

OVERSIGHT OF THE SMITHSONIAN INSTITUTION

HEARING
BEFORE THE
COMMITTEE ON HOUSE
ADMINISTRATION
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTH CONGRESS
FIRST SESSION

HEARING HELD IN WASHINGTON, DC, MARCH 5, 2003

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OVERSIGHT OF THE SMITHSONIAN INSTITUTION

WEDNESDAY, MARCH 5, 2003

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC.

The committee met, pursuant to call, at 2:20 p.m., in room 1310, Longworth House Office Building, Hon. Robert W. Ney (chairman of the committee) presiding.

Present: Representatives Ney, Ehlers, Mica, Linder, Larson, Millender-McDonald, and Brady

Staff Present: Paul Vinovich, Staff Director; Jeff Janas, Professional Staff Member; George Hadijski, Professional Staff Member; Pat Leahy, Professional Staff Member; George Shevlin, Minority Staff Director; Matt Pinkus, Minority Professional Staff Member; Charles Howell, Minority Chief Counsel; Deborah Mack, Staff Member, Representative Millender-McDonald; and Stan White, Staff Member, Representative Brady.

The CHAIRMAN. The committee will begin. I am sorry the committee was delayed due to the series of votes called on the floor of the House. We will come to order.

I want to thank all of you for coming today. This afternoon's hearing will focus on the Smithsonian Institution and its operations. I also want to thank our witness, Secretary Larry Small, for taking the time to appear before us today.

I look forward to hearing your testimony as I know the other committee members do.

In 1829, English scientist James Smithson donated his fortune to the people of the United States. I learned this from the Secretary, too, some of this history. He did this for the purpose of creating an institution for the increase and diffusion of knowledge.

On August 10, 1846, by an act of Congress signed by President James K. Polk, the Smithsonian Institution was officially established as a trust to be administered by the Board of Regents and the Secretary of the Smithsonian.

Today, the Smithsonian has grown into one of our nation's true historical and scientific gems. It is commonly referred to as our "Nation's attic," but that phrase oversimplifies a very complex institution.

The Smithsonian contains over 142 million items and artifacts and has a Federal budget request for fiscal year 2004 of over \$566 million.

The Smithsonian Institution is the world's largest museum complex and includes 16 museums with two more nearing completion

in the next couple of years. It also includes four research centers, the National Zoo and various education and traveling exhibit services, and they are all operated by approximately 6,300 employees.

This enormous structure does not come without enormous challenges. The Smithsonian is faced with numerous issues pulling it in all directions, which is why managing such a structure also becomes one that becomes difficult at times. I am also sympathetic to the challenges ahead, as I have dealt with similar issues involving the Congress in the past. In the wake of the September 11th attacks, we have both had to deal with new measures involving security, while facing an overall tightening of Federal budget dollars for other areas.

Having said that, the American public expects nothing less than the best from their government and their treasured institutions, regardless of the challenges ahead.

Since the Smithsonian covers such a wide array of subjects, I hope today to focus on some specific areas that would include updates to our committee on major projects under way or in development at the Smithsonian; a discussion about the report recently submitted by the Smithsonian Science Commission that was tasked with looking at science and science priorities at the Institution; management at the National Zoo, the publicized animal deaths, of course, and corrective actions taken; and the overall management and future priorities of the Smithsonian.

As a significant portion of its funding comes from government sources, the Smithsonian has worked hard to increase private contributions. We credit them for that. I would like the Secretary to explain the private donation process and how the Institution maintains content control when accepting these private donations.

I am also very interested to hear the Secretary's vision for managing the Institution's personnel and keeping personnel costs from taking away funding from other priorities.

I understand the Smithsonian is undertaking implementation of an institutional strategic plan. I am interested in your goal-setting and in the vision for the Smithsonian that is found within that plan.

Lastly, I know the repair and restoration of the Institution's infrastructure related to museum buildings has been priority for Secretary Small. I would like to know how that broad goal is progressing and what the vision and priorities are from that point forward.

I also wanted to make a statement, obviously due to the recent situation with the zoo and the publicity we have talked to.

I am pleased to have the ranking member and the other members of the committee, both sides of the aisle; we have an interest, overall, in the Smithsonian. We have had discussions and have also talked to Delegate Eleanor Holmes Norton and have come to the conclusion that we would look towards the National Academy of Sciences, or if that doesn't seem to be the entity, another entity to look over the zoo situation; and the Smithsonian may want to comment on that.

I think this will be an appropriate—process where Congress will use its oversight ability to address the controversy and the situation at the zoo.

With that, I will yield to my ranking member, Mr. Larson.

Mr. LARSON. Thank you, Mr. Chairman.

And thank you, Secretary Small, for joining us here this afternoon as well.

I am delighted at my inaugural meeting here before the committee that so many of the press have turned out to focus on my initial hearing. And while my mother may believe that, I want to thank Mr. Ney, especially, from day one, who has done an outstanding job in bringing me up to speed with respect to the duties of the committee and working very closely with us in bipartisan fashion as we move forward on clearly what is institutionally an important aspect of congressional oversight, and that is the Smithsonian Institution.

I also want to applaud Secretary Small. I had an opportunity about a week ago to meet at length with him, and I would like, for the record, to submit extended remarks that I have and in those are many of the questions that were outlined by the chairman. And so, not to be redundant, I will submit those in written form.

[The information follows:]

FEBRUARY 26, 2003.

DENNY LEWIS,
Manager, Accreditation Programs, American Zoo and Aquarium Association, Silver Spring, MD.

DEAR MR. LEWIS: I am writing on behalf of People for the Ethical Treatment of Animals' (PETA) more than 750,000 members and supporters to inform you of unacceptable conditions at the National Zoo in Washington, D.C., and to request that the AZA Accreditation Commission consider these comments during its March 2003 meeting.

In recent months, PETA has received an inordinate number of complaints regarding the tragic deaths of animals at the National Zoo. These deaths, in addition to a pattern of poor judgment by zoo management, lack of federal oversight and public accountability, and substandard conditions, have led PETA to recommend that the National Zoo's application for AZA re-accreditation be denied at this time.

A major problem with this facility is that it is not licensed by the U.S. Department of Agriculture (USDA) and therefore is not inspected on a regular basis. The zoo voluntarily agrees to only occasional courtesy inspections by the agency, once every two or three years, to determine its compliance with the minimum standards of the federal Animal Welfare Act (AWA). These inspections are apparently for the purpose of AZA accreditation. We suggest that, given this special circumstance and the zoo's poor track record, the AZA require the zoo to submit to more frequent unannounced inspections either by the USDA, a coalition of inspectors consisting of poor professionals, sanctuary operators, and human officers, or both. Accreditation could be reconsidered after a series of inspections reveals that the zoo not only meets, but also exceeds, the meager AWA standards of care.

The recent spate of preventable and questionable deaths included the following:

January 27, 2003: A 9-year-old pygmy hippopotamus died suddenly. Pygmy hippos have a life span of 40 years or more in captivity. Zoo officials have been vague about this animal's death, saying only that "some sort of pathogen or disease agent" brought on pulmonary congestion and edema. Notably, pulmonary edema is a symptom of severe aluminum phosphide poisoning (see the entry for January 11, 2003, below).

January 11, 2003: Two red pandas, aged 7½ and 5½, were found dead and three employees who entered their enclosure fell ill with headaches, nausea, and diarrhea less than 24 hours after pellets of highly toxic aluminum phosphide were buried in their exhibit to control a chronic rat problem. A suggestion, raised during an internal November 2002 meeting, to use the pesticide inside the giant panda yard was immediately rejected, yet, incredibly, staff wrongly believed that the poison was safe for the red pandas. Needless to say, these pandas suffered agonizing deaths. Rats, the intended victims, would equally have suffered, and PETA encourages zoos to seek human control of unwanted visitors. The problem of rodent overpopulation is largely preventable by maintaining clean, sanitary conditions and plugging holes or cracks where mice or rats might enter a building. If traps are needed to remove

mice or rats, humane box-type traps are available from humane societies and hardware stores.

November 2002: According to the January 2003 Washingtonian, zoo director Lucy Spelman approved an euthanasia order on a 24-year-old bobcat, believing that the animal was lame with arthritis. After the bobcat was killed, it was discovered that an ingrown claw, not arthritis, had caused the bobcat to limp. While this bobcat was old, he could potentially have lived for a few more years.

October 11, 2002: Tana, a healthy 14-year-old lion, died after a routine checkup. According to news reports, zoo insiders report that Tana's death was caused by an incorrectly administered dose of anesthetic. Tana, still glassy-eyed and groggy from the anesthetic, was left unattended overnight and was discovered dead the next morning near a pool of frothy, bloody fluid.

September and February 2002: Griff, an 18-year-old giraffe, and Ryma, a 17-year-old giraffe, died suddenly, far short of their 28-year life expectancy. Spelman refused to disclose autopsy records concerning Ryma's death to a Washington Post reporter, making the ridiculous claim that doing so would violate the dead giraffe's right to privacy. Operating under a cloak of secrecy only fuels speculation that improper care has played a role in these deaths. The zoo has acquired yet another giraffe without fully understanding the digestive problems that reportedly caused Griff and Ryma to die.

August 22, 2000: Nancy, a 46-year-old African elephant, was euthanized. Nancy suffered a bone infection in one of her toes, a common killer of captive elephants caused by lack of exercise, long hours standing on hard substrates, and contamination resulting from standing in their own feces and urine. An autopsy also revealed bovine tuberculosis in her lungs. Since the zoo is not USDA-licensed, it is not known whether the zoo complies with tuberculosis testing requirements for elephants and handlers.

February 1, 2000, and January 22, 2000: A 1-year-old zebra and an 8-year-old zebra died at zoo facilities. Fed a deficient diet, the zebras were malnourished and succumbed to the cold.

In addition to these deaths, courtesy inspections conducted by the USDA in October and December 2002 found multiple instances of noncompliance with the minimum standards of the Animal Welfare Act, including inadequate maintenance, unsanitary conditions, and facilities that were teeming with rodents, cockroaches, and ants.

On June 12, 2002, PETA wrote to Spelman complaining of poor conditions in the small-mammal building, where animals are kept in undersized, barren Plexiglas cages without access to the outdoors. With no opportunity to escape from public views, a fennec fox and a leopard cat were frightened by children banging on the windows of their cases. Animals are much more content when they are given access to the outdoors so that they can enjoy walking on soft grass, taking in the surrounding scents, resting in the sun, and breathing fresh air.

The National Zoo uses an outdated, circus-style form of elephant management that consists of dominance and punishing elephants with sharp metal bullhooks. Most zoos today have converted to the safer and more humane protected-contact method that utilizes positive reinforcement instead of corporal punishment. We expect the National Zoo to set a positive example and implement state-of-the-art handling practices.

People from all over the world go to the National Zoo while visiting our nation's capital. The condition of this facility not only affects the animals who are kept there, but also sets an example to tourists of how zoos in America treat animals. Substandard exhibits that deprive animals of their most basic needs, unsanitary conditions, mishandling, preventable animal deaths, and mismanagement reflect poorly on both the National Zoo and the AZA. The AZA should withhold re-accreditation until the zoo makes significant verifiable upgrades to its level of animal care.

Thank you for giving this matter your consideration. May I please be informed of the commission's decision concerning the National Zoo's accreditation? I can be reached by e-mail at DebbieL@peta.org, by telephone at 630-393-9627, or by fax at 630-393-2941.

Sincerely,

DEBBIE LEAHY,
Director, Captive Exotic Animal Department.

Mr. LARSON. But specifically, I view part of the role and responsibility of this committee as making sure that Members of Congress understand the interrelated focus and oversight that we share with

our institutions, like the Library of Congress and the Smithsonian Institution.

