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Chamber Action
Routine Proceedings, pages S9579-S9651

Measures Introduced: Two bills and one resolution were introduced, as follows: S. 2313 and S. 2314, and S. Res. 244.
Page S9642

Measures Reported: Reports were made as follows:
Page S9642

Measures Passed:
Helsinki Human Rights Day: Committee on the Judiciary was discharged from further consideration of S.J. Res. 195, to designate August 1, 1994, as "Helsinki Human Rights Day," and the measure was then passed.
Page S9649

Honor Federal Firefighters: Senate agreed to S. Res. 244, honoring the three Federal firefighters who died in a helicopter crash while on their way to fight a fire in the Gila National Forest.
Pages S9649-50

Interior Appropriations, 1995: Senate began consideration of H.R. 2382, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995, agreeing to committee amendments, with certain exceptions, and taking action on amendments proposed thereto, as follows:
Adopted:
(1) Byrd Amendment No. 2382, of a technical nature.
Page S9604
(2) Byrd Amendment No. 2383, to correct the amount of funding for cyclical maintenance of tribally owned fish hatcheries and related facilities.
Page S9604
(3) Byrd Amendment No. 2384, to correct the date by which payments are to be made for grants to operate Bureau of Indian Affairs schools.
Page S9604
(4) Byrd Amendment No. 2385, to clarify that the Department of the Interior may fund research work orders incrementally.
Page S9604
(5) Byrd Amendment No. 2386, to allow service and rental contracts to be executed for a 12-month period at any time during the fiscal year.
Page S9604-05
(6) Byrd (for Burns) Amendment No. 2387, to provide funds for the recruitment and training of American Indians for graduate training in the field of psychology.
Pages S9604-05
(7) Byrd Amendment No. 2388, to provide for ongoing operations of the Government of Palau in the event the Compact of Free Association for Palau is not implemented prior to the start of fiscal year 1995.
Pages S9604-05
(8) Byrd Amendment No. 2389, to reduce funding in the Compact of Free Association for Palau.
Pages S9604-05
(9) Byrd (for DeConcini) Amendment No. 2390, to authorize the Indian Health Service to retain cash payments for meals on the same basis as payroll-deducted meal payments.
Pages S9604-05
(10) Byrd (for Dorgan) Amendment No. 2391, to increase funding for the Operation of Indian Programs and reduce funding for the Naval Petroleum and Oil Shale Reserves.
Pages S9604-05
(11) Byrd (for Kassebaum) Amendment No. 2392, to reduce the amount provided for emergencies and hardships in the National Park Service land acquisition account, and provide funds for an initiative to establish an inter-connected network of historic frontier military forts in Kansas.
Pages S9604-06
(12) Byrd (for Murray/Gorton) Amendment No. 2393, to provide for the completion of the Johnston Ridge Observatory at the Mount St. Helens National Volcanic Monument.
Pages S9604, S9606
(13) Byrd (for Stevens) Amendment No. 2394, to allow Alaska Native Claims Settlement Act villages to be eligible to participate in the Indian Health Service Sanitation Facilities Program.
Pages S9604, S9606
(14) By a unanimous vote of 92 yeas (Vote No. 229), Byrd Amendment No. 2395, to provide funds to reimburse the representatives of employees who die in the line of duty for burial costs and related costs.
Pages S9606, S9625
(15) Baucus Amendment No. 2398, to require a period of review of proposed regulations relating to law enforcement activities of the Forest Service.
Pages S9627-28
(16) By a unanimous vote of 89 yeas (Vote No. 231), McCain Amendment No. 2399, to require certain Federal agencies to prepare and submit to Con-
gress rankings of the proposals of such agencies for land acquisition.

Pages S9628-29

Amendments: Amendment No. 2396 (to committee amendment on page 81, line 7) to prohibit the use of National Endowment for the Arts funds to provide financial assistance for projects or works involving the mutilation of living or dead human beings, or the drawing or letting of blood. (By 49 yeas to 42 nays (Vote 230), Senate tabled the amendment.) Pages S9607-17, S9626

Withdrawn:
(1) Jeffords Amendment No. 2397 (to committee amendment on page 81, line 7) to restore funding to the National Endowment for the Arts.
Pages S9617-26, S9638-39
(2) Bumpers Amendment No. 2400, to impose a moratorium on patenting of hard-rock mining claims by the Bureau of Mines.
Pages S9630-38

Senate will resume consideration of the bill and amendments to be proposed thereto, on Tuesday, July 26.

Motion To Request Attendance: During today’s proceedings, by 74 yeas to 15 nays (Vote No. 228), Senate agreed to a motion to request the attendance of absent Senators. Pages S9606-07

Executive Reports of Committees: The Senate read the following executive report of a committee:
A report to accompany the nomination of Stephen G. Breyer to be an Associate Justice of the United States Supreme Court. (Exec. Rept. 103-31)
Page S9642

Communications:
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Executive Reports of Committees:
Page S9642
Statements on Introduced Bills:
Pages S9642-44
Additional Cosponsors:
Pages S9644-45
Amendments Submitted:
Pages S9645-46
Notices of Hearings:
Page S9646
Authority for Committees:
Pages S9646-47
Additional Statements:
Pages S9647-49
Record Votes: Four record votes were taken today. (Total—231) Pages S9607, S9626, S9629

Recess: Senate convened at 9:30 a.m., and recessed at 6:41 p.m., on Tuesday, July 26, 1994. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s RECORD on pages S9650-51.)

Committee Meetings
(Committees not listed did not meet)

APPROPRIATIONS—DEFENSE
Committee on Appropriations: Subcommittee on Defense approved for full committee consideration, with amendments, H.R. 4650, making appropriations for the fiscal year 1995 for the Department of Defense.

RWANDA
Committee on Armed Services: Committee met to receive a briefing on the situation in Rwanda from Vincent D. Kerr, African Region Director, Office of the Assistant Secretary of Defense for International Security Affairs; Ronald A. Davidson, Deputy Comptroller (Program/Budget), Office of the Secretary of Defense; and Lt. Gen. John J. Sheehan, USMC, Director for Operations, and Rear Adm. (Lower Half) John T. Scudi, USN, Deputy Director for Planning and Resources, both of the Joint Chiefs of Staff.
Committee recessed subject to call.

NOMINATIONS
Committee on Foreign Relations: Committee concluded hearings on the nominations of Brady Anderson, of Arkansas, to be Ambassador to the United Republic of Tanzania; Dorothy Myers Sampas, of Maryland, to be Ambassador to the Islamic Republic of Mauritania; E. Michael Southwick, of California, to be Ambassador to the Republic of Uganda; and Carl Burton Stokes, of Ohio, to be Ambassador to the Republic of Seychelles, after the nominees testified and answered questions in their own behalf. Mr. Anderson was introduced by Senator Pryor, and Mr. Stokes was introduced by Senator Glenn and Representative Stokes. Testimony was also received on the nomination of Mr. Anderson from F. Allen Harris, American Foreign Service Association, Washington, D.C.

CLEAN AIR ACT—LAKE MICHIGAN REGION
Committee on Governmental Affairs: Subcommittee on Oversight of Government Management held oversight hearings to examine the Environmental Protection Agency’s implementation of the ozone non-attainment provisions of the Clean Air Act which are applicable to the Lake Michigan Region, receiving testimony from Mary Nichols, Assistant Administrator for Air and Radiation, Environmental Protection Agency; and Stephen L. Gerritsen, Lake Michigan Air Directors Consortium, Des Plaines, Illinois.
Hearings were recessed subject to call.

INDIAN GAMING REGULATORY ACT
Committee on Indian Affairs: Committee concluded hearings on S. 2230, to strengthen and improve pro-
The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 74, nays 13, as follows:

(Rollcall Vote No. 223 Leg.)

YEAS—74

NAYS—13

Without objection, it is so ordered.

AMENDMENT NO. 286 TO THE EXCEPTED COMMITTEE AMENDMENT ON PAGE 81 LINE 7

The amendment is as follows:

(b) the drawing or letting of blood.

The amendment was adopted. The amendment was as follows:

The amendment is as follows:

The amendment was as follows:

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina (Mr. Helms) proposes an amendment numbered 2396.

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

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

The amendment is as follows:

At the end of the amendment, add the following:

"Sec. . . . Notwithstanding any other provision of law, none of the funds made available under this Act to the National Endowment for the Arts may be used by the Endowment, or by any other recipient of such funds, to support, reward, or award financial assistance for work involving:

(a) human mutilation or invasive bodily procedures on human beings dead or alive; or

(b) the drawing or letting of blood."

The PRESIDING OFFICER. The pending question is the Helms amendment to the committee amendment on page 81, line 7.

Mr. HELMS. Page 81, line 7 is correct, Mr. President.

Mr. President, I have tried, without success, to establish in my own mind when, if ever, the liberal news media of America have engaged in more distortions of the truth than in the public discussion of the National Endowment for the Arts. The media have, in fact, been obsessed for at least 5 years, to my knowledge. They have been obsessed with trying to prove that black and white and red and blue, that bloody disgusting, revolting garbage is produced by obviously sick minds is somehow art, and that this art is worthy of being subsidized and rewarded by and with grants of Federal funds—the taxpayers' money, mind you—distributed by the National Endowment for the Arts.

This has been going on, as I say, Mr. President, for at least 5 years, and longer. I am confident, than that.

The Washington Post and similarly oriented newspapers around the country all get their big guns to pulverize anybody who suggests that this should not be subsidized. They should be rewarded with the taxpayers' money. These newspapers have mocked and ridiculed Senators and Congressmen who have tried to restore some degree of reason to the NEA process. Salvos of accusations have proclaimed that these Members of Congress and particularly Jesse Helms—are engaged in nefarious censorship. But how self-righteous they are when they write about censorship. They accuse us of censorship at even the slightest suggestion that the Federal funds authorized and appropriated to the National Endowment for the Arts should not be spent on such things as photographs of a naked homosexual with a bull whip protruding from his rear end, or a naked woman on a stage, her body covered with chocolate, or photos of mutilated human corpses, or blood soaked towels dispatched on a pulley over the heads of an unsuspecting audience terrorized by such a surprising development.

This is art, say the media. The Washington Post insists that it is art, and so do many in my State of North Carolina. They publish sophomoric editorials and stamp their little feet. But the public disagrees with the editors. The public disagrees with the National Endowment for the Arts.

Now I tried a little experiment back during the Mapplethorpe era. The editors at Greensboro, Winston-Salem, and Raleigh spoke with one voice in condemnation of Jesse Helms because he did not understand art.

So I sent a little telegram to each of the editors at Charlotte, Winston-Salem, Greensboro, and Raleigh. I said, "I'll tell you what. Let me send to you by Federal Express—I'm not going to send them through the mail because you would complain about that—but let me send you some of Mapplethorpe's photographs and you put a little notice in your paper that people sincerely and genuinely interested are invited to come by your paper and take a look at the pictures—paid for by the taxpayer—the homosexual with the bullwhip protruding from his rear end, for example."
The Greensboro Daily News editor said, "We're not an art gallery. We're a newspaper. That's what I do—tell the truth about this debate today, either.

But this is the way the news media have operated. And they are not going to tell the truth about this debate today: Thousands upon thousands of public school art forms of all kinds, subsidized by the American taxpayer.

Mr. Lincoln, if you count a cow's tail as a leg, how many legs does it make? . . . Mr. Lincoln. if you count a cow's tail as a leg, doesn't make it a leg. And if you do not believe the American people agree with that, ask them to count the legs of a cow.

And Mr. Lincoln replied: "The cow has four legs. because calling a cow's tail a leg, doesn't make it a leg."

And calling this art—which I am going to display an example or two of in just a minute—calling it art does not make it art.

So the news media's intellectual dishonesty in calling this perverse, filthy and revolting garbage, calling it art does not make it art. It is still filthy; it is still perverse—and it is still unworthy of being subsidized with the American taxpayers' money.

And if you do not believe the American people agree with that, ask them to try to sell it in whatever marketplace they choose.

Now another ploy by the defenders of such filth is to contend—now just listen to them—they probably will contend that, "Well, all of them are art experts who, maybe—oh, I don't know how much. I'll state many times to Mrs. Alexander, who, of course, is the Chairman of the National Endowment for the Arts, I have never heard one complaint, let alone any substantial grant to a symphony orchestra or a choral group or a program to teach young people how to play instruments or sing songs and that sort of thing.

As a matter of fact, I was pretty active in a group, an opera group, before I was a lawyer. And if you count a cockroach in a pot of soup would be enough, too many, or not enough. The dear lady sort of avoided that question. She responded that there had been one. And if you will count that, then if a poll could be taken. I suspect that the vast majority of America's taxpayers would be totally opposed to subsidizing that figure of human cockroach masquerading as an artist.

