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MEMORANDUM

THE WHITE HOUSE  
WASHINGTON

May 5, 1981

MEMORANDUM FOR HELENE VON DAMM

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

RE: Preparations for Ronald Reagan Presidential Library

*HP - Good as far as it goes is as your memo, let's keep it as per. a) evaluate Marie Allen memo b) do your number I've got a response write May 10!*

The April 7, 1981 memorandum to you from Marie Allen of the Presidential Libraries Office, National Archives, concerning the above-referenced matter raises numerous issues with respect to general records management at the White House and the proposed Reagan Presidential Library. All of these issues merit further analysis and consideration. Both the issues directly confronted by the memo, and those which are raised by inference, touch upon four legally distinct, yet practically intertwined bodies of law -- the Presidential Records Act of 1978, the Federal Records Act, the Freedom of Information Act, and the Presidential Libraries Act. This memorandum is not intended as a comprehensive analysis of applicable Federal law on such subjects. However, it will address (i) the "Summary of Action Items" set forth in Marie's memo, (ii) records management at the White House, and (iii) the more general legal and policy considerations relative to Presidential Libraries.

I. Response to April 7, 1981 Memorandum from Marie Allen.

Generally, I take no issue with Sections "I" and "II" of Marie's memo. However, there are quite different issues involved in an expanded role for the Office of Presidential Libraries of the National Archives vis-a-vis the current records management functions of the White House and the future planning for a Presidential Library. While the current record keeping practices will undoubtedly impact on a future library, it is important to keep in mind that the primary goal of records management is to assist the President in the performance of his current duties, not to facilitate the management of a future library. In addressing the issues raised in Section "IV" of Marie's memo it is important to keep this in mind. The following will address the specific action items of that section in the order in which they are raised therein.

o While I do not believe that a briefing at a senior staff meeting is necessary (as a detailed memorandum from Counsel's Office on the subject should suffice), I would certainly be available to answer any questions that the staff may have relative to their record keeping responsibilities.



o I do not believe that any formal "training" in record keeping is necessary. The Office of Records Management can provide assistance when requested.

o The White House Staff Manual which is currently being prepared will include a section on Presidential Records and, therefore, no separate "handbook" need be written. As mentioned above, Counsel's Office is currently preparing an interim memorandum on the requirements of the Records Act which will be distributed to the White House staff and which should provide the necessary guidance. I will make sure that both the National Archives, as well as the Office of Records Management (Central Files) are included in the process.

o Inasmuch as the record keeping practices should become fairly standard among White House offices, there is no present need for a formal survey to be made. As mentioned above, assistance can be provided when requested.

o The suggestion that "historic event" memoranda be initiated raises both legal and practical concerns. There is some question as to whether a memorandum of such nature by a senior staff member would be considered a "personal," as opposed to an "official" document. That issue will then bear on whether and how the information contained therein may be kept confidential, as well as whether or not a staff member may take such document with him upon leaving his government service. (As a practical matter, I do not believe that senior staff members currently have the time to participate in such an endeavor on an ongoing basis.)

o While recognizing that the Archives has responsibility to issue regulations under the Presidential Records Act, the function of providing legal interpretations to the staff is in the Counsel's Office, and this includes interpretation of the Presidential Records Act and related statutes. The practical implementation of records management, of course, involves coordination with you, the Staff Secretary's Office, the Special Assistant for Administration, the Office of Records Management, and the National Archives.

o As to transferring the President's correspondence dictabelts, if such exist, to larger storage reels, a number of considerations should be discussed, including the segregation of his "personal" correspondence from that which is "official."

o As to the quality of the paper and ink used by the President and his staff, I would ask that the National Archives provide us with alternatives, with cost estimates for each.

o Concerning the "Oral History Programs," I suggest that Counsel's Office prepare, with the recommendations of the National Archives, the appropriate program. Again, we must weigh certain confidentiality factors in formulating such a program.

o Like manual record keeping, the design of computer programs is primarily concerned with meeting the information needs of the President and his staff. This is the function of our Management Information Systems staff. To the extent the future needs of Archives can be accommodated that will be of benefit, but I do not believe it warrants creation of a "Computer Records Committee."

## II. Records Management at the White House.

I firmly believe that informing the staff of the White House Office, as well as the other offices within the Executive Office of the President, as to their record keeping and record management responsibilities under Federal law is of immediate concern. My staff is currently preparing a memorandum for distribution in that regard, detailing the responsibilities of each office and staff member, including the requirement that "personal" and "official" files be segregated -- official files being those which are the property of the Federal government. The criteria for determining what is "personal" as opposed to "official" are set forth in the Presidential Records Act.

While the Presidential Records Act asserts government ownership of Presidential records, it provides a President with more authority over records than would be true of an agency head subject to the Federal Records Act. The President has complete custody and control of his records during his administration. Moreover, unlike Federal records, Presidential records are not available to the public under the Freedom of Information Act. Upon completion of his administration a President may restrict certain categories of records from public access for up to twelve years, even though the records are in the custody of the Archives. Thereafter, the Freedom of Information Act governs public access to the records.

The Act defines Presidential records as including not only those produced or received by the White House staff, but also other officials or units in the Executive Office of the President whose function is to advise and assist the President. Personal records are distinguished from Presidential records (e.g. diaries or journals which are for an official's own use and which are not shared with staff are "personal").

While the Presidential Records Act asserts government ownership, it clearly contemplates that records of a particular Administration will be maintained as a discrete collection in a Presidential library or similar depository. Thus, it does not foreclose establishment of a Reagan Library under the Presidential Libraries Act.



III. The Proposed Reagan Presidential Library - General Legal and Policy Considerations.

The Libraries Act authorized Archives to accept as a gift to the United States a library constructed with private funds to house the records and memorabilia of a particular President. Before accepting the library, Archives must place the details of the agreement before the Congress so that it will have an opportunity to review any conditions attached to the gift and consider the future maintenance costs to the United States.

Under these circumstances, it is important that those planning such a library coordinate both with the President and with Archives. It is important to decide initially whether the library will house only the Presidential records or will include campaign records and records of other public service. Will it include museum-type displays or serve primarily as a research facility? These are decisions for the President to make. The Archivist should be consulted at an early stage both because of his expertise and because he has no obligation to accept a building he considers poorly designed or too expensive to administer. Early consultation with Archives is thus extremely important.

IV. Recommendations.

- (A) With respect to the issues raised herein concerning "Presidential records," I suggest that Counsel's Office coordinate with your office, the Staff Secretary's Office, the Special Assistant for Administration, the Office of Records Management, and the National Archives to establish the appropriate procedures for dealing with such documents.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

- (B) With respect to the proposed Reagan Presidential Library, I suggest that Counsel's Office, in coordination with you and the National Archives, prepare a detailed memorandum setting forth both the legal and practical considerations which the President must address, as well as a proposed timetable for insuring appropriate action on the subject.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Attachment

LBJ LIBRARY

Chronology:

8/65

Letter from LBJ to Chairman, Board of Regents, University of Texas

Accepting proposal for establishment of Library at University of Texas.

Refers the letter to the Administrator of GSA.

Proposal:

1. University will provide site; subject to LBJ approval.
2. University will design, construct, furnish and equip building; subject to LBJ approval.
3. University will confer with Administrator of General Services.
4. University will provide parking facilities.
5. University expects to have access to materials; to lend to U.S. papers held by University; to provide space for University purposes.
6. Upon completion University agrees to turn over Library to U.S. without transfer of title pursuant to Section 507(f) of Federal Property and Administration Services Act of 1949, as amended.
7. Upon acceptance by U.S. Library will be administered, operated, protected and maintained and staffed by U.S. That part used by University shall be maintained by University.
8. Completed and available for occupancy within two years after final working drawings are ready for marketing, provided that two year period does not begin to run until Administrator of GSA has entered into an agreement pursuant to Section 607(f)(1) of Federal Property and Administrative Services Act of 1949, as amended. The Administrator cannot enter into the agreement prior to the expiration of the first period of sixty calendar days of continuous session of Congress following the date on which a report of transaction proposed is transmitted to Congress required by Section 507(f) of the Property Act, supra.

- 8/65 Press Meeting Regarding Library
- 12/65 Announcement of Architects
- 1/66 Announcement by University to implement plans for LBJ School of Public Service
- 5/66 Announcement by University to build Latin American Collection
- 8/66 Announcement by University that architects hope to obtain approval by 9/30/66  
Architect's drawings to be completed by 5/67,  
then bidding and building to commence  
Dedication and completion scheduled for 5/69
- 12/66 Announcement by University for plans for new library/research complex

near at hand for a time before depositing them in the library of their choice may place them temporarily in the National Archives in Washington or in one of the several Federal Records Centers located throughout the United States. In either case, donors will be given facilities for personal use of their papers as well as professional reference service on them and reproductions of particular documents among them.



*PRESIDENTIAL  
LIBRARIES*



THE careful preservation of papers, records, and documents has always been a distinguishing characteristic of great nations, for the archives of any country are among its most valuable cultural resources. Without them history cannot be written. When we preserve such materials we prove our commitment to the values on which our society has been built, and it is from these materials that posterity will make its judgments of our lives and times.

These were the factors that led the Congress, in 1934, to create the institution it called the National Archives, which has since become the National Archives and Records Service of the General Services Administration. This Service administers a nation-wide system of depositories where there are preserved and made available all classes of papers and documents that are important for the study of American history. This system includes the four Presidential Libraries now in operation and the two that are in process of creation.

The Presidential Libraries Act of 1955 gave statutory recognition to the special importance attached to the preservation of papers and other historical materials of the Presidents of the United States, together with the papers of their associates and contemporaries. Bringing into the National Archives system the papers of the Presidents, and of the men and women who helped them shape national policies, makes the study and understanding of a particular Presidential era easier. As part of the National

Archives system these papers are administered by the same agency that has responsibility for the preservation of the official records of our Federal Government, which show how the decisions and policies of a President and his advisors were carried out.

The four Presidential Libraries now in operation are:

Herbert Hoover Library, West Branch, Iowa

Franklin D. Roosevelt Library, Hyde Park, N. Y.

Harry S. Truman Library, Independence, Mo.

Dwight D. Eisenhower Library, Abilene, Kans.

When completed, the John Fitzgerald Kennedy Library at Cambridge, Mass., and the Lyndon Baines Johnson Library at Austin, Tex., will also become a part of the National Archives system.

The four existing Libraries, which are, in effect, branches of the National Archives, have proved to be important centers of research and educational activity both for the geographical areas in which they are situated and for the entire country. They contain not only the papers and files of four Presidents of the United States, but scores of collections of the personal correspondence, diaries, and other historical materials of the men and women who served with them or who played important public roles. The Libraries also have large collections of books and printed materials as well as

still pictures, motion pictures, and memorabilia that bear on the historical periods with which the Presidents are associated.

Presidential Libraries offer many advantages to persons confronted with the problem of how best to preserve their personal papers. Papers deposited in them are kept intact as separate, named collections. They are safe from the physical hazards that often beset manuscripts in private hands, for they are housed in buildings scientifically designed and equipped to insure their preservation. They are in the care of a professional staff specifically trained in the techniques of preservation, arrangement, and indexing and fully conversant with recent American history, so that intelligent help or guidance can be given to all who use them.

Presidential Libraries are specialized depositories whose holdings relate to clearly defined eras and fields of study. The archivists in charge of them can give a higher degree of expert attention to the papers under their care than can be given in a depository whose holdings range over a long span of time and widely different fields of interest. And the right of donors to place limitations on the use of their papers is specifically recognized by act of Congress. Such restrictions, stipulations, and conditions as donors choose to place on the use of their papers are scrupulously observed.

Because Presidential Libraries are a part of the National Archives system, persons who wish to have their papers

Copy



CHRONOLOGY - LYNDON BAINES JOHNSON PRESIDENTIAL LIBRARY

March, 1958

A paperwork management program was established in the Office of Senator Lyndon B. Johnson for the purpose of analyzing, identifying and organizing records that would facilitate any possible archival process that might "be initiated at some future date." This program has continued and developed in depth since that time.

Before her death in 1958, the President's mother had, in her own handwriting, made suggestions for the Johnson Library and Museum.

As early as 1959 the University of Texas had written of their desire to have the "Johnson Papers" and during the Vice Presidency requests were received from San Marcos, Gillespie County Historical Society, University of Syracuse, the Library of Congress, and again the University of Texas.

August 9, 1965

Announcement of the proposed establishment of the Lyndon Baines Johnson Presidential Library at the University of Texas, Austin. (Exchange of letters and transcript of Press Conference attached.)

August 19, 1965

Mr. Brooks, of Texas, introduced H. J. Res. 632, Joint Resolution to authorize the Administrator of General Services to enter into an agreement with the University of Texas for the Lyndon Baines Johnson Presidential Archival Depository, and for other purposes. A companion Joint Resolution, S. J. Res. 105 was introduced in the Senate by Senator McClellan, of Arkansas.

