

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	Sandy Crary to Marsha Scott re: non-selection [partial] (1 page)	04/10/1998	b(6)
001b. list	re: non-selection (1 page)	09/03/1996	b(6)
002. fax	Alexander Crary to Melanne re: non-selection [partial] (1 page)	10/03/1997	b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Melanne Verveer
OA/Box Number: 20044

FOLDER TITLE:

NEA [National Endowment for the Arts] [Folder 1]: [Jane Alexander]

2013-0534-S

rc1797

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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like NEA
J Alexander

PHOTOCOPY
PRESERVATION

Withdrawal/Redaction Marker

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NATIONAL ENDOWMENT FOR THE ARTS

file

NEA

The Nancy Hanks Center
1100 Pennsylvania Avenue NW
Washington DC 20506-0001
202/682-5400

April 10, 1998

Office of the Chairman

MEMORANDUM

TO: Marsha Scott, Deputy Director, Office of Presidential Personnel

FROM: Sandy Crary, Chief of Staff, NEA *Sandy*

RE: National Council on the Arts

After hearing Bob Nash speak about the outlook for Senate confirmation of Presidential nominees at the WH Liaison meeting yesterday, I believe we should move forward with the nominations of our candidates for the National Council on the Arts.

As you know the Congress has reduced the number of Presidential appointees on our Council to 14 (from 26). 6 additional non-voting members are Members of Congress appointed by the Congressional leadership for a total Council complement of 20. In September 1998, 8 current members will rotate off and, because of our new lower number, only 4 will be replaced. We should have these 4 confirmed and ready to take their seats in September.

Two of the 4 *nominated 10/9/97*
~~One of the 4~~ has already been nominated: Joy Harjo (music and literature). The others still in White House clearance are (b)(6) *[coola]*

(b)(6) The question of (b)(6) candidacy is unresolved and needs to be discussed soon. These seats are at such a premium now that each one really must be filled by a true arts expert. We are missing expertise in certain disciplines which these new candidates will help to rectify.

Following is a list of those Council members who rotate off in September with the "vices" indicated that we prefer. The "vices" are very important because if the Senate does not act to confirm, the expired member is allowed to serve until replaced. We would prefer the continued service of some members over others if it comes to that.

Ronald Feldman
Barbara Grossman
Kenneth Jarin
Wallace McRae
Leo O'Donovan
Jorge Perez
Judith Rubin
Rachael Worby

note: JOY HARJO has already been nominated

*Stay until replaced
- who can't succeed*

*4 of 10
4 seats still
replaced
9/98*

(b)(6)

(b)(6)

(b)(6)

(b)(6)

NATIONAL COUNCIL ON THE ARTS

Chairman, National Endowment for the Arts

Members whose terms expire in 1998

Ronald Feldman
Art Gallery Owner

Leo J. O'Donovan, S.J.
University President

Barbara W. Grossman
Scholar/Trustee

Jorge Perez
Patron/Trustee

Kenneth M. Jarin
Patron/Trustee

Judith O. Rubin
State Arts Council Member

Wallace D. McRae
Rancher/Poet

Rachael Worby
Conductor

Members whose terms expire in 2000

Patrick Davidson
Television Producer

Speight Jenkins
Opera Company Director

Terry Evans
Photographer

Richard J. Stern
Patron/Trustee

William P. Foster
Music Educator

Luis Valdez
Theater Company Director

Ronnie F. Heyman
Patron/Trustee

Townsend D. Wolfe III
Museum Director

Members whose terms expire in 2002

Nathan Leventhal
Arts Presenter

Marsha Mason
Actress/Director

Ex Officio Members (terms expire 1998)

Cass Ballenger (R-NC)
U.S. House of Representatives

Richard J. Durbin (D-IL)
U.S. Senate

Susan M. Collins (R-ME)
U.S. Senate

Nita M. Lowey (D-NY)
U.S. House of Representatives

John T. Doolittle (R-CA)
U.S. House of Representatives

Jeff Sessions (R-AL)
U.S. Senate

Council Operations
February 1998

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NATIONAL ENDOWMENT FOR THE ARTS

The Nancy Hanks Center
1100 Pennsylvania Avenue NW
Washington DC 20506-0001
202/682-5400

Office of the Chairman

OFFICE OF THE CHIEF OF STAFF

TO: Melanne

FAX: 456-6244

FROM: ALEXANDER D. CRARY *Study*
202-682-5652 (phone) 202-682-5063 (fax)

DATE: October 3, 1997

NUMBER OF PAGES: 3

MESSAGE: Here is the latest from Dick on the conference agreement with further explanation as to where the cuts will come from. We are relieved to know that the administrative funds are not cut.

The changes to the Council are profound. The Civil Division at Justice now advises us that there is no way to stop the appointment of Members of Congress at this point if the leaders decide to ahead. We will have to immediately terminate the service of 6 of the following 8 members and allow the appointment of 6 Members of Congress. Under the legislation the appointments must occur by the end of calendar year 1997, but could happen at anytime. Our next Council meeting is November 6 and 7.

Trisha Brown
Colleen Jennings-Roggensack
Donald Hall
Roberta Peters
Hugh Hardy
William Strickland
Marta Istomin
George White

Clinton appointee

"

Bush appointee

"

"

"

"

"

All of our potential nominees now in WH clearance

(b)(6)

(b)(6)

2002]

The composition of the Council could later be challenged by a grantee organization. But the Civil Division's position is that, until an application is rejected by the Council, the applicant would lack standing and the lawsuit would be judged premature.



NATIONAL ENDOWMENT FOR THE ARTS

The Nancy Hanks Center
1100 Pennsylvania Avenue NW
Washington DC 20506-0001
202/682-5400

MEMORANDUM

October 3, 1997

To: The Chairman
NEA Staff

From: Dick Woodruff

Re: NEA Appropriations Conference

The FY 97 Interior Appropriations conference is closed. Currently, the House and Senate staff are completing "read out" a process in which they assure agreement has been reached on all matters between the two houses. Next week the House and Senate should take up and pass the conference report, which the President will probably sign.

Because "read out" is still in process we do not have the absolute, final language on several NEA related provisions, but here is what we know:

--NEA funding will total \$98 million in FY 98. The \$2 million cut will be taken entirely from the state and Federal programs account. The administrative accounts will remain at the current FY 97 level. This should preclude NEA lay-offs.

--An additional 5 percent will be given to the states, regionals and underserved set-aside programs with the funds coming from the Federal programs.

--An overarching 15 percent cap will be placed on the **total** amount arts organizations, including the state art agency, in any one state may receive. However, grants for projects that are of "national impact or availability or are able to tour to several states" are excluded from the cap. The addition of this provision helped reduce the pressure for a greater block grant to the states.

--NEA and NEH will be permitted to solicit and invest funds.

--NEA will be required to "ensure that priority is given to providing services or awarding financial assistance for projects...that serve underserved populations."

--NEA will also be required to "ensure that priority is given to providing services or awarding financial assistance for projects... that will encourage public knowledge, education, understanding and appreciation of the arts."

--Finally, the National Council on the Arts will be reduced to 20 members -- 14 appointed by the President in the usual form and 6 Members of Congress (4 appointed by the Speaker and Majority Leader of the House and Senate, and 2 by the Minority Leaders of the House and Senate). There is every likelihood that the appointment of Members of Congress to the Council will be judged unconstitutional and not enforced.

The blow by blow went like this. Prior to the conference, Senator Gorton let it be known that the Senate would not negotiate with the House on the subject of funding, and demanded the full \$100.060 appropriated by the Senate. The President also sent a letter to the conferees demanding full funding. In return for House acquiescence, Senator Gorton was willing to accept the above-described package of "reforms" which Rep. Regula put together to assuage the House conservatives.

Gorton and Regula had agreed to the deal going into Tuesday's conference meeting. However, at the meeting House Appropriations Committee Chairman Bob Livingston led a rebellion, and persuaded Rep. Nethercutt to offer an amendment to cut NEA by \$10 million with the entire amount coming from the administrative budget. To avoid defeat by his own House conferees, Regula had to offer a smaller cut of \$2.060 million as a compromise. Regula was thus able to hold the moderate Republicans Kolbe, McDade, and Skeen and together with the Democrats defeated Nethercutt, Livingston and the conservatives. The smaller cut then passed the House conferees unanimously, and was immediately accepted by the Senate conferees in order to seal the whole NEA deal.

NATIONAL
ENDOWMENT
FOR THE
ARTS

The Federal agency
that supports the
visual, literary and
performing arts to
benefit all Americans

FAX TRANSMITTAL FORM

TO: Melanne Verveer, Deputy Chief of Staff and
Name Policy Advisor to the First Lady
Room 100 - Old Executive Office Building
Company _____
FAX Number 456-6244

FROM: Ana M. Steele
Name _____
Chairman's Office
Program/Office/Division _____
202/682-5414
Telephone Number _____

DATE: 9/17/93

Melanne -
If my 9/14 FAX on this is still open to
correction, new paragraph 5 was inadvertently
omitted (in the case of Senate Approps, Arts
Mediators, Ed. Heritage, etc.). It is important
in making clear the previous Acting Chair joined
responsibility to respond.
NUMBER OF PAGES (including this page) 3 If you do not receive all pages
or otherwise need this message to be retransmitted, please contact Susan Peikert
at 202/682-5414.

1100 Pennsylvania Avenue, N.W., Washington, DC 20506 FAX number: (202) 682-5639

9/17/93

The September 10, 1993 Washington Post article by Jacqueline Trescott contained false statements and misinformation. Here are facts distorted beyond recognition by the "Christian Action Network:"

1. The Arts Endowment did not fund the 1991 Pittsburgh International Gay and Lesbian Film Festival.
2. The Arts Endowment did not fund any of the films "excerpted" in the video distributed by the Christian Action Network.
3. In November 1992, the previous Acting Chair of the Arts Endowment rejected 3 of the 53 subgrants which had been recommended by a panel for the National Alliance for Media Arts and Culture (NAMAC), a 1992 Endowment grantee. NAMAC and the 3 proposed subgrantees received notice of the rejections some 7 months after the published deadline for notification.
4. NAMAC exercised the right of any rejected applicant to appeal to the Endowment Chair, on December 1 and again on December 8, 1992. The appeal was made in NAMAC's behalf by the A.C.L.U., which stated the belief (through attorney Nan Hunter, now part of this Administration), that the decision to reject had been made for political, not artistic, reasons.
5. The then-Acting Chair failed to act on the appeal one way or the other, and it remained unanswered when she left office on January 20, 1993.
6. The current Acting Senior Deputy Chair, Ana M. Steele, learned of the still-pending appeal when NAMAC wrote to her that they had received no response, and restated their request for a decision, which was still their right as an applicant to a federal agency.
7. In reviewing the record, Ms. Steele found that the Endowment had not met its obligation to respond in a timely and equitable manner to all applicants, and that the unwarranted and unreasonable delay for the 3 rejected subgrantees had occurred well after their festivals had been completed and had, as well, had deleterious effects on the 50 remaining festivals, which had received exceptionally late -- 5 months after the announcement date -- notice of acceptance.
8. In informal consultation with the Department of Justice and the Office of White House Legal Counsel, it was clear that this matter needed to be resolved, and that a protracted and costly lawsuit could otherwise be expected. In addition, the procedural delays alone could cause the Arts Endowment to lose the lawsuit; not to mention questions of "singling out" applicants (because of gay and lesbian content) and other related actions.

9. Ms. Steele's review and consultation focussed entirely on the serious administrative, procedural, and legal issues. Her decision reflected a strong belief (shared by other administration officials involved) that a federal agency has a responsibility to deal fairly and in good faith with all citizens, whether applicants, grantees, taxpayers, or co-funders.
10. The \$17,500 provided to NAMAC cannot be used in any way to fund the festival activities originally proposed for subgranting by NAMAC. Rather, these funds are made available under revised 1993 guidelines which do not permit assistance for film festival exhibitions, but only for activities such as lectures and symposia.

Since January 20, Ms. Steele has acted in steady consultation with White House staff to deal with the controversies left by the previous administration, and has begun repairing the damage done to the Endowment's credibility in recent years.

The unfounded charges and distortions put forth by the Christian Action Network are part of a continuing effort to weaken and destroy (their word: "abolish") the Arts Endowment. Similar falsehoods and misleading rhetoric were used last month to attack the Endowment on the House floor, slyly but erroneously suggesting that the Endowment had funded an exhibition at the Whitney Museum in New York, which was in fact supported by private donations. Appropriations Subcommittee Chairman Sidney Yates spoke vigorously against this attack, citing the falseness of its premise. But the result was an amendment which cut \$8.7 million from the Clinton Administration budget request for flat funding of the Endowment in 1994.

As Congress recessed in August, another attack was launched against the Endowment for a small commission given to 3 artists by the Museum of Contemporary Art, San Diego, as a part of an exemplary million dollar program funded by a variety of public and private contributors, including the Arts Endowment (25%).

Again, the Arts Endowment made a prompt and thorough examination of the facts, and established that the costs incurred by the 3 artists under commission from the Museum were not properly allowable under the terms of the Endowment's grant to the museum. The Endowment has so advised the museum and members of Congress.

The well-established pattern is clear: groups such as the Christian Action Network have little interest in the real work of the Endowment or its major contribution to this country. The primary interest of these groups is to fund-raise on the back of the Endowment, through a campaign of falsehood and distortion.

Wesley Pruden Editor in Chief**Josette Shiner** Managing Editor**Ronald S. Godwin** Senior Vice President**Michael R. Mahr** Director of Advertising

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Jane Alexander's standards

The first warning sign about Jane Alexander, whose nomination as President Clinton's chairman of the National Endowment for the Arts comes up before the Senate Labor and Human Resources Committee tomorrow, is that she has a ringing endorsement from the arts community itself. This is rather like a pack of foxes endorsing a particular brand of chicken wire.

The controversies about the NEA seem to have subsided since 1989, when the discovery of the endowment's funding of less-than-wholesome works by Robert Mapplethorpe, Andres Serrano and a variety of "performance artists" put the NEA on the front lines of the nation's cultural war. Those works were replete with graphic scenes of sexual torture and humiliation, denigrating depictions of Jesus and stage acts that were little more than the most banal strip shows. Defenders of the NEA claimed that such "art" was only a small part of what the NEA supported with taxpayers' money, and, anyway, not to support them or to prohibit support would violate the artists' rights of expression.

While not persuasive to NEA's critics, those arguments won the day, and the milkish "decency standard" that Congress placed on NEA funding was overturned by a federal judge in 1992. Since then, the NEA's funding habits have persisted, the most recent manifestation being an award of \$17,500 to a homosexual film group that has produced explicitly sexual movies in the past.

Into this controversy now steps Miss Alexander, herself an accomplished actress, as Mr. Clinton's nominee. Her nomination is expected to slide through the Senate, but if her mission is to achieve anything more than a sly victory for the proponents of off-color art, she needs to answer some serious questions about her own standards.

In 1990, Miss Alexander testified on the NEA controversy, saying that "I don't think we can begin to try to regulate or judge what is obscene, and I don't think that it is worthy of this great democracy of ours to become involved in the issue." She also stated at the same time that it is necessary to embrace "all art," both "ugly" and "beautiful." Now perhaps you can begin to see why she's such a hit with the "arts community."

That community, otherwise known as the nation's "cultural elite," has a strong material interest in having a sympathetic chairman at the NEA. The NEA not only gives out money to its members but also, by the act of giving money, serves as an authority to which other, private donors (corporations and foundations) look when they consider their own funding projects. It is in the interests of the cultural elite to have something like an NEA, and it is not in its interests to have an NEA chairman who will call its members to account. Miss Alexander, not only by her words just quoted but also by her professional associations as an actress, is perfect for the job — at least as far as the interests of the cultural elite are concerned.

But it is highly questionable whether her confirmation is in the interests of either good art itself or of the American taxpayer. Miss Alexander apparently thinks it is beyond human capacities to tell what good art is, despite the fact that the whole history of art is a history of aesthetic and philosophical discrimination. What's more, Miss Alexander's confirmation is not in the interests of the American taxpayer because her avowed non-standards betray this much-burdened individual. No one — literally, no one — in the NEA debate, neither Jesse Helms nor Pat Buchanan, neither the Christian Coalition nor the Family Research Council, has argued that the federal government should stop the Mapplethorpes, the Serranos and the performance artists from producing whatever it is they want to produce or from selling it or exhibiting it on the private market. What they have argued is that the taxpayer has no desire, no need and no obligation to purchase this "art" through his tax money.

If Miss Alexander does not really believe that she or others can't tell the difference between good art and bad, obscenity and decency, then she needs to make that clear now. And the senators on the Labor and Human Resources Committee need to extract from her — now — what exactly she does believe.

Otherwise, her tenure at the NEA will be only one long immersion in trench warfare, as was that of her hapless predecessor John Frohnmeyer. That will be an experience that will not help the NEA, or art, or the American taxpayer.

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Alexander's hearing could serve double purposes

NEA's future, plus nominee's qualifications likely targets

By Joyce Price
THE WASHINGTON TIMES

When actress Jane Alexander goes before a Senate committee considering her nomination to head the National Endowment for the Arts (NEA) next week, the panel will as much be trying to determine the future direction of the embattled agency as the nominee's qualifications to lead it.

The endowment has been a political land mine for the past four years, amid unrelenting conservative charges that it uses taxpayer dollars to fund "blasphemous" and "obscene" art.

Even avid NEA supporters acknowledge the attacks have had an effect as Miss Alexander, President Clinton's choice to chair the agency, prepares for her confirmation hearing before the Senate Labor and Human Resources Committee.

"Conservative groups have taken a serious toll on the agency by effectively presenting an image of the agency as funding inappropriate things and being a luxury rather than a necessity," said Robert L. Lynch, president and chief executive officer of the National Assembly of Local Arts Agencies, who said he disagrees with both characterizations.

The attacks led to congressional efforts to cut the NEA budget and are expected to spark spirited debate over whether the agency should be reauthorized beyond Sept. 30.

A bid Tuesday night by Sen. Jesse Helms, North Carolina Republican, to strike all funding for the endowment in fiscal 1994 was rejected 83-15, in the Senate. The Senate approved \$170.2 million for the NEA, nearly \$4.5 million more than the House did in July. Still, the Senate figure is \$4.2 million below 1993 funding.

The NEA is "giving money to people who have their brain in their crotches" and who are producing "rotten, nauseating garbage" with taxpayers' funds, Mr. Helms argued during floor debate.

Arts groups believe they have reason for optimism, and conservative groups are alarmed about the future of the NEA under Mr. Clinton. The two sides base their assessments on statements both he and Miss Alexander made in the past.

They point to a campaign position paper in which Mr. Clinton promised he "will defend freedom of speech and the arts" and expressed opposition to "censorship or content restrictions on grants" made by the NEA.

And they cite congressional testimony given by Miss Alexander in 1990, in which she said, "I don't think that we can begin to try to regulate or judge what is obscene, and I don't think that it is worthy of this great democracy of ours to become involved in this issue."

At the same hearing before the House Appropriations Subcommittee on Interior and Related Agencies in May 1990, Miss Alexander said it's necessary to embrace "all art" — both "ugly" and "beautiful."

NEA opponents said their concerns were heightened by the recent decision of Ana M. Steele, acting head of the NEA, to reverse the Bush administration's denial of funds for three homosexual film festivals in Los Angeles, Pittsburgh and New York.

The funding, which totaled \$17,500, had been denied because Ms. Steele's predecessor, Anne-Imelda Radice, believed the applications "lacked artistic merit." But Ms. Steele restored the funding, finding an "abuse of process" by Miss Radice, who rejected the grants six months after a May 1992 deadline for notifying grant applicants and after the film festivals were over.

NEA spokesman Josh Dare said it's wrong to suggest that actions taken by Ms. Steele might reflect future trends under Miss Alexander. "The endowment is in transition... we have a caretaker administration at this point," he said.

But Laurence Jarvik, director of the Washington office of the Center for the Study of Popular Culture, a conservative think tank, noted that it was Ms. Steele — and the Justice Department — who approved NEA's recent out-of-court settlement with four performing artists — Karen Finley, Holly Hughes, Tim Miller and John Fleck — who sued the endowment after they were denied grants in 1990. The performers, whose shows involved sexual content, charged that they were denied funding for political, rather than artistic reasons.

Ms. Steele holds an interim position with the NEA, as did Miss Radice. Miss Alexander will be the first political appointee to head the NEA since John Frohnmayer, who left in April 1992. Mr. Bush fired him after he outraged conservative groups by funding some sexually explicit performers and publications.

Miss Alexander, 53, an award-winning actress of stage, screen and television, has been silent about her plans for the agency.

"No one knows at this point in time" where she would take the agency, said Steven Johnson, spokesman for the National Campaign for Freedom of Expression, a liberal advocacy group for the arts.

"But we expect her to stand up and follow through with President Clinton's campaign pledge to oppose content restrictions on grants funded by the NEA."

"We plan to hold his feet to that promise. And we have every expectation to believe that Jane Alexander is being brought on board to take the agency forward in support of freedom of expression of the arts, including freedom of expression of gay and lesbian arts."

Robert H. Knight, director of cultural studies for the Family Research Council, a pro-family group, said Miss Alexander's stated opposition to judging obscenity is his "greatest concern" about her nomination.

"She's saying there can be no judge of the arts. ... I thought we were paying our NEA chief to judge what is artistic and to decide what art is," Mr. Knight said.

"We see Ms. Alexander falling into the avant-garde trap that says [community or decency] standards somehow imprison artists rather than raise the level of their artistry."

In NEA reauthorization legislation passed in 1990, Congress required the NEA chairman to "consider general standards of decency" in awarding grants.

"When Jane Alexander comes to her confirmation hearing, she will have to decide whether she wishes to be part of a solution to the NEA's problems, and insist on an end to obscenity and a minimum level of quality; or if she wishes to continue to defend the status quo under the guise of opposing so-called 'content restrictions,'" Mr. Jarvik wrote in a report to appear in the fall issue of *Comint*, a neo-conservative publication.

The NEA has been an ideological war zone since April 1989, when the American Family Association, a Christian anti-smut group, alerted Congress that the endowment funded an exhibit of works by Andres Serrano, which included "Piss Christ," a photo of a crucifix immersed in the artist's urine.

In July of that year, the Corcoran Gallery canceled an exhibit of works by the late Robert Mapplethorpe. The action came after Mr. Helms attacked the NEA for funding the show, which included homoerotic images and pictures of partially nude children.

Specific content restrictions — that barred NEA funding of homoerotic, sadomasochistic and other sexually explicit works — were included in the appropriations legislation Congress passed for the NEA in 1989.

And when the NEA was reauthorized the following year, Congress added the so-called "decency standards."

A federal judge in California struck down the decency standard in 1992. But this year Mr. Clinton's Justice Department disappointed the arts community when it appealed the judge's ruling.

In recent months, one group, the Christian Action Network, led the attack on the NEA. CAN's assaults on the endowment were credited with getting the House to cut the NEA's budget by 5 percent, from \$174.45 million to \$165.75 million. However, the Senate restored half of the \$8.7 million the House cut.

"And over the past two years, we've picked up 40 votes in the House to abolish the NEA," Mr. Mawyer said. "If the NEA continues, in its obstinence, to appeal to radical elements of the arts community, we'll continue to pick up support."

Other conservative groups, such as the American Family Association

and the Christian Coalition, which until recently were consumed by the homosexuals-in-the-military issue, re-entered the NEA fray.

Marshall Wittmann, legislative director of the Christian Coalition, said most were invigorated by the NEA's decision to reverse Miss Radice's denial of funds for the three homosexual film festivals.

"There are a lot of people in Congress who want to follow the NEA much closer than they ever have before," given some of the controversial projects the NEA funded and public demand for cutting government waste, said Tim Goeglein, spokesman for Sen. Dan Coats, Indiana Republican.

"I don't know why such a little agency gets so much scrutiny... it's a puddle in the ocean... that's seen as a common enemy," said Zelda Fichandler, founding director of the Arena Stage.

Judith Golub, executive director of the American Arts Alliance, said it's important for the new chairman "to rise above the factions" and show that the NEA "funds arts that represents the best in America."

Mr. Lynch said a Harris Poll last year showed that 60 percent of Americans believe there should be federal, state and local funding of the arts.

"I hope that under the Clinton administration, there will be a greater realization that arts are a real part of America," he said.

But NEA critics don't plan to give up easily.

"If these abuses continue, we'll continue to fight them," said Susan Hirschmann, executive director of the Eagle Forum, a pro-family organization.