I was very impressed with the way that Secretary Small has laid out the Institution and its performance and its mission, and I am anxious to hear from you this morning as well.

I further want to compliment the chairman. Obviously, there is concern that has been raised in the media with regard to the National Zoo and the problematic concern that has arisen over the deaths of animals, most by natural causes, but some which press reports and accounts have indicated perhaps were because of lack of bureaucratic oversight or human error.

I fully concur that a study, an independent study by the National Academy of Sciences is the way to go; and we share that vision and purpose with the chairman. and we anxiously await today the remarks of Dr. Spelman, as well, who I am sure will explain to us some of the concerns that we have and perhaps put at ease a number of the concerns that people in the media have.

But I am especially heartened by the chairman's instinctive desire to make sure that we go forward with a full, independent study and look into what happened at our National Zoo.

Having said that, I will yield back and look forward to hearing from Secretary Small.

The CHAIRMAN. I want to thank the ranking member of this statement.

Mr. Linder.

Mr. LINDER. No, thank you, Mr. Chairman. I am here to listen.

The CHAIRMAN. Ms. Millender-McDonald from California.

MS. MILLENDER-MCDONALD. Thank you, Mr. Chairman and Mr. Ranking Member.

I am very much interested in this hearing today, given some of the startling information that has come to my attention. I am interested in regards to the management, the oversight, or perhaps the lack thereof, in terms of the zoo.

We recognize this very historic institution, and we want to keep it as historic and as efficient as we have come to know about it. And so I am interested in hearing from you, Secretary Small.

Also, I would like for the record to reflect, Mr. Chairman and Mr. Ranking Member, that we need to look at the exempt clause in the animal welfare laws to discern whether or not there can be amendments to those laws or amendments to the congressional charter that tends to be the guiding force behind the Smithsonian Institution. Because I think, with that there might be some telling stories, or might be some knowledge that we can glean from that, as we ask for the oversight study.

I would like to think that I will not presume anything until I further hear from the Secretary, and also this independent study that you have asked for, Mr. Chairman, that is very much needed. Because what we are seeing or what we are hearing really is very startling and very concerning to me. And I would like to ask, after we do that study, will there be than a special hearing, given this study, to discern just what we have gleaned from that and which direction we go? We must give them some serious through.

Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Brady.

Mr. BRADY. I will yield.

The CHAIRMAN. Mr. Secretary, we will begin your testimony.

STATEMENT OF LAWRENCE M. SMALL, SECRETARY, SMITHSONIAN INSTITUTION, ACCOMPANIED BY DR. LUCY H. SPELMAN, DIRECTOR, NATIONAL ZOOLOGICAL PARK; AND DR. DAVID L. EVANS, UNDER SECRETARY FOR SCIENCE, SMITHSONIAN INSTITUTION

Mr. SMALL. Thank you very much, Mr. Chairman, members of the committee. Thank you for this opportunity to discuss the status of the Smithsonian Institution.

As you all know the Smithsonian is dependent for about two-thirds of its funding on its Federal appropriation. We simply couldn't do what we do without the support of the administration, without the support of Congress. And we are ever mindful of that support.

Over the last 156 years, the Smithsonian has remained true to its mission, the increase and diffusion of knowledge; and it has become not only the world's largest provider of authoritative museum experiences that are supported by scholarship and science and history and the arts, but as the chairman pointed out, it is also an international leader in scientific research and exploration.

We have 16 museums and galleries, several research centers, the National Zoo; and with all that, the Smithsonian offers the world a picture of America and it offers America a picture of the world.

What we want to do is enhance picture. We want to reach out to all Americans, wherever they may live, with the best that the Smithsonian has to offer and to do so in a way that indicates that we are communicating with the public and carrying out our mission in the highest-quality manner possible.

We face a number of challenges to do that. Half of the Smithsonian's 400 buildings are in trouble. The independent study that was commissioned by Congress and performed by the National Academy of Public Administration said that the Smithsonian will need \$1.5 billion over the course of this decade to deal with our huge renovation and repair backlog. And both that study and the Office of Management and Budget's recent report card said that our outdated, malfunctioning information and financial management systems also have to be replaced. In addition to that, about half of the hundreds of exhibitions in the Smithsonian's museums are now 15 to 25 years old and some are even 40 and 50 years old.

You know, many Americans come to the Smithsonian maybe three times in their lives—as a child, as a parent and as a grandparent. We actually have today grandparents who are coming to the Smithsonian and, in some cases, seeing exhibits that they saw when they came as children. And frankly that is not good.

The Star Spangled Banner, the wonderful tiny lap-desk that Thomas Jefferson personally designed and on which he wrote the Declaration of Independence, the hat that President Abraham Lincoln had on the night he was assassinated, all of those have to be presented in a way other objects like them, ironic objects of our culture, have to be presented, in a way that connects with the public, that can attract children to learn about these things. And that way has to include modern display techniques; and it can't be labels

under the object that use the type fonts that you would find in Life magazine back in 1952.

Additionally, we have endured a steady decrease in Federal staff in key areas over the last 10 years. In the Smithsonian's busiest, most-visited locations, which include the three most-visited museums in the world—the Air and Space Museum, the Natural History Museum and the American History Museum—we have fewer people on the Federal payroll than we had a decade ago, even though our museums are far busier.

The people we have on the payroll of the Smithsonian are graying. We now have more than 1,100 employees over the age of 55; that is more than 25 percent of our work force. And almost 90 percent of the Smithsonian's Federal scientists, curators, biologists, astrophysicists and social science researchers are now over 40 years old, meaning that close to 10 percent of the people in the sciences and research—of that number fewer than 10 percent, around 10 percent, are under 40 and that is it. That means that the best and the brightest of the generation that is 55 years and older, the generation that has built the Smithsonian during this last century, won't be able to pass on the collective knowledge that they have built, the wisdom that they have built to the next generation of scientists and scholars, because at the rate we are going there won't be any next generation.

That would be tragic because scientific research is a much bigger part of the Smithsonian than most people realize. In fact, one of our units, the Smithsonian Astrophysical Observatory in Cambridge, Massachusetts, is one of the preeminent centers for the study of the origins and future of the universe and actually has a bigger budget than any of the museums in the Smithsonian.

The Smithsonian Tropical Research Institute in Panama is arguably one of the most highly regarded complexes of facilities for the study of tropical biology, which is so important because so many species live in rainforests on the earth.

The Smithsonian Environmental Research Center in Edgewater, Maryland, is nationally known for its contribution to ecological issues, especially in the very important work in invasive species.

Finally, the collections at the National Museum of Natural History are second to none, and they include the greatest and most diverse collection of DNA specimens in the world.

As the chairman pointed out, the tragedy of 9/11 led to a sharp drop in visitors with a resulting loss in revenues in our gift shops and restaurants, movie theaters and other businesses; and those revenues are vitally needed to supplement Federal funding. Overall, our attendance, which is the largest museum attendance in the world, in fiscal year 2002 dropped by 22 percent compared to fiscal year 2001; that is 8.5 million visits that were lost. And lots of those visits that were lost were children who missed the childhood phase of that pattern of child, parent and grandparent visit that so many Americans have experienced.

But we are dealing with these challenges. We are making progress on many fronts.

If I may, Mr. Chairman, let me say that the more than 6,300 Smithsonian employees, whether they are curators or researchers or custodians, have all responded in a really very dedicated way.

And while in some ways 9/11 has brought the worst of times to the museum world, we are in the best of times because we have great momentum with ambitious initiatives under way to attract expanded audiences to our new and revitalized museums, exhibitions and public programming.

You mentioned the new National Air and Space Museum, one of our projects, the Steven F. Udvar-Hazy Center near Dulles Airport. That will open on December 15, 2003. It is going to be one of the most spectacular museums in the world. The new National Museum of the American Indian is rising on the Mall in front of the Capitol. That will open in the fall of 2004. The Patent Office Building, which is home of the National Portrait Gallery and the Smithsonian American Art Museum is being renovated; that will open in 2006.

With respect to one of the other great parts of the Smithsonian, the National Zoo, truly a beloved institution here in the Capital, which gets over 2 million visitors a year, we are also involved in a terrific revitalization plan dealing with the dilapidated facilities and exhibits of one of the Smithsonian's oldest activities. The zoo dates back to 1889.

It is all very exciting, but at the same time we are more than aware of the questions that have been raised concerning the care of animals at the zoo; and to that end, we are most delighted to be able to work out with you, to talk with you about just what you have mentioned: work out a process to empanel a completely independent group of external experts to review the situation and to make recommendations regarding possible steps to take in this very vital area of the zoo's operations.

In addition, Mr. Chairman, I would like to state that the Smithsonian welcomes public scrutiny of our activities at the zoo, and we would support modification of our special status under the Animal Welfare Act in order to make ourselves subject to the same rules and procedures as all other zoos. We currently consult with the U.S. Department of Agriculture for routine inspections under the Animal Welfare Act and we would be most willing to go a step further and make that relationship mandatory rather than voluntary.

Now, for those who can't come to the Nation's Capital, the Smithsonian is determined to go to them. At any time we have not more than 1 or 2 percent of the 142 million or so objects in our collections on display. So in the last few years we have tripled our program to lend, free of charge, some of those objects to local museums all around the country. We now have 126 affiliated museums around the country.

We also have the largest traveling museum exhibition service in the world. Five million people see its exhibitions around America every year. We, as you know, being in Washington, have an extensive series of courses and study tours and regional events; 350,000 people go to those every year. We have education programs which serve more than 1 million educators and millions of students. And we just most recently, in the last year or so, have gotten to the point where there are more visitors who come to the Smithsonian over the Internet than actually come physically to the Mall.

So we are really in contact with the American public. We are in contact with them all across the country. We tell the story of what

it means to be an American. We tell the story of the challenges, of the struggles, of the failures, the triumphs that have led this society to become what it is today. And we provide an opportunity for each new generation to discover and rediscover what it means to be an American. That is why the Smithsonian deserves America's attention and America's support.

Thank you, Mr. Chairman.

[The statement of Mr. Small follows:]

TESTIMONY OF LAWRENCE M. SMALL, SECRETARY, SMITHSONIAN
INSTITUTION

I am pleased to have this opportunity to address the Committee on the mission and status of the Smithsonian Institution and, on behalf of the Institution, its Board of Regents, and staff, to extend our gratitude for the interest, support and counsel of the Committee.

THE SMITHSONIAN INSTITUTION IN THE 21ST CENTURY

As the guardian of our nation's greatest historic, artistic, and scientific treasures, the Smithsonian Institution has, for more than 156 years, worked hard to fulfill its mission, "the increase and diffusion of knowledge." However, while the Institution has maintained a superb reputation for first-class authoritative work, several competing priorities for funding and fallout from the after effects of September 11th have combined to create a financial situation at the Smithsonian that may require drastic actions, including substantial personnel reductions. Nonetheless, we are more determined than ever to meet these challenges and transform the Smithsonian into a modern 21st-century institution.

As the largest museum and research complex in the world, the Smithsonian's reputation rests on a strong foundation. Unfortunately, it is also an institution contending with a severely deteriorated physical infrastructure, outdated technology, many aged, and outmoded exhibitions, and staffing levels that can barely meet the current workload based on how we must operate today. The July 2001 report from the National Academy of Public Administration documented that a total of \$1.5 billion would be required over the next ten years to bring the Institution's facilities up to an acceptable level. The tragedy of September 11th has led to a drop in visitors with a resulting loss in revenues from museum stores, restaurants and theaters needed to supplement federal funding. In addition to our existing museums, the Institution is well down the road of opening and staffing two major museums approved by Congress, the National Air and Space Museum's Udvar-Hazy Center (to open in December, 2003) and the National Museum of the American Indian (NMAI) on the Mall to open in September, 2004). Both the planning and construction of the Udvar-Hazy Center and the establishment and construction of NMAI were authorized by the Committee on House Administration.

