Arts, Humanities, and Museums Amendments: Reports with Minority Views (1990): Report 05

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fifth suspect was arrested this week in Savannah.

Dennis Webb, who has owned the jewelry store in Springfield for 20 years, said this was his first and probably his last arrest.

"It is amazing and refreshing that the jewelry was returned," Mr. Webb said. "It makes me feel real good. You have to be practically tarred and feathered before I was persuaded to get into the process. In my ignorance, I felt I had absolutely no chance of competing with others. I had to be practically tarred and feathered before I was persuaded to get into the process. In my ignorance, I felt I had absolutely no chance of competing with others."

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DEBATE OVER THE NATIONAL ENDOWMENT FOR THE ARTS

HON. BILL RICHARDSON Of New Mexico IN THE HOUSE OF REPRESENTATIVES Tuesday, June 19, 1990

Mr. RICHARDSON, Mr. Speaker, while the debate over the National Endowment for the Arts continues to rage, I believe it is imperative that we consider the views of those with experience in the arts field. Maria Benitez, director of the Institute for Spanish Studies and a world renowned dancer and choreographer, is extremely well qualified to understand the manner in which art enriches our lives. In fact, Maria Benitez and her dance company have enriched the lives of New Mexico and audiences around the world. Furthermore, Maria Benitez has served on the NEA's peer review panels and has firsthand experience with this fine agency.

In a recent letter to John Agresto, the president of Saint John's College and a member of the independent commission reviewing the NEA, Maria Benitez outlines the NEA's tremendous value to artists and audiences across our Nation. This thoughtful letter from a major artist adds balance and perspective to the debate lacking qualities. Mr. Speaker, I request that the letter be inserted into the Record and commend it to my colleagues' attention.

SANTA FE, NM. June 11, 1990.

Mr. John Agresto,
President, Saint John's College, Santa Fe, NM.

Dear Mr. Agresto: In the Santa Fe New Mexican (6/7/90), I read, with great interest your comments on the National Endowment for the Arts. I would urge you to consider the advisory commission "reach some recommendations about the future of the NEA and its grant-making procedures". I added that you had received "virtually nothing from the Santa Fe community" in regards to the controversy that now surrounds that organization. One reason may be that the Santa Fe community has not been sufficiently informed of the situation. Reading the paper was the first time I heard of it. I hope my letter will be the only one that you receive.

Another reason may be that what might appear as an indifferent attitude from artists in this area concerning the NEA. But perhaps it is so much an indifference, but a feeling of not being able to compete on a national level and, most of all, a feeling of inadequacy when it comes to filling out mountains of complicated forms and confronting the bureaucratic process of grant making and awarding. I certainly felt that way when I first started in the early seventies. I had to be practically tarred and feathered before I was persuaded to get into the process. In my ignorance, I felt I had absolutely no chance of competing with others. I had to be practically tarred and feathered before I was persuaded to get into the process. In my ignorance, I felt I had absolutely no chance of competing with others."

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Over the years I have been a panelist on two different NEA panels—Dance and Inter-Arts. I was invited to return but their meetings were also always scheduled at the height of our Santa Fe or touring season. I continue to evaluate from time to time. Being on these panels was a real "hands-on" experience in the grant process and I found that process to be very fair. A genuine effort is made to give the hundreds of applications the attention and concern they deserve. Panelists are rotated off every two years in order to bring in others with new and fresh points of view and provide them with the same feeling of good. The experience for me was invaluable. I honestly think that the funding procedure the NEA now incorporates is the best, in that a national peer group discusses, trades information and evaluates companies and individuals for funding recommendations. Policy making is done to involve people from different areas of the country. I would be definitely opposed to funds being appropriated to the states for grant distribution. Most of the state entities do not have the knowledge and the experience to distribute the funds fairly. I believe that the NEA has the resources to do this and should continue to do so.

I don't think any of us would argue what the NEA has done to enrich our cultural life and what the NEA has done for countless arts organizations and artists throughout the country. In comparison, we, being the richest country in the world, give less for the arts per capita than European-Socialist countries. Nevertheless, our program for funding artists and dance critics for the New York Times: Michael Smuin, Director, San Francisco Ballet (at that time); Merrill Brockway, PBS Dance in America; Artistic administrators and composers from around the country, etc., all on the same panel at the same time?? That is possible only on a national level and has the pleasure of being on that panel. Pretend musing for a little girl from Taos, New Mexico! I don't think any of us would argue what the NEA has done to enrich our cultural life and what the NEA has done for countless arts organizations and artists throughout the country. In comparison, we, being the richest country in the world, give less for the arts per capita than European-Socialist countries. Nevertheless, our program for funding artists and dance critics for the New York Times: Michael Smuin, Director, San Francisco Ballet (at that time); Merrill Brockway, PBS Dance in America; Artistic administrators and composers from around the country, etc., all on the same panel at the same time?? That is possible only on a national level and has the pleasure of being on that panel. Pretend musing for a little girl from Taos, New Mexico! I don't think any of us would argue what the NEA has done to enrich our cultural life and what the NEA has done for countless arts organizations and artists throughout the country. In comparison, we, being the richest country in the world, give less for the arts per capita than European-Socialist countries. Nevertheless, our program for funding artists and dance critics for the New York Times: Michael Smuin, Director, San Francisco Ballet (at that time); Merrill Brockway, PBS Dance in America; Artistic administrators and composers from around the country, etc., all on the same panel at the same time?? That is possible only on a national level and has the pleasure of being on that panel. Pretend musing for a little girl from Taos, New Mexico! I don't think any of us would argue what the NEA has done to enrich our cultural life and what the NEA has done for countless arts organizations and artists throughout the country. In comparison, we, being the richest country in the world, give less for the arts per capita than European-Socialist countries. Nevertheless, our program for funding artists and dance critics for the New York Times: Michael Smuin, Director, San Francisco Ballet (at that time); Merrill Brockway, PBS Dance in America; Artistic administrators and composers from around the country, etc., all on the same panel at the same time?? That is possible only on a national level and has the pleasure of being on that panel. Pretend musing for a little girl from Taos, New Mexico! I don't think any of us would argue what the NEA has done to enrich our cultural life and what the NEA has done for countless arts organizations and artists throughout the country. In comparison, we, being the richest country in the world, give less for the arts per capita than European-Socialist countries. Nevertheless, our program for funding artists and dance critics for the New York Times: Michael Smuin, Director, San Francisco Ballet (at that time); Merrill Brockway, PBS Dance in America; Artistic administrators and composers from around the country, etc., all on the same panel at the same time?? That is possible only on a national level and has the pleasure of being on that panel. Pretend musing for a little girl from Taos, New Mexico!
will be painful. Many people have had many amendments.

EXTENSION OF MORNING BUSINESS

Mr. SIMPSON. Mr. President, let me ask unanimous consent that we revert to the order of morning business.

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

FUNDING FOR NEA

Mr. SIMPSON. Mr. President, again speaking about the criminal code, which is not before us—the pending business is the Amtrak veto measure, but in any event we hope that we can get to the things we all know we want to get to in the crime package. This would be the reform of the habeas corpus, which is not before us—the pending business is the Amtrak veto measure. The Senate in working its will; issues of the exclusionary rule; issues of money laundering; the issue of Justice Department priorities. We think we can come to two things maybe we can with that measure next week. We will be working toward that end. Democrats and Republicans alike know the worth of having a criminal reform bill. But the purpose here in morning business. Mr. President, while we await these things and a decision from the leadership as to the next items on the agenda and the schedule, I would like to speak on the subject which seems real to me, real to me, which is the supply of, hysteria and histrionics and high melodramas. The motivation for these walls and breast pounding and plaintive laments, I am sorry to say, is nothing so critical as the plight of Lithuanian and a number of other groups. It is not a burden, nor even the criminal reform. No, the subject is the “opera bouffe” incredibly known as the reauthorization of funding for the National Endowment for the Arts.

Somehow, Mr. President, this matter of funding for the Arts Endowment has been elevated to a topic of considerable controversy. We know Washington—the occupant of the chair and those of us in the Chamber—and we know the media. We have had people down here on the floor before and out in the world crying “censorship” and “beware of the thought police” on the one hand, and on the other of being told that this is somehow “anti-Christian.” That is not my quotation. I suppose it would be anti-religious all around and that all funding should be cut off entirely.

I think really all of that is insane. I really do. I think it is silly on both sides. I think we should at this time inject what I hope would be a small jolt of common sense into this impassioned and I think often irrational debate on this issue. We surely all now know of the events which lie at the heart of this imagined controversy.

They were a couple of exhibits which were funded—at least in part—with taxpayer money, provided via the National Endowment. There should not be any lingering debate over that issue. It was a bad mistake. The NEA has admitted it was a mistake, we in the Congress said it was a mistake, and we in the Senate said it was a mistake, and many in the Senate said it was a mistake as well. I call it a mistake. These works by Mapleton and Serrano were irrefutably obscene; the public paid in part for their display, and they were offended to display the Amtrak. Chefs roped $45,000 off of the NEA’s $171 million budget—that is less than one-thirtieth of 1 percent—real chicken feet in the grand scheme—and declared that Federal funding will not be used to support displays which are obscene.