Nominee got her start in acting through an NEA grant

By Joyce Price
THE WASHINGTON TIMES

If confirmed as chairman of the National Endowment for the Arts, award-winning actress Jane Alexander will be returning to a city where she got her first big professional break.

And she'll be heading an agency that helped make it happen.

"In 1965, I found myself at Arena Stage in the first year of the NEA grants," Miss Alexander told a House Appropriations subcommittee in May 1990.

"We felt that the NEA gave us legitimacy as artists, that it said to us that now we can possibly have a world-class theater," she told the panel at a time when many critics were urging an end to the arts funding agency.

"The Great White Hope," one of the experimental plays produced at Arena Stage during Miss Alexander's three-year tenure there, went on to Broadway and won a Tony Award for her and a Pulitzer Prize.

It also went on to become a movie, and Miss Alexander was nominated for an Academy Award for her role, one of four nominations she received for that coveted acting prize. She won an Emmy Award in 1981 for "Playing for Time."

President Clinton's nomination of Miss Alexander to head the troubled endowment came soon after she was nominated for a Tony in the Broadway play "The Sisters Rosenweig."

She didn't win the Tony but beat out Deborah Sale, a senior Clinton campaign aide who headed the president's arts and humanities transition team, for the endowment's top post.

Her NEA nomination came just months after she and her husband, director-producer Edward Sherin, were bilked out of between \$500,000 and \$1.9 million by a former financial manager.

Some NEA critics privately asked how someone who couldn't keep track of her own finances can be expected to manage a federal budget of approximately \$170 million.

But New York art dealer Richard L. Feigen, a friend of Miss Alexander's, said that what happened to Miss Alexander is not that unusual in the entertainment industry. Many



Jane Alexander

entertainers rely on others to manage their money, he said.

Mr. Feigen spearheaded efforts to get Miss Alexander nominated as NEA chairman. In March, he sent a letter to President Clinton, signed by numerous writers, artists, musicians, dancers and actors, urging him to nominate Miss Alexander.

"Everyone in the creative community applauds the president's judgment in making this appointment," Mr. Feigen said in a telephone interview.

The arts community's strong support for Miss Alexander as NEA chair has endowment critics worried. Martin Mawyer, president of the Christian Action Network, worries she will be "behind to Hollywood interests."

But Zelda Fichandler, founding director of Arena Stage and a friend of Miss Alexander's, denied his characterization. "She doesn't represent the neon or pizzazz of Hollywood... she believes in the free spirit of art... but that doesn't mean her mind is closed to hearing" opposing views.

"Jane Alexander doesn't have experience in running a bureaucracy," Mr. Mawyer said.

But Miss Alexander pointed to her work on the boards of groups such as the Wildlife Conservation Society, which runs zoos in New York; Women's Action for New Direction (formerly Women Against Nuclear Disarmament, or WAND), and the American Council for the Arts.

Robert H. Knight, director of cultural studies for the Family Research Council, said he's worried about her "radical ties," such as her long association with WAND, "a group that wants to slash the Defense Department's budget and have our military function under U.N. command.... As an American, I find that very troubling."

1989: The American Family Association, a Christian anti-pornography group, launches a congressional letter-writing campaign against the National Endowment for the Arts-funded exhibit of Andres Serrano works that includes "Piss Christ," a photo of a crucifix immersed in the artist's urine.

June 1989: Pat Robertson condemns NEA funding of the Serrano show as "blasphemy paid for by the government" on the Christian Broadcasting Network.

July 1989: The Corcoran Gallery carrels a photographic exhibit by the late Robert Mapplethorpe after Sen. Jesse Helms, North Carolina Republican, blasts the NEA for financing the show, which includes homosexual works.

July 1989: Congress votes to cut the NEA's budget by \$45,000 — the sum of two federal grants awarded for the Mapplethorpe and Serrano exhibits.

October 1989: Congress passes legislation barring federal funding of obscene art. The NEA requires grant recipients to sign a pledge of compliance. John E. Frohnmayer, an

June 1990: NEA rejects applications for four controversial solo performance artists whose works involve controversial topics such as homosexuality, nudity, urination, and AIDS. Outraged artists charge the action is politically motivated.

October 1990: Congress reauthorizes NEA for three years without content restrictions but

March 1990: Frohnmayer tells a House subcommittee the Bush administration opposes legislation to restrict the content of art subsidized with federal money. President Bush says he is "deeply offended" by some of the "filthy" and "blasphemous" that received NEA funding, but he still opposes legislative restrictions on art content.

May 1990: Two GOP House members — Tom Coleman of Missouri and Steve Gunderson of Wisconsin — introduce a bill to restructure the NEA by stripping it of most of its grant-dispensing authority and prevent funding of obscene art.

December 1990: Frohnmayer creates penalties for artists whose NEA-financed works are found obscene by courts.

January 1991: NEA approves grants to Karen Finley and Holly Hughes, whose works include strong sexual content and who were denied grants in 1990.

February 1991: NEA approves grants to Holly Hughes and Tim Miller, who were among four artists suing the endowment for denial of grants in 1990.

February 1991: Frohnmayer, who angered both artists and conservatives during his 2½-year tenure as NEA chairman, is fired by President Bush.

May 1991: Anne-Imelda Radice is appointed acting NEA chairman. She vows to veto grants for sexually explicit art and other projects with "difficult subject matter."



John Frohnmayer

June 1991: A federal judge in Los Angeles strikes down as unconstitutional the NEA's "decency standard."

November 1991: Radice angers the arts community when she vetoes three of 53 grants sought by the Oakland-based National Alliance for Media Arts and Culture.

January 1992: Radice quits the NEA. She names Anna M. Steele as acting senior deputy chairman.

April: The Clinton administration's Justice Department angers artists

grants to Karen Finley and Holly Hughes, whose works include strong sexual content and who were denied grants in 1990.

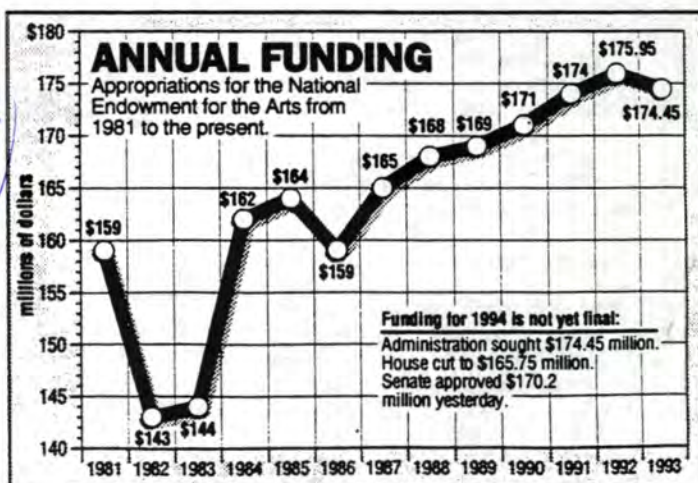
August: President Clinton nominates acclaimed actress Jane Alexander as NEA chairman. The NEA reverses Radice's November 1992 decision denying \$17,500 in funding to the National Alliance for Media Arts and Culture for three homosexual film festivals. The reason given is an "abuse of process" by Radice.

September: The Christian Action Network asks President Clinton to dismiss Steele as acting head of the NEA, citing her action to reverse Radice's denial of funds for National Alliance for Media Arts and Culture.

June: The NEA gives \$252,000 to four artists who sued the agency over denial of grants in 1990.

July: House cuts \$8.7 million from the \$174.5 million budget the Clinton administration seeks for the NEA in fiscal 1994. Senate Appropriations Committee votes to restore \$4.3 million of the \$8.7 million the House cut from NEA's proposed 1994 budget.

When it appeals the ruling by Judge A. Wallace Tashima in Federal Court in Los Angeles that the NEA's so-called decency standard is unconstitutional.



ROBERT K. DORMAN
68TH DISTRICT, CALIFORNIA

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ARMED SERVICES COMMITTEE

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OVERSIGHT AND INVESTIGATIONS

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Congress of the United States House of Representatives

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HISPANIC CAUCUS
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September 21, 1993

Dear Colleague:

The National Endowment for the Arts (NEA) recently dispatched a "truth squad" in an attempt to calm the storm of opposition over its enthusiastic contribution to the decline of American civilization. True to its cultural agenda, the NEA's attention is now focused on the Christian Action Network (CAN) which has taken on the unenviable (but necessary) task of publicizing taxpayer-funded atrocities. The NEA calls the work it funds, "America at its best." This member of Congress, along with CAN, believes that pornography, the desecration of Christ, sodomy, and the glorification of rape and violence is not "America at its best." Since the NEA is engaged in a misinformation campaign, I believe it is important for members to know the specious arguments made by the NEA in defense of its trash.

First, in a now famous episode, CAN brought to our attention the "Object Art" exhibit at the Whitney Museum of American Art in New York City. The NEA says, "The Arts Endowment did not fund the Whitney Museum exhibition in question." This argument has been discredited many times already but we will go through the exercise in logic one more time since the NEA cannot seem to grasp it. The Whitney's Independent Study Program received \$65,000 from the NEA, and it was the Independent Study Program that put on the "Object Art" show. Saying that the NEA had no hand in the show is like saying Frank Lloyd Wright had no hand in building the Guggenheim because he didn't put every nail in place. The participants in the "Object Art" show were supported by federal funds during the time they dreamed up the exhibit.

Second, the NEA admits to funding "Art Rehab," a show that consisted in giving away money to itinerant workers in California, some of whom were presumably illegal aliens. However, the NEA tries to argue that it wasn't aware that this specific project was being funded. Exactly. Our arguments against the NEA are that the process of grant-giving is flawed and they have inadequate oversight. The NEA now admits as much when they are presented with the results of the work they have already funded.

Third, the NEA says that they didn't directly fund the photographs of Joel-Peter Witkin (some of which include the exploitation of cadavers for his prurient interests). In fact, the NEA from 1980 through 1992 has given Mr. Witkin over \$50,000 in Fellowship grants. These grants are given as general support for the artist and, thus, any work they produce during that period is *de facto* NEA-supported. In fact, the NEA has such poor oversight of these general grants that it has no idea what it did or did not support and therefore refuses to take responsibility for the junk it calls art. The NEA will contend that it gave Witkin money but that money did not produce a single work of art. If that is the case, why do we give these artists money? AFDC would be more appropriate.

Last, the NEA claims that CAN has been lying about federal support for the Pittsburgh International Gay and Lesbian Film Festival. They couldn't be further off the mark. Just in the last month, the NEA decided to fund three Gay and Lesbian Film Festivals, including Pittsburgh's. CAN has been circulating materials from the 1991 Pittsburgh festival in order to show the type of work to be federally-subsidized. The NEA is trying to use smoke and mirrors to obscure the fact that they are currently funding the Gay and Lesbian Film Festivals of Pittsburgh, New York and Los Angeles.

The NEA continues to argue that it does not fund pornography, blasphemy, or other objectionable materials. How long will we allow them to get away with this misrepresentation? The problems at the NEA not only are fundamental to the entire structure of the NEA but also are a contributing factor to the cynicism of Americans and the decline of our civilization. We must stop the NEA from draining the will of America.

Best regards,

Bob

Robert K. Dorman
Member of Congress

DRAFT 9/20
5 p.m.

STATEMENT OF JANE ALEXANDER

Thank you Mr. Chairman, Senator Kassebaum, and members of the committee. I am pleased to come before you today as President Clinton's choice to head an extraordinary agency, the National Endowment for the Arts, which has meant so much to me, and to so many others.

I grew up in Brookline, Massachusetts, not far from Senator Kennedy's homestead, in a family whose tradition was in medicine. My mother was born in south Boston, excelled in school, and became a scrub nurse to a neurosurgeon. My father, born in Nebraska and schooled in North Platte and Omaha, was awarded a scholarship at age 16 to Harvard and then to Harvard Medical School. His father, Daniel Quigley, the son of Irish immigrants, distinguished himself not only as physician to Buffalo Bill Cody in North Platte, but as a pioneer in the use of radium for cancer over 75 years ago, and in extolling the virtues of vitamins. Thus, all I knew was the world of medicine. It was assumed, I suppose, that my brother, my sister, and I would find a life in science as well.

In 1945, a man I barely knew, my father, returned from the war. He had been gone most of my young life and in an effort to get to know me, this handsome stranger took me one

afternoon to the ballet. It was surely the seminal experience of my life. The ballet was "Coppelia"; it was danced by lighter-than-air magicians from Copenhagen, Denmark -- American ballet companies being few and far between at that time. Although I was barely six, that experience transformed my life -- my waking thoughts and my dreams. How could human beings defy gravity with such grace? Hovering in the air like hummingbirds? How was the corps de ballet able to execute their steps in such perfect unison? How did such beauty come to exist? You didn't see it in the real world, not costumes like that, or lights, or scenery or the seemingly limitless extension of the human body itself.

I was introduced to art, and from that moment on it never left me. Although I dedicated myself to becoming a ballerina, it was not to be. The sheer discipline of the endeavor, the actual pain endured in being "on pointe" was more than I was cut out for. After getting some good laughs as Long John Silver in a third grade production of Treasure Island, I switched my allegiance to theater. At fourteen, I went with my class to an Old Vic production of Romeo and Juliet. I was transfixed by the romance of Shakespeare's tale and wondered if I would ever grow up to play Juliet -- did only the British have a lock on theater like this?

I began my search for a life in the theater, one that would allow me to act in the great classic plays of the

world. At the time, virtually the only commercial theater was found on Broadway in New York City and try outs and occasional tours which visited cities across the United States. Beyond that, there was community theater where amateurs banded together and, for the love of it, put on plays wherever and however. My dream was to be like the great American actress, Katherine Cornell, and play a year on Broadway and then tour that production around the country for a year. But by the time I grew up, that kind of theater had dwindled to almost nothing.

Quite obviously, my first love of theater has continued to this day, and I return regularly to theaters in different parts of the country. I can happily say I've performed or filmed in more than 20 states. [add a few examples]

I am proud to be an artist, and to be able to give people laughter, or move them emotionally or even enlighten them through the ideas and words of the writer. My passion is for the arts in all its manifestations and I feel I understand the creative process well. My experience as an artist is not limited to theater and film. Dance is still a part of my life, as are singing and playing the guitar. I enjoy photography, and my husband and I collect paintings and sculpture. In addition, I've written screenplays, poetry,

and coauthored both a translation of an Ibsen play and a cookbook dedicated to the noble Atlantic bluefish.

In 1965, an historic moment arrived in my creative life and in that of this country. Congress declared that: "An advanced civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of scholarly and cultural activity in order to achieve a better understanding of the past, a better analysis of the present and a better view of the future. Democracy demands wisdom and vision in its citizens. It must therefore foster and support a form of education, and access to the arts and the humanities, designed to make people of all backgrounds and wherever located masters of their technology and not its unthinking servants"

This was the Declaration of Independence for the Arts and Humanities. Senator Pell was its orchestrator, for which we are all deeply grateful. It legitimized the endeavors of tens of thousands in the creative community and recognized the worth of creative thought made manifest through painting, sculpture, architecture, dance, ^{film} ~~writing~~, design, music, opera, theater, and film. ^{folk arts} ~~other disciplines?~~ It confirmed that the arts belong to all people and that art is of the people, for the people, and by the people.

Almost immediately things began to happen, all across the country. With seed money from the Endowment, people took heart and went to work to raise matching funds for small presses, for dance companies, for an opera, for artists to come into their schools, for museums to celebrate and safeguard our heritage. The first-ever grant from the Arts Endowment in 1965 rescued the American Ballet Theater, one of the nation's finest dance companies, from extinction and gave it a new life.

experienced
I ~~saw~~ first hand the impact of this renaissance in the arts. ~~In the early 1960's a new and exciting movement was afoot. In New York the off-Broadway theater had sprung up in smaller spaces and with smaller budgets. The audience felt close to, and in some cases, part of the action. Outside of New York, a few intrepid pioneers had founded similar theaters in Houston, Cleveland, Boston, Indianapolis, and here in Washington, D.C. These theaters operated on a shoestring; largely, they presented revivals of tried and true plays and classics of the European repertory, there being no significant money yet for new playwrights or plays. I was lucky enough to be a part of this new regional theater movement, performing at the Indiana Repertory Theater, Boston's Charles Playhouse, and Washington's great Arena Stage.~~

With the Endowment's help, regional theater blossomed. In 1968, at the height of the Civil Rights movement, the Endowment helped fund a play called The Great White Hope at the Arena Stage with an interracial company of 63. It was the first from a not-for-profit theater to transfer to Broadway. The play won a Pulitzer prize for its author, Howard Sackler; and James Earl Jones and I moved from the theater to a film version and received Academy Award nominations for our performances.

The impact of the NEA was not limited to The Great White Hope. Significantly, since that time, every single theater Pulitzer Prize has been awarded to a play that originated in the not-for-profit theater and was funded by the Arts Endowment. ~~That's quite a record.~~ *I think you will agree that's quite a record.*

The Endowment has continued to be a part of my creative life as well. [Add NEA involvement in other works you have done -- Sisters, teaching in Oklahoma, etc.]

~~This is a vast and wonderful land of great diversity and beauty.~~ I'm grateful to have been welcomed and to have felt at home in so many places. The life I've led in the theater, in the world of art, has given so much to me personally -- particularly from Endowment-supported works -- that I wish to give something back.

Perhaps I can make

I want to make a real contribution at this difficult time. The NEA has struggled these past few years to keep itself alive and valued in the public eye. In these 28 years, it has awarded 100,000 grants. It has been an unparalleled success, perhaps the most successful of any of the independent Federal agencies. Directly and indirectly it has affected most artists and arts organizations. It has created an arts economy of about 6% of the Gross National Product, and over 2½% of our work force. The Endowment's budget is minuscule in comparison with other government agencies; but with its \$175 million budget last year, it created a 20-fold return in jobs, services and contracts. In partnership with the private sector, it leveraged that \$175 million to almost \$1.4 billion.

With all this accomplishment at the Endowment, how has this success story managed lately to be depicted as a villain? A handful of controversial grants has taken the focus from the thousands upon thousands of grants that have enhanced the lives of millions. I respect the right of people to be heard -- the voices of those who are disturbed by art and the voices of the creative community -- this, after all, is the greatness of our democratic system. But the arts should not be used as a political football by those on the far right or the far left. The arts are for everyone. The Endowment is too important to be misused by some who

disseminate misinformation for their own ends or attack the Endowment as a campaign platform.

I believe strongly that the sound and the fury of the past few years over that handful of controversial grants must end. When judging the National Arts Endowment, we must look at the complete picture.) And if a project bothers one, remember that art is not just landscape and concertos. We express our deepest and truest feelings through the arts, our joy, and our sorrow, our hope and our pain. What we cannot encourage is silence or conformity. What we must work toward is ending intolerance and hostility, ~~and~~ ^{and} give the arts a chance to help us heal and understand one another.

Sheila M. S. Caproni

I cannot promise under my Chairmanship that the arts will be free of controversy. The very essence of art, after all, is to hold the mirror up to nature; the arts reflect the diversity and variety of human experience. We are, as Hamlet says, "the abstracts and brief chroniclers of the time," and as such, the artist often taps into the very issues of society that are most sensitive. I can, however, assure Congress that I will follow the statutory guidelines on funding to the very best of my ability to insure that grants are given for the highest degree of artistic merit and excellence. My goal for the arts is that the best reaches the most.

In making these judgments, I know that, if confirmed, I will have ultimate responsibility for the Endowment's decisions. There is in place a rigorous review and evaluation process for funding. That process benefits from expertise and checks and balances. I think that it can use some fine tuning, but it brings well-considered recommendations to the chairman. I plan to use my best judgment in applying the statutory funding criteria. ~~And I will be pleased to discuss with you any decisions that I have made.~~ *I will be accountable to you & ensure to have an open dr.*

If deemed me worthy to chair
~~As the President's nominee for Chairman of the Arts Endowment, if confirmed, I intend to let the American people know the truth about the Endowment and the value of the arts in each and every one of their lives. I am committed to making the Endowment a driving force in the education field. Arts education helps inspire and motivate students, gets them to focus on creative approaches to problem-solving, and frees the imagination.~~

~~I also look forward to an enhanced partnership with the private sector which matches dollar for dollar Endowment grants to arts organizations. I want to work with state arts councils and local agencies to develop new and innovative ways to reach communities everywhere. I hope to travel all across this country to listen to the people about their needs~~

with regard to the arts, from the most rural area to the inner city.

I have a vision for the arts in this country. That vision is that every man, woman, and child find the song in his or her heart. I see the arts as part of the solution to our problems and not, in any way, part of the problem. The arts are life enhancing and bring joy. Through the arts, we release the very best that is in our imaginations and it is through imagination that we draw the map for our futures. Through the arts we learn the discipline of a skill and the accomplishment that comes with collaboration. The arts are a community issue. They bring together, they do not rend asunder.

*Showcase the greatness
of this nation.*

Mr. Chairman, I am honored to be considered for this position. It is the culmination of my life in the arts which has given me much joy. I hope to be able to help provide the people of this country the opportunity to find in the arts some of the richness and joy that I have experienced.

Thank you Mr. Chairman, members of the committee. It gives me great pleasure to come before you today as the President's choice to head the extraordinary agency, the National Endowment for the Arts, which has meant so much to me in my lifetime.

I grew up in Brookline, Massachusetts not far from Senator Kennedy's homestead in a family whose tradition was in medicine. My mother was born in south Boston, excelled in school, and became a scrub nurse to a neurosurgeon. My father, born and schooled in North Platte, Nebraska and in Omaha, was awarded a scholarship at age 16 to Harvard and then to Harvard Medical School. His father, Daniel Quigley, the son of Irish immigrants, distinguished himself not only as physician to Buffalo Bill Cody in North Platte, but as a pioneer in the use of radium for cancer over 75 years ago, and in extolling the virtues of vitamins. Thus, all I knew was the world of medicine and it was assumed, I suppose, that my brother, my sister, and I would find a life in science as well.

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advanced civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of scholarly and cultural activity in order to achieve a better understanding of the past, a better analysis of the present and a better view of the future. Democracy demands wisdom and vision in its citizens. It must therefore foster and support a form of education, and access to the arts and the humanities, designed to make people of all backgrounds and wherever located masters of their technology and not its unthinking servants"

This was the Declaration of Independence for the Arts and Humanities; Senator Pell was its orchestrator, for which we are deeply grateful. It legitimized the endeavors of tens of thousands in the creative community and recognized the worth of creative thought made manifest through painting, sculpture, architecture, dance, writing, design, music, opera, theater, and film. It confirmed that the arts belong to all people and that art is of the people, for the people, and by the people.

Almost immediately things began to happen, all across the country. With seed money from the Endowment, people took heart and went to work to raise matching funds for small presses, for dance companies, for an opera, for artists to come into their schools, for museums to safeguard our heritage.

I saw first hand the impact of this renaissance in the arts. In the early 1960's a new and exciting movement was afoot. In New York the off-Broadway theater had begun in smaller spaces and with smaller budgets. The audience felt close to, and in some cases, part of the action. Outside of New York, a few intrepid pioneers had founded similar theaters in Houston, in Cleveland, in Boston, in Indianapolis, and here in Washington, D.C. These theatres operated on a shoe string; largely, they presented revivals of tried and true plays and classics of the European repertory, there being no significant money yet for new playwrights (or plays). I was lucky enough to be a part of this new regional theater movement, performing at the Indiana Repertory Theater, Boston's Charles Playhouse, and Washington's Arena Stage.

With NEA help, this movement blossomed. In 1968, at the height of the civil rights movement, NEA helped fund a play called The Great White Hope at the Arena Stage with an interracial company of 63. The play was the first from a not-for-profit theater to transfer to Broadway. It won a Pulitzer prize for its author, Howard Sackler; and James Earl Jones and I commenced our film career after doing the movie and receiving Academy Award nominations.

The impact of the NEA was not limited to The Great White Hope. Significantly, since that time, every single theatre Pulitzer Prize has been awarded to a play that originated in the not-for-profit theater and was funded by the NEA. (That's quite a record. - 1 That you agree)

This is a vast and wonderful land of great diversity and beauty. I'm grateful to have been welcomed and to have felt at home in so many places. The life I've led in the theater, in the world of art, has given so much to me personally -- particularly support through the Arts Endowment grants -- that I wish to give something back.

Perhaps I can make a real contribution at this difficult time. The NEA has struggled these past few years to keep itself alive and valued in the public eye. In these 27 years, it has awarded 100,000 grants. It has been an unparalleled success, perhaps the most successful of any of the independent Federal agencies. Directly and indirectly it has affected most artists and arts organizations today and created an arts economy of about 6% of the Gross National Product, and over 2½% of our work force. The Endowment's budget is minuscule in comparison with other government agencies; but with its \$175 million budget last year, it created a 20-fold return in jobs, services and contracts. In partnership with the private sector, it leveraged that \$175 million to almost \$1.4 billion.

