

Interim Activity of the Commission for Historical Statues in the U.S. Capitol

Date of Report: July 27, 2020

Author: Department of Historic Resources

Enabling Authority: HB 1406, Chapter 1099 Virginia Acts of Assembly

Executive Summary: Pursuant to the powers and duties authorized under Chapter 1099 of the 2020 Virginia Acts of Assembly, The Virginia General Assembly created the Commission for Historical Statues in the United States Capitol and tasked it with studying the removal and replacement of the Robert E. Lee statue in the Capitol's National Statuary Hall Collection, where each state is entitled to have two statues. Virginia's other statue is of George Washington.

Commission Members: The commission consists of eight members. Governor Ralph Northam appointed Dr. Edward Ayres and Dr. Colita Fairfax. The Virginia Senate appointed Senator Louise Lucas, and the House of Delegates appointed Del. Jeion Ward. Three citizen members were elected at the Commission's first meeting: Dr. Fred Motley of Danville, Chief Anne Richardson of the Rappahannock Tribe and a resident of Indian Neck, and Margaret "Margi" Vanderhye of McLean. Julie Langan, Director of the Department of Historic Resources, serves as an *ex-officio* member.

The Commission held two meetings during the month of July 2020. Both meetings were hosted by the Department of Historic Resources (DHR), the agency tasked with providing administrative support to the Commission. Both meetings were publicly noticed as required by the *Code of Virginia* § 2.2-3707 and were held virtually due to the continuing State of Emergency declared by Governor Northam as authorized by and in compliance with § 4-0.01 of the 2020 Appropriations Act (HB 30, Chapter 1289). Both meetings were recorded.

Summary of July 1, 2020 meeting: During the Commission's first meeting, the four appointed members elected three citizen members: Dr. Fred Motley of Danville, Chief Anne Richardson of the Rappahannock Tribe and a resident of Indian Neck, and Margaret "Margi" Vanderhye of McLean. The meeting was moderated by Julie Langan. Governor Northam provided brief remarks.

Summary of July 24, 2020 meeting: Senator Louise Lucas was elected Chair and Delegate Jeion Ward was elected Vice Chair. Director Langan provided an overview of the Commission's responsibilities which was followed by a staff presentation that provided a historical overview of Statuary Hall and the Robert E. Lee statue. Governor Northam joined the meeting to provide brief remarks. Director Langan provided an overview of the statue removal process. The Commission heard public comment from four individuals, all who spoke in favor of removing the statue. Director Langan provided an overview of the written public comments received via the Commission's email account. Of the 49 emails, all but one spoke in favor of removal. Many comments included suggestions of other Virginians that were worthy of representing the Commonwealth. The Commission members discussed the removal of the Robert E. Lee statue as well as next steps in the removal process.

Recommendation of the Commission: The Commission unanimously approved a motion to recommend to the General Assembly that the Robert E. Lee statue be removed from the Statuary Hall Collection at the United States Capitol.

On July 31, 2020, Governor Northam sent the attached letter to the Architect of the U.S. Capitol requesting approval to immediately remove the Robert E. Lee statue.



COMMONWEALTH of VIRGINIA
Office of the Governor

Ralph S. Northam
Governor

July 31, 2020

Mr. J. Brett Blanton
Architect of the Capitol
United States Capitol
Washington, D.C., 20004

Dear Mr. Blanton:

On behalf of the Commonwealth of Virginia, I write to request the removal of the Robert E. Lee statue representing Virginia in the National Statuary Hall Collection in the United States Capitol.

Virginia law creates the Commission for Historical Statues in the United States Capitol. This panel voted unanimously on July 24, 2020 to proceed with removal of the Lee statue and to initiate the replacement process. The Commission determined that the Robert E. Lee statue does not tell Virginia's full and true history and it does not represent the values of the Commonwealth. I concur. I commend and support the Commission's decision to promptly remove this relic from the halls of Congress and replace it with a new statue that embodies the inclusive Virginia we aspire to be.


While it is the Commonwealth's intent to follow the *Procedure and Guidelines for Replacement of Statutes in the National Statuary Hall Collection*, Virginia believes we must remove the Lee statue. As required by the *Guidelines*, I have enclosed Chapter 1098 of the Acts of Assembly, passed into law earlier this year, to demonstrate Virginia's intent to pursue the replacement of the Lee statue.

I respectfully request that you coordinate the removal plans with my office as I would like to ensure our Congressional Delegation and General Assembly are included in the process as well. I also ask that you alert the Joint Committee on the Library of Congress.

Mr. J. Brett Blanton
July 31, 2020
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Should you have any questions or require additional information, please contact Director of the Virginia Department of Historic Resources, Julie Langan, at (804) 482-6087. Thank you for your thoughtful consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph S. Northam". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ralph S. Northam

cc: The Honorable Nancy P. Pelosi, Speaker of the House of Representatives
Virginia Congressional Delegation

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION CHAPTER 1098

An Act to establish the Commission for Historical Statues in the United States Capitol to provide for the replacement of the Robert E. Lee statue in the National Statuary Hall Collection at the United States Capitol, to recommend to the General Assembly as a replacement a statue of a prominent Virginia citizen of historic renown or renowned for distinguished civil or military service to be commemorated in the National Statuary Hall Collection, and to provide for the selection of a sculptor for the new statue; and to provide for submission of the Commonwealth's request to the Joint Committee of Congress on the Library for approval to replace the Robert E. Lee statue in the National Statuary Hall Collection at the United States Capitol.