Here is the actual language which we used to do that: We prohibited the use of any appropriated funds to promote, disseminate, or produce obscene materials, including but not limited to depictions of sadomasochism, homosexuality, the exploitation of children, or individuals engaged in sex acts.” In other words—if it does not even qualify for obscenity, then it does not qualify for the Federal funds.

Despite some of the shrill voices we have heard howling in protest in the wake of that decision, I believe it was an appropriate response. People who want to view that stuff all day—and I am not one of them—are, and should be, perfectly free to do so in any private or public setting. The restriction placed by the NEA on obscenity—is only that applied legally by the U.S. Supreme Court. And the public got their message across—that $3 trillion of Federal debt is bad enough for them without their Government spending more money on that stuff which offends them.

But enough of that. Today I wish to speak about the senate on the other side—those who have been far clearer in their Federal funding for the Arts Endowment. The bloodletting we did last year hasn’t been enough for them—the sharks smell the blood and the feeding frenzy has begun. By running full page ads in our daily papers, playing fast and loose with the facts, they have sought to portray the NEA as some kind of Satanic conspiracy, hell bent on destroying the foundations of all of Western civilization.

In receiving calls from some constituents wanting to know just why we have set up this Endowment to do nothing but support obscenity and promiscuity. That is the way they are being portrayed. I am sorry to have to remind everyone of what the NEA really is—a worthwhile, vital, and necessary organization that has made a couple of bad mistakes. As others have. As HUD has. As Congress has. As Democrats and Senators have. As I have. If cutting off all funding is the penalty for that, well, that is a standard which everyone in the Congress itself will fail to meet.

I say “a worthwhile, vital, and necessary organization,” and I mean just that. There is not a Senator who serves here whose constituents have not been provided with exhibitions of art and culture which simply would not have been possible without Endowment support. Take for example our Buffalo Bill Historical Center in Cody, which draws valuable support from the arts endowment. The center has a wonderful Plains Indian Museum, which houses a beautiful collection of American artifacts, art works, and memorabilia which were given to Buffalo Bill Cody during his lifetime.

In addition, the center houses the entire collection of the Buffalo Bill Museum, which stands today as a tribute to the remarkable William F. “Buffalo Bill” Cody, that great scout of the West whose story has grown to almost mythical proportions. Materials which he collected while traveling with the Wild West from kings and queens of England, Italy, Bavaria, and all throughout Europe—are there at the museum for people to observe and admire, and some 250,000 people a year do so. That is larger than the admission at many huge metropolitan museums.

Also at the center is the Whitney Gallery of Western Art, which displays a magnificent collection works by Charlie Russell, Frederic Remington, and Charles M. Russell. From artists like Harry Jackson, and so many more—who painted the old West as they saw it and preserved pieces of it for us to experience today. These are wonderful exhibits, every one of them, and although the vast bulk of the support is private, the NEA kicks in with their support—$2,700 last year—not much to others, but to museums in rural areas, in places far removed from the markets of trade, a significant amount.

Our fine Art Museum at the University of Wyoming has also received a tremendous boost from the NEA. The $400,000 granted in fiscal year 1989 for the construction of a new art museum facility right there in Laramie represents the largest single slice of NEA funding for our State, and it was a very appropriate place to put it. That is another venerable and remarkable institution in Wyoming. Within a few months it will house the Wyoming Heritage Center, a repository for the history of our State, and its wonderful university and its traditions and industries, its resourceful people and culture. What a difference a year and a half makes where people will be able to go to get a vivid sense of the forces that have shaped our remarkable State. Soon it will certainly be a Wyoming institution in the other sense as well. The Grand Teton National Park in WY, where the New York Philharmonic was in residence 2 weeks last year, and they do not do that ordinarily. We were so proud to have them here. I am proud
to be associated with that, and it also receives a measure of support annually from the NEA—$16,000 in fiscal year 1989. And even within my own State the list goes on and on. The NEA grants last year alone totaled $883,300.

The NEA has supported cultural activities and events in locales ranging from the largest American cities to the most remote of rural areas. A major cultural center currently enhances the lives of the residents of Bedford-Stuyvesant in New York City, thanks to the support the NEA has given to the Bedford-Stuyvesant Restoration Corp. The cultural center there sponsors writers’ workshops, poetry readings, literary events, and exhibits works by artists from all over the world. Recently, four poets from Leningrad have been invited to the center to lecture and present their works, an event which no doubt would be very unlikely to occur were it not for NEA support. And the NEA has supported artists residencies in the far-flung remote, island communities of Ketchikan and Metlakatla. The experience of a circus is being brought to the children there, with the setting, lighting, performing techniques, and a little circus history, as well. I cannot imagine that the circus was going to come through there too often without some Federal support. Thanks to the NEA, it has.

One of the most enduring aspects of American history has been the great diversity of culture which existed in this Nation before the homogenizing influences of the mass media took place. I think that it is so very beneficial for our children to be familiar with the folk histories of their respective regions, and the NEA is helping to make that happen. The North Carolina Maritime Museum, one such center supported in part by the NEA, documents and presents traditional arts from the Carolinas coastal region. These and other exhibits throughout the entire land help to keep the memory of our various folk histories alive and vibrant.

DESPITE PRESIDENT'S STEEL PROGRAM, SUBSIDIES CONTINUE

Mr. HEINZ. Mr. President, I would like to take a few moments of our colleagues’ time to discuss some events that have transpired since the time early this year, March 31, to be precise, that the President implemented the steel voluntary restraint agreement program. As our colleagues will recall, the President decided to extend that program through March 31, 1992, and the major policy debate over steel was therefore temporarily concluded last year.

During what will amount to a 30-month transitional period, the President pledged to seek an international consensus on removing unfair trade practices in steel, thereby allowing a return to a fair and free U.S. market for steel at the end of the transition period.

I take the floor today because I want to report that substantial obstacles to the achievement of this goal still exist. The consensus on good behavior is far from imminent. In January of this year, the six leading American steel companies commissioned two independent analysis firms to the performance of some 21 nations and to do so with regard to their bilateral consensus agreements with the United States. Since many of the principles on which the President hopes to build an international consensus on steel are contained in these bilateral agreements, it would be most disconcerting to learn that most of the 21 are violating their pacts.

Yet disconcerting as it would be to learn that that is precisely the message of the recently released report, "Steel at a Glance." It documents the violations of the various countries, some less flagrant than others, but all impediments to obtaining a worldwide consensus in favor of the President’s position. I wish to focus particularly on subsidies, since they are far and away the most widespread infractions and thus the largest obstacle to be overcome. I want to bring these infractions to the attention of the Senate in a series of statements, of which today’s is the first.

My comments will highlight the use of subsidies in the international steel market and the problems this unfair practice poses for our domestic steel industry. Today’s subsidy of the day comes from Brazil. The subsidization of steel production continues to run rampant in this country despite recent changes in economic policy. According to the State Department, Brazil is.

Acominas, a state-owned integrated mill, transferred a large part of its debt to government-owned Siderbras under a financial assistance agreement. The state-owned Siderbras allegedly assisted Acominas in the relocation of its facilities, thereby improving their financial performance.

Furthermore, it turns out that Siderbras has been involved in the restructuring of the government. Instead, the holding company’s debt, totaling nearly $13 billion U.S. equivalent, will be administered by the Banco de Brazil under the auspices of the Economic Ministry. That means the Government will also take on the financial rescue packages offered by Siderbras to other ailing state-owned mills, Cosipas and CNM. These packages will provide $400 million and $600 million, respectively.

These are conclusive examples that Brazil is continuing its subsidy practices notwithstanding its agreement with the United States. And these practices plague the welfare of the U.S. industry and workers, for they help to keep inefficient producers in business by covering much of the Brazilian industry’s operating costs and by adding to the world-wide overcapacity. If this situa-
both parties have raised a new condition: movement toward granting Lithuania’s demand for independence from Moscow.

That approach is particularly surprising since Soviet-bloc nations no longer command wide support among voters. Only a fourth of those who responded in an April poll for Times said they believed the U.S. should pressure the Soviet Union to give Lithuania its independence. Almost two-thirds judged the Bush Administration’s firm approach to be “too heavy handed.”

So why is the hard line now developing in Congress? Part of the explanation is that some Congressmen would be left with a void to do so since one reason for their existence is to promote hostility toward the Kremlin. Other legislators who have no nostalgia for the cold war nonetheless think Bush has tied U.S. policy too closely to Gorbachev’s political survival, and thus made concessions unwarranted by Soviet weakness. Bush invited such criticism by linking Lithuania and trade relations in May, then unlinking them at the summit without getting Soviet concessions in return.

A still larger number of Congressmen say they support any nation’s right to self-determination. Their lofty concern apparently comes to hand.

Many people are saying that because the U.S. is publicly funding, a public consensus is required. Art should not be hobbled because of a small portion of the population’s discomfort. We do not require a consensus for defense spending, funding for public education, nor healthcare spending. We do not require a consensus because there are some projects which we fund because they are the right thing to do. If we fund it, it is necessary, and as a nation we need it.