August 31, 1965

H. J. Res. 632 passed by the House of Representatives.

September 1, 1965

H. J. Res. 632 passed by the Senate

September 6, 1965

H. J. Res. 632 approved by the President, becoming Public Law 89-169.

CHRONOLOGY - continued

- October 8, 1965 Agreement between the University of Texas and the United States of America to utilize as a Presidential Archival Depository Land, Buildings and Equipment of the University of Texas as a part of the National Archives System.
- December 12, 1965 Announcement of the appointment of Austin and New York architectural firms to design, plan and supervise construction of the Lyndon Baines Johnson Library. (copy attached)
- January 15, 1966 Announcement of decision to establish the Lyndon Baines Johnson School of Public Service. (copy attached)
- May 26, 1966 Announcement of construction of a building to house . . . the Lyndon B. Johnson Institute of Public Service. (copy attached)
- August 22, 1966 Announcement that architects hope to complete and obtain approval of the location and design of the two buildings by September 30, 1966. (copy attached)
- December 1, 1966 Announcement of plans for a major new library research complex on the Austin campus of the University of Texas -- unveiling of Library design concept and architectural details. (copy attached)



## Lyndon Baines Johnson Presidential Library

Letter Accepting Proposal for Its  
Establishment in Austin at the  
University of Texas. August 9, 1965

Dear Mr. Heath:

It is a pleasure to acknowledge and thank you for your letter of August 6, 1965.

I have been aware, of course, of the existence of the other Presidential Libraries and their contribution to history. It has been a source of satisfaction to know that through these institutions we are making certain that the full record of each presidential administration is being carefully kept for study and use by all those interested in the history of our country.

Your letter has served as a suggestion that it is not too early for me to be giving thought to the planning of a similar institution for this administration. As you know, I am deeply committed to the preservation and safeguarding of our historical and cultural resources and have made an effort to preserve the papers of my own public career since 1937. I am, of course, particularly concerned that the generations that follow us should have the opportunity for detailed analysis of those historical records from which can be derived a full understanding of the momentous years through which we are passing.

Your letter has not only reminded me that it is time to give attention to this matter, but it has set my mind at rest as to how the whole question can best be dealt with. The fine public spirit and magnificent generosity that have prompted the University of Texas to make this unexampled offer of a site and structure on its campus for use as a Presidential Library should earn it the respect of the entire nation. I am pleased that you believe that placing the Library on the University of Texas campus will significantly strengthen and enrich the educational programs in which that great institution is engaged. I would also hope that your action would enhance the opportunity for improving the academic endeavors of all institutions of learning, and provide additional opportunities for scholarly research in public affairs.

It is with heartfelt gratitude, therefore, that I accept your proposal and join with you in this undertaking.

I have referred your proposal and a copy of this reply to Mr. Lawson B. Knott, Jr., Administrator of General Services, who is charged by existing law

with establishing and operating Presidential Libraries as a part of our national archives system. Mr. Knott and I will cooperate in working out with you the detailed arrangements necessary to bring to actuality the benefits of this great national education asset which the University of Texas has undertaken to provide.

Sincerely yours,

LYNDON B. JOHNSON

[W. W. Heath, Esq., Chairman, Board of Regents, The University of Texas, Perry Brooks Building, Austin, Tex.]

Dear Mr. President:

It is our understanding that at an appropriate time you intend to donate your papers to the United States for ultimate deposit in a Presidential archival depository.

The University of Texas shares the belief of the academic world and others that the papers of a President constitute a vital part of our Nation's historical heritage. We likewise believe that the richness and fullness of the Nation's knowledge and understanding of that heritage depends in a large measure upon the completeness of a President's historical materials, the care with which they have been preserved, the adequacy of the archival and museum facilities in which they are housed, and their general accessibility and availability for scholarly research and study.

A university can only fulfill its total mandate by being sensitive to contemporary world affairs, the lessons of our national experience, and our Nation's constant effort to improve the processes of Government. The role of a university in bringing about an understanding of our times is affected adversely unless it can impart a knowledge of the conditions from which they arose; and it is equally clear that its responsibility to develop tomorrow's leaders, capable of making intelligent decisions for the future, can be greatly advanced when the inquisitive mind has available at the university the research collections from which a comprehensive view of the age in which we live can be obtained. It follows inevitably that convenient access to the rich resources of a Presidential Library, and the tremendous ancillary benefits which will follow will enable the University of Texas, in a most dramatic manner, to meet its responsibilities to expand its academic capabilities, especially at the graduate school level in the fields of history, government, economics, public administration and related disciplines. In furtherance of these objectives we intend to establish at the University of Texas a school to be known as the Lyndon Baines Johnson Institute of Public Service, at which we hope you will consent to teach

or lecture after your retirement from the Presidency, devoting as much time thereto as you may find possible.

In view of the considerations set forth above, and the benefits which will thus accrue to the University of Texas in fulfilling its educational purposes and objectives as fixed by applicable law of the State of Texas, The University of Texas deems it an exceptional honor and privilege, consistent with its educational purposes and objectives, to make the following proposal:

1. The University, at its expense, will provide an appropriate site comprised of fourteen (14) acres within the principal academic environs of the University at Austin, Texas, to be utilized as the site of a Presidential archival depository which will be known as the Lyndon Baines Johnson Library. The University warrants against encroachment on or use of such site for purposes other than the site of the Lyndon Baines Johnson Library and related parking areas except as otherwise expressly provided herein, or as may be later agreed by the University of Texas, you or your representatives, and the Administrator of General Services or successors in legal functions. The site selected will be subject to approval by you or your designee.

2. The University, at its expense, will design, construct, furnish and equip a building to be located on such site. The selection of the architect or architects and the design concept of the facility, including its orientation on the selected site and its physical relationship with other University facilities will be subject to approval by you or your designee. The building is to contain the following:

a. not less than 100,000 square feet of space to be dedicated to use as a Presidential archival depository for the housing and display of Presidential papers and other historical materials relating to and contemporary with your life and works as a fitting and lasting memorial to you and your long and distinguished years of service to our beloved Nation, and

b. additional space as the University deems appropriate for University purposes as detailed in paragraph 5-c, hereof.

3. The University will confer with the Administrator of General Services or his designee concerning site selection, design, construction, furnishing, and equipping the Library including its museum aspects.

4. The University will provide adequate, convenient parking facilities for the use of visitors to the Presidential Library.

5. The University of Texas, in expanding its teaching capabilities in history, government, economics, public administration, and related disciplines, expects:



a. To have access to the Presidential papers and other historical materials housed in the Lyndon Baines Johnson Library, recognizing, however, that the Presidential Library will be a national research institution and, therefore, officers, faculty, and students of the University, along with scholars and other interested persons everywhere, will be accorded access to the collections of Presidential papers and other Presidential historical materials housed therein. The University understands also, particularly since it is anticipated that great numbers of people will visit this Library on The University of Texas campus daily, that reasonable regulations must be provided to insure orderly use of the materials and access to all such historical materials will be subject to such restrictions as may be imposed by the donors, or by statute, Executive Order, regulations, etc.

b. to offer and lend to the United States for deposit in the Lyndon Baines Johnson Library certain papers and other historical materials now held by the University relating to and contemporary with the life and works of Lyndon Baines Johnson, and,

c. in addition to the space dedicated to the Presidential archival depository to provide space and related facilities in the building contemplated in Paragraph 2, hereof, for University purposes to be used in furtherance of studies and research in history, government, economics, public administration and related disciplines.

6. Upon completion of the construction, furnishing, and equipping of the space and facilities to be occupied by the Presidential archival depository, the University hereby undertakes and agrees to turn over, dedicate, and make available the same, including the furnishings and equipment therein, to the United States for its use in perpetuity as the Lyndon Baines Johnson Library, but without transfer of title, pursuant to the provisions of Section 507(f) of the Federal Property and Administrative Services Act of 1949, as amended.

7. In consideration of the foregoing and upon acceptance by the United States, the Presidential Library and the space and facilities occupied by it will be administered, operated, protected, maintained, and staffed in perpetuity by and at the expense of the United States of America. It is also understood and agreed that the administering, staffing, maintaining, operating and protecting the site of the Presidential Library and such portion of the building as is used for activities of the University as contemplated by Paragraph 5-c, hereof, shall be borne by the University.

8. The space and facilities to be occupied by the Presidential Library will be

completed and available for occupancy within two years after final working drawings are ready for marketing: Provided, however, that in no event shall said two year period begin to run until the Administrator of General Services has entered into an agreement, as provided for in Section 607(f) (1) of the Federal Property and Administrative Services Act of 1949, as amended, with The University of Texas, to maintain, operate, and protect said Presidential Library as a part of the National Archives system. It is understood that the said Administrator may not enter into such an agreement prior to the expiration of the first period of 60 calendar days of continuous session of Congress following the date on which a report of the proposed transaction is transmitted to the Congress as required by Section 507(f) of the Property Act, supra. It is further understood that the time when such report may be submitted to the Congress is a matter entirely within the discretion of the President of the United States or his designee.

9. Upon your assent to this proposal The University of Texas will proceed with its implementation,

Respectfully,

THE UNIVERSITY OF TEXAS  
W. W. HEATH  
Chairman, Board of Regents

[The President, The White House]

## Meeting With White House Correspondents in the Office of the Press Secretary

Remarks and Question and Answer Period on Presidential Libraries and on Viet-Nam. August 9, 1965

[Bill D. Moyers, Press Secretary to the President, opened his regular afternoon news briefing at 4:15 p.m. on August 9, 1965. The President and Mrs. Johnson joined the group shortly thereafter, for the announcement of plans for the Lyndon Baines Johnson Library to be established at the University of Texas in Austin. Also present were Horace Busby, Jr., Special Assistant to the President, Dr. Harry Ransom, chancellor of the University, and W. W. Heath, chairman of its board of regents. The briefing was already in progress before a stenographic reporter arrived.]

Mr. Busby: And the Franklin D. Roose-

vell library at Hyde Park, N.Y.; the Harry Truman Library at Independence, Mo.—where the President visited week before last to sign the Medicare bill; the Eisenhower Presidential Library at Abilene, Kans.; and then the John Fitzgerald Kennedy library at Cambridge, Mass.

In the case of this news today, there are a couple of matters of interest to you. This is the first instance in which an institution of higher learning offered a living President the building and the facilities for this library, in conjunction with the operation of the university—the University of Texas.

Dr. Ransom won't say this himself, but the University of Texas is, and has long been, distinguished for its overall library collection. It has done some fantastic work in recent years. Dr. Ransom, I will say, is the man most responsible personally, before he became chancellor, for the development and growth of this library.

This will be the first time in which there will be a library built around the papers of a man whose career has spanned such a long period of public service at so many different levels of office. The President has over the years maintained, at his own expense, very good records of all of his offices, beginning with the election to Congress in 1937, the Senate in 1943, and to the Vice Presidency in 1961. And there are many comprehensive civil records on all of those periods.

Q. Excuse me, Buzz, where are those papers now? In the Archives?

Mr. Busby: Well, some of them are here. Some that we have the most immediate need for are within the White House, and I don't know where the storage is of some of the others.

THE PRESIDENT: Most of them are here. Several years ago I arranged, upon the recommendation of the Library of Congress, to get an outstanding lady with experience in this field to review all of the papers and extract those that were worthwhile. She's done that—papers dating from the time I came here in 1931. Mrs. Territo had to leave that service, but has returned, working under the supervision of Mrs. Roberts from my office.

Q. Busby, won't this be the first time that any university in another State established an institute for public service?

Mr. Busby: You mean by the name? Q. I mean by really training people for Government service, I presume, under the auspices of that?

Mr. Busby: It is the first of this kind, yes, in conjunction with the President's library. And this record spans a most valuable segment of our national history from 1937—actually, it goes back, as the



President mentioned, to 1931—through World War II, the cold wars, and other periods.

Q. In the university letter there is a proposal that the President intends to teach after his retirement. Does this letter move that back?

THE PRESIDENT. Bill, I don't think, other than what the letter reflects, we ought to speculate on just what condition I'll be in when I retire, and what position I'll be able to take or assume. I would rather leave that down the road. I may tell you that it is an ambition of mine.

Q. Do you have any plans now about the beginning of construction and how much it might cost, and details like that?

MR. BUSBY. Those questions will be decided by the Board of Regents, and, of course, the design and the cost.

Q. Is this the first time that such a specific arrangement for a Presidential library has been made during the term of a President in question?

MR. BUSBY. It is the first time that this has been done in conjunction with the university, but I believe President Eisenhower's library agreements were made during his term. President Truman's were not. They were made after his term.

Q. I assume that will include historical papers, radio and television, audio and visual?

MR. BUSBY. All of that. All things related to the life and times of the President will be available to the scholars, and the papers of his officers and others associated with him in the administration. They will all be collected in one place.

Q. Will Mrs. Johnson's papers be available, too?

MRS. JOHNSON. Anything that I have. Q. Is there a cost anticipated?

MR. BUSBY. None contemplated. We couldn't anticipate costs, Doug.

Q. As I understand it, no contributions are anticipated?

Q. Is there a specific site of where the 14 acres are?

MR. BUSBY. The letter says the site is to be selected and approved by the President, or his deputy. That has not been done yet.

