



Smithsonian Institution Archives

## **Proceedings of the Board of Regents Meeting held on January 25, 1974**

This document is provided by the [Smithsonian Institution Archives](#).

**Please cite as –**

Smithsonian Institution Archives, Record Unit 1, SIA\_000001\_BORMTG\_19740125

When citing our collections online, please link to the Smithsonian Institution Archives  
<http://siarchives.si.edu>.





ADMINISTRATIVELY-CONFIDENTIAL

(No part of these minutes is to be divulged unless specifically authorized by the Secretary.)

PROCEEDINGS OF THE ANNUAL MEETING  
OF THE BOARD OF REGENTS  
SMITHSONIAN INSTITUTION

January 25, 1974

INDEX

	<u>Page</u>
Attendance.....	1
Report of the Executive Committee.....	3
Designation of this meeting as the Charles Greeley Abbot Memorial Meeting.....	3
Naming of Smithsonian Facility in memory of Dr. Abbot.....	4
Minutes of Meeting of September 21, 1973 .....	4
Expiration of Terms of Three Regents .....	5
Proposal to provide survivorship annuity to Mrs. Charles G. Abbot...	7
Financial Report.....	9
Hillwood .....	20
Annual Report of the Secretary .....	21
Mayer House in New York City .....	22
Review of Current Holdings of the Smithsonian Institution .....	29
Acee Blue Eagle Collection .....	30
Naming of Zoo Lion House .....	38
Leonard Carmichael Auditorium Dedication .....	38
National Armed Forces Museum Advisory Board .....	39
Report of the National Portrait Gallery Commission .....	40
Report of the National Collection of Fine Arts Commission .....	44
Consideration of Proposal of Mr. Sergei N. Grimm .....	57
Legislation on which comments of the Regents were requested - S. 2347 and S. 2774 .....	60
Status Report - National Air and Space Museum .....	64





	<u>Page</u>
Status Report - Hirshhorn Museum & Sculpture Garden .....	66
Status Report - Pending Legislation.....	67
Status Report - National Zoological Park Breeding Farm .....	70
Proposed Ban on Traffic and Parking on the Mall .....	71
Status Report - Smithsonian Associates .....	74
Status Report - American Film Institute .....	75
Status Report - Endangered Species Act.....	76
Status Report - Litigation .....	77
Proposed Dates for Next Meetings.....	81
Adjournment .....	81





SMITHSONIAN INSTITUTION

CHARLES GREELEY ABBOT MEMORIAL MEETING

of the

BOARD OF REGENTS

January 24, 1974

Fort Pierce, Florida

Hour of Meeting

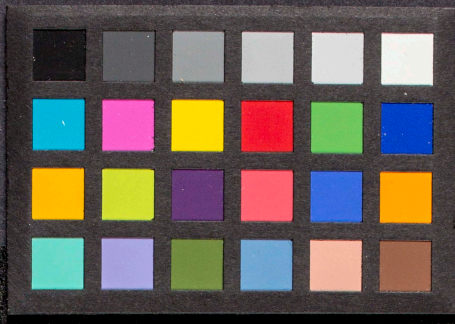
The Charles Greeley Abbot Memorial Meeting of the Board of Regents of the Smithsonian Institution was called to order by James E. Webb, Chairman of the Executive Committee at the Fort Pierce Bureau, Fort Pierce, Florida, at 10:15 a.m. on January 25, 1974

Attendance

Present were: James E. Webb  
John Nicholas Brown  
Crawford H. Greenewalt  
Robert Goheen  
J. Paul Austin  
William E. Minshall  
Thomas J. Watson, Jr.  
S. Dillon Ripley, Secretary

Also present were Under Secretary Robert A. Brooks, Assistant Secretaries Charles Blitzler and David Challinor, Treasurer T. Ames Wheeler, General Counsel Peter G. Powers, Consultant James Bradley and Executive Assistant to the Secretary Dorothy Rosenberg.





Mr. Webb announced that in the absence of a quorum he had received proxies from Regents Haskins, Mahon, Higginbotham, Fulbright and Scott. Mr. Webb reported also that the Executive Committee had met in advance of the meeting to discuss the agenda in order to minimize the time required at this Board meeting for the conduct of necessary business. As much time as possible was to be devoted to inspection of the facilities at the Fort Pierce Bureau and the Harbor Branch Laboratory as well as the research barge and the R/V Johnson.

NOTE: The minutes of the meeting of the Executive Committee were reviewed briefly and specific actions taken as the meeting proceeded. Discussion concerning any subject has been inserted as it took place so as to simplify the proceedings.





SMITHSONIAN INSTITUTION

Report of the Chairman of the Executive Committee  
Board of Regents

January 21, 1974

The Executive Committee of the Board of Regents of the Smithsonian Institution met in the Director's Conference Room in the Museum of History and Technology Building at 11:00 a.m. on January 21, 1974.

Present were:

Warren E. Burger, Chancellor

James E. Webb, Chairman

S. Dillon Ripley, Secretary

Also present were Under Secretary Robert A. Brooks and  
Treasurer T. Ames Wheeler.

Designation of this meeting as the Charles Greeley Abbot Memorial Meeting

The January 24th 1974 meeting of the Board of Regents was designated as the Charles Greeley Abbot Memorial Meeting. The Executive Committee agreed that as a tribute to Dr. Abbot it is proposed to name a Smithsonian facility in his memory. Dr. Charles Greeley Abbot was a pioneer in his branch of science and very much interested in solar radiation. It would be appropriate, therefore, to honor him by designating the Radiation Biology Laboratory as the Abbot Radiation Biology Laboratory.





It has been determined that, although the Radiation Biology Laboratory facilities are adequate for the present, there will ultimately be needed a facility designed for the sophisticated research this laboratory is increasingly performing, and located in a site that can provide for more fruitful cooperation with other Smithsonian bureaus.

The following motion was suggested by the Executive Committee.

VOTED, That the Board of Regents approves the designation of The Abbot Radiation Biology Laboratory as an appropriate tribute to the memory of Charles Greeley Abbot.

Minutes of Meeting of September 21, 1973

The Executive Committee noted that the minutes had been sent to the members of the Board of Regents on October 29, 1973, and having no changes to suggest recommended approval of the minutes of the meeting. The following motion was proposed and it was:

VOTED, That the minutes of the September 21, 1973 meeting, as previously circulated, be approved.





### Expiration of Terms of Three Regents

The Act of August 10, 1846, as amended, which established the Smithsonian Institution, provides that the business of the Institution shall be conducted at the city of Washington by a Board of Regents. In addition to the Vice-President, the Chief Justice of the United States, three members of the Senate, and three members of the House of Representatives, it is provided that there shall be nine other Regents, other than members of Congress. Two of the latter shall be residents of the city of Washington and the other seven shall be inhabitants of States and no two of them of the same State. Appointments of the non-Congressional Regents are by joint resolution of the Senate and House of Representatives, for a term of six years. Traditionally, the Congress acts on the recommendations of the Board of Regents.

Three of the Regents will reach the end of their current terms this spring, namely:

Mr. Burden:	July 2, 1974
Mr. Greenewalt:	May 30, 1974 - has submitted resignation
Mr. Haskins:	May 30, 1974

Mr. Webb reported that it is with great reluctance that the Committee accepts the decision of Crawford Greenewalt not to stand for reappointment. It was noted that Mr. Greenewalt has served for 18 years as an outstanding and distinguished Regent. Mr. Greenewalt's





specific reluctance relates to the fact that should he serve another six year term his age would be 78. The age factor for consideration of a new Regent in order to insure a longer period of service was suggested to be limited to age 60. Mr. Webb disclosed also that William A.M. Burden has consented to stand for reappointment and that Caryl Haskins is considering whether or not he will serve another term. The Chancellor is inclined to urge him to stay on. Mr. Webb stated that the Chancellor will appoint a nominating Committee, as is customary, and is considering the appointment of Thomas J. Watson, Jr. as chairman, with George H. Mahon and J. Paul Austin serving as members. Further information will be supplied to the Board of Regents.





Proposal to Provide Survivorship Annuity to Mrs. Charles G. Abbot

Upon Dr. Abbot's retirement on July 1, 1944, at age 72 years, the Board of Regents approved an annual annuity of \$10,000 (the equivalent of the salary paid to him as Secretary). The annual rate of annuity remained unchanged until July 1, 1965 when an increase to \$15,000 to equal the pension provided Dr. Carmichael was requested and approved. Then, on May 21, 1969, the Board approved the adoption of the cost-of-living provision contained in the Civil Service retirement system for annuities paid to Dr. Abbot, Dr. Wetmore, and Dr. Carmichael from Smithsonian funds. The additions resulting from the cost-of-living adjustments brought Dr. Abbot's annual annuity to \$21,676, the rate of annuity paid to him at the time of his death on December 17, 1973.

The various employment benefits available today through group plans were not in existence during Dr. Abbot's tenure as Secretary and therefore he did not have an option to participate in the life insurance, hospitalization, or retirement plans which would have provided some survivorship benefits to his widow. His successors have had an opportunity to participate in the Civil Service retirement system which provides the participants with an option to elect to receive an annuity based on a "single life" or to receive a reduced annuity (a reduction of approximately 10% of the "single life" annuity) with a survivorship annuity equal to 55% of the reduced annuity for the widow. Had this option been made available to Dr. Abbot and had he elected a reduced annuity with survivorship benefits, Mrs. Abbot would now be entitled to receive an annual annuity of \$10,878.





In view of these circumstances and the immediate needs which Mrs. Abbot faces and after considering the fact that since the Secretaries who succeeded Dr. Abbot have had the benefit of the survivorship provisions of the Civil Service system and that no precedent is involved, the Executive Committee recommended the following resolution for the approval of the Board of Regents.

The following motion was therefore proposed and it was:

VOTED That the Board of Regents approves a survivorship annuity for Mrs. Charles G. Abbot in the amount of \$12,000, retroactive to January 1, 1974, with the same provisions to apply as contained in Dr. Abbot's pension, and in addition, a death benefit of \$2,500 to be made at once.

It was further suggested that the staff discreetly ascertain that this annuity is adequate to sustain Mrs. Abbot. If it is found to be inadequate it is to be brought to the attention of the Board of Regents.





### FINANCIAL REPORT

Mr. Ripley reported that the Smithsonian Institution had submitted its budget for FY 1975 to the Office of Management and Budget (OMB) in advance of the usual submission date on the advice of our cognizant review committee. The results of our budget request which will be included in the President's Budget Submission to the Congress will include approximately 75% of our initial request. The head of our Review Committee Mr. John C. Sawhill (now deputy administrator of the Energy Commission) was particularly helpful. The attached financial statements reflect the current status of allowances by OMB.

1. Supplemental Appropriation -- OMB approval of our requested \$3,200,000 supplemental appropriation to cover in FY1974 (also continuing in subsequent years) the costs of federally legislated pay increases effected over the past 18 months. Assuming approval of Congress, this raises the FY 1974 appropriation for salaries and expenses from \$55,438,000 to \$58,596,000 (see attached Exhibit A) and will make it possible for the Institution to provide previously approved levels of program and employment.

2. OMB FY75 Allowance -- For operations (salaries and expenses), \$69,789,000, an increase of \$11,193,000 over the revised OMB FY1974 allowance, such increase being about 75% of the amount requested. Separate OMB allowances would also continue the Foreign Currency Program at the \$4,500,000 level (including the second \$1,000,000 for the Philae Project) and would allow a minor increase to the Smithsonian Science Information Exchange for higher payroll costs. The increase allowed by OMB, for which Congressional approval will now be sought, reflects three high priority funding requirements:

(a) \$4,200,000 for support functions (collections registration and conservation, building protection and maintenance, library services, data processing, general administration, etc.)





identified at the Belmont Priorities Conference in February 1973 as needing strengthening in order to serve research and education activities.

(b) \$4,200,000 for special preparations to meet our public commitments to the Bicentennial commemoration, including \$1,700,000 for exhibits and related preparations for the new National Air and Space Museum building.

(c) \$2,700,000 for certain uncontrollable expenses such as postal rate increases and federally legislated pay raises and increased rental charges.

For construction, the OMB allowance of \$21,325,000 for FY1975 provides the final \$10,000,000 to liquidate contract authority (i.e., spend previously authorized funds) for the National Air & Space Museum construction; an additional \$10,000,000 to continue and step up implementation of the approved master plan for the renovation of the Zoo; and \$1,325,000 for general restoration, renovation and in minor improvement of buildings and facilities. The allowance for Zoo construction will permit construction of the Education Center (with expected major cost-sharing from a private source); renovation and improvement of the Elephant House yards and Bird House environs; a start on the construction of the service complex and parking facilities and the next stages of planning. Funds allowed for Restoration and Renovation of Buildings provide for the Zoo breeding farm, further facilities development at Mount Hopkins, improvements to the "yard" area south of the Old Castle Building, and general building repairs.

3. Private Unrestricted Funds -- Present projections point to a \$900,000 surplus for the current FY 1974. This compares with a preliminary budget projection of a \$600,000 surplus presented at the September Regents' meeting and an actual FY 1973 surplus of \$543,000. We are rather confident of achieving this substantially improved result even though it necessarily involves many uncertain factors. If so, we shall have



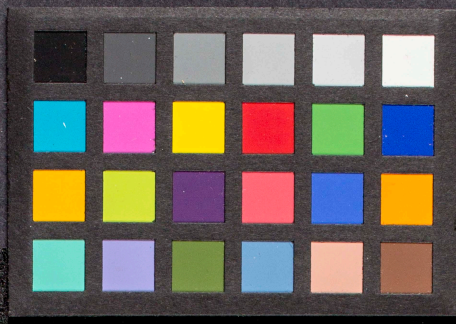


rebuilt our working capital position for these unrestricted funds by next June 30th to a total of about \$3,200,000. Even now, the investment in high-grade, short-term securities (now averaging a return of over 8%) of a portion of these monies, together with advance magazine subscription receipts and unexpended balances of certain restricted, or special purpose, funds is augmenting income substantially.

Of the \$300,000 increase over our September estimate, \$275,000 comes from a jump in estimated Smithsonian Magazine results up to \$775,000 for the year (versus \$330,000 actual gain in FY 1973). The Magazine continues its remarkable No. 1 growth position in the publications field. Subscriptions, aided by the good 68% renewal rate and a 1.6% direct mail response, are now estimated at 550,000 by June 30, 1974, up from 458,000 a year earlier. Advertising revenues should approximate \$1,675,000, nearly double those of FY 1973 (\$907,000), which in turn had more than doubled those of the previous year. Advertising rates will increase 17% in February 1974 with the higher guaranteed minimum number of subscribers.

