

Stella  
Madison, WI

December 8, 1981

Mr. J. Carter Brown, Chairman  
National Commission of Fine Arts  
708 Jackson Place, N. W.  
Washington, D. C. 20006

Dear Mr. Brown:                    Re: Vietnam Veterans Memorial

I am writing to you in regard to the above subject.

I am a former Federal employee, now retired, and have been a contributor to the fund for a Vietnam Veterans memorial. I say "have been" because when I received a sketch of the proposed memorial my reaction was one of horror and disbelief!

I think it's a most ugly, ghastly joke to play on all of us good Americans who contributed in good faith to a memorial that we trusted would be a fitting tribute to our veterans, *living and dead.*

I wrote a letter to Mr. Scruggs and some of the National Sponsoring Committee members, trying to express my revulsion, and it is only now, after receiving replies and literature, that I have been made aware of the fact that there has been a misconception as to the full intent of the memorial.

Some responses I have received indicated they thought the monument was a memorial only for those who gave their lives in the service of our beloved country.

Please see the enclosure taken from literature sent to me by the Vietnam Veterans Memorial Fund when I was a contributor. Note the touching "rhetoric" about how much we owe our living veterans. I hope you can understand my feeling of extreme revulsion at the thought that this macabre memorial was our way of thanking the living veterans.

In a second enclosure (a reprint from one of our Madison newspapers) you will note that Mr. Carhart himself seemed to think it was a memorial only to Americans who died in Vietnam.

This raises a question in my mind as to whether the Fine Arts Commission was aware of the fact that this was a memorial for the living veterans as well as the dead, and if they would have approved the design if they knew it was for living veterans as well as for those who died.

Also, I have learned that one of the rules in the Guidelines was "The memorial will make no political statement regarding the war or its conduct," and another one was "The design must provide for the inscription of the names of all 57,661 Americans who died in Vietnam, as well as the names of the approximately 2,500 who remain unaccounted for." To me, this last rule makes a political statement.

Why was it mandatory to include the names of the dead and missing on a memorial for the living, as well as the dead? To be fair, I think all the names should be listed, living and dead. Why was it mandatory?

The purpose of the memorial, in their own words (see enclosure at "A") was to "mean that the American people have said thank you." How does this large tombstone with all those names inscribed on it say "thank you" to the living veterans?

I think the design is anti-veteran and anti-America. I think the Communist world will love it, and they will laugh and laugh and laugh, and I agree with everything Mr. Carhart says in the reprint.

I hope you will take the time to read this letter and enclosures. Thank you.

Sincerely yours,

Stella

Encs.

*1. 1. (Third enclosure (a) literature  
I received from the U.S.M.F.) states the  
purpose of the memorial.*

Fort Meade, MD  
17 December 1981

Mr. J. Carter Brown  
Chairman  
Fine Arts Commission  
National Gallery of Art  
4th Street and Constitution Avenue  
Washington, DC 20565

CF - Response to J. Carter Brown

Dear Mr. Brown:

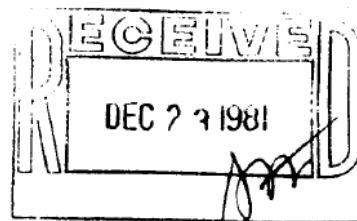
I am writing to you to ask your personal intervention in obtaining a review of the appropriateness of the design that has been selected for the Vietnam Veterans Memorial, which is to be erected on land provided by the Congress for that purpose. I am a Vietnam veteran who was neutral about the projected memorial until I visited the American Institute of Architects Foundation exhibit on the design competition.

While I am in no way an expert in architectural design, and do not pretend to be able to judge the pure aesthetic appeal of the competing submissions, it is clear to me that the chosen design sends out the wrong signals. I came away from viewing it with the impression that the professionally expert panel did not adequately consider the effects that their design choice will have on the average viewer. The buried black walls will be seen as a further attempt to conceal the "forgotten fallen" from sight, and the down sloping approaches will discourage quiet contemplation because of the lack of seating arrangements, the slippery turf, and the dampness that will form at the base of the memorial walls. This black walled sunken hole is appropriate only in that it represents a continuation of the national attitude toward the Vietnam experience and Vietnam veterans: submerge the experience and minimize the honor due to all those, living and dead, who served their country there.

I ask your personal intervention to evaluate what is about to be irrevocably "set in concrete," on Congressionally donated land, as the final tribute to those who served at the will of Congress in Vietnam. I believe that most veterans would prefer the disinterest that has prevailed to the one more bulldozed scar in the ground that is being proposed.

Sincerely

Michael



Batcheler, La

Oct. 10, 1981

Dear Mr. Long,

I am glad to hear that a monument is being built to memorialize those who died in the Vietnam war. However, I am very much opposed to its current design. The black marbled V shape and random listing of names suggests that these men died in vain.

I ask you to stop the construction of the current design and replace it with a more suitable design in white marble to be a tribute to these men.

Sincerely yours,  
Carl J.

