IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 1953

Mr. HOWELL introduced the following bill; which was referred to the Committee on Education and Labor.

A BILL

To provide for the establishment of a National War Memorial Arts Commission, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the Congress hereby finds that great contributions can be and are being made by the fine arts to the morale, health, and general welfare of the Nation. The Congress further finds that the City of Washington, since its establishment as the Nation's Capital in 1800, has never had a suitable theater and opera house commensurate with its position of leadership among the free nations of the world. It is therefore declared to be the policy of the Congress and the purpose of this Act (1) to encourage the growth and development of the fine arts;
1 arts throughout the United States for the purpose of develop-
2 ing greater knowledge, understanding, and practice of the
3 fine arts, (2) to increase the accessibility of the fine arts
4 to the public and to raise the standard of execution of the
5 fine arts, by professionals and amateurs alike, throughout the
6 Nation, (3) to establish in the executive branch of the Gov-
7 ernment a Federal agency to advise and cooperate with pub-
8 lic and private agencies and organizations operating in the
9 field of the fine arts on all matters directly or indirectly con-
10 cerned with these objects, (4) to provide for the establish-
11 ment, maintenance, and operation in the Nation’s Capital of
12 a suitable theater and opera house dedicated to the fuller
13 growth and development of the fine arts throughout the
14 United States and designed for use by the National War
15 Memorial Arts Commission in the presentation of fine arts
16 programs, and (5) to encourage the development of a strong
17 American theatrical and operatic art through maximum use
18 of the English language in productions assisted under this
19 Act.

Sec. 2. There is established a commission to be known
1 as the National War Memorial Arts Commission (herein-
2 after referred to as the “Commission”) and to be com-
3 posed of—

24 (1) the President of the United States, ex officio,
25 who shall be Chairman; the Chairman of the Senate
Committee on Labor and Public Welfare and the Chairman of the House Committee on Education and Labor (either of whom may, if unable to serve in person, designate another member of his committee to serve as a member of the Commission in his stead); the ranking minority member of the Senate Committee on Labor and Public Welfare and of the House Committee on Education and Labor; the Secretary of Defense; the Secretary of the Interior; the Secretary of State; the Administrator of General Services; the Librarian of Congress; the Director of the National Gallery of Art; the Chairman of the Commission of Fine Arts; the Commissioner of Education; the Chairman of the Board of Commissioners of the District of Columbia; the Chairman of the National Capital Planning Commission; the Director of the Smithsonian Gallery of Art (or, until such time as the construction of the Smithsonian Gallery of Art is completed, the Director of the National Collection of Fine Arts); the Director of Radio, Television, and Motion Pictures in the Department of Agriculture; the Chairman of the Federal Communications Commission; the Secretary of the Smithsonian Institution; and, in addition, (2) fifteen eminent citizens to be appointed by the President, by and with the advice and consent of the
Senate and (except in the case of appointments made prior to the first meeting of the Commission) with the approval of the Vice Chairman of the Commission. The persons so appointed (A) shall be eminent in the fields of the fine arts, education, recreation, veterans affairs, business, agriculture, labor, the professions, State, county, and municipal government, and public affairs; (B) shall be selected solely on the basis of established records of distinguished service; and (C) shall be selected so as to provide adequate representation for the views of leaders in the fine arts in all areas of the Nation. The President is requested, in making such appointments, to give due consideration to any recommendations which may be submitted to him by State, county, and municipal governments, and by organizations in the fields of the fine arts, education, recreation, veterans' affairs, business, agriculture, labor, the professions, and public affairs. The term of office of each member appointed under this paragraph shall be six years and shall expire on April 30, except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term; and (B) the terms of office of the members first appointed shall expire, as
designated by the President at the time of appointment, three on April 30, 1956, three on April 30, 1957, three on April 30, 1958, three on April 30, 1959, and three on April 30, 1960. Any person who has been a member of the Commission for twelve consecutive years shall thereafter be ineligible for appointment during the two-year period following the expiration of such twelfth year. Any member of the Commission appointed under this paragraph shall, notwithstanding the expiration of his term, continue as a member until the qualification and appointment of his successor. Not more than eight of the persons appointed under this paragraph shall be members of the same political party, and in making appointments members of different political parties shall be appointed alternately as nearly as may be practicable.

