

The original documents are located in Box 47, folder “6/25/76 S3161 Erection of Certain Flagpoles on Capitol Grounds” 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 Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections.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
JUN 25 1976

8/6/25/76

THE WHITE HOUSE
WASHINGTON
June 24, 1976

ACTION
Last Day: June 29

Posted
6/29/76
Archives
6/29/76

MEMORANDUM FOR
FROM:
SUBJECT:

THE PRESIDENT
JIM CANNON *Jim Cannon*
S. 3161 - Erection of Certain
Flagpoles on Capitol Grounds

Attached for your consideration is S. 3161, sponsored by Senator Randolph.

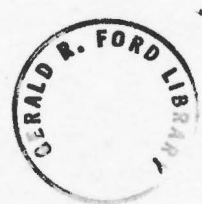
The enrolled bill would authorize the Secretary of the Interior to erect and maintain flagpoles on the Capitol grounds near Union Station Plaza to fly the flags of each of the States. The bill would also authorize the Architect of the Capitol to enter into an agreement with the District of Columbia government for certain minor street changes on the Capitol grounds to improve the flow of traffic to and from the National Visitor Center.

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 S. 3161 at Tab B.





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

JUN 23 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 3161 - Erection of certain flag-
poles on Capitol Grounds
Sponsor - Sen. Randolph (D) West Virginia

Last Day for Action

June 29, 1976 - Tuesday

Purpose

Authorizes the Secretary of the Interior to erect and maintain flagpoles on a specified location of the Capitol Grounds in order to fly the flags of each of the States, territories and possessions of the United States. The bill would also authorize certain street relocations utilizing Capitol Grounds.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
The Commission of Fine Arts	Approval
District of Columbia Government	No objection
National Capital Planning Commission	No objection

Discussion

S. 3161 would authorize the Secretary of the Interior, with the approval of the Architect of the Capitol, to erect and maintain flagpoles on the Capitol Grounds near Union Station Plaza to fly the flags of each of the States. The bill would also authorize the Architect of the Capitol to enter into an agreement with the Government of the District of Columbia

for certain minor street changes on the Capitol Grounds to improve the flow of traffic to and from the National Visitor Center.

S. 3161 further provides, in connection with the above authorizations, that the affected land shall continue to remain a part of the Capitol Grounds, that the Secretary of the Interior and the Government of the District of Columbia may be required to return the land so utilized to its original condition, and that the Congress shall incur no obligation or liability as a result of any activities undertaken pursuant to the bill.

In its enrolled bill letter, Interior states:

"We believe that the erection of the flagpoles to fly the flags of our States and possessions will enhance the area surrounding the Visitor Center, and will be especially significant in this Bicentennial year. Also, the traffic changes will better accommodate the visiting public to the area."

James M. Frey
Assistant Director for
Legislative Reference

Enclosures

7/2

Rox -

pls. For the bill file,

Kate

10-
J. Casanova
6-23-76
5:30 p.m.

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

JUN 23 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 3161 - Erection of certain flagpoles on Capitol Grounds
Sponsor - Sen. Randolph (D) West Virginia

Last Day for Action

June 29, 1976 - Tuesday

Purpose

Authorizes the Secretary of the Interior to erect and maintain flagpoles on a specified location of the Capitol Grounds in order to fly the flags of each of the States, territories and possessions of the United States. The bill would also authorize certain street relocations utilizing Capitol Grounds.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
The Commission of Fine Arts	Approval
District of Columbia Government	No objection
National Capital Planning Commission	No objection

Discussion

S. 3161 would authorize the Secretary of the Interior, with the approval of the Architect of the Capitol, to erect and maintain flagpoles on the Capitol Grounds near Union Station Plaza to fly the flags of each of the States. The bill would also authorize the Architect of the Capitol to enter into an agreement with the Government of the District of Columbia

for certain minor street changes on the Capitol Grounds to improve the flow of traffic to and from the National Visitor Center.

S. 3161 further provides, in connection with the above authorizations, that the affected land shall continue to remain a part of the Capitol Grounds, that the Secretary of the Interior and the Government of the District of Columbia may be required to return the land so utilized to its original condition, and that the Congress shall incur no obligation or liability as a result of any activities undertaken pursuant to the bill.

