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Reauthorization: S. 2724 (1990): Correspondence 04

Claiborne Pell

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United States Senate

COMMITTEE ON LABOR AND
HUMAN RESOURCES

WASHINGTON, DC 20510-6300

September 27, 1990

The Honorable George Mitchell
Majority Leader
United States Senate
Washington, D.C. 20510

Dear Mr. Leader:

I am writing to inform you that the Committee on Labor and Human Resources has completed action on S. 2724, legislation to reauthorize the National Endowments for the Arts and Humanities and the Institute of Museum Services. This bill was reported to the Senate on September 25.

As you know, this legislation has been at the center of an intense debate over the proper role of the federal government in funding the arts. After many weeks of painstaking negotiations, my colleagues and I on the Committee have reached what we believe is a reasonable and responsible way to assure the accountability of tax dollars distributed by the National Endowment for the Arts.

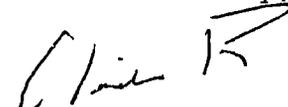
We seek a series of procedural and substantive changes in grant-making policies and provide for Endowment sanctions against any grantee who, after final appeals, is convicted in a criminal court of violating obscenity or child pornography laws. This approach avoids the constitutional pitfalls that would be raised by the imposition of guidelines that would establish prior restraint on NEA grant awards. We include guidance to grantees on the sanctions but without requiring a signed statement guaranteeing that funds will not be used to produce obscenity.

The vote to report this substitute amendment from Committee passed by an impressive margin of 15 to 1. I should add that the success of this vote would not have been possible without the significant efforts of Senators Kennedy, Hatch and Kassebaum, who share my desire to resolve this issue in a rational manner.

In light of the fact that S.2724 represents a compromise that has attracted support both from the left and right, I feel confident that our proposal will garner more than enough votes to pass the Senate. I would respectfully request, therefore, that this bill be brought to the Senate floor expeditiously.

With warm regards,

Ever sincerely,



Claiborne Pell
Chairman
Subcommittee on Education,
Arts and Humanities