

FOIA MARKER

**This is not a textual record. This is used as an
administrative marker by the William J. Clinton
Presidential Library Staff.**

Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: National AIDS Policy Office

Series/Staff Member: Sandra Thurman

Subseries:

OA/ID Number: 40015

FolderID:

Folder Title:

Transition Issues

Stack:

S

Row:

66

Section:

6

Shelf:

1

Position:

1

IDS
index
Presidential
seal

107-3503

CLINTON LIBRARY PHOTOCOPY

Transition Checklist for White House Office and Office of Policy Development Staff

✓	Transition Task	Point of Contact for Questions
✓	Attend a transition briefing that will be held in Room 450, EEOB	Transition Resource Center (x62840)
	Index and send boxes of records to White House Records Management	Records Management (x67211)
	Obtain permission from White House Counsel if you intend to take any copies of records with you	Office of the White House Counsel (x67909)
	Each office should complete a book of legacy materials that can be left behind for the next administration	Transition Resource Center (x62840)
	Consult with White House Counsel as necessary about ethics issues affecting negotiating for nonfederal employment	Office of the White House Counsel (x66229)
	Consult with White House Counsel as necessary regarding post-employment ethics requirements	Office of the White House Counsel (x66229)
	Senior Staff: File Termination Public Financial Disclosure before departure, and update as of January 20 (or last day of employment) (public filers only)	Office of the White House Counsel (x66229)
	Consult with Office of Administration Human Resources staff on post-employment benefits, as necessary (TSP, retirement benefits, health insurance, unemployment compensation)	Management and Administration – Human Resources (x51088) or visit the Transition Resource Center (x62840)
	Submit letters of resignation by December 15 th	Management and Administration (x62861)
	Resolve billing issues and/or lost asset issues before check out	Management and Administration – Operations (x62500)
	Complete the check-out process	Management and Administration (x62861) or visit the Transition Resource Center (x62840)

Clinton Presidential Records Digital Records Marker

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This marker identifies the place of a publication.

Publications have not been scanned in their entirety for the purpose of digitization. To see the full publication please search online or visit the Clinton Presidential Library's Research Room.

GUIDE TO THE OFFICE OF ADMINISTRATION

RESOURCES MANAGEMENT

INFORMATION MANAGEMENT

GENERAL SERVICES

OFFICE OF THE DIRECTOR

OVERVIEW

INTRODUCTION

Guide to the
OFFICE
of
ADMINISTRATION



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PERSONAL PAPERS OF EXECUTIVE BRANCH OFFICIALS:

A MANAGEMENT GUIDE

National Archives and Records Administration

Management Guide Series

Kong tomorrow. What
a great job. Went to
Great Wall yesterday.
Forbidden City today.
Fantastic history! You
walk 20 minutes through
the National History
Museum. 1946-1947
BC



National Archives and Records Administration
Office of Records Administration
Washington, DC
1992

Federal Archival Action

- Bur. of Historical Research of the newly
established (1907) Carnegie Institution (or)
Washington.

- Promoted, published a series of 4
(New York and Ireland), guides to the
for American History a bibliography
scholar learned about foreign and
J. Franklin Jameson directed the Bureau
and its programs, 1905-20, with
Ireland, New close relationship with
AHA, as officer, editor of journal.

- 1908 AHA voted to support a Hall of
Records, 1910 resolution urged a "National
Archive Depository"
Committee of 3: Jameson, Mahan,
McMaster, established in 1911 but
not passed.

- Congress then passed (1913 and 1946) acts
but World War I interrupted the
movement in the verge of its success
Movement Successful, 1946-1934

- In 1926 Congress appropriated \$6.4 million
for an Archives Building as part of larger
Public Buildings Project, added 1.6
million in 1931. Ireland, single (6,000)
Appointed Advisory Committee, reported
inquiry (French, European experience,
Hofstadter,
united contribution in present
House had committee in
passed National Archives
(Kearney)



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THE WHITE HOUSE
WASHINGTON

**MEMORANDUM TO THE STAFF OF THE WHITE HOUSE OFFICE, THE
OFFICE OF THE VICE PRESIDENT, THE NATIONAL SECURITY
COUNCIL, THE OFFICE OF POLICY DEVELOPMENT, THE COUNCIL OF
ECONOMIC ADVISERS, AND THE PRESIDENT'S FOREIGN
INTELLIGENCE ADVISORY BOARD**

FROM: JOHN PODESTA, CHIEF OF STAFF

RE: PRESERVATION OF STAFF RECORDS

DATE: DECEMBER 7, 2000

Many staff members are now in the midst of indexing their files and preparing them to be sent to the White House Office of Records Management. I appreciate the time that staff members are taking to perform this extremely important task.

In order to facilitate completion of this task, attached is a copy of the memorandum regarding the preservation of staff records covered by the Presidential Records Act that was first circulated in September. The Act covers both Presidential and Vice Presidential records. Note in particular Appendices 2 and 3, which are authorization forms regarding copies of Presidential records you wish to take with you when you leave. Although Appendix 3 was available at your ethics training and transition briefings, it was not previously attached to the memorandum. Sign Appendix 2 if you wish to take copies of any Presidential records with you for personal use. You must also sign Appendix 3 and if you wish to show a Presidential record to a third party, for example, as a writing sample. Send the completed forms to the Office of White House Counsel. Copies of only limited kinds of Presidential records may be kept by staff, as described in more detail in the memorandum.

If you have questions about getting your files ready for Records Management or about what documents may be taken with you when you leave, call Records Management at 456-2240 or the Office of White House Counsel at 456-7909.

THE WHITE HOUSE
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**MEMORANDUM TO THE STAFF OF THE WHITE HOUSE OFFICE, THE
OFFICE OF THE VICE PRESIDENT, THE NATIONAL SECURITY
COUNCIL, THE OFFICE OF POLICY DEVELOPMENT, THE COUNCIL OF
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INTELLIGENCE ADVISORY BOARD**

FROM: JOHN PODESTA, CHIEF OF STAFF 
RE: PRESERVATION OF STAFF RECORDS
DATE: SEPTEMBER 14, 2000

As we are now in the last year of the Clinton Administration, this is a good time for all staff in the Executive Office of the President to review the laws governing the disposition of their files as they continue to archive all appropriate material. Archiving the files that have been created during this Administration is an extremely important task. Staff files and donated personal records will be the nucleus of the Clinton Presidential Library. These records will be critically important to scholars and historians for many years to come.

The attached memorandum describes White House policy for departing staff regarding the appropriate treatment of your files. Listed below are some of the principal points for staff in the above-listed offices to bear in mind as you archive your files.

- The Presidential Records Act requires the preservation of Presidential records. Almost all work-related material created or received by personnel in the above offices will be a Presidential record. Do not discard Presidential records, although you do not have to preserve identical copies.
- Vice Presidential records should be treated in the same manner as Presidential records, although they are maintained separately.
- You may take copies of Presidential records when you leave only when all of the following conditions are met: The document must be a copy, not an original.

It must not be classified, and it must not contain confidential communications to or from the President or his senior advisors, material from personnel files and personal information the disclosure of which might constitute an unwarranted invasion of personal privacy, trade secrets, law enforcement information, or any other information the disclosure of which is prohibited by law. Each staff member who wishes to remove any copies of Presidential records must sign the agreement attached to this memorandum as Appendix B.

- You do not need to preserve work-related but “non-record” material, such as certain notes for your own use and drafts not circulated to others. You may take such material with you when you leave, but only subject to the conditions given above.
- Personal records should be filed separately from Presidential records. Materials relating to a political campaign generally are personal records. You may take personal records with you, or discard them, when you leave. However, consider donating to the Archives any personal records that will create a fuller record of the accomplishments of the Clinton Administration for future historians.
- Continue to send Presidential records not needed for ongoing business to Records Management. Print out or copy to a diskette any Presidential records that exist only in your computer for inclusion with your records (do not include Lotus Notes email unless you have been instructed otherwise).
- Do not discard any of your files that you know are covered by subpoenas or document requests.

Each office within the White House Office has one or more Transition Coordinators who will be trained to assist you in the appropriate indexing and disposition of your files. A list of the WHO Transition Coordinators is attached to this memorandum. Staff in other EOP offices may call the Office of Records Management, counsel within their office, White House counsel at 6-7909, or counsel in the Office of the Vice-President at 6-7022, with any specific questions.

THE WHITE HOUSE
WASHINGTON

MEMORANDUM TO THE STAFF OF THE WHITE HOUSE OFFICE, THE OFFICE OF THE VICE PRESIDENT, THE NATIONAL SECURITY COUNCIL, THE OFFICE OF POLICY DEVELOPMENT, THE COUNCIL OF ECONOMIC ADVISERS, AND THE PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD.

FROM: BETH NOLAN, COUNSEL TO THE PRESIDENT *Bn*

DATE: SEPTEMBER 14, 2000

SUBJECT: PRESERVATION OF PRESIDENTIAL RECORDS

This memorandum describes your obligations under the Presidential Records Act ("PRA") and how to prepare your records for delivery to the White House Office of Records Management prior to your departure. Staff records have been vital as we have worked to achieve the goals of the Clinton Administration, and they will continue to play a crucial role in the Clinton Library by documenting our achievements for future scholars and historians. Vice Presidential records are similarly important and will also be preserved in a Library.

The Presidential Records Act

The Presidential Records Act ("PRA") governs the ownership, maintenance and disposition of Presidential records. 44 U.S.C. 2201 *et seq.* The requirements of the PRA apply to all records of personnel in the White House Office, including the White House Military Office, the Office of the Vice President, the Office of Policy Development, the Council of Economic Advisors, the President's Foreign Intelligence Advisory Board, and the National Security Council.¹ Under the PRA, records of the Office of the Vice President are Vice Presidential records and are subject to the provisions of the PRA in the same manner as Presidential records. Both Presidential and Vice Presidential records are collectively referred to as "Presidential records" in this memorandum.

Presidential records are the property of the United States. They should be filed separately from personal records or non-record material. Presidential records must not be discarded. They must be preserved and sent to the Office of Records Management, which will maintain them for the duration of the Administration. Those offices that have an agreement to send their Presidential records directly to the National Archives and Records Administration ("NARA"), should continue that practice.

¹ The requirements of another statute, the Federal Records Act, apply to all records of personnel in the Council on Environmental Quality, the Office of Administration, the Office of Management and Budget, the Office of National Drug Control Policy, the Office of Science and Technology Policy, and the United States Trade Representative.

I. Records Covered by the Presidential Records Act

Presidential records are defined in the Act as "documentary materials regardless of physical form that are created or received by the President, his immediate staff, or a unit or individual of the Executive Office of the President, whose function is to advise and assist the President, in the course of conducting activities which relate to or have an effect upon the carrying out of the constitutional, statutory or other ceremonial or official duties of the President." Documentary materials refers collectively to all media on which information is recorded, regardless of the nature of the medium or the method or circumstances of recording. The term includes but is not limited to correspondence, memoranda, documents, papers, pamphlets, electronic word processing files and emails, models, pictures, films, and audio and electronic recordings. All Presidential records must be preserved. You do not have to preserve identical copies. Documents -- even drafts -- circulated to others in the course of conducting activities that relate to Presidential duties are almost always Presidential records.

Electronic Presidential records/databases. If you have Presidential records that exist only in your computer, print them out or copy them to a clearly labeled diskette, so they can be filed with your other Presidential records. Do not print out emails in the standard Lotus Notes application, as they are being archived automatically. If you created an electronic database containing Presidential record information, or are the staff member responsible for maintaining such a database, promptly contact the Transition Coordinator for your office, or the Office of Records Management so that they and the OA Office of Information Services and Technology ("IS&T") can include this database along with the appropriate technical information in the material transferred to NARA.