In the first decade of the 21st century, we are working to revitalize the physical plant, modernize the Institution's infrastructure, open the new museums, expand and energize research, bring visitors back to the capital, and thereby expand the impact of a great and trusted institution.

SMITHSONIAN GOALS

Because our staff responded to these many and various challenges with resourcefulness, dedication and plain hard work, the Smithsonian had a successful year under very trying circumstances. But much more needs to be done to revitalize the Institution. To that end, we're pursuing four major goals: (1) increased public engagement, (2) strengthened scientific research, (3) enhanced management excellence, and (4) greater financial strength.

INCREASED PUBLIC ENGAGEMENT

In fiscal year 2002, 33 million visitors enjoyed our many museums, research centers, the National Zoo, and traveling exhibitions. Many of them visited our new exhibitions, including 411,391 visitors to September 11, 2001: Bearing Witness to History in the six months since it opened. Our annual Folklife Festival, which featured the cultures of the Silk Road, drew a record 1.3 million visitors to the Mall last summer. More than 62 million people visited our web site. And of course, our giant pandas continue to delight and fascinate National Zoo-goers, with more than 5 million visitors since their arrival in December 2000.

Our ability to reach Americans across the country continues to expand. We now have 125 affiliates in 36 states, plus the District of Columbia, Puerto Rico and Panama. The Smithsonian Institution Traveling Exhibition Service (SITES) now has 56 exhibits visiting 220 communities. A component of SITES, Museum on Main Street (MoMS), serves a particularly important purpose in offering four of those exhibits to 84 rural and smaller towns. In addition, 250,000 people took advantage of The Smithsonian Associate's wide range of lectures, seminars, courses, study tours, performances and regional events last year.

In April, the Smithsonian Center for Education and Museum Studies will launch SmithsonianEducation.org, a new education website tailored for three distinct audiences: educators, students, and families. The site will feature a searchable database of the Institution's educational programs, productions, publications, and events. It will also offer interactive learning labs, field trip guides, lesson plans for teachers, online product ordering, and workshop registration. The Smithsonian Center for Education and Museum Studies also sent out its first national issue of Smithsonian in Your Classroom, a teaching guide based on Smithsonian primary sources. More than 80,000 public, private, and Department of Defense schools will receive this bi-annual publication.

STRENGTHENED SCIENTIFIC RESEARCH

The Institution is determined to revitalize science at the Smithsonian as suggested by "The Report of the Smithsonian Institution Science Commission," released in January 2003. The Smithsonian Science Commission, created by the Board of Regents, delivered its report, following a 15-month study in which the Commission looked at all science activities at the Institution. The report, which has been endorsed by the Regents, concluded that Smithsonian science is first-rate and deserving of continued federal support. However, it states that Smithsonian science is facing the most critical time in its 156 year history and delivered specific, focused recommendations which challenge us to renew dedication to our science enterprise by improving funding, leadership, and communications. Specifically noted was the serious erosion of science staffing over time because of a long-term trend of budgetary shortfalls. The newly appointed Under Secretary for Science is leading efforts to develop a detailed implementation plan to address the Commission recommendations. The Commission's highest priority was to improve the funding of Smithsonian science, including a boost to the Fellowships and Scholarly Studies Programs—a national competition for pre-doctoral and post-doctoral fellowships for the infusion of new energetic talent—and an internal program for providing incentives and support for the best and brightest Smithsonian researchers. This priority is reflected in our fiscal year 2004 budget request.

The Smithsonian has been involved in scientific research since its inception—research efforts that span astronomy, astrophysics, biological diversity, the global environment, human ecology, and space science. Staff, fellows, and visiting scientists conduct research at the Smithsonian Tropical Research Institute in the Republic of Panama; the Smithsonian Environmental Research Center in Edgewater, Maryland; the National Museum of Natural History in Washington, D.C. and its research stations in Ft. Pierce, Florida and Carrie Bow Cay, Belize; the National Zoological Park in Washington, D.C. and Front Royal, Virginia; and the Smithsonian Astrophysical Observatory in Cambridge, Massachusetts, Mt. Hopkins at Amada, Arizona, Mauna Kea at Hilo, Hawaii, and Las Campanas, Chile.

Smithsonian scientists continue to maintain their prominence world wide and capitalize on the institution's greatest strength: our ability to undertake long-term, systematic, big-picture science. For example, over the past year, we have made significant contributions to better understanding the transmission of West Nile Virus between mosquitoes and birds and the impact on human health; defending the United States against invasive species by monitoring ballast water exchange; and discovering that planets exist around nearby stars. The work of an astrophysicist at the Smithsonian Astrophysical Observatory earned a Nobel Prize in 2002.

ENHANCED MANAGEMENT EXCELLENCE

An important component of improving the management of the Smithsonian is to recruit the best candidates to senior level positions. In the past year, we have succeeded in attracting highly qualified individuals to serve as the Under Secretary for Science, Director of the National Museum of American History, Director of the National Museum of Natural History, Director of the Hirshhorn Museum and Sculpture Garden, Director of the National Museum of African Art, Director of the Freer and Sackler Galleries of Art, Director of the National Postal Museum, Director of

the Smithsonian Institution Press, Director of External Affairs, and Director of Communications and Public Affairs.

In 2002 we continued work on the implementation of a new information technology-based financial management system that we started in 2001. In 2002 we completed the development and configuration of the PeopleSoft General Ledger Accounts Payable and Purchasing modules as well as components of three additional modules, and implemented the first phase of our new financial system on schedule on October 1st. As part of this implementation we converted a large amount of data from the previous system and trained more than 800 employees on the new system.

GREATER FINANCIAL STRENGTH

The Institution's private-sector fund-raising efforts generated \$164.6 million in private support in fiscal year 2002. This was a remarkable 93% of 2001's figure of \$177 million, accomplished in what museums and cultural institutions nationwide say was one of the toughest years ever for fund raising, due to a weak economy and a faltering stock market. Over the last three years, the Smithsonian has raised over a half a billion dollars from the private sector.

It is particularly gratifying to see such solid support for the Smithsonian at such a challenging time. And the Smithsonian's support came at every level. Our Contributing Membership, for example, where membership begins at \$70, grew to 73,000 members, its largest number ever, and giving through estate planning marked a 10% increase over 2001.

Included in 2002's total were four gifts of ten million dollars each. These were from a Native American tribe in New York, for construction of the National Museum of the American Indian on the National Mall; from a corporate foundation, for America on the Move, a transportation exhibition opening in 2003 at the National Museum of American History, Behring Center; and family trusts and an aerospace corporation, for construction of the National Air and Space Museum's Steven F. Udvar-Hazy Center. A \$5.1 million anonymous gift was given for construction of the National Museum of the American Indian.

We do not expect the fund-raising climate to improve this year. Indeed, it may well be more difficult. However, we can already report a number of significant 2003 gifts to date. These include a \$2 million gift to the Smithsonian Tropical Research Institute in Panama; \$1.5 million given to the Smithsonian American Art Museum; more than \$1.2 million contributed to the Smithsonian Libraries; and support of over \$1 million by a corporate donor for the National Air and Space Museum's Udvar-Hazy Center. These generous gifts underscore the continued strong commitment of individuals, foundations and corporations to the Smithsonian, even in a terrifically challenging fund-raising environment.

Smithsonian Business Ventures (SBV), which oversees the operations of Smithsonian theaters, magazines, books, recordings, museum shops, mail order and concessions, produced a total net gain of \$16.6 million in fiscal year 2002 on total revenues of \$139 million. Although all Smithsonian businesses were profitable, net gain declined by \$9.7 million from the prior year, primarily because of dramatically reduced museum visitation following September 11, 2001 and the continuing recession in the magazine advertising industry, and an initiative to outsource Smithsonian's catalogue distribution that is already producing dramatic cost savings. Declines in domestic and international travel and tourism following September 11, 2001 continued to have a serious impact on SBV in 2002: sales at museum stores, theaters and restaurants rely on the number of visitors to the museums, and travel industry clients are Smithsonian magazine's single largest category of advertising revenue. Improvements and new concessions in museum retail operations successfully generated incremental revenue and improved our visitor's experience. Smithsonian magazine maintained 2 million paid subscribers and readership levels of 8 million monthly; however, its publishing staff sold only 514 pages of advertising, a 19% decline from fiscal year 2001, in the face of the magazine industry's worst recession since World War II.

SMITHSONIAN FUNDING PRIORITIES

Given the Institution's budget realities, Smithsonian funding priorities fall into five categories: First, funding to keep Institution museums in operation, collections safe, and research programs intact—in other words, what we refer to as mandatory costs.

The Smithsonian's second priority is to provide adequate security to the Institution's staff, visitors, collections, and facilities, and to protect against terrorist actions.

The Smithsonian's third priority is to address the Institution's critical facilities revitalization and information technology needs recommended by the National Academy of Public Administration (NAPA) study commissioned by Congress in 2000.

The Institution's fourth priority is to fulfill the Smithsonian's mandate to open and operate two new museums: the National Museum of the American Indian on the National Mall, and the National Air and Space Museum's new Steven F. Udvar-Hazy Center, adjacent to Dulles Airport in Northern Virginia.

FISCAL YEAR 2004

While Smithsonian private fund-raising efforts were successful in fiscal year 2002 and we are striving to continue that success, the vast majority of those funds were given to us for specific purposes. These "restricted" funds are not available for day-to-day operating expenses such as repairing and maintaining our facilities; providing a safe and secure environment for our visitors, staff and collections; or for paying our heating and cooling bills. For these sustaining types of expenses, the Smithsonian relies on federal funding.

The institution's budget request for fiscal year 2004 totals \$566.5 million. Of that, \$476.5 million is allocated for Salaries and Expenses (S&E), including \$13 million in mandatory increases to cover the proposed 2% pay increase in 2004 as well as the effect of a 3.1% (later changed to 4.1% by Congress) pay raise for 2003. However, the request for the S&E account also reflects an unallocated reduction of \$12.3 million. The Institution had a similar unallocated reduction in fiscal year 2003. This reduction was largely avoided through very supportive action by Congress that increased Smithsonian's fiscal year 2003 funding to \$559.0 million. However, the combination of the carry-forward of the fiscal year 2003 unallocated reduction, the new \$12.3 million unallocated reduction, and the unbudgeted increase in the pay raise means we begin the fiscal year 2004 congressional budget cycle in a challenging position. The Institution will address this challenge largely by a combination of personnel actions, which could include a hiring freeze, reductions in force, and/or furloughs. If the reduction is taken solely through personnel actions, it is likely to cut upwards of 10% of the Institution's federal workforce. These actions would come in the wake of the 17% reduction in staff experienced by the Institution over the last ten years.

Also included in the S&E request is a total of \$34.2 million in programmatic increases. These include funding and additional positions required to meet the increased security needs of the Institution following the September 11, 2001 attacks, and to support improvements to the Institution's facilities and information technology infrastructure, in line with the 2001 report of the National Academy of Public Administration. The request also includes the resources needed to allow the two new museums, the NMAI Mall Museum and NASM Udvar-Hazy Center, to continue their preparations for opening as scheduled (December 2003 the 100th anniversary of manned flight for the Udvar-Hazy Center, and September 2004 for NMAI). Finally, the request includes increases for key areas in scientific research and public programming, including research fellowships and scholarly studies as recommended by the Science Commission; management of the Very Energetic Radiation Imaging Telescope Array System (VERITAS) by the Smithsonian Astrophysical Observatory; critical support for programs that recognize Latino contributions to the United States' heritage and culture; needed funds for purchasing electronic journals and databases by the Smithsonian Institution Libraries; and additional staff support for contracting activities throughout the Institution.

