

in short order so the President can sign this legislation into law.

As I watched yesterday with the House completing their responsibilities on this legislation, I was hopeful that we could do that, pass it today. Why? Because this is a bill that I believe will save lives. It is a ban on a procedure that offends the sensibilities of almost all Americans, a procedure that the will of this Congress said to ban, and a bill the President will sign. Yet we will not be able to, at this juncture, consider it until we get back.

I know discussions have begun on both sides of the aisle as to how much debate time will be needed. I encourage members to move quickly on what we expect to be the final action—the final action—on this important priority. I will speak directly to the issue as soon as we return, but I wanted to put my colleagues on notice that we will be moving forward and will be scheduling this conference report for Senate action as soon as we possibly can.

#### KURT DODD

Mr. BYRD. Mr. President, as the ranking member of the Committee on Appropriations, it is my sad duty to inform the Senate family of the passing this morning of Kurt Dodd. Kurt served as the Democratic clerk on the Interior and Related Agencies Subcommittee from 1998 to 2000.

Those of us who knew Kurt, and particularly those of us who were lucky enough to have worked closely with Kurt, will truly miss his gracious manner, his soft-spoken style, and his profound dedication to duty. I have said on many occasions that the individuals who hold staff positions here in the Senate are, in my opinion, some of the smartest, most dedicated individuals in government service. Kurt Dodd stood at the head of that line. No one knew more about his areas of responsibility than Kurt. No one was more responsive to the needs of the Members of our committee than Kurt. And no one was more widely respected for his integrity and honor, than was Kurt.

Mr. President, on behalf of the Committee on Appropriations, and I am sure on behalf of the entire U.S. Senate, I send deepest condolences to Kurt's family.

#### THE 16TH ANNUAL NANCY HANKS LECTURE ON ARTS AND PUBLIC POLICY

Mr. KENNEDY. Mr. President, each year, a prominent member of the Nation's cultural community is invited to deliver a lecture on the role of the arts in the public policy. These annual lectures are tribute to the memory of Nancy Hanks, who served as chairperson of the National Endowment for the Arts from 1969 to 1977, and who had the wide respect of all of us on both sides of the aisle.

Robert Redford was honored as this year's Nancy Hanks Lecturer, and he

delivered an impressive address at the Kennedy Center last month.

His remarks emphasized the fundamental importance of the arts in our public policy, as an essential expression of our freedom and as an indispensable part of our national imagination at its best.

The unfortunate reality today is that when the economy suffers, support for the arts and for arts education is reduced. In communities across the Nation, funding for the arts and for cultural programming are facing serious reductions. Robert Redford's address reminds us of the unacceptable price we pay for neglecting the arts.

Today, Robert Redford is an American cultural icon, and his accomplishments as an actor and director are renowned throughout the world. His advocacy for the arts is less well known, but he deserves great credit for his impressive leadership and dedication in elevating the national debate on this vital issue. Many of us feel it is his finest role of all.

At the beginning of his lecture, speaking of his own early years, he says:

I grew up in a time when democracy was taken for granted since it was drummed into our minds as a fundamental definition of America and why it was great. I was shaped by WWII and a time when we were all united in its purpose—unlike conflicts of today. Because times were tough, and my family resources slim, we didn't have fancy toys or luxuries and had to be creative in inventing worlds of our own. My imagination was my most valuable commodity and thankfully it became a life force for me at a very young age. I saw the world around me not only as it was. I saw the world around me as it could be. Art and the imagination that give it life became my closest companions.

Before anyone was much interested in what I had to say, they were interested in what I created. As a kid, I remember sketching everything in sight. My parents and their friends played cards and I began drawing them as a group, individual faces and the like. Then I moved under the table and began sketching their feet at which point I think everyone started to worry. Even though they thought I was a bit weird, I got attention and encouragement for my "art" at a young age.

His lecture will be of interest to all of us in Congress and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### REMARKS OF ROBERT REDFORD AT THE AMERICANS FOR THE ARTS' 16TH ANNUAL NANCY HANKS LECTURE ON ARTS AND PUBLIC POLICY

I've been coming to Washington, D.C. for the past 30 years, either filming here, as was the case in All the President's Men, or for lobbying efforts on behalf of issues relating to the environment, energy, human rights and art. In the beginning, it was a heady experience to be in the halls of power surrounded by history and event, feeling what it is like to be an integral part of a democracy—particularly if you were fortunate enough to move someone on an important issue.

