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Reauthorization: S. 2724 (1990): Correspondence 03

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United States Senate

COMMITTEE ON LABOR AND
HUMAN RESOURCES

WASHINGTON, DC 20510-8300

October 12, 1990

Honorable Robert C. Byrd
Chairman
Committee on Appropriations
United States Senate
127 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Mr. Chairman:

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

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

Our proposal mandates a series of substantive changes in grant-making procedures and provides for Endowment sanctions against any grantee who is convicted in a criminal court of violating obscenity or child pornography laws. These sanctions require the repayment of all federal funds and the debarment of the grantee from eligibility for NEA funds for a period of three years. This approach avoids the constitutional pitfalls that would be raised by the imposition of guidelines that would establish prior restraint on NEA grant awards.

With the short time remaining in the 101st Congress, there is a chance that the Senate will not have time to consider our reauthorization proposal. In light of this possibility, we want to share our language with you in the hope that you and your colleagues will consider our approach to these important issues when you take up the Interior Appropriations bill. Our compromise had the strong endorsement of the Labor and Human Resources Committee where it was reported by a margin of 15 to 1, and we believe it has extensive support in the Senate.

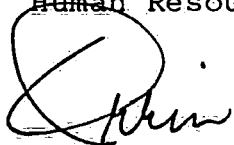
Honorable Robert C. Byrd
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We want you to have the benefit of the Committee's work and respectfully ask that you give it every consideration.

With warm regards,



Edward M. Kennedy
Chairman
Committee on Labor and
Human Resources

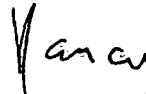


Orrin G. Hatch
Ranking Minority Member
Committee on Labor and
Human Resources

Sincerely,



Claiborne Pell
Chairman
Subcommittee on Education,
Arts and Humanities



Nancy Landon Kassebaum
Ranking Minority Member
Subcommittee on Education,
Arts and Humanities

c.c. Honorable Mark Hatfield
Ranking Minority Member
Committee on Appropriations
United States Senate

c.c. Honorable James A. McClure
Ranking Minority Member
Appropriations Subcommittee on the
Interior
United States Senate