GOVERNMENT
Storage

UMENTS
1 3 1980
FARRELL LIBRARY
KANSAS STATE UNIVERSITY

Y4
.Ap 6/2
P 92

Senate Hearing

Before the Committees on

Appropriations and Governmental Affairs

Cost of Former Presidents to U.S. Taxpayers

Fiscal Year 1980

96*th* CONGRESS, FIRST SESSION

SPECIAL HEARING

KSU LIBRARIES
A11900 471893

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

COST OF FORMER PRESIDENTS TO U.S. TAXPAYERS

HEARING

BEFORE THE

SUBCOMMITTEES OF THE COMMITTEE ON APPROPRIATIONS

AND

COMMITTEE ON GOVERNMENTAL AFFAIRS UNITED STATES SENATE

NINETY-SIXTH CONGRESS

FIRST SESSION

Printed for the use of the Committees on Appropriations and Governmental Affairs

---

SPECIAL HEARING

U.S. GOVERNMENT PRINTING OFFICE

53-990 O WASHINGTON : 1980

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEE ON TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT

LAWTON CHILES, Florida, *Chairman*

DENNIS DECONCINI, Arizona
DALE BUMPERS, Arkansas
WARREN G. MAGNUSON, Washington, *ex officio*
HARRISON SCHMITT, New Mexico
PAUL LAXALT, Nevada
MILTON R. YOUNG, North Dakota, *ex officio*

PROFESSIONAL STAFF

J. MICHAEL HALL
BURKETT VAN KIRK (*Minority*)
DENISE G. CHEMIEL, *Clerical Assistant*

COMMITTEE ON GOVERNMENTAL AFFAIRS

SUBCOMMITTEE ON CIVIL SERVICE AND GENERAL SERVICES

DAVID PRYOR, Arkansas, *Chairman*

JIM SASSER, Tennessee
TED STEVENS, Alaska

JOHN KNOX WALKUP, *Chief Counsel and Staff Director*
DOUGLAS MCDANIEL, *Counsel*
SANDY DICKEY, *Professional Staff Member*
DOLORES STOVER, *Chief Clerk*

CONTENTS

	Page
TUESDAY, NOVEMBER 6, 1979	
Congressional witnesses	1
General Accounting Office	9
Library of Congress	135
General Services Administration	143
Nondepartmental witnesses	159
WEDNESDAY, NOVEMBER 7, 1979	
Nondepartmental witnesses	165
General Accounting Office	201
General Services Administration	221
THURSDAY, NOVEMBER 8, 1979	
Department of the Treasury: U.S. Secret Service	307

OVERSIGHT—COST OF FORMER PRESIDENTS

TUESDAY, NOVEMBER 6, 1979

U.S. SENATE,
SUBCOMMITTEE ON TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT, COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEE ON CIVIL SERVICE AND GENERAL SERVICES, COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, D.C.

The subcommittees jointly met, at 10 a.m., in room 1318, Everett McKinley Dirksen Office Building, Hon. Lawton Chiles (chairman), Subcommittee on Treasury, Postal Service, and General Government, Committee on Appropriations and Hon. David Pryor (chairman), Subcommittee on Civil Service and General Services, Committee on Governmental Affairs, presiding.

Present: Senators Chiles, Pryor, and Schmitt.

CONGRESSIONAL WITNESSES

PRESIDENTIAL LIBRARIES

COSTS AND AUTHORITY

Senator CHILES. Good morning. This morning we will begin 3 days of oversight hearings on the subject of Government expenditures for former Presidents, their wives and widows.

The Office of the Presidency is an important office and it is not our purpose to tarnish this great office or engage in any partisan politics. These hearings are necessary, however, because this is an area of Government expenditure that has grown remarkably in recent years. We are also conducting these hearings because of the increasing amount of concern expressed by the Congress and by the public regarding the types of expenditures that have been made by former Presidents.

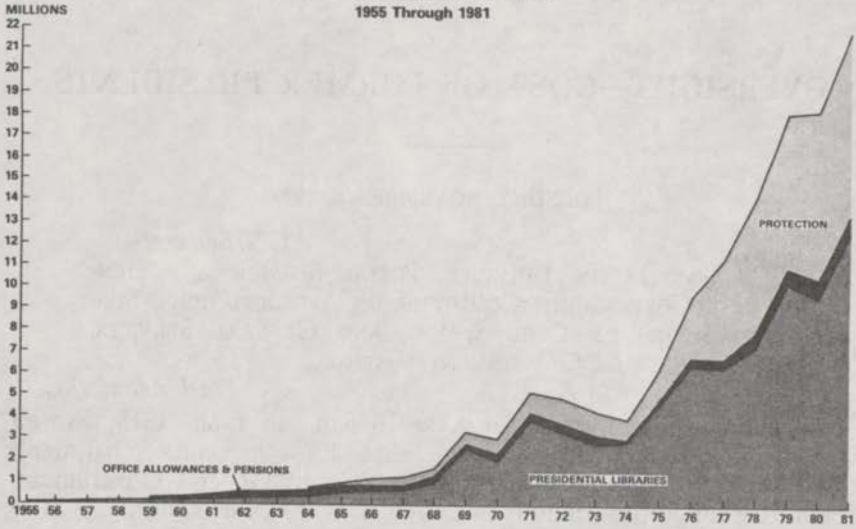
This year for the first time the amount we will spend on former Presidents will be more than the appropriation for the entire White House operation.

As the chart behind me displays, the cost of former Presidents to the U.S. taxpayers has grown from approximately $64,000 in 1955 to an estimated $18,300,000 in 1980.

[CLERK'S NOTE.—The chart and the supporting table follow:]

COSTS RELATED TO FORMER PRESIDENTS AND THEIR WIDOWS

1955 Through 1981



Cost of Former Presidents to the U.S. Taxpayer

Fiscal year	Libraries	Office allowances	Secret Service protection	Total
1955	$63,745			$63,745
1956	64,853			64,853
1957	74,836			74,836
1958	142,536			142,536
1959	168,057	$160,000		328,057
1960	180,140	200,000		380,140
1961	219,223	250,000		469,223
1962	294,297	300,000		594,297
1963	325,520	310,000		635,520
1964	380,251	300,000	$49,507	729,758
1965	559,485	310,000	100,790	970,275
1966	611,966	235,000	289,022	1,135,988
1967	613,745	235,000	346,633	1,195,378
1968	676,000	251,000	390,298	
Truman Library addition	312,000			1,629,298
1969	1,406,808	253,000	527,552	
Hoover Library addition	1,074,000			3,261,360
1970	1,980,855	335,000	727,617	3,043,472
1971	2,252,289	343,000	1,002,355	
Eisenhower Library addition	1,610,000			5,207,644
1972	2,513,559	418,000	1,275,120	
Roosevelt Library addition	882,000			5,088,679
1973	2,722,116	408,000	1,241,117	4,371,233
1974	2,863,457	60,000	979,789	3,903,246
1975	4,542,447	160,000	1,530,144	6,232,591
1976	6,409,380	[1] 364,168	[1] 2,294,887	9,698,435
1977	6,297,611	390,000	4,679,489	11,367,100
1978	7,230,486	671,000	6,252,190	14,153,676
1979	7,523,783	771,000	7,187,582	
Truman Library addition	2,667,000			18,149,365
1980 (estimated)	9,545,000	798,000	7,907,869	18,250,869
1981 (projected)	12,545,000	853,860	8,461,418	21,860,278

[1] Includes $89,168 (for office allowances) and $717,976 (for Secret Service) for the transition quarter.

GROWTH OF THE BUDGET

Senator CHILES. These expenditures have grown over 285 times in 25 short years. Part of this growth is explained because the Congress has passed new laws expanding the types of services provided to former Presidents. The major portion of this growth, however, is explained because the programs initiated by Congress have become much more expensive and comprehensive than originally intended.

So the time has come for this review. We used to hear complaints about the evolution of an Imperial Presidency, but that style was not popular with the American people nor is it consistent with our history. An Imperial Former Presidency is also not appropriate or consistent with our history as a Nation.

REFORM LEGISLATION

As a result of these hearings I hope to introduce reform legislation to make these programs conform more closely with the actual needs of former Presidents and conform more closely with the taxpayers' interest in economy in government. I am going to seek Senator Pryor's advice in that process and it is my hope that we can jointly introduce and cosponsor reform legislation to bring this area of expenditure back into control.

FINANICAL SITUATION OF PAST PRESIDENTS

Many of our Nation's first Presidents died penniless. Most of the Presidents of the Virginia dynasty, for example, retired to their plantations and discovered that they were deeply in debt. Madison and Monroe, like their friend Jefferson, died virtually penniless. To help avoid this specter, Congress doubled the President's salary in 1873 to $50,000, expressing the view that Presidents would then be able to save more while in office to avoid the possibility of poverty when they left office.

At that time legislators recognized the tension between maintaining the dignity of the office and the potential for demeaning it if former Presidents found it necessary to lend their names to various commercial ventures in order to make a living. Former President Ulysses S. Grant formed a corporation after he left office which went bankrupt and left him penniless. This probably reinforced the belief that ex-Presidents should avoid direct involvement with the commercial marketplace.

CHANGED CIRCUMSTANCES

So while several of our early Presidents did leave office and die penniless, circumstances have changed so that this hasn't happened again in this century. All of our recent Presidents have become relatively wealthy after leaving office by selling their memoirs, exclusive television interviews, and other ventures. Even President Truman, who is remembered as not being a wealthy man, received substantial fees from his appearance on the Edward R. Morrow "See It Now" program, and from selling his memoirs. The pendulum seems to have swung to the other extreme where now former Presidents accumulate great wealth

after they leave office. In addition to this private wealth, the taxpayer is also being asked to provide them with substantial support.

HEARING SCHEDULE

Today's hearings will focus on the subject of Presidential libraries. This program was established to preserve the papers of former Presidents for scholarly research. We now learn that less than 1 percent of the people who visit these libraries do so for scholarly research. The estimates made in 1955 adjusted for inflation predicted that it would cost approximately $375,000 a year to operate a Presidential library. It now costs approximately $1.6 million a year to operate one, or four times more than originally contemplated, to take care of the inflated dollar.

Tomorrow the hearings will focus on funding provided for allowances and office staff for former Presidents. These expenses have grown from approximately $160,000 in 1959 to almost $800,000 in the current fiscal year. The growth of these expenditures seems remarkable to me for two reasons.

First, it has almost paralleled the growth in private earning power of former Presidents and, therefore, the need for these increases is somewhat in question. It is also remarkable because former Presidents have no official duties or responsibilities that they are expected to perform in exchange for these public funds.

And on Thursday we will examine Secret Service protection that is provided on a lifetime, around-the-clock basis for former Presidents, their wives, and widows. The expense for this service has also grown remarkably since it was initiated in 1964 from approximately $50,000 to $8 million in this fiscal year. We will examine this protection in contrast with the need for it posed by the threat levels.

Senator Pryor, as chairman of the Subcommittee on Civil Service and General Services of the Committee on Governmental Affairs, has jurisdiction over the substantive laws for the matters that we will cover in these hearings.

I, as chairman of the Senate Appropriations Subcommittee on Treasury, Postal Service, and General Government, have responsibility for reviewing the funding requests that the Congress receives for these activities. Because of our companion responsibilities and because of our interest to have a thorough review of these programs, we felt it would be desirable to conduct this review as a joint hearing by our two subcommittees.

At this time I would like to yield to Senator Pryor, who does chair the substantive subcommittee for this subject matter, for any opening statement he would like to make.

I would like to say, Senator Pryor, this is not a subject that has not had your interest and attention. I know that you have held hearings in this field earlier, and I know of your interest in trying to see that we have a program that is adequate to meet the needs of our former Presidents and their wives, but at the same time meets the responsibilities of trying to provide some kind of level of spending that the taxpayers will agree to in that regard. I am delighted to share this hearing with you today.

PREPARED STATEMENT OF SENATOR PRYOR

Senator PRYOR. Senator Chiles, thank you.
Without objection, I would just submit my statement for the record.
[The statement follows:]

STATEMENT OF SENATOR DAVID PRYOR

I am pleased to convene these hearings jointly with Senator Chiles and I look forward to hearing the testimony today, and during the days to come, from the agencies responsible for overseeing the implementation of the Presidential Libraries Act, the Former Presidents Act, and the Presidential Protection Act. I also look forward to the statements of our public witnesses and the General Accounting Office. The statutes I named are the acts which provide funding for activities relating to former Presidents. Because of the rapidly increasing growth in these expenditures, and the concern so recently expressed by the public, it has become an area that needs our careful review.

As chairman of the Subcommittee on Civil Service and General Services which has jurisdiction over substantive law in these matters, I am glad to undertake this review with Senator Chiles and his Appropriations Subcommittee on Treasury, Postal Service, and General Government which reviews funding requests under the various acts. I want to emphasize that our purpose during these hearings is not in any way to damage the great office of the Presidency, which quite properly carries with it so much dignity and respect.

Last May when the subcommittee I chair held a day of hearings on the Presidential Transition and Former Presidents Acts, I said that I hoped our subcommittee would be "totally objective and fairminded in its pursuit of sound legislation and good public policy" and that I hoped we could "treat everyone fairly, courteously, and with an element of grace, not only befitting their office but also befitting our own offices." That is my approach today and in future days.

We must look at the acts and beyond them, to their purposes and designs. Our questions must include—Are the purposes of the act being accomplished? Are the means being used sufficient and appropriate to those purposes? Are the purposes valid today? In a time of fiscal restraint, should the cost of the programs require us to reconsider the programs themselves? Are the acts clear enough to give sufficient guidance to those who are covered by them?

Today's emphasis will be on the Presidential Libraries Act. The purpose of the Presidential Libraries Act is to provide a library system capable of providing for the care and preservation of the papers and mementoes of Presidents of the United States after they leave office. The historical value of Presidential papers and records along with the governmental interest require that these records be preserved and made available to officials and scholars alike.

The Presidential Libraries Act authorizes the Administrator of the General Services Administration, when he considers it to be in the public interest, to accept for deposit the papers and other historical materials of a President or former President of the United States. He may also accept other papers and collections of documents assembled by others in the Presidential administration or contemporary and relevant to the administration. To complement these collections, the administrator is authorized to accept, subject to congressional approval, land, buildings, and equipment, which have been funded and constructed by public and private interests close to the President, to house these collections as a Presidential library.

Once accepted by the administration and the Congress, the burden of maintaining and servicing the library falls on the Government. In fiscal 1979, the cost exceeded $7 million and it is expected to exceed $9 million in fiscal 1980. Because of the nature of the program, this cost cannot be expected to decline but rather to increase gradually with time.

The increasing dollar consciousness of the American people has created an interest in expenditures, and the Presidential library system is not an exception to that concern. Thus it is the duty of Congress to provide careful oversight on such matters to assure the public that their dollars are being used wisely and effectively.

Today's hearings should help the subcommittees to better understand the scope and whatever weaknesses there might be in the present system. In approaching today's subject matter, I certainly recognize the public service and scholarly needs the Presi-

dential library system is intended to serve. Presidential papers are a valuable tool in historical research, as well as in analyzing the Presidency as an institution. I believe our concern for this subject is appropriate and I hope our attention to it will result in improvements where necessary.

I look forward to the insights of our witnesses today.

Senator PRYOR. I would like to make just one or two very brief comments. The first comment, Mr. Chairman, is I can think of no finer person to be involved with than yourself, Senator Lawton Chiles of Florida, in dealing with this particular issue. Speaking for myself and I think the rest of this committee, I hope the people of this country know that we are in no way attempting to look back or attempting to embarrass former Presidents or their families or submit them to any scrutiny that they should not ordinarily go through.

I think that we do have a very serious problem, Mr. Chairman, with the rapid growth of expenses and with an almost seeming unquenchable thirst for money at the time a President and a family leaves the White House. I think that we owe, as an oversight committee, the taxpayers our very best effort to make some sense out of this particular program. And also in behalf of the former Presidents and their families, Mr. Chairman, I honestly think that they would welcome a committee of the U.S. Congress and ultimately the Congress trying to bring about some degree of order and stability in this program, because right now I must say some of the former Presidents and their families are not aware of some of the provisions in the existing law, and this is why I am so interested in the possibility of reform legislation that you will be introducing soon. Hopefully we can add our cosponsorship to that legislation, Mr. Chairman.

It is true, in closing, that I have held a hearing on this matter relative to former Presidents. I think that some of the things we gleaned from those hearings and from those discussions will be helpful as we proceed during the next 2 or 3 days in looking at the matter that is at hand today.

Once again, Mr. Chairman, I compliment you for the work that you and your most able staff have engaged in. I know this hearing will be educational and informative. Hopefully it is going to mean a constructive approach in the future in attempting to bring some commonsense back into this particular area.

Thank you.

Senator CHILES. Thank you, Senator Pryor.

Senator Schmitt is the ranking Republican on the Appropriations Subcommittee of Treasury, Postal Service, and General Government. He is certainly interested in reviewing this program as well. We are delighted to have him here this morning because this certainly is not an issue that is bipartisan at all. Former Presidents are from both parties and will be from both parties.

We are delighted to have you and any opening remarks you might have.

STATEMENT OF SENATOR SCHMITT

Senator SCHMITT. Mr. Chairman, thank you. I have no prepared remarks. I would just emphasize what you just said, both parties try to

make Presidents of the other party into former Presidents and sometimes even Presidents of the same party, but that is the way of politics.

The most important thing we can do here is to make sure there is a balance between the needs of former Presidents and the necessary economies that the Congress must achieve in all aspects of Federal expenditures.

Let's also remember that more often than not, former Presidents have turned out to be a tremendous national resource. After holding office, they frequently become, in everybody's mind, not just in theirs or their party's, statesmen, who can contribute to not only our national scene, but contribute extensively internationally.

There are many examples of that. Certainly former President Hoover, who is in our mind as we have just past the 50th anniversary of the Crash and the beginning of the Great Depression, certainly was vilified in his time by many. However, before and after his tenure as President, he continued to contribute to the national scene, not only in the relief efforts after World War I, but in studies of government itself. The Hoover Commission, I think, will always be remembered and will still be utilized by all of us as we seek better ways to provide for the management of government.

Certainly other Presidents come to mind through the years that have served us well as former Presidents. We must remember that is a national expense as well as a national resource and we must be willing to provide adequately for them in the exercise of those duties. I hope that we will begin more and more to feel free, whichever party we may belong to, to ask former Presidents to work in statesmanlike ways to help continue to assist the country.

Sometimes we are reluctant to do that. I don't think we should be reluctant to do that.

Thank you, Mr. Chairman, I am looking forward to the testimony of the witnesses today and throughout this set of hearings.

CORRESPONDENCE

Senator CHILES. Thank you, Senator Schmitt. Several weeks ago Senator Pryor and I sent courtesy letters to the former Presidents and the widows of former Presidents. The purpose of these letters was to inform the former Presidents and their widows of these hearings and to make ourselves available to answer any questions or receive any comments that they might have. In response, we did receive a letter from Mrs. Bess Truman and Mrs. Ladybird Johnson, and without objection, I will place these two letters in the record.

[The letters follow:]

OCTOBER 24, 1979.

Hon. LAWTON CHILES,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHILES: Thank you for your note of October 17. It was so nice of you and Senator Pryor to write me about the hearings to be held in November.

With best wishes to you both.

Sincerely,

BESS TRUMAN.

STONEWALL, TEX.
October 31, 1979.

DEAR SENATOR PRYOR AND SENATOR CHILES: In response to your request, I appreciate the opportunity to share with you my thoughts on the subjects of your oversight hearings.

Lyndon always used to say if you can't get the issue on one page, nobody was going to read it, but I must ask for your patience for more than that concerning the Presidential libraries.

Of course, I am the more knowledgeable about the LBJ Library itself than the others since I am actively engaged in its programs. Above all, the aspect of the library which captures my attention and interest most vividly is its service to the general public through its museum activities. Since our doors were opened in May 1971 at least 500,000 and in some years nearly 700,000 people have come annually—not just from Texas, but from all across the country. Each spring school groups pour in by the thousands for tours. All the indications are that they do get an experience that they would perhaps not receive in any other way—brushing against the texture of the functioning of the Government and the operation of the Presidency.

In addition, there are changing exhibits on various historical themes. The library's museum staff creates some of them through original ideas and carries them out from concept through production. "The War To End All Wars" and "1920, The Decade That Roared" represent that type. Others such as "Remember the Ladies" and "America From Amerigo Vespucci to the Louisiana Purchase" are loaned to us from other institutions. These exhibits play an important role in making the LBJ Library a source for American history in this part of the country. Enclosed are some catalogs which will give you a clearer picture of this program.

As to the rest of the functions of the library, I am at work particularly in the solicitation of papers from others whose materials would enrich our collections, and in massive plans to conduct an oral history program. This is an effort to record the memories of persons involved in the affairs of the administration and which supplement the history contained in the 31 million written documents. Scholars, who embrace the broad spectrum of political thought, have come in increasing numbers year after year as these papers and to date some 500 tapes were opened, searching into all aspects of the programs and personalities embedded in them. I have been especially impressed by the zeal they bring to their studies.

As fundamental as Government support is to the library, a private foundation—the LBJ Foundation—was established to supply additional funds which the Government does not and should not provide. While the foundation's resources are limited and cannot be stretched as far as we would like, they are used for programs which enlarge the library's contributions as a vital and exciting center of interest—for symposia in which national leaders address issues of critical importance—civil rights, the energy crisis, education, and a host of others—for distinguished speakers such as Prime Minister Harold Wilson, Dean Rusk, and Henry Kissinger, and very especially to sponsor the changing exhibits which I described earlier.

On the matter of Secret Service protection: I believe its continuance must be a decision left to the Congress. Although I have welcomed and been very deeply grateful for the outstanding protection Congress has afforded me through this fine organization—as when they awakened me in the middle of the night a few weeks ago to evacuate my apartment because of a fire in the building—if Congress wishes to change it, I will abide by their decision.

As for office expenses and pensions: You may already know, I do not receive an allowance for an office, although I am pleased to accept space in the LBJ Library so that I might work more effectively on the library's behalf. I do receive a Presidential widow's pension of $20,000 a year. I use this, along with funds of my own, to support a small staff in my office and for miscellaneous office expenses.

It has long been my hope that my small staff would one day be even further reduced, but the volume of mail which comes to me from the public continues to be high. The mail and other material I receive were long ago promised to the library for whatever assistance they might be to researchers.

If you have a need for further comments or additional information, please let me know, and I will be happy to respond.

Sincerely,

LADY BIRD JOHNSON.

GENERAL ACCOUNTING OFFICE

STATEMENT OF DONALD EIRICH, ASSOCIATE DIRECTOR, LOGISTICS AND COMMUNICATIONS HEARINGS

ACCOMPANIED BY HAROLD C. ANDREWS

PREPARED STATEMENT

Senator CHILES. Our first witness is Mr. Donald Eirich from the General Accounting Office.

Mr. Eirich, we will be pleased to receive your statement at this time.

Mr. EIRICH. Thank you, Senator Chiles, Senator Pryor, members of the subcommittee. My name is Donald L. Eirich. I am an associate director in the Logistics and Communications Division of our Office.

I have with me on my right Harold C. Andrews, who is the team leader on this assignment. Also, with me is Mr. James E. Rife.

I can proceed through the statement we have prepared for the record, Mr. Chairman, and then attempt to answer any questions you might have.

Senator CHILES. Very well. Your statement in full will be placed in the record. So if you would like to highlight that or brief that for us, that will be fine.

[The statement follows:]

STATEMENT OF DONALD L. EIRICH

The Presidential Libraries Act was enacted on August 12, 1955, to provide for acceptance and maintenance of Presidential libraries. The act authorizes the Administrator of General Services to accept for deposit the papers and other historical materials of a President, former President, an official or former official (rank not defined in the act) of Government, together with the papers relating to or contemporary with the President or former President.

It also allows the Administrator to accept land, buildings, and equipment offered to the government for a Presidential archival depository and to maintain, operate, and protect them. The Administrator may not take title to property for a Presidential archival depository or enter into an agreement for the use as a Presidential archival depository of land, buildings, and equipment of certain public or private bodies until he has submitted a report to the Congress and observed a 60-day waiting period or received congressional approval of his plan.

At hearings in 1955 on the Presidential Libraries Act before a Special Subcommittee of the House Committee on Government Operations, the then Archivist of the United States, Dr. Wayne C. Grover, summarized his prepared statement as to why legislation was needed as follows:

First, from the beginning of the history of our nation, it has been recognized that the papers of the Presidents form an immensely valuable part of our historical and cultural heritage and that the nation has a special responsibility and interest in seeing that they are properly preserved, protected, and made available for scholarly research.

The increase in volume of Presidential papers in recent years has made it impossible for ex-Presidents to assume the responsibility for personally caring for their papers and other historical materials until such time as they or their heirs are willing to make final plans for the disposal of the papers.

The establishment of Presidential libraries is the best method that has yet been devised for properly preserving Presidential papers. The Presidential library offers the advantages of geographical decentralization, service as a regional archival depository, a stimulus to the study of American history and the housing within one establishment of all the types of material that help to explain the history of a President and his period.

The cost of maintaining the libraries should not be excessive and probably one-third of the necessary expense could be borne out of income.

It seems apparent from these words that the emphasis was primarily on the bringing together of, preserving, and maintaining Presidential papers for scholarly research.

What has occurred since the passage of the Presidential Libraries Act? Libraries have been completed for Presidents Truman, Eisenhower, Hoover, and Johnson; President Kennedy's library was dedicated on October 20, and President Ford's library and museum are under construction.

During the hearings on the Libraries Act in 1955, considerable discussion was given to the annual operating costs for Presidential libraries. It was estimated on the basis of the then costs at the Roosevelt Library that at the end of 100 years if 15 Presidential libraries were constructed and given to the government, the annual net maintenance and operating cost would be about $1.5 million for all 15 libraries. This assumes a $150,000 operating and maintenance cost for each library which would be offset by $50,000 in fees from visitors to the museums for a net operating cost of $100,000 for each of the 15 libraries.

In fiscal year 1979, the operating and maintenance costs for the six Presidential libraries accepted during the 25 years since passage of the act and the Roosevelt Library are estimated to be about $7 million. However, this does not include the annual building maintenance costs for the Kennedy Library which will begin in fiscal year 1980, or the Ford Library and Museum which are under construction.

The estimated fiscal year 1979 costs for each of the libraries follow: Johnson, $1.8 million; Eisenhower, $1.3 million; Truman, $1.1 million; Roosevelt, $1 million; Hoover, $620,000; Kennedy, $800,000, which does not include building maintenance costs that will begin in fiscal year 1980; and Ford, $307,000, which does not include building maintenance costs.

When considering inflation of 275 percent between 1955 and 1979, the cost of $150,000 for each library amounts to $412,500; for seven libraries the costs would be $2.9 million. In addition to inflation, some portion of the increased costs might be attributable to the rental rates for the libraries (standard level user charges) which are based on approximate commercial charges for comparable space and services. However, the increase in the size of buildings has added considerably to the cost of building operation, maintenance, and protection.

Income from fees or donations was expected to offset about one-third of the annual costs of the libraries. In fiscal year 1979, the offset is estimated to be $732,000, or 10 percent of the costs of the seven libraries. It should be noted, however, that the offset does reduce the amount of appropriated funds that might otherwise be required by the libraries.

Concerns have been expressed that library buildings keep getting larger. An examination of the square footage of space at the libraries follows:

Roosevelt Library, 39,000 square feet at the time of the Presidential Libraries Act. Since 1955 two wings have been added to the library.

Truman Library, 55,000 square feet. An addition of 2,400 square feet has been added since the library was accepted in 1957 and ongoing construction will add another 24,000 square feet.

Eisenhower Library, 55,000 square feet for the library building. Since the library building was accepted in 1960, GSA has accepted, as part of the archival depository, the Eisenhower Museum which is 35,000 square feet, the Place of Meditation containing the gravesite, the Eisenhower home, and has built a visitor's center.

Hoover Library, 25,000 square feet. This includes three additions totaling 19,500 square feet that have been made since its acceptance in 1960. A request for another 6,000 square feet is to be submitted by the Library Director to Archives later this year.

Johnson Library is 100,000 square feet.

Kennedy Library is 90,000 square feet.

Ford Library is 40,000 square feet for the library at Ann Arbor. The museum at Grand Rapids will be another 40,000 square feet.

According to NARS, archival storage space at the Roosevelt Library is 18,700 square

feet; 19,700 square feet at the Truman Library; 31,300 square feet at the Eisenhower Library; 14,800 square feet at the Hoover Library; 25,300 square feet at the Johnson Library; and 13,800 square feet at the Kennedy Library. Much of the remaining space in the libraries is used for museum activities.

A factor which has probably contributed to the increased size of certain Presidential libraries is the definition in the Libraries Act of a Presidential archival depository. The Presidential Libraries Act authorizes the government to accept "buildings" for the purpose of creating a Presidential archival depository. The act defines a Presidential archival depository as: "an institution operated by the United States to house and preserve the papers and books of a President or former President of the United States together with other historical materials belonging to a President or former President of the United States, or related to his papers or to the events of his official or personal life."

Further, historical materials are defined as including: "books, correspondence, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, motion pictures, sound recordings, and other objects or materials having historical or commemorative value." These provisions provide GSA broad authority for determining what constitutes an archival depository and GSA is so using this authority.

To illustrate, the Roosevelt Library is located at Hyde Park, N.Y., on the same grounds as the Roosevelt home and the Roosevelt gravesites. Archives operates and maintains only the Roosevelt Library, which also includes a museum, and the National Park Service maintains the rest of the buildings and grounds. The Park Service also maintains the Hoover home and other buildings in West Branch, Iowa, and the Archives operates and maintains the Hoover Library.

In contrast to this arrangement, the Eisenhower Library in Abilene, Kans., is located on grounds which also contain the Eisenhower home, Eisenhower Museum, visitors center, and the Place of Meditation containing the President's gravesite. Operation and maintenance of all the buildings and grounds which together have been determined to constitute the archival depository is administered by Archives.

The library building alone was donated to the government in 1962 as the Presidential library. Subsequently, in 1966, the Eisenhower home, museum, and Place of Meditation were donated and accepted by GSA under the Presidential Libraries Act.

The relationship between Archives' role in assuming responsibility for administering Presidential homes and the role of the National Park Service in this regard is not clear. The National Park Service, for example, administers, maintains, and operates the homes of many Presidents including among others, Presidents Roosevelt, Hoover, and Johnson.

President Ford's library and museum which are currently under construction establish precedent in that the buildings comprising the archival depository will not be at the same location. The Ford Library is being constructed in Ann Arbor, Mich., while the Ford Museum is being constructed in Grand Rapids, Mich., more than 100 miles away. Therefore, the Federal Government will bear the expense of operating and maintaining facilities at two locations.

Statistics show that the greatest interest of the public in Presidential libraries is as a museum rather than as a library. During fiscal year 1978, 1,100 researchers visited the libraries. The Roosevelt Library was visited by the most researchers—381, or 35 percent of all researchers. The Kennedy Library was second with visits by 208 researchers followed by the Truman Library with visits of 198 researchers.

Museum visitors, on the other hand, totaled about 1.3 million in fiscal year 1978. The Johnson Library had the most visitors—502,000, or about 39 percent of all visitors. The Roosevelt Library with 277,000 and the Truman Library with 265,000 visitors were second and third, respectively.

Although Archives views the primary function of the Presidential libraries as preserving the valuable historical papers of Presidents and their associates and to make them available for research purposes, visits by researchers represent less than 1 percent of all visitors to the libraries.

As part of our study, Mr. Chairman, you requested that we discuss alternative approaches to the current Presidential libraries system. Following are some alternative approaches. The first three approaches were discussed in an Archives report entitled "The Presidential Libraries System: A Review" which was submitted to the Senate Committee on Appropriations earlier this year.

The first alternative is a central depository for all Presidential records. The merits of a central depository for all Presidential records were discussed at the hearings preceding the Presidential Libraries Act as well as in the Archives report. Advantages mentioned are that scholars or researchers could examine materials of several Presidents or administrations without traveling around the country to visit individual libraries. Also, the costs of operating and administering a single building would be less.

Disadvantages expressed were that the Government would probably be required to finance the construction of the centralized depository since private groups associated with Presidents would be unlikely to offer to build and donate a structure for the papers of all Presidents; a centralized library would not be as accessible to people living outside the city in which the library is located; the potential for loss of all Presidential records by fire or other means if stored in a single building; and Presidents or their associates may be less willing to donate personal records or other historical materials if the records are to be located in a central depository.

The Presidential Records Act of 1978 differentiates between personal records and records that relate to the President's conduct of his office which are Government property. The Archivist must take custody of the Government materials at the end of a President's term of office and maintain them in an archival depository operated by the United States.

As you requested, we prepared a hypothetical cost analysis of the current Presidential libraries program over the next 100 years compared to a centralized library concept that would not include a museum component. The results of this analysis, which are included at the end of my testimony, show estimated costs using several variables. While the results are purely estimates and the cost reductions may be greater or lesser over a 100-year period, it is apparent that economies would result under a centralized depository concept.

A second alternative is designated regional centers. Further Presidential libraries might be located at designated regional centers either as individual buildings or in the same structure as other cultural or archival activities including regional archives branches of the National Archives. Regional centers which in the future might include papers of several Presidents would be more economical to operate than individual libraries. Disadvantages are that the Federal Government would probably have to finance the construction and persons associated with Presidents may be less willing to deposit materials if the regional center is outside a President's State.

A third alternative is curtail or eliminate museums. The President could choose the location of his Presidential library but to reduce costs in operations and building maintenance, museums could be curtailed or eliminated. By performing only archival functions and services, Presidential library staffs could be smaller and the size of the library structures would be reduced. The Archives report concludes that any savings would not be in proportion to program reductions because (1) public support and interest would not be sufficient to construct and donate a building, and, therefore, the Federal Government would have to pay construction costs and (2) the programs currently are supported in part or wholly by fees and public contributions which might not be available without museums.

As regards public support for Presidential libraries performing only archival functions, GAO noted that the Eisenhower and Ford library buildings received donations from the public for construction of the libraries. This occurred even though the museums are in different buildings, and in the case of the Ford Library, a different city. As regards the fees and public contributions for library operations, as we stated earlier, such income represented only 10 percent of the total costs of operating the Presidential libraries in fiscal year 1979.

A fourth possibility is centralized storage and microcopying. Under this alternative the Federal Government would discontinue acceptance of land and buildings for Presidential libraries. Instead, the Government could, by their right of ownership under the Presidential Records Act of 1978, centralize the storage, preservation, and processing of the Government portion of the Presidential papers.

These papers would be indexed and sorted, perhaps, through the use of modern computerized techniques and reproduced on microform. Indexed lists and copies of the microform containing the contents of the papers would be made available at a reasonable cost to the public. The moneys saved by not funding the operation and maintenance of Presidential libraries could be used for the microcopying process.

Additional income would be generated from the sale of the indexed lists and the microform itself. The Library of Congress used this procedure for the first 23 Presidents, although on a more limited basis because of the substantially lesser volume of records they submitted.

The advantages of this process are that (1) Presidential records would be available to the public without the high cost of operating and maintaining numerous Presidential libraries and (2) microform copies would be readily available to local supporters that wish to construct a museum for the President.

Major disadvantages would include (1) Presidents may donate their personal papers elsewhere, as he can now, and (2) startup costs would be high for space, staff, and equipment.

The fifth alternative is decentralized libraries, centralized museums. Presidential libraries, perhaps attached to a university, would perform only archival functions and services and have limited space for displaying historical materials. A centralized President's museum could be built and perhaps operated by the Smithsonian which would house the historical items, including gifts from foreign countries, of all Presidents.

Various items could be displayed periodically at the Presidential libraries. The cost of the President's museum would be borne by the Federal Government. Although the size of the Presidential libraries would be reduced, we think the public would probably continue to contribute funds for construction of libraries. The Federal Government could pay the operation and maintenance costs of these libraries.

The Archives report concludes that no alternative to the current Presidential libraries system appears to offer a superior method for providing effective archival care of Presidential records and assuring their full use and availability to a broad cross section of the American public. Archives states that the current system has developed on a firm foundation of public support and has been widely used since its inception.

While at present a library is likely to be added for each President, Archives says the system has built in checks to prevent this. These checks are (1) if public interest wanes, the libraries will cease to grow since funds from the public are needed to construct the libraries and (2) congressional approval is needed for each library and inappropriate growth can be stopped through congressional action.

We are aware, however, Mr. Chairman, of no basis for an expectation that public interest will wane because contributions for libraries can be solicited while a President is still in office and, therefore, it is likely supporters would have little trouble obtaining the needed funds. As regards congressional approval, approval is automatic unless some action is taken by the Congress to disapprove acceptance of a library.

The Archives study further points out that the Presidential Libraries Act permits acceptance of the libraries by the Government, but does not give the Government a clear role either in selecting the site for the building or in its design. As a result, Presidential libraries may be constructed at sites inaccessible to researchers and difficult to reach by members of the public. Archives suggests that the Congress require libraries to be constructed with archival and efficiency standards developed by GSA and that buildings not meeting such standards cannot be accepted. This need was also expressed by several library directors.

In conclusion, in our opinion, size and uses, and thus costs of most Presidential libraries exceed what was intended by the Presidential Libraries Act. The definition of Presidential archival depository in the act is open to broad interpretation and wide discretion is being used by GSA in accepting depositories. Archives is administering various buildings at one location, which raises questions regarding the applicability of some of them as part of an archival depository; and in another instance, buildings of a single archival depository are located in two different cities.

The primary purpose of archival depositories is preserving Presidential papers and making them available for research. However, since the greatest interest in libraries from the public view is not the library function but the museum aspect, researchers represent less than 1 percent of all visitors, we believe there is a tendency for management to direct much of its attention toward the museum function.

If economy were the primary consideration, it seems clear that costs could be reduced considerably if the museum functions were eliminated or curtailed. Also, it seems apparent that the concept of a centralized archival depository would be the preferred cost alternative. We recognize, however, that there are value judgments involved—in service to the public and other factors.

53-990 O - 80 - 2

Nevertheless, 25 years have gone by since the Presidential Libraries Act was passed and, in view of the increasing costs and the inevitable growth in the number and size of Presidential archival depositories, we believe careful consideration should be given to alternative solutions. Such consideration should include questions regarding the current library program such as:

On the basis of the small number of researchers, are the Presidential library buildings becoming too large?

Is the museum aspect of Presidential libraries being overemphasized?

Should buildings which constitute a Presidential archival depository be located in different cities some distance from each other?

Is there a need to refine the definition of "Presidential archival depository" in terms of scope and define "buildings" as to types in the Presidential Libraries Act?

This concludes my statement. We will be pleased to respond to any questions you may have.

PRESIDENTIAL LIBRARIES COST OVER NEXT 100 YEARS
BASED ON 1979 CONSTANT DOLLARS
(20 LIBRARIES--EXCLUDES CURRENT LIBRARIES)

	Current method--decentralized and museum (note a)	Centralized--no museum (note b)	Decentralized--no museum (note c)
	(millions)		
Comparison of costs using for each President in the centralized library:			
1. $8.30 sq. ft. 25,000 sq. ft.	$1,377	$785	$ 979
2. $10.00 sq. ft. 25,000 sq. ft.	1,518	831	1,049
3. $8.30 sq. ft. 30,000 sq. ft.	1,377	831	979
4. $10.00 sq. ft. 30,000 sq. ft.	1,518	886	1,049
5. $10.00 sq. ft. 40,000 sq. ft.	1,518	995	1,049

a/Based on 90,000 sq. ft. libraries with one library added every 5 years.

b/Based on square footage for 2 Presidents added every 10 years.

c/Based on 40,000 sq. ft. libraries with one library added every 5 years.

PRESIDENTIAL LIBRARIES COST OVER NEXT 100 YEARS
BASED ON 1979 CONSTANT DOLLARS
(10 LIBRARIES—EXCLUDES CARTER LIBRARIES)

	Current method—decentralized and museum	Centralized—no museum	Decentralized—no museum
		(millions)	
1. Comparison using $8.30 a sq. ft. (average for current libraries) for operating costs and 25,000 sq. ft. of space for each President in the centralized library.			
Building costs (note d)	a/$ 784	b/$228	c/$349
Program costs (note e)	746	557	630
Less: Fees and donations	(153)	-0-	-0-
Total	$1,377	$785	$979
2. Comparison using $10 a sq. ft. for operating costs and 25,000 sq. ft. of space for each President in the centralized library.			
Building costs (note d)	a/$ 941	b/$274	c/$ 419
Program costs (note e)	746	557	630
Less: Fees and donations	(169)	-0-	-0-
Total	$1,515	$831	$1,049
3. Comparison using $8.30 a sq. ft. for operating costs and 30,000 sq. ft. of space for each President in the centralized library.			
Building costs (note d)	a/$ 784	b/$274	c/$349
Program costs (note e)	746	557	630
Less: Fees and donations	(153)	-0-	-0-
Total	$1,377	$831	$979
4. Comparison using $10 a sq. ft. for operating costs and 30,000 sq. ft. of space for each President in the centralized library.			
Building costs (note d)	a/$ 941	b/$329	c/$ 419
Program costs (note e)	746	557	630
Less: Fees and donations	(169)	-0-	-0-
Total	$1,518	$886	$1,049
5. Comparison using $10 a sq. ft. for operating costs and 40,000 sq. ft. of space for each President in the centralized library.			
Building costs (note d)	a/$ 941	b/$438	c/$ 419
Program costs (note e)	746	557	630
Less: Fees and donations	(169)	-0-	-0-
Total	$1,518	$995	$1,049

a/Based on 30,000 sq. ft. libraries (average of recent libraries and older libraries with additions) with one library added every 5 years (average length of Presidencies over last 200 years).

b/Based on square footage for 2 Presidents added every 10 years. Includes archival storage, administrative office space, and researcher space, etc.

c/Based on 40,000 sq. ft. (figure provided by GSA) with one library added every 5 years.

d/Standard Level User Charges (SLUC) for building operation, maintenance, and protection. Construction costs of centralized libraries included in SLUC charges.

e/Includes costs for staff salaries, equipment, supplies, preservation, etc.

THE PRESIDENTIAL LIBRARIES ACT

Mr. EIRICH. If you care to minimize that, we can proceed directly to questions.

Senator CHILES. You can go through it, but highlight it.

Mr. EIRICH. All right.

This is in response to a letter from the chairman of the Senate Appropriations Committee dated August 6, 1979, that we undertake a study for your subcommittee to identify pertinent issues surrounding expenditures of appropriated funds for operation and maintenance of Presidential libraries.

Within the time period permitted, we have examined into the cost and other aspects of these libraries.

The Presidential Libraries Act was enacted August 12, 1955, to pro-

vide for acceptance and maintenance of Presidential libraries. The act authorizes the Administrator of General Services to accept for deposit the papers and other historical materials of a President, former President, an official, or former official—and the rank is not defined in the act—of Government, together with the papers relating to or contemporary with the President or former President.

It also allows the Administrator to accept land, buildings, and equipment offered to the Government for a Presidential archival depository and to maintain, operate, and protect them. The Administrator may not take title to property for a Presidential archival depository of land, buildings, and equipment of certain public or private bodies until he has submitted a report to the Congress and observed a 60-day waiting period or received congressional approval of his plan.

LEGISLATIVE HISTORY

At hearings in 1955 on the Presidential Libraries Act before a special subcommittee of the House Committee on Government Operations, the then Archivist of the United States, Dr. Wayne C. Grover, summarized his prepared statement as to why legislation was needed as follows:

> First, from the beginning of the history of our Nation, it has been recognized that the papers of the Presidents form an immensely valuable part of our historical and cultural heritage and that the nation has a special responsibility and interest in seeing that they are properly preserved, protected, and made available for scholarly research.
>
> The increase in volume of Presidential papers in recent years has made it impossible for ex-Presidents to assume the responsibility for personally caring for their papers and other historical materials until such time as they or their heirs are willing to make final plans for the disposal of the papers.
>
> The establishment of Presidential libraries is the best method that has yet been devised for properly preserving Presidential papers. The Presidential library offers the advantages of geographical decentralization, service as a regional archival depository, a stimulus to the study of American history, and the housing within one establishment of all the types of material that help to explain the history of a President and his period.
>
> The cost of maintaining the libraries should not be excessive and probably one-third of the necessary expense could be borne out of income.

It seems apparent from these words that the emphasis was primarily on the bringing together of, preserving, and maintaining Presidential papers for scholarly research.

ACTUAL PROGRAM COMPARED TO LEGISLATIVE INTENT

What has occurred since the passage of the Presidential Libraries Act? Libraries have been completed for Presidents Truman, Eisenhower, Hoover, and Johnson; President Kennedy's library was dedicated on October 20, and President Ford's library and museum are under construction.

During the hearings on the Libraries Act in 1955, considerable discussion was given to the annual operating costs for Presidential libraries. It was estimated on the basis of the then costs at the Roosevelt Library that at the end of 100 years if 15 Presidential libraries were constructed and given to the Government, the annual net maintenance and operating cost would be about $1.5 million for all 15 libraries. This assumes a $150,000 operating and maintenance cost for each library

which would be offset by $50,000 in fees from visitors to the museums for a net operating cost of $100,000 for each of the 15 libraries.

Senator CHILES. Was that a GAO study?

Mr. ANDREWS. No, I think these were——

Mr. EIRICH. This is from the record, the original record.

Senator CHILES. You all don't want to take responsibility for that projection in cost.

Mr. EIRICH. No, sir, it was not our projection.

Senator CHILES. I am glad I don't have to take responsibility for that projection either. Go ahead.

Mr. EIRICH. Thank you.

In fiscal year 1979, the operating and maintenance costs of the six Presidential libraries accepted during the 25 years since passage of the act and the Roosevelt Library are estimated to be about $7 million. However, this does not include the annual building maintenance costs for the Kennedy Library which will begin in fiscal year 1980, or the Ford library and museum which are under construction.

The estimated fiscal year 1979 costs for each of the libraries follow: Johnson, $1.8 million; Eisenhower, $1.3 million—that's dollars, of course—Truman, $1.1 million; Roosevelt, $1 million; Hoover, $620,000; Kennedy, $800,000, which does not include building maintenance costs that will begin in fiscal year 1980; and Ford, $307,000, which does not include building maintenance costs.

When considering inflation of 275 percent between 1955 and 1979, the cost of $150,000 for each library amounts to $412,500; for seven libraries the costs would be $2.9 million.

In addition to inflation, some portion of the increased costs might be attributable to the rental rates for the libraries, standard level user charges, which are based on approximate commercial charges for comparable space and services. However, the increase in the size of buildings has added considerably to the cost of building operation, maintenance, and protection.

Income from fees or donations was expected to offset about one-third of the annual costs of the libraries. In fiscal year 1979, the offset is estimated to be $732,000, or 10 percent of the costs of the seven libraries. It should be noted, however, that the offset does reduce the amount of appropriated funds that might otherwise be required by the libraries.

GROWTH IN LIBRARY SIZE

Concerns have been expressed that library buildings keep getting larger. An examination of the square footage of space at the libraries follows:

Roosevelt Library, 39,000 square feet at the time of the Presidential Libraries Act. Since 1955 two wings have been added to the library, 15,000 square feet in total.

Truman Library, 55,000 square feet. An addition of 2,400 square feet has been added since the library was accepted in 1957 and ongoing construction will add another 24,000 square feet.

Eisenhower Library, 55,000 square feet for the library building. Since the library building was accepted in 1960, GSA has accepted, as part of

the archival depository, the Eisenhower Museum which is 35,000 square feet, the Place of Meditation containing the gravesite, the Eisenhower home, and has built a visitor's center.

Hoover Library, 25,000 square feet. This includes three additions totaling 19,500 square feet that have been made since its acceptance in 1960. A request for another 6,000 square feet is to be submitted by the Library Director to Archives later this year.

Johnson Library is 100,000 square feet.

Kennedy Library is 90,000 square feet.

Ford Library is 40,000 square feet for the library at Ann Arbor. The museum at Grand Rapids will be another 40,000 square feet.

According to NARS, archival storage space at the Roosevelt Library is 18,700 square feet—now this is the amount that goes to the records portion, Mr. Chairman—19,700 square feet at the Truman Library; 31,300 square feet at the Eisenhower Library; 14,800 square feet at the Hoover Library; 25,300 square feet at the Johnson Library; and 13,800 square feet at the Kennedy Library. Much of the remaining space in the libraries is used for museum activities.

GROWING FUNCTION OF LIBRARIES

A factor which has probably contributed to the increased size of certain Presidential libraries is the definition in the Libraries Act of a "Presidential archival depository." The Presidential Libraries Act authorizes the Government to accept "buildings" for the purpose of creating a Presidential archival depository. The act defines a Presidential archival depository as: "an institution operated by the United States to house and preserve the papers and books of a President or former President of the United States together with other historical materials belonging to a President or former President of the United States, or related to his papers or to the events of his official or personal life."

Further, historical materials are defined as including: "books, correspondence, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, motion pictures, sound recordings, and other objects or materials having historical or commemorative value." These provisions provide GSA broad authority for determining what constitutes an archival depository and GSA is so using this authority.

To illustrate, the Roosevelt Library is located at Hyde Park, N.Y., on the same grounds as the Roosevelt home and the Roosevelt gravesites. Archives operates and maintains only the Roosevelt Library, which also includes a museum, and the National Park Service maintains the rest of the buildings and grounds. The Park Service also maintains the Hoover home and other buildings in West Branch, Iowa, and the Archives operates and maintains the Hoover Library.

In contrast to this arrangement, the Eisenhower Library in Abilene, Kans., is located on grounds which also contain the Eisenhower home, Eisenhower Museum, visitors center, and the Place of Meditation containing the President's gravesite. Operation and maintenance of all the buildings and grounds which together have been determined to constitute the archival depository is administered by Archives.

The library building alone was donated to the Government in 1962 as the Presidential library. Subsequently, in 1966, the Eisenhower home, museum, and Place of Meditation were donated and accepted by GSA under the Presidential Libraries Act.

The relationship between Archives' role in assuming responsibility for administering Presidential homes and the role of the National Park Service in this regard is not clear. The National Park Service, for example, administers, maintains, and operates the homes of many Presidents including among others, Presidents Roosevelt, Hoover, and Johnson.

President Ford's library and museum which are currently under construction establish precedent in that the buildings comprising the archival depository will not be at the same location. The Ford Library is being constructed in Ann Arbor, Mich., while the Ford Museum is being constructed in Grand Rapids, Mich., more than 100 miles away.

Therefore, the Federal Government will bear the expense of operating and maintaining facilities at two locations.

TRANSITION TO MUSEUMS

Statistics show that the greatest interest of the public in Presidential libraries is as a museum rather than as a library. During fiscal year 1978, 1,100 researchers visited the libraries. The Roosevelt Library was visited by the most researchers—381, or 35 percent of all researchers. The Kennedy Library was second with visits by 208 researchers followed by the Truman Library with visits of 198 researchers.

Museum visitors, on the other hand, totaled about 1.3 million in fiscal year 1978. The Johnson Library had the most visitors—502,000, or about 39 percent of all visitors. The Roosevelt Library with 277,000 and the Truman Library with 265,000 visitors were second and third, respectively.

Although Archives views the primary function of the Presidential libraries as preserving the valuable historical papers of Presidents and their associates and to make them available for research purposes, visits by researchers represent less than 1 percent of all visitors to the libraries.

ALTERNATIVE APPROACHES

As part of our study, Mr. Chairman, you requested that we discuss alternative approaches to the current Presidential libraries system. Following are some alternative approaches. The first three approaches were discussed in an Archives report entitled "The Presidential Libraries System: A Review" which was submitted to the Senate Committee on Appropriations earlier this year.

[CLERK'S NOTE.—A copy of that report follows:]

The Presidential Libraries System: A Review

INTRODUCTION AND SUMMARY

In its report of June 19, 1978, the Senate Committee on Appropriations stated its concern over the increasing size and cost of the Presidential libraries system and directed the Archivist of the United States "to review the current operation and objectives of the Presidential libraries system and provide recommendations for potential alternative approaches with cost and program implications." Recommendations were to be furnished the Committee by February 1, 1979.

To fulfill this mandate, a thorough review was undertaken of the development of the Presidential libraries system, its programs, associated costs, problems, and potential alternatives for the future of the system. In the course of the study, opinions of archivists, researchers, members of the public as well as of Government officials were reviewed and evaluated. Data on the operation and effectiveness of the system were analyzed and, finally, methods for improving the system and future alternatives were discussed extensively. Findings of the study are described in this report.

The Presidential libraries system evolved as a workable compromise between private ownership of Presidential papers and the legitimate interest of the public and the Federal Government in them. Under the Presidential Libraries Act of 1955, the Administrator of General Services is authorized to accept land, buildings, and equipment donated to the Government as a Presidential library, subject to congressional approval. He also may accept Presidential papers and other historical materials donated to the Government.

Through their archival programs, Presidential libraries preserve, process, and make available for research use historical materials in their custody. In addition, to assure that the public benefits to the greatest extent possible from their rich resources, Presidential libraries have developed public programs including museums for visitors to the libraries and educational programs for all ages. These programs have succeeded in enabling information from Presidential library holdings to reach large segments of the American public. While several alternative approaches to the current Presidential libraries system offer attractive features, on close examination each fails to offer an equally successful combination of effective archival and public programs that assure the preservation of the records of a Presidential administration and their wide and effective availability to scholars and the public.

The current system is not without problems, however. The Archivist of the United States has no clear role in selecting the site for a Presidential library building or in its design. To avoid construction of inappropriate Presidential library buildings, Congress should consider requiring the Archivist and the Commissioner of Public Buildings to develop standards for construction that must be met before a building is accepted as a Presidential library. As their holdings age, Presidential libraries are facing progressively more serious preservation problems. The National Archives is seeking new and less costly preservation methods and requesting additional funds to combat deterioration of permanently valuable historical materials, both in the Presidential libraries and elsewhere in the National Archives and Records Service. As the Presidential libraries system grows in size, it faces the need for strong central direction to guarantee consistent operations. Presidential libraries also are facing increased use by scholars and the public. The Presidential libraries system must wisely direct available resources to ensure that

they effectively preserve and protect Presidential papers and related historical materials and make sure that their holdings are available for effective use by scholars and for the benefit of the American people.

OVERVIEW OF THE PRESIDENTIAL LIBRARIES SYSTEM

Some History

Presidential papers traditionally have been considered private property of the President. Early Presidents removed their papers from the White House as their own. While heirs of some Presidents donated or sold the papers to the United States or to institutions outside the Federal Government, in other cases Presidential collections were dispersed or destroyed. At the opening of this century the Library of Congress systematically began to acquire Presidential papers and eventually through purchase and donation assembled collections representing 23 Presidents.

A dramatic increase in the volume of Presidential papers during the New Deal era and a desire to keep together the record of his public service led President Franklin D. Roosevelt to look for new ways of caring for his papers after his Presidency. At a press conference on December 10, 1938, he announced his plan for an institution--later named the Franklin D. Roosevelt Library--for preserving his papers and other historical materials and those of his associates. He proposed that the building should be financed by popular subscription on land donated from the Roosevelt estate at Hyde Park and then be turned over to the Archivist of the United States to be administered at Government expense. A joint resolution of Congress "to provide for the establishment and maintenance of the Franklin D. Roosevelt Library" was approved by President Roosevelt on July 18, 1939, in substantially the form he had proposed. The Government accepted the completed building on July 4, 1940, and on June 30, 1941, the library opened its doors to the public.

The Presidential Libraries Act

In 1955, Congress passed and President Eisenhower signed P.L. 84-373, popularly known as the Presidential Libraries Act. Patterned after the joint resolution of 1939 that established the Franklin D. Roosevelt Library, the act authorizes the Administrator of General Services to accept for deposit the papers and other historical materials of a President or former President of the United States, together with the papers of other persons relating to or contemporary with him. It also permits the Administrator to accept--or to enter into an agreement to use--land, buildings, and equipment offered to the Government as a Presidential archival depository. The Administrator may not take title to property for a Presidential library or enter an agreement for its use until he has submitted a report to Congress and observed a 60-day waiting period or received congressional approval of his plan.

Development of the System

Six Presidential libraries, including the Franklin D. Roosevelt Library, are part of the Presidential libraries system administered by the National Archives and Records Service (NARS) of the General Services Administration. The Harry S. Truman Library in Independence, Missouri, was built and furnished by the Harry S. Truman Library, Inc., through small contributions from many individuals and organizations. The library was dedicated and accepted as part of the national archival system on July 6, 1957. The Dwight D. Eisenhower Library building was constructed by the Eisenhower Presidential Library Commission with funds from the Kansas State

Legislature and private contributions. It was donated to the Government in 1962. That same year, on August 10, Herbert Hoover's 88th birthday, the Herbert Hoover Presidential Library, financed and constructed in West Branch, Iowa, by the Herbert Hoover Birthplace Foundation, was dedicated. The John F. Kennedy Library Corporation began raising funds for the Kennedy Library by public subscription shortly after the President's death, but construction was long delayed. The building is now nearing completion on a site adjacent to the Columbia Point campus of the University of Massachusetts in Boston. It will be ready for occupancy late in 1979. The University of Texas constructed the Lyndon B. Johnson Library on its Austin campus and dedicated it on May 22, 1971. The library is maintained and administered as part of the national archival system while the University retains ownership of its building.

Nixon, Ford, Carter

In addition to the existing libraries, NARS administers the Ford Presidential Materials Project, the Nixon Presidential Materials Project, and a White House liaison staff whose function is to assure full documentation of the current administration. Ford Project archivists are processing President Ford's papers in temporary quarters in Michigan to assure early public access to these valuable materials. The University of Michigan and the Gerald R. Ford Commemorative Committee have completed plans for a Gerald R. Ford Library building in Ann Arbor and a museum in Grand Rapids. Construction of these structures will begin in the spring of 1979. Richard Nixon's Presidential historical materials are maintained and preserved in Washington under provisions of the Presidential Recordings and Materials Preservation Act of 1974, which provides for Government custody and control. Although regulations providing for public access to these materials are the subject of pending litigation, a staff has begun to process the Nixon White House tapes and those documents most likely to relate to abuses of governmental power in preparation for public access, as required by law.

Public Ownership of Presidential Papers

Modern Presidents from Herbert Hoover through Lyndon Johnson and President Gerald R. Ford or their heirs, acting pursuant to applicable law, have donated their papers to the Government for administration in Presidential libraries established for them. In a letter of March 6, 1978, to the Administrator of General Services President Jimmy Carter too pledged to donate Presidential papers of his first term in office to the Government for maintenance in a Presidential library. The Presidential Records Act of 1978 which President Carter signed on November 5, 1978, ends the tradition that the President owns records of his administration. The act provides that Presidential records created on or after January 20, 1981, are to be owned and controlled by the United States and maintained by the Archivist in a suitable archival repository after the President leaves office. This change in the status of Presidential materials will not in itself affect the nature of Presidential libraries. As the House Report that accompanied the act noted: "Although the bill declares certain materials to be Government property and establishes statutory standards for providing public access, no major change is anticipated in the daily operation of the Presidential library system." Those papers defined by the act as personal as well as any non-Presidential material will be subject to donation by the President under provisions of the Presidential Libraries Act. Some changes in archival processing schedules may be necessary, however, as the new law provides that 5 years after a President leaves office, his records become subject to the Freedom of Information Act, except for certain categories which the President may restrict for up to 12 years.

Archival Programs

A President's White House papers form the core of the holdings of a Presidential library. In addition to these materials, Presidential libraries hold other manuscript materials accumulated by the President prior to and after his term of office. Personal papers of the President's associates including cabinet officers and other high officials of his administration and of his friends are also among Presidential library holdings. Harry Hopkins, Henry Morgenthau, Jr., Dean Acheson, Walter Bedell Smith, Robert Kennedy, John Foster Dulles, and Drew Pearson are among the prominent public figures whose papers are in a Presidential library. Through acquisition of books on the President and his administration and complete bibliographic information on this and related subjects, each library serves as a research center for the study of the Presidency. Each has extensive audiovisual collections including still photographs, motion pictures, videotapes, and sound recordings. Oral history programs, undertaken by individual libraries, produce oral memoirs which supplement manuscript collections. Presidential libraries also hold many of the gifts the President received from private citizens and foreign governments as well as personal memorabilia of the President and his family.

Archivists at Presidential libraries are responsible for the physical preservation of their holdings. This includes maintenance of environmental controls to limit deterioration and restoration of historical materials when necessary.

Archivists also must arrange and describe historical materials in their custody to ensure that information in them that researchers seek is easily found. Archivists prepare and publish guides to their collections and provide potential researchers as much information about their holdings as possible through scholarly publications and other media. They participate in symposia and conferences in cooperation with universities and research institutions to analyze historical issues and highlight their rich resources (See Appendix A). Information and findings on these issues ranging from conscription and warfare to price controls and energy are available not only to scholars but also to Government policymakers.

In order to guarantee that their holdings are as fully used as possible, archivists in Presidential libraries open materials for research use to the maximum extent possible consistent with legal requirements and national security interests. By so doing, they have established new standards of access that have been applauded by scholars and emulated by other archival institutions.

Under terms of donors' deeds of gift and applicable law, archivists in Presidential libraries review donated collections and segregate security classified documents and materials that include information the disclosure of which would constitute an unwarranted invasion of personal privacy. Users are put on notice concerning what has been withheld and why and the remainder of a collection is then opened for research. Presidential library policy calls for periodic re-review of materials temporarily closed under terms of a donor's deed of gift to insure that material is opened as soon as the passage of time eliminates the need for closure. Researchers may request a Presidential library to review the need to close a particular document and can administratively appeal closure as well, should that be necessary.

The Presidential libraries system has succeeded in making certain that Presidential papers are opened for research as promptly as possible. Prior to establishment of Presidential libraries, the

papers of Presidents often remained closed for long periods. The papers of Abraham Lincoln, for example, were not opened to research until 1947, 82 years after the President's death. John Adams's papers remained closed for 153 years after he left the Presidency. In contrast, the first segments of Franklin Roosevelt's papers were opened to researchers in May 1946, little more than a year after his death. The first portions of Lyndon Johnson's papers were made available for use by researchers in 1972, less than 4 years after he left the Presidency.

Archivists in Presidential libraries respond promptly and thoroughly to researchers and others who request reference service in the libraries reading rooms, or by mail or telephone. From fiscal year 1974-1978, more than 6,000 researchers worked in Presidential libraries. During fiscal year 1978 alone, 1,104 researchers visited the libraries. These researchers made a total of 6,219 daily visits, an increase of 13 percent over the previous year. During fiscal year 1978, archivists at the libraries responded to more than 65,000 oral inquiries and 17,000 mail inquiries.

Information from Presidential library holdings has become available to every American. Writers and historians have based many well received studies on Presidential library holdings including several that have won Pulitzer, Bancroft and Parkman Prizes as well as other awards and honors (See Appendix B). More than 500 books have been based on Roosevelt Library holdings alone. Research performed at Presidential libraries has served as the basis for textbooks used in history courses throughout the nation. Millions of Americans have been exposed to television programs, motion pictures and plays which depend on information from Presidential libraries or have used audiovisual materials from their holdings. These include programs on the President and the Presidency such as the ABC productions of "Eleanor and Franklin" and "Johnnie We Hardly Knew Ye," James Whitmore's one-man drama "Give 'em Hell, Harry," and the forthcoming NBC series "Backstairs at the White House," as well as documentaries on recent American history including the depression, World War II, the cold war and the Cuban missile crisis. Copies of selected documents preserved in Presidential libraries also have been incorporated into other libraries and research collections through microfilm and letterpress publication and are thereby available for use by students of all levels and by members of the public who may never have the opportunity to visit a Presidential library.

Archivists in Presidential libraries also serve representatives of the Government including congressional investigators who are seeking information on events in recent American history. The Senate Select Committee on Intelligence, the House Select Committee on Assassinations, the House Subcommittee on International Organizations, the House Subcommittee on Government Information and Individual Rights and the General Accounting Office as well as the Office of the Secretary of Defense, the Energy Research and Development Administration, the Department of State, the National Security Council and other Government units have sent researchers to Presidential libraries to review subjects ranging from covert activities in Southeast Asia and relations between the United States and Korea to strategic arms competition between the United States and the U.S.S.R. and Presidential decision-making. By preserving Presidential and related papers and preparing them for research use, archivists at Presidential libraries assure that information required for Government administration will be available when needed.

Public Programs

While Presidential libraries originally were established primarily to serve researchers, over time they have responded to wide interest and have developed broad and successful programs for the general public. Each Presidential library presents exhibits relating to the President's life and times, significant themes of American history and other topics. The exhibits include significant documents, still photographs, motion pictures and sound recordings, Presidential memorabilia and other materials from the libraries' holdings. In the 5 year period 1974-1978, more than 7.7 million visitors toured Presidential library museums including more than 1.3 million during FY 1978 alone. Others in the United States and around the world have viewed documents and museum items from Presidential libraries on display in the Smithsonian Institution, the Peabody Museum of Harvard University, the Amon Carter Museum in Fort Worth, Texas, the Center for Belgian Culture in Moline, Illinois, the Israeli State Archives in Jerusalem and other institutions in the United States and abroad as well as in special exhibitions such as the Bicentennial Freedom Train of 1975-76 and the Casablanca International Trade Fair of 1977.

Each Presidential library participates in cultural affairs of the community in which it is located and serves as a center for civic and patriotic activities. The Hoover Library is the site for West Branch's annual 4th of July festivities as well as a meeting place for groups from the surrounding region. At the Truman Library, the tradition of annual ceremonies marking the 4th of July which has continued to the present began between 1959 and 1965 when President Truman spoke at the library in patriotic observances. Last year's activities at the Truman Library during the annual celebration of Truman Week included a book party for the Independence Heritage Commission's publication, Independence, Missouri. In 1976, the Eisenhower Library was the embarkation point for a special million dollar western art exhibit which eventually toured 17 western states during the Bicentennial year.

Several library sites are themselves places of public interest. The Hoover Library is adjacent to the President's birthplace cottage and burial site. The Eisenhower Library consists of a complex of buildings including the frame house in which the President was raised. The Roosevelt Library is located on property that was once part of the President's Hyde Park estate near the home where he lived and the garden where he and Mrs. Roosevelt are buried.

Presidential libraries work with educators in their regions and with local and civic groups to encourage use of the libraries and understanding of the President, his policies and programs as well as of the Presidency. Several libraries have held seminars for teachers and professors to acquaint them with library resources. The Eisenhower Library has conducted inter-semester workshops for students from the Topeka public schools. The Kennedy Library has worked with teachers to develop from library holdings packets of materials for classroom use. These have been used throughout the country. The library also produced an educational film on Presidential decision-making, "A Stroke of the Pen," that encourages critical review of the complex elements of Presidential decisions. The Truman Library has worked with Independence, Missouri, public schools to develop programs for elementary, junior high and high school students to use resources of the library to assist in teaching American history and government.