Restrictions on material that may be taken by staff on their departure. Staff members will be permitted to take with them extra copies of Presidential records created or received by the staff member that had previously been made for the staff member's convenience. No original records may be taken. Further, no document may be taken if it contains the following:

- classified information;
- confidential communications to or from the President or his senior advisers;
- law enforcement information;
- information in personnel files or similar files, and any other personal information the disclosure of which might constitute an unwarranted invasion of personal privacy;
- trade secrets or sensitive commercial or financial information; or
- any other information the disclosure of which is prohibited by law.

All other copies of Presidential records must be sent to the Office of Records Management for eventual deposit in the President's Library.

To ensure compliance with this policy, each departing staff member who wishes to remove any copies of Presidential records must sign the agreement attached to this memorandum as Appendix B as part of the official checkout procedures. The agreement obligates the staff member to comply with the policy outlined above, and to refrain from disclosing the contents of any Presidential records to third parties without the President's consent. The agreement is

designed to protect the integrity of White House decision-making processes and to preserve the President's ability under the Constitution and the PRA to control the distribution of these kinds of records.

If you have an unusual circumstance you would like to raise regarding the copy of a particular Presidential record, call the White House Counsel's office at 6-7909.

II. Records in the Office of the Vice President

The PRA expressly provides that records of the Office of the Vice President are Vice Presidential records and subject to the provisions of the PRA in the same manner as Presidential records, although they are maintained separately. Thus, materials created or received in the Office of the Vice President should be treated in accordance with the guidance given in this memorandum. Personnel in the Office of the Vice President should consult with Ferne Mosley at 6-7022 for additional guidance regarding the filing and disposition of Vice Presidential records.

III. Other Types of Records

You may have other types of documentary materials in your files that are not subject to the preservation requirements of the PRA, as discussed below. These types of materials should be filed separately from your Presidential records.

1. Non-records. The PRA does not require you to preserve non-record materials such as the following:

- preliminary drafts of correspondence, memoranda or reports, kept for your own use and not circulated to others;
- work sheets and informal notes that contain information reflected in final documents and that do not document policy development or execution;
- copies of the 'clips' or other clippings or news summaries so long as they have not been annotated, organized or arranged for an official purpose;
- catalogs, trade journals and other publications received from other government agencies, or private firms and institutions and that are maintained for reference purposes;
- extra copies of documents produced only for convenience, when those copies are clearly so identified.

All of your documents should be reviewed carefully, however, because documents in the categories listed above may nonetheless constitute Presidential records. Particularly in the White House, drafts, working papers and other similar materials often document policy development, significant decisions or other matters related to the execution of Presidential duties. If there is any reasonable doubt, treat the material as a Presidential record. If the material is clearly of nonrecord status, you may discard it.

Administrative material, such as telephone directories, organizational charts and press releases, may not be Presidential records, but may nonetheless be of great utility to presidential scholars many years hence. We recommend preserving such material.

You may take non-record material when you depart, but only under the same conditions that are prescribed above for Presidential records. If you have a question regarding a particular document, call the White House Counsel's office at 6-7909.

2. Personal records. The category of "personal records" includes private papers, such as material accumulated before entering government service, personal photographs, insurance claim forms, purely personal correspondence, and personal diaries or journals that staff members sometimes keep in their offices. It also includes certain kinds of political materials, i.e., those relating exclusively to (a) the President's own election as President, (b) the Vice President's campaign for the presidency, (c) the election of a particular individual or individuals to Federal, State, or local office, or (d) private political associations. To be considered "personal," however, these materials must have no relation to or direct effect upon the execution of the President's official or ceremonial duties. Personal and political material should be filed separately from your Presidential records. You may remove personal records on your departure or donate them to NARA for the Clinton Library or the Vice President's library.

Donation of personal records to Clinton Library. If you have personal materials that could assist future scholars in building a comprehensive picture of the achievements of the Clinton Administration, you are most welcome to donate these materials to the Clinton Library, or in appropriate circumstances, to the Vice President's library. Let your office Transition Coordinator or the White House Counsel's office know of your intent and that person will put you in touch with a professional archivist from NARA.

Documents subject to a subpoena or document request. Documents in your possession may be responsive to a request for documents or a subpoena directed to the White House. Do not discard documents if you are aware that they are or have been responsive to a subpoena or document request.

No classified material may be removed from your office at any time, without compliance with the rules applicable to such materials.

The above discussion does not exhaust the universe of possible rules applicable to your files. If you have any questions about the record status or appropriate disposition of any material in your office, please contact Ann Bushmiller of the White House Counsel's Office for advice at 456-7909 or Ferne Mosley in the Office of the Vice President at 6-7022.

IV. Preparation of Presidential Records for Delivery to the Office of Records Management

As staff members continue to prepare your files for transfer to the Office of Records Management or to NARA, you should review your records and ensure that personal material you wish to take with you has been separated from your Presidential records. If you have any

Presidential records that exist only in your computer, reduce them to paper or copy them to a clearly labeled diskette. You do not need to print out emails in the standard Lotus Notes application, as they are being archived automatically. Ask your Transition Coordinator or records management specialist for further advice regarding emails if you are under specific instructions to preserve all of your email records.

You should index your files by preparing a typed inventory of the titles of the file folders. Place a typed copy of this inventory inside each box and provide Records Management with a computer disk of the inventory to all files being sent. Some Presidential records may be particularly sensitive, such as files relating to presidential appointments, which contain personal information. Note on the index that a particular file contains sensitive personal information. Under the PRA restrictions and the Freedom of Information Act ("FOIA") exemptions, as well as in accordance with constitutional and common law privileges, most sensitive Presidential records can be protected from public access for a period of 12 years, and longer in some cases. (Regardless of public availability, all such materials will be available to President Clinton, his designated representatives, and the Vice President, as applicable.)

As mentioned above, you should notify your Transition Coordinator or the Office of Records Management about any electronic databases you created or maintained that contain Presidential record material. Also notify these personnel of any stand-alone PC systems that have been used to generate Presidential records in your files, along with the hardware and software requirements. If you are transferring any electronic records on computer disks, CD-ROM, or tapes please indicate the software that has been used. It is extremely important that you indicate whenever a box of files includes electronic media. This will assist in ensuring that the information created on these systems and diskettes can be permanently preserved and accessed at the Clinton Library.

Consult with your Transition Coordinator or the Office of Records Management if you have additional questions on how to prepare your files for delivery to Records Management.

V. Delivery of Presidential Records to the Office of Records Management.

As part of the official checkout procedures, departing staff members must certify that they have transferred their Presidential records to the Office of Records Management. Upon the completion of the Clinton Administration, NARA will assume legal custody of Clinton Presidential records for eventual deposit at the Clinton Library. Vice Presidential records will be maintained separately in storage with Records Management and NARA prior to their transfer to a library.

To ensure the transfer of Presidential records to NARA in a timely manner at the completion of the Administration, you should, as soon as possible, deliver to the Office of Records Management those Presidential records that are not needed for ongoing business. These records can, of course, be retrieved if they later become needed. Staff members should transfer all of their remaining files to the Office of Records Management as they depart.

WHITE HOUSE OFFICE TRANSITION COORDINATORS

EOP Office	Transition Coordinator	Backup Coordinator
Advance	Roger Kiley	
AIDS Policy	Cheryl Bauerle	
Cabinet Affairs	Raj Adlakha	Anne Bovaird
Chief of Staff	Michelle Ballantyne	Drew Gardiner
Communications	Todd Cohen	
Conference Center	Sheila Smith	
Correspondence	Matt Sonne	
Counsel	Jane Schaffner	
Domestic Policy Council	Sarah Lucas	
Environmental Initiatives	Angela Mizeur	
Executive Clerk	Tim Saunders	
First Lady	Eric Woodard	
Intergovernmental Affairs	Scott Beale	Alison Cantu
Intern	Kendee Yamaguchi	
Legislative Affairs	Josh Ackil	
Management & Administration	Kelli McClure	Brooks Scoville
Millennium Council	Jane Englestad	Beth Mohsinger
Military Office	Gerald Suarez	
National Economic Council	Christopher Wanken	
One America	Adrian Miller	
Oval Office	Betty Currie	Justin Cooper
Photography	Marilyn Jacanin	
Political Affairs	Jaimme Collins	
Presidential Personnel	Pete Dagher	
Press	Missy Owens	
Public Liaison	Joe Ratner	
Records Management	Terry Good	Lee Johnson
Scheduling	Carrie Street	
Special Envoy to the Americas	Sharon Liggett	
Speechwriting	Josh Gottheimer	
Staff Secretary	Carol Cleveland	
Telephone Service	Kathy McKeown	
Travel	Archana Ayyappan	
Visitors	Holly Thoden	Elizabeth Jones
White House Operations	Faye Granger	Edd Olds

APPENDIX 1

DEPARTURE AGREEMENT REGARDING COPIES OF PRESIDENTIAL RECORDS

Agreement between President William J. Clinton and _____
(hereinafter "Staff Member"), dated _____.

1. Staff Member understands and acknowledges that "Presidential records" are documentary materials which relate to or have an effect upon the performance of the President's constitutional, statutory, ceremonial and official duties, including but not limited to written documents, models, pictures, films and audio and electronic recordings, and which either originated in or were received by staff within the following components of the Executive Office of the President:

White House Office
Office of the Vice President
National Security Council
Office of Policy Development
Council of Economic Advisers
President's Foreign Intelligence Advisory Board

2. Staff Member hereby requests permission to remove from existing "office convenience" files extra copies of Presidential records created or received by Staff Member, other than those containing:

- (1) classified information;
- (2) confidential communications to or from the President or his senior advisors;
- (3) law enforcement information;
- (4) information in personal files or similar files, and any other personal information the disclosure of which might constitute an unwarranted invasion of personal privacy;
- (5) trade secrets or sensitive commercial or financial information; or
- (6) any other information the disclosure of which is prohibited by law.

3. In consideration of President Clinton's approval to remove extra copies as set forth in paragraph 2, Staff Member accepts the obligation set forth in paragraphs 4, 5, and 6.

APPENDIX 2

5. To the extent he or she has not already done so, Staff Member hereby agrees to surrender to the White House Office of Records Management the originals and all copies of any Presidential records in Staff Member's possession or control, other than those extra copies set fourth in paragraphs 2 and/or 3, or those extra copies which the Staff Member has been authorized to leave behind for the incoming Administration, prior to the termination of Staff Member's employment as a member of the Clinton Administration.

6. Staff Member hereby agrees to seek, and to wait for the receipt of, written approval by President Clinton or his designee before publishing or disclosing to any third person any materials which contain the complete or partial text or content of any non-public Presidential record or copy of such record. President Clinton agrees that his approval shall not be conditioned on reviewing or approving any comment the Staff Member plans to make about such record and shall be limited solely to the publication or disclosure of the complete or partial text or content of such paper.

7. Nothing contained herein limits a Staff Member's right to disclose the complete or partial text or content of Presidential record in response to a valid and enforceable subpoena, provided that, before disclosure, Staff Member gives reasonable prior notice of the issuance of such a subpoena to President Clinton and to counsel for the incumbent President. If either decides to object on grounds of the President's (or former President's) constitutional or statutory authority to control the release of such material, Staff member agrees to defer disclosing the material subject to the objection until such objection has been withdrawn or judicially resolved.