Mr. President, what can be done to remedy the situation, in light of the fact that Congress has been manipulated. year after year, into refusing to prohibit subsidies for obscenity defined in any broad sense? Maybe the amendment which I now have sent to the desk will enable the Senate to address at least one specific obscenity that the taxpayers have been forced to subsidize to the tune of $20,000.

Now let me, Mr. President, read the text of the pending amendment once more. It appears that when it is voted upon, will establish precisely how each Senator feels about using tax funds to subsidize and reward an artist who used NEA funds to mutilate the cadavers of human beings.

The amendment at the desk provides: Notwithstanding any other provision of law, none of the funds made available under this Act to the National Endowment for the Arts may be used by the Endowment, or by any other recipient of such funds, to support, reward, or award financial assistance to any activity or work involving:

(a) human mutilation or invasive bodily procedures on human beings, dead or alive; or

(b) the drawing or letting of blood.

Mr. DODD. Will my colleague yield on that point?

Mr. HELMS. I would rather finish my statement, if the Senator will permit me to do so.

Now, as I said, Mr. President, when I first proposed some years ago that some standard of decency be required of the National Endowment for the Arts, the Senate has approved some examples of the art that the American taxpayers were being forced to subsidize at that time. There was the bullwhip, which I mentioned earlier. There was the crucifix that another artist had submerged in a jar of his own urine and photographed and submitted to the NEA. And he got paid for it. There were other sickening, blasphemous and obscene so-called art.

These were supported and defended by newspaper editors. They have said: "Well, this is just one out of many. You should not be worried about just a few examples."

Well, why should the taxpayer not be worried? Why is there even one example?

Last year, there was the artistry of an NEA beneficiary named Joel-Peter Witkin, who the NEA art experts knew at the time had a 20-year track record of mutilating, dissecting, and dismembering human corpses and then photographing them.

For one photograph he submitted while seeking tax funds Congress has appropriated for the NEA. Joel-Peter Witkin had severed the head from a corpse, skinned it, and scooped out the brain and transformed that mutilated head into a flower vase.

And those watching on C-SPAN can view the flowers in that artistic flowerpot.

He then photographed it and he submitted it as the photograph to the NEA. His cash reward from the NEA for that work was $20,000, taxpayers' money.

In another example of his unique artistry, Joel-Peter Witkin twisted a human head off of a corpse in a way to assure that a jumble of veins and muscles protruded from the neck.

Maybe the C-SPAN cameras can focus on what developed after that. Mr. Witkin then sawed the head of that cadaver in half, beginning at the top of the forehead, down through the nose to the lip and the chin, and then he placed the two halves together in a fashion that made it appear that the cadaver was kissing himself. This is one-half of the guy's head, this is the other half. That is what you call beautiful art. And I am sure it was worth $20,000 to somebody, but I do not think you will find many American taxpayers who will be willing to admit that their money ought to be used to pay or reward the guy who did that.

By the way, Mr. Witkin titled his award winning photograph "The Kiss."

Speaking of depravity, this past March brought reports of yet another NEA-subsidized performance by one of these artists, a man named Ron Athey.
July 25, 1994

It is spelled A-t-h-e-y, but he insists that it be pronounced like “A-thee,” Ron “A-thee,” and I will try to remember to call him Ron “A-thee,” as I refer.

That is his picture, a very handsome man, if you like that kind of man. But let us talk about it. He appeared as a part of the Minneapolis Walker Art Center’s Celebration of the Fifth Annual Minneapolis Lesbian, Gay, Bisexual, and Transgender Film Festival. I do not need to identify it further, it was a homosexual film event which the NEA supports annually with your money.

Here is how Mr. Athey’s performance went. He informed his audience that he has the AIDS virus. Then he begins his bloody performance, but he tells them nothing about the HIV status of the other performers when he is sliced into, another man’s back, and then he carved a triangle, which he called appropriately, “The Symbol of Queerness.”

Just so the RECORD will be complete about the artistic talents of Mr. Athey, I should quote his own description of his performance, which was subsidized, do not forget, by whom? The National Endowment for the Arts.

Mr. Athey said of his own performance:

Bleeding is always heavy at first, but it slows down and the wounds are left against the wound, making an imprint, then they are alternately passed to two assistants, who print to the line and send them over the audience. The prints are not touching and so the cloth the couple of people, mostly over the aisles or completely stage right.

Then he continues to describe his act:

This act has been performed for at least 2,000 people over three nights at Highways, one night at Los Angeles Theater Center, three club nights.

When the lines are full, the factory workers, and more than 5000 strike the lines keeping them faint so they don’t drop or brush anyone, although this happened time and again. Here are the first performances.

Highways is a so-called performance arts venue in Santa Monica, CA. But that is Mr. Athey’s own description of his great moment of artistry in a performance subsidized by the National Endowment for the Arts.

According to the Walker Art Center, at least two members of the audience in Minneapolis fainted. I do not doubt that. Another member of the audience was even more extreme.

The bloody towels were most upsetting to the audience. It appeared that the towels were going to drip or fall apart because they appeared to be paper towels. People knotted over the curtains to get out from under the clothesline.

I know what some of the supporters of the NEA are going to say. “Oh, that report is false.” To say that that report is false is false itself, and I will demonstrate that when the defenders of the NEA try to downplay the significance of this so-called artistry in Minneapolis.

There has been a concerted, unfair, and unfounded effort by the NEA and its obsessive defenders in the news media to discredit descriptions of the performance by a reporter in the Minneapolis Star-Tribune. But Mr. Athey is remarkable. It is about his performance. He said:

The individual chemical reactions people have toward demonstrations of pain, blood and mutilation are involuntary. One or two people usually faint.

Mr. Athey also acknowledges that one or two people usually leave each performance.

Of the Walker Art Center, the organization that used part of its NEA grant to support the Athey performance, he says:

They knew exactly what I did and wanted to present me.

But back to Mr. Athey’s performance. After sending those bloody towels over the audience, he then proceeded to stick acupuncture needles and other sharp objects through the skin of his shaved head and then wind them with wire to create a “crown of thorns.”

Mr. President, during her confirmation hearings, Jane Alexander pledged to honor her watch the National Endowment for the Arts would be guided by what she described as “a commitment to funding only the best art America has to offer.”

And knowing Jane Alexander, I do not doubt her sincerity in this commitment. But when a man has staged good music and good theater and good painting elevate us all and, of course, no body disagrees with that. And I told her so.

But something is seriously amiss, Mr. President. A larger sense, the pendulum may not reach beyond the work of Mr. Athey and his admirers at the National Endowment for the Arts and around the editorial offices and the country.

The broader issue, if any, is the sober realization that for the past two decades, n. m. is a highly saturated American society. A furious assault on the traditional sensibilities of the American people has taken its toll. So many have become afraid to stand up and declare the difference between right and wrong, what is ugly and what is destructive and what is not, and what is degrading. No wonder—Mr. President, there has been a cultural breakdown.

Is it not time for millions of Americans, the people more than one President has referred to as the great silent majority, to get in the game and regain control of their social and cultural institutions? Taking this small step to put those at the National Endowment for the Arts who have abused and ridiculed our most deeply held beliefs in their place, I think, is a good beginning.

Former Prime Minister Margaret Thatcher and President Ronald Reagan said the same thing essentially. They said: If not us, then who? If not now, then when?

Mr. President, I ask for the yeas and nays on the amendment.

Mr. BYRD. I ask unanimous consent that a vote occur on or in relation to the amendment by Mr. HELMS pending the vote which will occur at 3:30 p.m. on an amendment, the vote which was ordered earlier today.

Mr. DODD. Reserving the right to object, I thought that vote was going to occur at 3? Was it 3:30?

Mr. BYRD. Mr. President, will the Senator yield to me?

Mr. DODD. I will be glad to yield to the distinguished chairman.

Mr. BYRD. Mr. President, I ask unanimous consent that a vote occur on or in relation to the amendment by Mr. HELMS pending the vote which will occur at 3:30 p.m. on an amendment, the vote which was ordered earlier today.

Mr. DODD. The other vote was to occur at 3:30.

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

Mr. BYRD. I thank all Senators and I thank the distinguished Senator for yielding.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I had not intended to become involved in a debate on this particular amendment because I had heard that it would be accepted and that it was a relatively harmless amendment that would do no significant damage to the National Endowment for the Arts. And therefore it seemed that Members might just accept it. I was prepared, frankly, to depart the Chamber. I have a conference committee meeting on the House side involving interstate banking and a number of other issues.

But I guess I made the mistake that we should not engage in too often around here. I read the amendment.

I want to read the amendment aloud because I want Members to pay close attention to exactly what this amendment intends to authorize the implementation of the actions. If this amendment were to be adopted, as innocuous as it may seem to some.

Notwithstanding any other provision of law, none of the funds made available under this Act to the National Endowment for the...
Mr. President, it does not take much imagination for anyone, even looking around this building to see where this would apply. I have just been casually going through a book here called "Art Of The United States Capitol." There are countless examples in this book of art in this very building which involve human mutilation or invasive bodily procedures—people being shot, people being knifed, the Battle of Lexington, the Battle of Concord, Daniel Boone, and the Indians. The standard incorporated in this amendment, would preclude that from being supported by the National Endowment for the Arts.

Even the most casual observer of art will certainly recall some of the great paintings in religious art over the centuries. The crucifixion of Christ, done in the simplest of ways, is the mutilation of a human being in an invasive manner. A representation of the nailing of Jesus Christ to a cross would be prohibited under this amendment as I read it, from receiving funds from the National Endowment for the Arts. And this list would go on: The stoning of Mary Magdalen, Saint Sebastian, the decapitation of John the Baptist, the execution of the Apostle Paul, the decapitation of Saint Sabastian. The death of Tecumseh, at the battle of Thames in 1813 is rather graphic. I suppose. According to a strict reading of the amendment one could argue that Brumidi would be prohibited from painting that frieze today with the support of the NEA.

This is how ridiculous it can get. I point out to my colleagues there are times, when budgeting, that we consider egregious examples of improper behavior or conduct. But to take a broad ax to a problem is not the way we ought to deal with these issues.

So, there may be those who assume this is a rather innocuous proposal which would like to see something about the amendment go through. You will find numerous examples of art I think a lot of us appreciate and that we would like to see more of, that we encourage and support—but art that certainly would not meet the standard invoked by the Senator from North Carolina with this proposed amendment.

I strongly urge Senators to read this amendment carefully and understand its implications. It is anything but innocuous. It is serious. It seeks to restrict support for legitimate and worthwhile art endeavors, whether they be in music, in painting, performance art or whatever. This goes far beyond what anyone would ever intend. So, I urge my colleagues that, in an effort to deal with this issue, we work to be reasonable in our desire to deal with one set of problems and not go overboard. And, in my view, this particular amendment goes way overboard.

Let me cite some examples here in our own building of what we are talking about. Here is the Battle of Lexington. We have soldiers shooting, people lying on the ground being shot and killed. Below it is the Boston Massacre, which I urge my colleagues to reject. This goes far too far. To me, it is a dangerous—dangerous language that does not help in our efforts to deal with legitimate concerns some have raised about art that has received funding from the Endowment. That is a debate we may have a little later. But this language and this amendment, it seems to me, ought to be soundly rejected.

So, Mr. President, I will be a part of this debate. I strongly urge Members read the amendment and then think if you would, about the examples of art in this building and elsewhere that would have been precluded from receiving any support from the National Endowment. Then decide whether or not that is a standard we would like applied to those who are trying legitimately to enrich our culture through their artistic endeavors, excluding many who are in no way interested in the kind of art that the Senator from North Carolina has talked about.

Regardless of how one feels about the National Endowment, particular artists or particular performance art, this amendment ought to be soundly rejected.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. FELL. Mr. President, I thank the Senator from Connecticut who expressed very artfully the thoughts that we share. As one who minored in art many years ago in college, I think back through all the paintings I studied. Many, many of those involved in the history of Jesus on the cross, Saint Sebastian, the decapitation of John the Baptist, the execution of the Apostle Paul, the decapitation of Saint Sebastian. The death of Tecumseh, at the battle of Thames in 1813 is rather graphic. I suppose. According to a strict reading of the amendment one could argue that Brumidi would be prohibited from painting that frieze today with the support of the NEA.

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I have here a book on the history of art in the Rotunda of this building. I urge my colleagues to look at the images and think about this amendment. It is a mistake. It goes far beyond what anyone would ever intend. So, I urge my colleagues that, in an effort to deal with this issue, we work to be reasonable in our desire to deal with one set of problems and not go overboard. And, in my view, this particular amendment goes way overboard.