Presidential libraries also encourage schools to use their museums as educational resources. In the past 5 years, more than 50,000 students have toured the Johnson Library museum in school groups. That library has developed educational games to assist in interpretation of the museum and has developed special tours for the blind and handicapped.

Presidential libraries have benefitted from establishment of organizations of private individuals and associates of the President dedicated to supporting and supplementing the libraries' educational and research programs. These include the Eleanor Roosevelt Institute, the Hoover Presidential Library Association, the Eisenhower Foundation, the Harry S. Truman Institute for National and International Affairs, and the Friends of the Lyndon B. Johnson Library. These groups lend their active support and prestige to library programs and provide grants to offset costs of certain library programs. They have supported symposia at the libraries, provided grants-in-aid to researchers using library resources, paid for special exhibits, and funded oral history programs.

COST OF OPERATIONS

Funds for Presidential library programs and for maintenance and operation of Presidential library buildings are appropriated annually by Congress (See Appendix C). Fiscal year 1979 Presidential library program costs are estimated at $5,372,000. These funds cover personnel, routine operating expenses such as supplies and transportation, and preservation of Presidential library holdings. An additional $158,300 has been designated specifically for records declassification programs at the Eisenhower, Kennedy, and Johnson Libraries. Operating expenses of Presidential library programs are also partially offset through the National Archives Trust Fund, a revolving fund that receives income from admissions to library museums, sales in library gift shops, and reproductions furnished researchers, and expends funds for the benefit of these programs. Estimated Trust Fund expenditures in the Presidential libraries for fiscal year 1979 amount to $732,000.

Presidential libraries, as Federally operated buildings, are maintained by the General Services Administration with its Public Buildings Service operating the physical plants and maintaining security. Building operation costs for Presidential libraries include first, the Standard Level Users Charge which covers building maintenance for 8 hours per day 5 days per week and, second, recurring charges to cover additional services the libraries require beyond the standard level such as environmental control and guard service after the normal work week. Estimated costs of maintaining and operating Presidential library buildings during fiscal year 1979 are estimated at $2,844,700.

ALTERNATIVES FOR THE FUTURE

The current Presidential libraries system has developed a successful combination of effective archival and public programs that guarantee preservation of the records of a Presidential administration with related historical materials and their wide and effective availability to scholars and the public. Several alternative approaches for the care of Presidential papers offering attractive features also should be considered however, and their relative advantages and costs should be reviewed insofar as possible.

A Central Depository

Records of future Presidential administrations might be maintained in a single structure located in Washington or elsewhere in the nation. Such an arrangement would tend to eliminate unnecessary duplication of facilities among libraries and assure some operating economies and convenience not possible in dispersed, smaller institutions. Were Presidential records housed in a single structure, particularly if that structure were in Washington, a scholar could review materials of several administrations without travel or long-distance correspondence and Government officials could benefit from that same convenience. On the other hand, savings in operating a single structure for records of Presidents would be offset by higher initial costs. Instead of accepting several donated buildings, the Government probably would be required to finance construction of the centralized depository. Private groups such as those associated with individual Presidents would be unlikely to offer to build and donate to the Government a single large structure to house papers of many Presidents. Achieving effective use of a centralized depository also would be difficult. Because Presidential records requiring the depository would accumulate only over a period of time, were the building erected immediately, it would remain partially vacant for a number of years. If construction were delayed, caring for existing Presidential collections in temporary and less efficient storage would be necessary.

A single centralized Presidential records depository would have several other disadvantages. Because the centralized depository would not be associated directly with any President or located in a place particularly meaningful to him, the President's associates, friends and family would be less likely to donate major collections of historical materials for deposit with the President's own papers in the central depository. As a result, the Presidential libraries would no longer develop as balanced research centers for study of a President and his administration. Although scholars would not have to travel widely to consult Presidential records, they would be required to visit other repositories to study related collections.

Although a centralized depository might include a museum, its public programs could not be as broad-based and effective as those in libraries located around the nation. Visitors to the museum would be limited to those who came to the single location. The centralized facility would not serve as the focus of local and regional cultural and patriotic activities and its educational programs would be limited to one geographic area. While a central depository might be more economical to operate than the present system, it could not offer the same services to the public nor could it assure that Presidential historical materials would be used as fully and effectively.

Designated Regional Centers

Future Presidential libraries activities might be assigned to designated regional centers either as individual buildings or in the same structure as other cultural or archival activities including regional archives branches of the National Archives. By establishing Presidential libraries together with other Federal cultural programs in designated regional centers, certain problems of both the present system and a centralized depository could be avoided. Regional centers, which eventually might include papers of several Presidents, would be somewhat more economical to operate than individual Presidential libraries. Even if papers of each President were housed in an individual building, their close proximity to other Federal operations would permit some economies and avoid duplication of certain

facilities. Locations of Presidential libraries could be planned in advance and selected for convenient access, perhaps near universities whose students and faculty would benefit from library resources. More visitors would be able to tour Presidential library museums in regional centers than in a central depository.

Operational savings in regional centers might be limited, however. While private groups might construct and donate a separate building for a Presidential library in a regional center, such individual structures would be relatively costly to operate. A single structure housing several regional cultural activities would be less expensive to maintain and operate, but the Federal Government probably would have to finance construction of such a structure. Further, while some duplication of facilities among operations in a regional center might be avoided, because Presidential libraries would be dispersed at several centers, certain facilities would still be duplicated among them and costs might approach those of the current system.

Regional centers would have other disadvantages. Because the center might be several states away from a President's home, his associates, family, and friends might be less willing to deposit collections of related papers and memorabilia there. As a result, a Presidential library in a regional center might have substantial difficulty in developing as a broad research institution for study of the President and his Presidency and in assuring effective scholarly use of Presidential records. While scholars might find access to a regional center easier than travel to an individual library, they would not benefit from observing and learning from the President's home environment. Further, those examining records of several Presidents from different regions of the country would be forced to visit several centers.

Finally, in regional centers, Presidential libraries would be limited in their contributions to local cultural and civic activities and would be unlikely to attract the strong local support that the current system of Presidential libraries has developed.

State, Local, or Private Institutions

The entire cost to the Federal Government of maintaining Presidential libraries could be eliminated if Presidential records and related historical materials were maintained, preserved and made available to researchers by universities or other state, local, or private institutions. The Federal Government has a strong interest in Presidential records, however, which could not be protected under such an arrangement. Presidential historical materials contain information valuable for current Government decisions and investigations and form an irreplaceable part of our nation's historical heritage. Further, they include classified documents and sensitive materials whose protection is essential to the nation's security. Congress recognized this national interest in Presidential materials through the Presidential Records Act of 1978, which not only provides that materials relating to the President's conduct of his office are Government property but also that the Archivist must take custody of such materials at the conclusion of the President's term of office and maintain them "in a Presidential archival depository or another archival facility operated by the United States."

To protect the national interest in Presidential records therefore and to conform with provisions of the Presidential Records Act, future Presidential records must remain within the national archival system.

53-990 O - 80 - 3

Other Alternatives

To assure that Presidential library buildings are efficient and cost-effective to operate, the Federal Government could choose to construct them albeit at a location selected by the President. While this alternative would ensure both an appropriate Presidential library building and strong programs available to large segments of the public, it would be more costly initially. Further, by making Federal construction automatic, it would serve to perpetuate addition of Presidential libraries to the system without regard to local interest, in contrast to the present system which assures that a library is developed only when and where public support is sufficient for its establishment and construction.

Alternatively, to achieve savings in operations and buildings maintenance, Presidential library public programs and museums could be curtailed or eliminated. By performing only archival functions and services, Presidential library staffs could be smaller and the size of the library structures would be reduced. While savings would be achieved, however, they would not be in proportion to the program reductions as many of these programs are supported in part or wholly by fees and public contributions. Further, by cutting these programs, the value of the Presidential libraries system to the American people would be greatly curtailed.

Evaluation of the Current System

At this time, no alternative to the current Presidential libraries system appears to offer a superior method for providing effective archival care of Presidential records and assuring their full use and availability to a broad cross section of the American public. The current Presidential libraries system has developed on a firm foundation of public support and has been used widely and effectively since its inception. Because of its broad support, both from the public and the scholarly community, the system's cost to the Government is offset in part by public donations and by income from museum admissions, sales desk operations and fees for reproduction services.

While at present a Presidential library is likely to be added to the system each time a President leaves office, the system has built-in checks to prevent unlimited expansion. Because non-Federal support and funds are necessary to plan and construct a library and donate it to the Government, when public interest in the system wanes it will cease to grow. Because congressional approval is also necessary for each Presidential library added to the system, inappropriate growth in the future can be stopped through congressional action. Further changes and development of recordkeeping practices of the Federal Government such as computerization and reappraisal of types of material with permanent value may in the future affect the size and structure of the Presidential libraries system. As the needs of scholars and the public develop, the structure of the Presidential libraries system will evolve and alternatives to the present system should continue to be considered.

PROBLEMS IN THE CURRENT SYSTEM

While the current Presidential libraries system has developed as an effective compromise between interests of the President and his associates, researchers, and the public, it is not without problems.

Lack of Buildings Standards

The Presidential Libraries Act permits the Administrator of General Services to accept facilities offered for use as a Presidential library, subject to congressional approval, but does not give him or the Archivist of the United States a clear role either in selecting the site for the building or in its design. As a result, Presidential libraries may be constructed at sites inaccessible to researchers and difficult to reach by members of the public. They also may be designed without regard for cost-effective operation. In order to avoid construction of inappropriate Presidential library buildings in the future, Congress should consider requiring the Archivist of the United States and the Commissioner of Public Buildings, working jointly, to develop archival and efficiency standards for construction that must be met before a building may be accepted as a Presidential library. Under the Presidential Libraries Act, the Administrator must submit a report to Congress on a proposed Presidential archival repository. If building standards for a Presidential library are established, the act should be amended to require that the Administrator's report include a statement that the proposed building meets these standards.

Preservation of Historical Materials

As their holdings age and are sought by more users, Presidential libraries are facing progressively more serious preservation problems. Certain groups of textual materials in Presidential library holdings receive intensive research use and progressively have become more fragile. Duplicate copies of such documents must be provided to researchers to prevent further deterioration and eventual destruction of the originals. Motion pictures, still pictures, sound recordings, and video tapes in Presidential libraries must be inspected carefully and repaired and duplicated for researchers to avoid deterioration and destruction of the originals. Because of their exceptional value, many museum objects must be preserved or restored by skilled conservators using a variety of techniques. Both increased staff time and large laboratory and conservation expenditures will be necessary to provide adequate care of these valuable historical materials. In response to this serious preservation situation, part of a larger preservation problem which exists throughout the National Archives system, NARS is seeking new and less costly preservation methods for textual and audiovisual materials. In addition, because meeting preservation needs of permanently valuable historical materials requires resources beyond NARS's current budget, NARS will request additional funds for preservation.

Effective Management

As the Presidential libraries system grows in size with the addition of new facilities, problems of central direction will increase. Presidential papers and donated historical materials in library holdings must be handled uniformly to assure proper conformance to legal requirements as well as to achieve early access. Appraisal and disposal programs must be consistent in order to guarantee that material lacking sufficient value to warrant continued preservation is promptly disposed of throughout the system. Remaining materials must be arranged and reviewed consistently. Finding aids must be prepared without undue delay. Researchers using resources of all Presidential libraries must be assisted expertly and promptly. Presidential libraries must wisely direct available resources for their museums and other public programs to make sure that their holdings benefit as many Americans as possible.

At the same time that the Presidential libraries system must assure consistent operations and standards in the face of growth and increasing complexity, Presidential library holdings continue to be used broadly in books and motion pictures, on television and in schools. As a result, more Americans are becoming aware of Presidential library materials and demand for use of the Presidential libraries is growing. To meet this challenge, the Presidential libraries system continually must review its operations and seek ways to use its staff and resources more effectively. Balancing use of professional archivists with less highly trained support personnel and turning to modern techniques of automated data processing for control of historical materials are being considered as potential means of more effectively preserving and protecting Presidential papers and related historical materials and assuring that they are available for effective use by scholars and for the benefit of the American people.

CONCLUSION

In the course of its 40 year history, the Presidential libraries system has developed effective means of protecting and preserving permanently valuable Presidential papers and related historical materials and making them available for use by scholars and the public. These programs have assured that information from Presidential library holdings has reached large segments of the American public. Alternative methods for caring for Presidential historical materials appear to offer certain advantages. On close examination, however, no alternative at this time provides an equally successful means of making sure that valuable related collections are deposited with Presidential papers and that the Presidential libraries respond effectively to demands of scholars and the public and are worthwhile additions to their communities. As recordkeeping practices develop and the needs of scholars and the public change, alternatives to the current Presidential libraries system should continue to be reviewed in order to guarantee that the Presidential libraries are as effective as possible in serving the American people.

APPENDIX A

Selected Recent Presidential Library
Conferences and Symposia

Year	Title	Sponsor
1978	Government and the Humanities	Johnson Library and the University of Texas
1977	Government Reorganization Plans, Past and Present	Roosevelt Library, Marist College, and the Center for the Study of the Presidency
1977	The Presidency and the Congress	Johnson Library and the University of Texas
1976	Universal Youth Service	Roosevelt Library and the Eleanor Roosevelt Institute
1975	The Korean War	Truman Library and the Truman Library Institute for National and International Affairs
1975	Impressions of the West	Eisenhower Library, Eisenhower Foundation, the Kansas Corral of the Westerners
1974	Beyond Today's Energy Crisis: Future of the American Environment	Johnson Library and the University of Texas
1974	Development of Wage-Price Policy in the United States, 1945-1971	Kennedy Library in conjunction with the Truman, Eisenhower and Johnson Libraries, the National Archives and the Brookings Institution
1972	Equal Opportunity in the United States	Johnson Library and the University of Texas
1972	Educating a Nation: The Changing American Commitment	Johnson Library and the University of Texas
1969	D-Day: June 6, 1944 - June 6, 1969	Eisenhower Library with the Eisenhower Foundation

APPENDIX B

Notable Books Based On
Presidential Library Holdings

Recent History to 1945

Title	Author	Award
The United States and the Far Eastern Crisis of 1933-1938	Dorothy Borg	Bancroft Prize (1965)
Roosevelt: Soldier of Freedom	James MacGregor Burns	Pulitzer Prize, National Book Award (1971)
The Power Broker: Robert Moses and the Fall of New York	Robert Caro	Pulitzer Prize (1975)
FDR: The Beckoning of Destiny 1882-1928	Kenneth Davis	Parkman Prize (1972)
Eleanor and Franklin	Joseph P. Lash	Pulitzer Prize, National Book Award (1972)

Franklin D. Roosevelt and the New Deal	William E. Leuchtenburg	Bancroft Prize (1964)
The Crisis of the Old Order	Arthur M. Schlesinger, Jr.	Bancroft Prize Parkman Prize (1957)
The End of French Predominance in Europe	Stephen A. Schuker	Gilbert Chinard Prize (1976)
The Rising Sun	John Toland	Pulitzer Prize (1972)
Stilwell and the American Experience in China, 1911-1945	Barbara Tuchman	Pulitzer Prize (1972)
The Democratic Roosevelt	Rexford G. Tugwell	Woodrow Wilson Foundation Award (1958)
Herbert Hoover: Forgotten Progressive	Joan Hoff Wilson	

The Post-War Era

Holding The Line: The Eisenhower Era, 1952-1961	Charles E. Alexander	
Conflict and Crisis: The Presidency of Harry S. Truman, 1945-1948	Robert J. Donovan	
Strictly Personal	John S. D. Eisenhower	
The United States and the Origins of the Cold War, 1941-1977	John Lewis Gaddis	Bancroft Prize (1973)
The Politics of Fear: Joseph R. McCarthy and the Senate	Robert Griffith	Frederick Jackson Turner Award (1970)
The Politics of War	Gabriel Kolko	
Dean Acheson: The State Department Years	David S. McLellan	
Mr. Republican: A Biography of Robert A. Taft	James T. Patterson	
A World Destroyed: The Atomic Bomb and the Grand Alliance	Martin Sherwin	Bernath Prize (1975)
Harry S. Truman	Margaret Truman	

The Sixties

The Search for JFK	Clay and Joan Blair
JFK and the Second Reconstruction	Carl Brauer
Protest at Selma: Martin Luther King, Jr. and the Voting Rights Act of 1965	David J. Garrow
The Air Force Integrates, 1945-1964	Alan L. Gropman
Decade of Disillusionment: The Kennedy-Johnson Years	Jim Heath
Lyndon Johnson and the American Dream	Doris Kearns
Black Ballots: Voting Rights in the South, 1944-1969	Steven F. Lawson
The Democrats: The Years After FDR	Herbert Parmet
Robert Kennedy and His Times	Arthur M. Schlesinger, Jr. Daniel Yergin
Shattered Peace	

APPENDIX C

PROJECTED FY 1979 PRESIDENTIAL LIBRARIES EXPENDITURES

Units	Appropriated Funds: Program Costs	Appropriated Funds: Declassification	National Archives Trust Fund	Appropriated Fund Building Costs
Hoover	$360,000		$ 79,000	$183,300
Roosevelt	525,000		118,000	407,800
Truman	510,000		235,000	381,500
Eisenhower	530,000	$44,900	140,000	625,500
Kennedy	690,000	60,300	25,000	26,600
Johnson	760,000	53,100	135,000	895,000
Ford	260,000			47,000
Nixon	847,000			278,000
White House Liaison	105,000			
Planning and Direction (includes preservation, training, and museum and audiovisual services)	785,000			
TOTAL	$5,372,000	$158,300	$732,000	$2,844,700

APPENDIX D

COMPARATIVE STATISTICAL SUMMARY OF PRESIDENTIAL LIBRARIES

Status as of September 30, 1978

	HOOVER	ROOSEVELT	TRUMAN	EISENHOWER	KENNEDY	JOHNSON	FORD	TOTAL
HOLDINGS								
Manuscripts - Paper (pages)	5,463,630	15,970,294	12,570,000	18,489,338	25,391,275	34,399,781	14,779,000	127,063,318
- Film (pages)		913,834		84,500	2,511,200	6,450,131	19,000	9,978,665
Photographs	23,091	122,889	71,844	102,561	113,572	540,462	380,000	1,354,419
Motion Picture Film (feet)	133,424	362,592	280,942	592,880	6,016,631	719,302	700,015	8,805,786
Sound Recordings (discs & tapes)	714	,813	2,427	2,366	9,053	10,518	1,508	31,399
Oral History Transcripts (pages)	9,478	1,352	27,750	19,939	26,591	25,761		110,871
Museum Objects	4,057	21,962	16,876	19,036	13,701	36,037	6,857	118,796
Books	22,317	36,159	44,053	25,887	23,714	13,528	2,253	167,911
Other Printed Items	22,805	63,348	63,501	26,344	23,145	18,253	1,800	219,196
Microfilm - Mss, Other Archives (rolls)	2,323	360	2,287	1,906	5			6,881
- Printed Material	2	1,016	2,613	3,160	1,324	86	254	8,445
Video Recordings		5			851	4,376	765	5,997

CENTRAL DEPOSITORY

The first alternative is a central depository for all Presidential records. The merits of a central depository for all Presidential records were discussed at the hearings preceding the Presidential Libraries Act as well as in the Archives report. Advantages mentioned are that scholars or researchers could examine materials of several Presidents or administrations without traveling around the country to visit individual libraries. Also, the costs of operating and administering a single building would be less.

Disadvantages expressed were that the Government would probably be required to finance the construction of the centralized depository since private groups associated with Presidents would be unlikely to offer to build and donate a structure for the papers of all Presidents; a centralized library would not be as accessible to people living outside the city in which the library is located; the potential for loss of all Presidential records by fire or other means if stored in a single building; and Presidents or their associates may be less willing to donate personal records or other historical materials if the records are to be located in a central depository.

As a commentary on that last statement, the Presidential Records Act of 1978 differentiates between personal records and records that relate to the President's conduct of his office which are Government property. The Archivist must take custody of the Government materials at the end of a President's term of office and maintain them in an archival depository operated by the United States.

As you requested, we prepared a hypothetical cost analysis of the current Presidential libraries program over the next 100 years compared to a centralized library concept that would not include a museum component. The results of this analysis, which are included at the end of my testimony, show estimated costs using several variables. While the results are purely estimates and the cost reductions may be greater or lesser over a 100-year period, it is apparent that economies would result under a centralized depository concept.

REGIONAL CENTERS

A second alternative is designated regional centers. Further Presidential libraries might be located at designated regional centers either as individual buildings or in the same structure as other cultural or archival activities including regional archives branches of the National Archives. Regional centers which in the future might include papers of several Presidents would be more economical to operate than individual libraries.

Disadvantages are that the Federal Government would probably have to finance the construction and persons associated with Presidents may be less willing to deposit materials if the regional center is outside a President's State.

ELIMINATE MUSEUM COMPONENT

A third alternative is to curtail or eliminate museums. The President could choose the location of his Presidential library but to reduce costs

in operations and building maintenance, museums could be curtailed or eliminated. By performing only archival functions and services, Presidential library staffs could be smaller and the size of the library structures would be reduced.

The Archives report concludes that any savings would not be in proportion to program reductions because: (1) public support and interest would not be sufficient to construct and donate a building, and, therefore, the Federal Government would have to pay construction costs; and (2) the programs currently are supported in part or wholly by fees and public contributions which might not be available without museums.

As regards public support for Presidential libraries performing only archival functions, GAO noted that the Eisenhower and Ford library buildings received donations from the public for construction of the libraries. This occurred even though the museums are in different buildings, and in the case of the Ford Library, a different city. As regards the fees and public contributions for library operations, as we stated earlier, such income represented only 10 percent of the total costs of operating the Presidential libraries in fiscal year 1979.

CENTRALIZED STORAGE AND MICROCOPYING

A fourth possibility is centralized storage and microcopying. Under this alternative the Federal Government would discontinue acceptance of land and buildings for Presidential libraries. Instead, the Government could, by their right of ownership under the Presidential Records Act of 1978, centralize the storage, preservation, and processing of the Government portion of the Presidential papers.

These papers would be indexed and sorted, perhaps, through the use of modern computerized techniques and reproduced on microform. Indexed lists and copies of the microform containing the contents of the papers would be made available at a reasonable cost to the public. The moneys saved by not funding the operation and maintenance of Presidential libraries could be used for the microcopying process.

Additional income would be generated from the sale of the indexed lists and the microform itself. The Library of Congress used this procedure for the first 23 Presidents, although on a more limited basis because of the substantially lesser volume of records they submitted.

The advantages of this process are that: (1) Presidential records would be available to the public without the high cost of operating and maintaining numerous Presidential libraries; and (2) microform copies would be readily available to local supporters that wish to construct a museum for the President.

Major disadvantages would include: (1) Presidents may donate their personal papers elsewhere, as he can now; and (2) startup costs would be high for space, staff, and equipment.

DECENTRALIZED LIBRARIES/CENTRALIZED MUSEUMS

The fifth alternative is decentralized libraries, centralized museums. Presidential libraries, perhaps attached to a university, would perform

only archival functions and services and have limited space for displaying historical materials. A centralized President's museum could be built and perhaps operated by the Smithsonian which would house the historical items, including gifts from foreign countries, of all Presidents.

Various items could be displayed periodically at the Presidential libraries. That is, not all at once, but periodically. The cost of the President's museum would be borne by the Federal Government. Although the size of the Presidential libraries would be reduced, we think the public would probably continue to contribute funds for construction of libraries. The Federal Government could pay the operation and maintenance costs of these libraries.

The Archives report concludes that no alternative to the current Presidential libraries system appears to offer a superior method for providing effective archival care of Presidential records and assuring their full use and availability to a broad cross section of the American public. Archives states that the current system has developed on a firm foundation of public support and has been widely used since its inception.

While at present a library is likely to be added for each President, Archives says the system has built in checks to prevent this. These checks are: (1) if public interest wanes, the libraries will cease to grow since funds from the public are needed to construct the libraries; and (2) congressional approval is needed for each library and inappropriate growth can be stopped through congressional action.

We are aware, however, Mr. Chairman, of no basis for an expectation that public interest will wane because contributions for libraries can be solicited while a President is still in office and, therefore, it is likely supporters would have little trouble obtaining the needed funds. As regards congressional approval, approval is automatic unless some action is taken by the Congress to disapprove acceptance of a library.

The Archives study further points out that the Presidential Libraries Act permits acceptance of the libraries by the Government, but does not give the Government a clear role either in selecting the site for the building or in its design. As a result, Presidential libraries may be constructed at sites inaccessible to researchers and difficult to reach by members of the public. Archives suggests that the Congress require libraries to be constructed with archival and efficiency standards developed by GSA and that buildings not meeting such standards cannot be accepted. This need was also expressed by several library directors.

CONCLUSION

In conclusion, in our opinion, size and uses, and thus costs of most Presidential libraries exceed what was intended by the Presidential Libraries Act. The definition of Presidential archival depository in the act is open to broad interpretation and wide discretion is being used by GSA in accepting depositories. Archives is administering various buildings at one location, which raises questions regarding the applicability of some of them as part of an archival depository; and in another instance, buildings of a single archival depository are located in two different cities.

The primary purpose of archival depositories is preserving Presidential papers and making them available for research. However, since the greatest interest in libraries from the public view is not the library function but the museum aspect, recognizing that researchers represent less than 1 percent of all visitors, we believe there is a tendency for management to direct much of its attention toward the museum function.

If economy were the primary consideration, it seems clear that costs could be reduced considerably if the museum functions were eliminated or curtailed. Also, it seems apparent that the concept of a centralized archival depository would be the preferred cost alternative. We recognize, however, that there are value judgments involved—in service to the public and other factors.

Nevertheless, 25 years have gone by since the Presidential Libraries Act was passed and, in view of the increasing costs and the inevitable growth in the number and size of Presidential archival depositories, we believe careful consideration should be given to alternative solutions. Such consideration should include questions regarding the current library program such as:

On the basis of the small number of researchers, are the Presidential library buildings becoming too large?

Is the museum aspect of Presidential libraries being overemphasized?

Should buildings which constitute a Presidential archival depository be located in different cities some distance from each other?

Is there a need to refine the definition of "Presidential archival depository" in terms of scope and define "buildings" as to types in the Presidential Libraries Act?

This concludes my statement, Mr. Chairman. We will be pleased to respond to any questions you may have.

[CLERK'S NOTE.—Documents which constitute the legislative history of the Presidential libraries program follow:]

CARD DIVISION

TO PROVIDE FOR THE ACCEPTANCE AND MAINTENANCE OF PRESIDENTIAL LIBRARIES, AND FOR OTHER PURPOSES

4 JUL 21
Copy ---- 1955

HEARING

BEFORE A

SPECIAL SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS HOUSE OF REPRESENTATIVES

EIGHTY-FOURTH CONGRESS

FIRST SESSION

ON

H. J. Res. 330, H. J. Res. 331, and H. J. Res. 332

BILLS TO PROVIDE FOR THE ACCEPTANCE AND MAINTENANCE OF PRESIDENTIAL LIBRARIES, AND FOR OTHER PURPOSES

JUNE 13, 1955

U S Congress House

Printed for the use of the Committee on Government Operations

UNITED STATES
GOVERNMENT PRINTING OFFICE
63967 WASHINGTON : 1955

COMMITTEE ON GOVERNMENT OPERATIONS

WILLIAM L. DAWSON, Illinois, *Chairman*

CHET HOLIFIELD, California
JOHN W. McCORMACK, Massachusetts
EARL CHUDOFF, Pennsylvania
JACK BROOKS, Texas
LESTER HOLTZMAN, New York
ROBERT H. MOLLOHAN, West Virginia
L. H. FOUNTAIN, North Carolina
PORTER HARDY, Jr., Virginia
JOHN A. BLATNIK, Minnesota
ROBERT E. JONES, Jr., Alabama
EDWARD A. GARMATZ, Maryland
JOHN E. MOSS, Jr., California
JOE M. KILGORE, Texas
DANTE B. FASCELL, Florida
MARTHA W. GRIFFITHS, Michigan
HENRY S. REUSS, Wisconsin

CLARE E. HOFFMAN, Michigan
R. WALTER RIEHLMAN, New York
CECIL M. HARDEN, Indiana
CHARLES B. BROWNSON, Indiana
GEORGE MEADER, Michigan
CLARENCE J. BROWN, Ohio
GLENARD P. LIPSCOMB, California
B. CARROLL REECE, Tennessee
J. ARTHUR YOUNGER, California
VICTOR KNOX, Michigan
OTTO KRUEGER, North Dakota
CHARLES R. JONAS, North Carolina
WILLIAM E. MINSHALL, Ohio

CHRISTINE RAY DAVIS, *Staff Director*
ORVILLE S. POLAND, *General Counsel*

SPECIAL SUBCOMMITTEE ON DONABLE PROPERTY

JOHN W. McCORMACK, Massachusetts, *Chairman*

JOHN E. MOSS, Jr., California
CHARLES R. JONAS, North Carolina

MEMBERS EX OFFICIO

WILLIAM L. DAWSON, Illinois
CLARE E. HOFFMAN, Michigan

RAY WARD, *Staff Director*
ASSELIA POORE, *Clerk*

CONTENTS

	Page
House Joint Resolution 330	1
House Joint Resolution 331	3
House Joint Resolution 332	5
Statement of—	
Grover, Dr. Wayne C., Archivist of the United States	16
Keller, Robert F., assistant to the Comptroller General	48
Lloyd, David D., executive director, Harry S. Truman Library, Inc.	49
Mansure, Edmund F., Administrator, General Services Administration	13
Milne, James N., administrative assistant to the minority leader, Hon. Joseph W. Martin, of Massachusetts	11
Rees, Hon. Edward H., a Representative in Congress from the State of Kansas	7
Letters, statements, etc., submitted for the record by—	
Commager, Henry Steele, professor of history, Columbia University, on proposed presidential library legislation: Statement	60
Ellis, Elmer, president, University of Missouri, on presidential libraries: Statement	63
Grover, Dr. Wayne C., Archivist of the United States:	
Franklin D. Roosevelt Library, Hyde Park, N. Y.	33
List of completed and accepted but unpublished doctor of philosophy theses based in whole or in part on materials used at the Franklin D. Roosevelt Library	37
Published works based in considerable part on research in the Franklin D. Roosevelt Library	35
Résumé of Presidential papers	39
Statement	28
Statement on proposed presidential library legislation	31
Statistics concerning research use of the papers in the Franklin D. Roosevelt Library, and number of visitors to the museum of the library	38
Lloyd, David D., executive director, Harry S. Truman Library, Inc.:	
Statement of Basil O'Connor, president of the Harry S. Truman Library, Inc	50
The Harry S. Truman Library (reprinted from the American Archivist, April 1955)	51
McCormack, Hon. John W., majority leader, a Representative in Congress from the State of Massachusetts, and chairman, House Special Subcommittee on Donable Property:	
Letter from Joseph Campbell, Comptroller General of the United States, to Hon. William L. Dawson, June 13, 1955	48
Letter from Rowland Hughes, Director, Bureau of the Budget, to Hon. William L. Dawson, June 11, 1955	47
Statement re proposed presidential library legislation	57
Murphy, Franklin D., chancellor, University of Kansas, Lawrence, Kans., relating to legislation concerned with presidential libraries: Statement	63
Rees, Hon. Edward H., a Representative in Congress from the State of Kansas: Statement of Sam R. Heller, president of the Eisenhower Foundation, Abilene, Kans	8
Shafer, Boyd C., executive secretary, American Historical Association, on archives, libraries, and the presidential papers: Statement	62

TO PROVIDE FOR THE ACCEPTANCE AND MAINTENANCE OF PRESIDENTIAL LIBRARIES, AND FOR OTHER PURPOSES

MONDAY, JUNE 13, 1955

HOUSE OF REPRESENTATIVES,
SPECIAL SUBCOMMITTEE OF THE
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

The subcommittee met at 10 a. m., in room 1301, New House Office Building, Hon. John W. McCormack (chairman of the subcommittee) presiding.

Subcommittee members present: Congressmen John W. McCormack, John E. Moss, Jr., and Charles R. Jonas.

Staff members present: Orville Poland, general counsel of the Committee on Government Operations; Ray Ward, staff director of the subcommittee; and Asselia Poore, clerk of the subcommittee.

Mr. MCCORMACK. The subcommittee will come to order.

The legislation before the subcommittee for consideration today consists of House Joint Resolution 330, introduced by myself; House Joint Resolution 331, introduced by the minority leader, Congressman Martin; and House Joint Resolution 332, another companion resolution introduced by Mr. Rees of Kansas.

The purpose of each bill is to provide for the acceptance and maintenance of Presidential libraries, and for other purposes.

Copies of the House joint resolutions will be inserted in the record at this point, unless there is objection.

(The resolutions are as follows:)

[H. J. Res. 330, 84th Cong., 1st sess.]

JOINT RESOLUTION To provide for the acceptance and maintenance of Presidential libraries, and for other purposes

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 507 of the Federal Property and Administrative Services Act of 1949, as amended (44 U. S. C., sec. 397), is hereby amended as follows:

(1) By amending subsection (e) to read as follows:

"(e) The Administrator is authorized, whenever he deems it to be in the public interest, to accept for deposit—

"(1) The papers and other historical materials of any President or former President of the United States, or of any other official or former official of the Government, and other papers relating to and contemporary with any President or former President of the United States, subject to restrictions agreeable to the Administrator as to their use; and

"(2) documents, including motion-picture films, still pictures, and sound recordings, from private sources that are appropriate for preservation by the Government as evidence of its organization, functions, policies, decisions, procedures, and transactions."

(2) By redesignating subsection (f) as subsection (h), and by inserting after subsection (e) the following new subsections:

"(f) The Administrator is authorized, whenever he deems it to be in the public interest—

"(1) to accept, for and in the name of the United States, any land, buildings, and equipment offered as a gift to the United States for the purposes of creating a Presidential archival depository, and to take title to such land, buildings, and equipment on behalf of the United States, and to maintain, operate, and protect them as a Presidential archival depository, and as part of the national archives system; and to enter into agreements, upon such terms and conditions as he deems proper, with any State, political subdivision, university, institution of higher learning, institute, or foundation to utilize as a Presidential archival depository land, buildings, and equipment of such State, subdivision, university, or other organization, to be made available by it without transfer of title to the United States, and to maintain, operate, and protect such depository as a part of the national archives system: *Provided*, That the Administrator shall submit a report in writing on any such proposed Presidential archival depository to the President of the Senate and the Speaker of the House of Representatives, which report shall include a description of the land, buildings, and equipment offered as a gift or to be made available without transfer of title as aforesaid, a statement of the terms of the proposed agreement, if any, a general description of the types of papers, documents, or other historical materials which it is proposed to deposit in the Presidential archival depository so to be created, a statement of the additional improvements and equipment, if any, necessary to the satisfactory operation of such depository, together with an estimate of the cost thereof, and an estimate of the annual cost to the United States of maintaining, operating, and protecting such depository: *Provided further*, That the Administrator shall not take title to any such land, buildings, and equipment or enter into any such agreement, until the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which such report is transmitted, which sixty-day period shall be computed as follows: Continuity of session shall be considered as broken only by an adjournment sine die, but the days on which either House is not in session because of an adjournment of more than three days to a day certain shall be excluded from the computation;

"(2) to deposit in any such Presidential archival depository any papers, documents, or other historical materials accepted under subsection (e), or any Federal records appropriate for preservation therein;

"(3) to exercise, with respect to any papers, documents, or other historical materials deposited under this subsection in any Presidential archival depository, all the functions and responsibilities otherwise vested in him pertaining to Federal records or other documentary materials in his custody or under his control: *Provided*, That papers, documents, or other historical materials accepted and deposited under subsection (e) and this subsection shall be held subject to such restrictions respecting their availability and use as may be specified in writing by the donors or depositors, including the restriction that they shall be kept in a Presidential archival depository, and such restrictions shall be respected for so long a period as shall have been specified, or until they are revoked or terminated by the donors or depositors or by persons legally qualified to act on their behalf with respect thereto: *Provided further*, That subject to such restrictions, the Administrator may dispose by sale, exchange, or otherwise, of any papers, documents, or other materials which the Archivist may determine to have no permanent value or historical interest or to be surplus to the needs of any Presidential archival depository;

"(4) to cooperate with and to assist any university, institution of higher learning, institute, foundation, or other organization or qualified individual to further or to conduct study or research in any historical materials deposited in any Presidential archival depository;

"(5) to charge and collect reasonable fees for the privilege of visiting and viewing any exhibit rooms or museum space in any such Presidential archival depository;

"(6) to provide reasonable office space in any Presidential archival depository for the personal use of any former President of the United States; and

"(7) to accept gifts or bequests of money or other property for the purpose of maintaining, operating, protecting, or improving any Presidential archival depository: *Provided*, That the proceeds of any such gifts or bequests, to-

53-990 O - 80 - 4

gether with the proceeds from any fees or from any sales of historical materials, copies or reproductions thereof, catalogs, or other items, having to do with any Presidential archival depository, shall be paid into the National Archives Trust Fund provided for in section 5 of the Act of July 9, 1941, to be held, administered, and expended under the provisions of such section for the benefit and in the interest of the Presidential archival depository in connection with which they were received, including such administrative and custodial expenses thereof as the Administrator may determine.

"(g) All property, including real estate, historical materials, and funds accepted or received under subsection (e) or (f) shall be exempt from all taxes levied by the District of Columbia and all Federal taxes, and all gifts or bequests accepted under subsection (e) or (f), including the gift of an archival depository, or of historical materials for deposit therein, shall for the purposes of Federal income, estate, and gift taxes, be deemed gifts or bequests to the United States."

(3) By adding at the end thereof the following new subsection:

"(i) When used in this section—

"(1) The term 'Presidential archival depository' means an institution established to house and preserve the papers and books of a President or former President of the United States, together with other historical materials belonging to a President or former President of the United States, or related to his papers or to the events of his official or personal life.

"(2) The term 'historical materials' includes books, correspondence, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, motion pictures, sound recordings, and other objects or materials having historical or commemorative value."

[H. J. Res. 331, 84th Cong., 1st sess.]

JOINT RESOLUTION To provide for the acceptance and maintenance of Presidential libraries, and for other purposes

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 507 of the Federal Property and Administrative Services Act of 1949, as amended (44 U. S. C., sec. 397), is hereby amended as follows:

(1) By amending subsection (e) to read as follows:

"(e) The Administrator is authorized, whenever he deems it to be in the public interest, to accept for deposit—

"(1) the papers and other historical materials of any President or former President of the United States, or of any other official or former official of the Government, and other papers relating to and contemporary with any President or former President of the United States, subject to restrictions agreeable to the Administrator as to their use; and

"(2) documents, including motion picture films, still pictures, and sound recordings, from private sources that are appropriate for preservation by the Government as evidence of its organization, functions, policies, decisions, procedures, and transactions.

(2) By redesignating subsection (f) as subsection (h), and by inserting after subsection (e) the following new subsections:

"(f) The Administrator is authorized, whenever he deems it to be in the public interest—

"(1) To accept, for and in the name of the United States, any land, buildings, and equipment offered as a gift to the United States for the purposes of creating a Presidential archival depository, and to take title to such land, buildings, and equipment on behalf of the United States, and to maintain, operate, and protect them as a Presidential archival depository, and as part of the national archives system; and to enter into agreements, upon such terms and conditions as he deems proper, with any State, political subdivision, university, institution of higher learning, institute, or foundation to utilize as a Presidential archival depository land, buildings, and equipment of such State, subdivision, university, or other organization, to be made available by it without transfer of title to the United States, and to maintain, operate, and protect such depository as a part of the national archives system: *Provided*, That the Administrator shall submit a report in writing on any such proposed Presidential archival depository to the President of the Senate and the Speaker of the House of Representatives, which report shall include a description of the land, buildings, and equipment offered as a gift or to be made available without

transfer of title as aforesaid, a statement of the terms of the proposed agreement, if any, a general description of the types of papers, documents, or other historical materials which it is proposed to deposit in the Presidential archival depository so to be created, a statement of the additional improvements and equipment, if any, necessary to the satisfactory operation of such depository, together with an estimate of the cost thereof, and an estimate of the annual cost to the United States of maintaining, operating, and protecting such depository: *Provided further*, That the Administrator shall not take title to any such land, buildings, and equipment or enter into any such agreement, until the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which such report is transmitted, which sixty-day period shall be computed as follows: Continuity of session shall be considered as broken only by an adjournment sine die, but the days on which either House is not in session because of an adjournment of more than three days to a day certain shall be excluded from the computation;

"(2) to deposit in any such Presidential archival depository any papers, documents, or other historical materials accepted under subsection (e), or any Federal records appropriate for preservation therein;

"(3) to exercise, with respect to any papers, documents, or other historical materials deposited under this subsection in any Presidential archival depository, all the functions and responsibilities otherwise vested in him pertaining to Federal records or other documentary materials in his custody or under his control: *Provided*, That papers, documents, or other historical materials accepted and deposited under subsection (e) and this subsection shall be held subject to such restrictions respecting their availability and use as may be specified in writing by the donors or depositors, including the restriction that they shall be kept in a Presidential archival depository, and such restrictions shall be respected for so long a period as shall have been specified, or until they are revoked or terminated by the donors or depositors or by persons legally qualified to act on their behalf with respect thereto: *Provided further*, That subject to such restrictions, the Administrator may dispose by sale, exchange, or otherwise, of any papers, documents, or other materials which the Archivist may determine to have no permanent value or historical interest or to be surplus to the needs of any Presidential archival depository;

"(4) to cooperate with and to assist any university, institution of higher learning, institute, foundation, or other organization or qualified individual to further or to conduct study or research in any historical materials deposited in any Presidential archival depository;

"(5) to charge and collect reasonable fees for the privilege of visiting and viewing any exhibit rooms or museum space in any such Presidential archival depository;

"(6) to provide reasonable office space in any Presidential achival depository for the personal use of any former President of the United States; and

"(7) to accept gifts or bequests of money or other property for the purpose of maintaining, operating, protecting, or improving any Presidential archival depository: *Provided*, That the proceeds of any such gifts or bequests, together with the proceeds from any fees or from any sales of historical materials, copies or reproductions thereof, catalogs, or other items, having to do with any Presidential archival depository, shall be paid into the National Archives Trust Fund provided for in section 5 of the Act of July 9, 1941, to be held, administered, and expended under the provisions of such section for the benefit and in the interest of the Presidential archival depository in connection with which they were received, including such administrative and custodial expenses thereof as the Administrator may determine.

"(g) All property, including real estate, historical materials, and funds, accepted or received under subsection (e) or (f) shall be exempt from all taxes levied by the District of Columbia and all Federal taxes, and all gifts or bequests accepted under subsection (e) or (f), including the gift of an archival depository, or of historical materials for deposit therein, shall, for the purposes of Federal income, estate, and gift taxes, be deemed gifts or bequests to the United States."

(3) By adding at the end thereof the following new subsection:

"(i) When used in this section—

"(1) The term 'Presidential archival depository' means an institution established to house and preserve the papers and books of a President or former President of the United States, together with other historical materials belonging to a President or former President of the United States, or related to his papers or to the events of his official personal life.

"(2) The term 'historical materials' includes books, correspondence, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, motion pictures, sound recordings, and other objects or materials having historical or commemorative value."

[H. J. Res. 332, 84th Cong., 1st sess.]

JOINT RESOLUTION To provide for the acceptance and maintenance of Presidential libraries, and for other purposes

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 507 of the Federal Property and Administrative Services Act of 1949, as amended (44 U. S. C., sec. 397), is hereby amended as follows:

(1) By amending subsection (e) to read as follows:

"(e) The Administrator is authorized, whenever he deems it to be in the public interest, to accept for deposit—

"(1) the papers and other historical materials of any President or former President of the United States, or of any other official or former official of the Government, and other papers relating to and contemporary with any President or former President of the United States, subject to restrictions agreeable to the Administrator as to their use; and

"(2) documents, including motion picture films, still pictures, and sound recordings, from private sources that are appropriate for preservation by the Government as evidence of its organization, functions, policies, decisions, procedures, and transactions."

(2) by redesignating subsection (f) as subsection (h), and by inserting after subsection (e) the following new subsections:

"(f) The Administrator is authorized, whenever he deems it to be in the public interest—

"(1) to accept, for and in the name of the United States, any land, buildings, and equipment offered as a gift to the United States for the purposes of creating a Presidential archival depository, and to take title to such land, buildings, and equipment on behalf of the United States, and to maintain, operate, and protect them as a Presidential archival depository, and as part of the national archives system; and to enter into agreements, upon such terms and conditions as he deems proper, with any State, political subdivision, university, institution of higher learning, institute, or foundation to utilize as a Presidential archival depository land, buildings, and equipment of such State, subdivision, university, or other organization, to be made available by it without transfer of title to the United States, and to maintain, operate, and protect such depository as a part of the national archives system: *Provided*, That the Administrator shall submit a report in writing on any such proposed Presidential archival depository to the President of the Senate and the Speaker of the House of Representatives, which report shall include a description of the land, buildings, and equipment offered as a gift or to be made available without transfer of title as aforesaid, a statement of the terms of the proposed agreement, if any, a general description of the types of papers, documents, or other historical materials which it is proposed to deposit in the Presidential archival depository so to be created, a statement of the additional improvements and equipment, if any, necessary to the satisfactory operation of such depository, together with an estimate of the cost thereof, and an estimate of the annual cost to the United States of maintaining, operating, and protecting such depository: *Provided further*, That the Administrator shall not take title to any such land, buildings, and equipment or enter into any such agreement, until the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which such report is transmitted, which sixty-day period shall be computed as follows: Continuity of session shall be considered as broken only by an adjournment sine die, but the days on which either House is not in session because of an adjournment of more than three days to a day certain shall be excluded from the computation;

"(2) to deposit in any such Presidential archival depository any papers, documents, or other historical materials accepted under subsection (e), or any Federal records appropriate for preservation therein;

"(3) to exercise, with respect to any papers, documents, or other historical materials deposited under this subsection in any Presidential archival depository, all the functions and responsibilities otherwise vested in him per-

taining to Federal records or other documentary materials in his custody or under his control: *Provided*, That papers, documents, or other historical materials accepted and deposited under subsection (e) and this subsection shall be held subject to such restrictions respecting their availability and use as may be specified in writing by the donors or depositors, including the restriction that they shall be kept in a Presidential archival depository, and such restrictions shall be respected for so long a period as shall have been specified, or until they are revoked or terminated by the donors or depositors or by persons legally qualified to act on their behalf with respect thereto: *Provided further*, That subject to such restrictions, the Administrator may dispose by sale, exchange, or otherwise, of any papers, documents, or other materials which the Archivist may determine to have no permanent value or historical interest or to be surplus to the needs of any Presidential archival depository;

"(4) to cooperate with and to assist any university, institution of higher learning, institute, foundation, or other organization or qualified individual to further or to conduct study or research in any historical materials deposited in any Presidential archival depository;

"(5) to charge and collect reasonable fees for the privilege of visiting and viewing any exhibit rooms or museum space in any such Presidential archival depository;

"(6) to provide reasonable office space in any Presidential archival depository for the personal use of any former President of the United States; and

"(7) to accept gifts or bequests of money or other property for the purpose of maintaining, operating, protecting, or improving any Presidential archival depository: *Provided*, That the proceeds of any such gifts or bequests, together with the proceeds from any fees or from any sales of historical materials, copies or reproductions thereof, catalogs, or other items, having to do with any Presidential archival depository, shall be paid into the National Archives Trust Fund provided for in section 5 of the Act of July 9, 1941, to be held, administered, and expended under the provisions of such section for the benefit and in the interest of the Presidential archival depository in connection with which they were received, including such administrative and custodial expenses thereof as the Administrator may determine.

"(g) All property, including real estate, historical materials, and funds, accepted or received under subsection (e) or (f) shall be exempt from all taxes levied by the District of Columbia and all Federal taxes, and all gifts or bequests accepted under subsection (e) or (f), including the gift of an archival depository, or of historical materials for deposit therein, shall for the purposes of Federal income, estate and gift taxes, be deemed gifts or bequests to the United States."

(3) By adding at the end thereof the following new subsection:

"(i) When used in this section—

"(1) The term 'Presidential archival depository' means an institution established to house and preserve the papers and books of a President or former President of the United States, together with other historical materials belonging to a President or former President of the United States, or related to his papers or to the events of his official or personal life.

"(2) The term 'historical materials' includes books, correspondence, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, motion pictures, sound recordings, and other objects or materials having historical or commemorative value."

Mr. McCORMACK. In 1934, the Congress made provision for the establishment of the National Archives in the city of Washington. Since that time, Public Law 152, which was enacted in 1949, expanded the scope of the National Archives. There is inscribed on a statue at one corner of the National Archives Building—"Study the Past." Another reads "The Heritage of the Past Is the Seed That Brings Forth the Harvest of the Future."

One great heritage of the American people is contained in the papers and historical materials of our Presidents and their contemporaries.

Entwined in these manuscripts, documents, and papers is a picture of the political, economic, and cultural conditions of the time.

Through happenstance, many of the papers, manuscripts, and documents of previous Presidents have been kept intact for the benefit of present and future generations. In other cases, these priceless documents have been lost or destroyed.

The resolutions which we are considering this morning would present a definite plan for the preservation of such documents of any President or former President of the United States. The matter should not be left to happenstance. These resolutions would provide for a system of archives in their proper surroundings, and remain intact for the benefit of the American people now and for the future.

I am very glad to note here this morning the presence of our distinguished colleague from Kansas, Mr. Rees, who introduced one of the resolutions.

Congressman Rees, the subcommittee will be very glad to hear from you at this time.

STATEMENT OF HON. EDWARD H. REES, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KANSAS

Mr. REES. Thank you, Mr. Chairman.

I appreciate the privilege of appearing before your committee this morning in support of House Joint Resolution 332 that provides for the acceptance and maintenance of Presidential libraries and for other purposes.

The present law, in summary, is as follows:

(*a*) General Services Administrator may accept for the Archives congressional or other Federal records of historical value; may transfer them to public or educational institutions; and may control private papers deposited in the Archives;

(*b*) General Services Administrator is responsible for custody and use of such records under legal restrictions applying to them, but no restriction will apply for over 50 years unless he specifies;

(*c*) General Services Administrator is responsible for preservation of such records, and may reproduce them—including microfilm—and provide guides for their use;

(*d*) General Services Administrator shall provide facilities for servicing such records;

(*e*) General Services Administrator may accept historical papers of present or former Presidents, heads of Federal departments and agencies, and others designated by the President. Restrictions imposed by the donors will apply for not over 25 years. Films are included in this authority;

(*f*) General Services Administrator may make and keep motion-picture films, still pictures, and sound recordings relating to historical development of the Nation; edit and catalog them; and release them for nonprofit educational purposes.

Under section 44, United States Code, section 397 (e), the General Services Administrator is authorized to accept for the Archives papers and other historical materials of any President or former President of the United States or head of a department.

This resolution extends the authority of the General Services Administrator when he deems it to be in the public interest to accept for and in the name of the United States any land, buildings, and equip-

ment on behalf of the United States and to maintain and protect them as a Presidential depository as a part of the National Archives System.

It also authorizes the General Services Administrator to enter into agreements with States, schools, and so forth, to use their land, buildings, or equipment for deposit of archives. It also provides that gifts or bequests of money, or property may be accepted for the purpose of protecting or improving any archival depository. These gifts, if made, shall be paid into what is known as the National Archives trust fund which is already provided under the law.

The bill also provides that all of the property shall be exempt from Federal taxes.

I have particular interest in this proposed legislation because the former home of the present President of the United States, President Eisenhower, is in Abilene, Kans. It is in the Fourth Congressional District of our State, which I have the honor to represent. Members of the Eisenhower family, which includes President Eisenhower and his brothers, have turned over to what is known as the Eisenhower Foundation the former home of the Eisenhower family, also property adjacent thereto.

There has already been erected near the home a memorial building containing many of the trophies and historical documents of President Eisenhower. This building and improvements have been paid for by contributions mainly from people of the State of Kansas.

It is proposed to establish a Presidential library at Abilene that will be built on a suitable site immediately adjoining the Abilene Memorial and the President's boyhood home. This library and museum will be built and completed without cost to the Federal Government. It is proposed that this library will be made available as a depository for the preservation of documents, papers, pamphlets, works of art, maps, films, and other materials having historical or commemorative value.

Mr. Chairman, I would like to include with my testimony a statement by Mr. Sam R. Heller, president of the Eisenhower Foundation at Abilene, Kans.

(The statement of Mr. Heller is as follows:)

Certain interested persons from Kansas have requested and have received assurance from President Eisenhower that his presidential papers will be made available to a depository at Abilene, Kans., if adequate facilities for their care, preservation and use are established in that city.

Funds have been appropriated and are now available for the purchase of a suitable site immediately adjoining the Eisenhower Museum and President Eisenhower's boyhood home.

Plans will be developed through a five-man commission to be appointed and perpetuated by the Governor of Kansas to obtain sufficient additional funds to construct a fireproof, buglarproof library building in Abilene in which the Presidential papers can be properly housed and where they will be accessible to historians and others who wish to use them for the enlightenment of future generations.

The establishment of a Presidential library at Abilene, Kans., will offer to the people of the Midwest area an opportunity which they could not otherwise enjoy. The existence of such an institution would stimulate study and research and general public education in matters of Government and would add much to the cultural life of the people of this part of the Nation. It is considered that a Presidential library here at Abilene, Kans., will serve the needs of the many Midwest universities and colleges and that its impact upon the people of this area will serve to promote better citizenship.

We are convinced from our experience in operating the Eisenhower Museum located at Abilene, that a presidential library will attract many visitors. At-

tached are some statistics on visitors who registered at the museum and the President's boyhood home during their respective periods of operation.

Registration is voluntary and it is estimated that only about 75 percent of the visitors register so that the actual attendance would be substantially greater than the figures listed.

It is recognized that the satisfactory and efficient operation of a presidential library must be given over to experts in that field, and it is our purpose to heartily endorse the Joint Resolution "To provide for the acceptance and maintenance of presidential libraries and for other purposes."

SAM R. HELLER,
President, the Eisenhower Foundation.

The Eisenhower Foundation, Abilene, Kans.

[Organized to Promote Citizenship and to Honor Veterans of America's Wars, Inc. (incorporated 1945)]

Total number registered at home from June 22, 1947, to May 31, 1955	254, 759
Total number of foreign countries registered at home	102
Museum total adult paid admissions April 3, 1954, to May 31, 1955	80, 095
Museum total child paid admissions April 3, 1954, to May 31, 1955	20, 362
Museum total special paid admissions (conventions, etc.)	1, 015
Total paid admissions to museum to May 31, 1955	101, 472

REGISTRATIONS BY COUNTRIES AND NUMBER AT MUSEUM FROM APRIL 3, 1954 TO MAY 31, 1955

[Approximately 75 percent register]

Africa	17	Ireland	6
Arabia	2	Israel	8
Argentine	5	Italy	6
Australia	10	Japan	23
Belgium	2	Jordon	3
Bermuda	1	Korea	16
Bolivia	1	Latvia	2
Brazil	6	Lebanon	6
British Guiana	2	Liberia	1
British West Africa	2	Morocco	2
British West Indies	10	New Zealand	5
Canada	145	Nicaragua	3
Chile	4	Norway	6
China	10	Pakistan	10
Colombia	1	Palestine	3
Cuba	6	Panama	5
Cyprus	1	Paraguay	1
Denmark	6	Peru	2
Egypt	2	Philippines	17
England	39	Portugal	2
Ethiopia	2	Russia	3
Finland	1	Saudi Arabia	2
France	14	Sweden	9
French East Africa	1	Switzerland	9
Germany	57	Syria	4
Guatemala	3	Thailand	2
Haiti	4	Turkey	37
Holland	23	Union South Africa	7
Honduras	2	Venezuela	8
Hungary	2	Yugoslavia	22
Iceland	4	Puerto Rico	32
India	23	Alaska	45
Iran	3	Hawaii	42

Mr. MCCORMACK. This bill, of course, would take care of the future, too?

Mr. REES. That is correct.

Mr. MCCORMACK. The recent history in connection with former President Hoover reflects that he placed his papers in the Hoover

Library on War, Revolution and Peace on the campus of the University of Leland Stanford; the late President Franklin D. Roosevelt gave his papers to the Federal Government in the Roosevelt Library at Hyde Park, and the Congress authorized the acceptance of this library, and placed it under the jurisdiction of the National Archives by a joint resolution approved July 18, 1939, Special Resolution 30 of the 76th Congress.

Former President Truman proposes to dispose of his papers in the same way, placing them in a library which is now being built at Independence, Mo., and which will be offered as a gift to the United States.

Steps are now being taken, with the approval of President Eisenhower, to place his papers at Abilene, Kans., in the library to be constructed near the Eisenhower family home where he spent his boyhood, and young manhood. Is that correct, Congressman Rees?

Mr. REES. That is correct.

Mr. MCCORMACK. In all these cases, the Presidential libraries were built, or will be built, without cost to the Federal Government?

Mr. REES. That is correct; at no cost to the Government.

Mr. MCCORMACK. Are there any questions, Mr. Moss?

Mr. MOSS. I have no questions, Mr. Chairman. I certainly agree with the objectives of the bill.

Mr. MCCORMACK. Mr. Jonas?

Mr. JONAS. I do not know that it is a question, and I am not expressing any view about it, but, of course, this contemplates that we will have libraries, perhaps, scattered around the United States. We will have one in New York, one in Missouri, as well as one in Kansas, under the present arrangements, and as provided for in this legislation. Is that correct?

Mr. REES. That is correct.

Mr. JONAS. The purpose is to continue that with respect to the papers of future Presidents?

Mr. REES. That is correct.

Mr. JONAS. I am just wondering whether it is a good idea to have these papers scattered about the country?

Would it maybe not be more in the interest of research and study and more helpful to have them located in one place?

Mr. REES. I am advised that that proposal has been considered, and was considered in the case of President Roosevelt. That is, you are suggesting that we might put them all at the Nation's Capitol.

Mr. MCCORMACK. Might I call to the attention of Congressman Jonas and Congressman Rees the fact that under these resolutions, if enacted into law, the Presidential libraries would be integrated into our national recordkeeping system. There would be an integration.

Mr. REES. That is right.

Mr. JONAS. I was thinking about historians, and scholars, or students, who in the future will have an interest and desire to study these records, but in order to do so, they will have to go from library to library, when all of the material is not available at one location.

Without expression of an opinion on it myself, I can certainly see that there would be some room for a difference of opinion as to whether it would be better to have a multitude of libraries, maintained by the United States, containing the separate papers of the different Presi-

dents at different locations, or would it be not more desirable and advantageous to have them all assembled under one roof?

Mr. REES. Well, I assume that this property we are talking about really belongs to the President—to President Truman at Independence, Mo., or to President Roosevelt at Hyde Park, or to President Eisenhowever at Abilene, Kans. I should think, perhaps, he would have the right to choose the spot where he wants to leave these mementos, or this material. I suppose that is right, but I think there is something to be said for your proposal.

Mr. JONAS. I think that is also right, and I of course think he would have the right to deposit those documents wherever he wished to deposit them.

Mr. REES. I suppose so. There is, however, something to attaching the location of this property to the home of the President.

Mr. JONAS. I can see some advantage in having the libraries distributed about the country, because it makes the individual and particular library more accessible to people who live in places removed from the city of Washington.

Mr. MCCORMACK. Or, the city of Boston. We would like to have them all there, because we are a very historical city, but we would not want to have a monopoly on them.

Mr. REES. No. Off the record.

(Discussion off the record.)

Mr. JONAS. Off the record.

(Discussion off the record.)

Mr. MCCORMACK. Are there any further questions?

(No response.)

Mr. REES. Thank you very much, Mr. Chairman.

Mr. MCCORMACK. Thank you very much, Congressman Rees. We are always glad to have you appear before us, and we hope your appearance will be more frequent in the future.

Mr. REES. Thank you, Mr. Chairman. It is a pleasure to be here with you this morning.

Mr. MCCORMACK. We have present a representative of the distinguished former Speaker and present minority leader in the person of his administrative assistant, Mr. James N. Milne. I know he is very busy, and we will be glad to hear from Mr. Milne at this time.

STATEMENT OF JAMES N. MILNE, ADMINISTRATIVE ASSISTANT TO THE MINORITY LEADER, HON. JOSEPH W. MARTIN, OF MASSACHUSETTS

Mr. MILNE. Thank you, Mr. Chairman.

I will not, Mr. Chairman, burden the subcommittee with the details of the legislation which I am sure are well known to the committee, and will be explained by others.

My function here is to express the regret of Mr. Martin that other commitments prevented his coming here to testify on this legislation.

Mr. MCCORMACK. We understand. You do not have to explain that at all.

Mr. MILNE. Mr. Martin has asked me, Mr. Chairman, to come here and state that he was very glad and happy to join in this nonpartisan or bipartisan effort to urge the enactment of this legislation.

While the immediate occasion for this legislation is to enable the Administrator of General Services to accept the land, buildings, and equipment to be donated to the United States Government by the Harry S. Truman Library, Inc., for the purpose of housing and making available for use the papers and other historical material of former President Truman, the bill authorizes the Administrator to accept the papers of Mr. Truman and pertinent papers of his official family and contemporaries for deposit in this library.

It provides that the library may also be used for the deposit of permanently valuable records of Federal field agencies appropriate for retention in the Kansas City area, rather than in the National Archives at Washington.

The bill applies not only to the Truman Library, but to future Presidential libraries that may be established. It is general legislation, under which Presidential libraries would be integrated into our national recordkeeping system. It authorizes the Administrator of General Services to acquire by gift, as branches of the National Archives, a system of field depositories for permanently valuable records.

It is possible that over the next hundred years, 12 or 15 Presidential archival depositories may be constructed, in locations designated by the Presidents of the United States, and donated to the United States Government.

About one-third of the cost of maintenance and administration would probably be offset by receipts from visitors to exhibit rooms. At the end of 100 years, if 15 depositories were constructed, and given to the Government, the annual net operating cost would be about $1.5 million per year. This is about equal to the cost for land, buildings, and equipment of the Truman Library alone, the money for which has been raised privately by Mr. Truman's friends, and associates, and by the city of Independence, Mo.

As I understand, this legislation will permit the Government to take advantage of the generous motives of a President's associates and friends whose interest in a memorial provide us with the expensive physical facilities and equipment for an archival depository at no cost to the Nation's taxpayers. There could be no better memorial, no more lasting tribute, than a living institution dedicated to research and to the preservation in impartial hands of the documentary source materials of our Nation's history.

I think, in regard to the question which Mr. Jonas raised, it might be pointed out that the Office of the Presidency, like the offices of the Members of Congress and the Supreme Court, are constitutional offices, having separate and independent status in our governmental system, and that every President since George Washington has considered that this separate and independent status of the Office extends to and embraces the papers of the incumbent of the Office. Thus, as is the case with the papers of individual Members of Conress, the papers of the President have always been considered to be their personal property, both during their incumbency and afterward.

This has the sanction of law and custom, and has never been authoritatively challenged. It is, however, also true that though the papers of the Presidents are the property of the Presidents, they constitute a class of property which is, so to speak, affected by a public interest. They are Federal Government archives, in character and

scope, and the Federal Government should develop systematic means for their preservation consistent with our constitutional form of government, and our traditions.

In addition to providing a way to handle some of the permanent Federal field reports, this legislation solves a problem as old as the Federal Government—the disposition of Presidential papers and mementos. It solves this problem in a way that will conform with our constitutional system and traditions, by taking into account the wishes of the Presidents themselves, and by recognizing their right to control access to their papers, for a period of time.

The system provided in this legislation is giving the President a method of disposing of his papers in the public interest without violating the confidential character that a good portion of them necessarily have. Under this system, neither he nor his heirs need purge or destroy any of the papers they might feel bound to keep private for a period of time—an assurance that all depositories of historical papers must give and have given to depositors for many years.

Furthermore, this system keeps all the materials in official custody, under the supervision of professional archivists, and assure that the integrity of the documents as evidence will not be impaired.

By integrating the Presidential depositories with our national system for maintaining the records of the Federal Government, it provides a means for gradually expanding a truly national system of archives keeping, consistent with the needs of our times.

Without belaboring and burdening the committee any further, Mr. Chairman, I think I am authorized to say that the legislation has the approval of the Administration.

Mr. McCormack. Thank you very much, Mr. Milne.

Are there any questions?

(No response).

Mr. Milne. Thank you, Mr. Chairman.

Mr. McCormack. I see Administrator Mansure is present in the room, and we would be very glad to hear from the Administrator of General Services at this time.

STATEMENT OF EDMUND F. MANSURE, ADMINISTRATOR, GENERAL SERVICES ADMINISTRATION

Mr. Mansure. Thank you, Mr. Chairman.

Mr. McCormack. You have no written report, as yet, for the committee, have you, on this bill? If so, it should be placed into the record at this point.

Mr. Mansure. No, sir; not on the bill, as yet.

Mr. McCormack. If not, do you intend to prepare a written report? It is not necessary, if you do not want to, and your testimony will be sufficient, if you want to follow that procedure.

Mr. Mansure. I thought we would leave it this way:

After our testimony, if you would like to have a written report, we will make one.

Mr. McCormack. I would suggest, without objection, that any report from the Administrator of General Services, if he so desires, will be made a part of the record immediately preceding the testimony of the Administrator.

Mr. Mansure. All right, sir.

Mr. McCormack. Without objection, it is so ordered.

You may proceed, Mr. Mansure.

Mr. Mansure. For the members of the subcommittee, I would like to make a general statement, and then make a few other remarks, as well, to Congressman Jonas and the other members, who may care to ask questions.

First of all, it is a privilege to come before this committee today to speak in behalf of House Joint Resolutions Nos. 330, 331, and 332, today.

The General Services Administration is wholly in favor of these identical resolutions.

But it is not primarily my purpose to speak from the viewpoint of the Administrator of General Services. This legislation has a wider and deeper significance than the mere fact that it would endow GSA with heavier responsibilities. Naturally, we will welcome and faithfully carry them out as they appear in the future.

The Archivist of the United States, Dr. Grover, is prepared to testify on many detailed aspects of this legislation. His informative testimony will help you evaluate the rich benefits which these resolutions will assure for the American people. He will explain, moreover, that what they propose is essentially the logical extension of the present authority and duties of the National Archives.

These resolutions are history-making—in more ways than one.

They propose a foundation for the systematic preservation and use of the papers of the American Presidency. As the first proposal for general legislation of this kind, these resolutions are historic in every sense of the word.

In the world today, the American Presidency is the most august office to which free people freely elect one of their fellow citizens. The office was first occupied in 1789. In the span of 166 years since then there has been no systematic arrangement for the preservation and use of Presidential papers.

