

**The original documents are located in Box 18, folder “1974/12/31 HR14401 Military Band Recordings” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.**

### **Copyright Notice**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Exact duplicates within this folder were not digitized.

12/31

APPROVED  
DEC 31 1974

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: December 31

December 27, 1974

*Posted on Colorado 12/31/74*

*To Archives  
1/3/75*

MEMORANDUM FOR

THE PRESIDENT

FROM:

KEN COLE

SUBJECT:

Enrolled Bill H.R. 14401  
Military Band Recordings

Attached for your consideration is H.R. 14401, sponsored by Representative Hebert, which would authorize the official military bands to make recordings and tapes for commercial sale commemorating the Bicentennial.

OMB recommends approval and provides additional background information in its enrolled bill report (Tab A).

Phil Areeda and Max Friedersdorf both recommend approval.

RECOMMENDATION

That you sign H.R. 14401 (Tab B).





EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

DEC 23 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 14401 - Military band recordings  
Sponsor - Rep. Hébert (D) Louisiana

Last Day for Action

December 31, 1974 - Tuesday

Purpose

Authorizes military band recordings in support of the American Revolution Bicentennial.

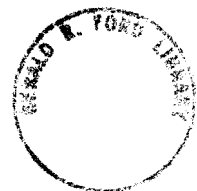
Agency Recommendations

Office of Management and Budget	Approval
Department of Defense	Approval
American Revolution Bicentennial Administration	Approval

Discussion

Existing law prohibits enlisted members of the Armed Forces from being ordered or allowed to leave their posts to engage in civilian pursuits, whether for remuneration or otherwise, if such activities interfere with the normal employment of civilians in their usual line of work. The Department of Defense has held that this restriction prohibits the military bands from making recordings for commercial sale.

The enrolled bill would provide a special one-time exception to the current statutory restriction. It authorizes the United States Army Band, the United States Navy Band, the United States Air Force Band, and the United States Marine



Band to participate in the production of a collection of recordings for commercial sale in conjunction with the American Revolution Bicentennial.

Noting the objections of certain professional musicians' organizations that enactment of this legislation would interfere with the civilian employment of professional musicians in the Washington, D. C. area, the House Armed Services Committee, in its report on H.R. 14401, stated:

" . . . this Committee has been informed that if the military bands do not make the recordings the Bicentennial Commission will not expend funds hiring commercial musicians to make the recordings. In other words, if the military bands do not make the recordings there will not be recordings produced under the auspices of the Bicentennial Commission."

It is understood that these recordings, featuring heritage-related military music, will be offered for sale commercially only during the 2-year bicentennial period from 1975-1976. Production and distribution of the recordings should not result in any cost to the Government since the bill permits Defense to be reimbursed for its expenses from the proceeds of the sale of the recordings. It is further understood that proceeds in excess of costs will go into the Miscellaneous Receipts of the Treasury Department's General Fund.

*Walter H. Rowland*

Assistant Director for  
Legislative Reference

Enclosures



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 828

Date: December 26, 1974

Time: 9:00 a.m.

FOR ACTION: *Tod Hullin ok*  
Max Friedersdorf *ok* cc (for information): Warren Hendriks  
Phil Areeda *no obj* Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Thursday, December 26

Time: 3:00 p.m.

SUBJECT: Enrolled Bill H.R. 14401 - Military band recordings

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

\_\_\_\_\_  
K. R. COLE, JR.  
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 828

Date: December 26, 1974

Time: 9:00 a.m.

FOR ACTION: Tod Hullin  
Max Friedersdorf  
Phil Areeda

cc (for information): Warren Hendriks  
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Thursday, December 26

Time: 3:00 p.m.