1981 OCT 1981

Attached to  
Congressman Long's  
letter

Cong. Gillie Long

Oct 14 1981

I would like to ask your support in contacting the President and any other other parties that is in charge of building a monument in memory of the servicemen who died in Vietnam. Simply it is an insert to all Veteran and I have two son's, both of who served in Vietnam as Marines and ~~were~~ ~~in~~ ~~the~~ ~~armed~~ ~~forces~~. It is as follows. Congress gave a piece of land between the Lincoln Memorial & Washington Memorial to place this memorial. It is to be two pieces of black granite place in a V shape with the name of Veteran's listed as they died not alphabetical order. I feel that the Memorial should be in the same line of color and design as the other Memorial in Washington. Thanking you kindly  
P.S. Also it is to be  
surrounded by a mound  
of dirt

Yanman

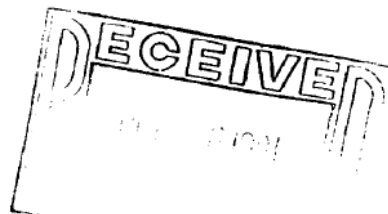
Bethel, Pa.



GEORGE

Arlington, VA

Chairperson  
United States Fine Arts Commission  
708 Jackson Place ,NW  
Washington, D.C. 20505



13 October, 1981

Dear "Chairperson":

I must take this opportunity to submit my comments in support of the position of Mr. Thomas Carhart, Esquire, Attorney-at-Law, in his comments of opposition to the proposed Vietnam Veterans Memorial Fund's design on the basis that it does not represent a historically-precedented, socially-accepted, and geneologically -defined statement of veteran sacrifice, loss and service to this nation in any Western, Eastern or mixed-societal architectually-designed method. In essence, in "our" historical context, this "black hole, resembling a crater at Khe-Sanh" by its color and design, or lack thereof will serve as a constant psychological reminder of the ignorance of America to the plight and conditions of not only the dead comrades, but to the living veterans. The color "black" has always had a limited definition in art and architecture: death, failure, loss, mistake, bastardom (see black-bar across family crests as signature of illegitimate son), defeat, deceit, and anti-spiritual, albeit, evil! On the other hand, white: clean, godlike, spiritual, good, alive, hope, love, perfection, beyond the human in elevated spiritual terms, victory, character, purity of cause, body, soul, and will. All that is good--all that is to be remembered because of the uniqueness of the color "white" and the lack of impurities within, and especially the difficulty in obtaining that purity and that color.

Further, the placement in the ground reflects the hidden desire to forget--to overlook, to not remember, to bypass, not to thrust in the mind any intent to remember through burial. Bodies are burr to prevent sickness from spreading; holes are dug to bury things in; things to forget, to remove from sight--and the present; to place in the past; never to spark the mind into remembering what once lived.

Furthermore, the intent of the design was to have all veterans represented, not by names, but through a design which befits the motivations, intent, psychological aspirations of the veteran population of the Vietnam War in general. I have heard numerous complaints across the nation about this design. I ~~have listed~~ mine ~~previously in the attached letter to the editor of the Stars &~~

*omitted*  
stripes(as enclosed), and feel quite qualified as a combat-disabled Vietnam Veteran with a few years overseas, many lost close friends, and many presentday Vietnam Combat Veterans in my circle of friends and associates. We originally supported this effort and freely donated what we could, as Tom Carhart did, but we feel now that certain actions by the Fund have created a situation which we feel must be corrected before this design is formally accepted as being representative of the "Vietnam factor."

First, I felt that the lack of a combat Vietnam Veteran on the selection panel of distinguished(?) architects and artists was an insult and a complete disregard for those for which the monument was meant. Second, the monument is not accessible to the handicapped because of the lack of walkways, lifts, and inclement weather provisions. Third, the insulting thrust of the intellectuals(?) deciding the design shows again the plight of the combat Vietnam Veteran: that values, not his own; definitions of service and sacrifice, not his own, are being thrust upon his dead comrades and himself by people who knew nothing, nor cared to, of the war's effects on the living and the dead's memory.

In closing, I would like to say that there was no legitimate input to the design competition by the majority of citizenry known as combat Vietnam and disabled veterans as to what their definitions of structural theme and immortalization were; only the rich, the immune, and the inane were asked indirectly through this lack of credibility with a clientel. For myself, I cannot, and will no longer support the efforts of this debacle of misguided intentions. However, I applaud the work and untiring efforts of the VVMF to sustain their decision, no matter how misguided and non-representational it may be. I fully support the concept of the idea of a Vietnam Veterans Monument, but I detest and reject the method of creating it (namely a professional contracted contest consultant whose credentials I have never seen, and creating a council of judges who have no, limited, or inaccurate information about the Vietnam War, and the total absence of legitimate credibility on that council--namely a combat Vietnam Veteran.).

Sincerely,

Encl *(omitted)*  
cc: T. Carhart  
File & Press  
Congressional and Presidential

G.

J. Carter Brown  
Chairman Fire Arts Co.  
Washington, D.C.

Wednesday Oct. 14, '1

Dear Sir:

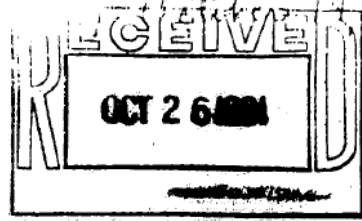
I teach American Government to high school seniors and one of them brought an article to school describing the new Vietnam memorial to be erected in Washington, D.C. It upset me to read some of the remarks attributed to you in the paper. As an amateur and a double purple heart winner of the conflict in Vietnam I can't see why it would make a difference what professionals feel about the memorial. That's our job now; we have too many professions with no common sense or practical experience telling us what will be a success. They tell us what we should like and what is good for us. I resent your gaffe off about "Corny specific reference and bits of 'whipped cream'" when you don't know anything about the problems and hardships we experience in Vietnam. To hell with you and your memorial we don't need it neither do our dead.

