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.

Measures Reported: Reports were made as follows:

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.
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.

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.
(2) Byrd Amendment No. 2383, to correct the amount of funding for cyclical maintenance of tribally owned fish hatcheries and related facilities.
(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.
(4) Byrd Amendment No. 2385, to clarify that the Department of the Interior may fund research work orders incrementally.
(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.
(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.
(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.
(8) Byrd Amendment No. 2389, to reduce funding in the Compact of Free Association for Palau.
(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.
(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.
(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.
(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.
(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.
(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.
(15) Baucus Amendment No. 2398, to require a period of review of proposed regulations relating to law enforcement activities of the Forest Service.
(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-
Committee Meetings

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-
Mr. D'AMATO, the Senator from Utah [Mr. HATCH], the Senator from Idaho [Mr. KEMPThorne], the Senator from Kentucky [Mr. McConnell], the Senator from Pennsylvania [Mr. SPECTER], and the Senator from South Carolina [Mr. THURMOND] are necessarily absent.  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

Akaka  Durenberger
Baucus  Enos
Biden  Feingold
Biliterman  Finkbeiner
Bork  Ford
Boren  Glenn
Bradley  Gorton
Brown  Graham
Bryan  Graham
Bumpers  Greer
Burms  Hatfield
Byrd  Hutto
Campbell  Hollister
Costa  Hutchinson
Cochran  Jeffords
Cohen  Johnson
Coons  Kassebaum
Coverdell  Keating
Daschle  Kohl
DeConcini  Lauchner
Dole  Levin
Domenici  Lieberman
Dorgan  Lar

NAYS—13

Breaux  Lott
Craig  Mack
Faircloth  McCain
Gramm  Murkowski
Helms  Nickles

NOT VOTING—13

Bennett  Hatch
Boxer  Inouye
Chafee  Kennedy
D'Amato  Kennedy
Harkin  McConnell

So the motion was agreed to.

The PRESIDING OFFICER. The pending business is H. R. 6929, the Interior appropriations bill. The pending question is a committee amendment on page 48 line 15.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, this would be a good time for a Senator to call up an amendment. There will be a rollocall vote at 3:30 p.m. on an amendment. But there are several amendments on the list by Senators, and it is not inconceivable that if Senators would come over and call up their amendments, some of the amendments might be accepted. It is easily also very conceivable that a number of the amendments that are on the list may indeed not be called up.

So it is likewise easy to imagine that we might be able to finish this bill today by the end of the day. Tomorrow there are going to be some interruptions during the day, brought about by the visit of Mr. Rabin and King Hussein and a joint session of the House and the luncheon. It is, therefore, necessary that we make as much progress as we possibly can this after-

noon. It is my understanding that the leader has no desire to go out early or to provide a window. So as far as I am concerned, with my colleague, Mr. NICKLES, we could plow right on through and make as much progress today as we possibly can.

Mr. The PRESIDING OFFICER. The distinguished Senator from North Carolina [Mr. HELMS] if he plans to call up an amendment momentarily?

Mr. HELMS. Mr. President, I say to my good friend from West Virginia that I do. I have an amendment to the committee amendment on page 81. Would the Senator like me to call it up?

Mr. BYRD. Yes.

The PRESIDING OFFICER. The Chair would indicate to the Senator from North Carolina that there are three committee amendments on page 81 that the Senator please specify which particular amendment?

Mr. HELMS. I was busily adjusting my hearing aid. Would the Chair repeat that?

Mr. NICKLES. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 236 TO THE EXCEPTED COMMITTEE AMENDMENT ON PAGE 81 LINE 7

(Purpose: 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 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 art, say the media. The Washington Post insists that it is art, and so do many of the other newspapers across the country and in my own 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.

I sent a little telegram 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.

I'll tell you what. Let me send to you 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—of 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. About that, we have no say. But if we did, you can bet that I would talk differently."

But this is the way the news media have operated. And they are not going to tell the truth about this debate today, either.

Much of the public has no specific idea what is going on. I would tell you this: Thousands upon thousands of Americans, indeed, millions of them, believe, have gotten enough of the message—despite the coverup by the news media and by some of the self-proclaimed experts in the art community.

The self-proclaimed expert's pretense that even if the art is sickening and even if it is vulgar and offensive, it is art, and it ought to be financed and subsidized by the American taxpayer.

Every time I hear that, I think of Abraham Lincoln, who was asked one time: "Mr. Lincoln, if you count a cow's tail as a leg, how many legs does a cow have?"

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, 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 taxpayer's money.

And if you do not believe the American people agree with that, ask them a specific question:

Nobody in the Senate, nobody in the House of Representatives, has ever once suggested censorship of the National Endowment for the Arts. If homosexual or otherwise perverse mentalities want to produce such garbage, they have the free choice to spend their own money and their own time doing it—then let them 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, after all, only a few such grants have been made." And think of the thousands upon thousands of other grants. They prate on and on about thousands of grants being made for symphony orchestras, choruses, public school art forms of all kinds.

I remember one Senator in this Chamber a couple of years back, he rolled his eyes to the heavens and said, "not many controversial NEA grants have been made"—so what is the big deal?

Not many? Well, then, Mr. President, how many are too many? And I guess that is the fundamental question.

