

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	To Melanne from Phil re: candidates (partial) (1 page)	07/13/1994	b(6)
002. letter	To Melanne Verveer from Ervin s. Duggan re: candidate (2 pages)	07/08/1994	b(6)
003. memo	To Melanne from Anne re: Update on Things While You Were Gone (pp. 2-4) (3 pages)	07/12	b(6)
004. list	Suggestions from NEA (2 pages)	07/12/1994	b(6)
005. letter	To Melanne Verveer from Jamil S. Zainaldin re: candidate (1 page)	03/01/1994	b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Melanne Verveer
OA/Box Number: 20019

FOLDER TITLE:

Archives [2]

2013-0534-S
ry1543

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]



**CENTER ON BUDGET
AND POLICY PRIORITIES**

Melanne -

Welcome back!

Next Thursday: The House will vote on the entitlement cap. Two amendments, one of which could easily pass that would destroy health care.

1) Stenholm's entitlement cap: (see attached) if it includes Social Security as it now does, members will vote vs. it. Note, however, that he'll argue that his cap adjusts for health care. Not really true.

2) KEY VOTE: on Kasich substit. His cap is likely to be Stenholm minus Social Security, meaning that the billions of dollars that

would have to be cut would directly affect health care programs.

PHOTOCOPY
PRESERVATION

Kasich would pass if all the Repubs and conservative Dems support it!

No one in the White House is focussing on this. We can't assume the Senate will kill the cap if it passes the House!

Jocks are OMB are obviously distracted. Can you help get Gene, Pat H., Carol etc gunned up?

This is a very serious threat & we can't beat Stenholm & Kasich w/out W. House help!

Thanks - Call Bob or me if you have questions. Ellen

Withdrawal/Redaction Marker

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THE WHITE HOUSE
WASHINGTON

13 July 94

Melanne -

Attached are, re: Janydon - Archivist

- ① His public record vet,
- ② Summary of my background checks.

I'd appreciate your reactions.

Meanwhile, Ed Yoder (a personal friend of POTUS' & mine, whose judgment I greatly respect) called to inform strongly (b)(6).

[001]

Let's make the final decision as to recommendation

ASAP.

Thx -

Paul

(Also, various Twitter Brands in case you want to inquire.)

DETERMINED TO BE AN
ADMINISTRATIVE MARKING

Privileged and Confidential

DRAFT

INITIALS: RL DATE: 4/22/2014

2013-0534-5

GEORGE D. LANGDON, JR.
Candidate for _____

George D. Langdon, Jr. currently works for the United Nations.¹

According to the June 29, 1993 NEW YORK TIMES, several trustees of the American Museum of Natural History stated anonymously that the board and Dr. Langdon had mutually decided to let his contract as President and Chief Executive Officer run out. The trustees said that the agreement was made in order to allow the museum to seek someone who "would move more quickly to modernize the exhibitions and improve its educational efforts." They denied that it was the result of a derisive article in a New York magazine which talked about the expensive condominium and car and driver Dr. Langdon received as part of his contract.

An article in the April 8, 1993 NEWSDAY referred to Dr. Langdon as the "controversial former director of the American Museum of Natural History," but did not elaborate on what made him controversial.

While Dr. Langdon was president of the American Museum of Natural History, there was a controversy over the correctness of the posture of a Barosaurus on display in the museum, according to the December 3, 1991 ASSOCIATED PRESS. Dr. Langdon claimed the controversy was deliberate and designed to show science as a continuing debate. However, on November 29, 1991, NEWSDAY reported that Dr. Langdon had forbidden staff to discuss the new Barosaurus exhibit.

The NEW YORK TIMES reported on October 26, 1982 that Dr. Langdon, then

¹ At the time of this public record vet, a resume was not available for Dr. Langdon. However, our research revealed that he graduated from Harvard College in 1954 and received a masters degree from Amherst and a Ph.D. from Yale.

Dr. Langdon served for two years as a lieutenant in the U.S. Army. He taught history at Vassar, California Technical Institute and Yale. From 1966 to 1968, Dr. Langdon served as Special Assistant to the Vassar President and Assistant to the director of a study which concluded that Vassar and Yale should not merge. At Yale, Dr. Langdon also served as deputy provost from 1972 to 1978. Dr. Langdon was President and Trustee at Colgate University from 1978 until 1988. He continued to serve as an Adjunct Professor of History at Colgate while he served as President and Chief Executive Officer of the American Museum of Natural History from 1988 to 1993. Dr. Langdon was also named a Member of the Board of Directors of Custodial Trust Company in 1991.

Privileged and Confidential

President of Colgate University, notified the National Collegiate Athletic Association (NCAA) that Colgate would not participate in the Division I-AA play-offs because the schedule conflicted with exams and "flies in the face of the academic priority of N.C.A.A. member institutions." On October 28, 1982, the UNITED PRESS INTERNATIONAL reported that Dr. Langdon had "looked controversy straight in the eye and changed his mind." Dr. Langdon had received pressure from the Colgate Athletic Director and football coach as well as from players who threatened to transfer to other schools that would allow them to participate in play-offs. According to the October 30, 1982 NEW YORK TIMES, the decision to reverse the earlier decision did not represent a change in philosophy. The decision to allow Colgate to play in the play-offs was made because the coaches had promised the players that opportunity in order to encourage them to stay once Colgate was switched from Division I-A to I-AA.

On July 9, 1986, the PR NEWSWIRE reported that Dr. Langdon, as President of Colgate University, was one of 95 college or university presidents who signed a letter to Congress urging them to impose strong sanctions against the government of South Africa to end apartheid.

Aside from the above, a limited review of the available public record revealed no information that might bear negatively on Dr. Langdon's candidacy, generate controversy, or disqualify him from serving as _____.

July 7, 1994

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INITIALS: RL DATE: 4/22/2014
2013-0534-5

July 13, 1994

CONFIDENTIAL MEMORANDUM FOR FILE: George Langdon -
Candidate for Archivist
(Reference Comments)

FROM: Phil Lader

George, early in his career, served in various administrative posts at Yale University. The following individuals whom I know personally offered these comments:

Judge Jose Cabranes (Yale Counsel when George was Deputy Provost there; was Trustee of Colgate and of Museum of Natural History when George was at those places) (203-773-2147):

"He's a real management type; Kingman Brewster used to say he was 'the best Buildings & Grounds man in the business.'"

"A historian at heart; he knows about and cares deeply about scholars, wants to make sure they're working in optimum conditions."

"I can't imagine anyone who could run the Archives better."

"He can get along with a very broad range of people; accustomed to public speaking; great at nitty-gritty of management."

"I was on his Board at Colgate for 9 years; he excelled at giving credit to people who did a good job, held a tough line with others; he left with people throwing roses at his feet."

"The Museum Board included some people of the kind that some could consider loathsome to work for; they were preoccupied with the social aspect of their trusteeship; some felt he didn't have enough 'zip' in his parties."

"Sam Butler can give you the accurate story of why he left; it was appropriate that his departure was, publicly, totally in a good light; he turned the Museum around, which is what he was hired to do."

"The UN job was just a holding pattern for him; both he and his Board always were tentative about it."

Joel Fleishman (President, Atlantic Philanthropic; Former Sr. VP, Duke University; Yale colleague of George's; close friend of POTUS' and mine):

"I have no specific reason to continue to feel this way; but for 30 years, I just have not felt comfortable with him."

Jonathan Fanton (President, New School for Social Research; contemporaneously held corresponding jobs with Kingman Brewster that George had with Yale Provost; one of those who proposed George)

"He would be superb; collection of professional experiences suit him well for Archives."

"I know there was some problem at the Museum, but it was all handled very professionally, and I suspect any problem was not entirely of his doing."

George served more than a decade as Colgate University's President (\$50 million budget; fully executed \$85 million capital campaign, largest in college's history; Headhunter **John Kuhnle** reports that George was very highly regarded, departure greatly disappointed his Trustees, could have stayed there for rest of his life, hands-on executive. After he left, his wife chose to continue to live there and he commuted; but some in the college community felt they had too much of a lingering presence and they elected, with some pressure, to move to New York City, while retaining a home at Colgate for retirement.

Gloria Borger (Assistant Managing Editor, US News & World Report; Colgate University Trustee after he left) (202-202-955-2180)

"By all reports, he was a superb President there, really rebuilt the school, still highly regarded."

Brian Little (Partner, Forstmann-Little corporate acquisition firm; Colgate trustee) (212-355-5656)

"He was a splended president at Colgate, truly brought the institution to another dimension, handled all the competing constituencies brilliantly, left only because he felt it was time to take on another challenge."

"I can't say enough fine things about him."

"He got a raw deal at the Museum; he tried to professionalize the management of the place, but I think some of the Board just weren't ready for it. I have no idea of what he did at the UN."

Gary Ross (Assistant to Colgate President, then and now) (315-824-7445):

"Demanding, but always recognized hard work and jobs well done."

"Worked long hours, travelled to out-of-way places to raise money, poured himself into the College."

"Handled all the College's constituencies with skill; could have stayed here as long as he wanted."

"Very details-oriented; thorough, but delegates if he has confidence in the person."

He served as President of the Museum of Natural History in New York; but his contract was not renewed. **Sam Butler**, with whom I have had a long, casual acquaintance, (Managing Partner, Cravath Law Firm; former Harvard University Overseers Chm.; former Museum of Natural History Trustee) resigned from the Board over the non-renewal of George's contract and offered this explanation of the events.

"George worked very hard at the job, but never was part of the New York social scene that some thought was important to his work."

"As the first full-time CEO of the institution, he worked in the shadow of a Trustee who still wanted to run things. One of the Trustees starting 'gunning' for George to replace him with someone else favored by a group of them."

"He saw through the projects he was working on; but for a few years, he did not have a fully supportive Board. It was worked out quietly; he got a good, carefully documented settlement; there was some publicity about the condominium and driver he had, but nothing very negative."

"He had responsibility for natural history/scientific projects about which he was not expert; but he ran a good, balanced operation."

"There's nothing in his record there which should remove him from consideration for a position in the Administration."

He resigned from the UN Assn. of USA last week, having been there less than one year. **Harry McPherson** had advised me that George has been "looking around" for several months. BUT George never told me, even in our meeting last week, that his departure was imminent or that he definitely would be leaving. The following Directors of the Assn. whom I know personally informed me as follows:

Jack Sheinkman (President, Amalgamated Clothing & Textile Workers Union) (212-242-0700):

"He was brought in on a temporary basis to help straighten out our management, and I think he did that."

"The fellow who heads the organization sets policy; George is a manager; and it was understood that he would help with the management, but not get involved directly in policy."

Rita Hauser (Former Partner, Stroock & Stroock & Lavan; President, Hauser Foundation; Professional Director; spouse of Gus Hauser) (212-956-3645)

"Mutual decision with Board because he never could consolidate authority to run the place. When he was hired, he was told to act as CEO, though someone else retained the title and resisted George's taking over much authority. George tried to force the issue; and neither the individual nor the Board was willing to move."

(Hauser, continued)

"Pure gentleman, very refined and gracious, excellent mind."

"Did not demonstrate to the Board that he was sufficiently aggressive to move in and take over; but perhaps he was not given the chance."

"Would strongly recommend for other situation if it did not require major overhaul like UN Assn. This is a tough Board, and the situation never was fully clear with him."

William Rouhana (Chairman, WinStar Communications; UN Assn. Trustee) (212-687-7577)

"He had the responsibility, but not the authority."

"Excellent at bringing together constituencies which generally agree, such as an alumni group, but not inclined to swim in muddy water; not very oriented toward details."

"Would not hire him for a 'hands-on' job in any company which required a turnaround."

"Thoroughly pleasant person, high integrity."

Ruth Hinerfeld (Former President, League of Women Voters; Professional Director) (914-834-7799)

"He probably never had a chance here. The job was vaguely defined, and he had competing interests from the start. It just wasn't a good fit."

"Highly professional, did a good job at what he was able to do, would be good at similar position with less complicated internal politics."

"Nothing happened here which should discourage the Administration from considering him for a position of significant responsibility."

BOARD OF TRUSTEES

COLGATE UNIVERSITY
Hamilton, New York

July 1994

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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.

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]
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b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

THE WHITE HOUSE
WASHINGTON

Date 7-12-94

MEMO FROM: MAGGIE WILLIAMS

TO:

Milli Alston	___	Neel Lattimore	___
Pam Barnett	___	Evelyn Lieberman	___
Anne Bartley	___	Diane Limo	___
Liz Bowyer	___	Capricia Marshall	___
Lisa Caputo	___	Ann McCoy	___
Kelly Craighead	___	Alice Pushkar	___
Karen Finney	___	Sarah Ryan	___
Sara Grote	___	Patti Solis	___
Julie Hopper	___	Ann Stock	___
Carolyn Huber	___	Melanne Verveer	✓
Jennifer Klein	___	_____	___

The attached is for your:

Information ___

Advice ✓

Action ___

COMMENTS:

I don't think HRC should
be involved in this retreat -
Do you?



