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5/21/76

APPROVED

THE WHITE HOUSE

ACTION

WASHINGTON

May 19, 1976

Last Day: May 24

MAY 21 1976

Posted  
5/21/76

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON

SUBJECT: S. 3031 - Bernardo de Galvez

to archives  
5/21/76

Attached for your consideration is S. 3031, sponsored by Senator Montoya, which authorizes the erection of a statue of Bernardo de Galvez on public grounds in the District of Columbia. The statue to be erected is a gift from Spain in recognition of the contributions of Bernardo de Galvez, a Spanish infantry officer who served as the military governor of Louisiana during the Revolutionary War.

Additional information is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Lazarus) and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign S. 3031 at Tab B.





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

MAY 17 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 3031 - Bernardo de Galvez  
Sponsor - Sen. Montoya (D) New Mexico

Last Day for Action

May 24, 1976 - Monday

Purpose

Authorizes the erection of a statue of Bernardo de Galvez on public grounds in the District of Columbia.

Agency Recommendations

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

Discussion

Bernardo de Galvez was a Spanish infantry officer who served as the military governor of Louisiana during the period of the American Revolutionary War. His actions kept the Mississippi River open for the delivery of American supplies to the Colonies, and his military operations against the British along the gulf coast and in western Florida were significant contributions in the defeat of Cornwallis and in preventing British control of the Carolinas and Georgia.



In recognition of Bernardo de Galvez' contribution to the American Revolution and to celebrate the United States' Bicentennial, the government of Spain is giving the United States a statue of de Galvez as a token of the friendship that exists between the people of the two countries.

S. 3031 directs the Secretary of the Interior to select an appropriate site for the location of the de Galvez statue on grounds now owned by the United States in the District of Columbia. Erection of the statue must begin within five years of enactment. Furthermore, the site and design of the statue must be approved by the Commission of Fine Arts and the National Capital Planning Commission. The enrolled bill stipulates that erection of the statue and landscape costs shall not be borne by the United States, although the Secretary would be responsible for necessary maintenance after completion.

In its enrolled bill letter, Interior notes that plans for erection of the de Galvez statue are well underway:

"The National Capital Memorial Advisory Committee met in April and approved S. 3031 as an appropriate means of commemorating the contributions of de Galvez during the Revolutionary War. In order to assist the Spanish Embassy in expediting the location of a site for the statue, the Committee has discussed a number of alternative sites within the District of Columbia with a representative of the Embassy.

"Further discussions are now in progress between the Committee and the Spanish Embassy. Upon the selection of a final site the necessary construction on the site can commence when the Commission of Fine Arts and the National Capital Planning Commission have approved the site and its design."



*James M. Frey*  
Assistant Director for  
Legislative Reference

Enclosure

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: May 18

Time: 900am

FOR ACTION: Margo Boyle *W*  
Max Friedersdorf  
Ken Lazarus *on*  
Sarah Massengale *W*

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

FROM THE STAFF SECRETARY

DUE: Date: May 19

Time: 500pm

SUBJECT:

S. 3031 - Bernardo de Galvez statue

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.  
For the President





# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

MAY 14 1976

Dear Mr. Lynn:

This responds to your request for our views on the enrolled bill S. 3031, "To authorize the erection of a statue of Bernardo de Galvez on public grounds in the District of Columbia."

We recommend that the President approve the enrolled bill.

S. 3031 provides that the Secretary of the Interior shall select an appropriate site in the District of Columbia for the location of a statue of Bernardo de Galvez, a gift of the Government of Spain, if the design and the site of the statue is approved by the Commission of Fine Arts and the National Capital Planning Commission. The bill provides that the erection and the proper landscaping of the statue shall be without expense to the United States.

The National Capital Memorial Advisory Committee met in April and approved S. 3031 as an appropriate means of commemorating the contributions of de Galvez during the Revolutionary War. In order to assist the Spanish Embassy in expediting the location of a site for the Statue, the Committee has discussed a number of alternative sites within the District of Columbia with a representative of the Embassy.

Further discussions are now in progress between the Committee and the Spanish Embassy. Upon the selection of a final site the necessary construction on the site can commence when the Commission of Fine Arts and the National Capital Planning Commission have approved the site and its design.

