

**The original documents are located in Box 28, folder “8/8/75 HR5327 Smithsonian Site on the Mall” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.**

### **Copyright Notice**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Exact duplicates within this folder were not digitized.

**APPROVED**  
AUG 8 - 1975

THE WHITE HOUSE  
WASHINGTON

ACTION

Last Day: August 9

August 6, 1975

*Posted  
8/9*

*To archive  
P/11*

MEMORANDUM FOR THE PRESIDENT  
FROM: JIM CANNON *JAC*  
SUBJECT: H.R. 5327 - Smithsonian Site on the Mall

Attached for your consideration is H.R. 5327, sponsored by Representative Mahon, which would reserve a portion of the Mall bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive in the District of Columbia as a site for the future public uses of the Smithsonian Institution.

Additional information is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Lazarus) and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign H.R. 5327 at Tab B.



Signed 8/8/75

**APPROVED**  
**AUG 8 - 1975**



**EXECUTIVE OFFICE OF THE PRESIDENT**  
**OFFICE OF MANAGEMENT AND BUDGET**  
WASHINGTON, D.C. 20503

AUG 4 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 5327 - Smithsonian site  
on the Mall  
Sponsor - Rep. Mahon (D) Texas

Last Day for Action

August 9, 1975 - Saturday

Purpose

To reserve a site on the Mall for the future public uses of the Smithsonian Institution.

Agency Recommendations

Office of Management and Budget	Approval
Smithsonian Institution	Approval
Department of the Interior	Approval

Discussion

In January 1975, the Board of Regents of the Smithsonian Institution approved a proposal to request congressional members of the Board to introduce legislation to reserve that portion of the Mall between Third Street, Maryland Avenue, Fourth Street and Jefferson Drive, Southwest, in the District of Columbia. The site is currently under the jurisdiction of the National Park Service and is used for outdoor sports activities.

The enrolled bill, in response to the Board of Regents' request, reserves the site for future Smithsonian use which would be subject to subsequent congressional action.

In a letter to the Committee on House Administration dated April 11, 1975, the Smithsonian stated:

"Long standing policies guiding the development of the Mall have reserved land use almost entirely to museums, galleries, and similar public uses. With construction of the addition to the National Gallery of Art on the square bounded by Third Street, Madison Drive, Fourth Street, and Pennsylvania Avenue, the north side of the Mall is fully committed to use. To assure that the last remaining square on the southern side is used for public purposes, and to balance the Gallery addition now under construction, legislation is required to reserve the site bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive for the future public uses of the Smithsonian Institution.

"If now legislatively reserved for this purpose, the site at some future date will be available to complete the Smithsonian complex of institutions for public education and enjoyment. At the appropriate time, plans for the use of the site will be submitted to the Congress and specific authority will be requested. Thus, the present proposal looks to the future and will assure the orderly and proper development of the Mall.

"The land proposed to be reserved is owned by the Federal Government and its reservation would entail no cost."

*James M. Frey*  
Assistant Director  
for Legislative Reference

Enclosures



SMITHSONIAN INSTITUTION

*Washington, D.C. 20560*  
*U.S.A.*

July 30, 1975

Mr. James M. Frey  
Assistant Director for  
Legislative Reference  
Office of Management and Budget  
Executive Office of the President  
Washington, D. C. 20503

Dear Mr. Frey:

Thank you for referring to the Smithsonian Institution for comment the enrolled bill H. R. 5327 which would reserve a site for the use of the Smithsonian Institution.

At its meeting on January 27, 1975, the Board of Regents of the Smithsonian Institution voted to request Congressional members of the Board to introduce and support legislation that would reserve a site described as that portion of the Mall bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive in the District of Columbia for the use of the Smithsonian Institution. H. R. 5327, introduced on March 21, 1975, by Mr. George H. Mahon of Texas, a Regent of the Smithsonian Institution, is the result of that request.

Long standing policies guiding the development of the Mall have reserved land use almost entirely to museums, galleries, and similar public uses. With construction of the addition to the National Gallery of Art on the square bounded by Third Street, Madison Drive, Fourth Street, and Pennsylvania Avenue, the north side of the Mall is fully



committed to use. To assure that the last remaining square on the southern side is used for public purposes, and to balance the Gallery addition now under construction, legislation is required to reserve the site bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive for the future public uses of the Smithsonian Institution.


