

DOC HASTINGS, WA  
CHAIRMAN  
DON YOUNG, AK  
LOUIE GOHMERT, TX  
ROB BISHOP, UT  
DOUG LAMBORN, CO  
ROBERT J. WITTMAN, VA  
PAUL C. BROUN, GA  
JOHN FLEMING, LA  
TOM MCCLINTOCK, CA  
GLENN THOMPSON, PA  
CYNTHIA LUMMIS, WY  
DAN BENISHEK, MI  
JEFF DUNCAN, SC  
SCOTT R. TIPTON, CO  
PAUL A. GOSAR, AZ  
RAUL R. LABRADOR, ID  
STEVE SOUTHERLAND II, FL  
BILL FLORES, TX  
ANDY HARRIS, MD  
JON RUNYAN, NJ  
MARK AMODEI, NV  
MARKWAYNE MULLIN, OK  
CHRIS STEWART, UT  
STEVE DAINES, MT  
KEVIN CRAMER, ND  
DOUG LAMALFA, CA

TODD YOUNG  
CHIEF OF STAFF

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

May 15, 2013

EDWARD J. MARKEY, MA  
RANKING DEMOCRATIC MEMBER  
PETER A. DeFAZIO, OR  
ENI F.H. FALCOMAVAEGA, AS  
FRANK PALLONE, JR., NJ  
GRACE F. NAPOLITANO, CA  
RUSH HOLT, NJ  
RAUL M. GRIJALVA, AZ  
MADELEINE Z. BORDALLO, GU  
JIM COSTA, CA  
GREGORIO KILILI CAMACHO SABLAN, CNMI  
NIKI TSONGAS, MA  
PEDRO R. PIERLUISI, PR  
COLLEEN W. HANABUSA, HI  
TONY CARDENAS, CA  
STEVEN HORSFORD, NV  
JARED HUFFMAN, CA  
RAUL RUIZ, CA  
CAROL SHEA-PORTER, NH  
ALAN LOWENTHAL, CA  
JOE GARCIA, FL  
MATTHEW CARTWRIGHT, PA

JEFFREY DUNCAN  
DEMOCRATIC STAFF DIRECTOR

Rocco C. Siciliano  
Chairman  
Dwight D. Eisenhower Memorial Commission  
1629 K Street, NW, Suite 801  
Washington, DC 20006

Brig. Gen. Carl W. Reddel, USAF (Ret.)  
Executive Director  
Dwight D. Eisenhower Memorial Commission  
1629 K Street, NW, Suite 801  
Washington, DC 20006

Dear Mr. Siciliano and Brig. Gen. Reddel:

The Dwight D. Eisenhower Memorial Commission's ("Commission") Fiscal Year 2014 budget request seeks a total of \$51 million to pay for the construction of the planned Eisenhower Memorial and the salaries and expenses of the Commission itself. This would be in addition to the \$63 million total that has already been appropriated for the planned Memorial and the Commission since 1999, of which \$30.9 million was appropriated in Fiscal Year 2012 for the Memorial's design.

Architect Frank Gehry and his design firm, Gehry Partners, LLP, have been awarded the contract to design the Memorial, which is to feature metal tapestries consisting of twisted and bent stainless steel wiring designed to look like barren trees that would be welded together onto steel cables. These tapestries are to be suspended from 80-foot high columns along the perimeter of the Memorial. A significant portion of the cost to design, build, and maintain the Memorial, as planned, would go toward the unprecedented use of these stainless steel "tapestries." However, the exact costs for and durability of the tapestry elements are unknown, given ongoing testing of how they will hold up to real world conditions and regular cleaning.

At a March 19, 2013 hearing of the Subcommittee on Public Lands and Environmental Regulation, numerous witnesses including Susan Eisenhower expressed concern that the cost, scale, and design of the planned Memorial are not in keeping with President Eisenhower's values and do not enjoy a consensus of support.

Also at the March 19 Subcommittee hearing, Representative Cynthia Lummis requested Brig. Gen. Reddel provide a complete accounting of how the Commission has spent the \$30.9 million appropriated for design work in Fiscal Year 2012, including how much money has been spent and for what, how the design has been curtailed during the ongoing discussions about and testing of the design elements, and how much money remains available to be obligated. Brig. Gen. Reddel's April 1, 2013 response stated that approximately \$8.7 million has been spent from that appropriation, covering additional inter-agency consultation, preparation and revisions of design and construction documents, fabrication of mock-ups, material testing, and project management and contract administration.

Although Brig. Gen. Reddel's response and the Commission's budget request provide some clarity about the process and costs associated with the Gehry designed Memorial, significant questions remain about how the Commission has been operating and spending these funds.

