



Mr. David Maloney
District of Columbia
State Historic Preservation Officer
801 North Capitol St, NW
Suite 3000
Washington, DC 20002

Dear Mr. Maloney:

The U.S General Services Administration (GSA) initiated the Section 106 consultation process to consider whether the present setting for six murals at the Ariel Rios building, that have been contested, is the most appropriate way to display them. After considering the input received through the consultation process and reviewing GSA's policy on Fine Arts and its obligations under the National Historic Preservation Act GSA proposes to implement the following treatment and mitigation measures for the Ariel Rios Murals.

Treatment:

- GSA will design and build a new screen to be placed at the mural *Dangers of the Mail* by Frank Mechau. The new screen will mask the mural from individuals passing through the lobby who do not wish to view the mural, while at the same time providing for a viewing experience for those who choose to view the mural. The screen will also incorporate revised interpretative materials to address the history of the art and the controversy associated with the mural. A comprehensive interpretive program will also be developed for all 22 murals in the building.
- The consulting parties and others will be invited to participate on an advisory panel for the development of an appropriate screen for *Dangers of the Mail* and the interpretative materials for all 22 murals.

Options Considered:

In response to the concerns presented, GSA considered the following options:

1. Relocate the *Dangers of the Mail* mural to another room within the Ariel Rios Building where the mural could be viewed, but not within general public space.
2. Establish a loan program that makes it possible for the mural to be placed on loan in a suitable museum.
3. Do nothing, i.e., remove the interim screen.

4. Replace the existing screen around the mural with a redesigned and more appropriate screen that would include better interpretative materials.

Through the consultation process GSA received more than 400 public comments (which were approximately equally divided in favor of retaining the murals in place and removing the murals), conducted a public forum and held consulting party meetings to inform its decision making. In considering the options, GSA also took into account its Fine Arts Policy for the treatment of controversial works of art and its obligations under the National Historic Preservation Act (NHPA) for the treatment of historic resources. While GSA's Fine Arts Policy is that artwork should not be removed simply because it is controversial or unpopular, GSA believes, after its consultation under Section 106 of the NHPA, that it is a reasonable compromise to provide appropriate screening for the mural *Dangers of the Mail* given the exceptional circumstances surrounding this work. GSA is taking this step in an effort to be sensitive to and respectful of individuals who may be offended by the contents of this mural.

The undertaking, which is defined as the installation of a screen at *Dangers of the Mail*, will have an adverse effect on the historic character of the lobby where the mural is located. To minimize or mitigate the adverse effect of the screen, a comprehensive interpretive program for the historic artwork throughout the building will be developed. GSA feels that an Interpretative program of the entire collection of murals in the Ariel Rios building is also required as an essential component for the edification of both employees and visitors to the building. A program of this type will help to minimize the adverse effect of the screen by presenting the history and significance of the murals as well as addressing the competing values that have been expressed over the murals.

To properly address the adverse effect of this undertaking and document the proposed mitigation, GSA will develop a Memorandum of Agreement in accordance with 36 CFR Part 800.6 (c). In compliance with the Advisory Council Guidelines for the Protection of Historic Properties, GSA is respectfully submitting our determination of adverse effects for the proposed treatment of the Ariel Rios Murals.

If you have any questions or concerns please contact me at (202) 205-7766 or at gary.porter@gsa.gov

Sincerely,



Gary L. Porter
Historic Preservation Specialist
National Capital Region

Cc Hector Abreu Cintron
Luis Luna
Lori Windell
Cinda Hughes
Michael Mechau
Dorik Mechau
Sarah Crawford
Shana Barehand
Bob Smith
Roland Cyr
James Bird
Dana Ott
Darren Wordekemper
Peter Gray

Advisory Council on Historic Preservation
Environmental Protection Agency
Society of American Indian Government Employees
(SAIGE)
National Congress of American Indians

Lawyers' Committee for Civil Rights

SAIGE

U.S. Postal Service
Equal Employment Opportunity Commission