Q. Where are the 14 acres?

MR. BUSBY. The University of Texas has a rather substantial number of acres of land in several different places in Austin.

Q. When will the institute be put in operation, in conjunction with the library, or before that?

MR. BUSBY. That will be a decision of the Board and faculty.

Q. Is there a date for completion in mind?

MR. BUSBY. There is not now.

Q. Is this primarily for graduate study, following undergraduate degrees?

MR. BUSBY. Again, that would be conjectural answer because the university faculty and the administration might want to make that answer.

Q. Will this consist of a series of buildings?

MR. BUSBY. I can't say, Doug. It depends on how the design comes out.

Q. At least there will be a complex of both the school and the library?

MR. BUSBY. It will be a complex of operations. Whether it will be one building or several buildings will depend upon the design.

THE PRESIDENT. Mrs. Johnson has done quite a bit of work visiting several libraries all over the country, and she has spent a good deal of time in joining facilities like the boyhood home, birthplace, and things of that kind. Maybe you want to ask her some questions.

Q. Would you like to see the President's library patterned after one of the three or four that you visited? Do you have any special ideas?

MRS. JOHNSON. No. My main desire is that it shall be a living thing that will be of use to a lot of young people who might want to learn about public service and governmental activities. I think that has been the story of my husband's life.

THE PRESIDENT. One thing I think you might be interested in is that we always find that you have less space than you need. That is why you have the minimum of 14 acres in there to us. Some find that after they started the space was totally inadequate. The university has guaranteed to us an amount for it, and other things. And we are anxious to have these facilities so that these papers and these documents, and even your questions and some of our answers, are available to the students of the future, and it will be available free, and the university has cooperated.

Q. Mr. President, have you made any decision about the accessibility of these papers? I presume that some of them will have to be kept closed for a period of time. Can you tell us when they will be opened up?

THE PRESIDENT. No, I have not gone into that. I think the next action will be by the university Board of Regents and the building and its physical details, and I assume by the time those things are finished we will have a little clearer insight into some of these questions that you are raising.

Q. Mr. President, have you personally visited the University of Texas site where this is to be constructed?

THE PRESIDENT. The Board of Regents will be determining where the site is and

I am sure I'll be there a good many times.

Q. Have you designated members of your family to work on this?

THE PRESIDENT. I did not have to designate anybody. Mrs. Johnson appointed herself, and some people that have worked with other Presidents in connection with formulating policy of this kind, and the General Services people, and people in my office, and Mr. Busby, and Mr. Moyers are particularly interested in it. Busby was a former editor of the University of Texas in his younger days and was quite a crusading fellow around town. We're still going to maintain the right of the President to veto, and all of these details will be worked out later. This is the first step—to go from here to the Regents. And I would anticipate before the end of this term—to which I have been elected—that we would hope to see the building completed.

MR. BUSBY. Let me add one other thing. We mentioned two names here. You know Mrs. Juanita Roberts, the President's personal secretary, who has been very instrumental in not just this but in maintaining these archives through the years. And the lady who is in direct charge of the President's archives, Mrs. Territo. They are both back in the corner there, and they both have been not only of enormous help in this but of help to us at all times around the White House in tracing things back that we want to learn from the distant past.

THE PRESIDENT. To give you an illustration of the details, another prominent fellow came into my office and said he was impressed that I had spent several hours with a news magazine the other day, and one of them just told me how I wasted a complete afternoon. And I asked Mrs. Roberts to give me the facts. She was there. And she came back in 30 seconds. "They checked in at 2:10. They left at 5:04. You had two lunches. This is the schedule. This is what they discussed. These are the questions you were asked. These are the replies you made." And so on. I guess the other fellow won't exaggerate much next time. All of this time, every minute that your President is doing something, is accounted for. They account for whatever you're doing, how many discussions you've had. And, in addition, including this meeting today.

Q. Mr. President, you said the building will be completed—

THE PRESIDENT. I said it would be hoped to be completed by the end of this term, that means by January 1969, we hope.

MR. MOYERS. Are there any other questions concerning this particular subject? Mr. Heath and Dr. Ransom will be available later.



MONDAY, AUGUST 16, 1965

Q. Can I ask one other question? The building will be completed by the end of the term?

THE PRESIDENT. I would say we hope.

Q. Whenever it is completed, will it then immediately go into operation?

THE PRESIDENT. You don't build a big building and then lock the doors.

MR. BUSBY. In regard to that, all of these libraries, from the time the President's papers go into it until they are opened for use of any scholars, is usually a rather long period of time. The FDR library was opened more quickly than any others, but that was 10 years.

MR. MOYERS. I think Mr. Heath and Dr. Ransom will be available in the Fish Room after this briefing is over, in the event that you have specific, technical questions that you would like to address to them and talk to them about. That can be done informally. Three or four members of the Texas press asked to see them individually, so we decided to have this little session in the Fish Room immediately after this. You are all invited.

# UT NEWS

THE UNIVERSITY OF TEXAS • *News and Information Service*  
Director: W. E. Keys • Assistant Director and Editor: Amy Jo Long  
Box Z, University Station, Austin, Texas 78712 Area Code 512 GRGreenwood 1-315

## RELEASE ON RECEIPT

AUSTIN, Texas (Spl.)--Chairman W. W. Heath of The University of Texas Board of Regents today announced appointment of Austin and New York architectural firms to design, plan and supervise construction of the Lyndon Baines Johnson Library.

The internationally known firms are Skidmore, Owings and Merrill of New York and Erooms, Barr, Graeber and White of Austin.

"The Board is extremely pleased to appoint these two firms which will have joint responsibility for all phases of the design and construction of the Lyndon B. Johnson Library," Mr. Heath said.

"Their record of achievement in design is such that we are confident they will develop a building worthy of a national archive which will lend great distinction to the University," he declared.

Mr. Heath said selection of a site for the library would be made after architects had studied all available locations and had made recommendations to the Board. He expressed the hope that the final selection will be the location best suited to the design of the building.

The Board chairman and Mrs. Lyndon B. Johnson personally have inspected several structures designed by Gordon Bunshaft, partner and chief designer of the New York firm. These include the Beinecke Rare Books and Manuscript Library at Yale University, and the Connecticut General Life and Emhart Manufacturing Company Buildings, both in Bloomfield, Conn. Mr. Bunshaft also designed the First City National Bank Building in Houston and the First National Bank Building in Fort Worth. Among his many other

(more)

2--UT--Lyndon B. Johnson Library (12/13/65)

outstanding designs is that of the Lambert Bank in Brussels, Belgium. He also participated in the design of the Vivian Beaumont Repertory Theater in the Lincoln Center for the Performing Arts in New York City.

Mr. Bunshaft is a member of The Commission on Fine Arts which approves design of all federal building constructed in the District of Columbia. He was a classmate at Massachusetts Institute of Technology of Max Brooks, partner in the Austin firm.

Brooks, Barr, Graeber and White have been University consulting architects for the past three years, planning campus development and new buildings at component institutions of the University in Austin, Galveston, Houston, Dallas, Arlington, El Paso and San Antonio.

The local firm also was associated in the design of the recently completed Federal Center in Austin, which last month won special recognition from the Texas Society of Architects. They are designers of several other major buildings in Austin and were associated with the design of the U.S. Embassy in Mexico City and the Manned Spacecraft Center in Houston and in the design of the new Labor Department Building in Washington.

Among their larger buildings planned for the University are a new coeducational dormitory complex and a physics-mathematics-astronomy building in Austin and the South Texas Medical School in San Antonio.

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Distribution: Wire Services, Local Papers and Radio/TV Stations.

12/13/65



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# UT NEWS

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THE UNIVERSITY OF TEXAS • News and Information Service  
Director: W. E. Keys • Assistant Director and Editor: Amy Jo Long  
Box Z, University Station, Austin, Texas 78712 Area Code 512 GREENWOOD 1-3151

STATEMENT OF W. W. HEATH, CHAIRMAN,  
BOARD OF REGENTS, THE UNIVERSITY OF TEXAS

W. W. Heath, Chairman of the Board of Regents of The University of Texas, today announced plans of the University to implement its previously announced decision to establish the Lyndon Baines Johnson School of Public Service.

Heath stated that the Board had:

1. Established the Lyndon Baines Johnson School of Public Service.
2. Authorized the Chairman to appoint a Special Committee to make recommendations to the Board concerning the School. The Chairman appoints to such Committee the following: Heath, Erwin, Ransom and Hackerman.\*
3. Authorized Chancellor Ransom to appoint a consultative Committee from the faculty to recommend concerning the directorship and members of the faculty of the School.
4. Authorized such Committee to study the housing requirements of such School and to make recommendations thereon to the Board.
5. Appropriated \$15,000 from unappropriated balances for the remainder of 1965-66 to provide consultation, travel expenses and other activities essential to the development of the School.
6. Authorized such Committee to prepare and recommend at the next meeting of the Board a budget for such School for the fiscal year 1966-67, including scholarships and/or fellowships in Public Administration.

(more)

\*Chairman Heath, Vice-Chairman Frank C. Erwin, Jr., Chancellor Harry Ransom, Vice-Chancellor Norman Hackerman.

7. Authorized such Committee to recommend an annual level of support for the School in order that candidates for the Directorship may know the proposed size and scope of the School.
8. Authorized such Committee to compile a report on a list of the very extensive and valuable collections and research materials presently owned by The University of Texas which will support and supplement both the Lyndon Baines Johnson Library and the Lyndon Baines Johnson School of Public Service and to study and make recommendations as to how and in what areas these collections can best be filled in and expanded.
9. Because the Lyndon Baines Johnson Library will balance part of the present imbalance in certain disciplines (political science, history, government, economics, etc.) and because the Lyndon Baines Johnson School can be so used, the Board directed that a major portion of future acquisitions of research collections support and fill in research materials connected with American, Texas, and Latin-American studies related to both the Johnson Library and the School of Public Service.
10. That the current research collections program be separated from the Excellence Fund and the Excellence Fund be reduced accordingly, and that the item carried in the Budget as Library Research Collections be permanently cancelled.
11. That the following sums be allocated to the research-collections program, with the understanding that the sum allocated to each fiscal year not be exceeded in that year except as balances are carried forward from the allocation for the previous year:

<u>1966-67</u>	<u>1967-68</u>	<u>1968-69</u>
\$2,000,000	\$2,000,000	\$2,000,000

(more)



12. Keeping in mind the provisions of Section 9 above, the Board directed that the allocations made in Section 11 above support the following general fields of study:

- \*Americana, including biography and the history of the Presidency.
- \*Texana
- \*Latin-Americana
- \*Political Science
- History of Science
- \*Literature
- The Arts
- Language
- The verbal disciplines (as distinguished from information-retrieval and other computer-oriented studies) (History, Philosophy, and History of of Religions, Criticism, Aesthetics)
- \*Bibliography (including the History of Books)
- The History and Philosophy of Education

An asterisk is placed against those fields in which the University can be considered already well-grounded for eminence.

Heath stated further that careful consummation of these plans will have important educational significance not only to Texas but also nationally and internationally. He pointed out that present research, library and manuscript collections already belonging to The University of Texas have a market value of well in excess of one hundred million dollars; and that together with additions made possible under this plan, the tremendous research resources of the Lyndon Baines Johnson Library, the proper physical facilities and an adequate budget which the Board is committed to provide, The University of Texas Lyndon Baines Johnson School of Public Service should become the Nation's outstanding School of its kind and that the Board fully recognizes its unique opportunity and obligation to capitalize on these assets not generally available.

Heath pointed out that public administration today employs more people than any single profession or industry but that while most large universities have schools of Business Administration, Engineering, Law,

(more)



4--UT--LBJ School of Public Service (1/15/66)

Medicine, Journalism, and schools in almost all other fields of human endeavors, few offer education in Public Administration, with none in this section of the Nation.

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Distribution: Wire Services, Local Papers and Radio/TV Stations,  
and Education Editors.

1/15/66

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# UT NEWS

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THE UNIVERSITY OF TEXAS • *News and Information Service*  
Director: W. E. Keys • Assistant Director and Editor: Amy Jo Long  
Box Z, University Station, Austin, Texas 78712 Area Code 512 Greenwood 1-315

RELEASE ON RECEIPT

STATEMENT OF W. W. HEATH  
CHAIRMAN OF THE BOARD OF REGENTS  
THE UNIVERSITY OF TEXAS

W. W. Heath, Chairman of the Board of Regents of The University of Texas today announced approval by the Board of construction of a new 275,000-square-foot building to house the Latin American Collection, the Institute of Latin American Studies, the Texas Collection, the Texas State Historical Association, the Lyndon B. Johnson Institute of Public Service, the University Archives and an appropriate exhibition area.

Heath also announced the selection of Skidmore, Owings and Merrill of New York, and Brooks, Barr, Graeber and White of Austin as architects for the building, and that both faculty and regents committees are working with the architects. This building will be located on the same 19-acre tract of land northeast of Memorial Stadium with the Lyndon B. Johnson Library. For both aesthetic and utilitarian reasons, the same architects were chosen to design and plan both buildings.