SUBJECT: Enrolled Bill H.R. 14401 - Military band recordings

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*Judy:*

*I recommend approval*

*JH*

*12.24.74*  
*230*



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks  
For the President

THE WHITE HOUSE  
WASHINGTON

December 26, 1974

MEMORANDUM FOR: WARREN HENDRIKS  
FROM: *Max L. Friedersdorf* MAX L. FRIEDERSDORF  
SUBJECT: Action Memorandum - Log No. 828  
Enrolled Bill H. R. 14401 - Military band recordings

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 828

Date: December 26, 1974

Time: 9:00 a.m.

FOR ACTION: Tod Hullin  
Max Friedersdorf  
Phil Areeda ✓

cc (for information): Warren Hendriks  
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Thursday, December 26

Time: 3:00 p.m.

SUBJECT: Enrolled Bill H.R. 14401 - Military band recordings

ACTION REQUESTED:

\_\_\_ For Necessary Action

~~x~~ For Your Recommendations

\_\_\_ Prepare Agenda and Brief

\_\_\_ Draft Reply

~~x~~ For Your Comments

\_\_\_ Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*No objection  
P Areeda*



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks  
For the President





DEPARTMENT OF THE NAVY  
OFFICE OF THE SECRETARY  
WASHINGTON, D. C. 20350

December 23, 1974

Dear Mr. Ash:

Your transmittal sheet dated December 19, 1974, enclosing a facsimile of an enrolled bill of Congress, H.R. 14401, "To authorize military band recordings in support of the American Revolution Bicentennial," and requesting the comments of the Department of Defense, has been received. The Department of the Navy has been assigned the responsibility for the preparation of a report expressing the views of the Department of Defense.

The purpose of H.R. 14401 is to authorize the United States Army Band, United States Navy Band, United States Air Force Band, and United States Marine Band to participate in the production of a collection of recordings -- including both a record album and a tape cassette or cartridge -- for commercial sale, in conjunction with the American Revolution Bicentennial. Appropriations of the Department of Defense applied to the expenses of production and sale of the collection would be reimbursed from the proceeds of sales. Any proceeds in excess of expenses would be credited to the Miscellaneous Receipts of the Treasury Department's General Fund.

Complaints are frequently heard from citizens that they do not have the opportunity to listen to the premier military bands. Even with their extensive tour schedules, it is impossible for the bands to perform in every town in the nation. It is envisioned that during the American Revolution Bicentennial celebration there will be considerable pageantry recalling the military traditions of the United States and an even greater interest in military music. The production of a collection of recordings by the armed forces bands featuring heritage-related military music would be a suitable way of commemorating the Bicentennial and at the same time broaden the opportunity for all Americans to hear the premier military bands.


Approval of H.R. 14401 would make the quality music of the military bands available to those persons who have never had the opportunity to witness a performance by these outstanding organizations. This additional exposure would, in turn, enable the bands to fulfill their missions more effectively and would enhance the image and prestige of the armed forces.

The approval of this legislation would result in no increase in the budgetary requirements of the Department of Defense.

The Department of the Navy, on behalf of the Department of Defense, recommends the approval of H.R. 14401.

Sincerely yours,

Honorable Roy L. Ash  
Director, Office of Management  
and Budget  
Washington, D. C. 20503

  
D. S. Potter  
Under Secretary of the Navy





AMERICAN REVOLUTION BICENTENNIAL ADMINISTRATION

736 JACKSON PLACE, N.W.  
WASHINGTON, D.C. 20276  
(202) 382-1776

December 20, 1974

Mr. W. H. Rommel  
Assistant Director for  
Legislative Reference  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Rommel:

This is in response to your transmittal of December 19, 1974 requesting the views of the American Revolution Bicentennial Administration (ARBA) on enrolled bill H.R. 14401 "To authorize military band recordings in support of the American Revolution Bicentennial."

The ARBA supports the legislation and recommends that the President approve the enrolled bill.