8. This agreement may be enforced by proceedings for injunction or damages or both.

Date

Name of Departing Staff Member

William J. Clinton

By:

Date

His Authorized Representative

DEPARTURE AGREEMENT REGARDING COPIES OF PRESIDENTIAL RECORDS

I hereby request permission to remove from the White House or Executive Office of the President copies of the following presidential records. I have inserted a brief description and attached copies of the documents. (Requests will not be granted if these steps are not followed.)

It is understood that I may show the document(s) attached to this Agreement to a third party. For example, the document(s) may be used as a writing sample. I further understand that neither I nor any other entity or individual may receive any kind of payment or compensation in connection with the dissemination of the document(s) attached to this Agreement.

Date

Name of Departing Staff Member

Date

Approved on Behalf of President Clinton

APPENDIX 3

● PostMaster

12/11/2000 05:55:20 PM

Record Type: Record

To: See the distribution list at the bottom of this message

CC:

Subject: PRESERVATION OF STAFF RECORDS

MEMORANDUM TO THE STAFF OF THE WHITE HOUSE OFFICE, THE OFFICE OF THE VICE PRESIDENT, THE NATIONAL SECURITY COUNCIL, THE OFFICE OF POLICY DEVELOPMENT, THE COUNCIL OF ECONOMIC ADVISERS, AND THE PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD

FROM: JOHN PODESTA, CHIEF OF STAFF

DATE: DECEMBER 7, 2000

RE: PRESERVATION OF STAFF RECORDS

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This memorandum describes your obligations under the Presidential Records Act (PRA) and how to prepare your records for delivery to the White House Office of Records Management prior to your departure. Staff records have been vital as we have worked to achieve the goals of the Clinton Administration, and they will continue to play a crucial role in the Clinton Library by documenting our achievements for future scholars and historians. Vice Presidential records are similarly important and will also be preserved in a Library.

The Presidential Records Act

The Presidential Records Act (PRA) governs the ownership, maintenance and disposition of Presidential records. 44 U.S.C. 2201 *et seq.* The requirements of the PRA apply to all records of personnel in the White House Office, including the White House Military Office, the Office of the Vice President, the Office of Policy Development, the Council of Economic Advisors, the President's Foreign Intelligence Advisory Board, and the National Security Council. The requirements of another statute, the Federal Records Act, apply to all records of personnel in the Council on Environmental Quality, the Office of Administration, the Office of Management and Budget, the Office of National Drug Control Policy, the Office of Science and Technology Policy, and the United States Trade Representative. Under the PRA, records of the Office of the Vice President are Vice Presidential records and are subject to the provisions of the PRA in the same manner as Presidential records. Both Presidential and Vice Presidential records are collectively referred as "Presidential records" in this memorandum.

Presidential records are the property of the United States. They should be filed separately from personal records or non-record material. Presidential records must not be discarded. They must be preserved and sent to the Office of Records Management, which will maintain them for the duration of the Administration. Those offices that have an agreement to send their Presidential records directly to the National Archives and Records Administration (NARA), should continue that practice.

I. Records Covered by the Presidential Records Act

Presidential records are defined in the Act as "documentary materials regardless of physical form that are created or received by the President, his immediate staff, or a unit or individual of the Executive Office of the President, whose function is to advise and assist the President, in the course of conducting activities which relate to or have an effect upon the carrying out of the constitutional, statutory or other ceremonial or official duties of the President." Documentary materials refers collectively to all media on which information is recorded, regardless of the nature of the medium or the method or circumstances of recording. The term includes but is not limited to correspondence, memoranda, documents, papers, pamphlets, electronic word processing files and emails, models, pictures, films, and audio and electronic recordings. All Presidential records must be preserved. You do not have to preserve identical copies. Documents -- even drafts -- circulated to others in the course of conducting activities that relate to Presidential duties are almost always Presidential records.

Electronic Presidential records/databases. If you have Presidential records that exist only in your computer, print them out or copy them to a clearly labeled diskette, so they can be filed with your other Presidential records. Do

not print out emails in the standard Lotus Notes application, as they are being archived automatically. If you created an electronic database containing Presidential record information, or are the staff member responsible for maintaining such a database, promptly contact the Transition Coordinator for your office, or the Office of Records Management so that they and the OA Office of Information Services and Technology (IS&T) can include this database along with the appropriate technical information in the material transferred to NARA.

Restrictions on material that may be taken by staff on their departure. Staff members will be permitted to take with them extra copies of Presidential records created or received by the staff member that had previously been made for the staff member's convenience. No original records may be taken. No document may be taken if it contains the following:

- classified information;
- confidential communications to or from the President or his senior advisors;
- law enforcement information;
- information in personnel or similar files, and any other personal information the disclosure of which might constitute an unwarranted invasion of personal privacy;
- trade secrets or sensitive commercial or financial information; or
- any other information the disclosure of which is prohibited by law.

All other copies of Presidential records must be sent to the Office of Records Management for ultimate transfer to the President's Library.

To ensure compliance with this policy, each departing staff member who wishes to remove any copies of Presidential records will be asked to sign the agreement attached to this memorandum as Appendix B as part of the official checkout procedures. The agreement obligates the staff member to comply with the policy outlined above, and to refrain from disclosing the contents of any Presidential records to third parties without the President's consent. The agreement is designed to protect the integrity of White House decision-making processes and to preserve the President's ability under the Constitution and the PRA to control the distribution of these kinds of records.

If you have a question about a particular document that falls into one of the above categories except the first (classified information), call the White House Counsel's office at 6-7909.

II. Records in the Office of the Vice President

The PRA expressly provides that records of the Office of the Vice President are Vice Presidential records and subject to the provisions of the PRA in the same manner as Presidential records, although they are maintained separately. Thus, materials created or received in the Office of the Vice President should be treated in accordance with the guidance given in this memorandum. Personnel in the Office of the Vice President should consult with Ferne Mosley at 6-7022 for additional guidance regarding the filing and disposition of Vice Presidential records.

III. Other Types of Records

You may have other types of documentary materials in your files that are not subject to the preservation requirements of the PRA, as discussed below. These types of materials should be filed separately from your Presidential records.

1. Non-records. The PRA does not require you to preserve non-record materials such as the following:

- preliminary drafts of correspondence, memoranda or reports, kept for your own use and not circulated to others;
- work sheets and informal notes that contain information reflected in final documents and that do not

- document policy development or execution;
- copies of the 'clips' or other clippings or news summaries so long as they have not been annotated, organized or arranged for an official purpose;
- catalogs, trade journals and other publications received from other government agencies, or private firms and institutions and that are maintained for reference purposes;
- extra copies of documents produced only for convenience, when those copies are clearly so identified.

All of your documents should be reviewed carefully, however, because documents in the categories listed above may nonetheless constitute Presidential records. Particularly in the White House, drafts, working papers and other similar materials often document policy development, significant decisions or other matters related to the execution of Presidential duties. If there is any reasonable doubt, treat the material as a Presidential record. If the material is clearly of nonrecord status, you may discard it.

Administrative material, such as telephone directories, organizational charts and press releases, may not be Presidential records, but may nonetheless be of great utility to presidential scholars many years hence. We recommend preserving such material.

You may take non-record material when you depart, but only under the same conditions that are prescribed above for Presidential records. If you have a question regarding a particular document, call the White House Counsel's office at 6-7909.

2. Personal records. The category of "personal records" includes private papers, such as material accumulated before entering government service, personal photographs, insurance claim forms, purely personal correspondence, and personal diaries or journals that staff members sometimes keep in their offices. It also includes certain kinds of political materials, i.e., those relating exclusively to (a) the President's own election as President, (b) the Vice President's campaign for the presidency, (c) the election of a particular individual or individuals to Federal, State, or local office, or (d) private political associations. To be considered "personal," however, these materials must have no relation to or direct effect upon the execution of the President's official or ceremonial duties. Personal and political material should be filed separately from your Presidential records. You may remove personal records on your departure or donate them to NARA for the Clinton Library or the Vice President's library.

Donation of personal records to Clinton Library. If you have personal materials that could assist future scholars in building a comprehensive picture of the achievements of the Clinton Administration, you are most welcome to donate these materials to the Clinton Library, or in appropriate circumstances, to the Vice President's library. Let your office Transition Coordinator or the White House Counsel's office know of your intent and that person will put you in touch with a professional archivist from NARA.

Documents subject to a subpoena or document request. Documents in your possession may be responsive to a request for documents or a subpoena directed to the White House. Do not discard documents if you are aware that they are or have been responsive to a subpoena or document request.

No classified material may be removed from your office at any time, without compliance with the rules applicable to such materials.

The above discussion does not exhaust the universe of possible rules applicable to your files. If you have any questions about the record status or appropriate disposition of any material in your office, please contact Ann Bushmiller of the White House Counsel's Office for advice at 456-7909 or Ferne Mosley in the Office of the Vice President at 6-7022.

IV. Preparation of Presidential Records for Delivery to the Office of Records Management

As staff members continue to prepare your files for transfer to the Office of Records Management or to NARA,

you should review your records and ensure that personal material you wish to take with you has been separated from your Presidential records. If you have any Presidential records that exist only in your computer, reduce them to paper or copy them to a clearly labeled diskette. You do not need to print out emails in the standard Lotus Notes application, as they are being archived automatically. Ask your Transition Coordinator or records management specialist for further advice regarding emails if you are under specific instructions to preserve all of your email records.

You should index your files by preparing a typed inventory of the titles of the file folders. Place a typed copy of this inventory inside each box and provide Records Management with a computer disk of the inventory of all files being sent. Some Presidential records may be particularly sensitive, such as files relating to presidential appointments, which contain personal information. Note on the index that a particular file contains sensitive personal information. Under the PRA restrictions and the Freedom of Information Act (FOIA) exemptions, as well as in accordance with constitutional and common law privileges, most sensitive Presidential records can be protected from public access for a period of 12 years, and longer in some cases. (Regardless of public availability, all such materials will be available to President Clinton, his designated representatives, and the Vice President, as applicable.)

As mentioned above, you should notify your Transition Coordinator or the Office of Records Management about any electronic databases you created or maintained that contain Presidential record material. Also notify these personnel of any stand-alone PC systems that have been used to generate Presidential records in your files, along with the hardware and software requirements. If you are transferring any electronic records on computer disks, CD-ROM, or tapes please indicate the software that has been used. It is extremely important that you indicate whenever a box of files includes electronic media. This will assist in ensuring that the information created on these systems and diskettes can be permanently preserved and accessed at the Clinton Library.

Consult with your Transition Coordinator or the Office of Records Management if you have additional questions on how to prepare your files for delivery to Records Management.

V. Delivery of Presidential Records to the Office of Records Management.

As part of the official checkout procedures, departing staff members must certify that they have transferred their Presidential records to the Office of Records Management. Upon the completion of the Clinton Administration, NARA will assume legal custody of Clinton Presidential records for eventual deposit at the Clinton Library. Vice Presidential records will be maintained separately in storage with Records Management and NARA prior to their transfer to a library.

To ensure the transfer of Presidential records to NARA in a timely manner at the completion of the Administration, you should, as soon as possible, deliver to the Office of Records Management those Presidential records that are not needed for ongoing business. These records can, of course, be retrieved if they later become needed. Staff members should transfer all of their remaining files to the Office of Records Management as they depart.