Other "Revenue Producing Activities" on balance will also produce a surplus (see Exhibit C). Projected results for the Division of Performing Arts have been increased by \$75,000 because of the tremendous success of the "History of Jazz" album of six records released in late November 1973; close to 20,000 copies of this album may be sold by June 30, 1974. Slight increases have also been projected for our Museum Shops and the Resident and National Associates Programs. Major improvements are now being planned for Museum Shop facilities which should produce further benefits in the future. Gifts from our National Associates are currently





quite encouraging and are exceeding previous expectations. On the other hand, we are offsetting some of these increases with increased contingency reserves in case some support allotments should become necessary for the operations of the Cooper-Hewitt Museum and the Chesapeake Bay Center.

4. Restricted Funds Supported by Endowments -- Income and expenditures of these funds (see Exhibit B) are strictly preliminary and subject to considerable variation because of the unpredictability of gifts and grants. While "All Other" restricted funds, supplied principally from donations, show a projected decline to a \$3,000,000 income level in FY 1974 because of the inclusion (non-repetitive) in the previous year of a \$1,100,000 grant to Reading Is FUNDamental, total income of these funds may well be higher than projected if fund raising efforts for Cooper-Hewitt or a new NMHT Marine Hall are unusually successful. Included in this category also are Zoo parking program receipts of an estimated \$100,000 and \$200,000 for Hillwood Museum, where activities preliminary to opening are now in progress.

Mr. Webb indicated that review of the financial reports disclosed a very comfortable financial position and he wished to compliment the Secretary and his staff for their efforts.





### 5. Endowment Funds --

During the year ending December 31, 1973, overall performance of our Endowment Funds has roughly matched that of the Dow-Jones and Standard & Poor's market averages which fell about 17%. The Freer Fund, however, declined more -- nearly 24% (see below -- all data adjusted for additions or withdrawals of capital but without consideration of interest and dividend income). The Consolidated Fund decline was in line with market averages while Endowment Fund #3 (J&J) and the Special Endowment Fund showed better than average results.

For the 2-1/2 year period since starting with our new investment managers, the picture is somewhat better. The Freer Fund, with an 8% decline, showed a worse than average performance (averages dropped 2-4%) but all other funds were above average; Endowment Fund #3 results were outstandingly good but largely because of the superior record of Johnson & Johnson stock, most of which has now been diversified into other securities.

	12-month period 12/31/72 - 12/31/73	30-month period 7/1/71 - 12/31/73
<u>Freer Fund</u>		
T. Rowe Price	-24.4%	-8.4%
Thorndike, Doran, Paine & Lewis	-21.7%	-7.7%
Total	-23.6%	-8.2%
<u>Consolidated Fund</u>		
Thorndike, Doran, Paine & Lewis	-19.9%	-5.3%
Davis, Palmer & Biggs	-14.8%	+10.2%
Total	-17.7%	+1.1%
<u>Endowment Fund #3 (3 Managers)</u>	-14.2%	+15.6%
<u>Special Endowment Fund (DPB)</u>	-12.6%	-1.2%
-----		
<u>Market Averages</u>		
DJIA	-16.7%	-4.5%
S&P's 500	-17.4%	-2.2%





A summary of the investment funds is attached as Exhibit E. The funds at December 31, 1973 were invested 76% in common stocks and 24% in cash and bonds.

Of our three managers, Davis, Palmer & Biggs has thus far done the best and its performance has, in fact, ranked in the upper 10% for a significant group of similar funds for these 1-year and 2-1/2-year periods.

The total impact on the market values of the Endowment Funds (does not include "Special Endowment Fund" which is part of our current operating funds) can be seen below:

<u>Fund</u>	<u>Mkt Val 6/30/71</u>	<u>Additions</u>		<u>Deductions</u>	<u>Increase</u>	<u>Mkt. Val 12/31/73</u>
		<u>Gifts &amp; Transfers</u>	<u>Int &amp; Divs.</u>	<u>Inc. Pd Out (Total Ret.)</u>	<u>(Decline) Mkt. Value</u>	
Freer	\$18,805	\$ -	\$1,587	\$1,981	(\$1,481)	\$16,930
Consoli- dated	11,408	379	1,038	1,370	196	11,651
Endow. #3	<u>12,327</u>	<u>(387)</u>	<u>461</u>	<u>1,146</u>	<u>1,909</u>	<u>13,164</u>
Total	\$42,540	\$ (8)	\$3,086	\$4,497	\$ 624	\$41,745

During this 2-1/2-year period, total income taken out of all three funds under the "Total Return" principle, amounted to \$4,497,000, or \$1,411,000 more than actual interest and dividend yield of the funds - an average of 1.3% per year of the beginning market value.



## Exhibit A

SMITHSONIAN INSTITUTION FINANCIAL REPORT

The Smithsonian Institution derives its financial support as follows:

(\$1,000's)	FY 1975 (Submitted to Cong.)	FY 1974 (Est.)	FY 1973 (Actual)	FY 1972 (Actual)
<u>FOR OPERATING PURPOSES:</u>				
<u>FEDERAL APPROPRIATIONS</u>				
Salaries and Expenses	\$69,789	\$58,596*	\$51,633	\$44,701
Smithsonian Science Info. Exchange	1,770	1,695**	1,600	1,600
Special Foreign Currency Program	4,500	4,500	3,500	3,500
Subtotal	76,059	64,791	56,733	49,801
Research grants and contracts	N.A.	9,300	8,996	8,088
Nonfederal Funds:				
Gifts (excluding gifts to endowments)				
Restricted purpose	N.A.	2,400	3,107	2,618
Unrestricted purpose	N.A.	40	33***	26***
Income from endowment and current funds invested				
Restricted purpose	N.A.	1,825	1,736****	1,573
Unrestricted purpose	N.A.	525	436	334
Revenue-producing activities (net)	N.A.	975	170	(141)
Miscellaneous	N.A.	900	1,118	548
Total Operating Support	N.A.	\$80,756	\$72,329	\$62,847
<u>CONSTRUCTION FUNDS (FEDERAL)</u>				
National Zoological Park	\$10,000	\$ 3,790	\$ 675	\$ 200
National Air and Space Museum	10,000	17,000	13,000	1,900
Hirshhorn Museum & Sculpture Garden	-	-	-	3,697
Restoration and renovation of Bldgs.	1,325	1,070	5,014	550
Total	\$21,325	\$21,860	\$18,689	\$ 6,347
<u>ENDOWMENT FUND GIFTS &amp; BEQUESTS</u>				
	-	-	\$ 109	\$ 44
<u>NUMBER OF PERSONNEL</u>				
Federal	12/31/73	6/30/73	6/30/72	6/30/71
Private	2,618	2,717	2,561	2,315
Total	935	948	913	925
	3,553	3,665	3,474	3,240

\*Includes pay supplemental of \$3,158.

\*\*Includes pay supplemental of \$45.

\*\*\*Excluding gifts to Associates (included under Revenue-producing Activities).

\*\*\*\*Includes \$225 of FY 1973 income transferred from Endowment Fund #3 for this purpose in FY 1972.

January 9, 1974



## Exhibit B

## PRIVATE FUNDS - OPERATING STATEMENT

(\$1,000s)

	PROJECTION	ACTUAL			
	FY 1974	FY 1973	FY 1972	FY 1971	FY 1970
<u>UNRESTRICTED FUNDS</u>					
<u>INCOME:</u>					
Investment Income	\$525.0	\$423.6	\$346.7	\$334.5	\$323.2
Gain (Loss) on investment	-	-	(15.6)	(4.5)	(41.9)
Gifts (Excl Gifts to Assoc's)	40.0	32.7	17.7	306.8	17.6
O/H Recovery & Admin Fees	3,115.0	2,872.2	2,640.4	2,521.6	2,435.3
Other	235.0	321.7	154.7	208.2	470.7
Total Income	\$3,915.0	\$3,650.2	\$3,143.9	\$3,366.6	\$3,204.9
<u>EXPENDITURES:</u>					
Activities Net Loss (Gain)					
Magazine	\$(775.0)	\$(329.6)	\$(2.5)	\$209.0	\$471.9
Other (Incl Gifts to Assoc's)	(200.0)	160.0	143.9	325.2	516.2
Administrative	3,330.0	2,797.5	2,714.1	2,662.1	2,790.4
Special Purpose Allotments	660.0	479.4	227.0	320.5	408.0
Total Expenditures	\$3,015.0	\$3,107.3	\$3,082.5	\$3,516.8	\$4,186.5
Excess Income (Expenditures)	900.0	542.9	61.4	(150.2)	(981.6)
Balance End of Year	\$3,224.0	\$2,324.0	\$1,781.1	\$1,719.7	\$1,869.9

RESTRICTED FUNDSFREER FUND

<u>Income</u>					
Investments	\$875.0	\$862.5	\$678.5	\$673.6	\$666.7
Other	225.0	182.2	118.4	69.0	68.6
Total	\$1,100.0	\$1,044.7	\$796.9	\$742.6	\$735.3
<u>Expenditures</u>					
Salary & Benefits	\$435.0	\$434.4	\$437.7	\$386.8	\$356.7
Purchase for Collections	330.0	237.9	122.9	249.9	208.1
Other	325.0	342.9	327.1	330.2	207.9
Total	\$1,090.0	\$1,015.2	\$887.7	\$966.9	\$772.7
Excess Income (Expenditures)	\$10.0	\$29.5	\$(90.8)	\$(224.3)	\$(37.4)
Balance End of Year	\$159.3	\$149.3	\$119.8	\$210.6	\$434.9

OTHER RESTRICTED FUNDS SUPPORTED BY ENDOWMENT INCOME

Income	\$960.0	\$828.9	\$873.6	\$715.3	\$309.2
Expenditures	980.0	896.1	884.1	628.9	275.4
Excess Income (Expenditures)	\$(20.0)	(67.2)	(10.5)	86.4	33.8
Balance End of Year	\$343.6	\$363.6	\$430.8	\$441.3	\$354.9

ALL OTHER RESTRICTED FUNDS (GIFTS & MISC.)

Income	\$3,000.0	\$3,712.7	\$2,898.5	\$2,056.8	\$2,386.6
Expenditures	3,500.0	2,914.6	1,502.3	2,513.1	1,895.5
Excess Income (Expenditures)	\$(500.0)	798.1	1,396.2	(456.3)	491.1
Balance End of Year	\$2,804.0	\$3,304.0	\$2,505.9	\$1,109.7	\$1,566.0

GRANTS AND CONTRACTS FROM FEDERAL AGENCIES

Income	\$9,325.0	\$9,027.1	\$7,847.6	\$9,317.0	\$9,806.2
Expenditures	9,300.0	8,996.2	8,088.3	9,312.4	10,825.1
Excess Income (Expenditures)	\$25.0	30.9	(240.7)	4.6	\$(1,018.9)
Balance End of Year	\$105.9	\$80.9	\$50.0	\$290.7	\$286.1

January 9, 1974



## Exhibit C

SMITHSONIAN REVENUE PRODUCING ACTIVITIES

(\$1,000s)

	FY 1974 Projection	FY 1973 Actual	FY 1972 Actual	FY 1971 Actual
<u>Smithsonian Magazine</u>				
Sales & Revenues	6,670	4,731	3,411	2,418
Income (Loss) before Admin Costs	975	480	152	(109)
Less Admin Costs	<u>200</u>	<u>150</u>	<u>150</u>	<u>100</u>
Net Income (Loss)	775	330	2	(209)
<u>Associates Program</u>				
Gifts Received	285	157	145	46
Other Revenues	1,825	1,104	872	597
Income (Loss) before Admin Exp.	240	18	116	40
Less Admin Costs	<u>70</u>	<u>61</u>	<u>42</u>	<u>31</u>
Net Income (Loss)	170	(43)	74	9
<u>Museum Shops</u>				
Sales & Revenues	2,000	1,622	1,374	1,020
Income (Loss) before Admin Costs	250	172	138	7
Less Admin Costs	<u>100</u>	<u>125</u>	<u>119</u>	<u>87</u>
Net Income (Loss)	150	47	19	(80)
<u>Smithsonian Press</u>				
Sales & Revenues	100	81	127	148
Income (Loss) before Admin Costs	(76)	(97)	(91)	(136)
Less Admin Costs	<u>12</u>	<u>12</u>	<u>20</u>	<u>23</u>
Net Income (Loss)	(88)	(109)	(111)	(159)
<u>Performing Arts</u>				
Sales & Revenues	440	205	130	142
Income (Loss) before Admin Costs	115	(41)	(34)	(58)
Less Admin Costs	<u>40</u>	<u>24</u>	<u>16</u>	<u>20</u>
Net Income (Loss)	75	(65)	(50)	(78)
<u>Product Development</u>				
Royalties	100	118	-	-
Transfers to Bureaus	30	34	-	-
Income (Loss) before Admin Costs	5	69	-	-
Less Admin Costs	<u>5</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net Income (Loss)	-	69	-	-
<u>Other*</u>				
Sales & Revenues	536	458	386	335
Income (Loss) before Admin Costs	(67)	(21)	(42)	11
Less Admin Costs	<u>40</u>	<u>38</u>	<u>33</u>	<u>28</u>
Net Income (Loss)	(107)	(59)	(75)	(17)
<u>Total Activities</u>				
Sales, Revenues & Gifts Rec'd.	11,956	8,476	6,445	4,706
Income (Loss) before Admin Costs	1,442	580	239	(245)
Less Admin Costs	<u>467</u>	<u>410</u>	<u>380</u>	<u>289</u>
Net Income (Loss)	<u>975</u>	<u>170</u>	<u>(141)</u>	<u>(534)</u>

\*This includes Traveling Exhibits, Belmont, Photo Services, Commons, Center for Short-Lived Phenomena, Television Programs, and Private Publications Program.