In the Spirit of '76,

*Marjorie Lynch*

*Jr.* John W. Warner  
Administrator

YND 00021  
DEPT OF HYWCENETL

14 DEC 23 10:11

RECEIVED



NEW ADDRESS:

AMERICAN REVOLUTION BICENTENNIAL  
ADMINISTRATION  
2401 E Street, N. W.  
Washington, D. C. 20276

Rec'd 12-23-74 (6:45 p.m.)

To: *James N. ...*  
12-24-74  
9:00 a.m.



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

DEC 23 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 14401 - Military band recordings  
Sponsor - Rep. Hébert (D) Louisiana

Last Day for Action

December 31, 1974 - Tuesday

Purpose

Authorizes military band recordings in support of the American Revolution Bicentennial.

Agency Recommendations

Office of Management and Budget	Approval
Department of Defense	Approval
American Revolution Bicentennial Administration	Approval

Discussion

Existing law prohibits enlisted members of the Armed Forces from being ordered or allowed to leave their posts to engage in civilian pursuits, whether for remuneration or otherwise, if such activities interfere with the normal employment of civilians in their usual line of work. The Department of Defense has held that this restriction prohibits the military bands from making recordings for commercial sale.

The enrolled bill would provide a special one-time exception to the current statutory restriction. It authorizes the United States Army Band, the United States Navy Band, the United States Air Force Band, and the United States Marine



## AUTHORIZING MILITARY BAND RECORDINGS IN SUPPORT OF THE AMERICAN REVOLUTION BICENTENNIAL

SEPTEMBER 19, 1974.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. FISHER, from the Committee on Armed Services,  
submitted the following

### REPORT

[To accompany H.R. 14401]

The Committee on Armed Services to whom was referred the bill (H.R. 14401) to authorize military band recordings in support of the American Revolution Bicentennial, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

In lines 3, 4 and 10 of the second page of H.R. 14401 delete the word "album" and substitute therefore in each instance the words "collection of recordings."

#### EXPLANATION OF AMENDMENT

The amendment substitutes the words "collection of recordings" for the word "album" to conform to the wording of section 1 of the bill and at the same time to make it crystal clear that the bill contemplates the production of tapes as well as records.

#### PURPOSE OF BILL

This bill would authorize the official military bands to make recordings and tapes for commercial sale commemorating the Bicentennial celebration during the Bicentennial era during the period January 1975 to the end of 1976. It is the desire of the Department of Defense to cooperate in the Bicentennial celebration by promoting the planned pageantry and recalling military traditions of the United States not only through various ceremonial celebrations but also through the medium of military music. It is envisioned that the military bands will produce a collection of recordings featuring heritage-related music which should add measureably to the over-all program for commemorating the Bicentennial. Participating in the project would be the

U.S. Army Band, the U.S. Navy Band, the U.S. Air Force Band and the U.S. Marine Band in a cooperative effort to record the commemorative music

#### BACKGROUND

Traditionally, the Congress has been concerned with competition by military musicians with professional civilian musicians who depend upon their income as paid performers. Accordingly, sections 3634, 6223 and 8634 of Title 10, United States Code, prohibit the military bands and the members of those bands from receiving remuneration for furnishing music outside a military installation in competition with local civilian musicians. Additionally, section 974 of Title 10, United States Code, provides that no enlisted member of the active military forces may be ordered or allowed to leave his post or station to engage in any civilian pursuit or performance for hire or otherwise if such activity interferes with the normal employment of local civilians in their usual line of endeavor. The Department of Defense has held that section 974 prohibits military bands from making recordings for commercial sale. Accordingly, this legislation was submitted to the House of Representatives as a special one-time exception to the existing statutory provisions in order that the military bands may participate in the Bicentennial celebration not only by way of live performances but also to promote the Bicentennial across the country through the distribution of appropriate marshal music.