WHITE HOUSE OFFICE TRANSITION COORDINATORS

<u>EOP Office</u>	<u>Transition Coordinator</u>	<u>Backup Coordinator</u>
Advance Office	Roger Kiley	
AIDS Policy	Cheryl Bauerle	
Cabinet Affairs	Raj Adlakha	Anne Bovaird
Chief of Staff	Michele Ballantyne	Drew Gardiner
Communications	Todd Cohen	
Conference Center	Sheila Smith	
Correspondence	Matt Sonne	
Counsel	Jane Schaffner	
Domestic Policy Council	Sarah Lucas	
Environmental Initiatives	Angela Mizeur	
Executive Clerk	Tim Saunders	
First Lady	Eric Woodard	
Intergovernmental Affairs	Scott Beale	Alison Cantu
Intern Program	Kendee Yamaguchi	
Legislative Affairs	Josh Ackil	
Management & Administration	Kelli McClure	Brooks Scoville
Millennium Council	Jane Englestad	Beth Mohsinger
Military Office	Gerald Suarez	
National Economic Council	Christopher Wanken	
One America	Adrian Miller	
Oval Office	Betty Currie	Justin Cooper
Photography	Marilyn Jacanin	
Political Affairs	Jaimme Collins	
Presidential Personnel	Pete Dagher	
Press	Missy Owens	
Public Liaison	Joe Ratner	
Records Management	Terry Good	Lee Johnson
Scheduling	Carrie Street	
Special Envoy to the Americas	Sharon Liggett	
Speechwriting	Josh Gottheimer	
Staff Secretary	Carol Cleveland	
Telephone Service	Kathy McKeown	
Travel	Archana Ayyappan	
Visitors	Holly Thoden	Elizabeth Jones
White House Operations	Faye Granger	Edd Olds

APPENDIX 1

**DEPARTURE AGREEMENT
REGARDING COPIES OF PRESIDENTIAL RECORDS**

Agreement between President William J. Clinton and _____
(hereinafter "Staff Member"), dated _____.

1. Staff Member understands and acknowledges that "Presidential records" are documentary materials which relate to or have an effect upon the performance of the President's constitutional, statutory, ceremonial and official duties, including but not limited to written documents, models, pictures, films and audio and electronic recordings, and which either originated in or were received by staff within the following components of the Executive Office of the President:

White House Office
Office of the Vice President
National Security Council
Office of Policy Development
Council of Economic Advisers
President's Foreign Intelligence Advisory Board

2. Staff Member hereby requests permission to remove from existing "office convenience" files extra copies of Presidential records created or received by Staff Member, other than those containing:

- (1) classified information;
- (2) confidential communications to or from the President or his senior advisors;
- (3) law enforcement information;
- (4) information in personal files or similar files, and any other personal information the disclosure of which might constitute an unwarranted invasion of personal privacy;
- (5) trade secrets or sensitive commercial or financial information; or
- (6) any other information the disclosure of which is prohibited by law.

3. In consideration of President Clinton's approval to remove extra copies as set forth in paragraph 2, Staff Member accepts the obligation set forth in paragraphs 4, 5, and 6.

4. To the extent he or she has not already done so, Staff Member hereby agrees to deliver to the White House Office of Records Management the originals and all copies of any Presidential records in Staff Member's possession or control, other than those extra copies set forth in paragraph 2, or those extra copies which the Staff Member has been authorized to leave behind for the incoming Administration, prior to the termination of Staff Member's employment as a member of the Clinton Administration.

5. Staff Member hereby agrees to seek, and to wait for the receipt of, written approval by President Clinton or his designee before publishing or disclosing to any third person any materials which contain the complete or partial text or content of any non-public Presidential record or copy of such record. President Clinton agrees that his approval shall not be conditioned on reviewing or approving any comment the Staff Member plans to make about such record and shall be limited solely to the publication or disclosure of the complete or partial text or content of such paper.

6. Nothing contained herein limits a Staff Member's right to disclose the complete or partial text or content of Presidential record in response to a valid and enforceable subpoena, provided that, before disclosure, Staff Member gives reasonably prompt notice of the issuance of such a subpoena to President Clinton and to counsel for the incumbent President. If either decides to object on grounds of the President's (or former President's) constitutional or statutory authority to control the release of such material, Staff member agrees to defer disclosing the material subject to the objection until such objection has been withdrawn or judicially resolved.

7. This agreement may be enforced by proceedings for injunction or damages or both.

Date

Name of Departing Staff Member

William J. Clinton

By:

Date

His Authorized Representative

APPENDIX 2

DEPARTURE AGREEMENT REGARDING COPIES OF PRESIDENTIAL RECORDS

I hereby request permission to remove from the White House or Executive Office of the President copies of the following presidential records. I have inserted a brief description and attached copies of the documents. (Requests will not be granted if these steps are not followed.)

It is understood that I may show the document(s) attached to this Agreement to a third party. For example, the document(s) may be used as a writing sample. I further understand that neither I nor any other entity or individual may receive any kind of payment or compensation in connection with the dissemination of the document(s) attached to this Agreement.

Date

Name of Departing Staff Member

Date

Approved on Behalf of President Clinton

APPENDIX 3

Message Sent To:

All WHO Users
All OVP Users
All NSC Users
All OPD Users
All CEA Users
All PFIAB Users

WHITE HOUSE OFFICE OF RECORDS MANAGEMENT

ON Executive Office Bldg. Washington, DC 20503
202-456-2240

FAX Cover Page

DATE: 6/22 TIME: 11:30 AMNumber of pages (including this page) 3TO: Sara & Greg FROM: Howard6-2242FAX: 456-2438SUBJECT: Per for Request

WHITE HOUSE OFFICE OF RECORDS MANAGEMENT

Telephone: (202) 456-2240

FAX: (202) 456-2129

anticipate # boxes



Office of Records Management
OEOB 75, 456-2242

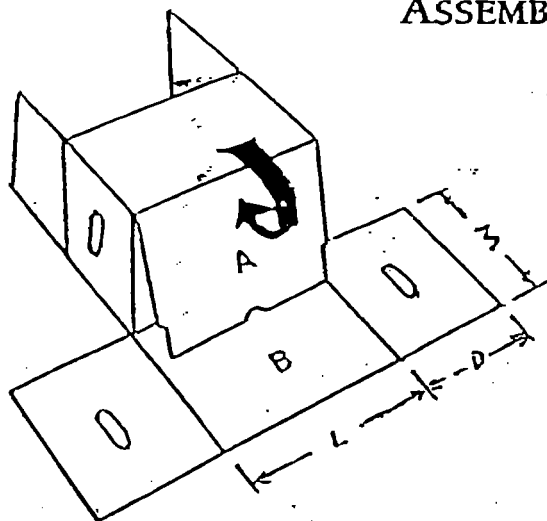
Preparing Records For Storage Or Retirement

10 Simple Steps To Make Your Task Easier:

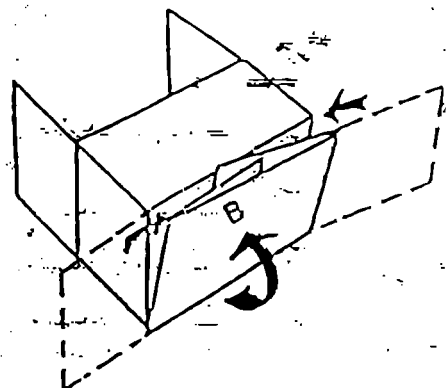
1. **ONLY** use storage boxes provided to you by the Office of Records Management.
2. Put each box together correctly. *(See the back of this page for instructions)*
3. Please use manila or accordion folder.
(If you have binders, hanging files or odd sized materials, please call us for advice)
4. Place files upright in the box and keep them in original order.
(As they were in the filing cabinet)
5. Prepare a detailed inventory listing the folder labels/contents in the order they appear in the box and be sure to include the staff member's name and office at the top of the inventory. Process security classified documents separately.
(All Boxes MUST have an inventory)
6. Place a paper copy of the inventory inside the box and transfer an electronic copy onto a 3 1/2" diskette. *(Please notify us if you need us to bring a diskette with us)*
7. Mark the top flap of the box appropriately with the staff member's name, office and box number. *(If more than one box is being archived use the format: 1 of 5, 2 of 5, etc.).*
8. Call 456-2242 to arrange for pick-up. *(Be sure to provide the contact person's name, room location, and the quantity of boxes that are ready to be picked up)*
9. Make sure the boxes are in an easily accessible location and that someone will be in the office during pick-up to answer any questions and verify the boxes to be picked up.
(DO NOT place boxes in the hallway, GSA may remove and destroy accidentally)
10. **CALL 456-2242 WITH ANY QUESTIONS**

Remember: Following these simple steps will help us in ensuring that your materials are easily accessible and organized when they are transferred to the Clinton Presidential Library at the end of the administration.

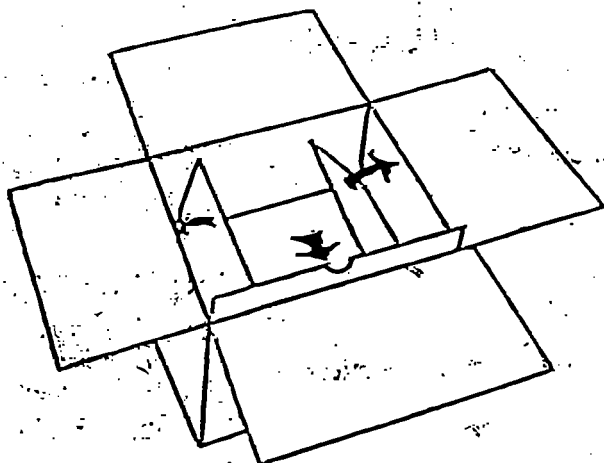
ASSEMBLY INSTRUCTIONS



STEP 1. Square up box on its side, and fold flap A inside.



STEP 2. Fold extensions over on flap B, and fold to closed position.

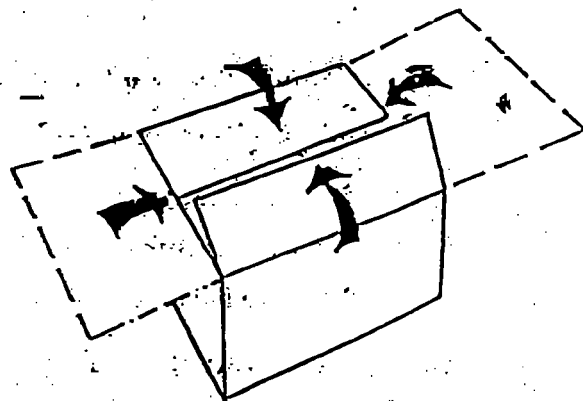


STEP 3. Lift flap A to vertical position, then lift and fold extensions of flap B up against end walls of box.



STEP 4. Lower flap A to bottom of box.

STEP 5. Fold all flaps in (small flaps first, large flaps last).



**MEMORANDUM TO THE STAFF OF THE WHITE HOUSE OFFICE, THE
OFFICE OF THE VICE PRESIDENT, THE NATIONAL SECURITY
COUNCIL, THE OFFICE OF POLICY DEVELOPMENT, THE COUNCIL OF
ECONOMIC ADVISERS, AND THE PRESIDENT'S FOREIGN
INTELLIGENCE ADVISORY BOARD**

FROM: JOHN PODESTA, CHIEF OF STAFF

RE: PRESERVATION OF STAFF RECORDS

DATE: SEPTEMBER 14, 2000

As we are now in the last year of the Clinton Administration, this is a good time for all staff in the Executive Office of the President to review the laws governing the disposition of their files as they continue to archive all appropriate material. Archiving the files that have been created during this Administration is an extremely important task. Staff files and donated personal records will be the nucleus of the Clinton Presidential Library. These records will be critically important to scholars and historians for many years to come.