In its enrolled bill letter, Interior states:

"We believe that the erection of the flagpoles to fly the flags of our States and possessions will enhance the area surrounding the Visitor Center, and will be especially significant in this Bicentennial year. Also, the traffic changes will better accommodate the visiting public to the area."

(Signed) James M. Frey

Assistant Director for
Legislative Reference

Enclosures

Please prepare

memo -- signed 6/25/76

Bill sent to Records 6/25/76

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 24

Time: 10:45am

FOR ACTION: George Humphreys
Max Friedersdorf
Ken Lazarus *KL*
Steve McConahey *OK*

cc (for information): Jack Marsh
Jim Cavanaugh
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: June 24

Time: 530pm

SUBJECT:

S. 3161 - Erection of certain flagpoles on Capitol grounds

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



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUN 18 1976

Dear Mr. Lynn:

This responds to your request for our views on the enrolled bill S. 3161, "To authorize certain flagpoles to be located on the Capitol Grounds, and to improve the flow of traffic to and from the United States Capitol Grounds and the National Visitor Center."

We recommend that the bill be approved by the President.

S. 3161 authorizes the Secretary of the Interior, subject to the approval of the Architect of the Capitol, to use a portion of the United States Capitol grounds adjacent to the Union Station Plaza in front of Columbus Plaza and the National Visitor Center to erect and maintain flagpoles to fly the flags of each of the States of the United States, its territories and possessions. The bill provides for restoration of Capitol grounds disturbed as a result of this operation. The flags of the States and territories are to be flown in a semicircle in front of the National Visitor Center.

Section 2(a) of S. 3161 provides that the Architect of the Capitol shall enter into an agreement with the officials of the District of Columbia, to permit the District to use certain areas of the United States Capitol grounds for street changes to improve traffic to and from the area comprising the Capitol, the National Visitor Center, and the Union Station Plaza. Under Section 2(b)(1) this agreement shall allow the District to utilize approximately 2,100 square feet in Square 680 east of the Capitol grounds for changing the curblines and relocating sidewalks and curbs as necessary. Section 2(b)(2) permits the use of another approximately 3,500 square feet of land in Square 723 to the Northwest of the Capitol for similar purposes; and Section 2(b)(3) permits the use of 400 square feet of land in Square 721 at the southwest of the Union Station Plaza.

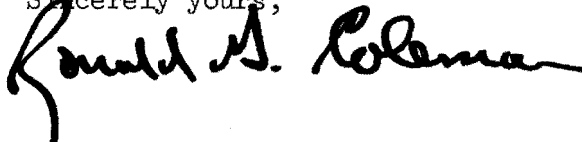
Section 3 of the bill assures that no other changes are intended in right, title or interest in or to the United States Capitol grounds, and provides for prompt restoration of areas involved. Section 4



assures that the Congress shall not incur any expense, liability, obligation, or other responsibility for construction, operation, or maintenance of the flagpoles authorized by the bill.

We believe that the erection of the flagpoles to fly the flags of our States and possessions will enhance the area surrounding the Visitor Center, and will be especially significant in this Bicentennial year. Also, the traffic changes will better accommodate the visiting public to the area.

Sincerely yours,

A handwritten signature in black ink, reading "Ronald A. Colman". The signature is written in a cursive style with a large, sweeping initial "R".

Assistant Secretary of the Interior

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

THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS MAY 17, 1910

J. CARTER BROWN, Chairman
NICOLAS ARROYO CHLOETHIEL WOODARD SMITH
JANE O. DART EDWARD STONE, JR.
KEVIN ROCHE GEORGE WEYMOUTH
CHARLES H. ATHERTON, Secretary

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006
202-343-5324

16 June, 1976

Dear Mr. Frey:

I am writing in reply to your request for the views of the Commission of Fine Arts regarding S. 3161, which would authorize "certain flagpoles to be located on the Capitol Grounds, and to improve the flow of traffic to and from the United States Capitol Grounds and the National Visitor Center."

Both of these proposals have been reviewed in detail by the Commission of Fine Arts and have been approved.

We therefore urge the President to sign S. 3161 into law.

Sincerely yours,



J. Carter Brown
Chairman

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



THE DISTRICT OF COLUMBIA

WALTER E. WASHINGTON
MAYOR

WASHINGTON, D. C. 20004

June 22, 1976

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

Dear Mr. Frey:

This is in reference to a facsimile of an enrolled enactment of Congress entitled:

S. 3161 — To authorize certain flagpoles to be located on the Capitol Grounds, and to improve the flow of traffic to and from the United States Capitol Grounds and the National Visitor Center.