Heath stated that on the 19 acres will be the Johnson Library Building containing 150,000 square feet of which approximately 100,000 square feet will contain the presidential library with the remaining approximately 50,000 square feet directed to other University purposes; the 275,000-square-foot building announced today with a 500-car parking area, and later another major building to contain around 175,000 square feet on space reserved out of the 19 acres.

Under these plans, when completed, the 19 acres will have a 500-car parking area, plus three major buildings containing approximately



600,000 square feet of which 100,000 square feet are committed to the Johnson Library with the remaining approximately 500,000 square feet to be used for other University purposes.

The parking area will be generally used which will help alleviate the serious University area parking problem, and provide substantial relief for football game parking.

Heath also said that this area is ideally suited for University library and other collections and also for the research activities to be conducted there. It will free large amounts of sorely needed space for undergraduate library stack space and reading rooms in the heart of the campus and move valuable research material used primarily by graduate students, faculty and visiting scholars in a location more accessible for them.

Heath stated that placing these library and manuscript materials, including those of the Johnson Institute of Public Service, in the same area as the Johnson Library will enable the scholars and researchers who may need or wish to study such materials to be in convenient proximity to all of them.

Finally, Heath said that the scholarly value of the Johnson Library documents, audio and photographic materials, especially at the graduate level, and the scholarly content and activity to be conducted elsewhere on the 19-acre tract will complement each other and under the plan outlined the University will take a gigantic step forward, especially in the humanities, more particularly in such areas as history, government, law, economics, libraries and library science and the related disciplines.

"The total academic values are immeasurable," Heath said.

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Distribution: Wire Services, Local Papers and Radio/TV Stations.

5/26/66



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# UT NEWS

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THE UNIVERSITY OF TEXAS • *News and Information Service*  
Director: W. E. Keys • Assistant Director and Editor: Amy Jo Long  
Box Z, University Station, Austin, Texas 78712 Area Code 512 CGreenwood 1-3151

RELEASE MONDAY (AUG. 22) AT 11 A.M.

AUSTIN, Texas (Spl.)--At today's Legislative Budget Board and Governor's Budget Office hearing W. W. Heath, chairman of the Board of Regents of The University of Texas, stated that Skidmore, Owings, and Merrill and Brooks, Barr, Graeber, and White, architects for the Lyndon Baines Johnson Library and the East Campus Library Building, hope to complete and obtain approval of the location and design of the two buildings by September 30, 1966.

Heath further said that scale models and pictures of both buildings, the 500-car parking area, and the ground locations are planned to be shown on that date.

Heath said that the architectural working drawings are scheduled for completion on both buildings in May, 1967, after which the two buildings will be advertised for bids and built simultaneously under one construction contract, with the time schedule calling for completion and dedication of both buildings in May, 1969.

Heath concluded by saying that the two buildings have an architects' estimated construction cost of \$10,750,000 and will contain a total of 425,000 square feet, of which 100,000 square feet will house the Johnson Library, with the other 325,000 square feet to be used to meet other University needs including general library space, the Latin American Library and Manuscript Collection, the Institute of Latin American Studies, the Lyndon B. Johnson Institute of Public Service, the Texas Library and

(more)

2--UT--LBJ Library (8/22/66)

Manuscript Collection, the Texas State Historical Association, the University Archives, and other space to be assigned, with space allocations and utilization now under study by appropriate faculty committees and University officials.

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Distribution: Wire Services, Local Papers and Radio/TV Stations.

8/22/66



## THE UNIVERSITY OF TEXAS ARCHIVES

The Texas Archives, collection of The Eugene C. Barker Texas History Center is nationally recognized as a major historical research collection. Manuscript, map and pictorial holdings currently number approximately 10,000,000 individual items. Included are noncurrent University records, memorabilia and the University's collections of historical manuscripts relating to the growth and development of Texas and the American Southwest.

Outstanding in the manuscripts collections are the Bexar Archives which are supplemented by transcriptions of documentation from repositories in Spain, France, Mexico, and elsewhere to give coverage to the initial Spanish-Mexican period of Texas history. Colonial development and the period of the Republic of Texas are represented by family and private collections entrusted to the University for permanent preservation and research use. Representative of these are the Austin, Bryan, and Perry family papers, the Ashbel Smith Papers, the Anson Jones Papers, L. W. Kemp's research collection, the Alex Dienst Collection, and the David Burnet Papers. Documentation for the mid-nineteenth century period of the Confederacy and the Civil War is available in private papers and official Confederate records. For the later nineteenth and twentieth centuries, the University Archives hold original manuscripts bearing on the political, business, and social growth of Texas. Ranching is represented by the Snyder Papers, the Gunter Papers, the Morris Ranch Papers, and the S. M. Swenson Papers, and other archives. In 1966 the University Archives was named repository for the archives of the Texas and Southwestern Cattle Raisers Association as well as a central repository for the cotton

industry. The Texas Oil Industry Collection has become a central focus for that significant area of economic activity, and the lumber industry in Texas is represented.

Research use of the University Archives grows progressively as the collections increase and these resources become indispensable to scholarly investigation of the American Southwest. While major users of the collections continue to be University of Texas professional personnel and graduate students, the University Archives regularly serves visiting researchers from the state's other universities and senior colleges and from beyond the boundaries of Texas.

December, 1966



## THE LATIN AMERICAN COLLECTION

"Researchers' paradise, undoubtedly one of the finest treasure houses of documents, manuscripts, and books about Latin America's history and culture ever collected under one roof" is the description of the Latin American Collection made by James Norman in 1963 after having spent "some time researching in it.

Available at present are some 210,000 volumes of printed material ranging from a superior collection of 16th century Mexican imprints to the latest books and periodicals from Latin America and about it being published today and covering the entire spectrum of the life and culture of that region; over 600,000 pages of manuscript documents, among which are included letters and documents of a large number of the most important political and literary figures of Latin America from the time of the discovery of those vast new lands to the present; some 4,000 reels of microfilm of archival holdings in Latin America, the United States, and Europe relating to Latin America; and more than 3,500 volumes of Latin American newspapers, dating from the earliest volantes and newspapers of the 17th century to the present day.

More important than size, however, is the quality of the material housed here, for the holdings have been built around some fifteen private libraries, acquired from Latin America and owned by or built on the remarkable bibliographic knowledge of the great bibliophiles of that area, such as Joaquín García Icazbalceta, Genaro García, José Toribio Medina, Manuel Gondra, and Arturo

Taracena Flores. With these private libraries to form a nucleus, the University of Texas has enlarged and filled in where lacunae existed in them and acquired regularly all new materials so necessary to a great research collection.

This unique collection daily draws more and more scholars to tap its ever increasing resources. Many come to spend a few days but frequently the time is extended to months; and often they return time after time to carry on further research. They come not only from the United States but from all over Latin America, from Europe, and even from Asia.

December, 1966



THE TEXAS COLLECTION OF THE EUGENE C. BARKER TEXAS HISTORY CENTER is the outstanding research collection of books about Texas, books by Texans, and books printed in Texas if they relate to the history and culture of Texas and the adjacent Southwest area. Special holdings such as the Frank Kell and the Marion Burck Smith collections expand the geographical limits to include many Western items. Currently available are some 70,000 volumes of printed materials plus hundreds of rolls of microfilms and many biographical items.

Magazines and periodicals printed in the state, the publications of statewide organizations and state institutions, educational, business, and professional are included--from oil company house organs to the Proceedings of the Texas Baptist Convention and the journals of corporate and fraternal organizations. The collection is in part a state archive of laws, legislative journals, and publications of Texas state agencies. It is also in part a University of Texas Archive with its complete files of University official publications from catalogues and commencement programs to Regent and Faculty minutes and yearbooks. All publications of the University of Texas Press are included.

Scrapbooks compiled to supplement and up-date information on Texas authors and public figures, pamphlets and information files on current topics, pictures and photographs, and microfilm holdings (particularly in the fields of Southern History and church history) are all parts of the collection's effort to encompass every aspect of the State's past and present culture.

# UT NEWS

THE UNIVERSITY OF TEXAS • *News and Information Service*  
Director: W. E. Keys • Assistant Director and Editor: Amy Jo Long  
Box Z, University Station, Austin, Texas 78712 Area Code 512 Greenwood 1-3151

~~FOR RELEASE~~

AFTER 9:30 A.M. (CST)

~~TEL. 1-3151~~

Chairman W. W. Heath of The University of Texas Board of Regents today announced plans for a major new library research complex on the Austin campus which, he said, "will establish The University of Texas as one of the nation's leading academic centers for original research and study of the contemporary events of the Twentieth Century."

To be located on a nineteen-acre eastward extension of the Main University campus, the research center--on which construction will begin in mid-1967--will include:

1. The Lyndon Baines Johnson Library, housing the public papers and other materials of President Johnson's full career in national life and providing the University with 50,000 square feet of space for a 1,000-seat auditorium, classroom lecture hall, art exhibits, display of volumes and original manuscripts from the Rare Books and Manuscript Collections and other purposes.
2. The East Campus Library and Research Building, housing the University's Texas Collection, Archives, headquarters of the Texas State Historical Association, Latin American Library, Latin American Institute and the new Lyndon B. Johnson School of Public Service.
3. Parking space for 500 automobiles.

The two buildings comprising 425,000 square feet will be built as a single project at an estimated construction cost of \$10,750,000.

It is anticipated that a third large University building for academic purposes will be constructed on this site at some future date as needs may dictate and as a part of the new library complex.



Heath, who is relinquishing the Chairmanship although he is continuing to serve as a member of the Board of Regents, described the new Library complex as "the proudest achievement of my tenure as Chairman."

"In many fields," he explained, "The University of Texas has already achieved or is approaching the goals of excellence which were established by the Committee of 75 in the 1950's during the University's seventy-fifth anniversary year. In particular, the excellence of the University's library resources is acknowledged throughout the academic world today.

"The decision last year by President Johnson to accept the invitation of the Board of Regents to designate The University of Texas as the site for the depository of his public papers now permits us to take a tremendous stride toward our goals of excellence in the social sciences related to public affairs. While the Johnson papers will belong to all the people and will be maintained by the National Archives, under the Presidential Library Act, their location on a University campus will enhance their value, attract to The University of Texas campus scholars from all over the world, and permit us to strengthen greatly the faculty and program offered to students here for generations to come. All Texans should be grateful to the President--and, especially, to Mrs. Johnson--for selecting The University of Texas after considering the many other invitations to designate other sites."

Heath noted that the public career of President Johnson--as National Youth Administration Administrator in Texas, Congressman, U.S. Senator, Majority Leader of the Senate, Vice-President and President--is the longest of any President in modern times. "The Johnson papers are much more than a record of the man," Heath said, "but are an integral part of the history of the most eventful years and most significant episodes of the century since the early 1930's." On such diverse subjects as rural electrification,

(more)

preparedness efforts before World War II, the beginning of our space program, and civil rights, no history will be complete without study of President Johnson's papers even before his Presidency. In addition to the documents, the Johnson archives will offer the most extensive visual and audio record ever assembled of any Presidency."

Collections of the papers of many Presidents are incomplete, widely scattered or, in some instances, destroyed. In the last decade, Congress acted to assure preservation of these records by providing for a system of Presidential Libraries at sites designated by each President or his heirs. The Presidential Libraries are maintained and operated by the National Archives under the General Services Administration. Now open are the Harry S. Truman Library at Independence, Missouri, the Dwight D. Eisenhower Library at Abilene, Kansas, the Herbert Hoover Library at West Branch, Iowa. The John F. Kennedy Library will be built at Cambridge, Massachusetts, on the campus of Harvard University.

#### Architectural Details of the Library Complex

The following are details of the East Campus Extension and the exterior design of the first two buildings to be erected there:

1. East Campus Extension: the three-building library research complex and parking area will be located on nineteen acres east of Red River Street, the present campus boundary, between 24th Street on the north, Manor Road on the south and extending to Swisher and Oldham Streets on the east. The first two buildings will be on a direct axis from the University Main Building overlooking the long-planned East Mall and in close proximity to the School of Law, Memorial Stadium and the Texas Memorial Museum.
2. Lyndon Baines Johnson Library: located on a promontory-like podium overlooking the present campus, this eight-level, 150,000 square feet building will have two parallel tan stone walls, 200 feet long, 65 feet high, 90 feet apart on the east and west sides. The two walls have a base thickness of 8 feet, curving gently upward and out to 4 feet thickness in the last quarter of height. The north and south walls are set back 15 feet



with balconies overlooking the campus and the city of Austin. The first two levels of the building will contain a 1,000-seat auditorium, 250-seat lecture hall, exhibition hall and other service areas. Public visitors will enter at ground level from the surrounding terrace, see displays of memorabilia, receive an orientation briefing and proceed by a spacious stairway to the exhibit hall which is a part of all Presidential Libraries and presenting displays representing the era of service. The top levels of the structure will house necessary offices, study rooms, audio-visual research facilities, and carrels in addition to the Johnson papers and archives themselves.