The District of Columbia Federation of Musicians and the American Federation of Musicians have interposed objections to the legislation as being in competition with customary employment of professional musicians in the area. However, this Committee has been informed that if the military bands do not make the recordings the Bicentennial Commission will not expend funds hiring commercial musicians to make the recordings. In other words, if the military bands do not make the recordings there will not be recordings produced under the auspices of the Bicentennial Commission. It is reemphasized that the recordings would be sold only during the Bicentennial era and that those collections not sold by the end of 1976 would be subsequently sold in the military exchanges or distributed without cost to all Department of Defense activities, including ships and stations. In that regard, the Department of Defense has determined that sale of recordings by United States military bands in the exchange service does not violate the provisions of Title 10 enumerated above since such sale is not a part of the public commercial market.

Estimates used for the projected sale of 100,000 units were based on composite information provided through informal quotations obtained from the recording industry. It is concluded that the project would require financing in the amount of \$200,000 which would be financed through the commercial sales and at no expense to the government. Additionally, the government would not be directly involved in the commercial sale of the collection.

#### FISCAL DATA

Enactment of H.R. 14401, as amended, would result in no increase in the budgetary requirements of the Department of Defense and as

indicated above would, in fact, be at no expense to the government. Income in excess of costs would go into the general fund of the treasury.

#### COMMITTEE POSITION

The Committee on Armed Services on September 17, 1974, a quorum being present, unanimously recommended enactment of the bill, as amended.

#### DEPARTMENTAL POSITION

The Department of the Navy, on behalf of the Department of Defense, favors enactment of this legislation. A letter from the Department of the Navy is set out below as part of this report.

DEPARTMENT OF THE NAVY,  
OFFICE OF LEGISLATIVE AFFAIRS,  
*Washington, D.C., June 18, 1974.*

HON. F. EDWARD HÉBERT,  
*Chairman, Committee on Armed Services, House of Representatives,*  
*Washington, D.C.*

DEAR MR. CHAIRMAN: Your request for comment on H.R. 14401, a bill "To authorize military band recordings in support of the American Revolution Bicentennial," has been assigned to this Department by the Secretary of Defense for the preparation of a report expressing the views of the Department of Defense.

The purpose of H.R. 14401 is to authorize the United States Army Band, United States Navy Band, United States Air Force Band, and United States Marine Band to participate in the production of a collection of recordings—including both record albums and tape recordings—for commercial sale, in conjunction with the American Revolution Bicentennial. Appropriations of the Department of Defense applied to the expenses of production and sale of the collection would be reimbursed from the proceeds of sales. Any proceeds in excess of expenses would be credited to the Miscellaneous Receipts of the Treasury Department's General Fund.

Complaints are frequently heard from citizens that they do not have the opportunity to listen to our premier military bands. Even with their extensive tour schedules, it is just impossible for the bands to perform in every town of our nation. It is envisioned that during the American Revolution Bicentennial celebration there will be considerable pageantry recalling the military traditions of the United States and an even greater interest in military music. The production of a collection of recordings by the armed forces bands featuring heritage-related military music would be a suitable way of commemorating the Bicentennial and at the same time broaden the opportunity for all Americans to hear our military bands.

Enactment of H.R. 14401 would make the quality music of the military bands available to those persons who have never had the opportunity to witness a performance by these outstanding organizations. This additional exposure would, in turn, enable the bands to fulfill their missions more effectively and would enhance the image and prestige of the armed forces.

In view of the foregoing, the Department of the Navy, on behalf of the Department of Defense, supports enactment of H.R. 14401.

For the purposes of clarity, it is recommended that the word "album" in lines 3, 4, and 10 on the second page of the bill be deleted and the words "collection of recordings" be substituted in lieu thereof.

Enactment of H.R. 14401 would result in no increase in the budgetary requirements of the Department of Defense.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this report on H.R. 14401 for the consideration of the Committee.

For the Secretary of the Navy.

Sincerely yours,

E. K. SNYDER,  
Rear Admiral, USN,  
Chief of Legislative Affairs.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, there is herewith printed in parallel columns the text of provisions of existing law which would be repealed or amended by the various provisions of the bill as reported.