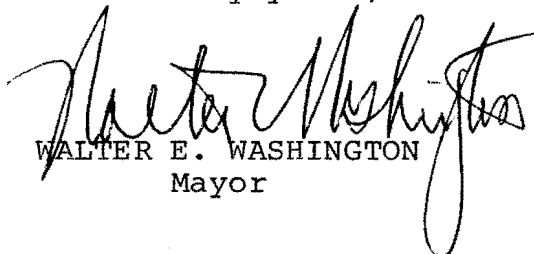
Section 2 of the enrolled bill authorizes the Architect of the Capitol to enter into an agreement with appropriate officials of the District Government under which the District will be permitted to utilize certain specified areas of the Capitol Grounds for the purpose of making street changes in order to improve the flow of traffic to and from the Capitol Grounds and the National Visitor Center and within Union Station Plaza. Under the agreement, the District Government would be authorized to change the curblines and relocate existing sidewalks and curbs to conform to such street changes, and to restore and relocate, along with the Secretary of the Interior, all areas of the Capitol Grounds which may be disturbed because of the street change operations.

Recent construction in the Union Station area, including

that for the Metro subway system, the National Visitor Center, the H Street ramp, and modifications in the railroad station, have necessitated improvements in the surrounding street system in order to facilitate traffic movement and control. Pursuant to the amendment to 40 U.S.C. § 193a made by § 739(g)(7) of the District of Columbia Self-Government and Governmental Reorganization Act, the Architect of the Capitol is now responsible for the maintenance and improvement of streets and roadways in the United States Capitol Grounds. Accordingly, S. 3161 provides the authority for the District, by agreement with the Architect of the Capitol, to undertake the necessary roadway changes within the area encompassed in the Capitol Grounds. Such improvements will be performed by the District as a Federal-aid highway project in a manner similar to that of other street maintenance programs.

The District Government has no objection to the approval of S.3161.

Sincerely yours,



WALTER E. WASHINGTON
Mayor



NATIONAL CAPITAL PLANNING COMMISSION

1325 G Street, N.W.
Washington, D. C. 20576



June 18, 1976

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:

Reference is made to your request for our views and recommendations on S. 3161, an enrolled bill "To authorize certain flagpoles to be located on the Capitol Grounds, and to improve the flow of traffic to and from the United States Capitol Grounds and the National Visitor Center."

The authorizations in this legislation relating to flagpoles to be located on the Capitol Grounds and to the rehabilitation and channelization of traffic in the vicinity of the National Visitor Center at Union Station Plaza are consistent with approvals and recommendations previously made by this Commission.

Accordingly, there is no objection to the approval of S. 3161 by the President.

Sincerely yours,

A handwritten signature in cursive script that reads "Charles H. Conrad".

Charles H. Conrad
Executive Director

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 24

Time: 10:45am

FOR ACTION: George Humphreys
Max Friedersdorf
Ken Lazarus
Steve McConahey

cc (for information): Jack Marsh
Jim Cavanaugh
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: June 24

Time: 530pm

SUBJECT:

S. 3161 - Erection of certain flagpoles on Capitol grounds

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 6/24/76

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.

James M. Cannon
For the President

THE WHITE HOUSE

WASHINGTON

June 25, 1976

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *M. L. F.*
SUBJECT: S. 3161 - Erection of certain flagpoles on
Capitol grounds

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

Attachments

GENERAL STATEMENT

In conjunction with the establishment of the National Visitor Center, the Secretary of the Interior has sought to place flag poles around the Plaza in front of the National Visitor Center to fly the flags of the States, territories, and possessions of the United States. The Committee believes these flag poles will add much to the National Visitor Center concept and complement the purpose of the Center in this Bicentennial Year.

Section 2 of the bill provides that the area on which the flag poles are erected shall remain part of the Capitol Grounds and stipulates that all areas within the grounds that are disturbed by this construction shall be restored to their original condition and the work shall be performed under conditions satisfactory to the Architect of the Capitol.

Section 3 will hold and save harmless the Congress from any expense on liability that may arise from this authorization.