3. East Campus Library and Research Building: this structure will be 935 feet long, 95 feet wide, height of three stories, with a structural framing of 30 foot square bays. The upper two stories are enclosed with a projecting tan concrete grid which is both the actual supporting structure and sunshade for the rooms within. The building is designed to contrast in mass, surface texture and boldness with the Johnson Library and will house a number of major University of Texas libraries and activities, including the Lyndon B. Johnson School of Public Service.
4. Architects and Engineers: architects for the two buildings which will be constructed under one contract are the associated firms of Skidmore, Owings & Merrill of New York and Brooks, Barr, Graeber and White of Austin. Gordon Bunshaft, partner of the New York firm, is responsible for the design of the project and R. Max Brooks of the Austin firm is responsible for coordination. Structural engineers are the associated firms of Paul Weidlinger of New York and W. Clark Craig and Associates of Austin. Mechanical engineers are the firm of Gregerson, Gayner & Sirmen, Inc., of Dallas.

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12/1/66

1. The basic purpose of the Lyndon Baines Johnson Library is to assure future historians and scholars of a readily accessible source of catalogued materials for studying this period in our country's history.
2. Associated with that purpose would be the use of the library as a center for inspiring young people to prepare themselves for a career in public service, and, through an exhibits program, to enlighten the general public on the operations of the government.
3. For the scholars and historians, the existence of the library would be quite critical. This is a period of tremendous and rapid change in the economic, social, and political structure of our Nation. In the past few years, we have awakened to the fact that urbanization has progressed from city to regional dimensions; we have made the most drastic revisions in our concepts of Federal economic responsibilities since the early days of the New Deal; and we have undergone a revolutionary change in our race concepts. There would be a tremendous gap in our understanding of this period without access to the papers of the Senate Leader from 1952 to 1960, the Vice President from 1961 to 1963, and the current President.
4. This gap would be filled by the plan to deposit the personal papers of the President and Mrs. Johnson at the library to be established at the University of Texas. The library, of course, would serve a number of uses. It would be a museum; an exhibit hall; a collection of books for use by students; and a center for the study of government. But its distinction would come from the papers and the manner in which they are handled.
5. The Johnson papers would be the bedrock of the collection. Fortunately, these have already gone through a process of archival selection and further work with them is merely a matter of continued processing. But these papers can and should be supplemented both by Federal documents that relate directly to the Presidency and by the papers of private citizens who have played a role in matters in which the President has had a specific interest.
6. These papers would properly be made available to the library only under certain safeguards and certain accepted rules of procedure.
7. Finally, it must be impressed upon those who are associated with the project that the basic purpose is to afford the American people an insight into the history of our country during a specific period of its



development. The library must be a vital force for the future. This means that the heart of it will consist of those papers which shed light upon the significant activities and decisions that were made by Lyndon B. Johnson as a public servant, as a leader of Congress, and as the President of the United States. This spirit, if translated into concrete action, will attract scholars and historians from all over the world and will assure the continued life of the institution.

Dr. Wayne C. Grover  
Former Archivist of the United States  
and Consultant on the Planning of the  
Lyndon Baines Johnson Presidential Library

MEMORANDUM

Copy  
THE WHITE HOUSE

WASHINGTON

PERMANENT FILE

FE 7-1

June 21, 1968  
Friday, 5:35 p.m.

FOR THE PRESIDENT

FROM Joe Califano 

Attached is a rundown on the history project and the precedents including a letter signed by Attorney General Robert F. Kennedy.

Attachment



## HISTORICAL PROJECT

This effort has a single purpose: to preserve and collect the historical record of these past years for public use and for the work of researchers, scholars, historians, journalists, and political scientists to evaluate the achievements and failures of this Administration.

This is a public-interest effort, authorized by law and supported by the precedents of other administrations. All the papers involved are public papers. Title to these documents does not vest in any private individual but in the United States, and they become part of the official records and archives of the United States Government.

The purpose of organizing some of these papers on a departmental basis with an accompanying narrative is to assist historians or scholars in being able to make a prompt evaluation of the materials. One of the problems with prior Presidential libraries has been that the papers are gathered on a relatively random basis and it takes years before they are of real use to the historian and the scholar.

The Congress has recognized the value of preserving government documents and has established a comprehensive system under which departmental papers can be collected, preserved, and deposited:

- In the National Archives Act of 1934
- In Federal Records Act of 1950 which states that the Administrator of the General Services Administrator can "accept for deposit with the National Archives of the U.S. . . . the records of any Federal agency . . . that are determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the United States Government." It provides further that "the Administrator may accept for deposit 'all the personal papers and other personal historical documents of the heads of executive departments'". The law permits these papers to be transferred or "loaned to a public or educational institution." (p. 16, Sen, Rep, 2140, 81st Cong. 2nd Ses.).

- In the Presidential Library Act of 1955 which authorizes a system of Presidential libraries and permits the deposit of agency and departmental records in the library. The Administrator of General Services may "deposit in any such Presidential archival depository . . . any Federal records appropriate for preservation thereof." Libraries have been established for Presidents Franklin D. Roosevelt, Herbert Hoover, Harry Truman, Dwight Eisenhower, John F. Kennedy (P. L. 89-547), and Lyndon B. Johnson (P. L. 89-169).

The precedents of past Presidents are guides:

- During the administration of Franklin D. Roosevelt, departmental and agencies documents were collected for deposit in the Roosevelt Hyde Park Library.
- Similar activities were carried out in the Truman Administration and in the Eisenhower Administration.
- Just after the assassination of President John F. Kennedy, President Johnson asked all the departments and agencies to copy and assemble basic documents under the Kennedy Administration for deposit in the Kennedy Library. (See Tab A). Robert F. Kennedy, then the Attorney General, sent to each agency, department and regulatory commission a letter outlining the scope and purpose of this comprehensive collection effort. (Tab B)

The present project is being carried on under the supervision and direction of several professional members of the National Archives and the General Services Administration. These individuals are trained historians, archivists and curators, including Dr. Wayne Grover, former Archivist of the United States; Frank B. Evans, Director of Diplomatic, Legal and Physical Records Division, National Archives; and Herman Kahn, Assistant Archivist, Office of Presidential Libraries, National Archives.



The documents and papers covered by this effort will be a rich addition to the historical material of the United States. They will be the vital substance of history. They will provide an excellent source for scholars and researchers as they write their books and articles about the past several years. The historian will evaluate these sources. The purpose of the program is to provide for him the most complete contemporary documentation of events that can be compiled.

With these materials historians will be able to better understand and grasp the full meaning of this period in American history.

Thucydides once wrote: "History is an everlasting possession." That is the spirit in which this undertaking was conceived and is now being carried out.

The purpose of the Califano memorandum (Tab C) was simply to organize the effort in a systematic, orderly way.

A



December 20, 1963

Dear Mr. Attorney General:

I am returning the letter, in somewhat revised form, that you sent along for my signature with respect to the collection of materials for the John F. Kennedy Library. I am glad for you to send it out to the appropriate people. I know that you will check the appropriate laws, regulations and departmental or agency policies, and I assume that the National Archivist will participate in the process although he is not mentioned in your draft letter.

I will be happy to do anything I can to help.

Sincerely,

LYNDON B. JOHNSON

Honorable Robert F. Kennedy  
The Attorney General  
Washington, D. C.

*Assigned to Tom O'Donnell  
Office for delivery  
12/21/63  
LBJ*

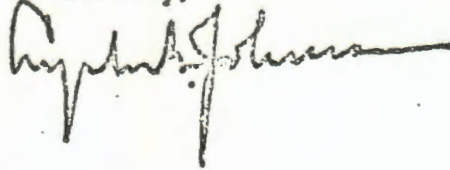
RECEIVED  
DEC 27 1963  
CENTRAL FILE

THE WHITE HOUSE  
WASHINGTON

Dear

The Attorney General will shortly communicate with you with respect to the collection of materials for the John F. Kennedy Library. I regard this as a project of historic importance. Nothing like it has been attempted before in the entire record of the Presidency. If carried through successfully, it will give future generations a unique grasp of the history of our times. I fully endorse the project and request that every department or agency cooperate fully, subject to applicable laws and regulations and departmental or agency policies.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert F. Kennedy", written in a cursive style with a long horizontal flourish at the end.



RECEIVED

JAN 7 5 27 PM '64  
January 7, 1963

Heads of all Divisions, Bureaus and Offices

OFFICE OF LEGAL COUNSEL

*JLH:bk*

145-1-016-1 P.W.

Nicholas deB. Katzenbach  
Deputy Attorney General

*File*

MATERIAL FOR THE JOHN F. KENNEDY MEMORIAL LIBRARY

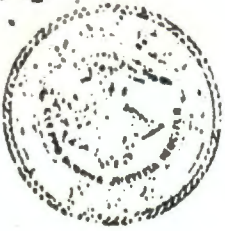
Attached hereto are copies of letters and memoranda the Attorney General sent to heads of Departments and agencies which explain the proposed operation of the Coordinating Committee on the John F. Kennedy Memorial Library and which describe the type of significant papers and documents desired.

*Blumen*

You will note in the December 19, 1963 letter the Attorney General asks for a preliminary list of the subjects involved in the papers you have selected from your files and those of your office as well as a list of persons in your office, other than yourself, whose papers you feel would add significantly to the collection. A list of subjects involved in this latter list should also be included.

I have asked John Duffner of my office to supervise the collection of relevant materials in the Department of Justice. In order to meet the schedule set up by the coordinating committee he will need the lists, referred to above, by the close of business Thursday, January 9, 1964.

*File ac*



Office of the Attorney General  
Washington, D. C.

December 19, 1963

Dear \_\_\_\_\_:

Our most important immediate problem in connection with the John F. Kennedy Memorial Library is the collecting of the significant papers and documents of the Kennedy Administration. To do this quickly, while memories and experience are still fresh, will require the close cooperation of all agency and department heads.

We propose to organize our effort in the following manner:

A Coordinating Committee for the collection of materials for the Library has been appointed. This Committee is composed of the following persons:

Robert F. Kennedy, Chairman  
Richard N. Goodwin  
Wayne Grover  
Herman Kahn  
Arthur Schlesinger, jr.  
Sargent Shriver.

Each department or agency is requested to make available a departmental representative at the Assistant Secretary level to supervise the collection of the relevant materials and to serve as liaison with the Coordinating Committee.

These designated departmental representatives will meet with the Coordinating Committee in my office on Tuesday, January 7 at 10:00 A. M. The program for collecting materials for the Kennedy Memorial Library will be discussed in detail at that meeting.

In general we would like to give top priority to those materials likely to become difficult to locate in a relatively short period of time, as well as to those materials whose full significance requires some oral explanation by an appropriate official.

145-1-016-1	
DEPARTMENT OF JUSTICE	
22	FEB 15 1965
RECORDS BRANCH	



First priority should be given to your personal papers, memoranda, notes, correspondence, etc., as described in Arthur Schlesinger's letter of May 23, 1962 (copy enclosed). All of this material, without regard to subject matter, should be included. The General Services Administration has facilities to duplicate your files in cases where you think it appropriate to retain the original material. In addition to your own personal papers, there should also be collected in the same manner the papers of any other persons in your department whose papers you feel would add significantly to the collections of the Kennedy Library. Your representative should bring a list of such persons to the meeting with the Coordinating Committee.

Second priority should be given to the making of reproductions of certain parts of the official records of your department or agency. These should include staff papers, memoranda, and other documents relating to the major Kennedy Administration issues, as well as papers on any subject, major or minor, in which the President took a personal interest, which went to him for decision, or which emerged in response to Presidential requests. Before beginning the reproduction of these materials you should prepare a preliminary list of the subjects involved by going over the files of your agency that might reflect such issues or interests. When in doubt, include the subject in the list. Your representative should also bring this preliminary list with him to the meeting with the Coordinating Committee. After further consultation with you or your representative and review by the Coordinating Committee, a final listing will be prepared, describing briefly the documentary materials involved, and showing their quantity and location. A team from the General Services Administration will microfilm them for later deposit in the Library.

Any materials which have a security classification will retain that classification in the Library. Statutory provisions and Executive regulations governing the deposit, use and declassification of such materials will be maintained. Administrative restrictions on access to non-classified documentary materials from department and agency files, such as diplomatic correspondence, likewise will be maintained in accordance with relevant departmental policies.

In addition, you may feel that some of your personal materials, while not requiring a security classification, should not be made publicly available except under certain conditions, after a certain period of years, or until such time as you decide they should be made available. You may place any or all of these conditions on any personal materials you make



available to the Library. Such materials will be made available only to persons you designate, or at the expiration of the time limit you set now or in the future. The exercise of such personal privilege is provided for by statute, and you may be certain that any stipulations you make will be scrupulously maintained. Questions regarding restrictions upon material will be handled by the Coordinating Committee, although I would be glad to consult with you personally on this matter.

Of course, much of the important material of the Kennedy Administration does not exist in written form. It is in the memories of the people who discussed business with the President or with others. In order to capture as much as possible of this while it is still fresh we intend to organize an oral interview project. You, and other people important to the Kennedy career, will be interviewed and your memories of the Administration recorded. Transcripts of these interviews will be made available to you and you may impose the same conditions of security or personal privilege on this material as on written records. This project will be organized shortly.