The attached memorandum describes White House policy for departing staff regarding the appropriate treatment of your files. Listed below are some of the principal points for staff in the above-listed offices to bear in mind as you archive your files.

- The Presidential Records Act requires the preservation of Presidential records. Almost all work-related material created or received by personnel in the above offices will be a Presidential record. Do not discard Presidential records, although you do not have to preserve identical copies.
- Vice Presidential records should be treated in the same manner as Presidential records, although they are maintained separately.
- You may take copies of Presidential records when you leave only when all of the following conditions are met: The document must be a copy, not an original.

It must not be classified, and it must not contain confidential communications to or from the President or his senior advisors, material from personnel files and personal information the disclosure of which might constitute an unwarranted invasion of personal privacy, trade secrets, law enforcement information, or any other information the disclosure of which is prohibited by law. Each staff member who wishes to remove any copies of Presidential records must sign the agreement attached to this memorandum as Appendix B.

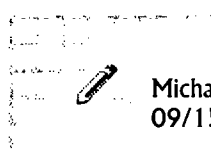
- You do not need to preserve work-related but “non-record” material, such as certain notes for your own use and drafts not circulated to others. You may take such material with you when you leave, but only subject to the conditions given above.
- Personal records should be filed separately from Presidential records. Materials relating to a political campaign generally are personal records. You may take personal records with you, or discard them, when you leave. However, consider donating to the Archives any personal records that will create a fuller record of the accomplishments of the Clinton Administration for future historians.
- Continue to send Presidential records not needed for ongoing business to Records Management. Print out or copy to a diskette any Presidential records that exist only in your computer for inclusion with your records (do not include Lotus Notes email unless you have been instructed otherwise).
- Do not discard any of your files that you know are covered by subpoenas or document requests.

Each office within the White House Office has one or more Transition Coordinators who will be trained to assist you in the appropriate indexing and disposition of your files. A list of the WHO Transition Coordinators is attached to this memorandum. Staff in other EOP offices may call the Office of Records Management, counsel within their office, White House counsel at 6-7909, or counsel in the Office of the Vice-President at 6-7022, with any specific questions.

List of White House offices and estimates of boxes of Presidential files in those offices that need to be inventoried and prepared for shipment to the Office of Records Management.

Management and Administration	221	boxes
Photo Office	138	
Correspondence	94	
Counsel's Office	667	
Speechwriters	205	
Communications	49	
Cabinet Affairs	105	
Political Affairs	136	
IGA	91	
NEC	538	
Advance Office	36	
Chief of Staff	116	
Conference Center	20	
POTUS Daily Diary	142	
Domestic Policy	370	
Environmental Initiatives	29	
First Lady	436	
Legislative Affairs	187	
Intern Office	18	
Presidential Personnel	431	
Press Office	171	

OPL (includes Women's Office)	313
Scheduling	217
Envoy for the Americas	52
Aids Policy	93
Initiative for One America	41
Visitors Office	30
Millenium Council	170
Security Office	243



Michael Malone
09/15/2000 03:33:11

Record Type: Record

To: See the distribution list at the bottom of this message

CC:

Subject: Transition Coordinators Meeting Summary

Thank you to all the Transition Coordinators who attended yesterday's briefing. The following is a summary of topics discussed:

1) Welcome -- With 36 business days between now and the election and 85 business days between now and Inauguration Day, we need to step-up the pace of our transition-related activities. Over the next several months, major milestones include the following:

- September -- begin archiving; staff should contact Human Resources (x51088) for information about benefits for departing staff
- October -- offices should complete legacy materials; financial issues should be resolved
- November -- Election Day is 11/7; request for resignation letters will be distributed soon after; check-out center will be activated on a part-time basis
- December -- archiving should be in final stages
- January -- check-out center will be operational on a full-time basis; Inauguration Day is 1/20 (which is a Saturday this year)

2) Personnel Planning -- As we approach the final four months, regular updates on staff plans become very important. As staff make plans to depart, please let Management and Administration (x62861) know as soon as possible. As detailees approach their "end-dates" on the Complex, please also contact Management and Administration as early as possible. This information will help us maximize staff resources, budget appropriately and have staff ready to assist with the check-out processes.

3) Overview and Briefing on the Presidential Records Act -- Ann Bushmiller, Associate Counsel to the President, provided an overview of the Presidential Records Act and how this law governs the archiving processes that we all must follow. She also shared a draft memo that summarizes the information she provided (a copy of the draft memo is attached). Any questions about the Presidential Records Act and how it applies to specific files in your offices can be directed to Ann Bushmiller at x67909.

Terry Good, Director of the Office of Records Management and Lee Johnson, Deputy Director of the Office of Records Management then discussed the need to begin archiving immediately. They shared a list which showed the volume of records remaining in each White House Office (a copy of this list is attached) and encouraged the offices with especially high totals to contact the Office of Records Management immediately (x62240).

The Office of Presidential Personnel's transition coordinator mentioned that his office asked Terry Good and Lee Johnson to provide a briefing for staff on archiving processes. He said this was a helpful briefing and encouraged other offices to set up similar sessions.

4) Preparing Legacy Materials -- Each office is being asked to put together a manual that will provide the

incoming administration with background as to how the office currently operates. This document could include such information as:

- a description of the general mission and work performed by the office
- a general summary of position descriptions
- an explanation of how the workload is divided among personnel
- a description of processes and procedures followed by the office
- a summary of key resources used by the office
- a summary of key contacts with whom the office works and how to contact them
- copies of form letters or correspondence

Feel free to include any other materials that would be helpful to the next administration. The Office of Presidential Personnel and the White House Intern Program have already compiled this type of legacy information. We are asking that each office provide this information by the end of October. We will be following-up with each office to monitor progress and answer questions.

5) Questions and Other Issues -- A question was asked about what offices should do with extra supplies that they find as they clean out drawers and desks. Because the Supply Shop is not prepared to receive a high volume of returned merchandise, we are going to have to come up with another solution. We will work with the Supply Shop, GSA and White House Operations to identify a solution to this issue and provide a briefing on it at the next transition coordinators meeting.

Next Meeting: Tuesday, October 3rd
4:00 - 5:00 pm
Room 180, EEOB



Preservation of Staff Records Handout -- Draft.



Records Remaining, by Office.

Message Sent To: _____

carolyn e. cleveland/who/eop@eop
jane s. engelstad/who/eop@eop
beth mohsinger/who/eop@eop
roger j. kiley/who/eop@eop
sharon a. liggett/who/eop@eop
kathryn m. mckeown/who/eop@eop
todd a. cohen/who/eop@eop
joshua s. gottheimer/who/eop@eop
betty w. currie/who/eop@eop
carol g. kiernan/who/eop@eop
joseph d. ratner/who/eop@eop
angela c. mizeur/who/eop@eop
adrian e. miller/who/eop@eop
matthew m. sonne/who/eop@eop
eric w. woodard/who/eop@eop
kendee a. yamaguchi/who/eop@eop
g. timothy saunders/who/eop@eop
holly h. thoden/who/eop@eop
kirsten n. pflomm/who/eop@eop
marilyn r. jacanin/who/eop@eop
david tseng/opd/eop@eop
elliott h. baer/opd/eop@eop
raj adlakha/who/eop@eop
anne w. bovaird/who/eop@eop
sarah c. lucas/opd/eop@eop
cheryl s. bauerle/opd/eop@eop
scott beale/who/eop@eop
alison n. cantu/who/eop@eop
carolyn t. wu/who/eop@eop
joshua j. ackil/who/eop@eop
kelli r. mcclure/who/eop@eop
brooks e. scoville/who/eop@eop
jose g. suarez/who/eop@eop
theresa f. granger/who/eop@eop
edward l. olds jr/who/eop@eop
sheila m. smith/oa/eop@eop
jaimme a. collins/who/eop@eop
valerie j. owens/who/eop@eop
shannon e. butler/who/eop@eop
terry w. good/who/eop@eop
lee r. johnson/who/eop@eop
Michele Ballantyne/WHO/EOP@EOP
Capricia P. Marshall/WHO/EOP@EOP
Emily S. Feingold/WHO/EOP@EOP
Archana Ayyappan/WHO/EOP@EOP
Peter A. Dagher/WHO/EOP@EOP
Drew T. Gardiner/WHO/EOP@EOP
Ann E. Bushmiller/WHO/EOP@EOP

DRAFT

DRAFT

MEMORANDUM TO THE STAFF OF THE WHITE HOUSE OFFICE, THE OFFICE OF THE VICE PRESIDENT, THE NATIONAL SECURITY COUNCIL, THE OFFICE OF POLICY DEVELOPMENT, THE COUNCIL OF ECONOMIC ADVISERS, AND THE PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD

FROM: JOHN PODESTA, CHIEF OF STAFF

RE: PRESERVATION OF STAFF RECORDS

DATE: SEPTEMBER 14, 2000

As we are now in the last year of the Clinton Administration, this is a good time for all staff in the Executive Office of the President to review the laws governing the disposition of their files as they continue to archive all appropriate material. Archiving the files that have been created during this Administration is an extremely important task. Staff files and donated personal records will be the nucleus of the Clinton Presidential Library. These records will be critically important to scholars and historians for many years to come.

The attached memorandum describes White House policy for departing staff regarding the appropriate treatment of your files. Listed below are some of the principal points for staff in the above-listed offices to bear in mind as you archive your files.

- The Presidential Records Act requires the preservation of Presidential records. Almost all work-related material created or received by personnel in the above offices will be a Presidential record. Do not discard Presidential records, although you do not have to preserve identical copies.
- Vice Presidential records should be treated in the same manner as Presidential records, although they are maintained separately.
- You may take copies of Presidential records when you leave only when all of the following conditions are met: The document must be a copy, not an original.

It must not be classified, and it must not contain confidential communications to or from the President or his senior advisors, material from personnel files and personal information the disclosure of which might constitute an unwarranted invasion of personal privacy, trade secrets, law enforcement information, or any other information the disclosure of which is prohibited by law. Each staff member who wishes to remove any copies of Presidential records must sign the agreement attached to this memorandum as Appendix B.

- You do not need to preserve work-related but “non-record” material, such as certain notes for your own use and drafts not circulated to others. You may take such material with you when you leave, but only subject to the conditions given above.
- Personal records should be filed separately from Presidential records. Materials relating to a political campaign generally are personal records. You may take personal records with you, or discard them, when you leave. However, consider donating to the Archives any personal records that will create a fuller record of the accomplishments of the Clinton Administration for future historians.
- Continue to send Presidential records not needed for ongoing business to Records Management. Print out or copy to a diskette any Presidential records that exist only in your computer for inclusion with your records (do not include Lotus Notes email unless you have been instructed otherwise).
- Do not discard any of your files that you know are covered by subpoenas or document requests.

Each office within the White House Office has one or more Transition Coordinators who will be trained to assist you in the appropriate indexing and disposition of your files. A list of the WHO Transition Coordinators is attached to this memorandum. Staff in other EOP offices may call the Office of Records Management, counsel within their office, White House counsel at 6-7909, or counsel in the Office of the Vice-President at 6-7022, with any specific questions.

List of White House offices and estimates of boxes of Presidential files in those offices that need to be inventoried and prepared for shipment to the Office of Records Management.