DETERMINED TO BE AN
ADMINISTRATIVE MARKING

INITIALS: Dr DATE: 4/22/2014
2013-0834-5

Personal and Confidential

Mrs. Hillary Rodham Clinton
Office of the First Lady
The White House, Room 100
Old Executive Office Building
Washington, D.C. 20500

Dear Mrs. Hillary Rodham Clinton:

I am writing to ask your help in determining future directions the NAACP Legal Defense and Educational Fund (LDF) should take by helping me to lead a retreat in November.

Since becoming LDF's Director-Counsel in February 1993 -- with your kind words of encouragement -- I have given considerable thought about how to accomplish the Fund's historic mission to achieve racial justice in the 1990s and beyond. New realities are upon us, and we must accelerate the process of developing new visions and strategies to deal with them.

Bob Burket has offered LDF the opportunity to raise these issues at a retreat in Los Angeles with a small number (fewer than 20) of prominent forward-thinking individuals who have achieved success and visibility in business and public affairs. From my perspective, it would be extraordinarily useful to explore with you and a group of this kind a number of initiatives the Fund is considering for the future. One is an issue that I have mentioned to you, i. e., the need for progressive voices and points of view to be heard in the mass media.

It particularly concerns me that today denunciations of civil and human rights issues are widely broadcast and go unchallenged. These distortions have become so pervasive that we no longer have a neutral audience when trying to communicate our message. Because of the work that we do, we know the cost to the whole nation of public misunderstanding of these issues. I would also use the retreat to discuss new substantive areas for the Legal Defense Fund such as violence prevention in our communities. Those matters are important not only to African Americans but also to the nation as a whole.

I know that you have insights on these issues. I also know that your participation is essential to ensure a highly successful event. Based on preliminary discussions with others who have participated in similar retreats, we would like to build a event around your availability. It has been suggested that a

Regional Office

Suite 301

1275 K Street, NW

Washington, DC 20005

(202) 682-1300

Fax: (202) 682-1312

July 8, 1994

*Melanie
I don't
think
HRC should be involved
in this
retreat
Do you
HRC?*

7/4/94

Original sent to Patti.
with a red dot.
Thought you needed to
know about this request.
SSK.

National Office

Suite 1600

99 Hudson Street

New York, NY 10013

(212) 219-1800

Fax: (212) 226-7592

Regional Office

Suite 208

315 West Ninth Street

Los Angeles, CA 90015

(213) 624-2405

Fax: (213) 624-0075

Mrs. Hillary Rodham Clinton
July 5, 1994
Page 2

Friday or Saturday after the November elections would be a good time. While the retreat would last approximately a day and a half, your presence would be limited to half a day.

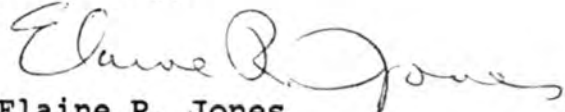
The idea is for you to meet with the group on Friday afternoon for a few hours of discussion which would continue during dinner. The alternative for your time would be a meeting Saturday morning, continuing through lunch; or beginning with lunch on Saturday and continuing the dialogue for a few hours during the afternoon.

LDF would prepare and distribute a brief concept paper on the issues to you and the other participants beforehand to facilitate the discussion.

I make this request knowing how overwhelmingly generous you have already been with your time on behalf of LDF and myself. It is the gravity of these issues that gives me the courage to ask once again for your help.

With deepest appreciation for your consideration,

Sincerely,



Elaine R. Jones
Director-Counsel



Embassy of the United States of America

June 16, 1994

Ms. Melanne Verveer
Deputy Chief of Staff
Office of the First Lady
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D. C. 20500

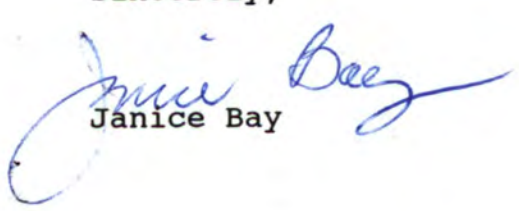
Dear Melanne:

I hope you enjoyed the remainder of your trip to Europe. From our perspective, it was truly a success. The French were delighted with the President and Mrs. Clinton. They definitely gave a boost to French-American relations.

I am enclosing the receipt for the D-Day scarf. I hope the first lady enjoys wearing it. (The scarf cost \$128.21, please ignore the other items on the receipt).

Once again, it was a pleasure meeting you. I hope our paths cross again.

Sincerely,


Janice Bay

Enclosure

AMERICAN EMBASSY COMMISSARY
4 AVENUE GABRIEL
75008 PARIS
TEL 42 96 12 02

SHOP N-0001 TILL N-03

RECEIPT N-001716 07/06/1994 13:59

BOUCHERON ED		
7611215013087	1	45.01
BOUCHERON ED		
7611215013087	1	45.01
SCARF SPEC		
0216200102	1	128.21

AMOUNT DUE	218.23
WITH VAT 0.00	0.00

COMPT CHEQUE	218.23
3.00 ITEM(S)	

THANK YOU AND COME AGAIN



THE UNITED STATES OF AMERICA

OFFICIAL BUSINESS

Janice F. Bay
Amembassy Paris - A-239
Unit 21551
APO AE 09777

Ms. Melanne Verveer
Deputy Chief of Staff
Office of the First Lady
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C.

20500

TO: Melanne

FROM: Anne *HB*

RE: Update on things While You Were Gone

July 12

✱ Jerry Iskowsky waves

I hope you had a good trip and you are not toooo tired ! I am glad that you are back. I hope you are, although all the paper and messages greeting you may be difficult to feel happy about being back.

THE ARTS

1. Attached is the latest list from Sandy for the 8 vacancies on the Council in September. The disciplines that are needed are:

- * a novelist * a well-known or celebrity performer
- * a composer * a jazz musician * a documentary film-maker

There is at least one of each category on the list except the documentary film-maker category. Jane is coming up with one.

2. Sandy got the lists of the past Medal of Arts and Frankel winners and the former NEA Council members to Ann Stock. He is also finishing The 100 Luminaries in the Arts list and will get us a copy when he sends to Ann, perhaps on the 13th.

3. I talked with Kathy Whelan re: vetting of the Medal of Arts winners. Sandy and I agreed on a plan so that when the NEA gets the information for the vetting, we can stay on top of it here. Kathy says once we get the name it should take 2-3 weeks.

4. Sandy met with Kathy Southern, Ann Murphy, and Ed Lynch re: invitation lists from the arts and humanities groups for the WH events. They will send him their prioritized lists. He is also getting Jane, Sheldon, and Diane's lists for the WH events which should be excellent given their travels and outreach across the country. It seems that we will need 1,000 seats. Do you think that would seem too big ? It is such an important event and a good one to invite people to.

5. Rosemary Cribbin called and still wants to use the tent for the October 4 dinner to get more people invited to it. She said that in her view it would be difficult to invite some of the past NEA Council members, such as Van Cliburn, but not all.

6. Sandy wanted to know the possibility of the President in his October 1 Radio Talk mentioning that October 1 is the Open House day for all participating cultural institutions and that it

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. memo	To Melanne from Anne re: Update on Things While You Were Gone (pp. 2-4) (3 pages)	07/12	b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Melanne Verveer
OA/Box Number: 20019

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

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- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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Freedom of Information Act - [5 U.S.C. 552(b)]

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Hiro Yamagata
Vice President



July 7, 1994

Mr. Rex Scouten
Curator
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Rex:

I had the pleasure of meeting you at the International Very Special Arts Festival in Brussels in May and am now following up on earlier discussions you had with Eugene Maillard and Katherine Lasseter regarding a Very Special Arts event at the White House. Taking inspiration from an unforgettable three days in Brussels, we would like to propose a mini-version of the Festival to be held at the White House as a culmination of our 20th Anniversary year. President and Mrs. Clinton's participation in this event would be a visible demonstration of their commitment and support of the arts and the disability community.

The day-long mini-festival would set the stage for a special evening performance at the White House built around the presentation of a lifetime achievement award to Ray Charles in honor of Very Special Arts Founder Jean Kennedy Smith. It is our hope that we will secure corporate sponsorship to produce a Very Special Arts 20th Anniversary television special using video footage of this evening plus segments taped in Brussels and at other successful Very Special Arts programs.

Very Special Arts is enthusiastic about pursuing these plans with you, aiming for a date in late September or October. However, we will be as flexible as we need to be in response to White House scheduling requirements.

This has been an exciting year for us and I can't imagine a more illustrious finale than a Very Special Arts 20th Anniversary Celebration at the White House. I look forward to discussing our proposal with you at your earliest convenience.

Sincerely,

Rileen Cuskaden
Executive Vice President

Enclosures



Very Special Arts • Education Office • The John F. Kennedy Center for the Performing Arts
Washington, D.C. 20566 • VOICE (202) 628-2800 • TDD (202) 737-4646 • FAX (202) 737-0125

Celebrate the Abilities of All People

A White House Celebration in honor of the 20th Anniversary of Very Special Arts

Overview

A day and evening of celebration at the White House is being proposed to mark the 20th Anniversary of Very Special Arts. Since 1974, Very Special Arts has provided opportunities in the arts to people with disabilities as a way for them to integrate into mainstream settings, to tap their personal creative abilities and to access society's cultural resources.

President and Mrs. Clinton have long been champions of causes related to the integration and equal treatment of people with disabilities in this country. It is our hope that they would be integrally involved in this Anniversary program.

Theme

In keeping with the spirit of the occasion, the theme for the program will be *Celebrate the Abilities of All People*.

Participants

Very Special Arts will enlist the participation of prominent VSA supporters — government leaders, artists and other celebrities. Joining this distinguished company will be representatives from Very Special Arts programs across the country, including children, youth and adults with disabilities.

Events at the White House

- **A Very Special Arts Festival**

The daytime event will be an arts festival on the White House grounds featuring performances, demonstrations, participatory arts activities and exhibits that draw on participants' creativity in the visual arts, theatre, dance and music. Performances by Very Special Arts program participants will include children's original works such as the musical drama *The Wind That Blew*, written and produced by Dade County, Florida students in the aftermath of Hurricane Andrew, and *Valentine Fairy Tales*, an anthology of favorite stories adapted for the stage and performed by members of the Loudoun County, Virginia Festival Players who use the technique of shadowing to assist cast members who have mental disabilities.

Festival attendees will also be treated to concerts by promising young musicians such as ten-year-old vocalist Matthew Volbrecht, who received a music scholarship as one of the 1994 Very Special Arts National Young Soloists, and Benita Gold, a saxophonist from Gaithersburg, Maryland and two-time Maryland State Very Special Arts Young Soloist award recipient.

Visual arts demonstrations will feature professional artists discussing and demonstrating their art forms. Noted sculptor Michael Naranjo, a Native American who was blinded in the Vietnam War, and painter Brom Wikstrom, an avid Very Special Arts supporter and active member of the Association of Mouth and Foot Painting Artists, are among those expected to participate.

Celebrants of all ages and abilities will be able to choose from a wide range of participatory activities that we refer to as "Art Stops." Examples include making rhythm instruments from everyday items like paper plates and macaroni; using these newly made instruments to improvise accompaniment and sound effects for story telling and creative dramas; decorating clay sculptures with fragrant herbs, rough sandpaper or intricate fossils to produce artwork that appeals to all of our senses; and creating collages of the world around us through texture rubbings.

A retrospective exhibition of artwork will be on display throughout the festival to spotlight the artistic achievements of both professional and non-professional visual artists involved in Very Special Arts over the last two decades.

- **The Evening Performance**

A special "Evening at the White House" for invited guests would center on the presentation of a lifetime achievement award in honor of Very Special Arts Founder Jean Kennedy Smith. Ray Charles has been chosen to receive the award and has agreed to participate in an evening performance where he will be joined by fellow entertainment luminaries and Very Special Arts performers with and without disabilities. President and Mrs. Clinton could play an important part in this event, demonstrating their commitment, concern and support for people with disabilities.

Video footage of the evening award presentation and performance would form the centerpiece for a TV special celebrating Very Special Arts' 20th anniversary. Corporate sponsor ITT has committed to underwriting the show's production costs and independent producer Gary Smith of Smith-Hemion, who produced our Emmy Award winning NBC Television Special, "From the Heart," has agreed to work with us again. In addition to the White House taping, we plan to incorporate footage and profiles captured at our International Festival in Brussels this past May and highlights of other successful Very Special Arts programs.

Conclusion

Art is a bridge that connects all cultures and helps us understand each other's point of view. For people with disabilities, building bridges through the arts is a powerful step toward full inclusion in American society. Participants in Very Special Arts programs have been living by this philosophy for twenty years. We hope that President and Mrs. Clinton will join us in celebrating our achievements and rededicating ourselves to this path.

