□ 1600

I am proud to have brought this legislation to the floor, and I ask for the full support of all Members.

Mr. SOUDER. Mr. Speaker, Abraham Lincoln spent his formative years in Indiana, and as a Hoosier I would like to rise in strong support of this bill providing for commemoration of the bicentennial of his birth.

I would like to begin by thanking the bill's sponsor, the gentleman from Illinois, Mr. LAHOOD, and the gentlelady from Illinois, Mrs. BIGGERT for their willingness to work with me to include representation from the states of Indiana and Kentucky on the Commission to be formed by this bill. Both states played significant roles in the life and development of Abraham Lincoln, and I very much appreciate their recognition of this history and openness to including citizen members from each of these states on the Commission.

The commission will celebrate the bicentennial of President Lincoln's birth in 1809, which took place in Hodgenville, Kentucky. At the age of 7, young Abe Lincoln moved to Southern Indiana, and the family moved to Illinois in 1830. As the National Park Service points out at the Lincoln Boyhood National Memorial, he spent fourteen of the most formative years of his life and grew from youth to manhood in the State of Indiana. His mother, Nancy Hanks Lincoln, is buried at the site. And even today, what is probably the largest private Lincoln Museum in America is in Fort Wayne, Indiana, in my district.

Thomas Lincoln moved the family to an 80 acre farm in Perry County, Indiana after the crops had failed in Kentucky due to unusually cold weather. He bought the land at what even then was the bargain price of three dollars an acre. Just days before, Indiana had become the 19th state in the union. The land was still wild and untamed. President Lincoln later recalled that he had ''never passed through a harder experience'' than traveling through the woods and brush between the ferry landing on the Ohio river and his Indiana homesite. This observation speaks volumes about the nature of the Hoosier frontier.

The family quickly settled into the log cabin with which we are all so familiar from our earliest history lessons. Tom Lincoln worked as a cask maker. Abe Lincoln worked hard during the days clearing the land, working with the crops, and reading over and over from his three books: the Bible, Dilworth's Speller, and Aesop's Fables. He also wrote poems. Shortly after the death of Nancy Hanks Lincoln, young Abe attended a new one room schoolhouse. When his father remarried, his new stepmother Sally Bush Johnston brought four new books, including an elocution book. W. Fred Conway pointed out in his book ''Young Abe Lincoln: His Teenage Years in Indiana'' that the future president after reading the book occasionally ''would disappear into the woods, mount a stump, and practice making speeches to the other children.''

Abraham Lincoln also received his first exposure to politics and the issues that would later dominate his presidency while in Indiana. One of his first jobs was at a general store and meat market, which was owned by William Jones, whose father owned slaves in violation of the Indiana State Constitution. This was Lincoln's first introduction to slavery. In addition, he exchanged news and stories with customers and passersby, with the store eventually becoming a center of the community due largely to Young Abe's popularity. Once he was asked what he expected to make of himself, and replied that he would ''be President of the United States.''

Mr. Speaker, Indiana takes pride in its contributions to the life of President Lincoln, and we greatly look forward to the work of the Commission in honoring him and reminding Americans of his legacy. I urge my colleagues to support this bill.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in strong support of H.R. 1451, the Abraham Lincoln Bicentennial Commission Act. On behalf of my constituents in the 9th Congressional District of Illinois. I am a proud cosponsor of H.R. 1451, legislation which seeks to further honor the life of a most honorable individual, the sixteenth President of the United States and an American Hero, Abraham Lincoln.

H.R. 1451, would establish a commission to study and recommend to Congress ways to celebrate the 200th anniversary of President Lincoln's birth. The bicentennial of President Lincoln's birth will be February 12, 2009. Although 2009 is a long way off, planning a celebration of the life, achievements and contributions made by President Lincoln to the United States is a task that deserves adequate time and resources.

The values taught by Abraham Lincoln's leadership are celebrated today at the Lincoln Memorial in Washington, DC. Coming from the State of Illinois, which is also known as the ''Land of Lincoln,'' I was particularly moved when shortly after being sworn into service in Congress, I visited the Lincoln Memorial. I look forward to the Memorial's rededication in 2009.

Authorizing further commemorations of his life and the issuance of a memorial stamp and minting of a bicentennial coin, and other activities are appropriate ways to celebrate the life of this shining example of American value.

President Lincoln lost his life at the early age of 56, when he was shot and killed by an assassin. Although President Lincoln's life was taken at a young age, the values and lessons he taught through his policies and his eternal words of wisdom will remain with us forever.

I look forward to reviewing the recommendations of the Abraham Lincoln Bicentennial Commission and to celebrating with the people of Illinois and the entire nation the bicentennial of his birth in 2009. I urge all members to vote in support of H.R. 1451.

Mrs. BIGGERT. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 1451, as amended.

The question was taken.

Mr. LAHOOD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXPRESSING THE SENSE OF CONGRESS REGARDING BROOKLYN MUSEUM OF ART EXHIBIT FEATURING WORKS OF A SACRILEGIOUS NATURE

Mr. DEMINT. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 191) expressing the sense of Congress that the Brooklyn Museum of Art should not receive Federal funds unless it cancels its upcoming exhibit feature works of a sacrilegious nature, as amended.

