

The NCAG respectfully submits to the Select Subcommittee on Education two suggested amendments to H.R. 4172 and two points which we hope this subcommittee may wish to recommend for inclusion in the committee report which will accompany whatever Advisory Council bill may be approved by the Committee on Education and Labor.

In the 86th Congress, in order to secure administration support and at the suggestion of the NCAG, a compromise text was introduced in both Houses by Members of both parties. This text eliminated certain provisions of the bill (S. 3419) approved by the Senate in 1956. The various bills introduced in the 87th Congress followed that compromise text with slight variations. S. 3419 specified that all seven major fields of art were to be equally represented on the Advisory Council. Its accompanying Committee Report No. 2409 emphasized the importance of a high degree of technical competence on the part of persons appointed to the Council, and an explanatory sentence about the three members who are not representatives of any one of the arts. The NCAG is well aware that strict apportionment on the Council of representation of art fields and their many subdivisions may not be desirable. The NCAG suggests the following amendment, which underscores more adequately than the present vague phrase "appropriate balance" the desirability of wide representation of these fields of art, yet does not restrict the President's choice unduly. Further, it emphasizes professional competence, which is, in our opinion, essential to successful operation of the Advisory Council. Incidentally, this amendment would militate against appointments motivated by political considerations.

In H.R. 4172, section 2, page 2, line 22, after "television" it is suggested that the following sentence be substituted for the present sentence before the next sentence: "In view of the importance of including on the Council persons possessing a high degree of professional or technical competence in relation to the various art fields, the President is requested in making 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, and not more than three persons, appointed primarily for their general interest in the promotion, preservation, or patronage of the arts, shall serve on the Council at any one time." This amendment is included in H.R. 5408 introduced by Congressman John V. Lindsay but as a continuation of the same sentence.

The second suggested amendment is of minor importance and is merely a safeguard in case a conflict of responsibilities is anticipated between the Federal Advisory Council on the Arts and the Advisory Committee on the Arts which already functions in relation to federally sponsored cultural programs overseas. The development of the arts in the United States undeniably has international implications, all the more so in view of the emphasis placed in Soviet propaganda on cultural matters. As stated in Committee Report No. 1660 which accompanied H.R. 7656 in the 86th Congress: "Not only does art enrich the lives of individual citizens, but our national life and the impact of our country abroad is enhanced by cultural development." The arts do not recognize national frontiers and one of the charges constantly repeated by Soviet propaganda is that our Government does almost nothing to support the arts. Naturally, the Advisory Council should not concern itself with projects or programs carried out overseas with assistance from the Government. That can be quite simply clarified by adding in section 7, page 7, line 5, to that sentence the following phrase: "and the Advisory Committee on the Arts." This amendment is included in H.R. 5408.

In administering Federal legislation for the arts greatest care must be taken that the freedom of the arts shall be protected from esthetic bias and political censorship or controls. This objective cannot be written into legislation but can be expressed as an intent of Congress in a committee report. To this end, Committee Report No. 2409 which accompanied S. 3419 stated:

"It is the intention of this committee that the Advisory Council, in carrying out its functions, shall not, directly or indirectly, infringe or attempt to infringe in any way, shape, or manner upon the freedom of expression in the arts or impose or attempt to impose any form of censorship or governmental control or direction of the arts."

The NCAG most earnestly hopes that this or a similarly clear statement of intent will be favorably considered for inclusion in the committee report. This was not done in Committee Report No. 1660 which accompanied H.R. 7656 in the 86th Congress.

The effectiveness of an advisory body depends in large measure on the leadership given by the chairman. He should not only have the requisite abilities but