

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	[Personally Identifiable Information] [partial] (1 page)	07/19/2000	b(6)

COLLECTION:

Clinton Presidential Records
Staff Secretary
Lisel Loy
OA/Box Number: 20899

FOLDER TITLE:

Library

2019-0680-S
rs3261

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



439478

**DOCUMENTS RECEIVED
IN ORM TOO LATE TO
PROCESS**

OA # _____

NARA # _____

NLCP TRANSFER SHEET

Transfer from [box #, collection/series, folder title]:

OA 20899, Staff Secretary, Too Late to file

Transferred to:

_____ : Audiovisual Collection
_____ : Book Collection
☒ : Museum Collection
_____ : Other--Specify

Media/Description: License plate designed with the
American flag in the background. Reads "President
Bill Clinton Salutes Black Civil War Soldiers
USCT Their time has finally come"

Transferred by: DMS

Date: 10/06/03

New Location: Museum

New Box Number: _____



PRESIDENT BILL CLINTON

SALUTES BLACK CIVIL WAR SOLDIERS

USCT

"THEIR TIME HAS FINALLY COME"

Discussed w/ Lisel Loy October 20, 2000

October 18, 2000

Per Mike Malone,

Ann Bushmiller, White House Associate Counsel, the "group" has made a decision on three issues affecting the files and computer databases of the Executive Clerk's Office:

No copies of the Executive Clerk's Precedent files will be provided to Archives.

No copies of the Executive Clerk's Card files will be provided to Archives.

However, they would like to provide a copy of our AREV system to Archives.

Ann Bushmiller cleared the above with Beth Nolan, Counsel to the President. Per Mike, Archives was "pushing hard," but Beth considers our precedent and card files to be "working files."

Unclear to me why the AREV system is not considered working files.

Now I need to discuss with Lisel Loy.

I did tell Mike Malone that I could not have anyone tinkering with our system while we are besieged with bills pending the President's action. He agreed; nothing will be done for at least 3-4 weeks.

working files; also dec. with in files. Reduplication
- not created after
- no analysis
- just a copy
- not for record
- we're executing our direction

Mike + Ann

hear back from

Clinton only.

what's in AREV - a 7. dec. - not all elsewhere
easy to download copy - on computer

not much distinction; it useful; making Clinton his only

- only beginning of Clinton admin
- has Archives or 1st F.

- only a copy
- good government sense

**TALKING POINTS FOR 10/26/00 MEETING WITH LISEL LOY, MIKE MALONE
ANN BUSHMILLER AND TERRY GOOD**

1. Final Word on Moving Artifacts and Records Early:

- In this meeting we need to know if we can go ahead and schedule the plan to move artifacts that we have proposed to Bruce Lindsey, Capricia Marshall, and Nancy Hernreich on November 18th.
- We have to let the military know for the plane by no later than November 9th, for the first plane planned for November 18. NARA needs to know if we can move on November 18th by October 31st so that we can arrange military assistance in helping us palletize and record the artifact crates.
- We are then hopeful that we can plan for a shipment of records (approximately 6500 Federal Record Center Boxes.) Our plans for the second plane are to move the second week in December.
- We would then move a third plane of additional textual materials later in December. – See move chart for remaining plane loads in January.

2. Coordination with White House on Moving Records and Artifacts still in the White House:

- We are unclear since we have not received a request for archival assistance (which we have provided in past moves) as to the following:
 - (1) is there going to be a request for archival assistance – if so I need to make plans for that assistance now;
 - (2) will there be a need for military assistance – the military will be based at Archives 1 and will be daily reporting to us.
- We need to know approximately how many military will be needed in the White House so that we can make sure we have coverage over at A1. Assignments for the military personnel will be made on a daily basis.
- We will need WHORM to ensure that all military personnel are on the access list.
- Who will be doing the labeling, palletizing, and inventories by pallets for the records over in the White House? We can pick these pallet inventories up on at least a daily basis.
- If NARA is not giving archival assistance we need to have a very clear understanding of whom is doing what archival work so that we maintain a smooth work flow and keep move the records easily.

3. Walk through for the DOD/NARA group that is doing a dry run of the move:

- The DOD/NARA group will be interested in seeing everything dealing with staging of the move. This would include all stages from where are the trucks going to be loaded to where the pallets will be staged.

ITINERARY

REHEARSAL OF MOVEMENT OF CLINTON PRESIDENTIAL PAPERS

Wed, 1 Nov 00

0830	Depart from Pentagon River Entrance via 15 pax van
0830-0900	Enroute to NARA loading dock, 7 th & Pennsylvania Ave.
0900-0930	Tour NARA facility - view stacks and pallet buildup location (NARA & Ops Cell).
0930-0945	Enroute to Old Executive Bldg.
0945-1030	Tour Old Executive Bldg.
1030-1100	Enroute to Andrews AFB, MD
1100-1130	Tour Hangar 3 facility - view area for materials prep for air movement, and discuss security arrangements - (SMSgt Raboteau & CPT Christiansen)
1130	Board flight for Little Rock AFB - box lunch enroute.
1140-1330	MILAIR flight to LRAFB (*note: time change to CST)
1330-1430	Tour Hangar 222S at LRAFB -- discuss download operations, security, truck offload ops (Maj Tillman & 314th AW/SF Security NCOIC)
1430-1500	Enroute to Clinton Project in downtown Little Rock, AR.
1500-1600	Tour Clinton Project - review shelving ops (MAJ Goodrich, MAJ Bender, & NARA Reps)
1600-1630	Rehearsal wrap-up/discussion at Clinton Project.
1630-1700	Selected individuals return to LRAFB for return flight.
1700	Board flight for Andrews AFB - box dinner enroute.
1710-2045	MILAIR flight to Andrews AFB
2045	Arrive at Andrews AFB (*note: time change to EST)
2045-2115	Return to Pentagon via 15 pax van - return to quarters via POVs

Clinton Administration Holdings Current & Projections October 2000

Current Vol.
(cu.ft.)

Projected Vol.
(cu.ft.)

Archival Holdings

Textual Records		
White House Office of Records Mgmt.	15,225	22,000
White House Health Care Interdepartmental Working Group	290	290
Government Printing Office	551	580
Email Printouts	660	660
White House Publications/Printed Materials	30	
Presidential Commissions and Committees	339	1500
White House Office of Records Mgmt	120	500
• On The Shelf		
White House Office of Records Mgmt.		
• Presidential & First Lady Bulk Mail	70	75
Donated Historical Materials ¹		
• Clinton Personal	0	?
• Mrs. Clinton Personal	0	?
• Other Related Records	19	?
Sub-Total	17,304	25,605

Classified Records		
National Security Council File	2,421	4,500
Confidential Files ²	974	2,250
Donated Historical Classified Records	0	250
Sub-Total	3,395	7,000

Audio-Visual Records		
White House Television	324	530
White House Communications Agency	127	300
• Audio Recordings		
White House Communications Agency	600	900
• Video Recordings		

¹ NLMS currently has no donated historical textual materials. However, the President has sent out a letter to Cabinet and agency heads encouraging them to donate their Personal Papers to the Clinton Library. Additionally, NARA is actively encouraging the President and Mrs. Clinton to deposit with the intent of future donation their Personal Papers at the Clinton Library. Therefore, this could be a sizeable volume of material. As NLMS receives more information on these collections we will attempt to give a projection.

² Contains 8 cu.ft. PCCIP (commissions).

White House Communications Agency	26	35
• Duplicates for Weekly Compilations		
Clinton Reference Video Recordings	63	70
White House Media Affairs	18	25
White House Photo Office – Contact Sheets	123	370
White House Photo Office - Negatives	216	945
McNeely Black & White Collection	31	39
McNeely Photographs (Donated Personal)	30	30
<i>Sub-Total</i>	1,561	3,244

Electronic Records

Electronic Records ³	2	?
<i>Sub-Total</i>	2	?

Curatorial Holdings

Gifts & Objects		
Packed Gifts & Objects	14,162	19,887
Unpacked Gifts & Objects	3,500	4,550
White House collection of American Crafts	945	945
Gubernatorial	250	350
White House Christmas Ornaments	94	650
<i>Sub-Total</i>	18,951	26,382

Anticipated Curatorial Holdings not yet on Courtesy Storage

Donated Clinton Personal Objects	0	400
Chihuli Christmas Trees, Estimated	3,500	3,500
Gifts at Residence or Camp David, Estimated	2,000	3,000
<i>Sub-Total</i>	5,500	6,900

TOTAL: 46,713 69,131

³ NLMS is currently discussing with various White House Offices the migration of electronic records. Because these records remain active systems in use at the White House, NLMS cannot give a volume projection. However, these records while significant, will not appreciably affect the overall volume. They will require a cool storage environment as specified in the NL Draft Architectural and Design standards

CLINTON PRESIDENTIAL MATERIALS PROJECT

Pallet Number _____

Staff Initials _____

	Container #	Prefix	Number	Type	Additional Description
1					
2					
3					
4					
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7					
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30					



Sent Via Facsimile

October 18, 2000

Mr. Bruce Lindsey
Ms. Nancy Hernreich
Ms. Capricia Marshall
The White House
Washington, DC 20525

Dear Bruce, Nancy, and Capricia:

In accordance with my recent discussions with Capricia and Eric regarding the early shipment of gifts and artifacts to the Clinton Presidential Materials Project, I have asked Ed Quick, the Clinton Library Curator, to prepare some information on artifacts that should be helpful in making this decision. Sending these artifacts early is key in helping NARA achieve a smooth transition because it allows us to begin a systematic and methodical movement of Clinton Presidential materials to Little Rock. The Clinton Project site will be fully able to provide professional storage and staff for the care of these items. We would like to send the first shipment of Clinton artifacts on November 18, 2000.

Several factors were taken into account in selecting this date. Sending the highly valuable Foreign Head of State artifacts on the first shipment ensures that they can be safely maneuvered onto and off of the aircraft and into the project facility. Moving these materials into the facility first allows them to be secured properly before large quantities of textual records arrive. Shipping and convoying the materials on a weekend provides the least amount of conflict in the air and on the ground. National Guardsmen, who will be used in the ground transport of materials to the Project site from the Air base, are more readily available on weekends allowing for greater coverage. This all adds to the efficiency and security of the overall move.

The following information outlines the specifics on the Foreign Official and Domestic Clinton gifts and artifacts we hold on courtesy storage at the National Archives and Records Administration recommended for November shipment to the Clinton Presidential Materials Project in Little Rock.

Foreign Official Gifts and Artifacts

1. We recommend the shipment to the Clinton Presidential Materials Project in Little Rock, Arkansas, beginning in mid-November, 2000, 42 crates of Foreign Head of State Presidential

Gifts given from 1993 through 1998. The crates include approximately 675 Foreign Head of State gifts, and do not include Foreign Head of State gifts given in 1999-2000. We recommend these Foreign Head of State gifts for early shipment because they are not usually recalled by the White House, they are already owned by the government, they are packed and ready for shipment, and they are described in detail in NARA's gift database.

2. The crate numbers recommended for such shipment:

1-3	35	46	65-66
5-14	37-39	48	
16-21	43/1-2	49-50	
25-33	44/1	55	

Domestic Gifts and Artifacts

1. We recommend the shipment of the following Domestic Presidential Gifts to the Clinton Presidential Materials Project in Little Rock, Arkansas, beginning in mid-November, 2000. The domestic gifts include gifts donated by foreign individuals who are not Heads of State. We recommend Domestic gifts received before 1999 because these gifts have already been reviewed by the White House and are not likely candidates for further recalls. In addition, we are recommending shipping at this time the 54 boxes of Gubernatorial and donated personal items presently on courtesy storage with the Archives.
 - A. 1074 boxes of Domestic gifts, constituting approximately 29,000 gifts received before January 1999.
 - B. 111 boxes of Audio-Visual gifts, constituting approximately 5400 videotapes, cassettes, and compact discs received before 1998, in addition to those included separately in Domestic gift boxes.
 - C. 726 boxes of Book gifts, constituting approximately 17,400 books received before 1998, in addition to those included separately in Domestic gift boxes.
 - D. 54 boxes of Clinton Gubernatorial gifts [and personal items donated to the Clinton Project via [the White House Curator's office.] An inventory of these items is available on request.
2. The Domestic gifts [included in items A. – C. above] are generally characterized as:
 - A. Over 7500 clothing items, including polo and T-shirts, baseball caps, jackets, ties, scarves, plus miscellaneous articles (e.g. aprons, vests, headbands).
 - B. Over 3300 banners, bookmarks, magazines and newspapers, clippings, buttons, stickers, calendars, and other ephemera.
 - C. Over 2200 books, booklets, comic books, etc. included as parts of larger gifts and separate from the book boxes.
 - D. Over 1800 cassettes, compact discs, and videotapes separate from the Audio-Visual boxes.
 - E. Over 800 dining items (mugs, plates, coasters, etc.).
 - F. Over 600 paintings.

- G. Over 1600 photographic items (photographs, photo-collages, albums).
- H. About 1300 works of art on paper (prints and drawings in various media.)
- I. Over 200 sculptures in various media.
- J. Over 2000 miscellaneous artworks, ranging from ceramics and plates to framed and unframed poems.
- K. Over 800 awards, ranging from plaques and trophies to keys from communities and certificates.
- L. About 150 pet items, ranging from collars and leashes to food and water bowls.
- M. About 650 containers of various kinds.
- N. Over 500 craft items (various textile items, plus decorative magnets, plaques, etc.).
- O. About 35 pieces of furniture (chairs, coffee tables, etc.)
- P. Over 800 holiday eggs, ornaments, Valentines, etc.
- Q. About 300 flags, patches, and other emblems.
- R. Over 1500 jewelry and timepieces.
- S. About 250 items pertaining to music.
- T. About 350 religious items such as rosaries, plaques, prayers, etc.
- U. Over 300 sports items (duck calls, helmets, basket- and footballs, etc.).
- V. About 750 toys and games.
- W. About 750 desk-related items (nameplates, pens, pencils, paper, envelopes, notepads, etc.).

3. The crate numbers recommended for such shipment:

Domestic

1-4	475-694	909-921	992-993	1042-1046
7-270	696-705	923-928	995-1001	1048-1053
272-301	707-894	930-933	1003-1022	1055-1073
303-337	896-897	935-974	1024-1036	1076-1080
339-473	899-907	976-991	1038-1040	1082-1099

Audio-Visual

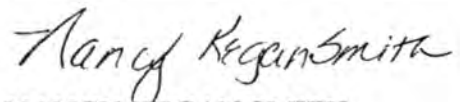
3001-3111

Books

2001-2726

Please let me know if I can provide additional information or assistance. I appreciate your assistance with this issue.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Kegan Smith".

NANCY KEGAN SMITH
Director,
Presidential Materials Staff

cc: Ann Bushmiller

National Archives



Washington, DC 20408

September 1, 2000

'00 SEP 1 PM4:26

Ms. Lisel Loy
Special Assistant to the President and
Staff Secretary
The White House
Washington, DC 20525

Dear Ms. Loy:

Dave Peterson asked me to send you a copy of the Clinton Presidential Move Briefing Book that I put together for Ann Bushmiller and Mike Malone. I have also delivered copies of this book to Ann and Mike today. I hope the information in this book proves helpful.

Dave will give you a call next Wednesday to set up our meeting with you.

Sincerely,

Nancy Kegan Smith

NANCY KEGAN SMITH
Director,
Presidential Materials Staff

9-1-00

Lisel - Let's discuss -

—

coil

THE WHITE HOUSE
WASHINGTON

MEMORANDUM FOR THE PRESIDENT

FROM: TED WIDMER

CC: JOHN PODESTA, NANCY HERNREICH, BRUCE LINDSEY

RE: ORAL HISTORY PROJECT

SEPTEMBER 21, 2000

It's important to determine how we are going to proceed with an Oral History Project and whose responsibility it will be. Two leading candidates have emerged: the University of Virginia, which has already carved out a niche in this area, and the University of Arkansas, now in the process of building a strong oral history collection, thanks to the Arkansas Center for Oral and Visual History (established last year after a donation from former Senator Pryor).

My recommendation is that we give Arkansas the chance to make a serious presentation. They are enthusiastic about the Project, and willing to commit however much money and manpower it takes to do the job right. They can easily interview early associates who still live in Arkansas. And they already have collections that are germane, including the Fulbright papers, the Daisy Bates papers, an oral history of the *Arkansas Gazette*, and an interview with Diane Blair.

There is nothing wrong with Virginia. They have done more work in this line than any other university, and are aggressively trying to do more. They compiled oral histories of the Carter and Bush Administrations, and are planning to do one for Reagan as well (to my surprise, their overeager website also indicates they plan to do one for the Clinton Administration). They are also compiling the definitive transcription of the secret recordings made by Presidents Eisenhower, Kennedy, Johnson and Nixon (the director of Virginia's Miller Center, Philip Zelikow, co-edited the book of JFK's recordings at the time of the Cuban Missile Crisis). And they have started a Kosovo Oral History as well. But the Arkansas collection, with its growing emphasis on civil rights, feels closer to home, in every sense.

A thorough Clinton Oral History Project, on the order of those compiled for the Kennedy and Johnson Administrations, will take years to compile properly, and cost millions of dollars. But either Arkansas or Virginia will gladly cover these costs in return for the prestige attached to the Project. It's a win/win situation. The Library surrenders nothing, and we can control the process in a number of ways. We can help select the interviewers; we can restrict access to the interviews; and every person interviewed can edit the transcripts of his/her interview before it is put into final form.

To clarify a point of confusion, an Oral History Project would be distinct from the "Living History" series of interviews that the Foundation is trying to set up. The Living History is aiming for fifty interviews; a credible Oral History should have several hundred. The Living History interviews will be aired at the Clinton Library, for pedestrians passing by television monitors; the Oral History interviews would be far longer, and serve as a permanent resource for historians. The interviewer for the Living History is someone with TV experience; the interviewers for the Oral History would presumably be more academic.

If you approve, I will approach the Arkansas team and ask them to submit a detailed proposal as a preliminary step toward a decision. I can also ask the Virginia team. In any event, it's important to act quickly, because we can get far more done now than we will be able to during the transition, when Administration figures begin to disperse. A great deal of history stands to be lost if we don't make the most of this opportunity.

_____ Ask Arkansas and Virginia both to submit proposals

_____ Ask Arkansas only to submit proposal

_____ Ask Virginia only to submit proposal

_____ Discuss further with Counsel

Outline of Treasury's contribution to Clinton-Gore Administration History Project*

8/10/00

- **Introduction** (10 pages) – Overview of Treasury Department's focus during the Clinton-Gore Administration on promoting economic growth and opportunity through: fiscal discipline and sound tax, budgetary and economic policies; managing international financial crises; reforming the international financial architecture and institutions, and promoting international trade; reforming the regulation of the financial services industry; prudent management of the government's finances; making economic opportunity more available to low-income Americans and those in distressed communities; and combating financial and violent crime.
 - Documents to be appended: annual year end accomplishments/goals/priorities memoranda from the Secretary to the President and the WH Chief of Staff; and campaign, transition, and other documents.
 - Assignment – Chief of Staff and Speechwriters.
- **Fiscal Policy** (25 pages)
 - Introductory summary focusing on fiscal discipline and on moving from deficits to surpluses
 - Important fiscal events and achievements (e.g. 1993 budget and deficit reduction plan; 1995 budget showdown; 1997 budget deal and subsequent surpluses; and debt reduction)**
 - Documents to be appended: Weekly Reports; Tax Policy Green Books; timelines and charts; Secretary's letters to Congress; President's, Vice President's, Secretary's and Deputy Secretary's speeches and testimony; and other documents.
 - Assignment – Economic Policy, Tax Policy, Chief of Staff and Speechwriters.
- **International Economic Affairs** (20 pages)
 - Introductory summary focusing on U.S. leadership in the global economy
 - Important international economic achievements and policy initiatives (e.g. managing international financial crises; reform of the international financial architecture and institutions; trade agreements; anti-corruption initiatives; and debt relief/global public goods)
 - Documents to be appended: Weekly reports; materials prepared for transmission to Congress [state-by-state analyses]; monthly Treasury reports to Congress on Mexico; issue and briefing memoranda to the President; weekly market update and other memoranda to the President; decision memoranda for the Secretary; Secretary's letters to Congress; President's, Vice President's, Secretary's and Deputy Secretary's speeches and testimony; and other documents.
 - Assignment – OASIA, Tax Policy, Enforcement, Economic Policy and Speechwriters.

- **Financial Services Regulatory Reform (10 pages)**
 - Introductory summary
 - Significant reform initiatives and accomplishments (e.g. Interstate Banking and Branching; CRA Reform; Financial Modernization)
 - Documents to be appended: Weekly reports; Secretary's letters to Congress; President's, Vice President's, Secretary's and Deputy Secretary's speeches and testimony; Treasury reports; and other documents.
 - Assignment – Domestic Finance and Speechwriters.

- **Financial Management (10 pages)**
 - Introductory Summary
 - Important events and accomplishments in financial management (e.g. 1995 Debt Limit Crisis; debt collection; privatizations; debt paydown and buybacks)
 - Documents to be appended: Weekly reports; Secretary's letters to Congress; President's, Vice President's, Secretary's and Deputy Secretary's speeches and testimony; Treasury reports; decision memoranda for the Secretary; and other documents.
 - Assignment – Domestic Finance and Speechwriters.

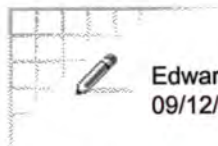
- **Increasing Economic Opportunity (10 pages)**
 - Introductory summary focused on bringing all Americans into the economic mainstream
 - Significant Administration accomplishments and efforts to increase economic opportunity (e.g. tax credits for distressed communities; CDFI; NADBank/CAIP; New Markets; access to banking initiatives; personal savings initiatives)
 - Documents to be appended: Weekly reports; Secretary's letters to Congress; President's, Vice President's, Secretary's and Deputy Secretary's speeches and testimony; materials prepared for transmission to Congress; Treasury reports; decision memoranda for the Secretary; and other documents.
 - Assignment – Domestic Finance, Economic Policy, Tax Policy and Speechwriters.

- **Combating Financial and Violent Crime (10 pages)**
 - Introductory summary
 - Important Administration law enforcement policy initiatives and achievements (e.g. Brady Bill; Assault Weapons Ban; Waco review/defense of ATF; White House Security Review; new currency design; money laundering initiatives)
 - Documents to be appended: Weekly reports; Secretary's letters to Congress; President's, Vice President's, Secretary's and Deputy Secretary's speeches and testimony; Treasury reports; materials prepared for transmission to Congress; decision memoranda for the Secretary; and other documents.
 - Assignment – Enforcement, Domestic Finance, General Counsel, and Speechwriters.

- **Organizational Changes/Management (5 pages)**
 - Brief narrative on significant organizational changes and technology initiatives (e.g. IRS reorganization; creation of CDFI, the Community Development Policy office, and the PIE program)
 - Documents to be appended: IRS documents; President's, Vice President's, Secretary's and Deputy Secretary's and Commissioner's speeches; press releases; Treasury orders; and other documents.
 - Assignment – Management, Domestic Finance, Executive Secretary and Speechwriters.
- **Personnel Changes (2 pages)**
 - Brief narrative on Secretaries of the Treasury and other senior officials
 - Documents to be appended: President's, Vice President's, Secretary's and Deputy Secretary's speeches; press releases; text of award citations; and other documents.
 - Assignment: Chief of Staff and Management

*Format will consist of roughly 100 total pages of narrative, followed by roughly 1000 total pages of appended documents with a detailed table of contents. Working with each of the Departmental offices, the Executive Secretary will be primarily responsible for the compilation of supporting documents.

**The examples listed are not exclusive of those that can be included.



Edward L. Widmer
09/12/2000 04:51:44 PM

Record Type: Record

To: Lisel Loy/WHO/EOP@EOP
cc: Adam L. Rosman/WHO/EOP@EOP
Subject: Administrative History list

Lisel: Here is our master list, which is kept by Anne. There will be a few additions soon -- we're adding OVP, CEQ and OSTP.

I'll bring you the LBJ Labor history today.

Thanks, Ted

----- Forwarded by Edward L. Widmer/WHO/EOP on 09/12/2000 04:50 PM -----



Anne_W._Bovaird@who.eop.gov
08/31/2000 03:49:54 PM

Record Type: Record

To: See the distribution list at the bottom of this message
cc: William T. Glunz/WHO/EOP, Sean P. O'Shea/WHO/EOP, Raj Adlakha/WHO/EOP
Subject: REMINDER: ADMINISTRATIVE HISTORY

Thanks to those of you who have submitted draft outlines of the Administrative Histories. Because of the convention and vacations, we extended the deadline from August 15 to TOMORROW, September 1. Enclosed is a sample outline from the Treasury Department. Please call or email Ted Widmer if you need additional information (456-7105; Edward_L._Widmer@who.eop.gov). Thanks very much for all your hard work on this project!

NOTE: If you are not the appropriate staff person at your agency to receive this information, please let me know via email and send in the contact information for the right person as soon as possible. Thanks!



- ADMHIS~2.DOC

Message Sent To: _____

Edward L. Widmer/WHO/EOP
duncanc@state.gov
Neal.Comstock@do.treas.gov
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Kathy.Jeffries@ssa.gov
Karin Kullman/OPD/EOP
David G. Sewell/OPD/EOP
Sarah C. Lucas/OPD/EOP
Sean R. Dobson/OPD/EOP
Michele Ballantyne/WHO/EOP
Anne W. Bovaird/WHO/EOP
Helen Veit@WHO
Dawn V. Woollen/WHO/EOP

August 24, 2000

MEMORANDUM FOR: LISEL LOY
STAFF SECRETARY

FROM: TERRY GOOD 
OFFICE OF RECORDS MANAGEMENT

RE: VOLUME OF PRESIDENTIAL RECORDS

00 AUG 24 PM 3:47

At the moment, ORM has in its custody 18,550+ boxes of records and
file cabinets holding records that will fill approximately 1,220 more boxes. 19,770

Approximately 3,500 boxes of records remain in White House offices
according to our recent survey. 3,500

Yet to be surveyed are the offices of the Domestic Policy Council, the First Lady's
Office, the Security Office, and the Legislative Affairs offices in the East Wing.
We are scheduled to survey these remaining offices next week. I expect to find
at least 600 boxes of records in these four suites of offices. 600+

The National Security Council informs us that it will be transferring approximately
5000 boxes of records. 5,000

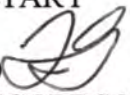
The estimated total volume of textual records at present.....28,770.

