

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. HELMS. Mr. President, I thank the Chair.

AMENDMENT NO. 419

Mr. HELMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration. The amendment has been cleared on both sides.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 419.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 11, line 21, strike "\$53,829,000" and insert in lieu thereof: "\$53,579,000".

On page 17, line 20, strike "\$140,601,000" and insert in lieu thereof: "\$140,851,000".

Mr. HELMS. Mr. President, on July 4, the most famous symbol of the city of Greensboro, NC, the 74 year old equestrian memorial to Gen. Nathaniel Greene at the Guilford Courthouse National Military Park, was maliciously vandalized. Five other monuments in the park were also desecrated.

Shortly, after the park closed on Independence Day, the Greene Monument, the largest bronze statute in North Carolina, was attacked. Some mindless thug—or thugs—decided to take a pick ax to the granite base of the memorial. When Park Rangers arrived the next day, they found thousands of granite chips strewn around the park. The hooligans had spray painted the monument and removed many of the bronze letters from the stone tablets.

Mr. President, the National Park Service estimates that repairs to the Greene statue could cost as much as one-quarter million dollars.

Guilford Courthouse National Military Park is not only a special place for North Carolinians, it is a lasting memorial to all Americans who sacrificed everything in the battle for our new country's freedom. It is a simple tribute to the men whose efforts started Cornwallis' army on its long death march toward Yorktown.

Mr. President, in October 1780, George Washington appointed one of his most trusted subordinates, Nathaniel Greene, to take command of the American Army in the South. Prior to Greene's assumption of command, colonial troops had suffered setback after setback at the hands of the British.

Upon reaching North Carolina, Greene quickly reorganized the army and restored its flagging morale.

Facing a much larger British force, Greene daringly divided his troops, sending half of his army to strike the British at Cowpens, SC, in January 1781. The Americans won a stunning victory. The British commander, Lord Cornwallis, sought to avenge this defeat by following the Americans to the north. He did not realize that Greene was luring the cumbersome British into the North Carolina wilderness.

On March 15, 1781, Greene attacked Cornwallis at Guilford Courthouse. Both sides suffered heavy losses. Tactically, Cornwallis' regulars held the field while the Americans withdrew. It was a meaningless victory. The battles in the Carolinas had cost Cornwallis over a quarter of his men, the flower of the British Army in the South. These were the men his exhausted troops sorely missed as they moved toward their last battle at Yorktown a few months later.

Mr. President, the battle at Guilford Courthouse marked the beginning of the end of British rule in the Colonies. The celebration of American freedom is why the restoration of the Guilford Courthouse Battlefield Park is important.

There is something heartwarming about the aftermath of the tragedy in Greensboro. Already, thousands of North Carolinians have responded to the emergency facing the battlefield. Civic leaders, radio and television stations, and ordinary citizens have collected thousands of dollars to return the monuments to their former glory.

It is hard to describe the feeling of pride in the actions so many of my fellow citizens have taken on behalf of their community and their country. In the days following the Supreme Court's blow to American patriotism, average men and women have expressed their true feelings about this Nation and all of the good things that it stands for.

Mr. President, this amendment shifts \$250,000 into the National Park Service construction account for the repair of the six monuments at Guilford Courthouse from those amounts earmarked in the committee report for the Alligator River Visitors Center.

Mr. BYRD. Mr. President, the Senator's amendment would shift funds from one project into another in the State of North Carolina. It would not increase the outlays and I am prepared to accept the amendment on this side.

Mr. HELMS. Mr. President, I ask unanimous consent that the distinguished Senator from Rhode Island, Mr. CHAFEE, be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS. I thank the distinguished managers of the bill for accepting the amendment.

Mr. CHAFEE. Mr. President, Nathaniel Greene was born in the State of Rhode Island. He is one of our great

heroes. Who those scoundrels were down there to desecrate that statue, I do not know. But I praise the Senator from North Carolina for seeing that the statue is restored to its original beauty. I thank him for his amendment.

Mr. McCLURE. Mr. President, I commend the Senator from North Carolina for the manner in which he has approached the problem and assisting the committee to accommodate the needs he had for a project which was not known at the time we were going through the hearing process and do so in a way that is neutral with respect to the interests of other States.

I very much appreciate it, commend the Senator for the amendment, and urge its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment of the Senator from North Carolina.

The amendment (No. 419) was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. McCLURE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 420

(Purpose: To prohibit the use of appropriated funds for the dissemination, promotion, or production of obscene or indecent materials or materials denigrating a particular religion)

Mr. HELMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 420.

Mr. HELMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 94, line 16, strike the period and insert the following: ", provided that this section will become effective one day after the date of enactment.

SEC. . LIMITATIONS.

None of the funds authorized to be appropriated pursuant to this Act may be used to promote, disseminate, or produce—

(1) obscene or indecent materials, including but not limited to depictions of sadomasochism, homo-eroticism, the exploitation of children, or individuals engaged in sex acts; or

(2) material which denigrates the objects or beliefs of the adherents of a particular religion or non-religion; or

(3) material which denigrates, debases, or reviles a person, group, or class of citizens on the basis of race, creed, sex, handicap, age, or national origin.

Mr. HELMS. Mr. President, this amendment has been agreed to on both sides, I believe. I very much appreciate it.

Mr. President, I believe we are all aware of the controversy surrounding the use of Federal funds, via the National Endowment for the Arts [NEA], to support so-called works of art by Andres Serrano and Robert Mapplethorpe. My amendment would prevent the NEA from funding such immoral trash in the future. Specifically, my amendment prohibits the use of the NEA's funds to support obscene or indecent materials, or materials which denigrate the objects or beliefs of a particular religion.

I applaud the efforts of my distinguished colleagues from West Virginia, Mr. BYRD, and from Idaho, Mr. McCLURE, to address this issue in both the Appropriations Subcommittee on the Interior, and the full Appropriations Committee. Cutting off funding to the Southeastern Center for Contemporary Art [SECCA] in Winston-Salem and the Institute for Contemporary Art in Philadelphia will certainly prevent them from misusing Federal funds for the next 5 years. However, as much as I agree with the measures, the committee's efforts do not go far enough because they will not prevent such blasphemous or immoral behavior by other institutions or artists with Government funds. That is why I have offered my amendment.

Frankly, Mr. President, I have fundamental questions about why the Federal Government is involved in supporting artists the taxpayers have refused to support in the marketplace. My concern in this regard is heightened when I hear the arts community and the media saying that any restriction at all on Federal funding would amount to censorship. What they seem to be saying is that we in Congress must choose between: First, absolutely no Federal presence in the arts; or second, granting artists the absolute freedom to use tax dollars as they wish, regardless of how vulgar, blasphemous, or despicable their works may be.

If we indeed must make this choice, then the Federal Government should get out of the arts. However, I do not believe we are limited to those two choices and my amendment attempts to make a compromise between them. It simply provides for some common sense restrictions on what is and is not an appropriate use of Federal funding for the arts. It does not prevent the production or creation of vulgar works, it merely prevents the use of Federal funds to support them.

Mr. President, I remind my colleagues that the distinguished Senator from New York and I called attention to Mr. Serrano's so-called work of art, which portrays Jesus Christ submerged in a bottle of the artist's urine, on May 18. We pointed out that the National Endowment for the Arts had not only supported a \$15,000 award honoring Mr. Serrano for it, but they also helped promote and exhibit the work as well.

Over 25 Senators—Democrats and Republicans—expressed their outrage that day by cosigning a letter to Hugh Southern, the Endowment's acting chairman, asking him to review their procedures and to determine what steps are needed to prevent such abuses from recurring in the future. Mr. Southern replied on June 6 that he too was personally offended by Mr. Serrano's so-called art, but that—as I have heard time after time on this issue—the Endowment is prevented by its authorizing language from promoting or suppressing particular points of view.

Mr. Southern's letter goes on to endorse the Endowment's panel review system as a means of ensuring competence and integrity in grant decisions, and he states that the Endowment will review their processes to be sure they are effective and maintain the highest artistic integrity and quality.