Let me cite some examples here in our own building of what we are talking about. Here is the Battle of Lexington. We have soldiers shooting, people lying on the ground being shot and killed. Below it is the Boston Massacre, which I urge my colleagues to reject. This goes far too far. To me, it is a dangerous—dangerous language that does not help in our efforts to deal with legitimate concerns some have raised about art that has received funding from the Endowment. That is a debate we may have a little later. But this language and this amendment, it seems to me, ought to be soundly rejected.

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July 25, 1994

CONGRESSIONAL RECORD—SENATE

S9611

I return in jobs. Oklahoma City, and Birmingham are among the cities whose impact studies have shown the enormous economic contribution of the arts. In fiscal years 1992 and 1993, Arts Endowment grants of about $120 million each year drew matching grants of $1.1 to $1.4 billion, and an estimated 1.3 million full-time jobs.

Mr. President, the tiny proportion of the Federal budget set aside for federal investment in the cultural arts in our society should be increased. And more and more nations to do the same:

Nor should portraits of Jesus on the Chair.

First, let me ask the Senator from Minnesota to try to provide some information to my colleagues and myself about the Walker Art Center. It is important for me to defend a very, very important institution.

I received a letter from Kathy Halbreich, the board of directors of the Walker Art Center, discussing a retrospective of works by Cunningham, a one-time grant for the Walker's new programs for teens, and possible future grants. The Board of Directors of the Walker, in a letter to Congressman Ellwood, have been critical of the news media that sensationalized the situation which affects one of the nation's most respected museums. The facts are these:

1. On March 5, an audience of no more than 100 people viewed a performance by the Ron Athey theater troupe. The performance, which was also seen by communities such as Los Angeles and Chicago, dealt with the difficult issues surrounding AIDS. Such a performance is consistent with the Walker's mission of raising the issues that shape, inspire, and challenge us as individuals, cultures, and communities. This was a one-time performance, one of several presentations of one of more than 400 events the Walker will present this year. This season the Walker will present more than 150 performance events ranging from the classical to the experimental.

2. This performance drew on centuries-old traditions from around the world and included a ceremony related to the African tradition of scarification which involved the drawing of a small amount of blood.

3. Because of the nature of this performance, the Walker took all appropriate precautions as established by the U.S. Centers for Disease Control and provided to the Walker by the Minnesota AIDS Project. The Minnesota Department of Health has publicly confirmed this position again today in conversations with the Department of Health.

4. Some media reports suggest that "many" members of the audience "fled." This is not accurate. While approximately 10 of the 100 audience members left during the performance, no one personally heard from numerous members of the audience who said that they found the performance "affirming," "moving," and "enlightening." In fact, to our knowledge this entire situation was generated from a single complaint.

5. Approximately $150 of the $104,500 National Endowment for the Arts grant to the Walker Art Center for its seasonal programming was used to fund this performance.

The Walker Art Center is one of the most prestigious institutions in the country and has earned an international reputation. The Walker has played a crucial role in helping the Walker Art Center provide these services to Minnesota. Indeed, after New York and California, Minnesota arts and cultural organizations both large and small receive the largest amount of NEA funding. It is extreme-
These doors, designed by Zumwalt-Guggenheim, are like any other agencies. It is like any other agency. I would also say that as I see what Jan Aldrich is now doing—institution reforms to increase accountability at the Endowment—I think it would be a huge mistake for us to rush forward in the Chamber of the Senate and pass amendments that are counter-productive, pass amendments that go against the very grain of what arts and communities make to our country are about.

Mr. President, let me be crystal clear. I do not want to let any Senator—whether I agree or disagree with that Senator on some of the specifics about this particular production—I do not want to let any Senator decontextualize—a statement that is the right word—the Walker Art Center does in my State of Minnesota, in our country and our world. I want Senators to understand the whole range of contributions of this institution. I want my colleagues to understand the full importance of what people at the Center do. What the Walker Art Center does in my State of Minnesota, in our country and our world. I want Senators to understand the whole range of contributions of this institution. I want my colleagues to understand the full importance of what this art community makes to my country.

I yield the floor.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, briefly, let me commend my colleagues from Minnesota for his fine statement.

Just again going through some of the art here in the Capitol that in my view would be precluded from ever receiving any funding from the National Endowment for the Arts if the Helms amendment were to be adopted—the wonderful painting painted by one of the great Western artists in this country, Seth Eastman, called Death Whoop. Mr. President, I do not have charts, tables or graphs, but this kind of painting of a Native American with a bow and arrow in one hand, a knife in the other, and a scalpel of a Western pioneer who faced that horrible death.

If I read the Helms amendment correctly, which says "any activity"—any activity meant here would be human mutilation or invasive bodily procedures on human beings dead or alive; or the drawing or letting of blood. Clearly, there are some examples people would think that standard would apply. I assure most Members, as I said a while ago, can think of wonderful example of some of the great art of the world that would have been denied support if funding if that language had been applicable at the time those masterpieces were created.

Others may find this to be harmless; I do not at all. I think this amendment is anything but harmless.

I hope at some point people will start having a sense of proportion when it comes to the National Endowment for the Arts. It is like any other agency. When it does something wrong, ought to be criticized. And people can think of ways in which to express the criticism. But this goes way overboard in my view. This goes far too far in trying to create a problem. This kind of language would do irreparable damage to the Endowment.

So despite what my colleagues may feel about later amendments that ma come from other Members of this body, I do not think this amendment ought not to be adopted.

I yield the floor.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, several times during his discussion the Senator from Connecticut has speculated about what I am driving at. There is no question about what I am driving at. The question is, when did he drive over the cliff in his assessment of what this
amendment does? He says “Read the amendment.” Let us do that. I take the Senator from Connecticut at his word. Let us read it because he apparently has not read it.

It says:

Notwithstanding any other provision of law, none of the funds made available under this act to the National Endowment for the Arts may be used by the Endowment, or by any other recipient of such funds, to support, reward, or provide financial assistance to any activity or work involving—

And this is what he did on stage.

human mutilation or invasive bodily procedures on human beings, dead or alive; or the drawing or letting of blood.

The Senator from Connecticut is going far afield. He brought the crucifixion of Jesus Christ. I would say let us vote for it twice. It is the same argument that you hear every time anybody suggests doing something to bring reason to the distribution of funds by the National Endowment for the Arts.

I have said many times on this floor, today and previously, that Jane Alexander is a fine lady. I think her intentions are good. But she has been overwhelmed. She has been overwhelmed.

Then the Senator from Minnesota was asked about how much she knew about the performance that went on in Minneapolis. However, the Minnesota Department of Health said:

We were contacted after the fact. Had we been called in prior to the performance to evaluate the methods and procedure, we would not have been in a position to endorse the performance. The bottom line is that you did have towels with blood on them, and apply and put them in the blood with gloves. We do not use items like that as props in a theatrical performance. If for some reason a towel fell, or something went wrong, it could be troublesome.

You know it would be. Mr. President, we have this kind of reaction every time an amendment comes up suggesting some reason it should be applied to the distribution of NEA funds. They say, “Oh, well, there are just a few of them.”

How many cockroaches are too many, as I said in a bowl of soup? The thing about getting rid of the cockroaches is to put up with the cockroaches in the first place.

Instead of holding the NEA accountable, the newspapers around the country have been attacking the lady. Mary Abbe, who wrote the original story about Ron Athey’s performance. She protested to the Chairman of the National Endowment for the Arts, Ms. Alexander. I think it is worthwhile for her side of the story to be put in the RECORD. I am not going to read it all, but I would like to read it.

Mary Abbe, who is an art critic and art news reporter for the Star Tribune of Minneapolis-St. Paul, wrote the following in a letter to NEA Chairman Alexander:

In a letter of 15 June 1994 to members of Congress, you take issue with my reportage in particular and the Star Tribune’s coverage of that event in general. I object to your characterization of my work and the Star Tribune’s coverage. In fact, you have misread the article. It does not say that “blood was dripping from towels,” as you claim. See enclosed copy of article.

Nor was the article “erroneously reported” or “misread,” as you assert. Walker Art Center officials have privately expressed dismay about the way in which Mr. Athey’s performance was described in the article and described the response of individuals who objected to the performance. But they do not deny that Mr. Athey cut an abstract design into the flesh of another man, blotted the man’s blood on paper towels, attached the towels to a revolving clothesline and suspended the blood-stained towels over the audience.

Nor do they dispute the fact that Mr. Athey, who is HIV-positive, pierced his arm with hypodermic needles and drew blood when he and his assistants pierced his scalp with acupuncture needles.

Further down, she continues:

In the end, Walker Art Center must defend its decision to endorse that performance. Mr. Athey, who is HIV-positive, pierced his arm with hypodermic needles and drew blood when he and assistants pierced his scalp with acupuncture needles.

In an article published 24 March 1994 in the Minneapolis Star Tribune, I reported public complaints about a performance by Los Angeles artist Ron Athey that was staged by Walker Art Center in Minneapolis. That event and subsequent reports about it have generated considerable debate here in the Twin Cities, including letters to the editor of this newspaper expressing both appreciation for and revulsion at Mr. Athey’s activities and the Walker’s presentation of them.

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the Arts. I expect to have occasion to do so again in future because, like you, I recognize that the NEA has made—and doubtless will continue to make—important contributions to the cultural and artistic life of the United States.

The organization's good work, however, does not exempt it from criticism when its grant money is used in support of events that you find objectionable. Nor does what you call Walker Art Center's "overwhelming support" exempt its activities from public discussion.

In a society founded, as ours is, on free speech and open public debate, the activities of your agency, Walker Art Center and this newspaper are all open to discussion. That discussion is not furthered by pointing to inaccuracy.

human blood-letting and as the institution describes it. The Walker Art Center's operations involved in the NEA's grants were taken.

Mr. President, one more time. I am not even arguing the merit of this particular performance. I wanted to make it crystal clear that this performance was a national program that the Walker offers, and I wanted to talk about the importance of the Walker Art Center and the importance of the arts to the community, and I wanted to talk about the unique importance of the arts to young people. I wanted to make sure that in responding to a specific example, many may not like, many may find repulsive—and each and every Senator can have their own view—that we do not slash budgets and go overboard and undercut the importance of the arts.

I want to be clear about what the Record allows in regard to what happened in Minnesota. I ask unanimous consent that the Star Tribune article be printed in the Record.

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

(Unanimous Consent Agreement)

Mr. BYRD. Mr. President, I ask unanimous consent that further debate on this amendment not exceed 5 minutes and that when the Senator from Minnesota completes his statement, the Senator from Vermont [Mr. JEFFORDS] be recognized to call up an amendment.

Mr. HELMS. Mr. President, I do not intend to say anything further. The amendment speaks for itself.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HELMS. Mr. President, I thank the Senator from West Virginia.

Mr. President, Just for the record, 1 actually will have the article that the Senator from North Carolina referred to in the Star Tribune, and I will need to look at it to get the full context. But my understanding of that article, one more time, is that this was an interview with somebody from the Department of Public Health who speculated that had they known in advance of this performance, they might have advised the Walker not to go forward, or this particular person might not have.

Again, one more time. For the Record, I refer to the letter I have already read in the Record. The Walker Art Center took all appropriate precautions as developed by the U.S. Centers for Disease Control and provided to the Walker Center and the Minnesota AIDS project. And what I have here in my document is that the Minnesota Department of Health—I do not think this individual in the story was speaking for the whole Department of Health—concluded that appropriate precautions were taken.

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From the Minneapolis Star Tribune, July 25, 1994

WALKER SURVIVES DISPUTE. REMAINS ON NEA GRANT LIST

(From Mary Abbe)

The National Endowment for the Arts today announced $65.5 million in grants to organizations nationwide—with $30 million going to Walker Art Center out of Minnesota's take of nearly $1.5 million.

The NEA has been struggling since March to quell a national furor that erupted after the Walker used $150 of NEA money for a body-piercing and bondage event in which

Los Angeles performer Ron Athey made 12 incisions into the scarred back of a colleague and suspended blood-stained paper towels over the audience on clotheslines.

The event became fodder for radio talk shows and the subject of newspaper editorials and articles across the country. A Boston Globe columnist said it was an "abomination" and called for the NEA to cut Aid to the Arts funding.

Mr. President, one more time. I am not even arguing the merit of this particular performance. I wanted to make it crystal clear that this performance was a national program that the Walker offers, and I wanted to talk about the importance of the Walker Art Center and the importance of the arts to the community, and I wanted to talk about the unique importance of the arts to young people. I wanted to make sure that in responding to a specific example, many may not like, many may find repulsive—and each and every Senator can have their own view—that we do not slash budgets and go overboard and undercut the importance of the arts.

