

**House Subcommittee on
Economic Development, Public Buildings, and Emergency Management.
Testimony
Smithsonian Institution Acting Secretary
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Thank you for this opportunity to testify before the House Subcommittee on Economic Development, Public Buildings, and Emergency Management. I very much appreciate it, particularly at this important time in the history of the Smithsonian Institution.

I consider it an honor and a privilege to serve as Acting Secretary of this great Institution. The Smithsonian is a public trust, it belongs to every American, it is an Institution that we have good reason to be proud of. I have always been impressed as I travel across America and around the world to see the recognition and respect for the Smithsonian, our mission, values and programs.

I was appointed Acting Secretary more than two months ago and in that time, I have held more than 20 town hall meetings in all our museums and facilities, met with the Regents and advisory boards of our museums, as well as with members of Congress and supporters. I am grateful to our experienced and dedicated staff, volunteers and donors who deeply care about the Smithsonian and what it stands for. I am pleased to report that morale is definitely improving, and all are united in their commitment to continue the great work of the Institution.

The Smithsonian is fortunate to have a talented workforce of more than 6,000 employees, roughly two-thirds of whom are federal employees, while the rest are paid from trust funds. We are also greatly aided by more than 5,000 dedicated volunteers. Our workforce includes scientists, historians, artists, educators, curators, custodians, security officers, and many more. All do a great job caring for our world-class collections, expanding our premier research, and presenting the story of what it means to be an American.

The Smithsonian was established in 1846, thanks to a generous bequest from British scientist James Smithson, with the mission: “the increase and diffusion of knowledge.” Over the decades, the Smithsonian has become the world’s largest museum and research complex, providing inspiring experiences for millions of visitors. Historian David McCullough recently described the Smithsonian as a “storehouse of ideas.” It is indeed that and much more. With 19 museums, nine research centers and the National Zoo, the Smithsonian stands out as a unique entity, a leader in science, history, art, and culture. As an international institution it offers the world a picture of America and America a picture of the world.

It was James Smithson’s bequest that launched the Smithsonian, but the debate and counsel of the Congress helped to shape it from day one—and does so to this day. Without the generous support of the Administration and the Congress, the Smithsonian

simply would not be able to function. We appreciate the support and look forward to working with members to make the Smithsonian even stronger in the future.

The Smithsonian in its structure is a unique entity, an independent trust “establishment” of the United States, created by Congress as a legislative response to the acceptance of the James Smithson bequest. It was a gift scrutinized from every angle. After roughly 10 years of debate in Congress about how to handle the unprecedented bequest, legislation to establish the Smithsonian was enacted on August 10, 1846.

Former President John Quincy Adams, subsequently a Congressman from Massachusetts, was appointed chairman of the Select Committee formed by the House of Representatives to consider the unusual Smithson bequest. In his will of 1826 Smithson bequeathed “...the whole of my property...to the United States of America, to found at Washington, under the name of the Smithsonian Institution, an Establishment for the increase and diffusion of knowledge among men.”

Adams felt strongly that Congress alone, and not the Executive, was competent to act regarding the acceptance of Smithson’s bequest. Adams was also keenly aware of the unique responsibilities and legal obligations of accepting the bequest. As the committee he chaired wrote in its report, “In the commission of every trust, there is an implied tribute of the soul to the integrity and intelligence of the trustees; and there is also an implied call for the faithful exercise of those properties to the fulfillment of the purpose of the trust.” It was this commitment to the “tribute of the soul” and the “call for the faithful exercise of these properties” that motivated Congress to establish the Smithsonian as a trust of the United States, though independent from the formal branches of government. To do so, Congress took an interesting, deliberate, and intentional path.

Congress determined that it had authority to receive the trust for a charitable purpose in the District of Columbia. It was a reference to Congress’s special authority under Article I of the Constitution, to exercise exclusive legislation and jurisdiction over the District. Congress certainly would not have invoked this particular power if it had intended to establish the Smithsonian within a department of the executive branch.

Congress’ intent to establish the Smithsonian outside the executive branch is also clear from the governing structure it created for the Institution. Congress directed that the Smithsonian’s Board of Regents be composed of the Vice-President, the Chief Justice of the United States, three members of the Senate, three members of the House, and nine (originally six) private citizens of the states and the District of Columbia.