The Clerk read as follows:

H. CON. RES. 191

Whereas on October 2, 1999, the Brooklyn Museum of Art opened an exhibit entitled ''Sensation: Young British Artists from the Saatchi Collection'';

Whereas this art exhibit features a desecrated image of the Virgin Mary;

Whereas the venerable John Cardinal O'Connor considers the exhibit an attack on the Catholic faith, and is an affront to more than a billion Catholics worldwide;

Whereas the exhibit includes works which are grotesque, immoral, and sacrilegious, such as one that glorifies criminal behavior with a portrait of a convicted child murderer fashioned from small hand prints;

Whereas the Brooklyn Museum of Art's advertisement acknowledges that the exhibit ''may cause shock, vomiting, confusion, panic, euphoria, and anxiety'';

Whereas the Brooklyn Museum of Art refuses to close the exhibit, despite strong public opposition to the show from religious leaders, government officials, and the general population;

Whereas the American taxpayer, through the National Endowment for the Arts and the National Endowment for the Humanities, provides funding to the Brooklyn Museum of Art; and

Whereas the American taxpayer should not be required to subsidize art that desecrates religion and religious beliefs: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the Brooklyn Museum of Art should not receive Federal funds unless it closes its exhibit featuring works of a sacrilegious nature.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. DEMINT) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. DEMINT).

Mr. DEMINT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am grateful to have this opportunity to bring House Concurrent Resolution 191 to the floor. This resolution was submitted by my distinguished colleague, the gentleman from New York (Mr. SWEENEY).

Mr. Speaker, this past weekend, the Brooklyn Museum of Art opened a controversial new art exhibit, despite strong objections from civic and religious leaders. As many know, the exhibit includes a desecrated portrait of the Virgin Mary, decaying animals, and a depiction of a child molester.

These are just a few of the offensive items in an exhibit recognized and celebrated for its shock value, an ''over the edge'' flaunting of decay, defamation, and death.

It is a show intended to ''cause shock, vomiting, confusion, panic, euphoria, and anxiety,'' and those are the words of the Brooklyn Museum.

Mr. Speaker, beauty may be in the eye of the beholder, but I believe most American taxpayers do not have the stomach to support the display of this type of exhibit. No matter what we think of this exhibit, we can all agree that the American taxpayers should not be forced to subsidize any exhibit that denigrates the beliefs and values that they hold most dear.

Ten years ago, after the NEA funded Andres Serrano's defilement of the crucifix, Congress directed the chair of the National Endowment of the Arts to take into account ''general standards of decency and respect'' in awarding Federal grant money to artists. Many artists protested that this was a violation of free speech rights.

In June of 1998, however, the Supreme Court upheld the constitutionality of the decency clause. It was upheld because the court recognized that the right of free expression does not include the right to force others to pay for your expression.

Mr. Speaker, the Brooklyn Museum is a great institution celebrating and displaying great works of art for over 176 years. It has been a gift to our children, encouraging them to explore the depths of their own creativity and imagination. If there was ever a time when we needed to encourage our children to honor beauty, it is now. If there was ever a time to teach our children about great works of art, of great painters, sculptures, and designers, it is now. But the Brooklyn Museum's current exhibit is so extreme that children are not allowed to view it unless they are accompanied by a parent.

It seems to me that our public art institutions should be a safe haven for our children, a place that honors the highest standards of beauty, not the lowest common denominator of human depravity.

Hard working Americans help support the Brooklyn Museum of Art through the National Endowment of the Arts, the National Endowment of the Humanities, and the Institute of Museum and Library Services. In the past 3 years, taxpayers have paid over $1 million to help fund the Brooklyn Museum.

In a time when our communities are desperate for more art classes, local art museums, and children's workshops, the Brooklyn Museum exhibit seems inconsistent with our priorities to foster a greater appreciation of the arts. This debate is about whether or not taxpayers should subsidize the housing and promotion of objectionable exhibits. American taxpayers have paid for the brick and mortar of the Brooklyn Museum, a museum that should reflect the best of the American people.

This exhibit, sponsored and hosted by the museum, clearly does not reflect the values we hold dear. This resolution will protect American taxpayers from funding the Brooklyn Museum showcase of a denigrating exhibit.

Mr. Speaker, I urge the adoption of this important resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to H. Con. Res. 191, which expresses the sense of Congress that the Brooklyn Museum of Art should not receive Federal funds unless it cancels its recently opened exhibit entitled ''Sensation.''

First and foremost, I would like to express my utter disbelief that we are wasting valuable floor time on this resolution as the first session of the 106th Congress draws to a close, and we have not yet considered important issues such as healthcare reform, increasing the minimum wage, and preserving Social Security.

Moreover, Mr. Speaker, we are 4 days into fiscal year 2000, with 11 of the 13 annual appropriations bills still not enacted. If the Republicans cause the Federal Government to shutdown in 2 weeks, the Brooklyn Museum of Art will not get any Federal funding anyway. But aside from the Republican leadership's complete disregard for effective time management, I am greatly concerned that this resolution condones and encourages censorship and sends a message that it is acceptable for city officials to make funding decisions based on their individual likes and dislikes.

Hitler's dislike of avant-garde artists of his time, Picasso and Matisse, led to the banishment of their works from Germany for 8 long years.

Mr. Speaker, the Supreme Court has ruled on a number of occasions that the government cannot penalize individual artists because their work is disagreeable. We know that this resolution is really about the Republican leadership's continued attack on all Federal funding of the arts.

Mr. Speaker, I reserve the balance of my time.

Mr. DEMINT. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. SWEENEY).