In time, you experience changes in political climates, different attitudes and prior-

ities. The strength of the system that controls decisions and compromises became clear over time, and expectations of success had to be tendered with failure relating to these realities. But still, you feel fortunate to have access to the ears that made decisions.

Even though you knew that celebrity was maybe a door opener, it nonetheless cuts both ways in politics. Like the time I was on the Presidential campaign trail and speaking to thousands of kids on a college campus about the importance of their vote and environmental issues. In the roar of their connection with what I was saying, I thought for a moment "I'm really getting through here!" Then I walked off stage and immediately a reporter stuck a microphone in my face and said, "Who do you think is better looking, you or Dan Quayle?"

So, just when you might be feeling your oats, reality has a way of sneaking up and putting it all in perspective. But as a citizen and an artist, I try to remember that it is a right and responsibility to be able to partake in the process of democracy I'm here today because of my belief that art is a great translator of that which is both familiar and unfamiliar and that it is through art that we can come to know ourselves and others. To me, the vitality and insight which art brings to civil society is more important now than ever.

I grew up in a time when democracy was taken for granted since it was drummed into our minds as a fundamental definition of America and why it was great. I was shaped by WWII and a time when we were all united in its purpose—unlike conflicts of today. Because times were tough, and my family financial resources slim, we didn't have fancy toys or luxuries and had to be creative in inventing worlds of our own. My imagination was my most valuable commodity and thankfully it became a life force for me at a very young age. I saw the world around me not only as it was. I saw the world around me as it could be. Art and the imagination that gave it life became my closest companions.

Before anyone was much interested in what I had to say, they were interested in what I created. As a kid, I remember sketching everything in sight. My parents and their friends played cards and I began drawing them as a group, individual faces and the like. Then I moved under the table and began sketching their feet at which point I think everyone started to worry. Even though they thought I was a bit weird, I got attention and encouragement for my "art" at a young age.

While I was a poor student academically, I shined in sports and in art and my third grade teacher was next to recognize that art was a legitimate means of expression for me as I struggled with more traditional approaches.

I remember she had me come to the front of the room and draw a story on this big pad of newsprint on an easel. I think we were studying English and she used it as a basis to make a point. The whole class seemed to get it and all learned a little about sentence structure and storytelling in away that engaged and made sense. I didn't know what "it" was that they got, but it sure felt good.

My teacher's encouragement of my artistic tendencies continued, making me realize art was something legitimate to pursue and that it was integral to how I was finding my way in this world and making sense of things. If not for this, I may have taken a path that wasn't as fulfilling and productive. That's the main reason I'm here, to pay tribute to the work that so many of you do every day, to keep art alive in schools and in communities all across the country.

Being in this hall tonight prompted me to remember some of the writings of President

John F. Kennedy. I became reacquainted with a speech he gave in 1963 at Amherst College where he paid tribute to the American poet Robert Frost, and reflected on the value of the arts to a society. It was less than a month before his assassination.

"I look forward to an America which will reward achievement in the arts as we reward achievement in business or statecraft. I look forward to an America, which will steadily raise the standards of artistic accomplishment and will steadily enlarge cultural opportunities for all of our citizens."—John F. Kennedy.

To me, art, in all its forms, is the purest reflection of the most diverse aspects of us as individuals, as communities, as nations and as cultures. It's art that feeds and nurtures the soul of a society; provokes thought; inspires critical thinking; and fosters understanding of things foreign to our own immediate world. In the end, art plays a primary role in encouraging healthy tolerance of diversity in any culture. In times like these—in this very hour—more of this kind of encouragement would serve us well. Joseph Campbell felt that a society without mythology was doomed. I feel the same way about the role that art can play in a society's sustainable future. On the surface, it may not have the weight of the SEC, the Dept. of Defense, or Social Security and other programs that may be easier to quantify. But it is still a part of the whole. More importantly, it exemplifies one of our great, maybe our greatest critical luxuries—freedom of expression.

Throughout the 80s and into the 90s, battles over free expression were furious and frequent. On the one side, the perception that art was undermining the moral fabric of our society began to stick and took on a life of its own and it became the order of the day. When the moralistic posturing gave way to the rationale to cut funding, for a time it was the political value of attacking the arts that increased significantly in stature. By falsely positioning the debate as one of morals and money, these forces hoped to use fear to obscure the real truth—the value of art to every community—and fear is a very dangerous platform to work off of.