Mr. President, in a friendly exchange with that delightful lady Jane Alexander, I posed that very question. As I have stated 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 complaint, that the very first 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 legislator. Now, there have been complaints for years and about graft and perversion being rewarded time and time again with sizable grants of the American taxpayers' money. And, yes, I have voiced some of those criticisms and complaints and I shall continue to do so as long as there is breath in me.

I asked NEA Chairman Jane Alexander if just one 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, in fact, she and her husband had, on one occasion, found a cockroach in their soup served in a restaurant, and that the manager of the restaurant had quickly not charged them for their meals, to make amends for the cockroach in their soup.

Now, if that is all very interesting, and one can assume that one cockroach in one soup is one cockroach too many, I feel the same way about the National Endowment for the Arts.

But how about those human cockroaches who have repeatedly bullied their way into the pocketbooks of American taxpayers who pay the taxes to provide the money for the National Endowment for the Arts to hand out? We are going to get specific here in just a moment.

You are darn right; if a poll could be taken, I suspect that the vast majority of America's taxpayers would be totally opposed to subsidizing that flagrant 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. As it appears that the amendment 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:

N0xing, in 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 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 by the National Endowment for the Arts, the Senate rejected some examples of the art that the American taxpayers were being forced to subsidize at this time. There was the bullwhip, which I mentioned earlier. There was the crucifix which 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 a NEA beneficiary named Joel-Peter Witken, 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 had appropriated for the NEA, Joel-Peter Witken 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, as I say, the photograph to the NEA. His cash reward from the NEA was $20,000, taxpayers' money.

In another example of his unique artistry, Joel-Peter Witken 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. Witken then saw 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 said at the time, that their money ought to be used to pay or reward the guy who did that.

By the way, Mr. Witken titled his award winning photograph "The Kiss." Speaking of depravity, this past March brought reports of yet another NEA-badized performance by one of these artists, a man named Ron Athey...
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 whose bodies he used and sliced on the stage. He keeps that a secret.

Mr. Athey himself described the NEA-supported performance in the Los Angeles Weekly—a homosexual newspaper. He described the three different sets of three parallel lines arranged in a stair-step fashion that he sliced onto, and 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:

Blood is always heavy at first, but it slows down. The bloody towels are used against the wound, making an imprint, then they are alternately passed to two assistants, who couple prints to the line and send them out over the audience. The prints are not touching the audience; they only reach to the closest 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 three nights at Highways, one night at Los Angeles Theater Center, three club nights.

When the lines are full, the factory workroom doors are opened, and three assistants strike the lines keeping them tight so they don’t droop or brush anyone, although this happened once the first night at Highways.

Highways is a so-called performance arts venue in Santa Monica, CA. That is Mr. Athey’s own description of his greatest 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 a woman who refused to leave the stage.

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 knoced over the chairs to get out from under the clothesline.
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.

That is the amendment.

"Any activity or work involving human mutilation or invasive bodily procedures." 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 this building 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 even the simplest of ways, is the mutilation of a human being in an inviolate form. 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, I presume people here could add to the list of examples of great works of art that would be prohibited from receiving support under the language of this amendment.

All of us know, I think, what the Senator from North Carolina is driving at here, that he goes beyond what Members are interested in doing. What he wants to accomplish is the elimination of any funding for the National Endowment for the Arts. But for those who are interested in sending a reasoned message to the Endowment about the kinds of activities we would like to see supported and not supported, to adopt this amendment would be a mistake. It goes far beyond sending a signal about those particular examples that are highly offensive to people—and the Senator from North Carolina has identified several—and far beyond. I think, what anyone of us here ought to be adopting as part of the law. "Any activity?" It is not just performance art in question here, it is painting, it is music. There is religious music, about the horrors of martyrdom in the history of various religions, that would be potentially an excluded activity.

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 way 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 we pray our colleagues to reject it. 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 this amendment and think if you would, about the examples of art in this building and elsewhere that would be 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. PELL. Mr. President, I thank the Senator from Connecticut who expressed very articulately 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 Jesus on the cross, Saint Sebastian, the torture, various mythological or actual events that occurred. Many of these have been prohibited under this amendment.

I think we all want to achieve very much the same objective. The question is merely how to get there. The way to achieve our purpose of not having violent paintings is by making sure the people who make the grants are well chosen and have good judgment. In this regard I think Mrs. Alexander has done very well in her choice of panels and I would give her a real chance to succeed.

On a broader scale, I would like to point out that the arts activities at an economic bounty for our Nation worth many millions of dollars every year. The arts fostered by the National Endowment encourage national and international tourism, attract visitors to our communities, stimulate real estate development, contribute to the tax base.

Studies have shown that for every dollar the endowment invests in the
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ARTS. It has created literally a tenfold return in jobs, services and contracts. San Antonio, TX, Greenville, MS, Oklahoma City, and Birmingham are among communities which 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 supporting arts and culture in our society is one of the foremost examples of Federal investment in the U.S. economy. European nations understand this fact. I think if we adopt this amendment we must realize that we encourage other nations to do the same; we will then show a willingness of our communities to make this a priority.

I hope that we will not vote that way.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, first let me ask the Senator from Rhode Island if he had concluded.

Mr. President, I had concluded.

Mr. WELLS. The Senator had concluded.

Mr. President, I was listening with great interest to the remarks of my colleague from Connecticut. I have not even had a chance to look at this amendment by the Walker Art Center. Mr. President, I come to the floor as a Senator from Minnesota to talk a little bit about the Walker Art Center, to try to provide some information to my colleagues because I think it is extremely important for me to defend a very, very important institution which I believe is the Walker Art Center.