Management and Administration	221	boxes
Photo Office	138	
Correspondence	94	
Counsel's Office	667	
Speechwriters	205	
Communications	49	
Cabinet Affairs	105	
Political Affairs	136	
IGA	91	
NEC	538	
Advance Office	36	
Chief of Staff	116	
Conference Center	20	
POTUS Daily Diary	142	
Domestic Policy	370	
Environmental Initiatives	29	
First Lady	436	
Legislative Affairs	187	
Intern Office	18	
Presidential Personnel	431	
Press Office	171	

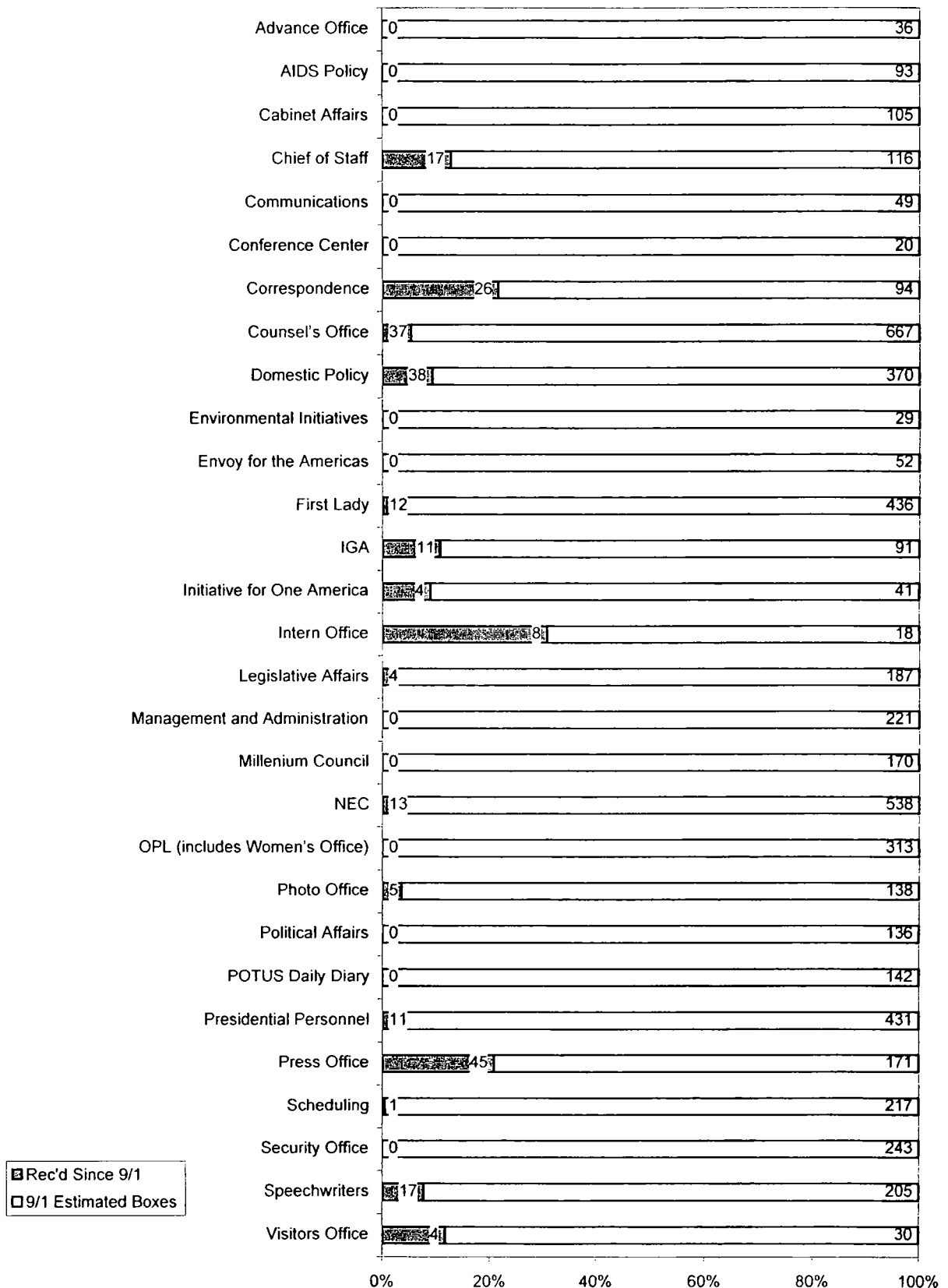
OPL (includes Women's Office)	313
Scheduling	217
Envoy for the Americas	52
Aids Policy	93
Initiative for One America	41
Visitors Office	30
Millenium Council	170
Security Office	243

October 6, 2000

Listed below are estimates as of September 1, 2000 of boxes of Presidential files that were identified as needing to be inventoried and prepared for shipment to the Office of Records Management. Below each office is a line indicating the total number of those estimated boxes that have been received in ORM since September 1, 2000.

<u>Office</u>	<u>Boxes</u>	<u>Office</u>	<u>Boxes</u>
Advance Office	36	Legislative Affairs	187
Rec'd since 9/1:	0	Rec'd since 9/1:	4
AIDS Policy	93	Management and Administration	221
Rec'd since 9/1:	0	Rec'd since 9/1:	0
Cabinet Affairs	105	Millenium Council	170
Rec'd since 9/1:	0	Rec'd since 9/1:	0
Chief of Staff	116	NEC	538
Rec'd since 9/1:	17	Rec'd since 9/1:	13
Communications	49	OPL (includes Women's Office)	313
Rec'd since 9/1:	0	Rec'd since 9/1:	0
Conference Center	20	Photo Office	138
Rec'd since 9/1:	0	Rec'd since 9/1:	5
Correspondence	94	Political Affairs	136
Rec'd since 9/1:	26	Rec'd since 9/1:	0
Counsel's Office	667	POTUS Daily Diary	142
Rec'd since 9/1:	37	Rec'd since 9/1:	0
Domestic Policy	370	Presidential Personnel	431
Rec'd since 9/1:	38	Rec'd since 9/1:	11
Environmental Initiatives	29	Press Office	171
Rec'd since 9/1:	0	Rec'd since 9/1:	45
Envoy for the Americas	52	Scheduling	217
Rec'd since 9/1:	0	Rec'd since 9/1:	1
First Lady	436	Security Office	243
Rec'd since 9/1:	12	Rec'd since 9/1:	0
IGA	91	Speechwriters	205
Rec'd since 9/1:	11	Rec'd since 9/1:	17
Initiative for One America	41	Visitors Office	30
Rec'd since 9/1:	4	Rec'd since 9/1:	4
Intern Office	18		
Rec'd since 9/1:	8		
		Total Estimated:	5359
		Total Rec'd Since 9/1:	253

Presidential Records Archiving Progress Since 9/1 As Of 10/6/2000



EARL FOX
14-05

2216
301-443-~~449~~
11:00 A.M.

TRANSITION ISSUES

try to do quickly

Michele
Joy
S1088

letters of resignation

hard hat ne. benefits - From O A

separate TSP document if needed

Health insurance letter (must sign that received)

Joe Bradley
S1088

retirement benefits / reFunds?

unemployment comp. - yes, eligible
FEES

official end of service 12:01 p.m. 1/20/01

Terry
Good
62240

Records Mgt

now 18K boxes in Files
STC expected

☐ Start boxing inactive Files now
Oversee interns please

Faye
Granger

Operations

⇒ must return every "asset" you checked out

⇒ bills must be paid

No spring internship program

last one will be Fall 2000

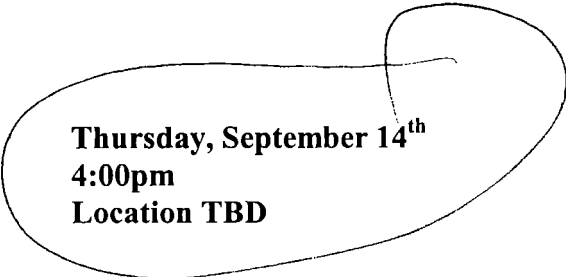
White House Transition Coordinators

August 24, 2000

Agenda

- 1. Welcome / Introduction – Mike Malone (Office of Administration)**
- 2. Human Resources Guidance and Information – Dee Shallenberger, Michele Joy, Joe Bradley (Human Resources Management, Office of Administration)**
- 3. Archiving and Records Management Issues – Terry Good (White House Office of Records Management)**
- 4. Operational Issues – Faye Granger (White House Operations)**
- 5. Other Issues / Questions**

Next Meeting:



**Thursday, September 14th
4:00pm
Location TBD**

UNEMPLOYMENT COMPENSATION IN THE DISTRICT OF COLUMBIA

- To be eligible, someone must be unemployed through no fault of their own. This would include someone whose temporary or limited term appointment has expired.
- The maximum weekly benefit amount now payable in D.C. is \$309, which translates into a 26 week maximum amount of \$8,034.
- This maximum amount may be received over a 52 week "benefit year" period.
- The weekly benefit amount is determined by the highest calendar quarter of wages in the 12 month period ending before the calendar quarter in which the person files for unemployment. This 12 month period is called their base period.
- Someone will be disqualified from receiving unemployment if they are unavailable, unwilling, or unable to accept what D.C. considers to be suitable employment, based on past training, education, and experience.
- The employing agency receives quarterly bills for the amount of their liability, or the amount of unemployment compensation attributable to them, based on the wages paid to the former employee during the 12 month base period.

Joe Bradley - ref.
Michelle - health,
JSA

legacy book.

Benefits briefing
Oct. 19 - 2-3 PM. 450

Contact Counsel's office re. Files left for next Admin.

WACA + ~~OA~~ assets -

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

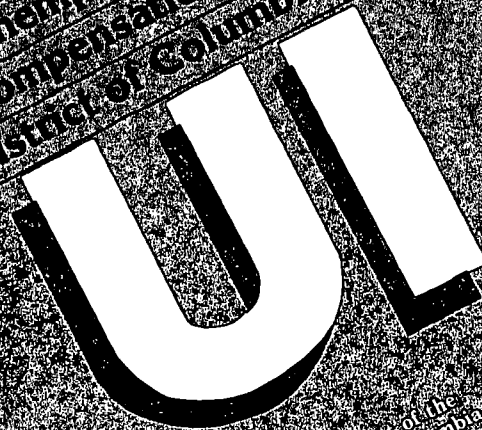
This marker identifies the place of a publication.

Publications have not been scanned in their entirety for the purpose of digitization. To see the full publication please search online or visit the Clinton Presidential Library's Research Room.

23/5/0

Claimant's Rights and Responsibilities

Unemployment
Compensation in the
District of Columbia



Department of
Employment
Services
500 C Street, N.W.
Washington, D.C. 20001

Government of the
District of Columbia
Marion Barry, Jr.
Mayor

May 1995

DEPARTURE AGREEMENT REGARDING COPIES OF PRESIDENTIAL RECORDS

Agreement between President William J. Clinton and _____
(hereinafter "Staff Member") dated _____.

1. Staff Member understands and acknowledges that "Presidential records" are documentary materials concerning the performance of the President's constitutional, statutory, and ceremonial duties, including but not limited to written documents, models, pictures, films and audio and electronic recordings, and which either originated in or were received by staff within the following components of the Executive Office of the President:

White House Office
Office of the Vice President
National Security Council
Office of Policy Development
Council of Economic Advisers
President's Foreign Intelligence Advisory Board

2. Staff Member hereby requests permission to remove from existing "office convenience" files extra copies of Presidential records created or received by Staff Member, other than those containing:

- (1) classified information;
- (2) confidential advice provided to the President or his advisors, or requests for such advice;
- (3) law enforcement information;
- (4) information in personal files, or other sensitive personal information the release of which may be embarrassing to the individual mentioned or their families; or
- (5) trade secrets or sensitive commercial or financial information.

