

117TH CONGRESS
2D SESSION

S. 4936

To establish a National Council on African American History and Culture within the National Endowment for the Humanities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22, 2022

Mr. CARDIN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish a National Council on African American History and Culture within the National Endowment for the Humanities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Council on
5 African American History and Culture Act of 2022”.

6 **SEC. 2. COUNCIL ON AFRICAN AMERICAN HISTORY AND**
7 **CULTURE.**

8 (a) ESTABLISHMENT.—There is established in the
9 National Endowment for the Humanities a National

1 Council on African American History and Culture (re-
2 ferred to in this section as the “Council”).

3 (b) MEMBERSHIP.—

4 (1) NUMBER AND APPOINTMENT.—The Council
5 shall be composed of 12 members appointed by the
6 President, by and with the advice and consent of the
7 Senate.

8 (2) QUALIFICATIONS.—The members of the
9 Council shall be individuals who—

10 (A) are selected from among private citi-
11 zens of the United States who are recognized
12 for their broad knowledge of, expertise in, or
13 commitment to the preservation and celebration
14 of African-American history and culture;

15 (B) are not currently employees of the
16 Federal Government; and

17 (C) have established records of distin-
18 guished service, scholarship, or creativity.

19 (3) CONSIDERATIONS.—In appointing members
20 to the Council under paragraph (1), the President—

21 (A) shall give due regard to equitable rep-
22 resentation of women, people of color, and indi-
23 viduals with disabilities who are involved in the
24 humanities; and

1 (B) shall select such members in a manner
 2 that ensures a comprehensive representation of
 3 the views of scholars and professional practi-
 4 tioners in the humanities and of the public
 5 throughout the United States.

6 (4) CHAIRPERSON; VICE CHAIRPERSON.—The
 7 Chairperson and Vice Chairperson of the Council
 8 shall be designated by the President from among the
 9 members of the Council. The Vice Chairperson shall
 10 act as Chairperson in the absence of the Chair-
 11 person.

12 (5) TERM OF OFFICE; VACANCIES; REAPPOINT-
 13 MENT.—

14 (A) IN GENERAL.—Each member shall be
 15 appointed for a term of 5 years, except as pro-
 16 vided in subparagraphs (B) and (C).

17 (B) TERMS OF INITIAL APPOINTEES.—As
 18 designated by the President at the time of the
 19 appointment, of the members first appointed to
 20 the Council under paragraph (1)—

21 (i) 6 shall be appointed for terms of
 22 3 years; and

23 (ii) 6 shall be appointed for terms of
 24 5 years.

1 (C) VACANCIES.—Any member appointed
2 to fill a vacancy occurring before the expiration
3 of the term for which the member's predecessor
4 was appointed shall be appointed only for the
5 remainder of that term. A member may serve
6 after the expiration of that member's term until
7 a successor has taken office.

8 (D) REAPPOINTMENT.—No member shall
9 be eligible for reappointment during the 2-year
10 period following the expiration of such mem-
11 ber's term.

12 (6) BASIC PAY.—

13 (A) RATES OF PAY.—Members shall re-
14 ceive compensation at a rate of 50 percent of
15 the daily rate of the highest rate of basic pay
16 payable for the senior-level positions classified
17 above GS-15 pursuant to section 5108 of title
18 5, United States Code, for each day (including
19 travel time) during which they are engaged in
20 the actual performance of duties vested in the
21 Council.

22 (B) TRAVEL EXPENSES.—Each member
23 shall receive travel expenses, including per diem
24 in lieu of subsistence, in accordance with appli-

1 cable provisions under subchapter 1 of chapter
2 57 of title 5, United States Code.

3 (7) QUORUM.—Nine members of the Council
4 shall constitute a quorum. The Council cannot hold
5 hearings without a full quorum.

6 (8) MEETINGS.—The Council shall meet at the
7 call of the Chairperson but not less frequently than
8 twice during each calendar year.

9 (c) DUTIES.—The duties of the Council shall be—

10 (1) to prepare an annual report to be submitted
11 to the Chairperson of the National Endowment for
12 the Humanities on the work of the National Endow-
13 ment to preserve and celebrate African-American
14 history and culture;

15 (2) to gather timely and authoritative informa-
16 tion concerning historical developments and cultural
17 trends in African-American history and culture, as
18 well as to monitor the work of museums and organi-
19 zations dedicated to the preservation of African-
20 American history and culture, and to analyze and in-
21 terpret such information for the purpose of deter-
22 mining whether national policy is necessary to fur-
23 ther support those efforts;

24 (3) to evaluate the various programs and activi-
25 ties of the National Endowment for the Humanities

1 for the purpose of determining the extent to which
2 such programs and activities are contributing, and
3 the extent to which they are not contributing, to the
4 successful preservation and celebration of African-
5 American history and culture, and to make rec-
6 ommendations to the President with respect to such
7 programs and activities;

8 (4) to develop and recommend to the Chair-
9 person national policies to foster and promote the
10 understanding of African-American history, the pres-
11 ervation of African-American culture, and the cele-
12 bration of African Americans as contributors to the
13 country's economic, cultural, and political success;
14 and

15 (5) to make and furnish such studies, reports
16 thereon, and recommendations with respect to mat-
17 ters of cultural preservation and African-American
18 history as the Chairperson may request.

19 (d) APPLICABILITY OF FACA.—Section 14 of the
20 Federal Advisory Committee Act (5 U.S.C. App.; relating
21 to termination of advisory committees) shall not apply to
22 the Council.

23 (e) TERMINATION.—The Council shall terminate 10
24 years after the date of the enactment of this Act.

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