

APPLICABILITY OF 1985 AMENDMENT

Amendment by section 107(3) of Pub. L. 99-194 not applicable with respect to plans submitted for financial assistance to be provided with funds appropriated for fiscal year 1986, see section 112 of Pub. L. 99-194, set out as a note under section 954 of this title.

EFFECTIVE DATE OF 1976 AMENDMENT

Pub. L. 94-462, title I, §104(b), Oct. 8, 1976, 90 Stat. 1974, provided that: "The amendment made by subsection (a) [amending this section] shall be effective with respect to fiscal year 1977 and succeeding fiscal years."

EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by section 2(a)(6) of Pub. L. 93-133 effective on and after July 1, 1973, see section 2(b) of Pub. L. 93-133, set out as a note under section 951 of this title.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (k) of this section relating to quadrennially submitting the state of the humanities report to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 183 of House Document No. 103-7.

§ 956a. National Capital arts and cultural affairs; grant programs

There is hereby authorized a program to support artistic and cultural programs in the Nation's Capital to be established under the direction of the Commission of Fine Arts. Not to exceed \$10,000,000 annually is authorized to provide grants for general operating support to eligible organizations located in the District of Columbia whose primary purpose is performing, exhibiting and/or presenting arts.

Eligibility for grants shall be limited to not-for-profit, non-academic institutions of demonstrated national repute and is further limited to organizations having annual income, exclusive of Federal funds, in excess of \$1,000,000 for each of the three years prior to receipt of a grant. Each eligible organization must have its principal place of business in the District of Columbia and in a facility or facilities located in the District of Columbia.

The Chairman of the Commission of Fine Arts shall establish an application process and shall, along with the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities determine the eligibility of applicant organizations.

Of the funds provided for grants, 70 per centum shall be equally distributed among all qualifying organizations and 30 per centum shall be distributed based on the size of an organization's total annual income, exclusive of Federal funds, compared to the combined total of the annual income, exclusive of Federal funds, of all eligible institutions. No organization shall receive a grant in excess of \$650,000 in a single year.

An application process shall be established no later than March 1, 1986, and initial grants shall be awarded no later than June 1, 1986.

(Pub. L. 99-190, §101(d) [title II, §201], Dec. 19, 1985, 99 Stat. 1224, 1261; Pub. L. 99-500, §101(h) [title II, §201], Oct. 18, 1986, 100 Stat. 1783-242, 1783-281, and Pub. L. 99-591, §101(h) [title II, §201], Oct. 30, 1986, 100 Stat. 3341-242, 3341-281; Pub. L. 100-202, §101(g) [title II, §201], Dec. 22,

1987, 101 Stat. 1329-213, 1329-250; Pub. L. 101-121, title II, Oct. 23, 1989, 103 Stat. 739; Pub. L. 106-219, §2, June 20, 2000, 114 Stat. 346; Pub. L. 108-81, title V, §502(b), Sept. 25, 2003, 117 Stat. 1003; Pub. L. 111-88, div. A, title IV, §418, Oct. 30, 2009, 123 Stat. 2960; Pub. L. 112-74, div. E, title III, Dec. 23, 2011, 125 Stat. 1035.)

CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500. Section was not enacted as part of the National Foundation on the Arts and the Humanities Act of 1965 which comprises this subchapter.

AMENDMENTS

2011—Pub. L. 112-74 substituted "Each eligible organization must have its principal place of business in the District of Columbia and in a facility or facilities located in the District of Columbia." for "The following organizations are deemed eligible to receive grants under this section: Folger Theater, Corcoran Gallery of Art, Phillips Gallery, Arena Stage, the National Building Museum, the National Children's Museum, the National Symphony Orchestra, the National Opera, and Ford's Theater." in second par. and struck out "in addition to those herein named" at end of third par.

2009—Pub. L. 111-88 substituted "\$10,000,000" for "\$7,500,000" in first par. and "\$650,000" for "\$500,000" in fourth par.

2003—Pub. L. 108-81 substituted "National Children's Museum" for "National Capital Children's Museum" in second par.

2000—Pub. L. 106-219 substituted "National Opera" for "Washington Opera Society" in second par.

1989—Pub. L. 101-121 substituted "\$7,500,000" for "\$5,000,000" in first par.

1987—Pub. L. 100-202 substituted "direction of the Commission of Fine Arts" for "direction of the National Endowment for the Humanities" in first par. and amended third par. generally. Prior to amendment, third par. read as follows: "The Chairman of the National Endowment for the Humanities shall establish an application process and shall, along with the Chairman of the National Endowment for the Arts and the Chairman of the Commission on Fine Arts determine the eligibility of applicant organizations in addition to those herein named."

1986—Pub. L. 99-500 and Pub. L. 99-591 substituted "whose primary purpose is" for "which are engaged primarily in" in first par. and "annual income, exclusive of Federal Funds," for "an annual operating budget", "operating budget", and "operating budgets" in third and fourth pars.

REDESIGNATION OF CAPITAL CHILDREN'S MUSEUM AS NATIONAL CHILDREN'S MUSEUM

Pub. L. 108-81, title V, §502, Sept. 25, 2003, 117 Stat. 1003, provided that:

"(a) DESIGNATION.—The Capital Children's Museum located at 800 Third Street, NE, Washington, D.C. (or any successor location), organized under the laws of the District of Columbia, is designated as the 'National Children's Museum'.