Sec. 3. (a) The Commission is authorized and directed—

(1) to develop and encourage the pursuit of a national policy for the promotion of, and for education in, the fine arts;

(2) to initiate and support both professional and amateur activities in all fields of the fine arts by making contracts or other arrangements (including grants, loans, and other forms of assistance) for the conduct of activi-
ties in the fine arts, and to appraise the impact of such
activities upon the general welfare and the cultural de-
velopment of the Nation;
(3) at the request of the head of any department,
agency, or independent establishment of the Federal
Government, or of the Board of Commissioners of the
District of Columbia, to initiate and support specific fine
arts activities in connection with matters relating to the
general welfare and the cultural development of the
Nation by making contracts or other arrangements
(including grants, loans, and other forms of assistance)
for the conduct of such fine arts activities;
(4) to award, as provided in section 10 (4),
scholarships and graduate fellowships in the fine arts;
(5) to foster the interchange of fine arts informa-
tion among professional and amateur artists (both indi-
viduals and organizations) in the United States and
those in foreign countries, and between the Federal
Government and governments of foreign countries;
(6) to evaluate fine arts programs undertaken by
agencies of the Federal Government, and to correlate
the fine arts program of the Commission with similar
programs and activities undertaken by individuals and
public and private professional and amateur fine arts
groups;
(7) to establish, maintain, and administer in the Nation's Capital a theater and opera house to be known as the National War Memorial Theater and Opera House, to be constructed in accordance with section 10 (2) and used in the development of the fine arts as provided in section 10 (5); 

(8) to employ artists and other personnel and generally to do such things and have such other powers as may be necessary to encourage the development of contemporary art and effect the widest distribution and cultivation of such art by professionals and amateurs alike; 

(9) to assist financially and otherwise in the preparation and presentation of professional and amateur fine arts productions and programs which contribute to the achievement of the purposes of this Act and which are prepared and carried on by Federal, State, county, and municipal agencies and authorities, by accredited nonprofit colleges and universities, and by other nonprofit organizations in the field of the fine arts; and 

(10) to establish such special commissions as the Commission may from time to time deem necessary for the purposes of this Act.

(b) In exercising the authority and discharging the functions set forth in subsection (a) it shall be one of the
objectives of the Commission to strengthen professional and amateur activities, study, and education in the fine arts, including independent work in the fine arts in all parts of the United States, including its Territories and possessions, and to avoid undue concentration of such activities, study, and education.

(c) The Commission shall render an annual report to the President for submission on or before the 15th day of January of each year to the Congress, summarizing the activities of the Commission and making such recommendations as it may deem appropriate. Such report shall include minority views and recommendations, if any, of members of the Commission.

Sec. 4. (a) As soon as practicable after the date of the enactment of this Act, the President shall call the first meeting of the Commission, and the first order of business at such meeting shall be the election of a Vice Chairman. The Vice Chairman shall be elected for a term of two years and shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the vice chairmanship, the Commission shall elect a member to fill such vacancy.

(b) The Commission shall meet quarterly and at such other times as the Chairman may determine, but he shall also call a meeting whenever one-third of the members so request in writing. A majority of the members of the Commission shall constitute a quorum. Each member appointed
under paragraph (2) of section 2 shall be given notice, by registered mail mailed to his last-known address of record not less than fifteen days prior to any meeting, of the call of such meeting.

SEC. 5. (a) There shall be a Director of the Commission who shall be appointed by the President by and with the advice and consent of the Senate. The Commission may make recommendations to the President with respect to the appointment of the Director, and the Director shall not be appointed until the Commission has had an opportunity to make such recommendations. He shall serve as a nonvoting ex officio member of the Commission. In addition thereto he shall be the chief executive officer of the Commission. The Director shall receive compensation at the rate of $15,000 per annum and shall serve for a term of six years unless sooner removed by the President.

