

## MINUTES: DWIGHT D. EISENHOWER MEMORIAL COMMISSION MEETING

APPROVED BY COMMISSIONERS APRIL 29, 2015

September 17, 2014: Reserve Officers Association, 1 Constitution  
Avenue NE, Washington, D.C.

Commissioners in Attendance:

Rocco C. Siciliano (by conference call)  
Representative Sanford Bishop  
Alfred Geduldig  
Susan Banes Harris  
Bruce Cole

Commissioners Absent:

Senator Pat Roberts  
Senator Jerry Moran  
Senator Jack Reed  
Senator Joe Manchin  
Representative William Thornberry  
Representative Mike Simpson  
Representative Mike Thompson

Commissioners' Staff:

Michael Seeds (Rep. Thornberry)  
Jonathan Halpern (Rep. Bishop)  
Melissa Fett (Sen. Roberts)  
Amber Kirchhoefer (Sen. Roberts)  
Jesse Haladay (Rep. Thompson)  
Erin Burns (Sen. Manchin)

Eisenhower Memorial Commission () Staff:

Carl Reddel  
Victoria Tigwell  
Dan Feil  
Joyce Jacobson  
Annemarie Spadafore  
Shannon Honl  
Asia Edwards  
Chris Cimko  
Pete Jordan  
Albert Cramer  
Josh Poorman  
Collin Figley

Special Counsel:

Andy Demetriou

Eisenhower Memorial Commission (EMC) Support:

Rick Striner

Peter Mirijanian

Charles Sills

Gehry Partners (GP):

Meaghan Lloyd

AECOM:

Jon Miller

Roger Courtenay

Alan Harwood

Gilbane/General Services Administration (GSA):

Carol Moore

K&L Gates

Andy Cook

General Services Administration (GSA):

Tom Hodnett

Mina Wright

Commission of Fine Arts (CFA):

Thomas Luebke

National Park Service (NPS):

Peter May

Glenn DeMarr

National Capital Planning Commission (NCPC):

Anne R. Schuyler

U.S. House of Representatives:

Amy Hall (Committee on Energy and Commerce)

Larry Price (House Appropriations Committee Surveys &amp; Investigations Division)

Machalagh Carr (Office of Oversight and Investigations, Committee on Natural Resources)

House Natural Resources Committee:

Casey Hammond

Brandon Flint

National Civic Art Society (NCAS)/Right by Ike:

Justin Shubow

Milton W. Grenfell

Michael Johnston

Kristen Carmen

Matthew Taylor

Media:

Maria Recio (McClatchy)

Peggy McGlone (Washington Post)

Ian Simpson (Reuters)

Brett Zongker (AP)

Linda Davidson (Washington Post)

C.J. Lin (Stars and Stripes)

Daniel Sernovitz (Washington Business Journal)

Hannah Hess (Roll Call)

Others present:

Susan Eisenhower

Peter Cooke

Howard Bauleke (former Rep. Dennis Moore)

E Wayne Merry (AFPC)

Herman Viola (National Museum of the American Indian)

Congresswoman Beverly Byron

Chas Lum (People to People)

Rachel Notson (People to People)

Tracy Hale (Guild of Professional Tour Guides)

The meeting was opened at 4:05 p.m. by Eisenhower Memorial Commission (EMC) Executive Director (ED) Carl Reddel, who welcomed commissioners and guests. ED Reddel stated that in light of the gravity of the issues to be considered at the meeting, he deemed it appropriate to open the meeting with a brief inspirational presentation consisting of a few minutes of filmed commentary by former President Bill Clinton praising President Eisenhower's leadership and decision-making during the 1957 school integration crisis in Little Rock, Arkansas. The filmed commentary was produced by the EMC for use in the electronic memorialization (E-Memorial) component of the overall memorial project. ED Reddel observed that the positive and pragmatic way in which Eisenhower handled the crisis might set the right tone for developing positive and pragmatic ways of addressing the issues before the Commission.

After the conclusion of the film, ED Reddel stated that he hoped enough commissioners would arrive to constitute a quorum. In the meantime, he called upon Chairman Rocco C. Siciliano, participating in the meeting via telephone conference, to call the meeting to order.

At 4:15 p.m., Chairman Siciliano called the meeting to order and asked for the consent of the Commission to allow Vice Chair Susan Banes Harris to serve as Acting Chair. Hearing no objection, Commissioner Harris thanked Chairman Siciliano and welcomed Commissioners and guests. Commissioner Harris, after reiterating the hope of ED Reddel that enough Commissioners would join the meeting to constitute a quorum, asked Special Counsel Andrew Demetriou to advise the Commission in the capacity of parliamentarian in regard to contingent procedures to consider if a quorum could not be obtained.