Mr. President, I am going to ask unanimous consent that a letter that I received from Kathy Halbreich, who is the director of the Walker Art Center; Tom Crosby, Jr., chairman of the board of directors of the Walker Art Center; Bruce Nauman, who was calling Mr. Perlman president of the board of directors of the Walker Art Center, be printed in the RECORD.

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

WALKER ART CENTER
Minneapolis, MN. June 21, 1994

Hon. PAUL WELLS.
Washington, DC.

DEAR SENATOR WELLSTONE: The Walker Art Center is one of the nation's most esteemed museums of modern and contemporary art. Its programs in the visual, performing, and media arts are uniquely international in vision and diversity. Since 1879, the Walker has supported innovative artists ranging from painter Pablo Picasso to choreographer Merce Cunningham to film director Clint Eastwood. Several key Walker-organized exhibitions are now touring worldwide.

Most recently, a retrospective of works by artist Bruce Nauman, who was calling Mr. Perlman president of the Walker Art Center, is touring America. "the best—the essential—American artist of the last quarter-century," was co-organized by the Walker and the High Museum of Art, Atlanta, GA. The exhibit, "Bruce Nauman," was on view in Madrid, Minneapolis, Los Angeles, Washington, DC, New York City, and Zurich.

This year, the Walker and the Minneapolis Sculpture Garden expect to serve nearly 700,000 people through exhibitions, films, performances, and educational programs. Each year the Walker brings more than 3,000 artists and scholars from across the globe to work and perform in Minnesota. Over 40,000 school children visited the Walker last year, and the Walker's new programs for teens are seen as a national model.

Tomorrow the U.S. House of Representatives begins floor debate on FY 1995 appropriations for the National Endowment for the Arts. The Walker Art Center has become a focus in this discussion.

As reported in this morning's Washington Times, the Walker Art Center has come under scrutiny because of a single performance in early March 1994. Unfortunately, much of the media attention related to this performance has been inaccurate and highly sensational.

Because of the high level of misinformation, we wanted to make you aware of this 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 consistent with the Walker's broad mandate and the Walker's distinguished history of supporting the arts, was placed in jeopardy by a single performance.

2. Because of the nature of this performance, the Walker will present more performance events ranging from the classical to the experimental.

3. Because of the nature of this performance, the Walker art center's mission to examine the issues that shape, inspire, and challenge us as individuals, cultures, and communities.

This was a one-time performance, 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.

Just a couple of other facts:

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

2. Because of the nature of this performance, the Walker took all appropriate precautions as developed by the United States Centers for Disease Control and provided to the Walker by the Minnesota AIDS Project. The Minnesota Department of Health has publicly concurred that appropriate precautions were taken. We confirmed this position again today in conversations with the Department of Health.

4. Some media reports suggest that "many" members of the audience "bled." This is not accurate. While approximately 10 of the 100 audience members left during the performance, none personally became infected by a single member of the audience who said that they found the performance "affirming," "moving," and "enlightening." In fact, to our knowledge this entire situation was generated by 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 host this single performance. The Walker Art Center is one of the most prestigious institutions in the country and has earned an international reputation. The Walker Art Center provides these services to Minnesota. Indeed, after New York and California, Minnesota arts and cultural organizations are the largest and small, receive the largest amount of N.E.A. funding.

It is extremely disturbing that the N.E.A., which has made such enormous contributions to the educational and cultural vitality of our state, would be placed in jeopardy by a single event.

We urge you to support the Walker Art Center and the N.E.A. We encourage you to call us with your questions, comments or concerns.

Sincerely,

KATHY HALBREICH
Director, Walker Art Center.

LAWRENCE PERLMAN
President, Walker Art Center Board of Directors.

THOMAS M. CROSBY, JR.
Chairman, Walker Art Center Board of Directors.

Mr. WELLSTONE. In this letter—and I will just simply summarize it—there are a couple of relevant sections about what did and what did not happen at the Walker Art Center. This pertains in part to the amendment, but I intend to talk for a while about what happened at the Walker Art Center, which is not just for people in Minnesota, but for people around the world.

I quote from this letter:

Facts: On March 5, an audience of no more than 100 people viewed a performance by the Ron Athey Theater Troupe. The performance, which also has been seen in other communities such as Los Angeles and Chicago, dealt with the difficult issues surrounding AIDS. Such a performance is consistent with the Walker's vision and mandate. It addresses the issues that shape, inspire, and challenge us as individuals, cultures, and communities.

This was a one-time performance, one of more than 400 events in 1995, and about this art center, which is a one-time event not just for people in Minnesota, but for people around the world.

I quote from this letter:

Just another fact:

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

Out of a total grant, Mr. President, of $104,500, $150 was used.

Some facts about the Walker, because I fear my colleague sometimes may decontextualize—focusing on one example—from what the Walker Art Center is all about, for that matter what the arts and humanities are all about.

The Walker is a uniquely multidisciplinary, diverse, and international museum with programs in visual programming and media arts that reach nearly 700,000 visitors each year. Several Walker-organized exhibitions currently are touring worldwide. In ad-
These doors, designed by cliffing to deal with the Walker Art Center, that my colleagues understand the enormous importance of the arts in my State of Minnesota and in this country. I am interested in making sure that my colleagues understand that in anger about one particular production—which many of us may not like or some of us may say is controversial but is part of what has to be done by way of generating discussion and thought—that is not the point. The point is this: let us not pass amendments which are way off the mark and let us not react in such a way that we undercut the very importance of the arts community.