The estimated total volume of textual records on January 20, 2001.....29,700

These figures do not include non-textual records or gifts.

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The estimated total volume of textual records at present.....28,770.

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1.2 Description of Current Unclassified White House Systems

White House personnel and administrative support staffs currently use a variety of computer systems to perform mission-critical functions. Under this statement of work, the following systems are to be analyzed, existing data migrated, and fully operational by January 20, 2001.

System 1. White House Integrated System for Document Management (WHISDM).

WHISDM is an integrated document management application serving the business needs of the White House. It provides a search and retrieval capability to the scanned digital images of Presidential Memorandums and other important documents. The White House Offices of Records Management, Correspondence, and Personnel use the system. Three independent systems are used: Introspect, Intranet Quorum (IQ), and Resumix.

System 2. Photograph Tracking Database

The Photographs system is a finding aid database that contains descriptive information about 80,000 rolls of 35mm film negatives, 700,000 digital images, and 4,200 master digitized images on CD-R discs (240GB). The Event Log component is an indexed collection of HTML pages useful for searching and retrieving photographic images of Presidential events. The event search function is built on the Microsoft Index Server which is a component of the Microsoft (MS) Internet Information Server (IIS).

System 3. Audio and Videotape System

There are two retrieval-finding aids to assist in accessing audiovisual holdings. The White House Television database tracks White House events and photo opportunities recorded on videotape for events open or closed to outside press. The CRANES database (Master Control) tracks audiotapes and all off-air video footage that were not originally videographed by White House Communications Agency staff.

System 4. Automated Records Management System (ARMS)

This system exports electronic mail at the White House in ASCII text form with attachments in native format. The ARMS data (estimated at 1 terabyte by the end of the administration) will be received on tape cartridges to be imported into a system specified by NARA. ARMS uses DEC Alpha and MS NT 4.0, 6a with Lotus Domino server 6.0. NARA seeks analysis and guidance under this contract to determine the best way to accommodate this data.

System 5. White House Diary (DIARIST)

This system tracks the President's daily activities. PC based database application utilizing Advanced Revelations and Veritas backup software. Migrated system can be configured as a standalone PC in College Park, MD and shipped to NLDP in Little Rock, AR.

System 6. WHO Database (WHDB)

This system tracks contact information, names and addresses and other personal information. Tracks correspondence, to include the White House holiday cards and assists in the management of White House social events, scheduling and advance efforts. The migrated system will reside on NARANet in College Park, MD. NLDP staff will access the data remotely. This system utilizes MS NT 4.0, 6a server and Sybase V11.9.2.3 as the RDBMS. Estimated database size is 6 gigabytes.

WH WEB SITE

1.3 Description of Current Classified White House Systems

White House personnel and administrative support staffs currently use a variety of computer systems to perform mission-critical functions. Under this statement of work, the following systems are to be analyzed, existing data migrated, and fully operational by January 20, 2001. Contractor personnel must have a security clearance level of TS/SCI to migrate these systems. All systems are to be migrated and installed in a secured vault at the NLDP in Little Rock, AR.

System 7. National Security Council (NSC) E-Mail System

Approximately 10 million plus e-mails converted from native formats to ASCII with attachments in both ASCII and native format. The NSC E-mail system utilizes MS NT servers, MS Outlook, and Fulcrum search engine software.

System 8 NSC Records Management System

The NSC Records Management system incorporates NSC numbered documents and Change of Administration files. Also contains institutional knowledge dating back to 1947. The NSC Records Management System is a standalone PC based application utilizing IBM SQLDS database software.

System 9 NSC Cable Traffic Messages

NSC Cable Traffic Messages contain classified cable traffic from various intelligence agencies. Messages are ASCII text stored on CD-R discs and the security classification is marked by originators. The system utilizes Fulcrum search engine software.

1.4 Goals of Targeted Systems

The purpose of this systems migration and implementation effort is to allow NLDP/NARA staff to access, retrieve and preserve electronic records of the Clinton Administration. The objectives of this systems migration effort are:

- Whenever possible, the target systems shall duplicate the existing White House systems, or access functionality of current White House information systems.
- The target systems shall allow access to all data with appropriate security levels, as defined by NARA.
- The target systems shall preserve the current screen layouts and data elements to the extent practicable.
- The target systems shall allow system DBMS and software tools forward-compatibility, expandability and use COTS software packages whenever possible.
- The target systems shall not allow the deletion or modification of data.
- The target systems shall be migrated and implemented based on the functionality of the current systems.
- Whenever possible, the target systems shall conform to NARA's architectural standards.
- The target systems shall retain all search and retrieval functions and performance of existing systems.



National Archives and Records Administration

8601 Adelphi Road
College Park, Maryland 20740-6001

July 13, 2000

'00 JUL 18 PM1:57

Ms. Lisel Loy
Special Assistant to the President
and Staff Secretary
The White House
Washington, DC 20500

Dear Lisel:

In preparation for our meeting, we have organized the following briefing regarding the National Archives and Records Administration (NARA) and our activities with regard to Clinton Presidential records and artifacts. Right now NARA has several key responsibilities including: (1) providing courtesy storage and reference on records and gifts to the White House; (2) giving advice on Clinton records and gift issues; (3) preparing for and handling the move of Presidential records and artifacts; and (4) preparing for and establishing the Clinton Project/Library.

Introduction to the Role of NARA in Dealing with Incumbent Presidential Administrations:

NARA has had a special relationship with Presidents and their staffs since the agency's establishment in 1934. This special relationship has included: maintaining the Presidential diary; publishing the papers of the President; assisting the National Security Council staff with declassification review; providing courtesy storage for incumbent Presidential papers and gifts; planning and moving the Presidential materials at the end of the Administration; and planning, staffing, and managing the temporary Project and the Presidential Library. NARA continues to support these functions with a number of staff detailed to the White House.

Courtesy Storage for Clinton Presidential Records and Gifts:

Since the beginning of the Administration, NARA's Presidential Materials Staff has received Presidential records, gifts and artifacts on courtesy storage for eventual transfer to the Clinton Presidential Library. While on courtesy storage at NARA, the records and gifts have been stored in secure vaulted areas and have remained the legal custody of the President. In addition, NARA has provided the White House with confidentiality regarding information about and information within the records and gifts that we hold on courtesy storage. We have provided reference on the records and gifts as requested by the White House and have worked throughout the Administration to professionally wrap and pack the gifts and artifacts for safe transport to the future Clinton Project/Library.

Planning for the Clinton Project/Library:

Staffing

NARA's Office of Presidential Libraries has worked since 1997 developing a staff plan for the Clinton Presidential Materials Project/Library. NARA has been hiring and training staff members earlier than it has before to facilitate a smoother transition and establishment of the new Clinton Project/Library. In March of 1998, Ed Quick was hired to be the Curator of the Presidential Materials Staff and later the Curator for the Clinton Project/Library. Hiring Ed early ensured that he had the opportunity to work with the Clinton gift and artifact collection and the White House Gift Unit, establishing the intellectual and physical control to ensure the safety of the items during transit.

In January of 1999, the Office of Presidential Libraries hired five archival professionals for the Clinton Project/Library. NARA hired early so that these archivists can be better trained to assist both the President and the First Lady in terms of their record requests, and so that we can process Clinton Presidential records more quickly, thus making more records available for research when the Library opens. Three of the archivists, John Keller, Angela Fritz, and Richard Stalcup, are on the Presidential Materials Staff in Washington and have been working on assignments at NARA and at the White House. Currently, Angela Fritz assists the Presidential Diarist in working on the Presidential Diary. John Keller is stationed with the National Security Council where he has been preparing a reference file of NSC records dealing with continuity of Government. Richard Stalcup is at the White House Office of Records Management learning about their computer system. Having these archivists work with different records creating offices in the White House is an invaluable training experience. Two other archival professionals have received training on processing Presidential records at the two established Presidential Records Act Libraries. Marlene Ware is stationed at the George Bush Library and Rhonda Wilson is stationed at the Ronald Reagan Library.

We have posted a position for the Clinton Project Director. This individual will oversee the establishment of the Clinton Project, supervise the Project, and be the main NARA person in Little Rock working with the architects and the designer. This is a career civil servant position. The Vacancy Announcement has closed for this position and we are currently in the process of reviewing the applicants.

Current plans are for Ed Quick, Marlene Ware and Rhonda Wilson to move to Little Rock in October 2000 to staff the Clinton Project and prepare for the receipt of Presidential records and gifts. John Keller, Angela Fritz, and Richard Stalcup will remain in Washington until the end of the Administration to assist in the preparation of preliminary records inventories and the movement of records from the White House and NARA to Little Rock.

Facility Planning

In November of 1999, NARA made plans to establish the Clinton Presidential Materials Project in Little Rock. In May of this year, a contract was signed to lease the facility that will house the Clinton Project. This facility is approximately 1½ miles from the future Library site. Work is currently underway to prepare the facility for the storage of Clinton records and artifacts. NARA

will take occupancy of the facility on October 16, 2000. The facility will be ready to accommodate records and artifacts as of November 15, 2000.

Planning for the Transition:

In preparing for the transition, at the White House's request, we have had numerous meetings with White House staff discussing records issues and giving advice to assist the White House in ensuring the most complete and best documentation of the Clinton Presidency. Many of these meetings have been held with White House staff offices to determine electronic systems that will need to be migrated to the Clinton Project/Library. We continue to meet on this issue. Several meetings have been held with the First Lady's staff to advise them on records issues. In addition, we have had several meetings with White House Counsel to discuss a number of records and legal issues. Other meetings have been held, primarily with Nancy Hernreich and Capricia Marshall to discuss supplementing the official record with the personal paper collections of the President and the First Lady, and to give advice on planning for a smooth transition.

The Presidential Materials Staff headed by Nancy Kegan Smith has prepared a number of reference materials related to transition issues. Guidance related to Oral Histories and Administrative Histories was provided to assist the White House in developing programs, which will provide a rich addition to the Clinton Presidential records. Additionally, we prepared and provided to Ms. Hernreich and Ms. Marshall a guide titled "Planning a Successful Presidential Transition". This guide provides background on how outgoing Presidents have traditionally been moved, including what parts of the Government have provided assistance to the President. Included in this guide is a transition book prepared by Fred Ryan, President Reagan's Chief of Staff.

Additionally, NARA has been contacted by the National Security Council and has approved the retention of a very small amount of highly classified Clinton Presidential records in the Presidential Materials Staff vault at Archives I in Washington.

Preparing for the Move:

In preparation for the move of the largest Presidential records and gift collection, NARA's Office of Presidential Libraries began aggressive move planning in 1999, preparing a Clinton Move Chart (a first of its kind) detailing all aspects of a Presidential move from the beginning of the Administration through the establishment of the Presidential project. We have held meetings for the last year on a monthly basis to discuss move planning. NARA has worked with the General Services Administration and the Department of Defense (DOD) to make arrangements for the safe and secure transport of materials to Little Rock. As in prior moves, we will use the assistance of DOD to palletize boxes for shipment and DOD will fly the pallets of records and gifts/artifacts to Arkansas using C5 military cargo planes.

NARA now needs to work with the White House in preparing for the move of materials. As previous Presidential Administrations have come to a close, NARA has had staff stationed at the White House to assist various White House offices with the inventorying and packing of their records. We would like the inventory process of the offices to have as much specificity as to volume and content of the records as possible because this allows us to be more responsive to the requests

from the former President, to the Clinton Library architects and designers, DOD for move planning, and to special access requestors under the Presidential Records Act.

Because these inventories are so essential to NARA in preparing for the move, being quickly responsive to the requests of the former President, and identifying additional independent electronic systems, the optimum situation would be for NARA staff to be involved as we have in past moves. We would like to work with you and the White House Office of Records Management (WHORM) to become involved with the inventory process.

Records Issues

Presidential Records

One of the major concerns that NARA has had for the transition is with regard to electronic records systems. Due to technological advances, the Clinton Administration has had a larger number of systems and more complex electronic records systems than prior Administrations. NARA has worked with WHORM, the White House Office of Administration (OA), the White House Photo Office, the National Security Council, the Diarist, the Correspondence and Personnel Offices, and the White House Communications Agency to identify major systems and gain information necessary for the preservation of these records. In addition, we have worked with a number of Presidential Commissions and Committees to gather information about their electronic records systems so that they can be preserved and used at the future library.

We remain concerned that there are additional electronic records systems in White House Offices and continue to meet with offices to gather information about these systems. Furthermore, we are concerned that electronic records have been retired to NARA interfiled with textual records. Early identification of such materials is critical to their preservation and permanent retention. In order to preserve and maintain the information, and have the key systems up and available at the Clinton Project and to the President at the end of the Administration, we need to continue to work with White House staff to gain additional technical and archival information to make this possible. This information is vital for NARA to ensure that the proper systems are in place on January 20, 2001. NARA has recently received a list of electronic systems prepared by OA and met with OA and WHORM to discuss these systems. This was the first of several meetings. We are currently working with OA and staff to find out additional technical and archival knowledge to ensure that the most important of these systems can be up and running at the Clinton Project on January 20, 2001. Associate White House Counsel, Ann Bushmiller has also been tracking and coordinating on NARA's concerns on this issue.

NARA has been working with White House Counsel and the National Security Council (NSC) staff on a Memo of Understanding regarding the NSC records of former Presidents that were left behind for continuity of Government. The record status of these files was determined to be Presidential as a result of a Court ruling in *Armstrong v. Bush*. Our current information is that the Memo of Understanding has been finalized and that we can now brief the representatives of former Presidents Reagan and Bush, as the affected Presidential Libraries, on this agreement.

As the end of the Administration approaches, NARA is also concerned about the volume of materials that remain in White House Offices. Frequently, these materials are some of the last things to be removed from the White House Complex. We would like to make arrangements for the Director of the Presidential Materials Staff, along with her curatorial staff, to tour the Residence and make a survey of artifacts that may be sent to the Project /Library. These items are extremely fragile and many will require custom fine art housings for their safe move to Little Rock. A rough idea of what we will be dealing with would be extremely helpful at this point.

Personal Papers

In addition to the official Clinton Presidential records, personal paper collections often add the rich personal insights which scholars so value. John Podesta has already sent out a letter to departing White House staff alerting them that the President would like these collections donated to his Library. We would like the White House to let departing staff know that members of the Presidential Materials Staff can survey, pack and prepare these materials for transfer to the Clinton Project/Library at no cost to the donor. NARA will also provide the donor with a donor's deed of gift and negotiate on any concerns the donor has about the collection.

We look forward to working with you throughout this Presidential transition. We will be contacting your office early next week to set up a meeting.

Sincerely,



DAVID F. PETERSON
Assistant Archivist
for Presidential Libraries

FACSIMILE COVER PAGE

NATIONAL ARCHIVES AT COLLEGE PARK
OFFICE OF PRESIDENTIAL LIBRARIES
8601 Adelphi Road, Room 2200
College Park, MD 20740-6001

DATE 7/18/2000 TIME _____ TOTAL NUMBER OF PAGES 6

ORIGINAL WILL _____ WILL NOT _____ BE SENT

TO Carol Cleveland

FROM Patty Frye

Telephone # _____

Telephone # 301-713-6050

Fax # _____

Fax # 301-713-6045

☐ Action	☐ Approval	☐ Call Upon Receipt
☐ As Requested	☐ For Your Information	☐ Per Conversation
☐ Respc		
Date:	<u>Dave Peterson</u>	
SUBJECT/M	<u>Asst Archivist for President</u>	
	<u>libraries</u>	
	<u>Nancy Keegan</u>	
	<u>all day /</u>	
	<u>2800</u>	
	<u>301-713-6050</u>	
	<u>Patty Frye</u>	

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	[Personally Identifiable Information] [partial] (1 page)	07/19/2000	b(6)

COLLECTION:

Clinton Presidential Records
Staff Secretary
Lisel Loy
OA/Box Number: 20899

FOLDER TITLE:

Library

2019-0680-S

rs3261

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



National Archives & Records Administration

facsimile

TRANSMITTAL

to: Carol Cleveland
fax #: 202-456-2215
re: Meeting
date: 07/19/2000
pages: [1 Pages (including cover sheet)].

Carol:

Thank you so much for setting up the meeting on Friday, July 28, 2000 at 3 p.m. with Ms. Loy. Below is Mr. Peterson's and Ms. Smith's DOB and SSN.

David F. Peterson, Assistant Archivist for Presidential Libraries

SSN: (b)(6)
DOB: (b)(6)

Nancy Kegan Smith, Director, Presidential Materials Staff

SSN: (b)(6)
DOB: (b)(6)

Please let me know if you need additional information. Thanks again!

From the desk of..

Patty Frye
Management and Program Analyst
National Archives and Records Administration
8601 Adelphi Road, Room 2200, NL
College Park, MD 20740-6001
Telephone: 301-713-6050
Fax: 301-713-6045
Email: patty.frye@arch1.nara.gov

National Archives and Records Administration

THE WHITE HOUSE
WASHINGTON

'00 AUG 8 PM 12:06

8/8

Lisel Loy

Just-about-final draft of the
PRA memo, now expanded with a
federal records component.

Please call me with any comments
as soon as you have had a chance to
review it.

Ann

6-7909

DRAFT-8/8/00

**MEMORANDUM TO THE EXECUTIVE OFFICE OF THE PRESIDENT
STAFF**

FROM: [Chief of Staff and/or White House Counsel]

RE: PRESERVATION OF STAFF RECORDS

DATE: August __, 2000

As we are now in the last year of the Clinton Administration, this is a good time for all EOP staff to review the laws governing the disposition of their files and to begin the archiving of all appropriate records. This is an extremely important step in our Administration. Staff records will be the nucleus of the Clinton Presidential Library.

Two laws -- the Presidential Records Act and Federal Records Act -- provide the basic framework for the appropriate treatment of EOP staff records. The first attachment provides an executive summary of White House policy for departing staff regarding the treatment of Presidential records, then describes those policies in more detail. The second attachment describes White House policy regarding Federal records.

pls
copy
T. Good,
— (W)
8-10-00

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 NATIONAL ECONOMIC COUNCIL, THE COUNCIL OF ECONOMIC ADVISERS, AND THE PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD.

FROM: [Chief of Staff and/or White House Counsel]

DATE: August ___, 2000

SUBJECT: EXECUTIVE SUMMARY -- PRESERVATION OF PRESIDENTIAL RECORDS

SUMMARY OF WHITE HOUSE POLICIES REGARDING STAFF RECORDS

- The purpose of the Presidential Records Act is to document the performance of the President's constitutional, statutory or ceremonial duties.
- To accomplish this purpose, the Act requires the preservation of Presidential records. File Presidential records separately from other records. Do not discard Presidential records, though you do not have to preserve identical copies.
- Vice Presidential records should be treated in the same manner as Presidential records. Presidential and Vice Presidential records will be jointly referred to as "Presidential records" in this memorandum.
- 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. However, you may not take this material with you when you leave.
- 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, please consider donating to the Archives any personal records that will create a fuller record of the accomplishments of the Clinton Administration for future historians.
- Beginning now, prepare and send Presidential records you are not using 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, which is archived automatically).

- You may not take copies of Presidential records with you when you leave unless those records have clearly been made public (e.g., copies of press releases), or in special cases, with permission from Counsel's office.
- Do not discard any of your files that you know are covered by subpoenas or document requests.
- If you have any questions about the status of particular documents, contact Ann Bushmiller in the White House Counsel's office (6-7909), or Ferne Mosley in the Office of the Vice President (6-7022).

MEMORANDUM RE PRESERVATION OF PRESIDENTIAL RECORDS

This memorandum will describe your obligations under the Presidential Records Act ("PRA") and discuss how to prepare your records for delivery to 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 students and historians.

The Presidential Records Act

The Presidential Records Act ("PRA") governs the ownership, maintenance and disposition of Presidential records. 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 National Economic Council, 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 should be treated in a manner similar to 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 or federal 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 transfer them to the National Archives and Records Administration ("NARA") at the end of the Administration. Some offices routinely send their Presidential records to NARA, and that practice should continue.

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." Covered records encompass any form of memorializing relevant information, including but 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 --

¹ Records of the OSTP are now treated as federal records; however, from approximately 1993 to 1994 certain records produced or received by the Director of the OSTP in his role as Science Advisor to the President were considered Presidential records. Those documents are already archived. On a prospective basis, OSTP staff should treat all of their records as federal records. The requirements of 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, and the United States Trade Representative

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 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, so that Records Management and IS&T can include this database along with the appropriate technical information in the material scheduled for transfer to NARA.

You may not take Presidential records, or copies of them, with you on your departure. This will ensure that the President maintains the maximum control that is permitted by law over this material. The exception to the general rule is that you may take an extra copy of a Presidential record that has been publicly distributed -- such as testimony before Congress, a speech, a press release, or a report. If you have an unusual circumstance you would like to raise with White House Counsel's Office, call Ann Bushmiller 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 are to be treated under the PRA in the same manner as Presidential records. 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 6-9037 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. Federal records. Personnel in many EOP offices, including the Council on Environmental Quality, the Office of Administration, the Office of Management and Budget, the Office of Science and Technology Policy and the United States Trade Representative, generate Federal records, which are official government records, though not subject to the PRA. You are required to leave federal records with your office on your departure, and may take copies only if authorized by agency guidelines. The attached memorandum discusses the relevant provisions of the Federal Records Act.

2. Non-records. The PRA does not require you to preserve documentary materials that are (1) official records of an agency; (2) stocks of publications and stationery; and (3) extra copies of documents produced only for convenience, when those copies are clearly so identified.

Examples of other types of documents that may not be Presidential records include:

- 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.

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, though they may not be Presidential records, may nonetheless be of great utility to presidential scholars many years hence. We recommend preserving such material.

You may not take non-record material that was generated in the course of performing work for the administration when you depart. If you have a question regarding a particular document, call the White House Counsel's office at the number above.

3. Personal records. The category of "personal records" includes private papers, such as 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 election of a particular individual or individuals to Federal, State, or local office, or (c) 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.

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. Let your Transition Coordinator know of your intent and they will put you in touch with a professional archivist from NARA.

The above categories do not exhaust the universe of possible legal rules applicable to your files. In particular, documents in your possession may be responsive to a pending request for documents or a subpoena directed to the White House. Do not discard documents if you are aware that they are responsive to a pending subpoena or document request.

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.

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

Prior to transferring files to the Office of Records Management or to NARA, staff members should ensure that they have gathered together all Presidential records, and appropriately filed them. You should take care to review your records and ensure that federal records and personal material have been clearly segregated from Presidential records. If you have any Presidential records that exist only in your computer, reduce them to paper or copy them to a diskette. Do not print out emails in the standard Lotus Notes application, as they are being archived automatically.

You may index your files by affixing a typed list to the box containing them, or by providing Records Management with a computer disk containing an index of all of those files. 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. (All such materials will be available to President Clinton and his designated representatives regardless of public availability.)

As mentioned above, you should notify your Transition Coordinator 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 the Transition Coordinator for your office if you have 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. The records will be in courtesy storage with NARA during the pendency of the Administration. Upon the completion of the Clinton Administration, the Archivist of the United States will assume legal custody of Clinton Presidential records for eventual deposit at the Clinton Library. Vice Presidential records will remain separately in storage with NARA for the time being.

To complete the arrangements for transferring Presidential records to NARA in a timely manner at the completion of the Administration, you should, as soon as possible, transfer 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.

MEMORANDUM TO THE STAFF OF 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

FROM: [Chief of Staff and/or White House Counsel]
DATE: August, ___, 2000
RE: PRESERVATION OF FEDERAL RECORDS

This memorandum discusses your obligations with respect to the preservation and appropriate disposition of federal records. The responsibilities apply regardless of whether the records are generated in paper form or exist in electronic systems. 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 the Administration's achievements for future students and historians.

The Federal Records Act

Federal records are subject to the provisions of the Federal Records Act. Materials are covered federal records if (1) the materials have been created or received by agency personnel in connection with their official duties in a federal agency, and (2) the materials are appropriate for the preservation as evidence of the agency's activities or because they contain information of value. The requirements of 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, and the United States Trade Representative.¹ Most records of the OSTP have always been treated as federal records. However, from approximately 1993 to 1994, certain records produced or received by the Director of the OSTP in his role as Science Advisor to the President were considered Presidential records. Those documents are already archived. On a prospective basis, OSTP staff should treat all of their records as federal records.

Federal records, as defined by the Federal Records Act, are the property of the United States. They should be filed separately from personal or non-record material. Federal records must not be discarded without the prior approval of the National Archives and Records Administration ("NARA"). Federal records that are not in current use may be prepared for shipment to the

¹ All records of the White House Office, the Office of Policy Development, the National Security Council, the National Economic Council, the Council of Economic Advisers and the President's Foreign Intelligence Advisory Board are Presidential records. The records of the Office of the Vice President are treated in the same manner as Presidential records under the Presidential Records Act.

Office of Records Management, which will transfer them to NARA at the end of the Administration. Some offices routinely send their Presidential records to NARA, and that practice should continue.

Documents Covered by the Federal Records Act

Federal records are defined in the act as “all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them.”

Under this definition, federal records are documentary materials that meet two tests. First, the materials must have been created or received by agency personnel in connection with their official duties in a federal agency. Second, the materials must be appropriate for preservation as evidence of the agency’s activities or because they contain information of value. Federal records may be in any physical form, including paper, film, and disk. The method used to record information may be manual, mechanical, photographic, electronic, or any combination of these or other technologies.

A document created in any agency normally becomes a federal record once it is circulated to others in the course of conducting agency business, or once it is placed in files accessible to others. Moreover, even documents that are not circulated can become federal records if, in the judgment of the agency, those documents are needed to conduct agency business – and whether or not those documents are accommodated by current filing systems employed by the agency. Materials received by agency personnel are federal records when they are received in the course of official business. Materials received can become federal records whether they have been transmitted in person, by messenger, by mail, by electronic communication, or by any other means.