Art allows us to look into our hearts, see beyond ourselves and rise above the everyday mundaneness of the world. We expand the horizons of the inner self to learn to understand the life and experiences of others. You may never see Tahiti, but if you have seen Paul Gauglin, you have a feeling of knowing the people and customs of this place. You may never have known Monet, you may understand the horizons of the water. Who are you? You do; you may never have known the poetry of the oil fields. To oppose art is to oppose yourself.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 5 minutes.

[Mr. GINGRICH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]
June 19, 1990

CONGRESSIONAL RECORD — HOUSE H 3805

Obviously, the Government must excuse some control over publicly funded art; some accountability is required. The quality of the art, however, and not political palatability, must be the determining factor. In a free society, a government may not purchase artistic orthodoxy by the power of the sword nor by the power of the purse.

In 1981, President Reagan's own Presidential Task Force on the Arts and Humanities endorsed:

The continuation of this system which leaves decisions about artistic and scholarly merit in the hands of elected professionals in the arts and humanities.

The task force further stated:

panel review to prove to be a fair and effective system for grant-making at the Endowment.

Recently, President Bush stated his support for the peer review process and asked for a reauthorizing of the NEA without content restrictions. Representative Pat Williams, chairman of the subcommittee with jurisdiction over the superintendence of the NEA, has introduced a bill that does just this.

As Representatives of the people, we must be responsive to the desires of the people and respect the integrity of the Constitution. I, therefore, urge my colleagues to support the Representative Pat Williams' important piece of legislation and reauthorize the NEA without restrictions.

Mr. Rangel. Mr. Speaker, sometimes, for a long while there is a great silence about the arts or that program and you eventually begin to wonder whether anybody out there cares about that program. Then, the program becomes threatened, and the silence suddenly turns into a chorus of support. That has happened with the National Endowment for the Arts. In the last few months, hundreds of my constituents have written me asking me to support the NEA and oppose new censorship policies for the NEA. So I would like to let my constituents know that I hear their voices and they can count on my support.

When those who want to censor the National Endowment for the Arts talk about the problem, you always hear about these same cases. You don't hear about the three Tony Award-winning plays this year that benefited from grants from the NEA. You don't hear about this year's Pulitzer Prize-winning plays which benefited from grants from the NEA.

Now, if I was on the advisory board of the NEA, I don't know whether I would have chosen those particular projects for funding that the opponents of the NEA pick out as obscene. Each of us has different tastes and we would make different choices if we were in the position of choosing. But, given that, what are we going to do?

Shall we get rid of the whole NEA because we disagree with some of their grants? Well, if we do that then we are going to lose all of those other projects, those that we like over those we don't—including the Pulitzer Prize-winning plays.

Perhaps then we should have a policy of not funding obscene art. Perhaps the NEA could make a stamp which says 'Government Approved: Not Obscene' and on every piece of funding.
of art with Government funding we can put that stamp "Government Approved: Not Ob­
scene." I don't think we want that either.

No, I think the best solution by far is to
accept the fact that we may at times have dis­
agreements over what should be funded, but to
retain our policy supporting the National En­
forcement for the Arts without censorship.
Surely, the principles of free speech and sup­
port for the arts are more important in the end
than disagreements about a very few pieces of
art.

Mr. SPEAKER. Mr. Speaker, I first want to
congratulate my New York colleague, Mr. 
Weiss, for bringing us here together to call at­
tention to an issue crucial to all Americans.
A country is defined by its culture, and if the
attacks on the National Enforcement for the
Arts continue, this country is in danger of
losing its identity as the civilized world's cradle
of free expression.

Mr. Speaker, the President has stalwartly
supported the NEA, and Chairman John Frohnmayer so far, and I congratulate him for
his splendid stance, and encourage him not to
capitulate to narrow-minded censors now.

Mr. Speaker, the United States has always
been a leader in the free expression of the
human spirit. Though other countries have
histories thousands of years longer than ours,
we have quickly become a major contributor
to the arts and humanities, to letters, but we
have not done well enough.

According to Executive Director of the NEA
Frohnmayer, to fully achieve its goals, the NEA
needs $300 million.

According to studies of the NEA, each Fed­
eral dollar invested in art by the NEA gener­
ates $10 in private donations, a 10-to-1 posi­
tive economic impact.

In 1988, $119 million was distributed by the
NEA in the form of grants, which in turn gen­
erated almost $1 billion in private donations.

The United States spends about $33 per
capita each year on Federal funding for the
Arts; Germany spends $274; the Netherlands 
spends $23. France spends $22. Canada
spends $15. If you compare that with Federal
spending on education, the United States still spends only $28 per capita each year on the

Mr. Speaker, before the NEA, you had to
tavel to New York to see a play, and opera, or
a major art exhibit. The NEA has brought art
and culture to the people all over the
country.

And a single community arts center receiv­
ing an NEA extension grant provides other
fine benefits; programs that target children at
risk, schoolchildren, the disabled, and minority
populations. The outreach of the NEA is en­
couraging and very cost effective. But we
need more.

It would be a travesty not to expand the cul­
tural horizons of our country, especially our
children. I urge my colleagues to view the
NEA as an investment in our children's future.
Mr. Speaker, I also condemn any efforts to
restrain the creative energies of NEA grant re cipients. Art is a broad canvas we have out­
aged the ages, and man has survived this con­
tinuing controversy handsomely. In fact, it
is controversy that has always brought spark
and life into the world's cultures.

Mr. Speaker, it would be a travesty to turn our
backs on the good works of the NEA. We
measure up to other nations poorly in so
many ways: education and health outputs,

mass transportation, infrastructure, and most
disappointing treatment of America's children,
our most precious asset. Let us not add failing
support for the arts to that to an embarrassing list.

Mr. GREEN of New York. Mr. Speaker, I am
welcoming the opportunity to participate in this
special order on the National Enforcement for
the Arts (NEA) and I wish to thank my col­
league from New York, Mr. Weiss, for organiz­
ing this time so that we can recognize the out­
standing work of the NEA in fostering the arts
in the United States.

I am privileged to represent New York's 15th
Congressional District, which is home to
many of America's great cultural institutions: the
Metropolitan Museum of Art, the Museum of
Modern Art, the Guggenheim Museum, the
Whitney Museum, the Frick Collection, the
Jewish Museum, Carnegie Hall, Town Hall,
and the theater district. In addition to the
famous museums and theaters, the vibrancy
of New York's cultural life is augmented by
countless repertory theaters, small and
medium-sized museums, dance companies,
concert halls, cabarets, poetry readings, crafts
festivals, art galleries, outdoor art shows, and
film festivals. New York is a uniquely mul­
tifaceted city and, the overall outstanding quality
of those cultural entities that have made New York City
one of the cultural centers of the world.

I, however, one of the fascinating changes in
the arts that has been taking place in the last
years is the unprecedented freedom of expres­
sion. It has happened because, as I believe,
the privilege of those who live in New York to
travel to a major metropolis like New York City.
One's own, community, and national
to meet, to have a medium, and to have
of a wide range of possible artistic forms.

I happen to have had the opportunity not long
ago to visit Moscow, a city that happens to
have come about because the National En­
forcement for the Arts has provided seed money
to local artists, and these grants have enabled
local theater, beginning with some little
painting, comics, and theaters to develop.

As for the controversy over NEA funding of
so-called obscene and pornographic art, when
this issue arose last year, I understood how
some in society might be offended by the
images created by Robert Mapplethorpe and
Andres Serrano. Those images concerned two former Presidents:

Mr. Speaker, I do not believe that anti- and
minority work is unimportant, but I do
believe that the arts enrich our lives
whether we are observers or creators, and fill
our consciousness with the splendid diversity
of human experience. The images created are
not pleasant or agreeable ones but art is not
solely about pretty pictures hanging on a wall.

Thomas Jefferson stated in his chapter on
religion in Notes on the State of Virginia
(1781), "The good of art will also stand by itself."
I say that art will also stand by itself. Our proper
role is to resist the misguided efforts of self­
apointed censors and provide support for art­
istic efforts in an atmosphere of free inquiry.

Let us support reauthorization of the National
Enforcement for the Arts and allow it to pro­
cceed unimpeded with the important work it
has been doing for the past 25 years.

Mr. OWENS of New York. I am proud to
speak this evening in strong support of reau­
thorizing the National Enforcement for the Arts
with­out any restrictive language or changes in
the funding formula. I quote from one of our
former Presidents:

Artists stretch the limits of understand­
ing. They express ideas that are sometimes
unpopular. In an atmosphere of liberty, art­
ists and patrons are free to think the un­
thinkable and create the audacious. * * *
Where there is liberty, art succeeds. In soci­
eties that are not free, art fails.

From whom do I quote, Mr. Speaker? Not
from one of our liberal Presidents, but from
one of the most conservative Presidents of
our time, Ronald Reagan.

I stress that point because the debate over
the relative merits of the NEA has been con­
tinuing for many years. I think we have at­
tering on what a very few artists have been
doing with their grants and whether or not the
works of art they have created are appropriate
or decent. We are not artists. Very few of us
would claim to be experts on art. So how can
we be the judges of artists' work on art and even attempt to deem it appropriate and
inappropriate or good or bad.