(b) In addition to the powers and duties specifically vested in him by this Act, the Director shall, in accordance with the policies established by the Commission, exercise the powers granted by section 10 of this Act, together with such other powers and duties as may be delegated to him by the Commission; but no final action shall be taken by the Director in the exercise of any power granted by section 10 unless in each instance the Commission, or the Executive Committee
of the Commission as provided in section 6, has reviewed
and approved the action proposed to be taken.

SEC. 6. (a) The Commission shall appoint from among
its members an Executive Committee, and assign to the
Executive Committee such of the powers and functions
granted to the Commission by this Act as it deems appro-
priate; except that the Commission may not assign to the
Executive Committee the function of establishing policies.

(b) (1) The Executive Committee shall be composed
of the Vice Chairman of the Commission, who shall be
Chairman of the Executive Committee; the Director, who
shall be a nonvoting ex officio member; the Commissioner
of Education; the Chairman of the National Capital Plan-
ing Commission; the Chairman of the Board of Commis-
sioners of the District of Columbia; the Director of the
Smithsonian Gallery of Art (or, until such time as the con-
struction of the Smithsonian Gallery of Art is completed, the
Director of the National Collection of Fine Arts); the Secre-
tary of the Interior; the Chairman of the Commission of
Fine Arts; the Librarian of Congress; the Director of the
National Gallery of Art; and seven members of the Com-
mission selected from among the persons appointed under
paragraph (2) of section 2. The seven members of the
Committee who were appointed to the Commission under
paragraph (2) of section 2 shall, so far as practicable, be
representative of diverse interests and chosen so as to provide representation for all areas of the Nation.

(2) The term of office of each member of the Executive Committee who was appointed to the Commission under paragraph (2) of section 2 shall be two years, except that (A) any such member elected to fill a vacancy occurring prior to the expiration of the term for which his predecessor was elected shall be elected for the remainder of such term; and (B) the term of office of three of such members first elected to the Committee after the date of the enactment of this Act shall be one year.

(3) Any person appointed to the Commission under paragraph (2) of section 2 who has been a member of the Executive Committee for six consecutive years shall thereafter be ineligible for election to the Committee during the two-year period following the expiration of such sixth year.

(4) The Executive Committee shall render a quarterly report and an annual report to the Commission, and such other reports as it may deem necessary or the Commission may require, summarizing its activities and making such recommendations as it may deem appropriate. Minority views and recommendations, if any, of members of the Executive Committee shall be included in such reports.

(c) The Commission is authorized to appoint from among its members or otherwise such committees as it deems
necessary, and to assign to committees so appointed such
survey and advisory functions as the Commission deems
appropriate for the purposes of this Act.

Sec. 7. (a) Unless and until otherwise provided by the
Commission, there shall be within the Commission the fol-
lowing divisions:

(1) A Division of Opera and other forms of music,
(2) A Division of Drama and Speech,
(3) A Division of Ballet and other forms of dance,
(4) A Division of Literature, and poetry,
(5) A Division of Architecture,
(6) A Division of Motion Pictures, and still
photography,
(7) A Division of Radio and Television,
(8) A Division of Fine Arts Personnel and Edu-
cation, and
(9) A Division of Painting and Sculpture and other
plastic arts.

(b) There shall also be within the Commission such
other divisions as the Commission may, from time to time,
deed necessary.

Sec. 8. (a) There shall be a committee for each division
of the Commission.

(b) Each divisional committee shall be appointed by the
Commission and shall consist of not less than nine persons who may be members or nonmembers of the Commission. Any nonmember of the Commission appointed to a divisional committee shall be a person eminent in the field of the fine arts and in education, recreation, veterans' affairs, business, agriculture, labor, the professions, Federal, State, county, and municipal government, or public affairs, as may be most appropriate for the particular divisional committee to which he is appointed. The membership of such committees shall, so far as practicable, be representative of diverse interests and chosen so as to provide representation for all areas of the Nation.

(c) The terms of members of each divisional committee shall be two years. Each divisional committee shall annually elect its own chairman from among its own members and shall prescribe its own rules of procedure subject to such restrictions as may be prescribed by the Commission.

(d) Each divisional committee shall make recommendations to, and advise and consult with, the Commission and the Director with respect to matters relating to the program of its division.