However, Mr. President, shortly after receiving Mr. Southern's response, I became aware of yet another example of the competence, integrity, and quality of the Endowment's panel review system. It is a federally supported exhibit entitled: "Robert Mapplethorpe: The Perfect Moment." The Corcoran Gallery of Art had planned to open the show here in Washington on July 1, but abruptly canceled it citing the danger the exhibit poses to future Federal funding for the arts. The Washington Project for the Arts subsequently agreed to make their facilities available and opened the show last Friday, July 21.

Mr. President, the National Endowment, the Corcoran, and others in the arts community felt the Mapplethorpe exhibit endangered Federal funding for the arts because the patently offensive collection of homo-erotic pornography and sexually explicit nudes of children was put together with the help of a \$30,000 grant from the Endowment. The exhibit was assembled by the University of Pennsylvania's Institute for Contemporary Art as a retrospective look at Mr. Mapplethorpe's work after his recent death from AIDS. It has already appeared in Philadelphia and Chicago with the Endowment's official endorsement.

I have a catalog of the show and Senators need to see it to believe it. However, the catalog is only a survey, not a complete inventory, of what was in the Endowment's show. If Senators are interested, I have a list and description of the photographs appearing in the show but not the catalog because even the catalog's publishers knew they were too vulgar to be included—as sick as that book is.

Vanity Fair magazine ran an article on another collection of Mapplethorpe's works which appears at the Whitney Museum of Modern Art in New York. This collection included many of the photographs currently in the NEA funded exhibit. There are unspeakable portrayals which I cannot describe on the floor of the Senate.

Mr. President, this pornography is sick. But Mapplethorpe's sick art does not seem to be an isolated incident. Yet another artist exhibited some of this sickening obscenity in my own State. The Duke Museum of Art at Duke University had a show deceptively titled "Morality Tales: History Painting in the 1980's." One painting, entitled "First Sex," depicts a nude woman on her back, legs open, knees up, and a little boy leaning against her leg looking into her face while two sexually aroused older boys wait in the background. Another work shows a man urinating on a boy lying in a gutter. Other, more despicable, works were included as well.

I could go on and on, Mr. President, about the sick art that has been displayed around the country. These shows are outrageous. And, like Serrano's blasphemy, the most outrageous thing is that some of the shows, like Mapplethorpe's, are financed with our tax dollars. Again, I invite Senators to see what taxpayers got for \$30,000 dollars.

Mr. President, how did the Endowment's vaunted panel review system approve a grant for this pornography? It was approved because the panel only received a description, provided by the Endowment's staff, which read as follows:

To support a mid-career summary of the work of photographer Robert Mapplethorpe. Although all aspects of the artist's work—the still-lives, nudes, and portraits—will be included, the exhibition will focus on Mapplethorpe's unique pieces where photographic images interact with richly textured fabrics within carefully design frames.

Mr. President, what a useless and misleading description. No legitimate panel of experts would know from this description that the collection included explicit homo-erotic pornography and child obscenity. Yet none of the descriptions for other projects funded by the Endowment at the time were any better. Indeed, Mr. Jack Neusner—who sat on the panel approving the Mapplethorpe exhibit—was mystified as to how he had approved a show of this character. He knows now that he was misled.

Mr. President, I was hopeful Washington would be spared this exhibit when the Corcoran canceled it. I only wish the Corcoran had canceled the show out of a sense of public decency and not as part of a calculated attempt to shield themselves and the Endowment from criticism in Congress.

Some accuse us of censorship because we threaten to cut off Federal funding, yet they are the ones who refuse to share the contents of their exhibits with the taxpayers' elected representatives. For example, the Southeastern Center for Contemporary Art in Winston-Salem refused to send me copies of requested works despite their earlier promises to the contrary. If what such institutions promote and exhibit is legitimate art, then why are they afraid for the tax-

payers and Congress to see what they do?

Mr. President, there is a fundamental difference between Government censorship—the preemption of publication or production—and governmental refusal to pay for such publication and production. Artists have a right, it is said, to express their feelings as they wish: only a philistine would suggest otherwise. Fair enough, but no artist has a preemptive claim on the tax dollars of the American people; time for them, as President Reagan used to say, “to go out and test the magic of the marketplace.”

Congress attaches strings to Federal funds all the time. Churches must follow strict Federal guidelines in order to participate in Federal programs for the poor and needy—even when those guidelines violate their religious tenets. For example, a U.S. District Court in Alabama recently held that a practicing witch employed by the Salvation Army in a women's shelter could not be fired because the shelter was federally funded.

Mr. President, there have been instances where public outrage has forced artists to remove works from public display. For instance, shortly after Mayor Harold Washington's death, a work portraying him as a transvestite was forcibly removed from a show in Chicago. Another work on display at Richmond's airport was voluntarily removed after the night crew complained about a racial epithet which had been inscribed on it. There was little real protest from the arts community in these instances.

Mr. President, at a minimum, we need to prohibit the Endowment from using Federal dollars to fund filth like Mr. Serrano's and Mr. Mapplethorpe's. If it does not violate criminal statutes and the private sector is willing to pay for it, fine! However, if Federal funds are used, then Congress needs to ensure the sensitivities of all groups—regardless of race, creed, sex, national origin, handicap, or age—are respected.

Federal funding for sadomasochism, homoeroticism, and child pornography is an insult to taxpayers. Americans for the most part are moral, decent people and they have a right not to be denigrated, offended, or mocked with their own tax dollars. My amendment would protect that right.

Mr. President, if Senators want the Federal Government funding pornography, sadomasochism, or art for pedophiles, they should vote against my amendment. However, if they think most voters and taxpayers are offended by Federal support for such art, they should vote for my amendment.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, the Senator has discussed this amendment with me. I am ready to accept it and take it to conference.

Mr. McCLURE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. McCLURE. Mr. President, I think the Senator addresses the question that has caught the attention of many people. The exact formulation of the response is very difficult to debate. But we have looked at this amendment. We are willing to accept it and, as the Senator from West Virginia says, take it to the conference to see what we can work out in the conference.

Mr. HELMS. I thank the Senator. I thank both managers of the bill.

Mr. METZENBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. METZENBAUM. Mr. President, I rise not to oppose this amendment, and I certainly do not rise to support it, but I want to rise to indicate my concern about an amendment that in essence reads well. Nobody thinks you ought to be using funds to promote, disseminate, or produce the various items as mentioned in this amendment. But I have a concern, and I feel I should express it, about the U.S. Congress deciding what is and what is not art. In all fairness to the Senator from North Carolina, he does not do that directly in this amendment. When you read his amendment, it is very hard to say this part is objectionable or that part is objectionable. I do not rise for that purpose.

I rise to say that the Senator has a concern about whether politicians, people who run for public office, ought to be determining the basis of whether you like or do not like it—probably it is easier to dislike some of the art that has been in the public eye more recently—and whether or not we ought to be making a determination of art standards for this country.

Certainly, I wonder whether or not we ought to be doing it on the floor of the U.S. Senate on an amendment that has just come to the attention I think of probably most of us. I am not certain whether the manager of the bill knew about the amendment before. Certainly, I had not seen the amendment before. And I am not going to oppose it because it is hard to oppose an amendment of this kind. It sounds so right.

Yet, I feel there is a strong concern that I have that we are gradually encroaching more and more in the whole area of the Congress telling the art world what is art, what is not art, what funds can be used, spent for, and what they cannot be spent for. I do not think it will be adding to the fulfillment of the culture of this Nation if we do that.

It is for that reason that I rise to say a word of concern about the amendment. As previously indicated, I am not going to oppose it. But I think it is the kind of precedent that does not speak well for the Congress of the United States.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I offer my amendment precisely because the so-called art community fails to understand—or deliberately refuses to understand—that a difference exists between an artist's right to free expression, and his right to have the Government, that is to say the taxpayers, pay him for his work.

I cannot go into detail about the crudeness and depravity of the art in question. I will not even acknowledge that it is art. I do not even acknowledge that the fellow who did it was an artist. I think he was a jerk and I said so back in May.

But in any case, I reiterate that there is a fundamental difference between government censorship, the preemption of publication or production, and government's refusal to pay for such publication and production. That is the point of my amendment.