I would also say that as I see what James Altizer is now doing—insti- tuting 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 counterproductive, pass amendments that go against the very grain of what arts and artists are about in 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—that is the right word—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 con- tributions of this institution. I want my colleagues to understand the full importance of what people at the Center, and colleagues, do. I want my colleagues to understand the full importance of the arts to the community.

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 colleague 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 Endow- ment for the Arts if the Helms amendment were to be adopted—the wonder- ful painting painted by one of the great Western artists in this country, Seth Eastman, called Death Whop. Mr. President, I do not have charts, tables or graphs. This kind of language encompasses much more than you can quickly be encompassed by your own words.

I hope 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 provoke. As I said, again it removes all funds for any activity or work involving human mutilation or invasive bodily procedures on human beings, dead or alive, with the drawing or letting of blood. Clearly, there are some examples where 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 have been denied support or funding if that language had been applicable at the time those masterpieces were created.

Others may find this to be harmful, 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 provoke. As I said, again it removes all funds for any activity or work involving human mutilation or invasive bodily procedures on human beings, dead or alive, with the drawing or letting of blood. Clearly, there are some examples where 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 have been denied support or funding if that language had been applicable at the time those masterpieces were created.

So despite what my colleagues may feel about later amendments that ma come from other Members of this body, 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 the...
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 otherwise 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 will say let us vote for it twice. It is the same distribution of funds by the National Endowment for the Arts that we are not going to put up with.

We were contacted after the fact. Had we not done something to indicate to the National Endowment for the Arts that we are not going to put up with this sort of thing, it is going to go on and on and on. You will have the kind of inane Senate debate that you had this afternoon about the crucifixion of Jesus, Custer's Last Stand, and so forth.

I want to go through that catalog that the Senator from Connecticut referred to earlier and have him show me which one got a grant from the National Endowment for the Arts. Not one of them raises all sorts of specters, and you will hear more of them. I see another good Senator from the Republican side, who always takes the position that we must not interpose the judgment of the U.S. Senate into the expenditures of the National Endowment. We are not supposed to do that, what are we supposed to do?

That is the point of this amendment. Senators can vote for it or against it. I am amazed that time after time, this sort of thing happens, with all of the times I have written what amounts to an amendment against an amendment designed—and designed correctly, I might add and insist—to do something about a situation that needs attention.

I ask unanimous consent that the entire letter be printed in the RECORD at this point.

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

DEAR 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 article 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 "incorrectly reported," 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 deplored the response or individuals who were objected to the performance. But they do not deny that Mr. Athey cut an abstract design into the flesh of another man, blotted his own blood on paper towels, attached the towels to a revolving clothesline, and suspended the blood-stained towels over the audience.

Further down, she continues.

In the end, Walker Art Center must defend its decision to endow the performance with public health guidelines. You would not have been in a position to make that judgment by reading that article that the Star Tribune published 24 March 1994 in the Minneapolis Star Tribune.

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 he knew about the performance that went on in Minneapolis. However, the Minnesota Department of Health said that they were contacted after the fact. Had we not done something to indicate to the National Endowment for the Arts that we are not going to put up with this sort of thing, it is going to go on and on and on. You will have the kind of inane Senate debate that you had this afternoon about the crucifixion of Jesus, Custer's Last Stand, and so forth.

I want to go through that catalog that the Senator from Connecticut referred to earlier and have him show me which one got a grant from the National Endowment for the arts. Not one of them raises all sorts of specters, and you will hear more of them. I see another good Senator from the Republican side, who always takes the position that we must not interpose the judgment of the U.S. Senate into the expenditures of the National Endowment. We are not supposed to do that, what are we supposed to do?

That is the point of this amendment. Senators can vote for it or against it. I am amazed that time after time, this sort of thing happens, with all of the times I have written what amounts to an amendment designed—and designed correctly, I might add and insist—to do something about a situation that needs attention.

I ask unanimous consent that the entire letter be printed in the RECORD at this point.

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

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 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.

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 paper expressing both appreciation for and revulsion at Mr. Athey's activities and the Walker's presentation of them.

In my capacity as the Star Tribune's art critic and art news reporter for the past decade, I have previously written commentaries in support of the National Endowment for...
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 some 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 fingers at the press and lodging false charges of inaccuracy.

In the end, Walker Art Center must defend its decision to stage a performance involving human blood-letting and mutilation—or "ritual scarification" and "erotic torture" as the institution describes it. The NEA must defend its decision to endorse that program.

I do not attempt to blame the press for criticisms of your agency merely trivialize the issues and obscure the facts.

Cordially,

MARY ABBE
Art Critic/Art News Reporter

MR. BYRD. Mr. President, I will take a minute.

Might I ask the Senators if we could agree to, say, 10 minutes remaining on this amendment, and go to another amendment? The vote on this amendment will not occur until after the vote on the amendment which was previously ordered, and that will occur at 3:30. Then there will be a vote on or in relation to this amendment.

Could we close debate on this one so we can get on with another amendment?