By the approach proposed in these three resolutions, this serious deficiency can be overcome. They will help prevent the fragmentation and irreparable losses which the papers of the Presidents have suffered in the past.

As a matter of ordinary practice, the President has removed his papers from the White House at the end of his term. This has been in keeping with the tradition and the fact that the papers are the personal property of the retiring Presidents. One unfortunate consequence has been that important bodies of Presidential documents have been dispersed and destroyed, particularly prior to the 20th Century.

All this is recognized in this legislation; there is nothing mandatory in the proposal. It is not an ill-conceived attempt to bind any future President of the United States. Instead, it will provide the vehicle by which the President is assured the integrity of his papers, their proper and orderly arrangement, and their eventual availability to the people as the historical record of his administration.

Thus, these resolutions have a simple purpose. They will establish in law a system whereby Presidential papers, in their entirety, may become a part of the National Archives, by gift or by agreement. Presidential libraries financed by private contributions may be included. In those instances, the National Archives will receive

not only the all-valuable papers, but also the land, buildings, and equipment essential to their preservation and use. In every case, the decision to make the gift will continue to rest with the former President and his heirs and friends.

The Presidential library is a new institution in American life. Its development has coincided with the modern growth of the American Presidency. When the President leaves office in these times, the volume of his papers far exceeds those of his predecessors of the 18th and 19th centuries.

It is worth noting that Presidential libraries have proven necessary for the preservation of the papers of at least the last three Presidents—Herbert Hoover, Franklin Roosevelt, and Harry Truman. In Abilene, Kans., the Eisenhower Foundation is preparing itself for the occasion when the President's papers may vastly enrich its valuable museum. With these eminent precedents, it is reasonable to expect Presidential libraries to become traditional depositories for the papers of the Presidency.

This legislation is wisely designed to incorporate these libraries in the National Archives system. Thus we will bring to the selection and classification of the papers the professional skills of trained archivists. In this way, we can avoid the normal hazards of loss and dispersal which prevail when Presidential papers are passed down through heirs and friends. In accordance with the high standard of archival management of the National Archives, the papers will come into the public domain in excellent order for scholarly research.

The Truman Library is likely to be the first to enter the National Archives system under this legislation. It will not be the last.

The legislation opens the way for other libraries to take their rightful place in the National Archives in the future. It will enable our Presidents to plan for the preservation of their papers with the knowledge that the Government has made provision to receive them in the archives of the Republic.

This arrangement will contribute lastingly to the understanding of American life and American history. Historians may look forward confidently to the time when they may have full access to Presidential papers. In view of their great historical value, forehanded provision for their orderly preservation is the best guarantee that they will be retained intact for historical research.

Thus, these resolutions not only will make history, but they will also make for better history.

This is fully in accord with American principles. There can be no partisanship in preserving intact the facts which are the fabric of our history. This stands high among the axioms of Americanism.

Our history will surely gain from the foresight which has inspired these resolutions.

I would like to say, in answer to Congressman Jonas' question, that I had the same question in mind myself, and rather than to get into a detailed discussion of it, I think it might be good if we had Dr. Grover present some of the details of the matter. I questioned it from the standpoint of economy, but after talking to our people, who are fully conversant with the situation, I am just a little bit inclined now to think that it would be more economical to have these libraries in various locations around the country for this reason:

The Government could also make use of them for other valuable documents in conjunction with our record centers which are located around the country. Now, our record centers are placed from the standpoint of availability and access to the various departments of the Government. It seems to me that probably the same principle might apply in regard to Presidential libaries.

I am just giving that out as a thought, in partial answer to the question which Mr. Jonas raised, but I believe it can be better answered after you have all of the conditions and facts involved in a matter of this kind.

Mr. Chairman, I did not know whether you wanted to ask questions now or wait until Dr. Grover covered some of the details, and then we could answer any questions which you desire to ask.

Mr. McCormack. Are there any questions at this point?

Mr. Jonas. Yes, sir. I will reserve any questions on the points referred to so far until Dr. Grover testifies, but I think this would be a proper question to direct to you, Mr. Mansure, or some member of your organization.

Have you given any detailed study or consideration to the question as to what amount of money would be involved in maintaining one of these libraries on an annual basis? You would need guards and custodians, and other personnel. Has there been any study made of that, or are we completely in the dark as to what the cost involved would be?

Mr. Mansure. Mr. Jonas, we have some figures on that, but I would not say we have made a detailed study. Of course, we have the experience of the Roosevelt Library at Hyde Park.

Mr. Jonas. What are the annual maintenance costs there?

Mr. Mansure. Well, we can give you all of those figures. I do not know whether we have them here, but we have them broken down in great detail.

Mr. Jonas. If you have them here, I think it might be well to have that information placed in the record, Mr. Chairman.

I remember that a subcommittee on which I served during the last term had the appropriation for the library, but I do not recall the figure at the moment.

Mr. Mansure. We have those, Congressman Jonas, and if the chairman would like, Dr. Grover can give those figures. They are here, and are taken from our appropriations report.

STATEMENT OF WAYNE C. GROVER, ARCHIVIST OF THE UNITED STATES

Mr. McCormack. You may proceed, Dr. Grover.

Dr. Grover. Mr. Chairman, my name is Wayne C. Grover, and I am the Archivist of the United States. We estimate, on the basis of the Roosevelt Library experience, that the annual operating cost, including both the professional staff and the maintenance staff, and upkeep of the building and grounds, will run about $150,000 annually.

Mr. Jonas. Per library?

Dr. Grover. Per library; yes. This will be offset by fees from visitors to the museum, amounting, we estimate, to about $50,000. So, the net cost per annum would be about $100,000 in full operation.

Mr. Jonas. You said "based upon the costs now at Hyde Park."

Dr. GROVER. That is based on the cost at Hyde Park; yes, sir.

Mr. JONAS. What fees are charged there?

Dr. GROVER. The fees are charged for visitors to the special exhibit rooms, and museum rooms, where documents and mementos and gifts that were made to Mr. Roosevelt while he was in office are exhibited. The annual attendance runs about 200,000. The fee is 25 cents there.

Mr. JONAS. There are no charges made for research?

Dr. GROVER. No, sir; no charges for research. There is a charge, however, for reproductions; that is, they are charged the cost of reproductions.

Mr. JONAS. Do you handle the reproductions? You are equipped to do that yourself?

Dr. GROVER. Yes, sir; we can do that.

Mr. JONAS. You make a charge when someone wants a copy of a document?

Dr. GROVER. Yes, sir; for a photostatic or a microfilm copy.

Mr. JONAS. How many people are employed there to maintain this library, in regard to maintenance, supervision, and custody?

Dr. GROVER. On the professional staff, there are 18 people, total. The number of guards and cleaners, I could not give you offhand, Mr. Jonas, but that total cost runs about $60,000 a year.

Now, in the case of the Roosevelt Library, the buildings and grounds are maintained out of the appropriations to the National Park Service, because in conjunction with the library, the Roosevelt home is maintained as a museum, open to the public, and nearby there is also the Vanderbilt home, and the National Park Service furnishes the custodial services, just as at other places, the Public Buildings Service furnishes custodial service to our records centers.

Mr. JONAS. The figures which you have given do not include that kind of maintenance?

Dr. GROVER. Yes, sir; they do include that.

Mr. JONAS. You mean the Park Service?

Dr. GROVER. Yes, sir; I included that in the total of $150,000 annually.

Mr. JONAS. Would the cost be less than that if library grounds were not so extensive? If you did not have a park and a lot of land and other buildings to maintain, the cost would be somewhat less; would it not?

Dr. GROVER. Yes, sir; it would be somewhat less.

Mr. JONAS. The cost of maintaining a library in the city, for example, on a small plot of land, would be less than you indicated?

Dr. GROVER. It might be somewhat less, although in the case of the Truman Library at Independence, Mo., it is to be in the city in the center of a city park in Independence.

Mr. MCCORMACK. Off the record.

(Discussion off the record.)

Dr. Grover, did you plan to make a statement?

Dr. GROVER. Mr. Chairman, I had a statement that I hoped to present.

Mr. MCCORMACK. We will come to that, later.

Dr. GROVER. I had a statement which covered some of these points, but we are covering them now, or we will cover them now, if you like.

Mr. JONAS. Mr. Chairman, he just came in as a pinch-hitter, and he has already scored a home run.

Mr. MANSURE. I would like to say, in furthering the thinking, that everything we would judge in regard to the two other libraries under discussion now would be pure guess, because we do not have any experience to base a judgment on, but I believe that Congressman Jonas has put his finger on it to the effect that it would be the location of the library and its accessibility to people rather than the interest of the documents there that would govern the cost.

I say that, because in highly populated areas, naturally, there will be more people visiting a location. So, it will depend a good deal on where these locations are, and their accessibility to the general public, and that will govern to a great extent the maintenance cost. There will have to be a basic staff, and I believe we could give you an estimate on that, including the basic clerical help and the basic maintenance help, but from there it would be just a question of guess, as to what it would amount to over a period of time in the future.

Mr. JONAS. When you use the word "clerical" do you include the professional staff which Dr. Grover mentioned?

Dr. GROVER. Yes, sir; the 18 persons at the Roosevelt Library, include the clerical and the archival staff.

Mr. JONAS. What does the professional staff consist of?

Dr. GROVER. There are about 9 or 10 archivists, Mr. Jonas.

Mr. JONAS. What do they do, once they get the material and the documents tabulated, and cataloged, and arranged for inspection?

Dr. GROVER. Well, I will be happy when they get that completed.

Mr. JONAS. They are still working on that?

Dr. GROVER. Yes, sir, but in the meantime they have constant visitors in the research rooms doing research there just as you do it at any library, and there is a constant use of the library.

Mr. JONAS. Are they engaged in helping researchers find material?

Dr. GROVER. They provide material, and they reply to letters which contain inquiry about the information in the records; they provide reproductions and so forth.

Of course, in regard to any library of this kind which is a living institution, it has an accession policy. The Roosevelt Library is a period library, and acquires additional papers of Mr. Roosevelt and his contemporaries, so that there is a certain building up of materials.

Mr. JONAS. How do you acquire contemporary material?

Dr. GROVER. By gift.

Mr. JONAS. Are they specified by the donor to become a part of the Roosevelt Memorial Library?

Dr. GROVER. Yes, sir.

Mr. JONAS. The library at Hyde Park, at least, is not restricted to Presidential papers?

Dr. GROVER. No, sir; and under this legislation neither would the others. It would be a mistake to restrict them to just presidential papers, Mr. Jonas.

Mr. JONAS. Well, certainly, I can see that a library would be more valuable from a standpoint of research and study if it contained a lot of the contemporary material other than the personal letters and documents of the President.

Dr. GROVER. Yes, sir.

Mr. JONAS. The building at Hyde Park; is it so located that it can be added to?

Dr. GROVER. Yes, sir; a wing could be added to the building, at Hyde Park. However, that will not be necessary for some time. We are using microfilm for some of the material in order to reduce the space requirement, and I would hope to use a good bit of microfilm in all of these Presidential libraries for additional materials, you see.

Mr. JONAS. You are engaged in that work at the National Archives here?

Dr. GROVER. That is right; at the National Archives, and elsewhere.

Mr. MCCORMACK. Are there any questions, Mr. Moss?

Mr. MORSE. I have no questions, Mr. Chairman.

Mr. MCCORMACK. Have you completed your statement, Mr. Mansure?

Mr. MANSURE. Yes, sir, I have completed my statement, unless there are some questions on it.

I feel that the questions which have come up have been very important, and that is why I wanted to stay on, because I had the same reservations in my own mind, and as I gave more thought to them it seemed to me desirable to have these libraries in various locations, because of the local interest which would be created, rather than to have one tremendous operation; of course, I feel very strongly on the basic principal of the libraries.

From the operational standpoint, of course, I realize that everything we say is pure opinion, because we have nothing to base it on except our experience in regard to the Roosevelt Library.

Mr. MCCORMACK. Well, of course, the important thing it would seem to me, based upon projecting our minds into the future, after we are gone, even, is that these libraries would be in existence and they would be very important in keeping the valuable records and history of the country.

Dr. GROVER. Yes, sir.

Mr. MCCORMACK. That can only be done by this method. While it might cost a little more, nevertheless, the intrinsic values would be inestimable. You cannot estimate their value in terms of dollars. It is a matter of opinion.

Dr. GROVER. That is right.

Mr. MCCORMACK. It involves the development of understanding of our ideals, and the objective study of history, which these libraries will probably afford, will be more important a couple of generations from now than they are now. They are very, very valuable now, but from the angle of objective interpretation of history of the period in which a man served, it usually takes 2 or 3 generations before there can be an objective interpretation and evaluation.

The principle of this distribution throughout the country would, it seems to me, outweigh considerably the question of having them all consolidated at one place. Furthermore, the population is changing throughout the country. There are many other factors that we can get a glimpse of, but we know the trend is that way, and we cannot see the full impact decades ahead, but nevertheless, we know that those factors are in operation.

Would that be a fair general observation, Dr. Grover?

Dr. GROVER. I feel so. I feel that the professional people, of course, will go wherever the documents are available, but the school-

children—many of them—cannot either afford or have the time to go from one section of the country to another seeking to see these things. Therefore, I believe that the localization of them and also the decentralization of programs of this type is very valuable to the country, basically.

There is no question but what there is an additional cost. I think we should recognize that, but also, when you get these libraries concentrated, and get them too big, then they become more costly to operate than they are in separate localities.

Mr. McCormack. Are there any further questions?

Mr. Jonas. Mr. Chairman, I would like to just briefly elaborate upon one thought which I had in mind, and which could be illustrated by reference to the two libraries under discussion now, the Truman proposed library, and the Eisenhower Library.

Anyone studying in the future history of the period in which we live will necessarily have to study the documents in both of those libraries. They will contain documents and papers and letters dealing with the same period of history—the Second World War and the period subsequent thereto—and I am just wondering whether there would be any advantage in having them at the same location, instead of at different places.

Anyone undertaking to write the history of this period, say, 10 years or 25 years hence, will have to go to Missouri and work with those papers, and then make notes, and go on over to Kansas, and study the other documents.

Would it not be highly advantageous to have the documents in the same building so close contact could be maintained or close study?

That is, perhaps, not important, but it just occurs to me in thinking about this problem, as to whether this really will be advantageous to students to have the documents separated.

Mr. Mansure. In answer to that, there will probably be advantages, but, of course, we are confronted with this practical question: The documents do belong to the individual Presidents, and I do not see how we can bring about a decision other than what they may want to do, or what their heirs may want to do. We are sort of at their mercy, and we are looking at this as a vehicle of at least getting some control over these documents and papers.

Mr. Jonas. Does the legislation contemplate that the United States Government will accept title to the building, but will not accept title to the documents, or is there anything in the legislation which will require a transfer of title, or could the heirs of a President at will move the documents out of the library at some future time?

Dr. Grover. Under the legislation, the Administrator negotiates with the depositors on an agreement as to when title will pass. Now, there may be a period when a donor may wish to deposit the material in the library, with a definitely stated number of years after which title will pass.

That is common practice in the case of deposits of manuscript materials in libraries and historical societies throughout the country, but in no case should the Administrator accept papers if there is not an ironclad agreement that title shall pass at such-and-such a date.

Now, the reasons why a depositor may wish to retain title for a period of time to his papers or some of them, are connected with tax purposes. He may wish to transfer title gradually over a period of

time. I am not talking about Presidents now; I am just talking about the customary practice in regard to archivists or manuscript depositors in receiving material of this kind.

Mr. McCormack. The answer is that any papers and things received will become the property of the Government of the United States?

Dr. Grover. Yes, sir. Mr. Truman has definitely stated in correspondence with Mr. Mansure's predecessor that title would pass to the United States as soon as the library was completed—title to both the papers and the library building and grounds.

Mr. McCormack. In other words, there would be no contingencies?

Dr. Grover. No, sir.

Mr. Jonas. Is that provided for in the legislation, or is that just an agreement between them? I think it ought to be provided for in the legislation, because the Presidents might not make that agreement.

Dr. Grover. Well, Mr. Jonas, an iron-clad provision on title passing the minute the Government comes into possession of the documents would be too inflexible, in my opinion. It would put us at a certain disadvantage in acquiring other types of papers. A provision in the law which provided ultimately for the transfer of title would be all right, but we have in our present act, and frankly have suggested that it be rescinded in connection with this legislation, a provision that the moment materials pass to the Government, title passes, and as I say, for the reason that some depositors, but not Mr. Truman nor Mr. Eisenhower, but some of their associates or contemporaries that we want to get papers from may be reluctant to pass title immediately. I think we should have that flexibility to have title pass over a period of time.

Mr. Jonas. I think so, too, but I was just wondering whether there should not be some language in the act which would require that upon acceptance of title to the building, and the assumption of the responsibility for maintaining it, and keeping it, if there should not be some requirement that at that time, or at some time in the future, title would pass to the Government so that the heirs of the President in question might not remove some of these documents.

Dr. Grover. There is no question but what we should be safeguarded against heirs.

Mr. Jonas. Most of the restrictions which you are talking about are not restrictions about title, but are restrictions about use of the documents?

Dr. Grover. Yes, sir.

Mr. Jonas. Some Presidents have expressed the wish or the requirements that documents not be opened to the public until the expiration of a certain period of years, and that is taken care of in this legislation. The time is fixed at 25 years, the maximum time, I believe, but I was just raising the question whether the language is clear in the proposed legislation that some grant of title effective at a future date would be contemperaneous with the acceptance of the title to the property.

Mr. Elliott.[1] The language is not clear, Mr. Jonas. As a matter of fact, as you will note on the top of page 3, lines 3 through 6, there is a contemplation that title might never pass. Therefore, in line with what Dr. Grover was saying, I would suggest that we could work with

[1] Mr. Maxwell H. Elliott, General Counsel of General Services Administration.

the staff in changing that to provide that at ultimately some point title will pass.

Mr. JONAS. Yes. In the section to which you refer it does say that it contemplates that these documents might be accepted without transfer of title.

Mr. Moss. Would you yield at that point, Mr. Jonas?

Mr. JONAS. Yes.

Mr. Moss. In reading this, I notice it mentions subdivisions, universities, or other organizations, and in the case of the Leland Stanford, Jr., University, the trustees of the university, in all probability under the terms of the trust, could not transfer title, because they might run into a series of extended leases where they could not transfer title.

Would you not further restrict the availability of documents if you tie it down too tight?

Dr. GROVER. Well, there are two types of property which we are talking about: One involves the papers themselves, and I think ultimately title should pass so that there would be no question or arguments with the heirs. The other is the fixed property which involves the buildings and grounds.

Mr. JONAS. Yes.

Dr. GROVER. In the case of physical property, I think Mr. Moss is correct, that in the future the Federal Government might wish to make an agreement with the university which would retain title to the plant, the buildings and grounds.

Mr. Moss. Might it not already apply in any acquisition of the Hoover collection, which is housed on the campus of the Leland Stanford, Jr., University in California?

As I understand it, Stanford, in establishing the university, does not permit the transfer of title to the real property or holdings.

Dr. GROVER. It would apply, but the question of the transfer of that library or those holdings has not been brought up at all.

Mr. Moss. But, it could be brought up, and this would apply and might act as a barrier against the acquisition of the property.

Dr. GROVER. That is right, but not of the papers. They could transfer title to the papers.

Mr. JONAS. May I ask a further question along that line?

Mr. Moss. Yes.

Mr. JONAS. What would be the practical way in which you would take over any responsibility with respect to the Hoover papers at Stanford under this legislation? What do you have in mind that you can do? The building was built, I think, by gifts.

Dr. GROVER. That is right.

Mr. JONAS. It was not erected by the university, but was erected by gifts from individuals, and trusts, and interested people, just as the Truman Memorial Library is being contemplated, and the Eisenhower Library, and are all of the documents in that library still under the direction of former President Hoover?

Dr. GROVER. Yes, sir.

Mr. JONAS. Does he still retain that title thereto?

Dr. GROVER. Yes, sir.

Mr. JONAS. But, they are housed in this building erected on the campus?

Dr. GROVER. Yes, sir.

Mr. JONAS. How are they maintained?

Dr. GROVER. They are maintained by the university.

The Hoover Library of War, Revolution, and Peace and its collections which have been greatly augmented over the years by Stanford University itself deal with that subject really on a somewhat larger scale than the Presidential papers themselves, you see.

Mr. JONAS. It includes volumes of documents not directly connected with President Hoover?

Dr. GROVER. Not necessarily connected with President Hoover or not necessarily connected with the Federal Government in any way, you see. There have been no suggestions made and we have not contemplated any action with respect to the Hoover Library at Stanford.

Mr. MOSS. But in this legislation we are providing for the future and if we require the transfer of title, especially to real property, we might be limiting the opportunities of the Government to come into possession of the papers and the libraries that might be erected.

Dr. GROVER. I agree. That is why as I understand it this provision is in the proposed legislation which states that the property, the buildings may be transferred for operation by the Government without transfer of title. But there may be some confusion between buildings and papers, and there should be no confusion on the ultimate transfer of title of the papers.

Mr. JONAS. I can see where we may run into a lot of complications if we desire to gain custody of papers of former Presidents because they are scattered about all over the United States from Boston to California, is that not true?

Dr. GROVER. That is true, Mr. Jonas, and the papers of former Presidents constitute an entirely different kind of problem than you have with the papers of the President today and the papers of the Presidents tomorrow.

Mr. JONAS. That was the point I was going to make. But in looking at future acquisitions where the Government accepts title to a memorial library, for example, the Truman one and the Eisenhower one, it is contemplated that these libraries would be built by gifts from friends of those Presidents, and thereafter they will house thes documents and then the title will be accepted by the United States. Now, with respect to that sort of a situation, I think when the title is accepted to the building and the Government assumes the responsibility of maintaining the building for the future, there ought to be a provision by which the Government would be assured that eventually it would acquire title to the documents in the building, so that some future heir of that President might not out of piety or for any other reason remove some of the documents.

Mr. MCCORMACK. Are you satisfied that under this bill you have enough authority and you have that flexibility which enables you to carry out the purposes to the maximum extent possible?

Dr. GROVER. Our general counsel, Mr. Elliott, is going to look at the language closely with that idea of title to the papers in mind, and I am sure that if it does not have that now it will have at the time your staff and Mr. Elliott get through with it. I thought it did, but maybe it does not.

Mr. MCCORMACK. Then you will confer with our staff members?

Mr. ELLIOTT. I do not think the language is clear and I do think it needs to be sharpened up on that point with respect to the papers.

Mr. MCCORMACK. But you recognize the necessity of flexibility?

Mr. ELLIOTT. Yes, sir.

Mr. MOSS. I would like to ask a question at this point.

Mr. MCCORMACK. All right. Go ahead.

Mr. MOSS. Suppose that a collection exists outside of the personal collection of the President, perhaps a member of his Cabinet, and that they wanted to deposit them with you on loan, maybe in perpetuity, if you require transfer of title are not you again foreclosing the opportunity to broaden the collection?

Dr. GROVER. Mr. Moss, that is exactly right. That is the point that I think should be cleared, that the title to papers cannot remain with the President or his heirs in perpetuity. There must be some provision, mandatory, if necessary, that title passes ultimately, but there may be a period of time when the depositor may have a perfectly legitimate reason for wishing to retain title for a definite period of time. Any agreements on deposit should be very specific about when title transfers.

Mr. MCCORMACK. Suppose, for example, the family has some document that they want to keep in their family but may want to loan it to make a photostatic copy. Could not cases like that arise?

Dr. GROVER. Yes, sir; that could arise, or they might put the document temporarily in the library. Say it is a famous document that could be put on exhibit, but they wanted to retain title to it for a period of time, then they might loan the original or deposit the original in the library for exhibit purposes but retain title to it.

Mr. MOSS. But if you require the final passing of the title some time in the future—suppose they just want to loan it to you with no intention to pass title for a period of years——

Dr. GROVER (interposing). Then it is a matter of negotiation to see if we can ultimately get title.

Mr. MOSS. But you might have occasional loan of property relating to the President, and if you require the ultimate passing of title, are not you going to close out the opportunities for loan of those collections? Is it not best to have a provision here that upon the screening by General Services and by the Congress that the public interest will be protected?

Mr. ELLIOTT. Mr. Chairman, I think the trouble is not at the time of the making of the initial agreement but it might happen many years from now with respect to views of the heirs, and that is the thing which Dr. Grover wishes to guard against.

Mr. MOSS. Mr. Elliott, suppose that an heir has some papers, maybe the son of the President may have some papers and he has no intention of giving you title to them, he wants to keep them in the family, but he agrees to loan them to you, say, for 5 years. Now if you say that in order to accept them for deposit you are going to have to finally have title, then you are not going to have the opportunity of even using them during the 5 years.

Dr. GROVER. Your point is that it might foreclose negotiations, to get the titles?

Mr. MOSS. Now, after they loan them to you for 5 years, they might have a change of heart, but you have foreclosed any opportunity

for that to develop by requiring that as a condition to the acceptance you must have an agreement that title will ultimately pass.

Mr. ELLIOTT. It seems to me though, Mr. Moss, the whole theory of this is that ultimately these papers will be in the complete control of the United States so that they will be soundly and surely available for all the people.

Mr. Moss. The main collection, yes; but you are going to have probably smaller collections that would be just loaned to you for definite periods, and if you require the passing of title you cannot accept the loan, can you?

Mr. MCCORMACK. That is just commonsense, is it not? There should be no difficulty in answering that. That is commonsense.

Dr. GROVER. Yes.

Mr. MCCORMACK. That is right.

Dr. GROVER. I think Mr. Moss' point is that if the language of the law were too inflexibly phrased we might not be able to receive the documents——

Mr. Moss (continuing). That is exactly my point.

Dr. GROVER. Receive the documents on deposit for a period of time unless we had the promise at that moment that the depositor would ultimately transfer title.

Mr. JONAS. Well I certainly did not have any idea in my own mind to foreclose the opportunity of acquiring for display purposes or for temporary periods of time certain documents that you might not be able to acquire title to. I was thinking about the great mass of documents that are already in the library at the time we take over the responsibility of maintaining the library. I certainly think we would be very foolish to enter into an obligation to maintain a building unless we had some control over the mass of documents that are in the building.

Mr. Moss. Mr. Jonas, do you not think the fact that we would be very foolish would prevent us from doing it without tying this down so tightly that you would foreclose opportunities for use of documents in the future in display that might be of current interest? You are going to have it screened by the General Services Administrator, he is going to conduct the negotiations, and before acceptance he is going to report to the Congress. Is not that in itself a sufficient guaranty that the interest of the Government is going to be adequately protected?

Mr. JONAS. Well I do not think there is any guaranty at all.

Mr. Moss. Well it would be a safe assumption, would it not?

Mr. JONAS. We would not need much legislation if we are going to assume that everybody would do just exactly the right and proper thing.

Mr. Moss. We have two safeguards. We are going to assume that we haven't a foolish Administrator of General Services, and in the event we should have such an individual we are going to assume that the entire Congress, at least the majority of it, is not going to be foolish enough to approve of such an agreement.

Mr. JONAS. If Congress does not approve it, it becomes effective unless somebody takes the initiative and offers a resolution to disapprove of it. Working in the negative that way is always more difficult, and your point would come nearer being sound, to my way of thinking,

if it required affirmative action on the part of Congress. But the legislation does not do that.

Mr. Moss. Well, of course, we have gone into very much broader fields and permitted approval under the same conditions by negative action.

Mr. JONAS. I do not think we are very far apart in our thinking. I am not trying to suggest that documents never be accepted for custody or display unless title passes; I was thinking about the great mass of documents that will be in the library at the time we take over its maintenance.

Mr. Moss. But, would you require the entire contents of the library——

Mr. JONAS (interposing). Not every single, individual document.

Mr. Moss. I think the difficulty is in defining just what you would require.

Mr. JONAS. I think that is true.

Mr. MCCORMACK. Well the real-estate title is taken, too, is it not? You have to get title to the real estate?

Mr. ELLIOTT. No; the real-estate title might not be, sir. As Dr. Grover and Mr. Moss pointed out, you might have a situation such as at Stanford where the physical real property cannot be conveyed.

Mr. Moss. You might have to enter into a 99-year lease with an option to renew or something of the sort.

Dr. GROVER. Some kind of an agreement in perpetuity.

Mr. JONAS. I think that in most of the cases in which we are dealing with the President during his lifetime he is going to transfer title.

Mr. Moss. But in the case of Mr. Hoover, he cannot transfer title because title is with the trustees of Stanford University.

Mr. JONAS. Well he can transfer title to anything that he has retained title to.

Mr. Moss. But not to the library itself because it is on the campus of the university.

Mr. JONAS. I do not think it is contemplated that we ever will take over the building on the Stanford University campus that houses that collection.

Mr. Moss. It is not contemplated I do not think, but it is conceivable it might be in the future.

Dr. GROVER. It is a conceivable situation in the future that a library located on university property, that title could be transferred.

Mr. Moss. It is also conceivable, is it not, that it might be located on property made available by some municipality holding that property under conditions which prevent transfer to States?

Dr. GROVER. That is already the case.

Mr. JONAS. Some of the papers of some of our Presidents are now controlled by States. I believe the State of Ohio——

Dr. GROVER (interposing). The Hays Library at Fremont, Ohio, is supported largely by an endowment from the Hays family, but the State does take care of the building and ground facilities. The State supports the physical facilities.

Mr. JONAS. This reference that I have indicates that that memorial is maintained jointly by the State and the Hays Foundation.

Dr. GROVER. That is right, sir.

Mr. JONAS. Now, under this legislation, could we take over that library?

Dr. GROVER. Not without the consent of Congress.

Mr. MCCORMACK. It says here:

> * * * and to enter into agreements, upon such terms and conditions as he deems proper, with any State, political subdivision, university, institution of higher learning, institute, or foundation to utilize as a Presidential archival depository land, buildings, and equipment of such State, subdivision, university, or other organization, to be made available by it without transfer of title to the United States, and to maintain, operate, and protect such depository as a part of the National Archives System: * * *

Could you put in there "with or without title"?

Dr. GROVER. We could add the language "with or without title."

Mr. MCCORMACK. Well, take, for example, the Eisenhower and the Truman Libraries, under the first part of subdivision (f) (1) you could take that title and that land.

Mr. JONAS. In this suggestion that we have been discussing about title to the documents, it might very well be that that would be appropriate only under subparagraph (1) under (f). It is where the United States takes title to the land and building, and then elsewhere there might be included language which would deal with the documents that would pass at the time. Then in the further sections that deal with agreements which might be made between the United States and States and subdivisions thereof and universities, documents in those cases might very well have to be handled on a different basis.

Mr. MCCORMACK. Subsection (f) (1) refers to buildings, lands, and equipment only. If some language is to be inserted with respect to title in the matter of documents, it should probably be inserted in (e) (1).

Mr. ELLIOTT. Mr. Chairman, might I make the suggestion. Perhaps the committee staff and I might work on the language which could then form the basis of a committee print. Possibly we could work out some language which would satisfy both Mr. Jonas' point and Mr. Moss' point, and you could then embody it in the committee print so that the members could consider it.

Mr. MCCORMACK. We could do that, but don't hold off too long in making your suggestions.

Mr. ELLIOTT. I will get right to work on that.

Mr. MCCORMACK. Are there any further questions at this time of Mr. Mansure?

(None indicated.)

Mr. MCCORMACK. I know he is a busy man. Do you have anything further to say, Mr. Mansure?

Mr. MANSURE. No, Mr. Chairman, unless there is a question.

Mr. MCCORMACK. All right, Dr. Grover, go ahead with your prepared statement.

Dr. GROVER. Mr. Chairman, some of the ground in this prepared statement has already been covered. I would like to introduce it into the record and make a few general remarks in connection with the statement. I would also like to introduce in the record a summary statement of which I think you gentlemen have copies showing the disposition of Presidential papers in the past, where they are located now insofar as we know, and the quantity of them. And finally, Mr. Chairman, I would like to introduce a summary statement on the

progress of the Roosevelt Library, showing the use that has been made of the papers in the library, and telling something about it as an institution.

(The documents referred to are as follows:)

STATEMENT OF DR. WAYNE C. GROVER, ARCHIVIST OF THE UNITED STATES

Mr. Chairman, the problem with which this bill is concerned is not a new one—it is as old as the Federal Government itself, and is a matter to which the Congress has in the past given considerable study. Thus, the present legislation may be considered to represent an embodiment of the lessons of our national experience in dealing with an historic problem which has taken on a somewhat new shape in the last generation.

The fundamental and governing considerations are simple ones. The immediate White House office of the President is a constitutional office. Unlike other organizations in the Executive Office of the President, it was not established by statute. This is true also of the offices of Members of Congress and members of the Supreme Court. They are not statutory offices, they are constitutional offices. The Constitution itself, of course, makes no mention of the disposition of the records accumulated in these constitutional offices.

Every President since George Washington has considered that the papers he accumulated in office were his personal property. Under our constitutional system, it is logical that the separate and independent status of the office should extend to and embrace the papers of the incumbent of the office.

But it has also long been recognized that though the papers of the Presidents are the property of the Presidents, the Federal Government has a vital interest in them. The papers of the Presidents constitute a vitally important part of the Nation's historical heritage. For over a hundred years our Government and people have recognized that the history of this country cannot be properly written or understood without these papers. The richness and fullness of our knowledge and understanding depend to a considerable extent on the completeness of the papers and the care with which they have been preserved.

That the Nation has understood and acted on this theory in the past is shown by the actions of Congress when, on various occasions in the 19th century it appropriated considerable sums of mony to purchase papers from the heirs of deceased Presidents. In all, a total of $45,000 was appropriated by the Congress at various times for the purchase of George Washington's papers. In 1848 the executor of Thomas Jefferson's estate was paid $20,000 for part of the Jefferson papers, and Mrs. James Madison received a total of $65,000 for her husband's papers. The Monroe papers and the papers of Andrew Jackson were purchased by the Federal Government at a cost of $20,000 and $18,000, respectively. In terms of the purchasing power of the dollar 100 years ago these are large sums of money, and they give some indication of the importance attached by the Congress to the desirability of ownership and preservation of Presidential papers by the Federal Government. Both the Federal Government and private organizations have also given evidence of their belief in the importance of this matter by the expenditure of millions of dollars for the publication of the papers, or parts of the papers, of some of the Presidents. Federal projects in this category include the well-known standard edition of Richardson's Messages and Papers of the Presidents and Fitzpatrick's Writings of George Washington.

There is no need to enlarge on the long history of the fate of the papers of each of our 32 Presidents—the damage that they have suffered through loss, mutilation, and dispersion before finally coming to rest in the public depositories where most of what remains are now to be found. We have compiled a statement giving some of the details—not all of them entirely creditable either to us as a Nation or to the heirs of Presidents. I would like to request the committee to include it in the record of this hearing, since it is the best statement of its kind that has ever been compiled.

The important point to keep in mind is that up to a generation ago it was usually physically possible for the President to pack up his papers and take them home with him at the end of his period of office. Though the papers tended gradually to increase in volume, taking care of them privately was still within the range of possibility. The papers of Abraham Lincoln, even when individually mounted and bound as they now are, comprise only 194 volumes for the whole period 1833–65.

In the last 25 or 30 years, a radically new factor has been introduced into this situation—a sudden and tremendous increase in the rate of creation of Presidential

papers, resulting in a swift accumulation in the White House office of bodies of files so enormous that no private person can undertake to give proper care and housing to the collection. It is not an accident that the last three Presidents of the United States have established or want to establish libraries to care for their papers and mementos. They really have had no choice in the matter, for the problems that confronted them with respect to the housing of their papers at the end of their terms of office has been one of an entirely different order of magnitude than those with which earlier Presidents had to deal.

For example, at the death of Franklin D. Roosevelt his Presidential papers occupied some 500 5-drawer file cabinets, and those of Mr. Harry Truman are only slightly less in volume. Mr. Herbert Hoover's White House papers occupy a substantial proportion of the available space in the Hoover Library on the campus of Stanford University. Thus the day is past when a President or his family can even contemplate personally taking charge of and caring for his White House papers until such time as they feel ready to place them in a public institution.

Since it was established in 1934, the National Archives has had general cognizance of the entire matter of the care and preservation of the historical records of the Government of the United States. Quite naturally, therefore, when in 1939 the Congress established at Hyde Park our first federally supported Presidential library, it was placed under our jurisdiction. The Franklin D. Roosevelt Library has been operated since that time as a part of the National Archives system, and the present legislation proposes the continuance of what has been demonstrated to be a sound and successful policy.

I should like to present for the record at this point a second document, Mr. Chairman. It is a summary statement relating to the progress of the Roosevelt Library in its interrelated functions as a research institution and a public museum.

Since the majority of the papers in the library were opened for research in 1950, it has become one of the country's busiest research institutions. Appended to the statement is a list of some 51 books published in the past few years based in considerable part upon research in the library. Another list appended contains the subjects of some 40 doctoral dissertations based in whole or in part on the archival materials at Hyde Park.

As you will see in glancing through the list, by no means all of the subjects pertain to Franklin D. Roosevelt. The White House papers in the Roosevelt Library, together with other papers of associates and contemporaries, undoubtedly comprise one of the richest collections of manuscript source materials in existence relating to our national political, economic, and social history for the period 1933–45.

It is my opinion that the wisdom of the Presidents who have requested the establishment of Presidential libraries as a means of permanently caring for their papers and mementos has already been demonstrated, and that general legislation would be justified on the basis of the Presidential collections alone. But, Mr. Chairman, there is a further reason to add Presidential libraries to our national recordkeeping system.

The National Archives will ultimately confront a substantial problem in providing for the proper care of the permanently valuable records created by Federal agencies in the field, outside of Washington. The records of these agencies are now preserved in our Federal records centers. These centers, established several years ago on the recommendation of the first Hoover Commission, are intended to provide economical storage and servicing for records that must be held for a period of time, but are not sufficiently valuable for permanent retention.

The primary function of those centers is to keep records that are of temporary value only. They are located in warehouse space that is not constructed or equipped for long-time archival purposes. As the years pass, the residue of permanently valuable records from these centers ought to be placed in depositories or facilities appropriate for the keeping of historic documents. The Presidential depositories, which this legislation authorizes the administrator to accept, will provide, in some parts of the country at least, facilities for the proper handling of such historically valuable Federal records.

It is possible that over the next 100 years, 12 or 15 Presidential archival depositories might be constructed, in locations designated by the Presidents of the United States, and donated to the United States Government. About one-third of the cost of maintenance and administration would probably be offset by receipts from visitors to exhibit rooms. At the end of 100 years, if 15 depositories were constructed and given to the Government, the annual net maintenance and operating cost would be about $1,500,000 per year. This is

about equal to the cost for land, buildings, and equipment of the Truman Library alone, the money for which has been raised privately by Mr. Truman's friends and associates and by the city of Independence, Mo.

It should be emphasized that in no case thus far has a President asked Congress to appropriate money for the purchase of land on which Presidential libraries are to be built or for the construction of a building in which their papers, books, and mementos are to be housed. The Federal Government receives as a gift not only the priceless collection of papers, books, and mementos belonging to the Presidents, but the land, building and equipment necessary properly to house, protect, and service them. Thus the Government not only comes into possession of a vast treasure of historical material at no cost to itself, it is provided with the facilities to house them.

In all candor, Mr. Chairman, I should say that I have heard some arguments against Presidential libraries. They are made by persons inclined to favor the concentration of Presidential papers in a single depository. I am convinced myself, however, that overcentralization—the endless piling up in one or two large cities on the eastern seaboard of ever greater quantities of papers, books, and other cultural materials—is shortsighted public policy.

Most of us are now persuaded of the values of geographical decentralization in every aspect of our life, governmental, economic and cultural, and all of the considerations arguing for the desirability of decentralization also argue for the establishment of Presidential libraries. The values are both direct and indirect, tangible and intangible. One of the first and most obvious considerations is physical security. The central safety lesson that we are learning today is that there is danger in centralization and safety in decentralization. For mere reasons of physical safety neither government nor industry can any longer put all eggs in one basket, and this policy is certainly equally wise in considering matters relating to the location of cultural treasures.

The facts of modern warfare dictate a gradual reversal of past habits of thinking—away from massive accumulations in highly centralized depositories and toward a larger degree of decentralization. But even if we could be assured of peace, the vast expansion of educational facilities during the past century in all parts of the country, the great increase in the number of students and scholars wishing to share in the use of our basic research materials, would argue for the maximum practicable decentralization of the physical facilities for research. Our great universities are no longer concentrated in a few States. They exist in every State in the Union.

With the ease of duplication by techniques that now exist, a Presidential library can at comparatively small cost furnish copies of desired documents to any person or institution anywhere on the face of the earth. Thus much of the argument for centralizing research materials in the midst of our largest centers of population in order that they may be conveniently available to the largest numbers of people is no longer really valid.

There are two final matters I should like to mention. One is the museum aspect of these libraries and the other is the matter of cost. The phrase Presidential library has come to signify an agency containing not only the papers of a President, but also his other treasured possessions—all of those materials the sum total of which makes it possible for scholars and the public to arrive at an understanding of the man and the history of the period in which he lived.

This is one of the most valuable features of this kind of an institution, for it makes possible the preservation within one establishment not only of the letters a President sent and received, but also the books that he read, the hobbies that he pursued, the sound recordings of the speeches that he made, the gifts that he received, the furniture that he used and, sometimes, even the clothing that he wore. All of these materials preserved in the immediate vicinity of the place where the President spent his formative years make possible an understanding of the man which the bare use of a collection of letters does not permit.

The operation of exhibit rooms as part of a Presidential library has proven itself to be a most valuable aspect of the activities of such an agency, not only because of its cultural and historical significance but because it can help offset the cost of operation.

I hasten to say, Mr. Chairman, that to the best of my knowledge it has never been the case that any cultural institution has ever been able completely to support itself from fees derived from the users of its facilities. This is evidenced by the experience not only of governmental institutions but also of private museums. Even the most popular of these, such as the Metropolitan Museum or the Museum of Modern Art in New York City, continue to be dependent on the generosity of private benefactors for their continued existence.

In the case of Presidential libraries, the exhibits work constitutes only a relatively small part of the library's activities. To expect admission fees to support even a major part of the normal activities of an archives depository and library would be doubly unrealistic. But if Presidential libraries cannot possibly be self-supporting, fees for viewing exhibits can contribute substantially to their support.

The chief costs are personal services, that is, the salaries of the professional archival staff and of maintenance and protection personnel, such as guards and janitors. The proposed legislation gives the administrator authority to charge a reasonable fee for admission to the exhibit rooms and to use moneys so derived for the normal operations of the library. Although it is impossible to make exact predictions in such matters, certain predictions may be made on the basis of the experience both of the Roosevelt Library and the Eisenhower Museum at Abilene. The most careful calculation that it is possible to make at this time appears to indicate that the normal operating costs of a Presidential library, including maintenance and protection, will be about $150,000 a year. Of this sum it may be anticipated that around $50,000 a year can be offset from fees paid by visitors to the exhibit rooms.

Reviewing the matters that have been discussed here this morning, let me run over briefly the chief points that have been presented, which are as follows:

1. From the beginning of the history of our Nation, it has been recognized that the papers of the Presidents form an immensely valuable part of our historical and cultural heritage and that the Nation has a special responsibility and interest in seeing that they are properly preserved, protected, and made available for scholarly research.

2. The increase in volume of Presidential papers in recent years has made it impossible for ex-Presidents to assume the responsibility for personally caring for their papers and other historical materials until such time as they or their heirs are willing to make final plans for the disposal of the papers.

3. The establishment of Presidential libraries is the best method that has as yet been devised for properly preserving Presidential papers. The Presidential library offers the advantages of geographical decentralization; service as a regional archival depository, a stimulus to the study of American history; and the housing within one establishment of all of the types of material that help to explain the history of a President and his period.

4. The cost of maintaining the libraries should not be excessive and probably one-third of the necessary expense could be born out of income.

In the light of these facts, I urge the committee to act favorably on this proposed legislation.

STATEMENT ON PROPOSED PRESIDENTIAL LIBRARY LEGISLATION

This joint resolution amends the Federal Property and Administrative Services Act of 1949 by authorizing the General Services Administration to take over and operate any Presidential library when it is offered to the United States as a gift. This legislation establishes a method for integrating future Presidential libraries, with their historically valuable documents, into our national record-keeping system.

In our more recent history, the institution of the Presidential library has evolved as the most desirable way of taking care of the papers and mementos of a President after he leaves office. President Herbert Hoover placed his papers in the Hoover Library on War, Revolution, and Peace on the campus of the University of Leland Stanford. President Franklin D. Roosevelt gave his papers to the Federal Government in the Roosevelt Library at Hyde Park. The Congress authorized the acceptance of this library and placed it under the jurisdiction of the National Archives by a joint resolution approved July 18, 1939 (Public Res. 30, 76th Cong.). President Harry S. Truman proposes to dispose of his papers in the same way, placing them in a library which is now being built in Independence, Mo., and which will be offered as a gift to the United States. Steps are now being taken, with President Eisenhower's approval, to place his papers at Abilene, Kans., in a library to be constructed near the Eisenhower family home where he spent his boyhood and young manhood. In all these cases the Presidential library was built, or will be built, without cost to the Federal Government. Federal operation of archival institutions such as these is not only beneficial to the cause of historical study and research, but also offers a means of preserving other Federal records of local or regional value in the areas in which they have been accumulated.

The immediate occasion for this legislation is the fact that the Harry S. Truman Library is already under construction at Independence, Mo., and will, before very long, be offered to the Government, together with the land on which it stands, its equipment, and the papers and other historical materials of President Truman. At the same time it seems appropriate, through legislation of general application, to encourage this method of preserving the historical records of our Presidents, and to pave the way for President Eisenhower and future Presidents, if they desire, to adopt the same pattern of making their papers available to the Nation.

The principal benefits of the proposed legislation are as follows:

1. It provides a system for the preservation and use of Presidential papers that accords with our Constitution and traditions;

2. It enables the Government to acquire, as gifts, expensive archival depositories and equipment that can be used not only for Presidential papers, but also for the preservation of valuable Federal records accumulated outside of Washington;

3. By establishing important collections of manuscript sources in other parts of the Nation than the Capital, thereby giving local scholars easier access to them, it will stimulate interest in our history and Government; and

4. It takes into account the growing need for the dispersion of research facilities resulting from the existence of nuclear weapons.

Under this legislation, the Government will be able to take advantage of the generous motives of a President's associates and friends whose interests in a memorial provide us with the expensive physical facilities and equipment for an archival depository at no cost to the Nation's taxpayers. There could be no better memorial, no more lasting tribute, than a living institution dedicated to research and to the preservation in impartial hands of the documentary source materials of our Nation's history.

The National Archives will ultimately confront a substantial problem in providing for the proper care of the permanently valuable records created by Federal agencies in the field, outside of Washington. The records of these agencies are now preserved in our Federal records centers. These centers, established several years ago on the recommendation of the first Hoover Commission, are intended to provide economical storage and servicing for records that must be held for a period of time, but are not sufficiently valuable for indefinite retention.

The primary function of these centers is to keep records that are of temporary value only. They are located in warehouse space that is not constructed or equipped for long-time archival purposes. As the years pass, the residue of permanently valuable records from these centers ought to be placed in depositories or facilities appropriate for the keeping of historic documents. The Presidential depositories, which this legislation authorizes the Administrator to accept, will provide, in some parts of the country, at least, facilities for the proper handling of such historically valuable Federal records.

In addition to providing a way to handle some of the permanent Federal field records, this legislation solves a problem as old as the Federal Government—the disposition of presidential papers and mementos. The office of the Presidency, like the offices of the Members of Congress and the Supreme Court, is a constitutional office having separate and independent status in our governmental system. The papers of the Presidents have always been considered to be their personal property, both during their incumbency and afterward. This has the sanction of law and custom and has never been authoritatively challenged. It is, however, also true that though the papers of the Presidents are the property of the Presidents, they constitute a class of property which is, so to speak, affected with a public interest. They are as important in character and scope as if they were in fact Federal archives, and the Federal Government should develop systematic means for their preservation that are consistent with our constitutional form of government and our traditions.

The system provided in this legislation gives the President a method of disposing of his papers in the public interest without violating the confidential character that a good portion of them necessarily have. Under this system, neither he nor his heirs need purge or destroy any of the papers they might feel bound to keep private for a period of time—an assurance that all depositories of historical papers must give and have given to depositors for many years. Furthermore, this system keeps all the materials in official custody, under the supervision of professional archivists, and assures that the integrity of the documents as evidence will not be impaired. By integrating the presidential depositories with our national system for maintaining the records of the Federal Government, the legislation provides a means for gradually expanding a truly national system of archives keeping, consistent with the needs of our times.

The Presidential libraries that have already been created have been established in accordance with the wishes of the Presidents themselves. One cannot predict what future Presidents may wish to do with their papers, but it is surely true that it is to the interest of the Federal Government to see that Presidential papers are properly preserved, and that arrangements are made so that they can become the property of the Federal Government as soon as possible after each President leaves the White House.

FRANKLIN D. ROOSEVELT LIBRARY, HYDE PARK, N. Y.

The legislative history of the joint resolution which constitutes the enabling legislation for the Franklin D. Roosevelt Library shows that—

1. The Congress wished to provide a means by which all of President Roosevelt's papers would become the property of the United States within a reasonable time after he left the White House, in order to prevent loss, dispersion or destruction of all or any part of the papers, as had happened to the papers of earlier Presidents.
2. The Congress wanted the papers to be made available for scholarship and research purposes to the fullest extent proper as soon as possible after the papers had been placed in the library.
3. The Congress wished the Franklin D. Roosevelt Library to serve as a general research center for American history in the period of Franklin D. Roosevelt's public life and activities.
4. The Congress wanted the library to operate a museum in which could be exhibited the rare, valuable, and beautiful gifts presented to President Roosevelt by the heads of other states, as well as other mementos, documents, and photographs of importance to the history of the period.

The museum rooms of the Franklin D. Roosevelt Library were opened to the public in July 1941. Because of abnormal conditions prevailing during the war years that followed, it was not until 1946 that the library began to function in the manner originally planned for it. Most of President Roosevelt's papers and other collections were received at the library in the years 1946–47, and most of the papers for the period 1933–45 were formally opened for research purposes in the spring of 1950. Thus it has only been during the years 1950–55 that the Roosevelt Library has been fully operating in the manner envisaged in the legislation by which the library was established. Nevertheless, it is possible on the basis of the experience of the Roosevelt Library to say that it has more than lived up to the expectations of those who originally drafted and passed its basic legislation. It has been demonstrated at Hyde Park in the past 5 years that the Presidential library is the most advantageous method of insuring the proper preservation of the whole corpus of a President's papers and of making them available for research purposes. At the same time it has been shown that the general public thoroughly enjoys and appreciates a museum exhibit that constitutes a general history of the life and times of the President around whose period the library is centered.

The museum rooms of the Franklin D. Roosevelt Library have, from the day that the library opened, attracted visitors to an extent that even its most enthusiastic original supporters had not predicted. This is true despite the fact that the library is not close to any large centers of population. During the first postwar years when tourist travel was at an all-time high in this country, visitation at the museum was around 300,000 persons a year. In recent years this has leveled off to about 200,000 visitors a year, a figure that will apparently remain fixed as the normal annual number of visitors. As of June 1, 1955, a total of about 3,100,000 people have visited the museum since it was first opened in 1941. These visitors come from not only all parts of the United States, but from many foreign countries. It is particularly favored by United Nations delegates and delegations working at or visiting the United Nations. A very large number of heads of foreign states and other dignitaries also have made it a practice to visit the library, both as a result of their interest in the institution itself, and as a means of showing their respect and friendship, not only for the man whose name the library bears but for the Nation he led. Among such persons who have visited the library in the last few years are the Presidents of Nicaragua, Panama, Chile, Cuba, and France; the Chancellor of Austria; the Emperor of Ethiopia; the King and Queen of Greece; the Queen of the Netherlands; the Crown Prince of Japan; the Crown Prince of Norway; the Shah of Iran; and the Prime Ministers of India, Pakistan, Greece, and Thailand. Scores of ambassadors and ministers have also called.

Just as striking as the success of the museum of the library are the accomplishments of the library as a research institution. It has been demonstrated at the

Franklin D. Roosevelt Library that scholars and writers have an increasingly intense interest in the history of the recent past and are anxious to make use of the papers of Presidents of the recent period if those papers are made available and are cared for an serviced by a competent and trained staff.

Since the formal opening of the papers for research on March 17, 1950, over 400 persons have come to the library to do research in the papers there. Some say for only a day or two; others have worked intensively for months or even years. These people have come from 35 different States of the Union, and 6 foreign countries. During an average year they use about 3,500 items of papers and books in the reading room of the library. What is perhaps even more significant, the library has made its holdings available in microfilm and photostat form to those who cannot come personally to Hyde Park to do their research. Over 600 requests are received each year for information from or copies of documents, and each year the library furnishes (at cost) copies of over 10,000 pages of material in the form of photostats, photographs, or microfilms. Thus the resources of the library are daily being made available to research institutions through the country. Two recent examples may be mentioned. The department of speech of the University of Ohio is acquiring microfilm copies of all materials in the Roosevelt papers relating to the preparation of his major speeches, and their influence on public opinion. The department of archives of the Catholic University of America has had a survey made of the papers in the library with a view to obtaining microfilm copies of all materials in the papers there that bear on matters of special interest to Catholic scholars. Such men as Mr. Bernard Baruch, Mr. William Phillips, Mr. Myron Taylor, and Mr. Jesse Jones have found it extremely useful and convenient to be able to obtain from the library abstracts of their correspondence with President Roosevelt, or copies of communications exchanged with President Roosevelt that are missing from their own files.

There is attached to this statement a list of 51 published works based in whole or in part on research in the Franklin D. Roosevelt Library. The catholicity of the list is indicative of the widespread usefulness of its holdings to all writers. The list includes children's books and picture books, as well as more scholarly volumes. It includes works by journalists like John Gunther, Carroll Kilpatrick, and Jonathan Daniels, as well as volumes by university scholars like Prof. William Langer of Harvard, Prof. William Leuchtenburg of Columbia, and Dr. Herbert Feis of the Institute for Advanced Study. It includes biographies by scholars unfriendly to Franklin D. Roosevelt, such as the recent work by Prof. Edgar E. Robinson of Stanford University (The Roosevelt Leadership, 1933–45) and the two more friendly volumes by Prof. Frank Freidel, also of Stanford University. There is also attached a list of some 40 unpublished but completed and accepted doctoral dissertations that are based in whole or in part on research in the Franklin D. Roosevelt Library. At least 100 additional doctoral dissertations are now in process of preparation which are also a result of work in the Roosevelt Library. It is impossible to list or even estimate the scores of other magazine and newspaper articles whose authors have based their writings on the materials in the library.

Mention should also be made of the fact that the writers of a very large number of books and magazine articles have relied on the photographic collections of the library for illustrative material. Certain major monuments of scholarship that are based to a very large extent on materials in the library should be specially noted. These include the two volumes on American diplomatic history in the period 1937–41 by Prof. William Langer and Everett Gleason (The Challenge to Isolation, 1937–40 and the Undeclared War, 1940–41); the first two volumes by Prof. Frank Freidel of the 6-volume biography of Franklin D. Roosevelt that he has in preparation; and the 13-volume Public Papers and Addresses of Franklin D. Roosevelt edited by Samuel I. Rosenman. The recent publication in Mexico City by a Mexican scholar of a volume on the good neighbor policy which is based almost entirely on some 6 months of research in the Franklin D. Roosevelt Library [1] is indicative of the important role a Presidential library can play in fostering good relations with other nations. Similarly, the official biography of King George VI authorized by Queen Elizabeth, which is now being written by the noted British historian John Wheeler-Bennett, will rely heavily on research Mr. Wheeler-Bennett did at the Franklin D. Roosevelt Library. and on 246 pages of photostatic copies of documents furnished by the Franklin D. Roosevelt Library.

The library, as contemplated by its founders, has been successful in attracting donations of papers from many important individuals and organizations who were contemporaries of Franklin D. Roosevelt, thus greatly increasing its importance as a research center. The papers of Franklin D. Roosevelt now constitute

[1] Francisco Cuevas Cancino—Roosevelt y la Buena Vecindad. Mexico City. 1954.

only 60 percent of its total manuscript holdings. Some 25 individuals and organizations have given all or parts of their papers or files to the library. These persons and organizations include both of our two major political parties, as well as many person prominent in public affairs during the last generation. Additional groups of papers continue to be offered to the library in increasing volume as the success of the principle of concentrating in one institution research materials pertaining to a particular period of history becomes increasingly clear. The essential element in this success is that an institution which confines its holdings to a carefully defined period is able to create and hold together a staff that is especially trained in the history of that period and is thus able to be of more than ordinary usefulness to scholars and writers working in that field. That these writers appreciate the special quality of this service is demonstrated by the attached list of excerpts from acknowledgments of help by persons whose published writings are based in part on research at the Franklin D. Roosevelt Library.

One of the strongest factors giving strength to the impetus for the establishment of Presidential libraries is the unprecedented rate at which Presidential papers are now being created and accumulated in the White House. All signs indicate that with each passing year Presidential papers will become ever larger in volume. The question may be asked whether many such papers could not be destroyed. There are, indeed, certain parts of the papers of a President that can be most economically preserved in microfilm form, and a start has been made at the Franklin D. Roosevelt Library in the disposal of certain series of letters after the original copies have been microfilmed. On the other hand, experience has shown that it is only a very small proportion of the papers that it would be wise to destroy. These consist of the mimeographed or form letters with which the White House is now frequently deluged when the President is confronted with a major decision on an issue in which the public is deeply interested. Except for this class of material, however, it is important to retain all of a President's papers, including those addressed to him by ordinary citizens from every walk of life. At the Franklin D. Roosevelt Library such letters have formed the basis for important cross-sectional studies of public opinion on major issues such as the Supreme Court fight and the third term. Also, a surprisingly large number of people who have at one time or another written to the President now wish copies of these letters. In some cases it is a matter of some urgency and importance to these people to obtain copies of such letters and of the acknowledgment or reply from the President or one of his secretaries. Even more important is the fact that in many cases in which Members of the Congress have made inquiries at the White House or forwarded to it letters on behalf of a constituent, the only record of this action is contained in the President's papers. It is frequently of use to Members of Congress to be able to trace the history of such an action by reference to the letters that they forwarded to the White House on behalf of their constituents. The fact that letters of this class are still in existence at the Roosevelt Library has made it possible to prove or disprove claims by citizens regarding such matters as their right to be recognized as the originators of certain legislative proposals. Also, the handling of disputed matters in connection with the operation of the Selective Service Act and other actions by departments of Government as they affect individual citizens frequently come up in the lives of American families. The preservation of the full record for the period of the Roosevelt administration has made it possible to answer all inquiries concerning White House action on cases of this kind, whenever inquiries are received either from private citizens or Members of the Congress.

PUBLISHED WORKS BASED IN CONSIDERABLE PART ON RESEARCH IN THE FRANKLIN D. ROOSEVELT LIBRARY

The American past; a history of the United States from Concord to Hiroshima, 1775–1945, by Roger Butterfield. New York, Simon and Schuster [c1947]

American-Russian relations, 1781–1947 [by] William A. Williams. New York, Rinehart [c1952]

The Challenge to isolation, 1937–1940, by William L. Langer and Everett Gleason. New York, Harper [c1952]

Champion campaigner: Franklin D. Roosevelt, by Harold F. Gosnell. New York, Macmillan, 1952.

Citizen of the world, Franklin D. Roosevelt; an informal biography [by] Alden P. Hatch. London, Skeffington and Son ltd. [1948]

Congress at work [by] Stephen K. Bailey [and] Howard D. Samuel. New York, Holt [c1952]

Congress on trial; the legislative process and the administrative state, by James MacGregor Burns. New York, Harper [c1949]
The Diplomats, 1919–1939; edited by Gordon A. Craig and Felix Gilbert. Princeton, N. J., Princeton univ. press, 1953.
FDR; a pictorial biography, by Stefan Lorant. New York, Simon and Schuster, 1950.
F. D. R.: his personal letters. Ed. by Elliott Roosevelt. New York, Duell, Sloan and Pearce [1947–1950]
F. D. R., my boss, by Grace Tully. New York, C. Scribner's sons, 1949.
Fifty billion dollars; my thirteen years with the RFC, 1932–1945, by Jesse H. Jones with Edward Angly. New York, Macmillan, 1951.
Franklin D. Roosevelt, an informal biography, by Alden Hatch. New York, Holt [c1947]
Franklin D. Roosevelt, man of destiny, by David E. Wingast. New York, Messner [c1952]
Franklin D. Roosevelt: the apprenticeship, by Frank B. Freidel. Boston, Little, Brown [c1952]
Franklin D. Roosevelt's own story, told in his own words from his private and public papers as selected by Donald Day. Boston, Little, Brown, 1951.
Franklin Roosevelt at Hyde Park; documented drawings and text, by Olin Downs. New York, American artists group [c1949]
Germany and American neutrality, 1939–1941 [by] H. L. Trefousse. New York, Bookman associates [c1951]
Harold Laski (1893–1950); a biographical memoir [by] Kingsley Martin. New York, Viking press, 1953.
The House at Hyde Park, by Clara and Hardy Steeholm. New York, Viking, 1950.
Mount Rushmore [by] Gilbert C. Fite. Norman, University of Oklahoma press [c1952]
The National debt in war and transition, by Henry C. Murphy. New York, McGraw-Hill, 1950.
The New Deal collective bargaining policy, by Irving Bernstein. Berkeley, University of California press, 1950.
Papers relating to the foreign relations of the United States [by] U. S. Dept. of State. Wash., U. S. Govt. print. off. [Vols. for 1933–1945 in the series]
The Picture story of Franklin Delano Roosevelt, by Gene Schoor. New York, Fell, 1950.
The Public papers and addresses of Franklin D. Roosevelt, . . . [Compiled and collated by Samuel I. Rosenman] New York, Random house, 1938–1950.
The Road to Pearl Harbor; the coming of the war between the United States and Japan, by Herbert Feis. Princeton, N. J., Princeton univ. press, 1950.
Roosevelt and Daniels, a friendship in politics. Edited . . . by Carroll Kilpatrick. Chapel Hill, University of North Carolina press [c1952]
Roosevelt and the Warm Springs story, by Turnley Walker. New York, Wyn [c1953]
Roosevelt in retrospect, a profile in history [by] John Gunther. New York, Harper [c1950]
Sidney Hillman, statesman of American labor, by Matthew Josephson. Garden City, Doubleday & co., inc., 1952.
Working with Roosevelt, by Samuel I. Rosenman. New York, Harper [c1952]
Young Franklin Roosevelt, by Rita Halle Kleeman. New York, J. Messner, inc. [c1946]
Franklin D. Roosevelt as Governor of New York, by Bernard Bellush. N. Y., Columbia Univ. Press, 1955.
The origins of Soviet-American diplomacy, by Robert P. Browder. Princeton, Princeton Univ. Press, 1953.
Roosevelt y la buena vecindad, by Francisco Cuevas Cancino. Mexico, Fondo De Cultura Economica, 1954.
The end of innocence, by Jonathan Daniels. Philadelphia, Lippincott, [c1954]
The China tangle; the American effort in China from Pearl Harbor to the Marshall Mission, by Herbert Feis. Princeton, Princeton Univ. Press, 1953.
Franklin D. Roosevelt: the ordeal, by Frank Freidel. Boston, Little, Brown. [c1954]
The undeclared war, 1940–1941, by William L. Langer and S. Everett Gleason, N. Y., Harper, [c1953]
Flood control politics, by William E. Leuchtenburg. Cambridge, Harvard Univ. Press, 1953.

Railroads in defense and war, a bibliography, compiled by Helen R. Richardson. Washington, 1953.

The Roosevelt leadership, 1933–1945, by Edgar Eugene Robinson. Philadelphia, Lippincott, [c1955]

Race, jobs & politics; the story of FEPC, by Louis Ruchames. N. Y., Columbia Univ. Press, 1953.

Prejudice, war and the Constitution, by Jacobus tenBroek [and others]. Berkeley and Los Angeles, Univ. of Calif. Press, 1954.

The Army flies the mails [by] Paul Tillett. University, Ala., Univ. of Alabama Press [c1955]

Calendar of the speeches and other published statements of Franklin D. Roosevelt, 1910–1920, compiled by Robert L. Jacoby. Hyde Park, 1952.

Franklin D. Roosevelt, a graphobiography, by Bianca Naef and Rudolph S. Hearns. New York, Kent Associates, Inc. [c1955]

Franklin D. Roosevelt, man of destiny, by David E. Weingast. N. Y., J. Messner. [c1952]

Public administration and policy development, by Harold Stein, ed. N. Y., Harcourt, Brace. 1952.

Three presidents and their books. The reading of Jefferson [by] Arthur Bestor, Lincoln [by] David C. Mearns [and] Franklin D. Roosevelt [by] Jonathan Daniels. Urbana, Ill., Univ. of Illinois Press. 1955.

LIST OF COMPLETED AND ACCEPTED BUT UNPUBLISHED PH D THESES BASED IN WHOLE OR IN PART ON MATERIALS USED AT THE FRANKLIN D. ROOSEVELT LIBRARY

Appell, Morris L. Franklin Delano Roosevelt and education. 1947. Ohio State Univ.

Arnold, Delbert D. The CIO's role in American Politics, 1936–1948. 1953. Univ. of Maryland.

Bagby, Wesley M. Progressivism's debacle: the election of 1920. 1953. Columbia Univ.

Brandenburg, Earnest S. An analysis and criticism of Franklin D. Roosevelt's speeches on international affairs delivered between September 3, 1939, and December 7, 1941. 1949. Iowa.

Burroway, Jessie J. Christian witness concerning world order; the Federal Council of Churches and postwar planning, 1941–1947. 1954. Univ. of Wisconsin.

Chatham, Marie. The role of the national party chairman from Hanna to Farley. 1953. Univ. of Maryland.

Coleman, George C. The good neighbor policy of F. D. Roosevelt with special reference to three inter-American conferences, 1933–1938. 1951. Univ. of Iowa.

Cowperthwaite, Lowery L. A criticism of the speaking of Franklin D. Roosevelt in the presidential campaign of 1932. 1951. Univ. of Iowa.

Cressy, A. Cheever. Canadian-American co-operation in World War II. 1952. Fletcher, School of Law and Diplomacy.

Cronon, Edmund D., Jr. Good neighbor ambassador Josephus Daniels in Mexico. 1954. Univ. of Wisconsin.

Crowell, Laura I. An analysis of audience persuasion in the major addresses of Franklin D. Roosevelt in the presidential campaign of 1936. 1949. Univ. of Iowa.

Darrow, Robert M. Catholic political power, a study of the American Catholic Church on behalf of France, 1936–1939. 1953. Columbia Univ.

Dishman, Robert B. The President and labor disputes: a case history of executive intervention in railway labor relations. 1948. Princeton Univ.