THE WHITE HOUSE

WASHINGTON

July 12, 1994

MEMORANDUM

TO: Melanne Verveer ✓
Veronica Biggins
Alexis Herman
Doris Matsui

FROM: Anne Bartley

RE: Presidential Correspondence on CEDAW/UN Conference on
Women

Attached is a memo from Deborah Pearlstein in Presidential Correspondence. Please look it over. I will contact you for your comments as Deborah has requested.

July 11, 1994

MEMORANDUM

TO: ANNE BARTLEY
OFFICE OF THE FIRST LADY

FROM: DEBORAH PEARLSTEIN
PRESIDENTIAL CORRESPONDENCE

RE: CEDAW/UN CONFERENCE ON WOMEN

As we discussed in last Friday's meeting, I've attached a summary of the primary issues surrounding the Administration's preparations for the Beijing Conference. For each topic, I've suggested a Presidential response (often based on State Department language), and I've noted questions that remain to be resolved. Also attached is a proposed form letter on CEDAW that would serve to answer thousands of letters from the general public. I look forward to receiving everyone's comments, changes, etc.

Second, at the request of the State Department, I've compiled a sample of the President's mail on these subjects, including: several "kitchen table" letters from the general public, a letter from NA'AMAT USA, correspondence from Bella Abzug w/POTUS response, and from Harriet Woods w/proposed response. Meanwhile, we have some letters pending that need more immediate replies. It would be most helpful to identify one person, either here at the White House or at State, who could clear off on Presidential replies to VIP mail.

Finally, I hope you'll send any additional information available on Beijing or related issues, particularly after the results of the July 18 meeting become known. As preparations go into full swing, our responses will need to be updated regularly. Thanks for your help in this!

Memorandum
July 11, 1994
Page Two

I. Beijing Preparations

My Administration is looking forward to the 1995 UN World Conference on Women in Beijing, and we are actively engaged in preparations. Undersecretary of State for Global Affairs Tim Wirth has established a new secretariat charged with coordinating U.S. planning for the Beijing Conference. I hope that you will contact Director of the Conference Secretariat Theresa Loar at the State Department for further details.

I am determined to incorporate a diverse range of views throughout the planning process, drawing on the knowledge and expertise of both national and grassroots associations. Your involvement is an integral part of this effort. With the combined strengths of governmental and non-governmental organizations like yours, I am confident that the United States will be most effective in championing the cause of women's rights in this nation and around the world.

To be more responsive to NGO concerns, the following issues remain to be resolved:

- * How can/should the U.S. government help NGOs to receive funding?
- * What is the nature of the First Lady's involvement?
- * How many NGO representatives will participate in the preparatory meetings and at the Beijing conference, and how will they be selected? Who should they contact to obtain more information?

II. A Presidential Commission on the Status of Women

My Administration is currently exploring ways to expand women's involvement in assessing the status of American women and in preparing for international conferences.

No decision has yet been made, but the meeting concurred that the President should avoid sounding encouraging about the establishment of a new commission.

III. U.S. Seat on the UN Commission on the Status of Women

Let me assure you that the loss of the U.S. seat on the UN Commission on the Status of Women will not prevent our energetic participation in the UN preparations for the Beijing conference. The United States will vigorously campaign for re-election to the Commission in the spring of 1995 -- the earliest available opportunity. We're counting on your vocal support for this important effort.

The meeting also addressed the need to:

- * Clarify Arvonne Fraser's role and reassert the President's confidence in her leadership
- * Identify specific strategies for NGOs in advancing the U.S. campaign

IV. The National Report on U.S. Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women

The State Department is now completing the National Report on U.S. Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women. We look welcome the comments of interested organizations like yours when the draft report becomes available in August. Based on these suggestions, appropriate revisions will be made in anticipation of the 1995 World Conference on Women in Beijing.

Following the July 18 meeting, the President should be able to specify how interested NGOs can review the U.S. report.

V. Convention on the Elimination of All Forms of Discrimination Against Women

Proposed Presidential response attached

To be more responsive, the President could:

- * Identify a time frame or specific process for moving toward ratification
- * State more explicitly the Administration's position on NGO lobbying/involvement

UN/CEDAW Support
POTUS Response
July 11, 1994

Thank you for your letter regarding the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). I share your deep commitment to advancing the rights of women around the world, and I am working hard to meet that crucial challenge.

My Administration strongly supports the goals of CEDAW -- to promote women's equality and to eliminate gender-based discrimination. In completing our detailed legal analysis of the treaty's provisions as they relate to U.S. law, we are consulting closely with concerned non-governmental organizations like yours. I welcome your insights, and I hope that you will contact (-----) with your suggestions. We continue to work toward ratification with interested Senate offices, and I am convinced that our step-by-step approach will best ensure its ultimate passage.

I appreciate knowing your thoughts on this vital issue. As we move forward in our efforts, I'm grateful for your support.

THE WHITE HOUSE
WASHINGTON

July 5, 1994

Ms. Bella Abzug
Co-Chair
Women's Environment and
Development Organization
15th Floor
845 Third Avenue
New York, New York 10022

Dear Bella:

Thank you for your suggestions on behalf of the Women's Environment & Development Organization. I share your deep commitment to advancing the rights of women, and my Administration is working hard to meet this crucial challenge.

As Melinda Kimble, Deputy Assistant Secretary for International Organization Affairs, has detailed, the State Department is actively engaged in preparations for the Fourth World Conference on Women. With the continued participation of government and non-governmental organizations across the country, I am confident that the United States will be most effective in promoting women's rights in this nation and around the world.

I appreciate your insights and involvement as we work to promote human rights for all people.

Sincerely,

11/1
P-507

President Bill Clinton
The White House
Washington, DC 20500

6445 Greene St. #B202
Phila., PA 19119

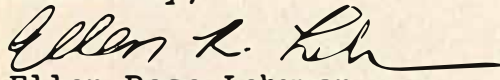
Dear Mr. President:

I am writing regarding the Women's Convention of December 18, 1979. This document, adopted by the United Nations, provides the world community with an international framework of standards for the protection of women's human rights.

The United States should welcome the opportunity to work with other countries in implementing measures to alleviate discriminatory practices that violate the human rights of women. However, while the US was active in drafting the Women's Convention, it is not among the 132 countries which have ratified the Convention.

I urge you to send the Women's Convention to the US Senate for ratification as soon as possible. This action will help restore the credibility of the US as an advocate for the protection of women's human rights.

Sincerely,


Ellen Rose Lehrman

LWN
Debra Paulson 6/21/94

President Bill Clinton
The White House
Washington, D.C. 20500

June 21, 1994

Dear President Clinton,

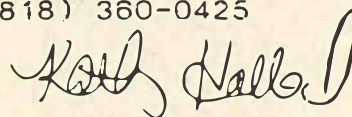
Please allow a few moments of your valuable time to express my concerns about the Convention on the Elimination of All Forms of Discrimination Against Women (The Women's Convention). This Convention was adopted by the United Nations on December 18, 1979. The Convention provides the world community with an international framework of standards for the protection of women's human rights.

The U.S. should welcome the opportunity to work with other countries in implementing measures to alleviate discriminatory practices that violate the human rights of women. However, while the U.S. was active in drafting the Women's Convention, it is not among the 132 countries which have ratified the Convention to date. In June 1993, at the U.N. World Conference on Human Rights, Secretary of State Warren Christopher announced that the Administration would take action on the Women's Convention and other human rights treaties. The U.S. compromises its credibility as an advocate for the protection of women's human rights as long as it does not ratify this human rights treaty.

I respectfully request that you send the Women's Convention to the Senate for ratification as soon as possible.

Sincerely yours,

Mrs. Kathy Holland
10338 Lindley Ave. #107
Northridge, Ca. 91326
(818) 360-0425



President Bill Clinton
The White House
Washington, DC
20500

S.S.
Debra Pearlstein
Rm 94

Mr. President:

I would like to bring to your attention an issue of great importance to me. On December 18, 1979 the United Nations adopted the Convention on the Elimination of All Forms of Discrimination Against Women (The Women's Convention). It saddens me to know that in 1994 the United States has not ratified the Convention. In June 1993, Secretary of the State Warren Christopher attended the UN World Conference on Human Rights and announced that the Administration would take action on the Women's Convention and other human rights treaties. However, without ratification of the Convention, the United States compromises its credibility as an advocate of human rights and as a world leader (132 other countries have ratified already). Therefore, I urge you to send the Women's Convention to the U.S. Senate for ratification immediately. Thank you for your time and any efforts you may take to alleviate this situation.

Sincerely,

Sharon Friedrichsen

Sharon Friedrichsen



Formerly Pioneer Women

NA'AMAT USA

THE WOMEN'S LABOR ZIONIST ORGANIZATION OF AMERICA, INC.

200 Madison Avenue, New York, N.Y. 10016 • Tel. (212) 725-8010 • Fax (212) 447-5187 Fax (305) 538-4108

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SYLVIA LEWIS

June 7, 1994

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Financial Secretary
IRENE ROBINSON

Secretary
ARLIENE STEMLER

President William Jefferson Clinton

The White House
Washington, D. C. 20500

Dear President Clinton:

As one of the Non-Governmental Organizations planning to send a delegation to the 1995 Fourth World Conference On Women, we urge you to take the steps necessary to assure American influence for this most important conference.

Area Coordinators

Eastern
ESTELLE BALFOUR

Midwest
LYNN WAX

Southeast
JOYCE SCHILDKRAUT

Western
PHYLLIS SANDGROUND

We urge you, first of all, to appoint Hillary Rodham Clinton to head the American delegation to the Beijing Conference. Mrs. Clinton is a woman who is respected all over the world and her presence in this position would enhance the delegation.

In addition, we urge you to secure ratification of CEDAW (the United Nations Convention of Elimination of Discrimination Against Women) and that you reestablish a United States Commission on Women.

Past Presidents

GLORIA ELBLING
BLANCHE FINE*
BERT GOLDSTEIN
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FRIEDA LEMON
CLARA LEFF
GOLDA MEIR*
DORAH ROTHBARD*
CHARLOTTE STEIN
CHAYA SURCHIN*
PHYLLIS SUTKER
SOPHIE UDIN*
ESTHER ZACKLER

*Deceased

I also remind you of the importance of reclaiming a United States seat on the United Nations Commission on the Status of Women.

As one of the presidents who had the privilege of meeting you in the White House in March with the Conference of Presidents of Major American Jewish Organizations, I want to thank you for all you do on behalf of so many of the issues which we support - health care, reproductive choice, welfare reform and women, children and families in general.

With sincere appreciation,

Sylvia Lewis
National President



Women's Environment & Development Organization

845 Third Avenue • 15th floor • New York, NY 10022 • U.S.A.

Fax: (212) 759-8647 • E-mail: wedo@igc.org • Telephone: (212) 759-7982

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university lecturer
New Zealand

Susan Davis
Executive Director

May 16, 1994

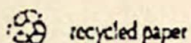
President William J. Clinton
The White House
Washington, DC 20500

Dear President Clinton,

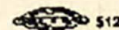
Throughout the United States and around the world, women in large numbers are joining in activities related to the United Nations Fourth World Conference on Women, meeting in Beijing, China in September 1995. As you know, this major event is expected to provide an historic global recommitment to implementing the goals of Equality, Development and Peace that emerged from the UN Decade for Women's Forward-Looking Strategies for the Advancement of Women.

As one of the key U.S.-based groups with links to women in every region of the world, the Women's Environment and Development Organization (WEDO) has been deeply involved in the UN planning process for this urgently needed international conference affecting half the world's population. We have a unique role in organizing NGO women's caucuses at preparatory and regional meetings to assure that women have substantive input.

The emphasis at Beijing will be on practical and specific actions needed to improve the daily lives of women and to give them equal voices in policy-and-decision-making. Despite some notable gains, the situation of women in many areas is deteriorating under the pressure of the global economic crisis, worsening poverty, increasing violence, wars and unstable governments. Millions of American women are also affected by some of these conditions.



A Program of Women U.S.A. Fund, Inc., a 501(c)(3) educational organization



We have been greatly impressed by your Administration's excellent preparatory work and participation in the UN population and human rights conferences. The State Department and its delegations displayed leadership, expertise and total commitment to progressive outcomes in terms of policies and implementation, and we are confident that the U.S. delegation will again do us proud at the ICPD conference in Cairo this September.

Regrettably, we cannot say the same for your Administration's preparatory work for the women's conference. We have been both puzzled and disappointed by the lack of priority, staffing, funding and commitment given to the planning for Beijing. This situation has been compounded by the U.S.'s unexpected loss of its seat on the key UN Commission on the Status of Women (CSW), a seat held by our country since 1947. This loss means that the U.S. will be reduced to observer status throughout 1995, the crucial period during which the CSW will be preparing its final draft Platform for Action to be presented at the conference in Beijing.

American women are proud of what we have achieved in the past few decades to expand and strengthen our rights and opportunities for advancement. The crucial margin of electoral support that we provided in 1992 demonstrated our confidence that your Administration would also champion the aspirations of women, and we congratulate you on much of what you have accomplished.

We respectfully propose that the U.S. resume its leadership role in advancing issues of concern to women by making a major commitment to the success of the women's conference and implementation of its recommendations.