Also included in the fiscal year 2004 federal budget request is \$90 million for Facilities Capital which will allow for the continuation of several major revitalization projects, including the 167-year-old Patent Office Building, the 104-year-old National Zoological Park, the 39-year-old National Museum of American History, Behring Center public space revitalization, and the 93-year-old National Museum of Natural History. In addition, \$10 million is included to start construction of the addition to the Museum Support Center at Suitland, Maryland known as Pod 5, to house the flammable collections currently stored in alcohol underneath the highly trafficked public spaces of the National Museum of Natural History. Authorization for the revitalization and enhancement of the Patent Office Building and for design, construction and equipping of Pod 5 had also been included in the Smithsonian omnibus bill of the last Congress. Congressional Members of the Institution's governing Board of Regents will introduce an undated version of the previous bill shortly and we hope for expeditious Congressional consideration and passage of the measure.

CONCLUSION

The Smithsonian plays a vital role in our country's civic and cultural life. Using art, artifacts, history, and science, the Smithsonian tells a comprehensive story—America's story. The Smithsonian offers the world a picture of America, and America a picture of the world. Now more than ever, this is an important role to maintain. To reach more people with such seminal stories, the Smithsonian needs to transform itself into a true 21st-century institution. It won't be easy. The Smithsonian Institution faces significant challenges if it is to continue to serve the public in an exemplary manner with both engaging, modern exhibitions backed by authoritative scholarship, and groundbreaking scientific research and exploration. We appreciate the Committee's past assistance and guidance in addressing the challenges and needs of the Institution and look forward to a strong alliance with the Committee in meeting the obligations of the Institution to preserve the past, expand the boundaries of knowledge, and to offer the highest level of public service possible.

The CHAIRMAN. I want to thank the Secretary for his testimony. I want to ask a few questions here. Then we will turn to the other members.

First, I want to ask about the Dulles Air and Space extension. That will house, as I understand it, dozens of aircraft and artifacts. We are looking forward to the opening of that.

Could we have a brief update on it, what costs are anticipated, what congressional assistance would be needed in the future?

Mr. SMALL. Sure. As I indicated in my remarks, this is going to be a spectacular museum. When you fly into Dulles now, sometimes the winds take you on a pattern where you fly over it; and it takes a while to get over the whole facility it is so big.

We expect that it will be the—the main chamber, if you will, of the New Air and Space Museum will be probably the largest room in the world. It is almost three football fields long, it is 10 stories high, it is 250 feet wide. It has the capacity to hold 88 Goodyear blimps—not that we have 88 Goodyear blimps in our collection. There will be over 200 aircraft and well over 100 spacecraft inside, scores of engines, propellers, all sorts of equipment that make up the fantastic history of aviation.

As you all know, this will be opening up in December of this year, which is the 100th anniversary of the Wright Brothers' first flight.

It is an \$311 million project. This first phase of it is 200 million. There is a very small amount of Federal funding that is in it, and the bulk of the rest of it comes from private-sector funding and support from the State and municipalities in Virginia that are around there to provide access to it.

We expect there will be transportation from the Mall in the form of a bus service, and we think it is going to become one of the most popular museums in the world.

Just lastly let me say, right now the Air and Space Museum, which is already the most visited museum in the world, is displaying only a small fraction of its collection. With this new museum, the two museums will be displaying about 80 percent of the national aircraft collection. So it is going to be a fantastic experience for visitors.

The CHAIRMAN. Thank you.

During the end of the 107th, the Congress was approached about backing legislation to authorize funding for the Patent Trade Building; and that also included employee buyouts and overall infrastructure needs.

Do you think the Smithsonian will push the similar legislation this upcoming year?

Mr. SMALL. Yes. We still need to get approval to carry out a certain number of tasks that are important for us. We need approval. We have an omnibus bill we are working on with Congress so that we will have the ability to carry out enhancements to the wonderful Patent Office Building, which is downtown in the revitalized center of Washington. That is the home of the Smithsonian American Art Museum and the National Portrait Gallery.

It is the third building built by the American people, started back in 1836; it is in need of a major restoration.

We have a \$216 million project going on; 166 million of that will require Federal funding—Congress and the administration are working with us on that—and 50 million will be private-sector funds of which we have raised more than half already. We will need legislation to help us carry that out. We also need legislation in the same package to help with us with what are called “continuous contracting authorizations.”

We also will be looking for help in terms of recognizing the tremendous contribution that jazz has made to the music culture of America, part of the major area of study of the Smithsonian’s National Museum of American History.

So there are a number of these, what I would call “administrative items” that will help us carry out our activities, including further authorization required to add to our storage facilities for some critical items that need to be moved to our storage area in Maryland.

We will be working with Congress to secure appropriations for the ongoing operating funding for the new Air and Space Museum and the National Museum of the American Indian.

So, yes, there are some activities that we have to work out with Congress.

The CHAIRMAN. I would also note to the audience, please—cell phones and BlackBerries, please put them on vibrate.

The Smithsonian Institution is a leader in scientific research, the Astrophysical Observatory, Tropical Research Center, volcano projects, Smithsonian Environmental Research Center and others provide important information and are a great wealth to the world—just what you do in Panama, for example, and what is done in Hawaii for future generations.

Do you have any plans for highlighting and promoting the science to the public, to the media, and to the Congress? We are encouraging here, for all Members, to physically go see these facilities; they are unbelievable. I wonder if you have any plans to highlight that to the public. Sometimes we have these great facilities; is there a way we can get more public exposure for them?

Mr. SMALL. I believe we can do a better job on that. We are, in fact, working more closely with Congress to brief Members on an ongoing basis as to the breadth and depth of scientific activities in the Smithsonian.

We are also—we have started now the publication of a weekly newsletter, which we are sending also to Congress, so that people can see the developments as they take place in the Smithsonian.

We have encouraged the development of even more extensive activity on the various Web sites of all of our scientific units.

We have expanded the number of education programs that our scientific units are carrying out with school systems throughout the United States. We have put in place a number of programs to take objects from our taxidermy collections, for example, and lend them out to school systems so they can have a closer, hands-on feel for what goes on in animal biology.

And the answer is, yes, we are trying to extend as many programs so that people can learn more about what goes on in science at the Smithsonian, because as I indicated before, even though these operations are very large, very extensive, in many cases people just don't know about them because the museums are what tend to captivate the public's image of the Smithsonian.

The CHAIRMAN. My final question, and I will make it brief, although your answer may be lengthier—I am not sure, but I know other Members want to look at overall questions—but it would be related directly to the zoo. And let me just, you know, say that there has been a lot of items we have read.

I would like to know how the animal deaths at the National Zoo compare to the number of animal deaths that are expected as a result of normal life spans in captivity, for example, To what extent are these attributed to natural causes versus human error?

There has been a debate about human error. Was it contributing to the death of any other animals besides the red panda? And I understand some of the deaths occurred as a natural life span with some of the animals. There was a question, of course, of the zebras.

And so I wondered—I would suggest Dr. Spelman would come forward—but would you want to address the zoo?

Mr. SMALL. Sure, Obviously, with all of the focus on it, the question that I am concerned about, as are my colleagues: I was told before I came to the Smithsonian, as I was doing due diligence on that, this would be an area that would come up because of the fact that the animal population at the zoo—there are about 2,800 animals in the zoo's collection—is an aging population, and that there has always been a particular focus on the larger animals that are better known to the public. And just before I came to the Smithsonian 3 years ago, the second of the two pandas that had been given to the United States had died and there was a great debate of what to do with the panda's remains.

I saw immediately, even before taking on the job, that this was a very sensitive topic. So obviously it has been an area of concern. People knew the age of the animal collection and that it would be an issue, so we are very pleased to be able to address it.

In terms of the issue of the deaths of animals, whether we look at the period of the last year or you go back 3, 4, 5 years, I think you can divide all of the cases into two groups: one group which would be a group where there is clear human error, which there is no doubt about, which has taken place, which has resulted in the death of animals.

And in the recent past there was a case where there was an attempt to deal with a rodent problem at the zoo. The zoo has a rodent problem, just as all of us who live in Washington, D.C., know

that is a rodent problem; but it is greater if you have feed out and animals out, and it is in the middle of Rock Creek Park.

We attempted to deal with that, and a judgment was made to put a rodent poison, bury it in the ground in an animal enclosure. It was not done in consultation with the higher authorities in the zoo. It was a bad decision, bad judgment, and then poorly implemented. There is no question, based on the pathology reports that the two red pandas—not giant pandas, but they are smaller animals—ingested the poison and died. Absolutely no question about that.

Action has been taken by the Under Secretary for Science and the Zoo Director, in consultation with other colleagues, to make organizational changes at the zoo, change procedures, put in a much greater series of controls any time there are any chemicals that could be dangerous to either animals or humans at the zoo. And I think we are hopeful that with these actions, with the putting in of new positions for oversight, that that situation will be dealt with.

Three years ago there was a situation involving two animals that are called Grevy's zebras. I know about this because a couple of months after I came to the Smithsonian, I was testifying before the House Appropriations Committee that deals with the Smithsonian, and that question was raised then. It was amply covered in the press; I commented on it then. And that, too, was a case where there was a combination of factors that represented human failure.

And I think that if you went back over the zoo's history—certainly, I don't think there are records that take you back to 1889 on this—you will find that there is a very small percentage involving this population of animals—which, as I say, is 2,800—where occasionally mistakes are made—it is not good that the mistakes are made; it is bad, it is terrible—but mistakes are made which resulted in the death of animals.

That is one category, and to our knowledge, there is perhaps a handful of those over the last 3 or 4 or 5 years. Not to say that there isn't something I don't know about, but to my knowledge, there may be just a handful of those.

Then there is the other category. The other category is the category where there is a diseased animal of some sort, or an animal who is not diseased, could be a geriatric animal nearing the end of its life span. And what happens is the zoo cares for these animals with teams of people who are curators, pathologists, veterinarians, keepers and they monitor the health of the animals. In some cases, they decide the animal is at a point in its life where life is too painful and they euthanize the animal. Some of these deaths have resulted from the collective decisions to put the animal down, to euthanize the animal. In other cases, they couldn't figure out what was wrong with the animal and weren't able to cure it, and it died.

And all of the cases, other than the ones that we have read about in the press, whether the red pandas, zebras or a few other animals, all of the other cases fall into the second category. When those have been investigated, in some cases by our Inspector General, in each case we have had the same general answer that has come back: The decisions made have fallen within what you could

call the realm of professional judgment. And some professionals, in the blinding light of hindsight, might have gone this way, some might have gone that way.

I have been on the board of a major hospital for 15 or 20 years in the United States, and there are in that hospital, all hospitals—every year there are some mistakes that occur, not a lot, but some mistakes that occur that can be fatal. And then there are many, many cases where physicians might disagree in a postmortem on exactly what treatment regiment should have taken place.

So, just to sum up, I think there are definitely a small number of cases which have taken place which involve human error and poor management, and then there are a number of cases that involve differing judgments after the animal has died or been euthanized as to what would have been a better way.

As I say, we are very open to the idea of creating a panel of external experts to come in and be completely independent and public about their findings in terms of looking into this matter. We are also perfectly willing to have our status modified, so that the Department of Agriculture can make surprise visits to check the situation at the zoo.

The CHAIRMAN. I am not going to ask additional questions at this point in time because I want the other members to be able to ask overall questions about the Smithsonian and obviously the zoo as well. But I leave this thought about what steps or procedures have been taking place, or are taking place, beyond what the committee is going to do with oversight, which is critical and important.

And I want to commend you for accepting that oversight. I am sure that we will continue to work together to make sure that that oversight is done correctly and follows all the procedures it needs to.