MR. WELLSSTONE. Mr. President, I say to the Senator that I probably only need 2 minutes to respond. I am not even here so much to debate the amendment. I want to talk about what happened in Minnesota.

I will be pleased to have just 2 minutes.

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

MR. BYRD. Mr. President, 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:

(From the Minneapolis Star Tribune, July 25, 1994)

WALKER SURVIVES DISPUTE, REMAINS ON NEA GRANT LIST
(Compiled by Mary Abbe)

The National Endowment for the Arts today announced $5.5 million in grants to organizations nationwide—with $30,000 going to Walker Art Center out of Minnesota's take of nearly $1.5 million.

The agency made clear in its announcement that the grants were intended, in part, to remind the public—and especially Congress—that the vast majority of its activities are non-controversial. A regional agency, the Minnesota Public Radio, said, "It is not unusual for us to get a variety of programs that may not make many find repulsive—and each and every Senator can have their own view—that we do not clash budgets and go overboard and undercut the importance of the arts."

I want to be clear about what the Record shows in regard to what happened in Minnesota. I ask unanimous consent that the Star Tribune article be printed in the RECORD.
July 25, 1994

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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 is plain, "I think the Senator from North Carolina is basically saying he wants us 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 the Walker Art Center. It is a copy of the letter that was written by the reporter from the Minneapolis newspaper, the Star Tribune, a letter dated June 21, 1994. It is written to Chairman Jane Alexander and also copied to Senator Byrd and myself. I will read three of the last paragraphs and obscure the facts.

The organization's good works—

Talking about the NEA, however, does not exempt it from criticism when its grant money is used in support of events that some find objectionable. Nor does what you call Walker Art Center's "overwhelming support," as the NEA must defend its decision to endorse the center before the Senate before Mr. Lou Gelfand, the Star Tribune's ombudsman who will investigate the charges.

I also disturbed that you imply that the only letters received by this newspaper were those objecting to alleged "inaccurate coverage" and "trivialization." The paper received a wide variety of responses to the event, some expressing the views you indicated, and others critical of the event and its presentation by the Walker.

As you note in another context, "These people are tax payers too." On 3 June 1994 you met for about an hour with members of the Star Tribune's editorial board and others here in Minneapolis. I was at that meeting. At no point in the discussion was Mr. Athey's performance even mentioned. It is not a part of the Star Tribune's newspaper. I do not support the NEA's efforts. Let us not undercut her efforts. Let us instead allow her the latitude she needs in order to carry out her mission.

As you note in another context, "These people are tax payers too." On 3 June 1994 you met for about an hour with members of the Star Tribune's editorial board and others here in Minneapolis. I was at that meeting. At no point in the discussion was Mr. Athey's performance even mentioned. It is not a part of the Star Tribune's newspaper. I do not support the NEA's efforts. Let us not undercut her efforts. Let us instead allow her the latitude she needs in order to carry out her mission.

In the end, Walker Art Center must defend its decision to stage a performance involving human bloodletting and mutilation—or "ritual sacrifice" and "erotic torture," as the institution describes it. The NEA must defend its decision to endorse that program.

Your attempts to blame the press for criticism of your agency merely trivialize the issues and obscure the facts.

Mary Abbe,
Art Critic, Art News Reporter.

Mr. INOUYE, 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 Committee on Appropriations. The performance to which you have objecte was staged 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 was used for the performance.

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 not a part of the president's responsibility 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 merits 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 encouraging 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 in fostering and promoting 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, as its performance and appreciation, can change a life. It certainly can make your day. There is nothing like going to the museum or a concert. All of your worries melt right away. The music immediately calms you down. Walking through a room filled with beautiful paintings soothes your soul. And a beautiful performance takes you to another world.

Art is the emancipator of the spirit. It is the way that we propagate our culture from generation to generation. It reflects the development of our civilization, while anchoring us in the beauty of the past. It is as essential to our well being as a people as it is to our personal enjoyment. It educates; it expands our horizons; it enhances us as individuals and as a community.
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 of these 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 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 program 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 grants money to the Quad City Arts, for example, for their visiting artist series. The Quad Cities is made up of four cities that straddle 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 draws 500 to 700 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 express that they also enjoy the performances. Most of these people don't often have the chance to drive the 3 hours to Chicago to go to a museum or a concert. But because of the NEA, they don't have to. Quad City Arts brings it to them.

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 hardware did not feel comfortable there. Quad City Arts came in with pens and paper 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've painted every room, they'll paint over the existing murals and start again. These young people who have never 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 uses 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 College of Fine and Applied Arts at the University of Illinois. Urbana is 2½ hours south of Chicago, 2 hours west of the Indianapolis, and 3 hours northeast of St. Louis. Communities around Urbana average 3,500 people. Every one in the region is affected by virtue of the size of the state and understanding between 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 reachfulness of the patrons on a very immediate level.

The Krannert's youth series is its most successful outreach program. Over 20,000 students—grades pre-K through fifth—attend daytime 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 Caravan visits 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 help, they have sponsored the Festival of 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 or Commission art. But if we live in a society that is rich, the NEA reaches further. It gives some rural and small communities access. It introduces migrants to the arts of all of the cultures that make up this country, and they feel at home at a cultural event of their native land. Art brings people together to discuss culture, 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 just by serving its leadership, and the NEA's 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 funding and the uses 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—sponsoring a festival 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 that an art museum and totally devoted to teens in the country. The teen project provides a safe environment for teens from all backgrounds to explore any of the arts or other community projects. NEA also runs a variety of other programs, including the Deep West Program. This program which receives both Lila Wallace—Readers Digest fund and NEA present in the deep west, which includes rural communities such as the pueblo community. The NEA funding has been instrumental in that it has enabled CCA to leverage private money for this project at 6-to-1.