Mr. Demetriou stated that (1) an action item for the Commission had been submitted by Rep. Darrell Issa; (2) by statute, a minimum of seven Commissioners is necessary to constitute a quorum; (3) that only five Commissioners were present; (4) that if the action item in question were seconded by one of the Commissioners, it would be possible to submit that action item to the full Commission through a "canvass" procedure, with Commissioners casting electronic votes that would be counted by a deadline.

Mr. Demetriou suggested that in the event this procedure was followed that the deadline be set at the close of business (i.e., 5:00 p.m.) on September 24, 2014. Mr. Demetriou further stated that the Commission had used such a procedure in the past when quorums could not be obtained.

Commissioner Harris asked whether the Commissioners present could approve the minutes of the last Commission meeting. Mr. Demetriou replied that no such action could be taken without a quorum.

Commissioner Harris then asked ED Reddel to present a report to the Commission.

ED Reddel stated that in light of the gravity of the issues to be discussed, he would give an abbreviated report. He stated that in the past year the Commission staff had: (1) appeared three times before the Commission of Fine Arts (CFA) to confirm the existing approval of the memorial proposal; (2) confirmed the durability of the metal tapestries proposed in the memorial design of Gehry Partners; (3) selected a set of quotations for inscription in the memorial and submitted the quotations to the National Park Service (NPS); (4) submitted thousands of pages to documents to members of Congress and

committees and subcommittees of Congress in response to demands for information on the work of the EMC staff; (5) launched the on-line "pivotal moments" series containing extracts from the E-Memorial presentations on the legacy of Eisenhower; and (6) sought project approval from the National Capital Planning Commission (NCPC).

ED Reddel then summarized the results of the April NCPC meeting in which preliminary project approval was denied: in response to that decision, important changes were made to the memorial design by Gehry Partners, changes presented to all members of the EMC for review and then presented formally to NCPC on September 4, 2014. ED Reddel explained that the design changes would be presented momentarily in this public meeting of the EMC. He observed that the design changes were in no respect minor, and that the issues before the Commission represented the culmination of twelve years of effort.

ED Reddel stated that in light of criticisms directed toward the Commission for "delays" in the memorialization effort, it was important to understand that some of these delays were necessitated by the actions of others: by NCPC, for example, which required that allegations calling into question the durability of the proposed metal tapestries had to be scientifically disproven before the overall design concept could even be preliminarily considered by NCPC staff and submitted to NCPC for approval, and also by the actions of members of Congress and members of the Eisenhower family who raised concerns that had to be addressed at the cost of considerable time and money.

ED Reddel stated that the challenge for the Commission now is to seek and find pragmatic ways of moving forward with a project that represents the first urban presidential memorial as well as a memorial that thematically and visually "brings the heartland of America to the Nation's Capital." ED Reddel then requested Executive Architect Dan Feil to present a report to the Commission.

Mr. Feil began his report by showing pictorial views of the revisions to the proposed memorial design by Gehry Partners. He then explained that NCPC, as part of the site approval process, had established seven design principles, or criteria, that had to be met for the proposed design to be granted approval. At its April 2014 meeting, NCPC determined that only four of the criteria had been fully met, and the proposed design was accordingly rejected.

In response, Gehry Partners revised the memorial design. The two [east and west] single-bay, side tapestries were deleted. Two free-standing columns were added in the general area of the two tapestries.

They were set back from the adjacent building line on Independence Avenue, and form the memorial precinct, or setting for the memorial, with the larger south tapestry which was retained. The memorial core, which contains the statuary and inscriptions, was also retained. The revised design was presented to NCPC on September 4, 2014 for the purpose of eliciting preliminary opinions. After the members of NCPC discussed the revisions, Rep. Darrell Issa, who serves on NCPC, stated that he could support the revised design on October 2 for preliminary design approval.

Formal submission of the proposed design for NCPC preliminary design approval on October 2, 2014 is now pending. Before and after the September 4 presentation before NCPC, the staff of NCPC met on three occasions with representatives from EMC staff, General Services Administration (GSA) staff, and Gehry Partners. NCPC staff stated that the revised memorial design represents "a substantial improvement" that now fully meets six of the seven design principles, and that issues concerning the seventh criterion — reciprocal views along the Maryland Avenue view corridor — are still under consideration with reasonable prospects for a successful resolution.