But there—it also raises other questions. For example, there was a quote by Dr. Spelman, and there are quotes in the media—and I know, I have been in office 22 years, so you can quote something and maybe there is another side to it—that only the panda death was attributable to human error. So you might want to, at some point in time, clear that quote up, because that has become a controversial quote.

With that, I will yield to our ranking member.

Mr. LARSON. Thank you, Mr. Chairman.

Following along the lines of the chairman's questioning, I think that the call to have the National Academy of Sciences do a thorough and complete and independent investigation of the deaths that have occurred, I think is the appropriate manner in which to proceed.

Along the lines of my colleague, Juanita Millender-McDonald, we are looking for that independent analysis to come back and further inform the committee as well. And I am pleased to hear that you are open, as well, to the unannounced accountability that would accompany the Agriculture Department's routine reviewing of others across the Nation.

Could you explain to me, please, why the Smithsonian would be exempt from that currently? This is a question that has been raised by constituents of mine and, most notably, my children, who have visited the zoo. If you explain that, I would greatly appreciate it.

Mr. SMALL. I really don't know the facts behind it, Congressmen. There are a number of situations, because of the unique status of the Smithsonian, which is a trust instrumentality of the American people, which have caused it to be treated slightly different than other institutions, particularly the executive branch of the government and all of the other parts of it. So I can only guess that it goes back to that.

Perhaps—do you know David?

But it is because of the Smithsonian's, I think, having its public-private status as a trust instrumentality that it probably wasn't placed specifically under this law. But as I indicated before, we have no objection whatsoever and are perfectly comfortable with modifying that status so that we would be subject to it on a mandatory basis.

Mr. LARSON. I think you for that point of view. I think the unannounced inspections will be very helpful, again, in reassuring the public as well.

Let me also say that I further embrace the chairman's focus with regard to science. I, along with Mr. Ehlers, serve on the Science Committee as well, and in my initial conversation with you, I was impressed with the depth and breadth and scope of the Smithsonian and its mission with regard to scientific research. And in keeping with my opening remarks, I hope to make other Members of Congress deeply aware of this mission and make sure that it gets the appropriate kind of funding that it deserves.

Having said that, I will yield back my time.

The CHAIRMAN. The ranking member yields back.

Mr. Ehlers.

Mr. EHLERS. Thank you, Mr. Chairman.

And thank you for being here. The Smithsonian is indeed a great American treasure, and you probably have the best job in the country.

Mr. SMALL. I agree with you. Thank you.

Mr. EHLERS. They are not only the "Nation's attic," which is a familiar description, but they handle it very well. And also, as Mr. Larson said, a great deal of your work is in the scientific realm.

The only comment—I think your lending of objects to various entities in the country is superb. You should do that. I hope you expand that. And you mentioned that you notify the public and everyone else. I might make a point of being certain to notify Members of Congress when an object from your museum is in their district, because I have a couple of times found out—to my surprise found out they were there, and I hadn't heard about it.

I want to talk to you about animals, too, but not the zoo animals. You have some of the best people in the world dealing with invasive species, particularly with the Smithsonian Environmental Research Center in Panama, which I had the pleasure of visiting last year. It is a great place and certainly worthy of continued support.

But invasive species are becoming a huge national problem at this point. It is a surprise even to me. I knew a lot about them, but I had a idea the cost to our Nation per year now is \$135 billion per year. That is the latest estimate, and that is a terrible expense to pay.

I have introduced a bill on improving our approach to invasive species, so we can better stop them from coming in and know better what to do with them once they are here—also, collaborating with Congressman Gilchrest, who is authoring the reauthorization of the Invasive Species Act. These bills are a package, which is also being introduced in the Senate by Senator Levin and Senator Collins.

We have chosen in that to continue to give your facilities, particularly CIRC, a major role in the continuing work on invasive species. I want to get that you were comfortable with that and supportive of that because that will continue to delegate significant responsibility to the Smithsonian to handle that.

And I believe Mr. Evans is totally familiar with that too.

Mr. SMALL. We couldn't be more supportive. I agree with you.

Mr. EHLERS. I am very pleased to hear that. There is a great deal of research that will have to be done and we certainly welcome your participation in that. Your scientists were very helpful to us in writing the bill, as well.

Another comment, as Congressman Larson mentioned a moment ago in the scientific role, that is a role that many people in the public aren't aware of. But yet traditionally in the early years of the Smithsonian that was the most important role, following the charge from Joseph Smithson that was to advance and extend understanding; and that didn't mean just showing objects in museums, but conducting research. I welcome the recent efforts to reemphasize that role.

I am certainly not arguing for reducing the role of the institutions you have, that is always very important, but you have lost some of the focus, I think, over the last 20, 30, maybe 50 years on scientific research. You have much to offer there because of the background of the Institution and the worldwide reach of the Institution. So I hope you and the Regents will continue to emphasize that and try to increase the funding.

Let the record show, he nodded his head.

Mr. SMALL. Let the record show, I said I agree with you too.

Mr. EHLERS. The other issue, I know there has been a move to stop that funding and require you to apply to the NSF for that funding, and I am pleased you were able to beat that back. I am a strong, strong supporter of the National Science Foundation and was very active in getting the bill passed last year which will result in doubling NSF—we hope, doubling NSF appropriations over the next 5 years. But at the same time you have a unique role which doesn't necessarily fit in the National Science Foundation's panoply of responsibilities.

I am pleased that you were able to remain separate, and I hope that you and the Regents will continue that effort. I will certainly continue it here. But at the same time I think you should be trying to follow what we have already done with NIH, what we are hoping to do with NSF, and that is doubling the research effort. If you and the Regents get behind a well-thought-out doubling plan, we can certainly try to get some congressional support for that as well.

Mr. SMALL. Would you like to say that again, Congressman, for the record?

The CHAIRMAN. We have got him right there on record.

Mr. EHLERS. So now we need you on record.

Mr. SMALL. I couldn't agree with you more, and you can count on our efforts to be redoubled in that regard.

Mr. EHLERS. Thank you, Mr. Chairman. I will stop at this point. I may have others later.

The CHAIRMAN. The gentlelady from California.

Ms. MILLENDER-MCDONALD. Thank you so much, Mr. Chairman.

Mr. Small, you mentioned, and thank you so much for offering to provide the—I guess the “sneak attack” for lack of better words, for the inspection to come unannounced. I think it will lend credibility to the Institution and certainly will glean from that that you have nothing to hide, in other words.

The other thing that I wanted to talk with you about is, you get two-thirds of your budget from us and the other third you have to go out and solicit the funding. So, as a result of that, you have seen the need to rename facilities after those who have been donors to you.

What type of practice do you put in place for that renaming, or is it just done, you know, independent of any type of organizational group?

Mr. SMALL. Thank you.

As was mentioned by the chairman in his remarks, the Smithsonian does rely to a certain degree, one-third of its funding, on private-sector sources. It has always had a mix, and its private-sector dependency goes back all the way to the founding of the Institution, which started with a bequest that was first put into a will in 1826 and ended up being announced to the American people in 1835, in that will there was a bequest that came to the United States from a British scientist who is the source of the name of the Smithsonian.

So the first naming, that took place related to private philanthropy of the Smithsonian, comes from the name of the founder, James Smithson. Other parts of the Smithsonian are named for philanthropists—the Hirschhorn Museum, the Cooper-Hewitt Museum, the Freer Gallery, the Sackler Gallery.

So the recognition of philanthropy, which is something that is very much a part of American culture, is very much alive and well in the Smithsonian and very much represented in what we see at major universities, libraries, and medical centers.

The Smithsonian has for many years had rigorous procedures, written procedures that have been followed for such activities as recognition of corporation, foundations, individuals when they contribute support for the Smithsonian, whether it is for fellowships, for programs, for exhibits, for concerts or the like. The activity—

Ms. MILLENDER-MCDONALD. There is a procedure for that?

Mr. SMALL. Oh, very definitely.

Ms. MILLENDER-MCDONALD. And it is not done independently.

Mr. SMALL. No. Much of the procedure involves—the naming of anything must be approved by our Board of Regents.

Ms. MILLENDER-MCDONALD. That is what I want to hear.

Your decrease in Federal staffing—I am just getting over a cold, so please excuse me. Your decrease in Federal staffing, does that come through attrition, promotion or low morale, or how do you suggest this decrease has come about?

Mr. SMALL. The decrease comes about by simply not being appropriated enough money for salaries to cover the mandatory salary increase that must be given to Federal employees. So if we are—let's just assume that in a given year there is a mandatory salary increase of 4 percent and we are appropriated a budget that increases by 2 percent, the only way to deal with that is to reduce the staffing level of the Smithsonian.

Ms. MILLENDER-MCDONALD. Are they furloughed out or just terminated?

Mr. SMALL. More often than not what happens is simply through the turnover process of retirements, through attrition, it has taken place. But it is very, very serious, particularly in the sciences. The ranks of the scientific scholarly staff have been tremendously depleted over the last 10 or 15 years.

Ms. MILLENDER-MCDONALD. It is very serious because—not only with the Smithsonian; it is also serious for all, other agencies within the Federal Government. And this is something that we must look at in terms of keeping, really, persons who have the institutional memory around, and training, as they become older, because as you said to us, 10 percent, only 10 percent of your staffing is under the age of 40. And so we are going to lose out if we are not training and bringing people in in the meantime.

You are traveling around the country and certainly you have been in my parts of Long Beach, unbeknownst to me, but that is good to know; I will get you out there more often. But then the next question will be, whether I do or not, the costs associated with that. That is a rather ambitious undertaking, how do you pay for this traveling around, setting up these different art exhibits or whatever?

Mr. SMALL. In the case of our affiliations program, which is the one for traveling expeditions, a very significant portion of the expense is raised from the private sector. So part of the money that would come from our gift shops or restaurants goes into that, part of the payout of our endowment goes into that, and in some cases, we have Federal support for specific projects.

But a great deal of what we do in the way of national outreach across the country comes from private-sector sponsorship.

Ms. MILLENDER-MCDONALD. The last one that I would like to talk about, the clear human error when it comes to the care of our animals. When there is a human error, what type of punitive measures do you have in place? Because there certainly has to be something to curtail this type of incident from happening again. So what type of punitive measures do you have in place?

And lastly, when persons are coming on at the higher echelon of the Institution, do you have a yearly annual appraisal of how well they are doing? And is this told to the person?

Or the lack of having—doing well in this position, what do you do? What are you doing to make sure, to ensure that the persons who are at the helm are really efficient and do know the job?

Mr. SMALL. Regarding the first question, when there are failures in carrying out one's duties, there are certainly actions taken. In the case of animals where deaths have occurred because of human error, call it, during the period of the last 3 years or so, in some cases it was deemed by the supervisors in charge—let's say in the

zoo, the Director of the zoo—3 years ago, the then-Under Secretary of Science to indicate the lack of performance in a performance assessment. That might have had a negative comment in it, in that particular case, because of the judgments made.

In the more recent case of the red pandas, there was a reorganization of the zoo; two of the employees involved retired, another one was reassigned to a different position. New people are being brought in, new procedures are being put in place—very straightforward, quick action taken to deal with that particular situation.

Regarding your second question, all of the executives of the Smithsonian receive annual appraisals, all of the executives of the Smithsonian have specific annual goals they must achieve. I personally review, I would say, the top 35 or 40 myself.

Ms. MILLENDER-McDONALD. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Mica of Florida.

Mr. MICA. Thank you, Mr. Chairman and thank you also for holding this oversight hearing. It is the first one I recall directly related to one of our most important institutions, the Smithsonian.

And to reiterate what Mr. Ehlers and some others have said, you truly have probably one of the most incredible opportunities of anybody in the Nation to be responsible for our Nation's treasures—the Archives, the Library of Congress—and you sort of hold all of our treasures. And it is a great responsibility.

