

Congress of the United States

Washington, DC 20515

BRIEFING MEMORANDUM

TO: Members of the Committee on Transportation and Infrastructure and the Committee on Oversight and Government Reform
FROM: Staff of the Committee on Transportation and Infrastructure and the Committee on Government Reform
SUBJECT: Joint Hearing with the Committee on Oversight and Government Reform on “America’s Presidential Libraries: Their Mission and Their Future”

PURPOSE

The Committee on Transportation and Infrastructure will hold a joint hearing with the Committee on Oversight and Government Reform on Monday, February 28, 2011, at 10:30 a.m. in 2167 Rayburn House Office Building to receive testimony from the Archivist of the United States, directors of presidential libraries, a family member of a former president, and a historian. The panel will provide testimony related to presidential libraries – their mission and their future.

BACKGROUND

History

The maintenance and archiving of presidential records rose to the national level when President Franklin D. Roosevelt established the Executive Office of the President. While there were non-federal presidential libraries at that time, such as the Rutherford B. Hayes Memorial Library in Ohio, there was no general policy on the archiving and preservation of presidential records. Presidential papers were generally regarded as personal property to be taken by the President when he left office. In many cases, records were given to the Library of Congress. However, in some cases, records were destroyed or even sold by family members and were unavailable to the public and historians.

Based on the models of presidential libraries that existed at the time, President Roosevelt developed the concept of a privately-built, publicly maintained library and developed organizing committees to create a presidential library for his records. In 1939, Congress enacted chartering legislation for the Roosevelt library and, in 1940, the Archivist accepted the completed library building on behalf of the United States. One year later, the museum portion of the facility opened.

Presidential Libraries Act

President Truman later began a process of creating a private corporation to collect donations to establish a presidential library for his records. While that process was underway, Congress enacted the Presidential Libraries Act of 1955. The 1955 Act, authorized the General Services Administration (GSA) to: (1) accept historical papers and materials of former presidents, (2) accept or take title to land and buildings to be used to archive the records, (3) enter into agreements for the use of land and property¹, (4) maintain and operate the facilities as part of the national archives system, and (5) accept gifts for the purposes of maintaining and operating the libraries.

Since 1955, Congress has made a number of changes to the Presidential Libraries Act, including reassigning the responsibilities of GSA to the National Archives and Records Administration (NARA). More specifically,

- The Presidential Records Act of 1978 established that the Presidential records that document the constitutional, statutory, and ceremonial duties of the President are the property of the United States Government. After the President leaves office, the Archivist of the United States assumes custody of the records. The Act allowed for the continuation of Presidential libraries as the repository for Presidential records.
- The Presidential Libraries Act of 1986 also made significant changes to Presidential libraries, requiring private endowments linked to the size of the facility and changing the endowment formula. NARA uses these endowments to offset a portion of the maintenance costs for the library.
- The Presidential Historical Records Preservation Act of 2008 made further changes to the endowment formula and also required NARA to produce a report on alternative models for presidential libraries. That report was issued on September 25, 2009.

Current System and Process

Currently, there are 13 federal presidential libraries² and museums administered by NARA, with one that is expected to be added for former President George W. Bush.

¹ This authority has been used to provide for libraries on college and university campuses where the transfer of title to the land and building may not be possible.

² Herbert Hoover Presidential Library and Museum (West Branch, Iowa), Franklin D. Roosevelt Presidential Library and Museum (Hyde Park, New York), Harry S. Truman Library and Museum (Independence, Missouri), Dwight D. Eisenhower Presidential Library and Museum (Abilene, Kansas), John F. Kennedy Presidential Library and Museum (Boston, Massachusetts), Lyndon Baines Johnson Library and Museum (Austin, Texas), Nixon Presidential Library and Museum (Yorba Linda, California), Gerald R. Ford Presidential Library and Museum (Ann Arbor, Michigan), Jimmy Carter Library and Museum (Atlanta, Georgia), Ronald Reagan Presidential Library and Museum (Simi Valley, California), George Bush Presidential Library and Museum (College Station, Texas), William J. Clinton Presidential Library and Museum (Little Rock, Arkansas).

As noted, the creation of federal presidential libraries is governed by the Presidential Libraries Act.³ Typically, libraries are initiated by family and supporters establishing a 501(c)(3) foundation to raise funds for land and construction. Once constructed, NARA will take control of the facility and the foundation's operating endowment. The official papers and documents of the president are provided by NARA. The management and archiving of the documents are paid for through appropriated funds, while the costs of operation and maintenance of the facility are usually supported, at least in part, by the private foundation endowment. Library staff members are NARA employees.

The National Archives' Office of Presidential Libraries administers a nationwide network of Presidential libraries beginning with the 31st President of the United States, Herbert Hoover.

The Office of Presidential Libraries:

- Establishes and coordinates policies with regard to Presidential Libraries, including programs for acquisition, preservation, and use of historical materials, and the development of new Presidential Libraries.
- Provides oversight of budgetary and management controls within the libraries and regularly convenes staff in the libraries to establish and review strategies for implementing the mission and goals of Presidential Libraries.
- In coordination with NARA's General Counsel and other NARA officials, maintains liaison with the incumbent administration and with officials of former administrations with regard to organization, storage and reference service on Presidential materials.

Nonfederal Libraries

In addition to the 13 presidential libraries administered by the National Archives, there remain three libraries outside of the federal system. For example, the Abraham Lincoln Presidential Library & Museum opened in 2005 and continues the mission begun by the Illinois State Historical Library, created by the State, in 1889. The library is a division of the Illinois Historic Preservation Agency and is supported by the Abraham Lincoln Presidential Library Foundation, a private, not-for-profit organization.

The Rutherford B. Hayes Library is operated and managed by the Hayes Presidential Center, Inc., a non-profit entity that receives the majority of its funding through the Rutherford B. Hayes-Lucy Webb Hayes Foundation. The State of Ohio also provides an annual appropriation administered through the Ohio Historical Society.

The Calvin Coolidge Presidential Library was established in 1920, when Calvin Coolidge gave documents and memorabilia to Forbes Library in Massachusetts and remains a part of the Forbes Library today.

³ 44 U.S.C. § 2112.

WITNESSES

The Honorable David S. Ferriero
Archivist of the United States
National Archives and Records Administration

Mr. Thomas Putnam, Director
John F. Kennedy Presidential Library and Museum

Mr. R. Duke Blackwood, Director
Ronald Reagan Presidential Library

Dr. Thomas Schwartz
Illinois State Historian
Abraham Lincoln Presidential Library and Museum

Ms. Anna Eleanor Roosevelt
Chair, Board of Directors
The Roosevelt Institute

Dr. Martha Kumar
Professor
Towson University