We urge your Administration and the State Department to take the following supportive actions:

1. Provide the necessary resources, staff and funding to assure major U.S. participation throughout the UN women's conference process, comparable to the impressive ICPD effort. This would include completion of the overdue U.S. national report, with opportunities for NGO input, for submission to the UN conference secretariat, widespread distribution and comment.
2. Assert an active U.S. role in the October 1994 ECE/North American Regional Preparatory Meeting in Vienna, with a strong U.S. delegation, including significant numbers of NGO women. All U.S. delegations to the preparatory and regional meetings and the World Conference itself should reflect the diversity and expertise of NGO women's leadership from the national to the grassroots level.
3. Prepare decisively to regain a U.S. seat on the CSW at the earliest opportunity, well in advance of the next elections for this important commission.

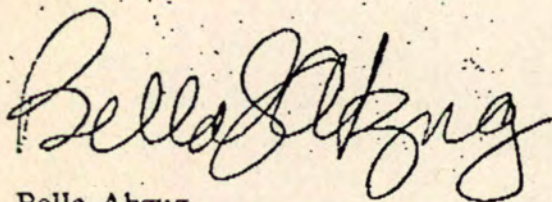
4. Give priority to securing Senate ratification of CEDAW (the UN Convention on the Elimination of Discrimination Against Women), which was signed by President Carter in 1980. CEDAW has been ratified by 132 nations, and the U.S. is the only major power that has not yet completed the ratification process. If the U.S. goes to Beijing without have ratified this basic assertion of women's rights, its position there will be seriously compromised. Major women's organizations are prepared to join you in vigorously campaigning for CEDAW ratification. Setting a target date for ratification would be a positive first step.

5. Reconstitute a representative, racially and culturally diverse National Advisory Commission on the Status of Women, which as you know was initiated by President Kennedy, with Eleanor Roosevelt as its first presiding officer, and was continued in various forms under Presidents Nixon, Ford and Carter. The Forward-Looking Strategies and every major UN document dealing with the advancement of women's rights recommends and stresses the need for such a mechanism within governments to act as women's advocates, gather information and monitor programs, advise the President on all issues specifically affecting women and to assure that women have an equal share in policy-making.

We offer these action proposals in behalf of WEDO and the many other NGO women in the UN community who have voiced their disappointment over the loss of the CSW seat and what they see as inadequate participation in the preparatory work for Beijing. We know that you share our commitment to the conference goals and we stand ready to assist in whatever way we can.

I would add the personal comment that my experience in working with Tim Wirth on the UN population conference, both as a member of the delegation and as chair of the NGO women's caucus, has been totally positive and rewarding.

With sincere best wishes,



Bella Abzug
Co-Chair, WEDO

/enclosures



Washington, D.C. 20520

June 13, 1994

Dear Ms. Abzug:

Thank you for the suggestions provided in your letters to Doug Bennet and me concerning U.S. preparations for the Fourth World Conference on Women.

We share your views on the importance of this Conference and will do all we can to ensure full and active U.S. participation in the Conference and its prepcoms. As an initial step, the Department has formed a secretariat in the Bureau of International Organization Affairs under the direction of Under Secretary for Global Affairs, Tim Wirth, and we are working closely with the Bureau of Population, Refugees, and Migration to strengthen our outreach for the conference. The Secretariat and its personnel staffing should help us respond to the growing interest and workload involved in preparing for Beijing.

We are in the process of completing the National Report on U.S. implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women. The U.S. report will contain information on programs for women initiated by Federal and State governments as well as by non-governmental organizations. We plan to make the draft report available for additional NGO comment and input before we send it to the United Nations in early August. Although our report is behind our own projected deadline, it is a much more comprehensive document than we have previously produced for UN Conferences and offers a foundation for additional input from both government agencies and NGOs as we prepare for Beijing. We expect that US NGOs will be preparing complementary reports for the Fourth World Conference on Women.

Ms. Bella Abzug,
Co-Chair, Women's Environment and
Development Organization,
845 Third Avenue, 15th Floor,
New York, NY, 10022.

With respect to treaty ratification, the Administration has given first priority to the Convention on the Elimination of All Forms of Racial Discrimination, and I am pleased to report that the Senate Foreign Relations Committee gave its approval last month. We are hopeful the full Senate will provide advice and consent to ratification as early as this month. We are now focused on ratification of the Convention on the Elimination of All Forms of Discrimination Against Women. We are working with other Federal agencies and the Senate to prepare a package of reservations and understandings on the Convention, which may be ready for submission as early as July. We believe this step-by-step approach toward human rights treaty ratification--developed in consultation with interested Senate offices--will best ensure broad and bipartisan support for the human rights treaty ratification process.

Regarding your suggestion that the White House re-establish the National Women's Commission, we are currently exploring the range of options for maximizing the participation of women in assessing the status of women in this country and in preparing for international conferences. We hope to be able to make some decisions reasonably soon. We also plan to include more NGO representatives on future prepcom delegations for the Women's Conference.

While I fully share your concern over the loss of the U.S. seat on the Commission on the Status of Women, I must reassure you that it will in not imperil our active participation in the UN preparations for Beijing. The United States will stand for re-election to the CSW at the first available opportunity -- the spring of 1995. We plan a strong campaign to regain our membership.

Thank you for taking the time to share your suggestions.

Sincerely,

Melinda L. Kimble
Deputy Assistant Secretary
Bureau of International Organization Affairs

DRAFT OF BC LETTER

INITIALS: BC / dnp /

DOCUMENT TITLE: /slr/p/woods.h.dnp

DRAFT DATE / LETTER DATE: Jul 08 1994 /

CORRESPONDENCE #: 1665281

CLEAR WITH:

WHCC:

CC:

CORRESPONDENCE ADDRESSED TO:

Ms. Harriett Woods
President
National Women's Political Caucus
Suite 750
1275 K Street, Northwest
Washington, D.C. 20005-4051

APPROVAL/ENCLOSURES/SPECIAL INSTR:
Per M. Kimble, State Dept.

Dear Harriett:

Thank you for your suggestions on behalf of the National Women's Political Caucus. I share your deep commitment to advancing the rights of women, and my Administration is working hard to meet this crucial challenge.

My Administration is actively engaged in preparations for the Fourth World Conference on Women, and I hope that you will continue to play a significant role in our efforts. With the combined strengths of governmental and non-governmental organizations like yours, I am confident that the United States will be most effective in championing the cause of women's rights in this nation and around the world.

Let me assure you that the loss of the U.S. seat on the UN Commission on the Status of Women will not prevent our energetic participation in the UN preparations for the Beijing conference. The United States will vigorously campaign for re-election to the Commission in the spring of 1995 -- the earliest available opportunity. Additionally, my Administration is exploring ways to expand women's involvement in

assessing the status of American women and in preparing for international conferences.

As you know, I strongly support the goals of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) -- to promote women's equality and to eliminate gender-based discrimination. At the 1993 Conference on Human Rights, Secretary of State Christopher announced our intention to ask the Senate to first take up the Convention on the Elimination of All Forms of Racial Discrimination. As the Senate completes action on the Race Convention, we are moving toward ratification of CEDAW. I believe that this step-by-step approach, developed in consultation with interested Senate offices, will best ensure broad and bipartisan support for the human rights treaty ratification process.

As we press forward in our efforts, I'm grateful for your insights and for your continued support.

Sincerely,

BC

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Harriett Woods

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Joan Tobin
C. DeLores Tucker
Lucia Valeska
Carmen Delgado Votaw
Julia Montgomery Walsh
Maxine Waters
Kathy Wilson
William Winpisinger

Executive Director
Jody Newman



National Women's Political Caucus

May 26, 1994

President William J. Clinton
The White House
Washington, DC 20500

Dear President Clinton:

I had not written you until now about the preparations for the United Nations World Conference on Women in Beijing because I hoped that the Administration's commitment to women's progress would be reflected automatically in appropriate action. It now appears, regrettably, that there is reason for concern.

The real wake-up call was the U.S. loss of its seat on the UN Commission on the Status of Women. This is an embarrassment to our country as well as a definite handicap denying the United States an important vote on the actions that may occur at the Beijing conference.

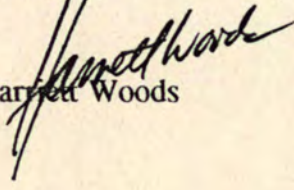
The Beijing conference will have international attention with thousands of women participating. It is critically important to establish the input of Non-Governmental Organizations (NGOs), in planning and in appointments to our delegations. The NGOs are one of this country's great strengths.

Decisive action now is needed. The United States cannot abdicate responsibility to its majority. There needs to be commitment of resources, and of leadership with authority to act and the ability to get things done. There are significant players in the women's community now working on the UN planning process who can be helpful.

As you know, I truly appreciate what you have done to increase the diversity in senior policy positions in the Administration. We are just as committed to advancing women's leadership in other nations, at a time when most look to the women of this country for partnership.

Please know that I will be happy to help or provide any information we have available.

Sincerely,


Harriett Woods

The Rt. Hon. Sir Edward Heath, KG MBE MP
(former Prime Minister of Great Briton)
House of Commons
London SW1
United Kingdom

Mr. Yasuhiro Nakasone
(former Prime Minister of Japan)
Sabo Kaikan Building
2-7-5 Hirakawacho
Chiyoda-ku 102
Tokyo, Japan
(In Mr. Nakasone's letter, include his daughter...
Ms. Mieko Atsumi)

Mr. Shigeaki Hazama
(Chairman, The Praemium Imperiale Executive Committee)
Mailing Address:
President
The Sankei Shimbun
7-2, 1-Chome
Otehmachi, Chiyoda-ku
Tokyo 100-77
Japan

Mr. Henri Dutilleux
(1994 Praemium Imperiale winner in Music)
12, Rue St-Louis-En-L'isle
75004 Paris
France

Mr. and Mrs. Charles Correa
(1994 Praemium Imperiale winner in Architecture)
9 Mathew Road
Bombay 400 004
India

Mr. Tokuzo Arai
The Japan Art Association
3-1, Kawada-cho
Shinjuku-ku
Tokyo 162, Japan
(include in letter "to you and your Japanese colleagues")*

Mr. Kazunori Tsujikawa
The Japan Art Association
3-1, Kawada-cho
Shinjuku-ku
Tokyo 162, Japan
(include in letter "to you and your Japanese colleagues")*

* There were approximately 50 Japanese. Writing the letter to these two will suffice...they will mention to others.
Thanks.



file archives

94 MAR 3 10:30

UNIVERSITY OF MARYLAND AT COLLEGE PARK

COLLEGE OF LIBRARY AND INFORMATION SERVICES

February 28, 1994

The Honorable Steny Hoyer
Committee on Government Operations
U. S. House of Representatives
Washington, DC 20515

Copy P. Lader
M. Jerveer
G. Greenstone

Dear Mr. Hoyer:

I am disturbed by the attack on Acting Archivist Trudy Peterson that has been launched by the Washington Times in a February 16 article and today's editorial. My 21-year career at the National Archives, and especially as Acting Archivist for 33 months between 1985 and 1988, only heighten my awareness of the situation confronting that institution today, especially as reported in the Times. Before those items were published I made my thoughts about "acting" status known through the Letters to the Editor page of the Washington Post early in January. I think that the current situation at the Archives is a direct result of not having a presidentially confirmed Archivist who can act with the full authority of the office.

I also believe that much of the impression given by the items in the Times is wrong. I do not know if Trudy Peterson has launched a "campaign to be nominated archivist of the United States," but because of my "elder statesman" status almost every other candidate has asked for my support, yet I have never been approached by her. Nor do I think that she would launch a campaign by alienating powerful forces that could be supportive, as the article suggests has been done. It is also a fact that at least one of the staff who was given an unsatisfactory performance rating was one of the people implicated last April by the President's Council on Integrity and Efficiency, which recommended that the new Archivist consider initiating strict disciplinary proceedings against her. This is the first performance rating period to occur since that report.

One of the other "unsatisfactory" officials has also been the least qualified person to hold the office of Assistant Archivist for the Presidential Libraries since the inception of that office, and has been in and out of the news for questionable policy decisions since his appointment.

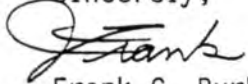
Where I do agree with the Times article is in the statements of Page Putnam Miller, who holds a prestigious non-government position as director of the National Coordinating Committee for the Promotion of History. Her support of

Trudy Peterson is fully justified, since Dr. Peterson has been a working archivist, an aide to various officials in the Archives hierarchy, including in the Office of Presidential Libraries and the Office of the National Archives, which she later administered as Assistant Archivist for nine years. She has the degree, research and publications, professional, and administrative credentials for the position. The fact that I have known her for about 25 years and do not have an inkling about her political affiliation is testimony to her discretion as a public official.