January 9, 1974



Exhibit D

\$1,000's

PRIVATE FUNDS  
COMPARATIVE BALANCE SHEET

	CURRENT FUNDS 12/31/73	6/30/73	6/30/72
<u>Assets:</u>			
Cash	\$936.9	\$706.8	\$463.8
Investments	6,522.2	6,223.3	4,186.2
Receivables	3,220.7	2,169.9	1,921.2
Inventories	583.1	602.2	567.2
Equipment	274.9	328.1	408.2
Prepaid expense	289.5	456.7	114.1
Deferred magazine subscription expense	810.9	769.7	749.2
Total Assets	<u>\$12,638.2</u>	<u>\$11,256.7</u>	<u>\$8,409.9</u>
<u>Liabilities &amp; Fund Balances:</u>			
Notes Payable	\$247.8	\$295.8	\$383.7
Other Current Liabilities	1,523.7	1,992.2	1,207.3
Deferred magazine subscription income	3,275.6	2,746.8	1,931.3
Fund Balances:			
Unrestricted Funds	3,206.1	2,324.0	1,781.1
Restricted Funds:			
Unexd'd Endow Inc -Freer	127.9	\$149.3	\$119.8
Unexd'd Endow Inc -Other	642.0	363.6	430.8
Gifts, Grants & Contracts	<u>3,615.1</u>	<u>3,385.0</u>	<u>2,555.9</u>
Total Restricted Funds	<u>\$4,385.0</u>	<u>\$3,897.9</u>	<u>\$3,106.5</u>
Total Liab & Fund Bal	<u>\$12,638.2</u>	<u>\$11,256.7</u>	<u>\$8,409.9</u>

	ENDOWMENT FUNDS		
<u>Assets:</u>			
Cash and Notes Receivable	\$331.0	\$410.9	\$1,394.4
Investments (Book Values)*	42,231.1	41,266.8	32,273.5
Loan to U.S. Treasury	<u>1,000.0</u>	<u>1,000.0</u>	<u>1,000.0</u>
Total Assets	<u>\$43,562.1</u>	<u>\$42,677.7</u>	<u>\$34,667.9</u>
<u>Endowment Fund Balances:</u>			
Freer	16,978.2	17,174.6	15,447.1
Other Restricted	<u>20,872.9</u>	<u>19,907.9</u>	<u>13,873.7</u>
Total Restricted	\$37,851.1	\$37,082.5	\$29,320.8
Unrestricted	<u>5,711.0</u>	<u>5,595.2</u>	<u>5,347.1</u>
Total End. Fund Balances	<u>\$43,562.1</u>	<u>\$42,677.7</u>	<u>\$34,667.9</u>
*Market Values	<u>\$43,090.5</u>	<u>\$43,530.1</u>	<u>\$48,629.7</u>

	REAL ESTATE ACQUISITION FUNDS		
<u>Assets - Real Estate</u>			
(at cost or appraised value)	<u>\$3,482.2</u>	\$3,471.8	\$3,326.9
<u>Fund Balances:</u>			
Mortgage - Notes Payable	\$407.2	\$432.5	\$353.1
Fund Balance	<u>3,075.0</u>	<u>3,039.3</u>	<u>2,973.8</u>
Total Mortgage & Fund Balances	<u>\$3,482.2</u>	<u>\$3,471.8</u>	<u>\$3,326.9</u>

January 17, 1974



## Exhibit E

(\$1,000's)  
Market Values

SMITHSONIAN INSTITUTION  
INVESTMENT FUNDS SUMMARY

By Fund

Jun 30, 1971			Jun 30, 1972		Jun 30, 1973		Dec 31, 1973	
FREER FUND (TRP & TDPL)								
Cash	14	-%	17	-%	1,378	8%	1,217	7%
Bonds	5,710	31	4,125	19	2,267	12	2,219	13
Cv Bds & Pfd	638	3	4,823	22	2,032	11	1,578	9
Common	12,444	66	13,008	59	12,579	69	11,916	71
Total	18,805	100%	21,973	100%	18,256	100%	16,930	100%
Value Index	100.0		116.9		98.4		91.8	
Total Accomp	100.0		120.1		105.6		101.4	
Inc/Yr.	711 - 3.8% Mkt		716 - 3.3% Mkt.		918* - 5.0% Mkt.		926* - 5.5% Mkt.	
CONSOLIDATED FUND (TDPL & DPB)								
Cash	4	-%	481	4%	1,523	12%	1,344	12%
Bonds	3,676	32	3,271	25	1,471	12	1,099	9
Cv Bds & Pfd	525	5	667	5	-	-	-	-
Common	7,203	63	8,828	66	9,372	76	9,208	79
Total	11,408	100%	13,247	100%	12,366	100%	11,651	100%
Value Index	100.00		115.3		107.4		101.1	
Total Accomp	100.00		118.9		114.3		110.5	
Inc/Yr.	574 - 5.0% Mkt		540* - 4.1% Mkt.		575* - 4.6% Mkt		594* - 5.1% Mkt.	
ENDOWMENT FUND No. 3 (DPB, TRP, TDPL)								
Cash	-	-%	696	5%	2,962	22%	2,188	17%
Bonds	796	6	-	-	149	1	147	1
Cv Bds & Pfd	-	-	146	1	157	1	234	2
Common-Other	-	-	753	5	7,341	56	9,344	71
J&J Stock	11,531	94	13,269	89	2,562	20	1,251	9
Total	12,327	100%	14,864	100%	13,171	100%	13,164	100%
Value Index	100.0		126.8		115.2		115.6	
Total Accomp	100.0		127.4		117.4		119.4	
Inc/Yr	395* - 3.2% Mkt		395* - 2.8% Mkt.		485* - 3.7% Mkt		561* - 4.3% Mkt	
SPECIAL ENDOWMENT FUND (DPB)								
Cash	31	2%	202	14%	359	27%	290	22%
Bonds	222	16	37	3	-	-	-	-
Cv Bds & Pfd	309	23	109	8	105	8	55	4
Common	795	59	1,060	75	867	65	1,001	74
Total	1,357	100%	1,408	100%	1,331	100%	1,346	100%
Value Index	100.0		103.8		97.8		98.8	
Total Accomp	100.0		107.3		104.8		107.2	
Inc/Yr	61 - 4.5% Mkt		36 - 2.6% Mkt		60 - 4.5% Mkt		64 - 4.8% Mkt.	
STOCK MARKET AVERAGES - (6/30/71 = 100.0)								
D-J Industrials:								
Value Index	100.0		104.3		100.1		95.48	
Total Accomp	100.0		107.6		106.9		104.24	
S&P's 500 Stocks								
Value Index	100.0		107.4		104.9		97.84	
Total Accomp	100.0		110.6		111.4		106.82	
NOTES:								
* Based on Total Return Concept of Income to be withdrawn.								
** J&J Stock								
# Shares	119,800		108,100		22,500		11,100	
Mkt Val/Sh	96-1/4		122-3/4		113-7/8		112-3/4	
Total Mkt Val	11,531		13,269		2,562		1,252	
Div/Sh/Yr	43¢		44.72¢		50¢		50¢	
Div Inc/Yr	51		48		11		6	



Hillwood

Following the death of Mrs. Post last September, and pending the settlement of her estate, the Smithsonian has been working closely with the executors and with the officers of the Marjorie Merriweather Post Foundation to ensure an orderly transition to Smithsonian management of Hillwood.

In response to a request from the Smithsonian, the Foundation has made a grant of \$100,000 to cover Smithsonian expenses for the period December 1973 - February 1974, during which income from the special ten million dollar Hillwood Trust will not yet be available to us. These funds are required to meet the salaries of employees who were transferred to the Smithsonian private roll in December 1973, and for other necessary expenses which are already the responsibility of the Smithsonian. A budget for full Smithsonian operation of Hillwood is being prepared. If the funds required should exceed income from the Trust, a further request will be made to the Marjorie Merriweather Post Foundation, since the Agreement specifies that the Smithsonian shall be committed to no expenditures for Hillwood that are not either covered in advance or reimbursed by the Trust and Foundation.





Annual Report of the Secretary

The Annual Report of the Secretary for Fiscal Year 1973 had been circulated to the Board of Regents in galley proof form and certain changes and additions incorporated in the report.

The final report titled Smithsonian Year 1973 having been printed and ready for distribution was approved and on motion it was:

VOTED that the Board of Regents accepts the Report of the Secretary for Fiscal Year 1973.





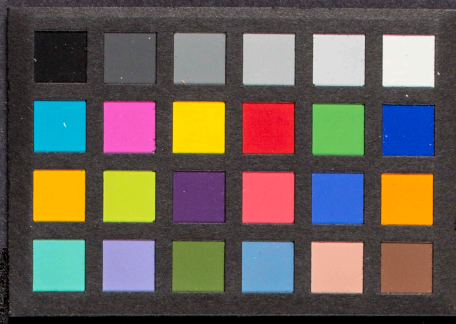
Mayer House in New York City

At the January 25, 1968, meeting of the Board of Regents it was VOTED "that the Board of Regents accepts the offer of Miss Clara Mayer to transfer the property at 41 East 72nd Street, New York City, including such furnishings as she may select, to the Smithsonian Institution in fee simple as soon as practicable. The Institution also accepts her offer to give \$100,000 as an endowment for the maintenance of the property. The conditions of the gift are set forth in a letter dated December 18, 1967, addressed to Miss Mayer by the Secretary." (copy attached)

It is understood that Miss Mayer wants ownership of her house to come to the Smithsonian at the time of her death, or perhaps sooner. The conveyance would be without restriction, but with the hope that the Institution would show the two lower floors of the house, furnished in the period of the 1890's, to the interested public from time to time. The first two floors are remarkably fine period pieces in substantially their original condition, while the basement and top two floors have been modernized. The entire building is in good condition.

Miss Mayer has now stated that she is unable to give \$100,000 to accompany the house and its furnishings, but can give \$50,000. She would execute a legal transfer of ownership soon if the more modest





gift of \$50,000 were acceptable. There is serious question, however, that the smaller monetary gift and the intervening six years of general cost inflation may make it difficult for the Institution to support ownership of the house without financial drain.

Miss Mayer has reviewed her recent annual costs of maintaining the house and estimates a comparable 1974 cost of about \$7,000 before taxes and exclusive of domestic services. Real estate taxes are estimated at \$12,000. Smithsonian tax liability could reasonably be avoided if the use to which the house is put were limited strictly to educational activities of the Smithsonian, as is the case with the Cooper-Hewitt Museum. The house would, however, continue to require certain domestic services at a conservative cost of perhaps \$5,000 per year.

The top two floors of the house are served by an elevator and could provide office space for Smithsonian use. However, the only Smithsonian activity in New York whose needs for office space approximate that which would be available in the Mayer house is the Archives of American Art. The Archives has recently raised from private donors \$30,000 to improve their current New York space, for which they pay about \$10,000 per year in rental charges. Modification of the top two floors of the Mayer house from their current domestic use to a





comparable office configuration would require most, if not all, of the \$50,000 monetary gift. In addition, the heavier requirements for utilities usage and routine maintenance that office space entails would increase the Smithsonian's annual cost accordingly.

In short, it appears that the house could not support itself financially with sufficient leeway for prudent contingency reserves or administrative overhead costs. It was recommended that the Regents regretfully rescind the original motion of January 25, 1968 and it was:

VOTED, That the Board of Regents rescinds, with regret, the original motion of January 25, 1968(attached) having found that it must now decline the gracious offer of Miss Clara Mayer.





EXTRACT FROM MINUTES OF THE BOARD OF REGENTS MEETING  
OF JANUARY 25, 1968, CONCERNING THE GIFT OF MISS CLARA  
MAYER

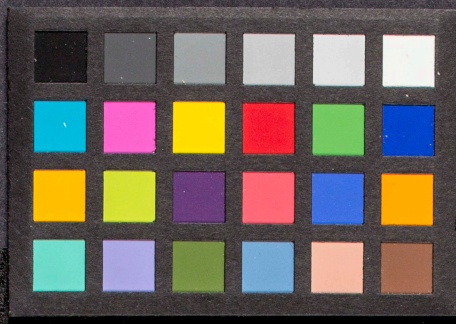
Donation of the Mayer House in New York City

Mr. Ripley stated that about a year ago Miss Clara Mayer, learning of the Smithsonian's plans for the Cooper Union Museum for the Arts of Decoration, wrote to express her desire to donate her brownstone house at 41 East 72nd Street to the Smithsonian, along with an endowment of \$100,000, in order to preserve an example of the style of interior decoration of the last decades of the 19th century. The first two floors are remarkably fine period pieces in substantially their original condition, while the basement (kitchen and large breakfast room) and top two floors (bedrooms and bath) have been modernized. The building is in good condition. It is considered that the period rooms are worth preserving and that the house would be quite useful as a meeting place for Smithsonian activities in New York, such as the Cooper Union Museum. In answer to a question relating to the use of the house, Mr. Ripley explained that definite plans had not yet been formulated but that various council, Trustee, and board meetings of Cooper Union would be held there as well as lectures and symposia related to the decorative arts.

Mr. Ripley stated that the Smithsonian would not be bound to maintain the property indefinitely and would receive an asset of considerable value, both in use or in the event the property were sold.

The conditions set forth in the Secretary's letter of December 18, 1967, to Miss Clara Mayer (attached), were acceptable to the Board of Regents.





On motion by Mr. Greenewalt, seconded by Mr. Brown, and carried, it was

VOTED that the Board of Regents accepts the offer of Miss Clara Mayer to transfer the property at 41 East 72nd Street, New York City, including such furnishings as she may select, to the Smithsonian Institution in fee simple as soon as practicable. The Institution also accepts her offer to give \$100,000 as an endowment for the maintenance of the property. The conditions of the gift are set forth in a letter dated December 18, 1967, addressed to Miss Mayer by the Secretary.





December 18, 1967

Miss Clara Mayer  
41 East 72nd Street  
New York City, New York

Dear Miss Mayer:

I was delighted to hear from Peter Powers and Charles Blitzer of their meeting with you, Mr. Brenner, and Mr. Korn last month. Since I share your deep concern for the preservation of our country's cultural heritage, and since I feel that the Smithsonian Institution bears a special responsibility in this area, I very much hope that it will be possible for us to accept your most generous offer of your house.

Formal action on matters of this importance must be taken by the Board of Regents of the Smithsonian, which meets on January 25, next. With your consent, I should like to propose the following arrangements to the Regents at that meeting:

1. The owner of the property at 41 East 72nd Street, New York City, will transfer it and such furnishings as may be appropriate, to the Smithsonian Institution, in fee simple, as soon as practicable;
2. At the same time, \$100,000 will be given to the Smithsonian as an endowment for the maintenance of the property;
3. Miss Mayer will continue to occupy the house for as long as she wishes under the terms of a \$1.00 lease from the Smithsonian which will provide that she will pay all costs of upkeep, maintenance, repairs, taxes, insurance, etc., during the term of such occupancy;
4. Upon taking possession of the property, the Smithsonian Institution will accept all responsibility for maintaining it and will undertake to preserve the first and second floors in substantially their present style and condition as examples of turn-of-the-century architecture and decoration and will use them for museum purposes;
5. If for any reason during a period of 30 years from transfer of title the Smithsonian Institution determines that it is not feasible to fulfill the condition described in 4 above, the





present owner or her designee shall have the right to purchase the property from the Smithsonian at an agreed value to be established by an appraisal to be made at the time of the gift. If this should occur, the endowment fund will remain the property of the Smithsonian Institution to be used for purposes consistent with the spirit of the original gift.

I should say that, in recommending that the Regents accept this munificent gift, it is my hope that the Smithsonian will always be able to preserve the Mayer house as an invaluable example of the standards of design and craftsmanship which existed in the recent past and as a suitable monument to the generosity and good taste of your family.