NEA was going to fund a mural of the Yalta
Conference. No; as far as I could tell from the
brief description in the letter, the mural was
not going to contain sexually explicit or sacri­
Legious images but it was going to portray an
historical event that included Joseph Stalin,
the Soviet dictator, and Nazi Hitler, with
murdering millions of Soviet citizens after
World War II. "Why should federal funds be
spent on a project that would portray Joseph Stalin?"' the writer asked.

I agree that Joseph Stalin was a despot; but,
I ask, do we not remember that principles
that guided the Founding Fathers of this coun­
try? Have we not learned from the totalitarian
countries where freedom of speech is not
protected? More often than not, the leaders
of those repressive governments proscribed
some writers, composers, or artists. Those in
power claim that a writer's works don't follow
revolutionary dogma, a composer's music stirs
too strongly nationalistic feelings, or an artist
paints bourgeois themes. It has happened in
the Soviet Union, the People's Republic of
China, and Hitler's Germany. Our country is
not part of this country because such restrictions do not exist.

Despite the fact that an infinitesimal amount
of NEA grants have caused controversy over
the past 25 years of the NEA's existence, I
still say that Government funding of the arts
should continue. The arts enrich our lives, 
whether we are observers or creators, and fill
our consciousness with the splendid diversity
of human experience. The images created are
not pleasant or agreeable ones but art is not
solely about pretty pictures hanging on a wall.

Mr. Speaker, the President has stalwartly
supported the NEA, and Chairman John
Frohnmayer so far, and I congratulate him for
his splendid stance, and encourage him not to
capitulate to narrow-minded censors now.
As Mr. Reagans and thousands of other people who are knowledgeable about art assert, artists create art to reflect society, to explore societal ideas and concepts. They do not choose art forms which are comfortable and acceptable to us. If they did art would be universally boring; there would be nothing new, nothing daring, nothing to make us think about the art itself and about what it is reflecting.

A person who grew up in the savage ghettos of an inner-city, who lived in run-down housing projects and went to school in a crumbling, rat-infested school, who's family was left out of the trickle-down economics theory of the Reagan era, is not going to paint a pretty portrait of the former President. That artist is also not going to paint pretty pictures of landscapes and fruit bowls, and frolicking kittens. That artist's portrayals are more likely to reflect the experiences of his or her life and the anger of being shut out from the prosperity apparently being realized elsewhere in society.

When that artist paints pictures of ugliness and despair and we condemn that art as bad or inappropriate, we are talking about that person's life? Are we saying it was bad, not legitimate, and not worthy of a true portrayal? Yes; we are. And what are we then saying about that person?

These are some of the human dynamics of this debate. I do not see how we can condemn art which is ugly, art makes us think about realities that we may not have experienced. This art is reflecting things that are happening in our society, and closing our eyes will not make those things go away. Such art can help us recognize other influences in our culture, and even help us understand them. And if it does not help me or you specifically, you can be sure that it is helping someone, somewhere, who can relate to it.

This is what the freedom of expression is all about. The freedom to depict images and realities which may be offensive, but which help us explore influences in our culture that we would otherwise not experience. An image or a picture from a book can travel across seas and affect people all over the world. People who live in remote communities, even in the United States, may have access to a library program which contains books of stories or books of art or radio programs which can allow the people in that community to explore the arts and to witness the images of the experiences or reflections of people from all corners of the world.

The NEA has financed many programs which promote access to the arts for people who otherwise would not be able to experience art. These programs may include bringing a dance troupe into rural areas on a tour, or it may include sponsoring a musical exploration program for poor students in the innercity.

In my district in central Brooklyn, the NEA has funded many small and worthwhile community programs. One such program is operated by the Bedford Stuyvesant Restoration Corporation. This program has seven art workshops, weekend youth programs, exhibitions of works of artists from around the world, writers workshops, poetry readings, and other such programs. Students who have participated in these programs have gone on to be successful at such renowned institutions as the School of the Visual Arts and Pratt Institute. The center received a $36,000 grant from the NEA last year to help fund this multicultural center. With such programs, restoration has become well known and attracts children and adults from throughout the city.

Another cultural program funded by the NEA in my district is New Radio and Performing Arts, a pioneer in the fields of experimental documentaries, contemporary radio drama, and sound experiments for the broadcast media. Endowment support over several years has helped this organization to explore new projects about women poets of color and identity new talents unrepresented on radio and the world.

One example of this is a weekly program which in a young black journalist will document black student activism in the nineties. New radio and performing arts is reaching out to young audiences and is committed to reaching a culturally diverse audience. They will use their most recent grant of $75,000 to support "Bluesstage," a weekly series on the blues in America.

Endowment support to another institution in my district, the Brooklyn Museum, has funded a variety of projects intended to showcase specific new art forms as well as to provide broader institutional support. These include a $1 million challenge grant for critical facility repairs, a renovation and expansion of the museum's collection of African art, and funds to aid in the preparation of a comprehensive catalog of the museum's American paintings collection, considered to be one of the five most significant collections in the world.

Small programs targeted to the local multicultural community seek to increase access to different artforms and exploration of the arts by children and the community at large. These programs include a series exploring African American video which study issues of importance to the community, "The Feminist I; Video Programs From the Women Make Movies Collection," exploring a variety of multicultural feminist issues in approximately 40 tapes, and "Video Art for Kids," a program which will begin this fall and which introduces children aged 6 to 18 to this vital electronic art form through screenings, discussions, and hands-on workshops.

These and many other worthwhile community programs which have been funded by the NEA, and thousands more have been funded nationwide. Mr. Speaker, of more than $80,000 grants, only 20 or 25 have been considered controversial. For this, some Members of this body are advocating that we eliminate the entire program.

Members are rising up in arms because tax dollars have been spent on funding these controversial projects. Mr. Speaker, each taxpayer is responsible for only 82 cents of the total yearly budget for the NEA. Compare that with the cost per taxpayer for each $20 million rocket that blows up, or the astronomical cost of the $500 billion S&L bailout. Where is the outrage over the cost to the taxpayers of these million- and billion-dollar black holes?

Mr. Speaker, we cannot justifiably blame those who supposedly morally repugnant projects being sponsored by the Government. Where is the outrage over the equally morally repugnant problems being created by the Government itself such as the OIC WIC Program which is being cut back to the bare bones, or the housing programs which have been cut more than 60 percent in the past 10 years and caused millions of women and children to live on the streets. And where is the outrage over the morally repugnant waste of Federal funds on the $500 billion S&L bailout, the likes of which we have never seen before and hopefully will never see again. Where is the outrage?

This situation with the National Endowment for the Arts has been blown way out of proportion. There are no rational reasons for restricting this program and there are no reasons at all to eliminate it altogether. This Congress has been stampeded into making wrong and potentially disastrous decisions too frequently in the recent past. We must fight on the floor for logic. We must fight to preserve this program based not on fear and intimidation, but based on the history and good experiences of this particular program. I urge my colleagues to have courage, and to vote for the right thing when the National Endowment for the Arts reauthorization comes to the floor.

Mr. WEISS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my foregoing special order. The SPEAKER pro tempore. (Mr. Wolfe). Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. DeLay) is recognized for 60 minutes.

[Mr. DeLay, addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. Owens) is recognized for 60 minutes.

[Mr. Owens of New York addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

SOCIAL SECURITY AND THE NOTCH YEARS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. Machtley) is recognized for 60 minutes.

Mr. Machtley. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on the subject of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.
fits of the Clean Air Act Amendments of 1990. The disease prevention and risk reduction attributable to reducing the top 25 will be authoritatively assessed. Given scientific uncertainty, the assessment will necessarily involve a range of plausible benefits.

The decisions we are making with these Clean Air Amendments of 1990 to improve air quality are perfectly well intended but relatively uninformed. We do not know the extent of the public's actions of various levels of emissions achieved through the emission reductions achieved under current law. We do not know which of these reductions have been more beneficial or which targets for future reductions would be the most promising. This Ritter amendment would assure that the next round of clean air decisions will be both well intended and well informed.

The Ritter amendment is needed to supplement the section 803 accountability provision of the committee reported bill, because understanding the economic consequences—the costs—of reducing emissions is not enough for society to manage its resources. The extraordinary scientific uncertainties involved in determining the least, least, turner to potential exposure to potentially toxic compounds must be examined, and the implications of this uncertainty for resource management better understood, if Congress is going to be able to achieve the full range of beneficial effects we desire from our clean air program.

Overall, I conclude that, while it may be prudent to evaluate post-MACT residual risks and to implement additional emissions reduction measures in appropriate cases, we should not at this time find the direct-line-indirect-public-subsidy or its bad parts to be a burden. Indeed, theollowing status as a work only by the arts establishment in the development of NEA's. Frontier, academics, many curators, many newspaper, art critics, perpetuates the idea that if work isn't an art, it appears to be more serious. Not everyone agrees.