If Senators want to talk about censorship, then we should talk about the real censorship going on in America. Every day the national media censor religious and conservative viewpoints while the avant garde in the art world mock art that is beautiful and uplifting—even as they extol so-called art which is shocking and depraved.

Mr. President, Cal Thomas recently wrote a syndicated editorial, entitled “Television Network Exercises Unseen Censorship: ABC Nervous About Biblical Verses,” which illustrates this issue very well. I ask unanimous consent that the article be reprinted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ABC NERVOUS ABOUT BIBLICAL VERSES: TELEVISION NETWORK EXERCISES UNSEEN CENSORSHIP

(By Cal Thomas)

Some word manipulators and media managers are trying to redefine the word “censor.” When the word is used, the image they want you to see is of a “backwoods” minister objecting to the content of “The Wizard of Oz,” or of an uneducated homemaker writing letters complaining that certain programming is hazardous to her children's health, or of a flame-throwing book burner who wants to ignite the American Heritage Dictionary because it contains a few profane words.

Recently, the ABC Radio Network aired a Barbara Walters special on abortion, even though no national advertiser would buy time for fear that the subject matter would be too controversial and thus injurious to product sales. The Wall Street Journal said that the refusal of any sponsor to help underwrite the show “raises troubling questions about advertiser censorship.”

But censorship is not a one-way street. The networks practice it, too, if you define “censor” as the dictionary does: “an official who examines materials for objectionable matter.”

What the networks consider objectionable is not the sex and violence they constantly pump into their homes. What they object to, and therefore censor, is something that

is anything but objectionable to millions of Americans: the Bible.

I was recently given a rare and, I'm sure, unintended peek into the network mindset in an incident involving ABC's morning TV program, "Good Morning America."

A GMA producer called me after reading a column I had written on the "domestic partnership" law passed by the San Francisco Board of Supervisors, allowing unmarried homosexual and heterosexual couples to receive many of the benefits married people enjoy.

In that column I had quoted several Supreme Court cases affirming the traditional male-female marriage as the norm. I also said that that relationship was not a recent invention, but had biblical roots and I quoted a verse from Genesis, Chapter 2: "A man shall leave his mother and father and cleave unto his wife."

The GMA producer, Sue Hester, asked me to be on the show the following morning. I agreed.

Another ABC staff person called to conduct a "pre-interview" in which my views on the subject were noted so that the GMA co-hosts, Charlie Gibson and Joan Lunden, would know what to expect.

As I was preparing to leave for New York, Hester called to say that I had been canceled and someone else chosen.

"Why?" I asked.

In what must have been an unguarded moment, Hester gave me this response: "The producer wasn't comfortable with your quotation from the Bible [in the newspaper column]. She was concerned that you might quote some Bible verses."

Outraged, and aware that GMA has no problems with "comedians" like Howie Mandell using sexual double entendres on the air, I asked for the name of the producer who made the decision.

"Rickie Gaffney," said Hester.

After I tried repeatedly to reach Gaffney, she finally called me.

"Before I tell you what you were quoted as saying, I would like you to tell me why I was yanked from the program," I said.

"We were looking for a certain kind of mix," said Gaffney. Asked to explain, she responded, "I don't think that's worth elaborating on, quite frankly."

I then asked her whether she had any concern over my quoting the Bible verses on the air, as Hester had indicated.

"That was her interpretation," she said.

"You mean you never expressed any concern about me quoting from the Bible?"

In an answer reminiscent of those given by defendants at trials and congressional hearings, Gaffney said, "I don't recall."

If this were an isolated incident, it might be dismissed as an aberration, but it wasn't.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I have great reservations about this amendment. I just would refer to paragraph 3. It says that none of the funds authorized to be appropriated pursuant to this act may be used to promote, disseminate, or produce material which denigrates, debases, or reviles a person, group, so forth and so on.

I suppose that if you had material that debases or reviles Hitler, for example, that would be prohibited under this amendment. I share the views previously expressed that we are getting into a slippery area here. I think it is unfortunate that the Congress tries to

do this, and will attempt to do this in the Senate. I am not in favor of it.

So, at the proper time, I would like to be recorded as voting against this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment of the Senator from North Carolina.

The amendment (No. 420) was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COATS. Mr. President, I have no interest today in engaging in subtle aesthetic debate. The definition of art is an issue for the Academy, not the Legislature.

The Senate has no role as art critic. And it certainly has no role as censor.

But its primary and defining role is to determine if public funds are spent in the public interest.

I come to this debate with only one question: Do we in Congress have the right to take money from citizens, on penalty of imprisonment, and then use it to offend their most deeply held religious and moral beliefs?

There is no question that those beliefs have been purposely and maliciously assaulted. Over the last few months we have been exposed to publicly funded images that were intended to provoke outrage—erotic photography of children, pictures of one man urinating into the mouth of another, presentations of homoerotic sadomasochism.

They remind a balanced mind of nothing so much as the snapshots of a tourist in hell.

Religious images have also seen desecration at the public expense—including a crucifix suspended in urine. Albert Camus once talked of people who "climb on the cross to be seen from afar, trampling on him who has hung their so long." This is the spirit that animates these unspeakable works of a deformed and calloused conscience.

The question before us is not a determination of artistic merit. It is not a debate over the imposition of State censorship. It is an argument over the use of public funds.

And here the issue is unmistakably clear. There is no possible justification, even in the most exalted dreams and pronouncements of the artistic establishment, to appropriate taxpayer's money for these ends. It is a formula for everdeepening social resentment, with large numbers of citizens viewing their own Government as an enemy of the cherished beliefs by which they order their lives. And it adds insult to their pain by forcing them to pay for it.

Mr. President, I add my enthusiastic support to Senator HELM's bill. And I

can muster little patience with those who imagine that artistic freedom is identical to feeding at the public trough.

Mr. KENNEDY. Mr. President, I share the reservations expressed about this amendment, and I hope that the conferees will give careful consideration to whether the Congress should pursue this course in funding the arts.

In 1965, when the National Foundation on the Arts and Humanities was created, Congress agreed "that the encouragement and support of national progress and scholarship in the humanities and the arts, while primarily a matter of private and local initiative, is also an appropriate matter of concern to the Federal Government."

We have had a quarter century to monitor the Arts and Humanities Endowments. I am pleased with the growth and development of these small but effective agencies. Many important cultural and scholarly works have been funded. Quality programming and outreach to new audiences have been a hallmark of these activities.

Much of the success of the Endowments can be attributed to the peer panel review system. When Congress instituted the Endowments, it wisely assigned the review and assessment of program grants to professionals in the arts community, who can most accurately weigh the relative merits of individual applicants.

It was a conscious effort at that time to separate the review process from political interference. Nothing has occurred in the intervening quarter century which diminishes the wisdom of that decision or that suggests a long-term benefit in undermining the peer system.

We have heard a great deal in recent months about several controversial grants awarded in the past year by the Arts Endowment. Without the peer system, there would have been persistent and chronic controversies of grant awards throughout the last 24 years.

A responsible discussion of funding for the Endowment should recognize that controversial grants are aberrations, and not commonplace occurrences, in the grantmaking process.

No grant making process is fool-proof, but the peer system comes as close to that goal as is possible.

The grants in question, totaling \$45,000, have subsidized work that is provocative and that is distasteful and offensive to large numbers of Americans.

But it is also disturbing to me that the response of Congress threatens the peer system of review and overall funding for the already underfunded Arts Endowment.

It is foolish for Congress because of the questionable awards to jeopardize a well-respected program with a 24-year track record.

A more responsible approach would be to enact stricter accountability in

the grant-making process, especially when funds are channeled through intermediary agencies. The ultimate responsibility and accountability for all grants rests with the National Council on the Arts. Congress intended that result, and steps should be taken to insure that the Council carries out its mandate as effectively and judiciously as possible. A tightening of restrictions on sub-grants would go a long way toward preventing future congressional second-guessing in situations such as the present.

A new chairman of the Arts Endowment will be coming on board in the fall and he, too, can be involved in the search for more effective ways to continue the Endowment on a long-term path of growth and excellence—which has been its path for the last 24 years, under both Republican and Democratic chairmen.