EXISTING LAW

THE BILL AS REPORTED

UNITED STATES CODE

TITLE 10.—ARMED FORCES

\* \* \* \* \*

Subtitle A.—General Military Law

\* \* \* \* \*

§974. Civilian employment: enlisted members.

Except as provided in section 6223 of this title no enlisted member of an armed force on active duty may be ordered or permitted to leave his post to engage in a civilian pursuit or business, or a performance in civil life, for emolument, hire, or otherwise, if the pursuit, business, or performance interferes with the customary or regular employment of local civilians in their art, trade, or profession. (Added Pub. L. 90-235, § 6(a) (6) (A), Jan. 2, 1968, 81 Stat. 762.)

\* \* \* \* \*

## H.R. 14401, as amended

A BILL To authorize military band recordings in support of the American Revolution Bicentennial

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the United States Army Band, United States Navy Band, United States Air Force Band, and United States Marine Band are authorized to participate in the production of a collection of recordings for commercial sale, in conjunction with the American Revolution Bicentennial.

Sec. 2. The Secretary of Defense or his designee may enter into such contract or contracts, under such terms as the Secretary or his designee may determine to be in the best interest of the Government, for the production and sale of the [album] collection of recordings authorized by section 1 of this Act. Sale of this [album] collection of recordings may be made (a) at such prices as the Secretary of Defense for his designee may determine, and (b) either through commercial sources or by the Government, or both through commercial sources and by the Government.

Sec. 3. Appropriations of the Department of Defense may be reimbursed from the proceeds of sales for expenses of production and sale of the [album] collection of recordings authorized by this Act.

6

7

## SUMMARY

## PURPOSE OF BILL

The purpose of H.R. 14401 is to authorize the official military bands of the Army, Navy, Air Force and Marine Corps to make a collection of recordings on a one-time basis in connection with the Bicentennial celebration during the period January 1975 to the end of 1976.

## EXPLANATION OF BILL

Under current law enlisted members on active duty may not be ordered or permitted to leave their bases in a civilian pursuit, business or performance for hire or otherwise if such activity interferes with civilians in private employment.

Because of this restriction this measure would authorize military bands to make recordings in commemoration of the Bicentennial and in furtherance of the Bicentennial celebration. The recordings would be made for commercial sale and the proceeds would be used to defray the expenses of production in the recording industry and distribution through normal commercial channels. Income in excess of costs would go into the general fund of the treasury.

## FISCAL DATA

The collection of recordings would be made at no expense to the government and would be funded through commercial sale of the recordings.

## COMMITTEE POSITION

The Committee on Armed Services on September 17, 1974, a quorum being present, unanimously recommended enactment of the bill, as amended.

○

## AUTHORIZING MILITARY BAND RECORDINGS IN SUPPORT OF THE AMERICAN REVOLUTION BICENTENNIAL

DECEMBER 12, 1974.—Ordered to be printed

Mr. NUNN, from the Committee on Armed Services,  
submitted the following

### REPORT

[To accompany H.R. 14401]

The Committee on Armed Services, to which was referred the bill (H.R. 14401) to authorize military band recordings in support of the American Revolution Bicentennial, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of this bill is to authorize the premier military bands to participate in the production of a collection of recordings for commercial sale in conjunction with the American Revolution Bicentennial Celebration. The collection would consist of an 80 minute program of heritage-related military music. Each of the four premier bands—the U.S. Army Band, the U.S. Navy Band, the U.S. Marine Band, and the U.S. Air Force Band—would perform approximately one-fourth of the 80 minute program. There will be about 100,000 collections on sale during the period of the Bicentennial celebration.

The recordings would be sold only during the Bicentennial era and those collections not sold by the end of 1976 would be subsequently sold in the military exchanges or distributed without cost to all Department of Defense activities, including ships and stations. In that regard, the Department of Defense has determined that sale of recordings by United States military bands in the exchange service does not violate the provisions of title 10 since such sale is not a part of the public commercial market.

