STATEMENT
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Mr. Chairman, Mr. Davis, and members of the Committee, I am Sharon Fawcett, Assistant Archivist for Presidential Libraries, National Archives and Records Administration. I want to begin by thanking you for holding this hearing today and for inviting me to testify. Having spent a large portion of my professional life in the Presidential library system, I am delighted to be able to offer some background on the Presidential Libraries and their multiple benefits to scholarship, public policy, education, and a more complete understanding of our democracy. As I think the Chairman knows, this has been a most successful public-private partnership and we greatly appreciate the opportunity to explain why our relationship with our foundations has been a large part of our success for 66 years and 12 presidential administrations.

When you invite an archivist to testify, we must start with a little history.

A BRIEF HISTORY OF THE PRESIDENTIAL LIBRARY SYSTEM

Nearly seventy years ago Franklin D. Roosevelt proposed creating a Presidential Library that would be a part of an institution whose growth he had shepherded – the National Archives. Roosevelt suggested a novel and innovative approach – he would donate the land and build the library with private funding and then give the library and his papers to the National Archives. On June 30, 1941, as the war in Europe threatened democracy, Roosevelt dedicated his library at Hyde Park. His words of dedication remain important today.

> To bring together the records of the past and to house them in buildings where they will be preserved for the use of men and women in the future, a Nation must believe in three things.
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> It must believe in the past.
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> It must believe in the future.
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> It must, above all, believe in the capacity of its own people so to learn from the past that they can gain judgement in creating their own future.

In the services it provided for its researchers, its extensive collection of Roosevelt materials, and the incorporation of a museum experience for hundreds of thousands of visitors a year, the Roosevelt Library became the model for the presidential library system, which soon began to grow.

President Truman, deploring the loss of presidential papers in the past, stated "such destruction should never again be permitted…because the truth behind a President's actions can be found only in his official papers, and every Presidential paper is official." Originally, Truman considered depositing his papers at the National Archives, in Washington, DC, but by 1950, he

decided on a presidential library in his hometown of Independence, Missouri. Truman strongly felt that presidential libraries were not to be monuments to a president but centers for the study of the presidency. The Truman Institute, established to build and support the library, has a long history of sponsoring intellectual exchanges through conferences and the Truman Grants program for the study of the presidency.

Dwight D. Eisenhower's clear support of the development of a library at the site of the already established Eisenhower Museum in Abilene, Kansas prompted Congress to pass *The Presidential Libraries Act* of 1955 (44 U.S.C. 2108). In 2005, the U.S. Postal Service issued a stamp to commemorate the 50th anniversary of this Act. The legislation had full bipartisan support and was hailed by scholars and educators. This Act provided continuing legal authority for the government to accept the gift of a Presidential Library for the American people.

President Hoover had originally given his papers to Stanford, but responded favorably to a request of a citizens committee from his hometown for the development of a library in West Branch, IA. His library became the fourth added to the system in 1962, a few months after the Eisenhower Library which also opened in 1962. A pattern, which has remained unbroken, became the operative model.

Over time, however, the venue for a Presidential Library shifted from the President's hometown, to larger metropolitan areas or a university campus. This often means three and even four way partnerships, as the library foundation, the university, and the local community come together to build a presidential center. The Presidential Libraries Act of 1955 presciently enabled this by

authorizing the government to enter into agreements with any State or political subdivision, universities and institutions of higher learning, institute or foundation for the purposes of utilizing land, buildings, and equipment for a Presidential Archival Depository. The John F. Kennedy Library is adjacent to the University of Massachusetts; the Lyndon B. Johnson Library and Museum is on the University of Texas at Austin campus; the Gerald Ford Library is at the University of Michigan; the George Bush Library is part of Texas A & M University; and the William Jefferson Clinton Library has a partnership with the University of Arkansas at Little Rock. As Michael Bechloss noted on the News Hour with Jim Lehrer on February 19th, "There is a dynamism when a library is at a university."

In 1986 Congress passed various amendments to the previous Act to reduce the costs to the public of operating Presidential libraries. 44 U.S.C. 2112 requires that an endowment equal to 20% of the cost of the building be transferred to the government at the time the Library is turned over to the government. Libraries larger than 70,000 sq. ft. are to be accompanied by an endowment that increases geometrically in accordance with the size of the building. The Act also required the Archivist to promulgate architectural and design standards for the preservation of materials and the inclusion of adequate research facilities. The Bush Library is the first Library required to have an endowment. On the day the Bush Library was dedicated, the Bush Foundation presented a check for $4 million to the National Archives Trust Fund. The Clinton Foundation likewise provided an endowment to the Archives of $7.2 million. These endowments are used by the government to offset such operational costs as security, utilities, and building services. The foundations continue to provide ongoing support for exhibits and public programming.

A serious concern faced by those planning new libraries and by the National Archives which receives these libraries is the failure of the new Act to distinguish the differences in archival storage and staffing requirements for a one-term and a two-term President. I should also note that in 2002, Congress raised the base endowment requirement to 40% of the cost of the Library to take effect for the library built for the next incumbent after George W. Bush.