[S 612]

Approved April 10, 2020

Whereas, pursuant to 2 U.S.C. § 2131, each state is permitted to provide and furnish to the United States Capitol two statues, in marble or bronze, of deceased persons who have been prominent citizens of the state for placement in the National Statuary Hall Collection; and

Whereas, currently, Virginia has two statues, of George Washington and Robert E. Lee, in the National Statuary Hall Collection; and

Whereas, pursuant to 2 U.S.C. § 2132, a state may request that the Joint Committee of Congress on the Library approve the replacement of any statue the state has provided for display in the National Statuary Hall Collection at the United States Capitol; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. § 1. The Commission for Historical Statues in the United States Capitol (the Commission) is established to determine who in addition to George Washington should represent Virginia in the National Statuary Hall Collection at the United States Capitol and to recommend to the General Assembly, if the Commission so chooses pursuant to § 5 to replace the statue of Robert E. Lee, a statue of a prominent Virginia citizen of historic renown or renowned for distinguished civil or military service to be commemorated in the National Statuary Hall Collection. The Commission shall consist of eight members as follows: one member of the House of Delegates to be appointed by the Speaker of the House of Delegates; one member of the Senate to be appointed by the Senate Committee on Rules; two nonlegislative citizen members who are Virginia or American historians to be appointed by the Governor; three nonlegislative citizen members appointed upon the vote of the Commission members appointed by the Speaker of the House of Delegates, the Senate Committee on Rules, and the Governor; and the Director of the Department of Historic Resources, who shall serve ex officio with nonvoting privileges.

§ 2. Legislative members and the ex officio member shall serve terms coincident with their terms of office. Appointments to fill vacancies shall be filled in the same manner as the original appointments.

§ 3. The members of the Commission shall select a chairman and a vice-chairman. The chairman shall be a member of the General Assembly. A majority of the voting members shall constitute a quorum. The Commission shall meet at the call of the chairman or whenever a majority of the voting members request.

§ 4. Members of the Commission shall be compensated for their service and reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in the general appropriation act.

§ 5. The Commission shall determine whether the statue of Robert E. Lee should remain or be replaced in the National Statuary Hall Collection representing the Commonwealth of Virginia. If the Commission determines that the Robert E. Lee statue should be replaced, the Commission shall have the following duties:

1. To provide for the replacement of the Robert E. Lee statue in the National Statuary Hall Collection at the United States Capitol.

2. To recommend to the General Assembly as a replacement a statue of a prominent Virginia citizen of historic renown or renowned for distinguished civil or military service that is compatible with the historical character and design of the United States Capitol. Prior to any final recommendation to the General Assembly, the Commission shall hold at least one public hearing to receive input and comments relating to its developed plans for the new statue.

3. To select a sculptor in accordance with any guidelines prescribed pursuant to 2 U.S.C. § 2131 with preference given to a sculptor from Virginia to design a statue of the prominent Virginia citizen selected pursuant to subdivision 2.

4. To estimate the costs associated with the replacement of the Robert E. Lee statue, including the costs to design, construct, transport, and place the new statue, for the removal and transfer of the

Robert E. Lee statue, and for any unveiling ceremony for the new statue.

5. To recommend to the General Assembly a suitable state, local, or private nonprofit history

museum in the Commonwealth for placement of the Robert E. Lee statue.

§ 6. In carrying out its duties, the Commission may hold meetings at any place within the

Commonwealth; enter into contracts, memorandums of understanding, and collaborative arrangements; participate in fundraising to procure a new statue; seek private funding for the operation and support of the Commission; and undertake all other lawful acts that are consistent with effectuating the purposes of this act.

§ 7. The costs of implementation of the Commission and its work shall be borne by the Commission from such private funds raised, bequeathed, or granted to the Commission and general funds as are appropriated by the General Assembly to cover the costs of its operation and work.

§ 8. The Department of Historic Resources shall provide staff support to the Commission, including research, policy analysis, and other services as requested by the Commission. All agencies of the Commonwealth shall provide assistance to the Commission, upon request.

§ 9. Until completion of the Commission's work, the Commission shall report by December 1, 2020, and by December 1 annually thereafter the status of its work, including any findings and recommendations, to the Governor and the General Assembly. If known at the time, the report shall include (i) the prominent Virginia citizen selected for commemoration in the National Statuary Hall Collection at the United States Capitol; (ii) an estimate of the total costs associated with replacement of the Robert E. Lee statue, including the costs to design, construct, transport, and place the new statue, for the removal and transfer of the Robert E. Lee statue, and for any unveiling ceremony for the new statue; and (iii) the name of the sculptor and the process used to select the sculptor. The report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 10. In accordance with 2 U.S.C. § 2132, upon the selection of a prominent Virginia citizen and a sculptor under § 5, the General Assembly shall request by memorializing resolution that the Joint Committee of Congress on the Library approve the request to replace the statue of Robert E. Lee and that the Architect of the Capitol carry out the request. Upon adoption of the memorializing resolution by the General Assembly and approval of the request in writing by the Governor, the memorializing resolution shall be submitted to the Joint Committee of Congress on the Library.