Congress placed representatives from all three branches of government on the Board of Regents to signal to the country, and indeed the world, the importance of this new Institution, and that the entirety of the government was responsible for the execution of the trust’s purposes. It would be guided by experienced, accomplished, men and women of stature. Over the decades, the prestige and wisdom of the Board have been vital to the success of the Smithsonian.

Congress decided to establish an institution, as an 1855 House Committee Report states, “separate in all its relations from any and every other” and “to give it a distinct and substantive existence, and insure independence and efficiency of operations.”

The long and illustrious history of the Smithsonian is a product of this early Congressional wisdom. Perhaps this Congressional wisdom was best summed up by a member of the judicial branch of government when Justice Holmes wrote in 1928, “Congress long ago established the Smithsonian Institution, to question which would be to lay hands on the Ark of the Covenant...I think it would be lamentable even to hint a doubt as to the legitimacy of the action of Congress in establishing the Smithsonian as it did.”

This certainly doesn't mean that the governance and operations of the Smithsonian are above scrutiny. We have undertaken a series of internal and external reviews looking for ways to improve. How we govern this great Institution is vitally important and I am confident that we will work together to make it even stronger.

As you know, the Smithsonian Board of Regents, to address the pending issues directly, chose a three-person Independent Review Committee to review aspects related to compensation and expenses, as well as the Regents' response and actions. The committee is composed of three distinguished citizens who are not members of the Board of Regents and is chaired by Charles A. Bowsher, a former Comptroller General of the United States. The committee's recommendations will be available on June 20, and we look forward to reviewing and implementing their recommendations.

The Board of Regents has also created a new, permanent Committee on Governance. The committee is comparing the governance of the Smithsonian with best practices of comparable organizations and responding to governance-related issues. Regent Patricia Stonesifer, head of the Bill and Melinda Gates Foundation, chairs this new standing committee. It also includes a distinguished individual who is not a Regent, Diana Aviv, president and CEO of Independent Sector. The committee is focusing on three priority areas: 1) Effective Board and Committee Structure; 2) Effective Monitoring, Oversight and Information Flow; and 3) Effective Transparency. Their report will make a series of recommendations that will be considered by the Regents this month.

As you know, last month, the Smithsonian's Board of Regents formed an *ad hoc* committee to conduct the search for the 12th Secretary of the Smithsonian. The committee is chaired by Regent Alan Spoon and has eight members, and two advisory members: Rick West, founding director of the National Museum of the American Indian, and Irwin Shapiro, senior scientist and former director of the Harvard-Smithsonian Center for Astrophysics.

It is my hope that we can work with the Congress to address the compensation, spending, and governance questions that have been raised, improve accountability, and continue to expand the valuable service the Smithsonian provides the public.

Unfortunately, one of the biggest obstacles we face in continuing this work is our facilities maintenance problem, which directly affects our mission, “the increase and diffusion of knowledge.” This issue concerns not only the buildings themselves, some of which are priceless artifacts in their own right, but more importantly the buildings enable us to educate the public, exhibit national collections, and create the experience of a lifetime for our visitors.

The Smithsonian’s facilities represent an investment made by the American people. The Smithsonian is the custodian of the largest museum collection in the world, with more than 136 million objects and specimens, documenting our history and heritage, the natural and cultural diversity of this planet: meteorites, moon rocks, the Hope Diamond, the hat Lincoln wore the night he was assassinated, the Star-Spangled Banner, Gilbert Stuart’s Lansdowne portrait of George Washington, the Wright Flyer, plus more than 2,800 animals at the National Zoo. More than 23 million visitors from around the world came to see these treasures last year.

Researchers from the Smithsonian and from around the world use these collections to pose new questions and advance our knowledge. Through our exhibitions at our many museums and programs, the collections and research galvanize our education efforts. Those efforts are expanded across America through traveling exhibitions, affiliate museums, curriculum guides, Web outreach, and much more. Without the proper facilities in safe operating order, none of this is possible.