I believe the arrangements set forth above are those under which the Smithsonian could assume responsibility for your house and that they would be acceptable to the Board of Regents. Upon receipt of your confirmation and approval, I will enthusiastically recommend that the Regents authorize the transfer under these conditions.

Best wishes,

Sincerely yours,

/s/

S. Dillon Ripley  
Secretary





Review of Current Holdings of the Smithsonian Institution

The question of the policy relating to the acceptance of gifts and bequests was raised by Mr. Watson. He likened his concern to that of Mr. Greenewalt in wondering about the number and variety of things that either logically or illogically are offered to the Institution. Mr. Webb stated that the Institution has experienced a period of considerable expansion and referred to the proposals from many areas in the country seeking some affiliation with the Smithsonian which if accepted would cause greater expansion. Mr. Ripley reported that numerous proposals may never reach the Board of Regents for decision because staff review often discourages any further consideration of such requests.

It was the consensus of the meeting that an inventory of current holdings be undertaken in order to review the Institution's installations and what purposes they are serving.

It was further suggested that a special meeting of the Board of Regents might be convened the day before the regular meeting of the Board to review this inventory in depth.





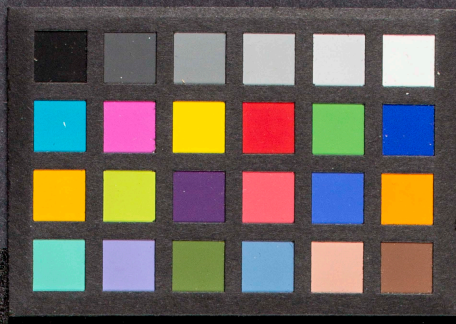
### ACEE BLUE EAGLE COLLECTION

The Acee Blue Eagle Collection consists of forty of his major paintings, framed and signed, thirty-three paintings and sketches by other Indian artists, including Quincy Tahoma, considered the Michelangelo of Indian artists, and Allan Houser and Woody Crumbo, two other very important artists. All of Mr. Eagle's personal effects including costumes, his works of art in other media such as leather work, pottery, wood carving; artifacts that he collected and correspondence, scrapbooks, and photo albums have made this an extensive as well as important acquisition. The paintings alone are estimated to be worth \$100,000.

The donor, Mrs. Mae Abbott of Tulsa, Oklahoma, also has forty other signed paintings in her custody.

The attached agreement provides (among other things) for the transfer of this material to the Smithsonian Institution in order to foster interest in and understanding of American Indian art and culture. The agreement also specifies that within three years of the date of gift an exhibit area within the National Anthropological Archives of the Smithsonian be devoted to the memory and work of Acee Blue Eagle to be known as the Acee Blue Eagle Room. This room is located in the National Anthropological Archives, in an area not open to the general public, however, any interested citizen may have access to the room on request to the archivist.

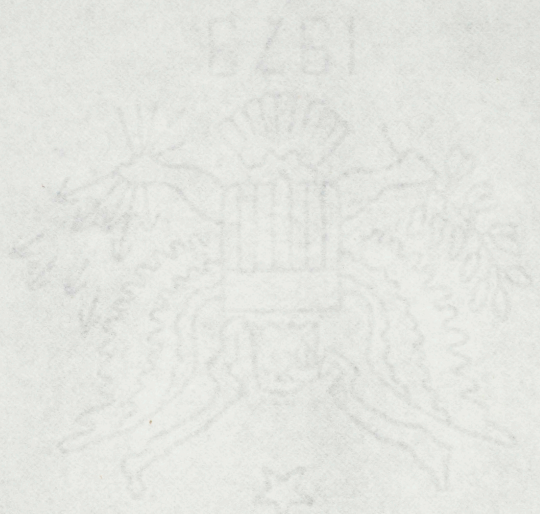




It was recommended therefore that the Board of Regents approve the designation of the exhibit area in the Natural History Building in the name of Acee Blue Eagle. The following motion was:

VOTED, That the Board of Regents approves the designation of the exhibit area in the Natural History Building as the Acee Blue Eagle Exhibit Area.





AGREEMENT OF TRANSFER

MATERIALS OF ACEE BLUE EAGLE





This Agreement of Transfer by and between Mae Abbott, a resident of Tulsa, Oklahoma, (hereinafter referred to as "Donor"), and the Smithsonian Institution, an establishment created by Act of Congress, dated August 10, 1846, for the increase and diffusion of knowledge among men, witnesseth that:

1. The Donor is the owner of artwork, papers, and other historical materials of Acee Blue Eagle, which is described in Appendix "A" of this instrument, (hereinafter referred to as "Materials"). Title to individual items of this Material shall pass to the Smithsonian upon the delivery of each such item to the Smithsonian at Tulsa, Oklahoma by the Donor. Any item of such Material not so transferred to the Smithsonian shall remain the property of the Donor.

2. The Smithsonian agrees to accept the donations of such Material in order to perpetuate the memory of, and to familiarize, artists, scholars, and the public with the work of Acee Blue Eagle, and in order to foster interest in, and understanding of, American Indian art and culture. To accomplish these purposes, the Smithsonian will maintain the Materials as the Acee Blue Eagle Collection (hereinafter referred to as "Collection"), and from time-to-time shall select items from the Collection for exhibit in appropriate areas of the Smithsonian or elsewhere.





It is understood that Smithsonian will, within three (3) years of the date of this gift, establish and maintain an exhibit area within the National Anthropological Archives of Smithsonian to be devoted to the memory and work of Acee Blue Eagle and to be known as the Acee Blue Eagle Room. It is further understood that such room will not accommodate all of the Collection, but it is agreed that such part of the Collection as may be will be kept on display at all times.

3. It is understood and agreed by the Donor and the Smithsonian that profits from reproductions of any artwork in the Collection that may be commercially marketed shall be placed in a fund to be known as the Acee Blue Eagle Fund. This fund shall be used to promote and facilitate research and study of American Indian art and culture, particularly by persons of American Indian descent, and to insure that the Collection is properly maintained, augmented, exhibited, and promoted by the Smithsonian. During the lifetime of the Donor, the Smithsonian shall not commercially reproduce any artwork from the Collection without first obtaining the approval of the Donor. For the purposes of this section, artwork shall not include textual, cartographic and photographic items, and other items in the Collection that are not artistic in nature.

4. It is the Donor's wish that the Collection be made available for exhibit and research as soon as possible, and to the fullest extent





possible. At the same time, it is her wish to guard against the possibility that any contents of the Collection might be used to embarrass, damage, injure, or harass living persons. Accordingly, the Smithsonian agrees to use its best efforts to review and place under seal, for whatever periods it deems necessary, any portions of the Collection which might be used to embarrass, damage, injure, or harass any living person, but the Smithsonian assumes no responsibility for the effectiveness of such review.

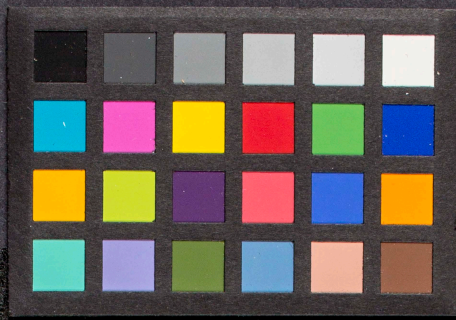
5. It is understood and agreed that the Donor shall be permitted freely to examine any of the Collection during the regular working hours of the unit of the Smithsonian having custody of the Collection.

6. It is understood and agreed that the Director of the National Anthropological Archives of the Smithsonian, or whatever individual the Secretary of the Smithsonian shall appoint to assume his duties, shall have the general care and control of the Collection.

7. The Smithsonian Institution agrees to accept the gifts and transfers set forth herein, subject to these specified terms and provisions.

8. In the event Smithsonian should fail to establish the Acee Blue Eagle Room, as herein agreed, or having established said room





should thereafter fail to maintain said room, or shall fail to exhibit the Collection as required by the terms hereof, all of the Materials in the Collection shall revert to and thereafter be and remain the property of Donor, her heirs, successors or assigns. In such event, the Smithsonian shall, within thirty (30) days after notice in writing, redeliver the Collection to Donor, her heirs, successors or assigns, at Tulsa, Oklahoma, or other place not further distant from Smithsonian as may be specified, in as good condition as when delivered, deterioration due to the passage of time alone excepted.

IN WITNESS WHEREFORE, I, Mae Abbott, hereunto set my hand and seal this 23rd day of August, 1973, and the Smithsonian Institution causes this Agreement to be executed by its agent David Challinor Assistant Secretary for Science, and the seal of the Institution Smithsonian Institution to be affixed hereto, this 12 day of September, 1973.

Mae Abbott  
Mae Abbott

Patricia Roberts  
Witness

SMITHSONIAN INSTITUTION

By David Challinor

Cross B. Simons  
Witness





## APPENDIX A

(Attached to and forming part of instrument of gift of artwork, papers, and other historical materials of Acee Blue Eagle, executed by Mae Abbott, Donor, on Aug. 23, 1973 and accepted by the Director of the National Anthropological Archives on .)

~~General~~ Description of Acee Blue Eagle artwork, papers, and other historical material: ~~the papers and other historical material~~

1. 40 paintings signed by Acee Blue Eagle
2. 1 set of glassware designed by Acee Blue Eagle
3. 1 box, 19" x 25" x 25", purses with Acee Blue Eagle paintings and other artifacts
4. 4 portfolios containing artwork by Acee Blue Eagle and other artists
5. 1 box, 18" x 19" x 31", containing wood carvings and Indian clothing
6. 1 box, 18" x 19" x 31", containing purses, a copper plaque, and hat, boots, purses, and other articles of clothing
7. 1 five-drawer dress containing small drawings, patterns, photographs, motion picture canisters, cuts for making print plates
8. 1 box, 12" x 10" x 15", containing correspondence of Acee Blue Eagle
9. 1 box, 11" x 14" x 6", containing newspapers and magazine clippings
10. Books, artifacts, carvings to fill one wall of shelves, 10" x 6' x 9'
11. Patterns, books, blankets, newspaper clippings, and other material that fill approximately one-half of a garage 13' x 10' x 8'.
12. 1 scrapbook of Christmas cards
13. 6 scrapbooks containing photographs, newspaper clippings, memorabilia for the period 1930-59.
14. Replicas of murals in the Colgate, Oklahoma, Post Office and the Seminole, Oklahoma, Post Office
15. Two villas of Acee Blue Eagle





#### Naming of Zoo Lion House

Mr. Ripley reported that it has been suggested that the Lion House soon to be constructed at the Zoo in accordance with the Master Plan be named in honor of Dr. William M. Mann, who is considered to have been the most beloved zoo director of his time. Dr. Mann, the 5th director of the Zoo from 1925 to 1956 devoted his career to the National Zoological Park.

Mr. Ripley stated that the policy of naming Smithsonian facilities was considered on an ad hoc basis and on the merits of each individual case.

In this instance the building will be of subterranean construction and a plaque will designate the building in memory of William M. Mann.

#### Leonard Carmichael Auditorium Dedication

Mr. Webb called attention to the eloquence of the speakers and the excellent program presented on the dedication of the Leonard Carmichael Auditorium in the National Museum of History and Technology on January 21, 1974.

The speakers were Mr. Ripley, Reverend John C. Harper of St. John's Church, Melvin M. Payne of the National Geographic Society, and the Chancellor, Chief Justice of the United States. A musical program was presented on instruments from the national collections by James M. Weaver and Robert F. Sheldon.





National Armed Forces Museum Advisory Board

The legislation which established the National Armed Forces Museum Advisory Board (P.L. 87-186) provides that nine members of the Board shall be appointed by the President, "two of whom shall be appointed from among persons recommended by the Regents of the Smithsonian Institution." These two members are John Nicholas Brown and Earl Warren, both of whose six year terms will expire in April 1974. Both Mr. Brown, who serves as Chairman of the Board, and Chief Justice Warren have served the Board with great devotion and distinction.

It is recommended that the Secretary transmit to the President, on behalf of the Board of Regents, the nominations of John Nicholas Brown and Earl Warren for reappointment to the National Armed Forces Museum Advisory Board. A motion was proposed and it was,

VOTED that the Secretary transmit to the President, on behalf of the Board of Regents, the nominations of John Nicholas Brown and Earl Warren for reappointment to the National Armed Forces Museum Advisory Board.





## Report of the National Portrait Gallery Commission

40

It was explained that in accordance with Title 20, U.S. Code, the Board of Regents is required to approve the actions taken by the National Portrait Gallery Commission.

The Commission in addition to reviewing the business of the National Portrait Gallery very carefully considers the art presented to its for its collections. The Director reported on the National Portrait Gallery Commission meeting of May 1, 1973.

1. The presentation of the bust of Sam Rayburn by Jimilu Mason, donated to the Gallery by Mr. and Mrs. J. R. Parten of Houston, Texas, took place on April 18. Mrs. Lyndon B. Johnson spoke at the event which was attended by approximately 300 people, including the Chief Justice, the Speaker of the House, and numerous members of the House of Representatives and the Senate.

Concerning the bust of President Johnson, for which there never has been a formal ceremony of presentation at the Gallery, Mrs. Johnson indicated that she and her daughters would like to be present at such an occasion [and has since indicated that April 1974 would be best for her].

2. On a visit to London last October, the Director met with the Chairman of the British Bicentennial Liaison Committee, Lord Lothian, to tell him of our interest in the possibility of the gift in 1976 by the British Nation to the American NPG of the Lansdowne portrait. Lord Lothian evinced genuine interest in the matter. [Before such a presentation could transpire, Parliament either would have to purchase the portrait from its present owner, Lord Primrose, or pass a special Act which would permit him to donate the portrait without prejudice to his tax situation. Information we recently have received in an informal way from London indicates that the gift of the portrait is under serious consideration.]
3. The NPG's application to the National Endowment for the Humanities for a grant to subsidize two one-year internships at \$7,500 each at the Gallery was successful. The purpose of these internships is to train graduate students in American history with a Masters degree or its equivalent for employment in history museums (in a manner similar to the Ford Foundation's program to train candidates for careers in art museums). [The Gallery received 75 completed applications; six candidates were selected for personal interviews; and Richard Beard a graduate student at Emory University, and Kenneth Yellis of the University of Rochester, were chosen for the internships.]