Divine, Robert A. American immigration policy, 1924–1952. 1954. Yale Univ.

Edel, Wilbur. The State Department, the public and the United Nations concept, 1939–1945. 1952. Columbia Univ.

Fusfeld, Daniel R. Economic thought of Franklin D. Roosevelt to 1932. 1953. Columbia Univ.

Gallagher, John O. American economic foreign policy and the failure of the 1933 World Economic Conference. 1954. Fletcher.

Hammond, Paul Y. The secretaryships of war and the navy: a study of civilian control of the military. 1953. Harvard.

Harbaugh, William H. Theodore Roosevelt and interventionism, 1914–1917. 1954. Northwestern.
Hastings, Martin F. United States-Vatican relations: policies and problems. 1952. Univ. of Calif., Berkeley.
Holtzman, Abraham. The Townsend movement: a study in old age pressure politics. 1952. Harvard.
Liljekvist, Clifford B. Senator Hiram Johnson. 1953. Southern California.
Lobdell, George H. A biography of Frank Knox. 1954. Univ. of Illinois.
Lowry, Philip H. The Mexican policy of Woodrow Wilson. 1949. Yale Univ.
MacColl, E. Kimbark. The Supreme Court and public opinion: a study of the Court fight of 1937. 1953. Univ. of Calif., Los Angeles.
McCoy, Donald R. New party politics in the New Deal era: a historical study of four attempts to form a new, national political party in the United States, 1929–1938. 1954. American University.
McDonnell, Timothy L. The New Deal makes a public housing law: a case study of the Wagner housing bill of 1937. 1953. St. Louis Univ.
Paone, Rocco M. The Presidential election of 1920. 1949. Georgetown Univ.
Patenaude, Lionel V. The New Deal and Texas. 1953. Univ. of Texas.
Ragland, James F. Franklin D. Roosevelt and public opinion, 1933–40. 1954. Stanford Univ.
Ray, Robert F. An evaluation of the public speaking of Franklin D. Roosevelt and Thomas Dewey in the presidential campaign of 1944. 1947. Univ. of Iowa.
Riesch, Anna L. Conservation under Franklin D. Roosevelt. 1952. Univ. of Wisconsin.
Rollins, Alfred B., Jr. The political education of Franklin Roosevelt: his career in New York politics, 1909–1928. Harvard.
Searles, Charles D. Harry L. Hopkins: New Deal administrator, 1933–38. 1953. Univ. of Illinois.
Snyder, Charles Kenneth. The Department of State and the Congress: a study of the effect of foreign policies of positive internationalism and membership in the United Nations on organization and procedure. 1953. Cornell.
Solberg, Winton U. The impact of Soviet Russia on American life and thought, 1917–1933. 1954. Harvard Univ.
Spencer, Samuel R., Jr. A history of the Selective training and service act of 1940 from inception to enactment. 1951. Harvard Univ.
Waller, George M. Samuel Vetch; British imperial enterpriser in the early eighteenth century. 1954. Columbia Univ.
Whitehead, Donald F. The making of foreign policy during President Roosevelt's first term, 1933–37. 1952. Univ. of Chicago.
Williams, William A. Raymond Robbins and Russian-American relations, 1917–1938. 1951. Univ. of Wisconsin.

Statistics concerning research use of the papers in the Franklin D. Roosevelt Library, and number of visitors to the museum of the library

Number of persons who have come to the library to do research, from the time of the formal opening of the papers on March 17, 1950, to January 1, 1955	393
Number of different States from which these people came	35
Number of Foreign countries from which persons have come (Canada, Mexico, United Kingdom, India, Cuba, the Netherlands.)	6
Average yearly number of visits to the reading room	400
Average yearly number of items of papers and books examined in the reading room	3,500
Average yearly number of microfilms, photostats, and photographs purchased by public (pages)	10,000
Average yearly number of letters sent in reply to requests for information from the papers	600
Average yearly number of visitors to the museum rooms of the library	200,000–300,000

The museum was opened to the public in July 1941. In the month of May 1954 the two millionth ticket of admission to the museum of the library was sold. As of January 1, 1955, about 3 million persons have actually visited the museum, as children and school groups are admitted free.

Résumé of Presidential papers

President	Depositories	Number of items (approximate)	Restrictions	General remarks
George Washington	Main: Library of Congress, Washington, D. C.	35,000	Open	It is estimated that the Library of Congress has, in originals and reproductions, about 95 percent of the Washington papers extant. The Government acquired many of the Washington papers in the Library of Congress collection in 2 purchases, totaling $45,000, from the President's heirs, in 1834 and 1849.
	Other:			
	Huntington Library, San Marino, Calif.	540	do	
	Historical Society of Pennsylvania, Philadelphia, Pa.	6 volumes	do	
	Virginia Historical Society, Richmond, Va.	200	do	
	Yale University Library, New Haven, Conn.	Unknown	do	
	Virginia State Library, Richmond, Va.	do	do	
John Adams, John Q. Adams	Massachusetts Historical Society, under control of the Adams Manuscript Trust.	Voluminous; see general remarks.	Closed	The Adams papers have long excited the curiosity of historians. Closed for many years, they are now being edited for publication by L. H. Butterfield. Estimated to contain 300,000 pages of material relating to 4 generations of the Adams family, the bulk of the collection relates to John and John Quincy Adams.
Thomas Jefferson	Main: Library of Congress	23,600	Open	The Library of Congress collection includes Jefferson's personal, professional, and official papers. Included are the papers which the Government purchased from Thomas Jefferson Randolph, executor of the Jefferson estate in 1848, for $20,000.
	Other:			
	Massachusetts Historical Society, Boston, Mass.	Unknown	do	
	Huntington Library, San Marino, Calif.	800	do	
	Virginia Historical Society, Richmond, Va.	100	do	
	Virginia State Library, Richmond, Va.	Unknown	do	
	Yale University	do	do	
	American Philosophical Society, Philadelphia, Pa.	do	do	
	New York Historical Society, New York, N. Y.	130 and 2 vols.	do	
James Madison	Main: Library of Congress	10,000	do	The Madison papers in the Library of Congress, in the main, were acquired through 2 purchases from Mrs. Madison and 1 from the Chicago Historical Society. The cost of the 3 purchases amounted to $65,000. The Madison papers, according to the Library, "cover every phase of his career."
	Other:			
	Historical Society of Pennsylvania, Philadelphia, Pa.	2 vols.	do	
	New York Historical Society, New York, N. Y.	134	do	
	American Philosophical Society, Philadelphia, Pa.	2 vols. of meteorological journals.	do	

Résumé of Presidential papers—Continued

President	Depositories	Number of items (approximate)	Restrictions	General remarks
James Monroe	Main: Library of Congress	4,200	Open	The greater part of the Monroe collection now in the Library of Congress was acquired in 1849 from the Monroe heirs for $20,000.
	Other:			
	Laurence G. Hoes, Washington, D. C.	369		
	New York Public Library, New York, N. Y.	1,297	do	
	New York Historical Society, New York, N. Y.	50	do	
Andrew Jackson	Main: Library of Congress	20,000	do	Andrew Jackson preserved his papers with much care and the backbone of his collection is in the Library of Congress. In 1903 the Blair family gave the Library the Jackson papers which had been turned over to F. P. Blair following the general's death; in 1911 the Library purchased a "voluminous" collection from the Jackson heirs; and in 1932, the collection was rounded out with the purchase of Jackson papers which had been loaned to Amos Kendall and long believed to have been destroyed in the burning of a Washington warehouse. $18,000 was required for the 2 purchases. Some Jackson papers—legal and militia—were destroyed when the Hermitage burned in 1834.
	Other:			
	New York Historical Society, New York, N. Y.	21	do	
	Tennessee Historical Society, Nashville, Tenn.	Unknown	do	
	Tennessee State Library, Nashville, Tenn.	300	do	
Martin Van Buren	Library of Congress	6,600	do	Following Van Buren's death in 1862 his papers remained in the possession of the family until 1904–5 when they were presented to the Library of Congress. The papers were carefully selected, first by the ex-President and later by his heirs. It is said that Van Buren probably burned the material he did not care to retain.
William Henry Harrison	Main: Library of Congress	800	do	The manuscripts relating to Harrison's brief tenure in the White House together with other records accumulated by the general are believed to have been burned when fire destroyed the Harrison homestead at North Bend, Ohio, in 1858.
	Other:			
	State Historical Society of Wisconsin, Madison, Wis.	5 vols.	do	
	Indiana Historical Society, Indianapolis, Ind.	300	do	
John Tyler	Library of Congress	800	do	Tyler's papers were left to his widow and a large part of this collection was destroyed in the burning of Richmond in 1865. The most important group of remaining Tyler papers was purchased by the Library of Congress in 1919 from the President's son for $1,000.

James K. Polk	Main: Library of Congress	17,500	do	Most of the Polk papers were acquired by purchase from a Polk heir and from the Chicago Historical Society, which had bought the material from the Polk family in 1901. The 2 purchases totaled $13,500.
	Other:			
	Yale University, New Haven, Conn	Unknown	do	
	Tennessee State Library, Nashville, Tenn.	do	do	
Zachary Taylor	Library of Congress	400	do	Zachary Taylor's papers are widely scattered in the hands of his descendants. The Library of Congress has gathered, largely by gift, "a small but rather important group of his papers."
Millard Fillmore	Main: Buffalo Historical Society, Buffalo, N. Y.	8,436	do	President Fillmore's son directed in his will that his executor "at the earliest practicable moment * * * burn or otherwise effectively destroy all correspondence or letters to or from my father, mother, sister, or me." Luckily the executor did not do a thorough job and in 1908, quite by chance, "Mr. Fillmore's own collection of manuscript 'Letters Received' during his Presidency" were discovered in a Buffalo attic. These letters, in the main, constitute the Buffalo Historical Society Collection.
	Other:			
	Library of Congress	A very small group	do	
	Yale University Library, New Haven, Conn.	Unknown	do	
Franklin Pierce	Main: Library of Congress	1,000	do	Pierce "seemingly destroyed" many of his papers. "The great mass of White House correspondence, official and personal, except as it is found in the files of the departments, has disappeared."
	Other: New Hampshire Historical Society, Concord, N. H.	300	do	
James Buchanan	Main: Historical Society of Pennsylvania, Philadelphia, Pa.	25,000	do	The Historical Society of Pennsylvania collection covers all phases of Buchanan's legal, diplomatic, and political career. Buchanan, it is said, had a habit of preserving nearly everything that came into his hands, and in the interval between his retirement from the Presidency and his death he busied himself in gathering additional documents relating to his career. The New York Historical Society owns the manuscript of the inaugural address.
	Other:			
	Library of Congress	900	do	
	New York Historical Society, New York, N. Y.	22	do	
Abraham Lincoln	Main: Library of Congress	18,350	do	The Robert Todd Lincoln collection of the papers of Abraham Lincoln cover the period from May 1, 1833, to Apr. 14, 1865. Before R. T. Lincoln deposited the records in the Library of Congress, he "gleaned what he regarded as useless from * * * the collection." "Outstanding in its own right the collection takes on even greater value [in association] with the Library's other important collections of Lincolniana * * *"
	Other: Illinois State Historical Library, Springfield, Ill.	1,000	do	

Résumé of Presidential papers—Continued

President	Depositories	Number of items (approximate)	Restrictions	General remarks
Andrew Johnson	Library of Congress	32,000	open	Johnson preserved his papers with "meticulous care; in fact, it was he who first systematized the filing arrangements of the Executive offices. His correspondence was voluminous." The Library of Congress acquired this very important collection for $7,500 in 2 purchases from the Johnson heirs.
Ulysses S. Grant	Main: Library of Congress	95 vols	do	General Grant was not a prolific letter writer and had but a limited correspondence with his political associates. Some of the letters he received were returned to the senders in the years after his Presidency and many were destroyed by Grant himself. The Library of Congress collection contains very little relating to the presidential years but the seventy-odd volumes of headquarters records are described by the Library as containing "a full documentary account of the military career of Ulysses S. Grant * * * Recorded in these volumes are letters, telegrams, and memoranda sent and received, and general and special orders issued * * *." The bulk of the Grant material was presented to the Library of Congress by U. S. Grant III, grandson of the President.
	Other: New York Historical Society, New York, N. Y.	35	do	
Rutherford B. Hayes	Main: The Hayes Memorial Library, Tremont, Ohio.	77,425 items and 293 vols.	do	The Hayes Memorial Library "was erected in 1914 by the State of Ohio in fulfillment of the conditions under which Spiegel Grove (the President's estate) was deeded to the State by President Hayes' son, the late Col. Webb C. Hayes. The memorial is maintained jointly by the State of Ohio, and the Rutherford B. Hayes-Lucy Webb Hayes Foundation and other trusts." In addition to housing the President's library, papers, pamphlets, and memorabilia "the memorial also serves the community by preserving records relating to Sandusky Valley and northwest Ohio."
	Other: Library of Congress	A very small collection.	do	
James A. Garfield	Library of Congress	77,000	do	Garfield, according to his biographer, carefully preserved "* * * all his official papers; his letter books and letters; his manuscript journals, school and college notes, and memorabilia; the vast mass of letters received by

				him and a large collection of pamphlets and newspaper clippings bearing on his career." This "large collection" was presented to the Library of Congress in 1930-31 by Garfield's children.
Chester A. Arthur	Main: Library of Congress Other: New York Historical Society, New York, N. Y.	300 8 letter books (1868-76) and 1 box (business and legal papers).	do	Arthur's biographer states that "no biography of Chester A. Arthur can be founded upon an extensive collection of his personal papers." There are a few small Arthur collections but most of his papers "have disappeared." The Library of Congress describes its collection as "small and not of great historical importance."
Grover Cleveland	Library of Congress	150,000	do	The Library of Congress describes its Cleveland holdings as "a very large collection, containing most of his papers." The papers were presented to the Library by Mrs. Preston, the President's widow.
Benjamin Harrison	do	70,000	do	The Harrison papers, presented to the Library by members of the President's family, are voluminous and illustrate all phases of Harrison's life.
William McKinley	do	122,000	do	The McKinley papers were given to the Library of Congress in 1935 by George B. Cortelyou, the President's executor, who as secretary to the President was associated with him more intimately than any other man. It is said that Cortelyou "* * * treasured all the official and private correspondence, documents of every description, memorandums in the President's handwriting, drafts of speeches and messages, reports of telephone conversations, photographs, pamphlets, and countless other items of interest."
Theodore Roosevelt	Main: Library of Congress Other: Harvard College Library, Cambridge, Mass.	220,000 Unknown	do do	The Roosevelt collection was presented to the Library by the President some years after he left office. The collection, which has been increased by gifts from the Roosevelt family, is "regarded as complete as may be."
William Howard Taft	Library of Congress	500,000	Until Jan. 1, 1960, the papers may be consulted only by permission of the Taft family.	This voluminous collection covers all phases of Taft's career. William Howard Taft made the first deposit in 1919 and since that time the collection has been augmented by Mr. Taft and members of his family. Recently, the deposit was converted to a gift.
Woodrow Wilson	Main: Library of Congress	200,000	Restricted; permission of Mrs. Wilson via Chief of Manuscript Division.	The Library of Congress collection "covers the whole of President Wilson's life * * *." Presented to the Library by Mrs. Wilson.

Résumé of Presidential papers—Continued

President	Depositories	Number of items (approximate)	Restrictions	General remarks
Woodrow Wilson—Continued	Other: Princeton University Library, Princeton, N. J.	Unknown	Open	The Princeton collection relates primarily to Wilson's activities at Princeton as a student, professor, and as president of the university.
	Davidson College; Bryn Mawr; Johns Hopkins; Connecticut Weslyan; Woodrow Wilson Foundation, New York; University of Virginia; Woodrow Wilson Birthplace Foundation, Inc., Staunton, Va	Unknown but small	do	
Warren G. Harding	Harding Memorial Associaton, Marion, Ohio.	Unknown	Closed	Mrs. Harding before her death collected and destroyed much of President Harding's correspondence.
Calvin Coolidge	Main: Library of Congress	82,500	Restricted; permission of Mrs. Coolidge via Chief of Manuscript Division.	The Library of Congress material is described as the Executive Office file (White House). The Forbes collection relates mainly to Coolidge's career before the Presidency.
	Other: Forbes Library, Northampton, Mass.	51 boxes, 25 vols.	Open	
Herbert Hoover	Hoover Library on War, Revolution and Peace, Stanford University, Palo Alto, Calif.	Unknown but voluminous.	Restricted; the voluminous collection is open only to those securing permission from Mr. Hoover and upon specification of the purpose.	The Hoover Library was erected through private gifts at a cost of over $600,000. The papers relate, in the main, to "the long period of Mr. Hoover's public service since 1914," and are particularly good for his relief activities and the Presidency. Personal papers of other individuals in public service are included in the Library's collection.
Franklin D. Roosevelt	Franklin D. Roosevelt Library, Hyde Park, N. Y.	"4 or 5 million documents."	Approximately 85 percent of the Roosevelt papers are open for research. Certain categories are restricted but papers in this group are to be reexamined periodically, and it is believed that within 25 years all but a comparatively few items will have been removed from the restricted list.	The Roosevelt papers are remarkably complete. In describing his papers, President Roosevelt said: "I have destroyed practically nothing. * * * It is a very conglomerate, hit-or-miss, all-over-the-place collection on every man, animal, subject, or material. * * * I believe it is going to form an interesting record of this particular quarter of a century. * * *" The Roosevelt collection has been complemented by the gift of papers from several of his close policical associates and from members of his family.

NOTE.—The estimates on the holdings of the Library of Congress are a very rough approximation. Many of the figures for "other depositories" were supplied by the NHPC.

Dr. GROVER. Now, so far as my general remarks are concerned, Mr. Chairman, I think we must always remember one thing that has been brought up here from time to time—that under our constitutional system, the Constitution makes no mention of the disposition of papers of constitutional officers, and these papers have traditionally been considered the property of the President to do with as he wishes. What has been done with them in the past in many instances has been most unfortunate. They have fallen into the hands of heirs, they have been dispersed, in many cases they have been burned up in fires.

When Mr. Jefferson left office probably the greatest collection of papers to have been kept intact that scholars could have tapped, was completely broken up, completely dispersed, and only now is being brought together through the publication of Jefferson's papers by Princeton University.

Mr. JONAS. May I interrupt you at that point, to ask you where these papers that the Government purchased from the Jefferson heirs are located?

Dr. GROVER. The papers of most of the 18th and 19th century Presidents are in the Library of Congress Manuscripts Division. They were turned over to the Library of Congress by the State Department in 1912 or thereabouts, I think.

Now, on the point of centralization versus decentralization, remembering, of course, that the papers are the property of the President to do with as he wishes, it seems to me there are still very compelling reasons, very good reasons in our time, in this day and age, for moving toward decentralization. In the first place, just the simple problem of military threats to large concentrations of papers in one place is one reason. We have tended during the 19th and 20th centuries to build up huge accumulations on the eastern seaboard in large libraries. I do not think we can pursue that course indefinitely, not only because of the military situation but because these institutions get too big.

Mr. MCCORMACK. If we have decentralized locations the Government would have to do the building on the locations.

Dr. GROVER. Yes, sir; the Government would have to build the building and would have to keep adding additions to it. You see, these Presidential papers come to us in a rather unusual way. They are accumulated over a period of 4 to 8 years, then they all come at once. So you cannot get room for expansion into one building. It is really more feasible to build a series of buildings, and it is particularly more feasible for the Federal Government when the buildings, as they have in all cases, come to the Government as gifts.

Mr. MCCORMACK. Let me ask you this question. Will the term "historical materials" take care of the emblems, trophies, et cetera, of the Presidents?

Dr. GROVER. Yes, sir; they are designed to take care of them.

Mr. MCCORMACK. There would be no conflict with the National Antiquities Act of 1906, the Monuments Act, would there?

Dr. GROVER. No, sir; I do not think there is any conflict there. I would want to check that to make sure.

Mr. MCCORMACK. Let me ask you this. On page 6 of the bill it provides that—

* * * gifts or bequests, together with the proceeds from any fees or from any sales of historical materials * * * shall be paid into the National Archives Trust Fund provided for in section 5 of the act of July 9, 1941, to be held, administered, and expended * * *

Now does that trust fund bear interest?

Dr. GROVER. The trust fund can be reinvested.

Mr. MCCORMACK. That is what I mean. You reinvest it so you get the interest?

Dr. GROVER. Yes, sir.

Mr. MCCORMACK. And I suppose that is reinvested strictly in Government bonds? Is that right? Is it strictly in Government bonds?

Dr. GROVER. Well the only trust fund that now exists is in connection with the Roosevelt Library, and that trust fund consists solely of income from fees and from reproductions, and is used as a revolving fund, Mr. Chairman, so that it is not invested.

Mr. MCCORMACK. Suppose you have a large bequest and have no immediate use for it, under the law can you invest it to get an income?

Dr. GROVER. Yes, sir.

Mr. MCCORMACK. So that is all taken care of.

Dr. GROVER. That is all taken care of under the National Archives Trust Fund.

Mr. MCCORMACK. I was thinking of the late Justice Oliver Wendell Holmes and of his bequest of $250,000 which has been lying around without drawing interest, and we are going to put a bill in now to try and have the interest paid so that it could carry out the purposes of the recommendations of the special commission. But if any such sums are available in this particular fund that could be utilized in a manner it would not be dormant and stagnant but would be getting interest accruing to the fund——

Dr. GROVER (interposing). Yes, sir; there is provision for investment in the National Archives Trust Fund Act.

Mr. MCCORMACK. Now (g):

> All property, including real estate, historical materials, and funds accepted or received under subsection (e) or (f) shall be exempt from all taxes levied by the District of Columbia and all Federal taxes, and all gifts or bequests accepted under subsection (e) or (f) * * *

That means that if Mr. "A" wanted to give a $10,000 or $100,000 donation to any one of these funds, that would be deductible?

Dr. GROVER. Yes. That is to make certain of that.

Mr. MCCORMACK. Do you approve of that, Mr. Elliott?

Mr. ELLIOTT. Yes, sir, without regard to the present limitation.

Dr. GROVER. Well, Mr. Chairman, I had 1 or 2 final statements to make on this question of centralization, which is the big argument, and that is that we have today reproduction techniques which it seems to me virtually solve better than we have ever been able to in the past this question of getting materials around to scholars. Now we in the Archives do a lot of microfilming for publication purposes and these libraries will have to do a lot. For example, all the microfilms we reproduce in the National Archives can be deposited in these libraries and help scholarship outside of Washington by making these materials more readily available to them.

There is a final point I do not want to lose track of here, and that is we are trying to persuade these donors, and have been successful, to build enough space into these libraries so that they can be used for valuable Federal records accumulated in the regions. Now there are some records of the district courts, for example, that are very valuable for historical research and relate to matters in a particular State.

I think, insofar as we can, instead of bringing those into Washington we should keep them in that locality. That is where they will be the most useful for research. That may be true of certain other types of permanent records that are now kept in our Federal record centers which are really warehouse-type buildings and are not suitable for the preservation of permanent records. One hundred years ahead, so far as I can see, we are only talking about 12 or 15 libraries in that period of time, but in those localities we would be able to move the valuable Federal records into the library.

I think this general legislation, Mr. Chairman, is as important as any that has ever been introduced in my tenure in office as Archivist. I think it provides a system for gradually expanding the archival facilities of the United States at the least expense to the Federal Government and with the greatest benefits nationally to scholarship, and I urge the committee very strongly to endorse, to approve this legislation.

Mr. McCormack. Well, thank you, Doctor. You have been very helpful and we appreciate your appearance. I hope you have a nice vacation.

Without objection, there will be inserted in the record two letters, one received from Rowland Hughes, director of the Bureau of the Budget. I will read the last paragraph:

> The Bureau of the Budget is thoroughly in accord with the purposes of the joint resolutions and recommends that they receive the favorable consideration of the committee.

Another letter from the Comptroller General, Joseph Campbell, in which he says:

> While we have no special information as to the necessity or justification for the bill, we have no objection to its favorable consideration.

(The letters referred to are as follows:)

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington 25, D. C., June 11, 1955.

Hon. WILLIAM L. DAWSON,
Chairman, Committee on Government Operations,
House of Representatives, Washington 25, D. C.

MY DEAR MR. CHAIRMAN: This will acknowledge and reply to your letter of June 3, requesting the views of the Bureau of the Budget upon House Joint Resolutions 330, 331, and 332, identical resolutions to provide for the acceptance and maintenance of presidential libraries.

The joint resolutions would amend section 507 of the Federal Property and Administrative Service Act of 1949, as amended, by authorizing the General Services Administrator, whenever he deems it in the public interest, to accept papers and other historical materials of any President or former President, or any other official or former official of the Government. Other materials and documents would also be authorized to be accepted and preserved. Further, the Administrator would be authorized to accept any land, buildings, and equipment offered as a gift to the United States for the purpose of creating a presidential archival depository.

In addition to these two major purposes, the resolutions contain the necessary administrative authorizations and provisions to safeguard the interests of the Government, of a President, or a former President or other donors.

The Bureau of the Budget is thoroughly in accord with the purposes of the joint resolutions and recommends that they receive the favorable consideration of the committee.

Sincerely yours,

ROWLAND HUGHES, *Director.*

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington 25, June 13, 1955.

Hon. WILLIAM L. DAWSON,
Chairman, Committee on Government Operations,
House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your letter of June 3, 1955, acknowledged by telephone June 7, requesting a report on House Joint Resolution 330, House Joint Resolution 331, and House Joint Resolution 332, 84th Congress, which are practically identical resolutions entitled "Joint resolution to provide for the acceptance and maintenance of Presidential libraries, and for other purposes."

Section 507 of the Federal Records Act of 1950 (64 Stat. 587–588) (sec. 507 of the Federal Property and Administrative Services Act of 1949, as amended, 44 U. S. Code 397, referred to in the resolutions), authorizes the Administrator of General Services to accept for deposit the personal papers and other personal historical documentary materials of the then President of the United States, his successors, heads of executive departments, and such other officials of the Government as the President may designate. The proposed legislation would extend the authority of the Administrator to papers of former Presidents and former officials and would provide for the establishment of "a Presidential archival despository."

While we have no special information as to the necessity or justification for the bill, we have no objection to its favorable consideration.

As requested, this report is submitted in triplicate.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

Mr. MCCORMACK. I notice a representative of the GAO is here. Mr. Keller, do you want to say anything?

STATEMENT OF ROBERT F. KELLER, ASSISTANT TO THE COMPTROLLER GENERAL

Mr. KELLER. Mr. Chairman, I think our report states our position. However, there is one point I would like to mention.

On page 3 of the bill it is provided that any proposed agreement will be sent to Congress by the Administrator and that it will lay before the Congress for 60 days. As you are aware, that falls short of the procedure under the Reorganization Act. I wonder if any thought has been given as to what action Congress would take during the 60-day interim? It seems to me you would almost have to pass a law to reject any of these proposals if the agency wanted to carry one of them through.

Mr. MCCORMACK. Well you would not think otherwise, would you?

Mr. KELLER. No; unless you wanted to adopt the resolution idea that you have in the reorganization plan.

Mr. MCCORMACK. Well you would not put a matter of this kind in the same category as Reorganization Act. We have the same provision in other laws about reports to committee, and I have never known of an agency to refuse to recognize the position of the committee, the views of the committee.

Mr. KELLER. Offhand I do not think of one. I just wanted to point it out; I do not have any brief for it one way or another.

Mr. MCCORMACK. I understand that, but I think as far as I was concerned that was deliberate. I would not want to go further and provide that this would not become effective after 60 days of negative action by the Congress. This is along the line of reports to the Armed Services Committee. We have reports to the Government

Operations Committee from General Services on sales of property and things of that kind.

Mr. KELLER. I am thinking that if you got into a position where you did want to reject a proposal, what mechanical process could you use except probably pass a law?

Mr. MCCORMACK. Well, I would assume, just projecting my mind based on experience, that if the appropriate committee expressed disagreement it would be taken up with the agency, the Administrator of General Services, and if the disagreement persisted then, of course, there could be affirmative action on the part of Congress.

Mr. KELLER. I think that is right. I think it would have to be a law if they really wanted to stop it as distinguished from a resolution.

Mr. MCCORMACK. I put this in an entirely different category than reorganization plans. As a matter of fact I had doubts whether that language should be in there at all, even the 60 days, but I reluctantly consented to its being in there.

Mr. KELLER. As I said, I have no brief for it one way or another. I just wanted to point that out.

Mr. MCCORMACK. I am just explaining my viewpoint, and we appreciate your calling it to our attention. But I would be frank, I think, to go further than we have here in having in mind a bill of this character, its purposes, et cetera, would be unnecessary. I am just projecting my own personal view, but if the subcommittee or a majority of the full committee felt otherwise I would go along with it. I would not feel that that is sufficiently harmful to be fatal to the bill.

Mr. KELLER. I do not think it is. I think it is entirely up to Congress how they want to handle it.

Mr. MCCORMACK. I think we can rely—I have confidence in the executive branch and I assume they have confidence in the legislative. We may disagree from time to time, but I thoroughly respect their views when I do disagree. They are both honorable and decent, though I may disagree with them at times.

Mr. KELLER. That is all I have, Mr. Chairman.

Mr. MCCORMACK. Are there any questions?

(None indicated.)

Mr. MCCORMACK. Thank you very much. We appreciate your appearance and also calling it to our attention. Do not misunderstand—anything I said constitutes my own personal opinion. I have a profound appreciation of the fact that you did call it to our attention. As far as I am concerned I have no objection to that language being stricken out.

Mr. MCCORMACK. Is there any other agency having a representative here?

STATEMENT OF DAVID D. LLOYD, EXECUTIVE DIRECTOR, HARRY S. TRUMAN LIBRARY, INC.

Mr. LLOYD. Mr. Basil O'Connor is, as you know, Mr. Chairman, the president of the Harry S. Truman Library, Inc. He would have liked to be here this morning to appear before this committee in support of the legislation, but unfortunately he is pretty well tied up in New York as president of the National Infantile Paralysis Foundation. So he has given me a statement which he asked me to submit to the committee.

Mr. McCormack. Without objection, it is so ordered, that it will be included in the hearing. We realize how busy Mr. O'Connor is. As a matter of fact you had a talk with me the other day about his coming down, and I said we would be very glad to have Mr. O'Connor come but recognizing how busy he is a statement from him would be most agreeably accepted.

Mr. Lloyd. I reported that to him, Mr. Chairman, and he was very thankful and grateful to you for your consideration of the matter.

May I give this then to the reporter, and attached to it is an article which he would also like made a part of the record dealing with the Truman Library.

(The papers referred to are as follows:)

Statement of Basil O'Connor, President of the Harry S. Truman Library, Inc.

As president of the Harry S. Truman Library, Inc., I hope that the Congress will enact into law the proposals contained in House Joint Resolution 330 and its companion bills.

This proposed legislation will make it possible to carry out one of the basic objectives toward which the Harry S. Truman Library, Inc., has been working for several years. This corporation, which is a nonprofit, educational organization, has the responsibility of collecting the necessary funds and constructing the Truman Library. It has been our hope, from the beginning, that the library building and the invaluable historical collection which President Truman will place in it will become the property of the people of the United States. This is President Truman's intention and it is likewise ours.

In dedicating his historical collection, adequately housed in an appropriate building, to the use of the public, President Truman is following a pattern for the disposal of Presidential papers that was first traced by President Hoover, and later established by President Franklin D. Roosevelt. Our present system of National Archives, which was in its infancy when President Hoover left office, has developed in the intervening years to a point where it is the most logical and the most efficient custodian of these large and complex Presidential collections. Our National Archives system is now capable not only of preserving a Presidential collection as a unit, thereby greatly enhancing its historical value, but, even more important, of making it available for study and research by scholars generally within a very few years. It is no longer necessary to lock Presidential papers up under private control for a lifetime or longer, as was the case with most Presidential collections down to recent times. Now, through the services of our archives system, they may be opened for study after a relatively short period.

I participated in the establishment of the Franklin D. Roosevelt Library at Hyde Park, and I am still a member of its board of trustees. In my opinion, it has amply justified the concept of the nationally owned and operated Presidential library.

In the case of the Franklin D. Roosevelt Library special legislation was adopted to permit its transfer to the Government. Today, I feel that the merits of the Presidential library as an institution are now widely accepted, and that it is fitting that general legislation be enacted to provide for Government ownership and management of any institution of this type that may be offered to the Government as a gift in the future. The provision in the proposed legislation requiring the executive branch of the Government to report the details of any such offers to the Congress, and imposing a waiting period before acceptance during which the Congress may scrutinize the offer, establishes sufficient safeguards against unwise or improvident commitments on the part of the Government.

I would like to assure the members of the committee that the Truman Library at Independence, Mo., is rapidly passing from the stage of planning to the status of reality. The corporation over which I preside has collected upward of $1,200,000 from thousands of Americans in all walks of life, and I anticipate no difficulty in collecting the balance needed to complete the structure in accordance with our plans. In planning the building we have had the expert assistance of the National Archives, and the structure which we hope to offer before long to the Government will be enduring, serviceable, and esthetically pleasing, and a worthy addition, in every sense, to our existing Federal buildings and institutions. Its construction will not cost the taxpayers a cent, and it will be offered to the Government with

no strings attached. I am confident that it will serve the purpose of creating greater understanding of, and deeper devotion to, our constitutional processes and our national ideals.

For further details as to the value of Presidential libraries in general, and the Truman Library in particular, I would recommend to the committee an article by the executive director of the Harry S. Truman Library, Inc., David D. Lloyd, recently published in the American Archivist, the official journal of the archival profession, a copy of which I would like to submit with this statement.

[Reprinted from The American Archivist, vol. XVIII, No. 2, April 1955]

THE HARRY S. TRUMAN LIBRARY

(By David D. Lloyd; Harry S. Truman Library, Inc.[1])

The Truman Library is an outgrowth of a deep interest on the part of President Truman in the archival and historical professions and the sciences of preserving and expounding our national history. He hopes, and his desires are shared by our board of trustees and all our officers, that the Truman Library will be welcomed by archivists and historians as an institution of real value to the cause of preserving our past and disseminating the knowledge of it. It is his desire that the Truman Library serve as an active center of study and research, not only for his own period in the Presidency, but also for the whole range of contemporary events, bringing new resources and facilities for such study into fruitful use in the midregion of our country.

Mr. Truman is now in the process of transferring his records into the hands of the archivists, and as soon as he finishes his own memoirs he will surrender his reputation to the historians. But over and above these personal motives, he has a broader and entirely impersonal interest in recordkeeping and history writing. Few men in public life have more sympathy for these twin occupations or are doing more to encourage and cultivate them.

The Truman Library is the latest addition to a growing list of Presidential libraries. As Mr. Truman and the officers of our corporation view it, the Presidential library is the best way of dealing with the vexed and difficult problem of Presidential papers and mementos. I am aware there are some who do not have quite so favorable a view of the Presidential library concept. It is to these particularly that I would like to address myself, because I believe they would become as enthusiastic as we are if they had all the elements in the situation to take into account.

In the first place, let me point out that there are several different kinds of Presidential libraries in existence. The Hayes Memorial Library is really the pioneer in the field. This is an institution established after the death of the President whose collections it houses, by the joint efforts of his estate and the Ohio State government. It is an independent institution, now beginning to receive some of the national recognition it deserves, as the figure whose memory it enshrines is revalued and given a more worthy place in the perspective of our national history.

The second type of Presidential library, the Hoover Library on War, Revolution, and Peace at Stanford University, is not so much a Presidential library in the limited sense. Rather it is a research library housing several collections, including the papers of an ex-President whose generosity and interest in history have given impetus to the whole institution. This library has the advantage of a campus location and all the conveniences that go with it. It is independent, however, of any other system of records and to that extent stands on its own feet.

The third type, the type to which the Truman Library will belong, is that of the Franklin D. Roosevelt Library at Hyde Park. This institution is part of the National Archives and Records Service. Its contents belong to the United States, and it is operated as one of the four divisions of the service. In this type, the Presidential collection is brought under national ownership and national management not as an independent institution but as an integral part of a growing and expanding system of recordkeeping. It is this kind of Presidential library that Mr. Truman has in mind, and it is this kind, in my opinion, that best solves the difficult problem of disposing of Presidential papers, now and in the future.

[1] After having served in various Government agencies, Mr. Lloyd became a member of the White House staff in 1948. He was administrative assistant to the President from 1951 to 1953, when he was appointed executive director of the Harry S. Truman Library, Inc. This paper is adapted from an address he made at the joint luncheon of the American Historical Association and the Society of American Archivists, December 29, 1954, at New York City.

Let us take the position of a President as he is about to leave office. He is told that he is the proud possessor of what are virtually the White House files—in President Truman's case some 1,600 file drawers or 3,500,000 items—that he may take home with him. In addition he has recordings of most of his public speeches, films of his acts and appearances, and an apparently limitless quantity of books, gifts, relics, and mementos lavished on him by foreign governments, friends, organizations, and the general public—some of it of great value and some of it mere sentimental junk.

If the outgoing President is a man with an historical conscience, his state of mind will be doubly vexed. He will know that it is not possible for him, or indeed for any of his contemporaries, to decide which parts of this vast collection have permanent historical value and which parts can be safely destroyed. He will know, too, that embedded in this mass are many confidences which he is in duty bound to protect if he can. He will know that certain parts of the collection—but no one knows exactly which—will be vital to him for the defense of his conduct against political or personal enemies. And he will know, if he is a man of moderate means, that the cost of preserving all this stuff, at his personal expense, will be almost prohibitive, and that its assessed value as unique historical material may well gobble up his estate in taxes after he dies.

The plight of an ex-President is aggravated by the fact that a grateful Nation, when he retires, cuts him off without so much as a thin dime. Retired generals of highest rank get pensions, personal aids, cars, and office space, all at public expense, but retired Presidents do not even have the privilege of the frank. People write to an ex-President almost as copiously as when he was in office, but if he wishes to return the compliment, he has to pay for office space, secretarial help, and supplies—and buy a 3-cent stamp for every letter. Such is the traditional callousness of republics, and perhaps we should not complain about it, but it does emphasize the difficulty of handling Presidential papers and other memorabilia.

In view of these difficulties, some people have questioned the wisdom and even the propriety of the President's taking his papers with him. But I think there are very sound reasons for the decision that Presidential papers are the property of the President, as well as an unbroken line of precedents from Washington down through Truman.

The Presidency is a constitutional office and as such has an independence like that of the other two branches of the Government. One of the aspects of this constitutional independence is the treatment accorded to Presidential papers. The National Legislature cannot subpena Presidential papers while the President is in office. It cannot force a President to make his communications public. Over the executive departments, which are established by statute, the Congress exercises a degree of supervision which we need not define here—but when it comes to the acts of the President himself the power of Congress stops, except in cases of impeachment.

This principle would, however, be overridden if after the end of a President's term in office his papers were assimilated to those of an executive department and subjected to the control of the succeeding administration and the legislative branch. Obviously, if Presidential papers could be thrown open to public scrutiny as soon as a President left office, there would not be much privacy about them while he was in office. Few would write to a President in confidence, and few Presidents would put their private thoughts on paper if the expiration of the Presidential term were to be a signal for disclosure. And as a consequence the ability of the President to function as an independent officer of the Government would be curtailed, if not crippled, and our constitutional framework would be damaged.

These, to me, are the fundamental constitutional and political reasons that justify the rule that our Presidents own their papers. And if we wish to mitigate the burden this imposes on ex-Presidents we should provide the sort of depository for their files over which they will have as much control as if they had personal possession.

Obviously, the removal of Presidential papers does not leave a hole in the official records of the Government. These papers are part of the business of Government but they are not Government records any more than the papers of any other elected official—Senator or Congressman—are part of the records of the Government. As far as official Government functions are concerned, proper records of Presidential acts exist in the pertinent departments. The President may have carbon copies of these records, but his taking the copies away is no loss to the Government; it may in future years mean a great gain to the historian or to the President himself.

To meet the problem of the staggering bulk of Presidential papers it has been suggested that they can be divided into two categories—one, those which are personal and political, and the other, those which are official—and that the outgoing President can take the one and leave the other to the mercies of his successor and Congress. This idea is seductive at first blush, at least to efficiency experts. I think it is impractical, however, and if I were a historian I would rouse my brethren to oppose it with the utmost vigor.

From the practical point of view the process of distinguishing, in day-to-day filing operations, between official documents and documents of a personal or political character is extremely difficult. Of course it is easy to decide that the President's letters to his relatives are personal and that the promotion lists for the armed services are official, but, in the vast area between these two extremes, difficulties arise.

Aside from the difficulties of classification, the major objection to this proposal is that it would be a crime against history to break up the Presidential collection and place its components in separate depositories. We must realize that in the Presidential collection we have a rare and unique deposit of various kinds of evidence, which does much of the historian's work for him. The totality of the collection is one of its greatest advantages.

Take, for purposes of illustration, a major controversial event, such as the steel strike of 1952. Here is something that had its impact on the whole range of Government policies and agencies. There is no one man alive, there is no single departmental file, that can furnish the historian with all the facts about Government action in that crisis. But more of the evidence was collected at the command post—the White House—than anywhere else. Some of the White House staff were working with the labor and management representatives, some with the Office of Defense Mobilization, some with the Department of Justice. The papers of these staff members, their diaries, memoranda, and recommendations, reflect the many facets of the problem and point the way to the relevant departmental records. Add to these the records of the President's appointments, his press conferences, speech drafts, and whatever personal notes he may have made, and you have the key evidence on the whole occasion. All these papers are now in the presidential files, and it would be very costly to future historians to break them up in accordance with some scheme of classification having no relevance to the event.

Furthermore, we should remember that in these days not all evidence is documentary. I have mentioned the newsreels; to these we must add the informal films made by the Army Signal Corps and huge photographic files of the same nature. In addition, there are sound recordings, not only of speeches and addresses but also of press conferences; and in the case of the latter at least the sound is far more revealing than the printed word alone. All these things are now part of the presidential files and should be kept together with the documents.

Another valuable element in the presidential collection is the President's library of books. Collected over the years, in and out of office, as is the case with the books of President Roosevelt and President Truman, they have, as well as considerable intrinsic worth, historical importance in showing the intellectual character of the man.

To further emphasize the undesirability of breaking up the presidential collection, I would like to point out that the historical value of that vast quantity of objects which a President collects—the material which for lack of a better word we have been calling his mementos—is greatly enhanced by proximity to the documents. The documents record how these objects were acquired, whence they came, and their contemporary historical significance. Such information is essential to the museum curator.

Although many of these objects have an intrinsic merit of their own and can profitably be displayed in other museums, with other objects of their kind (something President Truman has been prompt to do, as in his loans of some of his possessions to the Smithsonian and his gift of the Franklin portrait to Independence Hall), many more are valuable primarily for their associations. Scholars should not ignore the historical value of these objects. They help to teach the public. Anyone who has stood in the Franklin D. Roosevelt Library at Hyde Park on a midsummer afternoon and watched the throngs of people crowding in to see these things (and the photographic displays and personal relics of President Roosevelt exhibited there) must recognize that he is present at a vital experience in the developing historical consciousness of the American people. These museum objects, as Mr. Truman often says, not only belong to the American people but help them to relive their own past and to pass on their sense of it to their children.

Like the Eisenhower Museum at Abilene, so recently opened, these presidential museums tell the story not so much of great men as of great national experiences; and their demonstrated popularity is important to the whole historical profession.

To handle these objects efficiently, to evaluate and display them intelligently, and to create truly educational exhibits, it is important to have the documents and the other records at hand. We have come a long way in this museum field from the reverent and unchanging display of old campaign hats and Traveller's skeleton in a glass case—although, personally, I am very fond of Traveller's bones and the sentiment that inspires their preservation. And our new museum techniques require not only the skills of the artist, electrician, and stage designer but also the advice and counsel of the historian. Which argues, I am sure, for keeping the presidential collection, papers and objects alike, intact.

If we agree that Presidents ought to own and do own their papers and that their papers ought to be kept intact, together with the other objects acquired during their incumbency, we can now turn to more detailed questions of how to preserve and handle them. In pursuing this line of inquiry we must, first of all, consult the convenience of the ex-President in question.

On this point I find that the learned professions have a blind spot. Librarians, historians, and biographers all seem to feel that it is not the ex-President's convenience but their own that should have first consideration. As a result we have proposals for central depositories of all Presidential papers—if not in the Library of Congress, then at some unspecified point, usually in the eastern part of the country, in order to eliminate travel and expense on the part of scholars. The learned professions are really quite heartless in the matter; they want to tear the papers out of the grasp of their owner and open them to their own scrutiny regardless of his wishes.

But, with all deference to the convenience of scholars, we must satisfy the wishes of the owner first, because if we do not the papers may never get to the scholars at all. The owner, after all, can always destroy them, and some Presidents, or Presidents' families have done—or tried to do—just that.

Nor shall we lose much if we accommodate the owner first. The ex-President's wishes are usually simple. They may vary somewhat from individual to individual, but certain common objectives emerge from our experience with ex-Presidents.

First, most probably, the ex-President wants convenient access to the papers himself. He may not plan to write his memoirs, but he never knows when he may need to turn to his papers to settle some issue of fact or reply to some charge from his adversaries. Secondly, the ex-President probably wants others to have access to his papers. By and large, our ex-Presidents seem anxious to have the facts of their administrations more widely known. The old method was to authorize trusted friends to act as biographers or editors. The newer development, which finds its beginnings in President Roosevelt's plans for the Hyde Park Library and which President Truman is carrying forward, is to open the papers to all qualified researchers, at the earliest possible date, without discrimination. One of the reasons for this new development is the existence, in the National Archives system, of a corps of trained archivists, who can take charge of the mass of Presidential documents, put them in order, and make htem available for general research. Indeed, it is this concept of the Presidential library, administered by the National Archives, that makes possible the early opening of the papers to scholars. For obvious reasons the collection must be under orderly control before the scholarly public can be allowed access to it. Otherwise, only specially trusted friends may be permitted to open the files. They will then have the burden of doing their own indexing and identifying, and still, in spite of their good intentions, they may get things into a mess.

Furthermore, the ex-President, whoever he may be, is not going to allow the public access to his files unless he can protect the confidences of others that may be revealed in the papers. This is the third of the common Presidential desiderata. Thousands of people write to the President under the seal of confidence. Some of these are official confidences, others are personal. Undiscriminating disclosures of such confidences may do much damage to persons still living and to continuing governmental policies. A President is under an obligation to protect these confidences. Unless this need can be met, the papers may be unreasonably delayed in coming into public ownership or they may never be made public at all. The old device of stringently limited access was one way of handling this need. The Federal Records Act of 1950 and the staff of the National Archives offer another.

The case of the Lincoln papers shows what can happen under the old method. Robert Todd Lincoln permitted only the trusted secretaries, Nicolay and Hay, to

go into his father's papers, knowing that they would respect the decencies of examining private correspondence. After that he planned to make the papers public, but only when they were purged of confidential matter that might injure persons still living. He was always planning to do this job himself, and he carried the papers back and forth in a trunk between his summer home and his winter home for years. According to David Mearns, he never did find the time to weed them out, and eventually he deposited them in the Library of Congress, under a 20-year ban against their opening. By the time scholars were finally given access it was 82 years after Lincoln's death. To our eyes there appears little in the Lincoln papers that would injure anyone, but they may have looked different when Lincoln's contemporaries were still alive. At any rate, here were scruples based on considerations of human decency, which there was then no way of satisfying except by the lapse of time.

Contrast this experience with the method set up by President Franklin D. Roosevelt and given statutory expression in the Federal Records Act of 1950. In a memorandum to which the courts gave testamentary validity, President Roosevelt nominated a group of friends to establish restrictions on the release of his confidential papers. The friends formulated appropriate rules, but it is betraying no secrets to say that the rules have been applied, for the most part, by the highly competent staff of the National Archives and Records Service in their work of sorting and indexing of the papers. In the course of time many of the restrictions will lapse, and confidences now withheld will eventually become public. Actually very little is held back, under the rules, even now.

The beauty of this method is not only that Presidential scruples can be satisfied, but also that nothing need be destroyed and that the great bulk of the papers can be opened very promptly. In fact, I believe that no Presidential collection has been thrown open to general research in so short a time as the Roosevelt collection at Hyde Park. This is an advantage not to be overlooked; and, please remember, it could not have been done if it had not been for the National Archives.

The Federal Records Act of 1950 contains a provision inserted at the special request of President Truman, which authorizes the National Archives to accept the papers of Presidents and other public figures on conditions as to their release, imposed by the donor. The statute permits these conditions to remain effective for an maximum period of 25 years. I am not sure whether the period is long enough for all classes of papers, but certainly this provision gives the donor some of the assurance that is necessary if the papers are to come into public ownership at all. And under the provision, criteria can be worked out and applied by the Federal archival staff, as was done at Hyde Park, to release the bulk of the papers promptly.

In an exchange of letters with the General Services Administrator just before he left office, President Truman set forth his intention to offer his papers to the Federal Government, either under the Federal Records Act of 1950 or as part of the contents of his presidential library if and when it should be built. On the basis of this intention it has been possible for the General Services Administrator, working through the National Archives, to give former President Truman specialized assistance in the preservation and classification of these papers while they are still in his possession. Work on the papers is now being done by two competent archivists assigned from the staff of the National Archives. This work will expedite public access to the papers in the shortest possible time after they are turned over to the Government.

As the Federal Records Act of 1950 illustrates, one of the objectives of President Truman was to place Presidential papers, including his own, under public ownership. President Franklin D. Roosevelt carried out the same intention in his Hyde Park arrangements. To both President Roosevelt and President Truman the most satisfactory method of achieving this aim seemed to be to place title to the papers in the Federal Government and their management in the hands of the National Archives.

I do not say that all future Presidents will want to place their papers in Government ownership. We cannot now foresee what compelling reasons may rise against it. But the existence of the National Archives system makes it much easier to have Federal ownership than it was in the past.

For most Presidents before 1932, virtually the only form of national ownership available was through the presentation of their papers to the Library of Congress. The whole scholarly world, the whole Nation, owes a great debt to the Library of Congress for what it has done to collect and preserve Presidential papers. But for a living ex-President, the deposit of his papers in the Library of Congress has manifest disadvantages. Unless he expects to continue to live in Washington,

he cannot have convenient access to his records. Neither can he be on hand to help and encourage others working in his papers. Furthermore, the Library of Congress at present has no way of handling adequately the display of Presidential objects and other forms of historical evidence, which are so important in the Roosevelt and Truman collections. And the same objections, in greater or less degree, arise in the consideration of any other proposal for a centralized depository for Presidential papers. Finally, over all these proposals for centralization hovers the danger of atomic destruction.

The National Archives offers an alternative method of Government ownership which earlier Presidents did not have. With its regional record centers and its nationwide administration operating under the General Services Administration, it is capable of taking on a Presidential record center outside of Washington. It meets the requirements of a living ex-President, offering him convenient access, assistance in making the records public, and the protection of confidences.

In addition, the National Archives does not operate such a center as an isolated institution or one of purely regional interest. It operates it as a part of the permanent record system of the Government, and a scholar working in it has access to other governmental records, through microfilming and correspondence.

The most valid objection to the concept of the Presidential library under National Archives administration is that it results in scattering these institutions around the country. There is admittedly an inconvenience, for example, in having the papers of two Presidents whose administrations are so closely related as those of Roosevelt and Truman in widely separated locations. This geographical dispersion poses difficulties. There is no doubt about it.

Of course, one of the answers to this objection is that it is better to have complete Presidential collections scattered around the country than incomplete collections in one place. But there are other answers as well. Geographical dispersion has certain great advantages. The obvious benefit of safety in an atomic age is not negligible. And the degree to which a Presidential library, well handled, can stimulate local and regional interest, not only in historical scholarship but in national affairs, is a manifest benefit to the whole scholarly community.

President Truman has always been anxious that his papers stimulate study and research and general public education in matters of Government throughout the Midwest area. He envisages his institution as stirring up and serving the needs of the State universities and the other institutions of learning in his part of the country. I have no doubt that this will be the effect of placing the library in Independence. Already the University of Missouri and the University of Kansas City have expressed their interest in the collection; in fact, each of them graciously offered to make room for it on its own campus. Nearby also is the University of Kansas, even nearer to Independence than the University of Missouri. For scholars in this area, for Ph. D. candidates and others, the location of a presidential library there will be of inestimable benefit. For them it will help to overcome the handicap of having the governmental records concentrated in Washington.

Indeed, I would like to suggest that in a country as great and as wealthy as ours, with so many centers of learning, most of the reasons for the centralization of records are fading away. The roots of our scholarship are widespread throughout the continent. It is no longer necessary to bring all the raw material for that scholarship together at one place. Looking toward the future we can be pretty sure that such modern aids to scholarship as microfilm will overcome most of the geographical obstacles to research. And if we are going to centralize our raw materials, where shall the center be? Is there a cultural capital of the United States? The trend is all the other way, and these presidential libraries may be blazing the path to a greater dispersal of other historical records and to a greater growth of scholarly activity throughout the country.

I hope that our Presidents to come, of whatever party, will follow this pattern. The Eisenhower Museum at Abilene, already successful as a monument not only to President Eisenhower but also to the great national experience of World War II, can be enlarged to contain the Eisenhower presidential papers. And the administration of this institution, too, can be placed in the competent hands of the National Archives.

A word about the progress of the Truman Library. Our announced fund-raising goal is $1,750,000, of which we have collected over a million. The site is a beautiful knoll in a public park in Independence, not far from the ex-President's home. It is only 9 miles from the heart of Kansas City and is easily accessible to public and private transportation. Our architects are working on a design for the new site. It will be a one-story building in simple modern style, air-conditioned throughout. The record room, which will contain the papers, will be

adjacent to the library and the reading room. There will be ample offices for scholars and researchers as well as for the archival staff. In this part of the building there will also be a working office for President Truman.

The whole area will be so arranged that it can be shut off from the exhibition rooms and the auditorium, which will be open to tourists. There will be one or two large exhibition rooms, a foyer, and an auditorium or motion-picture theater. The whole building will crown the knoll and its elements will be arranged around a sort of patio or garden.

I believe that we shall be breaking ground early in the spring. I hesitate to predict a date for completion, but I hope that the Truman Library will be completed and that Congress will accept it and turn it over to the management of the National Archives before many more months have passed.

Mr. LLOYD. Now, Mr. Chairman, the Truman Library Corp. has an advisory council or committee of scholars composed of important historians and executives of universities, and three of the members of this committee have submitted to me statements in support of this legislation.

Mr. MCCORMACK. Will you please give their names.

Mr. LLOYD. The first one is Henry Steele Commager, professor of history, Columbia University.

Mr. MCCORMACK. Without objection, the statement will be included in the record.

Mr. LLOYD. The second one is Mr. Boyd C. Shafer, executive secretary, American Historical Association.

Mr. MCCORMACK. Without objection, it will be included in the record.

Mr. LLOYD. And the third one is Chancellor Franklin D. Murphy, University of Kansas, who would like to have his statement in support included in the record.

Mr. MCCORMACK. Without objection, the statement will be included in the record.

Mr. LLOYD. Now, Mr. Chairman, we have a number of other distinguished members of this committee and they may in the next day or two also be submitting statements of their views.

Mr. MCCORMACK. Without objection, that permission will be granted. You will see that the statements are sent in.

Mr. MCCORMACK. Have you anything to say, Mr. Lloyd?

Mr. LLOYD. Not at all, sir; except I think the ground has been very well covered here, and I think the statements I have submitted will do a good deal to answer some of the questions that have been raised here this morning, particularly about the decentralization of Presidential papers. I wish to thank the subcommittee for their consideration of this thing in such a timely way.

Mr. MCCORMACK. Thank you very much.

Any other witnesses? Anyone in opposition to the resolution?

(None indicated.)

Mr. MCCORMACK. Without objection, I have an additional statement prepared for me entitled "A Statement Re Proposed Presidential Library Legislation" which will be inserted in the record.

(The papers referred to are as follows:)

STATEMENT RE PROPOSED PRESIDENTIAL LIBRARY LEGISLATION

The immediate occasion for this legislation is to enable the Administrator of General Services to accept the land, buildings, and equipment to be donated to the United States Government by the Harry S. Truman Library, Inc., for the purpose of housing and making available for use the papers and other his-

torical materials of former President Truman. It authorizes the Administrator to accept the papers of Mr. Truman and pertinent papers of his official family and contemporaries for deposit in this library. It provides that the library may also be used for the deposit of permanently valuable records of Federal field agencies appropriate for retention in the Kansas City area, rather than in the National Archives at Washington.

The bill applies not only to the Truman Library, but to future Presidential libraries that may be established. It is general legislation, under which Presidential libraries would be integrated into our national recordkeeping system. It authorizes the Administrator of General Services to acquire by gift, as branches of the National Archives, a system of field depositories for permanently valuable records.

The principal benefits of the proposed legislation are as follows:

1. It provides a system for the preservation and use of Presidential papers that accords with our Constitution and traditions;

2. It enables the Government to acquire, as gifts, expensive archival depositories and equipment that can be used not only for Presidential papers, but also for the preservation of valuable Federal records accumulated outside of Washington;

3. By establishing important collections of manuscript sources in other parts of the Nation than the Capital, thereby giving local scholars easier access to them, it will stimulate interest in our history and Government; and

4. It takes into account the growing need for the dispersion of research facilities resulting from the existence of nuclear weapons.

The National Archives will ultimately confront a substantial problem in providing for the proper care of the permanently valuable records created by Federal agencies in the field, outside of Washington. The records of these agencies are now preserved in our Federal records centers. These centers, established several years ago on the recommendation of the first Hoover Commission, are intended to provide economical storage and servicing for records that must be held for a period of time, but are not sufficiently valuable for indefinite retention.

The primary function of these centers is to keep records that are of temporary value only. They are located in warehouse space that is not constructed or equipped for long-time archival purposes. As the years pass, the residue of permanently valuable records from these centers ought to be placed in depositories or facilities appropriate for the keeping of historic documents. The Presidential depositories, which this legislation authorizes the Administrator to accept, will provide, in some parts of the country at least, facilities for the proper handling of such historically valuable Federal records.

It is possible that over the next hundred years, 12 or 15 Presidential archival depositories might be constructed, in locations designated by the Presidents of the United States, and donated to the United States Government. About one-third of the cost of maintenance and administration would probably be offset by receipts from visitors to exhibit rooms. At the end of 100 years, if 15 depositories were constructed and given to the Government, the annual net maintenance and operating cost would be about $1,500,000 per year. This is about equal to the cost for land, buildings, and equipment of the Truman Library alone, the money for which has been raised privately by Mr. Truman's freinds and associates and by the city of Independence, Mo.

Under this legislation the Government will be able to take advantage of the generous motives of a President's associates and frienas whose interests in a memorial provide us with the expensive physical facilities and equipment for an archival depository at no cost to the Nation's taxpayers. There could be no better memorial, no more lasting tribute, than a living institution dedicated to research and to the preservation in impartial hands of the documentary source materials of our Nation's history.

In addition to providing a way to handle some of the permanent Federal field records, this legislation solves a problem as old as the Federal Government—the disposition of Presidential papers and mementos. It solves this problem in a way that will conform with our constitutional system and traditions, by taking into account the wishes of the Presidents themselves and by recognizing their right to control access to their papers for a period of time.

The Office of the Presidency, like the offices of the Members of Congress and the Supreme Court, is a constitutional office having separate and independent status in our governmental system. Every President since George Washington has considered that this separate and independent status of the office extends to and embraces the papers of the incumbent of the office. Thus, as is the case

with the papers of individual Members of Congress, the papers of the Presidents have always been considered to be their personal property, both during their incumbency and afterward. This has the sanction of law and custom and has never been authoritatively challenged. It is, however, also true that though the papers of the Presidents are the property of the Presidents, they constitute a class of property which is, so to speak, affected with a public interest. They are Federal Government archives, in character and scope, and the Federal Government should develop systematic means for their preservation that are consistent with our constitutional form of Government and our traditions.

The system provided in this legislation gives the President a method of disposing of his papers in the public interest without violating the confidential character that a good portion of them necessarily have. Under this system, neither he nor his heirs need purge or destroy any of the papers they might feel bound to keep private for a period of time—an assurance that all depositories of historical papers must give and have given to depositors for many years. Furthermore, this system keeps all the materials in official custody, under the supervision of professional archivists, and assures that the integrity of the documents as evidence will not be impaired. By integrating the Presidential depositories with our national system for maintaining the records of the Federal Government, it provides a means for gradually expanding a truly national system of archives keeping, consistent with the needs of our times.

Two hard facts underly these needs: First, the nature of modern warfare and second, the quantity and variety of the historical materials we must preserve if we are in good conscience to fulfill our obligations as a civilized society. Even with the most careful screening and the outright disposal of large volumes of Federal field records, there remains a residue of valuable records in this class that must be kept. The permanent records of United States district courts and United States land offices are examples.

The facts dictate a gradual reversal of past habits of thinking—away from massive accumulations in highly centralized depositories and toward a larger degree of decentralization. If there were no other reason, the vast expansion of educational facilities during the past century in all parts of the country, the great increase in the number of students and scholars wishing to share in the use of our basic research materials, would argue for the maximum practicable decentralization of the physical facilities for research. Our great universities are no longer concentrated in a few States. They exist in every State in the Union.

The nucleus collections in these depositories would of course consist of the papers, books, and valuable mementos of the President. The desirability of keeping these materials intact and in one place is of fundamental importance. The books reflect the man, his interests, and his period, as do the mementos he collects or receives as gifts. The papers of course reflect not only the man and his thought and action but the entire range of matters that came to the attention of the White House Office during his administration. Considering the influence of this single office on national and international affairs in the 20th century, no one body of documents accumulated anywhere in the United States could possibly be of more importance to preserve intact. Even in earlier times, no other groups of papers have been of more interest to scholars working in the field of American history than the papers of our Presidents.

Congress has recognized this many times in the past by the appropriation of considerable sums of money for the purchase of such papers from the heirs of deceased Presidents. In all, a total of $45,000 was appropriated by the Congress at various times for the purchase of George Washington's papers. In 1848 the executor of Thomas Jefferson's estate was paid $20,000 for part of the Jefferson papers, and Mrs. James Madison received a total of $65,000 for her husband's papers. The Monroe papers and the papers of Andrew Jackson were purchased by the Federal Government at a cost of $20,000 and $18,000, respectively. In terms of the purchasing power of the dollar 100 years ago these are large sums of money, and they give some indication of the importance attached by the Congress to the desirability of ownership and preservation of Presidential papers by the Federal Government.

Both the Federal Government and private organizations have also given evidence of their belief in the importance of this matter by the expenditure of millions of dollars for the publication of the papers, or parts of the papers, of some of the Presidents. Federal projects in this category include the well-known standard edition of Richardson's Messages and Papers of the Presidents and Fitzpatrick's Writings of George Washington.

There is no need to enlarge on the long history of the fate of the papers of each of our 33 Presidents—the damage that they have suffered through loss, mutilation,

and dispersion before finally coming to rest in the public depositories where most of what remains of these papers are now to be found. Perhaps the most important point to remember is that up to a generation ago it was at least possible for the President to pack up his papers and to take them home with him at the end of his period of office. Though they tended gradually to increase in volume, taking care of them privately was still within the range of possibility. The papers of Abraham Lincoln, even when individually mounted and bound as they now are, comprise only 194 volumes for the whole period 1833–1865.

In the last 25 or 30 years, however, a radically new factor has been introduced into this situation—a sudden and tremendous increase in the rate of creation of Presidential papers, resulting in a swift accumulation in the White House office of bodies of files so enormous that no private person can undertake to give proper care and housing to them. It is not an accident that the last three Presidents of the United States have looked with favor upon the construction of libraries to care for their papers and mementos. They really have had no choice in the matter, and could scarcely have done otherwise, for the problems that confronted them with respect to the housing of the papers at the end of their terms of office has been one of an entirely different order of magnitude than those with which earlier Presidents had to deal.

At the death of Franklin D. Roosevelt, for example, his Presidential papers occupied some 500 5-drawer file cabinets, and those of Mr. Harry S. Truman are only slightly less in volume. Mr. Herbert Hoover's White House papers occupy a substantial proportion of the available space in the Hoover Library on the campus of Stanford University. Thus the day is past when a President or his family can even contemplate personally taking charge of and caring for his White House papers until such time as they feel ready to place them in a public institution.

It so happened that at the very time when this problem of care for Presidential papers was reaching new and unprecedented dimensions, the Congress of the United States created the National Archives, an agency whose responsibility in part was to have general cognizance of the entire matter of the care and preservation of the historical records of the Government of the United States.

Since 1934, the National Archives has quite properly taken an intense interest in the whole problem of the proper preservation of the papers of the Presidents and in the relationship of this problem to the general design developed during the past 20 years for the preservation of the archives of our Federal Government. It was to be expected, therefore, that when in 1939 the Congress established at Hyde Park our first Federally supported Presidential library, it would be placed under the jurisdiction of the Archivist of the United States. The Franklin D. Roosevelt Library has been operated since that time as a part of the National Archives system, and the present legislation proposes the continuance of what has been demonstrated to be a sound and successful policy.

The Presidential libraries that have already been created have been established in accordance with the wishes of the Presidents themselves. The last two Presidents of the United States have asked that their papers be placed in separate institutions established at or near their homes in Hyde Park, N. Y., and Independence, Mo. With President Eisenhower's approval, steps are being taken to locate his papers at Abilene, Kans., in a library to be constructed near the Eisenhower family home where he spent his boyhood and young manhood. One cannot predict what future Presidents may wish to do with their papers, but it is surely true that it is to the interest of the Federal Government to see that Presidential papers are properly preserved, and that arrangements are made so that they can become the property of the Federal Government as soon as possible after each President leaves the White House.

It is my opinion that the wisdom of the Presidents who have requested the establishment of Presidential libraries as a means of permanently caring for their papers and mementos has been demonstrated, and that general legislation should be enacted by the Congress.

STATEMENT OF HENRY STEELE COMMAGER, PROFESSOR OF HISTORY, COLUMBIA UNIVERSITY, ON PROPOSED PRESIDENTIAL LIBRARY LEGISLATION

This statement is written in support of the joint resolution to provide for the acceptance and maintenance of Presidential libraries.

1. It is quite impossible to overestimate the importance of Presidential papers to our understanding of our history and our policy. We have only to imagine how lost we would be without the papers of George Washington, of Thomas Jefferson, of Theodore Roosevelt, and Woodrow Wilson, to appreciate the value of the papers of Presidents Truman and Eisenhower to the future historian and the

future student and the future legislator. It is relevant to recall that the papers of Jefferson and of John Adams, long dispersed, are only now being collected and edited, and this at private expense. A hundred and fifty years from now it would be quite impossible to collect the massive papers connected with a Roosevelt, a Truman, or an Eisenhower.