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The NEA has been struggling since March to quell a national furor that erupted after the Walker used $150 of NEA money for a body-piercing and bondage event in which
ment. I echo some of the concerns he has about some of the misinterpretations of the reading of the amendment. I have read it two or three times, and I think it's pretty clear. I think the Senator from North Carolina is basically saying he wants to stop the type of art that he has exhibited on the floor, that has been referred to, and that has been very offensive. We are not talking about historic art or battlefields: we are talking about that art.

That discussion occurred at the Senate Appropriations Committee hearing, which Sen. Wydell presided over. The Senator did not attend this event. In the course of reporting on it, however, I have conducted extensive interviews with five individuals who witnessed Mr. Athey's performance.

They all agree that these things occurred. They differ only in what they thought of the activities and how they and others responded to them. They are of course concerned about the accuracy of the story.

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

The Nancy Hanks Center, Washington, DC,

DEAR CHAIRMAN ALEXANDER: In an article published 24 March 1994 in the Minneapolis Star Tribune, I reported public complaints about a performance by Los Angeles artist Ron Athey that was staged by Walker Art Center at the Minneapolis Institute of Arts. The performance was described in the article and described as a "ritual mutilation" and "erotic torture," as the institution describes it. The NEA must defend its decision to endorse that performance.

I am disturbed that you now, in the U.S. Senate, charge the Star Tribune with "erasing the line of what is acceptable," as the article states. I was at that meeting. At no point in the discussion was Mr. Athey's performance even mentioned.

Mr. President, I have every confidence in Chairperson Alexander's ability to lead the NEA in fostering artistic and cultural excellence. Let us not undercut her efforts. Let us instead allow her the latitude she needs in order to carry out her mission.

Ms. MOSELEY-BRAUN. Mr. President, I rise in defense of the National Endowment for the Arts and its chairperson, Jane Alexander.

Though I feel that some discretion must be used in the grant awards process, I do not support the funding cuts for the NEA as reported out of the Senate Appropriations Committee. The performance to which the NEA is objected to by performance artist Ron Athey at the Walker Art Center in Minneapolis, MN, was not directly funded by the NEA. Only $150 of NEA money was awarded to the center before Ms. Alexander was confirmed as NEA chair, and she was not confirmed for another year.

Further, the NEA, under the leadership of Chairperson Alexander, is in the process of reforming its procedures so that institutions and individuals receiving grants are held accountable for the appropriate use of NEA funds. It is the height of irresponsibility to cut the NEA's funding at a time when it is already acting to respond to the concerns of those who question the artistic merit of some grant recipients.

Federal investment in the arts through the auspices of the NEA is invaluable to our Nation. A national institution such as the NEA is critical to encourage artistic development. I have always believed that every penny spent on the arts enriches our lives immeasurably.

Mr. President, I have every confidence in Chairperson Alexander's ability to lead the NEA in fostering artistic and cultural excellence. Let us not undercut her efforts. Let us instead allow her the latitude she needs in order to carry out her mission.
Here in Washington, we can walk right over to the Smithsonian and the Kennedy Center, and have access to world class exhibitions, the best American art in the country, and musicians from all over the world. Many other major metropolitan areas also attract the best art and exhibitions, giving their residents access to the world's artistic treasures.

But not everybody lives in a big city, Mr. President. And because of the National Endowment for the Arts, Americans do not have to live in big cities to have access to art, because the NEA brings art and artists to small communities. It brings performances to places not on the international circuit. And these performances and exhibitions touch people who would otherwise often have no access.

The NEA brings art to children through countless programs in schools across Illinois. At a time when school budgets are cutting art programs to save money, it brings art to disadvantaged communities—to people who live in Chicago, one of the centers of art in the United States, but who have never set foot in the great art institutions on Michigan Avenue. I want to take a few minutes to tell you about how the NEA contributes to countless communities in Illinois.

The NEA helps fund programs of the Quad City Arts, for example, for their visiting artist series. The Quad Cities is a city that straddles the Mississippi River in northern Illinois—two in Iowa and two in Illinois. The total population is about 400,000 people. It's a 3-hour drive from Chicago.

The visiting artist series brings nationally known artists to perform in the schools, hospitals, factories, malls, prisons, and mental health centers of the Quad Cities. They perform free public concerts, which draw as many as 20,000 people each. One mother told the Quad City Arts how the visiting artist series had affected her son. A musician had performed in his school class using computers. Her son never knew that computers could make music. It was a turning point for him, and his grades have improved and his interest in school has increased.

Kids who saw artists perform at school ask their parents to take them to the free public concerts. Their parents respond, often for the first time.

Quad City Arts funded a mural project at a shelter for children who have been pulled out of their families due to abuse or other problems. There was a big common room at the shelter that was never used because the young people did not feel comfortable there. Quad City Arts came in with paints and brushes and the youngsters and staff started painting a mural in the common room. They made the room their own—at a time in their lives when they had just lost their home, their family, and their self-confidence.

Now the kids are painting every room in the shelter, and when they painted every room, they felt over the existing murals and start again. These young people have found a voice to express their hurt and frustration. And they feel at home.

Why is the NEA money so important? The Quad City Arts use it to raise private money through matching grants. The NEA lends credibility to art institutions when they ask private foundations and corporations for funding. The NEA dollars multiply money for the arts exponentially.

I also want to talk about the Krannert Center in Urbana, in east-central Illinois. The Krannert Center is affiliated with the University of Illinois. Urbana is 3 horas hours south of Chicago, 2 hours west of the Indiana, and 3 hours northeast of St. Louis. Communities around Urbana average 3,500 people. Every one in the region is within 3 hours of the Krannert Center. It is a great art museum and exhibitions. The NEA helps fund the Krannert Center to establish the Krannert Center for the Arts. It introduces art to disadvantaged communities and their location within the state. The Krannert Center provides access.

The NEA helps fund the Sunday salon series, which presents emerging artists and ensembles, who are national and international competition winners. The audience is given the opportunity to meet the artists, discuss the building of their careers, their experiences as musicians, and their performances. The series brings together the humanness of the artists, and the resilience of the patrons on a very immediate level.

The Krannert Center's youth series is its most successful outreach program. Over 20,000 students—grades pre-K through grade 5—were exposed to great performances of theater, modern dance, ethnic music and dance, puppetry, mask/mime, and classical music. The center also provides curriculum materials allowing teachers to integrate the performance into their lessons. The popularity of this program led the center to establish the Krannert Caravan. It takes artists into area schools for 1 to 5 weeks, allowing even the smallest schools with the smallest resources the opportunity to experience the performing arts. The Krannert Caravan consists of an additional 6,500 students in schools within 45 miles of Champaign-Urbana.

And finally, I'd like to talk about a program of the Old Town School of Folk Music in Chicago. With NEA's support, the school presented a variety of projects, including the Latin Music at Orchestra Hall. The program brought people of all races and communities together to appreciate each others cultures. For the vast majority in attendance, it was the first time they had ever been in Orchestra Hall.

Mr. President, I mention this program because it is an example of art bringing people together and breaking down barriers. Chicagoans who might never wander into a Latino neighborhood were introduced to Latino culture and mingle with city residents that might not otherwise approach.

Mr. President, the rich will always have access to art. They can get or buy it. But those from the Midwest, the people who live in rural communities across the country, will always have access to art. Private donations and ticket sales maintain fine art museums, orchestras, and theaters in major metropolitan areas all over the country. But the NEA reaches further. It gives small and rural communities access. It introduces migrants to the arts of all the cultures that make up this country, it makes them feel at home at a cultural event of their native land. Art binds people together. It crosses cultures, race, and politics. It fosters communication and understanding between communities. In short, the NEA is an example of a Government agency making an important difference in the lives of people across the country, under its leadership, and at its own good work.

Mr. BINGAMAN. Mr. President, I rise today to address the issue of funding for the National Endowment for the Arts. In the past several weeks, there has been a great deal of discussion about the use of funding, and the use of that funding. Once again, this debate has focused on the very small percentage of funded projects that are objectionable to many of us here in Congress. However, in this debate, I believe that it is equally important to discuss the vast majority of projects funded by the NEA that are an overwhelming success. I therefore would like to spend a few minutes discussing a few of the many successful NEA efforts in the State of New Mexico in the last few years.

One of the most successful efforts—receiving funding in New Mexico is the Center for Contemporary Arts (CCA) in Santa Fe. Important activities funded by the NEA through CCA include: the operation of the teen project in Santa Fe, the only arts facility dedicated to teen projects in Santa Fe, the only arts facility dedicated to an art museum and totally devoted to teenage and young people. The teen project provides a safe environment for teens from all backgrounds to explore any and all forms of art. The CCA also runs a variety of other programs, including the Deep West Program. This program which receives both Lila Wallace-Readers Digest fund and NEA presents and commissions support, allows a large average of five companies a year to contribute. The CCA also runs a variety of other programs, including the Deep West Program. This program which receives both Lila Wallace-Readers Digest fund and NEA presents and commissions support, allows a large average of five companies a year to contribute. The CCA also runs a variety of other programs, including the Deep West Program.
simple

July 25, 1994

CONGRESSIONAL RECORD—SENATE

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Mexico and Colorado, "1993" exhibit, which included art highlighting his walking tour along the Rio Grande, as well as a lecture by Leo Castelli on the art of Paul Lichtenstein. Many of the projects sponsored by CCA bring to the community prominent Hispanic American, South American, and Native American artists. These projects are especially important in a community like Santa Fe, where people of diverse cultural backgrounds strive to live harmoniously in one community. In 1993, CCA received $80,000 in NEA visual arts and presenting and commissioning funding, which supported the full spectrum of CCA's activities.

Another organization receiving NEA funding for 1993 was the Western States Arts Federation, or WESTAF. WESTAF serves a total of 13 States in the West, including New Mexico. In New Mexico, NEA presenting and commissioning funding helped bring a variety of tours to our schools, many of which are at times inappropriate to scale back their own arts education activities. For instance, WESTAF teamed with the New Mexico Very Special Arts Program to fund a Dance on Tour Program in New Mexico. In places like Roswell, NM, elementary students were given a chance to experience the performing arts for the first time. Without programs like this, many students would have very limited access to art. Mr. President, it is precisely this sort of programming that is jeopardized by the targeted cuts to NEA funding proposed in the committee-reported bill, WESTAF, for example, received $190,000 in presenting and commissioning grants to support programs like this one throughout the West in fiscal year 1993.

Mr. President, I chose to talk about these programs today because they represent a variety of excellent projects and individuals funded by the NEA. I also chose to discuss them because each of these grants would have been jeopardized by the targeted cuts proposed in the committee-reported bill before us or by efforts to end individual grants.

In New Mexico, the targeted cuts would have been devastating. In all likelihood, some of the projects I just mentioned would not have been funded. It is impossible to tell. At best, however, if we assume that each of these projects’ funding had been cut at the same level as the NEA program funding them, funding in New Mexico would have dropped by $158,325. In a State where the total NEA State formula funding was only $472,000, these cuts would have been disastrous.

I should mention, Mr. President, that although our NEA State formula grant is rather small, the New Mexico Arts Division works wonders with it. Grants from the National Endowment for the Arts Division have helped provide significant support for art organizations, culturally diverse art projects, and folk arts programs. The arts division has also funded local arts councils, rural and culturally underserved areas, folk arts apprenticeships, and training for presenters of dance companies in rural communities throughout New Mexico.

As I have said in the past, New Mexico is a State known for its arts. Without the NEA, however, art would not be accessible to many New Mexicans. Many would therefore not have access to the ideas communicated by art, to the education and community building facilitated by art, or to the simple joy of attending an afternoon concert, a dance performance, hearing a chamber orchestra, or viewing an art exhibit. In many ways, the true value of a society is judged by the diversity and quality of its art. I urge that we not turn our backs on our responsibility to ensure that art continues to flourish in our Nation.

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the present amendment be stricken so that I may offer an amendment.

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

AMENDMENT NO. 2287

(Purpose: To restore funding to the National Endowment for the Arts)

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

THE PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont (Mr. JEFFORDS), for himself, Mr. PELL, Mr. DURENBERGER, Mr. METZENBAUM, and Mr. DODD, introduces an amendment numbered S257.

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

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

The amendment is as follows:

On page 87, strike "123,903.000" and insert "140,950.000."

On page 81, line 16, strike "27,693.000" and insert "29,150.000."

On page 88, line 18, strike "12,113.000" and insert "12,750.000."

On page 89, between lines 13 and 14, insert the following new section:

SEC. 321. Each amount appropriated under this Act is reduced by the uniform percentage necessary to offset the total appropriations under this Act by $8,505,000.