Notwithstanding these positive developments, Mr. Feil reported that Rep. Issa, in a letter to EMC Chairman Siciliano, requested that the EMC submit two alternative designs to NCPC on October 2, 2014: the revised design by Gehry Partners (hereafter "Revised Design") and an alternative design that would eliminate all tapestry and columns (hereafter "Alternative Design"). Mr. Feil shared a number of observations concerning this request by Rep. Issa.

Mr. Feil said that he has no images of Issa's requested Alternative Design concept. Mr. Feil then walked the Commissioners through an assumption of what the components of such a scheme would be:

- Removal of all tapestries and columns.
- Retention of the memorial core [sculpture and quotations].
- Retention of the promenade which would now read as a plinth or raised base for the Department of Education building.
- Retention of the sidewalk/street tree "frame" of the site.
- Rethinking of the landscape concept and support building site.

Mr. Feil stated (1) if the Revised Design by itself is submitted to NCPC, per the existing calendar, an NCPC vote on preliminary approval will be possible in two weeks; (2) there are strong informal indications that the report and recommendation by the NCPC Executive Director will be generally favorable; (3) a decision by the EMC to submit two proposals would mean that no decision by NCPC could be made on October 2 due to NCPC's own procedural rules; (4) NPS and NCPC both require the EMC to choose and submit only one design proposal to NCPC for approval.

(5) The Alternative Design requested by Rep. Issa would include only landscaping and sculpture with no architectural elements. Gehry Partners, an architectural firm, would then respectfully withdraw from the project if the Alternative Design should be pursued. (6) Starting over with a new design team would result in an additional three-year delay in this project, along with an estimated cost increase of approximately \$17 million according to the Congressional Budget Office.

Commissioner Harris asked Mr. Demetriou to comment on the procedural ramifications of addressing Rep. Issa's request.

Mr. Demetriou stated that, given the exigencies of the situation, it is necessary for the Commission to decide whether to take Rep. Issa's request under advisement. Mr. Demetriou called the Commissioners' attention to a draft resolution included in their briefing packets. This draft resolution, if moved and seconded, would be circulated in ballot form to all Commissioners. By the deadline of 5:00 p.m. on September 24, 2014, the Executive Director would collect and tabulate the votes and then report the results promptly to all Commissioners. The draft resolution was read for insertion in the record as follows:

**WHEREAS**, on June 19, 2013, this Commission approved a design for the Eisenhower Memorial developed by Gehry Partners and authorized its presentation to the National Capital Planning Commission ("NCPC") for design approval;

**WHEREAS**, certain modifications to the design have been made to address NCPC requirements and comments from the NCPC meeting of April 3, 2014 (the "Revised Design"), which Revised Design has been reviewed by all Commissioners and has been submitted for preliminary design approval by NCPC at its meeting on October 2, 2014;

**WHEREAS**, Representative Darrell Issa, a member of NCPC, has requested by letter to the Chair of the Commission that the Commission

present an alternative to the Revised Design in addition to the Revised Design to NCPC, which would include certain core memorialization elements (such as statuary, lintels and landscaping) substantially as included in the Revised Design, but eliminate the tapestry and column elements in the Revised Design (the "Alternative Design");

**NOW THEREFORE BE IT RESOLVED THAT,** this Commission authorizes the presentation of both the Revised Design and the concept of the Alternative Design to NCPC on October 2, 2014 for review.

Commissioner Harris asked whether any Commissioner would move the adoption of this draft resolution. Commissioner Geduldig moved the adoption of the draft resolution and the motion was seconded by Commissioner Sandford Bishop.

Commissioner Harris asked for discussion of the motion.

Commissioner Cole stated that he found it difficult to visualize what the Alternative Design requested by Rep. Issa would look like, and that it would be difficult to vote on the draft resolution without such a visualization. Commissioner Harris asked Mr. Feil whether it would be possible to construct a preliminary mock-up of the Alternative Design.

Mr. Feil provided an alternative description of the Alternative Design. He further stated that, broadly, the Alternative Design would resemble one of the existing landscaped squares in Washington such as McPherson Square or Farragut Square.

Commissioner Cole asked whether Gehry Partners design team sculptures would be part of the Alternative Design. Mr. Feil replied that, in some form, they probably would. Mr. Demetriou pointed out that the EMC owns the rights to the Gehry Partners design.

Commissioner Cole requested to make some extended remarks to the Commission. He stated that he was honored to serve such an important commission with so many distinguished citizens who have worked so long and hard, first to secure a site, and then to build a memorial for one of our greatest Americans. He presented the salient points of his background as a professor of art and architectural history, as the longest serving chairman of the National Endowment for the Humanities, as the CEO and president of a national museum, and as the director of an architectural competition for a new museum building.