2. The papers of recent Presidents present a far more serious problem than do those of earlier Presidents. Because recent Presidents have lived in the day of the typewriter, the carbon copy, the telephone message, the dictaphone, and the democratic habit of writing to the President, their papers are incomparably more voluminous than those of their predecessors. The Nation owes a deep debt to Presidents Hoover, Roosevelt, and Truman who have already taken the initiative in assembling and safeguarding their Presidential papers, and to the many friends and associates who have contributed to these projects. Without this initiative and enterprise much of the record of the most far-spreading activities of our history might be forever lost. The Nation cannot leave the entire responsibility for assembling, preserving, and administering these papers, however, on ex-Presidents and their associates. It is as much the duty of the Government to cooperate with such enterprises, and to help underwrite them, as it is the duty of the Government to preserve the records of the various Congresses.

3. It is, at the same time, highly desirable that all quasi-public papers and records be brought under the general control of the Archivist of the United States. This will assure proper care, protection, administration of these assets. No other agency is in a position to provide this care and administration. It would be a calamity if various Presidential collections were to be haphazardly organized and individually and haphazardly administered, or if the hazards of private administration were to expose them to loss. Happily the present director of archives has already worked out techniques for the proper administration of Presidential libraries, and for integrating these and other collections into a uniform system.

4. It may be objected that all Presidential papers should, ideally, be housed in Washington, either in the Library of Congress or in the National Archives. It is perhaps sufficient to observe that such an objection is irrelevant. Presidential papers are the possession of the President and to be disposed of as he sees fit.

But quite aside from this, it is probable that dispersion is, in many ways, more advantageous than concentration. Fifty years ago this would not have been true. But two developments have largely outdated the old arguments for dispersion. One has to do with the grave danger, in the modern world, of concentrating all our possessions in one vulnerable spot. The other embraces microfilm and other processes for making available large collections of papers wherever they are needed. There are, also, positive advantages in the development of regional libraries, museums, and scholarly activities. Regional libraries like the Roosevelt, the Truman, and the Eisenhower, will do much to attract collections of papers and other material which might otherwise be wholly lost or dispersed—as so often happened in the past. They will serve to educate communities and regions in the importance of the preservation of historical material. They will serve as centers for research and scholarship, attracting to various localities scholars and students from other regions and other countries. There is, after all, a heavy concentration of libraries and research institutions on the Atlantic seaboard. No one, now, would argue that all important works of art should go to the Metropolitan Museum or the National Gallery, or that scientific research should be concentrated at the Smithsonian Institution or the Massachusetts Institute of Technology. There is an additional consideration, that the career and character of a historical figure can best be studied and understood in the environment in which he grew to maturity. Other things being equal, Mr. Roosevelt should be studied on the banks of the Hudson and Mr. Truman in western Missouri.

Finally it is not wholly unworthy of consideration that research may be pursued more advantageously in smaller communities than in the National capital. There are practical physical advantages—housing, access, parking, economy, etc.; there are practical scholarly advantages in proximity to the society which produced the historical character. And regional libraries and archives will make possible a degree of administrative flexibility—of adjustment of local and regional needs—not possible at the National capital.

For all of these reasons the proposal to accept the Truman Library and Museum and the Eisenhower Library and Museum, and to administer them should be acted upon favorably.

HENRY STEELE COMMAGER,
Professor of History, Columbia University.

62 ACCEPT AND MAINTAIN PRESIDENTIAL LIBRARIES

STATEMENT OF BOYD C. SHAFER, EXECUTIVE SECRETARY, AMERICAN HISTORICAL ASSOCIATION, ON ARCHIVES, LIBRARIES, AND THE PRESIDENTIAL PAPERS

The great history of the United States reposes in large part in the official documents and papers of its Government. Among the most significant of the documents and papers are those of the Presidents. Every effort should be made to preserve these and make them available to historians.

In the past many of the Presidential papers have not been available to historians because the Presidents have carried them away as they have left office, because their value has not been realized and they have been destroyed, because they have been acquired by private collectors and kept from the public, and because, if they exist, their location is unknown.

The basic papers of our Presidents are too valuable, too significant, too useful to permit further losses. At the same time housing for such papers is most difficult to obtain and quite costly. The gift of the Truman and perhaps other Presidential libraries will save the citizens of the United States many thousands in taxes and provide at the same time safe repositories under the care of professional archivists.

Historians who will use these libraries will be doubly blessed. In most cases in the past they have had to seek their historical sources of this kind in many places. In many cases because the existence of papers was not known or because the papers have been inexpertly cared for and indexed, they have not been able to obtain them. Thus a substantial part of our country's history has been buried or overlooked, in any case unrecovered. Presidential libraries such as the Tru man Library will help solve this problem.

Historians are eager seekers of sources and searchers of the record. Access to the primary sources and the full record is not only the ideal but the essential of historical scholarship, of all good historical writing. The bulk of paper, the mass of correspondence, and the voluminous documentation of our modern times make it imperative that expert archivists and librarians catalog and index the materials if they are to be used. Else a historian is, unavoidably, often lost among these papers, letters, and documents, and the experience of statesmen the wisdom of the past cannot be regained. The skilled care of professional archivists and librarians is thus not only a convenience but a necessity if our history is to be written accurately and fully.

Scholars throughout the country are deeply interested in the preservation of our vital records. Every year thousands of historians flock to the National Archives, to the Library of Congress, and to the many lesser archives and libraries scattered about the Nation. It is in these archives and libraries that the experience of the past is stored. We can never learn too much about this experience; we can never have too much of the record. The history of mankind is so precious that the vital documents must be kept and kept, under the best conditions. It is only thus that scholars can light the way to the future from the past.

The cost of caring for and preserving historical materials like the Presidential papers is and will be small compared to what is and will be gained. If the United States is to continue to accept its responsibilities, if the great wealth of the Nation is to be preserved, if its citizens are to continue to be enlightened, then the lamp of learning must burn brightly. The cost of the light in fact and in comparison to the gain will be insignificant. In perhaps no other activity will the Government get so much return from so little expenditure.

It befits a great Nation with world responsibilities to have its records well and safely stored. It befits a great Nation to have its history written and fully written. It is of the greatest importance that this history be based upon the best documentation. The Congress of the United States has long supported the proper care and publication of historical records. It should continue to do so and on an increasing scale. The public is interested and as the archives and libraries grow they will be ever more conscious of their Nation's history.

The Congress of the United States in 1889 chartered the American Historical Association "for the promotion of historical studies, the collection and preservation of historical manuscripts, and for kindred purposes in the interest of American history and of history in America." As the executive secretary of the association I wish to support legislation for the "collection and preservation of historical manuscripts * * * in the interest of American history and history in America."

STATEMENT OF FRANKLIN D. MURPHY, CHANCELLOR, UNIVERSITY OF KANSAS, LAWRENCE, KANS., RELATING TO LEGISLATION CONCERNED WITH PRESIDENTIAL LIBRARIES

The preservation of Presidential papers is clearly an important national obligation, transcending even the personal desires of individuals or families. A free people, in order to move forward intelligently, must build upon experience. And if we as a people are to deal intelligently with problems of increasing complexity, we shall do so wisely only if we have the opportunity to profit by the combined experience of our past leaders.

Over the past half century, the Office of the Chief Executive of the United States has become increasingly important and more complex. It would be tragic indeed if the papers relating to the activities of this Office were to be scattered, destroyed or in any other wise made unavailable or difficult to use.

The creation of the Roosevelt Library at Hyde Park has made available to scholars, historians, political scientists, and Government, all of the important material relating to the Presidency in a crucial period of human history. This material is available in carefully cataloged and usable form and its value has, in these few short years, already been amply demonstrated.

The proposed legislation dealing not only with the papers of Harry S. Truman but also with future libraries that should be established is a significant step forward. It sets at the national level a sound precedent which will encourage future Presidents to husband carefully and preserve effectively their papers for posterity.

It provides that the entire network of Presidential libraries be coordinated under the appropriate branch of the Government, thus guaranteeing effective continuity, common planning, and a useful interrelationship between these libraries.

It will not only set the precedent for future Presidential papers but will serve to reemphasize the importance for other members of the executive branch, such as Cabinet officials, to preserve their papers carefully for deposition in the library of the President under whom they served, thus guaranteeing that a large body of additional important material will be usefully preserved.

From a personal point of view, I would express a proprietary enthusiasm about this legislation in that the creation of the Truman Library in Independence, Mo., and the probable creation of an Eisenhower Library at Abilene, Kans., will make available to the broad Midwest a unique repository of rich research material. The institutions of higher learning in this part of the country will thus have close at hand unique materials which will add immeasurably to the academic and educational productivity of these institutions. And yet these libraries, located as they will be in the central part of the United States, will be in a sense equidistant from the four corners of the country and be thus more available to more of our institutions and people on a geographical basis than if located elsewhere.

As one interested in history, and in the understanding of American political processes, I cannot emphasize too strongly the significance of this legislation, and would urge with all vigor that it be made law.

STATEMENT OF ELMER ELLIS, PRESIDENT, UNIVERSITY OF MISSOURI, ON PRESIDENTIAL LIBRARIES

There are no sets of papers in American history of equivalent value of those that center on the Office of the President. Our most fruitful research is done in records of this kind and a clearer knowledge of past American development is gained by research in such collections. It is important not only to the profession of historians but to the wise conduct of national affairs that such collections be preserved and made accessible to reputable scholars who can present evaluations of our policies for the years concerned. While unplanned multiplication of these libraries and an unconsidered scattering of them would be undesirable, the collection of many of them in areas close to centers of research other than Washington, D. C., has many features to commend it.

The effect of the location of the Truman Library in Independence, Mo., will have the effect of stimulating research in that period of American history in the many universities in this area. That the value of the collection be not depreciated makes it desirable that the libraries be well housed, well staffed by the National Archives, and that there be added to these collections such collateral materials as make it convenient to use the collection.

Naturally each such center has some museum aspects that bring to the people of the country a part of their National Government and history. It is highly desirable that these not all be concentrated in one area of the country.

Mr. McCormack. If there are no further witnesses or questions, the chairman will declare the hearings closed, and the subcommittee will stand adjourned subject to call of the Chair.

(Whereupon, at 11:50 a. m., the subcommittee adjourned, subject to the call of the chairman.)

PROVIDING ACCEPTANCE AND MAINTENANCE OF PRESIDENTIAL LIBRARIES

Mr. MOSS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H. J. Res. 330) to provide for the acceptance and maintenance of Presidential libraries, and for other purposes, as amended.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring therein), That section 507 of the Federal Property and Administrative Services Act of 1949, as amended (44 U. S. C., sec. 397), is hereby amended as follows:

(1) By amending subsection (e) to read as follows:

"(e) The Administrator is authorized, whenever he deems it to be in the public interest, to accept for deposit—

"(1) the papers and other historical materials of any President or former President of the United States, or of any other official or former official of the Government, and other papers relating to and contemporary with any President or former President of the United States, subject to restrictions agreeable to the Administrator as to their use; and

"(2) documents, including motion-picture films, still pictures, and sound recordings, from private sources that are appropriate for preservation by the Government as evidence of its organization, functions, policies, decisions, procedures, and transactions."

(2) By redesignating subsection (f) as subsection (g), and by inserting after subsection (e) the following new subsections:

"(f) The Administrator is authorized, whenever he deems it to be in the public interest—

"(1) to accept, for and in the name of the United States, any land, buildings, and equipment offered as a gift to the United States for the purposes of creating a Presidential archival depository, and to take title to such land, buildings, and equipment on behalf of the United States, and to maintain, operate, and protect them as a Presidential archival depository, and as part of the national archives system; and to enter into agreements, upon such terms and conditions as he deems proper, with any State, political subdivision, university, institution of higher learning, institute, or foundation to utilize as a Presidential archival depository land, buildings, and equipment of such State, subdivision, university, or other organization, to be made available by it without transfer of title to the United States, and to maintain, operate, and protect such depository as a part of the national archives system: *Provided*, That the Administrator shall submit a report in writing on any such proposed Presidential archival depository to the President of the Senate and the Speaker of the House of Representatives, which report shall include a description of the land, buildings, and equipment offered as a gift or to be made available without transfer of title as aforesaid, a statement of the terms of the proposed agreement, if any, a general description of the types of papers, documents, or other historical materials which it is proposed to deposit in the Presidential archival depository so to be created, and of the terms of such proposed deposit, a statement of the additional improvements and equipment, if any, necessary to the satisfactory operation of such depository, together with an estimate of the cost thereof, and an estimate of the annual cost to the United States of maintaining, operating, and protecting such depository: *Provided further*, That the Administrator shall not take title to any such land, buildings, and equipment or enter into any such agreement, until the expiration of the first period of 60 calendar days of continuous session of the Congress following the date on which such report is transmitted, which 60-day period shall be computed as follows: Continuity of session shall be considered as broken only by an adjournment sine die, but the days on which either House is not in session because of an adjournment of more than 3 days to a day certain shall be excluded from the computation;

"(2) to deposit in any such Presidential archival depository any papers, documents, or other historical materials accepted under subsection (e), or any Federal records appropriate for preservation therein;

"(3) to exercise, with respect to any papers, documents, or other historical materials deposited under this subsection or otherwise in any Presidential archival depository, all the functions and responsibilities otherwise vested in him pertaining to Federal records or other documentary materials in his custody or under his control: *Provided*, That the Administrator, in negotiating for the deposit of Presidential historical materials, shall take steps to secure to the Government, so far as possible, the right to have continuous and permanent possession of such materials: *Provided further*, That papers, documents, or other historical materials accepted and deposited under subsection (e) and this subsection shall be held subject to such restrictions respecting their availability and use as may be specified in writing by the donors or depositors, including the restriction that they shall be kept in a Presidential archival depository, and such restrictions shall be respected for so long a period as shall have been specified, or until they are revoked or terminated by the donors or depositors or by persons legally qualified to act on their behalf with respect thereto: *Provided further*, That subject to such restrictions, the Administrator may dispose by sale, exchange, or otherwise, of any papers, documents, or other materials which the Archivist may determine to have no permanent value or historical interest or to be surplus to the needs of any Presidential archival depository;

"(4) to cooperate with and to assist any university, institution of higher learning, institute, foundation, or other organization or qualified individual to further or to conduct study or research in any historical materials deposited in any Presidential archival depository;

"(5) to charge and collect reasonable fees for the privilege of visiting and viewing any exhibit rooms or museum space in any such Presidential archival depository;

"(6) to provide reasonable office space in any Presidential archival depository for the personal use of any former President of the United States; and

"(7) to accept gifts or bequests of money or other property for the purpose of maintaining, operating, protecting, or improving any Presidential archival depository: *Provided*, That the proceeds of any such gifts or bequests, together with the proceeds from any fees or from any sales of historical materials, copies or reproductions thereof, catalogs, or other items, having to do with any Presidential archival depository, shall be paid into the National Archives Trust Fund provided for in section 5 of the act of July 9, 1941, to be held, administered, and expended under the provisions of such section for the benefit and in the interest of the Presidential archival depository in connection with which they were received, including such administrative and custodial expenses thereof as the Administrator may determine."

(3) By adding at the end thereof the following new subsection:

"(h) When used in this section—

"(1) The term 'Presidential archival depository' means an institution operated by the United States to house and preserve the papers and books of a President or former President of the United States, together with other historical materials belonging to a President or former President of the United States, or related to his papers or to the events of his official or personal life.

"(2) The term 'historical materials' includes books, correspondence, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, motion pictures, sound recordings, and other objects or materials having historical or commemorative value."

The SPEAKER. Is a second demanded?

Mr. HOFFMAN of Michigan. Mr. Speaker, I demand a second.

Mr. MOSS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MOSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this resolution comes to the House with no evidence before the subcommittee of any opposition. It enjoys wide support on both sides of the aisle inasmuch as it was offered originally to companion resolutions by the distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK] and the distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN].

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MOSS. I yield.

Mr. McCORMACK. And also the gentleman from Kansas [Mr. REES].

Mr. MOSS. Yes, and the gentleman from Kansas [Mr. REES]. The only question of which I am aware relative to this resolution is one of policy as to the desirability of maintaining all Presidential papers made available to the Government of the United States in a centralized location here in Washington rather than permitting the geographic dispersal which naturally follows when we accept in toto libraries which have been established by past Presidents of the United States. It has been suggested that such a system of centralized maintenance would be more economical. As to the cost for operating libraries, the testimony before the subcommittee indicates a small economy might be effected through centralization. On the basis of operation of the Roosevelt Library at Hyde Park, the cost is estimated at approximately $150,000 a year for each library with offsetting revenues of approximately $50,000 leaving a net prospective operating cost of around $100,000. If, during the next century, we acquire another 12 or 15 of these libraries, the total cost might be around $1½ million a year. I would like to point out, however, that these libraries are built through private contributions. They house extensive collections reflecting upon the activities of the administrations of the presidents. It is highly possible that if they are not centralized in areas chosen by the President, and the friends of past presidents, some of the important material might not be made available to the United States.

In addition, we here today, realize that centralization of important records in Washington is not desirable in this time of atomic weapons. As a matter of fact, it was attested by the General Services Administration that sometimes, as we expand centralized functions in Washington, we actually increase rather than diminish the total cost. I think the policy of decentralization, of making available to scholars throughout the Nation, and of having national collections available on a geographical basis is an excellent one, because these libraries would afford a place for deposit of related Government information, related documents of interest to students of history and of current events.

From the standpoint of making available as much information as possible on a widespread basis, there seems to be no feeling that the decentralization policy is undesirable.

It is well to bear in mind that in our own Government, our own departments—as witnessed by the Post Office Department's recent policy of decentralization—there is an attempt to take out of Washington vast accumulations of information and material which may be important in the future course of this Government in the event of war.

As I say, the question of decentralized versus centralized keeping of these records is the only point which has been met by any opposition.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Iowa.

Mr. GROSS. I am sure the gentleman would not use the Post Office Department's new decentralization program as any criterion for this sort of legislation. I am sure the gentleman will agree with me that if an atomic bomb fell on Washington the mail would be carried just the same, if it was able to get to St. Louis or to Iowa.

Mr. MOSS. I simply pointed that out as an illustration of current trends.

In summary, Mr. Speaker, House Joint Resolution 330 does in fact, as the committee report points out, provide that the presidential archival depositories will be maintained, operated, and protected as a part of the National Archives system.

The intent of the legislation is to make possible the integration of valuable historical collections of our Presidents in the system of maintaining the archives of the Nation.

The cost of administration of centralized presidential papers, while somewhat less than a decentralized system, would not be enough to outweigh the disadvantages of centralization. The estimated cost of a presidential library will be about $150,000 a year. A library will produce about $50,000 in income from fees, leaving a net cost of about $100,000. If, during a century, 12 or 15 libraries were established the total cost of administration would be around $1,500,000. This is not excessive considering the advantages of such decentralized institutions.

The centralization of presidential papers and other research materials in one spot—Washington, D. C., or one of the other metropolitan centers in the East—is shortsighted and unwise, and, in this day of the microfilm camera, unnecessary from the point of view of the student and scholar.

First. There is a grave danger in concentrating our cultural possessions in one spot. The destructive power of modern warfare argues in favor of decentralization. For reasons of physical security if for no other decentralized presidential libraries would be justified.

Second. During the past 50 years there has been a great expansion of our educational system and in the number of students and scholars wishing to use research materials. All parts of the Nation are affected. There are great universities in every State of the Union. Regional libraries will do much to stimulate interest in the study of American history. They will serve as centers of research and will educate communities in the value of preserving historical sources.

Third. Decentralized presidential libraries will make available regional points of deposit for permanently valuable records of the Government. The physical facilities of the National Archives are not unlimited, and ultimately some means of providing for the proper care of the archives created by the field agencies of the Government must be found. These records of local and regional interest should be kept in the areas where they will be used. Presidential libraries are a good solution to this problem.

Four. Finally, it should be remembered that presidential papers belong to the President, and that they have increased tremendously in volume in the past 25 or 30 years. It is no longer possible for a President to take his papers home with him and care for them properly. It is no accident that the last three Presidents—Hoover, F. D. Roosevelt, and Harry Truman—have had to make special provisions through the means of the presidential library to take care of their papers.

The presidential library, operated by GSA and in immediate charge of the Archivist of the United States, is in accord with our constitutional principles. It offers the best means of bringing the great collections of presidential papers into the national record keeping system.

The SPEAKER. The time of the gentleman from California has expired.

Mr. HOFFMAN of Michigan. Mr. Speaker, I yield myself 5 minutes, and I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection? There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, at a time when we have what some people term a monumental debt, when the burden upon our taxpayers is increasing, if not every day every year, even though the objective, the preservation of historical papers is certain a fine objective—even though the objective is good, it would seem as though, until the members of the majority party and until the members of the minority party have made some effort to comply with the campaign promises to economize, to lessen the tax burden, to reduce the debt and to balance the budget—until we have made some move in that direction, we should refrain from going further even on desirable projects.

This bill proposes that the Administrator of General Services shall accept the papers of any President or former President—and get this one—papers and other historical materials of any other official or former official of the Government, and other papers relating to and contemporary with any President or former President of the United States.

Then it further provides that the Administrator shall accept the lands and buildings where these papers in any State may be stored.

What is the net result?

We have a library in New York of a former President. I understand there is one or will be one down at Independence, Mo., of another former President. Certainly when the present occupant of the White House moves out we will have a library with papers somewhere, and so

on; and then not only those who may come after, but we go back perhaps and we find some President with some papers or some other official of the Government, no matter who he is, and the Government accepts those papers, and from that day on—now, think of it—from that day on the Government maintains that library, pays the cost of maintenance, when here in Washington we have the Library of Congress; we have down below the Archives Building, both of them places where these papers could be put, kept, and made available to everyone.

Mr. HALE. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to my distinguished colleague from Maine.

Mr. HALE. As I read line 11, page 6 of the bill, the papers and other historical materials do not necessarily bear on the Presidency; and we may look forward legitimately to the day possibly when every Member of Congress can have a library in his own right.

Mr. HOFFMAN of Michigan. It looks a little that way. We have a distinguished former member of the House from Michigan, our friend, Mr. Blackney. He has a very very large library, a private collection of books and papers over on one of the beautiful lakes of Michigan, where I hope you can all sometime go and enjoy his hospitality while he is alive. We have that library established over there. A friendly administrator might want to continue or maintain it.

Then the great Supreme Court here. It is fine and all that, but go over and look at it. Was it necessary to spend $12 million to erect that building? Perhaps it was. Perhaps the Court needs it. I do not mean the present Court, I am not criticising individuals, but perhaps the Court needs a building of that kind to recognize its dignity, its impartiality. But it is also well to bear in mind that throughout the years when that Court met here in the Capitol Building they set forth principles which are still good doctrine.

Figure out the number of charwomen needed to take care of that building. They have a magnificent cafeteria over there while we eat down below here in this little pen. Over there they have a dining room for each of the Justices.

I do not begrudge the Speaker or the minority leader their dining room because they share it and do very nicely with others of us; but why all that continuing, never-ending cost, the effort and money it takes to keep it clean and keep it polished?

Mr. HALE. Mr. Speaker, will the gentleman yield further?

Mr. HOFFMAN of Michigan. Certainly.

Mr. HALE. I want to call the attention of the gentleman that the State of Maine has an admirable location for a library.

Mr. HOFFMAN of Michigan. Oh, well, I have in my own home county, in my own home town. Oh, yes, my district in my own home county borders on Lake Michigan. There is a wonderful library site there. All we need are papers and materials.

Julius Caesar Burroughs was a Senator from Michigan, from Kalamazoo. I remember when he used to come to the House as a Republican. Well, they redistricted the State, gerrymandered him out of his district, you would call it, so we sent him to the Senate. I wish they would do that to me.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from California.

Mr. MOSS. This bill does not contemplate the construction of these libraries by the Government.

Mr. HOFFMAN of Michigan. Oh, no; you just take over the land and the buildings and maintain them. That is what the bill provides. That is what the bill says.

Mr. MOSS. Yes. For presidential libraries. The gentleman is referring to collections of others. It authorizes the acquisition of the collection but not of the buildings.

Mr. HOFFMAN of Michigan. At the top of the page, as pointed out by the gentleman from Maine, you accept these historical materials, and so forth, of the President or former President of the United States, or of any other official or former official of the Government.

Then it goes on over here and another section authorizes acceptance of the buildings and title to the land. Then another one provides for maintaining, operating and protecting them as a presidential, and so forth. It makes no distinction. It is wide open.

But if the Members want it, that is all right. This Congress is on a spending spree. There is no indication that we intend to comply with any of our campaign promises. I am not going to object.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from California.

Mr. YOUNGER. Does the gentleman remember when we had this bill before the committee I asked specifically whether the Government would be obligated to maintain any library other than that of a President or a former President, and we were assured by the author of the bill that there was nothing in the bill which obligated the Government to maintain a library of anyone other than a President or former President.

Mr. HOFFMAN of Michigan. Well, I am not prepared to say what happened in executive session.

Mr. YOUNGER. Is that not true?

Mr. HOFFMAN of Michigan. I am not prepared to say that. All I say is that the bill speaks for itself. It is to be a continuing obligation upon the taxpayers of the United States.

Mr. MOSS. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, let us not have injected into this discussion extraneous matters. This bill does not permit the taking over or the maintenance of any library other than the library of a former President. The gentleman from Maine, if he will read the language, and he is a very able gentleman whom I profoundly respect, will find "any papers and other historical materials of any President or former President of the United States, or of any other official or former official of Government, and other papers relating to and contemporary with any President or former President of the United States."

So it has got to be related and identified with a President or former President of the United States, then it says "subject to restrictions agreeable to the Administrator."

Mr. HALE. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Maine.

Mr. HALE. With the highest respect to the gentleman, I do not construe the language as he construes it. It says, "other papers of any President or former President of the United States, or of any other official or former official of the Government, and other papers relating to and contemporary with any President or former President of the United States."

It seems to me you are going pretty far afield. In my opinion that language is very loosely drawn. I am willing to agree that the intention of the bill is probably exactly as the gentleman from Massachusetts has stated, but I think it should be amended; however, under this procedure we cannot amend it.

Mr. McCORMACK. I am constrained to differ with the gentleman from Maine. If I had some papers in my possession which were of import in connection with construing or evaluating the history of a former President, certainly authority should exist in law for those papers to be accepted as a part of a presidential library. This does not mean any of my papers or the papers of any other official. It means the papers of an official or former official which relate to and are contemporary with. Certainly that language is plain and is not possible of any misconstruction through thinking that the entire libraries of some officials might be taken over.

Mr. HALE. Mr. Speaker, will the gentleman yield further?

Mr. McCORMACK. I yield.

Mr. HALE. Can the gentleman possibly imagine any paper that is not contemporary with some President?

Mr. McCORMACK. Why, certainly I can. As a matter of fact, those from an historical angle and contemporary would be very limited so far as you or I having them in our possession is concerned.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Iowa.

Mr. GROSS. On page 2, section 2, I find the following: "documents, including motion picture films, still pictures, and sound recordings, from private sources that are appropriate for preservation by the Government as evidence of its organization, functions policies, decisions, procedures, and transactions." That goes beyond Presidential limitations or former Presidential limitations.

Mr. McCORMACK. But it is subject to restrictions and regulations.

Mr. GROSS. Agreeable to the Administrator.

Mr. McCORMACK. As provided for by the bill itself, if it becomes law.

Mr. GROSS. No; subject to the Administrator.

Mr. McCORMACK. No. I want to assure my friend that he is giving a much broader construction than the bill justifies.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from North Carolina.

Mr. JONAS. Is it not true that the language to which reference has just now been made applies only to the acceptance of documents and has no relationship to the acceptance of a library?

Mr. McCORMACK. Exactly.

Mr. JONAS. I think the comments made with respect to papers of other officials perhaps are correct, because I think the act does authorize the Administrator to accept such papers, documents and films and what not. But that does not authorize him to accept a library and maintain it.

Mr. McCORMACK. It does not compel him to accept all papers and all documents, only those that he considers to be pertinent.

Mr. JONAS. That is the way I understand it.

Mr. McCORMACK. Exactly.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. I cannot agree with the gentleman on the construction, but if we can get unanimous consent, even though it is a suspension, to add after line 10, you can cure the whole thing by saying "or any papers or historic materials of any other." That would clear it up beyond any controversy. Also strike out the "or" in line 10. As I understand, even the way the rule is now, if there is unanimous consent, the gentleman who moved the suspension can amend it.

Mr. McCORMACK. Might I say to the gentleman from Michigan that this bill was very carefully gone into by the subcommittee. It was very carefully gone into by the full committee, and several amendments were adopted. The subcommittee recommended several clarifying amendments.

Now, this is a very simple bill. It is designed to immediately take care of the Eisenhower library and the Truman library. The library of former President Hoover is under such circumstances in its relation to Stanford University, as I remember it, that the probabilities of that library being taken over would be very, very remote.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Massachusetts.

Mr. MARTIN. Does not the gentleman think that unless this legislation is passed many valuable papers that should be preserved for historical reference will be lost?

Mr. McCORMACK. Absolutely. It would be unwise on our part if we did not pass legislation of this kind. We know from past history what has happened in the case of former Presidents, Presidents who have died, where their papers have been widely distributed and many of them completely destroyed, absolutely essential in evaluating history not only while they were President but in the years that lie ahead.

Mr. MARTIN. I agree with the gentleman, and I hope the legislation will be passed.

Mr. McCORMACK. I thank the gentleman.

The gentleman from Massachusetts [Mr. MARTIN] introduced House Resolution 331. I introduced House Resolution 330, which is now being considered, and the gentleman from Kansas [Mr. REES] introduced House Resolution 322. I want the RECORD to show, so far as this bill is concerned, that this is the bill of all three of us, not only myself but the gentleman from Massachusetts [Mr. MARTIN] and the gentleman from Kansas [Mr. REES].

With reference to the argument that all of these libraries and all these historical papers should be concentrated in Washington, I do not think that is a very sound one. This is a great country, with a population of 165 millions of Americans, and the population will sharply increase in the years that lie ahead. The center of population is gradually going farther and farther west. So it seems to me it would be a serious mistake for Congress to say that the city of Washington, simply because it is the Capital, shall have a monopoly on all the historical papers of all the Presidents now living or those to be in the future.

Mr. PHILLIPS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from California.

Mr. PHILLIPS. As a member of the committee that supplies the money for the Archivist and the Archives, I have a very personal interest in this bill, and am very anxious to see it pass.

The point I should like to make is that modern methods of reproduction and the speed with which that reproduction can be secured are such that there is no point in having all of these documents in one library. We have already accumulated here in Washington a great collection of documents. It is better to have these where they are for other reasons and then have them made available to students, to colleges, and individuals by methods of reproduction. That is a very simple matter.

I hope the bill will pass.

Mr. McCORMACK. I might say that the subcommittee was of that opinion, as well as a great majority of the full committee.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from North Carolina.

Mr. JONAS. Did not the subcommittee take into consideration also, on the question of dispersal, the fact that with respect to the Truman library, for instance, in Missouri, and the proposed Eisenhower library in Kansas, the people of those sections of the country would have a special interest in seeing the documents and historical papers preserved in the locality that gave the particular President to the Nation?

Mr. McCORMACK. Exactly.

Mr. JONAS. Instead of bringing them all here to Washington?

Mr. McCORMACK. That question was gone into thoroughly by the subcommittee. We unanimously agreed and reported to the full committee, giving our views in detail, and the great majority of the full committee concurred that there should be a distribution rather than a concentration.

Mr. MOSS. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. TUMULTY].

Mr. TUMULTY. Mr. Speaker, I hesitate to intrude on this colloquy, but some things have been mentioned in which I have a personal interest.

My Uncle Joe was Secretary to Woodrow Wilson in World War I, and after the President's death many of the papers relating both to President Wilson and my Uncle Joe were in possession of my uncle. If there had been such legislation in existence, such as the gentleman from Massachusetts [Mr. McCORMACK] is urging today, it would have been an aid to historians writing of both President Wilson and my Uncle Joseph P. Tumulty in those days. At that time the Government did not take such good care of documents and papers of the Presidents, and those affiliated with them. It seems to me in this type of affair it is in the interest of the Government that the papers of Presidents be preserved and that the Government see to their preservation. Naturally, men such as secretaries, aides, congressional leaders, come into contact with writings both of themselves and the various Presidents which are of historical interest. Such papers can only be covered by broad language and the present bill seems to me to be drawn to fit just such eventualities.

Mr. HOFFMAN of Michigan. Mr. Speaker, I yield such time as he may desire to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I should like to ask the gentleman from California [Mr. MOSS] a question concerning the probable cost of this legislation. I am still not clear as to how many millions this is going to cost over the years. If there is any way by which that can be determined, I would like to know what the figure is for this has all the appearance of a blank check.

Mr. MOSS. Of course, the gentleman asks a question which cannot be answered specifically, as to how much it is going to cost over the years. But on the basis of the present operation of the Hyde Park Library, the cost is about $100,000 a year. As this contemplates the creation or taking over of the Truman and ultimately the Eisenhower libraries, that would add an additional $200,000 for those two on the basis of the information presently available.

Mr. GROSS. Then there would be the Hoover Library, and perhaps many others in the years to come?

Mr. MOSS. The Hoover Library is on the campus of Stanford University and is already being maintained.

Mr. GROSS. If we endowed these libraries, would we not be expected to contribute to the support of the Hoover Library at Stanford?

Mr. MOSS. That is an assumption that I should not care to comment upon at the moment.

Mr. GROSS. But in perpetuity we would be supporting these libraries, maintaining, and taking care of them when there are already facilities available in Washington, and when the Nation is already heavily in debt?

Mr. MOSS. If we gain the very rich historical material available through the libraries established by past Presidents of the United States, I think the cost would be very small and I think most assuredly the American people would want to pay it in order to have those records maintained.

The SPEAKER. The question is on suspending the rules and passing the joint resolution as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

SENATE REPORT

PRESIDENTIAL LIBRARIES

PRESIDENTIAL LIBRARIES—ACCEPTANCE AND MAINTENANCE

For text of Act see p. 794

Senate Report No. 1189, July 28, 1955 [To accompany H.J.R. 330]
House Report No. 998, June 29, 1955 [To accompany H.J.R. 330]
The Senate Report is set out.

Senate Report No. 1189

THE Committee on Government Operations, to whom was referred the joint resolution (H.J.Res. 330), to provide for the acceptance and maintenance of Presidential libraries, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the joint resolution do pass.

PURPOSE

The purpose of this joint resolution is to authorize the Administrator of General Services to accept, for deposit, the papers, documents, and other historical materials of any President or former President of the United States, whenever the Administrator deems it to be in the public interest.

This resolution would make possible an effective and systematic procedure for the preservation and use of presidential papers when accepted by the Administrator of General Services as gifts to the United States for the purpose of establishing an archival depository. It would enable the President and former Presidents of the United States to plan for the preservation of their papers at the place of their choice, under agreements which would insure that the Government would make adequate provision for receiving, preserving, and administering them within necessary and appropriate restrictions which recognize and protect the President's rights.

This proposed legislation would not only enable the Government to acquire valuable collections of historical materials and property without cost, but would make possible the housing, within one establishment, of all types of materials relating to the history of a President and his administration, which should stimulate interest and research in American history.

PROVISIONS OF HOUSE JOINT RESOLUTION 330

This proposed legislation provides that the papers and historical materials of any President or former President of the United States, or of any other official or former official of the Government, and other papers "relating to and contemporary with any President or former President of the United States," may be accepted for deposit in the National Archives system, subject to restrictions agreeable to the Administrator of General Services as to their use.

LEGISLATIVE HISTORY

The resolution would authorize the acceptance by the Government of any land, buildings, and equipment offered as a gift to the United States by any President or former President for the purpose of establishing a Presidential library or archival depository to be maintained and operated as a part of the National Archives system.

However, before any of the buildings, land or equipment intended to establish a Presidential archival depository is accepted by the Administrator of General Services, he must submit a written report to the President of the Senate and the Speaker of the House of Representatives, describing the property and documents offered as a gift to the Government together with an estimate of the cost thereof, and an estimate of the annual cost of maintaining and operating such proposed depository. The Administrator shall not take title to any property or enter into an agreement to accept land, buildings, or equipment to establish a Presidential archival depository until the expiration of 60 calendar days of continuous session of the Congress following the date of such submission.

The Administrator, in negotiating for the deposit of Presidential historical materials would be required to take the necessary steps to secure to the Government, so far as possible, the right to have continuous and permanent possession of such materials, subject to such restrictions respecting their availability and use as may be specified in writing by the donors or depositors, including the restriction that they shall be kept in a Presidential archival depository, such restrictions to be respected for so long a period as is specified, or until revoked or terminated by the donors or depositors.

In addition to the foregoing provisions, the resolution would authorize the Administrator to dispose of, by sale or exchange, any papers, documents, or materials which the Archivist determines to have no permanent value or historical interest; to cooperate with and to assist institutions of learning or other organizations to conduct studies or research in historical materials deposited; the collection of (admission) fees for the privilege of visiting and viewing Presidential archival depositories; to provide reasonable office space in any Presidential archival depository for the use of any former President of the United States; and the acceptance of gifts or bequests of money or property for the purpose of helping to defray the cost of maintaining, operating, protecting, or improving any Presidential archival depository. All of the proceeds from admissions, gifts, receipts from the sale of surplus materials, and income derived from any other source incidental to the operation of such depositories will be required to be deposited in the National Archives trust fund to be held, administered, and expended in the interest of the Presidential depository in connection with which they were received, including the normal maintenance and operating expenses of the respective depositories.

NEED FOR LEGISLATION

During the past 25 years, Presidential libraries have been established as the most desirable way of taking care of the papers and mementos of Presidents of the United States after leaving office. Former President Herbert Hoover placed his papers in the Hoover Library on War, Revolution, and Peace on the campus of the University of Leland Stanford.

PRESIDENTIAL LIBRARIES

Former President Franklin D. Roosevelt gave his papers and library to the Federal Government, identified as the Roosevelt Library at Hyde Park, N. Y. The Roosevelt Library was accepted by the Government of the United States as a part of the National Archives system under a joint resolution approved July 18, 1939.

The Federal Property and Administrative Services Act of 1949 was amended by the enactment of the Federal Records Act of 1950 (Public Law 754, approved September 5, 1950), under which the National Archives was transferred to and became an integral part of the General Services Administration, with broad authority vested in the Administrator over the affairs and operation of the National Archives. This act gave the Administrator authority to accept personal papers and historical documents of the President of the United States and his successors for safekeeping in the National Archives system, but did not authorize the acceptance of papers, documents, and buildings of former Presidents, as is contemplated by this resolution. It is the purpose of this resolution to correct this deficiency in the law and to assure that future Presidents may present their papers and records to the United States for safekeeping and use by historians and students of American history.

It is understood that plans are now underway for transferring the papers of former President Harry S. Truman, together with the buildings of the Truman Library, Inc., when completed, to the Government for establishment of a President archival depository at Independence, Mo. Steps are being taken, with President Eisenhower's approval, to place his papers in a library to be constructed near the Eisenhower family home in Abilene, Kans.

Should the pending resolution be adopted, the papers, records, and mementos in these and other Presential libraries, including historical materials and other papers of any official or former official of the Government relating to and contemporary with any President or former President of the United States, may be presented to the Federal Government as a gift for preservation as a part of the National Archives system, subject to restrictions as may be prescribed by the Administrator of General Services. The Administrator would also be authorized to accept the records, buildings, land, and equipment of those libraries, or others proposed to be constructed in a community the President or former Presidents may designate, as well as those of any succeeding Presidents, if and when they desire to donate them to the Government, the cost of maintaining and operating such depositories to be financed by the Federal Government.

THE HOOVER LIBRARY ON WAR, REVOLUTION, AND PEACE

During consideration of House Joint Resolution 330 in the House of Representatives on July 5, some question arose as to whether or not its provisions were sufficiently broad to permit the inclusion of the Presidential papers of former President Herbert Hoover, on deposit in the Hoover Library on War, Revolution, and Peace on the campus of the University of Leland Stanford. The committee requested an official report from the General Services Administration to clarify this point and to insure that the Presidential papers and historical material of former President Hoover,

LEGISLATIVE HISTORY

or of any official or former official of the Government relating to and contemporary with Mr. Hoover's service as President of the United States, would be adequately covered by the provisions of the resolution. The following letter from the General Counsel of the General Services Administration clearly establishes the fact that the papers and related documents of former President Hoover will be qualified for transfer to the Federal Government on the same basis as the papers and libraries of other former Presidents, should a request be submitted to the Federal Government for such custodial transfer:

GENERAL SERVICES ADMINISTRATION,
Washington 25, D. C., July 22, 1955.

Re House Joint Resolution 330; Presidential Libraries
Hon. JOHN L. MCCLELLAN,
Chairman, Committee on Government Operations,
United States Senate, Washington 25, D. C.

DEAR SENATOR MCCLELLAN: Your letter of July 12 to the Archivist of the United States inquired whether House Joint Resolution 330 in its present form is sufficiently broad to permit the deposit of former President Hoover's personal papers in a presidential archival depository.

We are satisfied that the present language is adequate for this purpose.

The proposed amendment of section 507(e) of the Federal Property and Administrative Services Act of 1949 authorizes acceptance for deposit of the papers and other historical materials of any President or former President of the United States, or of any official or former official of the Government, and other papers relating to and contemporary with any President or former President of the United States, subject to restrictions agreeable to the Administrator as to their use.

Under the new subsection (f) of section 507 the Administrator of General Services is authorized either to accept land, buildings, and equipment offered as a gift for a Presidential archival depository or to enter into agreements with any State, political subdivision, university, etc., to utilize and operate as such depository land, buildings, and equipment made available for the purpose without transfer of title.

We do not have complete information regarding the present status of Mr. Hoover's papers or the relationship between the Hoover Library on War, Revolution, and Peace, the Stanford University War Memorial Library, and Stanford University itself, but so far as we can see there would be no legal impediment under the pending resolution to the establishment of a depository of which Mr. Hoover's papers would form the nucleus either in their present location or elsewhere.

If, as we understand to be the case, the papers are concentrated on two floors of the Stanford University War Memorial Library, we believe the resolution would authorize the making of an agreement with the university, or whatever foundation administers the library, under which the space occupied by the papers, and such additional space as might be necessary for related materials, would be administered as a depository forming a part of the National Archives system.

It is our impression that Congressman McCormack, in the statement which you quoted, was expressing doubt, not as to the adequacy of the resolution, but rather as to the availability of Mr. Hoover's papers. We had ourselves understood that Mr. Hoover had turned over the papers to the university or a library foundation and probably would not wish to change the present arrangements.

We certainly feel that Mr. Hoover's papers have the greatest research value for scholars interested in the history of our Nation and would by all means wish to accept them for deposit and establish a depository under the resolution if the opportunity is offered.

Sincerely yours,

(Signed) MAXWELL H. ELLIOTT,
General Counsel.

SENATE REPORT

PRESIDENTIAL LIBRARIES

COMMITTEE ACTION

This resolution was introduced in the House of Representatives on June 2, 1955, by Representative John W. McCormack (Massachusetts). It is identical to a companion resolution (S.J.Res. 81) introduced in the Senate by Senator Hennings and cosponsored by Senators Symington, Carlson, and Schoeppel.

A special subcommittee of the House Committee on Government Operations held hearings on House Joint Resolution 330, House Joint Resolution 331, and House Joint Resolution 332, identical proposals. Representatives Edward H. Reese and Joseph W. Martin (both of whom sponsored identical resolutions), the Administrator of General Services, the Archivist of the United States, the Assistant to the Comptroller General, and the director of the Harry S. Truman Library, Inc., supported the resolution. House Joint Resolution 330 was reported favorably in the House on June 20, with perfecting amendments (H.Rept. No. 998), and was approved by the House of Representatives on July 5, 1955.

In view of the House action, this committee reported House Joint Resolution 330 in lieu of the Senate resolution with minor technical amendments to conform to action taken by the Congress involving a further amendment to section 507 of the Federal Property and Administrative Services Act of 1949, which included a new subsection (g), Public Law 148, 84th Congress.

AGENCY COMMENTS

The Director of the Bureau of the Budget in a letter addressed to the chairman of the committee, stated that the Bureau is thoroughly in accord with the purposes of the joint resolution and recommends that it receive the favorable consideration of the committee. The Assistant Administrator of General Services stated that the enactment of the proposed legislation is very favorably recommended. The letters from these agencies follow:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington 25, D. C., June 29, 1955.

Hon. JOHN L. MCCLELLAN,
Chairman, Committee on Government Operations,
Senate Office Building, Washington 25, D. C.

MY DEAR MR. CHAIRMAN: This will acknowledge and reply to your letter of June 23, 1955, requesting the views of the Bureau of the Budget upon Senate Joint Resolution 81, to provide for the acceptance and maintenance of Presidential libraries.

The joint resolution would amend section 507 of the Federal Property and Administrative Services Act of 1949, as amended, by authorizing the General Services Administrator, whenever he deems it in the public interest, to accept papers and other historical materials of any President or former President, or any other official or former official of the Government. Other materials and documents would also be authorized to be accepted and preserved. Further, the Administrator would be authorized to accept any land, buildings, and equipment offered as a gift to the United States for the purpose of creating a Presidential archival depository.

In addition to these two major purposes, the resolution contains the necessary administrative authorizations and provisions to safeguard the

LEGISLATIVE HISTORY

interests of the Government, of a President or a former President or other donors.

The Bureau of the Budget is thoroughly in accord with the purposes of the joint resolution and recommends that it receive the favorable consideration of the committee.

Sincerely yours,

(Signed) ROWLAND HUGHES, *Director.*

GENERAL SERVICES ADMINISTRATION,
Washington 25, D. C., July 22, 1955.

Re Senate Joint Resolution 81, To Provide for the Acceptance and Maintenance of Presidential Libraries.

Hon. JOHN L. MCCLELLAN,
Chairman, Committee on Government Operations,
United States Senate, Washington 25, D. C.

DEAR SENATOR MCCLELLAN: Your letter of June 23, 1955, requested the views of GSA with respect to Senate Joint Resolution 81, a proposed joint resolution to provide for the acceptance and maintenance of Presidential libraries, and for other purposes. The proposed joint resolution is identical to three joint resolutions introduced in the House of Representatives in the first session of the 84th Congress: House Joint Resolutions 330, 331, and 332.

GSA is in favor of this proposed legislation, which is intended to provide a means, under our National Archives system, for the preservation by the Government of the papers of any President or former President of the United States or of any official or former official of the Government, together with related historical materials. The proposed resolution would amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the creation of Presidential archival depositories for such records.

This legislation is not mandatory, but permissive in character. In the best tradition, it provides an opportunity for former Chief Executives and other officials to make disposition of their personal papers and documents subject to such restrictions as may appear to them to be appropriate.

The increase in volume of Presidential and other papers has made it impracticable for ex-Presidents and other officials, or their families, to assume the responsibilities of caring for such material. The establishment of Presidential libraries as depositories of such records is the best method that has been devised for the preservation of such material. The Presidential library offers the advantages of geographical decentralization, and the housing within one establishment of all of the types of material that help to explain the history of a President and his period.

The proposed amendment specifically would authorize the acceptance of land, buildings, and equipment offered as a gift to the United States, and the entering into agreements with States, subdivisions, universities, and other organizations, for the utilization as Presidential archival depositories of land, buildings, and equipment, without transfer of title thereto to the United States.

Under this legislation, the Government will be able to take advantage of the generosity of a President, and of his associates and friends whose interests in a memorial would provide the general public with the expensive physical facilities and equipment for an archival depository at no cost to the Nation's taxpayers.

Senate Joint Resolution 81 will provide a system for the preservation, and use of Presidential, and other official papers, and for the integration with such material of related valuable records created by Federal agencies outside of Washington. It recognizes the vital interest of the Federal Government and of the general public in such records. The vehicle contemplated by the proposed legislation is a logical extension of the present au-

thority and duties of the National Archives, as provided by the Federal Property and Administrative Services Act of 1949, as amended.

The present Federal records centers, in which Government records are now preserved, are appropriate for the economical storage and servicing of records held for official use. However, they are not designed for long-time archival purposes, and as the records cease to have immediate use in the active administration of the Government, those having historical value should be retired to depositories appropriate for the permanent safekeeping of such material.

The Presidential depositories authorized to be created by the proposed legislation will provide, in some parts of the country at least, suitable facilities for the proper handling of inactive Federal records of permanent historical value.

The enactment of the proposed legislation is, therefore, very favorably recommended.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Cordially yours,

AL E. SNYDER,
Assistant Administrator.

PRESIDENTIAL LIBRARIES ACT

United States Code Title 44
Chapter 21 - Archival Administration

§ 2101. Definitions

As used in sections 2103–2113 of this title—

"Presidential archival depository" means an institution operated by the United States to house and preserve the papers and book of a President or former President of the United States, together with other historical materials belonging to a President or former President of the United States, or related to his papers or to the events of his official or personal life;

"historical materials" including books, correspondence, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, motion pictures, sound recordings, and other objects or materials having historical or commemorative value.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1287.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 397(j) (June 30, 1949, ch. 288, title V, § 507, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583, and amended July 12, 1962, ch. 703, § 1(o), (p), 66 Stat. 594; July 12, 1955, ch. 329, 69 Stat. 297; Aug. 12, 1955, ch. 859, 69 Stat. 695; July 3, 1956, ch. 513, § 4, 70 Stat. 494; June 13, 1957, Pub. L. 85-51, 71 Stat. 69; Mar. 15, 1958, Pub. L. 85-341, § 1(1), 72 Stat. 34).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3102, 3317 of this title.

§ 2107. Material accepted for deposit

When the Administrator of General Services considers it to be in the public interest he may accept for deposit—

(1) the papers and other historical materials of a President or former President of the United States, or other official or former official of the Government, and other papers relating to and contemporary with a President or former President of the United States, subject to restrictions agreeable to the Administrator as to their use; and

(2) documents, including motion-picture films, still pictures, and sound recordings, from private sources that are appropriate for preservation by the Government as evidence of its organization, functions, policies, decisions, procedures, and transactions.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1288.)

§ 2108. Presidential archival depository

(a) When the Administrator of General Services considers it to be in the public interest he may accept, for and in the name of the United States, land, buildings, and equipment offered as a gift to the United States for the purposes of creating a Presidential archival depository, and take title to the land, buildings, and equipment on behalf of the United States, and maintain, operate, and protect them as a Presidential archival depository, and as part of the national archives system; and make agreements, upon terms and conditions he considers proper, with a State, political subdivision, university, institution of higher learning, institute, or foundation to use as a Presidential archival depository land, buildings, and equipment of the State, subdivision, university, or other organization, to be made available by it without transfer of title to the United States, and maintain, operate, and protect the depository as a part of the national archives system.

The Administrator shall submit a report in writing on a proposed Presidential archival depository to the President of the Senate and the Speaker of the House of Representatives, and include—

a description of the land, buildings, and equipment offered as a gift or to be made available without transfer of title;

a statement of the terms of the proposed agreement, if any;

a general description of the types of paper, documents, or other historical materials proposed to be deposited in the Presidential archival depository so to be created, and of the terms of the proposed deposit;

a statement of the additional improvements and equipment, if any, necessary to the satisfactory operation of the depository, together with an estimate of the cost; and

an estimate of the annual cost to the United States of maintaining, operating, and protecting the depository.

The Administrator may not take title to land, buildings, and equipment or make an agreement, until the expiration of the first period of 60 calendar days of continuous session of the Congress following the date on which the report is transmitted, computed as follows:

Continuity of session is broken only by an adjournment sine die, but the days on which either House is not in session because of an ad-

journment of more than three days to a day certain are excluded.

(b) When the Administrator considers it to be in the public interest, he may deposit in a Presidential archival depository papers, documents, or other historical materials accepted under section 2107 of this title, or Federal records appropriate for preservation.

(c) When the Administrator considers it to be in the public interest, he may exercise, with respect to papers, documents, or other historical materials deposited under this section, or otherwise, in a Presidential archival depository, all the functions and responsibilities otherwise vested in him pertaining to Federal records or other documentary materials in his custody or under his control. The Administrator, in negotiating for the deposit of Presidential historical materials, shall take steps to secure to the Government, as far as possible, the right to have continuous and permanent possession of the materials. Papers, documents, or other historical materials accepted and deposited under section 2107 of this title and this section are subject to restrictions as to their availability and use stated in writing by the donors or depositors, including the restriction that they shall be kept in Presidential archival depository. The restrictions shall be respected for the period stated, or until revoked or terminated by the donors or depositors or by persons legally qualified to act on their behalf. Subject to the restrictions, the Administrator may dispose by sale, exchange, or otherwise, of papers, documents, or other materials which the Archivist determines to have no permanent value or historical interest or to be surplus to the needs of a Presidential archival depository.

(d) When the Administrator considers it to be in the public interest, he may cooperate with and assist a university, institution of higher learning, institute, foundation, or other organization or qualified individual to further or to conduct study or research in historical materials deposited in a Presidential archival depository.

(e) When the Administrator considers it to be in the public interest, he may charge and collect reasonable fees for the privilege of visiting and viewing exhibit rooms or museum space in a Presidential archival depository.

(f) When the Administrator considers it to be in the public interest, he may provide reasonable office space in a Presidential archival depository for the personal use of a former President of the United States.

(g) When the Administrator considers it be in the public interest, he may accept gifts or bequests of money or other property for the purpose of maintaining, operating, protecting, or improving a Presidential archival depository. The proceeds of gifts or bequests, together with the proceeds from fees or from sales of historical materials, copies or reporductions, catalogs, or other items, having to do with a Presidential archival depository, shall be paid into the National Archives Trust Fund to be held, administered, and expended for the benefit and in the interest of the Presidential archival depository in connection with which they were received, including administrative and custodial expenses as the Administrator determines.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1289; Pub. L. 94-575, § 4(a), Oct. 21, 1976, 90 Stat. 2727.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 397(f) (June 30, 1949, ch. 288, title V, § 507, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583; and amended July 12, 1952, ch. 703, § 1(o), (p), 66 Stat. 594; July 12, 1955, ch. 329, 69 Stat. 297; Aug. 12, 1955, ch. 859, 69 Stat. 695).

AMENDMENTS

1976—Subsecs. (b), (c). Pub. L. 94-575 substituted reference to section "2107" for "3106" in subsecs. (b) and (c).

JOHN FITZGERALD KENNEDY LIBRARY

Pub. L. 89-547, Aug. 27, 1966, 80 Stat. 370, provided: "That the Administrator of General Services is hereby authorized to accept title to the structure or structures to be erected and equipped at Cambridge, Massachusetts, by the John Fitzgerald Kennedy Library, Incorporated, to be transferred to the United States Government, without reimbursement, for use as a Presidential archival depository to be known as the John Fitzgerald Library, and to maintain, operate, and protect such depository as a part of the National Archives system. The Administrator may enter into such agreements with the officers of the John Fitzgerald Kennedy Library, Incorporated, as are necessary to complete the transfer of title to the United States and may do so without regard to the provision of section 507(f)(1) of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. [former] 397(f)(1) [now subsec. (a) of this section], that the Administrator shall not enter into any such agreement until the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which a report in writing of any such proposed Presidential archival depository is transmitted by the Administrator to the President of the Senate and the Speaker of the House of Representatives."

LYNDON BAINES JOHNSON PRESIDENTIAL ARCHIVAL DEPOSITORY

Pub. L. 89-169, Sept. 6, 1965, 79 Stat. 648, provided: "That the Administrator of General Services is hereby authorized to enter into an agreement upon such terms and conditions as he determines proper with the University of Texas to utilize as the Lyndon Baines Johnson Archival Depository, land, buildings, and equipment of such university to be made available by it without transfer of title to the United States, and to maintain, operate and protect such depository as a part of the National Archives system. Such agreement may be entered into without regard to the provisions of section 507(f)(1) of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. (former) 397(f)(1)) (now subsec. (a) of this section), that the Administrator shall not enter into any such agreement until the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which a report in writing of any such proposed Presidential archival depository is transmitted by the Administrator to the President of the Senate and the Speaker of the House of Representatives."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2101, 3102, 3317 of this title.

SAVINGS FROM CENTRALIZED LIBRARY

Senator CHILES. Thank you, sir. Going over these cost comparisons, the chart we have up here and the chart you have in the back of your statement, I think your figures show that over the next 100 years a centralized approach would be anywhere from $523 million cheaper under option 5 to $687 million cheaper under option 2.

So in explaining that chart to us, you are saying if we centralized or if we cut out the museums that you will be able to effect these kinds of cost savings over this period of time.

Mr. EIRICH. Yes. The range of savings of the alternatives we have presented on the chart range from $54 up to $687 million for the 100-year period. The comparison compares the current method of decentralized libraries, the seven we referred to with museums, with a no-museum alternative in both cases.

In one case, a no-museum and centralized library system, and in the final case, a no-museum decentralized approach. I might comment that the $54 million figure which is the smallest saving, in line 5, the difference between a centralized and decentralized is, I would say, a worst case alternative. It assumes 40,000 square feet for the space devoted to each President, which is greater than the space——

Senator CHILES. It varies considerably.

Mr. EIRICH. Yes. Actually, a more apt comparison would be to compare that 100-year cost of $1,049,000 with item 2 or 4, where we are talking in the range of a 25,000- or 30,000-square-foot space.

SPACE ADDITIONS AT FEDERAL EXPENSE

Senator CHILES. I didn't realize that GSA was paying for added space to these libraries. I was under the understanding that we were always talking about the space being raised by private contributions and the Government just had the maintenance costs and the upkeep costs after the libraries were built.

Looking at these figures, I see, in fact, there has been space added to most of the libraries. Truman, Hoover, almost all of the libraries had space added to them. So GSA is paying for that.

Now, that figures up to about 14 percent of the total space is now being added at taxpayers expense.

Mr. EIRICH. That is right.

Senator CHILES. Do you see anything in the act that provides for that? Where does that come about?

Mr. EIRICH. It is difficult to pin that question down on the basis of the information in the act. It appears that there is a recognition that the library function could expand; and, of course, it can be expanded by submitting through the budgetary process the cost of expansion to the Congress, the Appropriation Committees. There, it could be curtailed.

Senator CHILES. Are these expansions for research purposes which was supposedly the original purpose of the act or are they more for the museum aspect?

Mr. ANDREWS. They have been for both purposes. If I could expand on the answer you asked regarding whether or not the Federal Government should pay for the expansion costs, we discussed this with our general counsel. Their opinion is that once the building is donated to the Federal Government and we accept title to it, then it seems it is our responsibility to pay for any additions or expansions to those buildings.

However, this could be offset, I guess, by any donations made for the purpose of expanding the libraries or adding to them.

Senator CHILES. Well, we are seeing the Truman building is considerably larger now than it was when we were first talking about it. That has all been at the Government expense and not at the expense of the original contributors.

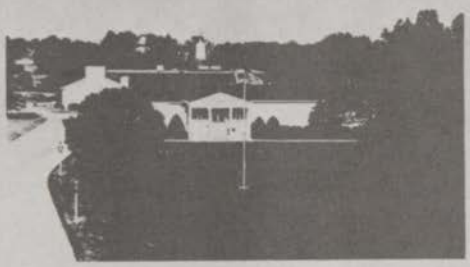
Mr. EIRICH. I think one of the things we don't see is that that comes under Archives' appropriation, that comes under building service. It is not recognized——

Senator CHILES. It is still the taxpayers' money. It is still done under the authorization of this act, I suppose.

I note with some interest the charts that we have up here showing each one of these libraries.

[CLERK'S NOTE.—Copies of the charts follow:]

HERBERT HOOVER LIBRARY WEST BRANCH, IOWA



ORIGINAL COST:	$1,000,000 (1962)
EXPANSION IN 1965:	PRIVATE COST: $900,000
EXPANSIONS IN 1969 AND 1974:	GOVERNMENT COST: $1,074,000
FLOOR SPACE:	24,000 SQ FT

ACTIVITIES (FY 1979)

REFERENCE SERVICES	54,965
RESEARCHERS/VISITS	120/958
MUSEUM VISITORS	69,778

FRANKLIN D. ROOSEVELT LIBRARY HYDE PARK, NEW YORK

ORIGINAL COST:	$369,000 (1940)
EXPANSION IN 1972:	PRIVATE COST: $769,000 GOVERNMENT COST: $882,000
FLOOR SPACE:	37,051 SQ FT

ACTIVITIES (FY 1979)

REFERENCE SERVICES	141,100
RESEARCHERS/VISITS	335/1,097
MUSEUM VISITORS	215,582

HARRY S. TRUMAN LIBRARY INDEPENDENCE, MISSOURI

ORIGINAL COST:	$1,670,000 (1957)
EXPANSIONS IN 1968 AND 1979:	GOVERNMENT COST: $3,000,000
FLOOR SPACE:	57,000 SQ FT

ACTIVITIES (FY 1979)

REFERENCE SERVICES	190,593
RESEARCHERS/VISITS	219/785
MUSEUM VISITORS	219,067

DWIGHT D. EISENHOWER LIBRARY ABILENE, KANSAS

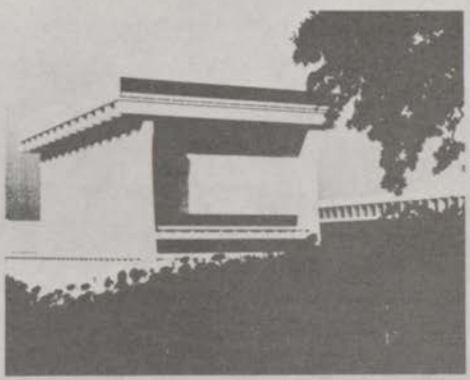
ORIGINAL COST:	MUSEUM: $965,000 (1954) LIBRARY $2,000,000 (1962)
EXPANSIONS IN 1971 AND 1975:	GOVERNMENT COST: $1,610,000
FLOOR SPACE:	75,000 SQ FT

ACTIVITIES (FY 1979)

REFERENCE SERVICES	129,984
RESEARCHERS/VISITS	127/527
MUSEUM VISITORS	127,026

53-990 O - 80 - 9

LYNDON B. JOHNSON LIBRARY AUSTIN, TEXAS

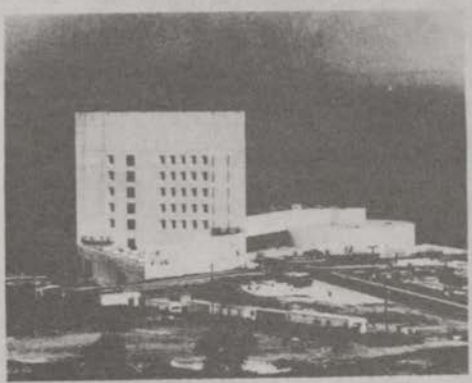


ORIGINAL COST:	10,000,000 (1971)
FLOOR SPACE:	105,000 SQ FT

ACTIVITIES (FY 1979)

REFERENCE SERVICES	332,520
RESEARCHERS/VISITS	173/1,533
MUSEUM VISITORS	480,521

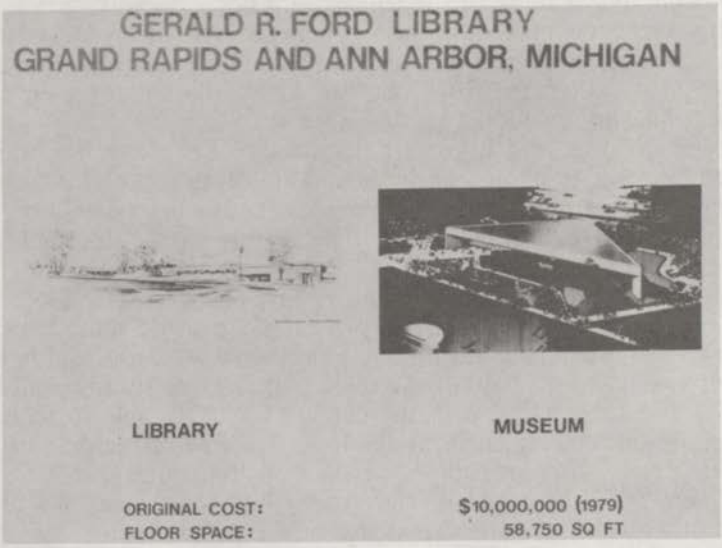
JOHN F. KENNEDY LIBRARY BOSTON, MASSACHUSETTS



ORIGINAL COST:	$18,000,000 (1979)
FLOOR SPACE:	75,000 SQ FT

ACTIVITIES (FY 1979)

REFERENCE SERVICES	192,509
RESEARCHERS/VISITS	291/785



TOTAL LIBRARY SPACE

Senator CHILES. The figures are considerably different for the space that is put on them and the space that you have given in your figures, some more than others. But I note in the Truman Library, they are using 57,000 square feet and you have 81,000 square feet total space.

Why is there a discrepancy in that?

Mr. EIRICH. Senator, in our cost comparison shown on the chart, we used the total library cost divided by the total gross square footage to arrive at the square-foot cost of the various categories that we use. I understand that GSA has used a net usable space in their comparisons.

If you use the total cost and allocate it in terms of total space or net usable space, one way or the other, it shouldn't substantially affect the cost comparison.

The net usable space would exclude space for utilities, maintenance areas, stairwells, and elevator shafts, that type of thing.

CENTRALIZATION VERSUS DECENTRALIZATION

Senator CHILES. In 1955 when the Presidential Libraries Act was being considered, the question of centralization versus decentralization of papers was discussed. In those discussions the members kept coming back to the fact the papers were the property of the President and, therefore, the President would have the right to choose where they would be kept.

In direct response to a question by Congressman Jones, the Administrator of GSA said in answer to that—

> * * * there will probably be advantages to centralization, but of course we are confronted with this practical question. Documents do belong to the individual Presidents, and I don't see how we can bring about a decision other than what they want to do or what their heirs may want to do.
>
> We are sort of at their mercy and we are looking at this for a vehicle for at least getting some control over these documents and papers.

Based on your reading of the legislative history, do you agree that the fact that the Presidents own their papers seemed to be critical in the deliberations as to whether the libraries should be centralized or decentralized. Now, after the 1978 act, we know that all of their public papers belong to the people.

Mr. EIRICH. Yes, the history of legislation does show that thinking, does reflect that thinking consistently. There was concern if they constructed a centralized facility, the President or his heirs would be reluctant to transmit the documents or transfer title to the documents, and that was a primary consideration at the time.

Senator CHILES. Again, a lot of things have changed since 1955. If our main interest is to preserve these papers and provide these papers for research, now with the microfilming process that we have, and in a centralized system, couldn't we make these papers more readily available to scholars and students all over the country by being able to send them microfilms and making them available in that way rather than to locate these papers in different depositories all over the country?

Mr. EIRICH. That certainly can readily be done now. We are not aware of any difference as far as the ease of microfilming and distributing, which might be available whether they were centralized or decentralized. There might be some advantages to the centralized arrangement in terms of higher capacity, larger equipment. But the microform process is relatively simple and could be adopted.