In a remarkable op-ed piece in the New York Times last July, the well-known American artist Helen Frankenthaler argued that notwithstanding the incendiary issues of Serrano and Mapplethorpe, more attention might be paid to the artists who are called "mediators in the enterprise." As a member of an NEA advisory council, Ms. Frankenthaler said, "I myself find the proposal—the race-carding of the panels and the grants given of increasing dubious quality, even more and more a non-

The problem isn't obscenity. The problem is mediators in the enterprise, the recognition of their work as equally important."

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Forget Robert Mapplethorpe and Andres Serrano's "body fluid art." Have you seen what they're showing to the public at the New Orleans Museum of Art in an exhibition called "The Arts in the Visual Arts?" Yes, it is true that the "art" on display is from BMW of North America and the Rockefeller Foundation and that it won't cause the outcry heard over Serrano's crucifix in urine or the most marginal Mapplethorpe photographs. That is because, with a few exceptions, these works are so awful. They don't shock or amuse or inspire or do much of anything.

There are indeed serious issues involved in the dispute over whether NEA has occasionally funded obscenity. But this controversy has overshadowed an issue that is more relevant to NEA's proper role and the impact of Art in America: the problem of mediators in the enterprise. The problem isn't obscenity. The problem is mediators in the enterprise, the recognition of their work as equally important.

Mr. PAYNE of New Jersey. Mr. Speaker, it is my great pleasure to be among the first to congratulate our distinguished colleagues from Wisconsin, Representative DAVID OBEY, on being named the recipient of the U.S. Committee for UNICEF's "President's Award for Distinguished Service—1990." I have the privilege of serving as a member of the committee and of directing UNICEF to the significance of the honor bestowed today.

The 1990 UNICEF Annual Report notes, "As nations opened their doors to disarmament, peace and human freedoms in 1989, mankind was challenged as never before to think about a common future. Walls of distrust and political division began to crumble, and leaders began to speak openly of shared responsibilities for the planet, its resources and the children who would inherit them." DAVE Obey is one of those leaders and has been for many years.

Our colleague is known for his unabashed support and leadership on behalf of domestic and international programs that reach the poor and vulnerable. The world's children have been able to depend on him in good times and bad through his work on behalf of such organizations as UNICEF, Peace Corps, and Head Start.

Mr. Speaker, millions of the world's children are living healthier lives today and have hope for brighter tomorrows thanks to DAVE Obey's support and leadership. I am sure my colleagues join me in extending sincere congratulations.
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the securities markets, lowering the cost of capital further and stabilizing the dollar. Both our balance of trade and our ability to invest abroad will be strengthened.

The balance of the funds, about $250 billion, would be used for direct assistance to local governments. Enormous pressure has been put on state and local governments to deal with social problems that are national in scope: education, healthcare, crime, housing, the environment, etc. With a slowing national economy and crucial state and local cutbacks, local governments have had to raise taxes and cut services time and time again. The year 2000 is one of transferring responsibilities to local governments and having them financed locally.

This is terribly destructive. A national investment program, properly focused, could generate many millions of new jobs. In short, the national government could pay for these investments by making it possible for them to reduce their own taxes by an amount equal to the Federal contributions; local share could be in the form of state sales taxes, property taxes and income taxes. Such a program, a different version of revenue-sharing, would stimulate local economies and allow them to devote more resources to cope with national problems, while causing a rollback in some of the more regressive local taxes.

Local governments should be given the option of using up part of the Federal funds for high priority areas of social need such as public education and the fight against drugs. It is not enough for the President and the Nation's Governors to see ambitious goals for public education by the year 2000. The States have to be given the means to carry out those goals.

If we continue on our present road, of borrowing more and selling our national assets; of neglecting our environment, our cities and our children; of giving up one industry after another to foreign competition; in short, of abandoning the Country's position in the world whether or not we have a financial crisis. We will not be in a position to play an important role in the reconstruction of Eastern Europe, or to regain a position of world leadership.

We will also see a steady erosion in our standard of living and in the polarisation of our society. Dealing with our budget problems is easy; we should simply stop acting like a poor country. However, for a change to occur, political will has to be shown forward. The Democratic party should produce that leadership, at some political level, by proposing to invest in this Country and by defining the role for government in partnership with other constituencies. We will have to develop a national consensus to manage our affairs differently as we approach the year 2000 if we want to retain a position of world leadership. The world is changing very rapidly, and, in Japan as well as in Europe, on which we are depending for our economic interests, Sen. Pat. Moynihan and New York City has proposed a cut in Social Security taxes that will not only benefit middle America by $500 billion per year for five years. The idea evinced at least a glimpse of interest from Bush, but has been cold-shouldered by the Democratic Party bosses on Capitol Hill. Read House Majority Leader Richard Gephardt's lips: "It is not the position of the Democratic Party to raise taxes."

Now is the time when the Democratic Party should have some guts. I see it as an absolute necessity. A national force. Instead, it is a synthesis of irrelevancy, deserving only to lose."
CONGRESSIONAL RECORD — SENATE

Mr. MURKOWSKI. Mr. President, today Secretary of Veterans Affairs Ed Derwinski took quick action to compensate Vietnam veterans ill with non-Hodgkin's lymphoma. His action came in the wake of an announcement by the Centers for Disease Control (CDC) that the CDC Selected Cancers Study (SCS) found an association between service in Vietnam and the subsequent development of non-Hodgkin's lymphoma, a form of cancer. Secretary Derwinski had announced in January that he would make a decision on compensation for non-Hodgkin's lymphoma when the results of the SCS became available.

I commend Ed Derwinski for his quick and decisive action. He has once again demonstrated that he is more than a mere advocate for veterans. He has shown that he will back up his words with action.

It has been a decade since the Congress became concerned with a possible association between service in Vietnam and subsequent cancer. The Congress long ago gave VA the authority to administratively determine that compensation should be paid if such an association is actually demonstrated. The study released today, which found a 50-percent increased risk for non-Hodgkin's lymphoma, and which also provides no evidence to support the hypothesis that soft tissue sarcoma or other cancers can be associated with service in Vietnam, will be the most complete study on this question we will ever have.

The Centers for Disease Control study, mandated by Public Law 96-151, is a case control study designed to determine if there is an increase among Vietnam veterans in the incidence of several serious, but relatively rare, cancers—lymphoma, including non-Hodgkin's and Hodgkin's lymphoma, soft tissue sarcoma, and nasal, nasopharyngeal, and primary liver cancers.

According to Report 101-82, published by the Senate Committee on Veterans' Affairs to accompany S. 1153, the selected cancers study is an extremely powerful one. It has a 98 percent chance of identifying a doubled risk of soft tissue sarcoma and a 99 percent chance of finding a doubled risk of non-Hodgkin's lymphoma. The study design and implementation were monitored by the Office of Technology Assessment (OTA), an independent arm of the U.S. Congress. In a letter dated March 27, 1990, OTA reported that the study is "very well designed, conducted, and analyzed."

In September 1987, when I introduced S. 1692—the first Senate bill to call for automatic compensation for veterans with non-Hodgkin's lymphoma—I said: "The evidence is not perfect, but it will never be perfect..."

The essence of leadership is to
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President Gorbachev faces this challenge. He knows that communism has only proven efficient at murdering millions and producing stagnation. He has yet to demonstrate to the West, and especially to those of the Lithuanians, that we must continue to actively support the Lithuanian Government on each of these points and work to achieve the needed international recognition for President Landsbergs so that he can go to the Kremlin as a credible leader of his people.

We cannot hesitate in reminding the Soviets that America, as one of the world's greatest friends, will never stop defending Lithuania's natural right to sovereignty.

Gorbachev is running out of excuses. Rumbling tanks and puppet prosecutors will not solve either his problems or those of the Lithuanians. We must impress upon him the moral and political imperative to deal with President Landsbergs in a dialog leading to self-determination for his people.

I am confident, Mr. President, that the Lithuanian leaders will deliver the democratic promise to their land. They have once again taught the world a lesson that men and women can build institutions of tolerance and prosperity if they are only left alone.

In this case, the solution exists. It only awaits implementation by a realist Soviet state and a willing Lithuanian Government.

EDWARD MARTENSON ARTICLE
PUBLIC SUPPORT: A CONTRACT WITH THE ARTS

M. DUREMBERGER. Mr. President, much has been said lately about the Government's role in forming the arts and the role of the National Endowment for the Arts in providing that funding. I ask to submit for the Record an article by Edward Martenson, "Public Support: A Contract With the Arts," that I believe carefully points out the societal benefits of Federal funding of the arts and the need for continued support.

The article follows:

PUBLIC SUPPORT: A CONTRACT WITH THE ARTS

(BY EDWARD A. MARTENSON)

Taxpayer support for the arts is not a handout. It is recompense for public service. In 1965, the government began to subsidize the arts modestly, in ways that were carefully designed to address some important public purposes. Specifically, these public purposes were:

(1) advancement of the arts, and elevation of American culture;
(2) de-centralization, or enhanced availability of indigenous art in all regions; and
(3) price moderation, so that the arts are affordable to all citizens.

These public purposes are consistent with, and not at variance with, the priorities of the artists whose activities are subsidized. Understandably, their primary focus is on creativity and command of craft. Public art's most important - and most commercially oriented - audience is the marketplace; but for most art, the marketplace alone never has supported artists and their families. The marketplace must be supplemented by subsidy.