I wondered then, why aren't they going after tabloid media or corporate greed with such a vengeance? Why isn't there the same fervor about the dismal state of literacy in our schools, the AIDS epidemic, or homeless men, women and children? Why is the zeal not pointed at the virtual flood of guns and drugs into our nation's streets, or pollution into our air and water and the resulting public health implications? When has a painting ever instigated the destruction of a culture? Is a song or a play, a painting or a photograph that much of a threat to our nation's well-being? That notion seems particularly absurd in light of the larger threats we are currently facing.

Luckily the collective voice against this trend won out, and of course, the political winds changed substantially. And, while the cultural wars may have subsided, they still rear their ugly head too frequently. But there's more than one way to strangle the arts and today, funding cuts being discussed all across this country at all levels of government could paint a truly devastating picture when all is said and done.

As most of you know all too well, when the economy is in as bad a shape as it is now, art becomes the "throw-away." Art and art education becomes the funding cut they feel won't have a tangible effect. In other words, it's the cut from which they think nobody will suffer and they think nobody will notice its absence. Well that's not true. It may take a while to get it, but society at large will suffer and I believe, society at large will ultimately notice.

Government support for the arts is not the frivolous give-away that some would have you believe. It's a good investment and it is sound economic development. Art and public policy is good business. Let's look at the financial stake government has in the arts. The non-profit arts world is roughly a \$134 billion a year industry, employing millions. It generates nearly \$81 billion in spending by those who partake in its cultural offerings and is responsible for some \$24 billion in taxes going back to federal, state and local governments annually.

And, this doesn't take into consideration the impact the non-profit sector has as the training ground for writers, musicians, actors, dancers, painters, photographers, filmmakers and the like. It doesn't take into consideration the ultimate effect these people and their work have on a thriving multi-billion dollar private sector.

So, supporting the arts is good business and the numbers bear this out. It's also good public policy. A study by the Justice Dept., Americans for the Arts and the NEA demonstrated that arts programs helped at-risk youth stay out of trouble, perform better in school and improve how they felt about themselves and their future. How do you put a price on that?

Yet, President Bush recommended virtually no increase for arts grants administered by the NEA. President Bush also recommended terminating funding of the Arts in Education program, which is administered through the Dept. of Education. State legislatures all across the country are making substantial cuts. Several states proposed wiping out their entire state budget for the arts.

Are these federal and state governments missing something in turning their backs on the arts? You bet they are. We need people in office who will have a vision for our country that goes beyond the next election. We need people in office who understand that encouraging creative pursuit could be critical to any number of sectors, from the next great technological idea to the next historic medical discovery. How do you put a price on that?

Creativity is made all the more special because it is a great intangible. It can come from the most unlikely places and from those that might not fit the "traditional" model of the artist. Creativity is inherent in all great endeavors whether traditionally artistic or not. It is creativity that must continue to be nurtured if we hope to reap the benefits of the many great minds we don't yet know. How do you put a price on that?

Yes there are pressing needs all around us. But completely ceasing to fund the arts is sadly short sighted in any economy. Governments have to find a way to remain in the mix of resources for the arts and the private sector—corporations, foundations and individuals—they all need to find ways to help fill the gap during these tough times such as we're in now.

And that includes my industry, which benefits greatly from a vital and thriving artistic force. When one thinks of Hollywood, art isn't necessarily the first thing to come to mind. Some would say it is often anti-art. No. It's first a business. But it is a business that cannot exist without creative talent in every facet of the making of its product. So, in the end, the challenge to create art still rests squarely on the artist not the industry. As in any medium, sometimes we succeed and sometimes we fail. But we succeed often enough to create films that inspire, expose, transform and provoke, amuse, entertain and even teach.

Just as all other arts did at the moment of their own conception, cinema transformed the world. For good or for bad, it is a uni-

versal communicator on a global platform. Film is an indigenous American art form even though it's always been a struggle to have it taken seriously as an art form. But we can't deny that business has significantly infiltrated the practice of art in general, and in particular film. The constant talk of grosses—dollars and cents as the benchmark of a film's worth—is very debilitating to the body of serious film discussion and appreciation. And after all, where would the business of film be without art as its seed.

While mine is a somewhat solid industry, it will be important in the years to come for it to embrace risks as readily as it does, sure things. It must sure that freedom of artistic expression is honored and nurtured across a broad spectrum. I believe strongly that keeping diversity alive in my industry will keep the industry alive.

