUMANITIES

SEC. 3. Subsection (a) of section 3 of the National Foundation on the Arts and Humanities Act of 1965 is amended by inserting “comparative religion; ethics;” after “archeology;”, and by inserting before the period at the end thereof the following: “with particular attention to the relevance of the humanities to the current conditions of national life”.

82 Stat. 187.
20 USC 952.

ASSISTANCE RELATING TO THE DISTRIBUTION OF WORKS OF ART AND WORK IN RESIDENCE BY ARTISTS

SEC. 4. Clause (3) of subsection (c) of section 5 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by inserting after “enable them” the following: “to achieve wider distribution of their works, to work in residence at an educational or cultural institution, or”.

20 USC 954.

CONSOLIDATION OF LAWS RELATING TO THE NATIONAL COUNCIL ON THE ARTS

SEC. 5. (a) (1) Subsection (b) of section 5 of the National Foundation on the Arts and the Humanities Act of 1965 is amended to read as follows:

“(b) (1) The Endowment shall be headed by a chairman, to be known as the Chairman of the National Endowment for the Arts, who shall be appointed by the President, by and with the advice and consent of the Senate.

Chairman,
appointment.

“(2) The term of office of the Chairman shall be four years and the Chairman shall be eligible for reappointment. The provisions of this subsection shall apply to any person appointed to fill a vacancy in the office of Chairman. Upon expiration of his term of office the Chairman shall serve until his successor shall have been appointed and shall have qualified.”

(2) Such section 5 is further amended by striking out subsection (d) and by redesignating subsections (e), (f), (g), (h), (i), (j), (k), and (l), and all references thereto, as subsections (d), (e), (f), (g), (h), (i), (j), and (k), respectively.

(3) Clause (2) of subsection (a) of section 10 of such Act is amended by striking out all that follows “sections 5(c) and 7(c)” and inserting in lieu thereof a semicolon.

82 Stat. 186.
20 USC 959.

82 Stat. 187.
20 USC 960.

79 Stat. 849.
20 USC 955.

(4) Section 11(a) of such Act is amended by striking out "and the functions transferred by section 6(a) of this Act,".

(b) Section 6 of such Act is amended to read as follows:

"NATIONAL COUNCIL ON THE ARTS

"SEC. 6. (a) There shall be, within the National Endowment for the Arts, a National Council on the Arts (hereinafter in this section referred to as the 'Council').

"(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, who shall be Chairman of the Council, and twenty-six other members appointed by the President who shall be selected—

"(1) from among private citizens of the United States who are widely recognized for their broad knowledge of, or expertise in, or for their profound interest in, the arts;

"(2) so as to include practicing artists, civic cultural leaders, members of the museum profession, and others who are professionally engaged in the arts; and

"(3) so as collectively to provide an appropriate distribution of membership among the major art fields.

The President is requested, in the making of such appointments, to give consideration to such recommendations as may, from time to time, be submitted to him by leading national organizations in these fields.

"(c) Each member shall hold office for a term of six years, and the terms of office shall be staggered. No member shall be eligible for reappointment during the two-year period following the expiration of his term. Any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed.

"(d) The Council shall meet at the call of the Chairman but not less often than twice during each calendar year. Fourteen members of the Council shall constitute a quorum.

"(e) Members shall receive compensation at a rate to be fixed by the Chairman but not to exceed the per diem equivalent of the rate authorized for grade GS-18 by section 5332 of title 5 of the United States Code and be allowed travel expenses including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

"(f) The Council shall (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, duties, or responsibilities under this Act, and (2) review applications for financial assistance under this Act and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove any such application until he has received the recommendation of the Council on such application, unless the Council fails to make a recommendation thereon within a reasonable time. In the case of an application involving \$10,000, or less, the Chairman may approve or disapprove such request if such action is taken pursuant to the terms of a delegation of authority from the Council to the Chairman, and provided that each such action by the Chairman shall be reviewed by the Council."

(c) Subsection (e) of section 8 of such Act is amended to read as follows:

"(e) Members shall receive compensation at a rate to be fixed by the Chairman but not to exceed the per diem equivalent of the rate authorized for grade GS-18 by section 5332 of title 5 of the United

Ante, p. 198-1.