Sec. 9. (a) Each special commission established pursuant to section 3 (a) (10) shall consist of eleven members appointed by the Commission, six of whom shall be
1 eminent in the field of the fine arts and five of whom shall be
2 eminent in the fields of education, recreation, veterans' af-
3 fairs, business, agriculture, labor, the professions, Federal,
4 State, county, and municipal government, and public affairs.
5 Each special commission shall choose its own chairman and
6 vice chairman.
7 (b) It shall be the duty of each such special commission
8 to make a comprehensive survey of fine arts activities, both
9 public and private, being carried on in its field, and to
10 formulate and recommend to the Commission at the earliest
11 practicable date an over-all fine arts program in its field.
12 SEC. 10. The Commission shall have the authority,
13 within the limits of available appropriations, to do all things
14 necessary to carry out the provisions of this Act, including,
15 but without being limited thereto, the authority—
16 (1) to appoint such clerks, stenographers, skilled
17 and technical assistants, artists, and other personnel as
18 may be needed in organizing and carrying out the plans
19 of the Commission; to purchase such materials, and to
20 contract for such labor and other services as may be
21 necessary in connection with the performance of the
22 functions of the Commission, including the preparation
23 and presentation of fine arts productions and programs;
24 (2) to erect a building or buildings (including a
25 theater and opera house as provided in section 3 (a)
(7), or other structures, for its own use, on a site or sites approved by the National Capital Planning Commission, and to provide for the landscaping of such site or sites; to provide for the decoration and maintenance of such buildings, structures, sites, and grounds; to rent such space in the District of Columbia without regard to section 322 of the Act of June 30, 1932 (47 Stat. 412), as amended, as the Commission may deem necessary: Provided, That the erection or construction of the buildings and landscaping of sites shall be accomplished by the General Services Administration under agreements mutually acceptable to the Commission and the Federal and District of Columbia Government agencies having jurisdiction and control over the area or areas involved, and shall be approved by the National Capital Planning Commission; (3) to allot funds appropriated for the purpose of this Act to any department, agency, or independent establishment of the Federal Government with the consent of the head thereof, or to the District of Columbia government with the consent of the Board of Commissioners of the District of Columbia, or to any State, county, or municipal agency or authority, or to any nonprofit organization, or to any accredited nonprofit college or university, for direct expenditure in preparing and
presenting professional or amateur fine arts productions
and programs approved by the Commission: Provided,
That funds shall be allotted under this paragraph only
upon application satisfactory to the Commission, and the
total amount of funds allotted pursuant to any such ap-
plication shall not (except where the application is made
by a department, agency, or independent establishment
of the Federal Government) exceed 25 per centum of
the total of the expenditures required in preparing and
presenting the fine arts production or program with re-
spect to which the application is made: And provided
further, That the Commission shall from time to time
review the productions and programs for which aid is
being granted under this paragraph, and shall from
time to time certify to the Secretary of the Treasury the
amount to which it estimates each applicant will be
entitled under this paragraph during such ensuing period
as it may determine, reduced or increased, as the case
may be, by any sum which the Commission may con-
sider justified on the basis of factors determined by it to
be relevant;
(4) to award, within the limits of funds made avail-
able specifically for such purpose pursuant to section
14 (a), scholarships and graduate fellowships for work
or study in the fine arts at accredited nonprofit American
or foreign institutions of higher education, selected by the recipient of such aid and approved by the Commission, for stated periods of time. Persons shall be selected for such scholarships and fellowships from among citizens of the United States, and such selections shall be made solely on the basis of ability; but in any case in which two or more applicants for scholarships or fellowships are deemed by the Commission to be possessed of substantially equal ability, and there are not sufficient scholarships or fellowships, as the case may be, available to grant one to each of such applicants, the available scholarship or scholarships, or fellowship or fellowships, shall be awarded to the applicants in such manner as will tend to result in the widest possible distribution of scholarships and fellowships among the States, Territories, possessions, and the District of Columbia;