4. The NPG's application to the Smithsonian Research Foundation for funds to begin work on the Charles Willson Peale papers was turned down. [The Gallery has since made application to the National Endowment for Humanities, and all indications are that this request will prove successful and that we will at long last be able to launch this project.]
5. An exhibition entitled The Black Presence in the Era of the American Revolution, 1770-1800 has been scheduled for July 4 - Sept. 3, 1973 [now extended through December 30, 1973]. The exhibition will be accompanied by a full scale catalog published by the New York Graphic Society in association with the Smithsonian Press. A softbound edition of 3,000 copies of this publication will be produced for the Gallery's use and an additional 11,000 hardbound copies for national distribution by the New York Graphic Society. The NPG will receive a royalty of 10% of all hardbound copies sold.
6. An exhibition commemorating the 150th anniversary of the Monroe Doctrine will open at the Gallery on December 2, 1973 and will run through May 23, 1974. It will be accompanied by a catalog published by the Smithsonian Press written by Mr. Gerald Levin of the staff of the Catalog of American Portraits.
7. An exhibition of Wedgwood portrait medallions of noted 18th century Americans is being tentatively scheduled for the fall of 1974. [This exhibition is still under consideration.] The Wedgwood people have suggested the possibility of striking from the original molds a special edition for the NPG of their medallions of George Washington, Benjamin Franklin, John Paul Jones, the Marquis de Lafayette, etc.
8. An exhibition of Northwest Coast American Indian portrait masks has been scheduled for February - August 1975. Although this venture sounds rather far afield for the NPG, Mrs. Susan Olsen, an expert in the field who suggested the idea, did so in such a brilliant and inspiring fashion that the Director is convinced these little-known portrait masks, many of which are of important explorers and traders, can provide our public with a unique insight into the whole question of portraiture.





9. The NPG's first Bicentennial exhibition is scheduled for the period June 15- November 18, 1974. It is entitled In the Minds and Hearts of the People: Prologue to Revolution, 1760-1774, and will be accompanied by a book, written by the Historian and various members of her staff, to be published by the New York Graphic Society. As in the case of Black Presence, a softbound edition will be available for Gallery use and a hard-bound edition for national distribution by the New York Graphic Society.

A second Bicentennial exhibition dealing with the period 1774-1776 is planned for 1975. [This exhibition tentatively entitled The Die is Now Cast, will begin with the First Continental Congress in September 1774, cover such events as the Battles of Concord and Lexington and Bunker Hill, and conclude with deliberations of the Second Continental Congress leading up to the adoption of The Declaration of Independence. It is scheduled to open on the 200th anniversary of the Battle of Concord and Lexington, April 19, 1975.]

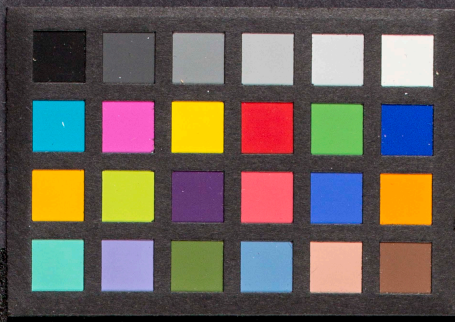
A third Bicentennial exhibition to be held in 1976 probably covering some aspect of American life during the preceding two centuries is under consideration.

Attached is a list of accessions by gift and purchase, all approved by the Commission

A motion was presented and it was,

VOTED, That the Board of Regents approves the actions recommended by the National Portrait Gallery Commission at its meeting on May 1, 1973.





NATIONAL PORTRAIT GALLERY COMMISSION  
Meeting of April 30-May 1, 1973

GIFTS

Maxwell Bodenheim, oil on panel, by De Grange, gift of Mrs. Thomas McClary  
Aaron Copland, oil on canvas, by Marcos Blahove, gift of Mrs. Felice Copland Marlin  
Arshile Gorky, watercolor on paper, by Raphael Soyer, gift of the artist  
Hubert Humphrey, oil on canvas, by Robert Templeton, gift of Senator Humphrey's family and friends  
James M. Robinson, bronze, by Elizabeth Bradford Holbrook, accepted as future bequest of Mr. and Mrs. J. A. McCuaig  
Leonard Wood, silver point on paper, by Ernest Haskell, gift of Ernest Haskell, Jr.

The following oil portraits by Joseph Cummings Chase were accepted for the Study Collection as gifts of Mendel Peterson:

Newton D. Baker  
George Earle Chamberlain  
George Edward Creel  
Josephus Daniels  
Harry A. Garfield, Jr.  
Cary Travers Grayson  
Frederick Paul Keppel  
Vance McCormick  
Henry Morgenthau  
Joseph Swager Sherley  
Edward R. Stettinius

PURCHASES

Robert Flaherty, bronze, by Jo Davidson  
George Gershwin, oil on canvas, by Arthur Kaufmann  
John Paul Jones, watercolor on ivory, by Comtesse Constance de Lowendal de Turpin de Crissé  
Kings of Wall Street, chromolithograph, by Buek and Lindner  
Henry Knox, oil on canvas, by Charles Peale Polk after Charles Willson Peale  
Ezra Meeker, oil on canvas, by Kathleen Houlahan  
Marianne Moore, bronze, by Gaston Lachaise  
Charles Sheeler, pastel on paper, self-portrait

ACCESSIONED AFTER MEETING

Joel Barlow by Jean-Antoine Houdon, plaster, transfer from National Collection of Fine Arts  
Robert Morris, oil on canvas, by Robert Edge Pine, purchase, approved by Acquisitions Committee (mail vote)  
Winfield Scott, plaster, by William Rush, purchase, approved by Acquisitions Committee (mail vote)  
Booker T. Washington, bronze, by Richmond Barthé, cast made from original plaster, photograph of which was approved by Commission





### National Collection of Fine Arts Commission Meeting

The winter meeting of the National Collection of Fine Arts Commission was held in the David E. Finley Conference Room on December 4, 1973, with 17 members attending, chaired by Thomas Howe.

\* Minutes of the Commission meeting held December 5, 1972 were approved unanimously.

The following present members whose terms expire in 1973 were recommended for reappointment to the Commission:

Henry P. McIlhenny

Ogden M. Pleissner

In addition it was recommended that the following who had agreed to serve be formally appointed as members of the Commission:

Mrs. Elizabeth Brooke Blake

Mr. David Lloyd Kreeger

Mr. Harold Rosenberg

The following were elected to office on the Commission:

H. Page Cross, Chairman

George B. Tatum, Vice Chairman

S. Dillon Ripley, Secretary

Thomas C. Howe, Chairman, Membership Committee.

Reports were given by the Under Secretary of the Smithsonian and by the Director of the National Collection of Fine Arts. The Director pointed out that all galleries available to the museum had now been opened. The storage areas have been reorganized to make all of the 15,000 works in the collection available for study. He called attention to the extensive publication program carried out through the year. He also discussed the educational program, the intern programs, and the work of the visiting research scholars. The Director called attention to the exhibitions produced by the NCFA in Washington and for circulation abroad during the year. A report on the 5-years activity of the National Collection of Fine Arts in the former Patent Office building was distributed to members.





A resolution was passed marking with sorrow the death of Dr. Leonard Carmichael.

Three major works from the collection of Lee Anderson were presented by the Director for acquisition but were not recommended by the Commission. The acquisitions of other works (see attached list) were approved.

Miss Abigail Booth, Coordinator of the Bicentennial Inventory of American Paintings, a major bicentennial project of the NCFA, gave a report on the present state of that extensive project.

The Commission discussed the possibility of changing the name of the NCFA but decided to postpone further discussion of such a change for another year.

The Commissioners spent considerable time viewing the newly installed and newly opened galleries.

The meeting was adjourned at 3:30 p.m.

After due consideration of the report of the National Collection of Fine Arts Commission it was,

VOTED, That the Board of Regents approves the actions recommended by the National Collection of Fine Arts Commission at its meeting on December 4, 1973.



## WORKS TO BE PRESENTED AT THE NATIONAL COLLECTION OF FINE ARTS COMMISSION MEETING

December 4, 1973

PAINTINGS - GIFTS

<u>ARTIST</u>	<u>TITLE</u>	<u>MEDIUM</u>	<u>SOURCE</u>
GUY ANDERSON	1. <u>Northern Birth</u>	oil on canvas	Gift of Jean Russell
EMIL ARMIN	2. <u>My Neighbors</u>	oil on canvas	Gift of Mrs. Hilda D. Armin
	3. <u>Wild West</u>	oil on canvas	" " " " " "
ARNOLD BLANCH	4. <u>Fields and Hills</u> 1962	oil on canvas	Gift of Doris Lee
LOUIS BUNCE	5. <u>Untitled</u> 1959	collage on masonite	Gift of Mr. and Mrs. Jacob Kainen
G. P. A. HEALY	6. <u>Mrs. John Barton Payne</u> 1856	oil on canvas	Gift of Mr. and Mrs. William Boswell in memory of H. Curlie Boswell
BILLY MORROW JACKSON	7. <u>3:30 P. M.</u> 1970 - 71	oil on masonite	Gift of Billy Morrow Jackson
YASUO KUNIYOSHI	8. <u>Head of a Young Girl</u> 1937	oil	Gift of Dr. and Mrs. Barnett Malbin
ROBERT LEE MACCAMERON	9. <u>Two Negro Musicians</u>	oil on canvas	Gift of Robert F. MacCameron and his sister Marguerite MacCameron
ROBERT MOTHERWELL	10. <u>Untitled</u> ca. 1961	casein on gesso on plaster	Gift of Mr. and Mrs. Philip M. Stern
DAVID NOVROS	11. <u>Untitled</u>	metallic paint on canvas	Gift of Walter Hopps

On Exhibit

In Conservation



PAINTINGS - GIFTS, continued

JOHN F. PETO	12. <u>Card Rack</u> 1882	oil on canvas	Gift of Nathaly Baum in memory of Harry Baum
JACKSON POLLACK	13. <u>Going West</u>	oil on pressed board	Gift of Thomas Hart Benton
CHARLES S. RALEIGH	14. <u>The Yacht America</u> 1877	oil on canvas	Gift of Mrs. Eugene O'Dunne
FRITZ SCHOLDER	15. <u>Indian Image</u>	oil on canvas	Gift of Fritz Scholder
UNIDENTIFIED ARTIST	16. <u>Boy in a Landscape</u> ca. 1820	oil on canvas	Gift of Mr. and Mrs. William Boswell in memory of H. Curlie Boswell
	17. <u>Boy with a Fishing Pole</u> ca. 1820	oil on canvas	" " " " " " " "
J. ALDEN WEIR	18. <u>Hunter and Dogs</u>	oil on canvas	Gift of Mrs. Charles Burlingham
JOHN F. WEIR	19. <u>Kalorama Cottage</u> ca. 1860	oil on canvas	Gift of Rev. DeWolf Perry
CATHERINE WILEY	20. <u>Untitled</u>	oil on canvas	Gift of the family of Catherine Wiley

PAINTINGS - BEQUESTS

JOHN F. KENSETT	21. <u>Forest Interior with Stream</u> 1860's	oil on canvas	Bequest of Mrs. Frances J. McCoy
-----------------	--	---------------	-------------------------------------



PAINTINGS - PURCHASES

WILLIAM BEARD	22.	<u>The Lost Balloon</u> 1880	oil on canvas	Purchase from Mr. Lee Anderson
CHARLES CODMAN	23.	<u>Landscape with Farm and Mountains</u> 1832	oil on wood	Purchase from Robbins Antiques
THOMAS COLE	24.	<u>Kaaterskill Falls</u> 1827	oil on canvas	Purchase from Mr. Lee Anderson
JOHN FRANKENSTEIN	25.	<u>Portrait of Godfrey Frankenstein</u> ca. 1845	oil on canvas	Purchase from Victor D. Spark
SAM GILLIAM	26.	<u>April 4th</u> 1969	acrylic on canvas	Purchase from Jefferson Place Gallery
HENRY PETERS GRAY	27.	<u>Undine</u> ca. 1865	oil on canvas	Purchase from Mr. Michael J. Jacobs
REMBRANDT PEALE	28.	<u>Niagara Falls</u> ca. 1832	oil on canvas	Purchase from Mr. Lee Anderson



PRINTS AND DRAWINGS - GIFTS

ALAN H. CRANE

Cadet Chapel, West Point

lithograph

Gift of Carlota S. Crane

1937

Tlaxcala Church

lithograph

" " " " "

1942

Cape Ann Mood

lithograph

" " " " "

1944

Burro Train

lithograph

" " " " "

1945

Village in the Sun

lithograph

" " " " "

1946

Haunted Garden

lithograph

" " " " "

1947

Harbor Fog

lithograph

" " " " "

1949

Spires and Clouds

lithograph

" " " " "

1949

Sunday Noon

lithograph

" " " " "

1949

Coming Storm

lithograph

" " " " "

1950

Shadows at Noon

lithograph

" " " " "

1952

Farm by the Sea

lithograph

" " " " "

1953

Winter Memory

lithograph

" " " " "

1954

Race Day

lithograph

" " " " "

1954

Spring Cleaning

lithograph

" " " " "

1961

LILLIAN DESOW-FISHBEIN

The New Image (Portfolio)

lithographs

Gift of Dr. and Mrs.  
Irving Pudalov

1973

ELEANOR DICKINSON

Let the lower lights be burning...

ink drwg.