80 Stat. 499;
83 Stat. 190.

79 Stat. 851.
20 USC 957.

States Code and be allowed travel expenses including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently."

Ante, p. 198-1.
80 Stat. 499;
83 Stat. 190.

(d) (1) The National Council on the Arts established under section 6 of the National Foundation on the Arts and the Humanities Act of 1965, as amended by subsection (b), shall, for any purpose determined to be necessary by the Chairman of the National Endowment for the Arts, be deemed to be a continuation of the National Council on the Arts established under the National Arts and Cultural Development Act of 1964, Public Law 88-579, without interruption.

Ante, p. 444.

(2) Members appointed to the National Council on the Arts pursuant to section 5 of the National Arts and Cultural Development Act of 1964 shall be deemed to have been appointed as members of the National Council on the Arts established under section 6 of the National Foundation on the Arts and the Humanities Act of 1965, with such terms of office as may be remaining under the prior appointment on the effective date of the amendments made by subsection (b).

78 Stat. 905.
20 USC 781
note.

20 USC 784.

(3) (A) The amendments made by subsections (a) and (b) shall be effective after June 30, 1970.

Effective dates.

(B) Effective July 1, 1970, the National Arts and Cultural Development Act of 1964, Public Law 88-579, is repealed.

Repeal.

TECHNICAL AMENDMENT RELATING TO THE DISTRICT OF COLUMBIA

SEC. 6. Clause (A) of paragraph (2) of subsection (g) of section 5 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by inserting after "Recreation Board" a comma and the following: "or any successor designated for the purpose of this Act by the Commissioner of the District of Columbia."

Ante, p. 443.

ALLOTMENTS OF FUNDS TO STATES

SEC. 7. Paragraph (3) of subsection (g) of section 5 of the National Foundation on the Arts and the Humanities Act of 1965 is amended to read as follows:

"(3) From the sums appropriated to carry out the purposes of this subsection for any fiscal year, not less than \$65,000 shall be allotted to each State. That part of such sums as may remain after such allotment shall be allotted among the States in equal amounts, except that for the purposes of this sentence the term 'State' shall not include Guam and American Samoa. If the sums appropriated for any fiscal year to carry out the purposes of this subsection are insufficient to satisfy allotments under the first sentence of this paragraph, such sums shall be allotted among the States in equal amounts."

"State."

AMENDMENTS WITH RESPECT TO THE NATIONAL ENDOWMENT FOR THE HUMANITIES

SEC. 8. (a) Clause (2) of subsection (b) of section 7 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by adding at the end thereof the following: "Upon expiration of his term of office the Chairman shall serve until his successor shall have been appointed and shall have qualified."

79 Stat. 850.
20 USC 956.

(b) Clause (2) of subsection (c) of such section is amended to read as follows:

"(2) initiate and support research and programs to strengthen the research and teaching potential of the United States in the

humanities by making arrangements (including contracts, grants, loans, and other forms of assistance) with individuals or groups to support such activities."

79 Stat. 850.
20 USC 956.

(c) Clause (5) of subsection (c) of such section is amended by inserting after "groups," the following: "education in, and".

INCLUSION OF THE ARCHIVIST OF THE UNITED STATES AS A MEMBER OF THE FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES

20 USC 958.

SEC. 9. Subsection (b) of section 9 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by inserting after "the Chairman of the Commission of Fine Arts" a comma and the following: "the Archivist of the United States".

METHOD OF MAKING PAYMENTS

82 Stat. 186.
20 USC 959.

SEC. 10. The first sentence of subsection (a) of section 10 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by redesignating clauses (6) and (7), and all references thereto, as clauses (7) and (8) and by inserting after clause (5) the following new clause:

"(6) to make advance, progress, and other payments without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529)."

TECHNICAL AMENDMENT

SEC. 11. Subsection (a) of section 10 of the National Foundation on the Arts and Humanities Act of 1965 is amended—

- (1) in clause (3) by inserting "to" before "appoint";
- (2) in clause (4) by inserting "to" before "utilize";
- (3) in clause (5) by inserting "to" before "accept";
- (4) in clause (7) by inserting "to" before "rent";
- (5) in clause (8) by inserting "to" before "make".