Mr. SWEENEY. Mr. Speaker, I thank the gentleman for yielding me time, my good friend and class president.

Mr. Speaker, let me start and say I introduced this resolution at an important time in our Nation's history. We have, as we all know, violence pervasive throughout all sorts of elements in our society. We are in a period of great moral turmoil in many respects.

Those who argue against the proposition that I propose today say that this is censorship, and they liken it to what Hitler did in Nazi Germany. We say that is nonsense. It is nonsense because we are talking about some fundamental questions centering around the role of the Federal Government in funding of works of art, or so-called works of art, that attack real core beliefs of the American people, many Americans, and beliefs that we hold near and dear to our hearts.

The questions I asked in this resolution are simple: Should the American taxpayer be required to send their hard-earned tax dollars to a museum, or other institution, that exhibits works of art, the likes of which feature a portrait of the Virgin Mary desecrated with elephant dung? Should taxpayers' dollars be used to glorify a convicted child murderer? Should Americans that work 40, 50, 60 hours a week, be forced to turn over a portion of their paychecks so that individuals can express themselves in a manner that so offends so many?

Mr. Speaker, the resolution that I introduce today answers a resounding ''no'' to those questions.

Just this past Saturday, the Brooklyn Museum of Art opened that art show featuring the aforementioned exhibits; and, as a result, the museum has come under fire from many sources, many individuals, who share, as I do, the belief that this is just wrong.

The venerable Cardinal O'Connor of New York City called the Exhibit ''an attack on religion itself, and, in a special way, on the Catholic church.''

Coinciding with the exhibit's opening, hundreds of people, with no other vehicle to express their frustration, took to the steps of the museum to say that public funding of such exhibits that promote hate, bigotry, and Catholic bashing is wrong. I wholeheartedly agree with them. That is why we have gone forward with this resolution.

Since 1997, the Brooklyn Museum of Art has received nearly $1 million through the National Endowment of the Arts and the National/Endowment for Humanities. When taxpayers decide to support the arts, I doubt these are the kinds of exhibits they have in mind.

Our resolution gives a voice to millions of Americans who are disgusted because they are being forced to fund this offensive exhibit. Furthermore, I believe that most of my constituents would join me in saying that this exhibit goes too far and is devoid of culturally redeeming value, by any standard.

Mr. Speaker, as I said, the proposition before us is quite simple. However, there is a vocal minority that wants to confuse the debate by suggesting our resolution is an attack on the First Amendment.

The ''Sensation'' exhibit, as it is titled, does not belong in a publicly supported institution. That is the simple premise at work here. This is not to say it does not belong anywhere. If there is an audience for this type of exhibit, and I would suspect there is a substantial audience in some quarters for this, let them find a private outlet for which to express that sense.

While these so-called artists have a right to create their art and galleries have a right to display it, the First Amendment does not guarantee that the American people must subsidize it.

In the words of David A. Strauss, a specialist in constitutional law at the University of Chicago, ''it is clear the government is entitled to make some decisions on what it will fund and what it will not fund.''

Not only are we entitled to do so, my constituents demand that I do so here today.

I agree with Jonathan Yardley in today's edition of the Washington Post when he writes, ''the museum has a right to present such works as it cares to, but has a weighty responsibility, the handmaiden of public funding, to exercise that right with sobriety and care. The support of taxpayers is not license to thumb one's nose at taxpayers. The religious and moral sensibilities of ordinary people are not frivolous; they deserve, and should command, the respect and consideration of those who slop at the public trough.''

Mr. Speaker, we know that Congress is not a body of art critics. However, ''Sensation'' is clearly an example of going too far. It does not take a Ph.D. in art history to know that a portrait of the Virgin Mary being desecrated upon is offensive to Catholics.

Mr. Speaker, our Federal tax dollars should not be spent on images that glorify sacrilegious, immoral, and criminal behavior. They should be used to defend, not offend. Further, if we subsidize the expression of art, let that expression carry a message of education, not desecration.

Last week, the Senate adopted a similar measure overwhelmingly, and I urge my colleagues in this body to follow the Senate's lead. Tell your constituents you will account for their tax dollars.

Mr. CLAY. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. RANGEL).

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Mr. Speaker, I hope this issue does not come down to Republicans and Democrats, even though normally on things like that, that is the way the votes go.

I just cannot believe that people can make a decision on what should be funded as art when they have never even seen what they are talking about. I just do not believe, just because it was a foreigner that did it and thought he was doing something correctly, that we would be so upset that we would attack an entire museum, with all of its exhibits in it, just because inadvertently someone was upset.

□ 1615

Now, I was raised as an altar boy, and I am familiar with the Blessed Trinity, and the fact that Jesus was born of Mary and Joseph. While there was the immaculate conception, there were still pictures of the Virgin Mary, and of course, Jesus, in every church and cathedral that I have had a chance to attend.

Now, from what I have seen on television, this was an abstract drawing of an overweight African-type cartoon that, with all of my catechism and training, it never would have entered my mind that this was supposed to be the mother of our Lord and Savior, Jesus Christ, notwithstanding what the artist had put on the bottom of it.

It never seemed to me that my mayor would be embracing anything like this, with or without the dung, as being what we think the Virgin Mary would look like, since basically we are talking about what a European Virgin Mary would look like as opposed to what an African Virgin Mary would look like.

I can understand how people of different cultures would clash, but are we suggesting that every time there is something that we find grotesque or different or odd, or something that we are ignorant about and we do not understand, that we come to the floor and say, cut the funding?