The Federal Government has a role and responsibility to support the arts and create an environment in our country which encourages a lively cultural community. Congress must not put itself in the position of serving as a board of censors for the arts.

I ask unanimous consent that correspondence I have received in my office from concerned citizens in the arts community be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

ARTS AND HUMANITIES,
Boston, MA, June 30, 1989.

Senator EDWARD KENNEDY,
Washington, DC.

DEAR SENATOR KENNEDY: I would like to ask for both your financial and philosophical support of the National Endowment for the Arts (NEA).

Federal support has never been as crucial as now. As a delegate from Massachusetts, you are probably aware that in FY'90 state support for the Massachusetts Council on the Arts and Humanities will be reduced by 38%. This reduction, coupled with the business sector's low level of philanthropy for this state's vibrant cultural scene, does not bode well for the future of the arts in Massachusetts.

Many individual artists and cultural organizations across the Commonwealth receive support directly from the NEA. Every year the NEA receives approximately 18,000 grant applications; about 4,500 are approved for funding. Last year 234 Massachusetts artists and arts organizations received grants totaling \$5,867,483, a figure which testifies to the high quality of the Commonwealth's cultural institutions and presentations.

The Council itself receives \$532,600 in various NEA grants which are desperately needed to staff programs and maintain programs.

With a 38% cut in state support—and no new funding sources available to make up this devastating loss of \$7,343,727 million—the cultural community in the Commonwealth and those that it serves are in dire need of increased federal support for the arts. Last year the Council received requests totaling \$38,699,971.

The benefits of public support for the arts are not only cultural, but economic as well. Increased revenue generated through direct spending by arts organizations, related audi-

ence spending and the ripple effect generated from all this, have provided \$1.2 billion to the Massachusetts economy in 1988, monies much in need these days, as we are all too aware. For your information, I am enclosing a brochure illustrating the results of a 10 year study conducted by the New England Foundation for the Arts.

I know that your deliberation over the NEA's budget comes at a time when issues of art censorship are hot in the press. I urge you to see these as exclusively separate issues, or the debate that began 25 years ago over state funding of the arts will be visited anew, with great harm done to America's reputation as a democracy.

Employing an open and vigorous process, independent panels review all applications submitted to the NEA, selecting groundbreaking, thought provoking projects which expand the dialogue of what art is and what it should do.

Sometimes a work of art asks us to examine an idea or issue we are not as comfortable with as others, but this in no way makes it any less valid or important than more sedate art works. It does, however, expand this country's artistic heritage—which is what a national agency devoted to the arts should be doing. It is not the intent of the NEA or any arts agency to intentionally support projects or artworks that offend a particular point of view or group of people; it is within the purpose of the NEA and this arts agency to stimulate the practice of the arts—to stimulate human beings to explore and examine their humanity—freely, without barriers placed on their ideas or imagination.

The citizens of Massachusetts and the Commonwealth's fiscal situation can all benefit from your support of an increased appropriation to the NEA in the FY'90 federal budget.

Thank you for your time.

All the best,

ANNE HAWLEY,
Executive Director.

[Telegram]

NEW YORK CITY, NY,
June 28, 1989.

Hon. EDWARD M. KENNEDY,
Washington, DC.

I respectfully beseech you to fully protect the NEA's incredible record.

A controversy over only two grants among its thousands must not be allowed to start any destruction to one of our Nation's most valuable, admirable and necessary organizations.

JEROME ROBBINS.

[Telegram]

NEWTON, MA,
July 24, 1989.

Senator EDWARD KENNEDY,
U.S. Senate, Washington, DC.

I urge you to support full funding for the Arts Endowment during consideration of the FY90 Interior bill. Please oppose any efforts to cut the Endowment or to single out any grantee for penalty. The current controversy surrounding two particular grants should not overshadow the Endowment's track record. Through its peer panel process, the Endowment has distributed over 85,000 grants, many of which have benefited institutions, artists, and countless individuals in our State.

BRUCE MARKS,
Artistic Director, Boston Ballet.

MUSEUM OF FINE ARTS,
Boston, MA, June 29, 1989.

Hon. EDWARD M. KENNEDY,
U.S. Senate, Washington, DC.

DEAR SENATOR KENNEDY: In the last decade virtually all the major loan exhibitions of works on paper (exhibitions such as "Printmaking in the Age of Rembrandt," "Edgar Degas: The Painter as Printmaker" and the present "Italian Etchers of the Renaissance and Baroque") organized by this department have been made possible through the support of the National Endowment for the Arts. The NEA has also made possible the publication of the catalogues accompanying these exhibitions, catalogues of lasting value written so as to be accessible to a broad audience and not to specialists only. These exhibitions and catalogues and those produced by other American art institutions under the NEA's sponsorship have contributed significantly to the growth of worldwide appreciation of American cultural and scholarly achievements.

This museum and this department have also been able to acquire through the purchase program of the NEA work by living American artists that would not otherwise have been affordable. With regard to the current controversy over the nature and content of contemporary works funded by the Arts Endowment I would like to say that I have always believed that freedom of cultural expression was one of the glories of non-totalitarian Western society and specifically of our own democratic society. I devoutly hope that will not change and urge that you support and defend the good works of the NEA.

Sincerely yours,

CLIFFORD S. ACKLEY,
Curator, Department of Prints,
Drawings and Photographs.

BOSTON SYMPHONY ORCHESTRA,
Boston, MA, June 30, 1989.

Hon. EDWARD M. KENNEDY,
Russell Senate Office Building,
Washington, DC.

DEAR TED: We are alarmed by proposals to abolish the National Endowment for the Arts or to severely curtail its budget as a result of the controversy surrounding the work of Andres Serrano and Robert Mapplethorpe.

Whatever may be the merits of each side of this controversy, we urge Congress not to let this obscure the tremendous importance of the NEA to hundreds of cultural institutions and the millions of citizens whom they serve.

Allow me to briefly cite what some of the NEA grants have done for the Boston Symphony Orchestra: two challenge grants of \$1 million each resulted in more than \$15 million contributed by the private sector; eight Music Professional Training grants to the Tanglewood Music Center provided fellowships for more than 800 emerging American artists who are now pursuing distinguished careers in music; some 16 grants awarded artistic support to engage outstanding guest artists and conductors who have appeared with the Boston Symphony Orchestra at Symphony Hall and Tanglewood before audiences numbering over six million persons; and three grants helped the Boston Symphony Orchestra and the Boston Symphony Chamber Players to produce recordings of contemporary American music, including works commissioned by the BSO for its centennial celebration. These achievements would not have been possible without federal support and the loss of these funds in the future will seriously harm the quality of our artistic endeavors.

It appears that much of the outrage directed at the NEA is fueled by a longstanding belief that would deny any role or responsibility in the arts for the federal government. The Serrano/Mapplethorpe episode has become an excuse for attacking an institution that cannot be faulted on ordinary grounds. With the exception of this controversy the NEA has been able to work with a remarkably broad consensus that its decisions have been professional, fair, and productive. We have been greatly impressed with the calibre of staff and advisors the NEA has assembled over the years to carry out its mission.

Please record our support for continued funding for the NEA and the very important contribution it makes to our society.

Yours sincerely,

GEORGE H. KIDDER.

AMERICAN REPERTORY THEATRE,
Cambridge, MA, June 29, 1989.

HON. EDWARD M. KENNEDY,
U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY: We are writing to express our grave concern at what we perceive to be a growing Congressional hostility towards the National Endowment for the Arts and the crucial support it provides to America's artists and cultural institutions.

A threat to NEA appropriations is a threat to the survival of the arts in the United States, to the country's artists and the audiences they serve, and to the businesses that depend on a healthy cultural climate for their own prosperity. The arts bring jobs and vitality to the economy, as well as education and recreation to the underprivileged. Over 150,000 people attended performances at the American Repertory Theatre last year, including 15,000 schoolchildren, and with the support of the NEA we have been able to introduce the vigor and imagination of American theatre to innumerable others both at home and at international festivals in Venice, Edinburgh, Tel Aviv, Paris and Madrid, as well as to the children in our community who have participated in our programs at local schools.