Electronic Federal Records. If you have federal records that exist only in your computer, print them out and place them into the appropriate file 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 federal record information, or are the staff member responsible for maintaining such a database, promptly contact the Transition Coordinator for your office, so that Records Management and IS&T can include this database along with the appropriate technical information in the material scheduled for transfer to NARA.

Other Types of Records

At the same time, certain types of documentary materials are not subject to the Federal Records Act, as described below. These types of materials should be filed separately from federal records.

1. **Non-records.** The Act does not require you to preserve (1) library and museum materials created, or acquired and preserved, solely for reference or exhibit purposes; (2) extra copies of documents kept only for convenience of reference; and (3) stocks of publications and processed documents. These and other types of transitory or duplicate records are considered “nonrecord” because they are not “appropriate for preservation” as defined in the Act. Such materials are not needed to provide full and accurate documentation of an agency’s policies, decisions, procedures, and program activities. These materials need not be maintained in official files, and, unlike federal records, may be destroyed when no longer needed and without prior approval of NARA.

Other examples of materials that may not be federal records include:

- Preliminary drafts, that are not circulated to any other individual, of correspondence, reports, and studies;
- Preliminary drafts, work sheets or informal written notes that contain information reflected in final documents and that do not document policy development or execution;
- Newspaper clippings (the ‘clips’), or news summaries, particularly if they are not annotated;
- Copies of printed or processed agency materials, such as operating and procedural manuals, directive, and notices, distributed for information or use of agency employees;
- Catalogs, trade journals, and other publications that are received from other government agencies, commercial firms, or private institutions and that are maintained for reference purposes.

It is important to remember, however, that certain informal documents may be federal records. In the Executive Office of the President, to a greater extent than in many other government offices, drafts, notes, background materials or working papers can be considered federal records because they document policy development, significant decisions, major activities, or other matters basic to an understanding of the office and its role in government operations. Such materials should be treated as federal records and maintained in official files if they were circulated for review or clearance, and if they have been modified substantively.

When it is difficult to determine whether documents or other records should be treated as federal records, you should treat them as federal records and contact your agency records management office for a final determination. Legal questions will be referred by the records management office to appropriate counsel.

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

2. Personal records. In addition, certain “personal papers” fall outside the scope of the Federal Records Act. Personal papers are documentary materials that are not used in the transaction of agency business. Examples include:

- Papers and other materials accumulated by a staff member before joining government service;
- Materials that relate to a staff member’s private affairs, such as personal financial records, insurance forms, and materials relating to an individual’s professional activities and outside business and political pursuits;
- Personal photographs;
- Materials that may refer to official duties but are not directly used to carry out that individual’s personal use (memory aids and personal observations on work-related matters).²

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. Let your Transition Coordinator know of your intent and they will put you in touch with a professional archivist from NARA.

The above categories do not exhaust the universe of possible legal rules applicable to your files. In particular, documents in your possession may be responsive to a pending request for documents or a subpoena directed to the White House. Do not discard documents if you are aware that they are responsive to a pending subpoena or document request.

Preparation of Federal Records for Delivery to the Office of Records Management.

Policies and procedures governing the appropriate disposition of federal records are prescribed by NARA and are incorporated into the EOP records management program. All EOP offices generating federal records have an approved federal disposition schedule. Please consult your schedule for more detail on how to handle your records.

Prior to transferring files to the Office of Records Management or to NARA, staff members should ensure that they have gathered together all federal records, and appropriately filed them. You should take care to review your records and ensure that personal and non-record material have been clearly segregated. If you have any federal records that exist only in your computer, reduce them to paper and file them appropriately or copy them to a clearly labeled diskette. Do not print out emails in the standard Lotus Notes application, as they are being archived automatically.

² For further information on personal papers, consult Personal Papers of Executive Branch Officials: A Management Guide, published by the National Archives and Records Administration. Copies are available in the Office of Records Management.

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You ~~may~~ index your files by affixing a typed list to the box containing them, ~~or by providing~~ Records Management with a computer disk containing an index of all of those files. As mentioned above, you should notify your Transition Coordinator about any electronic databases you created or maintained that contain federal records. Also notify these personnel of any stand-alone PC systems that have been used to generate federal 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.

applies to presidential records as well

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

Delivery of Presidential Records to the Office of Records Management.

To complete the arrangements for transferring records from the Clinton Administration to NARA in a timely manner at the completion of the Administration, you should, as soon as possible, transfer to the Office of Records Management those federal 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 when they depart.

Removal of Non-record and Personal Materials Upon Your Departure.

Purely personal, unclassified materials may be removed from the office by staff members at any time, subject to any agency procedures regulating such removal.

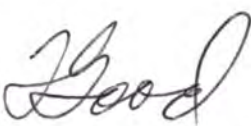
Unclassified non-record materials, with the exception of copies of records, may be removed with the prior approval of an agency official with records management responsibility.

Except where expressly authorized by appropriate agency officials, copies of federal records, regardless of the reason for which they have been duplicated, may not be taken by staff members for any purpose other than an official purpose related to the staff members' official duties and responsibilities.

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

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July 11, 2000

MEMORANDUM FOR: LISEL LOY
FROM: TERRY GOOD 
RE: GUIDELINES FOR PREPARATION OF FILES

Random and somewhat hurried thoughts:

I would prefer to emphasize the positive contributions that staff can make by documenting their roles and responsibilities during their time at the White House.

Rather than provide them with a list of documents that are not Presidential, leaving them with the impression that these must be removed, I would suggest that they be encouraged to leave them. It may be that these help flesh out a staffer's thoughts and actions beyond what appears in the "Presidential" records. *

Publications such as telephone directories, government reports, and other reference sources, and extra copies of press releases, etc, which today may be readily available and treated as unimportant, will over the years, -- hundreds of years, -- accrue increasing value. Thus, I would encourage them to include such items in the files they are transferring to ORM and subsequently to the President's library. The extra space that this material will require is of negligible importance vis-à-vis the value of the documents. The time that will be saved will be significant.

Further, they may be left with the impression that they will be subject to criticism for having failed to "clean up" their files before transferring them to ORM. This mistaken belief will plant in their minds a negative attitude regarding the boxing and inventorying of their documents, much like a child being warned that he/she must clean up his/her room before they can leave the house. This is exactly the opposite mindset that I would hope they would bring to this task. Why should we ask those who happen to be the last to leave to prepare their documents any differently than those who preceded them? I would rather take the files "cluttered" with non-record material than those that have been "cleaned."

They should approach this as one last opportunity to tell their story for it is only in these documents that their role and responsibilities will be found. Encourage them to elaborate, to add, to their files rather than weed out the non-Presidential material.

I often couch this suggestion in these terms:

Do this for your Country, for your President, for yourself and for your children.
The history of this country will be richer and more complete as a result.
Who among this staff would not wish to read through the files of their counterparts in the Administrations of Washington, Jefferson, Jackson, Roosevelt, Lincoln, etc.
Who among this Administration would recommend that the files of their counterparts in those administrations were not worthy of saving, were not historic?

THE WHITE HOUSE

WASHINGTON

November 5, 1992

MEMORANDUM FOR ALL STAFF IN THE EXECUTIVE OFFICE OF THE PRESIDENT

FROM: C. BOYDEN GRAY *my*
COUNSEL TO THE PRESIDENT

SUBJECT: Disposition of Presidential Records

As we begin the transition to a new administration, it is important for each of us to keep in mind the requirements of the Presidential Records Act. Those requirements are summarized in the attached pages from the White House Office Staff Manual. Two points, however, deserve particular emphasis now.

First, the Act prohibits destruction of any "Presidential records." This term does not include "non-record" materials such as scratch pads, unimportant notes to one's secretary, phone and visitor logs, or informal notes (of meetings, etc.) used only by the staff member. It does, however, encompass virtually any other form of memorializing information created or received by the President or his staff, including but not limited to written documents, models, pictures, films and audio or electronic recordings. Doubts should be resolved in favor of preservation.

Second, except for records that have previously been made public, staff members may not take copies of Presidential records -- or any non-record materials containing official information -- with them when they leave.

My office and the Office of Records Management will provide more specific guidance on the disposition of Presidential records during the next few days.

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Federal officers in Laredo, Tex., at the Mexican border, yesterday blocked a convoy of 43 vehicles carrying medical and school supplies destined for Cuba in defiance of the United States' embargo against

the Castro Government. Members of the caravan, organized by a group called Pastors for Peace, carried some supplies into Mexico on foot, but Paul Mayor, a New Jersey pastor, was detained.

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Bush's Lawyer Says Aides May Destroy Records

By ROBERT PEAR
Special to The New York Times

WASHINGTON, Nov. 20 — The chief lawyer at the White House has told President Bush's aides that they may destroy telephone logs and other personal records during the transition. Congressional aides say the legal opinion will hinder their investigation of the search through Bill Clinton's passport files.

Telephone calls between the State Department and the White House have emerged as a potentially valuable source of evidence for Congressional investigators trying to find out whether the White House was involved in the search for information that might have damaged Mr. Clinton's Presidential campaign.

In particular, Congressional investigators want telephone logs for James A. Baker 3d, the White House chief of staff, and two of his aides, Janet G. Mullins and Margaret D. Tutwiler, to see if there is any indication that they discussed the search with officials at the State Department or the Bush-Quayle campaign.

But in a memorandum issued two days after the election, C. Boyden Gray, counsel to the President, told White House employees that the 1978 law prohibiting destruction of "Presidential records" does not cover "non-record" materials like scratch pads, unimportant notes to one's secretary, phone and visitor logs or informal notes (of meetings, etc.) used only by the staff member.

Judge Issues Order

It is not known how many such records, if any, have already been destroyed. In an interview today, Mr. Gray said, "I'm not aware of anybody destroying phone logs in relation to the passport case."

The dictum comes amid an inquiry over Clinton's passport files.

When a President leaves office, the fate of Government records is often in doubt. In a separate action today, a Federal district judge issued a temporary order that prevents the Bush White House from destroying computer records.

The 10-day restraining order by Judge Charles R. Richey applies to President Bush, the Executive Office of the President and the National Security Council.

"History is full of instances where the outgoing President has decided to erase, burn or destroy all or substantially all Presidential or Executive Office of the President records before the end of his term," Judge Richey wrote.

The Bush Administration argues that under Federal law, the computer tapes in question are not records, do not have to be preserved and are not subject to the Freedom of Information Act. Judge Richey said the Government's contention "may be in error" and must be evaluated in further legal proceedings.

In his order, Judge Richey said that President Bush and the White House staff "are not to write over, erase or destroy any of the information" on the tapes.

If tapes are erased at the end of the Administration, he said, the public's

right of access to such electronic records "will be irreparably lost."

Plaintiffs in the case included the National Security Archive, a private research institute that collects Government documents, as well as the American Library Association and the American Historical Association. They argued that the Bush Administration did not have adequate guidelines for Federal employees to decide which records must be saved.

The tapes in question, created nightly by the White House computer staff, include copies of electronic mail sent through the White House computer system over the last four years. They cover an immense variety of topics including the Federal budget, drug enforcement, science and technology policy, United States relations with Iraq and trade negotiations with foreign countries.

At the end of an Administration, it is common for the White House counsel to advise staff members on what they must retain and what they may destroy. Mr. Gray's memorandum is notable because of its brevity and the broad discretion it appears to give political appointees to dispose of certain documents.

Gene Schaerr, a White House lawyer, said Mr. Gray's memorandum reflected "a longstanding interpretation" of Federal law. "I hope people don't view it as a license to destroy records," he said.

Historians and archivists said that the requirements of Federal law were more complicated than Mr. Gray indicated, and that telephone logs ought to be preserved in many cases.

John T. Fawcett, Assistant Archivist of the United States in charge of Presidential libraries, said today that he had seen Mr. Gray's memorandum, and without explicitly criticizing it, he ex-

pressed some concern. "I wish they would have put some more thought into it," he said.

Telephone logs and handwritten notes of the White House staff "may be very, very valuable historical records," Mr. Fawcett said in an interview. "Even if they are not Presidential records, staffers should consider donating them to the Bush Presidential library." The library is to be built at Texas A&M University.

Mr. Gray said: "The President takes his responsibility to history seriously. I suspect he would want me to consider any views of the Archivist on this."

But Mr. Gray said he did not plan any further review of the issue or any additional guidance to White House employees unless he heard directly from officials at the National Archives or the Library of Congress. He said he would listen to any advice they might offer.

Telephone logs and similar records of White House officials in previous Administrations were, in fact, often donated to the Archives. "For full documentation of the White House, we want both what they designate as Presidential records and personal records," Mr. Fawcett said.

On Wednesday, Acting Secretary of State Lawrence S. Eagleburger said there was no evidence that the White House had ordered, instigated or authorized the search through Mr. Clinton's passport files. But State Department investigators did not request telephone logs of Mr. Baker or other White House officials.

Sherman M. Funk, inspector general of the State Department, said he believed that White House officials, including Mr. Baker, knew of the search through Mr. Clinton's files and did nothing to stop it.

ite Report That U.S. Standard Wasn't Cutting Fatal Car Fires, Little Was Done

4 for you comments
DRAFT

DRAFT-7/7/00
July __, 2000

Ann B

6-7909

MEMORANDUM FOR EXECUTIVE OFFICE OF THE PRESIDENT STAFF

FROM: [Chief of Staff or White House Counsel]

RE: EXECUTIVE SUMMARY-TREATMENT OF OFFICE RECORDS ON YOUR DEPARTURE

Political
del. of federal
records

The Presidential Records Act imposes certain requirements regarding Presidential records. This Memorandum first provides an executive summary of White House policy for departing staff regarding the treatment of Presidential records, and then discusses those policies in more detail.

SUMMARY OF WHITE HOUSE POLICIES REGARDING PRESIDENTIAL RECORDS

- The Presidential Records Act defines Presidential records as materials (a) created or received by the President and staff in the WHO, NSC, OPD, CEA, PFIAB, PIOB and the director of OSTP, and (b) relating to or directly affecting the performance of the President's official or ceremonial duties.
- The Act requires the preservation of Presidential records. Do not discard Presidential records. Vice-presidential records should be treated in the same manner as Presidential records.
- You may not take copies of Presidential records with you when you leave unless those records have clearly been made public (e.g., copies of press releases).
- You do not need to preserve 'nonrecord' material, such as notes for your own use, drafts not circulated to others, or call and visitor logs. However, you may not take this material with you when you leave. *status?*
- Personal records should be filed separately from Presidential records. You may take personal records with you when you leave.
- *from now until you depart*
When you leave, send all Presidential records that you have to the Office of Records Management. Print out on paper or copy to a disk any Presidential records that exist only in your computer for inclusion with your records (do not include Lotus Notes email, which is being archived automatically).
- If you have any questions about the status of particular documents, contact Ann Bushmiller in the White House Counsel's office (6-7909).
- You must preserve any of your records that are covered by subpoenas or requests received by the White House, whether or not they are Presidential records.

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DRAFT

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

FROM: [Chief of Staff or White House Counsel]

DATE: July __, 2000

SUBJECT: TREATMENT OF OFFICE RECORDS ON YOUR DEPARTURE

As we are now in the last year of the Clinton Administration, this is a reminder of your obligations under the Presidential Records Act ("PRA"). This memorandum will describe what constitutes a Presidential record and how to prepare your records for delivery to Records Management prior to your departure. It will also discuss what materials you may take with you on your departure.

The Presidential Records Act

The Presidential Records Act ("PRA") governs the ownership, maintenance and disposition of Presidential records. The requirements of the PRA apply to all records of the White House Office, the Office of Policy Development, the Council of Economic Advisors, the President's Foreign Intelligence Advisory Board, the President's Intelligence Oversight Board, the National Security Council, and certain records of the Office of Science and Technology Policy.¹ **[Other EOP offices?]** Records of the Office of the Vice-President are Vice-presidential records and should be treated in a manner similar to Presidential records under the PRA.

"Presidential records" are the property of the United States. Presidential records must not be discarded. They must be preserved and sent to the Office of Records Management, which will transfer them to the National Archives and Records Administration ("NARA") at the end of the Administration. NARA will then deposit the records in the Clinton Presidential Library to be constructed in Little Rock.

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

¹ The records of the OSTP are federal records; however, those records produced or received by the Director of the OSTP in his role as Science Advisor to the President are Presidential records and should be kept separate as such.

constitutional, statutory or other ceremonial or official duties of the President.” 44 U.S.C. 2201(2). Covered records encompass any form of memorializing information concerning the President’s constitutional, statutory and ceremonial duties, including but not limited to correspondence, memoranda, documents, papers, pamphlets, electronic word processing files and emails, models, pictures, films, and audio and electronic recordings. Documents – even drafts -- circulated to others in the course of conducting activities that relate to Presidential duties are normally Presidential records.

Electronic records/databases. If you have Presidential records that exist only in your computer, print them out or copy them to clearly labeled disks, 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 records management staff at 6-2240 and IS&T staff at 5-7323 so this database can be included in the material scheduled for transfer to NARA along with the appropriate technical information.

Do not take Presidential records, or copies of them, with you on your departure. This will ensure that the President maintains the maximum control that is permitted by law over this material. The exception to the general rule is that you may take a copy of a Presidential record that has been publicly distributed -- such as testimony before Congress, a speech, a press release, or a report.

II. 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.

1. Federal records. In addition to Presidential records, OSTP personnel [others?] also generate Federal records, which are official government records, though not subject to the PRA. You are required to leave federal records with your office on your departure, and may take copies only if authorized by agency guidelines.

2. Non-records. Non-record materials do not rise to the level of a Presidential record. For example, the PRA expressly excludes documentary materials that are (1) official records of an agency; (2) stocks of publications and stationery; and (3) extra copies of documents produced only for convenience, when those copies are clearly so identified. 44 U.S.C. 2201(2)(B).

Examples of other types of documents that may not be Presidential records include:

- 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;
- identical duplicate copies of correspondence and memoranda, or tickler and follow-up copies, if there are copies of the documents in the official files;

- newspaper 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.

All of your documents should be reviewed carefully 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 carrying out of Presidential duties. If there is any reasonable doubt, you should treat the material as a Presidential record.

When you depart the White House, do not take material that was generated in the course of performing work for the administration, even where it does not rise to the level of a Presidential record (e.g., drafts not circulated to others). This will ensure that the President maintains the maximum control permitted by law over this material.

3. Personal records. The PRA also excludes “personal records,” defined as “all documentary materials, or any reasonable segregable portion thereof, of a purely private or nonpublic character which do not relate to or have an effect upon the carrying out of the constitutional, statutory, or other official or ceremonial duties of the President.” 44 U.S.C. 2201 (3). This includes private papers, such as insurance claim forms, purely personal correspondence, and personal diaries or journals that staff members sometimes keep in their offices. This also includes certain kinds of political materials, i.e., those relating exclusively to (a) the President’s own election as President, (b) the election of a particular individual or individuals to Federal, State, or local office, or (c) private political associations. To be considered “personal,” however, these materials must have no relation to or direct effect upon the carrying out of the President’s official or ceremonial duties.

You may remove personal records on your departure, or handle them in any manner you wish.

The above categories do not exhaust the universe of possible legal rules applicable to your files. In particular, documents in your possession may be responsive to a pending request for documents or a subpoena. Such documents must be preserved whether or not the PRA would require their preservation.

If you have any questions about the record status of any material in your office, please contact Ann Bushmiller of the White House Counsel’s Office for advice at 456-7909.

III. 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 are to be treated under the PRA in the same manner as Presidential records. Thus, materials created or received in the Office of the Vice President should be treated in accordance with the guidance above. Personnel in the Office of the Vice President should consult with the records management staff at 456-2240 for additional guidance regarding the filing and disposition of Vice-Presidential records.

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

Prior to transferring files to the Office of Records Management, staff members should ensure that they have gathered together all Presidential records, and appropriately filed them. You should take care to review your records and ensure that personal material has been clearly segregated from Presidential records. If you have any Presidential records that exist only in your computer, reduce them to paper or copy them to clearly labeled disks containing only Presidential record material. Do not print out emails in the standard Lotus Notes application, as they are being archived automatically.

Index your files by securely taping a typed list to the box containing them, and ~~also~~ by providing records management with a computer disk containing an index of all of those files. Label specifically any files containing particularly sensitive Presidential record material, such as files relating to presidential appointments, which contain personal information. Under the terms of the PRA, 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. (All such materials will be available to President Clinton and his designated representatives regardless of public availability.) These labels will assist you, should you need to retrieve a given file, and they will assist NARA in preventing the inadvertent release of sensitive information.

As discussed above, you should notify records management and IS&T staff 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 electronic records on computer disks, CD-ROM, or tapes please indicate the software that has been used. Please 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.

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, the Archivist of the United States will assume custody of these records and will transport them to Little Rock where they eventually will be housed at the Clinton Library.

Timing
To complete the arrangements for moving Clinton Administration material to Little Rock in a timely manner, you should, as soon as possible, transfer to the Office of Records Management those Presidential records that are not needed for ongoing business. These records can, of course, be retrieved they later become needed. Staff members should transfer all of their remaining files to the Office of Records Management as they depart.

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

'00 DEC 12 PM 12:46

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.

LOY, LISEL
WHITE HOUSE OFFICE

STAFF SECRETARY

WH

GFL/WW

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

CLINTON

PRESIDENTIAL MOVE

BRIEFING BOOK

Prepared By:

Presidential Materials Staff, September 1, 2000

Office of Presidential Libraries

National Archives and Records Administration



Date : September 1, 2000
Reply to : Nancy Kegan Smith, Director Presidential Materials Staff
Attn of :
Subject : ***Timely Planning for a Presidential Transition***
To : Mike Malone, White House transition team, and Ann Bushmiller, White House Counsel for transition issues

With only six months left before the Presidential transition, for what will be the largest Presidential collection ever created, NARA needs to begin intensive preparations to effect a smooth move. This memo addresses some of the key elements that need to be considered in moving a collection of this size, importance and sensitivity. The ultimate success of a White House move will be dependent upon the following factors:

- (A) Careful planning
- (B) Flexibility of the plan
- (C) Experienced and well-prepared staff for the move
- (D) Support and cooperation of the White House Staff and assistance from DOD personnel

NARA began planning for the Clinton move more than three years ago. Because planning a successful move includes having a projected timetable and schedule of steps to be completed, NARA created a step-by-step move chart in June of 1999 (a current version of the move chart is part 3 of the Move Book). The following memo discusses issues and preparations that need to be addressed in order to have a trouble-free move of the Clinton Presidential records and artifacts to the Clinton Presidential Materials Project in Little Rock.

Action Points That Need to Be Addressed As Soon as Possible:

1. Moving Artifacts and Records Early :

We would like to obtain approval for early movement of some Clinton records and artifacts to Little Rock beginning at the end of November. NARA arranged for the early move of Reagan artifacts to even out the workload and make better use of our resources. Given the size of the Clinton collection, we will again need to move records early. NARA should inform DOD as soon as possible when we can begin moving some materials so that they can plan to have planes and military support available.

We have discussed the idea of moving records early with members of the White House Counsel's staff including Counsel Beth Nolan, Bruce Lindsay, and Ann Bushmiller. We have also discussed this idea with Capricia Marshall, Eric Hothem, and Mike Malone.

We would also like to work out a suggested plan for moving artifacts early with Capricia Marshall and Nancy Henreich, and with Terry Good, Director of the Office of Records Management, and on records. The artifacts and records that would be moved early would still remain in the legal control of the White House until January 20, 2001 at 12:00 p.m. These items will be on courtesy storage and will remain in the legal custody of the White House until the end of the administration regardless of their physical location. When needed we can make them accessible to the White House by Fed-Ex.

2. Preparing and Coordinating Records to be Moved to Little Rock:

NARA should be directly involved in and assisting the White House in preparations for the move as soon as possible:

- Accurate volume figures and specificity about the records is critical for the designers and architects of the Library.
- Requisite information is needed to successfully migrate electronic systems by January 20th.
- Intellectual control must be maintained when the records are palletized by the military so they can be effectively tracked throughout the move and so that we can coordinate with DOD on the necessary trucks needed to move the records to Andrews. by whom?
- Security classification of the records must be known to arrange the appropriate level of security and escorts for the records throughout the move.

 **NARA needs a key decision on who is the correct contact(s) at the White House to provide us with information on when NARA and military support will be needed.** Mike Malen
(In the last transition we sent 9 archivists to the White House. We currently have two stationed at the White House, so we suggest at least 5 more.) The military support for the move is scheduled to report to NARA as soon as November 15th.

3. Letter of Introduction:

In past moves, NARA has found that it is helpful to have a Memo of Introduction to the White House staff, signed by the Chief of Staff or White House Counsel. The Memo of Introduction should identify NARA and the Office of Presidential Libraries, Presidential Materials Staff mission in establishing the Clinton Project/Library, and moving the Presidential records and gifts to Little Rock. The memo should also include a general timetable for the move. The purpose of the memo should be to alert offices in the White House and Executive Office Building to NARA's involvement in the White House move and allow us to establish, in cooperation with the White House Office of Records Management, contacts with the individual offices to facilitate proper filing and timely retirement of office records.

4. Personal Papers:

NARA is hopeful that the personal papers of the President and First Lady will be sent to the Clinton Project/Library for eventual donation at a later date. We have

found in previous Presidencies that these papers contain some of the richest and best historical insights. These personal papers do not have to be donated at this point and the Clinton can retain complete legal control. We will provide archival storage and service on these papers at the request of the President and First Lady with the understanding at some point in the future that these papers will be donated to the government with a donor's deed of gift. NARA can provide information and assistance to the President and First Lady, if this would be helpful.

Additionally, NARA is interested in the personal papers of White House staff as well as Cabinet Secretaries for the Clinton Project/Library. John Podesta has already sent out a letter to Cabinet Secretaries and Agency Heads alerting them that the President would like these collections donated to his Library. NARA would like to work with the Staff Secretary's representative on this issue to gather as many of these materials as possible for the future Library.

Ted Widmer x

I look forward to working with the each of you throughout the Clinton Presidential Transition. Please contact me at (202) 501-5700 if I can answer any questions or provide additional information.