If now legislatively reserved the site at some future date will be available to complete the Smithsonian complex of institutions for public education and enjoyment. At the appropriate time, plans for the use of the site will be submitted to the Congress and specific authority will be requested. Thus, the present proposal looks to the future and will assure the orderly and proper development of the Mall.

H. R. 5327 as initially approved by the Board of Regents and introduced in the House of Representatives, was amended by the Committee on House Administration to include Section 2, an action which was subsequently approved by both the House and the Senate. The additional section simply affirms the Smithsonian's intentions with respect to the site.

The land proposed to be reserved is owned by the Federal Government and its reservation would entail no cost.

We respectfully recommend approval by the President of H. R. 5327.


Sincerely yours,

  
S. Dillon Ripley  
Secretary

THE WHITE HOUSE  
WASHINGTON

8/4

TO: Judy Johnston

FROM: Kathleen Ryan 

H.R. 5327 - Smithsonian Site on the  
Mall.

I have no objections.



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 4

Time: 345pm

FOR ACTION: Kathy Ryan  
Max Friedersdorf  
Ken Lazarus - 106

cc (for information): Jim Cavanaugh  
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: August 6

Time: noon

SUBJECT:

H.R. 5327 - Smithsonian Site on the Mall

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection. -- Ken Lazarus 8/5/75

*no objection*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a

THE WHITE HOUSE

WASHINGTON

August 5, 1975

MEMORANDUM FOR: JIM CAVANAUGH  
FROM: MAX L. FRIEDERSDORF *MF*  
SUBJECT: H.R. 5327 - Smithsonian Site on the Mall

The Office of Legislative Affairs concurs with the agencies  
that the subject bill be signed.

Attachments

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 4

Time: 345pm

FOR ACTION: Kathy Ryan *kh*  
Max Friedersdorf *kh*  
Ken Lazarus *kh*

cc (for information): Jim Cavanaugh  
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: August 6

Time: noon

SUBJECT:

H.R. 5327 - Smithsonian Site on the Mall

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

\_\_\_\_\_  
K. R. COLE, JR.  
For the President

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

AUG 4 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 5327 - Smithsonian site  
on the Mall  
Sponsor - Rep. Mahon (D) Texas

Last Day for Action

August 9, 1975 - Saturday

Purpose

To reserve a site on the Mall for the future public uses of the Smithsonian Institution.

Agency Recommendations

Office of Management and Budget	Approval
Smithsonian Institution	Approval
Department of the Interior	Approval

Discussion

In January 1975, the Board of Regents of the Smithsonian Institution approved a proposal to request congressional members of the Board to introduce legislation to reserve that portion of the Mall between Third Street, Maryland Avenue, Fourth Street and Jefferson Drive, Southwest, in the District of Columbia. The site is currently under the jurisdiction of the National Park Service and is used for outdoor sports activities.

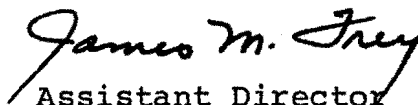
The enrolled bill, in response to the Board of Regents' request, reserves the site for future Smithsonian use which would be subject to subsequent congressional action.

In a letter to the Committee on House Administration dated April 11, 1975, the Smithsonian stated:

"Long standing policies guiding the development of the Mall have reserved land use almost entirely to museums, galleries, and similar public uses. With construction of the addition to the National Gallery of Art on the square bounded by Third Street, Madison Drive, Fourth Street, and Pennsylvania Avenue, the north side of the Mall is fully committed to use. To assure that the last remaining square on the southern side is used for public purposes, and to balance the Gallery addition now under construction, legislation is required to reserve the site bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive for the future public uses of the Smithsonian Institution.

"If now legislatively reserved for this purpose, the site at some future date will be available to complete the Smithsonian complex of institutions for public education and enjoyment. At the appropriate time, plans for the use of the site will be submitted to the Congress and specific authority will be requested. Thus, the present proposal looks to the future and will assure the orderly and proper development of the Mall.

"The land proposed to be reserved is owned by the Federal Government and its reservation would entail no cost."

  
Assistant Director  
for Legislative Reference

Enclosures



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

AUG 1 - 1975

Dear Mr. Lynn:

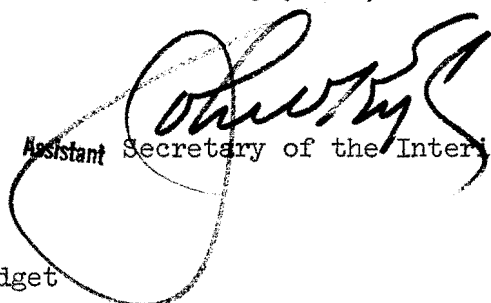
This responds to your request for our views on the enrolled bill H.R. 5327, "To reserve a site for the use of the Smithsonian Institution."