Am I supposed to check every library that got a Federal dollar and find some book that I do not understand, Ph.D. or not, and come here and say, I am offended by this, and just because we do not understand it, cut it out?

The city council of New York City has someone appointed from the city of New York sitting on this board. They are supposed to decide what exhibits they have and what exhibits they do not have. Clearly, if the mayor wanted to make the Brooklyn Museum a big hit, he sure did. There were lines out in the street. I could not find my way to the Brooklyn Museum of Art before the mayor announced what he did.

So if we do not like this grotesque thing, we ought to charge it up to Mayor Giuliani for giving it all this free publicity. There are lines wrapped around the building. They have to get more private funds now because people know where it is.

If the National Endowment has thought it was a pretty decent museum, for God's sakes, we do not want to say, because somebody may have made a mistake or someone did not understand what they were doing, that we in the Congress are so sophisticated, so smart, so creative, that we can say, hey, do not fund it.

I do not think we would want to do that, and certainly the way the polls look, I do not think the mayor, well, whether he did it for political reasons or not is subjective, but I do not think that he will be the beneficiary of doing it for Catholics, because Catholics really do not believe that politicians set the criteria about what we like and what we do not like, certainly not from the mayor's point of view.

So I hope we would reconsider this and not have a party vote on it. I think there are a lot of other things we do not understand that are worse than this.

Mr. DEMINT. Mr. Speaker, I yield 3 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA), a member of the committee.

Mrs. ROUKEMA. I thank my colleague for yielding time to me, Mr. Speaker.

I want to rise in strong support of what the gentleman from South Carolina (Mr. DEMINT) and the gentleman from New York (Mr. SWEENEY) are doing here.

Someone mentioned their disbelief. My disbelief is that we even have to come here today to state the case. I say that as a member of the committee of jurisdiction who has fought long and hard, and my Democrat members will remember me as the Republican that worked long and hard to preserve the Federal funding for the Humanities and the National Endowment for the Arts and Public Broadcasting System. I did it gratefully and happily and persistently.

But this is not the first time that we have had this particular discussion. I was also a member of the committee when we had this in the 1990s, as well as the Mapplethorpe and the Serrano situation, which has already been referenced here, and the obscene art controversy raised at that time.

So in 1990, when we reauthorized the NEA to ensure, and I quote, this is the language of the statute, ''Artistic excellence and artistic merit are the criteria by which grant applications are judged, taking into consideration general standards of decency and respect for the diverse beliefs and values of the American public.''

That is exactly what we put in place at the time, and there were cries that went up that, oh, no, this decency language, the decency clause, will not be constitutional. As Members may remember, Karen Findlay challenged and brought it as a First Amendment case before the Supreme Court.

But in June of 1998, the Supreme Court upheld that in the Karen Findlay case, remember, she smeared chocolate on herself, her naked body, but in the Karen Findlay case, the Supreme Court upheld the constitutionality of the decency clause. So I do not want to hear anymore questions about whether or not it is constitutional for Congress to make a determination under the decency clause as to whether or not this money can be given in grants to artistic entities, such as a museum.

I know what Members are going to say, well, this was not a precise grant, et cetera. But money is fungible. Everybody understands that money is fungible. But there is no way that we should be endorsing or having taxpayers pay for something that violates any religious beliefs or even aggrandizes pedophiles and child murderers.

I thank the Members for this opportunity. The Congress must go on record in opposition to the Brooklyn Museum of Art, and stating that no funds should ever be used under these circumstances again.

Mr. CLAY. I yield myself 30 seconds, Mr. Speaker.

Let us clear the record. First of all, there are no funds from the National

Endowment for the Arts that are provided for this exhibition. We ought to stop talking about Federal funds supporting this exhibition.

Secondly, we have people making the suggestion that this exhibition ought to be given someplace else other than in the art museum. Where should art be on display, other than in an art museum?

Then we say this is not censorship. Censorship to me is what we decide is acceptable and what is not acceptable in terms of art, even with our limited, and some of us with unlimited or no knowledge of art, deciding what it is, what is art.

Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, the issue before the House today is censorship. The issue is whether or not the Members of the House of Representatives or the mayor of New York City is going to determine what passes for art, and what people can see and cannot see in the art museums of the city of New York or the United States of America. That is what it is about, clear and simple.

Those people who are proponents of censorship, they do not want anyone to label them as would-be censors, so they couch their censorship in language of Federal funding or public funding or taxpayers' money, or words of that ilk. They seek to hide behind that, when really what they are trying to do is determine what people will see and will not see, and they want to make that determination in accordance with their own taste or lack of taste, their own knowledge or lack of knowledge, as the case may be.

Yes, the Brooklyn Museum does benefit from some public funds under certain circumstances and at certain times. That is not unusual. Every art museum, every proponent of the arts, every culture throughout the history of civilization on this planet has had public subsidization of some kind. The arts do not flourish without public subsidies of some kind, so we, as an enlightened society, make measures whereby we provide for public subsidies of the arts.

But we do not tell museums what they can display. We do not tell authors what they can write. We do not tell sculptors what they can sculpt. We leave that up to the artist, and we leave the success or failure of those works, whether they are written or on canvas or in some plastic medium, we leave the success or failure of those artistic works up to the final arbiters, the general public.

Interestingly enough, in this particular case, the general public seems to be saying, we have an interest in seeing what is on display at the Brooklyn Museum. I think the mayor of New York City may have had something to do with that interest in giving this display all the publicity that he has.