The 1986 Act did not change the requirement that the Archivist submit a written report to Congress prior to accepting a library but it did set forth the specific information required in the report. The Archivist may not accept the Library until the expiration of a period of 60 days of continuous session of Congress beginning on the day the Archivist transmits the report. The report must include:

- A description of the proposed gift.
- A statement specifying the total cost and the amount to be deposited in an endowment.
- A general description of any papers, documents, or historical materials proposed to be deposited in the library.
- An estimate of the increase in the total annual cost to the United States of maintaining, operating, and protecting the depository.
- A certification that the depository and the equipment therein will, comply with the standards promulgated by the archivist.

PRESIDENTIAL MATERIALS

Throughout the 18th, 19th, and well into the 20th century, no one questioned the private ownership of Presidential papers by the President. Former Presidents could donate them to a library or archives, or not, as they saw fit. Fortunately, many presidential papers were donated and are available for historical research today in other repositories including the Library of Congress which has the papers of 23 former presidents. On the other hand, many were accidentally or

purposely destroyed. Biographers of George Washington snipped out pages of Washington's diaries. Chester Arthur burned his papers. Former Presidents and their families exercised considerable discretion in what they donated resulting in selective donation and selective destruction. One very powerful reason the National Archives wanted libraries built and given to the National Archives was that this donation of a library meant the National Archives would also receive the President's papers. In its time this system of donation worked very well. While there was nothing mandatory in the legislation for presidential libraries requiring that presidents systematically preserve their presidential papers, the legislation assured a president who donated his materials to the National Archives that the integrity of his papers would be preserved. The papers would be cared for by a professional archival staff and made available to all as historical records.

The handling of presidential materials began to change again with President Nixon's resignation. In 1974, Congress enacted the Presidential Recordings and Materials Preservation Act (PRMPA) to ensure that President Nixon's papers, tapes, and other historical material relating to Watergate would be preserved. Under the PRMPA, the National Archives and Records Service, now NARA, received legal custody and control over the Nixon presidential materials.

Historians, journalists, and Congress thereafter raised serious questions about the ownership of Presidential materials suggesting instead they be treated as government records. *PRMPA* had established the National Study Commission on Records and Documents of Federal Officials to explore topics of ownership, control, disposition, and preservation of historic materials. The report of the Commission, completed in March 1977, made two basic recommendations:

1. All documentary materials received or made by Federal Officials in discharge of their official duties should be considered the property of the United States.
2. Federal Officials should be given the prerogative to control access to their materials up to 15 years after the end of their federal service.

In 1978, Congress acted on the report and passed the *Presidential Records Act* (44 U.S.C. chapter 22). This Act created and defined a new category of records – Presidential records and established the terms of access to these records. The Act clearly established that these records are owned by the United States. After conclusion of a president's tenure, the custody of presidential records is transferred to the Archivist of the United States.

Government archivists and curators preserve, process, and provide access to the presidential materials in their care. The process for providing access to donated historical materials and the process for providing access to presidential records vary somewhat in implementation because of the statutory and regulatory requirements. However, the mission of the government staff in each Library is the same – to preserve and process the materials and provide access as fully and promptly as the law or deed and resources permit.

Besides large collections of papers and records of the President and others associated with him, each presidential library also houses various artifacts and gifts given to the President. The latter include Head of State gifts under *The Foreign Gifts and Decorations Act, 22 U.S.C. 264,* and gifts received by the President from private citizens and accepted by him for eventual deposit in his presidential library (*44 U.S.C. 2111 and 2112).*

Many historians, educators, and other users have offered their testimonials on the value of presidential libraries and the dedicated staff that preserve, process, and assist them in using the

materials. A check of footnotes in almost any modern publication about U.S. history will reveal numerous sources in the presidential libraries. Countless forwards to well-known historical works over the past fifty years refer to the importance of these materials for exploring and understanding historical themes and issues of our time.

The materials in presidential libraries are among this Nation's most important documents. Presidential records are often open for research long before the records of other departments and agencies of government are even transferred to the National Archives. Political scientists study the processes used by Presidents to govern and make recommendations to new Presidents on what works and does not work. Economists study the impact of presidential decisions on economic indicators and project what will happen in the future. Students learn to work with original documents. The media searches for examples from our past to inform the public about current events. Hundreds of thousands of children visit libraries each year to learn about how Presidents make decisions, how laws are passed, how wars were fought, how our civil rights have been ensured, and how people lived before they were born. And over a million visitors each year view the human drama of the presidency through the power of objects and documents displayed in the libraries.