Mr. JEFFORDS. Mr. President, I am going to proceed with this amendment of exactly what is in the bill, No. 1, of which I have deep concern. However, I also am hopeful that the House version will eventually prevail. Second, it is related to the whole concept of problems that we are dealing with in those situations, as referred to by the Senator from North Carolina, that we have had and have with the Endowment over the years.

First of all, my amendment would, instead of the cuts of 40 percent to special projects, specifically to the National Endowment for the Arts, it would restore funding to the NEA, and specifically to those programs which the bill cuts—those probably that are most important to the States—having to do with challenge grants and grants for theaters. For example, cutting these programs grieves me deeply. In fact, programs in the NEA are the best programs we have for our schools and elsewhere.

I also want to relate it to the amendment by the Senator from North Carolina, because I think the misunderstanding of what has happened at the Endowment, and how you can come up with such situations as referred to by the Senator from North Carolina, make it important that we understand what is going on here. We have had these concerns over and over again, year after year.

I want to first put in perspective what we are talking about in terms of the years of the Endowment, many, many years now, 30 years or so. There have only been 10 instances out of 100,000 such grants where any question has been raised about the kind of problems that have been referred to by the Senator from North Carolina. That is less than about one-one-hundredth of 1 percent.

Take into consideration the tremendous good that has occurred because of the NEA and realize that it has such an excellent record. In fact, it is a record which is getting better all the time. That is No. 1.

Now, second, I want to go into this again—I am sure this has been done prior to my speaking today—about the particular instance with which we are involved here.

One way we always get the headlines is for someone to do something which raises the attention of the public by things which may be very disturbing and in some cases, disgusting to the general public. We then find there is this incredible imagination by some who attempt to attack the bill to the National Endowment for the Arts.

Let me refer you to last year when the Senator from North Carolina was raising questions about art. When all was said and done, the particular photographs in that case to which he was referring were not part of an Endowment grant. Rather, the artist who created those photographs was a previous recipient of an NEA grant, and probably would be again.

So the stretch by the Senator from North Carolina was to say that those who were reviewing the grant applications should have known that the artist took those photographs and, therefore, should be denied a grant because he did something, not with NEA money, but he did something which was offensive. Therefore, they should not give him another grant because he might somehow again do something considered offensive.

If one takes that particular approach to things, one can imagine that any time anybody did anything out of the ordinary in their life, they would not be allowed to get an Endowment grant.

(At the request of Mr. MITCHELL, the following statement was ordered to be printed at this point in the RECORD):

Mr. METZENBAUM. Mr. President, I strongly support this amendment to re-
store the funds for the National Endowment for the Arts which were cut by the Appropriations Committee.

The bill as reported by the committee would reduce the NEA's budget to $161.6 million—a lower funding level than the agency received a decade ago in 1984.

Moreover, the cuts are focused on four endowment programs, apparently on the grounds that these programs have been the sources of so-called controversial grants.

One of these is the endowment's Theater Program—which would be cut by a whopping 42 percent. In other words, nearly half of all theater grants will have to be eliminated next year.

In my own State, grants to the Ensemble Theater of Cincinnati, the Great Lakes Theater Festival, the Cincinnati Playhouse, the Mad River Theater Works, the Cleveland Playhouse, and other fine theaters throughout Ohio would all be jeopardized if these cuts were enacted.

Theaters in virtually every State will lose out, including community theaters in rural areas and in inner cities.

The bill would also drastically cut the Endowment's Visual Arts Program by almost 42 percent. How are we going to hold the National Endowment for the Arts without a theater or a visual arts program?

The visual arts program provides vital support to museums and cultural institutions, artists, community art projects, and education programs across the Nation.

In my own State the program has recently provided funds for a number of fine institutions, as well as for a very interesting program featuring Ohio designer craftsman.

The presenting and commissioning program would also be slated for a huge cut of over 40 percent. In Ohio, this will mean less support for some wonderful tours and festivals. Endowment presenting and commissioning funds are currently being used, for example, performances by the National Theater of the Deaf, as well as an Ohio tour by the Ballet Hispanico.

Mr. President, the Senate unanimously confirmed Jane Alexander 9 months ago. Since that time she has held 20 meetings in more than 90 States. She is talking to the people. She is finding out what kind of art people want. She is committed to bringing only the best art to the most people.

Yet here she is 9 months later, facing attacks on her agency and a budget cut of $6.5 million. And all this is apparently in response to a performance that cost $150—and was not even approved on her watch.

Jane Alexander did not approve that grant to the Walker Art Center. Mr. President, it was approved by the former administration.

I have read Ms. Alexander's response to concerns raised about the Walker performance. I believe she is trying to be honest and responsive.

What is clear is that she is making every effort to make the Endowment accountable to the taxpayers. She has taken steps to tighten up reporting requirements by grant recipients. She has prohibited grantees from changing projects without advance approval from the Endowment.

She is doing a good job. She has been there only 9 months. I believe she deserves a chance to move her program forward.

Mr. President, unfortunately what's happening to Ms. Alexander is what seems to happen every year in appropriations time. Opponents of Federal funding for the arts find some controversial grant which they can use to beat up on the Endowment and further their own political ends. It's a cheap, cynical hit.

It's just not right that one controversial grant should be allowed to overshadow the enormous contributions which the endowment makes to the cultural life of our Nation—bringing theater, dance, symphonies, public television shows and great works of art to millions of Americans in their own communities.

And let there be no misunderstanding. This budget cut will be devastating. It is going to hit every State in the country. Theaters, symphonies, dance companies, education programs, concert halls and museums in every corner of the country are going to be hurt.

Mr. President, an excellent article by Harry Belafonte which recently appeared in the Washington Post points out exactly what will be lost if we impose these severe cuts on the Endowment. I ask unanimous consent that the article entitled "Don't Cut the Arts Fund" appear in the RECORD at the conclusion of my remarks.

From his perspective as a renowned American artist, Mr. Belafonte talks movingly about how Government help has opened up a new world for him and many others and the ways in which the arts can help bridge the differences among people and provide positive outlets for our young people. He says, "For 25 years the national Endowment for the Arts has helped young generations of American citizens find and nurture their creative muses. Can we as a Nation turn the clock back?"

I believe the answer to his question must be a resounding "No." I urge my colleagues to support this amendment.

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

(From the Washington Post, July 15, 1994)

DON'T CUT THE ARTS FUND—GOVERNMENT HELP OPENED A NEW WORLD FOR ME—AND MANY OTHERS

(By Harry Belafonte)

Many of our distinguished elected representatives are perforce close to being lackled by a point of view that most Americans don't share: the termination of federal support for the arts. The coming Senate vote on appropriations for the National Endowment for the Arts can be viewed as a clear victory for those who have never wanted the federal government involved in supporting art and culture. They have succeeded in driving the issue of NEA appropriation to a debate on single issue. Should the federal government support only "decent" art? The Senate Appropriations Committee has been headed by Robert C. Byrd, who has allowed the enemies of the NEA to dig out their most recent example of art that strains or offends mainstream sensibilities and to use the most excusable financial role the NEA played in presenting the KKK Center in Minneapolis, which the NEA indirectly supported with $150.

That performer and his performance are not the issue here. The issue is that responsible and level-headed elected officials have swallowed the hook baited by Sen. Jesse Helms, which seeks to create controversy because of the work of so-called contemporary artists while ignoring the enormous public benefit the agency creates and stimulates. Lost is the scrum for this righteous political interests. The NEA funds both large and small, and in every region of the country—have benefited from the support provided by the arts endowment.

It is a fact that those groups affiliated with Sen. Helms, which oppose federal support of the arts, conduct active research on any and all NEA-supported projects that might be eligible to receive the status of the "controversy of the month." They often distort the context or cut the context of the performance or art work and use each "incident" effectively in isolation to push their campaigns on the local organizations. This well-organized campaign has succeeded in drawing the media's attention to the periodic controversies. The net result is that future NEA work has been eclipsed by the controversies.

As one who has performed across the land I can tell you that our country and our youth need more of what the arts have to offer. When performers like Anna Deavere Smith created great theater works out of the racial acrimony she found in Williamsburg, Virginia and in Mississippi, the endowment was there lending financial support. Smith's performances have helped communities that are racially polarized bridge some of their differences.

This is one of the great attributes of the arts—the ability to transcend boundaries and reduce differences. Few people in this country knew anything about the Caribbean until they started singing "The Banana Boat Song." As an artist, I put America in touch with its neighbor, and I put people in the Caribbean in touch with America, and I think this has helped to stimulate an exchange that was beneficial to both.

When I see thousands of young people participating in supported dance, theater and arts workshops around the country, I know that they are being given tools that help them resist the violence and drug scourge that permeates many of their communities. My principal frustration is in recognizing that as a society, we are not reaching enough of our youth with these positive programs.

In the 1950s, after being exposed to the work of the American Negro Theater in Harlem, I decided to pursue a life in the theater. I was a veteran. I had rights to the GI Bill. It meant that the federal government would pay for this luxury of going to a school across the yard. This thing that had opened my heart and opened my mind.

I went to the New School of Social Research, and in that class I looked upon the
faces of a number of young men and women, most of whom have been silenced by the government because they were returning veterans. In my class were Marion Brando and Rod Steiger, Walter Matthau, Bea Arthur and Tony Curtis. And the head of the school took this (then) boy who was struggling with an ability to read, trying to overcome dyslexia, having an enormous appetite to know more, and exposed him to Jean Paul Sartre, the French existentialist, to existentialism. As many of my colleagues know, I have long fought against cuts to the NEA because I strongly believe its activities, have enriched America.

Today I am proposing an amendment, along with Senators PELL, DURENBERGER, METZENBAUM, and AKAKA, to the President’s budget request and last year’s level. This means restoring the cut proposed in the chairman’s mark, or about six one-hundredths of 1 percent of the total spending in this bill. To offset the restoration, every program in the bill will face an equal cut of approximately six one-hundredths of 1 percent, including the NEA.

The committee recommendation for the Interior appropriations bill before us is just over $12 billion. The share of that proposed for the NEA is $161.6 million, or 1.3 percent. That is lower than the President’s budget and fiscal year 1994 appropriations. In nominal numbers, this figure is less than Congress appropriated for the NEA in fiscal year 1984. Taking inflation into account, it is even lower. Since 1992, the NEA’s funding has decreased by over $5 million.

I offer this amendment today as a staunch, steadfast supporter of the National Endowment for the Arts. The arts mean so much to so many in this country. They are important to Americans. They are important to Americans. To direct a 5-percent cut to the NEA fails to recognize this.

In my mind, this is one area where I think the cuts go too far. What bothers me more than the overall 5-percent cut to the arts is targeting the cuts to certain programs.

Where would the cuts hit if the current language were enacted? The Presenting and Commissioning Program, formerly called Inter-Arts, faces a 40-percent cut. Other programs that serve multiple artistic disciplines: presenting organizations, artists’ communities, and presenter service organizations. It focuses on presenting the performing arts and commissioning new work. These programs encourage the advancement of theater arts. It supports performances, assists professional theater programs in single projects and entire seasons, as well as individual artists. In the chairman’s mark, theater faces a 42-percent cut.

Visual arts funds the creation of new work by artists and supports presenting these works in wide varieties of media including sculpture, painting, and crafts. It faces a 41.7-percent cut.

The Challenge Program supports and stimulates private support of the best arts organizations. It fosters the momentum that local arts agencies will have to bring nationally known performances to their communities. It will hamper their ability to leverage private sup-

major funding cuts over the last few years, cuts which have severely hampered the Agency’s effectiveness in helping American artists. As many of my colleagues know, I have long fought against cuts to the NEA because I strongly believe its activities, have enriched America.

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significant projects. Challenge grants, which must be matched 3 to 1, face a 5-percent cut.

Funding and commissioning has been a fundamental part of the support of the arts in my State. The Flynn Theater in Burlington would be the hardest hit. For fiscal year 1995, the Flynn will receive a $250,000 challenge grant out of presenting and commissioning. A 40-percent cut would devastate them. The Flynn brings to Vermonters including extensive residencies and performances by nationally renowned dance companies, a family theatre series, a nationally recognized student matinee series, and the annual Discover Jazz Festival. It uses the funds to do community outreach and participation and programs for at-risk youth. The Flynn forms model arts partnerships with schools, including schools in rural and low-income city areas like the Barnes and Wheeler schools in the old north end of Burlington. The money the Flynn Theater receives is also because the NEA made a significant difference in the Burlington area; in its schools, and in its vibrant downtown—socially, culturally, and economically.

Indeed, the effects of presenting and commissioning are felt all over Vermont. Many other arts organizations in Vermont rely on small grants of $5,000 to $10,000. For example, Catamount Film and Arts in the Northeast Kingdom uses NEA money to bring the arts to those who have never been exposed to even a live theater or dance performance. The Mawry Dance Co. of New Zealand, the Japan Festival, and a vibrant series of family programming have been enjoyed by the people of this most rural area of my State because of support from the NEA.