Sincerely yours,

Assistant Secretary of the Interior

Honorable James T. Lynn  
Director  
Office of Management and Budget  
Washington, D.C. 20503





P3-2(51)/76-2

THE DISTRICT OF COLUMBIA

WALTER E. WASHINGTON  
MAYOR

WASHINGTON, D. C. 20004

MAY 14 1976

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

Dear Mr. Frey:

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

S. 3031 - "To authorize the erection of a statue of Bernardo de Galvez on public grounds in the District of Columbia."

The enrolled bill would authorize the Government of Spain to erect a memorial on grounds owned by the United States in the District of Columbia in recognition of the Bicentennial celebrations of the United States of America. The site of the memorial would be selected by the Secretary of the Interior. The site and design of the statue would be subject to approval by the Commission on Fine Arts and the National Capital Planning Commission, and the memorial would be required to be erected within five years after the date of enactment of the enrolled bill. The erection of the statute would be at no cost to the District of Columbia or the United States, and the costs of maintenance after completion would be assumed by the United States.

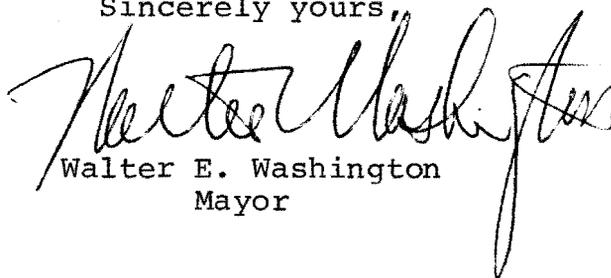
It does not appear that approval of S. 3031 would adversely affect the activities of the District of Columbia



Government in any manner, nor involve any additional costs to the District of Columbia.

I have no objection to approval of S. 3031.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Walter E. Washington".

Walter E. Washington  
Mayor



# THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS MAY 17, 1910

J. CARTER BROWN, Chairman

NICOLAS ARROYO  
JANE O. DART  
KEVIN ROCHE

CHLOETHIEL WOODARD SMITH  
EDWARD STONE, JR.  
GEORGE WEYMOUTH

CHARLES H. ATHERTON, Secretary

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

12 May, 1976

Dear Mr. Frey:

The Commission of Fine Arts has no objection to the enactment of the enrolled bill, S. 3031, "to authorize the erection of a statue of Bernardo de Galvez on public grounds in the District of Columbia."

Sincerely yours,



J. Carter Brown  
Chairman

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



NATIONAL CAPITAL PLANNING COMMISSION

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



May 14, 1976

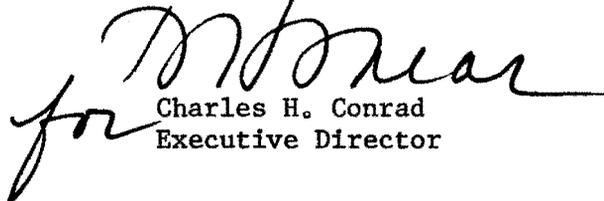
Mr. James M. Frey  
Assistant Director  
for Legislative Reference  
Office of Management and Budget  
Washington, D.C. 20004

Dear Mr. Frey:

Reference is made to your request for our views and recommendations on S. 3031, an enrolled bill "To authorize the erection of a statue of Bernado de Galvez on public grounds in the District of Columbia."

There is no objection on the part of the Commission to the approval of this legislation by the President.

Sincerely yours,

  
Charles H. Conrad  
Executive Director

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: May 18

Time: 900am

FOR ACTION: Margo Boyle  
Max Friedersdorf  
Ken Lazarus  
Sarah Massengale

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

FROM THE STAFF SECRETARY

---

DUE: Date: May 18

Time: 500pm

---

SUBJECT:

S. 3031 - Bernardo de Galvez statue

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*Approve  
SCM*

**PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.**

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon  
For the President

THE WHITE HOUSE

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ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection -- Ken Lazarus 5/18/76

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James M. Cannon  
For the President

THE WHITE HOUSE

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SUBJECT:

S. 3031 - Bernardo de Galvez statue

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*Judy -*

*I recommend approval.*

*TTTB*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon  
For the President

THE WHITE HOUSE

WASHINGTON

May 18, 1976

MEMORANDUM FOR: JIM CAVANAUGH  
FROM: MAX L. FRIEDERSDORF *M. L.*  
SUBJECT: S. 3031 - Bernardo de Galvez statue

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

Attachments

## BERNARDO DE GALVEZ STATUE

---

MAY 4, 1976.—Ordered to be printed

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Mr. JOHNSTON, from the Committee on Interior and Insular Affairs, submitted the following

### REPORT

[To accompany S. 3031]

The Committee on Interior and Insular Affairs to which was referred the bill (S. 3031) to authorize the erection of a statue of Bernardo de Galvez on public grounds in the District of Columbia, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE

The legislation would authorize the Secretary to accept a statue of Bernardo de Galvez, the Spanish Governor of Colonial Louisiana during the Revolution. The statue is a gift of the Spanish Government to the United States for the Bicentennial and is expected to be presented by the King and Queen of Spain in June.