3. In addition, Staff Member hereby requests permission to remove from "office convenience" files extra copies of Presidential records described in Attachment A. (If Staff Member does not wish to remove copies of any Presidential records other than those described in paragraph 2, Attachment A need not be completed.)

4. In consideration of President Clinton's approval to remove extra copies as set forth in paragraphs 2 and/or 3, Staff Member accepts the obligation set forth in paragraphs 5, 6, and 7.

5. To the extent he or she has not already done so, Staff Member hereby agrees to surrender to the White House Office of Records Management the originals and all copies of any Presidential records in Staff Member's possession or control, other than those extra copies set fourth in paragraphs 2 and/or 3, or those extra copies which the Staff Member has been authorized to leave behind for the incoming Administration, prior to the termination of Staff Member's employment as a member of the Clinton Administration.

6. Staff Member hereby agrees to seek, and to wait for the receipt of, written approval by President Clinton or his designee before publishing or disclosing to any third person any materials which contain the complete or partial text or content of any non-public Presidential record or copy of such record. President Clinton agrees that his approval shall not be conditioned on reviewing or approving any comment the Staff Member plans to make about such record and shall be limited solely to the publication or disclosure of the complete or partial text or content of such paper.

7. Nothing contained herein limits a Staff Member's right to disclose the complete or partial text or content of Presidential record in response to a valid and enforceable subpoena, provided that, before disclosure, Staff Member gives reasonable prior notice of the issuance of such a subpoena to President Clinton and to counsel for the incumbent President. If either decides to object on grounds of the President's (or former President's) constitutional or statutory authority to control the release of such material, Staff member agrees to defer disclosing the material subject to the objection until such objection has been withdrawn or judicially resolved.

8. This agreement may be enforced by proceedings for injunction or damages or both.

Date

Name of Departing Staff Member

William J. Clinton

By:

Date

His Authorized Representative

DEPARTURE AGREEMENT REGARDING COPIES OF PRESIDENTIAL RECORDS

I hereby request permission to remove from the White House or Executive Office of the President copies of the following presidential records. I have inserted a brief description and attached copies of the documents. (Requests will not be granted if these steps are not followed.)

It is understood that I may show the document(s) attached to this Agreement to a third party. For example, the document(s) may be used as a writing sample. I further understand that neither I nor any other entity or individual may receive any kind of payment or compensation in connection with the dissemination of the document(s) attached to this Agreement.

Date

Name of Departing Staff Member

Date

Approved on Behalf of President Clinton

THE WHITE HOUSE
WASHINGTON

**MEMORANDUM TO THE STAFF OF THE WHITE HOUSE OFFICE, THE
OFFICE OF THE VICE PRESIDENT, THE NATIONAL SECURITY
COUNCIL, THE OFFICE OF POLICY DEVELOPMENT, THE COUNCIL OF
ECONOMIC ADVISERS, AND THE PRESIDENT'S FOREIGN
INTELLIGENCE ADVISORY BOARD**

FROM: JOHN PODESTA, CHIEF OF STAFF
RE: PRESERVATION OF STAFF RECORDS
DATE: DECEMBER 7, 2000

Many staff members are now in the midst of indexing their files and preparing them to be sent to the White House Office of Records Management. I appreciate the time that staff members are taking to perform this extremely important task.

In order to facilitate completion of this task, attached is a copy of the memorandum regarding the preservation of staff records covered by the Presidential Records Act that was first circulated in September. The Act covers both Presidential and Vice Presidential records. Note in particular Appendices 2 and 3, which are authorization forms regarding copies of Presidential records you wish to take with you when you leave. Although Appendix 3 was available at your ethics training and transition briefings, it was not previously attached to the memorandum. Sign Appendix 2 if you wish to take copies of any Presidential records with you for personal use. You must also sign Appendix 3 and if you wish to show a Presidential record to a third party, for example, as a writing sample. Send the completed forms to the Office of White House Counsel. Copies of only limited kinds of Presidential records may be kept by staff, as described in more detail in the memorandum.

If you have questions about getting your files ready for Records Management or about what documents may be taken with you when you leave, call Records Management at 456-2240 or the Office of White House Counsel at 456-7909.

BAUERLE, CHERYL S.
WHITE HOUSE OFFICE
DOMESTIC POLICY COUNCIL
736 JACKSON PL

THE WHITE HOUSE
WASHINGTON

**MEMORANDUM TO THE STAFF OF THE WHITE HOUSE OFFICE, THE
OFFICE OF THE VICE PRESIDENT, THE NATIONAL SECURITY
COUNCIL, THE OFFICE OF POLICY DEVELOPMENT, THE COUNCIL OF
ECONOMIC ADVISERS, AND THE PRESIDENT'S FOREIGN
INTELLIGENCE ADVISORY BOARD**

FROM: JOHN PODESTA, CHIEF OF STAFF 
RE: PRESERVATION OF STAFF RECORDS
DATE: SEPTEMBER 14, 2000

As we are now in the last year of the Clinton Administration, this is a good time for all staff in the Executive Office of the President to review the laws governing the disposition of their files as they continue to archive all appropriate material. Archiving the files that have been created during this Administration is an extremely important task. Staff files and donated personal records will be the nucleus of the Clinton Presidential Library. These records will be critically important to scholars and historians for many years to come.

The attached memorandum describes White House policy for departing staff regarding the appropriate treatment of your files. Listed below are some of the principal points for staff in the above-listed offices to bear in mind as you archive your files.

- The Presidential Records Act requires the preservation of Presidential records. Almost all work-related material created or received by personnel in the above offices will be a Presidential record. Do not discard Presidential records, although you do not have to preserve identical copies.
- Vice Presidential records should be treated in the same manner as Presidential records, although they are maintained separately.
- You may take copies of Presidential records when you leave only when all of the following conditions are met: The document must be a copy, not an original.

It must not be classified, and it must not contain confidential communications to or from the President or his senior advisors, material from personnel files and personal information the disclosure of which might constitute an unwarranted invasion of personal privacy, trade secrets, law enforcement information, or any other information the disclosure of which is prohibited by law. Each staff member who wishes to remove any copies of Presidential records must sign the agreement attached to this memorandum as Appendix B.

- You do not need to preserve work-related but “non-record” material, such as certain notes for your own use and drafts not circulated to others. You may take such material with you when you leave, but only subject to the conditions given above.
- Personal records should be filed separately from Presidential records. Materials relating to a political campaign generally are personal records. You may take personal records with you, or discard them, when you leave. However, consider donating to the Archives any personal records that will create a fuller record of the accomplishments of the Clinton Administration for future historians.
- Continue to send Presidential records not needed for ongoing business to Records Management. Print out or copy to a diskette any Presidential records that exist only in your computer for inclusion with your records (do not include Lotus Notes email unless you have been instructed otherwise).
- Do not discard any of your files that you know are covered by subpoenas or document requests.

Each office within the White House Office has one or more Transition Coordinators who will be trained to assist you in the appropriate indexing and disposition of your files. A list of the WHO Transition Coordinators is attached to this memorandum. Staff in other EOP offices may call the Office of Records Management, counsel within their office, White House counsel at 6-7909, or counsel in the Office of the Vice-President at 6-7022, with any specific questions.

THE WHITE HOUSE
WASHINGTON

MEMORANDUM TO THE STAFF OF THE WHITE HOUSE OFFICE, THE OFFICE OF THE VICE PRESIDENT, THE NATIONAL SECURITY COUNCIL, THE OFFICE OF POLICY DEVELOPMENT, THE COUNCIL OF ECONOMIC ADVISERS, AND THE PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD.

FROM: BETH NOLAN, COUNSEL TO THE PRESIDENT *BN*

DATE: SEPTEMBER 14, 2000

SUBJECT: PRESERVATION OF PRESIDENTIAL RECORDS

This memorandum describes your obligations under the Presidential Records Act ("PRA") and how to prepare your records for delivery to the White House Office of Records Management prior to your departure. Staff records have been vital as we have worked to achieve the goals of the Clinton Administration, and they will continue to play a crucial role in the Clinton Library by documenting our achievements for future scholars and historians. Vice Presidential records are similarly important and will also be preserved in a Library.

The Presidential Records Act

The Presidential Records Act ("PRA") governs the ownership, maintenance and disposition of Presidential records. 44 U.S.C. 2201 *et seq.* The requirements of the PRA apply to all records of personnel in the White House Office, including the White House Military Office, the Office of the Vice President, the Office of Policy Development, the Council of Economic Advisors, the President's Foreign Intelligence Advisory Board, and the National Security Council.¹ Under the PRA, records of the Office of the Vice President are Vice Presidential records and are subject to the provisions of the PRA in the same manner as Presidential records. Both Presidential and Vice Presidential records are collectively referred as "Presidential records" in this memorandum.

Presidential records are the property of the United States. They should be filed separately from personal records or non-record material. Presidential records must not be discarded. They must be preserved and sent to the Office of Records Management, which will maintain them for the duration of the Administration. Those offices that have an agreement to send their Presidential records directly to the National Archives and Records Administration ("NARA"), should continue that practice.

¹ The requirements of another statute, the Federal Records Act, apply to all records of personnel in the Council on Environmental Quality, the Office of Administration, the Office of Management and Budget, the Office of National Drug Control Policy, the Office of Science and Technology Policy, and the United States Trade Representative.

I. Records Covered by the Presidential Records Act

Presidential records are defined in the Act as "documentary materials regardless of physical form that are created or received by the President, his immediate staff, or a unit or individual of the Executive Office of the President, whose function is to advise and assist the President, in the course of conducting activities which relate to or have an effect upon the carrying out of the constitutional, statutory or other ceremonial or official duties of the President." Documentary materials refers collectively to all media on which information is recorded, regardless of the nature of the medium or the method or circumstances of recording. The term includes but is not limited to correspondence, memoranda, documents, papers, pamphlets, electronic word processing files and emails, models, pictures, films, and audio and electronic recordings. All Presidential records must be preserved. You do not have to preserve identical copies. Documents -- even drafts -- circulated to others in the course of conducting activities that relate to Presidential duties are almost always Presidential records.

Electronic Presidential records/databases. If you have Presidential records that exist only in your computer, print them out or copy them to a clearly labeled diskette, so they can be filed with your other Presidential records. Do not print out emails in the standard Lotus Notes application, as they are being archived automatically. If you created an electronic database containing Presidential record information, or are the staff member responsible for maintaining such a database, promptly contact the Transition Coordinator for your office, or the Office of Records Management so that they and the OA Office of Information Services and Technology ("IS&T") can include this database along with the appropriate technical information in the material transferred to NARA.

Restrictions on material that may be taken by staff on their departure. Staff members will be permitted to take with them extra copies of Presidential records created or received by the staff member that had previously been made for the staff member's convenience. No original records may be taken. Further, no document may be taken if it contains the following:

- classified information;
- confidential communications to or from the President or his senior advisers;
- law enforcement information;
- information in personnel files or similar files, and any other personal information the disclosure of which might constitute an unwarranted invasion of personal privacy;
- trade secrets or sensitive commercial or financial information; or
- any other information the disclosure of which is prohibited by law.

All other copies of Presidential records must be sent to the Office of Records Management for eventual deposit in the President's Library.

