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### Opening Statement of Rep. Elijah Cummings Ranking Minority Member

### Committee on Oversight and Government Reform Joint Hearing with Committee on Transportation and Infrastructure on "America's Presidential Libraries: Their Mission and Their Future."

February 28, 2011

Thank you, Chairman Mica and Chairman Issa. I appreciate you holding this hearing today on presidential libraries. This is an issue that is very important to the Oversight Committee because we have jurisdiction over the National Archives and Records Administration and the laws that govern presidential libraries. I look forward to working on these issues with Chairman Issa and Chairman Gowdy in his role as the Chairman of the Subcommittee with jurisdiction over the National Archives, as well as with the Ranking Member of that Subcommittee, Danny K. Davis. Chairman Mica, this hearing and the other events you have planned today provide a great opportunity to highlight our presidential libraries.

Presidential libraries play a critical role in making presidential papers and artifacts available to researchers. These libraries also bring history to life for thousands of visitors each year. Most of the libraries operated by the National Archives also have a private foundation that sponsors their own programs and activities.

Representative Lacy Clay, in his role last year as Chairman of the Subcommittee on Information Policy, Census, and the National Archives, requested that the Government Accountability Office examine the laws and policies related to the presidential libraries and the private library foundations. GAO is issuing a report today that provides a helpful description of the three primary laws that address presidential libraries and the regulations and policies covering the relationships between libraries and private library foundations. I ask that this report be made part of the hearing record.

An interesting aspect of presidential libraries is the relationship between libraries and the private library foundations. We are fortunate to have President Franklin Roosevelt's granddaughter here today. It was President Roosevelt who first had the idea for a privately built but federally maintained library to house his presidential papers. The Presidential Libraries Act of 1955 formally established the policy for privately built presidential libraries to be transferred to the federal government. Subsequent laws established reporting and design requirements and some limitations, such as requiring an operating endowment for each library starting with the George H.W. Bush library.

The relationships between libraries and private foundations provide many benefits, but also can raise potential issues. For example, the sharing of space within the same facilities creates questions about the proper use of library facilities, especially for political activities. In addition, donations provided by the private sector to private foundations to fund the building of these libraries are private. GAO reports that each library has a written agreement with its associated foundation, but the detail and scope of those agreements vary from library to library. GAO found that over time, the agreements have become increasingly more detailed regarding staff, how library facilities can be used, and political activities. Some recent agreements also address potential conflicts of interest between the library and the foundation.

I look forward to hearing from the witnesses what kinds of practices should be followed when it comes to the roles of libraries and foundations. Thank you to all of the witnesses for being here today to share your perspectives.