But the arts should not be required to justify themselves merely on the basis of how they reinforce employment, outreach programs and the economy. They are a necessity for the sustenance of the soul, and as such are as significant to a great civilization's welfare as health, education and poverty assistance. (Sweden, Austria Norway, Spain, Japan, Great Britain and West Germany are just a few of the industrial countries that recognize this significance and attach as much importance to arts funding as to the funding of human welfare programs.) Recent statements from Capitol Hill concerning the NEA are sending a horrifying message to anyone involved in the arts, a denial of the importance of arts and culture to the nation that has a potentially devastating affect on the morale of America's artists and humanists, many of whom rely on NEA funding to support their imaginative contribution to our society.

We are concerned by how much time we spend in these dark and beleaguered days for the arts pleading for the right to exist as a cultural institution. We believe that the freedom to imagine, and to share those imaginings with others, is implicit in those freedoms guaranteed to us by the Constitution, and we believe it is the mandate of our elected officials to protect and perpetuate the creative spirit that is so much a part of our national character.

You are a good friend and we share our colleagues' respect for all your good work on our behalf. We urge you to defend the NEA

and support its appropriation in the upcoming debate.

Sincerely,

ROBERT BRUSTEIN,
Artistic Director.
ROBERT J. ORCHARD,
Managing Director.

DYNATECH CORP.,
Burlington, MA, June 26, 1989.

Senator EDWARD M. KENNEDY,
John F. Kennedy Federal Office Building,
Boston, MA.

DEAR SENATOR KENNEDY: Today, I have been giving my time as a citizen to a Board meeting of the American Symphony Orchestra League in San Francisco, a not-for-profit organization of which I am a Director.

I learned at this meeting that there is a possibility that Congress, in its budget deliberations this year, may decide to restrict or reduce funds previously dedicated to the National Endowment for the Arts.

I further understand that two separate controversial exhibits which have taken place in past months have caused protests to be made by various citizens and organizations.

One of these exhibits was a visual presentation in an exhibit administered by the Southeastern Center for Contemporary Art of Winston Salem, North Carolina, and funded in part by a grant from the National Endowment for the Arts.

Another exhibit, as I understand it from sketchy information provided today, involved desecration of our national flag.

To call into question the entire funding of the National Endowment for the Arts over these isolated incidents makes no sense to me, even at a time when our Government currently is overspending its income. Analogs are easy to think of.

If naval personnel are killed in training, would you vote to cut off all funding to the United States Navy?

If a management person in our social welfare program mishandles funds, would you cut off all social welfare funding? (The recent HUD cases comes to mind.)

So, I have to ask you: If a couple of artists put forward exhibits which are offensive to segments of the public, will you cut off, reduce or restrict funds flowing to the arts through the National Endowment for the Arts?

I hope not.

In previous assignments of mine on Boards of not-for-profit organizations (museums, private schools, etc.), I have always encouraged these Boards and managements not allow funding from any single source to be too great a percentage of the total funds collected or spent in a single year. This suggested policy arose in my mind as a result of long personal business experience with long lists of customers.

Thus, if the United States Government, through the National Endowment for the Arts, is, in fact, a "customer" of arts organizations, it would therefore behoove the National Endowment for the Arts suppliers (symphonies and all other arts organizations) not to be too heavily dependent on this single source. In other words, the percentage of total income or expense received from the National Endowment for the Arts should be kept very small (e.g. 1-2%) so that the sudden removal of this funding stream could not cause the immediate or gradual demise of the organization. This I believe to be a sound policy, especially when received in present circumstances where fund cut-off seems to be in the wind.

If the National Endowment for the Arts funding continues at present levels, it will take the American Symphony Orchestra

League a period of time to change the markup of its revenues to reduce its National Endowment for the Arts dependence.

If the National Endowment for the Arts funding is eliminated or drastically reduced, all arts organizations whose funding depends in large measure on the National Endowment for the Arts will have to decide whether to continue at all.

I cannot speak for the American Symphony Orchestra League policy, as I am only one Director, but I can state my opinion that I do not see how the American Symphony Orchestra League, the central national organization for all symphony orchestras in the United States, will be able to stay in business.

Please vote to keep the National Endowment for the Arts funding flowing while we determine how best to get along without it. This will take time.

Or, please tell me that there is no issue here, that the National Endowment for the Arts is not a fickle funder of the American Symphony Orchestra League and American symphony orchestras, and that its funds are assured for the next few years.

Sincerely,

J.P. BARGER,
President, and Chief Executive Officer.

HARVARD UNIVERSITY ART MUSEUMS,
Cambridge, MA, July 19, 1989.

HON. EDWARD M. KENNEDY,
U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY: I am writing to urge you to give your support to full funding of the Arts Endowment during consideration of the FY90 Interior bill. Please oppose any efforts to cut the endowment or to single out any grantee for penalty.

Sometimes the public will be offended by works of art created or shown with taxpayers' money. This has happened very rarely, however, and we should consider this the price we pay for maintaining a vigorous culture in a free society. The current controversy over a few works of art should not cause Congress to penalize an agency that has performed so well for twenty-five years and has distributed more than 85,000 grants annually.

We are a university museum and receive no funding from our parent institution for public programming of any kind. Our exhibition and publication program would not exist without NEA support. The exhibitions supported by NEA over the years, such as Wonders of the Age: Masterpieces of Early Safavid painting, Master Drawings by Picasso, Jacob van Ruisdael, and El Lissitzky, were among the most popular and best attended shows we had—the overwhelming percentage of our visitors coming from Cambridge and greater Boston. They were also the first of their kind in this country and the type of pioneering show that corporate sponsors are unlikely to fund. They would have been lost to the public and to scholarship without NEA support.

The NEA and IMS have supported us in many other ways as well, in numerous conservation efforts and various expansion programs, and in cataloguing and dissemination projects. Without the NEA, NEH, IMS and similar cultural organizations, we would be much diminished as an institution.

Controversies over a tiny number of NEA-supported projects should not jeopardize funding for the thousands of NEA programs across the nation. Indeed, anyone familiar with the controversies that surrounded the careers of the great artists of the past—including Ingres, Cezanne, Picasso, Matisse, Manet, Eakins, Turner, Caravaggio, and a host of others—would consider it remarka-

ble that so few NEA programs generate any criticism at all.

We urge you to take the longer view and continue your support for the Arts Endowment and for the funding recommendations now being considered. Its work, after all, is devoted to the artistic culture of centuries past and generations into the future, not to the passing political flurry of the moment.

Sincerely yours,

EDGAR PETERS BOWRON,
Elizabeth and John Moors Cabot Director.

WILLIAMS COLLEGE MUSEUM OF ART,
Williamstown, MA, July 11, 1989.

Hon. EDWARD KENNEDY,
U.S. Senate, Washington, DC.

DEAR SENATOR KENNEDY: The staff at the Williams College Museum of Art is certain you are aware of its efforts to enrich Western Massachusetts with our many special exhibitions and outreach programs. Although we are supported by Williams College, we could not have accomplished nearly as much public outreach, had it not been for the Federal grants we have been fortunate to receive in the past.

It is therefore with a sense of great urgency that we approach you regarding the FY 90 Interior Appropriations bill which will be on the House floor tomorrow. We urge you to support the Appropriations Committee's funding recommendations for the Institute of Museum Services and for the National Endowments for the Arts and Humanities. Please oppose any floor amendments to cut funding for these agencies, or to undermine their grant process.

If you or your staff is interested in a detailed account of the special programs we have been able to mount in the past, please do not hesitate to get in touch. Meanwhile we hope you will take time to drop in next time you visit the Berkshires and see our current exhibitions featuring African-American contemporary artists, African-American story quilts, and "100 Years of Social Protest," photographs by noted black craftsmen, photo-journalists, and artists. These shows have been drawing school and others from as far away as Springfield and Boston and have been points of departure for several public programs.

As always, funding is essential for making available quality programs, and we hope you will do all you can to ensure that our Government continues to support the arts at least at the same level as in the past.

Sincerely yours,

W. ROD FAULDS,
Associate Director.

CONCORA, MA, July 12, 1989.

Senator EDWARD KENNEDY,
U.S. Senate, Washington, DC.