COST ESCALATION OF SYSTEM

Senator CHILES. I noticed the original figures that were a part of the record. We are talking about this combined cost of $1.5 million was estimated to be the total operating cost of the system with 15 libraries over 100 years.

Now we are finding the average at just one of the libraries is now costing us that much.

Mr. EIRICH. That is right. Our average at the present time is based on $7 million for seven libraries, but recognizing that the last two libraries will incur certain operation and maintenance costs which haven't impacted yet, it will be greater than $1 million for a library.

Senator CHILES. Well, looking at the last three and four and what we are projecting, they are going to run about $1.5 million a piece, it looks like to me. All the recent ones are running approximately that. And those admission fees we thought were going to pay a third are paying only 10 percent.

Mr. EIRICH. That is right.

FORMER PRESIDENT FORD'S LIBRARY AND MUSEUM

Senator CHILES. Did you find anything in the legislative history which intended for a library to be located in more than one geographical location? Now we have the Ford Library with branches or a museum in one place and a library in the other.

Mr. EIRICH. No, to the contrary. The only language we can find is "one establishment" and would imply to us that they did have in mind a single location.

Senator CHILES. On the basis of doing that now, is there any reason why we should limit it or why it could be limited to two? Could we look for maybe one of the next Presidents to decide he really thinks it would be better if he had 10 locations and spread his memorabilia around a little bit more.

Mr. EIRICH. That is quite possible, Mr. Chairman. I guess I don't have an opinion on that. It is a subjective matter involving the Executive.

Senator CHILES. It is pretty clear now that GSA has no basis saying what kind of library they are going to accept, even though the Government has the total responsibility for the maintenance and the upkeep, the protection, and for additions that are going to come if we follow the current trend in the future.

Mr. EIRICH. Yes, I agree. That is the case.

CRITERIA FOR DOCUMENT RETENTION

Senator PRYOR. Senator Chiles has mentioned in his opening statement that the cost for the former Presidents now has exceeded the cost of running the White House. That to me is a very alarming fact and it looks like this country is progressing to the position where we can't afford to have former Presidents any longer.

Senator SCHMITT. Will the Senator yield?

Senator PRYOR. I will be glad to yield.

Senator SCHMITT. I was just contemplating the 22d amendment to the Constitution which limited the terms of Presidents to two. We might do a cost-benefit analysis on repeal of the 22d amendment so that maybe Presidents would serve a little bit longer and have fewer libraries. I am not going to ask the GAO to comment on this.

Senator PRYOR. I will just say to my colleague, there are all sorts of political overtones to that statement.

Senator SCHMITT. It is becoming increasingly difficult for Presidents to serve more than one term.

Senator PRYOR. We have experienced an enormous growth in investment in former Presidents, and I do think that we owe to our people the very best of archival and historical documents so that we can really see history, see what this country is all about, and see how decisions were made during a certain administration.

I think for historical purposes alone that we do owe this as an obligation.

I do, however, think that we should attempt in every way that we can to maximize our efficiency in the construction of these libraries and the maintaining of these libraries. I would just like to ask who determines what is historical? Who determines what is archival?

Mr. EIRICH. The Archivist has that responsibility under the law. Even in the question of disposition, a President can't dispose of his papers without consulting the Archivist. Of course, the Archives takes title to any papers now under the Presidential Records Act of 1978, any papers that are official.

I guess we haven't made the point earlier, but this excludes the President's personal papers relating to family matters, records he keeps

himself, that type of thing; but all official documents become the property of the Government and the Archivist is the one who determines what should be retained as having historical, cultural value, and what should be disposed of.

PRESIDENTIAL OFFICE SPACE

Senator PRYOR. Does the Presidential Libraries Act coordinate adequately with the Former Presidents Act in regard to office space within the library facility itself? Is there proper coordination between those two acts?

Mr. ANDREWS. That will be addressed by the General Accounting Office tomorrow. I think both acts provide for office space and the question arises as to whether there should be an alternative, whether one act should require or whether the President should be offered a choice of an office within his library or at some other location.

Senator PRYOR. Is it possible to have two?

Mr. ANDREWS. It is right now under the acts.

Senator PRYOR. Under the present law?

Mr. ANDREWS. Right, what I am saying, an alternative to the present law might be that he could be offered a choice either of having an office at a library or an office at his home or some other location.

PUBLIC SUPPORT

Senator PRYOR. Mr. Chairman, I only have two quick questions. In regard to interest in the libraries of former Presidents, is this interest on the increase or decrease?

Mr. ANDREWS. Interest——

Senator PRYOR. Is the public supporting this program?

Mr. ANDREWS. The support, I am not sure—are you talking about researchers and visitors?

Senator PRYOR. No, sir, I am talking about the general public, the visitations to each of the libraries. You may have put material in the record on this point.

Mr. EIRICH. The number of researchers has remained relatively constant, at that low figure we quoted in our testimony.

Senator PRYOR. I am not talking about researchers, I am talking about the general population who visits the Presidential libraries, is there more interest or less interest?

Mr. ANDREWS. In 1975 the total number of visitors was 1.5 million; 1976, 1.5 million; 1977, 1.5 million; and 1978, 1.3 million. So it is relatively constant.

Senator PRYOR. Mr. Chairman, I think that is all.

Senator CHILES. Senator Schmitt?

QUESTIONS BY SENATOR SCHMITT

Senator SCHMITT. Thank you, Mr. Chairman. As I listen to this discussion, I wish there was some way, if we are going to have a Presidential library system, we could force people who think they might want to be President to research those libraries and learn from the mistakes of the past.

Do you gentlemen think that it would be any more expensive, assuming we continue this process, and I assume we will, to operate a museum in one place and a library in another as it would to have a centralized museum-library.

Mr. EIRICH. Are you talking about two centralized facilities, one museum, one library?

Senator SCHMITT. Yes.

Mr. EIRICH. In separate locations?

Senator SCHMITT. In separate locations. Is there anything inherently more expensive in having those two facilities, separate versus having them integrated.

Mr. EIRICH. As a general proposition, I guess I would have to say having two separate central facilities, one museum and library would be more costly than having a single facility.

Senator SCHMITT. But in an archival sense, don't you have to take measures for protecting the archives? If you had a central facility, you would not have to do in the case of a museum?

Mr. EIRICH. A difference in the security?

Mr. ANDREWS. Some of the items in a museum could be very costly, like gifts from foreign countries. They need as much protection sometimes as archival records.

Senator SCHMITT. What about environmental protection, in terms of the environment within the museum?

Mr. ANDREWS. In terms of the environment, I would say the records need the greatest protection.

Mr. EIRICH. But you wouldn't have to afford the same level of protection to everything in the building. As a matter of fact, this would be a rather large facility. We talked about that this morning. It turns out to be approximately the size of the GAO building, the type of a centralized facility the GSA has in mind, 1.8 million square feet. In our comparisons we have contemplated some incremental development, for example, a new addition of some kind every 10 years; and they could be separate buildings that would be subject to different methods of environmental control, depending on whether you were providing records storage or museum storage.

Senator SCHMITT. Do you think that if we establish some kind of a cap on each former President's operating funds for museums and archives, separately or together, that that could be an appropriate mechanism for solving this problem? Just leave it up to their discretion how to handle it? Just cap the operating fund.

Mr. EIRICH. Do you mean a cap for perpetuity?

Senator SCHMITT. Obviously until the three of us solve the inflation problem, there is going to have to be some inflation factor going into it. We expect to have that solved shortly. Let's assume we have solved it. If you had a cap, that would be one way to solve the problem.

Say, this is what you get, if you can raise money to build it. That is as far as you can go. If you go beyond that, you have to provide the operating funds.

Mr. EIRICH. Yes; that would be an effective measure.

Senator SCHMITT. In fact, right now various facilities in existence, do cap out at—$1.5 million?

Mr. EIRICH. That is just the average, but experience shows that they have continued to grow, additional space, new needs for space that developed and that has been added over a period of years.

Senator SCHMITT. But, again, that could be part of the restriction, if they add it beyond the cap, then they pay for it, or the operators of the museum pay for it.

Mr. EIRICH. That is alright, recognizing, of course, it involves expenditures year after year. If you had an escalating cap, say, recognizing inflation, that would be true. Buf if you just cap the facility cost, then the operating costs would continue to grow.

Senator SCHMITT. Again, it wouldn't be necessary to cap the facility's cost if you put a cap on what the Government was going to provide for operational expenses.

Mr. EIRICH. I agree with that.

Senator SCHMITT. It has been suggested that another possibility would be to require some nominal level of fee in order to pay for the operating expenses of these museums and archives, fees for use, fees for viewing. Has that been examined in your alternative?

Mr. EIRICH. It isn't being done. We think that there should be periodically a reevaluation of the fees being charged with the hope of recovering a larger portion of the operating cost. But it is like any other fee to the public. If it gets too large, it may discourage the number of visitors. We are not prepared to say at the moment whether it is too high or too low. We think it should be considered and perhaps experimented with.

Senator SCHMITT. Have you ever done an analysis of the annual number of visitors to, say, the Truman Museum or Johnson Museum and divided that into the operating cost to see what the fee might be per visit?

Mr. EIRICH. We haven't made that type of calculation. We can say that the Johnson facility has the largest number of visitors and that admission there is free. We do think perhaps the cost policy should be consistent between facilities, but the Johnson Library, which is free, has the largest number of visitors, so it indicates——

Senator SCHMITT. How many visitors does it have a year?

Mr. ANDREWS. Half a million in 1978, it ran close to 700,000 in the prior 2 years.

Senator SCHMITT. So you might be talking as much as $2 or $3 per visit if you are going to charge a fee, assuming that number did not drop because there was a fee.

Mr. EIRICH. That is right.

Senator SCHMITT. To meet costs.

Mr. ANDREWS. But GSA has a fee structure now. They charge 75 cents at the other libraries.

Senator SCHMITT. Why do you charge others and not at this one?

Mr. EIRICH. It was a specification under the grant, the provision of the facilities, that it would be without charge to the public.

Senator CHILES. What do you mean by that?

Mr. ANDREWS. I think maybe I first ought to say we are the General Accounting Office and not GSA. I am not positive of the answer to this. As I recall, Senator Chiles asked this question to the Archivist in appropriation hearings and the response was at that time he had been asked by, I believe, Mrs. Johnson not to charge, or President Johnson. The Archivist took it upon himself to say we will not charge and that was the basis for it.

SITTING PRESIDENT NEGOTIATES LIBRARY

Senator CHILES. What really happens, is it not, is the President while he is still in the White House negotiates with his then GSA Director as to what the deal is going to be made in regard to what the grant is going to be.

Senator SCHMITT. So the conditions of a grant for the Johnson Library included that no fee be charged, is that correct?

Mr. ANDREWS. It was in negotiation, I guess, between GSA and the President or Mrs. Johnson, however that occurred.

Senator SCHMITT. Under what authority then did GSA move to charge fees at other locations?

Mr. ANDREWS. The law says the Administrator of GSA may charge a fee.

Senator SCHMITT. May. Sounds like, Mr. Chairman, we ought to look at that word "may."

Mr. EIRICH. The word "reasonable" is in there also, Senator Schmitt.

Senator SCHMITT. That is a good word, too. Every time I look at a draft bill, I keep trying to weed out all the reasonables that I can find and put in more explicit guidance.

CONGRESSIONAL APPROVAL PROCESS

Senator CHILES. We also see that the law provides the Administrator will not accept the grant, will not accept the title to the property until Congress has been notified and given 60 days and yet in the Ford Library and Museum, the moneys have been raised, the contracts have been let, the ground has been broken and the Administrator had agreed, not our present Administrator, but previous administrators had already agreed to all of this, and then the papers were sent over to the Congress. As you well know, then the question is, what is Congress going to do even though you are dealing with a new proposition of having two locations for the first time—never done that before—but you have now got groundbreaking, people have contributed millions of dollars, Administrators several years back have signed off and then Congress gets its 60 days in which it is going to act.

Senator SCHMITT. Mr. Chairman, if I remember correctly, I think it should have been done otherwise. I think it may be partly explained by the fact the procedure was waived, not by the Congress but by GSA in at least one other case. They fell into the trap of having waived substantive law.

Senator CHILES. I certainly don't raise it on just this library because we are again finding out at the Johnson Library, there are no fees, and why are there no fees? Because that was part of the grant, that there would be no fees. I hardly think that is exactly sort of an arm's length transaction when a President, then in office, can enter into that arrangement with his GSA Administrator.

Senator PRYOR. You have got to remember, Mr. Chairman, in all due respect, LBJ always liked big crowds and he did everything he could to insure getting one.

Senator SCHMITT. Mr. Chairman, obviously there are many things we are going to think about as a result of these hearings, but I suggest we at least consider substituting for the "may" and the "reasonable" a shell in some kind of a schedule based on the previous year's attendance. Obviously there has to be some flexibility in the fee in order to pay operating costs and the Government may have to pick up something just to make it over each year. Some kind of fee schedule would help this problem we see in front of us right now.

Senator CHILES. If we are going to reform the act also, we have got to change that original agreement process so that you don't put an Administrator in the kind of situation in which he is trying to negotiate with his own boss or the person that appointed him and so the Congress doesn't really find out what those negotiations are or there is no basis to determine how much space there is going to be, what the additional maintenance cost is going to be, all those things we ought to look at.

Senator SCHMITT. Well, if the organizers of the museum or archive for a particular President desired to do so in order to not have a fee, they could establish an endowment through which the fee could be paid.

Senator CHILES. We are almost getting into a markup session here. We have got three more witnesses. Maybe we should go on. I should note in closing, as I read the act, the 1955 act, the original intent appears to be pretty clear. It is to save the President's papers and to open them up for scholarly research. If I note in 1979, we had 1,265 researchers who visited the libraries, that means that it cost us $6,495 per researcher. So it is a fairly expensive thing we are now into to provide for scholarly research.

Senator SCHMITT. I wonder what they found out, Mr. Chairman? It would be interesting to know just what the benefits of the research were. I say that somewhat facetiously. Having been a researcher myself, I suspect there have been some very useful things found out. I frankly can't say I know what they were.

Senator CHILES. We want to thank you all very much for your appearance and your aid to us in this discussion.

Mr. EIRICH. Thank you, Mr. Chairman, it has been our pleasure to be here.

LIBRARY OF CONGRESS

RESEARCH SERVICES

STATEMENT OF JOHN BRODERICK, ASSISTANT LIBRARIAN FOR RESEARCH SERVICES

ACCOMPANIED BY ADOREEN McCORMICK, LEGISLATIVE LIAISON OFFICER

PREPARED STATEMENT

Senator CHILES. Our next witness is Mr. Broderick who is Assistant Librarian for Research Services of the Library of Congress.

Mr. Broderick, the committee will be pleased to receive your testimony at this time.

Mr. BRODERICK. Thank you, Mr. Chairman, I am accompanied by our legislative liaison officer, Adoreen McCormick. I have an abbreviated version——

Senator CHILES. That will be helpful to us. We will put your full statement in the record.

[The statement follows:]

STATEMENT OF JOHN C. BRODERICK

The Library of Congress has custody of a body of papers for 23 Presidents beginning with George Washington and ending with Calvin Coolidge. The Library of Congress does not hold the papers of all Presidents through Coolidge. The papers of John and John Quincy Adams are at the Massachusetts Historical Society, James Buchanan's papers are at the Historical Society of Pennsylvania, those of Millard Fillmore are at the Buffalo and Erie County Historical Society, Rutherford B. Hayes' papers are in the Hayes Library, Fremont, Ohio, and the Warren G. Harding papers are in the custody of the Ohio Historical Society. With the exception of the Hayes papers, the Library of Congress holds a microfilm edition of the presidential papers located in these repositories.

GROWTH OF THE LIBRARY'S PRESIDENTIAL COLLECTIONS

Presidential papers have come to the Library of Congress over the years both by gift and purchase. In the 19th century, for example, several groups of Presidential papers were purchased by the Government. In the absence of a Government repository specifically designed to receive such materials, it was found expedient to house them in the Department of State. With the establishment of a manuscript department in the Library of Congress in 1897, however, the Library began to collect in a systematic way papers of historical value. The year 1903 was a landmark in the growth and development of the Library's Presidential collections. An act of Congress, dated February 25, 1903, authorized heads of executive departments, bureaus, or commissions to transfer to the Library of Congress books, maps, or other material no longer needed for its uses but appropriate to the uses of the Library. Two weeks later, President Theodore Roosevelt ordered on March 9, 1903, the transfer from the Department of State to the Library, the papers of George Washington, Thomas Jefferson, James Madison, and James Monroe, along with other important non-Presidential papers.

The papers of other 19th century Presidents came to the Library in the earlier years of this century, the most celebrated being the Lincoln papers deposited in 1919, made a gift in 1923 by his son. Theodore Roosevelt, William Howard Taft, and Calvin Coolidge made arrangements to place their papers in the Library before their deaths.

President Wilson's papers were donated by Mrs. Wilson in 1939. Some of these papers originally carried restrictions on access. All have long since been fully open for scholarly use.

Presidential papers in the Library of Congress vary in size and nature. Those of William Henry Harrison, John Tyler, and Zachary Taylor combined number only a few thousand items, while the William Howard Taft papers alone include nearly 750,000 items. As would be expected, the 20th century Presidents are represented by the largest volume of papers in the manuscript division at the Library. In fact, the Roosevelt, Taft, and Wilson papers account for over half the Library's holdings in Presidential papers.

Through the Presidential papers program, authorized by Public Law 85-147 enacted August 16, 1957, the Library has been able to make Presidents' papers available on a wide scale. With funds appropriated in 1958 the Library established in its manuscript division a Presidential papers section, authorized "to arrange, index, and microfilm" the papers of the U.S. Presidents in its custody.

With completion of the project in 1976 the Library had produced microfilm editions of the 23 collections totaling 3,073 reels, reproducing more than 2 million manuscripts, described in 32 volumes of indexes. At present more than 2,600 microfilm copies of individual Presidential collections have been distributed, with at least one collection available through this program in 49 of the 50 States, and in libraries in Australia, Canada, England, and West Germany.

In 1960, the Library's Abraham Lincoln Sesquicentennial Commission donated copies of the Lincoln microfilm to all member countries of the United Nations for placement in their national libraries. In addition, the Library has made its microfilm copies of Presidential papers available to scholars through interlibrary loan.

USE OF PRESIDENTIAL PAPERS

Researchers have continued to come in substantial numbers to the manuscript division to consult these papers, although availability of microfilm has undoubtedly reduced the frequency of visits to Washington by students of the Presidency. Last year, of the 9,300 reader registrants in the manuscript division, an estimated 10 to 15 percent consulted Presidential papers. During the same period copies of more than 300,000 pages of Presidential documents were lent to institutions here and abroad for the use of individual scholars. Appended to my statement is more detailed factual information on acquisition, access, and microfilm of the papers of U.S. Presidents in the Library of Congress.

Since the completion of the Presidential papers program, the Library has continued to add small groups or individual manuscripts to its Presidential collections, and, at appropriate times, the Library will issue supplementary microfilm editions of such additional material with accompanying guides.

In conclusion, I should also point out that there are numerous Presidential letters and documents in non-Presidential collections in the Library of Congress, a number of which have also been microfilmed, for example, Benjamin Franklin papers—reproduced on 12 reels of microfilm—contains letters of George Washington, John Adams, and Thomas Jefferson. And the papers of Senator Nelson W. Aldrich—reproduced on 73 reels of microfilm—a more recent example, include extensive correspondence with Presidents Theodore Roosevelt and William Howard Taft.

PAPERS OF U.S. PRESIDENTS

Collection	Items	Initial acquisition	Microfilm; reels	Copies distributed	Restrictions [1]
Washington	65,000	1834	1964; 124	113	None.
Jefferson	25,000	1848	1943; 65	49	Do.
Madison	12,500	1837	1963; 28	121	Do.
Monroe	4,000	1849	1963; 11	150	Do.
Jackson	22,500	1899	1967; 78	133	Do.
Van Buren	6,000	1904	1962; 35	143	Do.
W. H. Harrison	1,000	1901	1960; 3	156	DR until 1945.
Tyler	1,400	1919	1961; 3	154	None.
Polk	20,500	1903	1969; 67	98	Do.
Taylor	600	1904	1960; 2	160	Do.

PAPERS OF U.S. PRESIDENTS—Continued

Collection	Items	Initial acquisition	Microfilm; reels	Copies distributed	Restrictions [1]
Pierce	2,340	1902	1962; 7	151	None.
Lincoln	14,700	1919	1960; 97	114	Opened 1947.
Johnson	23,500	1904	1963; 55	132	None.
Grant	47,000	1921	1965; 33	119	[2]
Garfield	76,000	1872	1974; 177	46	DR until 1930.
Arthur	4,700	1902	[3] 1961; 3	145	None.
Cleveland	87,000	1915	1965; 164	124	DR until 1929.
B. Harrison	69,600	1901	1964; 151	113	DR until 1945.
McKinley	106,000	1935	1963; 98	121	DR until 1954.
T. Roosevelt	250,000	1917	1970; 485	67	DR until 1932.
Taft	700,000	1919	1972; 658	41	DR until 1953.
Wilson	300,000	1939	1973; 540	42	DR until 1961.
Coolidge	175,000	1929	1965; 190	107	DR until 1957.

[1] DR: donor restrictions.

[2] Access to Grant papers received from the family required permission from the donors until 1960. All series became open at that time, except for Grant's letters with his wife, which were closed until 1965.

[3] An addition of 3,300 items was made to the Arthur papers after preparation of the microfilm edition.

PURCHASES OF PRESIDENTIAL PAPERS

Washington—1834	$25,000
—1849	20,000
Jefferson—1848	20,000
Madison—1837	30,000
—1848	25,000
Monroe—1849	20,000
Jackson—1903	18,000
Tyler—1919	1,000
Polk—1903	10,000
Johnson—1904	7,500
Total	176,500

PRESIDENTIAL PAPERS MICROFILM PRICE LIST

President	Dates	Reels	Price
Washington, George	1592–1937	124	$1,924
Jefferson, Thomas	1606–1889	65	938
Madison, James	1723–1859	28	429
Monroe, James	1758–1839	11	150
Jackson, Andrew	1775–1860	78	1,113
Van Buren, Martin	1787–1868	35	570
Harrison, William H	1734–1939	3	37
Tyler, John	1691–1918	3	33
Polk, James	1775–1891	67	1,004
Taylor, Zachary	1814–1831	2	25
Pierce, Franklin	1820–1869	7	94
Lincoln, Abraham	1833–1917	97	1,413
Johnson, Andrew	1814–1900	55	867
Grant, Ulysses	1840–1908	32	492
Garfield, James	1848–1881	177	2,708
Arthur, Chester	1843–1926	3	40
Cleveland, Grover	1826–1945	164	2,522
Harrison, Benjamin	1787–1938	151	2,350
McKinley, William	1847–1902	98	1,540
Roosevelt, Theodore	1759–1919	485	6,984
Taft, William H	1810–1930	658	10,435
Wilson, Woodrow	1786–1944	540	7,190
Coolidge, Calvin	1921–1929	190	2,990

SUMMARY OF STATEMENT

Mr. BRODERICK. The Library of Congress has custody of a body of papers for 23 Presidents beginning with George Washington and ending with Calvin Coolidge. The Library of Congress does not hold the papers of all Presidents through Coolidge. The papers of John and John Quincy Adams are at the Massachusetts Historical Society, James Buchanan's papers are at the Historical Society of Pennsylvania, those of Millard Fillmore are at the Buffalo and Erie Library, Fremont, Ohio, and the Warren G. Harding papers are in the custody of the Ohio Historical Society. With the exception of the Hayes papers, the Library of Congress holds a microfilm edition of the Presidential papers located in these repositories.

Senator CHILES. Those that are not in the Library of Congress, those are privately maintained by those historical societies?

Mr. BRODERICK. That is correct.

GROWTH OF THE LIBRARY'S PRESIDENTIAL COLLECTIONS

Presidential papers have come to the Library of Congress over the years both by gift and purchase. In the 19th century, for example, several groups of Presidential papers were purchased by the Government. In the absence of a Government repository specifically designed to receive such materials, it was found expedient to house them in the Department of State. With the establishment of a manuscript department in the Library of Congress in 1897, however, the Library began to collect in a systematic way papers of historical value. The year 1903 was a landmark in the growth and development of the Library's Presidential collections. An Act of Congress, dated February 25, 1903, authorized heads of executive departments, bureaus, or commissions to transfer to the Library of Congress books, maps, or other material no longer needed for its uses but appropriate to the uses of the Library. Two weeks later, President Theodore Roosevelt ordered on March 9, 1903, the transfer from the Department of State to the Library, the papers of George Washington, Thomas Jefferson, James Madison, and James Monroe, along with other important non-Presidential papers.

The papers of other 19th century Presidents came to the Library in the earlier years of this century, the most celebrated being the Lincoln papers deposited in 1919, made a gift in 1923 by his son. Theodore Roosevelt, William Howard Taft, and Calvin Coolidge made arrangements to place their papers in the Library before their deaths. President Wilson's papers were donated by Mrs. Wilson in 1939. Some of these papers originally carried restrictions on access. That is all the papers mentioned above. All have long since been fully open for scholarly use.

Presidential papers in the Library of Congress vary in size and nature. Those of William Henry Harrison, John Tyler, and Zachary Taylor combined number only a few thousand items, while the William Howard Taft papers alone include nearly 750,000 items. As would be expected, the 20th century Presidents are represented by the largest volume of papers in the manuscript division at the Library. In fact, the Roosevelt, Taft, and Wilson papers account for over half the Library's holdings in Presidential papers.

Through the Presidential papers program, authorized by Public Law 85–147 enacted August 16, 1957, the Library has been able to make Presidents' papers available on a wide scale. With funds appropriated in 1958 the Library established in its manuscript division a Presidential papers section, authorized to arrange, index, and microfilm the papers of the U.S. Presidents in its custody.

With completion of the project in 1976 the Library had produced microfilm editions of the 23 collections totaling 3,073 reels, reproducing more than 2 million manuscripts, described in 32 volumes of indexes. At present more than 2,600 microfilm copies of individual Presidential collections have been distributed, with at least one collection available through this program in 49 of the 50 States, and in libraries in Australia, Canada, England, and West Germany.

In 1960, the Abraham Lincoln Sesquicentennial Commission donated copies of the Lincoln microfilm to all member countries of the United Nations for placement in their national libraries. In addition, the Library has made its microfilm copies of Presidential papers available to scholars through interlibrary loan.

USE OF PRESIDENTIAL PAPERS

Researchers have continued to come in substantial numbers to the manuscript division to consult these papers, although availability of microfilm has undoubtedly reduced the frequency of visits to Washington by students of the Presidency. Last year, of the 9,300 reader registrants in the manuscript division, an estimated 10 to 15 percent consulted Presidential papers. During the same period copies of more than 300,000 pages of Presidential documents were lent to institutions here and abroad for the use of individual scholars. Appended to my statement is more detailed factual information on acquisition, access, and microfilm of the papers of U.S. Presidents in the Library of Congress.

Since the completion of the Presidential papers program, the Library has continued to add small groups or individual manuscripts to its Presidential collections, and, at appropriate times, the Library will issue supplementary microfilm editions of such additional material with accompanying guides.

In conclusion, I should also point out that there are numerous Presidential letters and documents in non-Presidential collections in the Library of Congress, a number of which have also been microfilmed. For example, the Benjamin Franklin papers, reproduced on 12 reels of microfilm, contain letters of George Washington, John Adams, and Thomas Jefferson. And the papers of Senator Nelson W. Aldrich, reproduced on 73 reels of microfilm, a more recent example, include extensive correspondence with Presidents Theodore Roosevelt and William Howard Taft.

I will be glad to answer any questions you may have, Mr. Chairman.

MICROFILM AND INTERLIBRARY LOAN SYSTEM

Senator CHILES. Mr. Broderick, I understand from your statement that it is not necessary for the researchers to travel to Washington to use the

Presidential materials in the Library of Congress because they are on microfilm and they are made available around the country and even foreign countries through use of the mail.

Tell us a little bit more about how that program works and do most of the researchers that use the Presidential papers borrow them through the lending program or do they come to Washington to use them?

Mr. BRODERICK. As I indicated, the existence of these microfilm copies has changed the character of usage of the original material. Until the Wilson papers were completed on microfilm, for example, I suppose they must have accounted for about a quarter of the use of materials in our custody. Once that film was available in several hundred reels, a number of research libraries bought the copies themselves, which means at those institutions, the researcher would not have been involved with the Library of Congress at all, just consult the film in his own institution.

At other institutions which do not have Wilson papers on microfilm, a researcher would be aware of the existence of this film and its availability on interlibrary loan. The difficulty, of course, is that a number of researchers would want to come to Washington to consult other related historical materials either in the National Archives or in the Library of Congress, let's say. If they would come to Washington for that purpose, the likelihood is that they would consult some Presidential papers while they were here, even though they might be available in another form at their home institutions.

I don't have a reliable figure to base an estimate on but I would guess it would be roughly 50–50.

Senator CHILES. Around 50–50 that come to Washington or actually use the other.

Mr. BRODERICK. We estimate of our visitors, last year, approximately 1,000 or so used Presidential materials while they were here.

SATISFACTION OF USERS

Senator CHILES. The issue was raised as to Presidential papers should be maintained in a central location or scattered around the country in decentralized library functions. I am not going to ask you to comment on the pros and cons of that particular issue.

In your view, are there any major problems in the way the Library of Congress operates its program, particularly from the point of view of the various researchers who want to use the papers?

Mr. BRODERICK. Well, we are not aware of difficulties. I think that a body of Presidential papers always has a kind of national as well as regional dimension to them though perhaps most of the students of a particular President would be associated with universities in a particular region. Nevertheless, I think there is some obvious advantage in having cognate collections associated with a particular collection. This, of course, happens in the Presidential libraries as well since the President's papers are associated often with some of his Cabinet officials and other associates.

PRESERVATION METHODS OF MAJOR COLLECTIONS OF PAPERS

Senator CHILES. We hear from time to time that the National Archives collection of Presidential papers, major portions of their collections are starting to deteriorate, physically deteriorating. GAO has just issued a report on that subject last month.

Is microfilming the most practical method of preserving those major collections of papers?

Mr. BRODERICK. Microfilm preserves the contents. For some kinds of Presidential papers, you would want to preserve the original as well.

Senator CHILES. Is there any reason that you know of that the National Archives could not also launch an interlibrary lending program with their Presidential program if they had microfilm copies?

Mr. BRODERICK. I am not familiar with their practices with respect to lending of film. I think their approach with other kinds of records has been to make the film available for sale.

COST OF PRESIDENTIAL PAPERS ACTIVITIES

Senator CHILES. What is the annual operating cost of the Presidential papers activities at the Library of Congress?

Mr. BRODERICK. That is a very difficult figure to come up with, Mr. Chairman. The annual direct cost for the manuscript division as a whole is approximately $1.2 million. However, this does not include certain kinds of cost that might reasonably be expected to be reflected in a figure like that since our space and maintenance costs are part of the budget of the Architect of the Capitol.

Senator CHILES. That is the entire manuscript division.

Mr. BRODERICK. That is correct. We have no way of breaking out a particular figure that would apply just to the Presidential papers. If you took a percentage based on possible usage, perhaps 10, 15 percent of that.

Senator CHILES. Well, we were told by someone over there that there is approximately $50,000 in direct cost and approximately $200,000 in indirect cost annually for Presidential papers. Would that be in the ball park?

Mr. BRODERICK. Well, as I say, it is difficult to say what the indirect cost would be since we don't have cost analysis basis for that. I think I would prefer to state a somewhat lower figure, perhaps $150,000—$125,000 to $150,000.

Senator CHILES. Well, $200,000 should cover it.

Mr. BRODERICK. Yes. As part of a larger operation——

Senator CHILES. That is for 23 Presidents. Now microfilming is on top of that, the first microfilming of those papers.

Mr. BRODERICK. That is correct.

Senator CHILES. And you spent about $1.5 million for all your microfilming.

Mr. BRODERICK. Those were the direct appropriations. Approximately another $150,000 in other kinds of expenses.

53-990 O - 80 - 10

PURPOSE OF PRESIDENTIAL LIBRARY SYSTEM

Senator CHILES. Mr. Broderick, as I mentioned earlier this morning in my opening statement, the major purpose for creating the Presidential library system was to bring together, preserve and maintain Presidential papers for scholarly research.

In June of 1955, Congressman John McCormack chaired hearings to consider the Presidential Libraries Act. At that time he made the following statement: "Through happenstance, many of the papers, manuscripts, and documents of previous Presidents have been kept intact for the benefit of present and future generations. In other cases, these priceless documents have been lost or destroyed. The resolutions that we are considering this morning would present a definite plan for the preservation of such documents of any President or former President of the United States. The matter should not be left to happenstance."

Do you believe that the Library of Congress operates an adequate program for making Presidential papers available for scholarly research?

Mr. BRODERICK. Well, I certainly do. In the context of Mr. McCormack's remarks, however, I think that you couldn't quarrel with his statement about the random character of preservation of Presidential papers in the 19th and early 20th centuries.

Senator CHILES. Do you receive any complaints or criticisms from scholars, historians, or others that have needed use of Presidential papers maintained by the Library of Congress?

Mr. BRODERICK. I am not aware of any complaints specifically on that point.

Senator CHILES. We want to thank you very much for your appearance here.

Mr. BRODERICK. Thank you, Mr. Chairman.

GENERAL SERVICES ADMINISTRATION

STATEMENT OF ADM. ROWLAND FREEMAN, ADMINISTRATOR

Senator CHILES. Our next witness is Admiral Freeman, the Administrator of the General Services Administration.

Admiral Freeman, we are pleased to have you with us this morning. If you would like to introduce your associates.

Mr. FREEMAN. I have with me the Acting Archivist of the United States, Dr. James O'Neill.

Senator CHILES. You may proceed.

Mr. FREEMAN. I appreciate the opportunity to testify this morning, Mr. Chairman, on the Presidential libraries. These hearings certainly respond to a growing concern voiced in the Congress, and by the people, of the long-term costs of Presidential libraries. I personally share that concern.

The historical materials relating to the Presidency that are preserved in these institutions, as well as the Library of Congress, have incalculable significance, and we will have to insure that these currently valuable materials continue to be effectively preserved for future generations.

At the same time, my review shows that the costs of operating these facilities have grown, and I am committed to curbing what may be apparent excess costs.

Let me briefly review the real costs to the Government of the Presidential libraries. Under the Presidential Libraries Act of 1955, the Administrator of General Services is authorized to accept or enter agreements to use land, buildings, and equipment offered to the Government without charge as a Presidential archival depository, subject to congressional review.

Under the same law, the Administrator may also accept donations of the President's personal papers. In this way, the Government receives, without cost, valuable real property as well as priceless historical materials. In return, the Government accepts a long-term commitment to preserve and protect the historical materials; this is a major commitment.

The cost for the Presidential libraries program budgeted in fiscal year 1980 is approximately $9.5 million. I might point out that these operating libraries have received no increases in their budgets for the past 4 years, aside from pay increases approved by the Congress.

Of course, it is true that there is an increase in cost for the system every time a President leaves office and donates his papers and other historical materials to the National Archives system.

Senator CHILES. You are not including additions that were made to the library system.

Mr. FREEMAN. That is the total cost of operating them, yes.

Senator CHILES. But there have been increased additions during that time. You said no increased costs, but we have added to Hoover.

Mr. FREEMAN. In that context, you are correct; we have submitted for the Public Works Committee, those alterations, and, yes, they have increased the costs.

INCREASING OPERATIONAL COSTS

I am concerned that each library added to the system appears to have increasing operational costs, and that as yet we have not set down the boundaries of the operating costs which are acceptable with each library entering the system, considering appropriately the effects of inflation.

Looking to the future, under the Presidential Records Act of 1978, the official records generated by the President who takes office January 20, 1981, will be treated as Government property from their creation. That act and its legislative history anticipate a continuation of the Presidential libraries system, and that implies an additional expenditure for the preservation and protection of Presidential records each time a President leaves office.

However, under current legislation there is no effective control on this expenditure, and we are thus faced with increases in the future. These program costs can only be reduced through eliminating some of the functions now being performed in Presidential libraries.

REDUCING MUSEUM COMPONENT

We could reduce or eliminate the museum function. Some critics of the Presidential libraries maintain that the most recent additions to the system have been devoted more to museum than to archival functions.

I tend to agree, since the combination of both archival and museum functions tends to dictate rather expansive architecture, including exhibit rooms, auditoriums, necessary public facilities, et cetera, which is more extensive than you would normally find in the archival area.

I believe that consideration should be given to limiting the involvement of the Government to the archival storage of Presidential papers, with only a very limited capability for exhibition. Depending on how elaborate an exhibit program is, it can be quite expensive to maintain and to change. I am therefore supportive of limiting the amount of space which would be provided for exhibits. These exhibit programs could then be limited to those of an archival nature, rather than the current museum type operations that are put into many of our libraries.

PERSONAL PAPERS

If acquiring the official records of the Presidency is the new minimum required by law, we could eliminate the acquisition of personal papers and other historical materials and thus cut down on the quantity of materials that must be processed and made available to scholars.

I recognize, however, that the personal papers of a President and donated papers of his associates certainly contain valuable information for future historians. I believe it important that we coordinate with a

President and his staff concerning the location of all personal papers, and believe that his papers and those of close associates which are of high historical significance, should be housed if possible with the official records.

I think it is incumbent upon the General Services Administration and the Archivist of the United States to insure that a coordinated program is agreed upon which not only covers the official records of the Presidency, for which we are obligated by law to assume responsibility, but also to assist in the acquisition and location of personal papers. For those not housed in presidential libraries, a good bibliography of textual materials can be provided to any researcher, archivist or historian.

CONTROLLING OPERATING COSTS

I firmly believe that the area in which we should pursue meaningful savings lies in the cost of maintaining the buildings.

In its review of the proposed presidential libraries budget for fiscal year 1980, your subcommittee noted a 16-percent increase in the annual budget for Presidential libraries in fiscal year 1980 over fiscal year 1979. This increase can be attributed almost entirely to increased building charges. Most of these increased charges are due to the addition of the John F. Kennedy Library to the system. We can expect substantial increases in fiscal years 1981 and 1982 when the Gerald R. Ford Library buildings are added to the system.

ALTERNATIVES

As I see it, the alternatives facing us are to centralize, to combine functions, or to limit the size and scale of each library. In my opinion, we will have to do all three. I would like to discuss some of the ways in which we can accomplish this and still maintain high quality archival facilities for future Presidential papers.

One such concept would be to construct a central Presidential library that would accommodate six library facilities. The central Presidential library would be constructed on a Government-owned site of about 80 acres, with an additional 160 acres available nearby to meet future Presidential library needs for the next 90 to 100 years, assuming about 5 years for a Presidency.

Each central Presidential library would consist of a cluster of buildings in a campus-like setting, and would consist of the following: (*a*) a visitors center containing approximately 100,000 square feet that would be used by all visitors to any of six libraries, with common-use facilities such as visitor reception, conference rooms, and cafeterias; (*b*) six Presidential units, each containing 32,000 square feet, which would include the library and other memorabilia pertaining to an individual President; and (*c*) an archives building containing about 140,000 square feet which would include storage and laboratory space for all of the Presidential units as well as the heating plant for the entire central Presidential library.

Using the Washington area as an example, we estimate that, based on a 25-year projection for cost purposes, a central Presidential library

would cost about $222.5 million, versus $280.5 million for six individual libraries. There are obvious advantages to the centralized complex, since the space requirement of the centralized library would reflect a potential for shared common space as well as reduced construction, maintenance, and operations costs. It would also allow a reduction in administrative costs due to decreases in staffing that could be expected from one central facility.

The combination of other archival holdings and functions in decentralized facilities offers another opportunity for economy and efficiency in the future. For example, at the Truman Library we established a museum service center to provide economical centralized museum services to the entire system of libraries.

Further combinations, as for example combining Presidential materials with regional archives or with the materials of another administration, could be accomplished, in my judgment, without any change in the law.

However, implementation would require negotiation and agreement with the non-Federal groups that cooperate with the Government in creating Presidential libraries. The long-term benefit of such combinations would be an eventual limitation upon the total number of facilities in GSA's national archival system.

FEDERAL CONSTRUCTION STANDARDS

Another means to curb the growing cost of the system is to create a climate in favor of building structures for Presidential libraries that meet the needs of the Government and the public without excessive emphasis upon the monumental or memorial aspects.

There are two alternatives to curbing the growing costs of these buildings. One would be to provide statutory authority to the Administrator of GSA to set standards for Presidential buildings. Such standards would specify the amount of archival storage, processing, research space required per cubic foot of records, and would determine the appropriate ratio of administrative and exhibit space for these archival facilities.

The Administrator could also be empowered to determine maximum operating costs, with an appropriate inflationary factor for later years. A second alternative would be to give the Administrator the statutory authority to approve building size and design.

There are some disadvantages to this. It would introduce a third party into contract disputes between private owners and the architect/engineer or contractor. It would also dilute the normal contractual relationship between the owner and architect.

Third, it would place Federal construction standards on privately funded development, and could create confusion as to which codes and standards are applicable; this could open the way for jurisdictional disputes between Federal and local authorities.

However, I personally believe that the advantages outweigh the disadvantages. This second approach minimizes the Agency's operating costs, and maximizes the efficiency of archival operations. It insures the inclusion of design criteria such as barrier-free design and energy conservation.

I, therefore, recommend that GSA be provided the statutory authority for formal review of designs, and that authority also be provided to treat the Presidential libraries program as we do transfer projects. GSA would then become the owner's agent for procuring both design and construction services. This would still not eliminate the disadvantages with respect to those libraries constructed on non-Federal property, but I believe it is the most satisfactory of the two alternatives. With either alternative, it is important that the Administrator of GSA be provided with the statutory authority to limit the operating costs of any such facility, so that a control is placed on the expenditures of appropriated funds in the future.

In summary, I am committed to finding ways for cutting the costs in the operation of Presidential libraries. I believe this position is consistent with Government ownership of the official papers; certainly it would not be difficult to work out appropriate arrangements for such other papers as would be donated, or for insuring that the personal papers are consolidated in such a fashion as to be available for review by the archivists and historians.

Mr. Chairman, this concludes my prepared statement. I will be delighted to answer any questions you may have.

Senator CHILES. Thank you, Admiral.

PROGRAM DEVELOPMENT INCONSISTENT WITH LEGISLATIVE INTENT

Early this morning GAO testified that the legislative emphasis back in 1955 when the library system was created, was primarily to preserve and maintain Presidential papers for scholarly research. The former archivist reiterated this in a 1979 appropriation hearing. The major purpose was not to create monuments or tourist attractions for the casual visitor. The original purpose was not to actively encourage scholarly research as a general proposition or teach research techniques

We have heard that fewer than 1 percent of the visitors to Presidential libraries are researchers. Would this suggest that the program has evolved in a manner that was not originally anticipated or intended?

Mr. FREEMAN. I think that is partially so, Senator. I think it also should be recognized that we respond to a tremendous number of calls from researchers. The researcher figures shown on the chart reflect those who actually visit the libraries. We take many thousands of calls per library annually. However, I would agree that the portion of the libraries devoted to things other than archival work has expanded for the last several libraries.

PRESIDENTIAL MUSEUMS

Senator CHILES. Do you believe that the visitors would visit the museums even if the Presidential papers were not at the site?

Mr. FREEMAN. Yes, sir. I think we have an example of that, the Kennedy Library. We have had some 24,000 visitors through there already. The archival area is not open yet.

SPACE ADDED BY GSA

Senator CHILES. Then we are finding out today once a library facility has been turned over to the Federal Government, the GSA frequently pays the cost of added facilities to Presidential libraries, approximately 14 percent of the current space having been constructed at Government expense.

The legislative history on the program argued the Federal Government would be getting a good deal, because the space is going to be donated free. Do you think this practice of the Government financing of additions to Presidential libraries should continue?

Mr. FREEMAN. I think that as the amount of material that becomes archival in nature has expanded, this has contributed to part of the problem. I think in addition, we have had occasions where people have agreed to donate certain papers.

I think the expansions, in my own personal opinion, should be limited to those expansions necessary for archival storage.

Senator CHILES. Well, we are adding a wing to the Truman Library and it has only been built some 25 years. Is that archival storage to add a wing?

Mr. FREEMAN. If you will give me a second. Mr. O'Neil, would you like to address that?

Mr. O'NEIL. Mr. Chairman, I think the wing in that case is partly archival storage, and partly working space as well.

Senator CHILES. What kind of working space?

Mr. O'NEIL. The museum service center that has been talked about. Part of the space will also add on to space that Mr. Truman had used as his own office space, which is something we discussed earlier. That is also going to be made into public space.

Senator CHILES. Made into what?

Mr. O'NEIL. That will be made into public space which museum visitors can attend. Mr. Truman's old office has already been made into a museum room.

TRANSFER OF TITLE

Senator CHILES. I understand that the Federal Government does not take title to all these library buildings. For example, I am told with the Johnson and Ford Libraries, the title is not transferred to the Federal Government.

Mr. FREEMAN. That's correct, sir.

Senator CHILES. What in the world are we doing taking care of all the maintenance, upkeep, expenses, and adding additions on them when we don't even have title to the building?

Mr. FREEMAN. I would like to use the excuse that this happened before my watch, Senator, but that is not the proper response to the question. Historically, I think a good deal of this was dictated by what the donors were willing to consider in this area, rather than necessarily by what the Federal Government should do.

It is for the same reason that we don't charge any admission fees at the Johnson Library. That was part of the terms of the donation. I think my own personal preference would be that when these things

pass, title passes with it. Regrettably, in some areas there is a desire to maintain the title to the land where it is located, if it happens to be on university grounds; this creates a problem. That is one of the issues.

There are some valid reasons for it. My personal preference is that we would normally take title unless there are extenuating circumstances. But this hasn't been well explored in advance.

Senator CHILES. Well, if, in fact, title to the land does not pass, then you can get around the expense of having to buy the land, if you are one of the donors, and whether you either put it on a university or you put it on some of your own land. The idea was these people are going to pay for the cost of the building, cost of the land, and then they were donating that to the Federal Government and the Federal Government, in turn, was supposed to take care of it after that. But if you don't even have to obtain title of the land so you can, in effect, then transfer it to the Federal Government, that is one more thing the Federal Government is taking on all this responsibility and not even having title to them.

Mr. Freeman, as you know, your predecessor in 1955 when asked about the pros and cons of centralization versus decentralization, indicated that, "While there were probably advantages to centralization as a practical matter since the Presidents own their papers, we were kind of at their mercy, and, therefore, had to put the papers where the Presidents wished them."

The Presidential Act of 1978 has certainly changed that in regard to all of the public papers, and now we are told by GAO that in the next 100 years, we can save $520 million by centralizing the location of these papers. We have also learned from the Library of Congress that their program is significantly less than the Archives. Don't these facts argue for giving serious consideration to a centralized system?

Mr. FREEMAN. I would agree that a centralized type of operation, such as that which I took the liberty of describing to you in my mind is a very attractive alternative.

I appreciate the fact the Library of Congress is certainly in the business of administering the records of the first 23 Presidents. I would like to indicate, however, that the volume of records that we have is substantially larger than was the case for the first 23 Presidents. The expansion of staff, the expansion of the role of the President, I think, has created a larger volume.

Senator CHILES. A lot of that is going to depend on whether ultimately we decide we have to save every bulk letter that was sent to the President or not.

Mr. FREEMAN. Yes, sir. I think one of the problems that we have is anticipating the volume. Perhaps there are more stringent ways in which we should view what actually ought to be reposed in those buildings.

CENTRALIZED LIBRARY

Senator CHILES. One of the alternatives that has been suggested is to provide for a centralized library facility and then permit State and local governments or private groups to develop Presidential museums on a decentralized basis at their expense, and then perhaps have the Federal

Government give technical assistance from a centralized Presidential library facility.

What would be your reaction——

Mr. FREEMAN. I think that suggestion has merit. I think first of all, in looking at the libraries, there certainly is some need for an exhibit function. I think it should be predominantly limited to displays of an archival nature. I, personally, believe the museum function does not serve that as well.

I might point out the archivists do not necessarily agree with that position because they believe, it was their point of view, that material of this nature is also essential to their archival investigations.

CRITERIA FOR DISPOSAL

Senator CHILES. We were talking about the amount of documents and I note Presidential papers of President Nixon include 30 million items. That is more than all the items held by the Library of Congress for the first 23 Presidents.

Do you feel that the procedures and laws are adequate to insure only the historically important documents are maintained that we have some way of being able to dispose of some of those papers that have no historical significance?

Mr. FREEMAN. I think there are some guidelines within the archival community that are used to review these papers. The thing I am concerned about is the length of time it takes to make a determination.

Senator CHILES. The length of time and the amount of money.

Mr. FREEMAN. Yes, sir.

Senator CHILES. What is it going to cost to index former President Nixon's papers?

Mr. FREEMAN. I haven't got an estimate on that. Jim, do you have——

Mr. O'NEIL. It depends on what you mean by indexing, Mr. Chairman. Ordinarily, we would not make a detailed document-by-document index, because of the very bulk you have indicated. I think the figures you gave dramatize what has happened in this whole field in the 20th century.

Clearly, the volume of material is larger than the material of all the first 23 Presidents put together. They are dealing with enormous bulk, and trying to eliminate material that is not of great importance—bulk mail that comes in on issues, for example. We still end up with very large quantities. So we will not be indexing on a one-to-one basis.

Senator CHILES. Senator Pryor.

FORMER PRESIDENT NIXON LIBRARY

Senator PRYOR. Mr. Chairman, if I might interrupt you at this point, I think this is an appropriate point to ask this question. Is there a fund for a Nixon Library?

Mr. FREEMAN. Yes, the University of Southern California, I believe, has indicated an interest in funding such an effort and I believe negotiations are underway for that.

Mr. O'NEIL. The university has entered a tentative agreement with former President Nixon. That was several years ago, and has indicated both to him and to us that it would be interested in developing such a library on its campus in Los Angeles.

Senator PRYOR. Are we activating the guidelines in those discussions and negotiations at this time?

Mr. FREEMAN. I have not been approached on this issue. Before I enter into any type of agreement, it will be with the understanding——

Senator PRYOR. This is the point Senator Chiles brought up a few minutes ago, and I think he articulated it very well. He indicated when you become involved with it, especially when the Congress becomes involved with it, it is too late then to undo what has already been done. I just hope you stay on top of any arrangements or negotiations.

Mr. FREEMAN. Before we enter into any such agreements, we will consult with Congress, Senator, before we go further downstream or commit any construction funds.

Senator PRYOR. Mr. Chairman, also, while I have the floor, if I might use that word, I would like to just ask Mr. Freeman two or three questions. Well, actually, Mr. Chairman, there are so many questions in this area, I think I will submit these to Admiral Freeman and have him respond in writing, if that is all right.

These questions involve the Presidential Recordings and Materials Preservation Act of 1974, Admiral Freeman, and the amendments recently proposed thereto by General Services Administration. Again, I don't think I will ask you to respond orally today to these questions, but I would like for you to respond in writing as expeditiously as possible to them, because, as you know, these amendment proposals are presently before Congress. They have a certain time limit in which they must be acted upon, and, therefore, there is a need for your prompt attention to answering these questions, specifically as they relate to recordings and tapes.

I will have a member of the staff present you with those questions.

Mr. FREEMAN. I will be glad to respond, Senator.

Senator PRYOR. Thank you, sir.

Mr. Chairman, that is all the questions I have of Admiral Freeman.

[The questions and answers follow:]

Questions Submitted by Senator Pryor

BACKGROUND INFORMATION

Before we address the specific questions posed by the Subcommittee, we believe it would be helpful to relate briefly the background behind the proposed amendments to the General Services Administration's regulations implementing the public access provisions of the Presidential Recordings and Materials Preservation Act. At the Subcommittee's request, we would be happy to expand upon this background information or any of the specific answers which follow.

On June 2, 1977, the Administrator of General Services submitted to the Congress GSA's fourth proposed set of public access regulations. One or both Houses of Congress had legislatively vetoed all or portions of GSA's three prior versions of the regulations. On June 28, 1977, while these regulations were pending before Congress, the Supreme Court upheld the constitutionality of the Presidential Recordings and Materials Preservation Act in Nixon v. Administrator of General Services, 433 U.S. 425 (1977).

While the Supreme Court noted repeatedly that its decision pertained only to the Act's facial constitutionality, and not to its prospective implementing regulations, a significant portion of the Court's dicta related to the difficult task of promulgating constitutional regulations. After GSA and Justice Department attorneys had studied the opinions of the Justices, they concluded that several provisions of the regulations then pending before Congress were of doubtful constitutionality, when adjudged by the standards suggested by the Court. Shortly thereafter, counsel for the Reporters Committee for the Freedom of the Press, the American Historical Association, the American Political Science Association, et al., intervenor/defendants in Nixon v. Administrator, contacted GSA counsel and expressed similar concerns.

After several meetings between GSA counsel and counsel for the Reporters Committee, they mutually agreed that several amendments to the pending regulations were highly desirable. By early fall, 1977, GSA had drafted these proposed amendments and cleared them with the White House and the Justice Department.

Before transmitting these amendments to the Congress, however, GSA staff had a number of conversations with the congressional staff who were reviewing the pending regulations and would be charged with reviewing the amendments. Of particular concern to GSA was the impact the submission of amendments would have on the timely effectuation of public access regulations. We knew that if undisturbed, all signs seemed to indicate that GSA's fourth set of proposed regulations would pass the 90 legislative day period dictated by the Preservation Act before the end of the 95th Congress' first session. On the other hand, if GSA submitted the proposed amendments at that time, only affirmative legislative fiat could effectuate public access regulations before the end of the year.

When congressional staff advised us that affirmative legislative action on the amendments was all but impossible given the Congress' tight schedule, GSA opted to allow the pending regulations to continue their successful journey through Congress, and planned to submit the amendments to the second session of the 95th Congress. Because public access regulations were necessary to initiate archival processing of the Nixon materials, we deemed it far preferable not to delay processing by holding up the pending regulations with amendments. On December 12, 1977, the public access regulations the Administrator had submitted on June 2 had lain before Congress for 90 legislative days without disapproval of either House. On December 16, 1977, GSA formally effectuated these regulations by publishing them in the Federal Register, and one month later, archival processing of the materials commenced.

Before GSA had transmitted the proposed amendments to the second session of the 95th Congress, however, the filing of a new lawsuit by the former President altered our plans. On January 31, 1978, Mr. Nixon filed a

multi-faceted challenge to the constitutionality of the public access regulations published on December 16, 1977. His constitutional attack emphasized the one-House veto provision of the Act, the fact that one or both Houses of Congress had vetoed three prior versions of the regulations, and the fact that the published version of the regulations had also been subjected to the Act's legislative veto procedure. This aspect of the lawsuit was especially troubling to the Government because of the Administration's professed belief that one-House legislative vetoes are indeed unconstitutional. When the Government ultimately answered the complaint and admitted to the unconstitutionality of the regulations because of the one-House veto, it was determined that it would be ill-advised and ill-timed to exacerbate the situation by submitting the amendments to the Congress in accordance with that same provision of the Act. Instead, because most of the former President's challenges dealt with those provisions of the regulations that GSA had already determined to amend, counsel for the former President and counsel for GSA initiated negotiations aimed at resolving as many of the outstanding claims as possible.

When the Reporters Committee, et al., intervened in the litigation on June 9, 1978, their counsel joined in these negotiations. The tripartite negotiations continued until only two issues remained unresolved: the former President's opposition to public access to the tape recordings, and his objection to archival processing of materials he claimed were in the nature of a personal diary. The product of the negotiations, including the proposed amended regulations, was submitted to District Judge Aubrey Robinson on February 14, 1979. The report to the Judge noted that the Administrator would subsequently transmit a copy of the regulations to the Congress.

On June 15, 1979, the Acting Administrator of General Services transmitted to the Congress complete sets of the materials placed before the district court. While this submission was not done formally under the one-House veto provision of the Act, the parties to the litigation had noted that the revised regulations would not be effectuated, and the settlement agreement would be canceled, if either or both Houses of Congress vetoed the revised regulations.

On July 23, 1979, Judge Robinson ruled in favor of the United States and the intervenor/defendants with respect to the two issues remaining in litigation. On October 12, 1979, Judge Robinson ruled against Mr. Nixon's Motion for Reconsideration. To this date, Mr. Nixon has not noted an appeal to the United States Court of Appeals for the District of Columbia Circuit, and archival processing of the Nixon materials continues.

QUESTIONS POSED BY THE SUBCOMMITTEE

1. In Section 105-63.104 Definitions, proposed changes affect the scope of materials relating to political activities. Why is this change being proposed? If this change in scope is effected, to what degree will this reduce materials subsequently made available to the public? How will this definitional differentiation be accomplished and what checks and balances will be instituted to ensure proper classification?

In its decision in Nixon v. Administrator, the Supreme Court emphasized the requirement that the regulations classify as non-public materials reflecting "private political associations" of the former President. The existing definition of "Presidential historical materials," which are to be retained for ultimate public availability, encompasses materials reflecting Mr. Nixon's "political activities as President." The drafters of this language intended that it relate to those materials reflecting Mr. Nixon's political activities when there is a link between those activities and presidential powers or duties. Unfortunately, as worded, it is possible to interpret the definition to include all political materials created while Mr. Nixon was President. Such an interpretation would fly in the face of the Court's decision, and would jeopardize its survival in a court challenge.

Both GSA and counsel for the Reporters Committee recognized this dilemma almost immediately after the Court's decision. GSA originally drafted the revised language to be one of its amendments to the set of regulations then pending before Congress, long before Mr. Nixon challenged the constitutionality of the existing language.

The proposed amendments to the definitions of "Presidential historical materials" and "private or personal materials" are intended to clarify this ambiguity in the present language regarding political materials. Their implementation is not intended to increase or decrease the number of items the archivists determine to be private or personal, and therefore returnable to Mr. Nixon or other proprietor.

The modified definitions continue to recognize that in addition to his constitutional or statutory powers or duties, former President Nixon served as ex officio head of his political party. Like other Presidents, quite frequently he operated in the roles of President and head of his political party simultaneously. In other words, political factors had a direct bearing upon the carrying out of contitutional or statutory powers or duties. To the extent the papers and tapes reflect this mixture of power or duty with political activity, they will be retained as "Presidential historical materials."

The amended regulations and our archival processing procedures continue to emphasize the need for sufficient levels of examination and review of archival decisions. They provide that even routine decisions that particular materials are private or personal will be made by both the processing archivist and a reviewing archivist. When the two archivists cannot agree, or there is some doubt about their decision, they will refer the matter to a senior archival panel, which will then classify the materials. If the panel in turn is unable to reach a decision, or if it determines that the decision requires the highest level of administrative review, it will refer the determination to the Presidential Materials Review Board.

GSA has structured these regulations to guarantee higher levels of review for complex determinations. We are confident that the tough decisions will receive the attention the public and private interests demand.

2. In Section 105-63.401 Processing Period, notice of proposed opening, what is the need in establishing a registry for notice requirement and in expanding the requirements to include more persons than presently required?

During congressional review of other versions of the regulations, several persons questioned the sufficiency of prior notice to persons who may be adversely affected by the opening of particular materials. At least one ranking congressman has suggested that it would be preferable if all persons referenced in the documents received prior notice of their opening. As GSA has previously advised this congressman, "universal" notice is almost an impossibility, given the economic costs and practical burden.

GSA conceived of the registry as a feasible middle ground. It permits individuals to request advance notice, while simultaneously assuring GSA of the individual's current address and reimbursement of postage expenses in the event they are too large to subsume within the appropriated budget.

3. In Section 105-63.401-1 Rights and Privileges, right to a fair trial, what is the significance of deleting "the need to protect an opportunity to assert" in relation to legal or constitutional right or privilege? Why is a new procedure in regard to claims of personal or private materials necessary, i.e., transmittal to Presidential Materials Review Board for consideration?

The drafters of the regulations lifted the phrase "the need to protect an opportunity to assert" directly from the language of the statute. A number of persons expressed confusion over this somewhat stilted language,

which is unnecessary to the idea being expressed. Therefore, in preparing these amendments, GSA took the opportunity to make this purely semantic change.

We answer the second portion of this question in our response to questions 4 and 5, below.

4. In Section 105-63.401-2 Segregation and Review; Senior Archival Panel, Presidential Materials Review Board, why was the provision relating to discovery of materials reflecting an apparent violation of law and referrals therefrom deleted? Why was the composition of the Presidential Materials Review Board so completely changed? In determinations of personal or private material, why have notice requirements been eliminated? Are such eliminations of notice beneficial to the public or only to the persons so involved?

5. Sections 105-63.401-3 Notice of Determination to Transfer Materials and 105-63.401-4 Appeals have been deleted and replaced with a new section 105-63.401-3 Transfer of Materials. Why have these notice and appeals procedures been deleted and who is benefited by these deletions? Are any new or other procedures available that would provide notice to the public of materials being transferred to the owners or originators? In light of the deletion of (c) thereunder, providing procedures where only a segment or portion of documents are found to be personal or private, how will such documents be handled?

The last part of question 3, the last two parts of question 4, and all of question 5 are interrelated. Therefore, we will attempt a complete answer to all of these questions after addressing the first two parts of question 4. The deletion of the provision relating to the requirement that the processing archivists report apparent violations of law is mandated by the Supreme Court's opinion in Nixon v. Administrator. The Court's dicta, like the dicta of the three-judge district court which considered this case earlier, are most forceful in stating that "deputizing" the archivists is a clear violation to the Fourth Admendments bar to illegal searches and seizures. Both counsel for GSA and the Reporters Committee concluded that this deletion was imperative, and it was to be part of our 1977 amendment package that was considered for transmittal to Congress.

GSA has altered the composition of the Presidential Materials Review Board in a manner that increases its percentage of archivists and historians; facilitates the accomplishment of its functions; and diminishes any challenge to the lawfulness of its composition. In his court challenge to the public access regulations, Mr. Nixon claimed that the inclusion on the existing board of the Librarian of Congress, a legislative branch employee, and the representative of the Society of American Archivists, a non-Federal employee, was an unconstitutional violation of the separation of powers doctrine. While opposed to Mr. Nixon's position, GSA decided that the composition and utility of the Board could be streamlined by "lowering" by one the level of officials serving on it, while simultaneously defusing the former President's argument. In this regard, we intend that the SAA representative on the Board will be a special executive branch employee at those times when he or she is serving. Both counsel for the Reporters Committee and Mr. Nixon agreed to the negotiated recomposition of the Board.

Several proposed amendments to the existing regulations are intended in tandem to eliminate generally the right of members of the public to challenge the archival decisions concerning which of the materials in GSA's present custody are actually private or personal, and must be returned to the former President or other proprietor. Both the former President and GSA sought this change, although for different reasons. Mr. Nixon claimed in his court challenge to the public access regulations that the Supreme Court had only condoned the involvement of executive branch archivists in this most sensitive of matters affecting his personal rights. He urged that public participation in this process would amount to an unconstitutional intrusion upon his rights. Both the Supreme Court's opinion and several more recent statements by Judge Robinson from the bench lend significant credence to Mr. Nixon's argument.

GSA sought this change for practical rather than legal considerations. We feared that no other provision in the existing regulations was a greater threat to the orderly and expeditious processing of the Nixon materials. This was based on our belief that there would always be someone who would challenge even the most routine decision to return obviously personal materials. We have experienced this phenomenum in prior efforts to return purely personal materials to Mr. Nixon, members of his family or White House staff. Similarly, the National Archives' experience with an analogous archival procedure, the appraisal of Federal records, has demonstrated that there is always someone who argues for the retention of all Federal records as historically valuable. Because the segregation and return of private or personal items is the first step in processing particular bodies of materials, the disruption of this initial archival step will significantly disrupt the entire processing effort.

Although this change in the regulations will primarily benefit persons whose private interests are jeopardized by outside intrusions into their private or personal materials, the public also benefits from what we believe will be expedited processing and opening of the public materials. Furthermore, given our archivists' general experience with presidential materials and particular experience with the Nixon materials, and given the several levels of review that await the difficult decisions, we are fully confident of protecting the public interest in this area.

While the Reporters Committee, et al., were initially concerned with this amendment, they agreed to it when we added the provision in our archival processing manual which guarantees that at least two archivists will concur before any private or personal materials are returned, and added by regulations the right of members of the public to intervene administratively when Mr. Nixon or another person challenges an archival determination that particular materials are public rather than private or personal. This latter concession to the intervenors' position explains the inclusion in these amendments of a new paragraph 105-63.401-1(d), as questioned in No. 3, above, and new paragraph 105-63.401-2(1), which invites the participation of the public in this process.

Mr. Nixon also challenged our plan to retain materials containing a mix of private or personal items with public items. While the regulations provided that these private or personal items would be restricted indefinitely, he argued that if they remained in the Government's possession, ultimately some public official would order their release. Because the Nixon tapes are the medium most likely to reflect this admixture of private and public materials, and tape recordings are easily edited, we agreed, as did the Reporters Committee, et al., to his demand that we return all private or personal materials, and this agreement is reflected in the proposed amendment. With respect to papers reflecting this mix, we will retain "sanitized" copies of the originals, which will be returned intact.

6. In Section 105-63.402-3 Periodic Review of Restrictions, why are notice requirements added to the opening of previously restricted materials? Are individual considerations of those so notified a part to these determinations?

Because we are required to provide adequate notice that we are about to open materials generally, it is only reasonable and consistent to provide similar notice when we about to open materials that have previously been closed because of applicable restrictions to access. Mr. Nixon's counsel first raised this discrepancy in the existing regulations, which we and the Reporters Committee accepted without dispute.

7. In Section 105-63.404 Reproduction of Tape Recordings of Presidential Conversations, why have researcher procedures to obtain copies of reference tapes been deleted? Are other means available to researchers to obtain transcripts or copies of the tape recordings?

The amended regulation with respect to researchers obtaining copies of the tape recordings does not alter the status quo of the existing

regulation. GSA continues to take the middle ground, i.e., researchers may listen to reference copies of the tape recordings, but GSA will not unilaterally authorize the sale of copies. Mr. Nixon continues to challenge any public access to the tapes, while the Reporters Committee, et al. supports unrestricted sale of public copies.

Our existing regulation tied the decision on the sale of copies to any procedure authorized by the Federal courts in the case ultimately captioned Nixon v. Warner Communications, et al., when it was decided by the Supreme Court in 1978. The Court refused to order the public sale of the tapes played at the "Watergate" trial, and concluded that their sale and the sale of all the tapes were properly the decision of the executive or legislative branch, rather than the judiciary. Because the question of uncontrolled copies of the tapes is such a sensitive issue, GSA believes it is more properly resolved through the legislative process by the representatives of the public, rather than through the unilateral action of an executive branch agency.