Gift of George and  
Elinor Poindexter

1968

JUAN DOWNEY

Awareness of Love (Portfolio)

etchings

Gift of Kurt Wiener



PRINTS AND DRAWINGS - GIFTS, continued

JACOB KAINEN	<u>Rampant</u> 1973	lithograph	Gift of Mrs. B. S. Cole
	<u>Invader</u> 1973	lithograph	" " " " " "
	<u>Anacharsis</u> 1973	lithograph	" " " " " "
	<u>Tblisi Rose (Russian Suite)</u> 1973	lithograph	" " " " " "
	<u>Dusk - Leningrad (Russian Suite)</u> 1973	lithograph	" " " " " "
	<u>Vladimir (Russian Suite)</u> 1973	lithograph	" " " " " "
	<u>Scythian (Russian Suite)</u> 1973	lithograph	" " " " " "
YASUO KUNIYOSHI	<u>Peter the Great (Russian Suite)</u> 1973	lithograph	" " " " " "
	<u>Pushkin (Russian Suite)</u> 1973	lithograph	" " " " " "
	<u>The Fabulous Manipulator</u> 1973	lithograph	" " " " " "
	<u>Acrobat</u>	lithograph	Gift of Dr. and Mrs. Barnett Malbin
JACKSON POLLACK	<u>Still Life at the Window</u> 1928	lithograph	" " " " " "
	<u>Peddler</u>	pen and ink with watercolor	Gift of Thomas Hart Benton



PRINTS AND DRAWINGS - GIFTS, continued

PAUL REVERE	<u>William Wetmore Bookplate</u>	engraving	Gift of John L. Folts
BERNARD SOLOMON	<u>Pontius Pilate</u> ca. 1972	wood engraving	Gift of Bernard Solomon
IDAHLIA STANLEY	<u>Twilight; Mt. Sinai</u>	ink and felt-tip pen drwg.	Gift of Mary S. Dessauer
LLOYD MCNEILL	<u>Prints from Private Collections</u> 1969	serigraph	Gift of the Washington Print Club
MARK TOBEY	<u>Untitled</u> 1966	monotype	Gift of Mrs. Adelyn D. Breeskin
VARIOUS ARTISTS	(various titles)	lithographs	Gift of Tamarind Lithography Workshop, Inc.
ABRAHAM WALKOWITZ	<u>Isadora Duncan</u>	drawing	Gift of Abraham Walkowitz in memory of Gertrude Vanderbilt Whitney
	<u>Cityscape</u>	drawing	" " " " " " " "
	<u>Still Life</u>	drawing	" " " " " " " "
	<u>Head (Red Turban)</u>	drawing	" " " " " " " "
	<u>Head (Pink Turban)</u>	drawing	" " " " " " " "
	<u>Head (Purple Turban)</u>	drawing	" " " " " " " "
	<u>Isadora Duncan (Red Dress)</u>	drawing	" " " " " " " "
	<u>Agna Enters ?</u>	drawing	" " " " " " " "
	<u>Isadora Duncan</u>	drawing	" " " " " " " "
	<u>Untitled</u>	monotype	" " " " " " " "
FEROL SIBLEY WARTHEN	<u>Lighthouse</u> 1972	woodcut	Gift of Society of Washington Printmakers



PRINTS AND DRAWINGS - GIFTS, continued

HERMAN A. WEBSTER	(various titles)	210 etchings, drypoints, lithographs, drawings, and watercolors	Gift of Moune G. H. Webster
JOHN W. WINKLER	<u>The Basket Weaver - Large</u>	etching	Gift of Dr. A. Jess Shenson
	<u>Teel Wagon - Wares fm. China</u>	etching	Gift of Dr. Ben Shenson

PRINTS AND DRAWINGS - PURCHASES

RICHARD ANUSZKIEWICZ	<u>Silent Red</u> 1972	serigraph	Purchase from Jane Haslem Gallery
MILTON AVERY	<u>Flight</u> 1955	woodcut	Purchase from Zabriskie Gallery
WENDELL BROOKS	<u>Reflections</u> 1972	woodcut	Purchase from Smith-Mason Gallery of Art
FEDERICO CASTELLON	<u>Memories</u> ca. 1940	lithograph	Purchase from Jem Hom Fine Arts
KONRAD CRAMER	<u>Untitled (Woman in Chair with Arm Raised)</u> ca. early 1920's	monotype	Purchase from Zabriskie Gallery
RALSTON CRAWFORD	<u>Composition</u>	drawing	Purchase from Zabriskie Gallery
ARTHUR B. DAVIES	<u>Growth of Spring</u>	lithograph	Purchase from E. Weyhe, Inc.
	<u>Duck Pond</u> ca. 1893 - 1895	lithograph	Purchase from Jem Hom Fine Arts
GENE DAVIS	<u>Untitled</u>	drawing	Purchase from Max Protetch Gallery
GUY PENE DU BOIS	<u>Conversation</u> 1919	drypoint	Purchase from Dain Gallery



PRINTS AND DRAWINGS - PURCHASES, continued

ERNEST FIENE	<u>Central Park</u>	drypoint	Purchase from June 1 Gallery of Fine Art
ANNE GOLDTHWAITE	<u>Avenue of the Allies</u> 1918	etching	Purchase from E. Weyhe, Inc.
MARSDEN HARTLEY	<u>Apples on a Table</u> 1923	lithograph	Purchase from Bertha Schaefer Gallery
LOUIS LOZOWICK	<u>Blast Furnace</u> 1935	drawing	Purchase from E. Weyhe, Inc.
	<u>Doorway Into Street</u> 1929	lithograph	Purchase from Dain Gallery
BORIS MARGO	<u>A Moon</u> 1965	cellocut	Purchase from Jane Haslem Gallery
JAN MATULKA	<u>Untitled</u>	lithograph	Purchase from E. Weyhe, Inc.
	<u>Cityscape</u>	aquatint	Purchase from Robert Schoelkopf Gallery
DEAN MEEKER	<u>Trojan Horse</u> 1954	serigraph	Purchase from Jane Haslem Gallery
AARON D. SHATTUCK	<u>Tree Study, Bethel, Maine</u> 1859	pencil drwg.	Purchase from Mr. and Mrs. Eugene D. Emigh
LILLY MARTIN SPENCER	<u>Benjamin Rush Spencer</u> 1848 - 1852	pencil drwg.	Purchase from Hirschl and Adler Galleries
ANSEI UCHIMA	<u>Water Mirror</u> 1964	woodcut	Purchase from E. Weyhe, Inc.
<u>PRINTS AND DRAWINGS - PARTIAL GIFT, PARTIAL PURCHASE</u>			
REGINALD MARSH	<u>Locomotive CCNJ</u> 1928	etching	Partial gift, partial purchase from John L. Folts



PRINTS AND DRAWINGS - TRANSFERS

CURRIER AND IVES, THE MORANS	(various titles)	81 lithographs and etchings	Transfer from Museum of History and Technology Division of Graphic Arts
HENRY WOLF	(various titles)	191 wood engravings 111 reproductive wood engravings	Transfer from Archives of American Art

PHOTOGRAPHS - GIFTS

WILLIAM EGGLESTON	<u>Untitled (The Red Room)</u>	photograph - print made from 35mm transparency	Gift of Mr. Julian Hohenberg
-------------------	--------------------------------	--	------------------------------

WATERCOLORS - GIFTS

ELIZABETH BOOTT DUVECK	<u>Richmond</u> 1884	watercolor	Gift of Mr. and Mrs. Frank Duveneck
	<u>Sharon Springs</u> 1883	watercolor	Gift of Drs. Ben and A. Jess Shenson
EDWARD GLANNON	<u>Illinois Landscape</u> 1971	watercolor	Gift of Edward Glannon
	<u>Flying Over the Rockies</u> 1971	watercolor	" " " "
WILLIAM HENRY HOLMES	<u>In Colorado</u>	watercolor	Gift of Mr. and Mrs. Neil M. Judd
	<u>Enchanted Mesa, New Mexico</u>	watercolor	" " " " " " " "
	<u>In Mexico</u>	watercolor	" " " " " " " "
	<u>Untitled (Beach Scene)</u>	watercolor	" " " " " " " "

WATERCOLORS - PURCHASE

DELANCEY GILL	Washington, D. C.	watercolor	Purchase from Remaily Gallery
---------------	-------------------	------------	-------------------------------



SCULPTURE - GIFTS

JOSE BERMUDEZ	<u>A La Maniere Greque VII</u> 1962	steel	Gift of Pyramid Galleries
PETER CHINNI	<u>Interlocking Form</u>	bronze	Gift of Joshua Gollin
WALTER CLARK	<u>Traveling</u>	terra cotta	Gift of Mr. Eliot Clark
	<u>Decay</u>	terra cotta	" " " " "
	<u>Indian and Buffalo</u>	terra cotta	" " " " "
MARGARET F. FOLEY	<u>Cleopatra</u>	marble	Gift of Paul William Garber and Philip C. Garber in honor of Sarah R. Garber
ROCKNE KREBS	<u>Stern Line</u>	laser light	Gift of Mr. and Ms. Philip M. Stern
HIRAM POWERS	<u>Diana</u> 1853	marble	Gift of William Gerdts

SCULPTURE - PURCHASES

THOMAS BALL	<u>La Petite Pensée</u> ca. 1880	marble	Purchase from Adams Davidson Galleries, Inc.
JOHN B. FLANNAGAN	<u>Donkey</u>	stone	Purchase from Larcada Gallery

SCULPTURE - TRANSFERS

DANIEL CHESTER FRENCH	<u>Winged Victory (model for)</u>	bronze	Gift of Cass Gilbert , Jr. Transfer from SI Furnish- ings
PAUL MANSHIP	<u>Samuel Osgood of Massachusetts</u>	marble	Transfer from General Services Administration
RANDOLPH ROGERS	<u>Nydia</u>	marble	Transfer from Museum of History and Technology, Division of Cultural History



DECORATIVE ARTS - GIFTS

MARIE MARTINEZ AND SANTANA

Bowl  
1968

baked clay

Gift in honor of Marie  
Martinez, the Potter of  
San Idlefonso and the  
late Felix S. Cohen.  
Presented by his family  
- Lucy Kramer Cohen,  
Gene Cohen Tweraser and  
Karen Cohen Holmes

UNIDENTIFIED ARTIST

Screen (oriental)

wood

Gift of Mr. and Mrs. G.  
Howland Chase

UNIDENTIFIED ARTIST

Table

wood

" " " " " " "

UNIDENTIFIED ARTIST

Table

veneered wood

" " " " " " "

UNIDENTIFIED ARTIST

Renwick Keystone Casting -  
Architectural Ornament  
1967 (date of mold from  
which casting was made)

plaster finished with  
Dekosit

Gift of Universal  
Restoration, Inc.

DECORATIVE ARTS - TRANSFER

(STEINWAY AND SONS)

Grand Piano (Style 3)

Transfer from the  
Division of Musical  
Instruments, Museum of  
History and Technology





### Consideration of Proposal of Mr. Sergei N. Grimm

In November 1973 Mr. Sergei N. Grimm, President of the Center for Development of Scientific Urban Planning Methods, Inc., approached us about transferring the assets of the Center to the Smithsonian Institution. He has used Smithsonian facilities a number of times for seminars, most recently in May 1973, sponsored and completely financed by his Center. These seminars have produced numerous unpublished manuscripts, which are the main assets of the Center.

Mr. Grimm fled Russia in his youth and escaped to Seattle in 1923. He attended the University of Wyoming where he earned a degree as an engineer. He developed an interest in later life in urban and environmental planning. Mr. Grimm is the retired Executive Director of Planning and Housing for the city of Syracuse, New York. He also served as an advisor to President Eisenhower on housing. The seminars organized by him have dealt with the exchange of scientific knowledge and engineering experience with urban planners and land use managers. This is a field with which we have become increasingly involved in at the Chesapeake Bay Center through our grant from the Noble Foundation.

When the Smithsonian approves the transfer, the manuscripts will go to the Smithsonian and the Center will go out of existence. An Advisory Committee will be appointed by the Secretary in consultation with the Center's former Board of Trustees. This Committee would recommend topics for seminars and Mr. Grimm would finance them directly. In discussions with Mr. Grimm and the Board it was recognized that seminars would not be confined to urban planning but could appropriately include the total concept of environmental planning. It was also understood that any manuscripts resulting from these seminars would only be published if they met Smithsonian standards. If the proposed arrangements work out as well as both parties think they will, Mr. Grimm anticipates leaving a substantial sum (\$750,000) in his will to the Smithsonian Institution to keep the seminar program going. Mr. Grimm who is 74 years old is also prepared to give \$100,000 lump sum to get the seminars started during his lifetime.

Mr. Grimm is highly regarded by colleagues as a "utopian idealist" even to the point of being considered as sort of a "saint" by many mid and high level government officials. One of these Mr. Ronald Pulling formerly of the Federal Aviation Administration had great confidence in Mr. Grimm's integrity and felt the Smithsonian would be an excellent place for the Center. The Center through the sheer force of his personality has put together an impressive advisory board made up of many prominent specialists in the field. (See the list attached)





The Board of Regents was advised that the Smithsonian would not be bound to accept the gift and that the Smithsonian would have control of the funds if the gift were accepted.

It was therefore recommended that the following motion as herein revised be adopted and it was

VOTED, That the Board of Regents approves in principle the acceptance of the Sergei N. Grimm proposal to fund seminars for the purpose of exchanging scientific knowledge related to the total concept of environmental planning, subject to terms acceptable to both the Smithsonian Institution and Mr. Grimm.



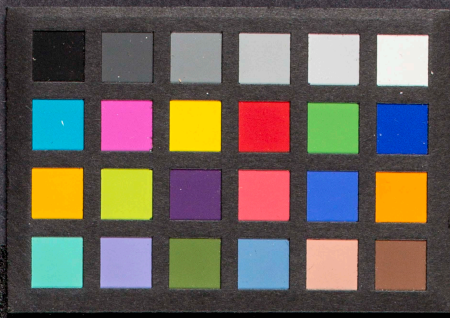
BOARD OF DIRECTORS OF THE CENTER

- Sergei N. Grimm - Retired Executive Director of Planning and Housing, Syracuse, New York (President)
- Dr. Kenneth Sargent - Dean Emeritus, School of Architecture, Syracuse University - President of Sargent, Webster, Crenshaw and Folley
- Dr. Guthrie S. Birkhead - Chairman, Metropolitan Studies, Maxwell Graduate School of Citizenship, Syracuse University
- Ronald W. Pulling - Retired Deputy Associate Administrator for Plans, FAA - Senior Vice President, Wm. L. Pereira Associates
- Stuart E. Pomeroy - Attorney. Chairman, Onondaga County Water Authority - President, Auto Club of Syracuse (Secretary and Treasurer)

LIST OF ADVISORY SPECIALISTS

- Dr. William C. Loring - Science Advisor, Bureau of Community Environmental Management of HEW
- Dr. William C. Lehman, Professor Emeritus of Sociology, Syracuse University
- Mason Mahin - Retired General Counsel, Highway Users Federation for Safety and Mobility
- Fred B. Smith - Retired General Counsel, U. S. Department of the Treasury
- Dr. Arthur A. Levin - Senior Environmental Advisor, Battelle Memorial Institute
- Dr. P. Walton Purdom - Director, Center for Urban Restoration and Environmental Studies - Head of CE Department, Drexel University
- Ralph C. Graber - Consultant, Montgomery County Health Department - Retired Director, Manpower of HEW
- Dr. Donald E. Marlowe - Vice President, Catholic University of America - Former President ASME
- Dr. T. O. Wallin - Professor of Marketing and Transportation, Syracuse University Graduate School of Management
- Dr. Robert Lothes - Electrical Engineer, Syracuse University Research Corporation
- Max S. Wehrly - Planning Consultant - Former Executive Director, Urban Land Institute
- Samuel S. Baxter - Consulting Engineer - Former Commissioner, Philadelphia Water Department - Former President ASCE
- Henry S. Brooks - Director of Government Relations, Vosbeck, Vosbeck, Kendrick and Redinger - Former Chief, Engineering Review Division, Economic Development Administration, US Department of Commerce
- Herbert A. Goetsch - Commissioner of Public Works, Milwaukee, Wisconsin
- James W. Follin - Consulting Engineer - Former Commissioner Urban Renewal - Deputy Administrator, Federal Works Agency
- Dr. Ernest M. Fisher - Consulting Economist - Retired Chairman, Land Research Institute, Columbia University
- Joseph Guandolo - Partner, Mitchell, Petty and Shetterly - Former Deputy General Counsel of HUD, Bureau of Public Roads, Federal Works Agency
- Dr. Paul Kurtz - Professor Department of Philosophy, State University of New York at Buffalo
- Dr. Robert F. Steadman - Retired Director, Committee for Improvement of Management in Government, Committee for Economic Development
- John Nolen, Jr. - Planning and Engineering Consultant - Retired Director of Planning Commission of Washington, D. C.
- Dr. Paul Brennan - Head, CE Department, College of Engineering, Syracuse University
- Minott Silliman, Jr. - Retired Assistant Director, Resource Development Division, Soil Conservation Service, US Department of Agriculture





Legislation on which comments of the Regents were requested S. 2347  
S. 2774

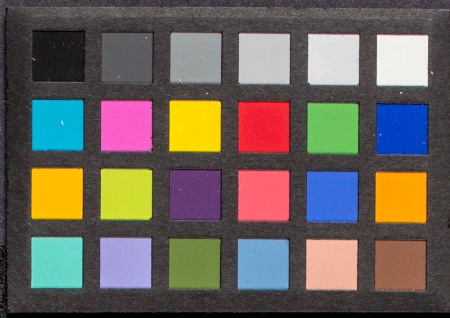
The Board of Regents considered S. 2347, a bill concerning the Historical Structures Tax Act of 1973. S. 2347 amends the Internal Revenue Code to encourage the preservation and rehabilitation of historic buildings and structures, the rehabilitation of other property, and charitable transfers for conservation purposes.