To ensure compliance with this policy, each departing staff member who wishes to remove any copies of Presidential records must sign the agreement attached to this memorandum as Appendix B as part of the official checkout procedures. The agreement obligates the staff member to comply with the policy outlined above, and to refrain from disclosing the contents of any Presidential records to third parties without the President's consent. The agreement is

designed to protect the integrity of White House decision-making processes and to preserve the President's ability under the Constitution and the PRA to control the distribution of these kinds of records.

If you have an unusual circumstance you would like to raise regarding the copy of a particular Presidential record, call the White House Counsel's office at 6-7909.

II. Records in the Office of the Vice President

The PRA expressly provides that records of the Office of the Vice President are Vice Presidential records and subject to the provisions of the PRA in the same manner as Presidential records, although they are maintained separately. Thus, materials created or received in the Office of the Vice President should be treated in accordance with the guidance given in this memorandum. Personnel in the Office of the Vice President should consult with Ferne Mosley at 6-7022 for additional guidance regarding the filing and disposition of Vice Presidential records.

III. Other Types of Records

You may have other types of documentary materials in your files that are not subject to the preservation requirements of the PRA, as discussed below. These types of materials should be filed separately from your Presidential records.

1. Non-records. The PRA does not require you to preserve non-record materials such as the following:

- preliminary drafts of correspondence, memoranda or reports, kept for your own use and not circulated to others;
- work sheets and informal notes that contain information reflected in final documents and that do not document policy development or execution;
- copies of the 'clips' or other clippings or news summaries so long as they have not been annotated, organized or arranged for an official purpose;
- catalogs, trade journals and other publications received from other government agencies, or private firms and institutions and that are maintained for reference purposes;
- extra copies of documents produced only for convenience, when those copies are clearly so identified.

All of your documents should be reviewed carefully, however, because documents in the categories listed above may nonetheless constitute Presidential records. Particularly in the White House, drafts, working papers and other similar materials often document policy development, significant decisions or other matters related to the execution of Presidential duties. If there is any reasonable doubt, treat the material as a Presidential record. If the material is clearly of nonrecord status, you may discard it.

Administrative material, such as telephone directories, organizational charts and press releases, may not be Presidential records, but may nonetheless be of great utility to presidential scholars many years hence. We recommend preserving such material.

You may take non-record material when you depart, but only under the same conditions that are prescribed above for Presidential records. If you have a question regarding a particular document, call the White House Counsel's office at 6-7909.

2. Personal records. The category of "personal records" includes private papers, such as material accumulated before entering government service, personal photographs, insurance claim forms, purely personal correspondence, and personal diaries or journals that staff members sometimes keep in their offices. It also includes certain kinds of political materials, i.e., those relating exclusively to (a) the President's own election as President, (b) the Vice President's campaign for the presidency, (c) the election of a particular individual or individuals to Federal, State, or local office, or (d) private political associations. To be considered "personal," however, these materials must have no relation to or direct effect upon the execution of the President's official or ceremonial duties. Personal and political material should be filed separately from your Presidential records. You may remove personal records on your departure or donate them to NARA for the Clinton Library or the Vice President's library.

Donation of personal records to Clinton Library. If you have personal materials that could assist future scholars in building a comprehensive picture of the achievements of the Clinton Administration, you are most welcome to donate these materials to the Clinton Library, or in appropriate circumstances, to the Vice President's library. Let your office Transition Coordinator or the White House Counsel's office know of your intent and that person will put you in touch with a professional archivist from NARA.

Documents subject to a subpoena or document request. Documents in your possession may be responsive to a request for documents or a subpoena directed to the White House. Do not discard documents if you are aware that they are or have been responsive to a subpoena or document request.

No classified material may be removed from your office at any time, without compliance with the rules applicable to such materials.

The above discussion does not exhaust the universe of possible rules applicable to your files. If you have any questions about the record status or appropriate disposition of any material in your office, please contact Ann Bushmiller of the White House Counsel's Office for advice at 456-7909 or Ferne Mosley in the Office of the Vice President at 6-7022.

IV. Preparation of Presidential Records for Delivery to the Office of Records Management

As staff members continue to prepare your files for transfer to the Office of Records Management or to NARA, you should review your records and ensure that personal material you wish to take with you has been separated from your Presidential records. If you have any

Presidential records that exist only in your computer, reduce them to paper or copy them to a clearly labeled diskette. You do not need to print out emails in the standard Lotus Notes application, as they are being archived automatically. Ask your Transition Coordinator or records management specialist for further advice regarding emails if you are under specific instructions to preserve all of your email records.

You should index your files by preparing a typed inventory of the titles of the file folders. Place a typed copy of this inventory inside each box and provide Records Management with a computer disk of the inventory to all files being sent. Some Presidential records may be particularly sensitive, such as files relating to presidential appointments, which contain personal information. Note on the index that a particular file contains sensitive personal information. Under the PRA restrictions and the Freedom of Information Act ("FOIA") exemptions, as well as in accordance with constitutional and common law privileges, most sensitive Presidential records can be protected from public access for a period of 12 years, and longer in some cases. (Regardless of public availability, all such materials will be available to President Clinton, his designated representatives, and the Vice President, as applicable.)

As mentioned above, you should notify your Transition Coordinator or the Office of Records Management about any electronic databases you created or maintained that contain Presidential record material. Also notify these personnel of any stand-alone PC systems that have been used to generate Presidential records in your files, along with the hardware and software requirements. If you are transferring any electronic records on computer disks, CD-ROM, or tapes please indicate the software that has been used. It is extremely important that you indicate whenever a box of files includes electronic media. This will assist in ensuring that the information created on these systems and diskettes can be permanently preserved and accessed at the Clinton Library.

Consult with your Transition Coordinator or the Office of Records Management if you have additional questions on how to prepare your files for delivery to Records Management.

V. Delivery of Presidential Records to the Office of Records Management.

As part of the official checkout procedures, departing staff members must certify that they have transferred their Presidential records to the Office of Records Management. Upon the completion of the Clinton Administration, NARA will assume legal custody of Clinton Presidential records for eventual deposit at the Clinton Library. Vice Presidential records will be maintained separately in storage with Records Management and NARA prior to their transfer to a library.

To ensure the transfer of Presidential records to NARA in a timely manner at the completion of the Administration, you should, as soon as possible, deliver to the Office of Records Management those Presidential records that are not needed for ongoing business. These records can, of course, be retrieved if they later become needed. Staff members should transfer all of their remaining files to the Office of Records Management as they depart.

WHITE HOUSE OFFICE TRANSITION COORDINATORS

<u>EOP Office</u>	<u>Transition Coordinator</u>	<u>Backup Coordinator</u>
Advance	Roger Kiley	
AIDS Policy	Cheryl Bauerle	
Cabinet Affairs	Raj Adlakha	Anne Bovaird
Chief of Staff	Michele Ballantyne	Drew Gardiner
Communications	Todd Cohen	
Conference Center	Sheila Smith	
Correspondence	Matt Sonne	
Counsel	Jane Schaffner	
Domestic Policy Council	Sarah Lucas	
Environmental Initiatives	Angela Mizeur	
Executive Clerk	Tim Saunders	
First Lady	Eric Woodard	
Intergovernmental Affairs	Scott Beale	Alison Cantu
Intern	Kendee Yamaguchi	
Legislative Affairs	Josh Ackil	
Management & Administration	Kelli McClure	Brooks Scoville
Millennium Council	Jane Englestad	Beth Mohsinger
Military Office	Gerald Suarez	
National Economic Council	Christopher Wanken	
One America	Adrian Miller	
Oval Office	Betty Currie	Justin Cooper
Photography	Marilyn Jacanin	
Political Affairs	Jaimme Collins	
Presidential Personnel	Pete Dagher	
Press	Missy Owens	
Public Liaison	Joe Ratner	
Records Management	Terry Good	Lee Johnson
Scheduling	Carrie Street	
Special Envoy to the Americas	Sharon Liggett	
Speechwriting	Josh Gottheimer	
Staff Secretary	Carol Cleveland	
Telephone Service	Kathy McKeown	
Travel	Archana Ayyappan	
Visitors	Holly Thoden	Elizabeth Jones
White House Operations	Faye Granger	Edd Olds

APPENDIX 1

DEPARTURE AGREEMENT REGARDING COPIES OF PRESIDENTIAL RECORDS

Agreement between President William J. Clinton and _____
(hereinafter "Staff Member"), dated _____.

1. Staff Member understands and acknowledges that "Presidential records" are documentary materials which relate to or have an effect upon the performance of the President's constitutional, statutory, ceremonial and official duties, including but not limited to written documents, models, pictures, films and audio and electronic recordings, and which either originated in or were received by staff within the following components of the Executive Office of the President:

White House Office
Office of the Vice President
National Security Council
Office of Policy Development
Council of Economic Advisers
President's Foreign Intelligence Advisory Board

2. Staff Member hereby requests permission to remove from existing "office convenience" files extra copies of Presidential records created or received by Staff Member, other than those containing:

- (1) classified information;
- (2) confidential communications to or from the President or his senior advisors;
- (3) law enforcement information;
- (4) information in personal files or similar files, and any other personal information the disclosure of which might constitute an unwarranted invasion of personal privacy;
- (5) trade secrets or sensitive commercial or financial information; or
- (6) any other information the disclosure of which is prohibited by law.

3. In consideration of President Clinton's approval to remove extra copies as set forth in paragraph 2, Staff Member accepts the obligation set forth in paragraphs 4, 5, and 6.

APPENDIX 2

4. To the extent he or she has not already done so, Staff Member hereby agrees to deliver to the White House Office of Records Management the originals and all copies of any Presidential records in Staff Member's possession or control, other than those extra copies set forth in paragraph 2, or those extra copies which the Staff Member has been authorized to leave behind for the incoming Administration, prior to the termination of Staff Member's employment as a member of the Clinton Administration.

5. Staff Member hereby agrees to seek, and to wait for the receipt of, written approval by President Clinton or his designee before publishing or disclosing to any third person any materials which contain the complete or partial text or content of any non-public Presidential record or copy of such record. President Clinton agrees that his approval shall not be conditioned on reviewing or approving any comment the Staff Member plans to make about such record and shall be limited solely to the publication or disclosure of the complete or partial text or content of such paper.

6. Nothing contained herein limits a Staff Member's right to disclose the complete or partial text or content of Presidential record in response to a valid and enforceable subpoena, provided that, before disclosure, Staff Member gives reasonably prompt notice of the issuance of such a subpoena to President Clinton and to counsel for the incumbent President. If either decides to object on grounds of the President's (or former President's) constitutional or statutory authority to control the release of such material, Staff member agrees to defer disclosing the material subject to the objection until such objection has been withdrawn or judicially resolved.

7. This agreement may be enforced by proceedings for injunction or damages or both.

Date

Name of Departing Staff Member

William J. Clinton

By:

Date

His Authorized Representative

APPENDIX 2

DEPARTURE AGREEMENT REGARDING COPIES OF PRESIDENTIAL RECORDS

I hereby request permission to remove from the White House or Executive Office of the President copies of the following presidential records. I have inserted a brief description and attached copies of the documents. (Requests will not be granted if these steps are not followed.)

It is understood that I may show the document(s) attached to this Agreement to a third party. For example, the document(s) may be used as a writing sample. I further understand that neither I nor any other entity or individual may receive any kind of payment or compensation in connection with the dissemination of the document(s) attached to this Agreement.

Date

Name of Departing Staff Member

Date

Approved on Behalf of President Clinton

APPENDIX 3