

SEC. 4. Members of the Council, and persons appointed to assist the Council in making its studies, while attending meetings of the Council or while engaged in the conduct of studies authorized by this Act, shall receive compensation at a rate to be fixed by the Secretary, but not exceeding \$50 per diem, and shall be paid travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

SEC. 5. (a) Any member of the Council appointed under this Act, any person appointed to assist the Council in making its studies, and any other person appointed, employed, or utilized in an advisory or consultative capacity under this Act is hereby exempted, with respect to such appointment, employment, or utilization, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code, except as otherwise specified in subsection (b) of this section.

(b)(1) The exemption granted by subsection (a) of this section shall not extend to the following acts performed as an officer or employee of the United States by any person so appointed, employed, or utilized: (A) The negotiation or execution of, or (B) the making of any recommendation with respect to, or (C) the taking of any other action with respect to, any individual contract or other arrangement under this Act with the private employer of such person or any corporation, joint stock company, association, firm, partnership, or other business entity in the pecuniary profits or contracts of which such person has any direct or indirect interest.

(2) The exemption granted by subsection (a) of this section shall not, during the period of such appointment, employment, or utilization and the further period of two years after the termination thereof, extend to the prosecution or participation in the prosecution, by any person so appointed, employed, or utilized, of any claim against the Government involving any individual contract or other arrangement entered into pursuant to this Act concerning which the appointee had any responsibility during the period of such appointment, employment, or utilization.

SEC. 6. There are hereby authorized to be appropriated to the Department of Health, Education, and Welfare such sums as may be necessary to carry out this Act, including expenses of professional, clerical, and stenographic assistance. Such appropriations shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

SEC. 7. This Act shall not be deemed to invalidate any provision in any Act of Congress or Executive order vesting authority in the Commission of Fine Arts.

[H.R. 5408, 87th Cong., 1st sess.]

A BILL To provide for the establishment of a Federal Advisory Council on the Arts to assist in the growth and development of the fine arts in the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds and declares, and it is the policy of the Congress in enacting this Act—

(1) that the growth and flourishing of the arts depend upon freedom, imagination, and individual initiative;

(2) that the encouragement of creative activity in the performance and practice of the arts, and of a widespread participation in and appreciation of the arts, is essential to the general welfare and the national interest;

(3) that as workdays shorten and life expectancy lengthens, the arts will play an ever more important role in the lives of our citizens; and

(4) that the encouragement of the arts, while primarily a matter for private and local initiative, is an appropriate matter of concern to the United States Government.

SEC. 2. (a) There is hereby established in the Department of Health, Education, and Welfare a Federal Advisory Council on the Arts (hereinafter in this Act referred to as the "Council"). The Council shall be composed of twenty-one members appointed by the President, by and with the advice and consent of the Senate, from among private citizens of the United States who are widely recognized for their knowledge of or experience in, or for their profound interest in, one or more of the arts and who collectively will provide an appropriate balance of representation among the major art fields including music, drama, dance, literature, architecture and allied arts, painting, sculpture, photography, graphic