Whether he did or so intentionally or not, I don't know. Only he knows that. But whether he did so intentionally or not, he has provided this exhibit with more publicity than any art exhibit that the Brooklyn Museum of Art has had in recent memory. As a result of that, thousands of people are lined up in the streets around the Brooklyn Museum wanting to see this exhibit. That tells me that there is a great deal of public interest in this exhibit, and since there is a great deal of public interest, the public ought to determine whether or not it is there for people to see.

Let us not think that we here in the Congress or any mayor of any city or anybody of any common council can determine what the public ought to see or ought to read or ought to believe. That is up to them in a democratic society, not up to the Members of this House.

Mr. DEMINT. Mr. Speaker, I yield 3½ minutes to the gentleman from New York (Mr. FOSSELLA), a cosponsor of this resolution.

Mrs. ROUKEMA. Mr. Speaker, will the gentleman yield?

Mr. FOSSELLA. I yield to the gentlewoman from New Jersey.

Mrs. ROUKEMA. I want to get back to this question about whether or not we are subsidizing, Mr. Speaker, whether or not we are paying for this. This is being misrepresented in the debate.

Money is fungible, and no, there is not a precise grant. But it is absolutely a subsidy, a subsidy last year that was more than $160,000, much more than that, to the Brooklyn Museum, and this year it is projected that it will be well over $250,000.

Do not tell me, it stretches credibility, to think that that money has not subsidized this particular exhibit.

Mr. FOSSELLA. Mr. Speaker, reclaiming my time, I thank the gentleman from South Carolina for yielding time to me. I also thank the gentleman from New York (Mr. SWEENEY), the sponsor of this legislation.

Mr. Speaker, this is the First Amendment: ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.''

Nowhere in the First Amendment does it say that the United States taxpayer has to subsidize so-called art that desecrates one's religion. This is the issue.

There are others who want to say it is censorship, others who want to say that we are determining what art is. That is not true. The issue is, how do we appropriately use taxpayer money?

What we are saying, and I think we have the vast majority of support of the American people, both Democrats and Republicans in this body already sponsoring this resolution, we are saying that unless the Brooklyn Museum takes this exhibit away that desecrates an image that is sacred to a lot of Christians across the country, that glorifies a child molester, that they should not receive taxpayer money. It is very simple.

If they want to take this exhibit and put it somewhere else, in somebody's house, in somebody's apartment, or so many of the other private museums around the country, then so be it, and there will not be a problem. But this museum receives public money from both the city of New York, the State of New York, and from the Federal Government.

Do we not think there are more appropriate uses for taxpayer money than to desecrate religion? Is that such a stretch, that the NEA itself imposes standards on its exhibits, but we cannot; that the average American sitting at home who believes strongly in his faith or her faith says, wait a minute, I am working every single day, and the government is taking a little bit of my money and is going to fund this, are they not entitled to their opinion?

For those who say, this is democracy, now, we are a Republic.

□ 1630

We are supposed to speak for those folks. But we are speaking for them. There were hundreds, if not thousands, of people there on Saturday with me and so many others saying this is wrong. It is not a question of gray. Let us move on. Is this not over? It is wrong. It is wrong to use taxpayer money to fund this.

The Brooklyn Museum Board of Directors had every opportunity before the exhibit opened to take some of the more offensive works out. They decided not to. Incensed and in reflection upon their arrogance, I do not believe they deserve another dime of taxpayer money. They want to stick it to so many people across this country, so many New Yorkers, so be it. Let them do it on their own dime, not ours.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do not know how many hundreds were there to say that it was wrong, but I know that 10,000 went and paid $9-and-something to go see if it was wrong.

Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Speaker, ''Congress shall make no law respecting an establishment of religion.'' The gentleman from New York (Mr. FOSSELLA) just quoted the First Amendment to us.

What does this resolution do? It says that the sense of Congress is that the Brooklyn Museum of Art should not receive Federal funds unless it closes its exhibit featuring ''works of a sacrilegious nature.'' I repeat, ''sacrilegious nature.'' How do we determine what is sacrilegious except by determining what offends a religion?

Remember, the First Amendment does not say there shall not be an establishment of religion. It says Congress shall make no law ''respecting an

establishment of religion.'' Does this resolution respect an establishment of religion? Let us read some of the clauses:

''Whereas the American taxpayer should not be required to subsidize art that desecrates religion and religious beliefs.'' It says the reason for this resolution is because the Brooklyn Museum exhibit is a desecration of religion. It says that this art exhibit features a ''desecrated image of the Virgin Mary''; ''desecrated'' is a religious-content word. It says that John Cardinal O'Connor considers the exhibit an attack on the Catholic faith. The Catholic faith is, indeed, one of several established religions.

The point is that this is not really a debate on censorship. I agree with the gentleman from South Carolina (Mr. DEMINT) and the author that Congress has the right to choose whether to fund art or not. Indeed, I happen to have voted against funding the NEA every time it has come up. The reason is that, when we fund art, we immediately get into First Amendment problems because government is funding one position and not another.

So I am not arguing that we do not have the right to stop funding. I entirely agree with the gentleman from Staten Island, New York (Mr. FOSSELLA), that we should not be funding art that offends people. I do not think we should be funding art at all.