Please do not take this as the beginning of my campaign to have her named Archivist, although I could easily support such a move. I believe that the traditional forces involved in such decisions should play out, and I am sure they will. I am also not hinting that my support or lack of it would make any difference or affect the process. What I am suggesting is that the palace politics of the National Archives should be looked at more closely before any charges are laid on Dr. Peterson for the administrative actions she has felt it necessary to take. I also feel, as I did early in January, that the institution will continue to suffer the longer the White House delays an appointment. I urge you to make further investigation of the situation at the National Archives in order to evaluate the performance of Dr. Peterson, and not to uncritically accept the cries of her detractors. I look upon the Times efforts to undermine her already tenuous position as a political attack not related to the competencies of the people involved.

Perhaps our paths will cross again at some ceremonial function, such as the dedication of Archives II (by rights, it should be the "Steny Hoyer Archives Building!"). I only hope that the National Archives situation will be resolved by then, and that the agency can get back to its business of serving the agencies and the research community without the distractions now haunting it.

Sincerely,



Frank G. Burke
Professor

bcc: Joan N. Baggett
John D. Podesta ✓
Jan Piercy



UNIVERSITY OF MARYLAND AT COLLEGE PARK 14413 ARM : 30

COLLEGE OF LIBRARY AND INFORMATION SERVICES

February 28, 1994

The Honorable John Glenn
Committee on Government Affairs
United States Senate
Washington, DC 20510

Dear Senator Glenn:

For 33 months, between 1985 and 1988, I was Acting Archivist of the United States, while the President and the Senate tried to find common ground on the appointment of a new Archivist. My 21-year career at the National Archives, and especially as Acting Archivist for those long 33 months, only heighten my awareness of the situation confronting that institution today, especially as reported in the Washington Times on February 16 and today, February 28. Before those items were published I made my thoughts about "acting" status known through the Letters to the Editor page of the Washington Post early in January. I think that the current situation at the Archives is a direct result of not having a presidentially confirmed Archivist who can act with the full authority of the office.

I also believe that much of the impression given by the Times items is wrong. I do not know if Trudy Peterson has launched a "campaign to be nominated archivist of the United States," but because of my "elder statesman" status almost every other candidate has asked for my support, yet I have never been approached by her. Nor do I think that she would launch a campaign by alienating powerful forces that could be supportive, as the article suggests has been done. It is also a fact that at least one of the staff who was given an unsatisfactory performance rating was one of the people implicated last April by the President's Council on Integrity and Efficiency, which recommended that the new Archivist consider initiating strict disciplinary proceedings against her. This is the first performance rating period to occur since that report.

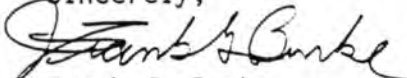
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Sincerely,


Frank G. Burke
Professor

bcc: Joan N. Baggett
John D. Podesta ✓
Jan Piercy

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. list	Suggestions from NEA (2 pages)	07/12/1994	b(6)

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First Lady's Office
Melanne Verveer
OA/Box Number: 20019

FOLDER TITLE:

Archives [2]

2013-0534-S
ry1543

RESTRICTION CODES

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

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

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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]

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

RR. Document will be reviewed upon request.

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b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. letter	To Melanne Verveer from Jamil S. Zainaldin re: candidate (1 page)	03/01/1994	b(6)

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Clinton Presidential Records
First Lady's Office
Melanne Verveer
OA/Box Number: 20019

FOLDER TITLE:

Archives [2]

2013-0534-S

ry1543

RESTRICTION CODES

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b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

copy

RICHARD A. JACOBS
404 BEAUMONT ROAD
SILVER SPRING, MD 20904

file Hendesty

February 16, 1994

Archieves

Senator Mark Hatfield
United States Senate
U.S. Capitol
Washington, DC 20510

Dear Senator Hatfield:

I write in response to an article that appeared in today's Washington Times concerning management problems at the National Archives. Mentioned in the article was an inquiry that you made to the inspector general of that agency, and I certainly appreciate your continued interest in the National Archives and Records Administration (NARA).

You and I met on many occasions while you served as a member of the National Historical Publications and Records Commission and I was its executive director. Before that time I had assisted Archivist Bob Warner in several staff positions and played a key role with you and your staff in winning independent agency status for NARA. And before 1981, I had served for 12 years in administering the Presidential Libraries system, mainly as its deputy director.

In general, I am terribly saddened by what has happened among my colleagues at NARA since I retired in 1991. You should understand that I left in part because I did not like the trend of activities in the agency and I found that my effectiveness in influencing its direction was diminishing. I would not have imagined, however, the awful consequences that we have now witnessed.

You will surely recall the report issued by the Senate Government Affairs Committee in October/November 1992, accusing the agency of nefarious handling in its appointment of an inspector general and several cases of questionable procurement practices. That report, together with publicity concerning departure agreements made with President Bush, led to Archivist Don Wilson's departure in disgrace in March 1993. Virtually all of the actions analyzed in the Senate report had their source in the actions and attitudes of deputy archivist Claudine Weiher, and I can attest that her attitudes also led to failures in labor relations, Congressional relations, press relations, all in addition to severe problems in procurement, financial and personnel management. And just to bring it full circle, the present regrettable plight of poor Gary Brooks as General Counsel is to be laid squarely at her door. From winning independence in 1984 until about 1989, I steadfastly opposed naming Brooks to that senior legal position on grounds of his inadequate preparation in broad policy and legal matters, although not so much as to condemn him as a decent staff attorney. But in a final and decisive argument before the Archivist, Claudine's response to the case that I had made was, "I don't want a bright lawyer, I want one who will do what we tell him to do!" Gary was given the appointment.

RICHARD A. JACOBS
404 BEAUMONT ROAD
SILVER SPRING, MD 20904

February 16, 1994

Ms. Melanne Verveer,
Deputy Assistant to the President
The White House
1600 Pennsylvania Ave., NW
Washington, DC 20500

Dear Sir:

I am transmitting for your information the enclosed copy of a letter to Senator Mark Hatfield concerning administration of the National Archives.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Jacobs", is written below the word "Sincerely,".

Thus, when Don Wilson left last March, it was deemed important by the Administration to put Claudine aside and name someone else deputy archivist who would, in accord with the statute, serve in full authority as acting Archivist until one was duly nominated and confirmed. Dr. Trudy Peterson was selected and given the mantle of authority to direct the agency until the appointment process was completed. I know from experience that it is tough serving in an acting capacity, especially at high and solitary levels. If there is any dissatisfaction among staff, incidents of rebellion and insubordination do occur, and the person bearing the authority is compelled to assert that authority and maintain command.

I have had occasional conversations with Dr. Peterson during this difficult period, and I am aware that her leadership has been challenged and undermined almost continuously since last March, when all of these people should have been supporting her efforts to lead. While I do not have sufficient command of details to lay blame or make accusations, it seems to me that the pattern is obvious and has already been proven by earlier studies. Addressing one issue only, I can say with confidence that Trudy Peterson's policies with respect to the archival holdings and well-being of Presidential Libraries would pose no threat whatsoever to those institutions. The people who are asserting such a claim are covering misbehavior and trying to garner support for their rebellion.

I have known Trudy Peterson during her entire professional career, and I know her to be an earnest, knowledgeable, and competent archivist of great integrity and sound judgment. She deserves the support of the Administration and members of the Congress until the appointment process can be completed.

Sincerely,



CC: Senator John Glenn, Chairman, Gov't Affairs
Rep. John Conyers, Jr., Chairman, Gov't Operations
Mr. John Podesta, Assistant to the President
Mr. Floyd Justice, Inspector General, NARA

file archives

Talking Points on Archives' FY99 Budget

- Since we last spoke about the Charters of Freedom, I've discussed your concerns at some length with the First Lady, Frank Raines, and some of the President's other senior advisors.
- From those discussions came final decisions that I believe provide a strong proposal that we can all support.

On the Restoration and Re-encasement of the Charters of Freedom

- First, the Budget will include \$4 million for restoration and re-encasement of the Charters -- more than ample funding to complete this critical work.
- In addition, we will help you seek private sector funding to allow the Archives to begin this important project during the current fiscal year.

On Display of the Charters

- We also have thought further about where the Charters would be displayed after they have been re-encased. *
- Like you, we recognize the serious problems of accessibility and security that arise from the current display at the Rotunda.
- All of us continue to believe that the optimal solution would be to display the Charters at a special sanctuary within the Smithsonian's National Museum of American History.
- In light of the concerns that you have raised in various discussions, however, we have decided to study the issue further. *
- We intend to establish a Commission whose members will include distinguished members of the archival and historical communities, academia, and government.
- We will ask the Commission to evaluate a number of options for displaying the Charters of Freedom. The Commission will be asked to consider the security provided for the Charters, the public accessibility of the Charters, and the cost of each option.
- After the Commission has completed its work, we will make final decisions about where and how the Charters should be displayed.

On Restoration of Main Archives

- Finally, I'm pleased that the budget will request \$71 million to renovate the Main Archives building, and bring the building into full compliance with various ADA, environmental and life-safety codes.
- I want to emphasize, however, that none of these funds may be used to renovate the rotunda exhibit or the Charter display. We will consider proposals to renovate these areas only after we have had an opportunity to review the findings and recommendations of the Charter Commission.



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file archives

JAN 12 REC'D

Michael,

The info enclosed is what I have shared today with the White House. Two copies - one for you and one for Mr. Raiser.

Thank for keeping me informed.

Edh

THE CHARTERS OF FREEDOM

Summary of the Need for their Retention by the National Archives

Within the Administration there is a proposal to create a commission to consider removing from the National Archives the original Charters of Freedom—the Declaration of Independence, the Constitution of the U.S., and the Bill of Rights—for exhibit in the Smithsonian Institution. This package explains why that proposal is legally objectionable, historically contradictory, and politically unwise.

- **Under current law the Archivist of the U.S. must protect the Charters.** The Charters came to the National Archives under the Federal Records Act, which makes the Archivist responsible for their care. Even if a commission were to recommend removal, the law would have to be changed before they could be removed without his consent.
- **The Archivist could not consent to removal of the documents to the Smithsonian.** Unless the law were changed, the Archivist would feel unable to approve transfer of the most important records of the federal government to a quasi-governmental agency, which has its own governing board.
- **The National Archives was created specifically for safekeeping such documents.** The Congress directed that the Charters be preserved on display there, which was advocated by Presidents Hoover, Roosevelt, and Truman. They and the architect of the Archives intended its rotunda to be a shrine, a special setting for the Charters' display.
- **Members of the Congress would fight the move.** In addition to putting the Charters in the National Archives to begin with, the Congress also has been insistent that the Archivist exercise judgment about safekeeping such documents independent of politics, and even setting up a commission to contemplate a change would seem an abrogation of the Archivist's authority in the interest of some political rather than protective objective.
- **Removal of the Charters from the National Archives and its rotunda would provoke public outrage.** It would take a huge public relations effort to try to sell veterans' organizations, patriotic associations, and the public generally that the Charters should be transferred from their shrine in the archives, particularly to a museum organization with a recent track record for exhibiting American history controversially (in the Enola Gay exhibit among others). Professional organizations of historians, political scientists, and archivists would also protest this as a threat to the independence of the Archivist in making judgments about other federal records.
- **Archives treat documents such as the Charters as vital evidence, not just as educational objects.** The Charters verify the original words, and they document the original signatures of the founders. To treat them simply as museum objects, stuck in among others, would trivialize them as well as remove them from documents to which they are related, such as the Constitutional amendments after the Bill of Rights.
- **A fight over the Charters will hurt the Administration.** The controversy will spoil the credit that the President will otherwise receive for being the first chief executive since Lyndon Johnson to push for truly adequate funding for the Archives, and could tarnish the good will he will generate in his millennial celebration.

Documents in this package explain why the Charters should remain at the Archives, discuss potential consequences of moving them, and analyze legal issues raised by the proposal to move them.

AMERICA'S CHARTERS OF FREEDOM Why They Cannot Be Moved From The National Archives

"There could be no better place for this discussion than the National Archives, for within these walls are America's bedrocks of our common ground, the Declaration of Independence, the Constitution, the Bill of Rights. No paper is as lasting as the words these documents contain, so we put them in these special cases to protect the parchment from the elements. No building is as solid as the principles these documents embody, but we sure tried to build one with these metal doors 11 inches thick to keep them safe, for these documents are America's only crown jewels."

—President William J. Clinton, Remarks on Affirmative Action, at the National Archives, July 19, 1995

The basic American Charters of Freedom—the Declaration of Independence, the Constitution of the United States, and the Bill of Rights—are entrusted by Federal law to the National Archives and Records Administration alone, which has no greater responsibility than to preserve and provide public access to them. They are at the heart of NARA's mission.