How then has this success story managed lately to be depicted as a villain? A handful of controversial grants has taken the focus from the thousands upon thousands of grants that have enhanced the lives of millions. I respect the right of people to be heard -- the voices of those who are disturbed by art and the voices of the creative community -- this, after all, is the greatness of our democratic system. But it would be unwise to let the arts be used as a political football by those on the far right or the far left. The arts are for everyone and the Endowment is too important to be used by those who would disseminate misinformation for their own ends or use the Endowment as their campaign platform.

Shared the Senate Conference,

^ I cannot promise under my Chairmanship that the arts will be free of controversy -- the very nature of art after all is to hold the mirror up to nature and the arts are as diverse as the variety of human experience. We are, as Hamlet says "the abstracts and brief chroniclers of the time," and as such, the artist often taps into the very issues of society that are most sensitive. I can, however, assure Congress that I will follow the statutory guidelines on funding to the very best of my ability to insure that grants are given for the highest degree of artistic merit and excellence. My goal is for the arts is that the best reaches the most.

In making these judgments, I know I have ultimate responsibility for the Endowment's decisions. I plan to use my best judgment in applying the statutory funding criteria. ~~And I will be pleased to discuss with you any decisions that I have made.~~ *I will be accountable to you & want open dm?*

My passion is for the arts in all its manifestations and I feel I understand the creative process well. As for administrative experience, I've co-produced three films nurturing them through the initial outline to production and the screen, overseeing as many as 200 employees. I've sat on the boards of a number of organizations having to do with the arts, health care, and the environment. [I'd strike this paragraph].

If deem me worthy to Chair

~~As the President's nominee for Chairman of the Arts Endowment, subject to confirmation,~~ I intend to let the American people know the truth about the Endowment and the value of the Arts in each and every one of their lives. As chairman, I will be leading a proven staff of 275. The applications for grants in each field are presented to a peer panel of private citizens who are arts experts and lay persons. Out of 17,000 artists who apply, fewer than 4,000 are chosen for funding by the panels. The 26 members of the National Council on the Arts then review the panels' suggestions and approve or reject them. The chairman makes the final decision with regard to approval. This is an

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appropriate system, with expertise and checks and balances, which might need some fine tuning. I intend to use the authority in that decisionmaking process granted by Congress.

I look forward to increased partnerships with the private sector which matches dollar for dollar NEA grants to organizations. I also look forward to working with state arts councils and local agencies to develop new and innovative ways to reach communities everywhere. I hope to be able to travel ^{the nation} to all 50 states and listen to the people and their needs with regard to the arts, from the most rural area to the inner city. *Consult closely with you.*

I have a vision for the arts in this country. That vision is that every man, woman, and child find the song in his or her heart. I see the arts as part of the solution to our problems and not, in any way, part of the problem. The arts are life enhancing and bring joy. Through the arts, we release the very best that is in our imaginations and it is through imagination that we draw the map for our futures. Through the arts we learn the discipline of a skill and the accomplishment that comes with collaboration. The arts are a community issue. They bring together, they do not rend asunder.

*Showcase the
greatness of our
nation.*

Mr. Chairman, I am honored to be considered for this position. It is the culmination of my life in the arts which has given me much joy. I hope to be able to help provide the people of this country the opportunity to find in the arts some of the richness and joy that I have experienced.

Thank you Mr. Chairman, Senator Kassebaum, and members of the committee. I am pleased to come before you today as President Clinton's choice to head an extraordinary agency, the National Endowment for the Arts, which has meant so much to me, and to so many others.

I grew up in Brookline, Massachusetts, not far from Senator Kennedy's homestead, in a family whose tradition was in medicine. My mother was born in south Boston, excelled in school, and became a scrub nurse to a neurosurgeon. My father, born in Nebraska and schooled in North Platte and Omaha, was awarded a scholarship at age 16 to Harvard and then to Harvard Medical School. His father, Daniel Quigley, the son of Irish immigrants, distinguished himself not only as physician to Buffalo Bill Cody in North Platte, but as a pioneer in the use of radium for cancer over 75 years ago, and in extolling the virtues of vitamins. Thus, all I knew was the world of medicine. It was assumed, I suppose, that my brother, my sister, and I would find a life in science as well.

In 1945, a man I barely knew, my father, returned from the war. He had been gone most of my young life and in an effort to get to know me, this handsome stranger took me one afternoon to the ballet. It was surely the seminal experience of my life. The ballet was "Coppelia"; it was

danced by lighter-than-air magicians from Copenhagen, Denmark -- American ballet companies being few and far between at that time. Although I was barely six, that experience transformed my life -- my waking thoughts and my dreams. How could human beings defy gravity with such grace? Hovering in the air like hummingbirds sometimes? How was the corps de ballet able to execute their steps in such perfect unison? How did such beauty come to exist? You didn't see it in the real world, not costumes like that, or lights, or scenery or the seemingly limitless extension of the human body itself.

I was introduced to art and from that moment on it never left me. Although I dedicated myself to becoming a ballerina, it was not to be. The sheer discipline of the endeavor, the actual pain endured in being on pointe was more than I was cut out for. After getting some good laughs as Long John Silver in a 3rd grade production of Treasure Island, I switched my allegiance to theater. At fourteen, I went with my class to an Old Vic production of Romeo and Juliet. I was transfixed by the romance of Shakespeare's tale and wondered if I would ever grow up to play Juliet -- did only the British have a lock on theater like this?

I began my search for a life in the theater, one that would allow me to act in the great classic plays of the world. At the time virtually the only

world. At the time virtually the only commercial theater was

found on Broadway in New York City and try outs and occasional tours which visited cities across the United States. Beyond that, there was community theater where amateurs banded together and, for the love of it, put on plays wherever and however. My dream was to be like the great American actress, Katherine Cornell, and play a year on Broadway and then tour that production around the country for a year. But by the time I grew up, that kind of theater had dwindled to almost nothing.

Quite obviously, my first love of theater has continued to this day and I return regularly to theaters in different parts of the country. I can happily say I've performed or filmed in more than 20 states. [add a few examples]

I am proud to be an artist, and to be able sometimes to give people laughter, or move them emotionally or even enlighten them through the ideas and words of the writer. My passion is for the arts in all its manifestations and I feel I understand the creative process well. My experience as an artist is not limited to theater and film. Dance is still a part of my life as are singing and playing the guitar. I enjoy photography and my husband and I collect paintings and sculpture. In addition, I've written screenplays, poetry, and coauthored both a translation of an Ibsen play and a cookbook dedicated to the noble Atlantic bluefish.

In 1965, a historic moment arrived in my creative life and in that of this country. Congress declared that: "An advanced civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of scholarly and cultural activity in order to achieve a better understanding of the past, a better analysis of the present and a better view of the future. Democracy demands wisdom and vision in its citizens. It must therefore foster and support a form of education, and access to the arts and the humanities, designed to make people of all backgrounds and wherever located masters of their technology and not its unthinking servants"

This was the Declaration of Independence for the Arts and Humanities. Senator Pell was its orchestrator, for which we are all deeply grateful. It legitimized the endeavors of tens of thousands in the creative community and recognized the worth of creative thought made manifest through painting, sculpture, architecture, dance, writing, design, music, opera, theater, and film. [other disciplines?] It confirmed that the arts belong to all people and that art is of the people, for the people, and by the people.

Almost immediately things began to happen, all across the country. With seed money from the Endowment, people took heart and went to work to raise matching funds for small

presses, for dance companies, for an opera, for artists to come into their schools, for museums to celebrate and safeguard our heritage. The first-ever grant from the Arts Endowment in 1965 rescued the American Ballet Theater, one of the nation's finest dance companies, from extinction.

I saw first hand the impact of this renaissance in the arts. In the early 1960's a new and exciting movement was afoot. In New York the off-Broadway theater had sprung up in smaller spaces and with smaller budgets. The audience felt close to, and in some cases, part of the action. Outside of New York, a few intrepid pioneers had founded similar theaters in Houston, in Cleveland, in Boston, in Indianapolis, and here in Washington, D.C. These theaters operated on a shoestring; largely, they presented revivals of tried and true plays and classics of the European repertory, there being no significant money yet for new playwrights (or plays). I was lucky enough to be a part of this new regional theater movement, performing at the Indiana Repertory Theater, Boston's Charles Playhouse, and Washington's great Arena Stage.

With the Endowment's help, regional theater blossomed. In 1968, at the height of the civil rights movement, the Endowment helped fund a play called The Great White Hope at the Arena Stage with an interracial company of 63. The play was the first from a not-for-profit theater to transfer to

Broadway. It won a Pulitzer prize for its author, Howard Sackler; and James Earl Jones and I moved from the theater to a film version and received Academy Award nominations for that work.

The impact of the NEA was not limited to The Great White Hope. Significantly, since that time, every single theater Pulitzer Prize has been awarded to a play that originated in the not-for-profit theater and was funded by the Arts Endowment. That's quite a record.

The Endowment has continued to be a part of my creative life as well. [Add NEA involvement in other works you have done -- Sisters, teaching in Oklahoma, etc.]

This is a vast and wonderful land of great diversity and beauty. I'm grateful to have been welcomed and to have felt at home in so many places. The life I've led in the theater, in the world of art, has given so much to me personally -- particularly from Endowment supported works -- that I wish to give something back.

I want to make a real contribution at this difficult time. The NEA has struggled these past few years to keep itself alive and valued in the public eye. In these 28 years, it has awarded 100,000 grants. It has been an unparalleled success, perhaps the most successful of any of

the independent Federal agencies. Directly and indirectly it has affected most artists and arts organizations. It has created an arts economy of about 6% of the Gross National Product, and over 2½% of our work force. The Endowment's budget is minuscule in comparison with other government agencies; but with its \$175 million budget last year, it created a 20-fold return in jobs, services and contracts. In partnership with the private sector, it leveraged that \$175 million to almost \$1.4 billion.

With all this accomplishment at the Endowment, how has this success story managed lately to be depicted as a villain? A handful of controversial grants has taken the focus from the thousands upon thousands of grants that have enhanced the lives of millions. I respect the right of people to be heard -- the voices of those who are disturbed by art and the voices of the creative community -- this, after all, is the greatness of our democratic system. But the arts should not be used as a political football by those on the far right or the far left. The arts are for everyone. The Endowment is too important to be misused by some who disseminate misinformation for their own ends or attack the Endowment as their campaign platform.

I believe strongly that the sound and the fury of the past few years over that handful of controversial grants must end. When judging the National Arts Endowment, we must look

at the complete picture. And if a project bothers one, remember that art is not just landscape and concertos. We express our deepest and truest feelings through the arts, our joy, and our sorrow, our hope and our pain. What we cannot encourage is silence or conformity. What we must work toward is ending tolerance and hostility, and give the arts a chance to help us heal and understand one another.

I cannot promise under my Chairmanship that the arts will be free of controversy. The very essence of art after all is to hold the mirror up to nature; the arts reflect the diversity and variety of human experience. We are, as Hamlet says, "the abstracts and brief chroniclers of the time," and as such, the artist often taps into the very issues of society that are most sensitive. I can, however, assure Congress that I will follow the statutory guidelines on funding to the very best of my ability to insure that grants are given for the highest degree of artistic merit and excellence. My goal for the arts is that the best reaches the most.

In making these judgments, I know that, if confirmed, I will have ultimate responsibility for the Endowment's decisions. There is in place a rigorous review and evaluation process for funding. That process benefits from expertise and checks and balances. I think that it can use some fine tuning, but it brings well-considered

recommendations to the chairman. I plan to use my best judgment in applying the statutory funding criteria. And I will be pleased to discuss with you any decisions that I have made.

As the President's nominee for Chairman of the Arts Endowment, if confirmed, I intend to let the American people know the truth about the Endowment and the value of the Arts in each and every one of their lives. I am committed to making the Endowment a driving force in the education field. Arts education helps motivate students, gets them to focus on creative approaches to problem-solving, and frees the imagination.

I also look forward to an enhanced partnership with the private sector which matches dollar for dollar Endowment grants to arts organizations. I want to work with state arts councils and local agencies to develop new and innovative ways to reach communities everywhere. I hope to travel all across this country to listen to the people and their needs with regard to the arts, from the most rural area to the inner city.

I have a vision for the arts in this country. That vision is that every man, woman, and child find the song in his or her heart. I see the arts as part of the solution to our problems and not, in any way, part of the problem. The arts are life enhancing and bring joy. Through the arts, we

release the very best that is in our imaginations and it is through imagination that we draw the map for our futures. Through the arts we learn the discipline of a skill and the accomplishment that comes with collaboration. The arts are a community issue. They bring together, they do not rend asunder.

Mr. Chairman, I am honored to be considered for this position. It is the culmination of my life in the arts which has given me much joy. I hope to be able to help provide the people of this country the opportunity to find in the arts some of the richness and joy that I have experienced.

Group Claims NEA ✓ Endorses Pornography

Explicit Sexual Films Cited as Evidence

By Jacqueline Trescott
Washington Post Staff Writer

Renewing its call for the dismantling of the National Endowment for the Arts, a conservative religious group yesterday showed excerpts from graphic sexual films that it says illustrates the NEA's endorsement of pornography.

At a screening and news conference, the Christian Action Network also called for President Clinton to fire Ana Steele, the NEA's acting chairman. Two weeks ago, Steele reversed a decision made during the Bush administration and

approved a \$17,500 grant to an organization that supported three homosexual film festivals.

The grant was submitted in spring 1992 by the National Alliance for Media Arts and Culture, an Oakland umbrella group that had applied for funding for 53 organizations. Three of those groups were denied funding in November by Anne-Imelda Radice, then the NEA's acting chairman.

The excerpts shown yesterday were part of the Sixth Annual Pittsburgh International Lesbian and Gay Film Festival held in Oc-

See NEA, G2, Col. 1

Religious Group Attacks NEA ✓

NEA, From G1

tober 1991. The Pittsburgh event did not receive NEA funding that year, according to the festival director, the alliance and the NEA. The following year's festival was part of the alliance's disputed 1992 application, but the NEA said yesterday that the money released last month could only be applied to festival events such as lectures and symposiums, not the presentation of films.

Each side accused the other of manipulating the facts. Martin Mawyer, the president of the Christian Action Network, said the arts agency was deliberately mixing up the issues. "Every time we do this, the NEA says we didn't fund this. They are being very cowardly," said Mawyer, who acknowledged that the NEA did not fund the films' production. NEA spokeswoman Ginny Terzano said: "They always get their facts wrong as a way to promote their own agenda. They are continuing to fund-raise on the backs of the arts endowment by distorting the agency's record."

The film, which the group said it sent to President Clinton and all members of Congress, showed

among other explicit scenes a woman masturbating and two men performing oral sex in a bathtub. Said Mawyer: "I would like to raise a challenge to President Bill Clinton to meet with any John Doe and sit down and watch the film . . . which graphically shows footage of a man licking the inside of a toilet bowl and then tell Mr. and Mrs. John Doe that the sacrifices they must pay in higher taxes must go to the National Endowment for the Arts because this type of film is considered art."

The conservative group has taken the lead in turning up the heat on the NEA in recent weeks. Days before a congressional vote on the agency's budget, CAN staged an exhibition of "obscene" photographic work that had received some NEA support. It has joined the clamor surrounding the distribution of \$10 bills to migrant workers by artists in San Diego who received NEA money, an action that the arts agency said was "an unallowable expense."

The continued attack on the agency comes at a critical time. A vote on its appropriation is expected in the Senate early next week, and hearings on its reauthorization past Sept.

30 are pending. Also, the confirmation hearings of actress Jane Alexander as the agency's chairman are tentatively scheduled for Sept. 21. CAN opposes her nomination.

In reversing the decision on the alliance grant last month, the NEA said its review "determined that there was an error in procedure." But Jill Collins, the NEA spokeswoman during the Bush administration, said Radice personally reviewed some of the films. "The discussion focused around 'Does this represent artistic excellence?' To say the process was flawed goes away from the mission of the agency which is to support artistic excellence," said Collins.

Bosnian Cast of Musical 'Hair' Gets Entangled in Wartime Exit Regulations

By David B. Ottaway
Washington Post Foreign Service

SARAJEVO, Bosnia—The State Department has been holding up approval for the Bosnian cast of the local version of the American anti-war musical "Hair" to come to the United States to tell its story of the agony of Bosnians living under siege here, according to American and U.N. sources.

The cast of 20 includes some of former Yugoslavia's best known rock musicians, singers and actors from all three nationalities involved in the civil war here: Serbs, Croats and Muslims. They were all trapped in Sarajevo at the start of the war in April 1992 and decided to use the Vietnam-era "Hair" to illustrate the determination of a besieged people to keep alive their ideals

and hopes even in the midst of death, destruction, hunger and isolation.

The show's U.S. tour was supposed to open at the Kennedy Center in Washington next Monday. But the State Department has been trying to decide for weeks whether to allow the cast and its five production personnel to fly out on one of the American planes involved in the airlift of humanitarian aid into Sarajevo.

The dispute involves a general rule laid down by the United Nations that regular Bosnian civilians should not be transported out of Sarajevo on planes being used in the airlift of relief supplies run by the U.N. High Commissioner for Refugees or those attached to the U.N. force here.

But the UNHCR spokesman here, Ray Wilkinson, denied that his organization had anything to do with the delay and said it was

up to the United States to decide whom it allows on its planes.

Ron Redmond, public information spokesman at UNHCR headquarters in Geneva, said UNHCR had negotiated ground rules allowing it to take three categories of people out of Sarajevo on the aid flights—foreign journalists, humanitarian aid workers and medical evacuees. He said, however, that a country that operates the flights is free to decide unilaterally to take out other people.

The United States is one of five countries taking part in the airlift. Its planes regularly fly out Bosnian government officials or any other civilians Bosnia requests the State Department to transport out of Sarajevo.

Phil Alden Robinson, the American writer and director of the movies "Sneakers" and "Field of Dreams," who was instrumen-

tal in arranging the trip, said he believes the real cause of the holdup is that the issue has become part of a larger controversy within the State Department over the whole U.S. policy toward Bosnia.

"Clearly there is division in the Clinton administration about what to do about Bosnia in macro terms. My guess is we're caught up in that rift—whether to allow the U.S. public to get stirred up about Bosnia," Robinson said during an interview here last week.

He said he believes the long delay—more than two months now—was caused by some State Department officials who are not eager to expose Americans to the heart-breaking story of Sarajevo because it might create more public pressure for the Clinton administration to take military action to break the Serb siege of the city.

State Department officials have held at least one lengthy meeting on whether to approve transport for the "Hair" cast—and seven Bosnian college students with U.S. scholarships who also are stuck here—apparently without being able to reach any decision.

Robinson said he had gotten the support of Joseph Duffey, director of the U.S. Information Agency, who helped him find backers to raise the \$150,000 needed to bring the "Hair" cast to the United States for a tour.

He has also won the endorsement of 54 senators and congressmen, who jointly wrote the Bosnian government inviting the Bosnian troupe to the United States.

Robinson, who filmed the show for ABC's "Nightline" on a visit to Sarajevo last fall,

See HAIR, A32, Col. 1

stantly seeking ways to get on UNHCR planes, which fly to Split in Croatia, or Ancona in Italy, and some have gotten aboard with fraudulently obtained identification as journalists. Recently, the UNHCR banned any Bosnian nationals working for foreign news media from boarding its planes.

HAIR, From A27

said the cast performs in Serbo-Croatian but sings in English. Its American performances, he said, would be free except for "one or two" fund-raisers for the U.N. refugee agency. He also has planned to have the actors visit Bosnian war victims in American hospitals.

Both the Kennedy Center and the Public Theatre in New York City have offered facilities to stage the musical, which also is to be shown in Boston, Los Angeles and either Austin or Dallas.

Robinson said everything has already been arranged for the tour, including visas for the cast, and that the only remaining holdup is a formal State Department request to the Defense Department asking that the cast be transported out of

Sarajevo on a U.S. military plane.

State Department spokesman Mike McCurry, asked about the dispute in a news briefing in Washington yesterday, said the department has been trying to find "a way that is fair" for choosing who gets flown out of Sarajevo. The question "has now been taken up at a very high level in the government, and I expect they're going to resolve it very, very shortly," he said.

The issue of whether any U.N.-related aircraft should be used to transport Bosnians—other than emergency medical and other special hardship cases—has become highly controversial recently because of allegations that some were getting onto the flights under false pretenses or bribing U.N. personnel to allow them on.

Many Bosnian civilians are con-

THE WASHINGTON POST FRIDAY, SEPTEMBER 10, 1993

QUESTIONS FOR MS. ALEXANDER

WHY DO YOU WANT THIS POSITION? DO YOU THINK THAT A PERSON LIKE YOURSELF, AN ACTRESS WITH NO MANAGEMENT EXPERIENCE, CAN RUN AN AGENCY THAT HAS BEEN UNABLE TO GET BEYOND CONTROVERSY IN THE PAST SEVERAL YEARS? SHOULDN'T WE JUST DO AWAY WITH THE AGENCY AND SAVE THE TAXPAYERS MONEY FOR MORE IMPORTANT ISSUES?

DO YOU THINK AN ARTIST CAN REALLY BE IN TOUCH WITH WHAT AMERICANS LIKE IN ART, THE AVERAGE AMERICAN IS NOT RADICAL LIKE THE AVERAGE ACTOR. HOW ARE YOU GOING TO MAKE PEOPLE FEEL COMFORTABLE THAT YOU UNDERSTAND THEIR PREFERENCES AND KNOW WHAT PEOPLE REALLY EXPECT FROM THIS AGENCY?

DO YOU THINK THAT ARTISTS WHOSE ONLY PURPOSE IS TO INSULT AMERICANS SHOULD BE FUNDED WITH THEIR OWN TAX DOLLARS? WHY DO MAPPLETHORPE, SERRANO AND WITKIN DESERVE TO CARRY ON THEIR PERVERSE WORK ON THE FEDERAL DOLE?

WHAT ABOUT THIS RECENT CONTROVERSY IN SAN DIEGO -- GIVING MONEY TO ILLEGAL ALIENS. THAT IS ABOUT THE SILLIEST THING I HAVE EVER HEARD. WHAT ARE YOUR VIEWS ON THE SAN DIEGO GRANT?

CAN YOU PROMISE THE COMMITTEE THAT THE ARTS ENDOWMENT WILL KEEP AWAY FROM CONTROVERSY IN THE FUTURE? WHAT PROMISES CAN YOU MAKE TO US NOW THAT TAXPAYERS MONEY WILL NOT BE MISSPENT?

IF THE BUDGET FOR NEA IS SO SMALL ANYWAY, WHY CAN'T WE JUST DO AWAY WITH IT? PRIVATE DONATIONS WILL TAKE CARE OF THIS BUSINESS -- PRIVATE COMPETITION WORKS IN OTHER AREAS, WHY DOES ART NEED A SPECIAL SUBSIDY -- WHY NOT SPORTS OR OTHER SERVICES?

ARE YOU READY TO STOP FUNDING SO-CALLED PERFORMANCE ARTISTS - THE NUDITY AND EXPLICIT SEX THAT THEY DO ON STAGE WHICH IS ONLY DONE TO SHOCK AND EMBARRASS GOOD MORAL PEOPLE.

DOESN'T THE EFFORT IN COB COUNTY MAKE IT CLEAR THAT PEOPLE DON'T WANT THIS TYPE OF ACTIVITY GOING ON IN THEIR BACKYARDS. IF THE TAXPAYERS ARE GOING TO FUND THE AGENCY, IT SHOULD BE SPENT ON ART THEY LIKE.

I NOTICE FROM YOUR COMMITTEE BACKGROUND PAPER THAT YOU HAVE BEEN INVOLVED IN SOME FAR LEFT ORGANIZATIONS -- RADICAL ENVIRONMENTAL AND ANTI-NUCLEAR GROUPS. ARE YOU TOO FAR TO THE LEFT TO KNOW WHAT REAL PEOPLE ARE THINKING? ARE YOU GOING TO FUND THESE RADICAL VIEWS AT THE ENDOWMENT?

I'VE HEARD SOMETHING ABOUT THIS ARTS AND HUMANITIES MONTH ANNOUNCED BY THE PRESIDENT. CAN WE AFFORD ALL THIS ELITIST WORK FOR THE UPPER CLASSES. WHAT CAN POSSIBLY BE ACCOMPLISHED BY CALLING A WHOLE MONTH ARTS AND HUMANITIES MONTH - ARE WE GOING TO HAVE A WHOLE MONTH OF MAPPLETHORPE EXHIBITS, I DON'T THINK THERE WILL BE MUCH TOLERANCE FOR THAT.