(5) (A) to make the National War Memorial Theater and Opera House available without charge to any Federal, State, county, or municipal agency or authority, any accredited nonprofit college or university, or any other nonprofit organization, for the presentation of professional and amateur fine arts productions and programs, upon request therefor made with the concurrence of the Director, and to permit charges for
admission to such programs to be made. In making
the National War Memorial Theater and Opera House
available for the presentation of such productions and
programs to such agencies, authorities, institutions, and
organizations the Commission shall not, except as pro-
vided in this Act and as determined by the Commission,
incure any financial responsibilities except those incidental
to the furnishing of heat, light, and other services neces-
sary for such productions and programs. The Commis-
sion shall maintain a worthy standard for the fine arts
productions and programs presented in the National War
Memorial Theater and Opera House and, through the
public presentation of such productions and programs in
the Nation's Capital and also in other parts of the
country and in foreign countries, shall foster and en-
courage a growing appreciation of the fine arts, both
past and contemporary;
(B) to develop and carry on in the National War
Memorial Theater and Opera House a worthy fine arts
program, including opera and other forms of music,
ballet, and other forms of dance, and drama; to produce
and present productions and programs of music, dance,
and drama, both professional and amateur, in the Na-
tional War Memorial Theater and Opera House and in
such other parts of the country and in such foreign
countries as the Commission may decide upon; and to fix and collect charges for admission thereto: Provided, That all revenues received by the Commission from such admission charges shall be covered into the Treasury of the United States to the credit of the appropriation authorized in section 14 (a) and may be expended and shall be accounted for in the same manner as other funds authorized for expenditure by the Commission; (6) to solicit, receive, and use funds, materials, and other property donated by others, if such funds, materials, and other property are donated without restriction other than that they be used in furtherance of one or more of the general purposes of the Commission; to accept the services of any skilled or unskilled labor that may be made available to it; and to accept reimbursement from public or private organizations or individuals for rights and privileges, or assistance of any kind, granted or given by it: Provided, That all contributions and reimbursements shall be expended and accounted for in the same manner as the funds made available pursuant to the authorization contained in section 14 (a); (7) to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization and personnel;
(8) to make such expenditures as may be necessary for administering the provisions of this Act;

(9) to acquire by purchase, lease, loan, or gift, and to hold and dispose of by sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this Act;

(10) to enter into contracts or other arrangements, or modifications thereof, for the carrying on, by organizations or individuals in the United States and foreign countries (including other Government agencies of the United States and agencies of foreign countries), of such fine arts activities as the Commission deems necessary to carry out the purposes of this Act, and, when deemed appropriate by the Commission, such contracts or other arrangements, or modifications thereof, may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes of the United States;

(11) to make advance, progress, and other payments which relate to fine arts activities without regard to the provisions of section 3648 of the Revised Statutes of the United States (31 U. S. C., sec. 529);

(12) to publish or arrange for the publication of
fine arts information so as to further the full dissemina-

tion of information relating to the fine arts;

(13) to accept and utilize the services of voluntary
and uncompensated personnel and to provide transporta-
tion and subsistence as authorized by section 5 of the
Administrative Expenses Act of 1946 for persons serv-
ing without compensation; and

(14) to prescribe, with the approval of the Compt-
troller General of the United States, the extent to which
vouchers for funds expended under contracts for fine arts
activities shall be subject to itemization or substantiation
prior to payment, without regard to the limitations of
other laws relating to the expenditure of public funds
and accounting therefor.

Sec. 11. (a) The Commission is hereby authorized to
cooperate and participate in any international fine arts
activities consistent with the purposes of this Act and to
expend for such international fine arts activities such sums
within the limit of appropriated funds as the Commission may
deem desirable. The Director, with the approval of the
Commission, may defray the expenses of representatives of
Government agencies and other public and private nonprofit
organizations, and of individual artists or groups of artists,
incurred in attending accredited international fine arts festi-
vals, events, or meetings or in performing in other countries,
whenever he deems it desirable in the promotion of the
objectives of this Act.

(b) (1) The authority to enter into contracts or other
arrangements with organizations or individuals in foreign
countries and with agencies of foreign countries, as provided
in section 10 (10), and the authority to cooperate in inter-
national fine arts activities as provided in subsection (a)
of this section, shall be exercised only with the approval
of the Secretary of State, to the end that such authority
shall be exercised in such manner as is consistent with the
foreign policy objectives of the United States.