- The Federal Records Act requires that NARA preserve the most important, permanently valuable records of the Federal Government. None is more important than the documents that created that government, defined its right to exist, and established the liberties of its people.
- The Charters cannot simply be taken out of the Archives. They are part of the Archives of the United States, governed by the Federal Records Act and permanently accessioned by a legal process. The Charters came to the National Archives under the Federal Records Act of 1950 (now 44 U.S.C. § 2107), which authorized the Archivist to "accept for deposit with the National Archives of the United States the records of any Federal agency or of the Congress of the United States that are determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the Government." And by statute [44 U.S.C. § 2108(a)], the Archivist "shall be responsible for the custody, use and withdrawal of records transferred to him."
- The Congress created the National Archives as a place of safekeeping for the Archives of the United States, including permanently valuable records that previously had been scattered, transported here and there at great risk, endangered by fire, flood, and vandalism, and damaged by exposure in unprotected space. (A century ago the Declaration, for example, was fading so badly in the old State-War-Navy building that it had to be removed from display there.) Having created the National Archives specifically for safekeeping such documents, why then take the nation's most precious records out of it?

■ Moreover, the Charters are the cornerstone of American government. Their accessibility to all in the National Archives underscores the fundamental ideas that our democratic republic rests on more than the whims of individuals, that the people have a right to inspect for themselves the documents by which they are governed, and that enabling the citizenry to view and use federal documents is the contribution that NARA makes to the continuation of open, accessible, democratic institutions.

■ The Charters in the National Archives provide a gateway to public understanding that NARA ensures access to the records of all that the national government is and does. To separate the Charters from the Archives of the United States is to separate the Bill of Rights, containing the first ten amendments to the Constitution, from all the other subsequent amendments in the Archives' care, and to separate the Charters from other seminal documents, such as the Louisiana Purchase, the Monroe Doctrine, the Emancipation Proclamation, and the Marshall Plan. To separate the Charters from the Archives is to separate the Archives from the clearest manifestation of its mission.

The National Archives Building was constructed to house the Charters of Freedom. Without them, the public will find in its magnificent rotunda an empty tomb.

■ The famed architect who designed the National Archives, John Russell Pope, designed the rotunda to provide a monumental setting for the nation's great documents, and selected artist Barry Faulkner to do huge murals on each side of the rotunda's interior depicting the Founding Fathers presenting the Declaration and the Constitution. In the words of a historian of the building, when the Charters came into its rotunda, "the architect's vision of the building was realized at last."

■ In laying the cornerstone, President Hoover declared that "there will be aggregated here the most sacred documents of our history—the originals of the Declaration of Independence and the Constitution of the United States." In fact, Hoover made the Charters literally the cornerstone of the National Archives by putting copies of the Declaration and the Constitution into its physical cornerstone.

■ In appointing the first Archivist of the United States, President Roosevelt reiterated that the Declaration and the Constitution should be entrusted to the National Archives.

■ In the ceremony in which, after World War Two, both documents joined the Bill of Rights on permanent display in the Archives rotunda, President Truman declared, "The Declaration of Independence, the Constitution, and the Bill of Rights are now assembled in one place for display and safekeeping We are engaged here today in a symbolic act. We are enshrining these documents for future ages This magnificent hall has been constructed to exhibit them

our generation can take just pride in it.”

■ In 1994, the architectural critic of the *Washington Post* wrote of the National Archives and its rotunda: “There is perhaps no more moving piece of architectural theater in the capital than the baroque rotunda Pope devised for the democracy’s most valued documents—the Declaration of Independence, the Constitution, and the Bill of Rights.”

■ This hall has become a hallowed place for all Americans, a secular cathedral separating these documents from ordinary exhibits in order to encourage Americans to take them to heart and contemplate their meaning. Visits to the Charters in this setting are unique experiences for Americans, including thousands of school children on class trips to Washington every year. The dignity of this rotunda makes the Charters stand out all the more in the hearts and minds of people, as evidenced by the number of citizens and foreign visitors who quietly file by them year after year.

The Charters of Freedom are not mere curiosities; they are the ultimate proof of the truth of what is in our history and civics books about the nation’s creation. They verify the original words, and they document the original signatories. Their value as evidence of our rights and freedoms transcends their value as museum objects. They are living, working Federal documents and belong with the rest of the government documents that constitute the “Archives of the United States.” To treat them simply as museum artifacts, stuck in somewhere among others, would be to trivialize them and take them out of context. Keeping them as part of the Archives in the home created for them emphasizes that they are not relics of history but are *living Charters*, the continuing foundation for our lives as participants in a nation.

AMERICA'S CHARTERS OF FREEDOM

Potential Consequences of Their Removal from the Archives of the United States

I. Members of the Congress would fight the move.

■ The Congress appropriated funds for creation of the rotunda as a documentary shrine at the center of the original National Archives building. A joint committee of the Congress formally "ordered the transfer of the Declaration of Independence and the Constitution to the National Archives." Presidents Hoover, Roosevelt, and Truman said the Charters should be in the National Archives. After all this, the Congress will be unpleasantly surprised to learn, especially without prior Congressional consultation, that President Clinton is proposing to move the Charters somewhere else. The many members of the Congress who, at dinners and receptions in the rotunda, have expressed gratitude for such a splendid setting for the Charters of Freedom, may be particularly distressed.

■ Moreover, because the National Archives is custodian of the records of the Congress, moving the Charters may also seem to the Congress a disparagement of the importance of the building that contains its own records. The Congress could be additionally concerned if it appeared that the Archivist, as custodian of the records of Congress, could be told what to do with records by the White House.

■ The move could additionally offend those members of the Senate who made a point in confirmation hearings on the current Archivist of the need for independent archival judgment by the Archivist, free of political pressure. By statute [under 44 U.S.C. § 2108(a)], the Archivist "shall be responsible for the custody, use and withdrawal of records transferred to him."

■ Republican members of the Congress could accuse the Clinton Administration of playing politics with the Charters by relocating them only for a millennium "photo op" in an election year. Someone wants to move the Charters; whoever it is, the perception will be that it is the President. That makes it appear politically motivated.

■ Democrats in the Congress also will wonder why the President's political capital should be spent on defense of a move that will seem unnecessary even to the President's friends, risking much controversy for little political gain. Is the relative small amount of money that it would take to keep the reincased Charters in their current home really worth quibbling over?

II. Powerful public groups would surely question and probably oppose the move.

■ An enormous public-relations effort would be needed even to try to sell such a move to veterans' organizations, patriotic organizations, and professional associations of historians, political scientists, archivists, and others.

- There would be legal challenges to the alienation of the federal government's most important records from the federal government if the Charters go even temporarily into the care of a quasi-official agency such as the Smithsonian Institution, which has its own governing board.
- Moreover, the proposal to move the Charters to the Smithsonian ignores the fundamental difference between museums, which are educational institutions, and public archives, which exist to protect the rights and freedoms of the citizenry by protecting documents that substantiate those rights and freedoms. Archives treat documents as vital evidence, not only as educational objects.
- Public outcry against moving the Charters could be intensified by public memory of how the Smithsonian interpreted American history in such recent exhibits as the Enola Gay exhibit on the atomic bomb and the exhibit "deconstructing" artistic depictions of the grandeur of the American West. As a reviewer wrote in the *Cleveland Plain Dealer* in 1994, comparing documentary exhibits in NARA's rotunda with the Smithsonian's Enola Gay exhibit, "Like the National Archives, it [the Smithsonian] should show us the artifacts and spare us the artifice."
- The public outcry could be further intensified if the Smithsonian's display of the Charters relied on private money to the point of making the Declaration and Constitution seem "the IBM Charters" or "the Quaker Oats Charters" rather than the American People's Charters.

III. Just the possibility of such a move puts the Archivist in a precarious position.

- In fact, to move the Charters, the President would either have to get the law changed or dismiss the current Archivist, who would refuse if directed. The Archivist's dismissal would have to be explained to Congress in light of the statutory authority for independent judgment by the Archivist [44 U.S.C. §§ 2103(a), 2108(a)]. NARA administrators currently in the line of succession in the event of loss of the Archivist also would refuse to surrender the Charters.
- The 3,000-member staff of NARA itself would be incensed and demoralized by loss of the Charters as the central records of NARA's collection. In addition to considering care of the Charters central to NARA's purpose, the staff would be insulted by the move, feeling that staff professionalism in the care of archival materials was undermined. They also would feel betrayed by their support for an Archivist whom they believed to have personal support from President Clinton.
- To those who attacked President Clinton for appointing as Archivist an "inexperienced dairy farmer from Kansas," the President's decision to move the Charters would appear to be based on the assumption that the President's "political pal" would acquiesce by helping the President achieve political objectives at the expense of the Charters and of professional archival principles.

- President Clinton would have a hard time finding a competent successor to nominate as Archivist after seeming to require conformity on political rather than professional handling of the Charters.

IV. Adoption of the proposal that has been made to appoint a commission on the matter not only would undercut the statutory authority of the Archivist to exercise independent judgment but would also carry the risk of opening up to reconsideration everything about NARA, its mission, its holdings, its Presidential library system, and the location of all NARA records.

- A commission of historians, archivists, and others outside the government, along with members of the Congress, who were enabled to work for up to a year with staff support, as has been proposed, could not be compelled to limit their inquiry to whether the Charters should move from NARA to the Smithsonian Institution. There could be no end of tangents that would seem relevant to them.
- If such a commission decided that the Charters, which are NARA's most important documents, should be removed, what would prevent raids on anything and everything else in the National Archives by institutions or groups focused on particular subjects or interests for which records in NARA's holdings are pertinent? Should records of the Bureau of Indian Affairs, for example, be moved to the prospective new Smithsonian Native American museum on the mall? Should all the Presidential artifacts in NARA's Presidential library system go to the Smithsonian?
- Members of the Congress would be involved¹⁾ either on the commission or in response to public outcry about the Charters, which means the Administration could not control or limit the legislative or political results. And without abrogating his statutory responsibilities, the Archivist could not commit in advance to accepting the recommendations of such a commission.

Conclusion: The fallout from all this would contravene all the good will that the President has a chance to garner through his program to celebrate American achievement in the millennium. Why subject him to harmful controversy and risk the impact of his millennium effort just to save a relatively small number of dollars? Additionally why let a fight over the Charters spoil the credit that President Clinton will otherwise get for being the first chief executive since Lyndon Johnson to push for truly adequate funding for the National Archives? We in the NARA staff want to put our energy not into a battle over the Charters, but into meeting the challenges of electronic records and making the other accomplishments that the President's budget support now could enable us to do.

National Archives at College Park



8601 Adelphi Road
College Park, Maryland 20740-6001

Date : January 9, 1998

Reply to

Attn of : Miriam Nisbet
Special Counsel for Information Policy

Subject : Charters of Freedom

To : File

This addresses the legal issues raised in connection with a recent proposal by the Office of Management and Budget regarding the possible transfer of the Charters of Freedom from the National Archives Building to the Smithsonian and the establishment of a commission to consider the proposal.

Background

In 1952 the Library of Congress transferred to the National Archives the original copies of the Declaration of Independence and the Constitution, which had been at the Library since 1921 (and principally at the Department of State prior to that). The transfer was the culmination of a lengthy effort to ensure the preservation of these most precious documents at the National Archives--the governmental entity recognized by the President, the Library of Congress and the Congress itself as having the legal authority over these and other permanently valuable federal documents under the Federal Records Act (FRA) and as the appropriate repository of the Charters. Milton Gustafson's excellent article (*The American Archivist*, July 1976) sets out the history of the 1952 transfer and summarizes the legal and policy arguments considered, and presumably settled, at the time.

The Declaration of Independence and the Constitution were, along with many other papers of the Continental Congress, delivered in the summer of 1789 into the custody of President Washington, who directed that they should go to the Department of Foreign Affairs (soon to be the State Department); the new Congress subsequently affirmed this decision at the time it provided for the establishment of the State Department in September 1789. (Other of the papers pertaining to the Treasury Department or War Department were to be transferred to those agencies as directed by the President.) The Declaration and Constitution appear to have actually been placed in the legal custody of the State Department by President Washington in 1796, where they remained until 1921 (interrupted at various times by moves to other locations). In 1921, the documents were transferred to the Library of Congress by Executive Order of President Harding, pursuant to the authority of a 1903 law which had provided that any Executive Branch department or bureau or governmental commission could transfer to the Librarian of Congress

"books, maps or other materials" no longer needed for conducting business. The move appears to have been motivated chiefly by a concern for the safety of the documents, which were determined to be in physical danger in the building then housing the State Department, and by the fact that the Department lacked adequate facilities for exhibiting the documents. At the time, of course, there was no National Archives, much less a National Archives building.

When the cornerstone was laid for the new Archives building in 1933, however, President Hoover expressed his expectation that the Declaration and Constitution would reside there and the building was constructed in accordance with just such a plan. Through the intervening years the momentum built for transferring the documents to the National Archives. The issue caused considerable debate, but the Librarian of Congress in 1952 agreed that the Declaration and the Constitution are federal records subject to the Federal Records Act of 1950. [see attachments 1-3, detailed analyses by NARA employees of the relevant history and legal authorities which remain sound on these issues] The Joint Committee on the Library of the U.S. Congress also agreed and directed the Librarian to offer the documents to the National Archives. [see attachments 4 & 5] Under the authority of a provision of the FRA of 1950 (now codified in 44 U.S.C. § 2107, with slight changes), the Archivist could "accept for deposit with the National Archives of the United States the records of any Federal agency or of the Congress of the United States that are determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the Government." This the Archivist did in 1952, effecting the transfer of the Declaration and Constitution to the National Archives, to be joined with the official record copy of the Bill of Rights already held by the Archives and displayed as the Charters of Freedom.