"(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Capital Children's Museum referred to in subsection (a) shall be deemed to be a reference to the 'National Children's Museum'."

REDESIGNATION OF WASHINGTON OPERA AS NATIONAL OPERA

Pub. L. 106-219, June 20, 2000, 114 Stat. 346, provided that:

"SECTION 1. DESIGNATION.

"The Washington Opera, organized under the laws of the District of Columbia, is designated as the 'National Opera'.

“SEC. 2. REFERENCES.

“Any reference in a law, map, regulation, document, paper or other record of the United States to the Washington Opera referred to in section 1 shall be deemed to be a reference to the ‘National Opera.’”

§ 957. National Council on the Humanities

(a) Establishment

There is established in the National Endowment for the Humanities a National Council on the Humanities.

(b) Composition; basis for selection of members; representation of interests; recommendations of national organizations

The Council shall be composed of the Chairperson of the National Endowment for the Humanities, who shall be the Chairperson of the Council, and twenty-six other members appointed by the President, by and with the advice and consent of the Senate, from private life. Such members shall be individuals who (1) are selected from among private citizens of the United States who are recognized for their broad knowledge of, expertise in, or commitment to the humanities, and (2) have established records of distinguished service and scholarship or creativity and in a manner which will provide a comprehensive representation of the views of scholars and professional practitioners in the humanities and of the public throughout the United States. 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 concerned with the humanities. In making such appointments, the President shall give due regard to equitable representation of women, minorities, and individuals with disabilities who are involved in the humanities.

(c) Term of office; vacancies; reappointment

Each member shall hold office for a term of six years, except that (1) the members first taking office shall serve, as designated by the President, nine for terms of two years, nine for terms of four years, and eight for terms of six years, and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which such member's predecessor was appointed. No member shall be eligible for reappointment during the two-year period following the expiration of such member's term. Notwithstanding any other provisions of this subsection, a member shall serve after the expiration of such member's term until such member's successor takes office.

(d) Meetings; quorum

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

(e) Compensation and travel expenses

Members shall receive compensation at a rate to be fixed by the Chairperson but not to exceed the per diem equivalent of the rate authorized for grade GS-18 by section 5332 of title 5 and be allowed travel expenses including per diem in lieu of subsistence, as authorized by law (section

5703 of title 5) for persons in the Government service employed intermittently.

(f) Advisory functions: policies, programs, and procedures; review of applications for financial support; recommendations prerequisite to action of Chairperson; unilateral action by Chairperson pursuant to delegation of authority

The Council shall (1) advise the Chairperson with respect to policies, programs, and procedures for carrying out the Chairperson's functions, and (2) shall review applications for financial support and make recommendations thereon to the Chairperson. The Chairperson shall not approve or disapprove any such application until the Chairperson 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 any application involving \$30,000, or less, the Chairperson 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 Chairperson, and provided that each such action by the Chairperson shall be reviewed by the Council: *Provided*, That the terms of any such delegation of authority shall not permit obligations for expenditure of funds under such delegation for any fiscal year which exceed an amount equal to 10 per centum of the sums appropriated for that fiscal year pursuant to subparagraph (B) of paragraph (1) of section 960(a) of this title.

(Pub. L. 89-209, § 8, Sept. 29, 1965, 79 Stat. 851; Pub. L. 90-348, § 4, June 18, 1968, 82 Stat. 186; Pub. L. 91-346, § 5(c), July 20, 1970, 84 Stat. 444; Pub. L. 93-133, § 2(a)(7), Oct. 19, 1973, 87 Stat. 464; Pub. L. 94-462, title I, § 103(b), Oct. 8, 1976, 90 Stat. 1971; Pub. L. 96-496, title I, § 105, Dec. 4, 1980, 94 Stat. 2587; renumbered title I, § 8, and amended Pub. L. 98-306, §§ 2, 5(b), May 31, 1984, 98 Stat. 223, 224; renumbered § 8 and amended Pub. L. 99-194, title I, §§ 101(1), 108, Dec. 20, 1985, 99 Stat. 1332, 1338.)

AMENDMENTS

1985—Subsec. (b). Pub. L. 99-194, § 108(1), substituted “Chairperson” for “Chairman” in two places, substituted “individuals who (1) are selected from among private citizens of the United States who are recognized for their broad knowledge of, expertise in, or commitment to the humanities, and (2) have established records of” for “selected on the basis of”, and inserted provision that in making such appointments, the President shall give due regard to equitable representation of women, minorities, and individuals with disabilities who are involved in the humanities.

Subsec. (c). Pub. L. 99-194, § 108(2), substituted “such member's” for “his” wherever appearing.

Subsecs. (d), (e). Pub. L. 99-194, § 108(3), substituted “Chairperson” for “Chairman” wherever appearing.

Subsec. (f). Pub. L. 99-194, § 108(3), (4), substituted “Chairperson” for “Chairman” wherever appearing, “the Chairperson's” for “his”, and “until the Chairperson has received” for “until he has received”.

1984—Subsec. (c). Pub. L. 98-306, § 5(b), inserted “Notwithstanding any other provisions of this subsection, a member shall serve after the expiration of his term until his successor takes office.”

1980—Subsec. (f). Pub. L. 96-496 substituted “\$30,000” for “\$17,500”.

1976—Subsec. (b). Pub. L. 94-462 inserted “, by and with the advice and consent of the Senate,” after “by the President”.