This fact is of concern to the public as well as to artists and private philanthropists. While private philanthropy can ensure the availability of art to the private patrons, public support is our way of ensuring that the arts are not limited to wealthy patrons of art. Government, therefore, has a distinct purpose that is within the framework of arts funding. In a democratic society, public interest demands that culture must be available to all, and to the privileged few.

While government is not obligated to support the arts, a free society is obligated to guarantee the freedom for expression that is art's lifeblood. Not less than in the field of journalism, an atmosphere of free expression is essential to the vigor with which artists perform their function in society. It is no more in the public interest to tame the arts than it would be to hamstring the press.

Because freedom of expression is inconsistent with an exercise of political approval over the content of artworks, the very concept of public funding of art is inherently self-restraining. In effect, the public restricts the possibility of an art work that offends or surpasses the bounds for the greater good. The public can assure broad availability of the arts in general.

(That public support for the arts is a fragile concept, easily upset by lack of political restraint, is repeatedly stated by its opponents. If they can impose a narrow standard for acceptability of content, they know that artists themselves may come to see public support as a threat to their independence.)

In general, the most reasonable approach is a public contract designed to public support. In a self-funding system, the public's role is cultural advancement, or it is the centralized availability of the arts and the absence of clear barriers to the arts, and economics price barriers, to the arts.

The government for an atmosphere of artistic freedom; the arts, of course, desire financial assistance, and in exchange they are expected to produce and disseminate the works that serve the public purposes described above. Obviously, this fragile arrangement can be jeopardized when taxpayers are opposed by their art. That they may be offended by both understandable and legitimate art sometimes brings about the extremes of social reaction that I believe are the most important public purposes. Specifically, there are:

(1) advancement of the arts, and elevation of American culture;
(2) de-centralization, or enhanced availability of indigenous art in all regions and
(3) price moderation, so that the arts are affordable to all citizens.

These public purposes are consistent with, but not at variance with, the priorities of the artists whose activities are subsidized. Under-
Some people disagree among themselves is a source of strength for our democratic system. Not every disagreement is the government's business to resolve, most particularly if it arises from a matter of taste. Conservatives and liberals agree on this point, but a surprising number from both camps believe that financial participation creates an obligation on lawmakers to establish limits for the public taste. 

The government's role in funding art is controversial. Although some believe that financial support is necessary to maintain the arts, others argue that it blurs the line between private and public sectors. The NEA, for example, has faced criticism for funding projects that some认为 are not suitable for public consumption. 

The arts are a vital part of our society, and it is important to ensure that they are accessible to all. However, it is also important to protect the freedom of expression and ensure that artists are able to create without fear of censorship. This balance can be challenging, but it is essential to the health of our democracy. 

Mr. Lautenberg. Mr. President, on May 12, 1980, the St. Barnabas Medical Center in Livingston, NJ, will celebrate the 125th anniversary of its founding. I rise to congratulate this outstanding medical facility, which has served the community since 1855. 

Over the years this outstanding medical facility, the first incorporated hospital under New Jersey law in the State, has been recognized throughout the country for its many achievements. The first kidney transplant in New Jersey was at St. Barnabas, and today the medical center is a national leader in treating end-stage renal disease and transplantation.

A salutation to the recycling efforts of Alcan Recycling. Mr. McConnell, Mr. President, I rise today to recognize the efforts of Alcan Recycling, a division of Alcan Aluminum Corp., recently opened the world's largest aluminum can recycling facility in Berea, KY.

This facility, Mr. President, will produce about 120,000 tons of recycled aluminum a year. To do so, the plant will operate 7 days a week, 365 days a year, recycling 6 billion cans annually. The facility will support about 100 industrial jobs and provide a substantial boost to the economy of the region. 

Through its new recycling facility, Alcan is directly addressing the issue of solid waste management. Recycling is one of the cornerstones of any responsible solid waste management program. The other three are source reduction, landfills, and combustion. 

As our Nation's landfill capacity dwindles and local opposition discourages the siting of new landfills, we are rapidly running out of space to put our garbage. Combustion of solid waste involves certain environmental and health risks, and, again, local opposition has precluded siting of new combustion facilities. Recycling has, therefore, assumed an increasingly important role in municipal solid waste management. The Alcan facility in Berea will contribute significantly to the recycling efforts in general and of Kentucky specifically.

Alcan is also addressing the issue of energy conservation. As a Nation, we need to reexamine our energy conservation policies. Environmental conservation efforts may dictate that we must develop new ways to conserve our energy resources. Recycling in general, and recycling of aluminum in particular, is an important step in this direction. At the Alcan recycling facility, creating a new can from an old can requires only 5 percent of the energy needed to create a new can from virgin materials. I'm told that, in 1 year, the energy saved from aluminum recycling would light every home in Kentucky.

In conclusion, Mr. President, I rise to address the issue of clean air. Clean air, as we all know, has become a very important issue in this Nation. This Congress will soon debate the first major overhaul of the Clean Air Act in 13 years. One of the problems with which we will wrestle is how to balance the need for clean air with the need to maintain a healthy, industrial-based economy. Well, Mr. President, Alcan is doing its part to balance these needs. Alcan's Berea recycling facility is equipped with over $9 million of state-of-the-art pollution control equipment, meaning that over 20 percent of the cost of the Alcan facility is devoted to clean air.

As President, I am proud to represent in the Congress a company so committed to environmental stewardship. The executives and employees of Alcan are to be applauded for their foresight and their understanding of the challenges of our day and for their dedicated efforts to meet those challenges.
The Embassy is currently requesting the Ministry of Finance to exert its good offices to resolve the dispute, based on the decision of the Bankruptcy Court. A settlement would relieve SIAMTEC from having to initiate a civil suit in Thailand, an action which SIAMTEC states would be expensive and time-consuming.

URUGUAY—SAYOUS

Background

Mr. Sayous argues that in 1965 the GOU began a calculated harassment of his businesses (beef slaughterhouse and canning facilities) which caused his business to decline to the point of bankruptcy. In 1967, the businesses sought Judicial action in order to prevent auction of some of the properties to satisfy Judgments of creditors. The moratorium was granted; however, Mr. Sayous was unable to obtain sufficient financing to pay his debts and was unable to reach an agreement with his creditors which would have allowed him to reopen his businesses. In November 1968, the Sayous plan was approved by the Interagency Staff Coordinating Subcommittee. Mr. Sayous says he has been in litigation in Uruguayan courts since 1967. Uruguay also suggests that Sayous valuation of his businesses and argues that Sayous is stopped by laches.

Recent developments

In July of 1989, the GSP Subcommitte accepted an expatriation petition filed by Mr. Sayous. Mr. Sayous requests that the President suspend GSP eligibility because of the alleged violation of Sections 502(b)(3) and 504 of the Trade Act of 1984. The GSP Subcommitee requested that the Expro Group make a determination regarding the technical and legal aspects of a case where an expropriation has occurred within the context of Section 502(b)(A), (B) or (C) of the Tariff and Trade Act of 1984. In addition, the Group was asked to determine whether Uruguay has made or is making good faith efforts to provide prompt, adequate and effective compensation to the petitioner or is otherwise taking steps to discharge its international obligations under Section 502(b)(D). The Expro Group's determination will be submitted to the GSP Subcommittee in February 1990.

THE PROCESS BY WHICH U.S. INVESTMENT DISPUTES ARE RESOLVED

In the September 13, 1989 Report of the Senate Committee on Appropriations on the Foreign Assistance and Related Programs Appropriations Bill, 1989 (H.R. 2893) the Subcommittee on Foreign Operations expressed concern that disputes between U.S. investors and foreign governments take too long to resolve. The report raises the question of whether the U.S. Department of State should be more active in assisting a speedy resolution of the disputes and whether additional legislation is needed. This paper outlines the process by which U.S. investment disputes may be resolved.

In many cases, investment disputes are resolved promptly and amicably through negotiation between the parties. In other cases, one or both of the parties take positions that preclude a prompt resolution. In such cases, the U.S. law generally requires that local remedies must be exhausted by the injured investor. This allows the host government to provide redress for injury through its own legal system and reduces the number of international disputes between governments. Exhaustion of local remedies also helps to refine the issues of fact and law, as the two sides have to explain and document their positions. This gives the U.S. Government improved information on the dispute to use in its efforts to assist the U.S. investor.

While local remedies are being pursued, the Expropriation Group generally seeks methods to facilitate an expeditious resolution of the dispute, for example by bringing the dispute to the attention of the appropriate ministry, or by identifying the individual within the host government the U.S. investor should contact to discuss the dispute, or by referring the government of the host country to its obligations under international law and treaties.

The Interagency Staff Coordinating Group on Expropriations (the "Expropriation Group"), chaired by the Department of State, meets regularly to review the development of cases, recommends steps that might lead to a resolution. These steps include direct negotiations between the parties, facilitation actions by the U.S. government, exhaustion of local remedies, and international arbitration or other dispute settlement procedures upon which the parties might be able to agree.