#### NATURE OF THE RECORDINGS

The 80 minute program would be produced as a two-record stereophonic album and, if market conditions warrant, as a stereophonic



tape cassette or cartridge; each record album and tape cassette or cartridge would contain the same musical program. The combined total number of albums, cassettes, and cartridges would not exceed 100,000. The content of the program would range chronologically from Revolutionary period selections to contemporary service music. Performance of the various types of selections—marches, military anthems, service songs, etc.—would be equitably distributed among the four bands. Insofar as is musically possible, each of the bands would be represented equally on each of the four sides in the record albums.

#### BACKGROUND OF THE BILL

Over the years Congress has been concerned with competition by military musicians with professional civilian musicians who depend upon their income as paid performers. As a result, sections 3634, 6223, and 8634 of title 10, United States Code were enacted to prohibit military bands and their members from receiving remuneration for performing music outside a military installation in competition with local civilian musicians. Also, section 974 of title 10, United States Code, provides that no enlisted member of the active military forces may be ordered or allowed to leave his post or station to engage in any civilian pursuit or performance for hire or otherwise if such activity interferes with the normal employment of local civilians in their usual line of endeavor. The Department of Defense has held that section 974 prohibits military bands from making recordings for commercial sale. Accordingly, this legislation was submitted as a special one-time exception to the existing statutory provisions in order that the military bands may participate in the Bicentennial celebration not only by way of live performances but also through the commercial distribution of appropriate martial music.

In opposition to the bill, the American Federation of Musicians said that the bill would allow competition between the military bands and local musicians. In response to a request for comment on the legislation, the American Revolution Bicentennial Administration expressed its support for the bill.

#### PRODUCTION AND SALES PROCEDURES

The bill provides for the production and sale of a collection of military heritage music through commercial contracts and/or through the Federal Government. This provision would allow the Secretary of Defense to determine the most efficient method of production and sale. Appropriations of the Department of Defense will be used for the production and sale of the collection. The collections will be priced "competitively," yet not at a price intended to undersell competing musical productions originating in the civilian sector. The bill allows the proceeds of the sales to be used to reimburse the Department of Defense for expenses in the production and sale of the collection, and any proceeds above the approximately \$200,000 which is estimated as required to finance the production and sale will revert to the General Fund of the Treasury Department.

#### FISCAL DATA

This bill would not increase the budgetary requirements of the Department of Defense.

#### DEPARTMENTAL POSITION

The Department of the Navy, on behalf of the Department of Defense, as well as the American Revolution Bicentennial Administration supports this legislation as shown by the following letters which are set out below and hereby made a part of this report.

DEPARTMENT OF THE NAVY,  
OFFICE OF LEGISLATIVE AFFAIRS,  
Washington, D.C., November 7, 1974.

HON. JOHN C. STENNIS,  
Chairman, Committee on Armed Services,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to a request from a member of the Senate Armed Services Committee staff for comment on H.R. 14401, an act "To authorize military band recordings in support of the American Revolution Bicentennial." The Department of the Navy has been designated as the representative of the Department of Defense for this legislation.

The purpose of H.R. 14401 is to authorize the United States Army Band, United States Navy Band, United States Air Force Band, and United States Marine Band to participate in the production of a collection of recordings—including both record albums and tape recordings—for commercial sale, in conjunction with the American Revolution Bicentennial. Appropriations of the Department of Defense applied to the expenses of production and sale of the collection would be reimbursed from the proceeds of sales. Any proceeds in excess of expenses would be credited to the Miscellaneous Receipts of the Treasury Department's General Fund.