(2) If, in the exercise of the authority referred to in
paragraph (1) of this subsection, negotiation with foreign
countries or agencies thereof becomes necessary, such nego-
tiation shall be carried on by the Secretary of State in con-
sultation with the Director.

SEC. 12. (a) The Director, in accordance with such poli-
cies as the Commission shall from time to time prescribe,
shall appoint and fix the compensation of such personnel as
may be necessary to carry out the purposes of this Act,
subject to the civil-service laws and regulations and the
Classification Act of 1949: Provided, That the Director, in
accordance with such policies as the Commission shall from
time to time prescribe, may employ technical and professional
personnel, experts and consultants, on a temporary or inter-
mittent basis and fix their compensation in accordance with
the provisions of section 15 of the Administrative Expenses
Act of 1946.

(b) The Director may appoint, with the approval of the
Commission, a Deputy Director who shall perform such
functions as the Director, with the approval of the Commis-
sion, may prescribe, and who shall be Acting Director during
the absence or disability of the Director or in the event of a
vacancy in the Office of the Director.

(c) Neither the Director nor the Deputy Director shall
engage in any other business, vocation, or employment than
that of serving as such Director or Deputy Director, as the
case may be; nor shall the Director or Deputy Director,
except with the approval of the Commission, hold any office
in, or act in any capacity for, any organization, agency, or
institution with which the Commission makes any contract
or other arrangement under this Act.

(d) Each member of the Commission and each member
of a divisional committee or special commission not holding
other office in the Federal Government shall receive com-
pensation at the rate of $25 for each day he is actually
engaged in the business of the Commission pursuant to au-
thorization of the Commission, and shall be allowed travel
expenses as authorized by section 5 of the Administrative
Expenses Act of 1946.
(e) Persons holding other offices in the Federal Government may serve as members of the divisional committees and special commissions, but they shall not receive remuneration for their services as such members during any period for which they receive compensation for their services in such other offices.

(f) In making contracts or other arrangements for fine arts programs and productions the Commission shall utilize appropriations available therefor in such manner as will in its discretion best realize the objectives of (1) having the work performed by organizations, agencies, institutions, and individuals in the United States (including Government agencies of the United States) qualified by training and experience to achieve the results desired, (2) strengthening the fine arts staff of organizations, particularly nonprofit organizations, in the States, Territories, possessions, and the District of Columbia, (3) aiding those institutions, agencies, organizations, and State, county, and municipal governments which, if aided, will advance the development of the fine arts, and (4) encouraging independent work in the fine arts by individuals.

(g) Appropriated funds available to any department or agency of the Government for fine arts work, or the provision of facilities therefor, shall be available for transfer, with the approval of the head of the department or agency involved, in
whole or in part, to the Commission for such use as is consist-
et with the purposes for which such funds were provided,
and funds so transferred shall be expendable by the Commiss-
sion for the purposes for which the transfer was made, and,
until such time as an appropriation is made available directly
to the Commission, for general administrative expenses of the
Commission without regard to limitations otherwise appli-
cable to such funds.

SEC. 13. The heads of the departments, agencies, and
independent establishments of the Federal Government, and
the Commissioners of the District of Columbia, are author-
ized to cooperate with the Commission, to appoint such
draftsmen and other skilled assistants as may be necessary,
to contract for such labor and other services as may be
deemed necessary, and to designate officials or employees
in their respective spheres to assist the Commission. The
Commission shall make reimbursement, upon such terms as
may be agreed to by it and the department, agency, or in-
dependent establishment concerned, or the Board of Com-
missioners of the District of Columbia, for personnel and
services furnished or made available to assist the Commiss-
sion under this section.

SEC. 14. (a) To enable the Commission to carry out
its powers and duties, there is hereby authorized to be ap-
propriated not to exceed $1,000,000 for the fiscal year end-
ing June 30, 1954, and not to exceed $20,000,000 for each fiscal year thereafter.

(b) Appropriations made pursuant to the authority contained in subsection (a) shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in the Acts making such appropriations.