When direct negotiations and local remedies fail to lead to a resolution, the Expropriation Group makes a determination what further action the Department of State should take. In using the information provided by the parties which should include their positions and evidence developed during the course of their negotiations and efforts to resolve the issue in the host country—the Expropriation Group analyzes, inter alia, whether an expropriation (without adequate compensation) or other violation of international law has occurred. Where there has been such an expropriation or violation, the U.S. Department of State makes a formal démarche to the host government, and determines adequate and effective compensation for the U.S. investor. The Expropriation Group also considers whether the Hickenlooper Amendment, the Gonzalez Amendment, the GSP provision of the Trade Act of 1974, and other relevant statutes are applicable and recommends to the appropriate authority (USFT, Secretary of State or Secretary of Treasury) whether statutory sanctions should be applied.

Unfortunately, there are cases where U.S. investors seek to bypass the initial stages of dispute settlement and go directly to apply for sanctions found in U.S. domestic legislation, without first seeking to force the host government to settle the dispute on the U.S. investor's terms. The U.S. government cannot properly relieve U.S. investors of the burden of exhausting available local remedies. This is required by international law and we would require it of foreign investors investing in the United States.

In summary, a U.S. investor's dispute with a foreign government will be most quickly resolved if the investor enters direct negotiations with the host government, seeks facilitative good offices from the U.S. Department of State, and exhausts all local remedies. If these steps do not yield results, the investor should discuss international arbitration or other dispute settlement procedures with the host government. If local remedies and voluntary dispute resolution mechanisms fail, the investor should provide documentation to the U.S. investor's position to the Expropriation Group and request that the Group take action pursuant to applicable U.S. statutes.

EVENTS IN TRANSYLVANIA

- Mr. DeCONCINI, Mr. President, as Chairman of the Helsinki Commission, I was very disturbed by developments last week in the Transylvania region of Romania, an area inhabited by both ethnic Romanians and ethnic Hungarians. At least 300 people were injured and at least 3 people were killed in a skirmish during which scythes and pitchforks were turned against human beings. At a time when many countries are contemplating turning swords into plowshares, an ugly mob turned plowshares into swords, an ugly mob turned plowshares into swords.

Romania's provisional Government has now declared a state of emergency in the area and has sent in tanks to restore order. This is a welcome albeit belated act. If the provisional Government is to maintain its credibility, it must quickly and effectively act to protect its citizens from all forms of violence. But it will take more than the strength of Government troops to quell the tensions that were unleashed last week. History has shown that force is no substitute for dialogue.

For 40 years, totalitarianism prevented an open discussion between Romanians and Hungarians—regarding the issues that divide them. Their differences were repressed, but they did not go away. For the first time in decades, these groups can confront the difficult questions which are at the heart of last week's events. The process of resolving these issues will not be easy, and it may be long. But it must happen: All parties involved—governments and private groups, Romanians and Hungarians—must immediately begin a dialog to resolve their differences. Interethmic violence, long the scourge of central Europe, must not be permitted to undermine the democratic reform movements taking hold today.

NATIONAL ENDOWMENT FOR THE ARTS

- Mr. KERREY, Mr. President, I rise today to discuss the National Endowment for the Arts and their proposal to have their appropriations unrestricted by the language this body attached last year in the midst of the Mapplethorpe-Serrano debates.

I believe the proposal by the National Endowment for the Arts is reasonable and necessary. I believe we should accept the revisions they have made in their review process as sufficient to protect the sensibilities of most.

I also believe that President Bush was correct and deserves a round of applause for supporting this recommendation. He is likely to receive some criticism from certain elements of his own political party. He deserves the recognition and congratulations from Americans who want their tax dollars well spent but who also prefer that art be created independent of political censorship.

Georgia O'Keeffe is an artist whose creations have offended very few. I have never heard anyone—even those who do not like her art—describe her
Congressional Record — Senate

March 27, 1990

HUMAN RIGHTS IN CUBA

Mr. MACK. Mr. President, I would like to submit for the attention of the Senate a resolution passed by the Governor and cabinet of the State of Florida on the human rights situation in Cuba. The resolution proclaims the release of three long-term political prisoners: Mario Chanes de Armas, Ernesto Diaz Rodriguez, and Alfredo Musteller Neuvo. All three have suffered over 20 years in Cuban prisons.

Mario Chanes has been held in prison longer than any other known political prisoner in the world today—28 years.

In a letter to the United Nations Secretary General Perez de Cuellar, Florida Governor Bob Martinez said the resolution “celebrates the spirit of freedom that burns in the hearts” of Cubans who have worked to attain freedom and democracy for the people of Cuba.

As we celebrate the wave of freedom that has swept Eastern Europe, Panama, and now Nicaragua, we must not forget the people of Cuba. As Fidel Castro becomes increasingly isolated, he has also become more desperate. Now is the time for all free peoples to stand with the people of Cuba, and let them know we will not forget them.

I commend Governor Martinez for this resolution and, as a cochairman of the Senate Cuba Freedom Caucus, ask that the State of Florida resolution of March 5, 1990, be included at this point in the Record.

The resolution is as follows:

Resolution

Whereas, January 28, 1990, marked the 137th anniversary of the birth of Jose Marti, the Apostle of Cuba’s independence from Spain; and

Whereas, Jose Marti denounced the oppressive Spanish regime, proclaimed freedom and preached the revolution for independence initially by giving lectures, writing articles, delivering speeches, uniting his countrymen and attracting support and resources throughout the United States and especially in Tampa and Key West; and

Whereas, February 24, 1990, marked the 95th anniversary of the outbreak of the Revolution for Independence from Spain which Jose Marti proclaimed and preached and for which he ultimately gave his life on the battlefield on behalf of the freedom of his beloved country, Cuba; and

Whereas, recent events in Eastern Europe have brought international attention to the popular wave of uprisings, peaceful or otherwise, that have been sweeping from Poland and Czechoslovakia, Germany, Bulgaria and Romania; and

Whereas, freedom-loving people through the civilized world are becoming increasingly aware of the perversive, oppressive nature of the Communist regimes that have been ruling through repression, terror and bloodshed not only in Eastern Europe but also in

REMEMBRANCE OF AMERICAN HOSTAGES BEING HELD IN LEBANON

Mr. CHADDEE. Mr. President, today I wish to extend my sympathy and concern to the families of all three hostages in Lebanon.

With him are seven other Americans being held by pro-Iranian extremists. I would like to extend my sympathy to their families and friends.

The changes which have led to abuse in prison have been significant. The issue of human rights in Lebanon has been raised at the United Nations.

King Hussein of Jordan has recognized the rights of the hostages and has offered to assist in their release.

In response to the United Nations resolution, the Lebanese government has pledged to cooperate in the search for the hostages.

The resolution is as follows:

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CONGRESSIONAL RECORD — Extensions of Remarks

E 993

April 4, 1990.

set reasonable goals is worth recognition and in my book, I congratulate him on being a national soul, and Malhe’s Hot. Teacher of the Year.

THE REAUTHORIZATION OF THE NATIONAL ENDOWMENT FOR THE ARTS

HON. TED WEISS OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 1990

Mr. WEISS. Mr. Speaker, I would like to share with my colleagues, Garrison Keillor’s article entitled “Thanks for Attacking the N.E.A.” It appeared in the New York Times today, April 4, 1990. I believe that “Thanks for Attacking the N.E.A.” poignantly and elegantly conveys an important perspective on the significance of the National Endowment for the Arts — the heart and soul of the arts.

As Congress considers legislation to reauthorize the Endowment and the possibility of reducing the agency’s ability to function as it was intended to, we must keep this agency’s manifold and consequential contributions in mind. Congress subjects the N.E.A. to content restrictions based on political, rather than peer review judgement, we will be faced ultimately with the question of whether it is worth funding the agency at all. What price in freedom of expression and creativity will we be willing to pay to have the Government continue to fund the Endowment?

I urge my colleagues to look closely at Garrison Keillor’s argument in support of a National Endowment for the Arts unrestricted by statutory content provisions.

The article follows:

THANKS FOR ATTACKING THE N.E.A.

(By Garrison Keillor)

WASHINGTON—It’s a pleasure to come down to Washington and speak in support of the National Endowment for the Arts, one of the wisest and happiest pieces of legislation ever to come through Congress. I’m grateful to those who have so ably attacked the Endowment over the past year or so for making it necessary to defend it. I enjoy controversy and I recognize the adversary: they are us.

My ancestors were Purtitans from England. They arrived here in 1648 in the hope of finding greater restrictions than were permissible under English law at that time. But over the years, we Puritans have learned something about repression, and it’s as true today as when my people arrived: man’s interest in the forbidden is sharp and constant.

If Congress doesn’t do something about obscene art, it will have to build an armed force twice as big to hold the people who want to see it. And if Congress does do something about obscene art, the galleries will need to be even bigger than that. We’ve heard three or four times this morning that, of 85,000 works funded by the N.E.A. only 20 were controversial. I don’t know why anyone would cite that as something to be proud of.