We can stop funding all art. We can stop funding all art that offends people. The one thing we cannot do is make a distinction on whether that art offends religion or not. So I wish this had been written differently. I wish I had a chance to weigh in earlier on.

I want to close with the recognition of the excellent good faith of the gentleman from New York (Mr. SWEENEY), my high regard for him, and my high regard of all my colleagues who have sponsored this resolution.

But our oath of office is to uphold and defend the Constitution. That is the one thing we swear to do. We do not swear to be popular. Lord knows my position is not going to be popular in my district or in the State of California. But I swore to uphold and defend the Constitution. The Constitution says we cannot pass any law respecting an establishment of religion. That is what this resolution does. I must vote no.

Mr. DEMINT. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. RILEY).

Mr. RILEY. Mr. Speaker, there is a storm brewing in Brooklyn right now, and at the heart of the matter is whether the Government should force taxpayers to fund a museum where art is or can be considered to be anything, from splattering elephant dung on the painting of the Virgin Mary to cutting a pig in half.

Now I am not an art critic, and I may not know good art from bad, but I know when something is offensive when I see it. This Sensation Exhibit in the Brooklyn Museum of Art is the personification of offensive.

Mr. Speaker, I am a staunch advocate of protecting First Amendment rights, of freedom of expression. I believe the people in this country should be able to create art that depicts whatever they please. That is the American way; and we, as citizens, should respect that right. But I have got to ask, Mr. Speaker, where in the Constitution does it say that American taxpayers have to like it as well as pay for it?

The answer to that question is quite simple. The Constitution does not say that. The Constitution makes no mention of the right to Government funding for anyone's artistic concepts. There is no right to Government funding for any offensive material or, for that fact, no material at all.

If one wants to create a display of offensive art, fine, but pay for it oneself. Do not ask me and other taxpayers to fund it. It is not right. And it does not make sense.

Mr. Speaker, I commend Mayor Giuliani for taking the stand that he has on the Sensation Exhibit, and I urge all my colleagues to take the same stand by passing this resolution today.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Speaker, I thank the gentleman from Missouri for yielding me this time.

Mr. Speaker, I do not know that I like much of the art that is in the Saatchi collection in the Brooklyn Museum. The reviews I read I do not think were quite flattering. But this is, once again, the law of unintended consequences.

A few years ago, one of our colleagues in the other body did not like a show that was going to be at the Corcoran Gallery not far from here, made a big deal about it, and made the show bigger than it ever would have been.

Now people are lining up around the Brooklyn Museum of Art to get in. So what my colleagues are trying to accomplish they are actually enhancing, and I think they have failed at that.

But the other problem is that my colleagues are heading down a road they do not want to go. Because surely somebody can go down the street to the National Gallery and find a Botticelli or something else they think is offensive and think we should not fund. But where do we stop from there?

But what is even worse is, yet again, this House has found it upon itself to get involved in the politics of New York and New York City. Quite frankly, I do not care about the politics of New York. I do not know why the gentleman from Alabama (Mr. RILEY) cares about the politics of New York. Let the people of New York do it.

Why is the party of States rights, the party of returning power to the local governments and the States trying to decide whether the city of New York, this does not even have anything to do with the NEA, this show does not have anything to do with the NEA, it is whether the city of New York ought to fund the Brooklyn Museum of Art on this show.

We really should not care, unless we want to become that paternalistic to tell the people what to do. I certainly do not want the people of New York telling the people of Houston, Texas, or Pasadena, Texas, what to do. But that is the next thing we will get. Some animal rights person will come up and say, The Pasadena rodeo is cruel to animals, and we should not allow any funding for it. It is a really dangerous path that my colleagues are heading down.

There is so much other business the House should be involved in. We have not even passed our budget for this year, but we certainly have time to deal with whether the city of New York ought to fund a show at the Brooklyn Art Museum.

Do we not have time to work on our budget instead of working on stuff like this?

Mr. DEMINT. Mr. Speaker, I reserve the balance of my time for closing.

Mr. CLAY. Mr. Speaker, may I inquire as to how much time we have remaining.

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from Missouri (Mr. CLAY) has 6 minutes remaining. The gentleman from South Carolina (Mr. DEMINT) has 2½ minutes remaining.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I am not from Brooklyn. I am from the Bronx, just a little bit away. But I am from New York City, and I know politics when I see it. This House has not done its business this year. We have not passed the budget. There are so many things that we have not done.

What are we wasting our time on? We are wasting our time on politics. This is all about who will be the next Senator of the State of New York.

The Republican leadership ought to get its act together. They ought to pass the budget. They ought to make sure there are votes to pass the budget instead of trying to vote on these knee-jerk issues so that they can play to their right wing base. That is what this is all about.

Once we start going down this slippery slope of Government telling museums what they can or cannot do, where does it end? Sure this exhibit is offensive. Sure this exhibit is disgusting. But I do not think that we in Government ought to sit and judge as censors and say that we will not pay for this museum or that museum or whatever it is because we are offended. That is not what we should be doing.

Let us do our business. The Republican leadership wants to put their smoke screen up because they have not done their job. The American people know that they have not done their job.

So let us not talk about not giving Federal funds to the Brooklyn Museum. There are no Federal funds that go into this exhibit. There are Federal funds that go to the Brooklyn Museum for other things, targeted things, specific things. This is all about politics.

Mayor Giuliani gets up, and he starts talking again and again. If he had kept his mouth quiet, nobody would even know about this exhibit. He has given it more publicity than it ever could have gotten. But, again, he wants to move to the right, play to the Republican base, maybe get the conservative party line in New York. That is what this is all about.