Paul  
SELMER, IN.

Paul



First Nat Commission  
Washington, D.C.



Dear Sir,

I just read an article describing  
the Vietnam Memorial.

I completely agree with Mr. Tarkenton.  
This memorial is to help the image  
of the Vietnam war and those who  
fought there, which my husband  
was one. Don't describe it as new  
and evil and to put it below  
ground as if we were ashamed and  
had to hide it.

When I first received a solicitation  
for funds for this project I  
thought how great it  
was a bad war but our  
men saved their country  
as bravely as those in  
any of the previous wars  
since the settling of this country. \*



For any other purpose their  
memorial might have esthetic  
value, but not to honor our men  
who fought because their country  
asked them in a war that held  
no purpose for the American people.

If we're to show these men  
that we are proud of them and  
their service to our country, we  
need a monument that is white  
and bold.

You're putting pieces of modern  
furniture into a room already-  
filled with colonial period  
decor.

Stop trying for the different and  
usual (that is, the war). Let's show  
some traditional respect.

Dr. Babette Lyden

Nancy

Esca Grand, City



# THE SHAWNEE NEWS STAR

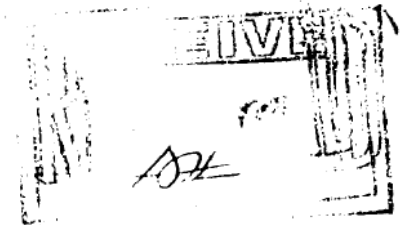
A Division of Stauffer Communications, Inc.

POST OFFICE BOX 1688

SHAWNEE, OKLAHOMA 74701

1/405,273-4200

October 19, 1981



MR. J. CARTER BROWN  
Chairman  
Fine Arts Commission  
Washington, D. C.

Dear Mr. Brown:

I agree with Thomas Carhart.

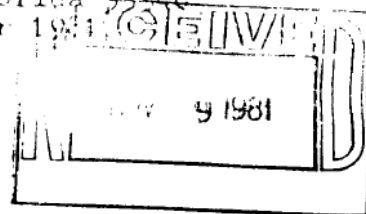
The proposed memorial is grotesque,  
an insult.

I shall urge everyone I know to not  
contribute a dime.

*send copy to VVMF*  
*file with*  
*Memorial -*  
*10/13/81*

# Vietnam Veterans Memorials

11115 U.S. 1st Coast Drive N.  
Largo, Florida 33776  
20 October 1981



St. Petersburg, Florida

Dear Sir:

Concerning the article by Tom Carhart in the 26 October issue of the St. Petersburg Times in which he deplores the design of the Vietnam Veterans' Memorial in Washington, D.C., I agree with his "feeling of pain".

The design, which is a black wall 400 feet long sunk ten feet into the ground, is shaped like a boomerang.

Our grandchildren, even our youth of today, will never realize what this black wall in the ground is all about. It is as though the U.S. Fine Arts Commission is considering a monument for the Vietnam veterans but it is ashamed to make it comparable to the beautiful memorials already built in remembrance of our other war heroes. The Commission is influenced by the deserters who fled out of this country and the riots created by drug addicts on the campuses. The Commission feels guilty, so much so, that it belittles the boys who enlisted and fought the "unpopular" war. The Commission feels that a black wall in a ten foot trench is sufficient tribute to the 57,000 Americans who died in that war.

As for the memorial, why has its design been decided upon without input from the Vietnam veterans? Why was the design of a foreigner chosen from among 1,401 entries? Why isn't it tall and a sparkling white marble edifice to honor these dead who were subjected to criticism and blame for a war in which they did their duty.

One last thought. Why haven't the various military organizations such as the Retired Officers Association, The Military Order of World Wars, the American Legion, etc., voiced their objections against this shameful memorial? Surely, the Vietnam veterans deserve a tribute worthy of their sacrifices as memorable as the memorials erected to the dead of other wars.

Sincerely yours,

Theodore

cc: Senator Lawton Chiles  
Senator Paula Hawkins  
Congressman C.A. Bill Young  
U.S. Fine Arts Commission  
The Retired Officers Association

11/24/81

CEIV

NOV 10 1981

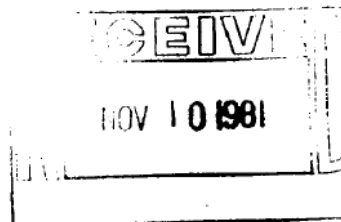
The fine Arts Commission  
of These United States  
Washington D.C.

Dear Sirs;

I agree totally with Mr.  
Tom Carhart's article in The New York  
Saturday Times - dated October 24, 1981  
entitled "Insulting Vietnam Vets"

I state that your commission  
reconsider your decision to construct  
The Vietnam Veterans memorial as it is  
presently designed. Do not insult,  
and degrade courageous Vietnam veterans  
with a black tomb of death. We are  
very much alone and fighting,  
yours truly,  
A.P.