Today the Smithsonian owns or leases more than 700 buildings and other structures in the District of Columbia, seven states, Panama, Belize, and Chile, about 10.2 million square feet of owned space and 1.7 million square feet of leased space with an estimated replacement value of more than \$5.1 billion. Some of these buildings are new, some are 150 years old, many are decades old, more than half are more than 25 years old. Five buildings are National Historic Landmarks, and many are listed on the National Register of Historic Places or are eligible for special consideration under federal guidelines for historic buildings, making the latter more difficult to maintain. The Smithsonian is unique in both the architectural variety and functional diversity of its buildings. We house everything from spiders to elephants, moon rocks to rocket ships, even the proverbial kitchen sink, given to us by Julia Child. It’s an expensive, challenging task to care for such collections and keep our workers and visitors safe—especially in a post 9-11 world where security is of paramount concern.

Both the National Academy of Public Administration and the Government Accountability Office have looked into this matter and underscored its seriousness with the GAO saying current funding levels are insufficient to provide the \$2.5 billion we know is required to fix and maintain the Institution’s facilities over the course of the coming years. Over a ten-year period, this would require \$100 million more per year than we currently receive. With more than half its buildings—and their electrical and mechanical systems—well past their normal, useful life spans, this is an overwhelmingly problematical issue.

As you know, we had to close the Arts and Industries Building (A&I) because the declining condition of the building presented safety hazards. We are looking at potential options that would allow us to return the building to public use, but it could cost more than \$60 million alone to just fix the shell and roof of the building. An External Review Committee just examined the Smithsonian's art museums and galleries and cited facilities maintenance problems and the funding to solve those problems as a major, ongoing issue. My own experience as director of the National Museum of Natural History, a building that opened in 1910, has given me first hand experience of the need to improve and maintain the facilities for our collections, research, and education.

As mentioned, our museums, galleries, and research centers house some of America's greatest treasures, and historically the federal government has recognized its responsibility to ensure that those treasures are housed, preserved, and exhibited in facilities adequate to the task—and safe for employees and the public. It's clear that the scope of the facilities problem is enormous; we are very grateful for all the federal support to correct this massive problem—and for funds for research and exhibitions as well. The Smithsonian is working very hard to raise private funds to be used in partnership with federal funds to repair our facilities. Leaders of our management team met last week in an effort to expand our options in this area and discussions continue.

The Smithsonian has demonstrated that with sufficient resources, it has the ability to manage large, complex maintenance, renovation, and new construction projects. Over the last five years (fiscal years 2002-2006), the Smithsonian's facilities capital obligation rate has averaged more than 90%.

In the last few years alone, among other things, the Smithsonian has opened two new museums: the Steven F. Udvar-Hazy Center of the National Air and Space Museum and the National Museum of the American Indian on the Mall; revitalized the historic Patent Office Building, which now houses the Donald W. Reynolds Center, home to the National Portrait Gallery and the Smithsonian American Art Museum; and launched the National Museum of African American History and Culture, as well as opened many new exhibitions and exhibition halls, and completed a new state-of-the-art storage facility for collections stored in flammable alcohol.

The largest multi-disciplinary project ever undertaken by the Smithsonian Institution is under way—the \$78 million Ocean Science Initiative at the National Museum of Natural History, in collaboration with the National Oceanic and Atmospheric Administration. The project includes a new exhibition space, the Ocean Hall (opening in 2008), a new endowed Chair for Marine Science research, educational outreach, a new Ocean Web Portal, plus funding for research. More than \$34 million (44%) of the total funding will come from private sources, the rest federal.

The National Museum of American History will reopen in 2008. Implementing recommendations from its Blue Ribbon Commission, this museum will have a new home for the Star-Spangled Banner and a completely redesigned central core of the museum.

Of the nearly \$113 million for the project, \$67 million (59%) of the total funding will come from private sources, the rest federal.

Further into the future, the Smithsonian's 19th museum, the National Museum of African American History and Culture will open on the National Mall. Part of that museum is up and running right now, with a Web site and special programs. Funding for the construction of the museum will be half private and half federal.

The Smithsonian has a proven track record of accountability. As the Government Accountability Office said in its April 2007 testimony before the Senate Committee on Rules and Administration:

The Smithsonian, we think, has done a very good job in centralizing and improving and professionalizing the facilities management of the Smithsonian and its operations over the last couple of years. And in fact, as the chair indicated earlier in wondering why some of the numbers have been increasing and the estimates, it's because of the professionalization and the better accuracy of developing the numbers and the true figures of what it's going to cost to take care of the problems.