President Eisenhower is deserving of an appropriate Memorial that commemorates his service as Supreme Commander for Allied Forces in Europe in World War II and then as President, but one that is more in keeping with the values he represented than the current Gehry designed Memorial. The scope of the planned Memorial and uncertainties surrounding the potential costs and upkeep needed to build and maintain the Gehry design also warrant taking a close look at how we have arrived at this place and reconsidering the design for one that is more appropriate in scope and cost.

The Committee on Natural Resources ("Committee") has broad jurisdiction over the activities and operations of the Department of the Interior and the National Park Service, including parks within the District of Columbia and the erection of monuments to the memory of individuals.

In order to obtain a better understanding of the activities and costs associated with the development and possible construction and upkeep of the planned Eisenhower Memorial, it is requested that the following information and documents be provided no later than the close of business May 30, 2013:

- 1) Since 1999, Congress has appropriated \$63.4 million to the Commission to cover expenses associated with operating the Commission itself and designing the Memorial. Please provide an accounting of the amounts obligated and the amounts remaining unobligated, listed separately by each fiscal year since 1999.
- 2) What is the total amount that has been paid to date to Gehry Partners, LLP? How much additional money is due to be paid to Gehry Partners, LLP in the remaining part of FY 2103, as well as in FY 2014, FY 2015, and FY 2016? Is the contract with Gehry Partners, LLP guaranteed, regardless of whether the Memorial is ever built or is built using a design by the Gehry firm? Please provide a copy of all contracts, memoranda of understanding, or other agreements between the Commission and its representatives and Gehry Partners, LLP.

- 3) The Commission employs nine full-time employees and has an additional five temporary or part-time employees under contract. The Commission is seeking \$2 million to cover its personnel and operational expenses in the next fiscal year. Please provide the total amount paid to the contract employees to date in the current fiscal year, as well as the previous three fiscal years.
- 4) The General Services Administration (“General Services Administration”) performs a number of reimbursable payroll, contract management, or financial services on behalf of the Commission. Does the Commission pay GSA any fees in exchange for GSA providing such services to the Commission? If yes, please provide an accounting of any such payments from the Commission to GSA listed by fiscal year and by category of service rendered. Please provide copies of any contracts, memoranda of understanding, or other agreements concerning the relationship between the GSA and the Commission.
- 5) Gilbane Building Company has been selected to manage the design and construction of the Memorial. Please provide a detailed accounting by fiscal year of how much has been paid to Gilbane and for what services. On page 18 of the Memorial Commission’s FY 2014 budget request, there is a line item “Project Management (GSA) and Design Management (Gilbane).” Please provide a breakdown of payments made to the General Services Administration versus Gilbane under this line item.
- 6) Please provide a detailed description of the duties of each Commission employee (permanent and contract) and explain whether any of these duties are currently also handled in full or part by GSA on a reimbursable basis or by Gilbane under its contract or are capable of being handled by GSA or Gilbane in the future.
- 7) The media design firm Local Partners has been selected to develop an electronic component for the Memorial. According to the FY 2014 budget request, the Memorial Commission has already paid more than \$1 million and is expecting to pay an additional \$1.4 million this year and next year for the development of the electronic memorial. How much has already been paid to Local Projects, and how much additional money is due to be paid to Local Projects? Has any commitment been made with Local Projects to operate or maintain the electronic memorial in the future? Has the Commission paid any other firms to do work on an electronic memorial? If yes, please provide an accounting by fiscal year of how much has been paid to each firm and a description of services rendered. Please provide copies of any contracts, memoranda of understanding, or other agreements concerning Local Partners or the electronic memorial.
- 8) The “ILikeIke2012.com” website imagines President Eisenhower running for office in present day and features several modified pictures showing him superimposed in current settings and historical quotes about issues that might also be of interest to present day voters. Please explain the purpose of the website and whether it was

developed internally by Commission staff, by Local Projects, or another vendor. Please provide an accounting of how much money was spent to develop the site and how much it costs to maintain the site. Please also provide a summary of the visitor traffic for the website, including number of page views.

- 9) The FY 2014 budget request for the Commission lists more than \$220,000 in travel and conference expenses between FY 2009 and FY 2012 and anticipates spending an additional \$97,000 this fiscal year. Please provide a list of the travel and conference expenses paid for by the Commission between FY 2009 and the present date, including the destination, dates, staff who participated, and cost, as well as supporting documentation for travel expenses.
  