The Otsego Bicentennial Council in Montpelier uses presenting money to bring the Ying Quartet into local schools, and the National Theater of the Deaf and various concert series to central Vermont.

The Vermont Folklife Center is using a $250,000 challenge grant to preserve and present the traditional arts of Vermont through exhibitions, radio programs, and film tours. Among the projects is one of special interest to me. A radio show titled, “Life in Vermont,” is aired on National Public Radio’s series, “Horizons.” This program featured Pierce’s General Store, just up the road from my home in Shrewsbury. The store, a true Vermont landmark which closed earlier this year, was arguably one of the oldest country stores in my State. It was truly characteristic of life in Vermont.

These directed cuts will hurt my State. But that is not the only reason I am offering this amendment. These cuts will hurt the arts in the country and reduce the momentum that local arts agencies will have to bring nationally known performances to their communities. It will hamper their ability to leverage private sup-
port for the arts. It will hurt our Nation's schools, of which the arts should be an integral part. The dollars provided by these programs are, like all other NEA money, critical seed money which leverages substantial private support.

In that respect, the arts mean business. According to the National Association of Local Arts Agencies, non-profit arts activities, stimulated by the NEA, have a $36.8 billion impact on our national economy, generating $3.4 billion in Federal tax revenues. It seems to me that the dollars those revenues more than pay for the $170 million we provide for the NEA.

Mr. President, when contemplating the proposed cuts, I wonder who would really bear the brunt of them. It would undoubtedly be smaller arts organizations that bring the arts to less visible places, including rural schools. This troubles me, for the arts should be a part of everyone's lives, not just those in larger cities and suburban areas.

I am also troubled by a possible reasoning for the cuts. It seems that the cuts are only of NEA programs which have recently given over $1 million to programs which have stirred controversy, one of which involved the Walker Art Center in Minneapolis which hosted a performance by an HIV-positive artist.

Granted many of us believe that the work was successful. I find it totally unbelievable that we are proposing to gut an entire program—indeed more than one—because of this performance which has grabbed headlines around the country. Should we be punishing artists, arts organizations, and millions of schoolchildren and art-loving Americans because of a performance a few did not like, or considered offensive? What kind of standard will we be setting if we slice a huge chunk out of a well-performing program because of one grantee? What is the NEA's responsibility to fulfill its statutory obligations and make funding decisions on artistic excellence and artistic merit? It is doing that. But what needs to be made known here is that the decision to host the performance at the Walker was a local one. It was a decision made by the Walker Arts Center, and not by the Arts Endowment. Above all, I strongly believe—let me reiterate—strongly believe—that it is not for us, as elected officials, to determine what is obscene or not obscene. That is a decision that should be left to the States. Congress went through this whole censorship-obscenity debate a few years ago and I think we struck a reasonable compromise then. Why must we revisit this same issue year in and year out? To satisfy a small political group?

Mr. President, I think the NEA is adequately responding to criticisms it has received in recent times. In her first year on the job, Jane Alexander has instituted many changes in process and procedure with regard to grants. According to the Agency, grantee reporting requirements have been changed. New procedures exist for consideration of project changes. The advisory panel process is being reviewed. Changes are being made in the leadership of the various programs. The Agency's program structure is being reorganized. In other words, Mr. President, Jane Alexander is making grantees more accountable for their work and more often. This, in turn, is making the Agency more accountable to the American people. I do not think many envy the difficult job she has; it is a fantastic job as chairman, working to promote the Agency, and bring the best art to the most people.

We should allow her to do her job. We should resist attempts to change the operating structure of the Agency. We should not be suggesting content restrictions, limiting grants to individuals, or drastically altering program funding allocations. Many of these efforts are being promoted by a small, politically active segment of our population.

Despite what its critics say, the NEA has been an important force in the cultural life of America. The American people support it, and Congress has repeatedly echoed that support.

That is why it bothers me to see the Agency come under attack. The critics select an NEA grant, then object. The objections are discussed, performance supported with NEA moneys decided on the local level, or even some work performed by an artist who may have previously been a grant recipient. In fact, they often choose things that were not even funded by the NEA. The critics barrage the press and Capitol Hill with information whose truth is questionable. The grant or performance becomes the center of their annual fundraising campaign to undermine the NEA and the work it does. Then every kind of argument and every accusation by any American values. Federal subsidies to the wealthy, or handouts to artists. Mr. President, this is the farthest from the truth.

I do admit that there are things funded by the NEA which I do not like. But it is not the NEA's job to match those of another art critic, judge, or supreme panel. Regrettably, that seems to be what the annual appropriations process is becoming.

This year is no different. The NEA is facing targeted cuts in programs which have funded objectionable art in past years. The NEA is preparing to pass judgement on an entire NEA program because of maybe one or two grants out of that program. Are we so blind as to not see what the NEA is really about?

Mr. President, I realize that many of my colleagues may have concerns about my amendment for one reason another. Nevertheless, I am offering this amendment because I believe in the work of the NEA. That it is valuable, meritorious, and worthy of Federal support. If on the arts touched more American lives, then I would be a better argument to place with less crime, fewer drugs, a more self-esteem. As founder and vice-chair of the congressional arts caucus, I see the effects the arts have on children around the country with our annual art competition. Those children strengthen my belief in the arts. Therefore, I urge my colleagues to reject further cuts to the NEA, and support my amendment.

Mr. AKAKA. Mr. President, I rise today in support of the National Endowment for the Arts (NEA). Founded in 1965, NEA has greatly contributed to the cultivation and restoration of our Nation's cultural treasures. For nearly three decades, NEA has successfully created greater access to the arts of millions of Americans, enriched the lives of our young people, stimulated private contributions to the arts, and preserved our treasured cultural traditions. NEA has had a profound impact on the quality of cultural and arts activities in America.

The Endowment has awarded over 100,000 grants—grants that have led to a virtual cultural renaissance in America. Our support, the arts agencies have grown beyond the major metropolitan hubs into rural towns and communities throughout our Nation. As a result, not only can such arts groups as the Hawaii Opera Theater and the Honolulu Academy of Arts thrive in small States like Hawaii, but arts organizations are also provided with resources to tour less populated areas.

Since the Endowment's creation, the number of symphony orchestras doubled, the number of operas and dance companies has grown exponentially, and the arts have expanded beyond the major market areas into smaller States. Agencies 29 years ago. Today every State has one. The Endowment brought the arts closer to our citizens, making the best of our culture available to more and more Americans. The Federal-State partnership has supported arts events that were attended by over 335 million people over the past 5 years. Endowment grants also helped bring the arts into the lives of our young people. The NEA supports after-school arts programming for at-risk youth; providing them with a creative outlet for self-expression. It assists professional schools, such as the Honolulu Theater for Youth, and funds model to 12 curricula with the goal of integrating the arts in schools in every State in America. Working through private enterprises, the Endowment helps provide arts education to close 20 million students each year.

Because of its matching requirements—that each Federal dollar to organization be matched with at least one non-Federal dollar—grants from the National Endowment for the Arts...
I have often felt that the art of a generation is like the signature of a generation. To look at times past, very frequently look to the art of a particular time as a way of trying to determine the personality of a generation. Very often the music, the painting, or the poetry of the period will tell you more about a people than a series of events.

I have felt more than just providing a contemporaneous sense of satisfaction and enjoyment to its audience but it also provides a valuable historical lesson for future generations—who we were as a people, what we believed in, what we felt, how we expressed our emotions, and what we enjoyed.

The distinguished Senator from West Virginia is someone who is certainly, in my view, considered probably the finest historian, certainly in this century, to ever serve in this body. I am proud to be a Member of the U.S. Senate at a time when Robert Byrd of West Virginia is a Member. And I know he shares my recognition of the importance of the arts.

So my remarks about the NEA today merely reflect a general concern about the importance of art while simultaneously trying to put it into a context of where it is in an economic sense but an aesthetic sense as well.

Mr. President, I support the amendment of the Senator from Vermont, and I hope that at some later point some accommodation may be reached—hence for the minute will end these Connecticut hotbeds of musical activity. Vermont has the world famous Vermont Opera and the Goodspeed Memorial Theater. Connecticut there are more theaters than in any other State in the United States and that accomplishment is due in no small part to the support of the NEA.

I assure my colleagues that these Connecticut institutions are not hotbeds of controversy. Their work is profoundly impressive and popularly acclaimed.

For 30 years the Eugene O'Neill Theater has presented only the highest of world-class masterpieces. I might point out that, just this past weekend, the Eugene O'Neill Theater celebrated 30 years of effort in Waterford, CT. We were pleased to have with us on Saturday, January Alexander present for those ceremonies.

The National Theater for the Deaf, which I know many of my colleagues are familiar with, has delighted audiences, young and old, with its marvelous work in English and American sign language. They performed in every State in the United States and dozens of foreign countries and across the globe. Some of my colleagues enjoyed, by the way, a performance of the National Theater in the U.S. Senate only a few weeks ago. Some 17 Members came to watch the National Theater for the Deaf perform "The Giving Tree" while the group was here in Washington.

In addition to its professional performances, the Longwharf Theatre of New Haven has done special presentations for students from across my State and the country.

The Children's Theatre Company in Minneapolis, which tours to audiences throughout the Midwest, the Arkansas Repertory Theatre, which tours the rural South; New York's Shakespeare Festival, which include Shakespeare in the Park, free Shakespeare for thousands of people in that city; Seattle's International Children's Festival; Sun City, Arizona's Christmas Music Festival, which performs for the elderly and in schools; the Homer Council on the Arts in Homer, AK, which serves a community of 3,000 people; Detroit's Focus's Billboard Program, which has developed antidrug messages near schools.

In my home State of Connecticut, NEA grants from these programs support many high-quality artistic institutions, such as the Longwharf Theater, the Goodspeed Opera House, the National Theater for the Deaf, the Hartford Stage, the Eugene O'Neill Memorial Theater, and Real Art Ways.

As someone who would really like the Standing Committee's focus to be on these Connecticut institutions and their impact far beyond their home towns, I know that Senator Dodd and I would support the amendment of the Senator from Vermont and I hope that at some later point the issue may be reached.

The Interior appropriations bill before us today would target three specific NEA programs for substantial reductions: the theater, visual arts, and presenting and commissioning programs. Each of these three programs would experience a de facto cut of something in the neighborhood of 40 percent. I would argue, Mr. President, that such a level of cuts would be devastating. It would decimate the NEA budget in these vital areas.

As a member of the Appropriations Committee, the Senator from West Virginia, does not only understand the arts, but I believe he may be appropriately called one of the only true artists in this body. Art has taken a toll on him throughout his career. It has contributed significantly to the history of this institution in his volumes on the history of the Senate, with his ability to recite voluminous poems, a great student of history and, I would say, an accomplished fiddler. I would realy categorize him as a performing artist. In fact, his works have been recorded.

So, there is an important note to be made here that the chairman of the Appropriations Committee has a long-standing personal involvement in the arts, not just as a member of the audience so to speak, but as one who has performed and participated and who has a deep appreciation for the values that art provides this Nation.
These are not controversial activities—and yet, more than any other examples you have heard about in this debate, they are representative of the work of these NEA programs.

If the proposed cuts remain, Mr. President, my concern is that these institutions and others like them would lose nearly half their Federal funding, all because of a controversy involving a single performance, and $150 in Federal dollars, in one theater in the Midwest. I do not believe that is balance, Mr. President. I believe it is disproportionate to the incident that has created so much concern.

I would point out, Mr. President, that, in addition to the funding of the artists and so forth, there are many people who are not directly involved in art who also benefit—the people in food services, the groundskeepers, the people who work around these theaters who are artists and performers. It is estimated the NEA’s budget of approximately $170 million generates billions in economic activity each year. So, in addition to the resources that go to these groups and audiences they reach, there are people’s jobs involved, as well.

The record as a whole is what we have to consider here. That is what we have done when other Federal dollars have gone astray.

Certainly, Tailhook was an example of a misuse of funds in many ways, and yet we did not cut the defense budget because of that particular incident.

Have we cut the Energy Department because they have unearthed evidence of nuclear testing on American citizens in decades past? It is terrible, it never should have happened, but we were not disproportionate, in my view, in dealing with budgets there.

Will we cut the Post Office budget, because of delays in mail delivery in the Washington area?

Will we cut further in the Defense budget because the military stores carry Playboy magazine, for instance? Again, something presumably many of my colleagues may not support, but nonetheless we have a sense of proportion about it.