Also, I think you have heard once or twice also, not everybody can come to Washington; and you testified that a small percentage of these items, artifacts and other things that you hold, where they can be circulated. We strongly encourage that because we have hundreds of great small museums throughout the country. So I think that is very important in a cooperative effort.

Oversight. You spoke—well, this is the first hearing that I know of in 6 years, and some people have come up to me and said, Why haven't you conducted oversight? You did testify earlier that the appropriators conduct oversight, and you have done that each year since you have been in office.

Have you presented—

Mr. SMALL. I have had one hearing with them over the course of the last 3 years.

Mr. MICA. One hearing. What about oversight, the conduct of oversight from them?

Mr. SMALL. There is tremendous interaction with the Appropriations Subcommittees that deal with the Smithsonian. And the staffers on the Hill and the people in Congress on those committees are extremely involved in the Smithsonian.

Additionally, the Board of Regents of the Smithsonian has nine public-sector members and eight private-sector members. There are three Members of the House who are members of the Board of Regents and Three Members of the Senate who are members of the Board of Regents; all of them are actively involved in the governance of the Smithsonian, as is the Chief Justice of the United States, who is actively involved.

Mr. MICA. So you feel the oversight is adequate?

Mr. SMALL. I feel it is very strong.

Mr. MICA. What about IG?

Mr. SMALL. We have an IG and full staff.

Mr. MICA. There are now missing positions. The last 2 or 3 years, that has been a full service?

Mr. SMALL. As far as I know, they are up to—I meet consistently with the IG, and I have never—

Mr. MICA. Is there a complaint process?

Mr. SMALL. Yes. We have an omnibus person that—

Mr. MICA. Also for the public, if they have complaints about conduct operation?

Mr. SMALL. No shortage of ability to communicate.

Mr. MICA. All right.

Positions: I have reviewed some of the information, your budget submission, I think, by the President was 566—\$566 million, over half a billion. What percentage increase is that over last year, or is it a diminished amount?

Mr. SMALL. The amount—that is the 2004 one. That is just a 1.4 percent increase.

Mr. MICA. What were you—so it is an increase. Where were you at least—

Mr. SMALL. 594 million.

Mr. MICA. And before that?

Mr. SMALL. 528 million.

Congressman, can I correct myself on answering your questions on the Appropriations hearing. I forgot. I had two Appropriations hearings; I had one with the Rules Committee also.

Mr. MICA. So there have been three.

Mr. SMALL. I have been three years in the job. I had two hearings with the House Subcommittee on the Department of the Interior and Related Agencies of Appropriations.

Mr. MICA. For the record, I would like to know what the sequence of that is. So maybe you could provide that. It will be part of the record, so we know what we have done and what we should be doing if we haven't.

Private money, you had a decline in private money. Was that—did that begin after September 2001?

Mr. SMALL. That is correct. We had—

Mr. MICA. Was it necessary to cut any positions—was it necessary to cut any positions, full-time equivalent positions, because of the diminished private dollar contributions?

Mr. SMALL. Yes.

Mr. MICA. And how many positions were lost?

Mr. SMALL. Since 2001, we have reduced—of those employees who were funded with private-sector funds, 235 employees.

Mr. MICA. What about other full-time equivalents under Federal salaried positions?

Mr. SMALL. There have been some reductions, but not related to 9/11.

Mr. MICA. Basically, you have the same number.

Where have those reductions occurred?

Mr. SMALL. There are—I couldn't answer it specifically. It depends really on the attrition.

Mr. MICA. Of course, everyone is going to ask about the zoo. So tell me about the zoo.

Mr. SMALL. The zoo has had a decline in staff of 15-plus percent over the last 10 years.

Mr. MICA. Now let us go back—it had a decline over 15 years?

Mr. SMALL. No. Ten years.

Mr. MICA. What about the last couple of years, how much of decline has been since September 11? What I am trying to get at, are there diminished personnel resources going there?

Mr. SMALL. The zoo—where September 11 has an impact on the Smithsonian is that one-third of the employees who are funded with private-sector dollars. September 11 hasn't really affected directly the two-thirds that are funded with Federal dollars.

Mr. MICA. The zoo is also that ratio?

Mr. SMALL. No. The zoo is much more heavily federally funded.

Mr. MICA. What loss of positions have you had at the zoo since September?

Mr. SMALL. Out of the almost 300 employees, it is just a few, because the Federal funding at the zoo has remained relatively constant.

Mr. MICA. So it is not a diminished personnel problem.

Are there any key positions that are unfilled now or since 2001—I don't know if you have—or whatever kind of personnel?

Mr. SMALL. We need some more funding for the new senior animal care positions.

Mr. MICA. But my question wasn't that.

My question is, are there any questions that have been vacant or not filled for some reason—lack of money or finding a qualified person?

Mr. SMALL. Right now, not for lack of money. Simply, in some cases there are open positions.

Mr. MICA. And no positions cut or eliminated of key management, oversight, veterinary?

Mr. SMALL. I am told—not more than five to six people over the last few years out of the total complement, the physicians, reduced. And we are not hampered in finding good people.

Mr. MICA. We are here to conduct oversight.

Changing subjects, just a quick second, if I may, Mr. Chairman. We are building a Visitors Center; has anybody contacted you about exhibitions in the Visitors Center?

Mr. SMALL. There have been conversations over the last few years, and the Smithsonian is willing to be as helpful as we can.

Mr. MICA. I just want to make sure that is being done. That is one of my pet projects.

I think that covers it for me, Mr. Chairman.

Ms. MILLENDER-MCDONALD. Mr. Chairman, may I just ask is Dr. Spelman in the house? Is it permissible to raise questions to her?

The CHAIRMAN. Yes. And we will start the second round here. I wanted to make a note on the Visitors Center, which I think is a tremendous project. The advice and assistance of the Smithsonian is going to be critical to it, and also the Library of Congress. I think both of those institutions have a tremendous amount to offer when the public will come forth. Right now, they stand out in the hot sun, no seats; you pass out. You go inside, and there are two rest rooms for 3- or 4,000 people.

This will not only provide decent human accommodations that the public of this country and the world deserve, but on top of it, it is going to have—it is a wonderful project that you spearheaded,

Congressman Mica, that is going to provide a lot of education, interactive ability to look at the history of this country.

I had two questions, and we will go right back down the line of questioners. On the first, on the issue of private donations, there is always a give-and-take argument about the Smithsonian's ability to maintain content control, getting private donations.

I think you might want to expand a little bit on that how you have do that.

Mr. SMALL. The Institution, I think, has done a superb job in its almost 167 years of history. There is no question in the negotiations with people, let us say in the private sector or anyplace else that would deal with us to support exhibits, that the curators and museum directors and the administration of the Smithsonian must retain content control. And I would say over the history of the Smithsonian, that has been precisely the case.

That is a key point. Our Board of Regents insist on it. It is in our written procedures. It is in what we communicate to donors when we negotiate arrangements with them. And all I can say is, I believe it is adhered to in as rigorous a fashion as it possibly could be.

The CHAIRMAN. The gentlelady has made a request for Director Spelman to come forward.

Ms. MILLENDER-MCDONALD. I would like Dr. Spelman to come forward.

The CHAIRMAN. I am sorry. If I could interrupt just for a second. We will go to Mr. Larson.

Mr. LARSON. Thank you, Mr. Chairman.

Let me welcome Dr. Spelman as well and let me start as well again, and I think—as Mr. Mica pointed out, thank the chairman for this oversight hearing as well. Obviously, the concern with regard to the zoo has been debated widely in the press and certainly is on the minds of our constituents.

I mentioned my children—I think children all across America, because the Smithsonian and the National Zoo are, in fact, treasures of the nation in your safekeeping. The questions that I have—and again, I want to thank the Secretary. I think—when you were answering the questions that were posed by the chairman, you indicated that there were two groups and they fall into the categories of human error and also of natural causes due to disease and old age.

I think what is on the minds of—and I would like to ask these questions, and I also have questions that constituents have sent me that I would like to ask unanimous consent to submit them for the record and have the Secretary or his staff respond.

But the basic question the public has been asking on the deaths of the red pandas is, how could this happen? You explained from your perspective the two groups that you feel these categories fall into, and you started down the path of explaining what can be done to ensure that this never happens again. And I would like to hear more on that.

Secondly, have there been any health-related after effects on personnel who became ill following their exposure to the poison in the enclosure after the panda died?

Third, because you mentioned you focused on the problems, the problematic concerns of rodent control, are poisons or other hazardous substances used and stored in such a way that there is never a risk of exposure to the general public, or are they only brought in by outside contractors?

Fourth, has the poison ever been used before in animal enclosures during rat extermination procedures at the zoo?

And my overarching question with respect to rodent—the rodent eradication program: Is the problem more severe now than it has been over time?

And finally, with the recent deaths at the National Zoo, what impact will that have on your accreditation when the National Zoo's accreditation renewal is due?

Ms. SPELMAN. Okay. Thank you, Mr. Chairman. It is an honor to be here.

I have been at the National Zoo for nearly 8 years, and everybody who works there works there because of their dedication to the animals, myself included. It is a wonderful place. It is a peaceful place. It is a natural place. And yet it is an older facility.

And as the Secretary noted, not only are we renewing our facilities, many of which are 75 to 100 years old, but we are also looking at renewing our staff, our programs, our commitment to science. It is an exciting place. There is a lot of change.

With respect to the red panda incident, as you mentioned, people were sickened by the use of the rodent bait. And experienced staff in supervisory positions who were aware of the chemical being used did not share that information or disseminate in a way that is considered best practice at any zoo.

We are currently reviewing all of our best practices, all of our procedures. And with respect to chemical use, both rodent control and any chemical in the whole park, whether it is an animal area or nonanimal area, we have put in place an entirely new procedure by which all chemicals used are reviewed by all levels of major divisions within the zoo—the animal care staff, the veterinary staff, the facility staff.

Mr. LARSON. How are the chemicals introduced? Is it exclusively through outside contractors?

Ms. SPELMAN. No. We use chemicals that are used in laboratory. We have a whole research element at the National Zoological Park as far as Smithsonian science. So we have any chemical that is being used in a research setting or used to clean an animal area.

All such chemicals will now be reviewed by a series of people, with a final review done by our head pathologist, who is veterinarian, with all chemicals signed off by the zoo Director, myself. And that is a new procedure and one by which we will prevent any future tragic mistake like red pandas.

Mr. LARSON. In your mind, what have the unannounced inspections—how do you view that? Is that viewed in the mind of someone who is responsible for the National Zoo as a positive step forward?

Ms. SPELMAN. I review that as very positive. I welcome an outside panel to come in and look at our procedures and practices.

We are renewing the entire organization. We have a lot of changes to make, but we also have a wonderful future, and the Zoo

and Aquarium Association accreditation process, which is something that comes up every 5 years. Our recent site visit—several team members come and visit the Institution in the review process, and their exit interview report to me was extremely helpful. They noted many of the longstanding problems, and they noted the changes that we are making; and they were quite positive that those changes were going in the right direction, including the fact that they noted that there was a sense of optimism amongst the staff that we were going forward into the future.

Mr. LARSON. One of the questions I asked was, how do you think this will impact accreditation, you know, with what has transpired?

Ms. SPELMAN. My view is that the more outside expertise we can bring into our Nation's zoo, the better. I mean, I really do welcome it.

We do have a large staff. We have a wonderful zoo. And we are part of the Smithsonian. And in order to incorporate expertise, we do need to seek it from the outside. The inspections will be helpful, as will the independent review panel.

Mr. LARSON. I will just conclude by saying this.