With the help of the Congress, we can solve these problems.

The mission of the Smithsonian is "the increase and diffusion of knowledge," and we achieve it through our collections, research, and education. With state of the art facilities, we can better educate our nation's students and make sure that these treasures that document America and the world will be here for generations to come.

For example, the Smithsonian Center for Education and Museum Studies (SCEMS) is collaborating with the Council of Chief State School Officers (CCSSO) to create new ways for teachers and students to access Smithsonian collections and experts. The purpose of the collaboration is to enrich classroom instruction for all students. SCEMS, as part of the collaboration, leads SI-based professional development opportunities for the State Teachers of the Year. The 2006 District of Columbia Teacher of the Year was named the National Teacher of the Year and sits on the Steering Committee of this collaboration.

The National Sciences Resources Center (NSRC), a partnership with the National Academies, is helping improve science education in school districts that enroll 22% of the United States' K-12 student population. Using the NSRC's reform model, Washington State, Delaware and other states are providing evidence of the effectiveness of that model in improving student achievement in science, mathematics, and reading.

In the District, for the past three years, the National Science Resources Center has conducted annual professional development training sessions for teachers who provide after-school and summer enrichment programs for DC youth. These sessions teach teachers how to effectively engage youth in investigating interesting science problems

using the NSRC's middle school science curriculum. Each one of these teachers teaches 50 or more students as a part of this program. The estimated number of students affected by this program annually is 1,750 to 2,250.

The Smithsonian's Freer and Sackler Galleries of Art have forged formal partnerships with seven D.C schools, creating integrated units tied to the curriculum.

For the past five years, the National Air and Space Museum (NASM) has been working with the Aero Club of Washington to encourage district students to pursue careers in the aviation field. We're working with Cardozo Senior High, Stuart-Hobson Middle School and H.D. Woodson Senior High. More than 150 students participate in this educational enrichment activity yearly.

The Smithsonian Environmental Research Center has worked with 22 District of Columbia schools per year since 2000, serving nearly 700 students annually with a program on the biological and physical components of an estuary such as the Chesapeake Bay.

The Smithsonian Associates' Discovery Theater has a long and full history of serving the District's students. Inaugurated in 1979, Discovery Theatre now offers over 30 programs per year developed with the help of our Teacher's Advisory Board. Discovery Theatre creates curriculum based performances in the areas of history, culture, science, math and the arts. Approximately 12,500 students and adults from 135 District public schools participate in our interactive performances annually.

The Smithsonian's gateway to more than 1,200 free educational resources, www.smithsonianeducation.org, now includes a feature that aligns those resources to standards of learning in every state and Washington DC. Simply by entering the name of the state into the search engine, teachers can find lesson plans, virtual exhibitions, photographs and artworks, and databases of research information that apply to their curriculum. The state standards are correlated to all subjects – from language arts and social studies to mathematics and technology.

For the last twelve years the Smithsonian has hosted a teacher's night event, serving on average two thousand local teachers each year. During this event teachers receive free materials, see demonstrations, and plan curriculum-relevant visits to the Smithsonian.

I view the Smithsonian as a public trust; it belongs to every American, young and old, and learners of all ages. Tens of millions of adolescents have come to the nation's capital and have experienced the Smithsonian. Through our expansive education and outreach programs, millions more have experienced the Smithsonian in their own hometowns. I am particularly interested in this younger audience because they are America's future. We inspire the next generation of astronauts, scientists, artists, explorers, and historians. Once they experience the Smithsonian, this great Institution is in their hearts and minds for life.

One of my top priorities as acting secretary is to ensure that our ambitious plans move forward. The Smithsonian has so much to offer the public in terms of education, outreach, research, exploration, exhibitions, and much more. We've built up great momentum and it must continue.

The Smithsonian is keeper of our nation's historic, scientific, artistic, and cultural heritage. It tells the story of what it means to be an American. In cooperation with the Congress, the Smithsonian will move ahead with its ambitious plans and continue to provide the American people and visitors from around the world with an invaluable service.

Again, thank you for this opportunity to testify. I'd be happy to answer any questions.

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