Whether the Declaration and Constitution were considered federal records which the Library of Congress (as a federal agency under the FRA, see 44 U.S.C. § 2901(14)) could offer to the Archivist or, as some argued in 1952, congressional records which the Congress could offer to the Archivist, the FRA clearly provided the legal authority for the acceptance by the Archivist of these documents once tendered to him by the Librarian of Congress at the direction of Congress.

Issue: What is the Archivist's authority and continuing responsibility under the Federal Records Act with regard to the Charters?

Under 44 U.S.C. § 2108(a), the Archivist "shall be responsible for the custody, use and withdrawal of records transferred to him." The FRA also provides that "records of the United States Government may not be alienated [transferred to another organization or person] or destroyed" except under the provisions of chapter 33 of Title 44, which are the "exclusive" procedures for such actions. 44 U.S.C. § 3314. These procedures require the approval of the Archivist, 44 U.S.C. § 3303a, who "plays a key role in the FRA's enforcement scheme." Armstrong v. EOP, 1 F.3d 1274, 1278-79 (D.C. Cir. 1993). Indeed, Congress was so concerned about the protection of federal records that the FRA requires the Archivist to work with the Attorney General if the Archivist even becomes aware of any actual, impending or threatened unlawful removal or destruction of records. 44 U.S.C. § 2905(a); Kissinger v. Reporters Comm.

for Freedom of the Press, 445 U.S. 136, 148 (1980). The Archivist is also charged with working with agencies to ensure that they have in place safeguards for maintaining and preserving federal records, particularly those of continuing value to the government. *See, e.g.*, 44 U.S.C. §§ 2904, 2905, 3102, 3105, 3106.

These provisions taken together demonstrate the unique responsibility of the Archivist to protect and preserve the historically valuable records of our government and to promote the archival and cultural heritage of our country. When the National Archives was given its independence as an agency in 1984, its organic statute provided that the Archivist is to be appointed "without regard to political affiliations and solely on the basis of the professional qualifications required to perform the duties and responsibilities of the office." 44 U.S.C. § 2103(a). The law does not provide for a specific term of office; Congress was of the view that because of the "non-political nature" of the position, "the office ought not to change hands automatically with the election of a new President." H.R. Report No. 1124, 98th Cong., 2d Sess. 20 (1984). In crafting the law thus, Congress made it clear that this provision was intended to insulate the Archivist from the political pressure of a particular administration:

The Archivist has responsibilities that range across the Federal Government. Insulation from political pressure is necessary to insure confidence and cooperation from all agencies. Public confidence in the Archivist's role will also be enhanced if the office is permitted to pursue objectively and independently the archival responsibilities necessary to insure preservation of the Nation's historically valuable records.

Id. (emphasis added). Congress fully expected that the Archivist alone would make the decisions regarding the security of what are surely the Nation's *most* valuable records, the Declaration and the Constitution.

Issue: Under what circumstances can records be "deaccessioned" or ownership transferred to another organization or person?

(a) There is statutory authority for disposing of accessioned records found to lack preservation value. 44 U.S.C. § 3303a(a), (e); 36 C.F.R. §§ 1228.136(e), 1228.200. Under NARA's own procedures (found in our regulations and in "Appraisal 1821," 1987 NARA issuance), Internal Disposition requires a finding that the material no longer has preservation value, concurrence of the originating agency and publication in the Federal Register of NARA's intent to dispose of the material. A recent example of Internal Disposition, resulting not in the actual destruction of records but rather in their donation, involves certain films made in the Ryuku Islands, Japan. After NARA determined the records no longer warrant permanent retention here, they were deeded to a Japanese governmental archive (the donation is pending a decision in the case of Green v. NARA, a suit brought to block the disposal). The situation involving the Charters is most certainly not a case in which such disposition (even through donation to another entity) could be considered, if for no other reason than that a finding that the records no longer warrant permanent retention would be an impossibility.

(b) NARA internal procedures also allow records to be "permanently withdrawn" and returned to the requesting agency, but such requests are "normally denied." NAR P 1848.1A (July 1, 1981), Ch. 2 Disposition of Federal Records, Part 4 "Permanent Withdrawal." NAR P 1848.1A does not discuss appropriate grounds for approving such a request, except to say that the agency must insist that certified copies of the records will not suffice, and that the unit of physical custody considers withdrawal appropriate. If the request is granted, copies of the records are made and retained by NARA. It appears that 1848.1A has been used to return material not properly accessioned into NARA in the first place (such as a family bible) or to return material to an agency when those records have become "current" again. Because the request is "normally denied," this option has rarely been used and memories in NARA differ about how and why it ever has been used. This disfavored route, as with Internal Disposition above, is simply not a viable option, particularly where the agency from which the records came (either State or the Library of Congress) has not requested the records returned nor is it the entity being considered as a repository for the records.

Issue: Could the records be transferred to another entity and if so, under what conditions?

The FRA, 44 U.S.C. § 2107(3), allows the Archivist to:

direct and effect, with the approval of the head of the originating agency, or if the existence of the agency has been terminated, then with the approval of his successor in function, if any, the transfer of records deposited or approved for deposit with the National Archives of the United States to public or educational institutions or associations; title to the records to remain vested in the United States unless authorized by Congress.

This provision is the basis for allowing NARA to establish what are called "affiliated archives," a term which refers to non-NARA institutions that hold, by formal written agreement with NARA, records that are accessioned into the Archives of the United States. The affiliated archive can be a federal agency or a non-federal public or educational institution or association, or a public or private college or university. As for the circumstances in which an affiliated archive can be established, a 1994 NARA task force on this matter concluded that "only the most compelling circumstances should lead NARA to entrust Federal records to an affiliated repository." NARA leadership is currently considering a recommendation for a formal policy on affiliated archives, but no final action on the recommendation has been made at this point.

Although a transfer such as has been proposed might be permissible under Section 2107(3), we would recommend against the Archivist's exercise of his legal authority to effect the transfer of these precious historical documents, especially in view of the lack of a formal policy in this regard. Moreover, because an affiliated archives has only physical custody of the records and NARA retains the legal custody with responsibility for ensuring that preservation of and access to the records is consistent with policies applicable to all other accessioned records, there would be serious preservation and access issues which the Archivist would have to address. Certainly, the continued protection of the Charters must be of paramount concern.

Issue: One aspect of the proposal for a transfer involves **referral of the issue to a commission**. Could such a decision legally be delegated to a commission? Would this be an abrogation of the Archivist's authority under the FRA?

The Archivist may, of course, delegate any of the functions of the Archivist to *other* NARA officers and employees and may authorize successive redelegations of such functions as the Archivist may deem to be necessary or appropriate. 44 U.S.C. § 2104(b); 5 U.S.C. § 302(b). The law is clear, however, that a delegation of functions by the Archivist does not relieve the Archivist of responsibility for the administration of those functions. *Id.* What about the use of outside entities? The Archivist may establish advisory committees "to provide advice with respect to any function of the Archivist," *id.* at § 2104(f), and he may "advise and consult with interested Federal agencies with a view to obtaining their advice and assistance" in carrying out his duties, *id.* at § 2104(g). Implicit in these schemes, however, is that the Archivist is still making the final decision on matters within his areas of responsibility. Indeed, if the Archivist were to allow another entity to make a decision of this magnitude, it is likely that he would be found to have improperly exercised his authority under the FRA. See *American Friends Serv. Comm. v. Webster*, 720 F.2d 29, 60-62 (D.C. Cir. 1983).

Congress or the President could also, under the Federal Advisory Committee Act, set up an advisory committee or commission to look at this issue, but the purpose of such groups (whether denoted committee, commission, panel, task force or similar term) is to provide advice and recommendations:

Unless otherwise specifically provided by statute or Presidential directive, advisory committees shall be utilized *solely* for advisory functions. *Determinations of action to be taken* and policy to be expressed with respect to matters upon which an advisory committee reports or makes recommendations *shall be made solely by the President or an officer of the Federal Government*.

5 U.S.C. app. § 9(b) (emphasis added). Thus, even if an advisory commission is set up to look at this issue and to make recommendations to the Archivist, the ultimate decision must remain with the Archivist who will exercise his "objective and independent" judgment regarding the preservation of the Charters.

Attachments

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

1999 BUDGET - CROSSWALK FROM 1998 ENACTED TO 1999 REQUEST TO OMB PASSBACK (\$ in thousands)			
ACTIVITY - Operating Expenses	INCREMENTAL INCREASE	1998 ENACTED LEVEL \$205,167	1999 OMB PASSBACK
1998 Pay Raise	2,001	207,168	
1999 3% Pay Raise	2,080	209,248	
Rec. Ctr. Reimb. Program	1,226	210,474	
Personnel & Payroll Systems Replacement	350	210,824	
Storage Needs	1,750	212,574	
NARA Facility Rate Changes	1,353	213,927	
GSA Rent Rate Changes	2,086	216,013	
Front-end Records Mgmt.	2,356	218,369	
Electronic Records	2,345	220,714	
Electronic Access	5,634	226,348	
Storage and Preservation	3,677	230,025	
Redemption of Debt	-5151	224,874	224,874
Subtotal O&E	19,707	\$224,874	224,874
ACTIVITY - National Historical Publications and Records Administration		\$5,500	
Grants Program	500	230,874	
Subtotal - O&E + NHPRC	500	\$230,874	230,874
ACTIVITY - Repairs and Restoration		\$14,650	
Base Program	-10,200	235,324	
Subtotal O&E + NHPRC+ R&R	4,450	\$235,324	235,324
ACTIVITY - Capital Asset		\$0	
Archives I renovation/Archives II expansion/ Reencase Charters of Freedom	209,950	445,274	75,000
TOTAL	234,607	\$445,274	310,374

National Archives and Records Administration
FY 1999 Budget Passback
Talking Points

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Operating Expenses and Core Programs

- Our passback will fully fund the Archives' request of \$235 million for operating expenses and core program activities in FY99.
 - We have fully funded your core, priority programs, including:
 - development of an automated front-end records management system;
 - processing the increased in electronic records;
 - making electronic records accessible to users regardless of format;
 - taking immediate steps to preserve and protect important documents from decay and deterioration
 - In addition, passback fully funds the programs that will allow the Archives to play a key role in the President's millennium agenda -- through its preservation activities and through the projects of the National Historical and Publications Commission.
 - *If asked: Passback shows the Archives appropriated budget at only \$227 million in each of the outyears; passback assumes that Archives will plan and implement a reimbursable records center program to generate fees needed for future program and records storage expansion.*

Capital Improvement Plan

- We have also included a plan to renovate Main Archives starting next year.
- Our plan will meet each of the five goals that you outlined for your own plan. Our plan will:
 - protect and preserve the Charters of Freedom;
 - provide museum-quality security for these important documents;
 - make the Charters more accessible to the public, especially the elderly and the handicapped;
 - make the Main Archives building compliant with the Americans with Disabilities Act and with all safety and environmental codes for both records and occupants; and,
 - increase and improve the storage capacity of the Archives.
- Our alternative to your plan will meet all of these goals -- and will do so in half the time and at less cost.

- The plan has three major elements:

- First, funding will be provided to preserve and re-encase the Charters of Freedom, and then move the Charters for display in a new exhibit at the Smithsonian's National Museum of American History.
 - As you may know, The Museum of American History provides security second-to-none and is easily accessible by the elderly and the handicapped.
 - The Museum also receives six million visitors each year, which will increase by sixfold the number of visitors that enjoy these historic documents.
- Second, the plan provides \$71 million for a complete renovation of the Main Archives building. The renovation will:
 - replace all major mechanical and electrical systems;
 - bring the building into compliance with the Americans with Disabilities Act and with all current fire and life safety codes; and
 - protect and preserve the historic murals in the Rotunda.
- Since the Charters will be displayed at the Smithsonian, we will not need to relocate many documents from Main Archives. The expansion of Archives II therefore will not be needed until 2010.
- Third, we will propose legislation to enable Archives to begin a reimbursable records center program. We will seek authorization for Archives to retain all of the receipts from that program to pay for an expansion of its programs in the future.

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA)

AN AMERICAN HISTORY BUDGET SUBMISSION FOR THE MILLENNIUM CELEBRATION

In August, in the rotunda of the National Archives, President and Mrs. Clinton initiated a national turn-of-the-millennium celebration "to honor the past and to imagine the future." This would include, they announced, projects at NARA to ensure that America's Charters of Freedom and other records of our history survive into the new century and beyond.