All governments have given medals to artists when they are old and saintly, and successful and almost 25 years ago, Congress decided to boldly support the creators of art — support the act of creation itself — to encourage artists who are young and vital and are very alive and therefore dangerous. This courageous legislation has changed American life.

Today, in every city and state, when Americans talk up their home town invention — the local theater or orchestra, the local museum or art history course — and say that it is so important to them, I believe that it is important to us. Today, you can be a Violinist in North Carolina, a painter in Iowa, or an artist in Kansas.

This is a revolution — small and lovely — that the N.E.A. has helped to bring about. The Endowment has fostered thousands of art works — many of which will outlive you and me — but more important, the Endowment has changed the way we think about the arts. Today, no American family can be secure against the danger that one of its children may decide to become an artist.

Twice in my life, at crucial times, grants from the Endowment made it possible for me to be a writer. The first, in 1969, arrived when I was young, broke, married to a baby, living on very little cash and a big vegetable garden. I was writing for the New Yorker at the time but they weren’t aware of it.

I wrote every morning and every night. I often had fantasies of finding a patron. A beaver would appear at my door one day; I’d give him an egg salad sandwich, and suddenly he’d turn into a giant suit parade Bob from the Guggenheim Foundation. But instead of him. I got a letter offering me a job for one month in the Poets in the Schools program in Minneapolis, funded by the N.E.A., directed by Molly LaBerge, which sent young writers into the schools to read and teach. In 1969, there were three such programs: in New York, California and Minnesota. Today, there’s at least one in every state.

It was the first time anybody paid me to be a writer. It was the sort of experience a person looks back at and wonders what would have happened if it hadn’t.

In 1974, a grant from the N.E.A. enabled me and my colleagues at Minnesota’s Public Radio to start “A Prairie Home Companion.” The help of the Endowment was crucial because the show wasn’t that great to begin with.

Our first broadcast we had a crowd of 12 persons, and then we make the mistake of having an intersection and we lost half of them. The show wasn’t obscure, just right in the town of Lake Wobegon. By the time the show became popular and Lake Wobegon became so well known that people thought it was real, the Endowment had been removed from the budget.

When we were at the White House last October, getting ready for President Clinton’s first visit, somebody asked me, “Why do you let the President come to your home town?” and I thought I’d like to figure out how to do a live radio show with folk music and comedy and stories about my home town of Lake Wobegon. By the time the show became popular and Lake Wobegon became so well known that people thought it was real, the Endowment had been removed from the budget.

When you’re at a social function in political circles, you’re less than a rich young man when you say, “I wish people could do enough for you.”

In the beginning of the evening, you know you’re not invited. Before you meet your third cousin who you haven’t seen. But I remember very well when nobody else was invited and I thought it was nice to express my thanks.

When I graduated from college, the deanship of the college of letters said, “You’ve got merit, so I got mine early and had a chance to watch the others. I remember the last graduate, a youngest cum laude, a tall shy boy who walked up to the platform and in your seat on the hem of his own gown; and walked right up the stairs. He didn’t say anything but walked right up the stairs. Like him, the Endowment has succeeded in embarrassing itself from time to time to the considerable entertainment of us all. And like him, the Endowment keeps on going. It has contributed mightily to the creative genius of America: art, music, literature, theater, and dance, which to my wife and other foreigners is the most gorgeous aspect of this country. Long may it wave. I hope it lives another 25 years; I hope we will continue to argue about it.

WESTOVER AIR FORCE BASE: 50 YEARS OF SERVICE

HON. RICHARD E. NEAL OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 1990

Mr. NEAL of Massachusetts. Mr. Speaker, for many years Westover Air Force Base in Chicopee, MA, has been an important national asset and a highly-visible public reminder of the challenges facing the United States of America. On this occasion, I ask my colleagues to join me in congratulating the men and women who have served with distinction at Westover in the past, and to wish the existing personnel all the best in the future.

Just days after the German invasion of Poland sparked World War II, the massive North Atlantic airbase authorized by Congress in 1939 was officially placed between Chicopee and Ludlow, MA. On April 6, 1940, the airbase was dedicated as Westover Field, to honor Maj. Gen. Oscar Westover, the former Army Air Corps chief who advocated strategic airpower.

Mr. Speaker, Westover Field was designated as an attack base because the War Department feared the loss of Great Britain and the possible German invasion of Greenland and Canada. Westover’s neighbors endured black-out conditions and were trained as aircraft spotters. After the Battle of Britain, the Westover mission was changed to training. From its bases around the nation, pilots, navigators, and aerial gunners came to Westover to be molded into airmen for the Eighth Air Force operating out of England.

At the dawn of East-West confrontations, Westover boasted two bases of the Eastern Division of the Military Air Transport Service. The base reflected America’s concern and became the U.S. hub for the Berlin airlift. As relief supplies were loaded aboard MATS airlifts, local citizens assembled handkerchief parachutes to deliver candy to children in the Allied sector of Berlin. Thus the “Little Vittles” nickname was born.

As the cold war intensified in the mid-1950’s, Westover Air Force Base became the new home to the Eighth Air Force, and the main runway was widened and lengthened to accommodate Strategic Air Command B-52’s and KC-135’s. Local residents became accustomed to the constant roar of SAC bombers and tankers as the Nation faced a series of crises in Berlin, Cuba, and around the globe. But even as Westover crews were assigned to bombing missions in Southeast Asia and pilots piped Westover’s gates, neighbors of the base treated military personnel with kindness and respect.

When conscription ended and the total-force concept was initiated, Westover again reflected the needs of the Nation and, conse-
May 17, 1990

CONGRESSIONAL RECORD — Extensions of Remarks

HON. GLENN M. ANDERSON OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 1990

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to an outstanding citizen and a person I hold in the highest regard, Floyd Clay. Mr. Clay, in recognition of his distinguished career and all that he has achieved as a Los Angeles Harbor Commissioner, has been named the "1990 Man of the Year" by the Maritime Trades Department Southern California Port Council AFL-CIO. It is an honor to bring Floyd Clay to your attention.

As a member of the Harbor Commission, Mr. Clay oversees the maritime service activity and development of Worldport LA, the leading container port in the United States. Floyd Clay was nominated to the post by Los Angeles Mayor Tom Bradley, who, like many others, recognized his tremendous experience and expertise in labor relations. He also serves as a business representative and executive board member for the Los Angeles County and Vicinity District Council of Carpenters. He joined the Union Brotherhood of Carpenters in 1952, followed by his appointment in 1984 as financial secretary/business representative of local 1437.

Floyd Clay was also recently appointed to serve as a Worldport LA representative to the governing board of the Joint Powers Authority [JPA] for the Consolidated Transportation Corridor [CTC] because of his lifetime involvement with efficient, state-of-the-art cargo transportation systems that benefit people and the environment alike. As a result of Floyd Clay's efforts, the CTC has become an innovative project comprising railroad, street, and other related construction improvements aimed at facilitating the movement of international and domestic commerce to and from the Port of Los Angeles. The CTC is also expected to reduce traffic congestion through extensive use of rail cars, resulting in improved air quality.

Mr. Speaker, I take great pride in recognizing Mr. Clay for all his vast achievements and activities in the community. He has done a great deal to make living and working in southern California a little better. I salute Floyd Clay on being named the 1990 Man of the Year, and wish his wife, Laura, and his children, Larry and Laura, all the best for the future.

TRIBUTE TO THE BEDFORD POLICE DEPARTMENT

HON. CHESTER G. ATKINS OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 1990

Mr. ATKINS. Mr. Speaker, I rise today on the occasion of National Police Week to pay tribute to the Bedford Police Department for their dedicated and outstanding service to the people of Bedford, MA., in the protection of life, liberty, and property.

Each day the newspapers are full of stories of violence and lawbreaking which others have to resolve. These "others" are the brave officers of the Bedford Police Department—the public servants on the front line who enforce the laws that we create. These men and women ensure that our nation runs by law and order; that our neighborhoods are not held hostage to the threats of criminals; and that justice is served.

Our country is a better place for it, of the professional of those police officers who have offered their lives to serve the common belief that justice is an inherent right. How many of us can answer so courageously the question, "Are you prepared to offer your life in service to your community?"

Too often we wait until it is too late, until some brave officer is struck down, to say thanks for a job well done. Let us take this time to recognize the contributions of Chief Donald Eunson and those who serve in the Bedford Police Department:


THE REAUTHORIZATION OF THE NEA

HON. TED WEISS OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 17, 1990

Mr. WEISS. Mr. Speaker, I would like to share with my colleagues a New York Times, May 17, 1990, editorial entitled "America's Art, Smear'd." This editorial reminds us of the National Endowment for the Arts and consequential contributions, and puts the current controversy surrounding its reauthorization in perspective. Judging by recent events, this reminder is much needed.

Before proposals to defund the NEA fully materialize, one must consider the facts: in its nearly 25 years of existence, the NEA has provided approximately $200 million to arts organizations and individuals...than 20, less than 0.0005 percent of these projects have been charged with violating public interest.

I urge my colleagues to heed "America's Art, Smear'd." It is critical that we in Congress support the NEA which has benefited thousands of artists—and millions of Americans.

[From the New York Times, May 17, 1990]