For example, the Sundance Institute is a step toward making sure diverse voices and the creative energy they bring with them are given an opportunity to grow and evolve. Those who come to the Sundance labs to make films and those who come to the Festival to show films really are a microcosm of the kind of diverse voices which our industry needs to continue to support and nurture if it wants to maintain itself. They are also the kind of voices that will join in characterizing us to the rest of the world in the years to come. It's all connected.

Even after two decades, Sundance continues to be a community work in progress, success and failure simultaneously evident, treating failure as a step toward growth, rather than the destruction of a vision. I look at the Sundance Film Festival and the innovative hustle demonstrated by scores of young filmmakers to bring their vision to the screen. They haven't curled up and died because they can't get government backing for their projects. Somehow they find a way. But I'm sure if I took a quick poll, I'd find that most of them found art, found their voice, in neighborhood, community and school arts programs. That's where they began the dance with the wonders of creativity.

By the way, I started the Sundance Institute with a grant from the NEA when many others were skeptical of the idea's potential and ultimate worth. I will always be grateful to the NEA for believing in us at the time. It was instrumental in getting us started. It wasn't just the seed funding, but the seal of approval that gave the idea impetus.

What most of you know that maybe others don't is that out there right now is some kid with a great song in their head we've yet to hear or a novel in their heart that has yet to be written. There's someone out there that hasn't picked up a paintbrush yet but has a masterpiece on the horizon. There's a kid out there who hasn't picked up a camera yet but could end up making a memorable film of their time.

What most of you know that others might not as clearly see, is that the nurturing of creativity comes into play in everything from world diplomacy to world economics, business endeavors to social endeavors and everything in between. It is creativity that gives all of it the nuance that often makes the difference. In all its forms, art plays a critical role in finding our way as people and as a culture.

As President Kennedy said that day in Amherst: "I see little more importance to the future of our country and our civilization than full recognition of the place of the artist. If art is to nourish the roots of our culture, society must set the artist free to follow his vision wherever it takes him."

We hear the word freedom bandied about a lot these days. It's a sacred concept. How fortunate we are to have it. How viscerally

we need to feel the commitment to protect it. To be able to be part of a freedom of expression that allows us to tell stories of our choice in the uniqueness of our own voices as citizens and as artists is not to be taken lightly. To be able to freely voice dissent in our hearts or in our art is something to protect at all costs. But then, the glory of art is that it can, not only survive change, it can inspire change.

It is for all these reasons that it behooves government to sustain an environment that enables, supports and nurtures the free and creative expression of its citizenry.

I have great hope for the future of art and thus civil society as I look out over this room, and imagine the collective power, the collective voice that will not cower in the face of budget slashing critics, and will not surrender its advocacy for art and free expression.

My hope comes from not only those gathered here tonight, but from the efforts of grassroots, state and national organizations; young artists I meet at Sundance film labs; inner-city elementary school kids who are learning to play music and write poetry; the literary and theater programs in prisons; and traveling exhibitions to rural communities all across the country.

Thank you to the co-sponsors of this evening. To Americans for the Arts my gratitude for your tireless and effective advocacy on behalf of art and all that comes with that. You truly make a difference and we're all the better for it. And to the Film Foundation a recognition and respect for the important work you do to inspire young artists through education and for protecting and restoring some of the greatest films of all time and thus enabling the diverse perspective of it all to live on.

Lastly, it is an honor to pay tribute to the memory and the contribution of Nancy Hanks whom I knew and remember fondly. Nancy Hanks had a profoundly gifted perspective on cultural policy in the United States, that being access to the arts. Her legacy is the success of many of your programs; the creative mastery of many of the artists here tonight; and the commitment to freedom of expression that we collectively embrace. The life she lived really meant something.

So we go forth here tonight to continue to try to enlighten those who dismiss the arts as unnecessary, irrelevant or dangerous. And we do so not only in the memory of Nancy Hanks, but in the name of the active and deserving imagination of every American child.

#### REMEMBERING THE HEROES OF THE SECOND WORLD WAR

Mr. LIEBERMAN. Mr. President, I wish to recognize a small group of heroes who are gathering this Saturday at the Jefferson Barracks National Cemetery to honor their fallen comrades and to ensure that future generations of Americans remember the tremendous sacrifices of those who served in the Pacific theater during the Second World War.