- 10) In its FY 2014 budget request, the Memorial Commission states that it has engaged the firm Odell, Simms, and Lynch in 2011 to assist in fundraising for the Memorial and that the firm has developed a fundraising plan to build global support.
  - a. Please explain how Odell, Simms, and Lynch was selected to assist the Commission with fundraising for the Memorial, including whether the contract was open for competitive bids or was the result of a single-source procurement. Please provide copies of any contracts, memoranda of understanding, or other agreements with Odell, Simms, and Lynch or other firms concerning fundraising.
  - b. Please provide an accounting by fiscal year of fundraising totals received to date by the Commission.
  - c. Please provide a copy of any fundraising plans prepared by Odell, Simms, and Lynch for the Memorial.
  - d. The budget justification lists payments of more than \$1.1 million between FY 2009 and FY 2012 for fundraising expenses. Please provide an accounting by fiscal year of payments made to Odell, Simms, and Lynch or any other firm for fundraising assistance. Also, please explain whether such fundraising firms received a portion of funds raised in addition to or in lieu of payment from the Commission or GSA.
  - e. Is Odell, Simms, and Lynch or other similar firm currently under contract to assist with fundraising?
  - f. The budget request states that the Director and Deputy Director have undertaken travel to several states in support of private fundraising goals. Please provide a list of all fundraising trips (domestic and foreign) taken by the Director, Deputy Director, and/or any other Memorial Commission staff, the cost of each such fundraising trip, and the amount of donations (if any) attributable to each such trip.



Enclosed with this letter are instructions and definitions for responding to this request. Please have your staff contact Byron Brown or Machalagh Carr at 225-2761 in the Office of Oversight and Investigations with any questions.

Sincerely,



Doc Hastings  
Chairman  
Committee on Natural Resources



Rob Bishop  
Chairman  
Subcommittee on Public Lands  
and Environmental Regulation

Enclosure

## Responding to Committee Document Requests

### **A. Definitions**

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, recorded notes, letters, notices, confirmations, receipts, checks, envelopes, presentations, pamphlets, brochures, interoffice and intra office communications, electronic mails (e-mails), instant message, notations of any type of conversation, telephone call, voice mail, phone mail, meeting or other communication, diaries, analyses, summaries, messages, correspondence, circulars, opinions, work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and electronic, mechanical, and electric records or representations of any kind, and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether face-to-face, in a meeting, by telephone, mail, e-mail, discussions, releases, personal delivery, or otherwise.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this document request. The singular includes the plural. The masculine includes the feminine.
4. As used herein, “referring” or “relating” means and includes “constituting,” “pertaining,” “evidencing,” “reflecting,” “describing,” or “having anything to do with,” and in each instance, directly or indirectly. These terms mean, without limitation, any reference or relationship which either (a) provides information with respect to the subject of the inquiry, or (b) might lead to individuals who, or documents which, might possess or contain information with respect to the subject of the inquiry.

### **B. Instructions**

1. In complying with this document request, you are required to produce all responsive documents, materials, or items that are in your possession, custody, or control, whether held by you or your past or present agents, employees, representatives, subsidiaries, affiliates, divisions, partnerships, and departments acting on your behalf. You are also required to produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. No records, documents, data or information called for by this request shall be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.

2. In the event that any entity, organization, or individual denoted in this document request has been, or is also known by any other name than that herein denoted, the document request shall be read also to include them under that alternative identification.
3. Each document produced shall be produced in a form that renders that document capable of being printed or copied.
4. Documents produced in response to this document request shall be produced together with copies of file labels, dividers, envelopes, or identifying markers with which they were associated when this document request was served. Documents produced to this document request shall also identify to which paragraph from the document request such documents are responsive. Moreover, please include with your response, an index identifying each record and label (preferably by bates stamping) the documents. The Committee prefers, if possible, to receive all documents in electronic format.
5. It shall not be a basis for refusal to produce documents that any other person or entity also possesses documents that are non-identical or identical copies of the same document.
6. If any of the requested information is available in machine-readable or electronic form (such as on a computer server, hard drive, CD, DVD, memory stick, or computer back-up tape), state the form in which it is available and provide sufficient detail to allow the information to be copied to a readable format. If the information requested is stored in a computer, indicate whether you have an existing program that will print the records in a readable form.
7. If compliance with the document request cannot be made in full, compliance shall be made to the extent possible and shall include a written explanation of why full compliance is not possible.
8. In the event that a document is withheld, in whole or in part, based on a claim of privilege, provide the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter of the document; (d) the date, author, and any recipients; and (e) the relationship of the author and recipients to each other. Claims of privileges are considered under Committee on Natural Resources Rule 4(h) and, similar to all common-law privileges, are recognized only at the discretion of the Committee.
9. If any document responsive to this document request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances by which the document ceased to be in your possession, custody, or control.
10. If a date or other descriptive detail set forth in this document request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or

is otherwise apparent from the context of the request, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.

11. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon location or discovery subsequent thereto.

12. Production materials should be delivered to:

Committee on Natural Resources  
U.S. House of Representatives  
1324 Longworth House Office Building  
Washington D.C. 20515