In addition to these activities, CCA also sponsors a variety of visual arts exhibitions and lectures. For example, CCA sponsored Richard Long's "Two..."
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 Roy 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 $30,000 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. 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 far removed from the centers of communication. 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 dance and theatre from a different perspective. WESTAF also received $90,000 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, WESTAF, for example, received $190,000 in presenting and commissioning grants to support programs like this one throughout the Federal government.

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 say at this time with assurance how many of the programs we have here in New Mexico would have been able to go on and how many people will not have been able to experience them. What is known is that these grants are important to many of our citizens and are vital to our communities. They help to keep our libraries open, our theaters performing, and our museums and parks alive.

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, makes it important that we understand what we are dealing with. 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 attribute it 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 produced with 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 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 the review board could not be allowed to get an Endowment grant.

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 cut 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, the Cleveland Playhouse, and other fine theaters throughout Ohio would all be jeopardized if these cuts were to go through.

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 craftmen.

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 have recently been funded, 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 town meetings in more than 30 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 $5.5 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 proposals or advancing 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 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 Nation—turn the clock back?

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 helped America to create a new world for broad-minded people 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 20 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 perilously close to being hijacked by a point of view that most Americans don't share: the notion of federal support for the arts. The coming Senate vote on appropriations for the National Endowment for the Arts can already 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 turning the issue of NEA appropriations into a debate on原则. Should the federal government support only "decent" art?

The Senate Appropriations Committee, under the leadership of Robert Byrd, has allowed the enemies of the NEA to work out their most recent example of art that strains or offends mainstream sensibilities and to use the muscule financial role the NEA plays in presenting art as a litmus test for support of the entire agency. The committee voted to cut the arts endowment's budget by $35.6 million, a 5 percent reduction, because some projects are objection to a performance that occurred at the Walker 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 level-headed elected officials have swept the hook baited by Sen. Jesse Helms, which seeks to create controversies around the arts,蕾ed by an attack on the Walker Center in Minneapolis, which the NEA indirectly supported with $150.

If that performance and his performance at the Walker Center was not even as mean as this. What is clear is that she is making 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 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 Nation—turn the clock back?"
July 25, 1994

CONGRESSIONAL RECORD—SENATE

S9619

faces of a number of young men and women, most of whom are being denied government benefits because they were returning veterans. In my class were Marion Brando and Rod Steiger. Walter Matthau, Sea, Arthur and Tony Curtis. And the head of the school took this 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 existentialist, and Tennessee Williams. Steinbeck and Langston Hughes.

By the end of my course of study, I had come to know that there was nothing more inspiring than art, nothing more moving than words, nothing more powerful than an individual who is in the service of all of that. For 29 years the National Endowment for the Arts has helped younger generations of American citizens find their expressive and creative muses. Can we as a nation turn the clock back?

Mr. JEFFORDS. Mr. President, today we are considering funding for the National Endowment for the Arts (NEA), a modest agency by budgetary standards, but one of great impact on the lives of Americans. The NEA was created in 1965, as a result of the efforts and vision of my colleague from Rhode Island, Senator PELL. Since that time, the NEA has provided in the neighborhood of 100,000 grants to artists, dance companies, and State and local arts agencies. The contributions of the arts have reached into every corner of this Nation, from the most destitute inner city, to the most remote rural area.

Despite the wonderful work of the NEA, Mr. President, the Agency comes under attack from certain segments of our society, who focus on one or two objectionable grants. The NEA brings art and culture to parts of our Nation that, without Federal support, would otherwise do without. In my mind, this is one of the most important contributions of the NEA. The arts are not a frill, they are a fundamental part of our society.

The controversy that surrounds these few grants always spills onto the floors of the Senate and House of Representatives, but the controversy is really about this. It is an unfortunate situation because only 10 of the 100,000 grants given by the NEA have been controversial, according to the agency. That is one one-hundredth of 1 percent. Mr. President.

However, because of these controversies, the bill before us cuts the NEA's budget by 5 percent, or $3.5 million, reducing total appropriations for the program to $161.6 million. But these cuts are not across the board. They target four selected programs of the NEA: Theater, presenting and commissioning, visual arts, and challenge grants. The theater, presenting and commissioning, visual arts, and challenge grants. The theater, presenting and commissioning, visual arts, and challenge grants. The theater, presenting and commissioning, visual arts, and challenge grants. The theater, presenting and commissioning, visual arts, and challenge grants. The theater, presenting and commissioning, visual arts, and challenge grants. The theater, presenting and commissioning, visual arts, and challenge grants. The theater, presenting and commissioning, visual arts, and challenge grants. The theater, presenting and commissioning, visual arts, and challenge grants. The theater, presenting and commissioning, visual arts, and challenge grants. The theater, presenting and commissioning, visual arts, and challenge grants. The theater, presenting and commissioning, visual arts, and challenge grants. The theater, presenting and commissioning, visual arts, and challenge grants.