The Committee requests the Architect of the Capitol to enter into an agreement defining the terms and conditions under which the work will be performed. The provisions of the resolution and other assurances including bonding should be specified in the agreement.

It is the recommendation of the Committee that the Architect of the Capitol act for the Congress in approving detailed construction plans as they affect the Capitol Grounds.

COST OF LEGISLATION

Section 252(a)(1) of the Legislative Reorganization Act of 1970 requires publication in this report of the Committee's estimate of the cost of reported legislation, together with estimates prepared by any Federal agency. There is no cost to the Federal Government as a result of this legislation.

ROLLCALL VOTES

Section 133 of the Legislative Reorganization Act of 1970 and the rules of the Committee on Public Works require that any rollcall votes be announced in this report. During the Committee's consideration of this bill no rollcall votes were taken.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of the rule XXIX of the Standing Rules of the Senate, it is reported that this bill effects no change in existing law.



NATIONAL VISITOR CENTER FLAGPOLES

APRIL 30, 1976.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. JONES of Alabama, from the Committee on Public Works and Transportation, submitted the following

REPORT

[To accompany S. 3161]

The Committee on Public Works and Transportation, to whom was referred the bill (S. 3161) to authorize the Secretary of the Interior, with the approval of the Architect of the Capitol, to locate flagpoles on the United States Capitol Grounds in order to fly the flag of each of the States of the United States, and its territories and possessions, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendment to the text of the bill strikes out all after the enacting clause and inserts in lieu thereof a substitute which appears in the reported bill in italic type.

The other amendment modifies the title of the bill to make it conform to the changes made by the amendment to the text.

PURPOSE

The purpose of S. 3161, as reported, is to permit the Secretary of the Interior to erect and maintain flagpoles on the Capitol Grounds adjacent to the Union Station Plaza to fly the flags of each of the States of the United States, its territories and possessions. In addition, the legislation also authorizes the Architect of the Capitol to enter into an agreement with the District of Columbia for the purpose of making certain street changes to improve the flow of traffic to and from the United States Capitol Grounds and the National Visitor Center and within the Union Station Plaza.

EXPLANATION OF BILL

The legislation authorizes the Secretary of the Interior, subject to the approval of the Architect of the Capitol, to erect and maintain flagpoles adjacent to the sidewalks abutting the circular perimeter of

the Union Station Plaza to fly the flags of each of the States of the United States, its territories and possessions.

Section 2 authorizes the Architect of the Capitol to enter into an agreement with the Government of the District of Columbia to permit certain street changes in order to coordinate and improve the flow of traffic in and in the vicinity of the Union Station Plaza, the Capitol and the Visitor Center.

Section 3 insures that any part of the Capitol Grounds affected by this legislation will remain part of the Capitol Grounds, and all areas of the Capitol Grounds affected by this legislation will be promptly relocated or restored by the Secretary of the Interior or the District of Columbia Government subject to the approval of the Architect of the Capitol.

Section 4 will hold and save harmless the Congress from any expense or liability that may arise from this legislation.

COMMITTEE VIEWS

The erection of flagpoles to fly the flags of each of the States of the United States, its territories and possessions, will enhance the area surrounding the Visitor Center and serve as a tribute to each of the States of the United States, its territories and possessions, in this Bicentennial year. The changes to be made to the general traffic patterns will better accommodate the needs of the users of the Visitor Center, the Capitol Grounds and the Union Station Plaza.

COMPLIANCE WITH CLAUSE 2(1) OF RULE XI OF THE RULES OF THE HOUSE OF REPRESENTATIVES

(1) With reference to Clause 2(1) (3) (A) of rule XI of the Rules of the House of Representatives, no separate hearings were held on the subject matter of this legislation by the Subcommittee on Investigations and Review.

(2) With respect to Clause 2(1) (3) (B) of rule XI of the Rules of the House of Representatives the bill, as reported, does not provide new budget authority or increased tax expenditures. Accordingly, a statement pursuant to section 308(a) of the Congressional Budget Act is not required.

(3) With reference to Clause 2(1) (3) (C) of rule XI of the Rules of the House of Representatives, the committee has not received an estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act.

(4) With reference to Clause 2 (1) (3) (D) of rule XI of the Rules of the House of Representatives, the committee has not received a report from the Committee on Government Operations pertaining to this subject matter.