LAW OFFICES  
RENNER & SNELL  
ROENTREE BUILDING  
612 SOUTH FIRST STREET  
P. O. DRAWER 1267  
LAMESA, TEXAS 79331



November 6, 1981

TELEPHONE  
806-872-2191

RAY RENNER  
ROBERT B. SNELL

Mr. J. Carter Brown, Chairman  
Fine Arts Commission  
708 Jackson Place, N. W.  
Washington, D. C. 20006

Dear Mr. Brown:

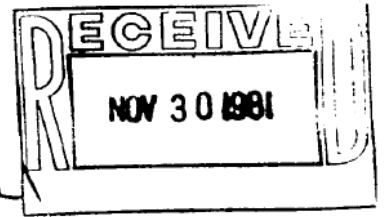
In reading the newspaper article "Vietnam Vet Wants Change in Memorial" which appeared in the October 14th Avalanche Journal, Lubbock, Texas, I was impressed by the words toward the end of the article . . . and needs no "corny specific references" to the war and no "bits of whipped cream on pedestals." I guess, when we are planning a memorial to some thing or somebody, the idea would be to best consider the feelings of those that were involved. It just might be that the people that still feel a sense of duty to respond when called upon by the Country to do so, just might be emotional enough to respond to a corny reference. And I don't believe I have seen any whipped cream on a pedestal. Of course, I am one who likes to drive down Monument Avenue in Richmond and observe the 'whipped cream' that is spaced at intervals down the boulevard there.

My boy lies among his fallen comrades at West Point - safely away from the grounds that were so disgustingly desecrated by our uncultured demonstrators of the '60s. I say "our" for the reason that they, too, were our youth, however encouraged they might have been to behave obnoxiously to our returning soldiers. You know, it is one thing to hate war and quite another to try to destroy the men who, for whatever reason, did not run the other way when called to serve. And now, to deprive the veterans of much of an opportunity to have a voice in the proposed memorial is much worse than ending up with whipped cream. I guess I don't know whose wounds are to be healed. Naive, aren't I?

Sincerely yours,

11-17-81

US Fine Arts Commission  
Washington, DC



Re: Vietnam Veterans Memorial

Sirs:

I'm no art critic but I  
am a Vietnam vet.

I think the memorial  
design chosen is terrible. It  
was accidental I saw it & I  
wonder if anyone else has  
written you. I certainly hope  
somehow you'll reconsider.

To equate a memorial to  
a hole in the ground is just  
what some people think about  
the war but to call it a place  
of honor is ridiculous. Even  
the tomb of the unknown  
soldier rises above ground level  
& the simple grave marker plate  
in a cemetery is at ground  
level. There is something symbolic  
about it below ground level - to  
the artistic merit!

I've promised my 2 kids  
trip to Washington when they're  
old enough in a few years to

understand the significance of the  
trip to our national capital — the  
really looking forward to it! But  
if this thing representing a  
memorial is built, they will not  
be shown it & told why too.  
Please reconsider your  
decision.

Sincerely,

Norman

Garland, Tx

copy to

Sen John Tower

Sen Lloyd Bentsen

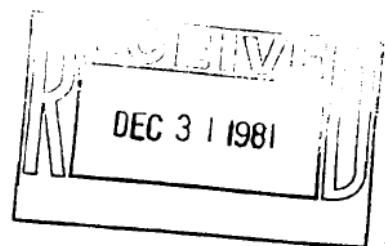
Rep. Jim Mattox



*Please save*

# COM-VETS

Box 77  
Leds, Mass 01033



Vietnam Veterans Memorial Fund  
P.O. Box 37240  
Washington, D.C. 20013

December 20, 1981

Gentlemen:

The United States of America once again failed its veterans.

Having been informed of the content, design, and origin of the Vietnam Veterans Memorial, we, the members of Com-Vets, stand unanimously opposed to the memorial in its present form. We consider the selection process and the design of the memorial to be yet another attempt by the American governmental body to bury the memory of Vietnam, and American veterans with it. We, the men of Com-Vets, consider a back hole in the ground to be a most grievous insult to the memory of our fallen comrades. We see this proposed memorial as yet another attempt by the American public to denigrate and destroy the sacrifices of the Vietnam Vet.

Com-Vets is an organization made up exclusively of Vietnam combat veterans, not Vietnam vets. We are not ashamed of our struggles and sacrifices in Vietnam. We are aware of the American people's wishes to get Vietnam. However, we see the current memorial design as a thoughtless, unfeeling act of callousness. We will not allow this attempt to dishonor us to go unchallenged.

The memorial proposal selected and the selection process employed obvious reflect the shame of the American political body and the American public. Perhaps this shame is justified. However, it should be reflected in a monument to the lunacy of the great American politician and not in a memorial to the Vietnam veteran.

A Vietnam infantryman caught in the open during a mortar attack, or a Vietnam helicopter pilot caught in murderous cross-fire while attempting med-evac, is experiencing every bit of the fear that a veteran from any other era might have experienced. It matters not whether a man fought in Vietnam, Korea, the South Pacific, or in Europe fighting and dying, they are all the same. Our men died just as bravely, and their wounds were just as painful as any soldier ever experienced. We do not deserve to have the memories of our dead buried in a hole in the ground.

— The American Combat Veteran Organization —

COM-VET  
Box 77  
Leeds, Mass 01053

Rest assured had a one attempt and such a monument for our fallen comrades from World War II and World War I, a cry would have arisen across the land. Are our sacrifices so much less that we should deserve less?