I HAVE A LOT OF RESPECT FOR GEORGE WILL, WHAT DO YOU THINK OF HIS CALL TO ZERO OUT THIS AGENCY?

WHAT DO YOU THINK OF THE VIEWS EXPRESSED BY ROBERT HUGHES THAT WE JUST OUGHT TO GET BACK TO AN ELITIST VIEW OF ART -- FORGET ALL THIS BUSINESS ABOUT MULTICULTURALISM WHICH IS JUST A NEW WAY OF GETTING AROUND SCHLOCK?

JOHN FROHNMAYER WROTE A BOOK ABOUT HIS TENURE AT THE ENDOWMENT, GETTING OUT ALIVE, WHY DO YOU THINK HE FAILED AS CHAIRMAN OF THE ENDOWMENT, ESPECIALLY COMPARED TO HIS COUNTERPART AT NEH, LYNNE CHENEY, WHO DID AN EXCELLENT JOB AND AVOIDED CONTROVERSY AT THAT ENDOWMENT? ARE YOU GOING TO BE A FROHNMAYER OR A CHENEY?

DO YOU THINK THE PANEL SYSTEM WORKS -- IT SEEMS TO ME THAT IT IS JUST FULL OF CRONYISM, FRIENDS FUNDING FRIENDS. HOW DO YOU INTEND TO CLEAN UP THAT PROBLEM?

DO YOU THINK THAT WE SHOULD DO AWAY WITH GRANTS TO INDIVIDUALS -- IT SEEMS LIKE TOO MANY PEOPLE ARE TRYING TO JUST MAKE A NAME FOR THEMSELVES WITH THIS SHOCKING MATERIAL AND GET PUBLICITY. MAYBE ITS TIME TO ONLY FUND INSTITUTIONS.

DO YOU THINK THAT CONGRESS ACTED CORRECTLY WHEN IT CHANGED THE FORMULA AND INCREASED THE AMOUNT OF FUNDS THAT ARE PASSED THROUGH TO THE STATES? CAN'T BETTER DECISIONS BE MADE CLOSER TO THE PEOPLE. MAYBE WE SHOULD JUST PASS THROUGH ALL THE FUNDS.

THE CLINTON JUSTICE DEPARTMENT CHALLENGED A LOWER COURT RULING THAT THE INDECENCY PROVISION IN THE NEA STATUTE WAS UNCONSTITUTIONAL. HOW DO YOU INTEND TO ENFORCE THE DECENCY PROVISION. DO YOU THINK ARTISTS SHOULD SIGN PLEDGES THAT THEY WILL NOT DO ANYTHING INDECENT WITH THEIR GRANTS.

DO YOU THINK THE ENDOWMENT WAS RIGHT TO SETTLE THE FINLEY CASE?

ARE YOU WILLING TO FIRE ANNA STEELE FOR OVERTURNING THE DECISION OF ANNE RADICI REGARDING THE FUNDING FOR THE GAY AND LESBIAN FILM FESTIVAL -- MOVIES THAT ARE OFFENSIVE TO NEARLY EVERY AMERICAN?

TO: Nestor Davidson
Anne Bartley/M. Verveer
Jennifer Conovitz
Susan Clampitt
Cheryl Mills

FR: G Terzano
RE: Alexander Briefing Material
DA: Friday, August 27, 1993

FYI -- The attached material was federal expressed
to Jane Alexander today.

Background Information on Arts Endowment Issues

August 27, 1993

For Jane Alexander Only

Talking Points
Controversy/Controversial Grants/Offensive Art
August 2, 1993

- o The Endowment has been criticized for recommending a handful of "controversial" grants. Now is not the time to reopen the debate over those specific grants. This agency must be given the opportunity to start a new chapter, making the arts a vital part of people's everyday lives. We are committed to achieving this through our work with the Education Department on Goals 2000 and through the grant making process that enables the best of the arts to become alive and accessible in all corners of our nation's neighborhoods, schools, parks, and institutions.
- o The Endowment is not in the business of promoting offensive art. Not every grant will be a crowd pleaser. But Americans have properly put their faith in our democracy and our government.
- o We don't shut the doors of the National Science Foundation because that agency may make a few grants we think are a mistake. Likewise, we need to support the arts in this country, and learn about the good works the Arts Endowment supports. Endowment critics must look at the full record of the agency before it singles out a handful of controversial projects and targets the Endowment for extinction as a result.
- o The arts are a vital element to the nation's economy. The arts are a vital element to promoting creativity and opening minds to a changing society. This model government agency is unique in its ability to leverage other public and private support and to reach all sectors of the public. It is time for our critics to understand that the arts are a vehicle by which we can bring people together; not draw us apart.

**Background/Talking Points
Status of Reauthorization
August 2, 1993**

Reauthorization Background

- o The authorization statute which governs the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services expires September 30, 1993. The three agencies were last reauthorized by the Arts, Humanities and Museums Amendments of 1990 (Public Law 101-512), enacted November 5, 1990.
- o The Reauthorization, and the FY94 Appropriations processes are already underway. The House Subcommittee on Labor-Management Relations and the House Committee on Education and Labor marked up the reauthorization bill on June 22, 1993 and June 29, 1993, respectively.
- o A full reauthorization would open the entire debate over censorship and decency language. During this time of transition at the Endowment, it is not reasonable to go through a full reauthorization and the debate that would ensue a full reauthorization without the President's confirmed Chair in place.

Time to assess changes made

Talking Points

- o The administration has asked for a two-year basic extension of the authorization statute which governs the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services. The reauthorization proposal makes no substantive changes in the statute authorizing the agencies. The reauthorization recommendation provides for a simple extension of appropriations authority for the agencies for a two-year period (FY 94 and 95).
- o A two-year extension allows the agencies, the new Administration, the Congress, and the American people time to assess the overall legislative policies and activities of the agencies. At the same time, it allows the agencies to go forward with their work.

Background/Talking Points
Appropriations and Stearns Amendment to Cut
the Arts Endowment Budget
by 5 Percent
August 2, 1993

Appropriations Background

- o The funding level requested for the Arts Endowment for FY94 is the \$174,593,000 reflected in the President's budget.
- o The House Subcommittee on Interior and Related Agencies held its appropriations hearing on May 5, 1993. The Subcommittee marked up the appropriations bill on June 15, 1993, and bill went to the full Committee on June 24, 1993.
- o On July 15, the House of Representatives voted to reduce the Arts Endowment FY94 budget by 5%, a total of \$8.7 million. The President's budget request was reduced from \$174 million to \$165.9 million because of this action.
- o On July 27 and 28, the Senate Subcommittee and full Committee marked up the agency's appropriations bill. The Senate subcommittee voted to cut the Endowment budget by a smaller amount, \$4.36 million. This action was approved, without debate, by the full committee.

Talking Points

- o The Administration is committed to cutting the budget and imposing a 3% across the board cut that is required of all federal agencies.
- o A reduction in the Endowment's budget will have a drastic effect on the day-to-day work at the agency. The reduction would take the agency's budget back to where it was in FY87, notwithstanding rising costs and growing citizen demand for the arts.
- o A 5% reduction in the Endowment's budget would further reduce Endowment funds to state arts agencies and projects in rural, inner-city, and other underserved communities.
- o The modest federal investment in the arts serves as a catalyst for local economies. Every dollar the Endowment invests in communities returns 20-fold in jobs, services and contracts. The Endowment has a solid record of leveraging private support, generating local revenues, creating jobs, and increasing tourism. Such an enormous return on such a modest investment should serve as a model for other government programs.

Background/Talking Points
Finley Lawsuit Settlement and Appeal
August 2, 1993

Background of Claims

- o In September 1990, four artists -- Karen Finley, Holly Hughes, John Fleck, and Tim Miller -- filed a lawsuit in the United States District Court for the Central District of California against the Arts Endowment, following then-chairman John Frohnmayer's rejection of the artists' applications for solo theater artist and mime fellowships. The plaintiffs made a variety of claims, notably the assertion that their applications were rejected for inappropriate (i.e. political) reasons.
- o After the suit was filed, the Arts Endowment's reauthorization statute was enacted in November 1990, to include, among other things, the so-called "decency provision" requiring that "in establishing...regulations and procedures [governing NEA grant-making], the Chairperson shall ensure that artistic excellence and artistic merit are the criteria by which applications are judged, taking into consideration general standards of decency and respect for the diverse beliefs and values of the American public" (emphasis added). Subsequently, the artists, joined by the National Association of Artists' Organizations (N.A.A.O.), amended their suit to claim that the decency language was unconstitutional. (The provision was never applied to plaintiffs' 1990 applications.)

1992 District Court Ruling

- o In June 1992, California district court Judge Wallace Tashima issued an opinion finding the following: 1) The decency clause was "unconstitutional" and the procedure used by then-Chairperson John Frohnmayer in this instance (polling of the National Council on the Arts members) was improper; and 2) The plaintiffs could proceed to trial on the portion of the lawsuit concerning their claims that their grants were rejected for inappropriate reasons, and that their privacy rights were violated [the Endowment purportedly disclosed information contained in the artists' grant applications].

Appeal of Decency Ruling

- o On March 29, 1993, the Department of Justice (DOJ) filed a brief appealing the federal district court ruling on the constitutionality of the decency language in the Arts Endowment's enabling legislation. On June 2, 1993, the plaintiffs filed their brief on the appeal. On June 21, 1993, DOJ (on behalf of the agency) filed a reply brief in the case.

An oral argument before the Ninth Circuit (consisting of a three judge panel) has not yet been scheduled.

not
for
Public

- o (The Clinton Justice Department's reply brief essentially retreated from assertions made in its initial brief that the rule of Rust v. Sullivan applies to the arts. DOJ now argues only that Rust need not be reached to decide this case.)

Settlement of Other Claims

- o On June 4, 1993, the Arts Endowment reached a legal settlement with the four artists on that portion of the 1990 lawsuit which claimed the artists' grant applications were rejected for inappropriate (political) reasons.
- o The June 4th settlement was separate from the pending appeal concerning a June 1992 court ruling that the so-called "decency provision" contained in the Endowment's enabling legislation is unconstitutional. That provision remains the subject of an appeal. (See Finley talking points)
- o The settlement totals \$252,000 including attorneys' fees of \$202,000.
- o The settlement is neither an admission or denial -- the Endowment's actions in this matter are nothing more than a settlement to a longstanding legal dispute.

Finley Talking Points Continued, page three

*may it be implemented
does not raise
Constitutional question*

Appeal Talking Points

- o President Clinton supports the work of the National Endowment for the Arts and its commitment to support excellence and provide accessibility to the arts for all Americans. He is strictly opposed to any form of content restriction or censorship. The Administration does not believe the so-called decency language -- as previously implemented by the broad and diverse make-up of over 1,000 private citizen panelists from all over the country, and the 26 distinguished members of the National Council on the Arts, both of which review and make recommendations on grant applications -- is a form of content restriction.
- o The President opposes censorship and content restrictions. The Justice Department appeal has gone forward because it is the role of the Justice Department to defend the constitutionality of statutes passed by Congress.

*Support
Other
position*

Settlement Talking Points

Endowment financial cost.

- o The legal agreement between the plaintiffs and the defendants was a settlement to a longstanding lawsuit; the monies going to the plaintiffs as a result of the settlement were not grants.
- o The settlement was not a statement by the Endowment, one way or the other, regarding the artists' artistic merit. Nor does it represent an Endowment position, one way or the other, as to whether the artists should have received grants.
- o Considering the compelling evidence that proper procedures were not followed in this case, it is apparent that settlement was the most sensible resolution to this matter. The settlement was recommended to the Arts Endowment by the Department of Justice and prevents a useless and costly trial at the expense of the American people.

Background/Talking Points
Decency
August 2, 1993

Background

- o During the campaign, Mr. Clinton made statements regarding the Arts Endowment. Those statements are as follows:

NEA Decency Provision: "Artistic excellence and artistic merit are the criteria by which applications are judged, taking into account consideration of general standards of decency and respect for the diverse beliefs and values of the American public."

1992 Campaign -- Governor Bill Clinton: [I will defend] "freedom of speech and artistic expression by opposing censorship or content restrictions on grants made by the NEA."

1992 Democratic Party Platform: "We believe in public support for the Arts, including a National Endowment for the Arts that is free from political manipulation and firmly rooted in the First Amendment's freedom of expression guarantee."

- o In the fall 1990, decency language was added to the Endowment's enabling legislation. This compromise language is the result of Jesse Helms initiating the decency debate on the hill. Congressman Pat Williams diffused the language by adding "respect for the diverse beliefs and values of the American public."
- o The debate over decency in Congress's approval to include the statute in the Endowment's legislation in part resulted in the four artists, Karen Finley, Tim Miller, John Fleck and Holly Hughes, to amend their lawsuit against the Endowment, claiming the language was unconstitutional. (See Finley talking points)
- o The Clinton Justice Department appealed the June 1992 ruling by a California district court that the language is unconstitutional. One of the Justice Department's roles is to defend the constitutionality of United States Statutes; the Justice Department's decision to appeal is consistent with that responsibility.
- o An oral argument before the Ninth Circuit (consisting of a three judge panel) has not yet been scheduled.
- o (The Clinton Justice Department's reply brief essentially retreated from assertions made in its initial brief that the rule of Rust v. Sullivan applies to the arts. DOJ now argues only that Rust need not be reached to decide this case.)

Decency continued, page two

- o In recent years, the debate over obscenity has shifted to the debate over decency. However, the Endowment has language in its authorizing legislation which leaves it to the courts to determine if the work is obscene; if such determination is made, the Endowment will recover the funds involved.

Talking Points

- o **Need to discuss. Question is still getting vetted.**
- o President Clinton supports the work of the National Endowment for the Arts and its commitment to support excellence and provide accessibility to the arts for all Americans. He is strictly opposed to any form of content restriction or censorship. The Administration does not believe the so-called decency language -- as previously implemented by the broad and diverse make-up of over 1,000 private citizen panelists from all over the country, and the 26 distinguished members of the National Council on the Arts, both of which review and make recommendations on grant applications -- is a form of content restriction.
- o The President opposes censorship and content restrictions. The Justice Department appeal has gone forward because it is the role of the Justice Department to defend the constitutionality of statutes passed by Congress.

Talking Points
Pornography
August 2, 1993

- o The National Endowment for the Arts is fully committed to preserving our cultural heritage and providing access to excellence and the finest of the arts to more Americans.
- o The agency has never and will never promote pornographic material by any means whatsoever. *forbiddin to fund obscenity*
- o Art is not always about beauty. Art reflects the range of all of our many and sometimes difficult emotions. While it does and should reflect the beauty of the world, it also addresses the pain, problems and challenges we face.
- o We are no longer going to be afraid of art. A National Arts Endowment must foster creativity and excellence. Under the Clinton administration we will do so.

(Library example)

Background/Talking Points
President's Committee on the Arts and the Humanities
Federal Council on the Arts and Humanities
August 2, 1993

Background

- o The President's Committee on the Arts and the Humanities was created by executive order in 1982. The committee's primary mandate has been to examine ways to increase private sector support.
- o The Federal Council on the Arts and the Humanities is often mistaken for the President's Committee or erroneously assumed to be defunct. The Federal Council was intended to serve as a national coordinating body, bringing the heads of the many federal cultural agencies together to discuss policy issues. Under the Carter administration the Council also played an active role in encouraging other federal agencies, such as the General Services Administration and the State Department, to create new federal initiatives in the arts.
- o In practice, however, the Federal Council has not served as a policy making body (its ex-officio members have delegated their duties to deputies or other representatives). As a result the Federal Council's sole function in recent years, one specifically mandated in the 1965 legislation on the arts and the humanities, has been to approve the applications for indemnification of museum exhibitions under the federal indemnity program.
- o The President's Committee consists of 12 ex-officio members, all of whom direct federal agencies, and even more private sector members (one of whom must be chairman).

Talking Points

- o This Administration believes that one of the main roles for government in the arts is to foster private support and spending. President's Committee members, who could not otherwise serve within IMS, NEH or NEA, have been able to examine ways to reach out to the private sector and increase private sector support for the arts and the humanities.

*enhancement
of role of
both*

Background/Talking Points
Whitney Museum of American Art
August 2, 1993

Background

- o The National Arts Endowment has a history of support for programs and educational study at the Whitney Museum of American Art. The Museum Program of the Arts Endowment provides project support to museums (including the Whitney), not general operating support.
- o Project support for the Whitney includes money toward the Independent Study Program (ISP) which serves as a graduate study program for ten fellows who pursue scholarly research, engage in the critical examination of art, and analyze the social and cultural context in which art is made and viewed.
- o As the concluding part of the Whitney's ISP program, the fellows organize one or more exhibitions to be presented at the Museum or one of its branches.
- o In August 1992, the National Council on the Arts recommended a \$20,000 grant to the Whitney Museum's Independent Study Program (ISP). In September 1992, then-acting chairperson Anne-Imelda Radice approved the Council's recommendation to fund the ISP grant application.

Talking Points

- o The exhibition, *Abject Art: Repulsion and Desire*, was developed by the Whitney ISP fellows, but **the exhibition was funded by private sources. The National Arts Endowment did not fund the exhibition.** The Endowment only supported the ISP program, not the exhibition. Instead, the Whitney Museum used other funds for the exhibition.
- o The Endowment provided project support for the Independent Study Program **but the funds to support the exhibit came from private sources.** The Arts Endowment -- or any other federal agency -- cannot and should not be held responsible for how recipients of federal support choose to expend their private resources.

Background/Talking Points
Mapplethorpe and Serrano
August 2, 1993

Background

- o In 1987, the National Endowment for the Arts awarded a grant to a North Carolina art gallery to support its annual awards competition, a reputable juried contest that was co-funded by the Rockefeller Foundation and the Equitable Foundation. It was through this competition that photographer Andres Serrano ("Piss Christ") had his work exhibited. Serrano never received a direct grant from the Arts Endowment.
- o In 1988 the Endowment approved a \$30,000 grant to the Institute of Contemporary Art at the University of Pennsylvania to support a retrospective of the works of Robert Mapplethorpe. A highly acclaimed photographer, Mapplethorpe was retained by Time magazine to photograph then-Surgeon General C. Everett Koop for its cover story.
- o The Philadelphia exhibit included 175 photographs, mostly of still lifes (flowers), society portraits, and classic nudes. There were five photos from the photographers "X,Y,Z," portfolio that depicted images of Mapplethorpe's homosexual lifestyle. These photographs were displayed separately from the rest of the exhibition. By the time the show closed in Philadelphia, 10,000 individuals had seen the exhibition. An additional 48,000 individuals viewed the exhibit at the Museum of Contemporary Art in Chicago.

Talking Points

- o These grants, made over five years ago, and the debate created by the grant recommendations, is behind us. It is time to look ahead and work toward ensuring that excellence in the arts is available to more Americans.
- o The Endowment has a structured, accountable grant-making process in place that includes a panel of experts and a layperson, a distinguished presidentially-appointed and senate confirmed council on the arts, and a chair who makes judgments on applications recommended by the Council. The chair has to rely on that structure and their expertise. *More involved*
- o The President/Jane Alexander will not support material that does not meet the standards of the agency's programs. Again, experts from all regions of the country make recommendations on applications; the chair will rely greatly on the panels' and council's expertise. At the same time, they/we will work together to ensure the agency stands by its commitment of providing the finest of the arts to more Americans.

Background/Talking Points
Gay And Lesbian Film Festivals
August 2, 1993

Background

- o In 1992, then acting Chair Anne-Imelda Radice rejected three gay and lesbian film festivals citing lack of artistic merit. The Endowment came under attack for these rejections.

Talking Points

- o In implementing its mission, the Endowment must exercise care to preserve and improve the environment in which the arts have flourished. The Endowment does not, under any circumstances, impose a single aesthetic standard or attempt to direct artistic content. The Endowment annually recommends grants for its excellence that has a wide range of aesthetic viewpoints and presentations.
- o Historically, gay and lesbian artists have been among individuals receiving Endowment funding. The Endowment currently funds only the educational costs associated with such festivals. ?

o Need To Discuss

Talking Points
National Endowment for the Arts Funding
of Photographer Joel-Peter Witkin

- o Joel-Peter Witkin is a respected and widely exhibited artist. Mr. Witkin's work is included in the collection of the Center for Creative Photography at the University of Arizona in Tucson, an internationally recognized museum and archival center housing the work of master American 20th-century photographers such as Ansel Adams, Harry Callahan, Aaron Siskind, W. Eugene Smith, and Edward Weston.
- o Mr. Witkin received a Bachelor of Fine Arts Degree in sculpture from The Cooper Union in New York City, and a Master of Fine Arts Degree in still photography from the University of New Mexico.
- o His work is in the permanent collection of:
 - Museum of Modern Art, New York City
 - Princeton Art Museum, Princeton, New Jersey
 - J. Paul Getty Museum, Malibu, California
 - Kansas City Art Institute, Kansas City, Missouri
 - High Museum of Art, Atlanta, Georgia
 - Walker Art Center, Minneapolis, Minnesota
 - Corcoran Gallery of Art, Washington, D.C.
 - National Gallery of Art, Washington, D.C.
 - National Museum of American Art, Washington, D.C.
- o His work has also been exhibited internationally, including at:
 - La Jolla Museum of Contemporary Art, La Jolla, CA
 - Museum of Contemporary Photography at Columbia College, Chicago, Illinois
 - Brooklyn Museum, Brooklyn, New York
 - Museum of Fine Arts, Santa Fe, New Mexico
 - exhibitions in Japan, Sweden, Israel, England, Spain, Belgium and Portugal.
- o Mr. Witkin has received four Visual Artists Fellowship grants since 1980, the most recent of which was in 1992, to support activities contributing to his creative development and artistic growth, including such activities as research, travel, acquisition of supplies and materials, creation of new work, or the continuation of a work in progress.

-more-

Witkin, page Two

- o In 1990, Mr. Witkin was awarded the title, "Chevalier des Arts and des Lettres" by the French government, only the fourth American photographer to be so honored.
- o Members of Oracle, an international association of curators of photography, recently released the following statement regarding the attacks on Mr. Witkin's work:

"Mr. Witkin is an established artist whose work has been internationally exhibited and published for many years and whose complex and sometimes troubling vision has engendered serious and thoughtful dialogue among curators, art critics, scholars, and the public."

The statement was signed by 67 individuals.

Talking Points
Elitist Perception of Endowment
August 2, 1993

- o The notion that government supported art is only targeted for elitist audiences is completely off base. The arts are for everyone and the National Endowment for the Arts supports scores of projects that reach into all corners of our nation's neighborhoods and communities.
- o The Arts Endowment is a model agency for reaching out into the small communities of rural and urban America. Through Endowment support, orchestras can afford to get out of the symphony hall and into the classroom. Dance companies can afford to leave the stage of big metropolitan areas and tour smaller towns. Public television is able to put on quality educational and cultural programming.
- o Three quick examples include the Chamber Music Rural Residency Program whereby a grant to a New York organization allowed musicians to travel, teach, and perform in nine cities in Georgia, Kansas, and Iowa. Another example is a grant made to the Arkansas Arts Council to support the development of a rural arts program involving seniors and youth in the Delta region. And the Rural Arts Initiative which allows touring of exhibitions in small towns.

Background/Talking Points
Accountability of Grant-making Process
August 2, 1993

Background

- o Since 1965, the Endowment has awarded about 100,000 grants. The agency receives over 17,000 applications annually and makes roughly 4,000 grants a year. Grants to arts organizations generally must be matched by at least one dollar for every federal dollar awarded, thus serving as catalysts for raising additional local public and private support. In FY92, however, Endowment grants of \$123 million generated matching funds estimated at \$1.4 billion, an eleven-fold match.
- o The Endowment's grant-making procedure is comprised of a three tier, legislatively-mandated, process. Rotating panels of private citizens -- nearly 1,000 each year -- review applications and make recommendations based on artistic merit. Panels are composed of artists, administrators, critics, patrons, academicians, and lay persons with a recognized expertise in the artistic discipline for which they have been asked to make judgments. Panelists come from broad geographic, aesthetic, and culturally diverse backgrounds.
- o The National Council on the Arts, an advisory body of Presidentially-appointed and Senate-confirmed private citizens who have made distinguished contributions to the arts, reviews all panel recommendations at quarterly meetings. Council members make their recommendations on grants, and decisions on rejections, and advise the Chairperson on policy, program, and procedural matters.
- o The Chairperson of the Arts Endowment makes final determinations on the applications recommended for funding by the Council.