We recommend that the President approve the enrolled bill.

H.R. 5327 would reserve a portion of the Mall bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive in the District of Columbia as a site for the future public uses of the Smithsonian Institution. The land proposed for development, as an addition to the Smithsonian complex, is presently administered for public park purposes by the National Park Service of this Department. The property is presently used for outdoor sports activities.

Although this Department did not report on this bill in the present Congress, we did submit a favorable report on S. 856, an identical bill in the 93rd Congress.

Sincerely yours,

  
Assistant Secretary of the Interior

Honorable James T. Lynn  
Director  
Office of Management and Budget  
Washington, D. C. 20503



## RESERVING A SITE FOR THE USE OF THE SMITHSONIAN INSTITUTION

---

JULY 23 (Legislative day JULY 21), 1975.—Ordered to be printed

---

Mr. CANNON, from the Committee on Rules and Administration,  
submitted the following

### REPORT

[To accompany H.R. 5327]

The Committee on Rules and Administration, to which was referred the bill (H.R. 5327) to reserve a site for the use of the Smithsonian Institution, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE

H.R. 5327 would reserve for future public use of the Smithsonian Institution that portion of the Mall bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive in the District of Columbia.

#### BACKGROUND

Initially, the Board of Regents of the Smithsonian Institution approved a proposal in 1969 to reserve the site and legislation similar to the current measure was introduced that same year in the Congress. In April of 1970, the National Capital Planning Commission reported favorably on the reservation of the site for the Smithsonian. In the 93d Congress, similar legislation was introduced again and endorsed by the Department of the Interior and the National Capital Planning Commission.

#### SITE

Located near the U.S. Botanic Garden, the site is adjacent on the west side to the Smithsonian's National Air and Space Museum. Currently, it is used for outdoor sports activities. Until its further develop-

ment by the Smithsonian on any permanent basis, with the approval of Congress, it will remain under the jurisdiction of the National Park Service in the Department of the Interior for administrative and maintenance purposes.

## COST

Reservation of the site will cost nothing since it is owned by the Federal Government.

## REPORTS AND CLEARANCES

A supporting letter further clarifying the proposal contained in H.R. 5327, addressed to the Honorable Howard W. Cannon, Chairman of the Committee on Rules and Administration, by S. Dillon Ripley, Secretary of the Smithsonian Institution, is as follows:

SMITHSONIAN INSTITUTION,  
Washington, D.C., April 25, 1975.

HON. HOWARD W. CANNON,  
Chairman, Committee on Rules and Administration,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I would like to take this opportunity to comment on S. 906, a bill to reserve a site for the use of the Smithsonian Institution.

At its meeting on January 24, 1975, the Board of Regents of the Smithsonian Institution voted to request congressional members of the Board to introduce and support legislation that would reserve a site described as that portion of the Mall bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive in the District of Columbia for the use of the Smithsonian Institution. S. 906, introduced on March 3, 1975, by Senator Scott of Pennsylvania who is a Regent of the Smithsonian, is the result of that request.

Long-standing policies guiding the development of the Mall have reserved land use almost entirely to museums, galleries, and similar public uses. With construction of the addition to the National Gallery of Art on the square bounded by Third Street, Madison Drive, Fourth Street, and Pennsylvania Avenue, the north side of the Mall is fully committed to use. To assure that the last remaining square on the southern side is used for public purposes, and to balance the Gallery addition now under construction, legislation is required to reserve the site bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive for the future public uses of the Smithsonian Institution.

If now legislatively reserved for this purpose, the site at some future date will be available to complete the Smithsonian complex of institutions for public education and enjoyment. At the appropriate time, plans for the use of the site will be submitted to the Congress and specific authority will be requested. Thus, the present proposal looks to the future and will assure the orderly and proper development of the Mall.

The land proposed to be reserved is owned by the Federal Government and its reservation would entail no cost.

The Office of Management and Budget advises that there is no objection to the submission of this report to the Congress from the standpoint of the administration's program.