GSA has not yet determined whether it will attempt to produce transcripts of all the tape recordings because of the immense effort involved in producing accurate transcripts. Our experience to date indicates it takes approximately 300 hours of effort to transcribe one hour of tape-recorded conversation with an error rate of less than one percent. However, GSA will make available to the public copies of any transcripts it produces which are otherwise unrestricted.

8. In Section 105-63.406 Amendment of Regulations, why has such a change in amendment procedure been proposed? What is the result of the proposed change, i.e. how will it change the present procedure? The proposed change refers to applicable law, in detail please explain the applicable law that will proscribe amendment procedures?

The change in the regulation regarding the amendment process is based on the ongoing controversy about the constitutionality of one-House vetoes. Until this dispute between the executive and legislative branches is ultimately resolved by the Supreme Court, the amendment process will be identical or similar to the process we are employing in the instant case.

9. Recognizing that the proposed changes arose via a consent decree in relation to recent litigation, Richard Nixon v. Joel W. Solomon, as Administrator of General Services, please indicate which proposed changes originated from General Services Administration and which originated from Counsel to Richard Nixon.

We hope that our background statement and prior answers have demonstrated that the amendments are largely the product of tripartite negotiations; in almost every instance the language is the product of compromise; and, although most of the amendments regard provisions challenged by Mr. Nixon in his current lawsuit, GSA and/or the Reporters Committee, et al., anticipated many of these problems before the filing of the complaint. To the extent possible, we list below each substantive change to the regulations and the party initially responsible for suggesting amendment.

(a) Definitions of "Presidential historical materials" and "private or personal materials": GSA

(b) Priority segregation of private or personal materials: Nixon

(c) Nixon materials notice registry: GSA

(d) Prior notice to Nixon when the Administrator intends to transfer materials to other executive branch agencies for purposes of consultation: Nixon

(e) Appeals procedure involving claims that materials proposed for opening are private or personal: Reporters Committee, et al.

(f) Minimal intrusion into private or personal materials: Nixon

(g) Deletion of requirement that archivists report apparent violations of law: GSA, Reporters Committee, et al.

(h) Composition of Presidential Materials Review Board: Nixon

(i) Deletion of public intervention into questions about what materials are private or personal: Nixon, GSA

(j) Transfer of all private or personal materials, even when mixed with public materials: Nixon

(k) Notice before opening previously restricted materials: Nixon

(l) Reproduction of tape recordings: GSA

(m) Amendment of regulations: GSA

(n) Freedom of Information requests: GSA, Reporters Committee, et al.

PERSONAL RECORDS OF A FORMER PRESIDENT

Senator CHILES. As you know, the Presidential Records Act of 1978 indicates that the Federal Government will take title to the material described as Presidential records, but the President will continue to own the category of material called "personal records."

I notice in your statement you indicated the GSA insist on the location of personal papers. As to my knowledge, the law does not give GSA any responsibility for the personal records of the President. What leads you to conclude GSA should assume that responsibility?

Mr. FREEMAN. We have, in section 2107 of the current law, the authority to take care of the personal papers separated from the official documents. That says we can be involved in the storage of these personal papers and we can negotiate, at least be able to store them in the same location.

Senator CHILES. Do you believe there would be difficulties in determining what are Presidential records as opposed to what are records based on the definition provided in the law?

Mr. FREEMAN. I think there will be some gray areas, yes.

Senator CHILES. We all thank you very much for your testimony this morning. I have a few additional questions that I would like answered for the record.

[The questions and answers follow:]

QUESTIONS SUBMITTED BY SENATOR CHILES

Question. Is there a bikini-clad statue of Raquel Welch in the Lyndon Baines Johnson Library?

Answer. There is a traveling exhibit by the Smithsonian Institution titled "The Time of Our Lives" currently at the Johnson Library. This exhibit displayed the original artwork for Time magazine covering the 1960's and 1970's. One of the covers of the magazine had a sculpture of Raquel Welch. The exhibit, which closes on January 1, includes the sculpture along with the other original artwork. All rental and installation fees for this exhibit were paid by the Lyndon B. Johnson Foundation (non-Federal funds). This exhibit was previously at the National Portrait Gallery.

Question. What relationship does this display have to the mission of the Lyndon Baines Johnson Library as an archival depository of Presidential papers?

Answer. As a part of its mission each Presidential library maintains exhibits on the history of the respective Presidential administrations. These exhibits draw heavily from the archival holdings of the libraries. In this case the Johnson Library determined that the Smithsonian exhibit provided a valuable retrospective look at the 1960's and 1970's by focusing on the public personalities who appeared on the cover of Time.

NONDEPARTMENTAL WITNESSES

AMERICAN HISTORICAL ASSOCIATION

STATEMENT OF RICHARD KIRKENDALL

Senator CHILES. Our last witness this morning is Mr. Richard Kirkendall, from the American Historical Association. We had also invited representatives from the Society of American Archivists, who were unable to attend. Their prepared statements will be inserted in the record after Mr. Kirkendall's testimony.

Mr. Kirkendall, we are pleased to hear your testimony at this time.

Mr. KIRKENDALL. Thank you, Mr. Chairman, I am very pleased to have the opportunity to speak on a subject that seems to me to be very important. I will read my testimony because it is brief and because I did not have a chance to deliver it to the committee this morning.

My name is Richard S. Kirkendall. I am professor of history at Indiana University and executive secretary of the Organization of American Historians.

I am also a member of the American Historical Association and am here on behalf of that group, invited by the executive director, Mack Thompson, in response to a request from Senators Chiles and Pryor.

My task is not to express the official position of the AHA or the OAH on Presidential libraries for that position has not been defined, although some members and leaders of both groups use those institutions and many endorse them.

Some historians criticize Presidential libraries, but I know of no significant users of them who have predominantly negative attitudes toward them. Rather, such historians tend to regard them as unusually useful institutions.

PERSONAL USE OF PRESIDENTIAL LIBRARIES

I have been invited to testify because I am well acquainted with Presidential libraries. I worked in the first one, the Roosevelt Library, frequently from 1955 until the mid-1960's and served on the board of the Eleanor Roosevelt Institute more recently. That is a private organization associated with the Roosevelt Library.

I have frequently worked in the Truman Library since it opened in 1959. There was a time when I had worked there more often than any other scholar, but I can no longer make such a claim. I am also on the board of the Truman Library Institute and have visited the Eisenhower, Johnson, and Hoover Libraries.

Presidential libraries are not perfect institutions. They now charge too much for photocopies, but that results from inadequate budgets for the National Archives and Records Service. Policies, such as those governing the Truman papers until recently, have been too restrictive, but that

has been a consequence, at least in part, of the unwise principle, now repudiated by the Congress, that Presidential papers are private property.

CENTERS FOR HISTORICAL RESEARCH

In spite of their shortcomings, Presidential libraries have become some of the best centers for historical research in the Nation. They have gathered together records of great value, the papers of our recent Presidents. The have attracted many of the private papers of associates of these Presidents, thereby bringing together in one location many of the essential documents for the study of particular Presidencies.

They are administered in unusually efficient ways, thus enabling scholars to find what they need without wasting time, a commodity of great importance to scholarship. They have attracted financial support for research, as is shown most significantly by the substantial grant-in-aid program at the Truman Library. And they have functioned as research centers, bringing together scholars working on related projects and providing conferences that not only bring scholars together for the exchange of ideas but also give scholars opportunities to talk with people who participated in events that historians and others are now studying.

Again, the Truman Library supplies the best example.

The best evidence of the value of such institutions is the rich outpouring of published scholarship on recent American history. The record here is outstanding compared with the study of the Presidents before the establishment of the Presidential libraries and with most other aspects of recent history, including the history of Congress.

CENTRALIZATION OF PAPERS

I do not believe that historical scholarship in this country would be served by the concentration of Presidential papers in one institution located in Washington. This would not reduce significantly the amount of decentralization in the location of documents for in this complex society there are many research centers, such as State and local historical societies, scattered widely about the country in which most historians working on a particular President or Presidency must spend some time.

Furthermore, the establishment of such an institution would not guarantee that the personal papers of Cabinet members, members of the staffs, and others in the administration would be housed in the Presidential library and close to the papers of the President they served. Also, it seems unlikely that the archivists in such an institution would be as well informed about the collections they administer as the archivists in the more specialized Presidential libraries. And it seems even more unlikely that such an institution would attract the funds for grants and conferences that support and stimulate scholarship.

Furthermore, the proposal to establish one Presidential library seems to assume that scholars are concentrated along the Atlantic coast. Many fine scholars are, of course, based in eastern institutions, including some of our greatest universities. But many institutions distinguished for research in history are located to the west and south of this part of the

Nation and are served—and hence scholarship is served—by the wide distribution of Presidential libraries.

Their distribution permits faculty members and graduate students to develop research programs in several places, conduct research during academic years when time for research is scarce, and do research at lower cost than they could if they were always forced to travel to Washington and live here for extended periods in expensive places. And funds for historical research, as well as time for it, are in short supply.

I recommend that the Congress, rather than spend time making plans for a new centralized Presidential library, seek ways to supply more adequate support for the existing Presidential library system and the National Archives and Records Service of which that system is a valuable part.

I further recommend that the Congress give more thought to ways of increasing opportunities for research on Congress.

I should add that I am not swayed by the report that less than 1 percent of the visitors to Presidential libraries come for the purpose of research. Historical research is not an activity in which large numbers of people participate. Most of the people who visit Presidential libraries are tourists and students who derive educational benefits from their visits—visits that focus on the museums rather than the research rooms.

I doubt that a centralized Presidential library would serve the educational interests and needs of more people than are presently served by the decentralized system.

MUSEUM FUNCTION

I should also indicate my answers to other questions raised in your memorandum of October 16. The Federal Government should assume whatever responsibility is necessary to guarantee the preservation of Presidential memorabilia and the personal papers of Presidents.

The former have educational value, both supply insights into the behavior of Presidents. The research center for a particular Presidency should be restricted to one location, but the museum could be placed in another.

In other words, the Ford Library supplies one acceptable model. It seems capable of serving both scholarship and public education. Administrators of Presidential libraries should be encouraged to continue to seek private support for space additions and should be pressed to produce very persuasive cases when they turn to the Federal Government.

GENERAL COMMENTS

Rather than be given statutory authority to approve building size and design, the GSA should no longer have responsibility for the management of Presidential libraries or the National Archives as a whole for the GSA is not, by its nature, well qualified for this task. Admission fees should be required for tourists, although only small fees, but not for students or scholars.

Presidential library facilities should not be made available for other archival needs for that would put extra demands upon the archivists

and reduce their effectiveness as aids to research on specific Presidents, Presidencies, and historical periods.

Finally, present procedures and laws do not result in the preservation of too much material. At least, this is not their most significant defect. The chief difficulties are that some historically important documents are not preserved and scholars do not obtain access to some historically important documents as soon as they should.

All that I have said assumes, of course, that historical research is important and serves the public interest. It serves the public's right to know.

Thank you very much.

VIEWS REGARDING LIBRARY OF CONGRESS PROGRAM

Senator CHILES. What is your view, sir, the view of your organization, if you have one, with regard to the Presidential papers program operated by the Library of Congress?

Mr. KIRKENDALL. The organization has never been called upon, either the American Historic Association as far as I know, or the Organization of American Historians, to define its position on that particular program, but both organizations are very supportive of the Library of Congress, regard the Library of Congress as an outstanding institution serving scholarship in extremely valuable ways.

The Presidential papers program is an important part of that operation, but as has already been pointed out by Admiral Freeman, a very different program than the one administered in the Presidential libraries because of this enormous explosion in the size of the Presidency and in the amount of paper produced by the Presidency after the administration of Calvin Coolidge.

Senator CHILES. Do you know of any major complaints with regard to the Library of Congress program and how they dispense the microfilming and how they make the record available?

Mr. KIRKENDALL. No, I do not know of any complaints about that program. The Library of Congress is, for historical researchers, a very popular institution.

NEED TO VISIT WASHINGTON

Senator CHILES. Would it not be necessary for any scholar that is making an in-depth, going into in-depth research concerning a President to have to visit Washington, D.C., at some stage regardless of whether his papers are held in Missouri, Michigan, or California, to see all of the collateral documents and papers that would be here? Wouldn't it be necessary for him to come to Washington and do research?

Mr. KIRKENDALL. Yes, indeed. It is necessary for a historian doing any significant piece of research, research of any size, to travel to several research centers. I can illustrate this by my own work on Truman, but that would probably take too much time.

Senator CHILES. So other than those researchers who happen to live close to a particular Presidential library, and even for them, it is going to be necessary for them to have to travel to other places in addition to having——

Mr. KIRKENDALL. Yes, this is a big country and research opportunities are scattered widely over it. If you study political history, for example, and studying, say, a major figure like Harry Truman, he is going to have had contact with people from all over the country and various centers of collection are going to be deposited that are important for that particular scholar.

Senator CHILES. Thank you, sir. We want to thank you for your testimony. At this point we will insert the statement of the Society of American Archivists in the record.

[The statement follows:]

STATEMENT OF THE SOCIETY OF AMERICAN ARCHIVISTS

I have served as executive director of the Society of American Archivists, the world's largest professional archival organization, since 1974. My background in the field of historical administration also includes experience in Colonial Williamsburg, the John F. Kennedy Library, and the restoration of several historic homes. I was consultant to Whittier College's Nixon Oral History Project and a commissioner on the National Study Commission on the Records and Documents of Federal Officials.

You have posed challenging questions regarding the Presidential libraries system. A major theme of my response is that I believe the present integrated system of Presidential archives and museums should be maintained and continued.

While it can certainly be demonstrated that centralized storage of Presidential papers would be somewhat more cost effective than the present system, other factors must be considered in any analysis.

First, research scholars are not centralized. They originate in every State of the Union. Additionally, certain patterns of research interest can be expected to exist which would argue for the present dispersal pattern for records. We can assume that the papers created, for example, by Presidents Kennedy, Johnson, and Ford during their congressional careers are of special relevance in the geographic area whose concerns they represented.

Perhaps most significantly, the Presidential libraries system helps all citizens who visit its sites to better understand the American political system. The Federal Government's responsibility in this area does not end with the 1 percent of the visitors who are research scholars. It also extends to the 99 percent who come to learn in other ways—by visiting the exhibits of archival documents and museum objects, by viewing educational films, by attending special programs, and, perhaps, by going away from that visit with a determination to learn more about recent American history.

The newly opened Kennedy Library, located in a low-income area of Boston, will likely realize Robert Kennedy's vision for it. It will become a living center of teaching, research, and history, especially for the people of the area—from schoolchildren born long after the President's death to that aging generation of Massachusetts residents who saw JFK elected to Congress. To separate the Kennedy documents from the museum would, in my view, diminish the value of each of the collections immeasurably. This principle would pertain to archives and museums related to future Presidents as well.

There follows brief responses to some additional questions posed by the subcommittee in its correspondence with me:

Should the Federal Government assume any financial responsibility for space additions? The feasibility of acquiring private funding for space additions to existing libraries is not great. These infrequent projects could be viewed in the same way as additions to visitor facilities at the various National Park Service sites are analyzed and approved, if necessary.

Should GSA be given statutory authority to approve building size and design? National Archives officials should constantly be involved in the planning of Presidential library facilities.

Should admission fees be required and should the Government take title to the buildings? Admission fees are generally collected now at Presidential libraries. This income is an important supplement to appropriated funds for museum operations. The present flexible system regarding title to buildings should probably be maintained, unless it can be demonstrated that its consequences have been negative. I know of no such instance.

If a President chooses to have office space in a library, should he also be allowed to have an office provided to him under the Former Presidents Act? Some allocation of funds available to Presidents under the act might be considered if office space is requested and used in a library. The library visitor, however, was a primary beneficiary of President Truman's decision to maintain an office in the Truman Library in Independence. To the delight of visiting students, Mr. Truman was often exhibit A. It would be impossible to analyze these memorable experiences under a cost-effectiveness rubric.

Should Presidential library facilities be available for other archival needs? In the future, combinations of some functions should be considered. For example, could the National Archives' highly successful program of dispersing microfilm of its holdings be extended to Presidential libraries?

Are the procedures and laws adequate to insure that only historically important documents are retained? With the implementation of the 1978 Presidential Records Act, the signals have changed considerably in this area. Professional standards for appraisal of Presidential materials should be applied by the National Archives staff. This should result in more disposal than was realized previously.

SUBCOMMITTEE RECESS

Senator CHILES. The committee will stand in recess until 10 a.m. tomorrow morning when we will consider the subject of the Office Allowances of Former Presidents.

[Whereupon, at 12:17 p.m., Tuesday, November 6, the subcommittee was recessed, to reconvene at 10 a.m., Wednesday, November 7.]

OVERSIGHT—COST OF FORMER PRESIDENTS

WEDNESDAY, NOVEMBER 7, 1979

U.S. SENATE,
SUBCOMMITTEE ON TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT, COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEE ON CIVIL SERVICE AND GENERAL SERVICES, COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, D.C.

The subcommittees jointly met at 10:04 a.m., in room 1318, Everett McKinley Dirksen Office Building, Hon. Lawton Chiles (chairman) Subcommittee for Treasury, Postal Service, and General Government, Committee on Appropriations and Hon. David Pryor (chairman), Subcommittee on Civil Service and General Services, Committee on Governmental Affairs, presiding.

Present: Senators Chiles and Pryor.

NONDEPARTMENTAL WITNESSES

COSTS AND AUTHORITY

Senator CHILES. Good morning.

This morning we will continue our oversight hearings on the subject of expenditures for former Presidents by discussing the subject of allowances and office staff of former Presidents.

Following the passage of the Former Presidents Act of 1958, $160,000 was appropriated in fiscal year 1959 pursuant to that act. This fiscal year $789,000 has been appropriated. So in 22 years since passage of this law expenditures have increased fivefold.

As I mentioned briefly yesterday morning, this growth in expenditures is somewhat remarkable for two reasons. First, it parallels the growth in the earning power of former Presidents and the great amounts of moneys they have been able to earn and have earned since they have left office.

It is also interesting to note that former Presidents, while provided with public funding have no specific statutory duties or responsibilities. These facts, coupled with the increasing amount of public concern over various expenditures made by former Presidents, have been an important factor in prompting these hearings.

This morning we are pleased to hear from Prof. John Chambers of Columbia University's History Department. Dr. Chambers is the author of a recent article published in American Heritage, entitled "Presidents Emeritus." Dr. Chambers has also been doing research for a number of years in this general area, and I understand he intends to publish a book sometime in the near future on former Presidents.

[The article follows:]

Presidents Emeritus

by John Whiteclay Chambers II

What should be done with ex-Presidents? William Howard Taft once remarked that perhaps the best way to handle a former President was to chloroform and ceremonially cremate him when he left office, in order to "fix his place in history and enable the public to pass on to new men and new measures." Taft did not insist on this ritual for himself, however, accepting instead a professorship at the Yale Law School when he finished his presidential term, and later serving as Chief Justice of the U.S. Supreme Court. These occupations were dignified and moderately remunerative. Taft thus chose a course of ex-presidential behavior midway between that of Jefferson, for example, who retired to his plantation and died heavily in debt, and Richard Nixon and Gerald Ford, both of whom hired theatrical agents, signed a number of exclusive contracts, and began earning millions of dollars for television and publishing commitments.

The evolution of the ex-Presidency has been, until recently, rather haphazard. For most of its history the nation has left the former Presidents to fend for themselves and to work out their own post-Executive careers. But in the last thirty years, the quasi-public "Office of the Ex-President" has emerged with quite well-defined perquisites, and some of the trappings of power.

Yet despite the growth of the office and of the sums of public funds spent on his maintenance, a former Chief Executive is under virtually no obligation to do, or not to do, anything at all. Until the last few years—since the ex-Presidency of Richard Nixon—no federal rules or guidelines existed to direct or restrict him.

As in almost everything else, George Washington set precedents as the first presidential retiree. Perhaps the most important decision ever made concerning an ex-President was Washington's decision to become one. Conceivably, he might have stayed in office until he died, establishing a far different tradition than the voluntary relinquishing of power.

Returning to his plantation, Washington tried not to interfere unduly with his successor, John Adams. The old hero retained enormous popularity, however, and when the nation faced the possibility of war with France in 1798, Adams found himself forced into appointing Washington as Commander-in-Chief of the Armies, a title constitutionally reserved for the President. Adams' successor, Jefferson, did not have to confront such a powerful figure. Washington died in 1799, and the unpopular Adams became the first ex-presidential "exile," banished into political inactivity.

Although a number of former Chief Executives in the ensuing century and a half remained important figures in their parties, not many achieved new elective office. Only Cleveland proved able to recapture the Presidency after a hiatus, a testimony to his ability to unite the Democratic party. The others who tried—Van Buren, Fillmore, and Theodore Roosevelt—failed at the head of so-called third parties. Three former Presidents won re-election to lesser offices—John Quincy Adams to the House of Representatives, John Tyler to the Confederate Congress, and the impeached Andrew Johnson to the U.S. Senate. They showed that a President who lost his national majority could sometimes retain a power base in his home constituency.

More common, especially in the twentieth century, has been the use of former Chief Executives in nonpartisan public service. Cleveland accepted an offer from Theodore Roosevelt to head a study commission during the coal strike of 1902. Taft co-chaired the War Labor Board in 1918 and later, as noted, became Chief Justice of the Supreme Court of the United States. Hoover headed a committee on relief of famine in Europe after World War II, and in 1947 was appointed by Truman to lead a commission to study the executive branch of the government.

Ex-Presidents also had to maintain themselves and their families economically, and until 1958 there was no government pension for them. They pursued a variety of post-White House careers, but a consensus soon developed that these should be consistent with maintaining the dignity of the Presidency. Neither the public nor most ex-Presidents have wanted to see former heads of state become hucksters

or financial speculators, and genteel poverty plagued many former Chief Executives. Except for Washington, who was a good businessman, most of the Presidents of the Virginia dynasty who retired to their plantations soon discovered they were deeply in debt. Madison and Monroe, like their friend Jefferson, died virtually penniless.

To help avoid this specter, Congress doubled the President's salary in 1873 to $50,000. At the same time, legislators recognized the old tension between dignity and earning potential, for they justified the increase so that "the President could save enough money to retire [after leaving office] from all active or at least from all money-making pursuits."

The incumbent, Ulysses S. Grant, paid little heed to this, however, and the disaster that befell him probably reinforced the belief that ex-Presidents should avoid direct involvement in the commercial marketplace. Grant and his son joined a Wall Street investment banking house with an unscrupulous speculator who swindled the gullible hero out of his money and his reputation. When Grant & Ward went bankrupt in 1884, the savings of thousands of people were destroyed. Nevertheless, the penniless old soldier went on to become the first ex-President to make money out of his memoirs, which he finished only three days before he died of cancer. They earned his family nearly $450,000.

The ex-Presidents who followed Grant saved money from their salary, which was raised to $75,000 in 1909, and while avoiding positions in business, they did supplement their incomes through the practice of law. Benjamin Harrison argued cases before a Supreme Court partially filled with his own appointees. Cleveland declined to appear in court, but wrote briefs and served as a court-appointed arbiter. Accepting a law professorship at Yale, Taft described it as "a dignified retirement . . . and one which would approve itself to the general propriety of the country."

In 1912 steel magnate Andrew Carnegie, a man who dabbled in both politics and pension programs, tried to provide pensions for ex-Presidents. To embarrass Congress into giving a regular allowance to future ex-Presidents and their widows, Carnegie offered them pensions of $25,000 a year until the government provided for them. The public, however, seemed to disapprove of a millionaire paying former heads of state, and Taft rejected the offer.

Perhaps the principle of avoiding exploitation of the private earning ability of ex-Presidents was most pithily stated by the taciturn New Englander, Calvin Coolidge. Turning down several lucrative business offers, he asserted that "these people are trying to hire not Calvin Coolidge, but a former president of the United States. I cannot do anything that might take away from the presidency any of its dignity, or any of the faith the people have in it." Later, Truman and Eisenhower quoted Coolidge's remarks as a guideline for ex-Presidents. Meanwhile, Hoover had no difficulty in maintaining dignity, which was natural to him, or a high income, which came from an engineering and mining fortune he had established before entering public service.

Harry Truman, on the other hand, was never really a wealthy man. Since he rejected half a dozen corporate offers when he left office in 1953, his income stemmed primarily from the sale of his father's farm, the publication of his memoirs, and his appearance in 1958 on Edward R. Morrow's "See It Now" program. This was the first television portrait of a former President speaking informally and at length before a vast audience, and Truman received a substantial fee, although this was not publicized at the time.

When the Democrats returned to power in the 1960's, they honored Truman as an elder statesman. Kennedy held a White House dinner for him; Johnson sent him to Greece to represent the United States at the funeral of King Paul. When Truman died in 1972, his peppery forthrightness was being hailed in a reaction against presidential manipulation and deceit.

Eisenhower, too, fared well as an ex-President. The income from the sale of his wartime and presidential recollections and the substantial fees for his television memoirs in 1961 and 1964 enabled him to live comfortably on his

Gettysburg farm. Despite the turmoil at the end of his term, Eisenhower remained extremely popular. He cultivated the image of a kindly grandfather dispensing advice to his posterity. Congressional committees solicited his testimony, and Democratic Presidents sought his support for their foreign policy.

But despite Ike's paternal image, many noticed an anomaly. The man who had seemed almost apolitical in the White House appeared a vigorous partisan in retirement. Within four months after leaving Washington, he opened an attack upon the Democrats' domestic policies which he maintained until he died in 1969.

With Hoover, Truman, and Eisenhower, the shared prestige of living ex-Presidents may have reached a kind of zenith. The three sat bare-headed together at Kennedy's funeral, a powerful image of solidarity and continuity at a time when the nation felt the need for reassurance. But public support for ex-Presidents sank to the nadir in the early 1970's. Both Lyndon Johnson and Richard Nixon were forced into political retirement and seclusion.

Deeply embittered by what he considered a misunderstanding of his policies, Johnson returned to Texas and immersed himself in ensuring his memorials. All bore his brand: the LBJ Ranch, the Johnson Birthplace and Homestead, the Johnson School of Public Affairs, and the Johnson Presidential Library at the University of Texas. Money posed no problem for the richest ex-President in American history. With ranches, banks, radio and television stations, and a sizable trust fund, he and his wife controlled a fortune estimated at between $15,000,000 and $20,000,000. Furthermore, Johnson received around $1,000,000 for his memoirs and $300,000 for exclusive contractual rights to television interviews. Even though he turned the proceeds over to the Johnson Library and School of Public Affairs, his television deal raised public questions, for the first time, about the propriety of an ex-President granting such a media monopoly.

In August, 1974, Richard Nixon fled the White House under threat of impeachment. Sick, depressed, and near financial ruin, he later recalled that his life then became nearly a "life without purpose," an "almost unbearable" existence. Gradually, however, he began to recover physically, emotionally, and financially. In a surprise visit to Communist China, he was feted as a visiting dignitary. In 1978 he went to England and France and was treated with some respect. Nevertheless, although he wished to remain active within the GOP, Republican leaders believed that his actions and the controversial pardon by President Ford had hurt the party. Nixon's search for a useful purpose thus proved unavailing, but he did find economic security. During the first three years of his retirement, he augmented nearly $800,000 in federal funds with more than $1,000,000 from exclusive television interviews with David Frost.

As an ex-President, Gerald Ford has maintained an active life of speech making and politicking, remaining one of the major spokesmen of the Republican party. He is also on his way to becoming a multimillionaire. In addition to the hundreds of thousands of dollars in federal funds he and his staff receive, Ford personally will earn nearly $500,000 a year during the first five years of his ex-Presidency from lucrative part-time commitments, and from fulfillment of his network contract for television appearances, including commentary on current events. Ford's rapid rise to affluence as an ex-President has led to significant questioning of what one journalist called the "huckstering and hustling and merchandising of the presidency." "I have to earn a living," Ford explained in a TV interview.

The most significant development in the last three decades, however, has not been the activities of the former Presidents, but rather the rapid emergence of the ex-Presidency as a form of public office. This has not been a result of any coherent, deliberate policy; developments have often been fortuitously related to other events. Nevertheless, more codification has occurred in the last 30 years than in the first 150 years of the Republic.

One of the most important aspects of the office concerned the extension of the doctrine of executive privilege to

ex-Presidents. In 1953 Harry Truman, even though at that time a private citizen, successfully resisted a subpoena from the House Un-American Activities Committee, which wanted him to provide information about the promotion of an alleged Communist in government. Truman claimed he could not be forced to testify about his actions in an office which had been protected by executive privilege and separation of powers. Although constitutional authorities differed, public sympathy for Truman's claim of Republican harassment led the committee to drop the matter.

Citing this precedent nearly twenty-five years later in 1977, Richard Nixon refused to testify before a House subcommittee investigating earlier negotiations with North Vietnam. When Nixon eventually agreed to talk informally on the phone with a few selected committee members, a confrontation was avoided. However, the two cases suggest *de facto* recognition that ex-Presidents continue to maintain some aspects of the executive power.

The first federal appropriation regarding the ex-Presidency came in 1955 with the congressional decision to maintain presidential libraries and museums. Franklin D. Roosevelt had begun the practice of deeding his presidential papers to the public and placing them in a special depository, but he did not live to see the Roosevelt Library open at Hyde Park, New York, in 1948. Encouraged by those planning the Truman and Eisenhower libraries, Congress recognized the new practice. In the Presidential Libraries Act of 1955 it authorized federal funds for staffing and maintaining these institutions, which were built with privately raised contributions, and which, incidentally, each included a replica of the Oval Office where a former Chief Executive could spend his last working years, like a living Cheops in his pyramid.

Still, there was no presidential pension. One was enacted as part of the congressional pension program in 1942, but the whole program was quickly repealed in the wake of a vehement public outcry against congressional avarice during a period of wartime sacrifice. After the war, Congress enacted its own pension program, but the presidential pension was not adopted for another dozen years. Instead the legislature increased the presidential salary to $100,000 in 1949. Recently it has been increased to $250,000.

In considering the proposal for a stipend for ex-Presidents in 1957, Congress addressed the old dilemma between earning potential and the need to maintain decorum. As a Senate committee asserted in recommending federal funding: "We expect a former President to engage in no business or occupation which would demean the office he has held or capitalize upon it in any improper way. There are many ways in which a former President can earn a large income, but ought not to."

With the Former Presidents Act of 1958, Congress essentially established an office of the ex-President. It declared that each former Chief Executive was entitled to receive "a monetary allowance" of $25,000 a year. (Since this represented a kind of salary rather than a contributory pension, the Internal Revenue Service later determined that it was taxable, like the President's salary.)

Congress also authorized a staff to assist the ex-President. The former Chief Executive could select, without regard to the Civil Service and classification laws, assistants and secretaries who would then become federal employees. They would be responsible solely to him in the performance of their duties. The staff allowance paid by the government was not to exceed that of the senator from the least populous state, which in 1958 meant $50,000 a year. The ex-President also received office space, furnishings, and equipment at a place in the United States determined by him. He was also given free mailing privileges. Like the comparable allowances for a President in office, these allowances for the ex-President were considered by Internal Revenue to be tax free.

Finally, Congress provided a pension of $10,000 a year for presidential widows. Previously they had been given federal assistance only upon petition, and then by special acts of Congress.

The Former Presidents Act stemmed most immediately from the plight of

Harry Truman. He found his resources drained by the $30,000 he said it cost him each year just to answer his mail and fulfill requests for speeches and public appearances. He had to have federal assistance, he told House Speaker Sam Rayburn, in order "to keep ahead of the hounds."

Seeking passage of the bill, congressional leaders emphasized that a Chief Executive remained an important public figure for the rest of his life. "The American people," declared Senate Majority Leader Lyndon Johnson, "still look to an ex-President for advice, for counsel, and for inspiration in their moments of trial."

Nevertheless, dissatisfied Republicans in the House delayed action for two years. Publicly they warned that the bill gave ex-Presidents official standing, and that in the future they might use the governmental services to mount a campaign for public office at the taxpayers' expense. Privately they complained that they were being asked to subsidize Truman's attacks upon their party. Overwhelming support for the bill, however, came from the mass media and from the public, and it became law in 1958.

Since then the ex-presidential allowances have been increased to counter the erosion of inflation. In 1970 Congress adopted an escalator clause, making the stipend for former Presidents equal to the annual salary of Cabinet officers, an amount that rose from $60,000 in 1970 to $66,000 in 1976.

Former Presidents also have obtained the prerogative of addressing the U.S. Senate, a modification of the proposal championed by Harry Truman to make them lifetime, nonvoting members of the Upper Chamber. This was not a new idea. President Hayes had rejected it, declaring that representation in the Senate was already inequitable. President Taft said there was already too much discussion in the Senate. Hoping to encourage Franklin D. Roosevelt not to run for re-election, Thomas E. Dewey revived the idea during World War II, but had no luck.

In the postwar era, Congress considered several such bills, but failed to adopt any. Yet, in deference to Truman's wishes, the Senate modified its rules in 1963 to give former Chief Executives the right to use it as a forum whenever they wished. The following year, on his eightieth birthday, Truman became the first ex-President to address the Senate in formal session.

Several other measures in the 1960's added to the perquisites and privileges of the ex-Presidency. The Presidential Transition Act of 1963 substituted federal for private funds to cover the cost of changing administrations. Although the incoming President received the bulk of the money, the outgoing Executive was allotted $300,000 during the six months after he left the Presidency. In 1976 this was raised to $1,000,000.

With the expansion of security measures after President Kennedy's assassination, Congress provided Secret Service agents to protect former Presidents and their families.

President Johnson's own flamboyant style led him to put Air Force jets and helicopters, complete with crews and stewards, at the disposal of Hoover, Truman, and Eisenhower; and this privilege has been continued.

In 1969 a Victorian townhouse across from the White House was designated the official Former Presidents' Residence to accommodate the former heads of state whenever they visited the nation's capital. Eight years later Gerald Ford became the first to use it.

Watergate and the resignation of President Nixon in 1974 led to questioning of some of the privileges and prerogatives and, for the first time, to restrictions on the ex-Presidency. When it was disclosed that nearly $10,000,000 had been spent by the government to make the estates of President Nixon at Key Biscayne and San Clemente more secure and comfortable for him and his staff, some challenged such expenditures on property that would remain private after he became an ex-President.

Extending the doctrine of accountability, a federal court ruled in 1976 that an ex-President would be accountable for personal misconduct while President. The judge held former President Nixon personally liable for damages because he had initiated and overseen a

wiretap program without setting specific limits on it. (While asserting the moral principle, in a suit initiated by former National Security Staff member Morton Halperin, the judge reduced its effectiveness by assessing only a token fine of one dollar.)

In the Presidential Recordings and Materials Preservation Act of 1974, Congress deprived Nixon of control over his papers and tapes because of the Watergate investigation. Four years later, the lawmakers passed the Presidential Records Act of 1978, which made an outgoing President's papers public property. However, it permitted a former President to restrict access to some of his public materials for up to twelve years.

Finally, an important shaping force in the evolution of the ex-Presidency has been the growth of the Presidency itself, for the ex-Presidency is always a shadow of the larger institution. The increased power and codification of the Presidency in the postwar era encouraged similar developments in the ex-Presidency. Conversely, the ex-Presidency may be facing greater responsibility and accountability as the Imperial Presidency is dismantled. Limitation of ownership and control over White House materials may be only the first step. Congress may one day establish governmental restrictions upon the sources and amount of outside income, or reconsider the definition of eligibility. Under the Former Presidents Act, for instance, anyone who has held the office of the President—and has not been removed by impeachment and conviction—qualifies; a person who was President for even a day might qualify for lifetime allowances. Whatever future regulations may be imposed on the office of the ex-Presidency, however, one thing seems certain. It will remain a position of security, privilege, and even power that would have astonished at least the first twenty-four of the twenty-nine men who outlived their own Presidencies.

☆ *Professor Chambers, who teaches history at Barnard College, Columbia University, is preparing a book on the subject of the ex-Presidency.*

COLUMBIA UNIVERSITY HISTORY DEPARTMENT

STATEMENT OF JOHN CHAMBERS

Senator CHILES. Dr. Chambers, we are pleased to have you with us this morning to provide us with the historical perspective for this subject matter.

We will be delighted to have your statement at this time.

Mr. CHAMBERS. Thank you, Mr. Chairman.

I am very pleased to appear before the committee to discuss the Former Presidents Act and the Presidential Transition Act.

As you said, I have been working on the subject for the past 4 years. I am a historian at Barnard College, Columbia University.

As I understand it, the committee wants to know how former Presidents have sustained themselves in the past and how the present situation came about.

I can summarize my statement since it has been written and distributed, if you would like me to do that.

Senator CHILES. Your statement in full will be included in our record.

[The statement follows:]

STATEMENT OF JOHN WHITECLAY CHAMBERS II

I am very pleased to appear before this Committee to discuss the Former Presidents Act and the Presidential Transition Act. As an historian at Barnard College, Columbia University, I began my research on the subject of the ex-Presidency four years ago. I delivered a paper on the topic at the annual meeting of the Organization of American Historians and an article of mine was published in The American Heritage Magazine last June. I am currently writing a book on it. As I understand it, the Committee wishes to know how former Presidents sustained themselves in the past and how the present situation came about.

The contrast between the cimumstances of today's former Presidents and most of the first ex-Presidents could hardly be more dramatic. Today, ex-Presidents receive significant amounts of public funds for staff and office allowances, travel, telephone expenses, and Secret Service protection for them and their families. They receive free mailing privileges, health care benefits, and a special townhouse across from the White House for their use when they visit Washington. The government maintains their libraries and museums and provides them with a pension equivalent to a cabinet officer's salary (currently $66,000 a year) and a pension of $20,000 and Secret Service protection for their widows. In Fiscal Year 1979, the government has budgeted nearly $800,000 for ex-Presidents and Presidential widows and this figure does not include Secret Service protection, which may be more than a million dollars. Nor does it include the cost of maintaining Presidential Libraries and Museums.

These public benefits do not include pensions a former President may have earned through service in Congress or the military. Nor does it include the income a past President can generate in writing and making television appearances which have in recent years earned some former Presidents several million dollars. For some ex-Presidents the time after they leave the White House certainly can become the golden years of retirement.

This comfortable picture is far different from the plight of a number of the first of our twenty-nine ex-Presidents.

His financial situation was so perilous that Jefferson sold much of his estate, and many of his books (which became the nucleus of the Library of Congress) and in the end tried to obtain authorization from Virginia for a lottery to raise funds. Madison sold much of his estate. Monroe sold all of his, moved to New York and became virtually dependent upon his son-in-law, his former secretary. Andrew Jackson found himself in such straights that he confided to a friend that "poverty stares us in the face."

But such penury was not common among most ex-Presidents even in the nineteenth century. Washington retired to Mount Vernon a wealthy man. Estates of more than $200,000 were left by Van Buren, Fillmore, Buchanan, Arthur, Cleveland, and Benjamin Harrison. Some of these men had followed the example of John Quincy Adams and actively campaigned again for re-election. Although only three won re-election to federal office--Adams to the House, Johnson to the Senate, and Cleveland to the Presidency--many who remained active political candidates earned enough income to maintain a comfortable life. Others like Benjamin Harrison returned to the legal profession. The most successful ex-Presidential lawyer, Harrison took on civil cases for retainers of not less than $2,500 and argued many cases in appellate courts including the US. Supreme Court which was partially filled with his own appointees. He also earned money as a lecturer and writer, writing one of the most popular descriptions of the nature of American government in the late nineteenth century, This Country of Ours.

All of the nineteenth-century ex-Presidents faced the dilemma of how to sustain themselves and their families and engage in significant pursuits without detracting from the high office they had held. The Virginia dynasty set a precedent by retiring to their plantations. There they entertained visitors, corresponded and offered advice, and engaged in educational and philanthropic work through association with the University of Virginia and other colleges. Many of their successors continued to link their names with educational and charitable institutions. John Tyler became

chancellor of the College of William and Mary. Millard Fillmore became the first chancellor of the University of Buffalo and was a founder of Buffalo General Hospital.

By the end of the nineteenth century, an understanding had emerged that former Chief Executives should remain outside the commercial marketplace. That understanding was reinforced by the disastrous experience of Ulysses S. Grant. In doubling the presidential salary to $50,000 in 1873, Congress justified the increase so that "the President could save enough money to retire [after leaving office] from all active, or at least from all money-making pursuits." But Grant ignored this suggestion and became immeshed in the financial world of Wall Street. With funds donated by millionaire friends, he bought houses in New York City and on the Jersey Shore and unwisely became a partner with a swindler in a new Wall Street investment bank. When the firm of Grant & Ward went bankrupt, thousands lost their savings and Grant was ruined. The press condemned him and contrasted his financial speculation with the dignified retirement of the planter Presidents and of Robert E. Lee, a war hero who had turned down lucrative business offers in order to assume the presidency of Washington and Lee College at an annual salary of $3,000. Destitute, and dying of cancer, Grant wrote his civil war memoirs to provide for his family. He finished only three days before he died. The book became a best seller, earning his family nearly $450,000.

While he was still in good health, Grant had taken a two-year tour around the World, the most extensive of any nineteenth-century ex-President. Although most of the tour was done at Grant's expense, President Hayes did put the U. S. steamship Indiana at his disposal. In Europe Grant was received with the protocol due an ex-king. Grant was not the first ex-President to travel abroad, Franklin Pierce had gone to Europe before settling down in Concord, New Hamsphire, but Grant certainly was the most extensive traveller until Theodore Roosevelt. Roosevelt's expeditions to Africa and the Amazon were financed by the American Museum of Natural History and the Smithsonian Institution. Later, Roosevelt's

travels around the United States, combinations of reporting and campaigning, were paid for by campaign contributors and by The Outlook Magazine for which he was writing articles. With the exception of Grant's steamship, the government did not pay for the travel of ex-Presidents in the nineteenth or early twentieth century.

Most of the twentieth century ex-Presidents have had a comfortable retirment. The Presidential salary was raised several times. Taft and Coolidge left half-million-dollar estates. Theodore Roosevelt was a millionaire and Herbert Hoover a multimillionaire. Still, many of them accumulated those estates through activities as ex-Presidents. Taft accepted a full professorship at Yale Law School for $5,000 a year and earned thousands of dollars by writing articles for magazines and giving lectures to groups. Theodore Roosevelt signed contracts for up to $25,000 a year for writing articles and signed editorials for magazines and newspapers. Roosevelt also earned considerable amounts from the sales of his many books on travel and history. A highly controversial figure, Theodore Roosevelt was the only ex-President to run for a third term and the only former President to be the victim of an assassination attempt. A would-be assassin shot him in the chest while Roosevelt was campaigning on the Bull Moose ticket in 1912. He wounded the determined ex-President but did not stop him either from making his speech or from running for office. Calvin Coolidge retired to Northampton, Massachusetts where he became a trustee of Amherst College and wrote daily comments in a syndicated newspaper column. He invested his money but turned down several corporate officerships, saying "these people are trying to hire not Calvin Coolidge, but a former President of the United States. I cannot do anything that might take away from the presidency any of its dignity, or any of the faith the people have in it." Later, Truman and Eisenhower quoted Coolidge's remarks as a guideline for ex-Presidents. Hoover had no difficulty in maintaining dignity, which was natural to him, or a high income, which came from an engineering and mining fortune he had established before entering public

service. He maintained offices in the Waldorf Astoria Hotel where he lived and at the Hoover Institute at Stanford in California.

Harry Truman, on the other hand, was never really a wealthy man. Since he rejected half a dozen corporate offers when he left office in 1953, his income stemmed primarily from the sale of his father's farm, the publication of his memoirs, and, beginning in 1957 , from syndicated newspaper articles and in 1958 from his appearance on Edward R. Murrow's "See It Now" Program. But expenses were a problem. Early in 1957, Truman told Lyndon Johnson, the Senate Majority Leader, that it cost him $30,000 a year (approximately half his income) to handle his mail, phone calls, requests for speeches and such expenses. He maintained a four-room office with three permanent secretaries in Kansas City. Hoover and Truman each received some four thousand letters a month. As a number of others before him, Truman believed in an active ex-Presidency. He suggested, for example, that ex-Presidents should be made honorary, non-voting members of Congress. He argued that there also should be some public financial assistance for former Presidents in maintaining their public responsibilities. Privately he confided to Sam Rayburn, the Speaker of the House, that if no Presidential pension were forthcoming, "I must go ahead with some contracts to keep ahead of the hounds."

Although the situation of Harry Truman was the immediate origin of the Former Presidents Act of 1958, the idea of a Presidential pension had been considered sporadically for several decades. The concept of pensions for soldiers and sailors and then for industrial workers had grown in the late nineteenth century. In 1912, Andrew Carnegie, the steel magnate, offered Taft a pension of $25,000, but public disapproval caused the former President to reject it. Congress approved pensions for federal civil servants in the 1920s and for its own members after World War II. The Presidential pension (although non-contributory) can be seen as part of that trend.

Although Lyndon Johnson was able to obtain Senate passage of a bill providing for a $25,000 pension as well as staff and office allowances and mailing privileges, the measure ran into stiff opposition in the House. Despite efforts by Speaker

Rayburn, Majority Leader John McCormack and Minority Leader Joseph Martin, a coalition of Republicans and Southern Democrats prevented its enactment for a year and a half. At first, opponents warned that the measure was "too damn elaborate and costly." But they soon emphasized more ominous fears. They expressed concern that in the future some former President might use the governmental services to mount another campaign for office at public expense. They also warned that the bill would give ex-Presidents official standing in national and world affairs. It would create a new and additional branch of government. Opponents were especially concerned with the potential growth and abuse of office and staff allowances and the franking privilege. The House passed a bill which provided a pension but strictly limited the other allowances by function, location and amount, but the conference committee recommended a more liberal bill and that is the measure that was finally adopted in 1958.

Supporters of public funding appealed to Americans' sense of equity. The President, they noted, was one of the few federal employees who did not receive a pension upon retirement. Five-star Generals and Admirals received not only pensions, but offices and personal staffs. Furthermore, a Senate report mentioned the limitations upon an ex-President's earning power:

> [W]e expect a former President to engage in no business or occupation which would demean the office he has held or capitalize upon it in any improper way. There are many ways in which a former President can earn a large income, but ought not to. . . . It follows that there is an obligation upon the Government to see that it is financially possible for him [to maintain the dignity of the office] without hardship to himself and his family.

Advocates of the Former Presidents Act also emphasized that the American people maintained a continuing interest in the President even after he left the White House. The one-time occupant of the Oval Office remained an important public figure for the rest of his life. As Majority Leader Lyndon Johnson phrased it in a speech to the Senate, "No one who fills these functions [of the Presidency] can ever again be a private citizen." The Former President Act, he said, "is based upon the reality

that the American people still look to an ex-President for advice, for counsel, and for inspiration in their moments of trial."

Congress adopted the Former Presidents Act of 1958 and in the past twenty-five years has adopted other legislation and accepted a number of practices which have had the cumulative effect of creating a quasi-public office of the ex-Presidency, complete with important perquisites and some of the trappings of power. The Presidential Libraries Act of 1955 provided for federal funding for staffing and maintenance of these libraries and museums after they had been constructed at sites of the former President's choosing through the use of private funds. In the Presidential Transition Act of 1963 (actually adopted in 1964), Congress provided for governmental payment of the costs of transition from one national administration to another. This institutionalization replaced a burden which previously had been borne by private individuals and groups. President Kennedy and a fact-finding commission he had appointed both recommended it. Enacted after his death, the legislation first provided $900,000 for the transition. In 1976, this was raised to $3 million, of which $1 million went to the outgoing President and Vice-President to help them wind up their affairs. After the assassination of President Kennedy raised issues about security, Congress in 1965 provided Secret Service protection to former Presidents and their families. As President, Lyndon Johnson put Air Force jets and helicopters, complete with pilots, stewards, and military aides, at the disposal of ex-Presidents Truman and Eisenhower.
The pensions of former Presidents and their widows have been increased, but the most dramatic increases under the Former Presidents and Transition Acts have come in office and staff allowances. With office space in his Presidential Library and in the federal building in Kansas City, Truman did not ask for appropriations for an office. Nor were there appropriations for travel. His office expenses in 1968, for example, came to $4,500 under the Former Presidents Act. His staff of five secretaries and clerks cost $45,000 in federal funds.

Eisenhower with offices at his Gettysburg farm and in the former home of the president of Gettysburg College [illegible] increased office expenses to $44,000. Lyndon Johnson had comparable office expenses as he recreated the Oval Office on the top floor of the Johnson Presidential Library in Austin. His phone bill, the largest of any ex-President, reached $39,000 in 1972. Nixon maintained an office adjacent to his San Clemente home and Ford has one in Palm Springs, California which costs $24,000. Under Transition Act funds made available for 30 months, former President Ford spent $360,000 in 1978, employing a staff of twelve persons and utilizing nearly $100,000 on office expenses alone.

Travel has become a growing expense. Congress authorized separate travel allowances for ex-Presidents in 1968. Truman and Hoover paid for travel out of their own income or from their pensions. In 1953, when Harry Truman and his wife, Bess, decided to return to Washington for a visit in the summer, the former President drove his own car from Missouri to the District of Columbia--causing some traffic jams among gawking spectators on the way. In 1978, former President Ford received $30,000 of public funds for travel by him and his staff. The expansion of public financing of such expenses by former Presidents has contributed to the growth of the cost of the ex-Presidency to substantial proportions even with only two living former Presidents.

Despite the change in circumstances, the roles of ex-Presidents have not changed substantially in recent years. For purposes of determining the appropriate amount of public compensation, it might be helpful to consider the different roles of a former Chief Executive.

First, are activities devolving upon him because he is a past President, As a former head of state, his services continue to be solicited. People do continue to look to many former Presidents, placing obligations of time and expense upon them. The former heads of state are called upon to answer hundreds of thousands of letters, to respond to requests for speeches from thousands of groups, from boys'

clubs to civic organizations. The past Presidents sometimes provide information and advice to the public, to Congress, and to their successors in the White House through the press, testimony before Congressional committees, and direct communication with te President. There have been sporadic suggestions for the past hundred years that this role be formalized by creating an official council of elders or by making ex-Presidents honorary non-voting members of Congress or appointing them as traveling statesmen or official goodwill ambassadors. However, none of these suggestions has been formally adopted. Surprisingly, one significant ceremonial role of ex-Presidents has been attendance at state funerals. Theodore Roosevelt was the official U.S. representative to the funeral of Britain's Edward VII. Lyndon Johnson sent Harry Truman to Athens for the funeral of King Paul of Greece. After the assassination of John F. Kennedy in 1963, the three living ex-Presidents--Hoover, Truman, and Eisenhower--sat together at Kennedy's funeral, projecting a powerful image of solidarity and continuity at a time when the nation felt the need for reassurance.

Second, ex-Presidents also engage in activities which to a greater extent are voluntary on their part. Almost from the beginning of the ex-Presidency, former Chief Executives have chosen to engage in educational and philanthropic enterprises, such as Jefferson's association with the University of Virginia, Hoover's with the Boys Clubs of America, Eisenhower and Ford's affiliation with the People to People Program. Sometimes they receive enumeration or honoraria or office and travel provisions for these affiliations and sometimes they do not. The ex-Presidents also generally choose to spend much time planning and raising money for their Presidential Libraries and museums. After the construction of these buildings, the ex-Presidents spend various amounts of time helping to arrange their papers and encouraging the use of the collection and the building. Former Presidents often make money from their writings, whether it be Benjamin Harrison with his best-selling book, This Country of Ours, or Theodore Roosevelt's lucrative

contracts for writing magazine and newspaper articles, or Hoover and Eisenhower's books and articles for The Saturday Evening Post, Reader's Digest, or other periodicals.

Of course, one of the first things an ex-President does is to write his memoirs. Despite their commercial aspects, Presidential memoirs, in varying degrees, represent a significant contribution to our understanding of a presidential administration. In addition, the paid television interviews begun by Harry Truman and Dwight Eisenhower have become highly lucrative. However, a case can be made that the views of an ex-President expressed in their writings or public appearances are part of his public role as an ex-President.

Third, most ex-Presidents have remained active in their political party. If they are popular with large numbers of people, they can be of substantial importance to their party. The more popular ex-Presidents are major fund-raisers who can draw important contributors to dinners and other events designed to generate income for the party. As titular leader of the party, the immediate past President often plays the role of mediator among factions within the party. The ex-President performs a function within his political party which is quite distinct from that of the former head of state and is one which should not be maintained at public expense.

In recent years, many of the roles of ex-Presidents have become part of a quasi-public "office" of the ex-Presidency which itself has grown in size and cost. Much of this official expansion has been the result of individual decisions and increments which were not systematically planned. . . The cumulative effect has been to create a significant and expensive new institution. Reconsideration of this institution in its entirety and an attempt to define and evaluate it as well as to provide appropriate guidelines and appropriations is not only proper but desirable at the present time.

PURPOSE OF HEARINGS

Senator CHILES. We are trying to determine what was the main purpose for the Former Presidents Act, and what has happened to former Presidents in the past. Certainly we don't want to see our former Presidents go out and engage or have to engage in general commerce in order to support themselves. And in no way do we want to see them left penniless, as we have seen happen for former Presidents in the early years of our history.

We are trying to get some perspective on what happened and on what is happening now. I think it would be helpful to the committee in conducting oversight in this area, and also in trying to determine what, if anything, should be done in trying to change the current law.

Mr. CHAMBERS. I appreciate that, Mr. Chairman. I will try to share any information I have developed from my researches in the last 4 years.

SUMMARY BY DR. CHAMBERS

Why don't I just summarize them by saying, of course, the contrast between the circumstances of today's former Presidents and most of the first ex-Presidents could hardly be more dramatic.

Today, ex-Presidents receive significant amounts of public funds for staff and office allowances and travel, telephone expenses, Secret Service protection for themselves and their families, free mailing privileges, health care benefits, a special townhouse across from the White House for their use when they visit Washington, the Government maintains their libraries and museums, provides them with a pension equivalent to a Cabinet officer's salary, and another pension for other Federal service, Secret Service protection for their widows.

As you said, this fiscal year 1979, the Government budgeted nearly $800,000 for ex-Presidents and Presidential widows and this figure does not include Secret Service protection, nor does it include the cost of maintaining Presidential libraries and museums, nor does it include pensions a former President may have earned through service in Congress or in the military services, nor does it include the income a past President can generate in writing and making television appearances, which in recent years have earned some former Presidents several million dollars.

DOUBLE PENSIONS

Senator CHILES. Let me ask you there, if I might, a question regarding the pensions. If the President had served in Congress or in the military service before and has some other Federal pension from that service, it is in no way diminished by his Presidential pension. Is that what you are saying?

Mr. CHAMBERS. That is correct, it is in no way diminished by the Presidential pension. It is in addition to that pension.

Senator CHILES. So the Federal service that you have, you accumulate together. You put your military service with you congressional service, or any other service. So the Federal pension is how much now for a former President?

Mr. CHAMBERS. For the President, for former Presidents it has just been raised, I think, in the last month to $69,000; that is, it is commensurate with a Cabinet officer's salary, and that salary has gone up to $69,000 a year.

For example, Gerald Ford, my recollection is as a former Congressman and former naval officer, receives about nearly $40,000 a year from those other pensions. In addition now to that would be the $69,000 he receives as the pension under the Former President's Act for a total of a little over $100,000 in Government pensions.

Now, congressional pensions, of course, as you know, are contributory. The Former Presidents Act, monetary allowances, it was originally called in the act, is not contributory. That is provided by the taxpayers.

So what I am suggesting then is that for some ex-Presidents, the time after they leave the White House can certainly become the golden years of retirement.

PLIGHT OF EARLY FORMER PRESIDENTS

This comfortable picture is far different from the plight of a number of our first 29 ex-Presidents, 29 people who have survived their years in the White House. The financial situation of some of those we are familiar with were so perilous that they were faced with poverty. Jefferson had to sell much of his estate, many of his books, which formed the basis of the Library of Congress. He tried to have Virginia authorize a lottery to raise funds.

Madison and Monroe also sold parts or all of their estates.

Andrew Jackson talked about facing poverty. But my point is, although this was the initial situation of some of the early Presidents, such poverty or near poverty was not common among most of our ex-Presidents, even in the 19th century.

Washington, for example, retired to Mt. Vernon a wealthy man and estates of more than $200,000 were left by Van Buren, Fillmore, Buchanan, Chester Arthur, Grover Cleveland, and Benjamin Harrison. These men died with substantial estates at that time.

There were ways of earning income. John Quincy Adams showed that one could run for office again successfully and those who didn't run successfully did have income from political campaigns.

Benjamin Harrison and a number of other lawyers in the later 19th century retired to a legal profession.

Harrison was probably the most successful ex-Presidential lawyer. Harrison took on civil cases for retainers of not less than $2,500—it would probably be close to a $10,000 retainer at the present time—and arguing many cases in appellate courts, including the Supreme Court. He also wrote, lectured and wrote one of the most popular descriptions of the nature of American government in the late 19th century called "This Country of Ours."

All of the 19th century ex-Presidents faced the dilemma of how to sustain themselves and their families and how to engage in significant pursuits without it detracting from the high office they held.

The Virginia dynasty set a precedent by retiring to their plantations where they entertained visitors, they corresponded, offered advice, they

engaged in education and philanthropic work through association with the University of Virginia, or other colleges.

A number of other Presidents did similar things.

AVOIDANCE OF COMMERCIAL ACTIVITIES

By the end of the 19th century, an understanding had really emerged that former Chief Executives should remain outside the commercial marketplace. I think that understanding was reinforced by the disastrous experience of Ulysses S. Grant.

In fact, the Congress had increased his salary, doubled his salary as a President to $50,000, and in doing so, they mentioned in the House report the following: They justified the increase, "The President could save enough money to retire—after leaving office—from all active, or at least from all moneymaking pursuits."

This was the feeling of the Congress in 1873.

But Grant ignored this suggestion and became enmeshed in the financial world of Wall Street. With money donated to him by millionaire friends, he bought houses in New York along the Jersey shore, and bought a partnership in the firm of Grant & Ward, which then went bankrupt and ruined not only Grant, but thousands of Civil War veterans and others who invested in a firm which had his name.

The press and many others condemned him for casting his reputation and the Nation in dishonor and contrasted his financial speculation with the dignified retirement of the planter Presidents and of Robert E. Lee, a war hero like Grant, but one who had turned down lucrative business offers in order to assume the presidency of Washington and Lee College at an annual salary of $3,000. He held that office until he died.

Grant, of course, reestablished then an estate for his family—dying of cancer, he wrote his Civil War memoirs by himself in a cabin up on Mt. McGregor in New York. Finishing 3 days before he died, the book became a best seller earning his family nearly half a million dollars.

TRAVEL OF FORMER PRESIDENTS

While he was still in good health, Grant had taken a 2-year tour around the world, probably the most extensive of any 19th century ex-President. It was mostly at his own expense. President Hayes did put the U.S.S. *Indiana* at his disposal. A number of other Presidents have traveled abroad at their own expense, or, in the case of Theodore Roosevelt's expedition to Africa and the Amazon, they were financed by the American Museum of Natural History and the Smithsonian Institution.

Later, Roosevelt's tours around the United States, a combination of reporting and campaigning, were paid for by The Outlook magazine for which he was writing articles or by his campaign committee.

The point is, with the exception of Grant's steamship loan, the Government did not pay for the travel of ex-Presidents in the 19th, or even in the early 20th century.

STANDARD OF LIVING OF FORMER PRESIDENTS

Most of the 20th century Presidents—when we talk about the 20th century Presidents, we are talking about a significantly larger and different institution—but most of the 20th century Presidents have had a comfortable retirement. The Presidential salary has been raised several times. Taft comments about this, about how it makes it adequate for ex-Presidents to have saved money to live somewhat comfortably.

Taft and Coolidge left half million dollar estates. Theodore Roosevelt was a millionnaire and Herbert Hoover was a millionnaire. Yet still many of them accumulated those estates at the time of their death through activities or continued activities of ex-Presidents.

Taft, for example, accepted a full professorship at Yale Law School for $5,000 when he left office and then earned thousands of dollars by writing articles for magazines and giving lectures to groups. Theodore Roosevelt signed contracts up to $25,000 a year for writing articles and editorials, for magazines and newspapers. He wrote a number of books. He was, of course, a very highly active, political and controversial figure.

ASSASSINATION ATTEMPT

He was, I should note, the only ex-President to run for another term after being out of office and he was the only former President to be the victim of an assassination attempt. A would-be assassin shot him in the chest while Roosevelt was campaigning on the Bull Moose ticket for a third shot at the Presidency in 1912, wounding him.

Senator CHILES. I trust he didn't have Secret Service protection?

Mr. CHAMBERS. He did not have Secret Service protection. The Secret Service had been established back in the 19th century.

Senator CHILES. They weren't covering candidates then.

Mr. CHAMBERS. Absolutely, Mr. Chairman. They weren't as extensive in the coverage of the Presidents, either. McKinley had been assassinated a few years before in Buffalo.

Of course, ex-Presidents were not covered by the Secret Service until the 1960's.

DIGNITY OF FORMER PRESIDENTS

Calvin Coolidge retired to Northampton. He wrote a newspaper column there, syndiated newspaper column, invested his money, turned down several corporate officerships, saying—words that were repeated by several ex-Presidents later—"These people are trying to hire, not Calvin Coolidge, but a former President of the United States. I cannot do anything that might take away from the Presidency any of its dignity or any of the faith the people have in it."

Later, Truman and Eisenhower quoted Coolidge's remarks as a guideline for the ex-Presidents. Hoover had no difficulty in maintaining dignity, which was natural to him, or a high income, which came from an engineering and mining fortune he had established before entering public office. Hoover maintained offices as an ex-President in the Waldorf-Astoria Hotel where he lived and at the Hoover Institute.

SITUATION OF HARRY TRUMAN

Harry Truman, on the other hand, was never really a very wealthy man, had turned down a number of corporate offers when he left office, his income stemmed primarily from the sale of his father's farm, publication of his memoirs and the beginning of 1957 from a syndicated newspaper article and in 1956 from his appearance on Edward R. Morrow's See It Now program.

But expenses were still a problem. And in 1957, Truman told Lyndon Johnson, the Senate Majority Leader, it cost him $30,000 a year, approximately half of his income, to handle his mail, phone calls, requests for speeches and such expenses.

He argued that there also should be some public financial assistance for former Presidents in maintaining public responsibilities. Privately he confided to Sam Rayburn, Speaker of the House, that if no Presidential pension were forthcoming, "I must go ahead with some contracts—contracts for articles—to keep ahead of the hounds."

So the situation of Harry S. Truman, then, was the immediate origin of the Former Presidents Act of 1958.

PENSIONS FOR FORMER PRESIDENTS

Although that was the immediate origin, I should add that the idea of a Presidential pension had been considered sporadically for several decades. It goes back to the development of pensions in the late 19th century.

Andrew Carnegie in 1912 had offered Taft a pension of $25,000 but public disapproval caused the former President to reject it.

Congress approved pensions for Federal civil servants in the 1920's and then for its own Members after World War II. The first Presidential pension had been a part of the first bill that had been passed for congressional pension. It was then removed. The Presidential pension—although noncontributory—can be seen as part of that trend.

OPPOSITION TO OFFICE ALLOWANCES FOR FORMER PRESIDENTS

Although Lyndon Johnson was able to obtain Senate passage of a bill providing for a $25,000 pension, as well as staff and office allowances, that proposal of the Former Presidents Act ran into stiff opposition in the House, despite the activity of the bipartisan leadership in the House—the Speaker, Majority Leader John McCormack, and Minority Leader Joseph Martin.

There was a coalition that really prevented its enactment for a year and a half. They were concerned about a number of things.

At first they warned that it was too costly and too elaborate but, then they emphasized more ominous fears. They expressed concern in the future that some former President might use the governmental services to mount another campaign for public office at public expense. They also warned that the bill would give ex-Presidents a firm standing in national and world affairs. It would create a new and additional branch of government. In fact, an Office of the Ex-Presidents—and they were

particularly—the opponents in the House—were particularly concerned for the potential growth and the potential for abuse of the office and staff allowances and the franking privilege.

The House, in fact, passed a bill which provided a pension but eliminated or strictly limited the other allowances by function, location, and amount, but, in fact, the conference committee recommended a more liberal bill and that is the measure that, in fact, passed and became the Former Presidents Act of 1958.

In supporting that bill, Lyndon Johnson and the other advocates of it appealed to Americans' sense of equity. They argued the President was one of the few Federal employees who did not receive a pension upon retirement, and they specifically pointed out the five-star admirals and generals—there were around five of them in those days—received not only pensions, but offices and personal staffs.

Furthermore, a Senate report mentions the limitations on an ex-President's earning power said:

> We expect a former President to engage in no business or occupation which would demean the office he has held or capitalize upon it in any improper way.
>
> There are many ways in which a former President can earn a large income, but ought not to * * * it follows that there is an obligation upon the government to see that it is financially possible for him to maintain the dignity of the office without hardship to himself and his family.

So the advocates of the Former Presidents Act emphasized also that the American people continued to maintain an interest in the President even after he left the White House.

He remained an important public figure for the rest of his life.

ADVOCACY OF LYNDON JOHNSON

Majority Leader Johnson said in a speech to the Senate: "No one who fills these functions"—of the Presidency—"can ever be again a private citizen. The Former Presidents Act," he said, "is based on the reality that the American people still look to an ex-President for advice in their moment of trial."

EXPANSION OF AUTHORITY

As has been stated earlier, since Congress adopted the Former Presidents Act of 1958 and there have been a number of amendments to that act and expansions of prequisites of that position and the adoption of other acts—the Presidential Libraries Act of 1955, the Presidential Transition Act pf 1963—all of these have added to the increases in this office of the ex-President. I think the pensions of former Presidents and their widows have been increased, but the most dramatic increases have come in the office and staff allowances.

I look back at the office space—Harry Truman had office space in the Presidential library and in the Federal Building in Kansas City. His office expenses in 1968, for example, came to $4,500 under the Former Presidents Act. Eisenhower had a staff of five secretaries and clerks. He had offices at his Gettysburg farm and in the former home of the President of Gettysburg College, and his staff of five secretaries and

clerks cost $45,000 in Federal funds and he had office expenses of $44,000.

Lyndon Johnson had comparable office expenses as he recreated the Oval Office on the top of the Johnson Library in Austin. His phone bill, the largest of any ex-President, reached almost $40,000 in 1972.

Nixon maintained an office adjacent to his San Clemente home and Ford has one in Palm Springs. Calif., which costs $24,000 a year.

Under Transition Act funds made available, former President Ford spent $360,000 in 1978 employing a staff of 12 persons, and utilizing nearly $100,000 on office expenses alone.

Travel has become a growing expense. Congress authorized separate travel allowances for ex-Presidents in 1968. Truman and Hoover had paid for travel out of their own income or from their pensions.