Talking Points

- o As a federal agency, mandated by Congress, the Arts Endowment has been accountable to the American people. The agency is authorized and required to fulfill its obligations according to the legislation set forth by Congress. There exist strict Final Report requirements to confirm the proper expenditure of Endowment funds by grantees.
- o Further, the wide range of Endowment projects and programs (nearly 4,000 grants annually) enjoyed by the American people, the agency's accountability is tested daily by citizens across the country.

*I will personally --
fiduciary responsibility*

Background/Talking Points
Christian Action Network
August 2, 1993

Background

In the last month, the Christian Action Network (CAN) has lobbied Capitol Hill to defund the agency, or at the least, reduce the president's budget for the National Arts Endowment.

Some of the their lobbying tactics include writing members of Congress and displaying an exhibit of xeroxed copies of photographs that supposedly represents the work of the Endowment.

In the exhibit, CAN highlighted works from three exhibitions and/or artists:

1. Whitney Museum of American Art. Exhibition "Abject Art" Repulsion and Desire in American Art;"
2. Photographs of Joel-Peter Witkin; and
3. 18th Street Arts Complex. Exhibition "Cunt Show."

The following are facts regarding Endowment funding for these three Christian Action Network claims (please see other talking points for additional information).

1. **Whitney Museum Exhibition.** The Endowment has funded the Independent Study Program at the Whitney but all funds to mount this exhibit were raised from private sources. (The most recent Whitney grant was awarded in 1992)
2. **Joel Peter Witkin.** Witkin has received four Endowment visual arts fellowships. He is a highly acclaimed and respected photographer who has been exhibited internationally. Witkin did not receive federal funds to support all the work shown in the CAN display. (Witkin's most recent fellowship was awarded in 1992).
3. **18th Streets Arts Complex.** The Endowment did not fund any exhibition by the 18th Street Arts Complex. The Endowment provides grant support for "High Performance" a quarterly journal of arts criticism. (The last grant awarded to support the quarterly journal was in 1993).

Talking Points

- o The Christian Action Network and other groups have repeatedly used distortive and inflammatory tactics for their own financial and political expediency.
- o The American people are weary of divisive and inflammatory politics. Across the country, our nation's political, community leaders, and artists are working together to put an end to the divisiveness created by special interest groups.
- o We will not tolerate critics attempts to destroy the full record of the Arts Endowment. We intend to communicate more directly with the American people about the Endowment's work and its real impact on their local communities and this nation.

George F. Will

Post

8/22/93

Acts of 'Art'

SAN DIEGO—Back on the other edge of the continent, in Washington, the National Endowment for the Arts, responding to yet another debacle, is saying, as usual:

The peculiar goings-on (this time in San Diego) are aberrations; NEA approval of the grant that enabled three "experimental" artists to give, as an "act of art," crisp new \$10 bills to illegal immigrants should not be considered evidence that the NEA approves of this; and this episode should not become a reason for attacking the "freedom" of the "arts community." And so on.

The NEA has this pitter-patter down pat, having had much practice. It used it concerning the money for displaying the photograph of the crucifix in urine, and the money to display the photograph of the bullwhip in the man's rectum, and the money for the "performance artist" who smears herself with chocolate to dramatize that

That is a crashing non sequitur. (For the word "art" substitute "religion" or "volleyball" or "oatmeal cookies.") But, anyway, the NEA is, strictly speaking and because of its own principles, indefensible. Any defense must begin with a definition of art and its public function, and NEA defenders will not let it begin.

Government subsidizes soybean production. Some people agree with this, some disagree, but all agree about what a soybean is. However, the NEA cannot define art, yet it resists restrictions on its activities. It seems to regard standards—the linking of public funds to defensible public purposes—as disguised censorship. (It says its standards come from "peer review" of grant requests. Please. Imagine "peer review" of defense contracts by defense contractors.)

Given the far-advanced decay of the idea of art in our time, the NEA's primary task—to define its mission—is impossible. There no longer is public consensus about the meaning, let alone the public importance, of art.

Ours is an age in which a "postmodernist" exhibits a caged pig. Another drapes curtains across Colorado valleys. A "conceptualist" spends 16 days on the Trans-Siberian Railway, burns his notes, smears the ashes on slates, and exhibits the slates. An "environmental artist" puts a "kinetic sculpture" (a bucket of fireworks) atop the Brooklyn Bridge. A British gallery exhibits "Room Temperature," a bucket of water with two dead flies. (A janitor at London's Tate Gallery cleaned up a pile of bricks. Big blunder. It was an exhibit.) An artist representing America at the 1976 Venice Biennale produced a short unpainted stick cut from standard lumber and hung on a wall. College credit in "art" has been given for spending a week in a gym locker—"a duration-confinement body piece." So the San Diego artists who disbursed \$10 bills, and called the disbursement art, were not too peculiar by today's standards, or lack thereof.

The arts lobby ("community") says the government should pay up and pipe down. It says the government should give it money without defining art or saying what sort of art serves the public purpose and thus deserves public funding. Not surprisingly, the NEA, that private preserve of the arts lobby, acts as though art is whatever is done by anyone calling himself an artist. And that is why San Diego's "experimenters" have scattered paper money.

Many NEA defenders are philistines passing as anti-philistines. They assume that society can increase its supply of art the way it increases its supply of soybeans, by making production more lucrative. The result of such thinking was on exhibit here, when those illegal immigrants were buying tacos with crisp new \$10 bills.

"The arts lobby says the government should pay up and pipe down."

America treats women as "nothing but shit," and the money for the Whitney Museum's display featuring a mound of synthetic excrement and a film of a man pushing his head into another man's rectum, and money for . . .

Because money streams can be melded or separated by creative bookkeeping, the NEA, using what the CIA would call "plausible deniability," may claim it is not "really," or any rate "directly," involved in—although it supports a group involved in—a current Times Square exhibit. This exhibit features bright yellow mannequins clad in clothes made of condoms. An NEA spokesperson says San Diego's Museum of Contemporary Art here has behaved, well, unexpectedly by funding the cash giveaways by the "experimental" artists. One of San Diego's "experimenters," speaking in the arts-babble that impresses arts bureaucrats, explains that handing \$10 bills to illegal immigrants is "the interaction of physical space with intellectual space and civic space." It also was lunch, as some recipients rushed to a food truck to buy tacos with their windfalls.

Defenses of the NEA rarely rise above rhetorical cotton candy—sugary air about the virtue of spending to "connect" art, however defined, with audiences, however composed. The defenses rest on infantile reasoning: Art is a Good Thing, therefore public spending on it is a Good Deed.

Questions and Answers for Arts Supporters

August 27, 1993

**Possible Questions and Answers
For Arts Supporters
August 27, 1993**

- Q. With all the controversies that have engulfed the NEA how will an actress help rectify and advance the Endowment's work?**

Answer. Jane Alexander will be the first Chair of the National Arts Endowment to speak from the perspective of a life's work in the arts, and because of the breadth and integrity of her work, she can speak with authority. Her work exemplifies excellence; from her accomplishments with the American Shakespeare Theater, to non-profit stage productions, to bringing Eleanor Roosevelt alive to millions of Americans on television. Film, theater and television are a magnificent part of America's heritage and Jane Alexander's classic performances have allowed more Americans to experience and share in our proud heritage.

She is a leader in the public arena working tirelessly and selflessly to make our communities safer, our citizens healthier, and our environment and wildlife preserved. Her efforts have been recognized: Among many other tributes, in 1988 she received the Living Legacy Jehan Sadat Peace Award. Her accomplishments as actor, producer, author, and public servant bring together the qualities necessary to lead the Arts Endowment at this time.

Her skills as a producer demonstrate the capacity to manage a team and take an idea from vision to reality. She has spearheaded three film and television productions where she managed large staffs, set and met deadlines, and accounted for a large budget. Her administrative experience adds to her credentials as an exemplary choice to chair the Arts Endowment.

- Q. Doesn't this appointment add to the Administration's "Hollywood" perception problem?**

Answer. No. One of America's finest actors, Jane Alexander has served the American people with distinction. She made her mark in small regional theaters like the Arena Stage in Washington D.C., Charles Playhouse in Boston, and the Alliance Theater in Atlanta. She has had a distinguished career on television and Broadway but continues to retain her roots in the non-profit theater. Throughout her career -- and even after several film and Broadway successes -- she has been an articulate and eloquent spokesperson for making the arts accessible in our nation's cities, towns, and rural communities. This unending commitment is an attribute that makes her duly qualified to Chair the Arts Endowment.

Q&A for Arts Supporters, page two

- Q. While many Americans are being asked to sacrifice to help reduce the deficit, why shouldn't a federal agency on the arts also be asked to reduce its budget?**

Answer. The Clinton Administration is asking all federal agencies to tighten their belts, and the Arts Endowment is no exception. The Endowment, as with all other agencies, is committed to a 3% across the board budget cut. Also, the Endowment is funded on a flat level, so inflation already takes a significant toll on the agency's ability to promote the arts. The additional reduction in the Endowment's budget proposed by Congressman Stearns will have a drastic effect on the day-to-day work at the agency.

A 5% reduction would reduce Endowment funds to state arts agencies and for projects in rural, inner-city, and other underserved communities. This modest federal investment creates a catalyst for local economies. For every dollar the Endowment invests in communities, a 20-fold return in jobs, services and contracts is created (Arts Working Group Study, 1992). The Endowment has a solid record of leveraging private support, generating local revenues, creating jobs, and increasing tourism.

- Q. The Christian Action Network (CAN) is actively courting Capitol Hill and the media claiming the Endowment is up to its dirty tricks of supporting explicit and offensive art. How is the Administration and the Endowment going to counter groups such as CAN when it appears they speak for many Americans?**

Answer. The Christian Action Network and other groups have repeatedly used distortive and inflammatory tactics for their own financial and political ends. The American people are weary of divisive and inflammatory politics. One of our top priorities is to remove the wedge that these special interest groups have placed between Americans.

Across the country, our nation's political leaders, community leaders, and artists are working together to put an end to the divisiveness created by special interest groups that distort the real record of the Arts Endowment. By working together as a team, we will communicate more directly with the American people about the Endowment's work and its positive impact on local communities and this nation.

Q&A for Arts Supporters, page three

Q. What will Jane Alexander do to erase the perception that the Arts Endowment caters to elitist arts groups and artists?

Answer. The arts are for everyone and the National Endowment for the Arts supports scores of projects that reach into all corners of our nation's neighborhoods and communities. For instance:

- o An Endowment grant to the New York Opera allows the public in Manhattan, Kansas to enjoy opera through a touring program;
- o A grant to a New York organization allowed musicians to travel, teach, and perform in nine cities in Georgia, Kansas, and Iowa through the Endowment's Chamber Rural Residency Program.
- o An Endowment grant made to the Arkansas Arts Council supports the development of a rural arts program involving seniors and youth in the Delta region.
- o An Endowment grant through the agency's Art in Public Places category has helped sponsor a series of outdoor billboards with anti-drug messages in the Detroit area. It also sponsored a series of artist-student exchanges.

Jane Alexander is fully committed to continuing the Endowment's success of making the arts accessible to more Americans.

Jane Alexander's work throughout her career in small regional theaters is a testament to that commitment. Because Ms. Alexander grew up in the non-profit theater and has retained her roots in the non-profit theater, she is a credible spokesperson who can simply and eloquently explain the purpose and necessity of federal support to smaller organizations and urban and rural areas.

Reaching into real America is a top priority of the Endowment. Because of its support, orchestras can afford to get out of the symphony hall and into the classroom. Dance companies can afford to leave the stage of big metropolitan areas and tour smaller towns. Public television is able to put on quality educational and cultural programming.

Sample Questions and Answers for Jane Alexander Confirmation Hearing

August 27, 1993

DRAFT

DRAFT
Possible Questions and Answers
For Jane Alexander Confirmation
August 27, 1993

1. **Leadership/Quality of Nominee.** With all the controversies that have engulfed the NEA how will a "Hollywood" actress help rectify and advance the Endowment's work?

Answer. Those who are pegging me as beholden to "Hollywood" have not done their homework. I have a wide range of accomplishments with the American Shakespeare Theater, to non-profit stage productions, to bringing Eleanor Roosevelt alive to millions of Americans on television. Film, theater and television are a magnificent part of America's heritage. I am proud of these performances and confident that they have allowed more Americans to experience and share in our proud heritage.

The Endowment has many challenges. In order to take the politics out of the agency, my lifelong commitment and experience in the arts, will allow a first-hand understanding of how we must pursue a new excellence in the arts.

Nearly thirty years ago, I got my start right here in Washington, D.C. at the non-profit theater the Arena Stage. I have retained my roots in regional theater and I will bring my experience, love, and admiration for smaller and non-profit productions to the forefront at the agency.

Confirmation Q&A, page 2

I have also expanded my devotion to the arts beyond just acting. I have spearheaded three film and television productions where I managed large staffs, set and met deadlines, and accounted for a budget. My experience as a producer demonstrates the capacity to manage a team and take an idea from vision to reality. I have worked on two books, narrated several documentaries and children stories, and I have served in the public arena working to make our communities safer, citizens healthier, and our environment and wildlife preserved.

2. Reauthorization. Why isn't the Endowment going through a full reauthorization?

Answer. The administration has asked for a two-year basic extension of the authorization statute which governs the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services. The reauthorization recommendation provides for a simple extension of appropriations authority for the agencies for a two-year period (FY 94 and 95). A two-year extension allows the agencies, the Congress, the Administration, the Congress, and the American people time to assess the overall policies and activities of the agencies. At the same time, it allows the agencies to go forward with their work.

3. **Stearns Amendment.** While many Americans are being asked to sacrifice to help reduce the deficit, why shouldn't a federal agency on the arts also be asked to reduce its budget?

Answer. The Clinton Administration is asking all federal agencies to tighten their belts, and the Arts Endowment is no exception. The Endowment, as with all other agencies, is committed to a 3% across the board budget cut. Also, the Endowment is funded on a flat level, so inflation already takes a significant toll on the agency's ability to promote the arts. The additional reduction in the Endowment's budget proposed by Congressman Stearns will have a drastic effect on the day-to-day work at the agency. The reduction would take the agency's budget back to where it was in FY87, notwithstanding rising costs and growing citizen demand for the arts. And a 5% reduction would reduce Endowment funds to state arts agencies and for projects in rural, inner-city, and other underserved communities. This modest federal investment creates a catalyst for local economies. For every dollar the Endowment invests in communities, a 20-fold return in jobs, services and contracts is created. The Endowment has a solid record of leveraging private support, generating local revenues, creating jobs, and increasing tourism.

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Answer. It is critical to the integrity of the grantmaking process at the agency to not speculate now as to whether applicants should have received grants. This settlement is not a statement by the Endowment, one way or the other, as to whether the artists should have been awarded grants in the first place. It is my understanding that as the evidence in this case developed, it became clear that proper grant-making procedures were not followed in this case. Settlement was the most sensible resolution to this matter. It simply did not make sense to continue forward with a useless and costly trial at the expense of the American people.

5. **Decency.** Do you support decency language and content restrictions and if not why didn't the Administration ask for the decency language to be stricken from its recent reauthorization request?

Answer. Please note that this answer is up for discussion at the White House, and a more definitive answer is currently being vetted.

President Clinton supports the work of the National Endowment for the Arts and its commitment to support excellence and to provide accessibility to the arts for all Americans. I am strictly opposed to any form of content restriction or censorship. I believe that the decency clause as mandated by Congress and interpreted by the Arts Endowment does not discriminate on the basis of the content of a work of art; nor does it require that a decency test be applied to each work. Rather, the provision requires that persons of diverse backgrounds be appointed to panels to ensure a broad cross-section of America's values is considered in determining artistic excellence.

6. **Pornography. How will you (the President and the Chair) ensure that pornographic material is not funded by the federal government?**

Answer. The agency has never and will never fund pornographic material by any means. Arts Endowment grants, by law, are based on "artistic excellence and artistic merit." The Arts Endowment is fully committed to preserving our cultural heritage and providing access to excellence and the finest of the arts to more Americans.

7. **Whitney.** The Whitney recently displayed an exhibit featuring controversial work supported by the Endowment. Isn't it time for the federal government to stop advancing sexually explicit and offensive art?

Answer. The Arts Endowment has a history of support for programs and educational study at the Whitney Museum of American Art. It is my understanding, the Arts Endowment did not fund the exhibition that features the work to which you refer. The Endowment provided project support for the Independent Study Program (ISP), whose students organized the exhibit, but the funds to support the exhibit came from private sources. The Endowment, or any other federal agency, cannot and should not be held responsible for how recipients of federal support choose to expend their private resources.

The Endowment is not in the business of promoting offensive art. Not every grant will be a crowd-pleaser. But Americans have put their faith in our democracy and our government. We don't shut the doors of our nation's post offices because they mis-delivered a letter or the National Science Foundation because an experiment failed. Neither should we target the Arts Endowment for work that is not pleasing to every constituent, politician, or special interest group. The Endowment makes every effort to foster, preserve, and provide a broad range of the best of the arts to the American people; we intend to work even harder under my leadership and during the Clinton Administration.

8. Joel Peter Witkin. The Endowment has supported a photographer that uses corpses, including those of infants, in his work. Is it appropriate for the federal government to be using taxpayer dollars for such purposes?

Answer. It is my understanding that since 1980 Mr. Witkin has received four Visual Arts Fellowships. The Endowment's purpose and commitment is to fund the best of the arts to more Americans. He is a respected photographer whose work is highly acclaimed and internationally exhibited. It is not appropriate for the government to use taxpayer money to "offend, shock, or repulse" the American people. I don't believe that was the panel's intention when Mr. Witkin was recommended for his fellowships.

Under my chairmanship, I will do my best, to ensure that our legislative mandate is met by supporting grants which are based on "artistic excellence and artistic merit."

[Over 150 years ago, Capitol Hill quarreled about using federal money for commissioned paintings. Throughout history, art has been the subject of debate; art is often reflective of our innermost fears and painful emotions. We should not turn our backs on art just because the subject matter of a few artists is disturbing to view. We must reject intolerance and begin to accept that art is a vehicle by which we can heal and learn from one another.]

9. Question. Mapplethorpe/Serrano. Would you recommend a grant today that would have included Serrano's "Piss Christ" or Mapplethorpe's homoerotic photographs?

Answer. Please note that this answer is still being vetted by the White House. These grants were made over five years ago.

Since I was not Chair when those grants were made, I will not hypothesize on those decisions. It is time to look ahead and work toward ensuring that excellence and accessibility are supported.

As Chair, I will not support materials that clearly do not meet the standards and guidelines which regulate the Endowment's programs. There will be occasions, however, when the final project differs in content from the proposal put forth in the application. The Endowment cannot interfere with a grantee's artistry; however, if a grantee violates the terms and conditions of the grant or any federal regulation or law, then appropriate action will be taken on a case-by-case basis.

I do believe in the integrity of the Endowment's decision-making process with its reliance on the advice of private citizens at the panel and Council levels. Over the past few years, changes and reforms have opened up the process, making it more democratic, fair, and representative of the public. The Endowment will continue to look for ways to improve the processes.

10. **Gay and Lesbian Film Festivals. Do you think sexually explicit gay and lesbian film festivals should receive Endowment support?**

Answer. [This answer needs to be discussed]. Answer A -- Sexually explicit material should not be funded, period.

Answer B -- The Endowment exercises care to preserve and improve the environment in which the arts have flourished but cannot impose a single aesthetic standard or attempt to direct artistic content. The Endowment currently funds only the educational costs associated with such festivals. The Endowment annually recommends grants from a wide range of aesthetic viewpoints. We will not discriminate against gay and lesbian artists or organizations. Endowment-funded projects must meet the standard of excellence.

11. **San Diego. The Endowment awarded a grant to a San Diego museum where three artists were commissioned. As you know, those artists have used taxpayer money to hand out to undocumented workers. Don't you think this is an outrageous use of federal funds?**

Answer. Please note that part of this answer depends on how the Arts Endowment responds on this matter.

As I understand it, the Endowment did not award a grant to artists to perform a passing out of money to undocumented workers. The Endowment's grant went to the museum, four years ago, for a multi-year exhibition to highlight the relationship

between the communities along the U.S/Mexican border. Based on my knowledge of the overall grant, it appears that the project was meritorious for Endowment funding.

Should the government use federal funds to give to undocumented workers? Our political and community leaders, those who make the laws, are presently in a healthy debate on that question. And I leave the answer to our leaders who write the laws.

Should Arts Endowment money be used for such an activity? On the face of it no. But again, this circumstance took place not because the government gave money to artists for such a performance but because the government awarded a grant to a highly respected museum for a much larger and broader project.

12. **President's Committee. Why do we need a President's Committee on the Arts when the three agencies (IMS, NEH, NEA) can do the work?**

Answer. The President's Committee on the Arts and Humanities consists of 12 ex-officio members, all of whom direct federal agencies, and a larger number of private sector members. This administration believes that one of the main roles for government in the arts is to foster private support and spending. President's Committee members, who obviously could

not otherwise serve within IMS, NEH or NEA, have been able to examine ways to reach out to the private sector and increase private sector support for the arts and the humanities.

- 13. Elitism. Isn't the Endowment a government agency that caters to elitist arts groups and artists?**

Answer. No. The arts are for everyone and the National Endowment for the Arts supports scores of projects that reach into all corners of our nation's neighborhoods and communities. In fact, the Arts Endowment is a model agency for reaching out into the small communities of rural and urban America.

Through Endowment support, orchestras can afford to get out of the symphony hall and into the classroom. Dance companies can afford to leave the stage of big metropolitan areas and tour smaller towns. Public television is able to put on quality educational and cultural programming. Two quick examples include the Chamber Music Rural Residency Program whereby a grant to a New York organization allowed musicians to travel, teach, and perform in nine cities in Georgia, Kansas, and Iowa. Another example is an Endowment grant made to New York Opera which tours to places like Manhattan, Kansas.

14. **Accountability.** It appears that one of the biggest problems at the Endowment is its lack of accountability in making sure that the artists are actually fulfilling their grant requirements? How does the agency make its grantees and itself accountable?

Answer. As a federal agency, mandated by Congress, the Arts Endowment is accountable to you but more importantly to the American people. The agency is authorized and required to fulfill its obligations according to the legislation set forth by Congress. These obligations are, in part, met by reviewing final reports. There will be occasions when the final project differs in content from the original proposal put forth in the application. The Endowment cannot interfere with a grantee's artistry; however, if a grantee violates the terms and conditions of the grant or any federal regulation or law, then appropriate action will be taken on a case-by-case basis.

Further, the wide range of Endowment-supported projects and programs, (nearly 4,000 grants annually) enjoyed by the American people, is tested daily by citizens across the country.

15. **Question. Christian Action Network.** The CAN is actively courting Capitol Hill claiming the Endowment is up to its dirty tricks again by supporting explicit and offensive art. How is the Administration and the Endowment going to counter groups such as CAN when it appears they speak for many Americans?

Answer. The Christian Action Network and other groups have repeatedly used distortive and inflammatory tactics for their own financial and political expediency. The American people are weary of divisive and inflammatory politics. One of our top priorities is to remove the wedge that special interest groups have placed between Americans.

Across the country, our nation's political leaders, community leaders, and artists are working together to put an end to the divisiveness created by special interest groups. We will not tolerate distortive attempts to destroy the real record of the Arts Endowment. By working together as a team, I intend to communicate more directly with the American people about the Endowment's work and its real positive impact on local communities and this nation.

16. Question. What is your top priority at the Arts Endowment.

Answer. Sadly, this agency in the last few years has been at the center of attacks by special interest groups. We are an agency that has been singled out by some members on the Hill and right wing organizations who have laid claim to being the authority on culture in the United States. Some priorities include:

1. A commitment to continuing the excellent work that is accomplished every day at the agency. We will carry on making grants and serving as a catalyst for raising additional local public and private support.
2. A commitment to making sure that the arts accessible to more Americans and not just those who can afford a Broadway ticket. My first passion is the regional and non-profit theater; and I am committed to increasing bringing federal support to all corners of America.
3. I pledge to travel to all 50 states to meet artists, administrators, teachers, children, and elected officials. I am committed seeing first-hand the needs of our citizens and to directly communicate with the American people that the arts -- and the partnership brought about through federal support -- is a critical

element of people's everyday lives. I will not let lobbying and fundraising groups be the sole voice of the arts any longer.