When the FY90 Interior Appropriations bill is brought to the House floor, I urge you to support Appropriations Committee's funding recommendations for Institute of Museum Services, National Endowments for the Arts and Humanities. Please oppose any floor amendments to cut funding for these agencies or to undermine their grants process. They are vital to museums in your district and across the country, the financial support these agencies give to cultural institutions is crucial and must continue to grow.

ANN CHANA,
Concora Museum.

BOSTON SYMPHONY
ASSOCIATION OF VOLUNTEERS,
Boston, MA, July 6, 1989.

DEAR SENATOR KENNEDY: As President of the Boston Symphony Association of Volunteers, I represent 1,000 men and women who believe in the tremendous importance of cultural institutions like the Boston Sym-

phony and the critical support of the National Endowment for the Arts. The BSO receives more than \$360,000 from NEA, and a loss of these funds would have serious consequences for our programs. I implore you to support the Arts.

JACOB'S PILLOW,
Lee, MA, June 27, 1989.

Hon. SENATOR KENNEDY,
U.S. Senate, Washington, DC.

DEAR SENATOR KENNEDY: I have been the director of America's oldest dance festival for ten years. The NEA has played a pivotal role in allowing Jacob's Pillow to accomplish its goals. We have been able to support the most venerable artists and some of the most visionary artists in our field. I feel that tradition often develops from work which momentarily seems outrageous. Ted Shawn, after all, was once looked upon as an iconoclast. Today his philosophy is quite mainstream.

As producer, Jacob's Pillow acts as a bridge between the audience and the artist. We have seen people react to provocative work in ways which were surprising yet pleasing to them. These audiences were stimulated to think, feel and see themselves and the world in a new way.

Our society's strength has always been in its ability to embrace many seemingly incompatible points of view.

Please do not compromise this strength by voting for legislation which attempts to dictate the direction of the artist's vision.

Your support of Jacob's Pillow and the arts has made a difference. Thank you.

Sincerely,

LIZ THOMPSON,
Executive Director.

AMERICAN ANTIQUARIAN SOCIETY,
Worcester, MA, June 28, 1989.

Hon. EDWARD M. KENNEDY,
Russell Senate Office Building, Washington, DC.

DEAR SENATOR KENNEDY: Enclosed is a copy of a letter I sent yesterday to Congressman Yates who is, I understand, thinking about eliminating "regrant" programs at NEA and NEH. If this comes about, it will destroy the ability of the Society to mount our competitions for the long-term fellowships that have proven to be extraordinarily important in advancing historical knowledge and in exploiting the research materials at AAS.

I hope you agree with me that it would be unwise to eliminate the NEH program for Centers for Advanced Study, of which AAS is one of eighteen world-wide. Many thanks for your interest in this problem!

Sincerely yours,

MARCUS A. MCCORISON,
Director and Librarian.

MUSEUM OF
FINE ARTS BOSTON,
Boston, MA.

Hon. EDWARD KENNEDY,
U.S. Senate, Washington, DC.

DEAR SENATOR KENNEDY: I write to urge you to give your support to full funding of the National Endowment for the Arts as originally recommended by the House Appropriations Committee.

I hope you will reject the move to cut funds as a symbol. A few works of art should not cause Congress to penalize an agency that has performed so well for 25 years and has distributed more than 85,000 grants successfully.

Sometimes we will be offended by works of art created or shown with taxpayer money. This has happened very rarely, however, and we should consider this the price

we pay for maintaining a vigorous culture in a free society.

We need the arts endowment at full strength for the sake of Massachusetts and the nation. Please give it your full support.

Yours sincerely,

ALAN SHESTACK,
Director.

BREWSTER MA, July 5, 1989.

Hon. TED KENNEDY,
U.S. Senate, Washington DC.

When the FY90 Interior appropriations bill is brought to the House floor, I urge you to support Appropriations Committee's funding recommendations for institute of museum services, National Endowments for the Arts and Humanities. Please oppose any floor amendments to cut funding for these agencies or to undermine their grants process. They are vital to museums in your district and across the country. The financial support these agencies give to cultural institutions is crucial and must continue to grow.

SUSAN P. LINDQUIST,
Executive Director, Cape Cod
Museum of Natural History.

MOUNT HOLYOKE COLLEGE ART MUSEUM,
South Hadley, MA, July 5, 1989.

Hon. EDWARD KENNEDY,
U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY: The growth of the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute for Museum Services is vital to the cultural organizations of the United States. And these cultural organizations are vital to the country, not only in a spiritual sense but to the economy as well.

I urge you to support increased funding for the Endowments and IMS when the FY90 interior appropriation bill is considered.

It is also vital that the autonomy of these agencies be protected. Please oppose any amendments which would undermine this autonomy. Their independence and unlimited growth is vital to our cultural institutions, indeed, to our entire state and country.

Sincerely,

TERI J. EDELSTEIN,
Director.

PEABODY MUSEUM,
Salem, MA, July 7, 1989.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY: As President of the Board of Trustees of the Peabody Museum of Salem and as Chairman of Museums Cooperative of Salem, I am writing you on behalf of the Board of Directors and staffs of these organizations to urge you to support the funding recommendations of the National Endorsement for the Arts, the National Endorsement for the Humanities and the Institute of Museum Services contained in the Interior Appropriations Bill for FY 1990.

I know you are aware of how much the funding from these three entities have helped the citizens of Salem and Essex County through our Museums in the past and how much we look forward to gaining further funding from them in FY 1990.

Your support is needed this month.

Sincerely,

RICHARD WHEATLAND,
President, Peabody Museum of Salem;
Chairman, Museums Cooperative of Salem.

ESSEX INSTITUTE,
Salem, MA, July 5, 1989.

HON. EDWARD M. KENNEDY,
U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY: When the FY90 Interior Appropriations bill is brought to the House floor, I urge you to support Appropriations Committee's funding recommendations for Institute of Museum Services, National Endowments for the Arts and Humanities. Please oppose any floor amendments to cut funding for these agencies or to undermine their grants process. They are vital to museums in your district and across the country.

The Essex Institute, a historical museum and library in Salem, Massachusetts, has recently received generous support from all three agencies (a \$400,000 challenge grant from NEH; a \$75,000 NEH grant for a special exhibition and public programs on Federal period Salem; a \$75,000 general operating support grant (three years in a row) from IMS and an IMS conservation grant). The support of these federal agencies has been critical to the development of new programs for new audiences at the Essex Institute. Recent controversies surrounding isolated incidents should not be used as a weapon against agencies which have deepened cultural awareness and understanding of millions of Americans.

The financial support these agencies give to cultural institutions is crucial and must continue to grow.

Sincerely,

ANNE FARNAM,
President

CHICAGO, IL,
June 27, 1989.

HON. EDWARD M. KENNEDY,
U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY: I am writing to urge your support of the National Endowment for the Arts. The NEA is a vital force in creating a rich and diverse culture in America. Thousands of artists and organizations have benefited from its support including the citizens of Illinois through direct grants and through funds channeled through the Illinois Arts Council. The Illinois Arts Council Arts in Education programs are a recent beneficiary of NEA funding.

Being on the Board of Directors of The Chicago Opera Theater, I am able to see first hand the beneficial effects of the NEA grant awarded this 15 year old Company which brings Opera to Chicago in English.

It would be shameful to see any reduction in funding for the arts which is far less than what this country deserves (\$.70 cents/person). I urge you to defend the National Endowment for the Arts against attacks and do everything in your power to increase the support devoted to art and culture.

Yours truly,

H. GAEL NEESON.

WILLIAMSTOWN, MA,
July 10, 1989.

Senator EDWARD KENNEDY,
Senate Office Building,
Washington, DC.

When the FY90 Interior Appropriations bill is brought to the House floor, I urge you to support Appropriations Committee's funding recommendations for Institute of Museum Services, National Endowments for the Arts and Humanities. Please oppose any floor amendments to cut funding for these agencies or to undermine their grants process.

They are vital to museums in your district and across the country.

The financial support these agencies give to cultural institutions is crucial and must continue to grow.