The most important provisions of the bill would permit an accelerated 5-year depreciation deduction of expenses of rehabilitating historic structures and other existing buildings used in trade or business.

Another section would allow no deduction for amounts expended in the demolition of a registered historic structure, or for the undepreciated cost of such a structure.

A charitable deduction would for the first time be allowed on the donation of a partial or remainder interest in real property which is granted exclusively for conservation purposes. "Conservation purposes" means the preservation of open land areas for public outdoor recreation or education, or scenic enjoyment; the preservation of historically important land areas or structures; or the protection of natural environmental systems. The accelerated depreciation deduction now permitted for new construction has created an irresistible economic incentive to demolish useable existing buildings rather than rehabilitate them. The proposed amendments which would give the same substantial tax advantages to those who refurbish older structures are of central importance to the preservation of the architectural heritage of cities like Washington. The other provisions would create additional incentives for the conservation of historic structures and natural areas.





The Smithsonian is an ex officio member of the Advisory Council on Historic Preservation and it has traditionally supported efforts to encourage the preservation of historic buildings and the conservation of natural environmental systems.

The provisions of this bill have the endorsement of the President and the Secretary of the Treasury. Comparable legislation, H. R. 5584, is pending before the House Ways and Means Committee.

The Regents recommended that the Smithsonian endorse the objectives of S. 2347, and similar legislation to create tax incentives for the preservation and restoration of historic structures and neighborhoods; to encourage rehabilitation instead of demolition of older buildings in urban environments; and to promote charitable contributions of land and rights for conservation purposes.

The Board of Regents considered the bill S. 2774 which would provide assistance in improving zoos and aquariums by creating a National Zoological and Aquarium Board and which had been referred to the Committee on Rules and Administration, Subcommittee on the Smithsonian Institution (Senate Pell), United States Senate, on December 20, 1973.

This bill would establish, as an independent agency in the executive branch, the National Zoological and Aquarium Board, consisting of the Director of the National Zoological Park, the Comptroller General, and fifteen individuals, appointed by the President with the advice and consent of the Senate, drawn from agencies of the executive branch, professional and humane associations, and zoos and aquariums. The Board would be authorized to appoint an Executive Director and other necessary personnel.





One of the main functions of the Board would be to establish standards for the national accreditation of zoos and aquariums, and to provide technical assistance in meeting such standards.

Another function is the making of grants to non-profit organizations for training and research related to accreditation; for meeting and maintaining accreditation standards; and for establishing model zoos and aquariums as pilot projects.

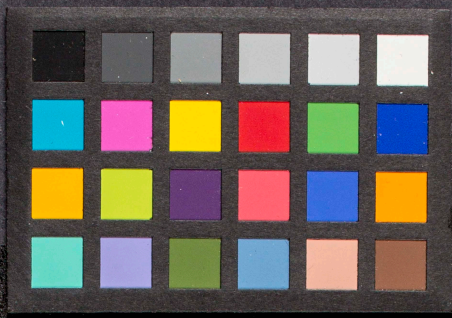
In addition, the Board is authorized to guarantee loans to zoos and aquariums to assist in meeting and maintaining accreditation standards.

In each of the past several Congresses legislation with the ultimate objective of providing Federal funding to zoos and aquariums has been introduced. In earlier versions, the vehicle for funding has been an independent corporation rather than the Board proposed in the current version. An identical bill, H. R. 12047, is pending before the Committee on Merchant Marine and Fisheries.

Zoos and aquariums, like museums, are under financial pressure because of rising attendance and increased costs, but the exact nature and extent of their needs have not been clearly demonstrated. Standards imposed by the Animal Welfare Act are likely to increase financial strains, particularly at smaller zoos and aquariums, but the Act does provide authority for accreditation and regulation of zoos by the Department of Agriculture, which has the necessary apparatus to make standards and regulations meaningful.

The inclusion on the Board of the Directors of the National Zoological Park assigns to that officer Executive Branch responsibilities which are inappropriate for an officer of a bureau of the Smithsonian Institution.

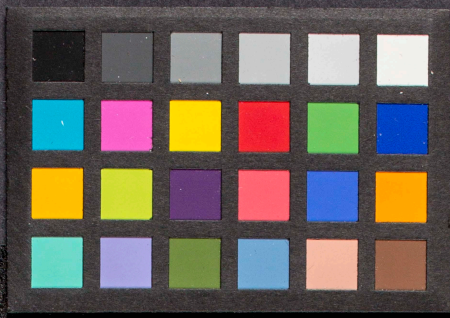




Although the Administration has not taken a position on the legislation, staff level discussions at the Office of Management and Budget suggest that, in view of the Administration's opposition to new granting programs and overall budgetary pressures, support of such a measure would not be forthcoming.

The Board of Regents recommended that while the Smithsonian recognizes that zoos and aquariums are valuable means of public instruction and recreation and that they offer useful research facilities for veterinary science and for the study and propagation of endangered species, it believes there is a need for a comprehensive survey of the nature and extent of the needs of zoos and aquariums before framing a legislative program. In any case, it would be inappropriate for Smithsonian Institution officials to participate in an Executive Branch function such as that proposed, except in an advisory capacity.





## Status Report on Construction of the National Air and Space Museum

## Progress Report

National Air and Space Museum  
Washington, D. C.

January 7, 1974  
Proj. No. 49266

Project Mgr. - Hurley F. Offenbacher  
Architect - Hellmuth, Obata & Kassabaum  
Constr. Mgr. - Gilbane Building Company

1. Summary project status

- a. Construction is now 25% complete. Bids on our landscaping contract have been opened, expect to award contract in January. Carpet and auditorium seating packages being wrapped-up, FSS will purchase. Exhibit moving equipment specs. being reviewed, plan to have Gilbane purchase. We are completing design development stage of interior design and graphics. Closer review of layouts is generating change orders.

b. Scheduled Completion		June 1975
Projected Completion		June 1975
c. Costs	Construction	Project
Budget	\$38,135,000	\$41,900,000
Current Estimate	36,580,000	40,950,000
d. Financial		
Authorized		\$41,900,000
Funded by Appropriation Act - PL 92-76		\$ 1,900,000
PL 92-369		13,000,000
PL 93-120		17,000,000
		\$31,900,000
Authority to Obligate Transferred to GSA		\$40,950,000
Funds transferred to GSA		\$31,500,000
Obligated to 11/1/73		\$29,074,914
Expenditures to 11/1/73		10,038,414





2. Preceding Period

\$17,000,000 appropriated for FY 1974. Smithsonian transferred \$16,800,000 to GSA; holding \$200,000 for spacearium projector, which NASM will purchase at estimated cost of \$750,000.

We are completing design development stage of interior design and graphics. Preliminary estimates indicate we are within budget.

Landscaping bids opened, low bid is \$350,000, budget--\$400,000; expect to award contract next month.

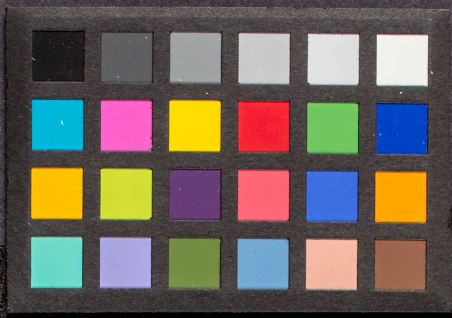
Steel erector was behind but is now back on schedule. Window wall and skylight erection have started in east bay.

Value engineering change proposals resulted in saving of \$36,448 on mechanical contract, additional savings of \$25,945 anticipated. VE review of architectural change by Resident Engineer resulted in a saving of approximately \$38,000. Total savings to date \$85,134.

3. Plans for current period

Complete fabrication of all structural steel, complete erection of all steel except pipe trusses in areas F and G and west plaza. Complete work deck for Skylight and start layout. Install window wall mullions, caps and sills in area A, E, and B. Start roofing work in area A. Continue plumbing and electrical rough-in and installation of ducts. Start sprayed-on insulation application to marble and sprayed-on fireproofing to vertical steel.





Status Report  
Hirshhorn Museum and Sculpture Garden

Construction was 90.3% complete on January 1, 1974. We received beneficial occupancy of the fourth floor in mid December, which permitted the director and staff to move into their offices on December 27; installation of painting storage screens is proceeding in the remainder of the fourth floor.

We expect all construction to be essentially complete by March, 1974, which should allow sufficient time to prepare for the public opening of the museum and sculpture garden on October 1, 1974.

On December 20, 1973 Mr. Hirshhorn and the Hirshhorn Foundation agreed to extend the deadline for completion of construction to June 1974. On December 26, 1973 we received an initial payment of \$250,000 from Mr. Hirshhorn toward the one million dollars he had pledged toward construction.





## STATUS OF PENDING LEGISLATION

### National Museum Act

The Smithsonian Institution Subcommittee of the Senate Committee on Rules and Administration has not yet reported S. 2137, reauthorizing appropriations for the Museum Act, on which it held hearings in July. Concern for the possible incorporation of the provisions of S. 796, the proposed Museum Services Act, a \$30 million museum grant-in-aid program, administration of which may be assigned to the Smithsonian, has been the cause of delay. During the July hearings, the Secretary informed the Subcommittee that, while we support the concept of Federal aid to museums, we cannot assume national program responsibility.

The Office of Management and Budget has no objection to the National Museum Act extension, but is opposed to the Museum Services Act on the grounds that the Arts and Humanities Endowments already have the necessary authority and have received substantial and increasing appropriations for their museum programs.

### Executive Compensation

No action was taken on H. R. 8731 and S. 2010 to establish rates of compensation for certain positions within the Smithsonian Institution. The bills are with the Post Office and Civil Service Committees.

As reported earlier, the Office of Management and Budget advised that it does not concur in our legislative proposal to place the Assistant Secretary for Public Service and the directors of the Museum of History and Technology and the Museum of Natural History in Level V of the Executive Schedule. Comprehensive material justifying the proposal has been assembled and will be submitted to the Office of Management and Budget, along with a request for reconsideration of its position.





### Museum Support Facilities

No Congressional action has as yet been taken on S. 857 and H. R. 4541, to authorize the Smithsonian Institution to plan museum support facilities. However, it is hoped that the Subcommittee on Library and Memorials of the Committee on House Administration will hold a hearing early in the Second Session of this and the Museum Act extension.

The Office of Management and Budget has taken no position on the Museum Support Facilities bills.

The Regents approved the submission of proposed legislation to authorize the planning of Museum Support Facilities five years ago. This legislation was passed by the Senate and was approved by the Committee on House Administration, but was not reached for consideration on the floor of the House.

Since that time, the needs of the Institution have been studied further and as may be expected from its substantial growth - in visitors, research, appropriations, and grants - the growth of need for support facilities has been studied comprehensively.

We can surely forecast the need in the next twenty-five years of two million square feet of floor area, in the aggregate for all bureaus of the Institution. The Institution now operates close to 4,000,000 sq. ft. of buildings. Our earlier proposal had been for about 600,000 sq. ft. for the National Museum of Natural History alone.

Consequently, we have searched for federally owned land of a size to accommodate this ultimate expansion in support facilities - for deposit of collections in a controlled climate, restoration and preservation, examination of objects and specimens, comparative analyses, and other research in identification, publication of technical monographs, and all the related functions of a museum. These functions may be summarized as follows: to collect valuable objects in the fields of history, art, and science; to pursue the search for knowledge, whether based on collections or as in the case of astrophysics on original observations of phenomena; to preserve the objects considered worthy of collection; to study and to report the nature and findings concerning the objects and the observations made; and to offer both to the public and the specialist in an exposition of a discriminating selection of its collections and writings.

The legislation already introduced in February 1973 to authorize the planning of museum support facilities will, if enacted, serve as a splendid recognition of these needs and the importance of this work.

We have surveyed federally-owned land in the metropolitan area and firmly believe that a tract of 32 acres immediately adjoining our present tract of 22 acres in Suitland, Maryland, is the most suitable size. Most importantly, it now appears that our prospects for obtaining its transfer from the General Services Administration are favorable. It is now included in the Master Plan of the General Services Administration for the Suitland area as intended for a Smithsonian site.





Mall Site Reservation

No action was taken on S. 856 and H. R. 4540, bills to reserve the last site on the Mall for the Smithsonian Institution during the First Session of the 93rd Congress.

The Office of Management and Budget has taken no position on these bills.

Mr. Minshall volunteered to assist us in pressing for hearings with our subcommittees to consider these bills.





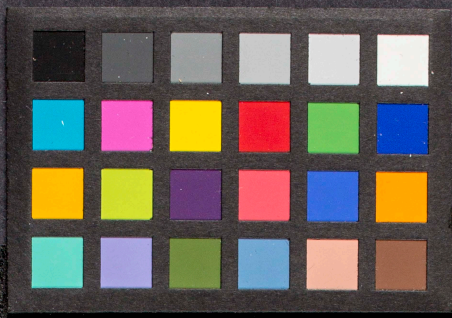
#### NATIONAL ZOOLOGICAL PARK BREEDING FARM

The former Beef Cattle Experiment Station at Front Royal, Virginia, which the National Zoological Park seeks as a breeding farm has been declared surplus to the needs of the Department of Agriculture by the General Services Administration.