Mr. President, I think these cuts are far too drastic. The NEA has suffered major funding cuts over the last few years, cuts which have severely hampered the Agency's effectiveness in bringing the arts to America. 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 restore 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 $13 billion. The share of that proposed for the NEA is $181.6 million, or 1.3 percent. That is lower than the President's budget request 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 in the same way as national parks 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 is the earmarking of 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 40.5-percent cut. This program provides seed monies that serve multiple artistic disciplines: presenting organizations, artists' communities, and presenter service organizations. It focuses on presenting the performing arts and commissioning new work.

The Challenge Program encourages 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 kind, from the millions of people 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, nonprofit 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 we should do 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 reason for the cuts. It seems that the cuts are in part a reaction to NEA programs which have recently generated or created a 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? Anyway, the NEA has responsibility to fulfill its statutory obligations and base 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 to be decided in a court of law, not by the Federal or State governments. 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 is more open in the application review. 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. 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 near three decades, NEA has successfully created greater access to the arts for millions of Americans, enriched the lives of our young people, stimulated private contributions to the arts, and preserved our treasured cultural traditions. The Agency 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. Aided by support, the arts have grown beyond the major metropolitan hubs into rural towns and communities throughout our Nation. As 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 has doubled, the number of opera and dance companies has grown exponentially. The NEA's annual budget is only about $150 million. Federal-State government funds to the Endowment have supported arts events that were attended by over 335 million people over the past 5 years. Endowment grants also help bring the arts into the lives of our people. The NEA supports after-school arts programming for at-risk youth providing them with creative outlets and opportunities for self-expression. It assists professional groups, 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 programs in the field, the Endowment helps provide arts education to close 20 million students each year.

Because of its matching requirements—that each Federal dollar to organization is matched with at least one non-Federal dollar—grants from the National Endowment for the Ar
I have often felt that the art of a generation is like the signature of a generation. It looks 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 am 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 falls in a cultural sense but an economic 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 between the two positions. 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 Jane 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.

Reed Arts, which received a $20,000 visual arts grant from the NEA, works with the Connecticut Redevelopment Authority on a cultural festival in a gang-scared, inner-city Puerto Rican neighborhood in Hartford.

The Artists Collective of Hartford received $5,000 from the presenting and commissioning program to support events such as a "Jazz in the Foyer" series and a performance of the Jubilation Dance Co.
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 could 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 controversy.

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 but also benefit—the people in food services, the groundskeepers, the people that 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 are not now considering 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 disproportionately, in my view, in dealing with budgets.

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 that is about 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 reconsider the way 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 NEA to move the country to revitalize 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 other necessities to which we 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 revitalize the arts and humanities 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. The revenue from the auction would also go to 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, because it is a 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 program with 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 look at the future 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, 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 issue is 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 arts performance at one facility in my State's most highly respected arts institutions seems 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 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 today's 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 debate 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, or this recording, or 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 question 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.

Therefore, 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 long before I had a seat in Minnesota, educators at all levels, employees and everyone by whom “community” is defined.

Minnesota has an outstanding State arts board that receives and distributes NEA grants. Minnesota has built a relationship between state public policy makers, public funding, and appropriate arts performers and performances and art works.

Minnesota is well known for some of the Nation’s finest arts organizations—the Guthrie Theater, the Minnesota Orchestra, the Minneapolis Chamber Orchestra, the Minneapolis Institute of Arts, and the Walker Art Center.

And, Minnesota is also home to hundreds of smaller theater groups, arts organizations and individual artists in communities all over our State.

In the past several years, for example, the Minnesota State Arts Board received an NEA grant for a folk arts apprenticeship program that has supported masters and apprentices in communities like Clearbrook, Atwater, and Redwood Falls. You probably have not heard of any of these.

The State Arts Board also received an arts in education grant to support artistic residency activities in 87 different communities all over the State.

And, again, with NEA funding, nationally known arts groups from Minnesota and other States have been able to perform dock all of Minnesota communities from Blawbik and Aurora in the far north to Worthington and Blue Earth near the Iowa border in the far south.

So, I am troubled that once again the NEA as an institution is being questioned in a debate that is becoming increasingly polarized. Every year, it seems that several of us have to get up here to defend the 25-plus years of good work done by the NEA, simply because a handful of controversial grants have been called into question.

Once again, the focus of the controversy seems to be the role of the Federal Government in what essentially boils down to regulating the content of art. I am sympathetic to the concerns of those who want to know how our scarce Federal funds are being spent and to those who find certain types of art offensive. But I will and I must continue to oppose any effort that would expand the Federal Government’s role in regulating art content.

While the NEA grant making process is not perfect, it works. Compare the NEA’s record with any other of those old Bill Proxmire Golden Fleece awards and the money gets spent pretty well. It is one of the best.

Without question, there will be times when some artists, exhibits and performances will receive funding for art that some people do not like.

I want to remind my colleagues again, however, that this particular performance might not be the subject of national debate if Minnesota’s largest daily newspaper had not decided to run such inflammatory article—written by a reporter who did not even attend the event—an article published 3 weeks after the event actually took place.

Let me make a careful distinction, Mr. President, between art that may not be universally appreciated and material that is pornographic or obscene.

Let me remind my colleagues that there is a legal process for defining what is and what is not pornographic or obscene—a process that is best left to the experience and the expertise of the courts.

And, there is also a policy I helped create several years ago that requires NEA supported artists who violate local or State obscenity or pornographic statues to return their NEA grants.