Sincerely,



NANCY KEGAN SMITH
Director,
Presidential Materials Staff

Clinton Presidential Records Digital Records Marker

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PART 1

Divider Title: _____

TRANSITION QUESTIONS AND ANSWERS

1. What is NARA's obligation in moving the President?

The transfer of Presidential records and artifacts to the Project/Library site; the establishment of the Project/Library facility; and the long-term management, preservation and access to Presidential records and artifacts is an extremely important mandate of the Archivist and NARA. The Archivist receives, transfers, stores, and processes the Presidential records, artifacts and donated historical materials, and establishes a Presidential Library under the provisions of the Presidential Libraries Act, 44 USC 2111, and the Presidential Records Act (PRA), 44 USC 2201-2207.

These two Acts give the Archivist the authority to:

- Establish the requirements for acceptance, operation and staffing of the Clinton Library.
- Establish the requirements by which the Clinton Presidential records and donated historical materials will be transferred to the legal custody of the Archivist, preserved, managed, processed and made available to the public.
- Provide for the exhibit of historical materials and artifacts to the public.

Both Acts mandate the Archivist with the essential task of ensuring that the highest policy records of the government, and artifacts accepted by the President on behalf of the US government, are carefully and professionally preserved for posterity and made available quicker than anyplace else in the world.

2. From the Archives' perspective, how will this Presidential transition be different from prior transitions?

The Clinton Presidential transition will differ significantly from those of other Presidential administrations due primarily to the size of the collection. The Clinton Presidential records and artifacts are considerably larger in volume than those of previous Presidents. Not only does this Administration have larger textual, audiovisual, and artifact collections; but there are also more electronic records and recordkeeping systems than in previous administrations. Because of the large volume of Clinton records and artifacts, more of this material has been on courtesy storage at the National Archives and Records Administration (NARA) than in previous administrations. This will ease some pressure from this move since these materials will be staged at our Archives I facility for transport to Little Rock.

With the goal of facilitating a smoother transition in 1997, the Archivist in his Strategic Plan emphasized the importance of up front records management for the White House. To assist in achieving this goal, the Presidential Materials Staff was established as a separate staff of the Office of Presidential Libraries, to serve as liaison with the White House on records management issues and to provide guidance and assistance throughout the Administration. During the past three years, NARA has had the opportunity to provide the Administration with a clearer understanding of our role during the transition and how we will transfer the records.

NARA has hired and trained staff members committed to go to the Clinton Project/Library earlier than ever before. Previously, 1 or 2 staff members from other Libraries would be detailed to the Office of Presidential Libraries. However for this transition, NARA has hired five archival professionals and a museum curator specifically for the Clinton Project/Library staff to ensure that they have had experience with the Clinton record and gifts and are familiar with all governing statutory authorities. Additionally, the Presidential Materials Staff (NLMS) has hired two permanent professional curatorial staff to ensure professional storage, preservation and packing of the artifacts for shipment to Little Rock.

3. What is the status of the plans to create the Clinton Presidential Library?

The President has chosen a site in Little Rock, Arkansas, for the future Library, and has engaged the services of James Polshek as architect. Mr. Polshek now is working with the President on a design concept for the site. NARA has provided information to Mr. Polshek on required facility specifications and anticipated holdings, and we have met with him several times to provide additional details and comments.

4. What is the timetable for making the Presidential records of the Clinton Administration open to the public?

President Clinton is the first President to open incumbent Presidential records while in office. Currently, we have 290 cubic feet of records as well as 213 video events open and available to the public. These Presidential records will continue to be open and available to the public at the Clinton Presidential Materials Project/Library. For the remaining Presidential records, NARA's Strategic Plan mandates that "by 2007, 100% of Presidential records transferred to NARA are inventoried and processed so that they are readily identifiable for requests under the Freedom of Information Act at the end of the five-year post-Presidential period specified in the Presidential Records Act." At the same time, the Plan also states that 10% of records of a two-term President will be made open and available for research. (p. 28-29)

Milestones in the Strategic Plan also specifically deal with the Clinton Presidential records and include, for FY02, the completion of initial archival control of 50% of Clinton Presidential records, and the review of 5% of Clinton Presidential records in preparation for the 2006 opening. (p. 29) After the five-year post-Presidential period specified, the public will be able to access Presidential records that remain unprocessed through Freedom of Information Act requests. This allows a requester to specify which Clinton Presidential records he/she wants to see and to mandate their review.

5. What volume of material will be moved to Little Rock for eventual inclusion in the Clinton Presidential Library?

At the end of the Administration, NARA in conjunction with DOD, will move all Clinton Presidential records including textual, audio-visual, classified records, electronic records, as well as gifts and artifacts to a project site in Little Rock. The projected volume, at this date, for all records, historical materials, and artifacts is nearly 69,000 cubic feet. This projection is based on

the courtesy storage holdings at NARA and on our experience with previous Presidential transitions. This projection is based on our best current knowledge, however, because Presidential materials remain active records, unexpected events could alter our projections.

The Presidential Library system is administered by the National Archives and Records Administration through the Office of Presidential Libraries. All Clinton Presidential records will go to the future Presidential Library, where they will be under the physical and legal custody of the Archivist of the United States. The Library will also house donated historical materials, which complement and add to the richness of the Library holdings. Many federal Commission and Committee records will be included in the Library. Other Federal records generated by the Executive Office of the President will become part of the NARA holdings maintained in the Washington area.

6. How will these materials be transported? What are the major factors determining how these materials will be transported? How much will it cost to transport these materials?

The Clinton Presidential materials will be moved with major assistance from the Department of Defense. These materials will be transported in a series of flights on C-5 airplanes and in two air ride tractor-trailer trucks. While the overwhelming majority of materials will be transported by plane, some extremely fragile artifact collections will need to be shipped over land using art handlers. It is projected that this move will cost \$2,000,000.

7. Where will these materials be stored prior to building of the Clinton Presidential Library? What will be the temporary storage costs?

The Clinton Presidential materials will be stored at a temporary facility in Little Rock, Arkansas until the permanent library is constructed and turned over to the National Archives and Records Administration. This temporary Clinton Presidential Materials Project will provide secure, environmentally appropriate storage for the materials. NARA staff members working at the Project will begin to process the materials and perform the traditional duties of arrangement, description, review, preservation, and reference. NARA anticipates taking occupancy of the facility on October 16, 2000.

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PART 2

Divider Title: _____

Chart for Flow of Clinton Records in National Archives Courtesy Storage

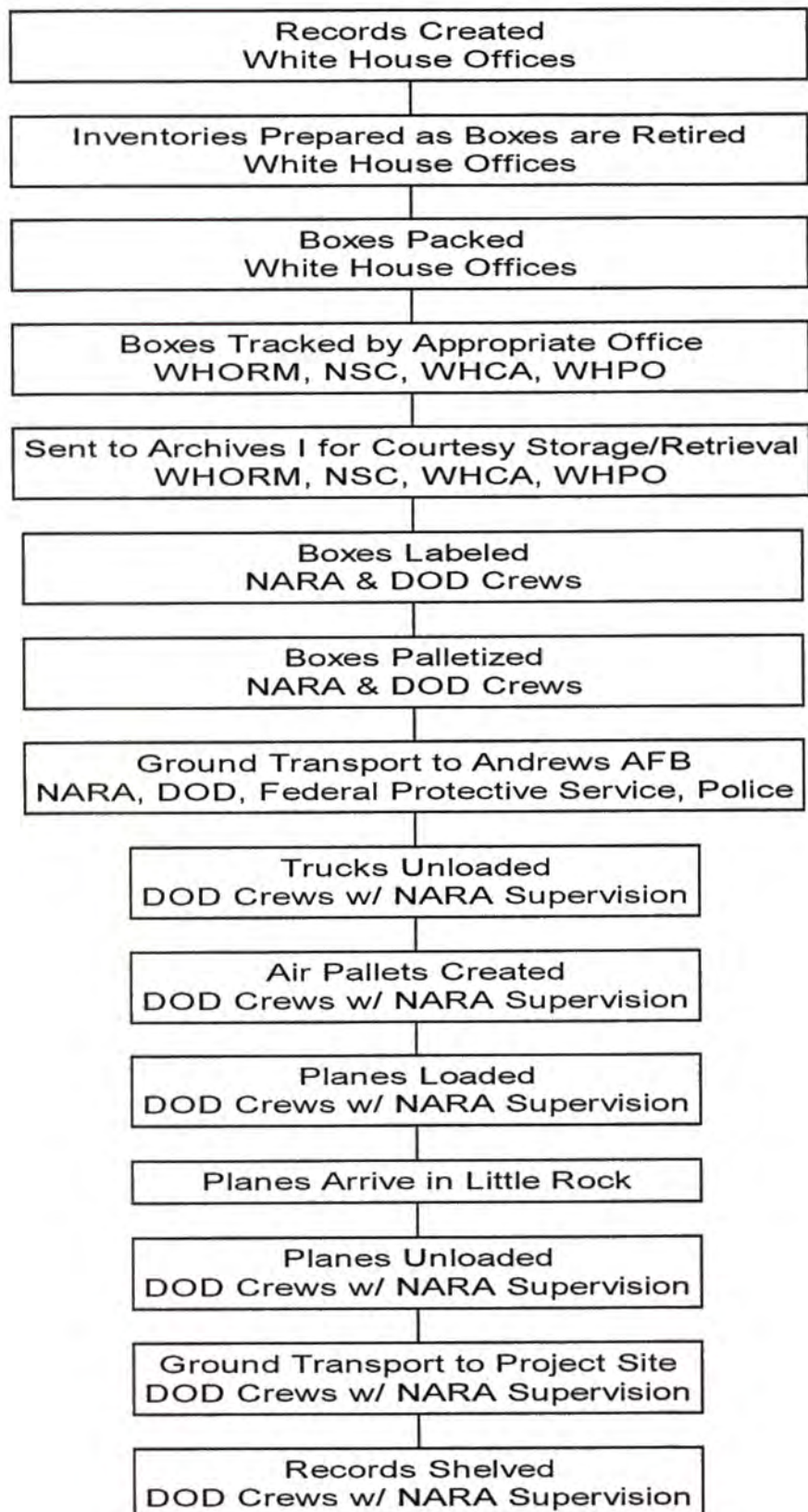


Chart for Flow of Clinton Documents in White House Complex

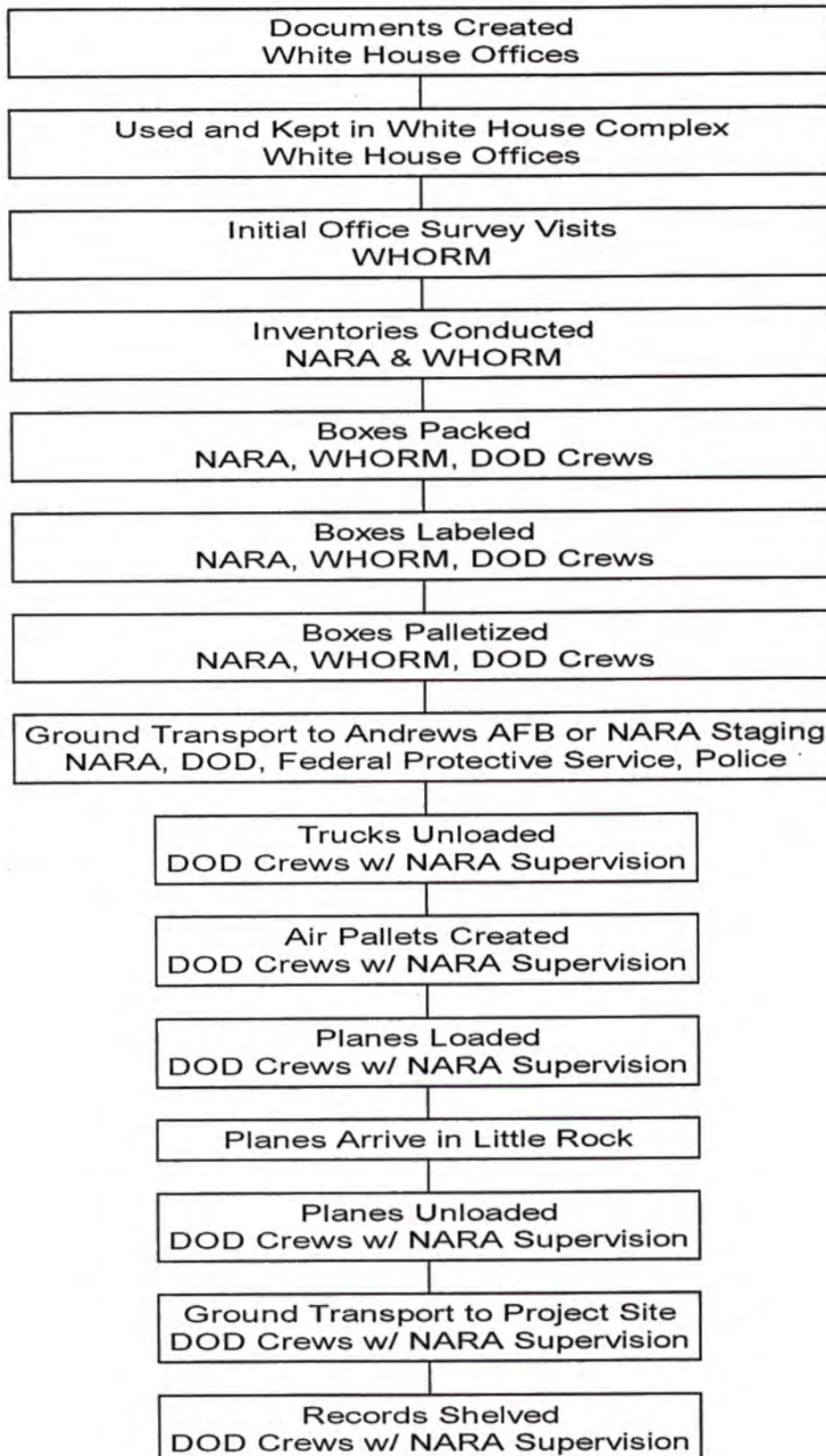
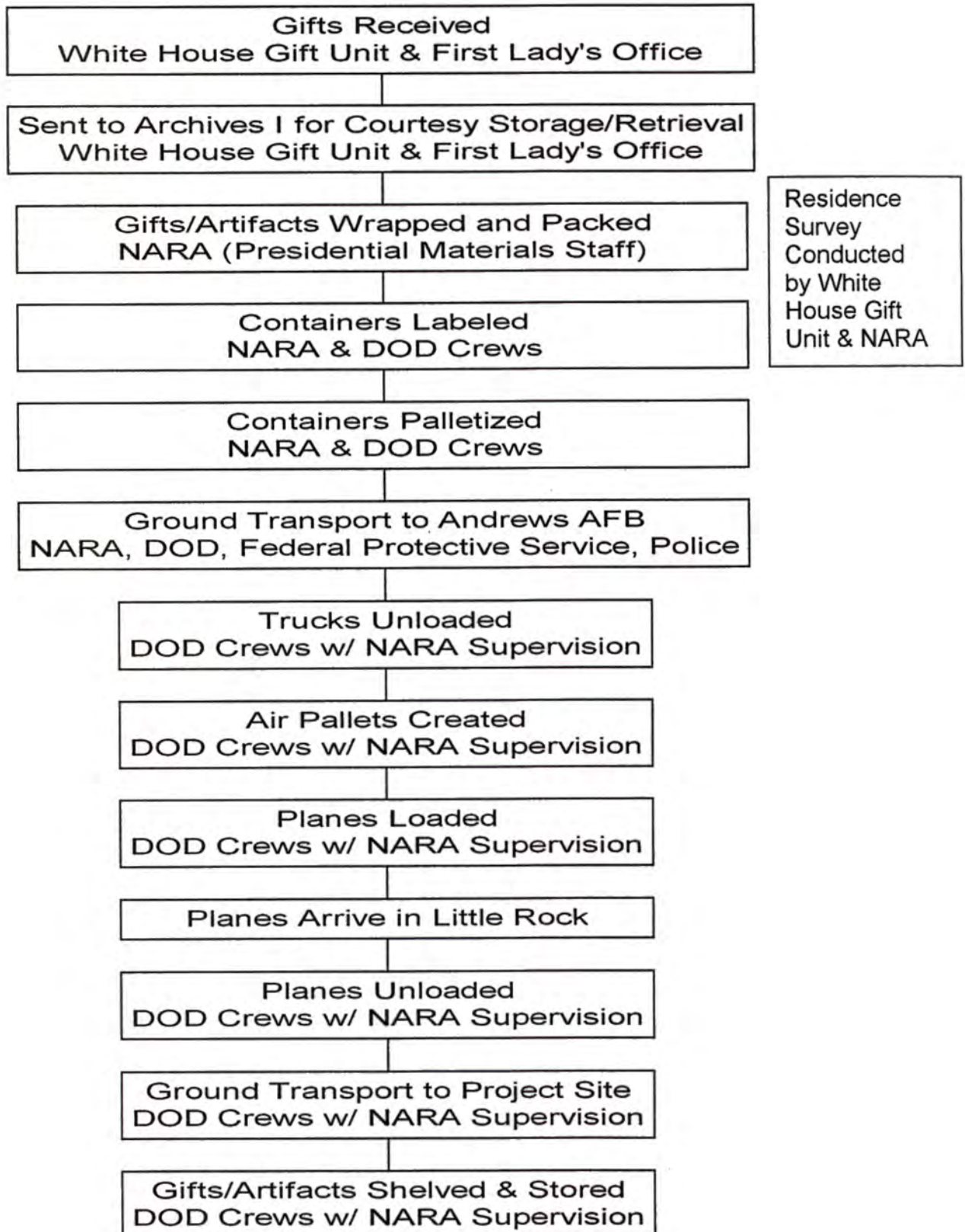


Chart for Flow of Gifts and Artifacts



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PART 3

Divider Title: _____

*Executive Summary of Some Key Steps for Planning for a Presidential Transition
(from the Move Chart)*

The attached is a summary of some of the key steps in the move chart that involve both NARA and the White House:

1. Fall – Sept. – Nov. 2000:

- NARA meets with key White House move contacts to explain NARA's role in move and transition issues.
- NARA receives information from the White House's preliminary office surveys made in August.
- NARA establishes, in conjunction with key White House contacts, the archival assistance needed at the White House for move planning. (In the previous move we assigned approximately nine archivists.)
- NARA (in conjunction with WHORM) does detailed inventories of records remaining in offices, and offers assistance to offices in preparing their records for packing.
- NARA submits box inventories/folder-title lists prepared by NARA staff at the White House to WHORM for input into WHORM electronic system.
- NARA prepares and puts on labels to be used to track records and artifacts in the move.
- ↳ ▪ NARA archival help at the White House works in conjunction with WHORM to box and retire records remaining in various White House Offices.
- NARA working in conjunction with White House key contacts alerts DOD to a schedule of flights, which necessitate records from different offices being boxed and ready for pick up.
- NARA identifies any potential problems for the move and seeks assistance from senior White House contacts in solving problems prior to Jan. 2001.

3. Late Fall – Dec. 2000:

- WHORM continues inputting box inventories/folder-title lists into it's computer system.
- NARA working in conjunction with WHORM, and with the assistance of military personnel picks up records as scheduled previously or at request of offices.
- NARA, WHORM, and military personnel palletize records for temporary staging in EOB areas, including ground-floor hallways.
- Each pallet and box assigned computerized tracking labels.

- NARA/WHORM maintain pallet inventories.
- Pallets systematically trucked to Andrews AFB.

4. FINAL MOVE – JAN. 2001:

- All personnel continue previous duties.
- Final sweep of WH and EOB for any remaining records.

Brief Notes on the last Presidential Move:

In the 1992-1993 move, Pat Borders, then Deputy Assistant Archivist for Presidential Libraries, supervised the overall move, and spent much of his time in December and January at Andrews AFB, ensuring that air pallets were ready to fly. Doug Thurman, Senior Archivist on the Presidential Materials Staff, supervised all packing for the move at Archives I. Dave Alsobrook, the NARA White House Liaison, oversaw, in conjunction with WHORM, all WH and EOB records surveys and reported to the Deputy Assistant Archivist for Presidential Libraries. DOD military personnel were assigned to the WH complex and Archives I, respectively, to palletize and pick up records. The military personnel took direction from NARA staff and usually had a NCO accompanying them each day.

Reasons NARA Needs to Have A Major Oversight Role in the Move:

- NARA is tasked with the responsibility of moving the records and artifacts and pays for the move.
- On Inaugural Day 2001, NARA assumes custody for all Presidential records. With this responsibility, NARA immediately begins performing reference for the former President and dealing with special access requests.
- To meet the processing demands of the Presidential Records Act we need as much intellectual control over the records as soon as possible.
- Records and artifact inventory figures must be accurate to ensure the proper scheduling for planes and adequate and well-planned storage in Little Rock. NARA cannot rely on second-hand records estimates.
- If records are left in the White House and the Executive Office Building, it will be very expensive to arrange later shipments to Little Rock. This is an expense for which NARA has not budgeted.

Some Final Thoughts:

- It is important to keep the WHORM computers up and running at least into mid-December and preferably into early January.
- A major goal is to try to get as many boxes as possible out of the White House and the Executive Office Building a week before the final move. Everyone involved should realize that January often has bad weather that affects the move.

September 1, 2000 (11:50AM)

DRAFT - CONFIDENTIAL

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CLINTON MOVE PROJECT PLAN

ITEM	DATE	ACTIVITY	COORDINATION & OFFICES OF RESPONSIBILITY	STATUS	COMPLETION DATE	COMMENTS
1.	08/2000	Administrative – Initiate changes to NARA admin. Manuals, directories, and stationary to establish Clinton Project (NLDP) on 10/1/2000.	NL			
2.	08/2000	NARA/WH Detail - NARA Clinton NLMS CIDS to begin assistance at the White House in preparation for the move including preliminary surveys.	NLMS	WHORM wants to begin 8/2000		Originally slated for 2/2000. WHORM completed surveys without NARA assistance.
3.	08/2000	Equipment and Supplies – Begin procurement of SNAP license (s) for the Project.	MC			
4.	08/2000	Equipment and Supplies - Begin procurement of computer hardware and software needed for File Net and other computer systems including Advanced Revelations for the Diary, and begin contracting effort with computer company for move, set-up, and maintenance of computer systems.	MC with NKS, NHT, and NAA			
5.	08/2000	Contract - Arrange with GSA the lease of government vehicles to be used at the Project, effective October 1, 2000.	AL with NLMS			
6.	08/2000	Computer Issues – Work with NHT to acquire PC's for initial staff in NLDP. Need 4 PC's and printers installed by 10/1.	MC			
7.	08/2000	Physical Move – Prepare notification of closing of "open" records during the move.	NLMS with NW			
8.	08/2000	Physical Move - Begin palletization for 11/2000 shipment of records and materials.	DT			

ITEM	DATE	ACTIVITY	COORDINATION & OFFICES OF RESPONSIBILITY	STATUS	COMPLETION DATE	COMMENTS
9.	08/2000	Physical Move - Select Move Company for the move of records and objects from the OEOB and NARA to Andrews Air Force Base, and from the Little Rock Air Force Base to the temporary site.	NL, DOD			
10.	08/01/2000	Physical Move – Meeting with DOD to discuss move plan and transportation of records and artifacts to Little Rock.	NL, NLMS, DOD, NAS			
11.	08/02/2000	Staffing – Sam Watkins is detailed as Clinton Library IT Project Manager	NL, NHT			
12.	08/16/2000	Staffing – David Alsobrook announced as the Director, NLDP	NL			
13.	08/17/2000	Records Issues - Met with DOD Protocol Office Armed Forces Inaugural Committee to discuss Presidential Inaugural Records.	NLMS, DOD			
14.	08/18/2000	Physical Move – Met with Major Goodrich for a DOD walk through of the Archives I building and NLMS storage materials.	NLMS, DOD, NAS, NAF			
15.	08/29/2000	Records Issues - Met with DOD Protocol Office Armed Forces Inaugural Committee to work with 1993 Clinton Inaugural Committee records.	NLMS, DOD			
16.	09/2000	Contract - Award guard contract to start October 1.	NAA with NAS, NL, NGC			
17.	09/2000	Equipment and Supplies - Initiate process to obtain vending machines for temporary facility.	NLMS with BC and PF			
18.	09/2000	Physical Move – Perform curatorial survey of gifts and Clinton personal objects within the White House which will be transferred to the Library.	EQ, CH, KK			
19.	09/2000	Staffing - Recruit locally Secretary GS 06 OE.	NL			

ITEM	DATE	ACTIVITY	COORDINATION & OFFICES OF RESPONSIBILITY	STATUS	COMPLETION DATE	COMMENTS
20.	09/2000	Staffing - Internal recruit for 2 Archivist/Archives Specialist/Librarian GS 12 OE.	NL, NLMS			
21.	09/08/2000	Planning – Meeting with DOD.	NL, NLMS, NAS, DOD			
22.	09/08/200	Planning – Move meeting scheduled to follow the DOD meeting.	NL, NLMS, NAS			
23.	10/2000	Planning - Schedule flight with DOD for move of materials in November, if approved by White House.	NKS with White House and SH, AL, NKS with DOD			
24.	10/2000	Planning - Create museum grid at temporary facility.	NLDP, EQ if not on site			
25.	10/2000	Planning - Security review by NAS and CIA. Begin process of certification by CIA of vault.	SH , AL with NKS if necessary			
26.	10/2000	Physical Move and Staffing - Take occupancy of temporary facility.	NLDP supervisor on-site			
27.	10/2000	Physical Move - Install shelving at temporary facility.	NLDP (possible NAS assistance?)			
28.	10/2000	Administrative – Determine #'s and acquire cell phones for the move team members.	BC			
29.	10/2000	Contracts - Begin lease of government vehicles for Project through GSA.	AL with NLDP and NGC			
30.	10/2000	Equipment and Supplies - Initiate purchase of move materials. This should include pallets, crates, boxes, folders, carts, packing materials, purchase of 1 pallet jack and the rental of 2 pallet jacks, rental of 2 forklifts, purchase of 2 hand trucks, strapping and shrink wrap, rental of 5 laptops, and purchase of administrative supplies.	BC, PF & AL with NLMS			
31.	10/2000	Equipment and Supplies - Install rental furniture at temporary facility.	NLDP supervisor on-site			