I would hope that you designate your departmental representative immediately and that the collecting of papers, both personal and official, will get under way in your department without delay.

If you will please give Mrs. Susan Newman of my office the name of your designated representative, I will greatly appreciate it. He should, of course, be prepared to attend the meeting on January 7, and to bring with him the preliminary lists mentioned on Page Two of this letter.

I know this project will be a drain on your time and resources. But only in this way can we hope to build a collection which accurately reflects the career, the hopes, and the achievements of President Kennedy and which fully illuminates the issues of his time. I know you share my desire that the Library be worthy of his own standards of accuracy, completeness, and intellectual integrity. And I am deeply grateful for your effort toward that end.

Sincerely,

Attorney General

*Address* || \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Enclosure



THE WHITE HOUSE

Washington

May 23, 1962

Dear

Last November the President announced that plans were being made for the establishment of a Presidential library and museum at Cambridge, Massachusetts, for the preservation of papers and other historical materials relating to his Administration.

In making this announcement, the President was, of course, following the precedent established by the three previous Presidents. Statutory authorization for the operation of Presidential archival depositories is contained in the Federal Property and Administrative Services Act of 1949, as amended (44 USC 397). The new Presidential library will be administered by the National Archives and Records Service of the General Services Administration in close collaboration with Harvard University. Four existing Presidential libraries are also administered by the National Archives and Records Service.

The hope is that each of these Presidential libraries will become a center for the study of American history in the period of the President's tenure. The nucleus of each library's collections will, of course, be the President's papers, including those accumulated in the White House Office by him and his immediate staff. The resources of a Presidential library, however, are greatly enhanced by the acquisition of related materials. While the disposition of personal papers is naturally a matter for the personal decision of each member of the Administration, it is the President's hope that his friends and associates will wish to assist in making the collections as complete as possible.

It is not proposed, of course, that official records of your department or agency be given to the Kennedy Library. The disposition of official records is governed by the provisions of the Records Disposal Act of 1943 (44 USC 366). Official records of the Executive Branch must be scrupulously maintained so that they will properly document the conduct of this Administration.

As distinct from official records, however, certain papers may properly be maintained as your personal files and it is these that the President



hopes will be placed in the Kennedy Library at the close of his Administration. Personal correspondence files, including family correspondence, are perhaps most valuable of all. Personal work aids, such as appointment books, are also useful, and personal notes or accounts of events written as reminders are indispensable. Materials of this kind, reflecting the activities and observations of a high official as an individual before, during, and after his public career, add immensely to the resources of Presidential libraries. Presidential libraries are authorized by law to accept such papers. I would emphasize that there is statutory authorization for donors to place whatever restrictions and stipulations they may wish to impose on their use.

Additional material which would appropriately come to a Presidential library would include such categories as an extra set of transcripts of your press conferences; a set of your press releases; reading copies and drafts of speeches; transcripts, printed or typescript of the testimony of yourself and associates at Congressional hearings; a "reading file" of extra copies of your outgoing official correspondence, arranged chronologically; microfilm or other copies of selected official records required to document major policies of the Administration (the originals going to the National Archives); and copies of photographs, sound recordings, and motion pictures of official or other events in which you participated. Scrapbooks of newspaper and publicity clippings are useful when well organized and mounted. More important are articles, books, pamphlets, broadsides and leaflets published in this country or abroad concerning you or your work, or written by you.

A statement of the acquisition policies of the proposed Kennedy Library is enclosed. Space in the Library building itself is not expected to be available until after the President leaves office, but arrangements for storage space during the interim period may be made by calling the Office of the Archivist of the United States.

Sincerely yours,

Arthur Schlesinger, jr.  
Special Assistant  
to the President



## ACQUISITION POLICIES FOR THE JOHN F. KENNEDY LIBRARY

The John F. Kennedy Library will be a Presidential archival depository operated by the National Archives and Records Service of the General Services Administration and collaborating closely with Harvard University and the Harvard University Library system. Presidential archival depositories operate under authority contained in the Federal Property and Administrative Services Act of 1949, as amended (44 USC 397). The fundamental purpose of the Library will be to preserve the papers and other historical materials of John F. Kennedy and his associates and, in due course, to make them available for scholarly use. It will serve as a research center primarily but not exclusively for the study of the history of the 1960's.

The President's materials will include the papers, books, photographs, motion pictures, sound recordings, and mementoes collected and preserved by or for him during his lifetime. A major part of these materials will be the papers accumulated in the White House Office by the President and his immediate staff, supplemented by papers and memorabilia donated to the Library by persons and non-governmental organizations associated with him or his administration; and published and audio-visual materials that contribute to an understanding of the life and times of the President, particularly during the decade of the 1960's.

Officials charged with the planning and development of the Library therefore should seek to acquire supplementary materials as indicated below:

Papers

1. Papers relating to the life and career of John F. Kennedy, including papers of his family and of his close personal friends and associates; of authors and journalists who have published significantly or extensively on his life and administration; and records of business, philanthropic, social, or other non-governmental organizations in which he has participated actively.
2. Papers relating to national and international affairs during the period of his service in the White House, including any personal papers (as distinguished from official records) that may be accumulated or created by heads of departments and independent agencies, ambassadors, or other civilian or military officials serving importantly in his administration; of members of Congress notably associated with the legislative history of the period; and of private persons outstanding in such fields as business, labor, education, sciences and the arts who, while never officially a part of his administration, worked closely with it.
3. Papers of private persons and organizations associated with Mrs. Kennedy in an advisory capacity in connection with White House programs and activities under her direction.



4. Records of the Democratic National Committee and of related national political organizations actively supporting the Kennedy candidacy and administration.

5. Microfilm or other copies of selected official records of federal departments and agencies that may be useful in documenting the major policies of the Kennedy administration and which should be available in the Library, although the originals ultimately will be preserved in the National Archives.

#### Published Materials

1. Monographic Works: All books and pamphlets published in the United States or abroad that deal chiefly with President Kennedy, his administration, and its policies and programs; and selected books that deal significantly with the national and international scene during the 1960's, particularly those achieving wide recognition as influential contributions to the political, social and economic thought of the period.

2. United States Official Publications: All Congressional documents for the period of the administration (and selected documents for the period of his Congressional career) including the Record, Directory, House and reports, documents, hearings, and committee prints; and selected publications of federal departments and agencies dealing with their history, policies, programs and activities during the Kennedy administration. (Purely routine, technical, and other public and instructional materials will, as a rule, not be acquired.)

3. Publications of Other Governments and of International Organizations: Selected documents issued by state and local governments of the United States and of foreign governments dealing chiefly and significantly with domestic and foreign policies of the United States; microtexts of United Nations documents, 1945-70; and microtexts of documents of the Organization of American States and of similar international organizations for the same period.

4. Periodicals and Newspapers: Files of leading American news-magazines, major American and foreign journals of opinion, and of selected professional and scientific journals for the period 1955-70 (to be acquired in bound form where possible); and files of selected domestic and foreign newspapers (the New York Times in printed form, others in microtext) for the period 1955-70.

As a rule collections of press clippings and other ephemera will be acquired only if they are well-arranged, and provide a useful subject approach to the periodical and newspaper literature of the period.

5. General Reference Works: Bibliographies, guides, indexes, and catalogs normally required in any special library; and, in addition, those major publications in the fields of archival, library, and museum administration that will be required by the professional activities of the Library staff.



### Other Types of Research Materials

1. Still pictures made by leading press and commercial photographers and collections of privately made photographs which relate to the President, his family, or his administration that significantly supplement the collection of White House photographs.

2. Motion pictures, kinescopes, and sound recordings produced by commercial organizations which relate to the same subjects and significantly supplement the White House collections of such materials.

### Museum Materials

Most museum objects will be received in the Library directly from or through the President or members of his family. In supplementing these materials, the Library should accept gift items and collections from private individuals or organizations if (a) they have significant commemorative or historical value as Kennedy memorabilia; (b) they are mementoes of leading personalities associated with the administration; or (c) they have special merit because of their artistic or cultural value per se. As a general rule, museum items or collections will not be purchased.

THE WHITE HOUSE  
WASHINGTON

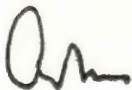
December 18, 1963

MEMORANDUM FOR MR. KENNETH O'DONNELL

SUBJECT: Kennedy Library

As you know, I have been working with the Attorney General, the General Services Administration and the National Archives to establish procedures for the collection of materials for the Kennedy Library. The result is the attached letter (marked B) which we plan to send out under the Attorney General's signature.

It would obviously help greatly if the Attorney General's letter could be accompanied by a letter from the President along the lines of attached letter (A). The letter should be addressed to the officials listed below. If your office could transmit the signed letters to me, I will see that they are put together with the Attorney General's letter.



Arthur Schlesinger, jr.



Dear \_\_\_\_\_:

Our most important immediate problem in connection with the John F. Kennedy ~~Memorial~~ Library is the collecting of the significant papers and documents of the Kennedy Administration. To do this quickly, while memories and experience are still fresh, will require the close cooperation of all agency and department heads.

We proposed to organize our effort in the following manner:

A Coordinating Committee for the collection of materials for the Library has been appointed. This Committee is composed of the following persons:

Robert F. Kennedy, Chairman  
Richard N. Goodwin  
Wayne Grover  
Herman Kahn  
Arthur Schlesinger, jr.  
Sargent Shriver

Each department or agency is requested to make available a departmental representative at the assistant secretary level to supervise the collection of the relevant materials and to serve as liaison with the Coordinating Committee.

These designated departmental representatives will meet with the Coordinating Committee in my office on Tuesday, January 7, at

10:00 A.M. The program for collecting materials for the Kennedy Memorial Library will be discussed in detail at that meeting.

In general we would like to give top priority to those materials likely to become difficult to locate in a relatively short period of time, as well as to those materials whose full significance requires some oral explanation by an appropriate official.

First priority should be given to your personal papers, memoranda, notes, correspondence, etc., as described in Arthur Schlesinger's letter of May 23, 1962 (copy enclosed). All of this material, without regard to subject matter, should be included. The General Services Administration has facilities to duplicate your files in cases where you think it appropriate to retain the original material. In addition to your own personal papers, there should also be collected in the same manner the papers of any other persons in your department whose papers you feel would add significantly to the collections of the Kennedy Library. Your representative should bring a list of such persons to the meeting with the Coordinating Committee.

Second priority should be given to the making of reproductions of certain parts of the official records of your department or agency.

24 NOT A.S. to file



These should include staff papers, memoranda, and other documents relating to the major Kennedy Administration issues, as well as papers on any subject, major or minor, in which the President took a personal interest, which went to him for decision, or which emerged in response to Presidential requests. Before beginning the reproduction of these materials you should prepare a preliminary list of the subjects involved by going over the files of your agency that might reflect such issues or interests. When in doubt, include the subject in the list. Your representative should also bring this preliminary list with him to the meeting with the Coordinating Committee. After further consultation with you or your representative and review by the Coordinating Committee, a final listing will be prepared, describing briefly the documentary materials involved, and showing their quantity and location. A team from the General Services Administration will microfilm them for later deposit in the Library.

Any materials which have a security classification will retain that classification in the Library. Statutory provisions and Executive regulations governing the deposit, use and declassification of such materials will be maintained. Administrative restrictions on access to non-classified documentary materials from department and agency

files, such as diplomatic correspondence, likewise will be maintained in accordance with relevant departmental policies.

In addition, you may feel that some of your personal materials, while not requiring a security classification, should not be made publicly available except under certain conditions, after a certain period of years, or until such time as you decide they should be made available. You may place any or all of these conditions on any personal materials you make available to the Library. Such materials will be made available only to persons you designate, or at the expiration of the time limit you set now or in the future. The exercise of such personal privilege is provided for by statute, and you may be certain that any stipulations you make will be scrupulously maintained. Questions regarding restrictions upon material will be handled by the Coordinating Committee, although I would be glad to consult with you personally on this matter.

Of course, much of the important material of the Kennedy Administration does not exist in written form. It is in the memories of the people who discussed business with the President or with others. In order to capture as much as possible of this while it is still fresh we intend to organize an oral interview project. You,



and other people important to the Kennedy career, will be interviewed and your memories of the Administration recorded. Transcripts of these interviews will be made available to you and you may impose the same conditions of security or personal privilege on this material as on written records. This project will be organized shortly.

I would hope that you designate your departmental representative immediately and that the collecting of papers, both personal and official, will get under way in your department without delay.

If you will please give Mrs. Susan Newman of my office the name of your designated representative, I will greatly appreciate it. He should, of course, be prepared to attend the meeting on January 7 and to bring with him the preliminary lists mentioned on page \_\_\_\_\_ of this letter.

I know this project will be a drain on your time and resources. But only in this way can we hope to build a collection which accurately reflects the career, the hopes, and the achievements of President Kennedy and which fully illuminates the issues of his time. I know you share my desire that the Library be worthy of his own standards

of accuracy, completeness, and intellectual integrity. And I  
am deeply grateful for your effort toward that end.