We, the men of COM-VETS, request:

The immediate resignation of all persons involved in the selection process of the present memorial design.

The immediate abandonment of the present memorial design.

The appointment of VETERAN COMBAT VETERANS to the board charged with the design selection to insure that the design will reflect the honor for which we have paid so dear a price.

Furthermore, we feel that the resignation of the senior staff members of the Vietnam Veterans Memorial Fund would be in order.

The heat of battle burns away all the sins of governments leaving behind, in the shell of men committed to the battle, a substance hardened by the at and the fine madness of precarious life and sudden violent death. From the cauldron of this madness arises in the survivors, a common bond. This bond is the honor common to all soldiers. This bond is paid for in battle, and the price is death or near death and a lifetime of anguish.

Leave us this honor

On behalf of all the men of COM-VETS, I am,

RANDAL

*Added to the  
CFA*

# RESEARCH PLANNING AND DEVELOPMENT

4 Jan 82  
H. Meyer  
file

JOSHUA D. LOWENFISH • ARCHITECT & ENVIRONMENTALIST  
2020 N. Atlantic Ave., Cocoa Beach, Florida 32931  
Tel. 305 783-3006  
December 23, 1981

RE: VIETNAM VETERANS MEMORIAL OR A HOAX SHROUDED BY  
A CONSPIRACY OF SILENCE.

Mr. J. Carter Brown, Chairman  
Commission of Fine Arts  
708 Jackson Place, N.W., Washington, D.C. 20420

Dear Mr. Brown:

The accompanying brief depicts a horrendous scandal in the making. The Vietnam memorial as presently designed would find itself immersed in artificially created sink-hole occasioned by a ground water condition which in effect make it unbuildable. Hence the term HOAX.

This situation should have been recognized by the professional advisor and the jury, but it was not.

This problem was anticipated by the second 96th Congress in a Joint Resolution on Jan. 3rd, 1980, Sec. 2(a) which states that "if surface soil conditions prevent the engineering of a feasible foundation system... then the secretary of the Interior... is authorized and directed to select a suitable site... in an area of West Potomac Park... north... of Constitution Gardens."

The competition program warns that "the lowest point of the memorial site is at elevation +12.5' above mean sea level... the maximum likely flood level is +13'... in periods of extended and intense rainfall... the site is likely to be soggy... below grade ground water may pose difficulties for below grade spaces."

As for the term CONSPIRACY OF SILENCE, please turn to pages three and four of the brief.

\*\*\*

I do hope that you may help to publicize this farce and thus prevent a national disgrace.

Sincerely,

# VIETNAM VETERANS MEMORIAL

OR A HOAX SHROUDED BY A  
CONSPIRACY OF SILENCE

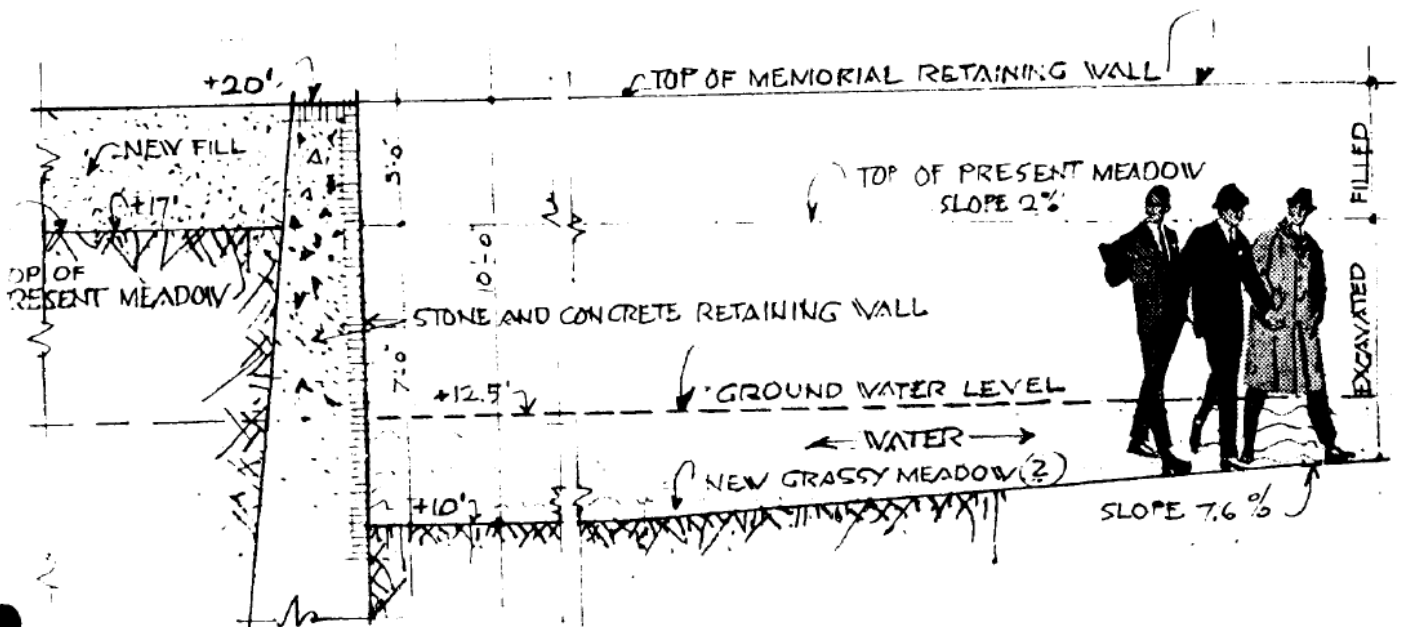


JOSHUA D. LOWENFISH

B.A.R.C.H., R.A., A.I.A., B.A.I.D.-FIRST ALT. PARIS PRIZE, N.C.A.R.B. CERTIF. PATENTEE #3390251  
CONTESTANT #1329

## SECTION THROUGH MEMORIAL WALL AT CENTER

PERPENDICULAR TO CONSTITUTION AVENUE



J.D.L.