These former heroes—prisoners of war all—will dedicate a plaque that marks a humble grave within the sea of headstones of those who made the ultimate sacrifice on behalf of a grateful nation. The inscription of the plaque reads:

VICTIMS OF THE JAPANESE MASSACRE, PUERTO PRINCESA, PALAWAN, P.I., DECEMBER 14, 1944

These U.S. prisoners of war of the Japanese were on the island of Palawan, P.I., as slave

laborers building an airfield for the Japanese military. Believing that an invasion by the U.S. forces was imminent, the prisoners were forced into three tunnel air raid shelters, thus following orders from the Japanese High Command to dispose of prisoners by any means available. Buckets of gasoline were thrown inside the shelters followed by flaming torches. Those not instantly killed by the explosions ran burning from the tunnels and were machine gunned and bayoneted to death.

Only a few survived this horror. Amongst those who did was Mr. Dan Crowley of Simsbury, CT. I thank Mr. Crowley for sharing his experiences with my staff and I, and educating all of us about an important event in U.S. history.

Few words can truly express the horror that those 123 soldiers, sailors, and marines must have suffered as they were cut down in their service to their country. I stand today and offer my respects to the memories of these valiant men and their families. Their story serves to remind all of us of the price of freedom and the sometimes tragic fate of those who have paid its ransom for us all.

#### DC VOUCHERS

Mr. CORZINE. Mr. President, I would like to take a few moments to discuss my opposition to the voucher provision in the D.C. appropriations bill.

Our government promises every child in the United States a free and appropriate public education. The very idea that Federal funds that should be going to our Nation's public schools to fulfill that promise will instead be siphoned away to private schools is of great concern to me.

As a product of public schools, and the child of a public school teacher, I am a strong supporter of the public school system. I often say that while we cannot be a Nation of equal outcomes, we can and must be a Nation of equal opportunities. Our public schools are the key to equal opportunity for all American children.

Although the voucher program we are discussing today would only impact the District of Columbia, it clearly would have national implications. It is a calculated first step toward broader voucher programs, which would drain resources from our public schools—the very schools that are free and open to all children, and accountable to parents and taxpayers.

Simply put, vouchers are not the answer to our educational ills—they are bad education policy driven by ideological goals.

Wouldn't our energy be better focused on strengthening our public schools, which can and do succeed with adequate resources? To succeed, schools need high-quality teachers, a rigorous curriculum, high expectations, parental involvement, and effective management. All of these require adequate resources.

In 2001, Congress passed the No Child Left Behind Act, which was intended to

reform public education by establishing high standards for every student, providing Federal incentives to boost low-performing schools, and creating accountability.

Unlike vouchers, which even supporters acknowledge would reach only a small fraction of children, No Child Left Behind was intended to implement proven, effective reforms in all schools not just for a few students, but for all students.

But the administration and this Congress are not living up to the promise of No Child Left Behind and are underfunding it by over \$8 billion. This leaves millions of children behind and places additional burdens on already burdened State and local education budgets.

And, on top of underfunding No Child Left Behind, we are now considering giving funds to schools that are not even subject to its provisions.

As we know, No Child Left Behind would ensure oversight and accountability, including testing standards and teacher qualification standards. But the voucher program we are considering today does not provide the same system of accountability or oversight of these private schools, nor does it set the same criteria for the very people that will be teaching our children.

In fact, this bill allows any private school to apply to participate in the program, but there is no evaluation process before they are accepted to participate. This leaves D.C. children vulnerable to poor-performing schools.

I ask proponents of the bill: How can we ask our public schools to fulfill the significant mandates of No Child Left Behind, when we are refusing those schools adequate funds and at the same time giving Federal money to schools that are not even required to abide by many of its mandates?

Proponents of the voucher program say that it provides parents with "choice" that they do not currently have. This is simply not true. The District of Columbia already offers three alternatives to traditional public schools. First, D.C. has the largest number of public charter schools per capita in the Nation. If we pass this voucher program, these charter schools will remain underfunded. Yet we still want to give private schools money.

Second, D.C. has established 15 public transformation schools that have, for the first time ever, succeeded in raising the scores of low-income children in low-performing schools. Again, however, the very programs in these transformation schools that have succeeded are now seeing cuts in funding. Yet we still want to give private schools money.

Finally, D.C. allows parents who are not content with their neighborhood school to send their child to out-of-boundary schools that are accountable to public education standards. Yet we still want to give private schools money.

If this is not school choice, then what is? Why can't we give these types of