This appropriations bill adopts a higher punitive approach we have not taken in the past and which we must consider and, I believe, reconsider, today.

I think Jane Alexander is doing a spectacular job as the head of the NEA. I know she has made a significant effort to meet with many Members of this body and the other body as well, trying to calm down this anxiety and in which we avoid the kind controversy that is the subject of this debate. I believe she should be given the chance to do that. She has been on the job a little less than a year, trying to straighten out some problems areas and working with the budget, to reinvigorate the arts.

While today’s is an important debate, I remain very interested in the larger questions of how we could best support arts in this country.

We know that arts contribute, as I said, to the overall economy of our country. Yet, funding for this most vibrant sector continues to decline, as found out by the NEA, which I cannot allow this trend to continue.

I also know that Federal dollars are limited—we all understand that—and that a substantial new commitment to the arts in our current system is unlikely.

Therefore, believe, Mr. President, we should identify some new resources to reinvigorate the arts and humanities all across this country. And while I will not go into any great length in this debate this afternoon, I intend shortly to introduce legislation to renew our commitment to the arts through a new revenue source.

My legislation would call for copyright protection to be extended, with the rights to the extension period to be auctioned off by the Federal Government. The revenue from the auction would go to the National Endowment for the Arts, and the National Endowment for the Humanities.

In this way, the arts of today would serve as a foundation for the arts of tomorrow, and depend less upon an appropriation process; although I certainly want us to continue that for the obvious reasons, including a debate such as we are having here today. However, my proposal is for a different day.

Today is the question of whether or not, in our desire to deal with legitimate concerns that have been raised by those who are offended by specific arts programs or a particular production, we will disproportionately penalize a very fine and worthwhile arts program, literally millions and millions of people every year in our country. I believe, instead, we should examine the overwhelming record of the NEA and of these programs and applaud this work.

I hope, as we look at this budget and consider the concerns we have, that we would not do a disservice to the literally millions of people who depend upon the NEA for these programs and for the enjoyment that comes to millions more and, as I said at the opening of these remarks, impair our ability to maintain the true nature of our generation and our time.

For those reasons, Mr. President, I support the amendment of my colleague from Vermont. I am hopeful that some accommodation would be reached here so that it will not be necessary to go as far as the language in the present bill would take us.

With that, I commend the Senator from Vermont, as well, for his leadership on this issue.

Mr. DURENBERGER addressed the Chair. Mr. DURENBERGER, Mr. President.

Mr. DURENBERGER. Mr. President, I rise in support of the amendment offered by my distinguished colleague from Vermont. I compliment him, and others who are supportive of it, on the content of this amendment.

I compliment the sensitivity of our colleague from West Virginia for the way in which this going to have to be dealt with, given the environment in which we are operating.

But I also intend to oppose any other amendments that may be offered, including the one from our colleague from North Carolina to further cut NEA programs, change funding formulas, or to have politicians, either elected or unelected, regulate the content of NEA-funded art.

Mr. President, I enter this debate as one who has been, for a long time before I came to this body, a strong supporter of private and public funding for the arts, of the National Endowment for the Arts, and of the arts community in my own home State of Minnesota.

Because of that long association, I am especially troubled that a single and only one incident may cause my State’s most highly respected arts institutions to seem to have sparked this latest round of controversy.

But, for the sake of candor, let me say, Mr. President, also that I have enough experience on this issue and on this floor to know that this amendment and others like it that have less to do with the Walker Arts Center—or any single performance—than with fundamental differences over whether and how the Federal Government should be funding the arts.

In fact, I walked in the back door of the Chamber about a half hour ago and sat down in someone else’s seat to hear my colleague from North Carolina sort of prejudge what I was going to say in my statement because of my past positions with regard to the National Endowment for the Arts.

At the time that happened, I did not even know he had offered an amendment. So, Mr. President, we have been here before, and if it were not the Walker, it would be something else.

I suspect that if this particular performance had not occurred or had not been widely reported, there would be some other NEA-sponsored performance or work of art that would be the subject that we would be using to generate a statement because of my past positions with regard to the National Endowment for the Arts.

Mr. President, I have read the press accounts of the controversial arts performance that was held earlier this year in Minneapolis. I talked to a lot of people on both sides of the controversy at the NEA, at the Walker, and among my constituents who both defend what took place and who may not have been there but who were deeply offended by what they heard about it and what took place.

I make that qualification, Mr. President, because this particular performance received great attention, not so much by the event itself— which was attended by only 100 people—but by highly inflammatory reporting of the
event in Minnesota's largest daily newspaper some 3 weeks after the performance.

My friend and colleague from Oklahoma has already put in the Record a typical defensive statement by a reporter. And I have seen hundreds of these. If I ever complained about anything in the Star and Tribune, which I have done on more than one occasion, it is my receiving three-page letters just like this condemning me for my remarks.

So I am not surprised that Chairman Jane Alexander got this kind of a letter from this reporter.

Let me acknowledge that I do not enter this debate to defend or to criticize the artistic value of any single performance, artist, or work of art. I am just not qualified to do that. That is one of the reasons I am supporting the amendment by my colleague from Vermont. I do not think it is part of my job. And therein lies the fundamental disagreement. Therein lies the underlying issue at the heart of this debate.

I support the NEA and public funding of the arts because of what it does to broaden access to the arts for millions of Americans.

And, I support the NEA because it helps recognize and reward quality, and helps to record and transmit to future generations the diverse culture of an increasingly diverse American society.

I also support, Mr. President, that I support the NEA because it is extremely important to Minnesota. Its artists, arts performances and institutions have historically placed Minnesota among the top three State recipients of NEA grants.

So, how do I respond to the charge that Minnesota is not a community that will spend the scarce Federal funds properly? The answer is, of course, that Minnesota and many other States have not yet decided to fund performances like the Walker's. The Walker, in fact, has been the subject of national debate in Minnesota for having received NEA grants in the past few years for performances that it has been called into question for.

The Walker Art Center is one of our Nation's most esteemed museums. The Walker presents over 400 events each year, including some 140 performances.

This year, the Walker will serve over 700,000 people who attend a wide variety of events ranging from performances attended by small audiences in a number of different locations in the community to very large and well attended performances or exhibitions at the Walker's main facility near downtown Minneapolis.

Just 2 weeks ago, 2,500 people filled the Minneapolis Sculpture Garden—adjacent to the Walker—to participate in a free performance of West African music and dance.

Let me repeat, the Walker does not make light of its responsibility as a major cultural center. Decisions about which artists to present are based on both artistic merit and the interests of the diverse community it serves. A community that I am not sure is represented here.

Performances are chosen after careful consideration by seasoned professionals in their respective fields. And, choices are made after long and careful examination of the disciplines involved.

Criteria that the Walker uses in making these choices include the quality of intention and execution, innovation, point of the artist in his or her career, the impact the artist is having on the particular field, added value the performance will bring to the community, and whether or not it will create a balanced program throughout the entire year.

One indicator of the Walker's reputation is the fact that it organizes presentations that travel all over the world. Its national partners include the Museum of the Contemporary Art in Los Angeles, Museum of Modern Art in New York, the Brooklyn Academy of Music, and the Houston Grand Opera.

I think it is important to remember, Mr. President, that the event that has become the focus of this debate was attended by an audience of about 100 people.

The Walker sought to responsibly inform that audience in advance about the nature of the performance so that they could make their own decisions about its appropriateness.

And, recognizing its own educational mission, the Walker organized a post-performance discussion for the audience, the artist and his company. About 80 percent of the audience stayed to join in what became a vigorous dialogue about the performance and these issues with the folks who attended.

For some, parallels with African blood rituals were noted. And, one of the Walker's co-sponsors for this event
...called parts of the performance "a metaphor for people suffering from AIDS."

I said just a moment ago. Mr. President, that I can understand that many individual members of my own State of Rhode Island, one of the most innovative and important theaters in the Nation, and one which has received significant funding from the Endowment's theater program, this cut would be very severe. A reduction in funding will require the theater to eliminate programs which do not provide an immediate financial return. In the case of the Trinity Rep, this will mean elimination of the extraordinary Project Discovery Program which brings 15,000 Rhode Island high school students each year to see a theatrical production. Hence, the money cut from the NEA budget would result in a dramatic reduction in the theatrical programs available to lower income citizens that can presently be offered at a reduced price because of Federal aid. These reductions would also end the efforts of the Endowment's Presenting and Commissioning Program to extend grants to rural and underserved areas, would virtually eliminate all theater education programs and theater-for-youth programs and would eliminate funding for the development of new plays.

Mr. President, the National Endowment has given over 100,000 grants throughout our country, approximately 4,000 a year. Two or three of those a year have become controversial, including the grant to Walker Institute of Art under the previous Chairperson of the Endowment. While I do not agree with the controversial program that was, in turn, sponsored by the Walker Institute with the Federal funds it received, I am firmly of the mind that cutting nearly half of Federal funding for all our theaters and performance centers is not the best solution and is not in our Nation's best interest. Using a colloquialism, it is throwing the baby out with the bathwater.

I hope that my colleagues will take these remarks into account, along with Ms. Alexander's efforts, to make the Endowment more accessible to applicants from communities around our Nation, and will support this amendment.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota [Mr. WELLSTONE] is recognized.

Mr. WELLSTONE. Mr. President, first of all, let me thank the Senator from Rhode Island who really represents, just as one person, a lifelong commitment to the arts and humanities. Let me thank my colleague from Vermont for the amendment. Let me join in with the remarks of my colleague from Connecticut about the President pro tempore. We had a chance to talk about this particular controversy in Minnesota and really about his love and appreciation of the arts. I have no question at all about the Senator from West Virginia and his commitment to the arts and, in fact, the way in which the arts have affected his life.

Mr. President, I also want to thank my colleague from Minnesota, Senator DURENBERGER, for his fine remarks. We are justifiably proud of the Walker Art Center. We do not want in any way to shape or change the Walker Center. A focus on one particular performance—agree or disagree—just does not give you a feel for the wonderful work this institution has done.

I read with great interest—and this is very much in the spirit of Senator JEFFORD's amendment—an article in today's Washington Post that described a new round of NEA grants as "showing strong support for arts education, rural and urban underserved populations, programming on public television, museums, creative writing and not-for-profit theaters."

Clearly, Jane Alexander is just getting started and we should be supporting her. We are talking about an NEA which is doing its job and doing it well by some 46 percent since 1979. As my colleague from Illinois, my dear friend, Senator SIMON, would say, "We can do better."

This 5-percent cut was not even an across-the-board cut. Specific programs were cut in what I think really could end up being—though I hope some of this money will be restored—even if the authors did not intend it to be so, punitive. I think Senators should know what the potential of some of these cuts are, not in terms of statistics, but in terms of the faces and places of those citizens and organizations that would be affected.

Mr. President, I speak of organizations like Atlanta's Alliance Theater; the Denver Center for the Performing Arts; and the Goodman Theater in Chicago, the Children's Theater Co. in Minneapolis, which reaches tens of thousands of schoolchildren in the Mid-Atlantic Regional Theater which tours the rural South where there is little access to professional theater; the Pittsburgh Children's Festival which serves 100,000 people annually, drawing citizens from throughout the region; the Homer Council on the Arts in Homer, which serves a community of 3,000 by presenting up to 150 artists to 5,500 people annually; or the Wheeling Symphony in West Virginia which offers young people's concerts and a program that reaches 6,000 elementary school students annually.

The list could go on and on. Mr. President. My point is that all of these organizations are in jeopardy of losing all or some of their Federal funding if these cuts go through.

As we all know, the importance of the arts to society goes back to the drawings on the wall of a cave. The arts today can be paper-mache in Mrs. Brown's third grade art class, or the Bay Area Philharmonic in San Fran-
I urge my colleagues to not forget the power. I urge my colleagues to not forget the importance of the arts to our country, to our society, to our world, to our families, to our children, to our grandchildren, and to our civilization. I hope that one way or another that these cuts will be restored because I think the arts are so enriching, such a positive affirmation of who we are. Therefore, I thank the Senator from Vermont for his amendment.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. BYRD. Mr. President, I ask unanimous consent that Senator HATFIELD be considered as an original cosponsor of the firefighter amendment that the Senate will be voting on at 3:30 p.m. this afternoon.

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

Mr. BYRD. Mr. President, I ask unanimous consent that Senators BAUCUS and BINGAMAN be added as cosponsors thereto.

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

HOPING FOR A SPEEDY RECOVERY

Mr. BYRD. Mr. President, I was advised a little while ago by the Sergeant at Arms that a young man collapsed in the visitors' gallery this morning and that doctors attending the Sergeant at Arms told me that he is a 19-year-old Senate security aide. He was taken to George Washington University Hospital for evaluation, and initial indications seem to be that he suffered from either a collapsed lung or a blood clot in his lung.