SCALE IN FEET

PREAMBLE

After many years of abuse shown the American veterans of Vietnam war, steps are now being taken by the United States Government and the public at large to rectify their neglect. Involved are 2.7 million veterans of whom 300,000 were wounded, 75,000 permanently disabled and 57,700 dead and unaccounted for.

In 1980, the sixty-sixth Congress of the United States in a joint resolution authorized the Vietnam War Veterans Fund, Inc. (VVMF) to establish a memorial in honor of the veterans of the American armed forces who served in Vietnam.

Two acres of land within the Constitution Gardens in Washington, D.C. were donated by the government for the memorial, provided that if subsurface conditions prevent the engineering of the memorial, the Secretary of the Interior is authorized to select another site in the West Potomac Park.

During the latter part of 1980, the VVMF sponsored a nation-wide competition for the design of the memorial. In March of the following year, 1421 entries were received and the winner was an undergraduate student of architecture at Yale University.

THE COMPETITION PROGRAM AND DEVIATIONS THEREFROM

The program consisted of two booklets and 230 questions from the contestants and answers by the Professional Advisor. The following quotes refer to all three parts. The writer points out the deviations and his reasons for requesting invalidation of the winning design.

**Program:** "While experiences in combat areas were brutal enough in themselves, their adverse effects were multiplied by the maltreatment received by the veterans upon their return home. The time taken from their lives, their wounds, and the honorable service they rendered, have received little acknowledgement from American society... The memorial will make no political statement regarding the war or its conduct... The hope is that the memorial will begin a healing process, a reconciliation of the grievous divisions wrought by the war."

"The design must provide for inscription of the names of all (57,700) Americans who died in Vietnam...The full name only will be presented. There will be no information as to rank, date, place or service branch...The memorial should be open and accessible in all seasons and at all hours. The design should pose no hazards...next of kin should be able to locate an individual name without difficulty...Alphabetical listing would seem to be the most direct way to do this..."

**Comment:** Instead of honoring each dead and missing soldier of the war on an equal basis and in a way that next of kin and others could easily find same, the jury chose a design that placed the names in a chronological order, which makes it well-nigh impossible to locate them. The narrative of the winning design states incorrectly or pervertedly that "this memorial is meant not as a monument to the individual, but rather as a memorial to... (those who died) as a whole."

The area of the retaining walls upon which the names were to be inscribed is sufficient only for a fraction of the required number. Was that done because this memorial was "not...a monument to the individual"?

**Program:** "Accessibility...Pedestrian pathways are the main and preferred modes of access to the memorial area."

**Comment:** The jury selected a memorial design without any pathways. Grassy meadow, soggy in rainy seasons, was indicated in lieu of the pedestrian walks.

**Program:** "Since the site is virtually flat, and its slopes extremely slight, persons in wheelchairs may approach and visit the site in the same way as pedestrians...The lowest point of the memorial site is at elevation +12.5' above mean sea level...In periods of extended and intense rainfall, however, the site is likely to become soggy...below grade ground water may pose difficulties for below grade spaces."

**Comment:** The jury selected a design that brought about an incongruous concept of retaining walls on flat land. In order to accomplish its feature the contours of the site were substantially modified, requiring digging into land where ground water was encountered. The change of levels, created adverse slopes of 7.6% - thus immobilizing wheelchair invalids' approach to the memorial.

If the horizontal level of the top of the retaining walls were to be +20', as it is implied by the winning design, the 10' high retaining walls would extend 2.5' below ground water level and 7 feet below existing contours at the center part of the memorial, thus converting the "grassy meadow" into an impounded pond, inaccessible to those who may wish to visit the memorial at its main level, and in addition creating a deadly precipice at the upper level because of the unprotected drop between the two (please refer to section through the memorial wall on the front page of this brief).

From above revelations, it becomes apparent that the concept selected by the jury does not fit the site, and the insurmountable obstacles stated above make the memorial unbuildable.

This situation was anticipated by the 96th Congress in suggesting the possibility of the need to select an alternate site in the West Potomac Park and by the program's warning relative to the ground water condition at the memorial site.

Why did the professional advisor and the jury not do their homework so as to acquaint themselves with the incompatibility of the selected design remains a mystery.

#### MANDATORY ADHERENCE TO RULES AND THE PROGRAM

**Program:** "Any competitor who breaks any of the Competition Rules or who fails to comply with the Competition Program will be disqualified. Both the VMMF and the Professional Advisor agree to be bound by the Competition Rules and the Competition Program. In agreeing to serve on the jury, all jurors have attested that they have read the Competition Rules and the Competition Program."