I am sure that you are applying all your expertise and energy to ensure the best outcome for what is a national treasure. I think someone described it to me, when one of the animals that is so well known dies, it is like a death in your own family and becomes a national tragedy to that extent.

And clearly—again, I commend the chairman. I think that the Academy will do much to assist as we go forward to what we all hope is the conclusion that this—we put in place the appropriate procedures, so this never happens again.

Ms. SPELMAN. If I could just add that of all the people in the Zoological Park, every death affects me the most. At the same time, we celebrate animal life at the National Zoo. And I welcome everybody to come and visit. It truly is a wonderful place.

Mr. LARSON. Thank you, Doctor.

The CHAIRMAN. I wanted to just throw a few things out, just because of the nature of the controversy and the press statements. I think we have got an agreement with the National Academy of Sciences that is appropriate, that they will work with you. We will make sure we have oversight and a working relationship with all the Smithsonian issues.

But I think—I will move on to the other members—but I think it would probably serve in the best interest if you would want to make some statements, for example, there was the issue of the bobcat and the onager, the three Eld's deer—we understand that dogs went under the fence, which houses thousands of acres, and understandably it is difficult to control where a dog digs under the fence.

The issue of the bobcat, the Persian onager and the lion: The lion had died of complications from anesthetics is what the statement in the paper noted; and the orangutan, mistakenly thought to be suffering from advanced cancer; the Persian onager died of salmonella after riding in a contaminated trailer; and the bobcat, there was an issue about the bobcat being euthanized after a diagnosis of arthritis that was subsequently discovered to be something else.

And, again, I thought you would want to make statements of the more highlighted issues in the media.

Ms. SPELMAN. I need to keep my responses short and I respect that.

I think one thing that is important to understand is that in a zoological park, the day-to-day animal care is the responsibility of the animal keeper staff. In our case, we have keepers, museum specialists and biologists, and they are supervised by curators, curators who not only oversee the daily operations, but also the animal collection, the species that we have in the zoological park, the species that are involved in science and in exhibition. The veterinary staff is called upon when there is a health issue.

So with each case, whichever way you look at each case, there are many, many facets.

The Secretary described very well that euthanasia is never performed lightly. It is performed based on consensus amongst the keepers of the animal, the curator responsible for those keepers and that animal, and the veterinary staff with their best information at that time as to what they can do best for the animal.

The bobcat was an older animal that had been found to be in a moderate stage of renal failure several months prior. And the request of the keepers and the curatorial staff was that this was an animal they wished not to go through another medical procedure, and when the animal was not doing well, they requested euthanasia.

In a zoo setting, again unlike a domestic dog or cat, most animals have to be anesthetized in order to be examined by the veterinary staff. That is a stressful event for many of them. They either have to be netted or darted. And they are wild animals. So the decisions on how to work with animals when they are older or sick are complex, and it is different in each case.

And again, as the Secretary indicated, these are cases when one could look at it professionally and make a different diagnosis while the animal is in life from when the animal is in death.

We learn a lot in zoological medicine, in particular when animals die. It is part of the piece of the puzzle that is medicine.

I could go on and address each individual animal, but I think that would take some time. I feel we have made a great effort to put out the information, and presumably this is information we can put out again with the panel that comes to look at any of these cases. We have an extremely professional staff and extremely dedicated staff, and these are not simple cases.

The CHAIRMAN. We look forward to that.

The gentlelady from California.

Ms. MILLENDER-MCDONALD. Thank you, Mr. Chairman.

Welcome, Ms. Spelman. What are the criteria for becoming the head veterinarian in this particular institution? What are the requirements for becoming the head veterinarian?

Mr. SMALL. My requirements for my head veterinarian—and it should be clear that we have two facilities. We have the zoo here in Rock Creek Park, and we also have the research facility at Front Royal; and we have a head veterinarian at each location who then, in turn, supervises additional veterinarians and animal hospital staff.

Both of our head veterinarians are board certified specialists in zoological medicine. Veterinarians, similar to human positions, specialize in different areas of expertise. The Zoological Medicine Board is a very small group of professionals. I believe, by now, there are somewhere on the order of 70 in the world; we have five on our staff. We have an exceptional veterinary staff that are known as leaders in their field.

Ms. MILLENDER-MCDONALD. What are the requirements for becoming that head veterinarian?

Mr. SMALL. To have that board certification, to be accomplished in their field, to be published in their field, to have had experience supervising staff at other veterinary hospitals, to have had the experience of working collectively and collaboratively with curatorial staff.

And again, the veterinarians are to some extent a service to the animal caretaker staff, and they do rely, when there are 2,100 animals, on the animal caretaking staff to—

Ms. MILLENDER-MCDONALD. Let me ask you, board certification, does it mean that you have to have had so many years of intern training before you get board certified?

Ms. SPELMAN. Yes.

Ms. MILLENDER-MCDONALD. What is the definition of board certification?

Ms. SPELMAN. In order to become board certified, in order to take the board certifying examination, the requirement is veterinary school training, post-veterinary training that is usually a 3-year training program in zoo medicine or 5 years' worth of practical experience running a zoological medicine department.

Ms. MILLENDER-MCDONALD. Did you have either of those coming into the head veterinarian role?

Ms. SPELMAN. Yes, I did. I had those requirements when I came here as associate veterinarian, which was nearly 8 years ago.

Ms. MILLENDER-MCDONALD. Let me ask you, for the rodent bait that we now know several animals, pandas, died from this, you mentioned that before now—you put into place now that the Director and you have to sign off on this.

Who were the signees before you put that in place, given the deaths of the pandas and others?

Ms. SPELMAN. The current procedure is that I will sign off as the Director of the zoo on all chemical use. The head pathologist, who is our most experienced veterinarian in the study of pathology, will prior to that recommend to me any chemical use, whether it is for rodent control or research purposes.

Prior to that, the policy rested within the safety office where our pest control and chemical use—

Ms. MILLENDER-MCDONALD. What office?

Ms. SPELMAN. Safety.

And the procedures were based on what needed to be perfect communication between the safety officer and the head of the animal programs division and the keepers and the curators.

Rodent control—as you know, rodents go everywhere. They don't know where the gate to Connecticut Avenue is by the zoo. We have them everywhere. And because we put fresh food out with the animals, we have to work on rodent control where our animals are

not. And that is an established best practice, and that was violated in the case of the red pandas.

Ms. MILLENDER-MCDONALD. And that was violated by whom?

Ms. SPELMAN. By our safety officer, who was in charge of pest control, with the knowledge of the head of animal programs and the senior curator of animal programs.

Ms. MILLENDER-MCDONALD. And this is a practice that was done before?

Ms. SPELMAN. This was the first time this chemical was ever used in an animal area. The best practice in any zoological park is, a pest control chemical is never used in an animal area with the animal in the exhibit.

Ms. MILLENDER-MCDONALD. So why was it this time?

Ms. SPELMAN. That is why we have reorganized our animal program staff.

Poor oversight, poor judgment. And people became sick, as well as two animals dying.

Ms. MILLENDER-MCDONALD. The persons who administered this, unbeknownst to you—am I correct on that—what punitive actions have you put in place for those persons who administered this unbeknownst to you?

Ms. SPELMAN. They are no longer supervising—they are no longer in charge of either such duty. Pest control and chemical use have moved to our head pathologist, away from our safety office; and we have established a new position, a position that the zoo has not had since 1986. That is somebody who will focus only on the day-to-day animal care operations.

Ms. MILLENDER-MCDONALD. Are you saying that these folks are still with you?

Ms. SPELMAN. As the Secretary indicated, two of those people chose to retire, and one was reassigned. We have hired in the acting position of general curator, a former curator for the National Zoo, a former staff member who had been with us in a supervisory position for 28 years; he is currently in that role. And we have a nationwide search out for a permanent general curator; and we have many, many promising candidates.

Ms. MILLENDER-MCDONALD. How many animals have died since you have been there as the head veterinarian? And how many animals died prior to your coming?

I am trying to get a sense of where we are going.

Ms. SPELMAN. I came to the zoo 8 years ago. Each year we tabulate the numbers of animal deaths, just as any zoo does. I would need to provide for you the actual numbers per year. I don't have those numbers in my head.

Ms. MILLENDER-MCDONALD. Thank you. I would like for you to do that, and I would like to know the number of deaths of animals by natural cause and the numbers of those who by other, means, human error.

Ms. SPELMAN. And it may be helpful for us to also ask the outside panel to help in that distinction. As the Secretary mentioned, there is a professionalism—difference of opinion that can come up with respect to when the animal has died and the pathology report is available.

I think it would be helpful to have the panel look at those cases with us to say whether we want to say human error or whether we want to say this was the best judgment made, given the available information.

Ms. MILLENDER-MCDONALD. That should be up to the pathologist to discern that. He or she is in that role to make that decision; am I correct?

Ms. SPELMAN. They have all of the powers, and the fact that they have all of the data, but when the animal is in life and judgments about how to manage it most safely and how to care for its quality of life, again that involves the curatorial staff, the veterinarians.

It is a complex environment, but I welcome the outside look. It will be helpful.

Ms. MILLENDER-MCDONALD. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Ehlers.

Mr. EHLERS. Thank you, Mr. Chairman. Several additional comments I would like to make, and I wonder if Dr. Evans could come to the table as well.

First, Mr. Small, I didn't continue all the way through because I had taken quite a bit of time my first round, but I have concern about this; it is in your written testimony.

The only mention you make of research is that your attempt is to keep the research program intact. My point is simply, I hope you are doing more than trying to keep it intact, but trying to make it applicable to the problems today.

Mr. SMALL. The first priority is to keep it intact, because it has been so depleted over the years. So I would be very happy getting back to where it was, and then would love to be able to continue to increase it. But right now what has been happening is, the dollars for research have been trending down, and we have to get them back to where we were. So "intact" is not meant to be a lack of interest in increasing the research.

So I am on the same line of thinking that you are. We have to get more money for it. That is what our Science Commission report emphasized recently, and Dr. Evans is working very hard at doing that.

Mr. EHLERS. It is not just a matter of increasing funding, but also improving the research. Your own blue ribbon group, the Smithsonian Institution Science Commission, I think was fairly tough on you on what has happened to science at the Institution. And the NAS report, I haven't had time to review in any detail, but I understand they were critical as well.

Are you, Dr. Evans pursuing meeting the objections raised in this, the inside report and the outside report?

Mr. EVANS. Yes, we are. I think all three of those reports, the two reports from the two National Academy panels as well as the Smithsonian's Science Commission report are actually very helpful. I think they highlight both the traditional strengths of the science and maybe, as importantly, they highlight a lot of the difficulties that have evolved in the Institution in recent times.

You are right, they are quite critical. I think they are quite pointed, but in many ways that makes them really quite valuable. The Board of Regents have given me until the beginning of July to develop an implementation plan for implementing the rec-

ommendations made by the Science Commission. And the Science Commission actually included, by reference in their appendices, the two National Academy reports as well.

So although I just arrived at the Institution, I was given a fairly full plate of recommendations. And I will tell you, now, having spent a lot of time with those recommendations, I think there is a lot of substance to them. There is serious concern about the way some of the programs have been reviewed, with recommendations for external visiting committees and incorporation of individual scientists' professional performance in their merit review processes, a lot of process kinds of things that I think the Institution needs.

And in my discussions with leaders of the science organizations, many of the scientists are actually welcomed by the scientific community and the Institution. So I don't envision great difficulty in trying to implement these recommendations. I have the sense right now that the recommendations have been embraced and people are ready to move forward on them.

Mr. EHLERS. Very good. In fact, I think all of them I am familiar with, the various science operations of the Federal Government, have visiting committees, outside review and some cases, peer review of proposals internally. So I certainly encourage you to do that.