So this Congress, again, should do the job that the American people elected us to do. We ought to pass the budget. We ought to do things on time. We ought not to talk about these knee-jerk base kind of gut reactions.

The Republicans want to play to their corps. They want to get their members enthused. They want to show that one person can out-right wing the other person. That is really a disgrace. Let us pass the budget and not waste our time on this nonsense.

Mr. DEMINT. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. It is incredible, Mr. Speaker, that here we are talking about attacking the people who criticize this junk as if they contributed to this, as if they brought it about.

It is not Mayor Giuliani. It is no one on this side of the aisle. It is no one who attacked this stuff that caused this to happen. It is the bizarre, idiotic attitude of people who believe that they want to push the envelope as far as they possibly can in order to prompt this kind of thing.

No, it does not need to be here. It does not have to be on the floor of the House of Representatives. That is absolutely true. If no idiot would have brought this stuff forward in the first place and try to pass it off as art, we would not be here. But here we are because, of course, there is money that is going into this and because I have to tell taxpayers that they, in fact, must contribute to this kind of junk. It is nothing but junk.

But it goes to show my colleagues how difficult it is to actually identify what is art and what is not. We should not be contributing anything to, quote, ''the arts'' because somebody will stand up at some point in time and say that this garbage is art; and, therefore, it should be funded. We should not be funding any of this, Mr. Speaker.

Mr. CLAY. Mr. Speaker, I yield myself 5 seconds to try and decide whether or not I agree with the last speaker. I guess if I could understand what he said, I might agree with him. Stuff? Idiots? Junk? Et cetera?

Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Missouri for yielding to me.

Mr. Speaker, I represent Rochester, New York; and we have always known that people in New York City do strange things, but we have always tolerated them with some bemusement.

The mayor of New York now has embarked on his 18th First Amendment case, having lost all of them; and Congress today is going to try to join him in that exercise, which is going to be found blatantly unconstitutional.

I find more than a sense of irony that today we had H. Res. 57, where the House of Representatives expressed its great concern over interference with freedom of the press, but not in the United States, in Peru. So now we are all going to work this afternoon to see what we can do to interfere in Brooklyn.

Beauty has always been in the eye of the beholder. If the mayor does not want to go, he should not go. As a matter of fact, other people and the reviews of this show tell us that people are lining up around the building, standing in the rain to get in to see what has aggravated Giuliani so much this time.

Nobody as far as I know has fainted, been nauseated, or had to be removed to the hospital, which were some of the things that we were told might happen with this show.

My colleagues, I think a majority of Americans that we represent, God bless their judgment, think that it is time to really close the door on the tactics that make the arts and humanities political hostages every time we find something that we can pounce on.

The benefits that we receive for our economy and for our children and for our communities by arts and humanities are indisputable and far outweigh the small financial investment that we are making; however, we make no investment in this show in Brooklyn.

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Now, the sooner we get around to accepting that fact, maybe we can get around to passing a budget and do something to stop having to shut down the Federal Government. I think it is unthinkable that we can work at this ploy just to aim solely at influencing the New York State senatorial election.

I want to say something for this museum. For more than a century, the Brooklyn Museum of Art has provided so many benefits, not only to the people of New York but to Americans all across the country. It strikes me as dreadful that the mayor not only wants to stop this show, he wants to evict this show, he wants to tear down the building and salt the ground. This Brooklyn Museum and what it has done for the Brooklyn's Children Museum through the Brooklyn Public Library is incalculable.

For Heaven's sake, let us not mess with this thing and please get back to the business of the United States.

Mr. CLAY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DEMINT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Thomas Jefferson said, ''To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical.'' I think it is something we should remember in this debate.

I need to remind my colleagues on the other side that New York can do whatever it wants with its funds. We are trying to save Americans from using their money to pay for pornographic art.

It is interesting that in the religious arguments we have heard about the laws we make in this room that we hear arguments from the other side of the aisle that there should be no religious displays in the public sector. We take away all mangers from the public square, any religious materials from government schools, yet it is okay to have religion displayed in public facilities as long as it is perverted and pornographic. I think we have a double standard.

We talk about censorship. We try to censor all religious materials from our culture, yet we call it censorship if we try to take away pornographic and perverted art.

To sit here and say this is not relevant at a time when we look across America and wonder about the loss of values, the loss of the value of life, the violence that we see and then say that the denigration of everything sacred is not important to this institution is forgetting a lot about what made this institution and this whole country. We see a total disregard for all that is sacred.

I am thankful for the sponsors of this resolution and all who have spoken for it. It reminds us and all Americans that we do not need to sponsor from this organization this type of perversion.

Mr. NADLER. Mr. Speaker, this resolution is foolish both in substance and in principle. Foolish in substance because the Brooklyn Museum receives little federal money, just a few grants for educational projects and touring exhibitions. Foolish in principle because it is not the place of this Congress to bar a cultural institution from receiving federal money just because we may not like one exhibit it has chosen to display.

First, let's take a look at the substance of this debate. The Brooklyn Museum of Art, a well-respected institution that serves about half a million people each year is presenting an exhibition that has received acclaim internationally. This exhibit features the works of some of Britain's most popular artists. In fact, this exhibition drew the highest attendance of any contemporary art exhibit in London in 50 years. The most controversial pieces in the show are by Chris Ofili, a young British artist of Nigerian ancestry, who has won the Turner

Prize, a prestigious award given to the most talented young British artists, and whose pieces have sold for tens of thousands of dollars. Whatever you may think of the subject matter, this is a serious exhibition of work by serious artists, displayed in a respected museum.