4. I am committed to investing in our children through arts and education programs. We will work in partnership with the Department of Education to make sure that the President's goal of instituting standards by the year 2000 is accomplished. There is no greater investment a government can make than that of our youth and children. I intend to expand our efforts to reach out to inner-city, rural, and other communities where children do not have the accessibility or financial capability to experience and share in the beauty and educational benefits of the arts.
5. I am committed to making sure the arts are not just a luxury but an integral part of our cities economic well-being. The Arts Endowment is an economic catalyst for local communities; I will work toward building on its success as a stimulus for the economy, education, and creativity.

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Confirmation Q&A, page 2

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Through Endowment support, orchestras can afford to get out of the symphony hall and into the classroom. Dance companies can afford to leave the stage of big metropolitan areas and tour smaller towns. Public television is able to put on quality educational and cultural programming. Two quick examples include the Chamber Music Rural Residency Program whereby a grant to a New York organization allowed musicians to travel, teach, and perform in nine cities in Georgia, Kansas, and Iowa. Another example is an Endowment grant made to New York Opera which tours to places like Manhattan, Kansas.

14. **Accountability.** It appears that one of the biggest problems at the Endowment is its lack of accountability in making sure that the artists are actually fulfilling their grant requirements? How does the agency make its grantees and itself accountable?

Answer. As a federal agency, mandated by Congress, the Arts Endowment is accountable to you but more importantly to the American people. The agency is authorized and required to fulfill its obligations according to the legislation set forth by Congress. These obligations are, in part, met by reviewing final reports. There will be occasions when the final project differs in content from the original proposal put forth in the application. The Endowment cannot interfere with a grantee's artistry; however, if a grantee violates the terms and conditions of the grant or any federal regulation or law, then appropriate action will be taken on a case-by-case basis.

Further, the wide range of Endowment-supported projects and programs, (nearly 4,000 grants annually) enjoyed by the American people, is tested daily by citizens across the country.

15. **Question. Christian Action Network.** The CAN is actively courting Capitol Hill claiming the Endowment is up to its dirty tricks again by supporting explicit and offensive art. How is the Administration and the Endowment going to counter groups such as CAN when it appears they speak for many Americans?

Answer. The Christian Action Network and other groups have repeatedly used distortive and inflammatory tactics for their own financial and political expediency. The American people are weary of divisive and inflammatory politics. One of our top priorities is to remove the wedge that special interest groups have placed between Americans.

Across the country, our nation's political leaders, community leaders, and artists are working together to put an end to the divisiveness created by special interest groups. We will not tolerate distortive attempts to destroy the real record of the Arts Endowment. By working together as a team, I intend to communicate more directly with the American people about the Endowment's work and its real positive impact on local communities and this nation.

16. Question. What is your top priority at the Arts Endowment.

Answer. Sadly, this agency in the last few years has been at the center of attacks by special interest groups. We are an agency that has been singled out by some members on the Hill and right wing organizations who have laid claim to being the authority on culture in the United States. Some priorities include:

1. A commitment to continuing the excellent work that is accomplished every day at the agency. We will carry on making grants and serving as a catalyst for raising additional local public and private support.
2. A commitment to making sure that the arts accessible to more Americans and not just those who can afford a Broadway ticket. My first passion is the regional and non-profit theater; and I am committed to increasing bringing federal support to all corners of America.
3. I pledge to travel to all 50 states to meet artists, administrators, teachers, children, and elected officials. I am committed seeing first-hand the needs of our citizens and to directly communicate with the American people that the arts -- and the partnership brought about through federal support -- is a critical

*Consensus
holder*

element of people's everyday lives. I will not let lobbying and fundraising groups be the sole voice of the arts any longer.

4. I am committed to investing in our children through arts and education programs. We will work in partnership with the Department of Education to make sure that the President's goal of instituting standards by the year 2000 is accomplished. There is no greater investment a government can make than that of our youth and children. I intend to expand our efforts to reach out to inner-city, rural, and other communities where children do not have the accessibility or financial capability to experience and share in the beauty and educational benefits of the arts.
5. I am committed to making sure the arts are not just a luxury but an integral part of our cities economic well-being. The Arts Endowment is an economic catalyst for local communities; I will work toward building on its success as a stimulus for the economy, education, and creativity.

FYI - Jane Alexander nomination.
you can use this any way you want with
senator's approval (Pryor, that is)

Senator David H. Pryor
1615 19th Street NW
Washington, D. C. 20009

Dear David:

*Melanne - from
this letter is from
writer, Doug Jones, who
lives in Fayetteville, Ark & knows
Jane from way back - It's
a BEAUTIFUL Ltr.
I wanted you to
read it.*

28 Aug 93

This is not a letter from a constituent that one of your aides marks in FOR or AGAINST columns on a score sheet concerning big issues. This is a personal letter.

But we are asking you for something, which we don't do very often, and hope our special relationship allows this small indulgence. After all, your wife is the sister of my daughter's husband which makes you my son-in-law by marriage twice-removed. Or some such thing.

What we're asking is your support of Jane Alexander's nomination for chairperson at National Endowment for the Arts.

It goes without saying that we support government as patron of the arts. There's so much historical precedent for it that only a blockhead would stand against such a thing. Just as a simple example, consider Mozart and Michelangelo. We'd not have some of our greatest music or that painting on the ceiling of the Sistine Chapel if it hadn't been for Holy Roman Emperor Joesph II, who was also King of Austria at the time, and Pope Julius II, who did other things than lead troops in battle. These guys provided the bratwurst and pasta to the artists to encourage the creative impulse.

So we want the NEA. Now, who do we want heading it?

To oversee such efforts in promoting the arts, it seems to us that you don't need a bureaucrat. What you need is someone who understands the creative process. And just offhand, we can't think of anybody who better fills the bill than Ms Jane Alexander.

There's more. We've come to know Jane pretty well, we think. And besides being undoubtedly one of the best two or three actresses in the country, she can write, she can go into some wild jungle to look at jaguars, she can say no to a screenplay that doesn't meet her standards, she can lay out plans and carry them through for a large and complex enterprise like a motion picture production company.

And listen, when you're sitting across the table from her, maybe eating Arkansas tomatoes in your home or up-state New York apples in hers, and your eyes meet, you know you're looking straight into forthrightness and honesty and courage. Spiced with wonderful good humor and laughing spirit, earthy yet cosmopolitan, sophisticated without any breath of arrogance. You've got yourself a many faceted gem is what you've got!

With Jane, there's the impression that she is tough or tender or whatever it takes to make something worthwhile. You get the feeling that she believes when life has run to the end of its string, it's not important to look back on what you got, but what you gave.

So any help you can give to her confirmation would be taken by Mary and I as a personal favor of great value. Hell, David, I might even put one of your bumper stickers on my car next time you run for office.

Best regards and affection to you and yours....

S/ Doug

copy to: Kathy Kruse
Anne Bartley

Doug Jones 1424 Harold St. Fayetteville 72701 501 521 1333

**Fact Sheet on the Appeal by
The National Alliance for Media Arts and Culture (NAMAC)**

September 2, 1993

Background: The National Endowment for the Arts provides support to the National Alliance for Media Arts and Culture (NAMAC), based in Oakland, CA, to administer the Media Arts Fund. The fund is a subgranting program that supports artistic excellence and merit, providing assistance for small, emerging, and culturally diverse media arts organizations and projects. Applications from these organizations are received and processed by NAMAC staff and reviewed by a panel of experts in the media arts field selected by NAMAC in consultation with the Endowment. Guidelines are developed jointly by NAMAC and the Endowment. The Endowment reviews the NAMAC panel's recommended applications and approves applications for funding. NAMAC then notifies applicants of subgrant award or rejection, dispenses all funds, and administers the subgrants.

The 1992 guidelines for the Media Arts Fund stated that applicants would be notified of subgrant decisions by April 30, 1992; NAMAC submitted a list of 53 panel recommendations well in advance of that date. In September 1992, 50 of the 53 recommended subgrants were approved by the Endowment's then-Acting Chair. It was not until November 1992, some seven months after NAMAC had submitted its recommended subgrants, that the remaining three were rejected (The Gay and Lesbian Media Coalition, Los Angeles; The New Festival, New York; and the Pittsburgh International Lesbian and Gay Film Festival).

Appeal: NAMAC appealed the denial of the three subgrants in early December 1992, but no action was taken prior to the then-Acting Chair's departure on January 20, 1993. Subsequently, in February 1993, NAMAC restated its appeal to the current Acting Senior Deputy Chair. In response to the appeal, the Acting Senior Deputy Chair undertook an administrative review of the process by which funding to the festivals was determined. Artistic judgment was outside the scope of this administrative review.

The review determined that there was an error in procedure in the 1992 decision due to the lengthy delay in making the decision to deny funding to the festivals. The delay could not be justified on administrative grounds nor in terms of timely and equitable treatment of applicants. The review also determined that NAMAC was itself in compliance with then-existing guidelines. The announced April 30, 1992 deadline for notifying applicants was reasonably relied on by the applicants, and the festivals had in fact concluded before they were notified that their applications had been rejected.

The Endowment has a responsibility to ensure that its administrative procedures are applied fairly and properly. Based on its administrative review, the Endowment is releasing \$17,500 to NAMAC, the amount originally recommended for funding of the festivals. The funds are available to NAMAC in fiscal year 1993 for distribution in accordance with the terms and conditions of its current grant.

NATIONAL
ENDOWMENT
FOR THE
ARTS

**Statement by the National Endowment for the Arts
Regarding the Museum of Contemporary Art, San Diego's
"Dos Ciudades/Two Cities: The Border Project"
September 3, 1993**

Based on a review of information provided by the Museum for Contemporary Art, San Diego regarding the 1989 Arts Endowment grant to the Museum to support "Dos Ciudades/Two Cities: The Border Project," the National Arts Endowment has determined that the distribution of \$10 bills, totaling \$4,500, as part of the "Arte Reembolso/Art Rebate" project is an unallowable expense. The Arts Endowment concluded that these costs were inconsistent with the original application budget submitted by the Museum. Therefore, the Arts Endowment has advised the Museum that this \$4,500 in expenses cannot be charged to this Federal grant.

The Arts Endowment routinely determines the allowability of costs as part of its grant review process. As with all matching grants, final determinations regarding the possible repayment of funds are made at the conclusion of the grant period, which in this case is June 1994, and upon review of final reports.

The actions which led to this determination are summarized below:

Four years ago, in 1989, the Museum of Contemporary Art, San Diego, set out on an important effort to use art as a medium to build bridges between diverse communities.

"Dos Ciudades/Two Cities: The Border Project" has been an exemplary initiative, a project that has received close to \$1 million in federal, state, city and private funds. This multifaceted project focused on aspects of life along the border between Mexico and Southern California. It encompassed a series of exhibitions, artists' residencies, commissions, bilingual publications, lectures and symposia, concerts and other performances, educational activities, films, and multi-disciplinary programs.

Based on a competitive application review and positive recommendations by a panel of museum professionals and the Presidentially appointed National Council on the Arts, the Arts Endowment awarded the Museum of Contemporary Art an FY89 grant of \$250,000, representing approximately 25 percent of the total \$1 million project cost. The grant award recognized not only the merits of

-more

*The Federal agency
that supports the
visual, literary and
performing arts to
benefit all Americans*

Arts in Education

*Challenge &
Advancement*

Dance

Design Arts

Expansion Arts

Folk Arts

International

Literature

Locals

Media Arts

Museum

Music

*Opera-Musical
Theater*

*Presenting &
Commissioning*

State & Regional

Theater

Visual Arts

"Dos Ciudades/Two Cities"**Page Two**

this major museum undertaking and the commitment of three dollars from state, local and private sources for every one dollar from the Endowment, but also the history of the Museum which has an outstanding track-record and a national reputation for excellence.

As a small component of the overall, multi-year program, the Museum of Contemporary Art and the Centro Cultural de la Raza co-organized a traveling exhibition, "La Frontera/The Border." Three artists were commissioned by the Museum and the Centro to create a public work as one part of the exhibition. The work is entitled, "Arte Reemboiso/Art Rebate."

The Endowment conducted an extensive review of this matter, which included an examination of the application and project budgets, materials provided by the Museum in response to the Endowment's inquiry, and a review of current federal laws and regulations. The Arts Endowment's review concluded that the \$4,500 distributed by three San Diego-area artists is not an allowable expense.

**Contact: Office of Public Affairs
(202) 682-5570**

-30-

Style/Arts

Gibson premiered her documentary in November at the Hirshhorn Museum, it contained one of the filmmaker's acknowledgments that when she opened her business in a black neighborhood of downtown L.A., "I prayed a lot at home to help me feel love for [blacks] when I see them. And I really tried to be nice to them. But when you know how they behaved, I felt hatred erupting in me, let alone love." This frank declaration is absent from "Sa-I-Gu."

Aside from one woman who says she felt betrayed by the black kids" who looted, the documentary doesn't shed much light on the emotionally complicated matter of Korean merchants who face crime and anti-Asian resentment in black neighborhoods, and those blacks who consider Koreans to be economic exploiters and rude on top of that.

Kim-Gibson is obviously more comfortable presenting Korean women's anger at the Los Angeles Police Department, which they say refused to protect them, making them "sacrificial lambs." Some merchants also make the politically palliative point that the violence usually sprang from longstanding black anger over white racism, or from the division between rich and poor.

In an epilogue, Kim-Gibson says some people have criticized her for presenting the racist remarks" of some Korean merchants. Others have suggested that, in the interest of healing," she shouldn't include in "Sa-I-Gu" statements that would inflame prejudices or be harmful to "coalition building." Kim-Gibson says she went against such critics because there is nothing like honest human talk.

"Sa-I-Gu" could have used more honest human talk about the dynamics of black-Korean interaction in Los Angeles, from the Korean perspective.



Paul Plishka as Falstaff in the Verdi opera.

... of his best recent assignments. This pro-

Arts Beat

Alexander Makes the Rounds

By Jacqueline Trescott and Eric Brace

Washington Post Staff Writers

With her confirmation hearings for the post of chairman of the National Endowment for the Arts scheduled for next week, actress Jane Alexander has been meeting with members of the Senate Labor and Human Resources Committee. Sen. Strom Thurmond (R-S.C.) thought their meeting went well. "The senator left the meeting with a favorable impression of her," said a spokesman. "During the course of the meeting he expressed concerns he has about the funding of controversial art, and Miss Alexander indicated she was aware of his concerns and she would be willing to work with him if the controversy kept up." Thurmond declined to say whether he would vote for Alexander.

After their chat, Sen. Howard Metzenbaum (D-Ohio) indicated he was in her corner. "He thought she was extremely impressive and articulate and he was sure she would handle herself well and should be confirmed easily." Alexander was given a tour of Metzenbaum's offices, which house a collection of works by such notable American painters as Frank Stella, Red Grooms and Robert Rauschenberg.

America's Contribution

October has been designated National Arts and Humanities Month by the National Cultural Alliance, and a series of events is planned. The White House has signed on for a day of events, scheduled for early October, which will start with a ceremony to honor the recipients of the Frankel Prize for the humanities and the President's Medal of the Arts. The plans call for a gala dinner and reception that night.

President Clinton has already given his imprimatur to the event with a proclamation that underscored the impact of American culture: "We are a nation called to artistic and intellectual responsibility at a critical time in the history of the world. Our major authors are read in every language, our films are shown in every capital, and our music never lacks listeners. Our traditions of free inquiry and expression help to shape political attitudes and cultural values around the globe," he wrote.

Portrait of Peace

Peter Max, the man best known for his colorful pop art of the '60s, will be at the White House today to record the signing of the peace agreement between Israel and the Palestine Liberation Organization. Max was invited by the Clinton administration to sketch the historic moment, which he will then turn into a series of prints to be sold to benefit the group Americans for Peace Now. "I have always tried through my art to focus attention on matters of peace and environmental concerns," Max said. "I am grateful to be part of this historic episode."

Dealers' Wares

Now's your chance to scoop up an original Warhol, Hassam, Gilliam, Prendergast, Finster or Leibovitz, among others, and help fund research on fetal alcohol syndrome to boot. The Washington Art Dealers Association is holding a special sale from Wednesday through Oct. 16 at the Art Museum of the Americas, at the Organization of American States, with member galleries offering nearly 100 of their best works. A percentage of profits from the sale, as well as all proceeds from the opening-night party tomorrow at the OAS, will benefit the National Organization on Fetal Alcohol Syndrome.

Navajo Humor

Navajo artist Vincent Craig will perform an evening of storytelling, improvisational comedy and "cultural revival" Saturday at the Smithsonian's Experimental Gallery in the Arts and Industries Building. Craig's cartoon creation Muttonman, a Navajo superhero, is featured in the gallery's current exhibit, titled "Muttonman Discovers Columbus." In his live performances, Craig draws on his life as a U.S. Marine, a reservation police officer in New Mexico and his current position as chief probation officer of the Navajo Nation. Admission is free but reservations are required. Call 202-357-4445.

Cornerstone Commemoration

To commemorate the 200th anniversary of the laying of the cornerstone of the U.S. Capitol, Very Special Arts is presenting an exhibit in the rotunda of the Cannon House

URGENT DISPATCH ... URGENT DISPATCH

MR ANTHONY PODESTA, I AM ASKING YOU TO TAKE IMMEDIATE ACTION ON AN ISSUE OF VITAL IMPORTANCE TO OUR FAMILIES! PLEASE SIGN AND RETURN THE ENCLOSED PETITIONS IMMEDIATELY AFTER YOU HAVE READ THIS ENTIRE EMERGENCY LETTER.

NEA

|||||
MR ANTHONY PODESTA
2651 WOODLEY RD
WASHINGTON DC 20008-4105

WARNING: THE CONTENTS OF THIS LETTER ARE NOT MEANT TO BE READ BY CHILDREN!

DEAR MR ANTHONY PODESTA,

YOU RECENTLY PAID FOR THE FOLLOWING:

- * A THREE FOOT MOUND OF SYNTHETIC EXCREMENT ...
- * A SCULPTURE OF TWO WOMEN ENGAGING IN ORAL SEX ...
- * A FILM ACTUALLY SHOWING ONE MAN PUSHING HIS HEAD INTO ANOTHER MAN'S RECTUM ...
- * THE INFAMOUS "PISS CHRIST" PHOTO OF THE CROSS OF CHRIST SUBMERGED IN A CONTAINER OF URINE ...
- * A PHOTO OF A MAN WITH A BULLWHIP IN HIS RECTUM ...
- * A FILM DEPICTING JESUS CHRIST AS A TOPLESS WOMAN ...
- * A PORN FILM TITLED, "THE SLUTS AND GODDESSES WORKSHOP" ...

THAT'S RIGHT, MR ANTHONY PODESTA, ... YOUR TAX MONEY PAID FOR THESE TERRIBLE AND BLASPHEMOUS "WORKS OF ART".

HOW? THROUGH THE NATIONAL ENDOWMENT FOR THE ARTS (NEA) AGAIN.

THAT'S RIGHT. THEY'RE BACK ... AND THE PERVERTED ART THEY ARE FUNDING WITH OUR TAX DOLLARS IS WORSE THAN EVER BEFORE!!!

THE NEA HAS JUST FUNDED (WITH YOUR TAX DOLLARS) AN "ART EXHIBIT" TITLED "ABJECT ART: REPULSION AND DESIRE".

WELL, MY FRIEND, THE "REPULSION" PART OF THE TITLE IS CORRECT. THIS SMUT IS THE MOST REPULSIVE TYPE OF "ART" EVER CREATED.

BUT THE WORST PART OF THIS IS THAT OUR GOVERNMENT IS FORCING YOU AND ME TO FUND THESE OBSCENE DISPLAYS THROUGH THE USE OF OUR VERY OWN TAX DOLLARS. I AM FURIOUS .. AND YOU SHOULD BE TOO!

AS A VOTING TAXPAYER AND CHRISTIAN -- I AM GREATLY OFFENDED BY THE NEA'S DECISION TO FUND THIS EXHIBIT!

AND I HOLD PRESIDENT BILL CLINTON PERSONALLY RESPONSIBLE.

UNDER HIS LIBERAL AND PRO-HOMOSEXUAL ADMINISTRATION, THE GRANTS AND ARTISTS ARE RUNNING WILD AGAIN ... THEY ARE SEEMINGLY OUT TO OFFEND EVERY CHRISTIAN IN AMERICA BY BLATANTLY SPENDING OUR HARD-EARNED TAX DOLLARS ON OBSCENITY AND BLASPHEMY!

(OVER)

*****URGENT REPLY FORM -- PLEASE RETURN IMMEDIATELY*****

() YES, JERRY! I, TOO, AM OUTRAGED THAT MY HARD-EARNED TAX DOLLARS WOULD BE SPENT FOR THIS TYPE OF TRASH!

I AM ENCLOSING A GIFT TO HELP FINALLY STOP THIS SMUT.

() \$100 () \$75 () \$50 () \$25 () \$_____
MR ANTHONY PODESTA () I HAVE ENCLOSED A GIFT OF
2651 WOODLEY RD \$25 OR MORE. SEND ME THE
WASHINGTON DC 20008-4105 VIDEO -- "GAY RIGHTS /
SPECIAL RIGHTS".

() \$50 ENCLOSED. PLEASE
SEND TWO VIDEOTAPES.

I AM SOUNDING THE ALARM FOR AN EMERGENCY "CALL TO ACTION" FROM CITIZENS ALL ACROSS THE NATION.

I AM COLLECTING THOUSANDS OF THESE PETITIONS THAT WE WILL FORWARD IMMEDIATELY TO THE PRESIDENT AND THE CONGRESS.

I HAD THOUGHT THAT, WITH THE HUNDREDS OF THOUSANDS OF PETITIONS WE HAD SENT IN BEFORE, WE HAD SUCCESSFULLY SHUT DOWN SUCH BLASPHEMOUS ARTS FUNDING ... BUT I WAS WRONG.

TO WIN THIS IMPORTANT BATTLE ONCE AND FOR ALL -- I MUST HAVE YOUR HELP! AS ONE MAN, I CAN ONLY DO SO MUCH.

YOU NEED TO LET YOUR SENATOR AND REPRESENTATIVE KNOW HOW YOU FEEL ABOUT THIS MISUSE OF YOUR TAX DOLLARS.

THE PRESIDENT AND THE CONGRESS RESPOND ONLY TO PUBLIC PRESSURE -- THEY MUST HEAR FROM THOUSANDS OF CITIZENS.

PLEASE SIGN BOTH OF THE ENCLOSED PETITIONS AND RETURN THEM TO ME ALONG WITH A SPECIAL GIFT TO HELP SEND THIS "CALL TO ACTION" TO MORAL AMERICANS. WE MUST GET THE WORD OUT NOW!

YOUR GIFT OF \$100, \$50, \$25, OR EVEN \$15 WILL HELP PAY FOR PRINTING, POSTAGE, RADIO AIRTIME AND PRODUCTION.

THIS MAY BE THE BEST -- AND LAST -- CHANCE WE HAVE TO STOP THE BLASPHEMOUS NEA DEAD IN ITS TRACKS ONCE AND FOR ALL ...

BUT WE MUST ACT NOW! I NEED YOU TO SIGN AND RETURN BOTH OF YOUR PETITIONS -- ONE TO THE PRESIDENT AND ONE TO THE HOUSE APPROPRIATIONS COMMITTEE -- IMMEDIATELY.

IF THE PRESIDENT DOES NOT HEAR FROM ENOUGH OF US, HE WILL NOT FORCE THE NEA TO ENFORCE CRUCIALLY NEEDED STANDARDS OF DECENCY.

AND IF CONGRESS DOES NOT HEAR FROM ENOUGH OF US, THEY WILL CONTINUE TO SPEND MILLIONS OF TAX DOLLARS ON "SMUT ART". THIS ABSOLUTELY MUST NOT HAPPEN!

PLEASE SEND YOUR GIFT OF \$100, \$50, OR \$25 TO HELP US WITH THE MASSIVE EXPENSE OF THIS IMPORTANT AND URGENT CAMPAIGN.

JERRY FALWELL
PRESIDENT, LIBERTY ALLIANCE

P. S. FOR EACH GIFT OF \$25 OR MORE, I WILL SEND YOU THE BRAND NEW VHS VIDEOTAPE, "GAY RIGHTS/SPECIAL RIGHTS". THIS IS A BRILLIANT EXPOSE OF THE REAL AND EVIL GOALS OF THE HOMOSEXUAL MOVEMENT.

YOU WILL BE SHOCKED TO LEARN HOW FAR THE HOMOSEXUAL AGENDA HAS ALREADY PERMEATED OUR SOCIETY. I PROMISE THIS VIDEO WILL DISTURB YOU AND CAUSE YOU TO PRAY AND WORK TO SAVE OUR NATION FROM DESTRUCTION.