Sincerely,



May 31, 1968

MEMORANDUM FOR

The Honorable Henry H. Fowler  
Secretary of the Treasury

In accordance with our discussion concerning the Departmental Histories Project, the following information will establish the guidelines and schedule for this endeavor.

The basic purpose of this project is to compile for the use of future historians a compilation of significant events in the various departments and agencies of the Government during the Johnson Administration. To accomplish this purpose, we are asking each department and agency to prepare a full written history of this period, backed up by complete documentation. Emphasis should be placed on the process of arriving at and implementing major decisions, as well as on publicized events. Although these histories will vary by department, we believe they should all focus at least on the following:

- Organizational changes
- Personnel and staffing changes
- Program changes, emphasis or de-emphasis
- Operating methods (e.g., regional or field efforts)
- Interagency relations
- Legislative relations
- External relations (e.g., industry, labor, academic, etc.)
- Changes in character or emphasis of mission
- Legislative history and implementation of major Johnson Administration legislation.

This effort should be given close supervision by a high official of your department. At least two highly qualified individuals, with knowledge of the department's major activities, should be assigned to this task on a full-time basis. The names of the supervising and full-time officials on this project should be reported to my office by 12 noon, Monday, June 3, 1968.  
(Code 145, X-2634).



This project will be coordinated by John Robson, Under Secretary of Transportation, and by Matthew Nimetz and Don Furtado of the White House staff. The following schedule has been established:

May 31	Meeting with Departmental Representatives
June 7	Outlines Submitted
June 21	Progress Report
July 5	Progress Report
July 19	Progress Report
August 2	Progress Report
August 16	Progress Report
August 30	First Drafts Submitted
November 1	Final Drafts Submitted (with documentation)
January 15	Supplements Submitted

A schedule of meetings for the week of June 10 will shortly be circulated. At that time, outlines will be reviewed by the White House staff, the Bureau of the Budget, and a representative of the Archivist, together with the department or agency involved.

Initial questions should be addressed to John Robson (13/20825), Matt Nimetz (145/2634), or Don Furtado (145/2363).

Joseph A. Califano, Jr.  
Special Assistant to the President



MAY 31

The Honorable Henry H. Fowler  
Secretary of the Treasury

The Honorable Clifford L. Alexander, Jr.  
Chairman, Equal Employment Opportunity Commission

The Honorable John W. Macy  
Chairman, Civil Service Commission

The Honorable Glenn T. Seaborg  
Chairman, Atomic Energy Commission

The Honorable Orville Freeman  
Secretary of Agriculture

The Honorable W. Willard Wirtz  
Secretary of Labor

The Honorable Robert C. Weaver  
Secretary of Housing and Urban Development

The Honorable Alan S. Boyd  
Secretary of Transportation

The Honorable Wilbur J. Cohen  
Secretary of Health, Education & Welfare

The Honorable C. R. Smith  
Secretary of Commerce

The Honorable Marvin Watson  
Postmaster General

The Honorable Robert C. Moot  
Administrator  
Small Business Administration

The Honorable Walter E. Washington  
Mayor of the District of Columbia

The Honorable Frank Evans  
Archivist of the United States

The Honorable Lee C. White  
Chairman, Federal Power Commission

The Honorable W. J. Driver  
Administrator of Veterans Affairs

The Honorable Edward Wenk  
Executive Secretary  
Marine Sciences Council

The Honorable Price Daniel  
Director, Office of Emergency Planning

The Honorable Dean Rusk  
Secretary of State

The Honorable Clark M. Clifford  
Secretary of Defense

The Honorable Ramsey Clark  
The Attorney General

The Honorable William S. Gaud  
Administrator, Agency for International Development

The Honorable Bertrand M. Harding  
Acting Director, Office of Economic Opportunity

The Honorable Stewart L. Udall  
Secretary of the Interior

The Honorable Charles J. Zwick  
Director of the Bureau of the Budget

The Honorable Lawson B. Knott, Jr.  
Administrator of General Services

The Honorable Donald F. Hornig  
Director, Office of Science and Technology

The Honorable Arthur M. Okun  
Chairman, Council of Economic Advisers

The Honorable Edward C. Welsh  
Executive Secretary, National Aeronautics and Space Council



The Honorable Leonard H. Marks  
Director, United States Information Agency

The Honorable James E. Webb  
Administrator, National Aeronautics and Space Administration

Lt General Lewis B. Hershey  
Director of Selective Service

The Honorable William C. Foster  
Director, United States Arms Control and Disarmament Agency

THE WHITE HOUSE  
WASHINGTON

ABC:CCC:smm  
ABCulvahouse, Jr.  
CCCox  
Chron

November 25, 1987

MEMORANDUM FOR FREDERICK J. RYAN, JR.  
ASSISTANT TO THE PRESIDENT AND  
DIRECTOR OF PRESIDENTIAL APPOINTMENTS  
AND SCHEDULING

FROM: ARTHUR B. CULVAHOUSE, JR. *Original Signed by ABC*  
COUNSEL TO THE PRESIDENT

SUBJECT: Legal Issues in Connection with Potential  
Membership on the Board of Trustees of the  
Ronald Reagan Presidential Foundation

As you requested, this memorandum outlines the legal and policy issues raised by your potential appointment as a Trustee of the Ronald Reagan Presidential Foundation. In reviewing these issues, we examined five specific areas, as outlined below.

1. Articles of Incorporation

The Ronald Reagan Presidential Foundation is incorporated under the Nonprofit Public Benefit Corporation Law of California. Its Articles of Incorporation, which have been filed in California and the District of Columbia, contain no limitation on the qualifications of Trustees.

2. Bylaws

Article V of the bylaws of the Ronald Reagan Presidential Foundation places all responsibilities relating to the management and control of the Foundation's property, business, and affairs in the Trustees. Appointments of new Trustees are to be made, "subject to the approval of President Ronald Reagan, by the [current] Trustees . . . ." The bylaws contain no other restriction or qualification for appointment as a Trustee.

3. Nonprofit Public Benefit Corporation Law

Chapter 2, article 3 of the California Nonprofit Public Benefit Corporation Law, § 5231, imposes upon each Trustee of the Ronald Reagan Presidential Foundation an obligation to perform his duties "in a manner such director believes to be in the best interests of the Corporation and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar



circumstances." The Trustee's duty of care, including the obligation to undertake "reasonable inquiry," requires that each Trustee devote adequate time and attention to the business affairs of the Foundation. In addition, various other provisions of the Nonprofit Public Benefit Corporation Law impose duties upon the Trustees and provide penalties for failure to comply with statutory standards. Because the cumulative effect of the legal duties imposed upon a Trustee is to require a substantial time commitment from him, consideration must be given to the appearance of conflict with your full-time duties as Director of the Office of Private Sector Initiatives and Director of Presidential Scheduling that would be created by becoming a Trustee.

4. Internal Revenue Code

The Articles of Incorporation of the Ronald Reagan Presidential Foundation provide that the Foundation "is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code. Notwithstanding any other provisions of these Articles, the Foundation shall not carry on any other activities not permitted to be carried on . . . by a corporation exempt from Federal Income Tax under Section 501(c)(3) . . . ." The Articles of Incorporation specifically incorporate a restriction in Section 501(c)(3) that no part of the Foundation's activities may consist of "attempting to influence legislation." Both the Articles and Section 501(c)(3) also prohibit Foundation involvement in "any political campaign on behalf of any candidate for public office." Since the White House itself is engaged on a regular basis in introducing legislation of various kinds, and in supporting various political candidates, care would need to be taken to insulate your White House activities from activities as a Trustee in behalf of the Foundation.

5. Executive Order 11222

Section 202 of Executive Order 11222 provides that no government employee may "engage in any outside employment . . . which might result in a conflict, or an apparent conflict [with] his official government duties and responsibilities . . . ." This provision requires, among other things, that a full-time White House officer cannot undertake outside responsibilities which would interfere, actually or apparently, with devotion of his full time and attention to official government business.

Section 204 of Executive Order 11222 provides that a government employee "shall not use Federal property of any kind for other than officially approved activities." This provision would require that White House staff, office, telephone, secretarial services, and supplies could not be used by a Trustee in pursuing private Foundation business.



## Conclusion

There is no express legal bar to service by a White House officer as a Trustee of the Ronald Reagan Presidential Foundation. In order to avoid any potential for apparent conflict of interest, however, you would--if you chose to accept appointment as as Trustee--be well advised to make special efforts to insulate your full-time White House duties from performance of Foundation obligations.

The obligation imposed upon a White House officer under Executive Order 11222 to devote substantially all of his time and energies to his full-time government job is inherently at odds with the statutory command in the California Nonprofit Public Benefit Corporation Law that a Trustee exercise due care and reasonably investigate all aspects relating to the business, property, and management of the Foundation. This inherent conflict is heightened by the fact that your White House responsibilities include management of two separate offices, as well as new responsibilities in a third sphere relating to relocation of the President and Mrs. Reagan to California in 1989, and preparations therefor.

While the time commitment conflict and problems concerning use of Federal property for Foundation business can be minimized through careful attention on your part, you may wish to avoid these troublesome issues altogether by choosing instead to attend meetings of the Foundation as an invited guest, solely in your capacity as a government employee. Because the White House has a legitimate liaison interest in the work of the Foundation, your attendance at such meetings in this capacity would be perfectly appropriate. Travel could be paid for from government funds, and liaison work with the Foundation could be accomplished utilizing White House staff, equipment, and supplies.

Nonetheless, this office will not interpose objection to your serving as a Trustee of the Foundation, should you determine it is prudent to do so--subject, of course, to careful observance of the restrictions described above.

Thank you for submitting this matter for our review and consideration.



*Revision of  
12/4/84*

BYLAWS  
OF  
THE RONALD REAGAN PRESIDENTIAL FOUNDATION  
(A California Nonprofit Public Benefit Corporation)

ARTICLE I

NAME

The name of this Corporation is THE RONALD REAGAN PRESIDENTIAL FOUNDATION (hereinafter generally referred to as the "Foundation").

ARTICLE II

OFFICES

Section 1. The principal office of The Ronald Reagan Presidential Foundation (the "Foundation") is located at 801 Welch Road, Suite 101, Stanford Professional Center, Palo Alto, California 94304; however, it may be located at such other place as The Trustees may from time to time determine.

Section 2. The Foundation may establish additional offices at such places, within or without the State of California, as The Trustees may from time to time determine.

ARTICLE III

PURPOSES

Section 1. The purposes for which the Foundation is organized are as follows: To receive and administer funds for, and to cause or cooperate with others in causing the accomplishment of, the design, construction, establishment, maintenance, operation and supervision of a Presidential library, and a center for public affairs, and to develop and operate other activities and entities that are related to the Presidency and public affairs. In general, the Foundation may engage in any activity within the purposes for which California nonprofit public benefit corporations may be organized under the Nonprofit Public Benefit Corporation Law of California, as amended, including, without limitation, the sponsoring of programs, seminars, fellowships and research activities; the furnishing of support to The Ronald Reagan Presidential library, to be located at Stanford University, California, or at such other or additional locations as The Trustees may from time to time choose; the furnishing of support to The Ronald Reagan museum, to be located at Stanford University,

California, or at such other or additional locations as The Trustees may from time to time choose; and the establishment, operation and administration of, and the furnishing of support to, The Ronald Reagan center for public affairs, to be located at Stanford University, California, or at such other or additional locations as The Trustees may from time to time choose. No substantial part of the activities of the Foundation shall be to carry on propaganda, or otherwise to attempt to influence legislation, and the Foundation shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.

Notwithstanding any other provisions of the articles of incorporation and these bylaws, this corporation (the "Foundation") shall not carry on any activity not permitted to be carried on (a) by a corporation exempt from Federal income tax under Section 501 (c)(3) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent Federal tax laws, or (b) by a corporation, contributions to which are deductible under Section 170 (c)(2) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent Federal tax laws.

#### ARTICLE IV

##### NO MEMBERSHIP

This corporation (the "Foundation") shall have no "member" or "membership", within the meaning of Corporations Code Sections 5056 or 5057 or otherwise.

#### ARTICLE V

##### THE TRUSTEES

Section 1. The "directors" and the "board of directors" of this corporation (the "Foundation"), within the respective meanings of said terms as used in the California Nonprofit Corporation Law, are herein (and generally, in the affairs of this Foundation, shall be) referred to as follows: "directors" are referred to as "trustees"; and the "board of directors" is referred to as "The Trustees".

Section 2. Subject to the provisions of the California Nonprofit Corporation Law, the articles of incorporation and these bylaws, all rights, powers and responsibilities relating to the management and control of the Foundation's property, business and affairs shall be vested in, and exercised by or under the authority of, The Trustees. Without prejudice to these general powers, and subject to the same limitations, The Trustees shall have the power to:



a.) Select and remove all officers, agents, and employees of the Foundation; prescribe any powers and duties for them that are consistent with law, with the articles of incorporation, and with these bylaws; and fix their compensation, if any.

b.) Change the principal office of the Foundation in the State of California from one location to another; cause the Foundation to be qualified to do business in any other state, territory, dependency, or country and conduct business within or without the State of California; and designate any place or places within or without the State of California for the holding of any meetings.

c.) Adopt, make, alter and use a corporate seal.

d.) Borrow money and incur indebtedness on behalf of the Foundation and cause to be executed and delivered for the Foundation's purposes, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debts and securities.

e.) Enter into and perform contracts and leases of every kind and purpose.

f.) Institute and participate in and maintain legal, equitable and other governmental actions and defenses.