PRESIDENTIAL LIBRARY FOUNDATIONS

As noted above, the U.S. Congress has passed several laws refining the presidential library system. But one thing remains the same – the President, through their foundations, must raise the money and construct the building used to house the Library. The National Archives then administers the building, hires a career civil service staff, and has legal ownership and control of

the papers. This system is a true public-private partnership. What began as a tradition is now one of the hallmarks of our democracy. These papers, which document the actions of the president – controversial and otherwise, lay bare the facts for citizens to examine themselves. This privilege, enjoyed not only by Americans but by visitors from around the world to Presidential libraries. The United States leads the world in making its government records accessible.

In 1941, the Roosevelt Library cost $369,000 or about $4 million in today's dollars. To hold the growing collection at the Roosevelt Library and to provide improved education and visitor services, the Eleanor Roosevelt Wings were added to the Library in 1972 and the Henry Wallace Visitor Center was completed in 2003. Both projects were completed with a combination of government and private funding bringing the total cost of the Library in today's dollars to $26 million. The Bush Library cost a little over $22 million and the Clinton Library $36 million. The Bush and Clinton Libraries hold collections at least four times larger than Roosevelt's and include education and visitor spaces not included in the original Roosevelt construction.

The Presidential Libraries Act requires NARA to certify that a library meets our exacting standards for construction and archival preservation before we accept the transfer. The standards specifying environmental conditions, finishes, and minimum space requirements for specific functions are a definite cost driver. At the same time, we encourage foundations to build energy efficient buildings. The costs for building libraries and often portions of the cost for expanding and renovating the libraries have been the responsibility of the library foundations. These support organizations have evolved from bodies chartered to raise money and construct

the original library building to organizations that help sustain library programs. Since many are locally based foundations, they also strengthen the bonds of the library with their individual local communities, states, and universities. In 1973, James B. Rhoads, then Archivist of the United States, noted the evolving role of the foundations when he told an education symposium at the Lyndon Baines Johnson Library, "Presidential libraries would be fulfilling their purpose if they did nothing more than preserve and provide access to the papers they contain…but their charters are broad and their possibilities for service are unlimited."

However broad their charters may be, the libraries face limitations imposed by financial reality. Taxpayers are under no obligation to fund a temporary exhibit on the Civil War, a conference on civil rights, or educational efforts aimed at high school students, admirable and useful as these undeniably are to the public. These efforts are funded by the libraries' support organizations which continue to raise money long after the library is built and transferred to the government. Small foundations such as Hoover and Eisenhower contribute $80,000 and $130,000 respectively in a typical year in support of Library programs. Foundations with larger endowments and development staff plan to contribute from $450,000 to $1.75 million this fiscal year in support of museum, public and outreach programs. Many Library foundations also provide support for scholars from the U.S. and abroad to travel to Presidential libraries to do research. Those foundations such Truman, Kennedy, and Johnson which contribute more than $1 million each also support basic archival and preservation services not covered by the government. The Reagan Foundation invested $35 million in expanding the Library by the addition of the Air Force One Pavilion which doubled the number of visitors to the Library. This year they will expend $3.5 million to construct the Air Force One Discovery Center, an innovative learning

center for primary and secondary students. The contributions of these support organizations to the libraries spell the difference between static repositories and lively, vital centers of scholarship and service to the public. Moreover, many of the foundations now contribute to the advancement of presidential scholarship through joint projects. The first ever joint conference of all of the Presidential Libraries happened in March 2006 at the Kennedy Library and provided a timely discussion by scholars, journalists, and policymakers of the lessons of Vietnam. In November of this year we will hold our second joint conference on the Supreme Court at the Roosevelt Library in the 75th year from Roosevelt's court packing proposal. The leadership and financial support of the Johnson Foundation enabled the creation of the Presidential Timeline (www.presidentialtimeline.org), an interactive web-based resource that provides learning activities and a cornucopia of digitized assets, including documents, photographs, and audio and video clips which are freely accessible to students and educators around the world.

Directly appropriated funds, almost $58 million annually for 12 libraries and the central office, pay for activities mandated by law as part of NARA's mission. These include appraisal, accessioning, processing, and preserving of materials held in the libraries, as well as the promotion of their usage by researchers. NARA must also provide for security, facility maintenance, information technology, and environmental and safety controls. NARA pays salaries for administrators, archivists, archives specialists, curators, registrars, librarians, facility managers, education specialists, technicians, and clerks. The Trust Fund of each library provides admission clerks, exhibit specialists, audiovisual specialists, visitor services staff, and volunteer coordinators. Foundations in many of the libraries provide additional staff to support educational activities, visitor services, and Internet access.

As existing buildings became cramped and obsolete, many foundations have supported efforts to update and expand Library buildings by providing funds for expanding exhibit and educational programs. Public funds to expand spaces in libraries have often been contingent on the ability of the foundations to raise additional private funds to support the program functions in these expanded spaces.

In summary, the libraries and their support organizations have demonstrated a commitment to public service and have displayed an entrepreneurial willingness to rely upon financial sources other than the American taxpayer.

Mr. Chairman, that concludes my prepared remarks. I would be happy to answer any questions at the appropriate time.