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**STATEMENT OF SENATOR CLAIBORNE PELL IN SUPPORT
OF THE NATIONAL ENDOWMENT FOR THE ARTS**

Mr. President, I rise in opposition to this amendment.

In 1990 we changed the authorizing legislation of the Arts Endowment to ensure that no works deemed obscene would be funded with taxpayer funds. The authorizing legislation also requires that the Arts Endowment take into account general standards of decency and respect for the diverse beliefs and values of the American people.

I take note of the fact that Ms. Jane Alexander has instituted agency reforms that are directed towards those few grants that become controversial. Under the reauthorization legislation recently reported out by the Labor and Human Resources Committee, these reforms have now been written into law. The Endowment has eliminated subgranting by organizations for programs unreviewed by the NEA -- the source of most of the past controversies. Arts Endowment panel membership now must vary significantly from year to year and must include two knowledgeable layperson who are not arts professionals. Progress reports must be submitted by the grantees to the Endowment before the release of the final third of funding is approved. Panelists and National Council on the Arts members are both required to recommend more grants than there is funding for -- ensuring several levels of strict review before a grant is released. The Endowment requires that a grantee receive advance written permission should it change the grant activities from those approved by the Endowment.

From the foundation of the Arts Endowment, the central criteria has always been the artistic merit of a work of art. ~~Restrictions such as the one here propose are contrary to the spirit behind the arts endowment and are unconstitutional.~~ Even if one or two mistakes are made each year, we should realize that the vast majority of the Endowment's funding is a great boon to communities throughout the country.

The programs run the gamut from educational programs for children to cultural festivals and work for historic preservation. ~~I am of the mind that~~ ^Punitive elimination ~~of these marvelous agencies~~ ^{of these marvelous agencies} ~~overbroad restrictions such as those embodied in this amendment~~ would do far more harm than good.

Mr. President, I urge my colleagues to reject this amendment.