VOTER PETITION TO PRESIDENT BILL CLINTON

Dear Mr. President,

As a voter and taxpaying citizen, I am appalled that the National Endowment for the Arts (NEA) continues to use my tax dollars to fund pornographic and blasphemous exhibits.

As President, I hold you personally responsible and, if Congress continues to fund the National Endowment for the Arts, I demand that you instruct the Chairman of the NEA to require standards of decency that reflect traditional values.

Sincerely,

Signed

City

State

TAXPAYER PETITION TO THE HOUSE APPROPRIATIONS COMMITTEE

Dear Senators,

As a voter and taxpaying citizen, I am appalled that the National Endowment for the Arts (NEA) continues to use my tax dollars to fund pornographic and blasphemous exhibits.

At a time of great financial deficit in America, we do not need to waste funds on "art" that is highly offensive to most American citizens. Please use whatever legislative means that are at your disposal to prevent my tax money from being used by the NEA to fund offensive art.

Sincerely,

Signed

City

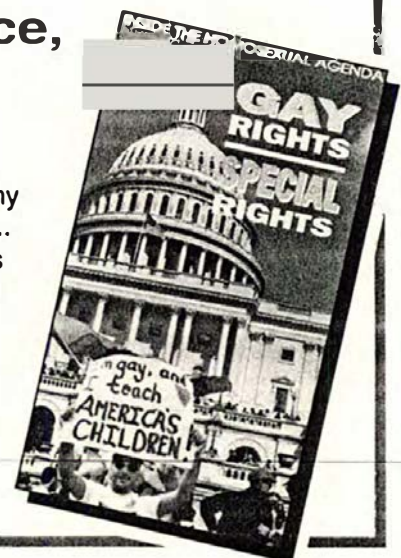
State

FREE BONUS GIFT

For each \$25 gift to Liberty Alliance, you will receive a VHS videotape, Gay Rights/Special Rights.

This video is a look inside the radical homosexual agenda, revealing why and how the homosexual movement is a direct threat to you ... your family ... your country. Learn how homosexuals have targeted the minds and bodies of America's children and how they are destroying America's traditional values. Learn how to fight back against special rights for homosexuals.

You will want to show this videotape to your pastor, principal, school board, family, friends and church. Or order an extra copy to send to your Congressman, Mayor or Police Chief.



Ask Calamity Jane ✓

Questions for the actress seeking NEA's lead role

NEA ✓

From page E1

1. Do you see the job as that of an arts advocate or as head of a federal agency accountable to the general public as well as to the constituency you would oversee?

If only the former, then we can look forward to another four years of turmoil as Miss Alexander plays cheerleader for the art community.

If the latter, then the picture will be much brighter, for it will mean that Miss Alexander understands that the people whose money supports the NEA are entitled to some consideration, too. As head of a government agency, she would be their representative as much as that of artists, dancers and others whose efforts the NEA supports.

2. What is the difference between censorship and rejecting a grant application on merit?

When this question was put to him at a March 1990 luncheon at the National Press Club, it did in then-NEA chairman Frohnmayer. He answered: "If there is a difference, I don't know what it is."

The reply showed Mr. Frohnmayer was totally at sea — either so ignorant that he had no idea how to separate deserving from frivolous applications or already so cowed by the radicals that he could no longer function as an impartial arbiter.

If Jane Alexander comes up with a similar answer, the Senate should vote down her nomination. It will show she is in the same boat

as was Mr. Frohnmayer, whom President Bush finally sunk.

3. Have you read John Frohnmayer's memoir, "Leaving Town Alive: Confessions of an Arts Warrior"?

In Chapter 5, Mr. Frohnmayer details the saga of "Witness: Against Our Vanishing," an exhibition on the ravages of AIDS that was shown in November 1989 at Artists Space, a contemporary art gallery in New York's SoHo. The exhibition was funded partially by an NEA grant.

The former NEA chairman notes — correctly — that he and the endowment had been "set up" by then-Artists Space director Susan Wyatt and her board to provoke a showdown with the NEA. This is the way the game is played, as grant applications are submitted for their incendiary potential rather than their aesthetic importance.

(Possible follow-up questions for Miss Alexander: Are you prepared for that, and how do you intend to respond? Do you think that because you're one of their own that artists and their supporters will treat you more gently? What will you do when you discover they won't?)

4. What, if anything, would you do differently than Mr. Frohnmayer?

In his book, the deposed NEA chairman confesses he was totally out of his depth in his job, handled

From Helen Keller's teacher to frontierswoman Calamity Jane, actress Jane Alexander has made a career out of playing strong, determined women.

How determined she is in real life is the issue now that President Clinton has nominated her to head the National Endowment for the Arts.

With neither an administrative track record nor many public statements by which to judge Miss Alexander, the senators who will consider her fitness to lead the NEA are going to be hard-pressed to determine what kind of chairwoman she will be.

After John Frohnmayer's unhappy tenure as chairman, the NEA needs some hard-headed leadership if it is going to survive.

"The endowment's mission of fostering and preserving our nation's cultural heritage is too important to remain mired in the problems of the past," Mr. Clinton said Saturday in nominating Miss Alexander.

Fair enough. So here are five questions designed to provide a clear fix on the views of Jane Alexander and her qualifications.

These questions — and others like them — will help determine whether the Tony- and Emmy-winning actress represents a break with the past or a continuation of it.

see NEA, page E5

almost every crisis poorly and realized early on that his approach was wholly inadequate.

It would be a hopeful sign if Miss Alexander could explain what she learned from his experience.

5. Why not leave so-called cutting-edge art to the private sector?

Today, private-sector organizations from the Andy Warhol Foundation to the Morgan Guaranty Trust Co. are available to support cutting-edge art in a way they weren't when the NEA was founded in the 1960s.

At the same time, however, the nation's museums are going through a financial crisis of unprecedented proportions, in part because of a drastic drop in support from government at all levels.

Museums can find sponsors for "sexy" ventures such as a Matisse exhibition. But they are being forced to cut back, sell objects in their collections and even close because they can't raise nuts-and-bolts operating money.

Surely the proper role of government in the arts is to sustain museums and other institutions that preserve objects with an enduring value to society that is well established. The very novelty of new art makes it a dubious investment, particularly when cutting-edge art more easily can find its support elsewhere.

What say you, Miss Alexander?

STREET ✓

From page C1

ration and by key economists, including Federal Reserve Chairman Alan Greenspan. Mr. Greenspan warned Congress three weeks ago that failure to produce a budget deal would sorely disappoint financial markets, which are keen on seeing deficit reduction.

From the moment that President Clinton outlined his budget program in February, long-term interest rates began declining. Economists interpreted the drop to the widespread belief in financial markets that the administration and Congress were both riveted on the goal of reducing the federal budget deficit.

"Financial markets have a mind-set that deficits drive up interest rates," said Mickey Levy, NationsBank's chief financial economist in New York, formerly of CRT Government Securities. "The deficit is the natural whipping boy of the markets. It's been going on for years."

Bond markets also react favorably to policies that keep the economy on a slow-growth track, ensuring that the Federal Reserve won't be likely to raise interest rates and erode bond investors' holdings.

In trading of the 30-year bond ahead of Thursday's sale, the yield hit a low of 6.39 percent, the lowest since the regular issue of 30-year bonds began in February 1977. Before that, the Treasury's long bond carried a 20-year maturity. It was December 1972 when the yield on active 20-year bonds was as low as yesterday's level.

After Thursday's auction of \$11 billion in long bonds, the Treasury does not plan to issue 30-year securities until February, as it switches semiannual bond auctions.

Most economists think the budget package is likely to slow economic growth next year, when the full brunt of tax increases will be felt by the nation. The budget would raise taxes by \$241 billion and cut federal spending by \$255 billion, producing total deficit reduction of \$496 billion over five years.

The Blue Chip Economic Indicators, a survey of 51 economists across the nation, recently lowered its estimate of growth slightly for this year and next based on the budget deal as well as the current slow performance of the economy.

The Aug. 10 forecast calls for a 2.5 percent increase in the gross domestic product — the total of the goods and services produced in the United States. For 1994, the group predicts an increase of 2.8 percent.

"The bond market was the real key to helping the stock market move today," said David Bostian, chief economist with Herzog Heine Reduld Inc. in New York. "Today was just sort of a cheerleading session" for the deficit-reduction plan, he

said.

But economists generally are skeptical of the long-term economic implications of the budget deal, despite yesterday's endorsement by financial markets.

"I don't think it's the budget you want to be the hallmark of your pres-

idency," said Robert Brusca, chief economist with Nikko Securities in New York. "It's a political budget, not an economic budget. No one thinks it will be good for the economy."

• This article is based in part on wire service reports.

Interest rates fall; Dow and Nasdaq hit record highs

By Anne Veigle
THE WASHINGTON TIMES

Driven by falling interest rates, the stock market surged to record levels yesterday as Wall Street applauded the budget deal Congress passed last week.

In the first day of trading since the Senate passed the budget package late Friday, long-term interest rates fell to an all-time low of 6.46 percent on the benchmark 30-year Treasury bond. Long-term rates influence the rates for corporate borrowing and home mortgages.

The bond market has fueled stock buying recently because lower interest rates make stock prices more attractive.

The benchmark Dow Jones Industrial Average rose 15.65 points to a record 3,576.08, surpassing its previous record of 3,567.70 set July 26. The Nasdaq index also set a record, rising 0.41 to 718.49, eclipsing its previous record of 718.08 set on Friday.

For an August session, the volume of trading was fairly heavy, although slightly under the daily average of 264 million shares changing hands. Big Board volume totaled 231.74 million shares against 221.16 million in the previous session Friday.

The favorable market activity was widely predicted by the Clinton adminis-

see STREET, page C10

NAFTA ✓ officials agree to disagree

By David R. Sands
THE WASHINGTON TIMES

It required three languages yesterday for U.S., Mexican and Canadian trade officials to tell the world they had nothing to say about prospects for wrapping up the prolonged talks over a North American free trade treaty.

Despite five days of arduous bargaining at the Madison Hotel downtown, the three nations have been unable to clinch a series of "side agreements" to the proposed North American Free Trade Agreement, or NAFTA. Officials had originally expressed optimism that the side talks could be over in two days.

"There are a handful of remaining issues," the parties said in a joint statement put out in English, Spanish and French. "Officials will continue to work this week in order to address these issues."

But the talks will go on in Washington among more junior officials. Both Canadian Trade Minister Thomas Hockin and his Mexican counterpart, Jaime Serra Puche, flew home yesterday, after failing to reach a meeting of the minds with U.S. Trade Representative Mickey Kantor.

Mr. Hockin had to bull his way past a news-starved press corps in negotiating the 10 steps from the Madison lobby to his waiting limousine, refusing comment every step of the way.

Mr. Kantor himself is scheduled to leave for his August vacation Friday, and spokesmen for the three men said there was no assurance that a NAFTA deal could be struck by then.

Although no one was talking yesterday, a clear sticking point in the talks has been the American insistence that the side accords on labor and environmental standards provide for sanctions for persistent violators of treaty provisions. Canada and Mexico have repeatedly expressed deep reservations about the

see NAFTA, page C3

NAFTA ✓

From page C1

idea, saying such sanctions could infringe on national sovereignty.

Along with the sanctions impasse, the ministers must find a way to fund pollution cleanup and infrastructure development along the highly polluted U.S.-Mexico border.

Mr. Kantor and the Clinton administration are under heavy pressure themselves from Congress, with the uncertain fate of NAFTA perhaps hanging on how tough the side agree-

ments are perceived to be. Mr. Clinton conditioned his support for the treaty — negotiated by former President Bush — on securing the additional agreements on labor, the environment and import surges.

The only substantive news the three ministers made yesterday was to deny having made news over the weekend. The three put out a statement explicitly denying a report in a Toronto newspaper saying they had reached an understanding that sanctions would apply to Mexico but not to Canada.

The report was "inaccurate, misleading and false," they said.

Give arts public support; they nurture the spirit

OUR VIEW Government can't
brush off its role of
promoting the inspiration arts can
offer all in society.

Cobb County, Ga., is a poorer place today — culturally, educationally, economically. All because a local play — supported by public money — dealt partly with homosexuality.

The county commission was so offended that it voted last week to cut out all of its \$120,000 funding for the arts next year.

Cobb County is the best judge of its own tastes, of course, and of how best to spend its citizens' money. But the vote is another reminder that arts funding is most in jeopardy when artists do what they are supposed to do — provoke thought.

That battle was fought in Congress two years ago when some members, offended by a handful of exhibitions, sought to gut the National Endowment for the Arts.

Since then, communities from Frederick, Md., to Anchorage, Alaska, have squabbled over plays and programs that upset some officials' tastes and led to at-

tempts to shut off funding.

Art doesn't pay off like bricks and mortar, these critics contend; it isn't worth the trouble.

They are wrong. Public financing, at less than \$4 per person in local state and federal spending combined, is a bargain.

It brings arts classes to senior citizens, teaches creativity to school students and fights AIDS and drug use through plays with an anti-drug message.

It makes possible huge community festivals that bring people together and is vital to many communities' economic-development efforts.

Most of all, it helps lift people's vision of themselves and their world above the mundane troubles of the day.

Fortunately, most communities realize government has a role to ensure all people, not merely the well-to-do, have access to art's inspiration.

Local public funding of the arts has grown the past three years, topping \$500 million. And total art funding has stayed at about \$900 million.

If some art project stirs community controversy, so much the better. A free society benefits from vigorous debate — whether about art or stimulated by it.

End welfare for 'artists' ✓

OPPOSING VIEW People are
angry that
taxes are used to blaspheme their
God and trash their values.

What makes people who call themselves "artists" think they are so special that they have a right to tax money when the rest of us have to make money the old-fashioned way by earning it?

Why doesn't the government underwrite professional wrestlers, architects or scuba divers? Why single out "artists," and what qualifies one to be an "artist"?

Many people are angry that government funds are used to blaspheme their God and trash the values in which they believe. They know that if a dime of government money went to support anything deemed religious, the same people who now clamor for subsidized freedom of expression



By Cal Thomas,
a Manassas, Va.,
author, lecturer
and columnist for
the Los Angeles
Times Syndicate.

would be in court invoking the separation of church and state. If separation means no government funds to support religion, it also should mean no government funds to demean religion.

Artists should be required to abide by the same economic principle of supply and demand as everyone else. If they can produce music, painting or film that appeals to people, their products will sell and they will make a living. If they can't, they should pursue another line of work.

One can be certain that no artist's application for a grant to do a work that offended blacks, homosexuals or women would be approved by the National Endowment for the Arts or any state arts agency.

But when the beliefs and values of religious and conservative Americans are demeaned, that's supposed to be the price we pay for a healthy First Amendment.

Most government money is accompanied by regulations as to how it will be spent. Only artists demand to be free of restrictions. Government has enough problems without operating a welfare program for "artists."

Coastal residents stock up, bail out

By Paul Hoversten
USA TODAY

Coastal residents in North Carolina and South Carolina were stocking up on water, plywood and emergency supplies Sunday as the states braced for the arrival of Hurricane Emily.

Some — reminded of Hurricane Hugo, which smashed into Charleston, S.C., in 1989 — were planning to leave.

"I'm concerned," said A.C. Copeland, 70, of Virginia Beach, Va., as he and his wife, Odeen, boarded up the Kitty Hawk beach house they have owned for eight years. "Any storm is a concern. People would be foolish to take this lightly and not protect their property."

The National Hurricane Center in Coral Gables, Fla., is predicting Emily could make landfall Tuesday.

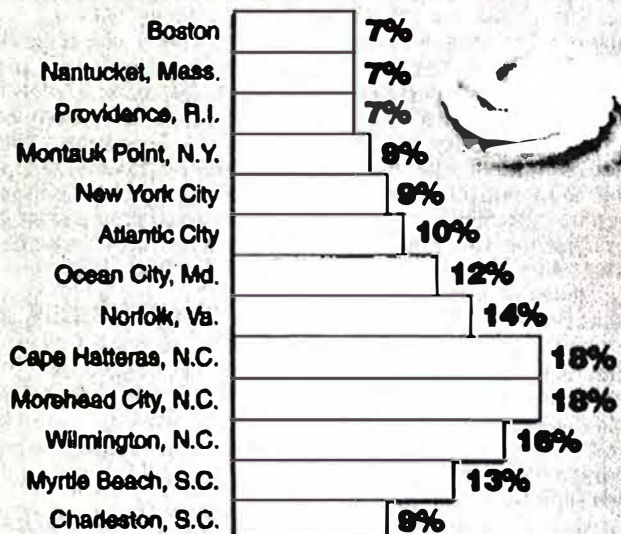
In North Carolina, officials were warning residents of the Outer Banks to be ready to evacuate and telling vacationers to avoid the area.

"If you want to have a hurricane party, go to Raleigh. Don't do it on the Outer Banks," says Tom Hegele, at the state emergency management office in Raleigh. "We've been spared the brunt of a hurricane for years but when one hits you full fury it is frightening."

County officials normally are responsible for evacuation orders and the time needed to carry out the orders varies

Chances of Emily hitting

Probability that the eye of Hurricane Emily will pass within 65 miles of these areas between Sunday and Wednesday:



Source: National Hurricane Center

By Stephen Conley, USA TODAY

with population and escape routes. In populated coastal areas like Myrtle Beach or Hilton Head, S.C., for example, officials estimate it takes 18 hours.

"We learned some lessons from Hugo that should help us cope better," says Joe Farmer, emergency preparedness division, Columbia, S.C.

"The difficulty is you can't ever be prepared enough," Farmer says. "A storm is a dangerous thing and it can take lives or damage property no matter what you do."

Among recommendations: cover doors and windows with plywood, clear yards of lawn furniture and stock up on supplies like bottled water, canned goods and batteries.

Officials advised motorists to fill their gas tanks, boaters to take their boats from the water or securely anchor them and for those with radios to tune in for updates.

The Federal Emergency Management Agency sent several trucks with emergency supplies from Miami to Thom-

asville, Ga., to be dispatched when it's clear which areas are most affected by the storm.

In Charleston, 16 ships and seven submarines from the Charleston Navy Base were ready to head to sea if necessary to avoid the storm.

But the Coast Guard was reminding boaters not to try to ride out the storm in small craft. A dozen people died during Hugo trying to do that.

The King's Courtyard Inn in downtown Charleston was getting cancellations from as far as Canada.

Stores that are normally closed Sundays did a brisk business selling supplies. Three Food Lion stores in Wilmington, N.C., ran out of bottled water at one point.

"It's been all we could do to get it out on the shelves," says Bill Truman, an assistant manager at one store. "They're taking whole cases out."

Contributing: Andrea Stone

► Likely target, 1A
► Hurricane graphic, 12A

MONDAY, AUGUST 30, 1993 • USA TODAY

OPINIONLINE

What people are saying about problems with Mars probe

Another NASA failure?

THE HOUSTON POST In an editorial: "It's hard to put a positive spin on the failure of a spacecraft that cost nearly \$1 billion just as it was about to begin its mission. But the apparent loss of the Mars Observer ... should give impetus to NASA Administrator Daniel Goldin's money-saving reforms for the agency. Since Goldin became NASA's top boss ... he has begun to shift away from highly expen-

sive projects like the Observer to less costly ones that can serve multiple objectives and take less time to prepare. ... The space program has justified itself many times over, but taxpayers have a right to expect it to operate in an efficient, cost-effective manner."

ROBERT NELSON, astronomer, in the *Los Angeles Times*:

"As we cope with the immediate shock of losing this flagship mission, our first thoughts are of gratitude that there were no astronauts or cosmonauts on board. ... Now we gird for the debate over the future course of the nation's efforts in planetary research. ... The loss of the Mars Observer will add considerable fuel to the fire that Goldin has started. After all, why pay so much to develop efforts to eliminate risk when the missions are falling anyway? ... Ultimately, the loss ... may have a positive effect. ... It will ... force us as scientists to place a value on our work."

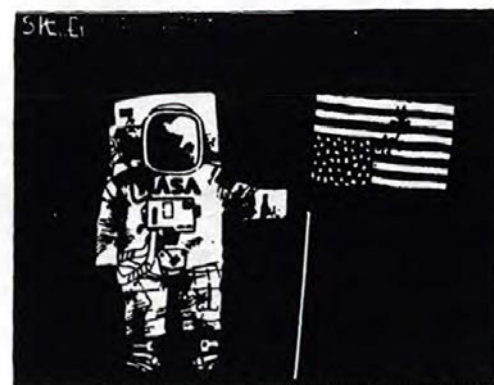
THE BOSTON GLOBE In an editorial: "Is there life on Mars? You'd better believe it. ... What really happened? Observer was bagged by the Martians, who are getting tired of having to duck for cover every time those nosy earthlings send another probe. So the Martians looped up behind Observer, cut the antennae, popped it on board for a landing. ... Primitive little thing, nothing close to the

equipment Martians have been using for millennia to keep tabs on the bumbling effects of their neighbors. Anyhow, Martians are now secure in the knowledge that earthlings will think a while before they ante up another billion dollars for a repeat."

JAMES GANNON, columnist, *The Detroit News*: "NASA has done it again. The space agency,

which is famous for enormous cost overruns ... and projects of dubious value, watched helplessly ... as its latest toy ... went deaf and dumb somewhere in the neighborhood of Mars. No federal agency can vaporize billions of dollars as rapidly and spectacularly as NASA. If the food stamp program or a welfare agency wasted money the way NASA does, we'd be knee-deep in federal investigations, indictments ... NASA just shrugs and goes back to Congress for more billions."

Compiled by Gwen Anthony, Sharon Shahid



By Steve Kelley, San Diego Union-Tribune, Copley News Service

8/13

Give to Melanne

Maggie:

Neel though you should be aware of the following:

A suit was filed by four artists against NEA claiming that their requests for grants were turned down for political reasons (filed during the Bush Administration).

The suit was settled out of court with the exception of a portion that claimed that language requiring decency standards as well as artistic merit be used in determining grant awards was unconstitutional. That language was written into the 1990 NEA reauthorization legislation.

A federal judge in California declared the decency clause unconstitutional.

For some reason, our Justice Dept. appealed that finding. A date has not been set for hearing the appeal.

Needless to say, artists, writers et al are up in arms about the Justice Dept's action.

NEA's fact sheet and talking points are attached. Probably just file until there is a hearing date.

Sue

Have you read this?

What action?

(Reg. Justice does
appeal in decency
clause)

Messie 44 / call

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*do we
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Comments:

*EV. should read
you + admit Maggi -
NL*

The Literary Network

154 Christopher Street, Suite 3C, New York, NY 10014 (212) 741-9110 Fax (212) 741-9112

June 14, 1993

President William J. Clinton
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. President:

We are writing to ask that you have the Justice Department drop the appeal of the federal district court decision of Judge A. Wallace Tashima in *Finley v. NEA*. This decision rightly declared unconstitutional the application of the *Rust v. Sullivan* doctrine of content restrictions on speech supported with government funds as well as the "decency clause" in the 1990 National Endowment for the Arts reauthorization statute.

Judge Tashima's decision was good news to all of us whose work is impossible without the freedom of expression. We are bewildered that the Department would press forward with an action which directly opposes the Administration's recent repeal of the "gag rule" and effectively extends its basic tenets to a broader spectrum of government-funded speech--in museums, literary magazines, the opera, the ballet, the theater, and potentially libraries and public broadcast.

We are also dismayed that the Department would advocate application of a subjective and vague decency test that does not recognize the ethnic and cultural diversity of America. This would leave vulnerable not only artists themselves, but also the NEA Chair, peer panels, and the National Council for the Arts to frequent challenge and controversy.

Furthermore, by the Department's own admission, there are a number of equally plausible interpretations of the decency clause. This multiplicity of interpretations, in and of itself, demonstrates the overbroad and vague notion of the decency clause. Retaining this language would serve only to continue to politicize an agency whose charter mandates a selection criterion based on artistic excellence.

We cannot risk a reversal of Judge Tashima's decision by the Ninth Circuit Court of Appeals. With the Justice Department's recent settlement in *Finley v. NEA*, it is time for healing at the Endowment.

Judge Tashima stated in his opinion that funding for the arts is a fundamental sphere of free expression. Applying the *Rust v.*

Co-Sponsored by Poets & Writers, Inc., and the Council of Literary Magazines and Presses

SKS
Callister
Lathins

President William J. Clinton
Page 2

Sullivan restrictions and vague decency standards to the arts is an endorsement of censoring the free flow of ideas. We do not believe it is the intention of the Administration to embrace the repressive policies of the past.