ITEM	DATE	ACTIVITY	COORDINATION & OFFICES OF RESPONSIBILITY	STATUS	COMPLETION DATE	COMMENTS
32.	10/2000	Equipment and Supplies - Begin procurement of long-term furniture for temporary facility. This furniture order should include: [modular furniture, executive furniture for Director et al, map cases, shelving for supplies, bookshelves, conference table with chairs, filing cabinets, safes.]	BC & PF with NLMS			GSA may be able to do this for us.
33.	10/2000	Equipment and Supplies - Begin procurement of telephone system, including STU phone.	Telephones - BC and PF with Karen Baldwin; STU - NAS			
34.	10/2000	Equipment and Supplies - Install temporary telephones.	NLDP supervisor on-site			
35.	10/2000	Equipment and Supplies - Continue procurement of hardware and software needed for FileNet, and continue contracting effort with computer company for move, set-up, and maintenance of FileNet.	MC with NKS			
36.	10/2000	Equipment and Supplies - Begin procurement of hardware and software needed for other databases provided by White House.	MC with NKS			
37.	10/2000	Equipment and Supplies - Order and put in place general office supplies and equipment. These materials include: general office supplies (pens, pencils, writing pads, markers, stamps), postage meter, shelf numbers, pallet jacks, carts, 1 fax machine, signage for offices, supply of acid free folders, vending machines for staff use, supply of NARA forms, shredder, clocks, calendars.	BC and PF with NLDP			
38.	10/2000	Equipment and Supplies - Rent 2 copiers (1 of which is for use with classified materials).	BC and PF			
39.	10/2000	Equipment and Supplies - Begin procurement of NARAnet hardware and software (including PC's). Identify plans for computer drops.	MC with NHT			

ITEM	DATE	ACTIVITY	COORDINATION & OFFICES OF RESPONSIBILITY	STATUS	COMPLETION DATE	COMMENTS
40.	10/2000	Equipment and Supplies - Install stand alone PC's. One needs to have SNAP installed.	MC, NLDP, NHT			
41.	10/2000	Administrative – Ensure that NARA property accountability system in place at Project.	AL, NLDP with NAF			
42.	10/2000	Administrative – Submit to NWCCL a list of books for basic reference collection.	NLMS (Angela)			
43.	10/2000	Staffing - Initial staff presence in Little Rock. Staff presence should include a senior NARA professional.	NL, NLMS			
44.	10/2000	Staffing - If on-board, begin process of obtaining security clearances for 2 new archivists at the Clinton Project.	NKS with BC and PF			
45.	10/2000	Staffing - Hire Secretary GS 06 OE.	NL, NLDP			
46.	10/2000	Staffing - Recruit locally for Museum Registrar GS 9-11 OE.	NL, NLDP			
47.	10/2000	Staffing - Recruit locally for Administrative Officer GS 11 OE.	NL, NLDP			
48.	10/2000	Staffing - Hire Archivist/Archives Specialist/Librarian GS 12 OE.	NL, NKS, NLDP			
49.	10/2000	Staffing - Clarence (Slim) McMorris arrives on detail				
50.	10/16/2000	Physical Move – Chihuly trees arrive	NLMS			
51.	10/16/2000	Staffing – Ed Quick, Marlene Ware and Rhonda Wilson arrive at the Project Site.				
52.	10/22/2000	Physical Move - American Crafts Exhibit closes in Michigan. Ed Quick arrives in Michigan to close down the exhibit. Exhibit should arrive in LR with in 3-4 days.				
53.	11/2000	Presidential Election				

ITEM	DATE	ACTIVITY	COORDINATION & OFFICES OF RESPONSIBILITY	STATUS	COMPLETION DATE	COMMENTS
54.	11/2000	Planning - Finalize Agreement with the Office of the Vice President on storing the Gore Vice Presidential records and any other Gore Personal records in Washington, D.C.	NKS, SF, MN			
55.	11/2000	Records Management Issues - Second reminder to White House Staff regarding the requirements of the PRA.	NKS			
56.	11/2000	Physical Move - Establish NARA and DOD teams at White House/OEOB and Archives I. Also address Camp David and NEOB. DOD contingent should consist of 15 soldiers at both the OEOB and AI. NARA teams should be overseen by move supervisor (Nancy Smith) and, if on-board, the Clinton Supervisory Archivist overseeing the NARA employees at the OEOB, with Doug Thurman as the Deputy Move supervisor at AI.	NKS, DT			
57.	11/2000	Physical Move - Complete labeling program begin applying labels to boxes.	NLMS with NHT			
58.	11/2000	Physical Move - Begin move, if approved, of some materials. These could possibly include: gift materials, Health Care Task Force records, Clinton Presidential or Federal Commission records, and Govt. publications.	NKS			
59.	11/2000	Administrative - Initiate Paperwork for Relocation of Clinton Library Staff reporting 01/20/2001.	NL, NLDP			This includes John Keller, Angela Fritz, Richard Stalcup, and Supervisory Archivist.
60.	11/2000	Staffing - Recruit locally for 2 Archives Technicians GS 4-6 OE.	NL, NLDP			
61.	11/2000-1/2001	Physical Move - Pack Up White House Offices.	NLMS with DOD and WHORM			
62.	12/2000	Physical Move - Schedule at least two flights for mid-late December.	SH, AL, and NKS with DOD			

ITEM	DATE	ACTIVITY	COORDINATION & OFFICES OF RESPONSIBILITY	STATUS	COMPLETION DATE	COMMENTS
63.	12/2000	Physical Move - Vault must be certified by mid-December.	SH			
64.	12/2000	Computer Issues - Install NARANet computer network.	MC, NLDP, NHT			
65.	12/2000	Staffing - Hire Administrative Officer GS 11 OE.	NL			
66.	12/2000	Staffing - Hire Museum Registrar GS 9-11 OE.	NL			
67.	12/2000	Staffing - Recruit locally for Office Automation Assistant GS 04 OE.	NL			
68.	01/2001	Physical Move - Movement of security classified materials based on plan approved by CIA/DOE.	SH with NL and NLMS			
69.	01/2001	Physical Move - Inauguration and completion of move to Little Rock. Anticipate 3 flights in January.	SH, AL, and NKS with DOD			
70.	01/2001	Computer Issues - Install and set-up File Net.	MC with NHT and NLDP			
71.	01/2001	Staffing - Hire Office Automation Assistant GS 04 OE.	NL, NLDP			
72.	01/2001	Staffing - Hire Archivist/Archives Specialist/Librarian GS 12 OE.	NL, NLDP			
73.	01/2001	Staffing - Hire 2 Archives Technicians GS 4-6 OE.	NL, NLDP			
74.	01/20/2001	INAUGURATION DAY				
75.	03/2001	Staffing - Recruit locally for Museum Technician GS 5 OE.	NL, NLDP			
76.	04/2001	Staffing - Hire Museum Technician GS 5 OE.	NL, NLDP			

ITEM	DATE	ACTIVITY	COORDINATION & OFFICES OF RESPONSIBILITY	STATUS	COMPLETION DATE	COMMENTS
77.	07/2001	Staffing - Recruit locally for 2 Archivist/Archives Specialist/ Librarian GS 7-12 OE.	NL, NLDP			
78.	10/2001	Staffing - Hire 2 Archivist/Archives Specialist/Librarian GS 7-12 OE.	NL, NLDP			
79.	10/2001	Staffing - Recruit locally for Museum Technician GS 5 OE.	NL, NLDP			
80.	11/2001	Staffing - Hire Museum Technician GS 5 OE.	NL, NLDP			
81.	11/2001	Staffing - Recruit locally for Archives Technician GS 4-6 OE.	NL, NLDP			
82.	1/2002	Staffing - Hire Archives Technician GS 4-6 OE.	NL, NLDP			
83.	11/2005	Staffing - Recruit locally for Archives Technician GS 4-6 TF.	NL, NLDP			
84.	1/2006	Staffing - Hire Archives Technician GS 4-6 TF.	NL, NLDP			
85.	12 months prior to completion of Library	Staffing - Hire Education Specialist GS 11/12 OE. Recruit locally.	NL, NLDP			
86.	12 months prior to completion of Library	Staffing - Number and needs TBD for Museum Admission Clerks and other support staff for opening of the museum	NL, NLDP			
87.	12 months prior to completion of Library	Staffing - Hire Facilities Manager GS 11 OE. Recruit locally.	NL, NLDP			
88.	6 months prior to completion of Library	Staffing - Hire Director, NLD GS 15/SES OE.	NL, NLDP			

ITEM	DATE	ACTIVITY	COORDINATION & OFFICES OF RESPONSIBILITY	STATUS	COMPLETION DATE	COMMENTS
89.	3 months prior to completion of Library	Staffing - Hire Exhibits Specialist GS 7 TF.	NL, NLDP			

Key for Staff Involved in the Move

AL	Alan Lowe, NL
AT	Adrienne Thomas, NA
BC	Betsy Cristaudo, NL
BF	Beth Fidler, NLMS
DP	David Peterson, NL
DT	Doug Thurman, NLMS
EQ	Ed Quick, NLMS
GS	Gary Stern, NGC
HU	Haseen Uddin, NHT
KK	Kim Koons, NLMS
MC	Michelle Cobb, NL
MN	Miriam Nisbet, NGC
NKS	Nancy Kegan Smith, NLMS
PF	Patty Frye, NL
SF	Sharon Fawcett, NL
SH	Steve Hannestad, NAS
SW	Sam Watkins, NHT

Beth Fidler and Patty Frye will keep this chart up-to-date.

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PART 4

Divider Title: _____

UNCLAS

01 11 261303Z JUN 00 RR RR UUUU

AT ZYUW AMHS

NO

DIRMILSPT DCSOPS WASHINGTON DC//DAMO-ODS//
USCINCTrans SCOTT AFB IL/TCJ3/J4/TCJ3-OP//
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION WASH DC//
CNO WASH DC//N32/OP09D//
CDR, MDW WASH DC//ANPM/ANPM-FDA//
CSAF WASH DC//XO/XOO/XON/AFOG/AFNSEP//
DIA WASH DC//DH-3//
JOINT STAFF WASH DC/J3WHEM/J3/J-4LRC/J3SOD/J-5//
USCINCFPCOM NORFOLK VA/J-33/J-4/J-54//
CNGB WASH DC/ARO/ARO-M/ARO-I//
USCINCSpace/J30-0/J322//
INFO INFO SECDEF WASH DC//OSD-DA&M//
CJCS WASH DC//
SECARMY WASH DC//
SECNAV WASH DC//
SECAF WASH DC//
CSA WASH DC//
CMC WASH DC//
CINCFOR FT MCPHERSON GA//FCJ3//
DA WASH DC//DAMO-ZA/SASA-MS/SAGC/ODS/SAPA/DAMO-ODL/DAMO
-ODO//
89AW ANDREWS AFB MD//CC//
314AW LITTLE ROCK AFB AR//CC//
AFNSEP WASH DC//CC//
COMNAVDIST WASH DC//31C//
JOINT STAFF WASH DC//J-E/JOD/NMCC//
OSD WASH DC//ASD/SOLIC

UNCLAS

UNCLAS

02 11 261303Z JUN 00 RR RR UUUU AT ZYUW AMHS

FBI WASH DC//
CDRMTMC FALLS CHURCH VA//
CNGB WASH DC//ARO-OM//
HQ AMC TACC SCOTT AFB IL//XO/DOO//
HQ ACC LANGLEY AFB VA//XPX//
HQ AFNSEP FT MCPHERSON GA//XOO//
CDRUSAITAC WASH DC//IATAC-RKT//
WHITE HOUSE SITUATION ROOM WASH DC//
COMDT COGARD WASH DC//G-C//
FEMA WASH DC/MSLO/RR-OP//
US MARSHAL SERVICES WASH DC//
US SECRET SERVICE WASH DC//

UNCLAS

SUBJ:2001 PRESIDENTIAL INAUGURAL DOD SUPPORT- FRAGO 001
OPER/MILSPT TO CIVIL AGENCIES//
MSGID/ORDER/SECARMY//
ORDTYPE/FRAGO 001/DIRMILSPT//
REF/A/LETTER TO THE ARCHIVIST OF THE UNITED STATES/OSD (DA&M)/12 OCT
99//
REF/B/MEMO/OSD (DA&M)/MOVEMENT OF PRESIDENTIAL PAPERS/9 MAR 00//
REF/C/DIRMILSPT EXORD/DTG 080539Z MAR 00//
REF/D/U.S.C. TITLE 44, SECTIONS 2105 (C) AND 2203 (F)//
REF/E/ECONOMY ACT (31 USC 1535, 1536)//
NARA/REF/A OFFERED DOD SUPPORT, IF REQUESTED, FOR THE MOVEMENT OF
PRESIDENTIAL PAPERS. REF/B DESIGNATED THE SECARMY, AS THE DOD
EXECUTIVE AGENT, TO DIRECT PLANNING AND EXECUTION FOR MOVEMENT OF
PRESIDENTIAL PAPERS. REF/C OUTLINES DOD SUPPORT TO THE 2001
PRESIDENTIAL INAUGURAL. REF/D GIVES THE NATIONAL ARCHIVIST OF THE
UNITED STATES CUSTODY AND CONTROL OF THE PRESIDENTIAL RECORDS UPON

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CONCLUSION OF THE PRESIDENT'S TERM OF OFFICE. REF/E AUTHORIZES NARA
TO REIMBURSE DOD FOR COST INCURRED FOR DOD SUPPOPT.//
RMKS/THIS IS FRAGO 001 TO REF/C THAT OUTLINES DOD SUPPORT TO THE 2001
PRESIDENTIAL INAUGURAL.//
TIMEZONE/ZULU//
GENTEXT/SITUATION/

1. SITUATION. TITLE 44, U.S.C. SECTIONS 2105 (C) AND 2203 (F) GIVES
THE NATIONAL ARCHIVES OF THE UNITED STATES CUSTODY AND CONTROL OF THE
PRESIDENTIAL RECORDS UPON CONCLUSION OF THE PRESIDENT'S TERM OF
OFFICE AND AUTHORIZATION TO UTILIZE OTHER FEDERAL AGENCIES, INCLUDING
THE ARMED FORCES, TO CARRY OUT NATIONAL ARCHIVE AND RECORDS
ADMINISTRATION (NARA) FUNCTIONS.//

1.A. NARA IS THE LEAD FEDERAL AGENCY FOR PLANNING AND COORDINATION
OF MOVEMENT OF PRESIDENTIAL PAPERS. DOD, THROUGH DIRECTOR OF
MILITARY SUPPORT (DOMS), WILL ASSIST NARA IN COMPLETING THIS
REQUIREMENT.//

1.B. SERVICES AND DEFENSE AGENCIES WILL PROVIDE COORDINATED SUPPORT
IN THE PLANNING, PREPARATION AND CONDUCT OF THE MOVEMENT OF
PRESIDENTIAL PAPERS.//

1.C. SUPPORT MAY BE INITIATED IN RESPONSE TO REQUESTS FROM THE
NARA.//

GENTEXT/MISSION/

2. MISSION. DOD, IN SUPPORT OF NARA WILL PROVIDE PERSONNEL,
EQUIPMENT AND SUPPLIES FOR THE MOVEMENT OF THE PRESIDENTIAL PAPERS
NLT 15 NOV 00 THROUGH 31 MAR 01.//

GENTEXT/EXECUTION/

3. CONCEPT OF THE OPERATION. DOD WILL ASSIST NARA TO EXECUTE
THE MOVEMENT OF THE PRESIDENTIAL PAPERS FROM SITES DESIGNATED BY
NARA. THE MOVEMENT WILL OCCUR IN THREE PHASES: PHASE I - PHASE ONE

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WILL CONSIST OF LOADING AND MOVEMENT OF MATERIAL FROM SITES
DESIGNATED BY NARA TO ANDREWS AIR FORCE BASE (AFB), MARYLAND.
LOADING AND MOVEMENT WILL BE BY DOD CONTRACT COMMERCIAL CARRIER.
MATERIAL WILL BE HELD IN A SECURE AREA WHILE AT ANDREWS AFB. PHASE
II - PHASE TWO WILL CONSIST OF LOADING AND AIR MOVEMENT OF MATERIAL
FROM ANDREWS AFB, MARYLAND TO LITTLE ROCK AFB, ARKANSAS. PHASE III -
PHASE THREE WILL CONSIST OF LOADING AND MOVEMENT OF MATERIAL FROM
LITTLE ROCK AFB, ARKANSAS TO SITES DESIGNATED BY NARA IN ARKANSAS.
DOD WILL ASSIST IN CARGO OFF-LOAD AND MOVEMENT TO DESIGNATED SECURITY
AREA OR DIRECT LOAD ON COMMERCIAL CARRIER. NARA WILL REQUIRE DOD
ASSISTANCE IN ARKANSAS WITH UNLOADING OF COMMERCIAL CARRIER AND
SHELVING OF MATERIALS TO TEMPORARY FACILITIES. SUPPORT WILL BE
PROVIDED IN SEVERAL AREAS. ROUTINE SUPPORT WILL BE PROVIDED BY THE
NARA STAFF AND DOMS; PERSONNEL, LOADING, GROUND AND AIR
TRANSPORTATION, AND PHYSICAL SECURITY SUPPORT, WITHIN MILITARY
INSTALLATIONS WILL BE PROVIDED BY USCINCTRANS; BASE SUPPORT
INSTALLATION (BSI) AT ANDREWS AFB, MARYLAND AND LITTLE ROCK AFB,
ARKANSAS WILL BE PROVIDED BY CSAF; PERSONNEL TO ASSIST NARA STAFF
WITH PACKING/STRAPPING OF PALLETS, AND PREPOSITIONING OF PALLETS FOR
CARRIER LOADING WILL BE PROVIDED BY CNO AND CDR, MDW; REIMBURSEMENT
FOR DOD SUPPORT WILL BE PROVIDED BY NARA IN ACCORDANCE WITH ECONOMY
ACT (31 U.S.C. 1535, 1536)./

4. TASKING ASSIGNMENTS./

4.A. USCINCTRANS./

4.A.1. AS THE SUPPORTED CINC FOR DOD SUPPORT FOR MOVEMENT OF
PRESIDENTIAL PAPERS EXECUTE THE FOLLOWING REQUIREMENTS./

4.A.1.A. SERVE AS DOD LEAD TO CONDUCT OPERATIONS IN MOVEMENT OF
PRESIDENTIAL PAPERS./

4.A.1.B. DEVELOP CONCEPT OF OPERATIONS AND ESTABLISH COMMAND AND

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CONTROL OF DOD ASSETS IN SUPPORT OF MOVEMENT OF PRESIDENTIAL PAPERS./
4.A.1.C. PROVIDE PERSONNEL, LOADING, GROUND AND AIR TRANSPORTATION,
AND PHYSICAL SECURITY OF PRESIDENTIAL PAPERS, WITHIN MILITARY
INSTALLATIONS, FROM WASHINGTON DC TO ANDREWS AFB, MARYLAND TO LITTLE
ROCK AFB, ARKANSAS AND FOLLOW-ON SITES DESIGNATED BY NARA IN
ARKANSAS./
4.B. CHIEF STAFF AIR FORCE (CSAF)./
4.B.1. PROVIDE SUPPORT TO USCINTRANS AS REQUIRED./
4.B.2. PROVIDE ANDREWS AFB, MARYLAND AND LITTLE ROCK AFB, ARKANSAS
AS BSI FOR CONOPS AS REQUIRED. SPECIFIC SUPPORT (TBD)./
4.C. CHIEF NAVAL OPERATIONS (CNO)./
4.C.1. PROVIDE TEN (10) NAVY AND MARINE PERSONNEL, ONE E-6/7 AND
NINE (9) E-1/5, ONE SHIFT PER DAY AT SITES DESIGNATED BY NARA IN
WASHINGTON DC TO ASSIST NARA STAFF WITH PACKING, LOADING AND
PREPOSITIONING OF PALLETS FOR CARRIER LOADING. DURATION OF DUTY IS
ANTICIPATED TO BE 15 NOV 00 THROUGH 19 JAN 01 (WE DO NOT ANTICIPATE
ANY SUPPORT FROM 23 DEC 00 THROUGH 03 JAN 01). ACTUAL WORK DATES,
TIMES, WORK HOURS AND SCHEDULES (TBD) BY NARA./
4.C.2. UPON SELECTION, PROVIDE THE FOLLOWING PERSONNEL DATA TO DOMS
NLT 1 NOV 00: NAME (LAST, FIRST, MI), RANK, SSN, DOB AND SECURITY
CLEARANCE./
4.D. COMMANDER, MILITARY DISTRICT WASHINGTON (CDRMDW)./
4.D.1. PROVIDE TEN (10) PERSONNEL, ONE E-6/7 AND NINE (9) E-1/5,
ONE SHIFT PER DAY AT SITES DESIGNATED BY NARA IN WASHINGTON DC TO
ASSIST NARA STAFF WITH PACKING, LOADING AND PREPOSITIONING OF PALLETS
FOR CARRIER LOADING. DURATION OF DUTY IS ANTICIPATED TO BE 15 NOV 00
THROUGH 19 JAN 01 (WE DO NOT ANTICIPATE ANY SUPPORT FROM 23 DEC 00
THROUGH 03 JAN 01). ACTUAL WORK DATES, TIMES, WORK HOURS AND
SCHEDULES (TBD) BY NARA./

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4.D.2. UPON SELECTION, PROVIDE THE FOLLOWING PERSONNEL DATA TO DOMS
NLT 1 NOV 00: NAME (LAST, FIRST, MI), RANK, SSN, DOB AND SECURITY
CLEARANCE./

4.E. USCINCPACOM, AS SUPPORTING CINC, PROVIDE PERSONNEL, MATERIAL
AND LOGISTICAL SUPPORT AS REQUIRED./

4.F. CHIEF, NATIONAL GUARD BUREAU (CNGB). / COORDINATE WITH STATE
NATIONAL GUARD UNITS TO PROVIDE PERSONNEL, MATERIAL AND LOGISTICAL
SUPPORT AS REQUIRED.//

4.G. DEFENSE INTELLIGENCE AGENCY (DIA). PER REF/B.//

4.H. DIRECTOR OF MILITARY SUPPORT (DOMS). PER REF/B.//

4.I. SERVICES AND DEFENSE AGENCIES. / PROVIDE PERSONNEL, MATERIAL
AND LOGISTICAL SUPPORT AS REQUIRED./

5. COORDINATING INSTRUCTIONS./

5.A. THIS PRAGO 001 IS EFFECTIVE FOR PLANNING AND EXECUTION UPON
RECEIPT.//

5.B. DIRLAUTH ALCON. KEEP DOMS INFORMED. DOMS WILL
VALIDATE/COORDINATE ALL REQUESTS FROM NARA FOR DOD SUPPORT. DOD
COMPONENTS AND AGENCIES ARE NOT AUTHORIZED TO COMMIT DOD RESOURCES
WITHOUT PRIOR DOMS APPROVAL IN COORDINATION WITH USCINCPACOM.//

5.C. ALL COMMANDS AND AGENCIES WITH SUPPORT RESPONSIBILITIES DURING
MOVEMENT OF PRESIDENTIAL PAPERS PROVIDE DOMS WITH A POINT OF CONTACT
AND TELEPHONE NUMBER UPON RECEIPT OF THIS MESSAGE. /

5.D. PERSONNEL SUPPORTING THE OPERATION MUST HAVE A VALID SECURITY
CLEARANCE AND NO RECORD OF DEROGATORY INFORMATION AND NOT HAVE
PHYSICAL RESTRICTIONS PROHIBITING DUTY INVOLVING PROLONGED STANDING,
WALKING OR LIFTING OF WEIGHTS UP TO 70 POUNDS./

5.E. RELEASE OF ANY INFORMATION CONCERNING THE MOVE WILL BE WITHHELD
UNTIL ALL MATERIAL HAS BEEN RELOCATED TO THE NARA FACILITIES IN
ARKANSAS. ALL RELEASE OF INFORMATION IS RESTRICTED TO A "NEED TO

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KNOW" BASIS./

5.F. AIRLIFT MOVEMENT PRIORITY. (TBD)

5.G. AFTER-ACTION-REPORTS (AAR) ARE DUE TO DOMS NLT 30 APR 01.//

GENTEXT/ADMIN AND LOG/

6. ADMINISTRATION AND LOGISTICS./

6.A. FUNDING./

6.A.1. THIS IS A REIMBURSABLE OPERATION UNDER THE PROVISIONS OF THE ECONOMY ACT (31 U.S.C. 1535, 1536). THE INCREMENTAL COSTS INCURRED FOR DOD SUPPORT AGENCIES WILL BE REIMBURSED BY THE NARA./

6.A.2. TRANSPORTATION, BILLETING, MESSING. TRANSPORTATION, BILLETING AND MESSING OF UNITS AND EQUIPMENT TO AND FROM ALL WORK SITES NATIONAL CAPITAL REGION (NCR), LITTLE ROCK AFB, ARKANSAS AND SITES (TBD) IN ARKANSAS IS THE RESPONSIBILITY OF THE ORGANIZATIONS/COMMANDS TASKED./

6.B. USE OF JOPES IS DIRECTED. PER REF/C./

7. PUBLIC AFFAIRS./

7.A. NARA IS LEAD FEDERAL AGENCY FOR PUBLIC RELEASE OF INFORMATION. NARA RETAINS SOLE AUTHORITY FOR PUBLIC ANNOUNCEMENT OF MOVE./

GENTEXT/COMMAND AND SIGNAL/

8. COMMAND AND SIGNAL./

8.A. SECARMY IS THE DOD EXECUTIVE AGENT FOR THIS MISSION. DOMS IS THE ACTION AGENT AND USCINCTrans WILL SERVE AS DOD LEAD AND IS THE SUPPORTED CINC./

8.A.1. USCINCFJCOM IS SUPPORTING CINC./

8.A.2. THE SERVICES AND DEFENSE AGENCIES ARE SUPPORTING ORGANIZATIONS./

9. NARA POC IS MS. SHARON FAWCETT, DEPUTY ASSISTANT ARCHIVIST FOR PRESIDENTIAL LIBRARIES AT COMMERCIAL (301) 713-6050./

10. DOMS POC IS MAJ JOE AUSTIN OR LTC SANDRA CAUGHLIN AT DSN

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224-1058/8842; COMMERCIAL (703) 614-1058/8842.//

GENTEXT/AUTHENTICATION/DIRMILSPT OFFICIAL: BG MAPLES/COL

FITTON//

BT

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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 tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

APPENDIX A

Divider Title: _____



National Archives and Records Administration

700 Pennsylvania Avenue,
NW
Washington, DC 20408-0001

Date : January 14, 2000

Reply to

Attn of : Nancy Kegan Smith, Director Presidential Materials Staff

Subject : Draft Agenda for Meeting on Legal Issues Relating to the Presidential Transition

To : Peter Rundlet, Associate Counsel to the President

As we enter into the last year of the Presidential Administration, it is a good time to have a meeting to discuss legal issues that are raised during a transition. The following is a list of issues, with brief explanation, that the National Archives and Records Administration (NARA) would like to deal with early this year to facilitate a smooth Presidential transition. This list is not an exhaustive one, but covers key legal transition issues that we have encountered in our experience with previous Presidential moves.