I know that Senators hope that the young man will enjoy a speedy recovery and that this matter is not life-threatening.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

The Senate continued with the consideration of the bill.

Mr. BYRD. Mr. President, the Senator from Vermont proposes an amendment that would restore all of the accounting in the Interior appropriations bill to the NEA to the level requested in the President's budget.

In reviewing amendments proposed to this bill, it has been my policy that across-the-board reductions should not be used as a source of funding to offset desired increases in other programs, and such is the case with this amendment as well. As the Senator from Vermont points out, each appropriation bill is a series of choices, choices as to which programs should be increased and which should be decreased, choices involving decisions to increase program funding based on merit, based on need. No program in the bill is guaranteed funding at any particular level from one year to the next.

The Appropriations Committee took a 5-percent reduction in NEA funding over concern about some of the types of art that have been funded in recent years. It is difficult to conceive how some of the controversies that have consumed this appropriations bill can be argued to be examples of the best art that America has to offer or how they pass the test of artistic merit that is to be at the root of each grant decision made by the NEA.

I should say to the Senate that my own personal preference at the time was to reduce the NEA by more than the 5-percent reduction taken in the House. I recommended in action—after discussing it with other Senators, and particularly with the Senator from Oklahoma [Mr. NICKLES], I recommended the course of action in response to concerns about not affecting adversely some of the very excellent art that also benefits from this bill.

I met with Jane Alexander, the Chairman of the National Endowment for the Arts. I was very impressed with Ms. Alexander and her commitment toward undertaking the necessary reviews and reforms within the process to ensure greater accountability of the expenditure of dollars appropriated in the bill.

When I met with Ms. Alexander, she indicated that she was in the process of initiating certain actions and steps and reforms for the NEA in the future incidents in which certain performances have created opposition and resistance to appropriations for the arts. I was impressed with her. I was impressed that she was committed to undertaking the necessary reviews and reforms within the process to ensure greater accountability of the expenditure of dollars appropriated in this bill.

I expressed to her that I would oppose any amendment in the Chamber that would modify the committee's recommended funding level, whether up or downward.

So, I must oppose this amendment and take this bill to conference with the House, which has imposed a lesser reduction of 2 percent on the NEA's budget. I also told Ms. Alexander that I would approach the conference with an open mind. I hope that the conferees take the ultimate funding level and the distribution of any cuts that might be taken.

Mr. President, I simply want to do what is best for the NEA and for the arts. It is difficult to understand why some of the performances that have attracted so much controversy were funded in whole or in part—mostly in part. I suppose I should say—by the NEA. We have had controversy time and again, discussed here on the Senate floor. The overwhelming majority of the grants that have been made have been made for wholesome performances.

I do not know of anybody in this body who is a greater supporter of the arts than I am. When I was a boy, my foster father never bought a cap buster or, as a cowboy suit. He did not have a coal miner. He bought a drawing tablet or a water color set or a book. I suppose I am in a position to recall the words from the gardener in Shakespeare's "King Richard II."

I shall root away the noisome weeds which, hideous profit, suck the soul's fertility from wholesome flowers.

So it was not an attempt to destroy the wholesome flowers—and most of the NEA's budget consists of arts that might be categorized as wholesome flowers—but it was an attempt clearly to indicate that there has to be a reasonable effort, a more conscientious effort to try to solve the problems that "suck the soul's fertility from wholesome flowers," and have created the controversies and caused so much criticism. In the hope that that message could be received and heard, which I believe has been, the action was taken by the committee. I hope that we will give Jane Alexander a chance to promote a better image for the National Endowment for the Arts. I believe she will. I was impressed by her sincerity, by her conscientious attitude words. I want her to make good, because if she makes good, the country makes good, and the NEA makes good. And perhaps the sooner she succeeds, the sooner we will not have to face cuts in the NEA funds for the future in the Senate, in the committee, in the Chamber, and in conference.

May I say to my friends who have proposed the amendment, fish and wildlife construction was cut 28.1 percent; fish and wildlife land acquisition has been cut 22.9 percent; Park Service construction has been cut 15.5 percent; Park Service land acquisition has been cut 7.5 percent; Geological Survey Service, 2.2 percent; Bureau of Mines Operations—which is no small matter—to this Senator—cut 10.1 percent; Bureau of Land Management construction, 25.2 percent; Forest Service construction—also very important to States like West Virginia—cut 13.3 percent; Fossil Research and Development, cut 2.6 percent; strategic petroleum reserve, cut 25.9 percent; Indian Health construction, 14.0 percent; and in the Interior Department the Subcommittee is operating with $336 million less than budget authority in fiscal year 1994.

Taking into consideration the overall constraints that we have had placed on us, Mr. President, I believe that the NEA cut that we are talking about is reasonable. I close by saying that I want to be helpful to Ms. Alexander.
and not hurt her, and not hurt legitimate and worthwhile grants for the arts ‘‘wholesome flowers.’’
I yield the floor.

VOTE ON AMENDMENT NO. 235

THE PRESIDING OFFICER. Under the previous order, the hour of 3:30 hav­
arrived, the question occurs on amend­ment No. 235, offered by the
Senator from West Virginia [Mr. 
BYRD]. On this question, the yeas and
nays have been ordered, and the clerk
will call the roll.

The assistant legislative clerk called
the roll.

Mr. FORD. I announce that the Sen­
ator from California [Mrs. BOXER], the
Senator from Iowa [Mr. HARKIN], the
Senator from Massachusetts [Mr. KEN­
NEDY], and the Senator from Ohio [Mr. 
MITTENBAUM] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Utah [Mr. BENNETT], the
Senator from New York [Mr. D’AMATO], the Senator from Utah [Mr. HATCH],
and the Senator from Pennsylvania [Mr. SPECTER] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber
who desire to vote?

The result was announced—yeas 92,
nays 0. as follows:

[Rollcall Vote No. 229 Leg.]

YEAS—92

NAYS—0

Mr. BUMPERS. Mr. President, what is the pending amendment?

The PRESIDING OFFICER. The Sen­
ator from West Virginia.

Mr. BUMPERS. Mr. President, I move to table the amendment. The
PRESIDING OFFICER. Is there a sufficient
second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of
the Senator from Arkansas to lay on the
table the amendment of the Senator
from North Carolina. On this ques­
tion, the yeas and nays have been ordered,
and the Clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Sen­
ator from California [Mrs. BOXER], the
Senator from Iowa [Mr. HARKIN], the
Senator from Massachusetts [Mr. KEN­
NEDY], and the Senator from Ohio [Mr. 
MITTENBAUM] are necessarily absent.

I further announce that, if present
and voting, the Senator from Massa­
chusetts [Mr. KENNEDY] would vote
‘‘nay.’’

Mr. SIMPSON. I announce that the Senator from Utah [Mr. BENNETT], the
Senator from New York [Mr. D’AMATO],
the Senator from Kansas [Mr. DOLE],
the Senator from Utah [Mr. HATCH],
...located in the junior Senator from Montana's home State, in Butte, that is going to cost taxpayers $1.6 billion to clean up.

Mr. CRAIG. Mr. President, will the Senator yield for a question?

Mr. BUMPERS. I would like to be recognized and yield. But I want to finish statement.

Mr. CRAIG. For one question?

Mr. BUMPERS. For one question.

Mr. CRAIG. In my proposed reform, we suggested that if the Senate and the Congress grant the right of patenting, that a fair market value be paid for the land. Is that not now reasonable today, that citizens who acquire that land for mining pay the estimated royalty?

Mr. BUMPERS. Mr. President, everyone who has been following this debate knows that the issue the Senator raises is a complete red-herring. The surface of the type of land we are discussing is probably not worth more than $100 an acre, in most instances. We are talking about the billions of dollars worth of gold underneath this land.

Mr. CRAIG. I am talking about royalty and fair market value. S. 775 has a royalty on gold, plus the fair market value sales price of the land. Is that not reasonable?

I thank the Senator for yielding.

Mr. BUMPERS. I am happy to yield. I just want to make a few final points, and then yield the floor.

The Senator from Nevada [Mr. REID] made a point that we import palladium from Russia. I am not sure what the rationale is for his concern. I assume if we import anything from Russia, we should not impose a tax to try to curb that practice.

Russia is a big gold producer. If we were to import gold, under the rationale of the Senator from Nevada, there never would be a royalty on gold because we could get it from Russia. To invoke the need to try to keep doing what we have been doing for 122 years, which is the biggest scam in America, is an outrage.

In addition, approximately 75 to 80 percent of the gold mined in this country goes into jewelry. I do not think anything against jewelry. I tell you, I have never worn a ring in my life. I have never worn a bracelet. I do not personally care anything about jewelry. But I do not criticize those who do. But here we are, giving away precious minerals, billions of dollars worth of gold, to subsidize jewelry producers.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BUMPERS. I ask unanimous consent for 1 additional minute.

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

Mr. BUMPERS. Mr. President, the reason I brought this amendment up today was for two reasons. No. 1, this amendment is in the House bill. The House has this language in its bill. The second reason is, and may I put messages on notice that if that committee, to which the Senator from Idaho alluded, and on which he and I both sit, come back with a decent compromise that is filibustered, I promise I will try to put this amendment on the first bill coming through the U.S. Senate, to stop patenting. And then there will not be much room for compromise.

I yield the floor.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The PRESIDING OFFICER. (Mr. Barksdale.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The President has that right. The amendment is withdrawn.

The amendment (No. 2400) was withdrawn.

The PRESIDING OFFICER. Under the previous order, the committee amendment on page 18 line 16 is agreed to.

So the excepted committee amendment on page 18 line 16 is agreed to.

AMENDMENT NO. 2977

Mr. KENNEDY. Mr. President, I strongly support the National Endowment for the Arts. This agency has had a remarkable record of achievement over the past 30 years, but has too often been the subject of unfair criticism in recent times.

I hope that every Member of the Senate, including the critics of the Endowment, are aware of the large volume of outstanding work that the Endowment has done. And, since Jane Alexander became chairman, the praise for the agency has been even greater. There is a new sense of respect and appreciation for the Endowment's work.

Ms. Alexander has visited 34 States already. She has demonstrated an unparalleled commitment to making sure that the American people understand the true record of the Endowment, and lessened the fear that the Nation's museums, symphonies, regional theaters, dance companies, arts education programs, and local arts activities.

These grants have benefited every State in the Union. Many of the grants are awarded on a 3-to-1 matching basis, with three State and local dollars matching the Federal dollars, so the impact of the grants is leveraged very effectively.

In the 5 years from 1987 through 1991, the combined Federal and State arts investment in Massachusetts totaled nearly $120 million. Those funds reached audiences of over 200 million people, provided 64,000 children and 15,000 teachers in our State with arts instruction and performances. They helped to generate $536 million in private and public investment and support.

Without question, these funds have made a difference in our State and I am sure they have made a comparable difference in each of the other States across the Nation.

At the recent Tony Awards ceremony in New York, Jane Alexander spoke of the Endowment's support for plays and playwrights which produced it. The Senate support has been found at the heart of nearly every Pulitzer Prize-winning play, either through a grant to the playwright or to the company which produced it. These works contribute to our national cultural heritage and are enjoyed by countless Americans in regional and local theaters in all parts of the country.

All of these beneficial results are accomplished with a modest Federal investment in the Endowment. It is a modest annual appropriation that has declined in real dollars in recent years.

Support for the arts is an important principle of federalism that I strongly support. It is part of our national responsibility to encourage a climate in the country that promotes the development of the arts and encourages understanding and participation in music, literature, painting, sculpture, dance, and our other cultural expression. Any fair accounting of the Endowment's record will conclude that it is ably fulfilling its mission. It is providing indispensable support to the Nation's cultural institutions and it is increasing the public's access to the arts.

The appropriation for the Endowment of this legislation is a reduction of 5 percent below last year. The companion House bill contained a 2-percent reduction. I hope that the conferees will consider the serious impact that the continued erosion of funding levels will have on the Endowment, and that any reduction in funds will be left to the chairman to distribute among its programs.

The conferees will have an important opportunity to express their confidence in Chairman Alexander for the impressive efforts she is making on behalf of this important agency.

I commend Jane Alexander for her achievement. She is bringing new vigor and leadership to this essential agency. She deserves our support, and so does the Endowment.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The PRESIDING OFFICER. The chair will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SIMPSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SIMPSON. Mr. President, I thank the chairman and the floor managers. As the information comes in necessary to proceed on the appropriations bill, I will certainly defer to that. But my remarks are short in nature, and I am fully aware of the situation with regard to the targeted funding reduction to the National Endowment for the Arts. I am fully aware...