DAVID S. BROOKE,
Director, Clark Art Institute

Mr. WIRTH. Mr. President, I rise today to speak about funding in the fiscal 1990 Interior appropriations legislation for the National Endowment of the Arts [NEA]. Recently, the NEA has come under severe criticism for its support of programs which provided grants for exhibits of two artists noted for their controversial topics.

In reaction to their support of the work of Andres Serrano and Robert Mapplethorpe, the Senate Interior Appropriations Subcommittee chose to include language prohibiting the National Endowment for the Arts from issuing a direct grant award for 5 years to either the Southeastern Center for Contemporary Art [SECCA] in North Carolina or the Institute of Contemporary Art [ICA] at the University of Pennsylvania.

Mr. President, I believe that this provision is an overreaction and unwarranted. Both these organizations applied for and accurately completed a rigorous review process by both their peers and by members of the Presidentially appointed National Council on the Arts to receive NEA grants. The organizations, in an effort to ensure that the projects were within the scope of public taste, also raised matching dollar-for-dollar funds from individuals, State, and local art agencies, foundations, and corporations.

It is wrong to punish these individual organizations simply for their involvement in projects that created some controversy when, in fact, the organizations were in complete compliance with the established review system and the grants were approved by the National Council on the Arts. In this case, The Senate is inappropriately micromanaging by singling out SECCA and ICA.

I am also deeply concerned that this provision sets a very dangerous precedent of legislating a moral code on the value of particular works of art. This action could effectively censor all artists and museums for years to come. Museums will restrain or suppress their creativity in providing quality exhibits to the public, fearing the loss of Federal funds. This will assuredly lead to the loss of private, local funding as well. Will Congress next end Federal funding for public radio and television if a controversial story or documentary were aired? This action comes perilously close to the kind of censorship that has not been tolerated in our Nation since its inception.

The formulation of policy from heated reaction to public controversy is a sure way to make bad decisions. A 5-year prohibition of NEA grant awards to SECCA and ICA is not fair to the affected agencies and bodes ill for the continued public support of art organizations in Colorado and the rest of the Nation. I hope my colleagues

carefully consider the ramifications this action when this legislation is reviewed in conference.

Mr. President, I yield the floor.

Mr. JEFFORDS. Mr. President, I want to comment on the portion of this bill that provides funding for various agencies related to the arts.

As cochairman of the Congressional Arts Caucus, and a longtime supporter of arts, I am encouraged that the committee has provided modest increases in funding for the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services. The National Endowments fulfill an important, dual role of stimulating development and access to the arts across the Nation, while also providing a significant catalyst for private support of the arts.

The committee has recommended \$171.2 million for NEA for fiscal year 1990, an increase of \$2.1 million over this year's level. These funds will provide grants to individual artists and groups, in every discipline, working in rural areas, small cities, and major urban centers.

On numerous occasions, I have heard from Vermont organizations and individuals about their personal involvement with the Endowments and the IMS. These people—ranging from the dance instructor, casual art enthusiast, to the performing artists—join in enthusiastic support for these programs. They also share the belief that the arts and humanities, as a reflection of ourselves as a culture and society, are essential and deserve continued support.

I am extremely disturbed by the restrictions placed upon arts funding by the committee. I think that in cutting off funds for two very fine institutions, the Institute of Contemporary Art in Philadelphia, and the Southeastern Center for Contemporary Art in North Carolina, we are edging dangerously close to censorship. The arguments used in defense of what amounts to punishment of these two organizations sounds dangerously close to those used by those who wish to banish certain books from our public schools. Worse yet, by cutting off future support for the organizations in question, we are censoring artists and works which we have not even seen, and which, because of this legislation, many people may not get to see.

Mr. President I do not wish to begin a debate here over the merits of the art in question. That we could have devoted more time here in the Congress to such a great debate, a very eloquent debate, I think would have been beneficial and indeed educational. I am delighted that that kind of debate is taking place in the press, in classrooms, in art galleries and on the streets. Perhaps the greater good that is to come of all this controversy is that people are taking notice of the in-

credible power that is inherent in art. A power, and this has been said before, that cuts to the raw nerve of the individual and the life blood of individual freedom.

Artistic expression is perhaps one of the most individual of all freedoms we have in society, and one which the National Endowment for the Arts has sought to promote, and which I hope the members of this body will agree to protect.

That this discussion has been sullied into a debate over what kind of punishment should fit a perceived crime against offended individuals is an insult to those who are involved in creative endeavors everywhere. It is ironic that after having witnessed the millions of Chinese students in Tiananmen Square, many of them the children of those who were punished severely for so-called offenses during the Chinese cultural revolution, that we are face forward on the precipice of our own dangerous cultural revolution. Censorship in the arts, as imposed by this bill, to censor those organizations in question in this legislation that we are protecting many taxpayers. Not just taxpayers who find the works in question morally offensive, but those who may have a completely different interpretation of them. Taxpayers who may actually like them. I am worried about setting this dangerous precedent, whereby only those organizations who promote works deemed acceptable on one, will find the reward of public funds awaiting them.

The arts in this country have taken a drubbing for too long. They have suffered from a lack of promotion on a large public scale. Some might even say a lack of understanding. Are we promoting better appreciation of the arts by cutting funds during a debate that attempts to make an excuse for direct censorship? We are threatening to cut off two organizations that have incredible potential to bring many kinds of art to many people. We are not surrounded, as Europeans are, by generations and generations of art that so permeates society that it almost numbs the senses. We have to create it for ourselves. What we create should be a reflection of ourselves. It will be diverse. It may at times be provocative. I hope it will always remain uncensored.

If I may quote someone who has said this better than I, J. Carter Brown, director of the National Gallery of Art,

There is a principle involved here, which is at the heart of what it means to be an American, and that is freedom. All of us in this country emigrated here, and a great number for a reason, which was to achieve the kind of freedom denied under other systems. And as we watch the other systems and historically look at them in the degenerate art show that Hitler had, or what the Soviets did to suppress their artists, and what is happening in capitals in the Far East, we have to recognize how fragile our freedoms are, how important it is to defend the process and to keep a sense of our first amendment.

Mr. President, I yield the floor.

Mr. PELL. Mr. President, as one member of this body who was deeply involved in helping establish the National Endowment for the Arts 25 years ago, I want to convey to my colleagues some of my views of the current controversy regarding grant review procedures.

The National Endowment for the Arts is a remarkable agency that was setup after careful and lengthy debate as to just what role the Government can and should play in the support of culture in the United States. The landmark public law of 1965 states that,

it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination and inquiry but also the material conditions facilitating the release of this creative talent.

The success of this unique agency has, in fact, exceeded all my expectations. The leadership of the Endowment in cultural support has helped bring arts programs into the far corners of every State in the country. It has led to the tremendous expansion in the fields of opera, dance, theater and symphony orchestras and it has helped nurture the creative talents of our writers, composers, and artists. A relatively modest investment of Federal funds has done so much to enrich the lives of the American people.

In regard to the current controversy over a few works of art, I can understand the depth of feeling of many of my colleagues. I find the works in question fully as offensive, objectionable and obscene as they do. In my mind, serious errors in judgement were made when such works were recommended for funding by their respective review panels.

But it is precisely this system of review by peer panels that has been responsible for the broad-based effectiveness of the National Endowment for the Arts over the long run. The Endowment has made over 85,000 grants to projects and individuals in the United States with an amazing degree of impartiality and good judgment. Of this number, only a handful have aroused any kind of controversy at all. The Endowment's record for fairness in funding quality and diversity is hard to equal anywhere else in the Federal Government.

When we structured the Endowment, we were careful to put the artistic decisionmaking in the hands of outside experts and away from the influence of government where it would be almost impossible to agree on standards. These peer reviewers, with very few exceptions, have served us well in making objective and balanced judgments.

No such system can be infallible, however, and for this reason, I have repeatedly sought ways to improve upon peer panel and review in my role as chairman of the Subcommittee on Education, Arts, and Humanities. To this day no one has come up with a

fairer and more intelligent method of disbursing Federal funds to the arts. But I am always willing to hear any proposals. The 1990 reauthorization of the Endowment will provide a forum for further debate in this regard.