Accordingly NARA has submitted to OMB a budget package of interconnected initiatives beginning in FY'99 to ensure the preservation of American history for all posterity. At relatively small cost, the package gives the Clinton Administration an opportunity to have a dramatic impact on something that history will remember—saving the documents on which the memory of American achievement depends. It is that memory of what we have been able to achieve, working together, that ties America's multi-ethnic and multi-cultural people together as a nation, and builds the spirit to strive for even greater achievement.

The nation depends on NARA to protect, preserve, and help citizens gain access to the records that document their rights, the actions of their government, and the historical experience of their nation. The budget request will enable NARA to work aggressively with agencies to put in place programs that will guarantee that the important story of this country is recorded and kept safe for use now and in the future. The budget request will preserve records in NARA's custody which are at risk unless we take action now; it will begin the effort to get them into safe quarters; and it will expand access to them nationwide. But the impact of these integrated budget initiatives will be seriously diminished if they are split up or partially funded. Revolutionizing the agencies' management of their records is of limited use if NARA cannot preserve those records it identifies as essential for long term use by American citizens. Salvaging deteriorating records is useless if NARA cannot ensure their continued preservation by housing them in safe quarters. And housing them safely is pointless if in the long run NARA cannot provide ready public access to these records. This is as true of President Clinton's papers, of State Department e-mail messages, and of records currently used to trace "Nazi gold" as it is of the Declaration of Independence, the Constitution of the U.S., and the Bill of Rights.

The proposed budget request is based on principles spelled out in NARA's Strategic Plan. Already NARA is implementing those elements of the plan that are possible within current resources by redirecting resources to critical initiatives and by streamlining and eliminating duplicative programs. We are redesigning the way we work in significant areas so we can work smarter and achieve more. And NARA has begun reducing the number of facilities in which it stores records by consolidating holdings in better space that will protect the records for the future. This does not mean NARA will need less records storage space overall. NARA is being hard pressed to provide sufficient records storage for agency records. But it does mean consolidating NARA's records holdings into fewer, larger more efficiently administered facilities across the country.

However, none of these efforts can provide the resources necessary to enable NARA to carry out the work needed to ensure that an essential part of the American historical portrait is saved through the 21st century. There are two inescapable reasons.

First, NARA's base budget contains almost no discretionary funding. Nearly 90 per cent of NARA's current funding is committed just to personnel, rent, and the operation and maintenance of buildings. Over the years NARA has responded to Administration and Congressional mandates to assume new responsibilities without new funding. That has left NARA with little ability to respond as it should to the new challenges presented by technological explosions affecting records creation, use, and preservation throughout all government agencies. Nor can NARA keep up with increasing demands to process growing quantities of classified records so they can be used by the public.

Second, unlike most Federal agencies, NARA continuously must cope with an inevitable and inexorable increase in its business. Even a downsizing government goes on producing records, adding annually to the volume of documents that are NARA's statutory responsibility to preserve in records centers and archival facilities across the country. In fact, records of eliminated agencies and programs come to NARA sooner than if those programs had stayed in operation. Additionally, every four to eight years NARA assumes the responsibility for operating a new Presidential library. In NARA's budget presentation, OMB will find statistical specificity about the volume of records NARA knows to be coming and the unprocessed backlogs that already exist—records of the kind requested by hundreds of thousands of users annually. The growth of records and the public's demand to use those records increases every year. NARA's base budget must expand to meet these demands.

Therefore, in budget submissions for the next three years, NARA will request increases of approximately 10 per cent each year in addition to increases for rent, building operations, and cost-of-living pay adjustments. With these relatively small increases, NARA can reach by the end of the three years the level of funding necessary for successful implementation of NARA's package of millennium-celebration initiatives—the things NARA must do to be sure that the nation's history survives safely and accessibly into the new era. The following is a summary of what is in the package NARA requests above base budget for Fiscal Year 1999.

Front-End Records Management

The key to records preservation is to identify up front which records must be maintained, and track them from the time they are created or received in the agencies until the essential records end up in NARA's care. Valuable records are currently at risk throughout the Government because NARA does not now have resources to work with the agencies to make sure the records are maintained in a manner that will guarantee that they are preserved and usable by the public and the agencies in the future. NARA requests funds with which to identify and help agencies with the most valuable records at risk, while also developing an improved system to enable the Government to track and manage Federal records more effectively overall. This investment will move NARA towards creation of an automated life-cycle information system which will track the records while they are in the agencies' custody through their transfer to NARA.

Electronic Records

The requested funds also will finance next steps in our effort to deal with the particularly difficult problems of managing, preserving, and providing access to electronic records. The past two decades have seen a massive explosion both in quantities and types of electronic records generated in the Federal Government. Impressive developments in technology for creating records have not been matched by technological developments for managing them and ensuring the long-term availability of the information in these electronic records. If the Government does not address realistically a future in which most of its recordkeeping will be electronic, such records embodying information critical for the history of our own time will be forever lost. The budget package will enable NARA to launch efforts to make major improvements in the infrastructure for managing electronic records throughout the Federal Government, expand NARA's

capacity for preserving electronic records of long-term value, and increase the accessibility of electronic records to our customers across the country.

Expanded Access

Through the Internet NARA can take its documentary treasures to every library, classroom, and home with a computer connection. Already NARA is developing an electronically searchable catalogue of holdings and putting high-interest documents on line. In addition, we have created an expanding on-line exhibit hall for those who can't visit Washington, the Presidential Libraries, or our regional archives to see the real documents on exhibit. And, NARA's digital classroom is bringing the historical wealth of this country's archival records to school children throughout the country in a manner calculated to engage their interest and their imagination. But further advances require funds to upgrade NARANET, the network infrastructure that supports NARA's efforts to spread the history of this country electronically across the land. The FY'99 budget package requests such funds for critical upkeep and expansion of the backbone of NARA's electronic communication system. Additionally, the package contains funds for other access essentials—replacing aging equipment used by researchers in NARA reference rooms, responding to ever growing numbers of FOIA requests, and helping Federal agencies meet the declassification goals mandated by Presidential Order. The package also requests funds for hiring and training staff who will process Clinton Administration papers for access to the public in the Clinton Presidential Library.

Storage and Preservation

Funds requested in the budget package for Fiscal Year 1999 are essential for preserving two particularly important bodies of records. Literally thousands of NARA's audio-visual records are in jeopardy because they were recorded on unstable, acetate media. Thousands of others are accessible only on equipment that has become obsolete. The sight and sound of history in these records will be lost unless NARA receives funds for cold storage, which arrests acetate deterioration, and the making of usable preservation copies. Also, over 53 million military service records in NARA's St. Louis facility, which are used by veterans to document entitlements, are deteriorating because of poor paper quality, frequent handling, and poor storage conditions. NARA could never squeeze enough out of current funding to save such vast quantities of records in need of immediate attention. Additionally, by 1999, NARA will run out of space in its entire records-center system nationwide. Funds in the package for FY 1999 will enable NARA to deal with the short-term need by adding storage bays, and to deal with the long-term problem by planning with government agencies a reimbursable program for covering NARA's costs of storing and servicing their records.

Repairs and Restorations

One of the most valuable funding changes for NARA occurred in FY 1996 with the creation of the Repair and Restoration account. This fund, which is available until expended, enables NARA to complete routine repairs and alterations in the Presidential Libraries, the National Archives Building, and Archives II at College Park. With this fund NARA is able to repair roofs, plumbing, HVAC, security systems—typical buildings maintenance activities which keep the buildings functioning day-in and day-out to protect valuable records and serve the public. NARA's FY 1999 request for the Repair and Restoration fund includes increases to cover the expansion of NARA's space inventory as well as funds to support NARA's efforts to consolidate facilities.

NARA's budget also specifically requests funds for two of our oldest Presidential libraries—the Harry S. Truman Library and the Franklin Delano Roosevelt Library. These aging facilities need

renovation to enable them to comply with contemporary requirements for public safety, records preservation, and handicapped access, and to enable them to accommodate public visitation that has grown enormously since their original construction. President Clinton signed legislation appropriating funds to get this work started in FY 1997, and additional funds are pending in appropriations bills for Fiscal Year 1998. Funds in the budget package for FY 1999 will enable NARA to complete the work at the Truman and Roosevelt facilities, ensuring that the stories of those two great Presidents will remain fully accessible to the American public.

Archives I Renovation and Archives II Expansion

NARA is privileged to be entrusted with the care and preservation of this country's founding documents: the Declaration of Independence, the Constitution, and the Bill of Rights, collectively named the Charters of Freedom. The Charters are displayed to the public in the National Archives Building. Both the building in which they are located and the cases in which the Charters are displayed urgently need renovation. The original cases of the Charters are deteriorating, and the rotunda in which they are displayed was not designed for access by disabled visitors. In fact, accessibility issues must be addressed throughout the public areas of the building. Moreover, after more than sixty years of use, the grand old building has significant deficiencies in its electrical distribution systems, restrooms and plumbing, elevators, and heating, ventilation, and air conditioning components. Action must be taken to repair or replace basic building operating systems to extend the useful life of this historically important building. To make renovation of the National Archives Building possible, almost 300,000 cubic feet of valuable historical records must be permanently relocated from the old building into a new addition to Archives II in College Park, Maryland. This expansion of Archives II is also critical to provide appropriate archival storage for a huge body of permanently valuable records, created over the past 20 to 30 years, now coming to the National Archives. The expansion will provide for new records accessions through 2017. But it must precede renovation of Archives I, which NARA can put off no longer. The FY 1999 budget package provides for both.

NHPRC Grants

Finally, the time has come for ending the inflationary erosion of a program that at relatively little cost enables NARA to provide leadership to the nation's documentary effort as a whole. Administered within NARA is its grant-making affiliate, the National Historical Publications and Records Commission. NHPRC grants help archives across the country save non-Federal records that Americans need along with NARA's to understand our nation's history. NHPRC helps NARA, too, by making grants to universities and other institutions for electronic records R&D projects that NARA itself cannot undertake alone. For this purpose as well as for the NHPRC's other two priorities—financing published editions of the papers of the Founding Fathers, and jointly financing a collaborative program with the states to document American history—the budget package includes a relatively small increase for 1999 in the NHPRC's base budget, which is no larger now than the NHPRC's appropriation was more than fifteen years ago.

Thus NARA has produced a strategic plan and a budget package to stem the losses already occurring in our nation's recorded history, prepare to document the 21st century more fully and efficiently, and expand opportunities for the public nationwide to use our rich resources. Beginning with the budget for Fiscal Year 1999, President Clinton has the opportunity to put forward a package of actions to ensure the protections of records on which Americans rely for documenting their rights, evaluating their government, and understanding their history. Through this initiative, the President can not only protect the nation's historical heritage but also provide something Americans never before have had—access to that heritage wherever the growing information highway may reach. This would be a truly great bequest to our country in the new millennium.

National Archives and Records Administration

Archivist's Approval List
1999 Budget Increases

OPERATING EXPENSES (OE)	\$ in Thousands	FTE
Operational Increases:		
Annualization of 1998 Pay Raise	\$689	
1999 3% Pay Raise	\$2,080	
Records Center Reimbursable Planning	\$1,226	10
Personnel and Payroll Systems Replacement	\$350	
Storage Needs for Increasing Records	\$1,750	
Facility Rate Changes (NARA Facilities)	\$1,353	
Rent Rate Changes (GSA Facilities)	\$2,086	
Subtotal:	\$9,534	10
1999 Program Increases:		
PROMOTE FRONT-END RECORDS MANAGEMENT	\$2,356	18
ELECTRONIC RECORDS	\$2,345	7
EXPAND OPPORTUNITIES FOR ACCESS	\$5,634	15
STORAGE AND PRESERVATION	\$3,677	8
<u>Total Increases - Operating Expenses (OE)</u>		\$14,012
Total OE Increases including Operational Increases		\$23,546
<u>Separate Appropriations:</u>		
<u>REPAIRS AND RESTORATION FUND</u>		
<u>Operational Increases:</u>		
Archives II	\$1,600	
Bush Presidential Library	\$100	
<u>Other Increases:</u>		
Project Management Contracting	\$500	
Continuation of Regional Records Services Consolidations	\$1,700	
Renovation of Truman Presidential Library	\$5,000	
Renovation of Roosevelt Presidential Library	\$5,000	
<u>Archives I Renovation/Archives II Expansion</u>	\$207,750	
Total Repairs & Restoration Increases including Operational Increases		\$221,650
<u>NHPRC GRANTS</u>	<u>\$2,000</u>	
<u>Total Requested Increases - NARA</u>		\$247,196
		58

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ARCHIVES

Passback provided \$71 million to renovate main Archives.

- Renovation costs were held down by moving the Charters of Freedom display from Archives (which gets less than 1 million visitors per year) to the Smithsonian's National Museum of American History (which has 6 million visitors per year).

Appeal: Archives seeks an additional \$57-64 million (the appeal is ambiguous) to include in Main Archives a more secure display area for the Charters. Archives limits the immediate outlay effect of their appeal by spreading the total project costs over two years.

Recommendation: OMB recommends passback levels, which include \$15 million to complete a new secure display area for the Charters within the Smithsonian's National Museum of American History.