AUTHORIZATIONS OF APPROPRIATIONS

20 USC 960.

SEC. 12. (a) Subsection (a) of section 11 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by—

(1) striking out "and \$6,500,000 for the fiscal year ending June 30, 1970" in the first sentence of such section and inserting in lieu thereof the following: "\$6,500,000 for the fiscal year ending June 30, 1970, \$12,875,000 for the fiscal year ending June 30, 1971, \$21,000,000 for the fiscal year ending June 30, 1972, and \$28,625,000 for the fiscal year ending June 30, 1973";

(2) striking out "and \$9,000,000 for the fiscal year ending June 30, 1970" in the first sentence of such section and inserting in lieu thereof the following: "\$9,000,000 for the fiscal year ending June 30, 1970, \$17,000,000 for the fiscal year ending June 30, 1971, \$26,500,000 for the fiscal year ending June 30, 1972, and \$35,500,000 for the fiscal year ending June 30, 1973"; and

(3) striking out "and \$2,500,000 for the fiscal year ending June 30, 1970" in the second sentence of such section and inserting in lieu thereof the following: "\$2,500,000 for the fiscal year ending June 30, 1970, \$4,125,000 for the fiscal year ending June 30, 1971, \$5,500,000 for the fiscal year ending June 30, 1972, and \$6,875,000 for the fiscal year ending June 30, 1973".

(b) The first sentence of subsection (b) of section 11 of such Act is amended by inserting immediately before the period at the end thereof a comma and the following: "and the amount so appropriated for the fiscal year ending June 30, 1971, shall not exceed \$6,000,000, the amount so appropriated for the fiscal year ending June 30, 1972, shall not exceed \$7,000,000, and the amount so appropriated for the fiscal year ending June 30, 1973, shall not exceed \$9,000,000".

82 Stat. 187.
20 USC 960.

Approved July 20, 1970.

Public Law 91-347

AN ACT

To provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Florida.

July 22, 1970
[H. R. 7618]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to section 3 of this Act, the Secretary of the Air Force shall donate, grant, and convey to the Board of Public Instruction for the County of Okaloosa, Florida, all right, title, and interest of the United States in and to the real property described in section 2 of this Act for use as permanent sites for Okaloosa County public schools.

Florida.
Okaloosa
County Board of
Public Instruc-
tion.
Land convey-
ance.

SEC. 2. The real property referred to in the first section of this Act is more particularly described as follows:

The west 15 acres, of that part lying north of Bayou Poquito subdivision, of Government lot 2, section 31, township 1 south, range 24 west; also

The north half of lot 14, and the north half of lot 13 east of highway, and the south 842 feet of lot 11 east of highway; also

Beginning at the southwest corner of section 18—

thence east a distance of 130 feet to a point of beginning;

thence east along the said section line a distance of 1,840 feet to a monument;

thence north a distance of 700 feet to a point on the south line of Tennessee Avenue;

thence west along the south boundary of Tennessee Avenue a distance of 919 feet;

thence northwesterly along a line 275 feet to a point on the north boundary of Tennessee Avenue;

thence north along the west boundary of Fern Dell Avenue a distance of 700 feet to a point on the south line of Georgia Avenue a distance of 785 feet;

thence south a distance of 1,450 feet to the point of beginning containing 40 acres, more or less; also

Beginning at the northeast corner of the southeast quarter section 26, township 1 south, range 24 west, proceed north 88 degrees 40 minutes west 1,150 feet to a concrete monument;

thence south 0 degrees 58 minutes west 1,817.10 feet to a concrete monument on the north right-of-way line of State Road Numbered S-85-A;

thence north 64 degrees 50 minutes east along said right-of-way line 1,280.90 feet to a concrete monument;

thence north 0 degrees 58 minutes east 1,245.45 feet to the point of beginning, containing 40 acres, more or less.

SEC. 3. The conveyance provided for by the first section of this Act shall be subject to the following conditions:

Conditions.