I might have less confidence in these legal safeguards, Mr. President, if I had not taken the time to learn more about how funding decisions are made at the Walker and other institutions in Minnesota.

Hindsight is always 20-20. And, it is easy to be critical of performances like the one in question that are, admittedly, aimed at a small part of the artistic marketplace.

But, I also want to assure my colleagues that the Walker Art Center does not employ a process to select grants. Criteria are used, market interests are weighed, and many proposals are turned down.

The Walker Art Center is one of our Nation’s most esteemed museums. The Walker presents over 400 events each year involving 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 other factors that 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 the issues we watch.

For some, parallels with African blood rituals were noted. And, one of the Walker’s cosponsors 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 artists offended by what they read took place during this particular performance at the Walker.
And, I can understand that they may now want to send a message that this type of performance has no business being funded by Federal taxpayers.
But, being funded by Federal taxpayers, it would be a shame if we decontextualize. 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, 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 grant to the Walker, to bring in 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 Midwest with its touring Artie 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 5,000 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 also includes us 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-
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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 accounts in the Interior appropriations bill 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 knows, each appropriations 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 to the Appropriations Committee the need to reduce the NEA by more than the 5 percent recommended by the Appropriations Committee. I recommended action—after a thorough discussion 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 to address 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 upward 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, but 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 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, wide, by her demeanor, and by her 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 the necessary cuts for the NEA 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 36.1 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 13.6 percent; Geological Survey Service, 2.2 percent; Bureau of Mines Operations—which is no small matter to this Senator—cut 19.1 percent; Bureau of the Census, 26.2 percent; Forest Service construction—very important to States like West Virginia—cut 13.3 percent; Fossil Energy Research and Development, cut 2.6 percent; strategic petroleum reserve, cut 25.9 percent; Indian Health construction, cut 14.1 percent.

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.
Mr. JEFFORDS. Mr. President, I rise for the purposes of letting everyone who would vote on my amendment know what I attempt to do with it. I have an amendment pending which would restore funding to the NEA, and apply that restoration—to achieve the offset—across-the-board percentage cut to all programs in the bill. This would happen rather than gutting certain NEA programs by 40 percent. Also pending is the Helms amendment, which is a broad censoring amendment which would attempt to prevent the kind of event that occurred in the Senate. We have heard assurances earlier from the Senator from West Virginia that he was working with Jane Alexander of Utah that his amendment which would attempt to do that would not occur. The House has approved only 2 percent across-the-board cut.

I am placing my confidence in the Senator from West Virginia that his method of working with the Endowment will be much more successful and certainly much more desirable than adopting a broad censoring amendment, and a vote on my amendment. Therefore, Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The Senator has that right. The amendment is withdrawn. So the amendment (No. 2397) was withdrawn.

The PRESIDING OFFICER. The Chair recognizes the Senator from Connecticut.

AMENDMENT NO. 2397
Mr. BUMPERS. Mr. President, what is the pending amendment?

The PRESIDING OFFICER. The Helms amendment.

Mr. BUMPERS. Mr. President, I move to table the Helms amendment and seek the yeas and nays.

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 question, the yeas and nays have been ordered, and the Clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. Mr. President, I announce that the Senator from California (Mrs. BOXER), the Senator from Iowa (Mr. HARKIN), the Senator from Massachusetts (Mr. KENNEDY), 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), the Senator from Kansas (Mr. DOLE), the Senator from Vermont (Mr. INGELSTADT), and the Senator from Pennsylvania (Mr. SPECTER) are necessary 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:

[Roll Call Vote No. 229 Leg.]

YEAS—92

Baucus.......
BYRD.......
Campbell.....
Chafee.....
Cochran.......
Conrad.....
Coveill.......
Craig.....
D阪koff.......
DeConcini.......
Dole.....
Domenici.....
Durbin.....
Eckert.....
Faircloth.....

Baucus.......
BYRD.......
Campbell.....
Chafee.....
Cochran.......
Conrad.....
Coveill.......
Craig.....
D阪koff.......
DeConcini.......
Dole.....
Domenici.....
Durbin.....
Eckert.....
Faircloth.....

NAYS—0

So, the amendment (No. 2395) was agreed to.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senator from Vermont, Mr. JEFFORDS, be recognized not to exceed 2 minutes.

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

The Senator from Vermont is recognized for 2 minutes.
Mr. CRAIG. Mr. President, will the Senator yield for a question? 

Mr. BUMPERS. I would like to be serious 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, 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 our practice.

Russia is a big gold producer. If we add up importing 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 food tax 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, which is nothing 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, I want to put my language on notice that if that conference 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 the placer mines. And then there will not be much room for compromise.

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

The PRESIDING OFFICER. (Mr. BYRD) 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 Senator has that right. The amendment is withdrawn.

The amendment (No. 2400) was withdrawn.

Mr. KENNEDY. Mr. President, I strongly support the National Endowment for the Arts. This agency has had substantial 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.

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 especially I mention 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 matched 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 $20 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 $35 million in private money and local 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 role support it has given for developing new work. Endowment support can be found at the heart of nearly every Pulitzer Prize-winning play, either through a grant to the playwright or to the company that works to 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 through 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 all other forms of creative 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 clerk will 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 concerned about the situation with regard to the targeted funding reduction to the National Endowment for the Arts. I am fully aware