Complaints are frequently heard from citizens that they do not have the opportunity to listen to our premier military bands. Even with their extensive tour schedules, it is just impossible for the bands to perform in every town of our nation. It is envisioned that during the American Revolution Bicentennial celebration there will be considerable pageantry recalling the military traditions of the United States and an even greater interest in military music. The production of a collection of recordings by the armed forces bands featuring heritage-related military music would be a suitable way of commemorating the Bicentennial and at the same time broaden the opportunity for all Americans to hear our military bands.

Enactment of H.R. 14401 would make the quality music of the military bands available to those persons who have never had the opportunity to witness a performance by these outstanding organizations. This additional exposure would, in turn, enable the bands to fulfill their missions more effectively and would enhance the image and prestige of the armed forces.

In its report on H.R. 14401 to the chairman of the House Armed Services Committee, the Department of the Navy suggested several technical changes in the language of the bill. As passed by the House of Representatives, H.R. 14401 contains all of the amendments recommended by the Department of the Navy.

In view of the foregoing, the Department of the Navy, on behalf of the Department of Defense, supports enactment of H.R. 14401.

Enactment of H.R. 14401 would result in no increase in the budgetary requirements of the Department of Defense.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this report on H.R. 14401 for the consideration of the Committee.

For the Secretary of the Navy.

Sincerely yours,

E. H. WILLETT,  
*Captain, U.S. Navy, Deputy Chief.*

---

AMERICAN REVOLUTION BICENTENNIAL ADMINISTRATION,  
*Washington, D.C., November 13, 1974.*

Hon. JOHN C. STENNIS,  
*U.S. Senate, Washington, D.C.*

DEAR SENATOR STENNIS: This is in response to your letter of November 6 requesting the comments of the American Revolution Bicentennial Administration (the successor organization to the American Revolution Bicentennial Commission) on H.R. 14401 pending before the Senate Committee on Armed Services. That bill authorizes military band recordings in support of the American Revolution Bicentennial.

The American Revolution Bicentennial Administration is pleased to record its support of H.R. 14401. We concur in the Department of Defense views on the bill expressed in Rear Admiral E. K. Snyder's letter to the Honorable F. Edward Hébert, Chairman, Committee on Armed Services, House of Representatives, contained in that Committee's Report No. 93-1364.

In the Spirit of '76.

JOHN W. WARNER,  
*Administrator.*

○

# Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,  
one thousand nine hundred and seventy-four*

## An Act

To authorize military band recordings in support of the American Revolution Bicentennial

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the United States Army Band, United States Navy Band, United States Air Force Band, and United States Marine Band are authorized to participate in the production of a collection of recordings for commercial sale, in conjunction with the American Revolution Bicentennial.*

SEC. 2. The Secretary of Defense or his designee may enter into such contract or contracts, under such terms as the Secretary or his designee may determine to be in the best interest of the Government, for the production and sale of the collection of recordings authorized by section 1 of this Act. Sale of this collection of recordings may be made (a) at such prices as the Secretary of Defense or his designee may determine, and (b) either through commercial sources or by the Government, or both through commercial sources and by the Government.

SEC. 3. Appropriations of the Department of Defense may be reimbursed from the proceeds of sales for expenses of production and sale of the collection of recordings authorized by this Act.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*

December 19, 1974

Dear Mr. Director:

The following bills were received at the White House on December 19th:

✓ S.J. Res. 234	S. 2838 ✓	S. 3578 ✓
S. 184 ✓	S. 3341 ✓	S. 3615 ✓
S. 194 ✓	S. 3397 ✓	H.R. 3538 ✓
S. 1283 ✓	S. 3418 ✓	H.R. 14401 ✓
S. 1357 ✓	S. 3489 ✓	H.R. 15912 ✓
S. 2125 ✓	S. 3518 ✓	H.R. 16609 ✓
S. 2594 ✓	S. 3574 ✓	H.R. 16901 ✓

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder  
Chief Executive Clerk

The Honorable Roy L. Ash  
Director  
Office of Management and Budget  
Washington, D. C.