1. *Reminder to all White House Staff of their obligations under the Presidential Records Act (PRA):*

Previous Presidential Administrations covered by the Presidential Records Act reminded staff a year before the transition of their obligations under the PRA. It would be very helpful if either White House Counsel or John Podesta could send a memo around to the White House staff on this issue. I have included a draft based on the Reagan and Bush reminders, except that I have updated it to include electronic records issues. Given the widespread use of electronic systems during the Clinton Administration, and the complexities of preserving this media, the White House staff should be reminded about transferring records that are in electronic media. Clear identification of the location and format in which these records are being transferred will help to ensure that the National Archives and Records Administration has the knowledge to preserve and access the electronic information at the Clinton Project/Library.

2. *Legal Representatives for the President under the Presidential Records Act:*

The PRA allows for designation of legal representatives on behalf of the President, 44 USC 2204 (d) as well as 36 C.F.R. 1270.20. In August of 1994, the Acting Archivist received a designation of legal representatives in the case of Presidential disability or death for Hillary Rodham Clinton and Bruce Lindsey. When the Archivist receives legal custody of Clinton Presidential records at the end of the Administration, we need to know whom we should be contacting on legal access issues dealing with Clinton Presidential records. If there are going

to be additional legal representatives, it would be helpful to have those designations as soon as possible in the next year.

3. *The status of National Security Council Files of former Presidents and the incumbent President:*

One affect of the final court's ruling in Bush v. Armstrong was that records created by the National Security Council are Presidential not federal. The National Security Council has maintained some "Institutional", previously considered federal records, for continuity of government. These records are from the Eisenhower Administration through the Bush Administration. NARA, Department of Justice, and the National Security Council have been discussing the record status and final disposition of these records for the past 2-1/2 years, along with the issue of how to leave behind key Clinton NSC Presidential records for the next Administration. NSC, Bill Leary, is currently working on drafting a proposal on this issue. NARA and NSC believe that we are coming close to resolving this issue, but the status of this issue needs to be watched carefully because of the importance and sensitivity of this issue and the records involved, and the need that this be resolved before the end of the Clinton Administration.

4. *The status of the White House Web site:*

A recent article in Government Computer News raised the question of the record status of the White House Web site. NARA believes that the Web site meets the test of Presidential record because it presents Presidential records in a unique format. Does White House Counsel agree that the Web site does qualify as record? NARA is currently discussing ways of preserving the Web site and possibly make it available at the Clinton Presidential Materials Project/Library. Who are the White House contacts that NARA should deal with on this issue?

5. *The status of the Office of Administration schedules for Clinton EOP federal records:*

NARA and OA are working on final schedules, but they have not been currently finalized. NARA needs to receive the final schedules by the beginning of May to allow for the necessary review and comment period. These schedules have to be in place before the end of the Clinton Administration.

6. *More information on the status of the FileNet upgrade for the electronic index for Clinton Presidential records that have been retired to WHORM:*

When White House staff finish with records they retire them to the WHORM, with the exception of the National Security Council staff, which handles its records separately. WHORM then indexes these records in an electronic system now upgraded to FileNet. This electronic index to most Presidential records is a key electronic system for the new Project/Library in answering reference requests for the former President, for legal requests, and in processing the records. To be able to ensure that this system is up and running as soon as the Clinton Administration is over, NARA needs more information on how the upgrade is

currently working, familiarity in using the system, and technical information on the functionality. This information is vital for NARA to ensure that the proper systems are in place on January 20, 2001 to run this system.

7. *Approval for moving some Clinton Presidential records and artifacts in November 2000:*

NARA already holds more Clinton Presidential records and artifacts than for any other Presidency. Right now we hold 35,000 cubic feet of Clinton Presidential records and artifacts. It would greatly facilitate the move process if we could get approval to begin sending records and artifacts in November to the Clinton Presidential Materials Project, which will be operational in Little Rock by the first of October. NARA can suggest a move plan for records and artifacts based on infrequent use and age.

8. *Donation of White House Staff Personal Papers to the Clinton Project/Library:*

In addition to official Presidential records, the Clinton Project/Library can receive Personal Papers. Personal Papers often add the rich personal insights to the official records that scholars so value. If White House Counsel, or the appropriate office, could let departing staff know that NARA is interested in receiving these papers for the Clinton Project/Library that would be helpful. Members of the Presidential Materials Staff can pack and prepare the materials for transfer to the Clinton Library at no cost to the donor. NARA will also provide the donor with a donor's deed of gift and negotiate on any concerns the donor has on the collection.

9. *Clarification on status of gifts that have been given to the First Lady in response to her Senatorial campaign:*

The Presidential Materials Staff has recently received gifts that have been given to Mrs. Clinton in her campaign for Senate. Is the First Lady receiving these gifts on behalf of the U.S. government for eventual transfer to the Clinton Presidential Library? Or are these gifts to be kept separate from gifts Mrs. Clinton receives as First Lady and transferred to New York or another location at the end of the Administration? We would appreciate an answer to this question as soon as possible because currently we are intermixing these items with all other artifacts for transfer to the Clinton Project/Library.

10. *Information on any records that maybe retained for a period of time in Washington, D.C.:*

In the two past Presidential transitions various Presidential records and personal papers needed for legal requests were held for a period of time in Washington. Are there any records that currently fall into this category? Keeping NARA current on the status of any records that may be held in Washington would be very helpful for our planning for a smooth transition.

11. *Vice Presidential Records Issues:*

Currently the Presidential Materials Staff only holds a small amount of Vice Presidential Records. We would be happy to provide the same storage and reference service on these records to the Office of the Vice President that we provide for Presidential records. NARA can also provide archival guidance and records management assistance.

We appreciate the opportunity to meet and discuss these legal transition issues with key White House staff. This meeting and subsequent discussions and meeting will facilitate a successful Presidential transition.



National Archives and Records Administration

700 Pennsylvania Avenue, NW
Washington, DC 20408-0001

DRAFT

Date : February 3, 2000

Reply to

Attn of : Nancy Kegan Smith, Director Presidential Materials Staff

Subject : More background for White House Counsel on approval for moving some Clinton Presidential records and artifacts in November of 2000

To : Beth Nolan, White House Counsel and Gary Stern.
NARA General Counsel

I thought it would be helpful if I provided additional information on point 4 of the agenda in our meeting with White House Counsel, which raised the issue of approving some move of records and artifacts in November.

NARA already holds more Clinton Presidential records and artifacts than for any other Presidency. Right now we hold 35,000 cubic feet of Clinton Presidential records and artifacts. It would greatly facilitate the move process if we could get approval to begin sending records and artifacts in November to the Clinton Presidential Materials Project, which will be operational in Little Rock by the first of October. NARA can suggest a move plan for records and artifacts based on infrequent use, age and low sensitivity.

When we raised at the meeting moving records early we did not have the time to explain exactly what we meant. We did not mean an early transfer of legal custody, which the PRA does not envision, or that we would begin any reference or processing on these records. We would treat these records, except for turn around time, under the same courtesy storage arrangement that we now have for incumbent Presidential records and gifts that NARA stores at AI with the Presidential Materials Staff. The current courtesy storage arrangement is:

1. These records are only in NARA's physical custody. Legal custody remains with the President. We provide reference and service on them only to the White House.
2. We refer any requests on these materials to either White House Counsel or the appropriate White House Office.
3. We provide records on an hour turn around time from the time of the request.

If we moved some records and gifts early the only condition that would change is the turn around time which would be the same day we receive the request if we faxed the item back, or in most cases 24 hours if we had to send the boxes back.

The reasons for moving Clinton records and gifts early are:

1. Moving early will facilitate a smoother move. To move a collection this size in December and January will make the move much more complicated.
2. As the recent winter demonstrates weather can be a complicating factor that can delay any move plan. To leave such a large collection of records and gifts to move in January means that we are depending on good move conditions, that planes can fly, that airports are open, that trucks can move, etc.
3. We are only recommending moving records that have been retired to NARA. The most active Presidential records are retained at the White House. We are only recommending moving older records and artifacts that have not been recalled much and are of low sensitivity. We are not recommending moving any classified records early.
4. Any records and artifacts that are move early will remain under the legal custody of the incumbent President and can be provided back on a recall.
5. We can provide very quick turn around time from Little Rock if the records or artifacts should be needed back.
6. There will be a professional staff at Little Rock to care for these materials and respond to White House requests.

Please let us know if we can provide any additional information on this issue.

DRAFT AGENDA FOR MEETING ON LEGAL ISSUES RELATING TO THE PRESIDENTIAL TRANSITION

As we enter into the last year of the Presidential Administration, it is a good time to have a meeting to discuss legal issues that are raised during a transition. The following is a list of issues, with brief explanation, that the National Archives and Records Administration (NARA) would like to deal with early this year to facilitate a smooth Presidential transition. This list is not an exhaustive one, but covers key legal transition issues that we have encountered in our experience with previous Presidential moves.

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In addition to official Presidential records, the Clinton Project/Library can receive Personal Papers. Personal Papers often add the rich personal insights to the official records that scholars so value. If White House Counsel, or the appropriate office, could let departing staff know that NARA is interested in receiving these papers for the Clinton Project/Library that would be helpful. (It is our understanding that Mr. Podesta has already sent a letter to Cabinet and Departmental heads on this point.) Members of the Presidential Materials Staff can pack and prepare the materials for transfer to the Clinton Library at no cost to the donor. NARA will also provide the donor with a donor's deed of gift and negotiate on any concerns the donor has on the collection.

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The Presidential Materials Staff has recently received gifts that have been given to Mrs. Clinton in her campaign for Senate. Is the First Lady receiving these gifts on behalf of the U.S. government for eventual transfer to the Clinton Presidential Library? Or are these gifts to be kept separate from gifts Mrs. Clinton receives as First Lady and transferred to New York or another location at the end of the Administration? We would appreciate an answer to this question as soon as possible because currently we are preparing these items with all other artifacts for transfer to the Clinton Project/Library.

10. *Information on any records that maybe retained for a period of time in Washington, D.C.:*

In the two past Presidential transitions various Presidential records and personal papers needed for legal requests were held for a period of time in Washington. Are there any records that currently fall into this category? Keeping NARA current on the status of any records that may be held in Washington would be very helpful for our planning for a smooth transition.

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APPENDIX B

Divider Title: _____

QUESTIONS AND ANSWERS FOR MEETING WITH NANCY HENREICH AND CAPRICIA MARSHALL ON OCTOBER 28, 1999 REGARDING THE CLINTON MOVE

Prepared by Nancy Kegan Smith, Director Presidential Materials Staff

1. *Q. Can NARA provide assistance and storage for Presidential and First Lady personal papers?*

A. Yes. NARA can and has traditionally provide assistance and storage for the personal papers of the President and the First Lady. NARA had done this for almost every President for which there is a Presidential Library. Specific examples include we have provided assistance and storage for the personal papers for the President and First Ladies for Hoover, Roosevelt, Truman, Eisenhower, Kennedy, Johnson, Ford, Carter, Reagan and Bush. The personal papers for these Presidents and First Ladies have all been housed in part of the Library facility and assistance for the former President and First Lady into these materials has been provided by the Library staff.

2. *Q. Why have these Presidents and First Ladies wanted to store their personal papers with the government?*

A. There has always been a recognition on the part of the former President and the First Lady that at some point they want to donate these papers to the Library and for these papers to become part of the permanent collection. The former President and First Lady have been aware of how much these papers add to the documentation of the official record and of their importance in documenting the President and his family in a more personal way that adds to the understanding of his President and his Administration. Selected items from these papers have often been used in the museum exhibits.

Additionally, the Library staffs have provided reference on these materials as needed by the former President and First Lady for example when they have written their memoirs.

The Libraries provide the optimum archival storage space to house these materials and a professionally trained staff to provide assistance.

3. *Q. Does NARA only provide this assistance if these papers are donated to the government?*

A. No. NARA provides this assistance and storage with the hope and expectation that at some future point these papers will be donated to the Library and become part of the permanent collection. The donation can occur years from the point of the receipt. For example, the Johnson Library has just recently received a deed on some of Mrs. Johnson personal papers. While the papers remain in the hands of the President or his family if they require significant preservation NARA would expect the Foundation to provide financing.

4. *Q. What paperwork is required for NARA to house these papers before they are donated?*

A. Either a courtesy storage agreement or a deposit agreement. A courtesy storage agreement specifies that NARA is physically storing these papers, but that the legal custody remains with the former President. A deposit agreement specifies an intent of future donation and states rules by which NARA should allow access.

5. *Q. Where are these papers stored before the Library has been built?*

A. These papers are stored at the Presidential Project which is a NARA operated facility in the same geographic location that the Library will be built. The Project facility meets all archival conditions, has a vault for storage of national security materials, curatorial storage for gifts, and is rented by the government until the Library is completed. The Presidential Project is staffed by professional staff of NARA that will later become the staff of the Clinton Library.

6. *Q. Will NARA also store personal gifts and memorabilia to the President and First Lady?*

A. Yes. NARA will store Presidential gifts/memorabilia on the same basis as personal papers and they will be cared for by a curatorial staff that also cares for the gifts that were given to the Clintons as Foreign Official Gifts and are owned by the government. The gifts/memorabilia provide a key source for the museum exhibits. Items like the dresses the First Lady wore at various Inaugural balls would make wonderful exhibit items.

7. *Q. Is the only place that NARA could store these papers at the Project/Library?*

A. Under the Presidential Libraries Act Amendments of 1986 there is only one Library facility per President. However, the Presidential Materials Staff in Washington, D.C. has, on occasions in the past, stored a small amount of personal papers of the former President that are more convenient to leave in the Washington, D.C. area for a period of time.

8. *Q. Who will pay for the shipment of these papers to the Project/Library?*

A. These papers will be transported at federal cost, at the end of the Administration, with the rest of the Clinton official records to the Project/Library.

9. *Q. How can the former President and First Lady access these materials?*

A. They can call the Library staff and request copies of these paper which will be federal expressed. They can have unlimited access at the Project/Library facility, and they can indicate people they would like to have access to the material. The Library staffs try to be as responsive as possible to these requests.

10. *Q. Can NARA put these papers on the Internet so they are accessible by computer to the former President and First Lady?*

A. No. The Library staffs do not have the resources to do massive scanning of these materials. Additionally unless the Internet site is specially secured, which is extremely expensive, these materials would not be secure on Internet. There is a possibility that the staff from time to time could scan and transmit electronically a small amount of documentation. However, our normal method of transmission would be express mail.

11. *Q. Can NARA provide some assistance for personal papers, gifts and memorabilia now?*

A. Yes. NARA is currently storing most of the Clinton gifts with the Presidential Materials Staff. Additionally from early in the Clinton Administration, NARA has provided preservation assistance and archival guidance for the personal Clinton materials.

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 tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

APPENDIX C

Divider Title: _____

THE WHITE HOUSE
WASHINGTON

thp
8-22-94

August 19, 1994

Dear Dr. Peterson:

Pursuant to the provisions of the Presidential Records Act of 1978, I specify that access shall be restricted to all categories of Presidential records set forth in section 2204(a) of the Act for twelve (12) years after the termination of my service as President of the United States.

Under the conditions set forth in section 2204(d) of the Act, as well as 36 C.F.R. 1270.20 implementing the Act, I hereby designate Hillary Rodham Clinton, my wife, and Bruce R. Lindsey, Assistant to the President and Senior Advisor, as my representatives with authority to exercise all discretion or authority granted to me under the Act upon my death or disability.

Sincerely,

William J. Clinton

Dr. Trudy Huskamp Peterson
Acting Archivist of the United States
National Archives and Records Administration
Washington, D.C. 20408

Clinton Presidential Records Digital Records Marker

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This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

APPENDIX D

Divider Title: _____

THE NATIONAL ARCHIVES
WASHINGTON

April 28, 1989

JOHN FAWCETT
Assistant Archivist
for Presidential Libraries

TRANSFER OF REAGAN PRESIDENTIAL
RECORDS FROM WASHINGTON TO
CALIFORNIA

Background

Planning for the transfer of Presidential materials is the responsibility of the Office of Presidential Libraries (NL) in coordination with many units in NARA, the White House, the Department of Defense, the General Services Administration, and private contractors.

As organized and executed during the Reagan/Bush transition, the allocation of responsibilities for transfer of Presidential records was as follows:

National Archives and Records Administration

- Overall Coordination and control
- Planning
- Funding
- Collection of Presidential Records
- Archival control during move
- Preparation of temporary space
- Staffing
- Transport of materials
- Security
- Administration of records after January 20.

Units involved:

- Office of Presidential Libraries
- Office of Management and Administration
- Detailees from other offices

White House

- Review of and concurrence in all plans
- Notification of White House Staff of move dates and requirements
- Assuring Compliance with Presidential Records Act
- Assignment of control (oversize attachment) numbers to archival materials
- Boxing and labeling of materials with NARA assistance
- Security on White House grounds

Units involved:

- Appointments and Scheduling
- Counsel to the President
- Office of Administration
- Office of Records Management
- Secret Service Uniformed Division

Department of Defense

- Contracting for all trucking
- Labor Services (At White House, Andrews AFB, Norton AFB, Los Angeles)
- Air transport
- Command and Control of operation while materials in transit
- Security on military bases

Units involved:

- Director of Administration and Management
- Military Support Action Officer (Army)
- Operations Cell: XVIII Airborne (Army)
- Materials Movement Command
- Military Airlift Command
- Aeroport Squadron Andrews AFB
- Aeroport Squadron Norton AFB
- Army, Ft. McNair
- Navy, Long Beach

General Services Administration

- Preparation of storage space, with funding from NARA
- Security during ground transport
- Liaison with local law enforcement agencies

Units involved:

- Public Buildings Service, Central Office and Region 9
- Federal Protective Service, National Capital Region and Region 9
- White House Area Manager

Private Contractors

- Ground transport
- Cargo handling equipment (White House, West Coast)
- Cargo loading, White House
- Unloading, West Coast

Contractor:

- North American Van Lines

Planning and Preparation

Planning for a Reagan Library began with the beginning of the administration. Consultations between NARA and White House officials on the administration of Presidential materials were all based on the common assumption that materials would be placed in a Reagan Library. During the course of the second Reagan administration, NARA provided advice and information to administration officials to aid

in the selection of a library location. Planning for the actual move of materials began in earnest after the President selected the site in Ventura County.

Temporary Storage Facilities

In the Spring of 1988, NARA officials began to work with Region 9, GSA to locate a suitable facility to store the Presidential materials pending construction of a library. A NARA survey of the Reagan materials stored in the White House complex and NARA was used as the basis for storage capacity needs. Two facilities were located: Space in the Chet Holifield Federal Building, Laguna Niguel. This space was modified for storage of museum items intended for the Reagan Library. Space in the Globe A-I building in Los Angeles. This space was modified for storage of the Presidential papers. Modification of both spaces was initiated in early summer, 1988 and was completed in late October. This was an extremely hurried schedule for the extensive modifications necessary, including construction of vaults and addition of all security systems.

Archival Administration of Transfer

Planning for the archival management of the transfer of materials began with the detail in Fall 1987 of a National Archives archivist (Rod Soubers) to the Office of Records Management (ORM). His duties were to learn White House records keeping systems and to assist ORM in surveying the records in the White House complex, principally to determine the volume for shipment and space planning purposes. The first complete records survey was completed in December 1987.

Detailed planning for the transfer of materials began in Spring 1988 with a series of meetings between Office of Presidential Libraries personnel and White House Officials. Subjects of these meetings were allocation of responsibilities (Appointments and Scheduling, Office of Records Management), transfer of automated records (Office of Administration, WHCA), Surveys of materials (Office of Records Management), and archival and legal administration of the records (Counsel's Office). From these discussions decisions emerged on the treatment of automated records (NARA would purchase a computer and OA would transfer tapes at the end of the administration), scheduling of the move (in two segments, November for museum items, January for records), and on archival administration of records (a team of archivists was assembled to begin reviewing selected Reagan materials and to begin preparing the materials for transfer).

Surveys of Presidential records were accomplished throughout 1988 and revealed the magnitude of the transfer operation. It was estimated that by the end of the administration there would be 20,000 to 25,000 cubic feet of textual records to move (at least 6,000 of which would contain security classified material) and approximately 30,000 museum items amounting to 25,000 cubic feet of crated and boxed material.

The materials were to be moved from four locations. The White House complex contained materials scattered in office files in the East and West Wings, the New EOB, the Old EOB (approximately 2000 cubic feet of the materials in the Old EOB were stored in ORM filing equipment and storage rooms).

National Security Council Presidential files were stored in Warrenton, Va. Overflow ORM files and Presidential gifts were stored in the National Archives Building. Printed materials were stored at the Washington National Records Center in Suitland, Md. It

was decided that audiovisual materials would remain in Washington, stored in the National Archives building for ease of administration until a permanent library building was ready.

The two previous administrations (Ford and Carter) had been closed out on relatively short notice because planning depended on the outcome of elections. The additional lead time afforded by the completion of two full terms by President Reagan made it possible to more closely control the archival administration of the materials and to move the Presidential records in better order than in the past. In addition, developments in computer technology gave archivists better tools to manage the records transfer. Accordingly, NARA's Systems Management Division (Stephen Hannestad) developed a system to control each box of material during the transfer and to pre-assign each box to a shelf location at its destination in the temporary facility. During the transfer operation, each box was given a preprinted label as it was loaded on a shipping pallet. The NARA survey of the Reagan materials in December 1987 was used to determine volume estimates and shelf allocation. The labels were divided into segments for each major file category then subdivided into packages of 30. The label included a unique serial number and an eventual shelf location. As the 30 box pallets were completed, a pallet inventory was created which listed the box serial number and a short description and a pallet number was assigned. The pallet number would provide control during shipment. The numbers and descriptions were then entered in a computer to provide the ability to rapidly retrieve information using the numbers or the descriptions. Pallet numbers remained the basic unit of control during the subsequent transshipments from point of origin to trucks, from trucks to air pallets, air pallets to airplanes, unloading from airplanes to trucks, and unloading from trucks at the destination. This system of control worked well.

Transport Planning and DOD Assistance

In past Presidential moves NARA had received assistance from the Department of Defense, which had provided security services and staging areas at military bases. NARA recognized the value of military assistance in moving the Reagan materials in view of the long distance and the amount of material to be moved. NARA determined to ask DOD for help with transport and staging areas, but decided not to ask for military help with security outside of military areas because of the lack of police powers.

In March 1988, the NARA officials met with D. O. Cooke, DOD Director of Administration and Management, to brief him on the nature of the project ahead and to request military assistance in the areas mentioned. Subsequently, Army Major Lee McMichael was assigned as action officer for the project. Major McMichael coordinated arrangements for military assistance, including an analysis of the alternative modes of transport available to move the materials to California. After discarding alternatives such as shipment by sea and shipment by piggyback rail, the two which remained were air transport and truck transport. Each had points to recommend them. Air transport minimized exposure time in transit and made security easier. Truck transport had a minimal possibility of catastrophic loss of the historical record and seemed to promise less possibility of loss of archival control of the materials because there was no transshipment necessary between modes of transportation. Over the next several months, the alternatives were studied until the decision point came in October. At that point, DOD recommended military air transport and NARA concurred. It was further decided that the materials would be moved in two

operations. Movement of the gifts (valuable but not as historically significant as the papers) would take place in November and would provide a trial run for the movement of papers in January 1989. DOD also agreed to contract with a trucking firm for the ground portion of the move on both coasts. NARA would reimburse DOD for the costs.

General Movement Plan

By October 1988 a general plan for the transfer of the materials was in place:

- National Archives employees, assisted as necessary by ORM staff and an Army labor crew would collect materials at points of origin, document the records, and ready them for shipment.
- North American Van Lines (NAVL) would provide ground transport to Andrews AFB and from Norton AFB to destinations.
- GSA Federal Protective Services officers would provide security escort from point of origin to Andrews AFB and from Norton AFB to destination.
- Air Force Military Airlift Command (MAC) personnel would unload the trucks at Andrews AFB, ready the materials for shipment, and provide air transport by Air Force C5B cargo planes to Norton Air Force Base, San Bernardino, CA. El Toro Marine Air Station had been investigated as a possible destination, but was rejected because of lack of equipment and personnel for such a mission. Norton, as a MAC base, could handle such an operation routinely. MAC personnel would unload at Norton and load North American Van Lines trucks.
- NARA personnel would monitor shipments, document all transshipment activities, and provide on-site direction throughout shipment.
- Museum items (November shipment) would go to Laguna Niguel facility, with unloading labor provided by NAVL with the assistance of NARA Laguna Niguel Federal Records Center employees.
- Presidential Records (January shipment) would go to the West Los Angeles facility, with unloading the responsibility of NAVL, and shelving of materials to be done by a crew of Navy seamen from the Battleship New Jersey.
- DOD would provide an Operations Cell to accompany all shipments and act as the liaison between NARA and the Military. See attached After Action Report.
- Air Police provided all on-base security.
- NARA's 32" x 36" pallets hold 30 Federal Records Center boxes. A 48-foot 102-inch wide van will accommodate 42 such pallets placed three abreast and 14 deep, yielding a tight load that will not shift in transit. Six of NARA's pallets fit on a 88" x 108" 463L air pallet and were well under the 96" maximum allowable height.