Sincerely yours,

S. DILLON RIPLEY,  
Secretary.

○



## RESERVING A SITE FOR THE USE OF THE SMITHSONIAN

JUNE 4, 1975.—Referred to the House Calendar and ordered to be printed

Mr. NEDZI, from the Committee on House Administration,  
submitted the following

### REPORT

[To accompany H.R. 5327]

The Committee on House Administration, to whom was referred the bill (H.R. 5327) having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

On May 14, 1975, a quorum being present, the Committee, by voice vote, adopted a motion to report H.R. 5327, amended.

#### AMENDMENT

On page 1, immediately after line 6, add the following new section:

SEC. 2. The Smithsonian Institution may not make any use of the portion of the Mall described in the first section of this Act unless such use is first approved by Congress.

#### PURPOSE

H.R. 5327 would reserve a site for the future public uses of the Smithsonian Institution. The site is that portion of the Mall bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive, Southwest, in the District of Columbia.

#### BACKGROUND

The Board of Regents of the Smithsonian Institution initially approved a proposal to reserve the site in 1969 and legislation similar to the current measure was introduced in Congress the same year. In April of 1970, the National Capital Planning Commission reported favorably on the reservation of the site for the Smithsonian. In the 93rd Congress similar legislation was again introduced and endorsed by the National Capital Planning Commission, and by the Department of the Interior as well.

## SITE

The site is near the United States Botanic Garden and adjacent on the west side to the Smithsonian's new National Air and Space Museum building. Currently it is used for outdoor sports activities. It is, and will remain, under the jurisdiction of the National Park Service in the Department of the Interior for purposes of administration and maintenance until its further development by the Smithsonian is approved by the Congress.

## COSTS

The site is owned by the Federal Government and its reservation will entail no cost.

## REPORTS AND CLEARANCES

A report in further clarification of H.R. 5327 addressed to the Honorable Wayne L. Hays, Chairman of the Committee on House Administration, by S. Dillon Ripley, Secretary of the Smithsonian Institution, follows:

SMITHSONIAN INSTITUTION,  
*Washington, D.C., April 11, 1975.*

HON. WAYNE HAYS,  
*Chairman, Committee on House Administration, U.S. House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: I would like to take this opportunity to comment on H.R. 5327, a bill to reserve a site for the use of the Smithsonian Institution.

At its meeting on January 27, 1975, the Board of Regents of the Smithsonian Institution voted to request Congressional members of the Board to introduce and support legislation that would reserve a site described as that portion of the Mall bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive in the District of Columbia for the use of the Smithsonian Institution. H.R. 5327, introduced on March 21, 1975, by Mr. George H. Mahon of Texas, a Regent of the Smithsonian Institution, is the result of that request.

Long standing policies guiding the development of the Mall have reserved land use almost entirely to museums, galleries, and similar public uses. With construction of the addition to the National Gallery of Art on the square bounded by Third Street, Madison Drive, Fourth Street, and Pennsylvania Avenue, the north side of the Mall is fully committed to use. To assure that the last remaining square on the southern side is used for public purposes, and to balance the Gallery addition now under construction, legislation is required to reserve the site bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive for the future public uses of the Smithsonian Institution.

If now legislatively reserved for this purpose, the site at some future date will be available to complete the Smithsonian complex of institutions for public education and enjoyment. At the appropriate time, plans for the use of the site will be submitted to the Congress and specific authority will be requested. Thus, the present proposal looks

to the future and will assure the orderly and proper development of the Mall.

The land proposed to be reserved is owned by the Federal Government and its reservation would entail no cost.

The Office of Management and Budget advises that there is no objection to the submission of this report to the Congress from the standpoint of the Administration's program.

Sincerely yours,

S. DILLON RIPLEY, *Secretary.*

# Ninety-fourth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday, the fourteenth day of January,  
one thousand nine hundred and seventy-five*

## An Act

To reserve a site for the use of the Smithsonian Institution.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of the Mall bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive in the District of Columbia is reserved as a site for the future public uses of the Smithsonian Institution.*

SEC. 2. The Smithsonian Institution may not make any use of the portion of the Mall described in the first section of this Act unless such use is first approved by the Congress.

*Speaker of the House of Representatives.*

---

*Vice President of the United States and  
President of the Senate.*

July 29, 1975

Dear Mr. Director:

The following bills were received at the White House on July 29th:

- H.R. 5327 ✓✓
- H.R. 6219 ✓✓
- H.R. 7731 ✓✓
- H.R. 7728 ✓✓

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder  
Chief Executive Clerk

The Honorable James T. Lynn  
Director  
Office of Management and Budget  
Washington, D. C.