Section 3. The initial trustees shall be appointed, with the approval of President Ronald Reagan, by the Incorporators named in the articles of incorporation, at the initial organizational meeting or at any subsequent organizational meeting. Said trustees shall serve for such terms as specified in their appointments. All other appointments as trustee shall be made, subject to the approval of President Ronald Reagan, by The Trustees, for such terms as they may specify. In no event shall the term of any trustee exceed six (6) years. All trustees shall be eligible for appointment to successive terms without limit. After the death of President Ronald Reagan, or during his legal inability to act, trustee appointments shall be made solely by The Trustees.

Section 4. Applications for exemptions from taxation under federal and state income tax laws (including the laws of California and any and every other state) may be made and maintained: (i) by said Incorporators (or either of them) at any time after the Articles of Incorporation have been filed with and certified by the Secretary of State of the State of California, or (ii) by The Trustees at any time after The Trustees have been appointed by the Incorporators.



## ARTICLE VI

### MEETINGS OF THE TRUSTEES

Section 1. The initial meeting of The Trustees shall be set by the said Incorporators, upon notice to the trustees as provided hereinbelow.

Section 2. The Trustees shall hold an annual meeting, at such time and at such location as determined The Trustees, for the purpose of electing officers and for the transaction of such other business as may properly come before the meeting.

Section 3. Special meetings of The Trustees may be called by the Chairman or by not less than one-third (1/3) of the trustees.

Section 4. Notice of any meeting of The Trustees shall be given not less than 10 nor more than 60 days prior to the date of the meeting. A meeting of The Trustees may be held at any place within or without the State of California.

## ARTICLE VII

### OFFICERS

Section 1. The officers of the Foundation shall be a Chairman, a Vice-Chairman, a Secretary and a Treasurer. All such officers shall be elected by The Trustees at their said initial meeting and, thereafter, at the regular annual meeting of The Trustees. The Trustees may from time to time elect or appoint other officers, including Assistant Secretaries and Assistant Treasurers, as The Trustees may deem appropriate. Any two or more offices, other than the offices of Chairman and Secretary, may be held by the same person. In addition to powers and duties as set forth in these bylaws, the officers of the Foundation shall have such authority and shall perform such duties as from time to time may be determined by The Trustees.

Section 2. The Chairman (whose statutory status, authority and functions shall be the same as if he or she were referred to as "President") shall be the chief operating officer of the Foundation, shall preside at meetings of The Trustees, and shall have and may exercise such powers and perform such other duties as may be assigned by The Trustees. The Chairman, together with the Secretary or an Assistant Secretary or the Treasurer or an Assistant Treasurer, may sign and execute contracts, agreements, notes, bills and conveyances, in the name of the Foundation except as may otherwise be provided by resolution of The Trustees.

Section 3. The Vice Chairman shall have such powers and shall perform such duties as may be assigned by The Trustees; and he shall, in the event of absence, inability to act or death of the



Chairman, have and shall exercise all the powers of the Chairman's office.

Section 4. The Secretary shall keep the minutes of all meetings of The Trustees in books provided for that purpose, attend to the giving or serving of notices of the Foundation, and sign with the Chairman, in the name of the Foundation, contracts when authorized to do so. The Secretary shall have charge of such books and papers as The Trustees shall direct, which shall at all reasonable times be open to examination by any trustee, and shall in general perform all the duties incident to the office of Secretary, subject to the control of The Trustees.

Section 5. The Treasurer shall have custody of the funds and securities of the Foundation, endorse on behalf of the Foundation for collection checks, notes and other obligations and shall deposit the same to the credit of the Foundation in such bank or banks or depository or depositories as The Trustees may designate; sign all receipts and vouchers for payment made to the Foundation; enter or cause to be entered regularly in the books of the Foundation kept for the purpose full and accurate accounts of all moneys received and paid on account of the Foundation, and whenever required by The Trustees shall render statements of such accounts; shall, at all reasonable times, exhibit the books and accounts to any trustee of the Foundation and shall perform all acts incident to the position of Treasurer, subject to the control of The Trustees.

Section 6. The Trustees may from time to time by resolution delegate to any Assistant Treasurer or Treasurers any of the powers or duties herein assigned to the Treasurer, and may similarly delegate to any Assistant Secretary or Secretaries any of the powers or duties herein assigned to the Secretary.

## ARTICLE VIII

### COMMITTEES

Section 1. The Trustees by resolution may establish an Executive Committee. To the extent allowed by law and to the extent provided in such resolution, the Executive Committee shall possess and exercise the authority and powers of The Trustees between meetings of The Trustees.

Section 2. The Trustees may designate such other committees and boards with such duties and powers as it may deem appropriate for the purpose of advising and assisting in the governance and support of the Foundation and its programs. Members of such committees or boards shall be appointed by The Trustees and shall serve at the pleasure of The Trustees, and for such terms as The Trustees may designate. Such committees and boards shall have only such authority and power as The Trustees expressly specify by resolution.



## ARTICLE IX

### DISSOLUTION

Section 1. No part of the net earnings of this corporation shall be distributed to, or inure to the benefit of, any trustee or officer of this corporation, or any contributor or private individual. Upon the dissolution of the corporation, The Trustees will, after paying or making provision for the payment of all the liabilities of the corporation, dispose of all of the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501 (c)(3) of the Internal Revenue Code of 1954, as amended (or the corresponding provision of any subsequent Federal Tax laws), as The Trustees shall determine.

## ARTICLE X

### INDEMNIFICATION

Section 1. The Foundation shall indemnify any person who was or is a party, or is threatened to be made a party, to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the Foundation) by reason of the fact that he or she is or was a trustee, officer, committee or board member, employee or agent of the Foundation, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit or proceeding if he or she acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the Foundation, and, with respect to any criminal action or proceeding, has no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in or not opposed to the best interests of the Foundation, and, with respect to any criminal action or proceeding, have reasonable cause to believe that his or her conduct was unlawful.

Section 2. The Foundation shall indemnify any person who was or is a party, or is threatened to be made a party, to any threatened, pending or completed action or suit by or in the right of the Foundation to procure a judgment in its favor by reason of the fact that he or she is or was a trustee, officer, committee or board member, employee or agent of the Foundation, against expenses (including attorneys' fees) actually and reasonably



incurred by him or her in connection with the defense or settlement of such action or suit if he or she acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the Foundation, except that no indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable for negligence or misconduct in the performance of his or her duty to the Foundation unless and only to the extent that the court in which such action or suit was brought shall determine upon application that, despite the adjudication or liability but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnification for such expenses which the Court shall deem proper.

Section 3. To the extent that a trustee, officer, committee or board member, employee or agent of the Foundation has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Section 1 and 2 of this article or in defense of any claim, issue or matter therein, he or she shall be indemnified against expenses (including attorneys' fees) actually and reasonably incurred by him or her in connection therewith.

Section 4. Any indemnification under Sections 1 and 2 of this Article (unless ordered by a court) shall be made by the Foundation only as authorized in the specific case upon a determination that indemnification of the trustee, officer, committee or board member, employee or agent is proper in the circumstances because he or she has met the applicable standard of conduct set forth in Sections 1 and 2. Such determination shall be made (i) by The Trustees by a majority vote of a quorum (as defined in these bylaws) consisting of trustees who were not parties to such action, suit or proceeding, or (ii) if such quorum is not obtainable, by independent legal counsel in a written opinion. Notwithstanding the failure or refusal of The Trustees and counsel of the Corporation to make provision therefor, such indemnification shall be made if a court of competent jurisdiction made a determination that the trustee, officer, committee or board member, employee or agent has a right to indemnification hereunder in any specific case upon the application of such trustee, officer, committee or board member, employee or agent.

Section 5. Expenses incurred in defending a civil or criminal action, suit or proceeding may be paid by the Foundation in advance of the final disposition of such action, suit or proceeding as authorized by The Trustees in the specific case upon receipt of an undertaking by or on behalf of the trustee, officer, committee or board member, employee or agent to repay such amount unless it shall ultimately be determined that he or she is entitled to be indemnified by the Foundation.

Section 6. The Foundation shall have power to purchase and maintain insurance on behalf of any person who is or was a trustee, officer, committee or board member, employee or agent of the Foundation, against any liability asserted against him or her



or the Foundation and incurred by him or her or the Foundation in any such capacity, or arising out of his or her status as such, whether or not the Foundation would have the power to indemnify him or her against such liability under the provisions of this article.

## ARTICLE XI

### ANNUAL AUDITS AND FISCAL YEAR

Section 1. There shall be an annual audit of the financial affairs of the Foundation by an auditor who shall be selected as The Trustees may direct.

Section 2. The fiscal year of the Foundation shall be the calendar year or such other fiscal year as may be determined by The Trustees from time to time.

## ARTICLE XII

### MISCELLANEOUS PROVISIONS

Section 1. All checks, drafts, bills of exchange, acceptances, notes or other obligations or order for payment of money shall be signed and countersigned by such officers of the Foundation and/or other persons as The Trustees shall from time to time by resolution designate.

Section 2. Any notice required to be given, unless otherwise provided herein or in any statute, may be given personally or by first class mailing to the person entitled thereto at his last known address as the same appears on the records of the Foundation, and unless otherwise provided in the bylaws such notice shall be deemed to have been given at the time of mailing.

Section 3. Whenever any notice is required to be given to any person or persons, a waiver thereof in writing signed by the person or persons entitled to notice, whether before or after the time stated therein, shall be deemed equivalent thereto. Presence at any meeting without objection to the manner in which notice of the meeting was given shall be deemed a waiver of notice thereof.

Section 4. Any action which may be taken at a meeting of The Trustees, or of any committee or board, may be taken without a meeting if the action is authorized in writing by all of the trustees or members of the committee or board, as the case may be, and such action shall be as valid as though it had been authorized at a meeting.

Section 5. A trustee or officer of the Foundation may resign by written notice to the Chairman or Secretary of The Trustees. Unless otherwise specified in the resignation, the resignation shall take effect upon receipt. Any trustee, officer or committee or board member of the Foundation may be removed at any time, with



or without cause, upon approval of such removal by a majority of the trustees then in office; such removal to be effective immediately (unless otherwise specified by The Trustees).

Section 6. A trustee or officer shall serve until his or her successor has been selected (except in the case of removal or resignation, in which case the provisions hereinabove for the effective time of such removal or resignation shall control).

Section 7. To the extent that the Executive Committee is authorized by resolution of The Trustees to exercise its authority and powers, and except as otherwise provided by statute or the articles of incorporation, references in these bylaws to The Trustees shall be read and interpreted, between meetings of The Trustees, as referring to the Executive Committee.

Section 8. Any person may participate in a meeting by means of a conference telephone call or similar communications system whereby each person can hear, and speak to, all other persons participating in the meeting, and such participation shall constitute presence at the meeting

Section 9. Except as otherwise required by statute or these bylaws, the presence at any meeting of not less than one-third (1/3) of the total number entitled to notice shall constitute a quorum for the transaction of business. In the case of a committee or board, a majority of the membership of such committee or board shall constitute a quorum. The act of a majority at any meeting at which a quorum is present shall be the act of the body unless a greater number is required by law.

Section 10. A majority in attendance at any meeting duly called, whether or not a quorum is present, may adjourn the meeting to another time and place. Further notice of such adjourned meeting need not be given if the time and place thereof are announced at the meeting at which the adjournment is taken.

Section 11. Points of order raised at any meeting shall be resolved in accordance with Roberts Rules of Order unless otherwise prescribed by law or these bylaws.

### ARTICLE XIII

#### AMENDMENTS AND ADDITIONS

Section 1. These bylaws may be amended or revised at any duly called meeting of The Trustees at which a quorum is present by a majority vote, provided that written notices containing the text or substance of the proposed amendment or revision has been sent to each trustee at least ten (10) days in advance of the meeting, unless such notice is waived.

Section 2. The Trustees may adopt additional rules and regulations, general or specific, for the conduct of the affairs of the Foundation.

The undersigned Incorporators, pursuant to the provisions of California Corporations Code Section 5134 (no director or "trustee" of this corporation, the above-entitled THE RONALD REAGAN PRESIDENTIAL FOUNDATION, having been named in the articles of incorporation, nor as yet elected), hereby adopt the foregoing BYLAWS OF THE RONALD REAGAN PRESIDENTIAL FOUNDATION, which are and shall be the bylaws of this corporation.

Signed and done this \_\_\_day of \_\_\_\_\_, 1984.

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RICHARD T. BURRESS  
Incorporator

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JOHN M. DONEGAN  
Incorporator