Execution

November Operation

The transfer of Reagan Presidential materials began on November 4-6, 1988, with the loading of gift and printed materials simultaneously from the National Archives Building and the Washington National Records Center (WNRC) at Suitland, MD.

84 pallets of printed materials were moved from WNRC to Andrews AFB in 2 48-foot vans. Gift materials were moved from the Archives building in 27-foot vans. The smaller trucks were necessary because of the constricted access to the loading area. The loading area can accept 40-foot vans if the landing gears fold; however NAVL did not have such vans and was only able to lease the smaller vans. It required two days and 16 trucks to move the 127 pallets and 400 crates to Andrews AFB. Estimates of the total number of crates to be moved proved to be low.

The trucks departed from the National Archives building as they were loaded and were escorted to Andrews AFB by Federal Protective service, four officers in two cars, one leading, one following. When the materials arrived at Hanger Two, they were unloaded by MAC and NARA personnel and placed on air pallets. Each air pallet was inventoried by NARA personnel before it was covered and secured with straps by Air Force personnel. Building of most of the air pallets was time consuming because of the many odd sized crates and packages. Materials which were packed on standard NARA 32" x 36" shipping pallets were loaded easily and quickly, 6 NARA pallets to a 88" x 108" air pallet. As the air pallets were completed they were weighed and set aside for loading onto the aircraft. MAC produced a manifest for each planeload as it was completed. Each C5B held a maximum of 35 air pallets of cargo.

The November mission consisted of two C5B flights which departed Andrews on November 6 and November 7 for Norton AFB. The flights left at approximately 1000 EST and arrived at 1200 PST. Air Force crews were standing by the download immediately as the aircraft landed. NAVL trucks were waiting for immediate loading at the Norton freight terminal. Each flight filled six 48-foot trucks. The trucks were loaded in approximately three hours, secured, and moved to a staging area, where they were placed under armed Air Force security until 0900 the next morning when the convoy departed for Laguna Niguel. The first convoy moved on November 7, the second on November 8. Each convoy was escorted by 2 NARA rental vehicles, one Army rental vehicle, and California Highway Patrol vehicles. Radio communications were maintained between all escort vehicles. Both convoys were uneventful.

Trucks arrived at Laguna Niguel about 1200 and unloading took approximately three hours. Unloading was performed by NARA Federal Record Center employees, NAVL personnel, NARA escort personnel, and the Military operations cell. The contract personnel were to have unloaded but their numbers were not adequate to the task. Crated and boxed gifts and palletized gift and textual materials were placed on a grid marked on the floor of the general storage area and the vault. A location register was created by grid location and box, crate and pallet number after all materials were in place.

The transfer of all materials intended for Laguna Niguel was complete by close of business November 8.

Although the November movement went relatively smoothly, several lessons were learned:

- A larger labor force was needed at Andrews AFB to unload trucks and load air pallets because the odd sized crates had to be loaded by hand and not by forklift.
- A larger labor force was needed to unload and store materials at the destination.

- Telephone communications for NARA personnel were necessary at both Norton and Andrews. NARA telephone lines were installed at both bases for the January move.

- Better estimates of volume of materials to be shipped were necessary to properly plan storage space. Gift boxes and crates had to be double stacked because of underestimates of volume.

- Uniform crates for gifts would have simplified the building of air pallets at Andrews.

- Redesign of gift crates required. The nailed plywood crates often came apart during handling, necessitating time consuming renailing or strapping.

- Whenever possible materials should be placed on wooden shipping pallets for ease of handling.

January Move

Accurate estimates of the volume presidential records to be moved were critical to the success of the January transfer. Original estimates of 24,000 cubic feet were high, however it proved easier to drop to 3 flights from the 4 that were originally planned than to add flights to an already tight schedule. Surveying of records on the White House complex continued through the third week in January to assure that preparations were adequate.

The January operation consisted of the transfer of approximately 18,000 cubic feet of records, approximately half from the National Archives Building and Warrenton and half from the White House Complex.

Marshalling the materials for shipment began on December 10 with the palletizing and loading of 2000 cubic feet of classified materials which had been accumulated in secure storage in Warrenton, VA. NARA had encouraged the NSC Secretariat to allow the shipment of these materials as early as possible. It was necessary to palletize and document the material on a weekend because of the facility's normal weekday workload. A National Archives labor crew and team of 5 archivists worked with a 20-member team of facility employees which pulled the records from the storage area. All involved required at least Top Secret clearance. The archivists applied pre-printed box labels and inventoried the pallets, the NARA labor crew shrink-wrapped the pallets and loaded two 48 foot vans. The work was accomplished in one 8 hour day. The vans were placed under security within the compound and were moved the next day with FPS and State Police escort to secure storage at NARA's Pickett Street facility, where they were held pending shipment with the first January planeload.

Readying for shipment the materials held in the National Archives Building was time-consuming and cumbersome because they were stored randomly in several storage areas. Materials had come in as overflow from the White House Office of Records Management (ORM) over the course of several years. They were controlled by Oversize Attachment (OA) number in a computerized location register. The materials had been shelved randomly as they arrived. To arrange materials for ease of shelving at the destination, materials from widely separated shelf positions, and from separate stack areas, were integrated on the shipping pallets in OA number order. The integration of materials, palletizing, wrapping, and inventorying of the 6000 cubic feet of NARA-held records occupied 10 to 15 staff members for the two weeks prior to

shipment during the first week of January. The schedule was very tight and the work was completed at the last moment. The decision to ship the boxes in OA number order caused substantial delays.

Collecting and packing of records for shipment from the White House complex began formally on December 1 with the issuance by the Counsel the President of a memorandum to the White House Staff. The memorandum gave a deadline of January 10 for materials to be turned over to ORM for shipment. This deadline was not widely observed and it took much reminding and cajoling by NARA staff stationed in the EOB to persuade staff offices to relinquish records before the last minute. This has been the common experience at the end of all administrations. Because many staff offices were reluctant to give up records until the last minute or were unwilling to divert staff time to box the records NARA did much of the boxing of the records in the White House complex.

As materials were packed and palletized in the OEOB, they were inventoried, pre-printed box labels were applied and the pallets were staged for shipment in EOB Room 400 and in the hallways. Staging areas were inadequate, however materials were not allowed to remain long in the hallways before they were loaded and moved to Andrews. Collection and documenting of materials was carried out by 10-15 NARA staff members detailed to the project and the ORM staff. The labor of moving materials and wrapping pallets was carried out by a team of 10 Army enlisted men from local Army bases. Loading the trucks was the responsibility of NAVL, who provided a driver, a forklift operator, and a helper during all loading operations.

Beginning several days prior to each flight from Andrews, materials for that flight were moved to Hangar 2 as each truck was loaded. 28-foot trailers were used from the Archives building. 48-foot trailers were used from the Pickett Street facility and from the White House. Escort for classified materials from Pickett Street was provided by Virginia State Police, Prince Georges County Police, and the FPS. Escort from the Archives and the White House was provided, for the most part, by FPS, supplemented by units from the U. S. Park Police when FPS was unable to provide escort because of workload associated with the inauguration.

Three flights of materials departed in January and one in March on the following dates:

January 5. 66 pallets of classified materials from Pickett Street. 138 pallets of Oversize attachments from NARA storage.

January 9. 184 pallets, half Oversize Attachments from NARA storage and half White House Central Files, Subject File.

January 12. Flight was first postponed, then cancelled because not enough material was packed to fill a plane and new estimates showed that material remaining in the White House could be carried on one aircraft.

January 20. Remaining materials from the White House. 196 pallets, half from White House Central Files, half from White House Staff Offices.

March 16. 60 pallets of miscellaneous and late-arriving materials were shipped by C-141.

The January flights were accompanied by 3 NARA escorts and 1 or 2 members of the Operations Cell. The third member of the operations cell had gone ahead to Norton

AFB to make all arrangements for the off-loading operations, base security, and accommodations on base for the night of arrival.

All flights were scheduled to leave Andrews at 0900. Two flights were delayed, one by mechanical problems necessitating a landing at Dover AFB, and one because the order prohibiting space available passengers had not been received by Andrews AFB, necessitating the disembarking of unauthorized passengers. The flights landed at Norton at 1400 PST. Aircraft were immediately downloaded into waiting NAVL trailers which were secured and moved to a staging area to await departure. Loading was generally finished by 1700 PST. NARA and Operations Cell couriers then retired to BOQ accommodations for rest before the 0200 departure of the convoy for the West Los Angeles (WLA) facility. By 0130 all parties were assembled for the start of the 6 truck convoy. The Security escort consisted of 2 NARA cars, 8 FPS cars, 2 CHP cars, an Army car, and an NAVL escort car. Rental cars were given "Kojak" lights to identify them as members of the convoy. Each of the convoys was uneventful. The smaller transfer in March consisted of only two trucks and did not require a police escort but included one NARA and one Operations Cell escort.

The convoys arrived at the WLA facility at approximately 0400 and NAVL employees began unloading immediately under the direction of NARA personnel. At 0500 a crew of 20 Navy seamen from the Battleship New Jersey (Long Beach) arrived and began to shelve materials in locations designated by box labels. Shelving was generally finished by 0900.

Note on Archival Control of Records

Records were controlled throughout the shipment process by means of inventories of containers during all stages of transport. As materials were boxed in the White House staff offices or in the White House Office of Records Management, contents were noted on the boxes. The boxes were identified either by contents as they were already documented in the ORM automated system or they were given Oversize Attachment (OA) numbers which related to descriptions which were then entered into the ORM automated system. The materials stored in Warrenton were already identified in the NSC record keeping system. The materials stored in the National Archives building had already been assigned OA numbers, and the descriptions entered in the ORM system, at the time they were transferred to NARA. Thus, basic level of description and archival control was the box level. Records entered in ORM's OA system were described only by OA number. Records collected from staff offices were given a short description by archivists collecting the materials. It was important that describing archivists use standard descriptive terms for the resulting data base to be useful.

At the time the boxes were transferred to pallets for shipment, each box was labeled with a preprinted adhesive label. Each label included a unique serial number, which would henceforth identify the box, and a pre-assigned shelf location at the destination. As pallets were completed, archivists created pallet inventories which listed each serial number and the associated description of each box on the pallet. The pallet inventories were entered into an automated database which allowed searches of box descriptions, which would yield the serial number and thus, the pallet number during transit or the final location at the destination.

During shipment, the pallet was the unit of control. Pallets containing materials from Warrenton were given a number with an "5" prefix. Materials from the Archives Building

were given an "N" prefix for gift materials, an "A" prefix for OA materials, or an "M" prefix for miscellaneous materials. Materials from the White House Complex were given an "M" prefix for miscellaneous, an "A" for OA materials, a "D" prefix for materials from Central Files filing equipment, and a "V" prefix for security classified materials. Mutually exclusive series of numbers were assigned to each location so as not to duplicate numbers of pallets assigned the same prefix.

As pallets were loaded at points of origin, truck inventories were created. As the shipping pallets were moved from trucks to air pallets at Andrews AFB, air pallet inventories were created. The Military Airlift Command created aircraft manifests which listed air pallets on each flight. Air pallets were unloaded at Norton AFB, broken down in the freight terminal and shipping pallets were loaded on trucks. Truck inventories of shipping pallet numbers were created as each truck was loaded. Thus, at any point during shipment, any single box could be located through relationships within the hierarchy of containers. Also, truck unloading sequence at the destination could be preplanned. As each flight of materials departed Andrews AFB, the automated file on its contents was transmitted to a computer on the West Coast to allow preplanning for reception of materials.

Note on Security

Security planning for the transfer of Presidential records consisted of assuring that secure facilities were readied to accept the materials and that proper security measures were taken while the materials were in transit.

Modification of storage areas was designed by the National Archives Systems Management Division Director and was carried out by private contractors at the West Los Angeles facility and by GSA at the Laguna Niguel facility. Vaults and perimeter security followed specifications set forth in Manual for *Physical Security Standards for Sensitive Compartmented Information Facilities (SCIFs)*, Supp. to Director of Central Intelligence Directive (DCID) 1/21.

Coordination of security measures to be taken in transit was the responsibility of the Office of Presidential Libraries, with responsibility for specific areas under the direction of the following parties:

Military base security: DOD coordinator and OperationsCell.

NARA security & liaison with law enforcement agencies: NARA Security and Safety Officer.

White House complex security: NARA and Office of Records Management in coordination with the Secret Service Uniformed Division.

Presidential materials in transit were accompanied by armed guards and escorted by Government personnel with security clearances appropriate for the materials being transported. General security procedures may be illustrated by the following description of the movement of materials from the White House complex to the West Los Angeles Facility.

Within the White House complex all security is the province of the Secret Service. All NARA, military, and contract personnel involved in the move were previously cleared into the complex. The Secret Service Uniformed Division provided officers to patrol materials on pallets staged in the hallways of the Old Executive Office Building. Uniformed Division guards also provided security during the loading of trucks in West

Executive Avenue. After the trucks were loaded, they were sealed and padlocked and departed through the Northwest Gate onto Pennsylvania Avenue. At the gate, the Federal Protective Service assumed escort duty. The FPS provided two patrol cars and four officers to escort each truck to Andrews AFB. NARA personnel alerted Andrews base security, which met the trucks at the Andrews main gate and escorted the trucks and FPS to Hangar 2. At Hangar 2, FPS relinquished responsibility for the materials to the Air Force, which provided 24-hour armed guards while materials were on Base.

The Hangar 2 work areas, where materials were unloaded from trucks and placed on air pallets, were cordoned off and only personnel authorized by NARA as involved in the operation were allowed within the restricted area. NARA issued special identification badges to each individual involved. The badges were to be worn at all times in the work area. This rule was enforced by Air Police guards.

The same restrictions were in force at Norton AFB, where NARA also issued identification badges. Air Force security also patrolled the freight terminal work area and provided 24 hour guards for the truck staging area, where loaded, secured trucks were parked awaiting formation and departure of the convoy to the West Los Angeles facility. The Federal Protective Service provided the security escort from Norton AFB to destination jointly with the California Highway Patrol. The six-truck convoy departed Norton AFB at 0200 escorted by 8 FPS cars, 2 CHP cars, CHP motorcycles, 2 NARA cars and one Army car. The Air Force relinquished responsibility at the gate. At the destination FPS officers remained to provide security until all materials were unloaded and the facility was secured.

A NOTE ON ORGANIZATION

Planning, supervision, and funding of the transfer of the Reagan records was the responsibility of NARA's Office of Presidential Libraries (NL). However, although NL coordinated the major outlines of the transfer centrally, it was important that individuals with independent decisionmaking authority were placed in charge at each location and in each activity and that these individuals could work well with non-NARA organizations involved. Prior to the start of the operation, many planning meetings were held among the principals to work out details and allocate responsibilities:

The following individuals were given the major responsibilities:

Overall planning and coordination: David Van Tassel, NARA Office of Presidential Libraries.

Space and automation planning and implementation: Stephen Hannestad, NARA Office of Management and Administration.

Security, Labor, and Supplies: Lawrence Oberg, NARA, Administrative Services Division.

NARA White House Operations: James Hastings, NARA, Office of Presidential Libraries.

White House Records Operations: Terry Good, Lee Johnson, White House Office of Records Management.

Overall DOD mission coordinator: Maj. Lee N. McMichael, U.S. Army.

Army Operations Cell Commander: Maj. Steven Remley, U.S Army.

Transport planning and contracting: John Alexander, Military Traffic Movement Command, DOD.

Records movement, National Archives Bldg.: Douglas Thurman, NARA, Office of Presidential Libraries.

Records reception, West Coast: Richard Soubers, Clarence Henley, NARA, Office of Presidential Libraries.

Resident West Coast liaison: Sharon Roadway, NARA, Office of Federal Records Centers.

Prior to the above individuals taking up their operational responsibilities, the major decisions on the timing of the transfer and the method of transport were made in consultations between the following individuals.

Don Wilson, Archivist of the United States.

D.O. Cooke, Director of Administration and Management, Department of Defense.

Claudine Weiher, Deputy Archivist of the United States.

Fred Ryan, White House Office of Presidential Appointments and Scheduling and Director Designate, Former President's Office.

John Fawcett, Assistant Archivist for Presidential Libraries.

A full list of contacts is appended.

David S. Van Tassel
Supervisory Archivist,
Office of Presidential Libraries

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 tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

APPENDIX E

Divider Title: _____

STATUTORY AUTHORITIES

1. Presidential Transition Act
2. Presidential Libraries Act of 1955
3. Presidential Libraries Act of 1986
4. Presidential Records Act

PRESIDENTIAL TRANSITION ACT OF 1963 Pub. L. 88-277, Mar. 7, 1964, 78 Stat. 153, as amended by Pub. L. 94-499, Sec. 1, 2, Oct. 14, 1976, 90 Stat. 2380; Pub. L. 100-398, Sec. 2(a), 3, 4, Aug. 17, 1988, 102 Stat. 985, 986, provided: "That this Act may be cited as the 'Presidential Transition Act of 1963.'

"PURPOSE OF THIS ACT "Sec. 2. The Congress declares it to be the purpose of this Act to promote the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President. The national interest requires that such transitions in the office of President be accomplished so as to assure continuity in the faithful execution of the laws and in the conduct of the affairs of the Federal Government, both domestic and foreign. Any disruption occasioned by the transfer of the executive power could produce results detrimental to the safety and well-being of the United States and its people. Accordingly, it is the intent of the Congress that appropriate actions be authorized and taken to avoid or minimize any disruption. In addition to the specific provisions contained in this Act directed toward that purpose, it is the intent of the Congress that all officers of the Government so conduct the affairs of the Government for which they exercise responsibility and authority as (1) to be mindful of problems occasioned by transitions in the office of President, (2) to take appropriate lawful steps to avoid or minimize disruptions that might be occasioned by the transfer of the executive power, and (3) otherwise to promote orderly transitions in the office of President.

"SERVICES AND FACILITIES AUTHORIZED TO BE PROVIDED TO

PRESIDENTS-ELECT AND VICE-PRESIDENTS-ELECT "Sec. 3. (a) The Administrator of General Services, referred to hereafter in this Act as 'the Administrator,' is authorized to provide, upon request, to each President-elect and each Vice-President-elect, for use in connection with his preparations for the assumption of official duties as President or Vice President necessary services and facilities, including - "(1) Suitable office space appropriately equipped with furniture, furnishings, office machines and equipment, and office supplies, as determined by the Administrator, after consultation with the President-elect, the Vice-President-elect, or their designee provided for in subsection (e) of this section, at such place or places within the United States as the President-elect or Vice-President-elect shall designate; "(2) Payment of the compensation of members of office staffs designated by the President-elect or Vice-President-elect at rates determined by them not to exceed the rate provided by the Classification Act of 1949, as amended (chapter 51 and subchapter III of chapter 53 of title 5), for grade GS-18: Provided, That any employee of any agency of any branch of the Government may be detailed to such staffs on a reimbursable basis with the consent of the head of the agency; and while so detailed such employee shall be responsible only to the President-elect or Vice-President-elect for the performance of his duties: Provided further, That any employee so detailed shall continue to receive the compensation provided pursuant to law for his regular employment, and shall retain the rights and privileges of such employment without interruption. Notwithstanding any other law, persons receiving compensation as members of office staffs under this subsection, other than those detailed from agencies, shall not be held or considered to be employees of the Federal Government except for purposes of the Civil Service Retirement Act (section 8301 et seq. of title 5), the Federal Employees' Compensation Act (section 8501 et seq. of title 5), the Federal Employees' Group Life Insurance Act of 1954 (section 8701 et seq. of title 5), and the Federal Employees Health Benefits Act of 1959 (section 8901 et seq. of title 5); "(3) Payment of expenses for the procurement of services of experts or consultants or organizations thereof for the President-elect or Vice-President-elect, as authorized for the head of any department by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a) (section 3109 of title 5); "(4)(A) Payment of travel expenses and subsistence allowances, including rental of Government or hired motor vehicles, found necessary by the President-elect or Vice-President-elect, as authorized for persons

employed intermittently or for persons serving without compensation by section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b-2) (section 5703 of title 5), as may be appropriate; "(B) When requested by the President-elect or Vice-President-elect or their designee, and approved by the President, Government aircraft may be provided for transition purposes on a reimbursable basis; when requested by the President-elect, the Vice-President-elect, or the designee of the President-elect or Vice-President-elect, aircraft may be chartered for transition purposes; and any collections from the Secret Service, press, or others occupying space on chartered aircraft shall be deposited to the credit of the appropriations made under section 6 of this Act; "(5) Communications services found necessary by the President-elect or Vice-President-elect; "(6) Payment of expenses for necessary printing and binding, notwithstanding the Act of January 12, 1895, and the Act of March 1, 1919, as amended (44 U.S.C. 111) (section 501 of title 44); "(7) Reimbursement to the postal revenues in amounts equivalent to the postage that would otherwise be payable on mail matter referred to in subsection (d) of this section. "(b) The Administrator may not expend funds for the provision of services and facilities under section 3 of this Act in connection with any obligations incurred by the President-elect or Vice-President-elect - "(1) before the day following the date of the general elections held to determine the electors of President and Vice President under section 1 or 2 of title 3, United States Code; or "(2) after 30 days after the date of the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President. "(c) The terms 'President-elect' and 'Vice-President-elect' as used in this Act shall mean such persons as are the apparent successful candidates for the office of President and Vice President, respectively, as ascertained by the Administrator following the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2. "(d) Each President-elect shall be entitled to conveyance within the United States and its territories and possessions of all mail matter, including airmail, sent by him in connection with his preparations for the assumption of official duties as President, and such mail matter shall be transmitted as penalty mail as provided in title 39, United States Code, section 4152 (now section 3202 of title 39). Each Vice-President-elect shall be entitled to conveyance within the United States and its territories and possessions of all mail matter, including airmail, sent by him under his written autograph signature in connection with his preparations for the assumption of official duties as Vice President. "(e) Each President-elect and Vice-President-elect may designate to the Administrator an assistant authorized to make on his behalf such designations or findings of necessity as may be required in connection with the services and facilities to be provided under this Act. Not more than 10 per centum of the total expenditures under this Act for any President-elect or Vice-President-elect may be made upon the basis of a certificate by him or the assistant designated by him pursuant to this section that such expenditures are classified and are essential to the national security, and that they accord with the provisions of subsections (a), (b), and (d) of this section. "(f) In the case where the President-elect is the incumbent President or in the case where the Vice-President-elect is the incumbent Vice President, there shall be no expenditures of funds for the provision of services and facilities to such incumbent under this Act, and any funds appropriated for such purposes shall be returned to the general funds of the Treasury.

"SERVICES AND FACILITIES AUTHORIZED TO BE PROVIDED TO FORMER

PRESIDENTS AND FORMER VICE PRESIDENTS

"Sec. 4. The Administrator is authorized to provide, upon request, to each former President and each former Vice President, for a period not to exceed seven months from 30 days before the date of the expiration of his term of office as President or Vice President, for use in connection with winding up the affairs of his office, necessary services and facilities of the same general character as authorized by this Act to be provided to Presidents-elect and Vice-Presidents-elect. Any person appointed or detailed to serve a former President or former Vice President under authority of this section shall be appointed or detailed in accordance with, and shall be subject to, all of the provisions of section 3 of this Act applicable to persons appointed or detailed under authority of that section. The provisions of the Act of August 25,

1958 (72 Stat. 838; 3 U.S.C. 102, note), other than subsections (a) and (e) shall not become effective with respect to a former President until six months after the expiration of his term of office as President.

DISCLOSURES OF FINANCING AND PERSONNEL; LIMITATION ON ACCEPTANCE

OF DONATIONS

"Sec. 5. (a)(1) The President-elect and Vice-President-elect (as a condition for receiving services under section 3 and for funds provided under section 6(a)(1)) shall disclose to the Administrator the date of contribution, source, amount, and expenditure thereof of all money, other than funds from the Federal Government, and including currency of the United States and of any foreign nation, checks, money orders, or any other negotiable instruments payable on demand, received either before or after the date of the general elections for use in the preparation of the President-elect or Vice-President-elect for the assumption of official duties as President or Vice President. "(2) The President-elect and Vice-President-elect (as a condition for receiving such services and funds) shall make available to the Administrator and the Comptroller General all information concerning such contributions as the Administrator or Comptroller General may require for purposes of auditing both the public and private funding used in the activities authorized by this Act. "(3) Disclosures made under paragraph (1) shall be - "(A) in the form of a report to the Administrator within 30 days after the inauguration of the President-elect as President and the Vice-President-elect as Vice President; and "(B) made available to the public by the Administrator upon receipt by the Administrator. "(b)(1) The President-elect and Vice-President-elect (as a condition for receiving services provided under section 3 and funds provided under section 6(a)(1)) shall make available to the public - "(A) the names and most recent employment of all transition personnel (full-time or part-time, public or private, or volunteer) who are members of the President-elect or Vice-President-elect's Federal department or agency transition teams; and "(B) information regarding the sources of funding which support the transition activities of each transition team member. "(2) Disclosures under paragraph (1) shall be made public before the initial transition team contact with a Federal department or agency and shall be updated as necessary. "(c) The President-elect and Vice-President-elect (as a condition for receiving services under section 3 and for funds provided under section 6(a)(1)) shall not accept more than \$5,000 from any person, organization, or other entity for purposes of carrying out activities authorized by this Act.