"The Professional Advisor will check all designs for compliance. The jury's role is to evaluate designs on the basis of what these designs propose, as portrayed in the illustrations. The role of the jury is to evaluate designs on basis of merit only."

**Comment:** The Professional Advisor informed the contestants on May 5, 1961, "that all 1421 design submissions were examined by all eight jurors." If that were so, and the writer believes that it was, it confirms the suspicion that the Professional Advisor did not check for compliance and did not disqualify anyone for violating the rules and the program as required. Had he done so, all jurors have attested that they have read the Competition Rules and the Competition Program."

The Professional Advisor also revealed in the May 5th letter the amazing fact that the jurors "examined all designs - 1421 in toto - in the first 14 days of viewing." Based on this information, it appears that the jury's first elimination process - whatever a thousand submissions were dropped, took slightly less than 23 seconds per entry. The work of three months of thought graphics and a narrative judged in less than 23 seconds! Only the "most conscientious, accomplished and fair minded" jury (as described by the program) could have accomplished that with such incredible expediency. It is absolutely fantastic!

#### JURY'S COMMENTS ON THE WINNER'S ENTRY

"The jury finds Entry Number 102, the finest and most appropriate of (all entries) submitted. We recommend to the VMMF that it be built on this site. Of all proposals submitted, this most clearly meets the spirit and formal requirements of the program."

**Comment:** It cannot be that the jury was serious. The chosen design most certainly did not meet the spirit or formal requirements of the program as stated in afore and hereafter comments.

**Jury's Letter Continued:** "It is contemplative and reflective. It is superbly harmonious with its site (sic), and yet frees the visitors from the noise and traffic of the surrounding city. Its open nature will encourage access on all occasions (sic) at all hours (sic), without barriers (sic). Its siting and materials are simple and forthright (sic)."

**Comment:** The chosen design in the opinion of the writer is totally and absolutely inappropriate; it surely violates the spirit and formal requirements of the program; it is only reflective because of the 2.5 feet of standing ground water at its base; it is utterly disharmonious with the site so much so that it cannot be built thereon; it does not free the visitors from the main source of noise, which according to the program, is created by the flying jets overhead and not the vehicular traffic, singled out by the jury and the winner. If the reason for placing the memorial in an artificially created sinkhole was to prevent traffic noise, then covering the hole with a concrete slab would eliminate the major nuisance of the flying jets. And then, the memorial would be successfully relegated to total oblivion, if that was the objective of the jury. And what is "forthright" about black stone walls of the memorial with white marble monuments surrounding it?

**Jury:** "This is very much a memorial of our own time, one that could not have been achieved in another time and place."

**Comment:** This memorial is surely not achievable with the serious impediments enumerated; above all this memorial "could not have been achieved in another time and place", and it cannot be "a memorial of our time" either.

#### ADDITIONAL NON-COMPLIANCES WITH THE RULES

**Programs:** "Passengers in vehicles (on adjacent streets) will be able to look into the memorial site from both Henry Bacon Drive and Constitution Avenue...An on-board guide (in tour-mobile describes the monuments and other sites during the tour...visitors walking along the curvilinear paths of Constitution Gardens coming from the east, will also be able to see the memorial site...similarly, the curvilinear paths bordering the south, west, and northern edges of the memorial site will also offer vistas into it... The Vietnam Memorial is a place in itself, but not a place apart."

**Comment:** Neither travelers in vehicles on the streets nor visitors in Constitution Gardens would be able to see the memorial because it is proposed to be placed in a hole in the ground and therefore it is most assuredly an invisible "place apart."

**Program:** "Urban Design Characteristics. Washington, D.C. derives its urban form from... late Renaissance and early Baroque periods of French landscape architecture and urban planning - Constitution Gardens are based on English ... landscape design, which derived in part...from Chinese garden art...Our intention is that the memorial be carefully integrated into the existing Constitution Gardens; that it be an intrinsic part of it, sensitively wedded to it... We want to have a design which accommodates itself to the site as it presently exists."

Comment: The jury selected design has not a scintilla of resemblance to the informal English touch of Constitution Gardens. On the contrary - with its rectilinear retaining walls, it violates every tenet of informal planning and in addition, it managed to divide the gardens into an upper and lower level by introduction of the 19' retaining walls which created hazardous impediments to normal functions on both levels, as explained above.

Program: Illustrations must be presented on a rigid 30" X 40" panel. Two panels are allowed rendered on one side only.

Comment: Why were the two panels of the winning design augmented with a cardboard model produced by no less than someone in the office of a juror? Is this not in collusion with rules and a violation of the jury's prerogative? Do not the rules of this competition state that this is not allowed?

Program: "The role of the jury is not to complete or modify the designs."

Comment: The model must have been constructed prior to July 1, 1981, but the presentation of the winning design was not "complete" and required the model to demand some modifications of the winning entry. The question remains, what prompted the jury to violate the rules of the program in order to amplify and modify a design that was deemed because of the ground water situation, to begin with?

#### REQUEST FOR INVALIDATION OF THE WINNING ENTRY

Section 13.1 p. 10 of the rules states:

Program: "Any dispute or question of interpretation arising under these rules shall be considered in the first instance by the Professional Advisor, who shall render a decision in writing, distributed to all affected parties. The Professional Advisor's decision may be appealed to the WVF Board of Directors, whose decision shall be final and binding on all parties."