(5) With reference to Clause 2(1) (4) of rule XI of the Rules of the House of Representatives, S. 3161, as reported, will not affect prices and costs since it does not authorize additional funds. Therefore, S. 3161, as reported, would not have an inflationary impact on the national economy.

COST OF LEGISLATION

In accordance with rule XIII(7) of the Rules of the House of Representatives, no costs to the United States would be incurred in carrying out S. 3161, as reported, in fiscal year 1976 or any of the 5 following fiscal years.

VOTE

The committee ordered the bill reported by voice vote.

○

Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the nineteenth day of January,
one thousand nine hundred and seventy-six*

An Act

To authorize certain flagpoles to be located on the Capitol Grounds, and to improve the flow of traffic to and from the United States Capitol Grounds and the National Visitor Center.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the approval of the Architect of the Capitol and to such conditions as he may prescribe, the Secretary of the Interior is authorized to make such use of that portion of the United States Capitol Grounds adjacent or in close proximity to the sidewalks abutting the circular perimeter of the Union Station Plaza in front of Columbus Plaza and the National Visitor Center as may be necessary to enable the Secretary of the Interior to erect and maintain flagpoles to fly the flags of each of the States of the United States and its territories and possessions, generally as shown on NCPG Map File Numbered 1.11 (38.00)-27861.

Sec. 2. (a) Notwithstanding any other provision of law, the Architect of the Capitol is authorized, subject to the provisions of this Act and to such conditions as the Architect of the Capitol may prescribe, to enter into an agreement with the appropriate officials of the government of the District of Columbia pursuant to which the Architect of the Capitol is authorized to permit the government of the District of Columbia to utilize certain areas of the United States Capitol Grounds for the purpose of making certain street changes in order to coordinate and improve the flow of traffic to and from the United States Capitol Grounds and the National Visitor Center (formerly Union Station), and the flow of traffic within Union Station Plaza.

(b) Pursuant to such agreement, the Architect of the Capitol is authorized to make available to the government of the District of Columbia, for the purposes referred to in subsection (a), certain portions of the United States Capitol Grounds as follows:

(1) approximately two thousand one hundred square feet of land in Square 680, at the east end thereof, located within the United States Capitol Grounds adjacent to the Union Station Plaza, Massachusetts Avenue, and E Street Northeast, in order to enable the government of the District of Columbia to carry out the purposes referred to in subsection (a) of this section, and to change the curblines, and relocate existing sidewalks and curbs, to conform to such street change;

(2) approximately three thousand five hundred square feet of land in Square 723, at the northwest end thereof, located within the United States Capitol Grounds adjacent to the Union Station Plaza, First Street, and Massachusetts Avenue Northeast, in order to enable the government of the District of Columbia to carry out the purposes referred to in subsection (a) of this section, and to change the curblines, and relocate existing sidewalks and curbs, to conform to such street change; and

(3) approximately four hundred square feet of land in Square 721, at the southwest end thereof, located within the United States Capitol Grounds adjacent to the Union Station Plaza and Massachusetts Avenue Northeast, in order to enable the government

of the District of Columbia to carry out the purposes referred to in subsection (a) of this section, and to change the curblines, and relocate existing sidewalks and curbs, to conform to such street change.

SEC. 3. Nothing in this Act shall be construed to grant to the Secretary of the Interior or to the government of the District of Columbia any right, title, or interest in or to any part of the United States Capitol Grounds and such area affected by this Act or any agreement pursuant thereto shall continue to be a part of the United States Capitol Grounds. All areas of the United States Capitol Grounds, including sidewalks, lawns and other growth, streets, and curblines, disturbed by reason of operations pursuant to this Act shall be promptly relocated or restored by the Secretary of the Interior or the government of the District of Columbia, as the case may be, in a manner approved by, and satisfactory to the Architect of the Capitol.

SEC. 4. The Congress shall not incur any expense, liability, obligation, or other responsibility (operational or otherwise), under or by reason of this Act, or any agreement pursuant to this Act, or be liable under any claim of any nature or kind that may arise from either the construction, operation, or maintenance of the flagpoles authorized by this Act, or from carrying out any agreement pursuant to this Act.

Speaker of the House of Representatives.

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

June 17, 1976

Dear Mr. Director:

The following bills were received at the White House on June 17th:

S. 18 ✓

S. 3161 ✓

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.