The Smithsonian has been granted a Use Permit by GSA for a period of one year, effective 5 December 1973. Since no other party applied for title to this property by the deadline, which occurred last December, transfer of permanent title to the Smithsonian is expected well before the temporary Use Permit expires.

The National Zoological Park intends to make limited immediate use of the Permit by establishing a breeding facility for some rare and endangered hoofed stock. Further utilization depends upon funds requested in the FY 1975 budget for permanent improvements to the property.





#### PROPOSED BAN ON TRAFFIC AND PARKING ON THE MALL

A serious matter has developed in regard to the Mall, sometimes referred to as Smithsonian Park.

As you know, the Smithsonian has been given portions of the Mall, namely, 9th to 12th Streets, Independence Avenue to the center line of the Mall; in addition, all sites of all buildings are appropriated to the Institution but the transcendental consideration is that the Mall is used primarily by the 14 million visitors we receive each year.

The National Park Service has been given police authority and responsibility for landscaping the Mall.

The National Park Service and their architectural firm under Nat Owings is aggressively proposing to ban all traffic from the Mall (Jefferson, Adams, Washington, and Madison Drives) and to ban all parking.

Only the Park Service tour-mobile would travel the Mall along Jefferson and Madison Drives, the outer roadways. The interior drives would be excavated and planted in grass.

Today, the Mall parks 1200 cars with a turnover of some three hours. While this parking capacity is not adequate, it is not to be scorned and eliminated without careful planning. It is very important to be maintained until such time as fringe parking lots are made available and publicized.

Now, the Park Service proposes an experiment, to close down the entire Mall to all traffic except their tour-mobile and to ban all parking.





We have urged that the experiment be deferred until the fringe parking lots, to be utilized until the subway tracks extend to such areas which are to be procured for subway commuters, and which are about eight miles from the Mall, are actually available, several years in the future. Meanwhile, the Park Service plans to provide bus service this spring to the Redskin Stadium (R. F. Kennedy Stadium)-- a single, remote, fringe parking lot for our 14 million visitors -- a six mile round trip requiring over 30 minutes plus waiting time for the next bus. This is not a fair prototype of the ultimate plan which, for better or worse, envisages a series of fringe parking lots around the city lying beyond the District lines and inside the beltway. Eventually, of course, the subway riders will engulf the capacity of these lots.

Consequently, we have counselled the Park Service and the Secretary of the Interior not to embark on so radical a move until some certain place is found and prepared for the bannished automobiles to go to other than the single, remote Redskin Stadium lot. We have even suggested that some parkland in downtown Washington might be declared available for temporary parking to offset the loss of parking on the Mall and to attempt to accommodate the Bicentennial crowds.

An equally serious prospect is seen in the loading and unloading of school buses. At the present time, there is no acceptance of our insistence that school buses must be accommodated at the front door of our museums for loading and unloading on the relatively quiet roadways of the Mall. Otherwise, the buses would be forced to line up along the heavily traveled traffic arteries of Constitution and





Independence Avenues -- with great hazard to the millions of children we receive each year and with substantial interruption to automobile traffic on those streets.

A further element apparently overlooked is found in the numerous openings of exhibitions and other performances at night at the museums when the matter of parking is critical. Who would venture to attend an opening if his destination was actually the Redskin Stadium rather than the roadway outside the Freer Gallery or the National Museum of History and Technology.

A long-range solution will take some years for study and acquisition of the necessary real estate and also for the subway to make its contribution, however, limited, to the transportation and parking dilemma. In the meantime, an experiment in the banning of parking and traffic, starting this spring, should be opposed by the Smithsonian.

Nathaniel Owings has assured us that he will attempt to work out a satisfactory solution.

The Board of Regents adopted the following motion:

VOTED, That the Board of Regents directs the Secretary to advise the appropriate parties of their opposition to the banning of parking and traffic on the Mall until a practical alternative is devised for the visitors to arrive and park nearby.





## SMITHSONIAN ASSOCIATES

### National Board

Plans are being laid for a combined survey of astrophysical-astronomical programs and business session at the Smithsonian Astrophysical Observatory in Cambridge, Massachusetts, on the weekend of May 10-12. Members will meet with the Observatory's research staff and visit telescope facilities at Harvard, before assembling on Sunday morning to consider committee assignments, progress of fund-raising for the Cooper-Hewitt Museum, and election of new members.

### Resident Program

In response to a sparkling program of classes, lectures, and field trips, the Resident Associates membership has continued to grow beyond estimates. The current paid membership is 18,100 households, an increase of 5,000 over the same period a year ago. Over 2,100 students enrolled in classes and workshops during the 1973 fall semester, a record number for the Associates and making this one of the largest continuing education programs offered anywhere in the United States.

### Women's Committee

The third annual Christmas dinner-dance, held in the rotunda of the Natural History Building on December 21, 1973, was a delightful occasion attended by 400 persons. The proceeds of the benefit, estimated at more than \$14,000, will provide children's scholarships to Associates classes and will support other education projects.

### SMITHSONIAN Magazine

Both Newsweek and Time have become aware of SMITHSONIAN's presence and paid tribute to its rapid growth in circulation and unique editorial style. At the last count, SMITHSONIAN was reaching 518,000 Smithsonian Associates. Time writes in the January 14, 1974, issue, "Thanks to its unpredictable mix and sparkling graphics, SMITHSONIAN ... has become one of the nation's fastest-growing new magazines."





American Film Institute

The Secretary reported that in September, Mr. George Stevens, Jr., Director of the American Film Institute, wrote the Secretary, seeking a means of association with the Smithsonian in order for the American Film Institute to receive direct Congressional appropriations. He proposed a relationship similar to that of the Kennedy Center in which the American Film Institute would be administered by an independent Board of Trustees.

The Acting Secretary advised Mr. Stevens that the Smithsonian could not support such a proposal because of the absence of direct relationship to traditional Smithsonian interests; the independence of operational authority; and the implied assumption of national responsibilities which are more appropriately the concern of the Executive Branch.

The American Film Institute is currently funded by private contributions and a grant from the National Endowment for the Arts.





## ENDANGERED SPECIES ACT

On December 28, 1973, the President signed into law S. 1983, The Endangered Species Act of 1973.

The conference report on the bill was filed on December 19, approved by the Senate the same day, and by the House on December 20.

Section 12 of the Act states:

"The Secretary of the Smithsonian Institution, in conjunction with other affected agencies, is authorized and directed to review (1) species of plants which are now or may become endangered or threatened and (2) methods of adequately conserving such species, and to report to Congress, within one year after the date of the enactment of this Act, the results of such review including recommendations for new legislation or the amendment of existing legislation."

On a number of occasions parties to the bill were advised of Smithsonian objections to this directive. In July, during the Senate debate on the bill, Senator Fulbright introduced an amendment, which was adopted, changing the "Secretary of the Smithsonian Institution" to the "Secretary of Agriculture." However, the conferees adopted the House language assigning, according to the conference report, ". . . this function to the Smithsonian, as an institution with no bias in the eventual outcome of the study."





## STATUS REPORT ON LITIGATION

The following are brief notes on developments that have occurred since the report to the Regents in September 1973 on various litigation-related matters.

1. Pierce Associates, Inc., v. John McShain, Inc., v. Board of Trustees of the John F. Kennedy Center for the Performing Arts. United States District Court for the District of Columbia, CA No. 2112-72.

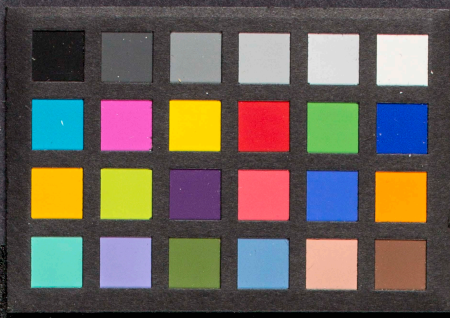
Pierce Associates was the mechanical subcontractor and McShain the prime contractor for the construction of the Kennedy Center. This District Court action is a legal maneuver directly related to the main construction litigation instituted against the United States in the Court of Claims by McShain in 1972. In the present case the named defendants are the Board of Trustees and the individual members of the Board, past and present, including Senator Fulbright, the Secretary, and the Director of the National Gallery. The complaint was formally served in November 1973, and the Department of Justice has agreed to represent the Trustees. It is understood that Justice attorneys will file a motion to dismiss within the next few weeks.

2. Legal Proceedings against Former Smithsonian Employees at Mount Hopkins Observatory in Arizona

As previously reported, two Smithsonian employees, Mr. Charles Tougas, the station manager at the Mount Hopkins Observatory, and his assistant, Mr. Kenneth Morrison, were indicted in June 1973 by a Federal Grand Jury for unauthorized sales of a considerable amount of excess Government property through salvage dealers in the Tucson area. The sales were made without the knowledge of supervisory Smithsonian personnel. Messrs. Tougas and Morrison were immediately suspended from any supervisory duties at the Mount Hopkins Observatory, and subsequently they resigned.

In addition to Mr. Tougas and Mr. Morrison, two other individuals who previously were employed by the Observatory, as well as the principal junk dealer and some of his associates, were indicted. They are charged in multiple counts with conspiracy to sell and with theft of Government property. Trial is scheduled to begin March 26, 1974.





It is not possible to predict the outcome of the trial with respect to ex-employees Tougas and Morrison. However, it does not appear likely that the defendants will be able to establish that their activities with respect to unauthorized sales of Government property were carried out with the knowledge or approval of responsible officials at the Smithsonian Astrophysical Observatory. New procedures instituted at the Mount Hopkins Observatory assure that excess Government property that is acquired either is used or given back to the General Services Administration for proper disposal.

3. Insurance Claims Arising out of Submarine Accident

Pending the issuance of the reports of the investigations of the submarine accident in June 1973, the underwriters at Lloyds of London have so far denied any liability for possible claims from the relatives of the two deceased Smithsonian employees. With the advice and assistance of the Admiralty Section of the Department of Justice, negotiations will begin shortly with counsel for Lloyds in the hopes of reaching a settlement without court action. However, the possibility of litigation cannot be ruled out.

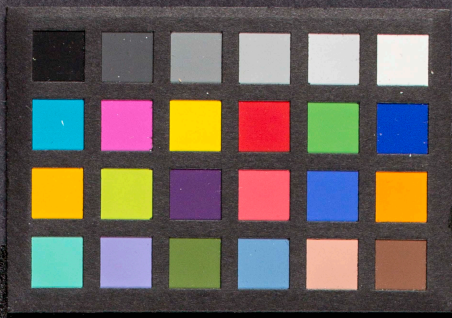
4. Living Window, ICC, Inc. v. James S. Ward, Inc. and the Smithsonian Institution.

A claim was filed in December 1973 against the Smithsonian Institution and James S. Ward, Inc., a contractor who had agreed to furnish the Institution with a museum display apparatus to be constructed by Living Window, Inc. This apparatus was not accepted by the Smithsonian, and Ward thereafter supplied the Smithsonian with a similar device from another firm. Living Window is seeking \$1,000,000 in damages, and the Institution is being represented in this matter by the Department of Justice.

5. Pierce Associates, Inc., v. S. Dillon Ripley and Fred Barwick, United States District Court for the District of Columbia.

This is a suit for an injunction concerning the award of the contract for the restoration and renovation of the Arts and Industries Building. After opening the bids for this contract, Smithsonian was apprised by a protest that an indispensable provision had been omitted from the invitation for bids. Upon consultation with the





General Accounting Office, it was determined that the omission could not be remedied and the invitation for bids was cancelled and reissued correctly. The initial low responsible bidder, Pierce Associates, Inc., brought this action to cancel the new invitation and to compel Smithsonian to contract with Pierce.

The application for a temporary restraining order was denied December 19, 1973. The U. S. Attorney filed a motion for summary judgment on January 7, 1974.

6. Jenkins v. Smithsonian Institution.

This suit arises out of an employee's discrimination case which was decided in favor of the Institution by the Civil Service Commission's Board of Appeals and Review. The decision of the Board was upheld by the United States District Court on a motion for summary judgment. The employee has taken an appeal from the U.S. District Court's order.

7. Expeditions Unlimited Aquatic Enterprises, Inc. v. Smithsonian Institution.

In this libel action, summary judgment was granted in favor of the Smithsonian in January 1972. The date for appealing this decision has expired. The plaintiff, contending that he did not have notice of the Court's decision, has asked that the time be extended to allow him to appeal. The District Court denied this request, and this procedural question has been appealed to the D. C. Circuit Court of Appeals. The Justice Department has filed a brief in opposition to granting this request.

8. Boswell v. United States.

The plaintiff in this case sought \$50,000 for injuries suffered in a fall while touring the Smithsonian. With the concurrence of the Smithsonian, the U. S. Attorney's Office settled the matter for \$3,000 without admitting any liability.

9. Other Tort Claims Act Cases.

The following cases, which involve claims for injuries and are being handled by the Justice Department, have been inactive since the September 1973 report:

(a) Long v. U.S. - A suit for damages for injuries suffered by a child in a fall while visiting the National Museum of Natural History.





(b) Ross v. Powers, and Grunley & Walsh - A suit filed by a Smithsonian contractor's employee seeking damages for work-related injuries.

10. Claims Arising out of Construction of the Hirshhorn Museum

As reported previously, a number of claims have been filed by the contractor and various subcontractors employed in the construction of the Hirshhorn Museum. Two of the smaller claims already have been decided in favor of the General Services Administration, which is responsible for the construction of this building. Other claims have been heard by the GSA Board of Contract Appeals and not yet decided. A decision on the principal claim for approximately \$1,000,000 is expected in the next few months. None of these claims represent expansion of the original scope of this museum, but arise from questions such as alleged defective specifications which frequently arise in the course of constructing any large facility.





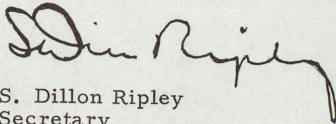
Proposed dates for next meetings: Executive Committee May 8, 1974  
Board of Regents May 14, 1974  
(in Washington, D. C.)

The meeting adjourned at noon and the Regents and guests assembled to hear Secretary Ripley explain the history of the Fort Pierce Bureau, its programs and plans for the future.

A tour of the facilities included a brief talk by Dr. Mary Rice on her research on sipunculan worms; a tour of the model shop; inspection of the Research/Vessel Johnson, the mother ship of the submersible, and a demonstration of the launch and recovery of the submarine.

The program ended with a late luncheon aboard the R/V Johnson.

Respectfully submitted:

  
S. Dillon Ripley  
Secretary