Supporters of this resolution will claim that they believe in the right of these artists to show their work, but that American taxpayers should not have to pay for an exhibit like this. Well, let me point out very clearly, that the taxpayers are not paying for this exhibition. No federal money went to show this exhibit. Not a dime. The Brooklyn Museum receives federal money, but the money it receives goes directly to pay for educational initiatives and touring exhibitions. Do we want to cut off these worthy programs because we don't like one piece of art that the Museum has chosen to display? That would make no sense.

So this resolution is foolish in substance.

But this resolution is foolish, and I would say dangerous, in principle. What have we come to when the United States Congress is condemning an individual for exercising his right to free expression? I thought our book burning days were over. What's next? Will we be closing down our public libraries because they contain books that we don't like? I don't like every book in the library, but I'm glad they're there. Will we attack the libraries for having a copy of Mein Kampf, Hitler's autobiography, which offends people's sensibilities? Where does it end?

This exhibit is shocking. It's outrageous. Art has been called a lot worse since the beginning of time. But that's the point of art. It's meant to provoke debate and discussion. Good art makes us confront our own cultural norms. Does this exhibit fit my own artistic tastes? Maybe not. But will I defend the right of artists to express themselves and the right of the museum to bring various kinds of artistic expression to the public? You bet.

But, this is not about one exhibit. This is about whether you support free expression and creativity or not. If you support the first amendment, you find yourself fighting to the end to defend the rights of people you find offensive. We would set a very dangerous precedent here if we vote for this resolution. For the United States Congress to single out one museum and one artist as sacrilegious and then to hold the museum hostage to the tastes of the Gentlemen from New York as a condition of receiving federal funds is outrageous. Politicians should not be deciding what is art. We've debated in this House many times whether the federal government should be subsidizing art. I believe we should, and there are many who disagree. But if we do decide to subsidize art, as we have for over 35 years, we must do so without interfering in the content. If every arts institution must suddenly worry that their exhibitions will not satisfy the 435 art critics in the House of Representatives, it will create a chilling effect in the cultural world.

Frankly, I'm disappointed in my colleagues from New York who are supporting this resolution. New York is the capital of the art world, where we have a tradition of respecting the free expression of artists. If you don't like this exhibit, protest it, boycott the museum. Best of all, stay home and don't see it. But you don't need a Congressional Resolution to express personal outrage. It is improper and outrageous and it should be defeated. I urge my colleagues to vote against it.

Mr. PACKARD. Mr. Speaker, I would like to strongly urge my colleagues to support the sense of Congress resolution which prohibits Federal funding of the Brooklyn Museum of Art unless they discontinue the exhibit which features works of a sacrilegious nature. Thomas Jefferson once said, ''to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical''.

Art is certainly in the eye of the beholder. It is not the role of Congress to determine what is art, but it is the role of Congress to determine what taxpayer money will fund. The First Amendment protects the government from silencing voices that we may not agree with, but it does not require us to subsidize them.

Mr. Speaker, again I urge my colleagues to join me in expressing a sense of Congress that while we support everyone's right to express themselves artistically, we are not obligated to support them financially.

Mr. DEMINT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the motion offered by the gentleman from South Carolina (Mr. DEMINT) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 191, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The title of the concurrent resolution was amended so as to read: ''Concurrent resolution expressing the sense of Congress that the Brooklyn Museum of Art should not receive Federal funds unless it closes its exhibit featuring works of a sacrilegious nature.''.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DEMINT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 191.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 2684, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

Mr. WALSH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2684) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. MOLLOHAN

Mr. MOLLOHAN. Mr. Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. MOLLOHAN moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2684, be instructed to agree with the higher funding levels recommended in the Senate amendment for the Department of Housing and Urban Development; for the Science, Aeronautics and Technology and Mission Support accounts of the National Aeronautics and Space Administration; and for the National Science Foundation.

The SPEAKER pro tempore. The gentleman from West Virginia (Mr. MOLLOHAN) will be recognized for 30 minutes, and the gentleman from New York (Mr. WALSH) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my motion instructs the House conferees to agree to the Senate's funding levels in three areas: The overall budget for HUD; NASA's Science, Aeronautics, and Technology and Mission Support Accounts; and the overall budget for the National Science Foundation.

In each case, the Senate funding levels are higher than those for the House in this VA-HUD appropriations bill. I am moving to instruct conferees to adopt the higher numbers for these programs because these are all areas in which the House bill made excessive cuts. For HUD and NASA, the House-passed bill reduced appropriations substantially below the current year's level, as well as substantially below the request. For NSF, the House bill cut funding a bit below the fiscal year 1999 level and well below the President's request. In each case, the House-passed levels would do serious damage to important programs and are completely unwarranted at a time when the economy and the budget are in the best shape they have been for decades.

When we considered the VA-HUD bill on the floor this year, many Members, Republicans as well as Democrats, raised serious concerns about the cuts being made, especially in HUD, NASA, and the National Science Foundation. The managers of the bill, myself included, promised to do all we could to bring about more adequate funding for these accounts in conference. This motion represents a step toward that result. Its adoption by the House would strengthen our position in trying to assure at least minimally adequate funding for high priority items.