Another comment made in your internal report or review by the Science Commission was that you can't do as much per dollar because you don't have graduate students, postdocs, et cetera. It seems to me you could arrange that. I think there are many graduate students who would be delighted to conduct their research at one of your institutions, especially those that are specialized, such as the one in Panama or in other areas of the world. And it is a great opportunity for them, and that would be a great way to increase your scientific punch. In addition to that, a postdoctoral would be willing to do that as well, although they cost more than graduate students, but still certainly less than a full-time researcher.

I believe there would be faculty members who would be delighted to spend their sabbaticals at your institution, and then you generally get them for half-salary because their home institution pays half.

So I encourage you to pursue all those avenues. And I don't know if it is a policy that you simply don't accept grad students or postdocs. But if it is, I encourage you to pursue that.

Mr. EVANS. I appreciate your encouragement. I think that section of the report is probably not very clearly written. There is a fairly long tradition of having both graduate students and postdocs come to work at the Smithsonian. They come with a variety of different kinds of support.

The Institution has traditionally had a significant program in fellowships that they offer for both postdoc and predoctoral students. Unfortunately, that is one of the areas that has been funded out of the general trust revenues that we have seen decline so seriously in the last couple of years, and it has really come under pressure. In an effort to deal with that and in response, or anticipating the Science Commission finding, our fiscal 2004 budget request actually has a small line in it that would help to begin to provide some

Federal funding for that fellowship program. I think that is especially important, as we continue to raise private funds, to help support those fellowships.

So recognizing the importance of fellowships, predoctoral fellowships, postdoctoral fellowships, the NSF-funded research experience for undergraduate programs, in which we also participate, are all ways that we have for bringing younger scientists into the program, and we are vigorously trying to round up the money to participate in those more fully.

Mr. EHLERS. Fine.

Last question, would your scientists like to be able to apply for NSF grants? I know under the current interpretation of the law, it is assumed they are not eligible.

Mr. EVANS. That was a recommendation, as you know, by both the National Academy of Public Administration and the Science Commission that our scientists be able to do that. And as a matter of fact, in the report language that accompanied both our portion of the appropriation for the current year and the NSF, the VA-HUD portion of the appropriation, the committee recommended in our case that the Secretary and the Director of the National Science Foundation get together to work on this issue. And in the case of the VA-HUD bill, in fact, it directed the Director of the National Science Foundation to make sure that research proposals from Smithsonian scientists were welcomed and put into the regular competitive process.

And just to sort of bring you up to date of where we are in that process, I have a meeting Friday morning to discuss with Dr. Colwell—to discuss exactly how we should move ahead and implement that committee recommendation.

Mr. EHLERS. That is a welcome change. And certainly any projects that you have with other institutions or faculty members with other institutions, I should think would clearly qualify.

Mr. EVANS. We have had some successes of those in the past, but we are actually very grateful to those members who helped with that language to provide some clarification, because inside the Foundation, there has been confusion with some programs accepting proposals and other programs not. And there has been a sort of inconsistency, and Dr. Colwell actually welcomed this language to get the clarification about how we can proceed in the future.

Mr. EHLERS. Thank you.

And thank you, Mr. Chairman. I know most of the people here were interested in the questions about the zoo. But since I am on the Science Committee and the only scientist here—the Science Committee, as you know, has jurisdiction over most institutions of the Federal Government that perform scientific research; you are one of the very few exceptions.

So I felt obligated to use my expertise here to give you a grilling and to give you some encouragement.

The CHAIRMAN. No doubt, Congressman Ehlers, that anybody was going to get out of this room without your asking a science question.

The gentleman from Florida.

Mr. MICA. Thank you, Mr. Chairman.

Dr. Spelman, back to my personnel questions that you may be able to answer better than Secretary Small. Within the zoo operations and particularly the care for animals, are there any missing positions? Was there any decrease in funding, or from our oversight responsibility, has something gone amiss as far as personnel being paid for out of the Federal funds for the care of animals?

Ms. SPELMAN. No. The Secretary is correct. We have continued attrition in our total staffing levels. That is something we have to manage each year.

Mr. MICA. Again, specifically to the care, the veterinary staff now decreased and—

Ms. SPELMAN. I understand your question. Within animal programs, which is the division of the zoo where the caretakers are, I have actually worked to increase the numbers of keepers; and now we have three new curatorial supervisory positions.

Mr. MICA. Since when?

Ms. SPELMAN. Over the last 3 years, since I have been the Director.

Mr. MICA. This is the kind of stuff I want for the record.

You talk about accreditation. And is the zoo—I mean, the zoo is exempt from all these other reviews, but the zoo goes through an accreditation process?

Ms. SPELMAN. The accreditation process is something we willingly participate in.

Mr. MICA. How often?

Ms. SPELMAN. Once every 5 years. Current year, there are 23 zoos going through accreditation.

Mr. MICA. Going through it now?

Ms. SPELMAN. And ours, we are midway through it.

Mr. MICA. And you spoke to some recommendations that they had.

Ms. SPELMAN. That's correct. It is a three-step process.

Mr. MICA. You did this 5 years ago. If I look at the one from 5 years ago and we submit that as part of the record, does it show any deficits as far as handling of rodenticides, or whatever you call it, rat killer; or does it show any suggestions or recommendations or deficits as far as chemicals around animals?

Ms. SPELMAN. We certainly can share with you the 5-year-ago report.

Mr. MICA. Can you get a copy? I want to see if this is something that 5 years ago—you know we don't have a standard review. We have some congressional oversight. You testified that you will give us the documentation on that.

You have this accreditation process. Did they identify deficiencies that could lead to animal deaths 5 years ago that haven't been remedied? That is my question. So if you could submit that—Mr. Chairman, unanimous consent, request unanimous consent that that be made part of the record or at least referenced to.

The CHAIRMAN. Without objection.

Ms. SPELMAN. May I offer that—

Mr. MICA. And you don't know anything in that report that would specify that there were things, that were not attended to, that are specific to any of these deaths?

Ms. SPELMAN. I think that every time an outside group comes in to look at our operation, that will be helpful, but there is nothing specific in the 5-year-ago report.

Mr. MICA. Again, I am trying to—I just want to see if there has been oversight by somebody else, accreditation group, our group, or something that we haven't been doing and we should be doing.

And the chairman has already got a good way to calm people's concerns about this.

Ms. SPELMAN. If it would be helpful, we have a fairly detailed list that goes through the facts on all of the animal deaths that have been reported in the media. We can submit that as well.

Mr. MICA. And that has already been requested. We would like that part of the record.

How many animal deaths are attributable to rodent poisoning in the last couple of years?

Ms. SPELMAN. To the best of my knowledge, only the two red pandas. We have not—there was a report of our prairie dogs being lost to rodents, but we have not substantiated that.

Mr. MICA. I just have questions about rodent poisonings.

I have some question about your rats, because most people aren't familiar with the rats in Washington. I come from Florida, and we have what we call citrus mice and they are rats about that big. Now I have also seen the—and I live a few blocks from the Hill and I have seen the Washington Hill rats.

I am not talking about members of any political group or persuasion.

The CHAIRMAN. Will the gentleman yield?

Most of the rats seem to be on the other side of the Capitol.

Mr. MICA. I have seen rats in Washington as big as cats. I mean, they are absolutely frightening. I am also told that these rats can savage some of the animals. And you said that we are not going to have any rodenticide, or rodent poison, close to the animals, but you still have a problem because you have animals, you have feed, you have open conditions, so that does pose a problem.

But I don't know if the members know this, but the Hill is infested with rats, and the offices are infested with rats or some of our locations have been. And there is—we had a hearing a few years ago with Mike Synar, and we had some carpeting that was in question. People were afraid that toxic fumes from carpeting were affecting humans. And they put a couple of biology mice in a container with some carpeting that was going to be used on the House floor. And you know the mouse keeled over dead.

But it wasn't the fumes in the carpeting. I got a copy of the report and it was the rodenticide—whatever you call it; again, I am sure I am slaughtering the name—but the rodent poison we spray all through here. And that can have an effect on human beings and animals. It is very difficult to control.

So, again, you have to balance, I think, the protection of the animals with a complete infestation.

Would that be the case also?

Ms. SPELMAN. That is true. There are three things we are stepping up. One, we already mentioned our older facilities. Any old building, in and around an older building, that is a great site for

rodents to live; and so as we are renovating old facilities, at least we are also dealing with harborage areas where rodents live.

Mr. MICA. Final question about rats.

Ms. SPELMAN. The second thing is, if you come and see the animals at feeding time, you will see many animals are fed in a way where the rodents cannot get at their food stuff. Giant pandas, for instance, are fed with a piece of PVC tubing with a hole in it, and they shake it and a biscuit falls out and they eat that biscuit. Because the rodents learn exactly the routines of the keepers and when the food will be put out. So we are trying to outsmart our rodent population and use as few chemicals as possible.

Mr. MICA. Two things. Sometimes we talk about rats, and sometimes there are people want to rat on other people. This isn't a personnel matter that is blown out of proportion within the zoo, is it? Is someone trying to come after your for some personal reason?

Ms. SPELMAN. I believe the National Zoo needs many changes, and we are starting to make those changes.

Mr. MICA. This isn't a personnel matter—you can tell us. There are different kinds of rats around, and I want to get to the bottom of it.

Ms. SPELMAN. We have many policies and procedures we need to improve, and we are on the road to doing that. And yet I believe that we need to renew the zoo in every way.

Mr. MICA. I can't imagine somebody who has your professional qualifications and is probably as dedicated as you are to animals and wildlife—I am sure this is no fun for you personally, because I know you must have some care and love for these creatures.

And I apologize, but what I try to do is just get the facts and lay them out and let people make the judgments.

The CHAIRMAN. Any final questions?

Mr. LARSON. Just again by way of follow-up of—with the question that Juanita Millender-McDonald asked; and I hope this is something we can work on with the Academy as we go forward. I think it is in everyone's best interest to make sure that we continue down the path that you have outlined so that we have the very best practices. And I couldn't agree with you more that the more input that we get from independent outside sources can only help.

Juanita asked for a compilation of what happened. I would only add that I think we should look at it not only in the context of the National Zoo, but other zoos so we can have some comparative data, I think, along the lines that you have indicated and outlined in terms of both those that might happen through human error and—I forget exactly how you described—

Ms. SPELMAN. Differences in professional opinion.

Mr. LARSON. And I think it is especially important for lay Members of Congress who sit on committees like this that scientific professionals get an opportunity to focus on this and then come back to us with the—with their analysis and their information, which I hope would allow us to understand the situation better and take whatever corrective action might be necessary.

And that is the only other question I have, Mr. Chairman.

The CHAIRMAN. I thank the ranking member.

And with that, I want to again thank Secretary Small, as well as Under Secretary Evans and Director Spelman, who worked hard to prepare for the hearing today and her ongoing work with the Smithsonian Institution. And I also want to thank our ranking member for his thoughtfulness and work on what I think we have come up with, which is the oversight ability through the National Science Foundation, and also the overall input on this total comprehensive look at the Smithsonian Institution and the needs that they have.

I thank all the members that participated in the hearing today.

Members do have additional questions; they can submit them in writing. And I would expect the witnesses would return the answers in writing.

The CHAIRMAN. I also ask unanimous consent that members and witnesses have 7 legislative days to submit material into the record for those statements and materials to be entered into the appropriate place in the record. Without objection, the material will be so entered.

I also ask unanimous consent the staff be authorized to make technical and conforming changes on all matters considered by the committee in today's hearing. Without objection, so ordered.

I also would like to thank Congressman Eleanor Holmes Norton, who I know has communicated with our ranking member, and for her continued concern and thoughtfulness on this issue.

Having completed our business for today, the oversight hearing committee is hereby adjourned. Thank you.

[Whereupon, at 4 p.m., the committee was adjourned.]