We urge you to stand by your stated commitment to the freedom of expression and to ask the Justice Department not to pursue its appeal of Judge Tashima's decision.

Respectfully yours,

Roy Blount, Jr.

Barbara Taylor Bradford

Dee Brown

Amy Clampitt

E.L. Doctorow

Alan Gurganus

Donald Hall

John Irving

Susan Isaacs

Stephen King

Tabitha King

Maxine Kumin

Tony Kushner

Norman Mailer

Robert K. Massie

James Michener

E. Ethelbert Miller

Arther Miller

Joyce Carol Oates

Marge Piercy

George Plimpton

Sidney Sheldon

Rose Styron

William Styron

Amy Tan

Alice Walker

Miller Williams

5/8
Sullivan
Laffin's

House Panel Opens Arts Hearings

Most Members Ready To Re-Fund Agencies

By Jacqueline Trescott
Washington Post Staff Writer

With one arch exception, members of the House subcommittee considering reauthorization of the federal cultural agencies said yesterday that they were prepared to follow the directive of Chairman Pat Williams (D-Mont.) and approve a two-year extension of the agencies.

"I think these three agencies are remarkable in what they have accomplished with a small amount of federal support," said Williams as he kicked off hearings on the renewals for the National Endowment for the Arts, the National Endowment for the Humanities and the Institute of Museum Services.

But not so fast, offered Rep. Dick Armey (R-Tex.), a member of the subcommittee on labor-management relations and foe of much government spending. "The very existence of the endowment is censorship in my view," said Armey. The continued support, he said, is "unnecessary, inappropriate and a luxury we cannot afford."

The House is not considering any changes in the language of the current laws for the agencies. In the case of NEA, that includes the "decency clause," which was added to the 1990 reauthorization statute and which is the central point remaining in the closely watched *Finley v. NEA* lawsuit. The clause allows the government to restrict the content of art it funds.

The case, now in federal appeals court in California, became a sore point with much of the cultural community after the Clinton administration, which many artists considered sympathetic to their position, filed an appeal opposing a judge's decision that the decency clause was unconstitutional. The administration is

scheduled to file its final brief in the case Monday, a Justice Department spokesman said yesterday. If the court strikes the decency language, the reauthorization law will be adjusted, said a subcommittee staffer.

Meanwhile, despite its eleventh-hour timing, an all-star cast of 27 writers yesterday released a letter to President Clinton urging him to drop the appeal. The signers included Alice Walker, Stephen King, James Michener, Amy Tan, Norman Mailer, Arthur Miller, Tony Kushner, Joyce Carol Oates, Barbara Taylor Bradford and John Irving. Last month, an impressive cross section of the arts and humanities groups sent an amicus brief to the appeals court challenging the Clinton stand.

"We are bewildered that the Department would press forward with an action which directly opposes the administration's recent repeal of the 'gag rule' and effectively extends its basic tenets to a broader spectrum of government-funded speech—in museums, literary magazines, the opera, the ballet, the theater, and potentially libraries and public broadcasts," the writers said in the letter, organized by the Literary Network.

Also signing on was poet Miller Williams of Fayetteville, Ark., a friend of the Clintons for nearly 20 years. "When we tell the arts what not to say, we are only one step away from telling the arts what to say. Then we no longer have art but official propaganda," said Williams yesterday.

At yesterday's hearings, another part of the Finley lawsuit, the settlement agreement between the artists and NEA over their revoked grants was slammed by Armey and termed "scandalous" by Laurence Jarvik, director of the local office of the Center for the Study of Popular Culture. Opposing the reauthorization of NEA, Jarvik said, "Rather than risk a public trial, and reveal the inner workings of the peer review system used to evaluate grants, the NEA paid a quarter of a million dollars in what looks like 'hush money' to defend the status quo."

Rep. Gene Green (D-Tex.) asked Ana Steele, the acting head of NEA, where the settlement of \$252,000 was coming from. Steele explained that the Treasury Department maintains a judgment fund, and Justice

"I think these three agencies are remarkable in what they have accomplished with a small amount of federal support."

—Rep. Pat Williams

and the General Accounting Office decide how much the account will cover and what portion will come from NEA funds.

A second witness called by the committee's Republicans spoke in favor of reauthorization. Leonard Garment, who co-chaired a presidential commission that looked at NEA following its funding controversies in recent years, said he would continue to support the arts endowment if it "adheres faithfully to the congressional mandate to pursue aesthetic excellence, and resists manipulation for other, and essentially political, purposes."

Williams's subcommittee is expected to vote on the reauthorization bills Tuesday, and Williams predicted approval by the full committee by the end of the month.

All the agencies were represented yesterday by acting chairmen because President Clinton has not yet appointed his own choice at NEA or the Institute of Museum Services. This week he did formally nominate Sheldon Hackney, president of the University of Pennsylvania, to chair the humanities endowment.

At another arts-related session yesterday, the House Public Works and Transportation Committee approved the establishment of a National African American Museum as part of the Smithsonian Institution. The bill gives the Smithsonian the authority to spend \$5 million to renovate the Arts and Industries Building on the Mall for the museum.

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NATIONAL
ENDOWMENT
FOR THE
ARTS

National Arts Endowment Settlement
of Finley Lawsuit
June 9, 1993

The Federal agency
that supports the
visual, literary and
performing arts to
benefit all Americans

Office of the
Chairman

On Friday, June 4, 1993, the National Arts Endowment reached a legal settlement with four artists on that portion of a 1990 lawsuit which claimed the artists' grant applications were rejected for inappropriate reasons. The legal agreement between the plaintiffs and the defendants is a settlement to a longstanding lawsuit; the monies going to the plaintiffs as a result of the settlement are not grants.

Arts in Education

The June 4th settlement is separate from the pending appeal concerning a June 1992 court ruling that the so-called "decency provision" contained in the Endowment's authorization statute is unconstitutional. The decency provision remains under litigation.

Challenge &
Advancement

Dance

Design Arts

The settlement totals \$252,000 including attorneys' fees of \$202,000. The four artists will receive a total of \$50,000.

Expansion Arts

Folk Arts

Considering the compelling evidence that proper procedures were not followed in this case, it is apparent that settlement was the most sensible resolution to this matter. This settlement, which was recommended to the Arts Endowment by the Department of Justice, prevents a useless and costly trial at the expense of the American people.

International

Literature

Locals

Media Arts

The settlement should not be considered a statement by the Endowment, one way or the other, regarding the artists' artistic merit. Nor does it represent an Endowment position, one way or the other, as to whether the artists should have received grants.

Museum

Music

Opera/Musical
Theater

As stated in the settlement agreement, the Endowment does not "admit or deny the validity of any claim by the plaintiffs against [it], including challenges to the prior actions of the then-chairman." Once again, the Endowment's action on this matter is nothing more than a settlement to a longstanding legal dispute.

Presenting &
Commissioning

State & Regional

Theater

Visual Arts

With this legal matter behind us, the Arts Endowment will continue its valuable work of preserving and advancing this nation's diverse cultural heritage and in making the arts accessible to more Americans.

2/8

BACKGROUND ON FINLEY LAWSUIT SETTLEMENT AND DECENCY APPEAL
June 9, 1993

Background In Brief

In September 1990, four artists -- Karen Finley, Holly Hughes, John Fleck, and Tim Miller -- filed a lawsuit in the United States District Court for the Central District of California against the Arts Endowment, following then-chairman John Frohnmayer's rejection of the artists' applications for solo theater artist and mime fellowships. The plaintiffs made a variety of claims, some of which focused the plaintiffs' assertion that their applications were rejected for inappropriate reasons.

After the suit was filed, the Arts Endowment's reauthorization statute was enacted in November 1990, to include, among other things, the so-called "decency provision" requiring that "in establishing...regulations and procedures [governing NEA grant-making], the Chairperson shall ensure that artistic excellence and artistic merit are the criteria by which applications are judged, taking into consideration general standards of decency and respect for the diverse beliefs and values of the American public" (emphasis added). Subsequently, the artists, joined by the National Association of Artists' Organizations (N.A.A.O.), amended their suit to claim that the decency language was unconstitutional. (The provision was never applied to plaintiffs' 1990 applications).

In June 1992, Judge Tashima in the California district court issued an opinion finding the following:

1. The decency clause was "unconstitutional" and the procedure used by then-Chairperson John Frohnmayer in this instance (polling of the National Council on the Arts members) was improper; and
2. The plaintiffs may proceed to trial on the portion of the lawsuit concerning the artists' claims that their grants were rejected for inappropriate reasons, and that their privacy rights were violated [the Endowment purportedly disclosed information contained in the artists' grant applications.]

-more-

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Finley Background, page two

Appeal of Decision Concerning Decency Provision

On March 29, 1993, the Department of Justice filed a brief appealing the federal district court ruling on the constitutionality of the decency language. One of the Justice Department's roles is to defend the constitutionality of United States statutes; the Justice Department's decision to appeal is consistent with that responsibility.

On June 2, 1993, the plaintiffs filed their brief on the appeal. ~~The Justice Department has yet to respond.~~ On June 21, 1993, DOJ filed a reply brief in the case.

Settlement of Claims Concerning Rejected Grant Applications

On June 4, 1993, the parties settled the portion of the lawsuit that is not related to the constitutionality of the federal statute. This settlement ends the legal dispute between the artists and the National Arts Endowment concerning the claim that grants were rejected for inappropriate reasons.

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4/8

**Background/Talking Points
Finley Lawsuit Settlement and Appeal
August 2, 1993**

Background of Claims

- o In September 1990, four artists -- Karen Finley, Holly Hughes, John Fleck, and Tim Miller -- filed a lawsuit in the United States District Court for the Central District of California against the Arts Endowment, following then-chairman John Frohnmayer's rejection of the artists' applications for solo theater artist and mime fellowships. The plaintiffs made a variety of claims, notably the assertion that their applications were rejected for inappropriate (i.e. political) reasons.
- o After the suit was filed, the Arts Endowment's reauthorization statute was enacted in November 1990, to include, among other things, the so-called "decency provision" requiring that "in establishing...regulations and procedures [governing NEA grant-making], the Chairperson shall ensure that artistic excellence and artistic merit are the criteria by which applications are judged, taking into consideration general standards of decency and respect for the diverse beliefs and values of the American public" (emphasis added). Subsequently, the artists, joined by the National Association of Artists' Organizations (N.A.A.O.), amended their suit to claim that the decency language was unconstitutional. (The provision was never applied to plaintiffs' 1990 applications.)

1992 District Court Ruling

- o In June 1992, California district court Judge Wallace Tashima issued an opinion finding the following: 1) The decency clause was "unconstitutional" and the procedure used by then-Chairperson John Frohnmayer in this instance (polling of the National Council on the Arts members) was improper; and 2) The plaintiffs could proceed to trial on the portion of the lawsuit concerning their claims that their grants were rejected for inappropriate reasons, and that their privacy rights were violated [the Endowment purportedly disclosed information contained in the artists' grant applications].

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Draft

Finley Background Continued, page two

Appeal of Decency Ruling

- o On March 29, 1993, the Department of Justice (DOJ) filed a brief appealing the federal district court ruling on the constitutionality of the decency language in the Arts Endowment's enabling legislation. On June 2, 1993, the plaintiffs filed their brief on the appeal. On June 21, 1993, DOJ (on behalf of the agency) filed a reply brief in the case.

An oral argument before the Ninth Circuit (consisting of a three judge panel) has not yet been scheduled.

- o (The Clinton Justice Department's reply brief essentially retreated from assertions made in its initial brief that the rule of Rust v. Sullivan applies to the arts. DOJ now argues only that Rust need not be reached to decide this case.)

Settlement of Other Claims

- o On June 4, 1993, the Arts Endowment reached a legal settlement with the four artists on that portion of the 1990 lawsuit which claimed the artists' grant applications were rejected for inappropriate (political) reasons.
- o The June 4th settlement was separate from the pending appeal concerning a June 1992 court ruling that the so-called "decency provision" contained in the Endowment's enabling legislation is unconstitutional. That provision remains the subject of an appeal. (See Finley talking points)
- o The settlement totals \$252,000 including attorneys' fees of \$202,000.
- o The settlement is neither an admission or denial -- the Endowment's actions in this matter are nothing more than a settlement to a longstanding legal dispute.

PHOTOCOPY
PRESERVATION

Draft

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Finley Talking Points Continued, page threeAppeal Talking Points

- o President Clinton supports the work of the National Endowment for the Arts and its commitment to support excellence and provide accessibility to the arts for all Americans. He is strictly opposed to any form of content restriction or censorship. The Administration does not believe the so-called decency language -- as previously implemented by the broad and diverse make-up of over 1,000 private citizen panelists from all over the country, and the 26 distinguished members of the National Council on the Arts, both of which review and make recommendations on grant applications -- is a form of content restriction.
- o The President opposes censorship and content restrictions. The Justice Department appeal has gone forward because it is the role of the Justice Department to defend the constitutionality of statutes passed by Congress.

Settlement Talking Points

- o The legal agreement between the plaintiffs and the defendants was a settlement to a longstanding lawsuit; the monies going to the plaintiffs as a result of the settlement were not grants.
- o The settlement was not a statement by the Endowment, one way or the other, regarding the artists' artistic merit. Nor does it represent an Endowment position, one way or the other, as to whether the artists should have received grants.
- o Considering the compelling evidence that proper procedures were not followed in this case, it is apparent that settlement was the most sensible resolution to this matter. The settlement was recommended to the Arts Endowment by the Department of Justice and prevents a useless and costly trial at the expense of the American people.

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Background/Talking Points
Decency
August 2, 1993

Background

- o During the campaign, Mr. Clinton made statements regarding the Arts Endowment. Those statements are as follows:

NEA Decency Provision: "Artistic excellence and artistic merit are the criteria by which applications are judged, taking into account consideration of general standards of decency and respect for the diverse beliefs and values of the American public."

1992 Campaign -- Governor Bill Clinton: [I will defend] "freedom of speech and artistic expression by opposing censorship or content restrictions on grants made by the NEA."

1992 Democratic Party Platform: "We believe in public support for the Arts, including a National Endowment for the Arts that is free from political manipulation and firmly rooted in the First Amendment's freedom of expression guarantee."

- o In the fall 1990, decency language was added to the Endowment's enabling legislation. This compromise language is the result of Jesse Helms initiating the decency debate on the hill. Congressman Pat Williams diffused the language by adding "respect for the diverse beliefs and values of the American public."
- o The debate over decency in Congress's approval to include the statute in the Endowment's legislation in part resulted in the four artists, Karen Finley, Tim Miller, John Fleck and Holly Hughes, to amend their lawsuit against the Endowment, claiming the language was unconstitutional. (See Finley talking points)
- * o The Clinton Justice Department appealed the June 1992 ruling by a California district court that the language is unconstitutional. One of the Justice Department's roles is to defend the constitutionality of United States Statutes; the Justice Department's decision to appeal is consistent with that responsibility.
- * o An oral argument before the Ninth Circuit (consisting of a three judge panel) has not yet been scheduled.
- o (The Clinton Justice Department's reply brief essentially retreated from assertions made in its initial brief that the rule of Rust v. Sullivan applies to the arts. DOJ now argues only that Rust need not be reached to decide this case.)

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Decency continued, page two

- o In recent years, the debate over obscenity has shifted to the debate over decency. However, the Endowment has language in its authorizing legislation which leaves it to the courts to determine if the work is obscene; if such determination is made, the Endowment will recover the funds involved.

Talking Points

- o President Clinton supports the work of the National Endowment for the Arts and its commitment to support excellence and provide accessibility to the arts for all Americans. He is strictly opposed to any form of content restriction or censorship. The Administration does not believe the so-called decency language -- as previously implemented by the broad and diverse make-up of over 1,000 private citizen panelists from all over the country, and the 26 distinguished members of the National Council on the Arts, both of which review and make recommendations on grant applications -- is a form of content restriction.
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Clinton's Culture Challenges

With His Team in Place, the Real Work Begins

By Jacqueline Trescott
Washington Post Staff Writer

A year ago, candidate Bill Clinton spoke eloquently about the role of the arts and humanities.

"Art is among the noblest and demanding of our rituals; noblest because it takes us into the deepest parts of what we are, and most demanding because it requires that we go there with our eyes open and come to terms with what it is to be human. . . . The arts are not something separate from the lives of people," said Clinton.

Now, eight months into his presidency, Clinton has lined up the officials who will lead the three federal cultural agencies, and some evidence is emerging about the administration's approach to transforming his words into policy.

As a start, the White House hopes to bring renewed respectability to the agencies through the appointment of highly credentialed administrators, a different kind of attention from the noisy debate of recent years about political correctness and sexually explicit art.

The principal players are expected to be actress Jane Alexander, who has been nominated to head the National Endowment for the Arts and brings almost 30 years of award-winning work in theater and film to this new role. For the National Endowment for the Humanities, Clinton selected Sheldon Hackney, a noted historian and former top administrator at three colleges, including Tulane University and the University of Pennsylvania. For the third post, the director of the Institute of Museum Services, the White House has said it intends to nominate Diane Frankel of Marin County, Calif., a respected leader in the burgeoning field of youth museums.

"They are leaders who are determined to make contributions that are appropriate in these times, and they

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have qualifications that are crystal clear," says a senior White House official. "There's a tremendous sense of hope. . . . We can't just play defense. We have to play offense."

Supporters of the three agencies are heartened by the appointments. "I'm very impressed at the quality of the candidates, they are well-considered appointments," says Earl A. (Rusty) Powell III, the director of the National Gallery of Art. "They signal that the Clintons take culture seriously. They think about it," says Jamil Zainaldin, the president of the Federation of State Humanities Councils.

The agencies' conservative critics are generally disappointed with the team, especially the nomination of Alexander. "We just don't think someone from Hollywood should be running the NEA. We think she will tend to place the interests of the Hollywood elite or the advocates of the far left higher than the interests of Middle America," says Tom Kilgannon, communications

director of the Christian Action Network. "The cultural policy of the administration is one that is on the side of cultural radicalness," says Marshall Wittmann, the legislative affairs director for the Christian Coalition, evangelist Pat Robertson's political organization. "We are going to urge Congress to judge these nominees by a middle-class family standard. Can they defend them to a middle-class family, rather than the Hollywood elite?"

So far, discussions about a cultural policy at the White House center around how to move beyond the ideological arguments that for 12 years often overshadowed the work of the NEA and NEH and splintered their natural constituency of artists and academics. In his statement nominating Alexander, the president said, "The Endowment's mission of fostering and preserving our nation's cultural heritage is too important to remain mired in the problems of the past. It is time to move forward."

The initial strategy is naturally Clintonesque—have a meeting and chew over the issues. Last week, under the sponsorship of the Office of Public Liaison, White House officials briefed representatives of the cultural service organizations about the upcoming Alexander hearings. "It was an example of glue politics. Bring people together and share and compare notes. It is what this administration understands in order to be successful," says Ginny Terzano, the public affairs chief at the NEA.

The administration also is planning to get the word out about how the arts and humanities can improve the quality of life, how federal funds are dispersed to the farthest reaches of the country, and how culture affects local economies, according to people who have attended the strategy sessions. In addition, the administration is looking for a mechanism to coordinate all the existing arts and humanities programs throughout the government.

The president, says one senior White House official, intends to have the cultural officials serve as ambassadors to the country, delivering the message at regional and local meetings, putting the spotlight on local artists and scholars, and demonstrating the federal executives' vision and knowledge.

"They will move in a direction where Americans can see what they have. [The policy] is less elitist, more striving to bring the richness of the humanities and arts to the country at large," says the official. "There hasn't been an ownership of NEA. There wasn't an understanding that what the critics were saying was off-the-mark."

Most of those involved in the strategy sessions seem confident about their plans, but few want to be quoted as policymakers because the policy could change or fail.

For starters, they all realize that the battle of words over arts content and funding, and freedom of speech and diversity on college campuses, is still simmering.

For five years, the NEA has had to

"The main challenge is in the political arena. The political right and religious right will continue to use the arts endowment for their own purposes."

—American Association of Museums' Edward Able

defend its existence in confrontations with the religious right and conservative spokesmen, who protest funding of exhibitions including the work of photographers Robert Mapplethorpe and Joel-Peter Witkin and performance artists who gave away dollars to undocumented workers, as happened last week in San Diego.

Though NEH and IMS were not embroiled in the controversies that hit NEA, repair work also is needed with the public. In the case of the humanities endowment, the conservatives were pleased with the leadership provided by former chairman Lynne Cheney and the agency's role in the public debate on political correctness. But the more liberal watchdogs thought Cheney was controlling the grant-making and seemed to be flagging grants that disagreed with right-wing scholarship.

Neither ideological camp has been completely satisfied with the Clinton actions so far. The Democratic cultural community, heartened by his comments during the campaign and by the arts and entertainment's community fund-raising, had hoped for quicker action on appointments. So when his Jus-

tice Department sided in March with a Bush administration position that the decency clause in the NEA authorizing legislation was constitutional, Clinton's supporters expressed their anger by filing briefs opposing the decision. Later, in a reply brief, the administration clarified its position by saying the arts deserved First Amendment protection but still defended the decency clause.

Clinton the candidate said he wanted the agencies, especially the NEA, free of this debate.

"As president, I will support and defend freedom of speech and artistic expression by opposing censorship or 'content restrictions' on grants made by the National Endowment for the Arts. I believe very strongly that the National Endowment for the Arts should not be politicized, and that it has been too politicized recently," he said last fall.

Other officials are not so optimistic that cultural policy is occupying a big enough space on the White House radar screen. "There's a chance we could miss the tremendous opportunity at hand," says one administration official, who is concerned that some younger staff aren't familiar enough with the agency to promote or defend it. Others who have watched the recent battles see it as an unwanted lightning rod.

The president and Hillary Clinton will be doing their share in this education effort, said one senior official. Observers point out that the Clintons and Hackneys have an established personal relationship that should help keep the issues on the president's plate. The White House also has agreed to participate in the Arts and Humanities Month planned for October.

To make the formulation of a cultural policy more collegial, the White House is considering a revival of the Federal Council on the Arts and Humanities. This congressionally mandated working group, created in 1965, consists of the NEA, NEH and IMS directors, the heads of other cultural bureaucracies, such as the Library of Congress, the Smithsonian Institution and the National Archives, and has additional members appointed by Congress and the Cabinet.

Buttressing any new initiatives would be the improvement of relationships with Congress. In the weeks before the current congressional recess, a conservative lobbying group launched a pictorial and letter-writing campaign claiming that NEA funds went to obscene and blasphemous work and accused the agency of not tracking what it funds. More congressmen than before joined an unsuccessful effort to abolish the agency and an amendment to cut NEA funding passed the House.

The Christian Action Network plans to ask nominee Alexander for a meeting to discuss their criticisms and ideas for reforms, and then, depending on the outcome, start another letter-writing campaign to the Congress. Supportive arts groups, such as the American Arts Alliance, intend to rev up their grass-roots chapters, urging them to meet with congressmen in their districts.

"The main challenge is in the political arena," says Edward Able, the executive director of the American Association of Museums. "The political right and religious right will continue to use the arts endowment for their own purposes. They have no other boogie man to get votes, in the case of politicians, and to raise money, in the case of the religious right."

The exact directions Alexander and Frankel will take should emerge in their confirmation hearings, which are expected to take place late next month. Arthur Kropp of People for the American Way, already sees a message in Clinton's selection of Alexander. "Her appointment is good because with a political person the war would have continued. She is substantive and talented and enters the confirmation process with a lot of support. Yes, the administration should encourage her to deal straightforwardly with these issues. None of them will be able to equivocate."

Hackney, who survived a storm of critical editorials and statements and has been on the job since Aug. 4, spoke of some of his ideas last week at the National Council on the Humanities meeting.

"I think we have a larger role to play ... not in developing public policy but in helping Americans understand themselves, individually and collectively," he said. He has spoken of coordination with the NEA and of a "national conversation."

Other arts policy officials agree. "What I am hearing is that people want more discussion of arts and public responsibility and the partnership between artists and the public," said Claudine Brown, the deputy assistant secretary, museums of the Smithsonian Institution. Brown says arts education will help clarify the lingering concerns about the controversies. "They want to know the aesthetic merit of art that is controversial. If the public thinks a work of art is indecent, they want people to tell them if the art is valuable."

Though none of the old issues are neatly resolved, there's a perception that a clean slate is at hand, and Clinton will give a much-needed public face and support to the agencies.

"In the arts community, it is such an exciting time to start thinking about a cultural policy," says Judith Golub, the executive director of the American Arts Alliance. "With people in place, and the momentum we have from those appointments, we can start talking about the positive roles the arts play domestically and internationally."

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