

Dear Lindsey,

I write to you not only as a concerned American citizen and artist but as the central figure in over seven years of extensive federal litigation against the Smithsonian Institution and its National Portrait Gallery Director, Kim Sajet. My cases—**Raven v. Sajet (17-cv-1240)** and **Raven v. Sajet (22-cv-2809)**—challenged the institution’s partisan censorship and opaque legal structure, particularly following the rejection of my 2015, 7x15-foot presidential portrait *Unafraid and Unashamed*. These cases raised profound constitutional questions about government speech, viewpoint discrimination, and the legal nature of the Smithsonian itself—questions that remain unresolved after the Supreme Court declined to hear them. Chief Justice John Roberts recused himself in the consideration.

To shed light on this legal labyrinth, I authored *Odious and Cerberus: An American Immigrant’s Odyssey and His Free Speech Legal War Against Smithsonian Corruption*. This work is not only a memoir but also a detailed **legal textbook**, documenting original Smithsonian trust materials, case law, and institutional misconduct—making it an unprecedented scholarly and public resource on the Smithsonian’s legal controversies. For further reference, please visit www.smithsoninstitution.com.

In light of recent efforts by President Trump to remove Director Kim Sajet, it is imperative to understand that the legal authority to restructure the Smithsonian does not lie solely with the Board of Regents. In fact, the enabling statute—the **Smithsonian Act of 1846**—makes clear that it is the **U.S. Congress that serves as the principal trustee** of the Smithsonian Institution. The Act empowered Congress to “alter, amend, and repeal any of the provisions” of the Act and entrusted them to carry out the donor James Smithson’s intent.

While Congress delegated administrative duties to the Board of Regents, it retains **ultimate authority to restructure, redirect, or even dissolve** the Board if doing so better aligns with Smithson’s founding vision. This framework supports the President’s authority—through a willing Congress—to **amend the enabling statute**, thereby lawfully removing Sajet and realigning the Institution with its founding trust principles.

In trust law, this principle is well established. In *Estate of Wettermark*, courts affirmed that when a trust structure fails to uphold a donor’s intent, trustees are not only permitted but obligated to intervene and amend the trust. This is exactly the case with the Smithsonian today.

Proposed Bill Outline: *Smithsonian Reform and Accountability Act*

1. Amendment Authority

- Affirm and codify Congress’s power to modify the Smithsonian’s trust structure.

2. **Board of Regents Restructure**
 - Replace political appointees with merit-based selections and establish term limits and accountability measures.
3. **Executive Oversight Clause**
 - Enable presidential recommendations for leadership removal, subject to Congressional confirmation.
4. **Auditing & Transparency Requirements**
 - Mandate biannual GAO audits and full publication of financial and policy records.
5. **Public Access Reform**
 - Require open Board of Regents meetings and real-time press access to decision-making processes.

Potential Congressional Sponsors

Chamber	Legislator	Relevance
House	Rep. Nicole Malliotakis (R-NY)	Vocal on cultural governance; sponsor of museum-related legislation
	Rep. Chip Roy (R-TX)	Known for strong stance on government transparency
	Rep. Jim Jordan (R-OH)	Judiciary Committee Chair; aligned with constitutional reform issues
Senate	Sen. Ted Cruz (R-TX)	Cosponsor of prior Smithsonian-related bills; advocate for institutional accountability
	Sen. Josh Hawley (R-MO)	Strong on structural reform and federal oversight
	Sen. Rick Scott (R-FL)	Supports budget transparency and institutional reform

Historical Precedent for Action

As documented in a 1926 *Washington Sunday Star* article, the Smithsonian was long misunderstood as a government bureau, though it was founded as a **private charitable trust**, with Congress serving as trustee. That article emphasized that the federal government was “merely the trustee to carry out the design of the testator,” James Smithson. This historical clarity bolsters today’s legal and moral argument: if Congress is the true trustee, it has both the right and the obligation to act in accordance with Smithson’s founding wishes.

Conclusion

By encouraging a majority-led Congress to amend the Smithsonian Act of 1846, the President can bypass the institutional blockade of the Board of Regents and act through proper legal channels to reform the Smithsonian Institution—beginning with the removal of Kim Sajet.

I remain at your service for further legal reference or coordination as needed.

Respectfully,

Julian Raven

Artist & Author

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