In light of the current controversy, I have asked the Acting Chairman of the Endowment to set-aside time for an indepth discussion of agency review procedures at the upcoming meeting of the National Council on the Arts. Council members are Presidentially appointed individuals who are charged with advising the Chairman as to policies, programs, and procedures. Any recommendations they may have to strengthen these procedures will be carefully considered in the reauthorization process.

I have reservations about the provision in the Senate bill that would deny Endowment funds to the Institute of Contemporary Art at the University of Pennsylvania and the Southeastern Center for Contemporary Art in North Carolina. These are fine institutions which serve as important cultural resources in their communities. I believe such action is unnecessarily punitive. It imposes the views of a branch of government on a process that was intended to be free of such involvement. My colleagues should know that this action may well have a dire chilling effect on our national cultural community and weaken the Endowment.

I fully understand the sentiment which gave rise to this provision. But to my mind, we should not take precipitous action in the heat of a controversy. Rather, we should look at this situation in the place where it belongs, namely the reauthorization of the Arts Endowment, a process that will begin later this year. I believe we should strike this provision, but I know where the votes are on this matter and that such an effort would not be successful. The amendment proposed by Senator HELMS troubles me as well. It moves us ever closer to government censorship which is odious to our basic American values. It also restricts the ability of the Endowment to use impartial experts to judge excellence in the arts. I have faith in the peer review system and its ability to decide what art is worthy of our Nation's support.

I am equally aware of the importance of much of this legislation. It provides crucial funding for the National Endowments for the Arts and Humanities and the Institute of Museum Services which must go forward.

In addition, this legislation funds the Department of the Interior, including the National Park Service. It also continues funding for energy conservation programs, for our Historic Preservation Fund and for our Bicentennial Lighthouse Fund.

This legislation also includes vital environmental protection, in the form of offshore oil moratoria, for our more

fragile marine environments. It also contains operating funds for the Blackstone River Valley National Heritage Corridor, a project of great importance to the citizens of Rhode Island.

Thus, despite misgivings, I intend to vote for this legislation on final passage. I do so, however, with very considerable reluctance and with the hope that, when this bill goes to conference, the Senate conferees will yield to the House when it comes to the NEA funding portions and the Helms amendment.

Mr. MOYNIHAN. Mr. President, I rise in opposition. For the first time in the near quarter century life of the National Endowment for the Arts, we have before us an appropriations bill which prohibits the grant of funds to two named institutions. Specifically it is provided—

That until October 1, 1994, none of the funds provided to the National Endowment for the Arts may be used for a direct grant to the Southeastern Center for Contemporary Art (SECCA) in Winston Salem, North Carolina or for the Institute of Contemporary Art at the University of Pennsylvania.

This prohibition arises in consequence of a grant made to one photographer, and the exhibit of the work of another photographer.

The Senate report of June 8, 1985, which accompanied the legislation establishing the foundation clearly foresaw that such efforts such as this might be made in the years to come, and just as clearly recorded the view of the Congress that they should be resisted in the most adamant and absolute degree.

... the committee affirms that the intent of this act should be the encouragement of free inquiry and expression. The committee wishes to make clear that conformity for its own sake is not to be encouraged, and that no undue preference should be given to any particular style or school of thought or expression.

I have no wish to escalate the issues involved here. We are not dealing with censorship, per se. Nothing in the bill before us in any way inhibits the first amendment right of these artists to exhibit their work, and it would be nothing new in our experience if the present controversies brought their work to a wider audience than might otherwise be the case. For generations the fondest hope of many a writer was that his or her work might be "banned in Boston" in the expectation that sales elsewhere might thereby be considerably improved. Nor yet need we be over-apprehensive of the effect of this action on the artistic community which is not unfamiliar with controversy, nor yet especially averse to it. It is after all just half a century since the painter John Sloan wrote:

It would be good to have a Ministry of Fine Art. Then we would know where the enemy is.

I would accordingly suggest to the Senate that the issue is not "them" but us. Do we really want it to be recorded that the Senate of the United

States, in the 101st Congress of this Republic, is so insensible to the traditions of liberty in our land, so fearful of what is different and new and intentionally disturbing, so anxious to record our timidity that we would sanction institutions for acting precisely as they are meant to act? Which is to say, art institutions supporting artists and exhibiting their work?

More. Are we so little mindful of the diversity of our Nation, and the centrality of censorship and persecution in the experience of not just a few but I would almost say every religious and ethnic inheritance in this land? I think of the hymn sung at Catholic masses when I was a child.

Faith of our fathers! living still
In spite of dungeon, fire and sword
Oh how our hearts be high with joy,
Whene'er we hear the glorious word.
Faith of our fathers, Holy faith!
We will be true to thee till death.

Is there a congregation in the land today that does not or could not pronounce the same sentiments with the same conviction that what once was in no more, certainly no more in these United States?

And most poignant of all, are we so insensible to the shining witness to the all-important value of freedom of expression which we see displayed in nations across Europe and Asia which so recently seemed lost in totalitarian darkness?

This too will pass. I wish to record that I am fully aware of the disinclination of the principal manager of the bill to see these provisions become law. I fully expect that good sense and good humor prevail.

Still, the event needs to be protested.

Milton's was not the first voice raised in this abiding struggle, but surely the greatest. Wordsworth invoked his name in a subsequent age.

Milton! thou shouldst be living at this hour: England hath need of thee;

Nor is ours a land bereft of sages. Milton, yes. But Mencken more!

Mr. President, I will vote "no."

Mr. HEINZ. Mr. President, I would like to briefly share with the distinguished managers of the fiscal year 1990 Interior appropriations bill my strong opposition to the section of this measure—title II—relating to the specific treatment of funding for the National Endowment for the Arts [NEA].

According to language in H.R. 2788, Mr. President, two art exhibitors and NEA grantees, one located in Philadelphia, the Institute of Contemporary Art at the University of Pennsylvania, would be unable to receive direct NEA grants until late 1994. I am strongly opposed to unjustly targeting and essentially singling out these two art facilities, and urge Members during the conference committee to eliminate this provision.

Mr. President, I am extremely concerned with the dangerous precedent Congress is setting and the unfortunate message we are sending to artists,

art organizations, patrons, and those with an appreciation for experiencing the variety of American and international art. With this action, we are not only in essence serving as a censor of art to be displayed throughout our Nation's public galleries, but being punitive and even downright mean.

Let's face it, this provision puts Congress on record as penalizing two non-Federal and private institutions who organized and/or supported the controversial works of photographers Robert Mapplethorpe and Andres Serrano.

To my knowledge, the University of Pennsylvania—Institute of Contemporary Art followed proper NEA procedures in securing NEA grant money. Now, the institute is being penalized for its desire to present a variety of artistic expressions to its patrons. If there is fault, it lies not with the institute, but with the NEA for lax or inappropriate guidelines.

Imposing a 5-year ban on NEA grants to the Institute of Contemporary Art at the University of Pennsylvania and the Southern Center for Contemporary Art in North Carolina is both artistically and fiscally devastating to these fine institutions and their patrons. There is no obligation for Congress to use taxpayers money to support art the public finds offensive. But let us understand that it is not the artist nor the private patron that we should call to account. To do so sets an unprecedented and chilling parameter we would be well advised to avoid.

Mr. BYRD. Mr. President, the following amendments are, I believe, the only remaining amendments: A Baucus-Burns-Wallop-Simpson, et al., Yellowstone fire compensation amendment; a Conrad amendment; wildlife refuge fund; and an amendment by Mr. FOWLER of forest roads reductions amendment.

May I inquire of my distinguished colleague, Mr. McCLURE, as to whether or not he knows of any other amendments? I would like to ask consent that further amendments be limited to those that I have enumerated.

Mr. McCLURE. Mr. President, if the Senator will yield?

Mr. BYRD. Yes, I yield.

Mr. McCLURE. I know of no further amendments on this side. I was going to offer another amendment but I will not do so in view of the hour. I know of no other amendments.

Mr. HELMS. Mr. President, I wonder if I might ask for the accommodation that one more amendment be included for me and let me discuss it with the managers of the bill. I will not offer it until I discuss it with them.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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