Commissioner Cole expressed the opinion that a great memorial should be "an exclamation point, not a question mark." He made comparisons to the Lincoln Memorial, the Jefferson Memorial, and the Vietnam Memorial to illustrate this opinion. He then expressed the opinion that the Gehry design lacks human scale and that its pillars and steel tapestry dwarf its sculptural core. He expressed skepticism that the Gehry design will have the qualities necessary to convey the greatness of Eisenhower, even with the supplementation of an e-memorial. He asserted that the Gehry design does not command public support and that fundraising efforts to date have resulted in a net loss of \$750,000. He cited criticism from several publications and from members of the Eisenhower family and argued that such opposition would make donors wary of contributing regardless of whether the Revised Design gains NCPD approval, and that the pending congressional resolution for the EMC authorizes only operating support for the Commission's nine full-time staff members. He noted that the EMC requested \$51 million dollars from Congress in the previous fiscal year and was given only \$1 million.

Commissioner Cole noted that the Gehry design has yet to gain final approvals from CFA or NCPD and that no comfort should be taken from the fact that it took forty-four years to complete the memorial to Franklin Delano Roosevelt, calling that fact a bad precedent.

Commissioner Cole took note of the action in July of the House Appropriations Committee, which in its budget called upon "authorizers of jurisdiction to work expeditiously on legislation to authorize an open, public, and transparent redesign process" for the Eisenhower Memorial and called upon the EMC to "cease all expenditures relating to the current memorial design." He cited a report on the Eisenhower Memorial by the House Resources Committee as evidence of additional negative sentiment in Congress.

Commissioner Cole criticized the Gehry revised design and stated that in his own opinion it was deficient in a number of ways.

Commissioner Cole then suggested that the Commission pause in its ongoing operations until November 1, 2014 and to use the intervening time to decide how to proceed. He therefore submitted a resolution, to the effect that "until 1<sup>st</sup> November 2014, the commission directs the staff to expend funds limited only to payroll, rent, utilities and other fixed costs associated with the essential daily operations of the commission. And during that time we return to the NCPD, as mandated by the Issa amendment for an information session only and not for a vote for approval."

Commissioner Harris asked whether any Commissioner wished to second the resolution proposed by Commissioner Cole. Hearing no reply from any Commissioner present, Commissioner Cole stated that he had just received an email from Commissioner Simpson supporting his resolution (Copy of email attached as Addendum 1).

Commissioner Cole and Mr. Demetriou engaged in a colloquy concerning the issue of whether an email in "support" of a spontaneous resolution could be held to constitute a "second." Mr. Demetriou suggested that it was the discretion of the Chair to consider whether or not to send the resolution of Commissioner Cole to the full Commission within the canvass procedure that would present the Commissioners with the pending resolution regarding Rep. Issa's request. Mr. Demetriou also stated that the Chair possessed the discretion to determine whether Commissioner Simpson should be asked to provide confirmation that his email message should be held to constitute a "second" to the resolution of Commissioner Cole.

Commissioner Harris reminded Mr. Demetriou that the Commission meeting lacked a quorum. Mr. Demetriou replied that under the circumstances it was his opinion that if it can be determined that Commissioner Simpson's email message was indeed meant to constitute a "second" to the resolution introduced by Commissioner Cole, it would then be possible to send both the pending resolution in regard to the request of Rep. Issa together with the separate resolution proposed by Commissioner Cole to the full Commission by canvass.

Commissioner Harris observed that the items on the meeting agenda had all been addressed and that especially in light of the illustrious note with which the meeting began in recognition of Eisenhower's wise and pragmatic leadership as illustrated by his actions during the Little Rock school integration crisis, the members of the Commission should think carefully about the issues raised in today's meeting.

Chairman Siciliano added that he could not help recalling his experience in serving under Eisenhower's command during World War II and having worked for Eisenhower in the White House during his presidency. In light of those memories, Chairman Siciliano urged his fellow Commissioners to look to the future and seek pragmatic ways of memorializing one of the greatest Americans in history.

The meeting was adjourned at 5:05 p.m.

## **Addendum 1: Commissioner Simpson Email**

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From: Slater, Lindsay  
Sent: Wednesday, September 17, 2014 3:45 PM  
To: 'Bruce Cole';  
Subject: Meeting

We've got votes coming up and Mike's currently tied up and won't be making it over to the hearing. He wanted me to pass on to Bruce that he's supportive of your position and motion. Bruce, you are welcome to convey that on behalf of Mike in your comments.

Best of luck.

Lindsay

Lindsay Slater  
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Rep. Mike Simpson (ID-02)

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