"AUTHORIZATION OF APPROPRIATIONS "Sec. 6. (a) There are hereby authorized to be appropriated to the Administrator such funds as may be necessary for carrying out the purposes of this Act, except that with respect to any one Presidential transition - "(1) not more than \$3,500,000 may be appropriated for the purposes of providing services and facilities to the President-elect and Vice President-elect under section 3, and "(2) not more than \$1,500,000 may be appropriated for the purposes of providing services and facilities to the former President and former Vice President under section 4, except that any amount appropriated pursuant to this paragraph in excess of \$1,250,000 shall be returned to the general fund of the Treasury in the case where the former Vice President is the incumbent President. The President shall include in the budget transmitted to Congress, for each fiscal year in which his regular term of office will expire, a proposed appropriation for carrying out the purposes of this Act. "(b) The amounts authorized to be appropriated under subsection (a) shall be increased by an inflation adjusted amount, based on increases in the cost of transition services and expenses which have occurred in the years following the most recent Presidential transition, and shall be included in the proposed appropriation transmitted by the President under the last sentence of subsection (a)." (Pub. L. 100-398, Sec. 2(b), Aug. 17, 1988, 102 Stat. 985, provided that: "The amendments made by subsection (a) of this section (renumbering and amending section 6 of Pub. L. 88-277, set out above) shall be effective upon enactment (Aug. 17, 1988), except that the amendment made by paragraph (7) of such subsection (enacting subsec. (b) of section 6 of Pub. L. 88-277, set out above) shall take effect on October 1, 1989 ") (Pub. L. 94-499, Sec. 3, Oct. 14, 1976, 90 Stat. 2380, provided that amendment of section 5 of

Pub. L. 88-277 (set out above) by section 1 of Pub. L. 94-499, respecting revision of appropriation authorization, shall be effective Oct. 14, 1976.) (References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 (title I, Sec. 101(c)(1)) of Pub. L. 101-509, set out in a note under section 5376 of Title 5.) **EXPENSE ALLOWANCE; USE; REVERSION OF UNEXPENDED PORTION; NONTAXABLE** Provisions prohibiting expenditure of funds made available for official expenses for any other purpose, requiring reversion of any unused amount to the Treasury pursuant to 31 U.S.C. 1552, and providing that none of the funds made available for official expenses shall be considered as taxable to the President were contained in the following appropriation acts: Pub. L. 105-277, div. A, title I, Sec. 101(h) (title III), Oct. 21, 1998, 112 Stat. 2681-480, 2681-492. Pub. L. 105-61, title III, Oct. 10, 1997, 111 Stat. 1290. Pub. L. 104-208, div. A, title I, Sec. 101(f) (title III), Sept. 30, 1996, 110 Stat. 3009-314, 3009-326. Pub. L. 104-52, title III, Nov. 19, 1995, 109 Stat. 477. Pub. L. 103-329, title III, Sept. 30, 1994, 108 Stat. 2392. Pub. L. 103-123, title III, Oct. 28, 1993, 107 Stat. 1235. Pub. L. 102-393, title III, Oct. 6, 1992, 106 Stat. 1738. Pub. L. 102-141, title III, Oct. 28, 1991, 105 Stat. 844. Pub. L. 101-529, title III, Nov. 5, 1990, 104 Stat. 1399. Pub. L. 101-136, title III, Nov. 3, 1989, 103 Stat. 790. Pub. L. 100-440, title III, Sept. 22, 1988, 102 Stat. 1728. Pub. L. 100-202, Sec. 101(m) (title III), Dec. 22, 1987, 101 Stat. 1329-390, 1329-398. Pub. L. 99-500, Sec. 101(m) (title III), Oct. 18, 1986, 100 Stat. 1783-308, 1783-315, and Pub. L. 99-591, Sec. 101(m) (title III, Sec. 301), Oct. 30, 1986, 100 Stat. 3341-308, 3341-315. Pub. L. 99-190, Sec. 101(h) (H.R. 3036, title III), Dec. 19, 1985, 99 Stat. 1291. Pub. L. 98-473, Sec. 101(j) (H.R. 5798, title III), Oct. 12, 1984, 98 Stat. 1963. Pub. L. 98-151, Sec. 101(f) (H.R. 4139, title III), Nov. 14, 1983, 97 Stat. 973. Pub. L. 97-377, title I, Sec. 101(a) (incorporating H.R. 4121, title III, for FY 1982), Dec. 21, 1982, 96 Stat. 1830. Pub. L. 97-92, Sec. 101(a) (H.R. 4121, title III), Dec. 15, 1981, 95 Stat. 1183. Pub. L. 96-536, Sec. 101(a) (incorporating Pub. L. 96-74, title III), Dec. 16, 1980, 94 Stat. 3166. Pub. L. 96-74, title III, Sept. 29, 1979, 93 Stat. 563. **FORMER PRESIDENTS; ALLOWANCE; SELECTION, COMPENSATION, AND STATUS OF OFFICE STAFF; OFFICE SPACE; WIDOW'S ALLOWANCE, TERMINATION;**

"FORMER PRESIDENT" DEFINED Pub. L. 85-745, Aug. 25, 1958, 72 Stat. 833, as amended by Pub. L. 86-682, Sec. 12(c), Sept. 2, 1960, 74 Stat. 730; Pub. L. 88-426, title I, Sec. 124, Aug. 14, 1964, 78 Stat. 412; Pub. L. 89-554, Sec. 8(a), Sept. 6, 1966, 80 Stat. 660; Pub. L. 90-206, title II, Sec. 224(c), Dec. 16, 1967, 81 Stat. 642; Pub. L. 91-231, Sec. 7, Apr. 15, 1970, 84 Stat. 198; Pub. L. 91-658, Sec. 6, Jan. 8, 1971, 84 Stat. 1963; Pub. L. 95-138, Sec. 1, Oct. 18, 1977, 91 Stat. 1170. Pub. L. 103-123, title IV, Sec. 6(a), Oct. 28, 1993, 107 Stat. 1245; Pub. L. 103-329, title V, Sec. 531, Sept. 30, 1994, 108 Stat. 2413; Pub. L. 104-52, title V, Sec. 523, Nov. 19, 1995, 109 Stat. 495; Pub. L. 105-61, title IV, Sec. 409(a), Oct. 10, 1997, 111 Stat. 1299, provided that: "(a) Each former President shall be entitled for the remainder of his life to receive from the United States a monetary allowance at a rate per annum, payable monthly by the Secretary of the Treasury, which is equal to the annual rate of basic pay, as in effect from time to time, of the head of an executive department, as defined in section 101 of title 5, United States Code. However, such allowance shall not be paid for any period during which such former President holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate." (b) The Administrator of General Services shall, without regard to the civil-service and classification laws, provide for each former President an office staff. Persons employed under this subsection shall be selected by the former President and shall be responsible only to him for the performance of their duties. Each former President shall fix basic rates of compensation for persons employed for him under this paragraph which in the aggregate shall not exceed \$96,000 per annum except that for the first 30-month period during which a former President is entitled to staff assistance under this subsection, such rates of compensation in the aggregate shall not exceed \$150,000 per annum. The annual rate of compensation payable to any such person shall not exceed the highest annual rate of basic pay now or hereafter

provided by law for positions at level II of the Executive Schedule under section 5313 of title 5, United States Code. "(c) The Administrator of General Services shall furnish for each former President suitable office space appropriately furnished and equipped, as determined by the Administrator, at such place within the United States as the former President shall specify. "(d) (Repealed. Pub. L. 86-682, Sec. 12(c), Sept. 2, 1960, 74 Stat. 730. See sections 3214 and 3216 of title 39.) "(e) The widow of each former President shall be entitled to receive from the United States a monetary allowance at a rate of \$20,000 per annum, payable monthly by the Secretary of the Treasury, if such widow shall waive the right to each other annuity or pension to which she is entitled under any other Act of Congress. The monetary allowance of such widow - "(1) commences on the day after the former President dies; "(2) terminates on the last day of the month before such widow - "(A) dies; or "(B) remarries before becoming 60 years of age; and "(3) is not payable for any period during which such widow holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate. "(f) As used in this section, the term 'former President' means a person - "(1) who shall have held the office of President of the United States of America; "(2) whose service in such office shall have terminated other than by removal pursuant to section 4 of article II of the Constitution of the United States of America; and "(3) who does not then currently hold such office. "(g) There are authorized to be appropriated to the Administrator of General Services up to \$1,000,000 for each former President and up to \$500,000 for the spouse of each former President each fiscal year for security and travel related expenses: Provided, That under the provisions set forth in section 3056, paragraph (a), subparagraph (3) of title 18, United States Code, the former President and/or spouse was not receiving protection for a lifetime provided by the United States Secret Service under section 3056 paragraph (a) subparagraph (3) of title 18, United States Code, the protection provided by the United States Secret Service expired at its designated time; or the protection provided by the United States Secret Service was declined prior to authorized expiration in lieu of these funds." (Pub. L. 95-138, Sec. 2, Oct. 18, 1977, 91 Stat. 1170, provided that: "The amendment made by the first section of this Act (amending Pub. L. 87-745, set out above) shall take effect October 1, 1977.")

FORMER PRESIDENT EISENHOWER; ALLOWANCE; COMPENSATION OF OFFICE

STAFF; WIDOW'S PENSION Allowance to former President Eisenhower as precluding entitlement to pay of General of the Army, compensation of office staff to former President to be reduced by pay of military assistants to the General of the Army, and benefits of widow of former President unaffected by restoration of military status, see Appointment of General of the Army note under former sections 1691 to 1697 of Title 50, Appendix, War and National Defense.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 section 1091; title 31 section 3524; title 38 section 7437.

PRESIDENTIAL LIBRARIES ACT OF 1955
(44 U.S.C. 2108)

§ 2108. Presidential archival depository

(a) When the Administrator of General Services considers it to be in the public interest he may accept, for and in the name of the United States, land, buildings, and equipment offered as a gift to the United States for the purposes of creating a Presidential archival depository, and take title to the land, buildings, and equipment on behalf of the United States, and maintain, operate, and protect them as a Presidential archival depository, and as part of the national archives system; and make agreements, upon terms and conditions he considers proper, with a State, political subdivision, university, institution of higher learning, institute, or foundation to use as a Presidential archival depository land, buildings, and equipment of the State, subdivision, university, or other organization, to be made available by it without transfer of title to the United States, and maintain, operate, and protect the depository as a part of the national archives system.

The Administrator shall submit a report in writing on a proposed Presidential archival depository to the President of the Senate and the Speaker of the House of Representatives, and include-

- a description of the land, buildings, and equipment offered as a gift or to be made available without transfer of title;
- a statement of the terms of the proposed agreement, if any;
- a general description of the types of papers; documents, or other historical materials proposed to be deposited in the Presidential archival depository so to be created, and of the terms of the proposed deposit;
- an estimate of the annual cost to the United States of maintaining, operating, and protecting the depository.

The Administrator may not take title to land, buildings, and equipment or make an agreement, until the expiration of the first period of 60 calendar days of continuous session of the Congress following the date on which the report is transmitted, computed as follows:

Continuity of session is broken only by an adjournment sine die, but the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded.

(b) When the Administrator considers it to be in the public interest, he may deposit in a Presidential archival depository papers, documents, or other historical materials accepted under section 2107 of this title, or Federal records appropriate for preservation.

(c) When the Administrator considers it to be in the public interest, he may exercise, with respect to papers, documents, or other historical materials deposited under this section, or otherwise, in a Presidential

PUBLIC LAW 99-323

H.R. 1349

Ninety-ninth Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Tuesday, the twenty-first day of January...
one thousand nine hundred and eighty-six

An Act

To reduce the costs of operating Presidential libraries, and for other purposes.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Presidential Libraries Act of 1986."

RESEARCH AND MUSEUM FACILITIES

SEC. 2. Section 2102(1) of title 44, United States Code, is amended by inserting before the semicolon a comma and "and may include research facilities and museum facilities in accordance with this chapter."

PRESIDENTIAL ARCHIVAL DEPOSITORIES

SEC. 3 (a) Section 2112(a) of title 44, United States Code, is amended to read as follows:

"(a)(1) When the Archivist considers it to be in the public interest, the Archivist may-

"(A)(i) accept, for and in the name of the United States, land, a facility, and equipment offered as a gift to the United States for the purpose of creating a Presidential archival depository;

"(ii) take title to the land, facility, and equipment on behalf of the United States; and

"(iii) maintain, operate, and protect the land, facility, and equipment as a Presidential archival depository and as part of the national archives system;

"(B)(i) make agreements, upon terms and conditions the Archivist considers proper, with a State, political subdivision, university, institution of higher learning, institute, or foundation to use as a Presidential archival depository land, a facility, organization, to be made available by it without transfer of title to the United States; and

"(ii) maintain, operate, and protect the depository as a part of the national archives system; and

PRESIDENTIAL LIBRARIES ACT OF 1986 (cont.)

"(C) accept, for and in the name of the United States, gifts offered for the purpose of making any physical or material change or addition to a Presidential archival depository.

"(2) The Archivist shall promulgate architectural and design standards applicable to Presidential archival depositories in order to ensure that such depositories (A) preserve Presidential records subject to chapter 22 of this title and papers and other historical materials accepted for deposit under section 2111 of this title and (B) contain adequate research facilities.

"(3) Prior to accepting and taking title to any land, facility, or equipment under subparagraph (B) of such paragraph or any other agreement to accept or establish a Presidential archival depository, the Archivist shall submit a written report on the proposed Presidential archival depository to the President of the Senate and the Speaker of the House of Representatives. The report shall include-

"(A) a description of the land, facility, and equipment offered as a gift or to be made available without transfer of title;

"(B) a statement specifying the estimated total cost of the proposed depository and the amount of the endowment for the depository required pursuant to subsection (g) of this section;

"(C) a statement of the terms of the proposed agreement, if any;

"(D) a general description of the types of papers, documents, or other historical materials proposed to be deposited in the depository to be created, and of the terms of the proposed deposit;

"(E) a statement of any additional improvements and equipment associated with the development and operation of the depository, an estimate of the costs of such improvements and equipment, and a statement as to the extent to which such costs will be incurred by any Federal or State government agency;

"(F) an estimate of the total annual cost to the United States of maintaining, operating, and protecting the depository; and

"(G) a certification that such facility and equipment (whether offered as a gift or made available without transfer of title) comply with standards promulgated by the Archivist pursuant to paragraph (2) of this subsection.

"(4) Prior to accepting any gift under subparagraph (C) of paragraph (1) for the purpose of making any physical or material change or addition to a Presidential archival depository, or prior to implementing any provision of law requiring the making of such a change or addition, the Archivist shall submit a report in writing on the proposed change or addition to the president of the Senate and the Speaker of the House of Representatives. The report shall include-

"(A) a description of such gift;

"(B) a statement specifying the estimated total cost of the proposed physical or material change or addition and the amount of the deposit in an endowment for the depository required pursuant to subsection (g) of

PRESIDENTIAL LIBRARIES ACT OF 1986 (cont.)

bequests received under paragraph (1) that are offered for that purpose. Income to each such endowment shall be available to cover the cost of facility operations, but shall not be available for the performance of archival functions under this title.

"(3) The Archivist shall not accept or take title to any land, facility, or equipment under subparagraph (A) of subsection (a)(1), or enter into any agreement to use any land, facility, or equipment under subparagraph (B) of such subsection for the purpose of creating a Presidential archival depository, unless the Archivist determines that there is available, by gift or bequest for deposit under paragraph (2) of this subsection in an endowment with respect to such depository, an amount for the purpose of maintaining such land, facility, and equipment equal to-

"(A) the product of-

"(i) the total cost of acquiring or constructing such facility and of acquiring and installing such equipment, multiplied by

"(ii) 20 percent; plus

"(B)(i) if title to the land is to be vested in the United States, the product of-

"(I) the total cost of acquiring the land upon which such facility is located, or such other measure of the value of such land as is mutually agreed upon by the Archivist and the donor, multiplied by

"(II) 20 percent; or

"(ii) if title to the land is not to be vested in the United States, the product of-

"(I) the total cost to the donor of any improvements to the land upon which such facility is located (other than such facility and equipment) multiplied by

"(II) 20 percent; plus

"(C) if the Presidential archival depository will exceed 70,000 square feet in area, an amount equal to the product of-

"(i) the sum of-

"(I) the total cost described in clause (i) of subparagraph (A); plus

"(II) the total cost described in subclause (I) or (II) of subparagraph (B)(i), as the case may be, multiplied by

"(ii) the percentage obtained by dividing the number of square feet by which such depository will exceed 70,000 square feet by 70,000.

"(4) If a proposed physical or material change or addition to a Presidential archival depository would result in an increase in the costs of facility operations, the Archivist may not accept any gift under subparagraph (C) of paragraph (1) for the purpose of making such a change or addition, or may not implement any provision of law requiring the making of such a change or addition, unless the Archivist determines that there is available, by gift or bequest for deposit under

PRESIDENTIAL RECORDS ¹

(44 U.S.C. Chapter 22)

- Sec.
2201. Definitions.
2202. Ownership of Presidential records.
2203. Management and custody of Presidential records.
2204. Restrictions on access to Presidential records.
2205. Exceptions to restriction on access.²
2206. Regulations.
2207. Vice-Presidential records.

§ 2201. Definitions

As used in this chapter—

(1) The term "documentary material" means all books, correspondence, memorandums, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, and motion pictures, including but not limited to, audio, audiovisual, or other electronic or mechanical recordings.

(2) The term "Presidential records" means documentary materials, or any reasonably segregable portion thereof, 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 official or ceremonial duties of the President. Such term—

(A) includes any documentary materials relating to the political activities of the President or members of his staff, but only if such activities relate to or have a direct effect upon the carrying out of constitutional, statutory, or other official or ceremonial duties of the President; but

(B) does not include any documentary materials that are (i) official records of an agency (as defined in section 552(e) ³ of title 5, United States Code); (ii) personal records; (iii) stocks of publications and stationery; or (iv) extra copies of documents produced only for convenience of reference, when such copies are clearly so identified.

(3) The term "personal records" means all documentary materials, or any reasonably segregable portion thereof, of a purely private or nonpublic character which do not relate to or have an effect upon the carrying out of the constitutional, statutory, or other official or ceremonial duties of the President. Such term includes—

(A) diaries, journals, or other personal notes serving as the functional equivalent of

a diary or journal which are not prepared or utilized for, or, circulated or communicated in the course of, transacting Government business;

(B) materials relating to private political associations, and having no relation to or direct effect upon the carrying out of constitutional, statutory, or other official or ceremonial duties of the President; and

(C) materials relating exclusively to the President's own election to the office of the Presidency; and materials directly relating to the election of a particular individual or individuals to Federal, State, or local office, which have no relation to or direct effect upon the carrying out of constitutional, statutory, or other official or ceremonial duties of the President.

(4) The term "Archivist" means the Archivist of the United States.

(5) The term "former President," when used with respect to Presidential records, means the former President during whose term or terms of office such Presidential records were created.

§ 2202. Ownership of Presidential records

The United States shall reserve and retain complete ownership, possession, and control of Presidential records; and such records shall be administered in accordance with the provisions of this chapter.

§ 2203. Management and custody of Presidential records

(a) Through the implementation of records management controls and other necessary actions, the President shall take all such steps as may be necessary to assure that the activities, deliberations, decisions, and policies that reflect the performance of his constitutional, statutory, or other official or ceremonial duties are adequately documented and that such records are maintained as Presidential records pursuant to the requirements of this section and other provisions of law.

(b) Documentary materials produced or received by the President, his staff, or units or individuals in the Executive Office of the President the function of which is to advise and assist the President, shall, to the extent practicable, be categorized as Presidential records or personal records upon their creation or receipt and be filed separately.

(c) During his term of office, the President may dispose of those of his Presidential records that no longer have administrative, historical, informational, or evidentiary value if—

¹ Section 3 of Pub. L. 95-591 (Nov. 4, 1978, 92 Stat. 2523) provided that this chapter applies to any Presidential records created on or after January 21, 1981.

² So in original. Does not conform to section catch line.

³ Section 552(e) of title 5 was redesignated section 552(f) of title 5 by section 1302(b) of Pub. L. 99-570.

(1) the President obtains the views, in writing, of the Archivist concerning the proposed disposal of such Presidential records; and

(2) the Archivist states that he does not intend to take any action under subsection (e) of this section.

(d) In the event the Archivist notifies the President under subsection (c) that he does intend to take action under subsection (e), the President may dispose of such Presidential records if copies of the disposal schedule are submitted to the appropriate Congressional Committees at least 60 calendar days of continuous session of Congress in advance of the proposed disposal date. For the purpose of this section, continuity of session is broken only by an adjournment of Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the days in which Congress is in continuous session.

(e) The Archivist shall request the advice of the Committee on Rules and Administration and the Committee on Governmental Affairs of the Senate and the Committee on House Administration and the Committee on Government Operations of the House of Representatives with respect to any proposed disposal of Presidential records whenever he considers that—

(1) these particular records may be of special interest to the Congress; or

(2) consultation with the Congress regarding the disposal of these particular records is in the public interest.

(f) (1) Upon the conclusion of a President's term of office, or if a President serves consecutive terms upon the conclusion of the last term, the Archivist of the United States shall assume responsibility for the custody, control, and preservation of, and access to, the Presidential records of that President. The Archivist shall have an affirmative duty to make such records available to the public as rapidly and completely as possible consistent with the provisions of this Act.

(2) The Archivist shall deposit all such Presidential records in a Presidential archival depository or another archival facility operated by the United States. The Archivist is authorized to designate, after consultation with the former President, a director at each depository or facility, who shall be responsible for the care and preservation of such records.

(3) The Archivist is authorized to dispose of such Presidential records which he has appraised and determined to have insufficient administrative, historical, informational, or evidentiary value to warrant their continued preservation. Notice of such disposal shall be published in the Federal Register at least 60 days in advance of the proposed disposal date. Publication of such notice shall constitute a final agency action for purposes of review under chapter 7 of title 5, United States Code.

§ 2204. Restrictions on access to Presidential records

(a) Prior to the conclusion of his term of office or last consecutive term of office, as the case may be, the President shall specify durations, not to exceed 12 years, for which access shall be restricted with respect to information, in a Presidential record, within one or more of the following categories:

(1)(A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) in fact properly classified pursuant to such Executive order;

(2) relating to appointments to Federal office;

(3) specifically exempted from disclosure by statute (other than sections 552 and 552b of title 5, United States Code), provided that such statute (A) requires that the material be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of material to be withheld;

(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(5) confidential communications requesting or submitting advice, between the President and his advisers, or between such advisers; or

(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(b)(1) Any Presidential record or reasonably segregable portion thereof containing information within a category restricted by the President under subsection (a) shall be so designated by the Archivist and access thereto shall be restricted until the earlier of—

(A) the date on which the former President waives the restriction on disclosure of such record, or

(ii) the expiration of the duration specified under subsection (a) for the category of information on the basis of which access to such record has been restricted; or

(B) upon a determination by the Archivist that such record or reasonably segregable portion thereof, or of any significant element or aspect of the information contained in such record or reasonably segregable portion thereof, has been placed in the public domain through publication by the former President, or his agents.

(2) Any such record which does not contain information within a category restricted by the President under subsection (a), or contains information within such a category for which the duration of restricted access has expired, shall be

exempt from the provisions of subsection (c) until the earlier of—

(A) the date which is 5 years after the date on which the Archivist obtains custody of such record pursuant to section 2203(d)(1); or

(B) the date on which the Archivist completes the processing and organization of such records or integral file segment thereof.

(3) During the period of restricted access specified pursuant to subsection (b)(1), the determination whether access to a Presidential record or reasonably segregable portion thereof shall be restricted shall be made by the Archivist, in his discretion, after consultation with the former President, and, during such period, such determinations shall not be subject to judicial review, except as provided in subsection (e) of this section. The Archivist shall establish procedures whereby any person denied access to a Presidential record because such record is restricted pursuant to a determination made under this paragraph, may file an administrative appeal of such determination. Such procedures shall provide for a written determination by the Archivist or his designee, within 30 working days after receipt of such an appeal, setting forth the basis for such determination.

(c)(1) Subject to the limitations on access imposed pursuant to subsections (a) and (b), Presidential records shall be administered in accordance with section 552 of title 5, United States Code, except that paragraph (b)(5) of that section shall not be available for purposes of withholding any Presidential record, and for the purposes of such section such records shall be deemed to be records of the National Archives and Records Administration. Access to such records shall be granted on nondiscriminatory terms.

(2) Nothing in this Act shall be construed to confirm, limit, or expand any constitutionally-based privilege which may be available to an incumbent or former President.

(d) Upon the death or disability of a President or former President, any discretion or authority the President or former President may have had under this chapter shall be exercised by the Archivist unless otherwise previously provided by the President or former President in a written notice to the Archivist.

(e) The United States District Court for the District of Columbia shall have jurisdiction over any action initiated by the former President asserting that a determination made by the Archivist violates the former President's rights or privileges.

§ 2205. Exceptions to restricted access

Notwithstanding any restrictions on access imposed pursuant to section 2204—

(1) the Archivist and persons employed by the National Archives and Records Administration who are engaged in the performance of normal archival work shall be permitted access to Presidential records in the custody of the Archivist;

(2) subject to any rights, defenses, or privileges which the United States or any agency or person may invoke, Presidential records shall be made available—

(A) pursuant to subpoena or other judicial process issued by a court of competent jurisdiction for the purposes of any civil or criminal investigation or proceeding;

(B) to an incumbent President if such records contain information that is needed for conduct of current business of his office and that is not otherwise available; and

(C) to either House of Congress, or, to the extent of matter within its jurisdiction, to any committee or subcommittee thereof if such records contain information that is needed for the conduct of its business and that is not otherwise available; and

(3) the Presidential records of a former President shall be available to such former President or his designated representative.

§ 2206. Regulations

The Archivist shall promulgate in accordance with section 553 of title 5, United States Code, regulations necessary to carry out the provisions of this chapter. Such regulations shall include—

(1) provisions for advance public notice and description of any Presidential records scheduled for disposal pursuant to section 2203(f)(3);

(2) provisions for providing notice to the former President when materials to which access would otherwise be restricted pursuant to section 2204(a) are to be made available in accordance with section 2205(2);

(3) provisions for notice by the Archivist to the former President when the disclosure of particular documents may adversely affect any rights and privileges which the former President may have; and

(4) provisions for establishing procedures for consultation between the Archivist and appropriate Federal agencies regarding materials which may be subject to section 552(b)(7) of title 5, United States Code.

§ 2207. Vice-Presidential records

Vice-Presidential records shall be subject to the provisions of this chapter in the same manner as Presidential records. The duties and responsibilities of the Vice President, with respect to Vice-Presidential records, shall be the same as the duties and responsibilities of the President under this chapter with respect to Presidential records. The authority of the Archivist with respect to Vice-Presidential records shall be the same as the authority of the Archivist under this chapter with respect to Presidential records, except that the Archivist may, when the Archivist determines that it is in the public interest, enter into an agreement for the deposit of Vice-Presidential records in a

non-Federal archival depository. Nothing in this chapter shall be construed to authorize the estab-

lishment of separate archival depositories for such Vice-Presidential records.