#### BACKGROUND

Bernardo de Galvez was born in Malaga in 1746. He became a Spanish infantry officer, and was sent to Louisiana in 1776 as the military governor. He not only assisted Americans in fighting the Revolutionary War, but assumed an active role himself in fighting the British. He attacked and captured the British forts at Baton Rouge and Natchez in 1779, at Mobile in 1780, and at Pensacola in 1781. He founded the city of Galveston in 1777.

His operations kept the Mississippi River open for the delivery of American supplies to the Colonies, and his military action along the gulf coast and in western Florida were very important elements in defeating Cornwallis in saving the Carolinas and Georgia.

After the revolutionary period Don Bernardo served in Cuba and later became the 49th Viceroy of Mexico. He died in Mexico in 1794.

As an ally of the United States during the Revolutionary War, and as one of the military leaders who became a vital part of this history of territories which later became parts of the United States, Bernardo de Galvez is truly an historic figure in the development of this continent and this Nation.

#### LEGISLATIVE HISTORY

S. 3031 was introduced on February 25, 1976, and the Subcommittee on Parks and Recreation conducted a hearing on April 1, 1976.

#### COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Interior and Insular Affairs, in open business session on April 28, 1976, by unanimous vote of a quorum present recommends that the Senate pass S. 3031 without amendment.

#### COST AND BUDGETARY CONSIDERATIONS

There is no most involved in this measure, except for necessary maintenance after completion.

#### EXECUTIVE COMMUNICATIONS

The pertinent legislative reports and communications received by the committee from the Office of Management and Budget and from the Department of the Interior setting forth executive agency recommendations relating to S. 3031 are set forth below.

The Departmental report of March 31, set forth below, requests deferral until after the April 19th meeting of the National Capital Planning Commission. During subcommittee hearing the Department indicated that immediately after the Commission's meeting they would communicate its position to the committee.

The Commission recommended that the bill be approved with the stipulation they be involved in the actual site selection. Despite its assurances at the hearing, the Department has not formally communicated its position to the committee.

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., March 31, 1976.

HON. HENRY M. JACKSON,  
Chairman, Committee on Interior and Insular Affairs,  
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to the request of your committee for the views of this Department on S. 3031, a bill "To authorize the erection of a statue of Bernardo de Galvez on public grounds in the District of Columbia."

We recommend that action on this bill be deferred.

S. 3031 provides that the Secretary of the Interior shall select an appropriate site in the District of Columbia for the location of a statue of Bernardo de Galvez, a gift of the Government of Spain, if the design and the site of the statue is approved by the Commission

of Fine Arts and the National Capital Planning Commission. The bill provides that the erection and the proper landscaping of the statue shall be without expense to the United States.

The National Park Service of this Department has been cooperating with representatives of the Embassy of Spain in regard to this proposed gift. Discussions are continuing, in particular as to a site which would be acceptable to the Government of Spain and the several agencies which would be requested to make a determination as to the appropriateness of the site and the memorial. These agencies, among others, are represented on the National Capital Memorial Advisory Commission, which renders advice to the Secretary of the Interior on matters pertaining to memorializations on public grounds in the District of Columbia.

A meeting of the Commission is scheduled for April 19 to consider S. 3031. Upon receipt of their advice, this Department will formulate its position promptly. In the interim, discussions will continue in order to ascertain whether the Commission, and this Department, may consider a proposal for a specific site. Should a site be proposed by the Government of Spain, and recommended by the National Capital Memorial Advisory Commission, we believe that both our report and the progress of the legislation itself will be greatly expedited.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

CURTIS BOHLEN,  
*Acting Secretary of the Interior.*

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 3031, as reported.

S. 3031

# Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

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

## An Act

To authorize the erection of a statue of Bernardo de Galvez on public grounds  
in the District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall select an appropriate site for the location of a statue, including pedestal therefor, of Bernardo de Galvez, a gift of the Government of Spain in recognition of the Bicentennial celebrations of the United States of America and as a token of the friendship that exists between the people of Spain and the people of the United States. Such statue shall be erected on grounds now owned by the United States of America in the District of Columbia if (1) the choice of the site and the design of the statue is approved by the Commission of Fine Arts and the National Capital Planning Commission, and (2) the erection of the statue is begun within five years after the date of the enactment of this Act. The erection of the statue and proper landscape treatment of the site, including walks, shall be without expense to the United States of America, except for necessary maintenance after completion.*

*Speaker of the House of Representatives.*

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

May 12, 1976

Dear Mr. Director:

The following bills were received at the White House on May 12th:

S. 2619 ✓	H.R. 2776 ✓
S. 2620 ✓	H.R. 4038 ✓
S. 3031	H.R. 5227 ✓
S. 3107 ✓	H.R. 8863 ✓

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder  
Chief Executive Clerk

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