(c) All purchases, expenditures, and disbursements of moneys made available by authority of this Act shall be made under the direction of the Commission in accordance with law. All accounts and vouchers covering the expenditures shall be approved by the Director or by such other persons as he may designate, except for such allotments as may be made to the various departments, agencies, and independent establishments, or to the District of Columbia Government, or to State, county, or municipal governments, or to civic nonprofit organizations, or to accredited nonprofit colleges and universities, for direct expenditure in accordance with section 10 (3); but nothing in this Act shall be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit.

Sec. 15. Upon the request of any accredited nonprofit college or university, or any other nonprofit organization, approved for the purposes of this Act by the Commission, the General Services Administration or the District of Columbia
government, as the case may be, is authorized to make available without charge, to any such college, university, or nonprofit organization, for the presentation of professional and amateur fine arts productions and programs under this Act (including the sale of tickets of admission thereto), any suitable space subject to the jurisdiction and control of any department, agency, or establishment of the Federal Government or the District of Columbia government, with the concurrence of the department, agency, establishment, or government concerned. In providing suitable space for the presentation of such productions and programs neither the Federal Government nor the Government of the District of Columbia shall, except by prior arrangement with the Commission as provided in this Act, incur any financial responsibilities except those incidental to the furnishing of heat, light, and custodial services necessary for such productions and programs in such space. The Commission shall make reimbursement, upon such terms as may be agreed to by it and the department, agency, or independent establishment concerned, or the Board of Commissioners of the District of Columbia, for personnel and services furnished or made available to assist the Commission under this section.

SEC. 16. In the planning, design, and construction of Federal buildings where auditoriums are included, due consideration shall be given to current building practices in the
construction of schools (including provision for stage and
dressing room facilities, stage lighting, and related equip-
ment and facilities designed for the efficient presentation of
fine arts productions and programs), as well as to the use of
such auditoriums by the community in which they are
located, and the purposes of this Act, in order to ensure that
any additional auditoriums which may be provided will be
suitable for use in carrying out the purposes of this Act.

SEC. 17. Section 3 of the joint resolution entitled "Joint
Resolution to set apart public ground for the Smithsonian
Gallery of Art, and for other purposes", approved May 17,
1938, is amended by adding at the end thereof the following
new subsection:

"(d) There are hereby authorized to be appropriated
such sums as may be necessary, in addition to the funds
received under subsection (a) of this section, to carry out
the purposes of this joint resolution."

SEC. 18. There are hereby authorized to be appro-
piated such sums as may be necessary to complete the
Carter Barron Amphitheater in the District of Columbia
(under the jurisdiction of the National Capital Parks, Na-
tional Park Service, Department of the Interior) by pro-
viding it with a roof and whatever else is necessary to
protect both audience and performers from inclement weather
in order that it may be of greater service to the public.
SEC. 19. All opera and drama productions and programs presented by or under any arrangement with the Commission, with the exception of performances by visiting foreign companies, shall be presented in the English language to the maximum extent practicable. Suitable translations in English shall be provided when foreign opera and drama productions are presented.

SEC. 20. The Congress hereby reaffirms its belief in the essential nature of the contributions being made by fine arts to the morale, health, and general welfare of the Nation, and in the need for taking all possible steps to further encourage the development and increase the stature of the fine arts in the United States. The Congress accordingly expresses the hope that, with more complete recognition of the importance of the fine arts in our society, action will be taken to establish in the Government, on an equal footing with the other departments of the Government, a new Department of Education and Arts, and to transfer to such Department (along with educational and related functions now being exercised by other agencies of the Government) the functions vested in the Commission or otherwise provided for by this Act.

SEC. 21. For the purposes of this Act—

(1) the term "fine arts" includes opera and other forms of music, drama, ballet and other forms of dance,
literature, architecture, motion pictures, radio, and television, and sculpture and painting.

(2) the term "nonprofit organization" means any public or private foundation, charitable trust, accredited college or university, or other organization (whether or not incorporated), no part of the net earnings of which inures to the benefit of any of its stockholders or members.
A BILL

To provide for the establishment of a National War Memorial Arts Commission, and for other purposes.

By Mr. Howell

January 3, 1953

Referred to the Committee on Education and Labor