Comment: June 15, 1981 - the writer to the Project Director - Request to invalidate the winning design on the grounds that it violated requirements of the program and the unbuildability of the concept.

July 1, 1981 - The writer to the Professional Advisor - "Since your reply is yet to come, I begin to wonder whether it is forthcoming. And while I write to you again, may I ask you one other question? How come that a cardboard model of the winning design was built? Isn't this serious cheating? Isn't the function of a competitor and the juror getting mixed up? Was that an invisible part of the program?"

July 9, 1981 - Professional Advisor to the writer - "In selecting this design the jury felt it had chosen the best concept, albeit one that would require design refinement and adjustments in certain details. The jury felt these refinements would be easily accomplished. The strength of the concept was far superior to any other concept offered. The design refinements required due to the issues you point out were not deemed to be so severe as to merit disqualification...the jury made its decision very carefully and, in my opinion, as Professional Advisor, wisely".

The Professional Advisor also said that "the model was built after competition process was concluded. It was built to use in the public presentation of the design via a press conference."

The answer fails to take into account the rule against the jury's modification and clarification of submissions.

July 20, 1981 - the writer to the Professional Advisor - "It is quite obvious that my five page letter replete with deviations and violations of the mandatory program requirements by the winning entry made no impression upon you. You may say, that the design unbuildable might be subject to design refinements...my answer is that under given conditions the selected design is unbuildable... Can you recommend another method of resolving the jury's decision?"

July 27, 1981 - Professional Advisor to the writer - "I have nothing to add to my letter to you, except to refer you to Rule 13.1 page 10 of the competition rule book."

July 28, 1981 - the writer to the Professional Advisor - "As I read [rule 13.1] your decision contained in your letter of July 9, 1981, should have been distributed to all affected parties.' Has that been done, and if so, when?"

Thereafter a complete silence by the Professional Advisor.

August 10, 1981 - the writer addressed an appeal to the Board of Directors of the WVF, giving all facts and figures in the dispute.

August 26, 1981 - the writer to the Project Director of the WVMF - "Question 1. Since the writer has not yet heard from the Board as to whether the appeal will or will not be considered, he asks you to be good enough to let him know what is the status of the appeal... Question 2. Did the Professional Advisor comply with the first part of (Rule 13.1) and write to all parties affected...this question directed to the Professional Advisor on July 28, 1981, by the writer was never answered."

August 28, 1981 - Project Director of WVMF to the writer - "I wish to inform you that your appeal to the Board of Directors, dated August 10, 1981 was received and forwarded to all directors. I expect that the board will consider your appeal at its next meeting, which should occur the next month...with regard to your second question, the Professional Advisor's decision was distributed to all affected parties."

October 7, 1981 - The writer to the Project Director of VVMF - "Since the month of September had come and gone a week ago, I wonder whether the Board met and if so, whether it rendered a decision."

November 2, 1981 - The writer to the Project Director of VVMF - "The months of September and October had passed and I received no word from you. Can you please tell me whether a decision was rendered?... In Orlando Sentinel Star of October 29, 1981 ... a large picture was shown of a partial mock-up of the retaining walls in front of which stood... (the) President of VVMF and ... the winner of the competition. Judging from the aforementioned, it appears that my effort to warn the Professional Advisor, you... and the Board of Directors about the impending disaster, went unheeded and that you will go on trying to build the unbuildable... I remonstrate with you once more to listen to my warning and my plea that the winning design be invalidated and that the Vietnam Veteran's Board of Directors treat the problem with utmost care."

To date - well into December 1981, not a word from the Project Director or the Vietnam Veterans Board of Directors.

In the interim the writer established that the Professional Advisor did not distribute his decision to deny the appeal to invalidate the winning design "to all affected parties." Since rejection of the winner's entry would affect every one of the 1421 contestants, the jury, the VVMF Project Director and the VVMF Board of Directors, it was expected here that each of the above mentioned would receive his decision in writing; but unhappily this is not the case.

According to recent accounts of the press, the Vietnam Memorial is scheduled to be dedicated during the next Veterans Day in November, 1982. Since the cost of building the memorial is to be paid for through public donations and since the estimated cost of construction has risen from \$3 million at the end of 1980 to \$7 million midway through 1981 and \$7.7 million in November of this year, it should be of great concern to the multitude of Americans, including the writer, to make sure that proper steps are taken to prevent this noble venture from becoming one of the more recent major scandals of this country.

To do so, the writer believes that it is essential that the facts of this matter be disseminated by the communication media to the fullest extent.

The writer is hopeful that the truths will prevail and that the memorial with a workable concept would eventually redound to our nation's pride and to the long overdue Vietnam Veterans honor.

#### CONCLUSION

The names of those involved in this brief have been deliberately omitted. It does not matter what they are; what matters is that the Vietnam Memorial becomes a reality without a blemish and that the reality be of everlasting credit to all those genuinely concerned with this worth-while undertaking.

#### THE SPIRIT AND PHILOSOPHY OF THE PROGRAM

##### THE NAMES THAT DO MATTER

"At the site of the memorial (to be) on May 26, 1980, there was an eleven year old boy who spoke his father's name. There was a mother ... with two little girls and one of the girls uttered her father's name. And there was a weeping woman in uniform who spoke her husband's name. Then an old soldier came up and spoke the name of a battalion commander killed in Vietnam ... The important thing was to hear a name, while sensing the pain."