I note that when Harry Truman and his wife, Bess, decided to return to Washington for a visit in the summer, the President drove his own car back from Missouri to the District, causing traffic jams all along the way as people gawked at this familiar face driving down the turnpike.

In 1978, former President Ford received $30,000 of public funds for travel by him and his staff. I think the expansion of public financing of such expenses by former Presidents has contributed to the growth of the cost of the ex-Presidency to substantial proportions, even with only two living former Presidents.

I should note we may have more in the future. At one point, in the 1860's, we had five former Presidents alive.

ROLE OF A FORMER PRESIDENT

So in summary, I would say, despite the change in circumstances, the roles of ex-Presidents have not changed substantially in recent years. For purposes of determining the appropriate amount of public compensation, it might be helpful to consider the different roles of a former Chief Executive.

I would divide these into three large categories.

The first are activities devolving upon him because he is a past President. As a former head of state, his services continue to be solicited, people do continue to look to many former Presidents, placing obligations of time and expense upon them.

The former heads of state are called upon to answer hundreds of thousands of letters, to respond to requests for speeches from thousands of groups, from boys' clubs to civic organizations.

The past Presidents sometimes provide advice to the public, to Congress, and to their successors in the White House through the press, through testimony before congressional committees, and direct communication with the President.

There have been sporadic suggestions for the past hundred years that this role be formalized by creating some kind of official position for ex-Presidents. However, none of these suggestions have been formally adopted.

Surprisingly, one significant ceremonial role of ex-Presidents has been attendance at state funerals. Theodore Roosevelt was the official repre-

sentative of the U.S. Government to the funeral of Britain's Edward VII.

Lyndon Johnson sent Harry Truman to Athens for the funeral of King Paul of Greece because that was the country of origin of the Truman Doctrine. And after the assassination of John F. Kennedy in 1963, the three living ex-Presidents at the time, Hoover, Truman, Eisenhower, sat together at Kennedy's funeral projecting a powerful image of solidarity and continuity at a time when the Nation felt a need for reassurance.

Second, ex-Presidents are also engaged in activities which, to a greater extent, are voluntary on their part. Almost from the beginning of the ex-Presidency, former Chief Executives have chosen to engage in educational and philanthropic enterprises such as Jefferson's association with the University of Virginia, Hoover's with the Boys' Clubs of America, Eisenhower and Ford's affiliation with the People-to-People program, Ford with the American Enterprise Institute.

Sometimes they receive reumneration or honoraria of office and travel provisions for these affiliations, and sometimes they don't.

The ex-Presidents also generally choose to spend much time planning and raising money for their Presidential libraries and museums.

After the construction of these buildings, then, of course, they are maintained at Government expense. After they are constructed, the ex-Presidents spend various amounts of time helping to arrange their papers and encouraging the use of the collection and of the building itself.

Former Presidents often make money from their writings, whether it be Benjamin Harrison's book, "This Country of Ours," or Theodore Roosevelt's lucrative writings for magazines and newspaper articles or Hoover and Eisenhower's articles for The Saturday Evening Post, or The Reader's Digest, or other periodicals.

Of course, one of the first things an ex-President does is to write his memoirs. Despite their commercial aspects, Presidential memoirs, in varying degrees, represent a significant contribution to our understanding of a Presidential administration. In addition, the paid television interviews begun by Harry Truman and Dwight Eisenhower have in recent years been highly lucrative.

However, I think a case can be made that the views of an ex-President expressed in their writings and public appearances are part of his public role as an ex-President.

And third, most ex-Presidents have remained active in their political party. If they are popular when they leave office, they can be of substantial importance to their party.

The more popular ex-Presidents are major fundraisers who can draw important contributors to dinners and other events.

As titular leader of the party, the immediate past President often plays the role of mediator among factions within the party. The ex-President performs a function within his political party which is quite distinct from that of the former head of state, and is one which I think should not be maintained at public expense.

In sum, in recent years, many of the roles of ex-Presidents have be-

53-990 O - 80 - 13

come part of a quasi-public office of the ex-Presidency which itself has grown in size and in cost.

Much of this official expansion has been the result of individual decisions and at increments which were not systematically planned.

The cumulative effect has been to create a significant and expensive new institution. I think the reconsideration of this institution in its entirety and an attempt to define and evaluate it as well as to provide appropriate guidelines and appropriations is not only proper, but desirable at the present time.

Thank you, Mr. Chairman.

Senator CHILES. Thank you for your statement, Dr. Chambers.

SUMMARY OF DR. CHAMBERS' ARTICLE

From reading your recent article, "President's Emeritus," on the Office of Ex-Presidency, it would appear until the last 30 years of our country's history, ex-President's were caught in a dilemma whereby they were effectively barred from most forms of commercial endeavor, at least by the mores of the public opinion at that time, because that opinion regarded it as demeaning to the Office of the Presidency, and yet, the Government refused to provide for their welfare by even granting them a pension.

During the last 30 years, in one of those classic ironies of history, the Office of Ex-Presidency has been the recipient of increasingly generous public support in the forms of pensions, office staff, travel, mailings, and other allowances, libraries and museums, around-the-clock Secret Service protection, and other prerequisites, privileges, and powers, while, simultaneously, their earning capacity has skyrocketed in the form of extremely lucrative advances, royalties, books and articles, fees for television appearances and other income generating activities regarded as less demeaning to the Office of the Presidency and in the more traditional forms of commercial enterprises.

Is that sort of an accurate summary of your article, part of the thoughts you set forth in it?

Mr. CHAMBERS. That is a very good summary, Mr. Chairman. Thank you.

Senator CHILES. Do you think that in the near future we might be treated to one of those American Express Card commercials which will begin with the shot of a beaming Ex-President saying, "Hi, do you know me?"

THE IMPERIAL FORMER PRESIDENCY

Your article also suggests the ascendency of the Office of Ex-President has coincided, and perhaps resulted from, the establishment of what has been termed the Imperial Presidency. Since the Imperial Presidency has fallen into disfavor and is being dismantled, public opinion has also begun to sour some on the Office of the ex-Presidency and I don't mean the ex-President. I mean the Office of the Ex-Presidency, is that correct?

Mr. CHAMBERS. Well, I think the ex-Presidency, as an institution, is always in a shadow, is always directly related to the position of the President, and the Presidency as an institution in the American political system at any given time.

Yes, I think it is correct that we saw in the mid-20th century, the growth of the Office of the Presidency and of the ex-Presidency concommitantly and we are now seeing a more redefinition and restriction.

PURPOSE OF ASSISTANCE TO FORMER PRESIDENTS

Senator CHILES. In your research on the legislative history of the Former Presidents' Act, what rationale did you find was offered for providing the office space, the staff, and other forms of assistance to ex-Presidents? In other words, does it appear that this assistance was intended as a fringe benefit to former Presidents to be used in any way that they would see fit or was it intended to defray the cost of those activities arising out of or relating to the demands made upon them as former Presidents, which they would not experience as ordinary citizens, answering those letters from the school kids, and the others about their activities in office and providing advice and assistance for the Government.

Mr. CHAMBERS. I think the primary emphasis, Mr. Chairman, was upon the performance of the public service. In that regard I would like to read from a Senate report submitted by Mr. Johnston, Olin Johnston, of South Carolina, on February 1, 1957. This is the Senate report for the bill. In the description of purposes for the act, it does state:

> In short, the Government should provide adequate compensation and other facilities for former Presidents to enable them, without financial hardship, to maintain the dignity of the great office they have held, to meet the public demands upon them, and to make themselves available for further public services whenever they are called upon in appropriate cases.

So it seems to me the major emphasis here is upon public service. Although I should mention in the debates and some of the statements by John McCormack, the Speaker of the House, and others, they do emphasize the need to put the President's mind at rest, while he is President, to future concerns.

Senator CHILES. I think that is a very important factor. I wouldn't want the President to feel like he had to do something while he was President in order to insure for his future after he left the office. So for that reason, I certainly support a reasonable pension for the President.

I think he ought to be completely free of worry that he is going to leave that office in a certain period of time and perhaps be barred from commercial activity or should be or have the appearance of being barred from commercial activity and, therefore, he might have to worry about granting some favor or doing something in order to earn a living later. We don't even want to put that kind of burden there at all, or that concern for his family in that regard.

So I think that is a legitimate reason.

SITUATION OF HARRY TRUMAN

Tell us, if you can, anything more about Truman. It seems to be from what you said and looking at the record, that it was Truman's plight as he evidenced to Rayburn and to Johnson and to people who were close friends of his, of trying "to keep ahead of the hounds," as he said, and seeing that he was having to, with his small subsistence or fortune, spend $30,000 a year to handle the correspondence and to try to keep up with that. Did he accept money for speeches? Do you know whether he did or not, at that time he was referring to? Was he on a lecture tour?

Mr. CHAMBERS. He did do lectures. I would have to do further research on the point whether he actually accepted speaker's fees and to find out how much they were. I will be happy to do that, Mr. Chairman.

ACCEPTING FEES FOR SPEAKING

Senator CHILES. When did that start?

Mr. CHAMBERS. Of the ex-Presidents accepting fees for speaking?

Senator CHILES. Yes.

Mr. CHAMBERS. Well, it certainly started back in the 19th century. I have direct evidence of Harrison, and certainly of Taft. In Taft's case, in the early 20th century, he had one personal secretary, and this man, it was a virtual one-man's speaker's bureau. Taft charged anywhere between $200 to $1,000 per speech, averaging around $400 for a speaker's fee and then he wrote articles as well. So he was supplementing his income as a professor at Yale by doing speaking tours.

I should note, though, Mr. Chairman, in a copy of a letter from Harry Truman to Sam Rayburn, August 12, 1957, from the Rayburn Library, that Truman suggested, if I may read this letter, it indicates that in many cases the speeches and the groups he intended to address were not such that could provide substantial fees. So let me read this letter. Perhaps this will provide some information on your question.

Truman writes to Rayburn: "Do you think the Presidential retirement bill will pass the House? The reason I am asking is that I have been refusing all speaking dates for pay since the library dedication July 6th." That is the Truman Library. "If that bill passes, I want to make a program of educational appearances at small colleges and schools without a fee."

By inference then he was charging a fee. I don't know what the exact amount was. "And to give them a historical background, what they have, how it was obtained, and what they must do to keep it. Sam, I am not lobbying for the bill. If it passes I will be happy, if it doesn't, I must go ahead with some contracts to keep ahead of the hounds."

Senator CHILES. We would like to have copies for the record if you will make them available to us. They are interesting to hear.

[The letters follow:]

BONHAM, TEX.,
February 23, 1977.

Mr. JOHN W. CHAMBERS,
Department of History, Barnard College,
Columbia University, New York, N.Y.

DEAR MR. CHAMBERS: I am enclosing some correspondence that I think will be helpful to you in preparing your paper which you will deliver at the annual meeting of the Organization of American Historians in Atlanta, Ga., on April 7. This correspondence pretty well sets out Mr. Rayburn's opinion about this bill and I hope it will be helpful.

These letters are taken from an autobiography of Sam Rayburn which we hope to publish some time this year. We have been working for more than a year with Mr. Rayburn's papers, and as he wrote something about almost every subject that came before the Congress during his 49 years as a Member of the House of Representatives, it makes a very interesting and informative book. It is something that has needed to be done for many years but you can imagine the amount of work entailed in such a project as all of his papers must be researched. Of course, you know that nobody had the ability to express themselves more ably, and with clearer language than did the Speaker. Fortunately, I am familiar with Mr. Rayburn's papers as I was at one time a clerk in his office and have been here at the library since it opened in 1957. Too, I have the capable assistance of my coworker, Mac Phelan Reese, and Dr. Edward Phillips, a professor of history at Austin College and a member of the Sam Rayburn Foundation Board of Trustees. I think you will be pleased with our efforts when it is completed.

It will be a pleasure to see you this summer.

With kindest regards.

Sincerely,

H. G. DULANEY,
Director.

From a copy of a letter from Harry S. Truman to Sam Rayburn, February 16, 1957

There is only one Sam Rayburn and you are it and I want to make it perfectly clear that I have never asked for a pension but will thankfully receive it if there is anything left over that I can spend.

From a copy of a letter from Harry S. Truman to Sam Rayburn, August 12, 1957

This is a strictly presonal and confidential note. Do you think that the Presidential retirement bill will pass the House? The reason I'm asking is that I've been refusing all speaking dates for pay since the library dediation July 6.

If that bill passes I want to make a program of educational appearances at small colleges and schools without any fee and give them a historical background on what they have, how it was obtained, and what they must do to keep it.

Sam, I'm not lobbying for the bill. If it passes I'll be happy but if it doesn't then I must go ahead with some contracts to keep ahead of the hounds.

Above expenses and living, the income from those contracts will be used for the same purpose as stated above.

From a copy of a letter from Sam Rayburn to Harry S. Truman, August 18, 1957

It doesn't look like it is going to be a fortunate time to bring up the retirement bill at this session of Congress. We have been here now more than 7½ months. Nerves are frayed, and people are tired, and they might vote down anything. So, I think it would be fortunate if this bill went over until next winter, when I think it will receive more favorable handling.

From a copy of a letter from Harry S. Truman to Sam Rayburn, August 26, 1957

My only regret is that the bill did not pass at this session of Congress but I understand what the situation is in the Congress and, as I told you before, I am not lobbying for the bill, although it would have been a great satisfaction to have had it pass.

I didn't want to do anything to cause you trouble. I'm being pulled and hauled to do this and to do that and some of them I'll have to do to meet the overhead. But that overhead isn't as big as it was and I'm thankful.

From a copy of a letter from Harry S. Truman to Sam Rayburn, August 8, 1958

There's no one like you. Your statements about the so-called pension bill for former Presidents was "above and beyond" the call of duty. I can't give you a medal now—but I would if I were in the position when I gave them in the past.

There's nothing like old friends who come foreward when they are of most help. You know that my interest was for the people who have worked for me since I came home. Wish you would come by here some time on your way to Bonham and back and let the "Boss" give you a Missouri dinner—home cured ham, beef killed on the nephew's farm, fried chicken almost as good as the Texas variety, apple pie and homemade ice cream, and some other trimmings you like.

FORMER PRESIDENTS HOUSE IN DISTRICT OF COLUMBIA

Senator CHILES. Your article referred to the 1969 Victorian townhouse, which is across from the White House, and which has been designated as the official former Presidents' residence. Apparently, also according to the article, the residence is used to accommodate former heads of states whenever they visit the Nation's Capital. Can you tell us anything about the origins of the residence, and is it specifically authorized by law?

Mr. CHAMBERS. Let me start with the latter first. My understanding is that it is not specifically authorized, but was designated beginning with President Nixon in 1969 as the former Presidents' residence. It is one of the old Blair Houses.

Senator CHILES. It is designated by Presidential fiat?

Mr. CHAMBERS. My understanding is that it is by Presidential fiat. It is one of the old Blair Houses, not the Blair House. But it was owned by the Francis Preston Blair family in the 1860's and then later became owned by the Mellon Trust and then was deeded to the Government and has been used in a number of functions. Even since it has been designated as the former Presidents' residence, Mr. Ford stayed there, I believe twice. Mr. Nixon has never stayed there, to my knolwedge.

It has been used to house General Torrijos when he came from Panama; it was used by Spiro Agnew, when he resigned the Vice Presidency, he stayed there awhile; Rosemary Woods set up an office there when President Nixon resigned; Mr. Carter's son stayed there during the transition. So it serves a number of functions. But it is officially designated the ex-Presidents residence and is to be available to him without charge when he comes to Washington. So it is not, I believe, on the Former Presidents' Act budget.

Senator CHILES. What you are saying is then it is not included in this cost chart behind me.

Mr. CHAMBERS. That is right, I think it is an additional prerequisite.

Senator PRYOR. You are not recommending an ex-Senators' home anywhere around here?

Mr. CHAMBERS. No, I am not.

Senator PRYOR. May I ask one or two questions on this point?

Senator CHILES. Sure.

USE OF FEDERAL FUNDS FOR PERSONAL ENRICHMENT

Senator PRYOR. As a historian, and as a citizen, does it give you any concern when a former President uses Federal employees on the former

President's staff to assist that former President in: one, writing his memoirs, or; two, assisting that ex-President along the road to not necessarily fame and fortune, but at least fortune, because he already has fame? Do you look at this as some form of unjust enrichment at the expense of the taxpayers or is this just a part of the job of a former President?

Mr. CHAMBERS. Well, in response to your question, Mr. Chairman, I think that I would suggest that this area of writing memoirs, publishing the memoirs, and perhaps generating substantial income on the memoirs is an area which falls between the public service and the political, the clearly political service and clearly public areas so is more of a gray area.

Now, as I suggested, the writing of the memoirs can be defended and is defended by scholars as a very valuable contribution to our understanding, our knowledge about administration and a historical period. So that I can see that in this category it would fall within the historical direction, providing information to the public, the rationale, the justification, the perceptions of an ex-President to the public of his office, and, in that way, I can see the support, public support of the staff for it.

Sometimes they make money on the memoirs, sometimes they don't. In the most recent past, Ex-Presidents have lucrative contracts. In the more distant past, sometimes the memoirs were real flops and they didn't make any money on them at all. In the more recent past, there have been lucrative contracts. As to whether that is unjust enrichment or whether it is part of the role; No. 1, I think that it is unwise, possibly unconstitutional to try to limit what an ex-President could say and write. I am sure you are not suggesting what he can write and what he can't write. Your suggestion is whether we should help pay for what he is writing. And I think in terms of memoirs, it is certainly justifiable. It gets in more gray areas, I think, when you move on from memoirs to other testimony, other appearances.

USE OF INCOME GENERATED

Senator CHILES. Should there be some distinction between what is going to be done with the proceeds?

Mr. CHAMBERS. The disposition of the income generated?

Senator CHILES. Yes. Well, one could envision, since especially the office and staff allowances were provided to help the President meet expenses, one can envision an arrangement in which if the external income generated was substantial, reached a specific point, that then the public support for office and staff allowances might be reduced in any given year. I can envision the justification perhaps for that kind of arrangement between outside income and public expenditures.

PUBLISHING COMPANY ADVANCES

Senator PRYOR. Shouldn't the publishing company itself make a substantial enough offer to cover the costs of the staff in preparation. Looking from a historian's perspective, you would say the memoirs are

necessary. And I would too. I am not castigating the right, I think it is almost a duty of a former President to write his memoirs. I just think sometimes we go a little too far in allowing Federal employees to assist a former President to become very rich in his ex-Presidential tenure.

Mr. CHAMBERS. I understand your position, Senator, and my understanding of the original funding was certainly not designed to help the ex-President become a wealthy man, and it does seem to be somewhat incongruous and inappropriate in some cases. As you suggest, publishers today, in many cases, will extend extensive advantages, perhaps as much as half a million, I understand, as an advance to underwrite expenses of publication of an ex-President's memoirs, so that there could be these expenses already paid for through the private income. My understanding also is, that former President Nixon charged the travel to the Former Presidents' Act in his flight from California to New York to sign a contract for his memoirs with his publishers. We get into some areas that are fuzzy, as to whether these are strictly public or income generating. I wonder, if, in fact, that there might be some manner in which the ratio or the amount of work necessary to meet the public functions, public service functions, that I have clearly designated, are clearly public service functions, and perhaps some of the other functions, that there might be some way of determining within the staff the ex-President has, how many people are needed to perform those kinds of roles, the ratios, and then of providing public funding in that kind of proportion, because I do think you have a point, an important one, in suggesting, as I am trying to say, that there is a differentiation, was a differentiation in the mind of the drafters of this legislation between necessary public expenses of an ex-President and separately expenses which would be used to make him wealthy.

CLARIFICATION NEEDED

Senator PRYOR. Of course, this area of the writings and financial proceeds gleaned from these undertakings of ex-Presidents or Presidents is fuzzy. But on the other side it is just as fuzzy when we consider other situations, like protection of a former President. For example, San Clemente, what is in the best interest of the President's security, whether they need 12 lights or 6 lights, or whether the swimming pool needs a light or whether the President needs a golf cart or not a golf cart, whether he needs a $2,300 flag pole and he pretty well said not long ago, if we wanted it, come and get it, these are issues that are very gray.

Speaking for myself, I think that we can do a great service here in the Congress if we clarify this whole area. I don't think the country is going to have a nervous breakdown over this entire issue, but I do think it is worrisome because the Presidency is a special office and the President is a special person, and I don't think the public likes to see a former President out here grabbling around.

On the same hand, I don't think they want to see him on an American Express ad on television. I think somehow or another that is demeaning. I don't know how we really come to grips legislatively with this. I think a lot of this we have to leave up to commonsense and best judgment of that individual, but sometimes we see that there are

advantages possibly being taken of the system. That is the issue that we are trying to come to grips with here. It is no disrespect for the office. It is really a favor we are trying to do for the former Presidents, for their families, certainly for the country, and for the system.

What you have said has been very enlightening from a historian's perspective.

Senator CHILES. Right now there doesn't appear to be any guidelines for GSA. For example, when a former President says, "I want to use my office allowance *y* and I need *x* number of dollars." Later we see that was used for something questionable that the newspapers write about and then we hear from the constituents about it. Everybody gets up in arms. I think GSA says, "Well, there are no guidelines in the act." We can go back in legislative history and we can see what President Truman was talking about and it is a little different from some of these items that we are now seeing.

Do you think the legislation should have some kind of guidelines as to how those funds could be used, should be used, and some better means of accounting, to try to determine if those guidelines are kept?

Mr. CHAMBERS. I do think there should be some guidelines. I think, as I have suggested in my statement. that there has been, that this office has emerged in a very haphazard way because of a number of circumstances and individuals and that we have really seen rather strikingly an example of how an institution can emerge almost unwittingly.

One of the results of that is, there really is a great deal of vagueness in the law. There is a great deal of ambiguity in the legislation, in the guidelines and I would certainly very much support the idea of attempting to clarify the definitions, guidelines and accountability. And if I can be of help in this hearing or at any future time. I hope you call on me to do so.

SECURITY PROTECTION

Senator CHILES. One of the areas that we will be getting into, I guess it's tomorrow, is into the area of the Secret Service protection. Right now that protection is available to ex-Presidents on a 24-hour basis, also in any travel that they make, and that is a figure we see as becoming astoundingly high, growing at a geometric rate.

The public should protect a former President if there is a threat. I am for that.

But I think certainly as the former President has been out of office, for awhile and the possibility of the threat is much less, protection should start to drop off. At some stage should there be some kind of limitation on that protection depending on what choices the former President makes as to how he will travel? We see that Teddy Roosevelt went off to Africa and shot game and, again, if we have a former President who decides that he wants to make worldwide travel his thing and in view of the Secret Service always wanting to make sure they are providing adequate protection it will be expensive. Those trips would be very, very expensive. It seems like to me perhaps there should be some distinction between what should be normal, ordinary travel and what the former President just elects to do for his personal pleasure. The same distinction would apply for security protection for wives and/or widows.

Just to add one more hypothesis there, assume the former President decides he is going on a lecture tour, he is speaking for pay. Again, do we provide the Secret Service protection and the entourage for that kind of travel? Do you see that as being a responsibility of the public?

Mr. CHAMBERS. Let me say, I agree with you that Secret Service protection is necessary. The President has to make very tough decisions in office and has to deal with decisions which affect terrorist groups and others. Knowing that he may be jeopardizing the lives of himself and his family he has to be able to make those decisions knowing that protection will be provided to him. In that context I would agree with you.

I think the Secret Service, like the military, likes to plan for the worst possible contingency in their planning. They like to have all-out protection, as the military is ready to fight two wars, three wars at the same time in different areas of the world. The fact is that we limit the military and it seems to me one can apply that same kind of analogy to the Secret Service. The risk is different, greater at different times, as you suggested. Immediately upon leaving office, the threat, I believe is the highest. And so it seems to me a flexible arrangement could be provided whereby there would be the most extensive protection for a period of years immediately after leaving office and that at some point after that it might be reduced. Again, depending on whether there have been significant threats. This would have to be weighed by security analysts. So it seems to me the idea of maintaining around-the-clock protection for which I understand we are talking about almost three dozen agents, and this is one of the largest expenses involving the ex-Presidency, that this could be modified at different times depending on the threat. It seems to me that different arrangements could be made for different Presidents, depending upon their vulnerability or their visibility, the kind of decisions they make, the kind of threats made against them, the time of period out of office, different arrangements could be made for different widows, again, depending on the length of time and the threats.

It doesn't seem to me we need around-the-clock protection of widows as long as they live to be 80 and 90, but some protection is probably advisable. I think the situation changes, and I think there can be a reasonable arrangement worked out for limited but adequate service at different times.

FORMER PRESIDENTS AS PUBLIC FIGURES

Senator PRYOR. Doctor Chambers, as one of the leading writers today on former Presidents, you have gotten to know these people pretty well, not necessarily personally, but through reading about them.

Do you feel that a former President of the United States of America is still public property?

Mr. CHAMBERS. That a former President is public property? In what way, Senator?

Senator PRYOR. I know he is public property while he is in office. Does he remain public property until his grave?

Mr. CHAMBERS. Well, if you could expand on that question just a bit more.

Senator PRYOR. Is the office so large and so huge in our minds or in our system that no matter what happens whether he is defeated or retires, that still in our perspective of what that office ought to be, that the man or the woman still belongs to us. It is almost like you stamp a number, GSA No. 1392, which this man carries with him to his grave?

Mr. CHAMBERS. Senator, I don't know if in my 4 years of research, I can make a specific answer as to whether former Presidents and widows become public property. I can answer in some sense they are public property and in some sense the public looks to them, especially the ex-Presidents. Once having been a former head of state, not just the head of government, but head of state. The United States, of course, is unlike Britain, which has two different functions, head of the government and head of state. Therefore, there is interest in them. People will go out of their way to see them, to see their museums, libraries, to go past their house.

The Trumans had a parade of cars going past their house, people were staring in the windows, so in that sense they are public property, but in other senses, of course, they are not.

Senator PRYOR. The thing that brought this to my mind was the recent revelations of Eleanor Roosevelt's letters. Somehow or another that just grabbed me the wrong way. I said "This is none of our business. This was the business of Mrs. Roosevelt, and maybe Franklin D. Roosevelt." I think somehow or another we took advantage of Eleanor Roosevelt and I think that was a very cheap thing for us to do. I am not sure how it evolved, I don't know the story about how it got out into the press, just as they might take advantage of us every once in awhile, I think we, too, can take advantage of former Presidents and former Presidents' families, especially their personal lives. I think there is a stopping place somewhere.

I think there is a cutting off place. That is why I raised that question.

Mr. CHAMBERS. I see now what your question is, Senator. I agree there should be a distinction between the public life and the private life, and they should be allowed to have private lives.

Of course, it is a problem that not only our former Presidents and their widows face in society. There is a fascination with the personalities of celebrities and an interest for understanding the inside story, the private story of their lives. The television, with docu-dramas, of course, focuses on that. The Eleanor and Franklin story, as an example focused on the private aspects of their lives. The minutiae, the aspects of their lives which, in fact, are private and do not necessarily affect public policy or public service.

I am reminded, well, in Harry Truman's case, because he went back to his mother-in-law's house in Independence, his wife's mother's house in Independence, and not to a compound with wire around it, that, in fact, they had tourists coming up peeping in windows at them.

One of the things they used the Secret Service for was to shoo these people away. Margaret Truman has said in the memoirs of her father, especially as he became more elderly, that the Secret Service would shoo these people away, because people would actually come up and peer in the windows. I think we should recognize, and should allow the

ex-Presidents and their widows to have a private life, absolutely. I couldn't agree with you more.

Senator PRYOR. Thank you, Mr. Chairman.

Senator CHILES. Thank you very much for your testimony. We appreciate your appearance.

Mr. CHAMBERS. Thank you, Mr. Chairman.

GENERAL ACCOUNTING OFFICE

STATEMENT OF ALLEN VOSS, DIRECTOR, GENERAL GOVERNMENT DIVISION

ACCOMPANIED BY:
BARRY BEDRICK, ATTORNEY, OFFICE OF GENERAL COUNSEL
DON PULLEN, TEAM DIRECTOR, AUDIT GROUP
AL VORIS, SAN FRANCISCO

INTRODUCTION OF ASSOCIATES

Senator CHILES. Our next witness is Mr. Voss from the General Accounting Office. Mr. Voss, if you will introduce your associates with you, we will be delighted to have your statement today.

Mr. Voss. Thank you, Mr. Chairman. On my left is Mr. Barry Bedrick, who is an attorney with our office of general counsel, Don Pullen is our team director in our audit group. Next to him is Al Voris from our San Francisco regional office.

Mr. Chairman, I have a prepared statement, but much of what I have on the first three pages has been covered beautifully by the speaker before me.

Senator CHILES. If there is any way you can brief that for us, we would be appreciative of it. We will put your statement in full in the record.

[The statement follows:]

STATEMENT OF ALLEN R. VOSS

We are pleased to be here today to discuss the results of our recent audit of expenditures under the Former Presidents Act and our recommendations to amend the Former Presidents Act and the Presidential Transition Act.

HISTORY OF THE FORMER PRESIDENTS ACT

With the passage of the Former Presidents Act of 1958, the Congress sought to provide former Presidents with (1) retirement benefits; (2) office space; (3) office staff; and (4) franking privileges, as well as to create continuing statutory authority for benefits for the widows of former Presidents. The rationale for providing these benefits was primarily to assure the dignity of the Office of the President of the United States by avoiding the need for former Presidents to seek personal financial support in the future. Another purpose was to provide financial support for those public demands which continue--such as speeches, conferences, advice, and correspondence.

Each former President is entitled to a pension equal to the annual rate of basic pay of a Cabinet officer, currently $66,000 a year. The pension payments begin as soon as he leaves office. The act also authorizes a staff and services, which begin 6 months after a former President leaves office. Pursuant to the Presidential Transition Act of 1963, staff and services are available to a former President during the first 6 months after he leaves office. The 1958 act requires the Administrator of General Services:

--To provide each former President with an office staff selected by the former President and responsible only to him.

--To furnish each former President with suitable office space appropriately furnished and equipped at such

place within the United States as the former President shall specify.

The act does not mention travel as an authorized expense, but the fiscal year 1969 Supplemental Appropriation Act states that a former President and no more than two members of his staff are authorized thereafter to use Former Presidents Act funds to pay travel expenses.

The laws pertaining to the Postal Service authorize a former President to send all nonpolitical mail as franked mail. GSA reimburses the Postal Service for the equivalent amount of postage on such franked mail.

Congressional debate on the proposed legislation raised some questions. Some members pointed out that neither former President Hoover nor the widow of former President Roosevelt wanted or needed any financial assistance. As a consequence the proposed legislation contained a number of restrictions. Proposals were advanced to

--limit franking to the equivalent of 48,000 pieces of mail annually,

--provide office space only in Federal buildings, and

--limit staff to that allowed for a Senator of the least populous State.

The Congress debated these restrictions and voted to delete them from the act. But it did place a monetary limit on staff salaries.

Specifically, the salaries of the office staff are limited to a total of $150,000 a year during the first 30 months and $96,000 a year thereafter. No individual can be paid more than the rate for level II of the Executive Schedule. The Former Presidents Act does not authorize detailing Federal employees to assist a former President.

AUDIT OF FORMER PRESIDENTS ACT EXPENDITURES

We audited funds appropriated under the act for fiscal years 1976, 1977, 1978, and through April 1979 for the offices of former Presidents Nixon and Ford. Using existing legislative guidelines we concluded that GSA has been reasonable in determining whether to approve expenses.

The total expenditures for fiscal year 1978, the latest full fiscal year included in our review, were $230,000 for former President Nixon and $360,000 for former President Ford. More details on the expenditures for each year are shown in attachment I to my statement.

We concluded that while some expenditures do seem unusual in terms of what would normally be provided for a Government office, the specific expenditures are allowable. In this regard, GSA is required to furnish each former President suitable office space appropriately furnished and equipped. Presidents, while in office, are provided with offices and furnishings generally more elaborate and of better quality than those provided for other elected or appointed Government officials--presumably, at least in part, in recognition of the President's status as head of state and of the ceremonial aspects of his position.

Thus, within the limits of the monies appropriated under the former Presidents Act, it is within GSA's authority to provide space, furnishings, and supplies for former Presidents in a style similar to that which they enjoyed as Presidents.

We did find several occasions where Mr. Ford has traveled with more than two members of his staff and paid for all the staff travel with funds appropriated under the Former Presidents Act. Mr. Ford has agreed to pay back the total amount in question--$2,500.

PRIOR RECOMMENDATIONS

We made a number of recommendations to the Congress in our December 23, 1977, report to minimize some of the problems encountered during the Ford-Carter transition. These are noted in attachment II to my statement. While the recommendations have not been adopted, we continue to believe they are appropriate for consideration by the Congress.

We believe the Presidential Transition Act should deal solely with the assistance to be provided the incoming administration. For all intents and purposes the transition period is over when the new President takes the oath of office. A former President may be more active in the months immediately after he leaves office, but the type of activities for which he needs assistance does not change materially. If our recommendations were adopted:

--The Presidential Transition act would apply only to the incoming administration.

--The use of military aircraft on a reimbursable basis for transition purposes would be authorized and collections from the press and others for trips on chartered flights would be available for use in the transition.

--Funds would be available to the former President and Vice President from the time they leave office through the remainder of the fiscal year--a period of 8 months and 10 days. Thereafter, funds would only be available to the former President.

--The President would be required by law to include in the budget request for the fiscal year in which his regular term of office expires sufficient funds to pay for the benefits and services authorized for him and the Vice President by the

Former Presidents Act. This requirement would overcome the natural reluctance of a President seeking reelection to request funds which would become available only if he were defeated.

--Expenditures would have to be approved in advance by the Administrator of General Services, except for minor cash expenses.

--The widows of former Presidents would be authorized a pension equal to one-third the annual rate authorized for former Presidents.

This concludes my prepared statement, Mr. Chairman. We would be pleased to respond to any questions you may have.

TABLE I

PAYMENTS MADE UNDER THE FORMER PRESIDENTS ACT

	1976 and transition quarter	1977		1978		1979 (note a)	
	Nixon	Ford	Nixon	Ford	Nixon	Ford	Nixon
Annual allowance	$ 62,000 16,000 78,000	$ 49,000	$ 63,000	$ 66,000	$ 66,000	$ 38,500	$ 38,500
Operating costs:							
Staff salaries	117,505	-	95,778	149,441	95,669	85,444	54,941
Benefits	9,236	-	7,345	15,037	8,213	8,596	4,869
	126,741	-	103,123	164,478	103,882	94,040	59,810
General office expenses	33,879	57,514	38,179	99,716	45,212	63,394	55,011
Travel expenses	7,367	-	8,679	29,796	14,770	8,215	14,953
Total operating costs	167,987	57,714	149,981	293,990	163,864	165,649	129,774
Total payments	$245,987	$106,714	$212,981	$359,990	$229,864	$204,149	$168,274
Limitations:							
Total payments	$258,750	$110,000	$215,000	$368,000	$235,000	$284,500	$213,500
Staff salaries	96,000	-	96,000	150,000	96,000	150,000	96,000
Travel expenses	-	-	-	30,000	15,000	30,000	24,000

a/Operating costs include obligations for third quarter.

ATTACHMENT I

ATTACHMENT II

RECOMMENDATIONS TO THE CONGRESS FOR CHANGES IN LEGISLATION

We issued a report to the Congress dated December 24, 1975, on "Federal Assistance for Presidential Transitions: Recommendations for Changes in Legislation." On October 14, 1976, the Transition Act was amended to include two of the amendments recommended in that report; an increase in the funds authorized for the incoming administration and deletion of the provision which permitted the detailing of Federal employees to former Presidents on a nonreimbursable basis. The act as amended also prohibits the detailing of Federal employees to the incoming administration on a nonreimbursable basis and authorized the appropriation of additional funds for the outgoing administration. We issued another report on December 23, 1977, on "Audit of Ford-Carter Transition Expenditures," which contained several new recommendations and repeated the 1975 amendments that were not adopted.

PRESIDENTIAL TRANSITION ACT

We believe this act should deal solely with the assistance to be provided the incoming administration. For all intents and purposes, the transition period is over when the new President takes the oath of office. A former President may be more active in the months immediately after he leaves office, but the type of activities on which he needs assistance do not change materially. Presently, the assistance provided to a former President is included in two laws whose provisions are similar but not identical--the Former Presidents Act and the Presidential Transition Act. A former President's pension is paid from Former Presidents Act funds and begins as soon as he leaves office; the other services provided by that law begin 6 months after he leaves office and are subject to some limitations not included in the Transition Act. Also, on two occasions both Transition Act and Former President Act funds have been available concurrently for similar services.

Delete provisions dealing with outgoing administration

We believe the needs of a President-elect and a former President are sufficiently different to justify legislation separating the authority for the assistance to be provided each. We therefore recommend that the Presidential Transition Act be amended to:

--Delete section 4 dealing with services and facilities provided to former Presidents and former Vice Presidents and that part of section 5 authorizing the funds to be appropriated for such services and facilities.

Add provisions dealing with military and chartered aircraft

During the Ford-Carter transition, the incoming and outgoing administrations extensively used military aircraft. Part of the cost of using these aircraft by the former President was charged to the Secret Service, but the Air Force absorbed the balance of the costs. We have advised the While House and GSA to make the appropriate adjustments to

charge part of the cost of the flights used by the incoming administration to the Secret Service and the balance to Transition Act funds.

In addition to the military aircraft, private planes were chartered by the incoming administration principally on flights used by the President-elect, the Vice President-elect, or members of their families entitled to Secret Service protection. The transition staff collected part of the cost of the chartered flights from the Secret Service and the press who occupied space on these flights. The collections were deposited in a checking account in a private bank and used for various transition expenses. But because there was no authority in the Transition Act to retain these collections, we later advised GSA that these collections should be deposited to miscellaneous receipts in the Treasury's general fund.

We believe that the Transition Act should be amended to clarify the act concerning (1) the authority to use military and chartered aircraft for transition purposes, (2) the appropriation to be charged for the cost of using military aircraft, and (3) the disposition of collections from the Secret Service, the press, and others for the use of space on chartered aircraft. We therefore recommend the act be amended by:

--Adding at the end of section 3(a) (4) dealing with travel expenses a provision stating that when requested by the President-elect or Vice President-elect, or their designee, and approved by the President, Government aircraft may be provided on a reimbursable basis to assist in the transition. Also, add a provision that when requested by the President-elect, Vice President-elect, or their designee, aircraft may be chartered for transition purposes and that any collections from the Secret Service, the press, or others occupying space on such chartered aircraft be credited to the Transition Act appropriation.

Approval of expenditures

Many of the problems encountered in administering the Transition Act as it pertained to the incoming administration involved using a checking account in a private bank. The use of this account permitted the transition staff to use transition funds without the usual GSA prepayment review.

In our opinion, the act intends that the Administrator of GSA be responsible for determining whether any proposed obligation or expenditure is authorized by the act and meets the usual requirements of Government regulations pertaining to travel, payroll, etc. It is our view that the provision in section 3(e) dealing with the designation of an assistant was intended merely as a device to relieve the President-elect and Vice President-elect of the many details involved in requesting services and facilities. It was not intended to dilute the Administrator's responsibility for determining whether proposed obligations or expenditures are authorized by the act. The use of a private checking account avoided the usual GSA prepayment scrutiny and resulted in several problems discussed in chapter 3 of the report.

To avoid similar problems in future transitions, we recommend that the act be amended to:

--Add at the end of section 3(e) a provision that, except for the national security expenditure provision in that section and expenditures from a small imprest fund, obligation and expenditure of transition funds may only be made with the prior approval of the Administrator or his designee.

FORMER PRESIDENTS ACT

The deletion of section 4 of the Transition Act would mean that all services to be provided a former President would be covered in the Former Presidents Act and there would be no provision for providing services to a former Vice President after he left office. In our December 24, 1975, report, we therefore made several recommendations, which we are repeating here, to (1) remove some of the restrictions in the act concerning total salaries and travel, (2) clarify some of the provisions of the Former Presidents Act, and (3) make provisions for the services to be furnished a former Vice President.

Staff salaries

The Former Presidents Act, as of September 30, 1977, limited to $96,000 per year the total salaries that could be paid to the staff of a former President. Public Law 95-138, enacted October 18, 1977, increased this limit to $150,000 during the first 30 months that staff assistance under the Former Presidents Act is authorized. After 30 months the limit reverts to $96,000 a year. During the first fiscal year of a transition, a former President usually requires a larger staff than in succeeding years. We believe that the ceiling should be removed so that the staff requirements of a former President could be adjusted through the appropriation process to meet particular circumstances as they develop. The Former Presidents Act, unlike the Transition Act, does not permit the detailing of Government employees to assist a former President. We believe he should be permitted to use such staff on a reimbursable basis during the fiscal year in which the transition occurs. We therefore recommend that the Former Presidents Act be amended to:

--Delete the ceiling on the annual salaries that can be paid to a former President's staff and add a provision authorizing the detailing of Government employees on a reimbursable basis during the fiscal year in which the transition occurs.

Travel

The Former Presidents Act does not mention travel as an authorized expense, but the fiscal year 1969 supplemental appropriation act stated that a former President and no more than two members of his staff were authorized thereafter to use Former Presidents Act funds to pay travel expenses.

We believe that the authorizing legislation rather than an appropriation act should authorize travel expenses of a former President and his staff. Control of the amount authorized for travel can be obtained through the appropriation process, and we are recommending that the Former Presidents Act be amended to include the authority needed to authorize the travel of a former President and his staff. In effect, this would result in the deletion of the limitation restricting travel to just two staff members. If the Transition Act

is amended as recommended above, the Former Presidents Act would also cover the period immediately after a President leaves office when travel by more staff members may be required. We therefore recommend that the Former Presidents Act be amended to:

--Add a provision authorizing the travel of a former President and members of his staff.

The cost of military aircraft used by former President Ford was not charged to Transition Act funds and the assignment of these aircraft was based on a Department of Justice determination that such aircraft could be assigned for either official or personal purposes. We do not believe that the President has the authority to assign military aircraft to a former President without reimbursement. During the transition the former President also traveled on some occasions on chartered flights on which the Secret Service paid part of the costs. The collections from the Secret Service were deposited in miscellaneous receipts.

To clarify the authority for the use of military or chartered aircraft by a former President, the appropriation to be charged, and the disposition of any receipts from the Secret Service and others accompanying a former President, we recommend the addition of a provision stating that:

--When authorized by the President, Government aircraft may be used by a former President for transition purposes. When deemed necessary for protective purposes, chartered aircraft may also be used by a former President in winding up the affairs of his Presidency. The cost of either Government or chartered aircraft should be paid with Former Presidents Act funds and any collections from the Secret Service or others for the use of space on chartered flights deposited to the credit of the Former Presidents Act appropriation.

Clarification or modification of provision

In our 1975 report, we made several other recommendations to clarify or modify the provisions of the act.

Concerning a former President

--Transfer to the Former Presidents Act the more specific provisions of the Transition Act concerning employee benefits and authorized services.

--Add a provision authorizing the appropriation of funds to pay the expenses of moving the personal effects of a former President from the White House to a place of his choice in the United States.

--Add a provision specifically authorizing the use of funds appropriated under the act for 3 months after a former President's death to allow for the orderly closing of his office.

--Add a provision specifically authorizing the appropriation of funds to pay GSA the Standard Level User Charge for space provided to a former President beginning with the fiscal year following the fiscal year in which a President leaves office. The cost of space is usually one of the major costs

of the services provided a former President. The law requires GSA to charge for use of space provided at rates determined in accordance with 40 U.S.C. 490(j) but also permits GSA to waive such charges when it determines that to charge for space would be infeasible or impractical. GSA has waived such charges on the space provided former President Nixon and intends to waive them on the space provided former President Ford under the Former Presidents Act.

Because a former President will probably need office space in Washington, D.C., as well as one other location during the fiscal year in which he leaves office, we are making a new recommendation which would:

--Authorize the furnishing of office space in Washington, D.C., and one other place during the fiscal year in which a President leaves office. The Former Presidents Act limits office space to just one place and this limitation would remain in effect during subsequent years.

Widows' pensions

We are also making a new recommendation concerning the pension payable to the widows of former Presidents. The Former Presidents Act as enacted in 1958 provided for a pension of $25,000 a year for a former President, and $10,000 a year for the widows of former Presidents. In 1971 the act was amended to provide that the pension of a former President would be equal to the salary of a Cabinet officer, at that time $60,000 a year, and the pension of the widow of a former President, $20,000 a year. Because of increases in the salaries of Cabinet officers a former President now receives $66,000 a year but the pension of widows of former Presidents remains at $20,000. We believe it would be appropriate to establish the widows' pension on a flexible basis similar to that of former Presidents. In 1971 the widows' pension was established at a rate which was one-third of a former President's pension.

We are therefore making a new recommendation that:

--The pension authorized for widows of former Presidents be established at one-third of the annual rate authorized for former Presidents.

GSA approval of expenditures

During the Ford-Carter transition both the former President's staff and the former Vice President's staff were provided with Transition Act funds for deposit in checking accounts in private banks. The amounts advanced--$5,000 and $2,000, respectively--were relatively small, and we noted none of the problems encountered in the use of the much larger checking account made available to the Carter/Mondale staff. These smaller accounts were operated on an imprest basis, i.e., for minor expenses which were submitted to GSA frequently for approval and reimbursement to the checking account for the amount expended.

To prevent any problems which might arise from the use of such checking accounts in the future, however, we are recommending that the former Presidents Act be amended to:

--Limit the expenditures that can be made without prior GSA approval to those made from a small imprest fund.

Concerning a former Vice President

We recommend that the provisions of the Transition Act concerning the services to be provided a former Vice President after he leaves office be transferred to the Former Presidents Act with a few changes.

In two of the last three Presidential transitions there has been a conflict between the authorizing legislation and the appropriation acts as to the period Transition Act funds are available to the outgoing administration. The deletion of section 4 of the Transition Act as recommended would remove this conflict as far as a former President is concerned because the funds would be provided on a fiscal year basis. For ease of administration we believe the services authorized for a former Vice President should also be available during the remainder of the fiscal year in which he leaves office--8 months and 10 days--rather than the 6 months provided in the Transition Act. We therefore recommend that the amendments to the Former Presidents Act provide that:

--The services and facilities that will be authorized by the act for a former Vice President will be provided during the fiscal year in which he leaves office.

Other changes recommended are:

--Under the Transition Act a former President can be furnished office space at any place or places in the United States. The Former Presidents Act limits a former President to office space in just one place and we are recommending that the law be amended to provide that during the fiscal year in which a Pre dent leaves office that he be provided office spa in Washington, D.C., and one other place. We rec mend that a similar limit be placed on a former Vi President.

--Add a provision authorizing the shipment of the personal effects of a Vice President and his family from the official Vice Presidential residence in Washington, D.C., to a location in the United States selected by him.

Providing funds to the outgoing administration

The removal from the Transition Act of the authorization for an appropriation of not more than $1 million to assist the outgoing administration, as recommended above, would mean that funds would have to be available under the Former Presidents Act as soon as the outgoing administration leaves office. There is a natural reluctance on the part of an administration with a President running for reelection to request funds under the Former Presidents Act which would only become available to him if he is defeated. This reluctance is overcome in the Transition Act by a provision which requires a President to request an appropriation for each fiscal year in which his term will expire. We believe that a similar provision should be added to the Former Presidents Act. We therefore recommend the addition of a provision to require:

--The President to include in the budget transmitted to the Congress for the fiscal year in which his regular term of office expires, a proposed appropriation providing sufficient funds to carry out the provisions of the Former Presidents Act as it would apply to him and the Vice President.

AUDIT OF FORMER PRESIDENT FUNDS

Mr. Voss. I might jump right into the area dealing with the results of our review.

As you know, we did audit the funds appropriated under the act from fiscal years 1976 through 1978 for offices of former Presidents Nixon and Ford. Using the existing legislative guidelines, we have concluded that GSA has been reasonable in determining whether to approve expenditures.

The total expenditures for fiscal year 1978 were $230,000 for former President Nixon and $360,000 for former President Ford. We have concluded that while some of these expenditures were unusual, the specific expenditures were allowable.

In this regard, GSA is required to furnish each former President suitable office space appropriately furnished and equipped.

Within the limits of the money that was appropriated, it was within GSA's authority to provide the space and furnishings and supplies for the former Presidents in a style similar to that which they enjoyed as Presidents.

We did find several occasions, though, where former President Ford had violated the legislative restriction on travel and he has agreed to pay back the total amount in question, which was $2,500.

RECOMMENDATIONS TO CONGRESS

We made a number of recommendations to the Congress in December of 1977 which would, if adopted, minimize some of the problems encountered during the Ford-Carter transition.

While the recommendations have not been adopted, we continue to believe that they are appropriate for consideration by the Congress.

We believe that the Presidential Transition Act should deal solely with the assistance to be provided the incoming administration. For all intents and purposes, the transition period is over when the new President takes the oath of office.

A former President may be more active in the months immediately after he leaves office but the type of activities for which he needs assistance does not change materially.

If our recommendations were adopted, what would happen, in effect, would be that the Presidential Transition Act would apply only to the incoming administration. The use of military aircraft on a reimbursable basis for transition purposes would be authorized and collections from the press and others for trips on chartered flights would be available for use in the transition.

Funds would be available to the former President and Vice President from the time they leave office through the remainder of the fiscal year, a period of 8 months and 10 days and thereafter, funds would only be available to the former President.

The President would be required by law to include in the budget request for the fiscal year in which his regular term of office expires sufficient funds to pay for the benefits and services authorized for him and the Vice President by the Former Presidents Act. This requirement

would overcome we believe, the natural reluctance of a President seeking reelection to request funds which would become available if he were defeated.

Expenditures would have to be approved in advance by the Administrator of General Services, except for minor cash expenses. This was a problem during the Carter-Ford transition.

The widows of former Presidents would be authorized a pension equal to one-third the annual rate authorized for former Presidents. The one-third figure that we came up with was based on what was in being at the time that the Congress set the fixed rate for widows at $20,000.

At that time, the benefits for the former President for retirement was $60,000 and the $20,000 represented approximately a third of that figure.

Mr. Chairman, and Senator Pryor, this concludes my prepared statement. We would be pleased to respond to any questions that you may have on this subject.

ANNUAL AUDITS

Senator PRYOR. I understand the GAO only does a periodic audit and is not required by law to audit the former Presidents account annually, is that correct?

Mr. Voss. That is correct, Senator.

I might just say, since the first report which we issued in 1970, the audits that we have done have been at the request of committee chairmen.

Senator PRYOR. I made such a request of you, I believe, April 30.

Mr. Voss. That is correct.

Senator PRYOR. And I do have the Comptroller General's report pursuant to that request. Now, this is the first audit that has been done since 1975.

Mr. Voss. That's correct. Actually, the last report we issued was in 1977, but it covered expenditures through 1975.

Senator PRYOR. How would you react if the Congress mandated a former President to report to the Congress annually on his or her expenditures of their office and his or her income from other sources as a private individual, their travel arrangements, the expenditures for travel, and for official business? Would that help to bridge that gap between 3- or 4-year audits?

Mr. Voss. Let me say, Senator, the former Presidents now in retirement are submitting that information to the Congress through the budget process.

The actual expenditures that occur each year are included in the subsequent year's budget and usually that is a takeoff point for the subsequent year's budget.

In terms of reporting income that former Presidents generate from other sources, that would obviously be a matter of consideration by the Congress.

Senator PRYOR. In other words, private income to a former President is considered to be private and not public knowledge. You think it should be public knowledge?

Mr. Voss. I feel a former President—to some extent, the prior speak-

er said this—has a certain amount of a personal life when he becomes a former President. Exposing or asking him to expose to the Nation what he is making seems to be something that might go a bit beyond what he personally would like to do, or for that matter, what any of us would like to do. However, the moneys that are provided a former President should be accounted for in detail, if the Congress so desires that.

LEVEL OF FUNDING FOR FORMER PRESIDENTS

Senator PRYOR. Do you think the public demands which naturally follow a former President, such as conferences, advice and correspondence, require the present appropriation levels to satisfy them, or are we talking about needing additional appropriations in the future?

Mr. Voss. I have thought about that particular question.

Senator PRYOR. I would just like to add here, Senator Chiles brought out in yesterday's hearing that we are appropriating now more money to former Presidents and to their families in upkeep, to libraries, and other programs than we are appropriating to the White House today. So we put a lot of emphasis on former Presidents, keeping them up in pretty grand style. I would just like to hear your comments.

Mr. Voss. Of course, the libraries are taking quite a bit of that total amount. I would like to express my view on this. Of course, we have not been asked, as an office, to express our view on that question, but we have been thinking about it and talking about it for a number of months. I separate the former Presidents activities into three or four pots. One of them is to provide a retirement benefit which would hopefully help keep him from becoming destitute, and that is of recognition to his service to the country.

A second one is to provide him with resources, office equipment, furnishings, and people. This pot is provided to him in order to handle the public demand that is made upon him after he leaves office.

Third, he himself is obtaining income or can obtain income from other sources, such as speeches or from writing of books. I personally feel that kind of income should be supported out of his own pocket.

Fourth, on occasion, he is asked to provide services which would be considered political in nature. I think either the party itself should provide the support for that kind of activity or he himself should provide the support for that kind of activity.

PRIVATE INCOME TO HELP REPLACE APPROPRIATIONS

Senator PRYOR. What would you think if we enacted langage in a statute that said, if a former President makes a million dollars in outside gross income in any given fiscal year, then the statutory allowance will be cut off?

Mr. Voss. Statutory allowance in terms of his retirement benefit and everything else?

Senator PRYOR. No, the retirement benefit that he has paid into a system, I assume that would remain intact. How much is it, a $69,000 guaranteed pension?

Mr. Voss. The pension, as of now, would be a little over $69,000.

Senator PRYOR. Should that pension be continued as long as he is making a million dollars in the private market?

Mr. Voss. My own view, Senator, is that it would be very difficult to say that people are not entitled to their pensions when they reach some magic figure.

Senator PRYOR. We do that in a way in our social security system today. We allow only *x* amount of outside income or your social security is diminished. The precedent is there.

Mr. Voss. It is done with social security until you reach a certain age. However, you could look at my pension and say we should do the same with all Federal employees. I have a problem when I start thinking of it as a policy matter, and it hits upon my own pension.

Senator PRYOR. This whole area has a great deal of policy decisions attached to it and philosophical concepts enunciated. This is a large gray area that we are dealing with at this point. Senator Chiles?

Senator CHILES. Thank you, Mr. Chairman.

GUIDELINES FOR OFFICE ALLOWANCE EXPENDITURES

The Former Presidents Act. as you know, didn't designate any special duties and we find that we are talking about three categories here, the President's pension, approximately $69,760. Second, the amount available for the office staff, which is now $150,000 for the first 30 months. Then it drops to the $96,000 a year and the third category for office operations. The third category in 1980, $162,000, was appropriated for former President Nixon and $193,000 for former President Ford.

Is there anything, to your knowledge, in the legislative history that would suggest guidelines as to what the general category of funding may or may not be used for?

Mr. Voss. No, sir, not for office operations.

Senator CHILES. But you have said you think there should be some guidelines.

Mr. Voss. Definitely, I do.

QUESTIONABLE EXPENDITURES

Senator CHILES. To talk about some of the expenditures made by former Presidents, according to page 8 of your report one of the former Presidents charged his account for car washes, minor auto repairs, leased cars, gasoline. Those sound a little more like personal items to me.

Then we see water softeners, swimming pool services, silver coffee service. Do you think that is the kind of thing Harry Truman had in mind when he said, "I need some help to keep the hounds away from the door"?

Mr. Voss. No, sir, I do not think so.

As I mentioned in my prepared statement, we did find that there are unusual items, if you will. But considering the legislative guidelines that are presently available to GSA, they don't have a lot to go on.

Senator CHILES. I agree that there is a problem in that.

DUTIES OF FORMER PRESIDENTS' STAFF

I note in your report you stated that former President Nixon had 8 staff members and former President Ford had 12 staff members and that 2 of President Ford's staff members were assigned to answer the mail. Do you know what the duties of the other 10 staff members are?

Mr. Voss. Al Voris, by the way, Mr. Chairman, who ran this audit, talked to the staff directors and other employees of both President Ford——

Senator CHILES. Could you enlighten us, Mr. Voris?

Mr. VORIS. Mr. Chairman, I would like to be able to provide you a full answer on that. Unfortunately, there is only so much I can give you. We weren't actually on site.

Senator CHILES. You can supply for the record anything you don't have now. But go ahead and tell us what you know.

Mr. VORIS. They have two people down there who were answering mail. This is opening mail, the general sorting, operations of that sort. They also had another person that was in charge of scheduling the former Presidents activities and providing an itinerary. And another person that was acting in an advance man capacity. At least that is my characterization of it. He would go out in advance of the former President on speechmaking tours, that sort of thing, and make the necessary prearrangements for accommodations and whatever would be necessary during the speaking engagement.

With regard to the staff director, he acted as a coalescing function. He made sure that everything was being done in all aspects of the office operations. He in fact separated the functions of the former Presidents office between those functions that were political in nature, which were paid for by other funds, those which he characterized as academic or public information sort of things, which include his speaking engagements which were funded, through the American Enterprise Institute. He was working with them on his speaking arrangements.

Senator CHILES. He had a contract with the American Enterprise Institute.

Mr. VORIS. I have not reviewed any contracts. It is my understanding he had some sort of written arrangement with them, where they took care of all the costs involved in the speaking tours. They received whatever remuneration came from the universities for the speaking engagements. He may or may not have received some stipend for those services.

But one of the other people was involved in that aspect.

TRAVEL EXPENDITURES

Senator CHILES. Do you know whether they paid for his travel, for his staff, and for himself?

Mr. VORIS. The travel for Mr. Ford, himself, in reviewing the vouchers, he had never claimed a travel expense personally. So all the expense for that purpose was paid by the university or AEI. It is hard to differentiate the travel of his staff because there are many claims in there for travel.

It is difficult to identify that.

Senator CHILES. Can you tell whether any were to college campuses or——

Mr. VORIS. Yes, there were some that went to college campuses or at least went to towns that included college campuses. It is not an approval system that you receive a travel order and you say this is exactly what his itinerary is.

During the campaign period of the last congressional elections, it is my understanding, and I found no vouchers that would contradict this, that the payments during that period were paid by the Republican National Committee. But beyond that, in terms of other activities——

Senator CHILES. Paid for his travel and his staff's travel during that time?

Mr. VORIS. That's correct.

I could supply, though, for the record, any information on the activities of other staffs. Some staff are responsible for income-producing activities. All I have is an indication of a percentage of their time that was in fact spent on former Presidents' activities.

[The information follows:]

Summary of duties of former President Ford's staff

Robert Barrett—staff manager.
Dorthy Downton—staff assistant and personal secretary.
Debra Jan Shuffelton—staff assistant (press, speech research, and writing).
Peggy Circle—overall administrative person, as well as secretary.
Ethel Stark—general office manager, liaison with GSA and purchasing.
Lee Simmons—staff assistant (logistics and trips).
Rowena Evans—scheduling trips and speeches.
Pat Ryan—scheduling trips and speeches.
Marion Evans—general secretary and correspondence.
Dana Mahlberg—receptionist, telephones and filing.

FORMER PRESIDENT COMMISSION

Senator PRYOR. Mr. Voss, I might ask this of you: What is your reaction to the idea that we establish a commission to review the former Presidents' office activities and budget requests, and more or less remove it from the jaundiced eyes and clutches of the Congress?

Mr. Voss. I wouldn't look at it as being the jaundiced eyes and clutches of the Congress, Senator. In this regard, you might even want to include reviewing the transition President-elect expenses, too, with the former President's expenses.

I don't see any reason that a commission is needed. I feel that the General Accounting Office could provide that service objectively and independently. If the Congress wanted it, annually, we would do it annually.

Senator PRYOR. But you do, and your report indicates this, find a tremendous amount of ambiguity today in the present statutes which govern a former President, is this correct?

Mr. Voss. Absolutely. I would say that except for guidance as to the numbers of people that can travel and except for guidance in terms of overall budget limitation, there is really no guidance beyond that.

Senator PRYOR. You know, we have set up for us, the Senate has and the House has, Ethics Committees in the House and Senate. We might

write over there and say, is it legal for me to travel on a plane from Springdale, Ark., to Little Rock with Mr. so-and-so owning the plane, or whatever. We ask these questions, about a thousand each year, to seek guidance. Should we establish an ethics commission for former Presidents?

Mr. Voss. Well, Senator, you have only two former Presidents today. I don't know how far you would want to go on commissions, but I see no reason why you couldn't establish in legislation some ethics in terms of what you would expect or not expect.

Senator PRYOR. I am not advocating that we do. I am just trying to find some way we might, before the fact, get better guidance for these individuals and their families before they get embarrassed and before they embarrass themselves and their families and the Congress.

Mr. Voss. I think an option that might want to be considered by the Congress with respect to funding the activities of a former President should deal with the public demand on his time and efforts, rather than providing him with salaries and people who report only to him. GSA could provide the type of assistance that a former President would need, for instance, to handle correspondence. Those people would, in effect, be GSA people, and they would report to GSA. Under those circumstances, they should be spending 100 percent of their time dealing with the public's demand on a former President's time.

Right now you say a person works 50 percent on this and 50 percent on that. However, there is no hard data to support where a person spends his or her time.

Senator PRYOR. I understand. Do former Presidents and/or their staffs contact GAO or GSA and seek guidance before a decision is made? Is this rule or is this an exception to the rule?

Mr. Voss. I do know they contact GSA and I do know GSA contacts GAO. In terms of rule or exception, maybe Mr. Voris could comment on that.

Senator PRYOR. In other words, they call in and say, President Ford is getting ready to go to Mobile, Ala., to make a speech. It is semi-political, how do we pay for it?

Mr. VORIS. I think the question is best asked of GSA. In talking with GSA, my opinion of that is they do call; it is not on a very frequent basis, though.

Senator PRYOR. That is all my questions.

Senator CHILES. You have to understand Senator Pryor's questions are not all together academic, when you say there are two former Presidents right now, we have at least two members of the Senate who are trying to add 50 percent to that number. Thank you very much for your testimony.

GENERAL SERVICES ADMINISTRATION

STATEMENT OF ADM. ROWLAND FREEMAN, ADMINISTRATOR

ACCOMPANIED BY RAYMOND FONTAINE, DEPUTY ASSISTANT ADMINISTRATOR FOR MANAGEMENT, POLICY AND BUDGET

INTRODUCTION

Senator CHILES. The committee is again pleased to have Admiral Freeman, the Administrator of the General Services Administration, this morning to provide the committee with his advice and assistance in regard to the offices now of the former Presidents.

Senator PRYOR. I am beginning to wonder, Mr. Chairman, who is running GSA.

Senator CHILES. We are bringing the Admiral down here.

Senator PRYOR. We hired this distinguished Admiral to come up here and straighten GSA out and now every time I look up he is out in some audience.

Senator CHILES. We thank you again.

OPENING STATEMENT

Mr. FREEMAN. It is my week in the barrel, Senator.

Mr. Chairman, members of the committee, I am delighted to be back. If you don't mind, I would like to read the majority of my statement since it contains specific recommendations for your consideration, the subject of the hearings.

I have with me Mr. Ray Fontaine, who is the Deputy Assistant Administrator for Management, Policy, and Budget, and I have several others with me that can provide the details for the testimony as we go downstream.

Senator CHILES. All right.

Mr. FREEMAN. The Administration agrees with the recommendations of the Comptroller General for legislative changes to the Former Presidents Act and the Presidential Transition Act which were contained in reports to Congress dated December 24, 1975, and December 23, 1977. These recommendations would provide for a clear line of demarcation between assistance to be provided Presidents-elect and Vice Presidents-elect, and allowances and services to be provided former Presidents and former Vice Presidents.

Thus, the Former Presidents Act would be amended to consolidate into one act the authorization for all allowances and services to be provided a former President from the time of leaving office, except protection by the Secret Service which would continue to be provided under 18 United States Code. The provision for services and facilities for a former Vice President for the transition out of office would likewise be deleted from the Transition Act and included in the Former Presidents Act.

53-990 O - 80 - 15

We agree with certain other recommendations that include a specific authorization to be provided for the use of Government or private aircraft by the President-elect and Vice President-elect, including a provision allowing collections from the Secret Service and others occupying space on such aircraft. In addition, use of Federal Government aircraft would be approved by the President with full reimbursement from funds appropriated for expenses under this act.

We also agree with the recommendation for continuation of the present provision of the Transition Act that appropriations for transition expenses for the incoming administration be administered by GSA. We do believe it would be helpful, however, to add a provision to the legislation in the nature of statutory direction requiring meetings between representatives of GSA and representatives of both major candidates some time prior to the general election to make preliminary plans for the transition and we support an additional requirement that GSA develop a structured accounting and financial management system, subject to review and approval by the Comptroller General, to be used for all incoming transitions.

FORMER PRESIDENTS ACT

We also support several other major recommendations of the Comptroller General for legislative changes to the Former Presidents Act. They include:

Clarification that the period of transition for the former President and former Vice President continues until the end of the fiscal year in which they leave office, which is traditionally 8 months and 10 days.

Specific authorization for Federal employee benefits for the former President's staff, similar to the authorization currently in the Presidential Transition Act.

Specific authorization for the use of detailed employees by a former President on only a reimbursable basis during the fiscal year in which a President leaves office, so that funds used for this assistance are controlled through the appropriation process. This is consistent with Public Law 94–499.

Specific authorization for the payment of travel expenses for the former President and staff, with the amount expended therefor controlled through the appropriation process.

Provision of language requiring a former President to pay for office space as soon as funds can be reasonably budgeted and appropriated, starting with the second full fiscal year after the President leaves office. This is consistent with Public Law 92–313, which requires agencies to reimburse GSA at rates approximating commercial rates for space and services unless GSA waives such charges as infeasible or impractical.

Specific authorization for continuing payments to the office of a former President for 3 months after the death of a former President to allow for the orderly winding up of the affairs of the office. This has been the custom in the past pursuant to a ruling of the Comptroller General.

Specific authorization for payment from Former Presidents Act ap-

propriations for the use of Government or private aircraft. This authorization would also include a provision allowing collections from the Secret Service and others, as I previously mentioned.

Deletion of the present limitation in the Former Presidents Act on the annual salaries of a former President's office staff, since no ceiling exists under the Transition Act for the period of transition out of office. This will permit adjustment of the funds provided for the staff requirements of a former President through the appropriation process to meet particular circumstances as they develop.

Inclusion of similar provisions for the transition of a former Vice President during the fiscal year in which he leaves office. These provisions would include reimbursable details and office space in Washington, D.C., and at one other place during the fiscal year in which he leaves office.

ADMINISTRATION CLARIFICATION PROPOSALS

In addition, the Administration proposes clarification of two additional areas in the Former Presidents Act. The staffs of former Presidents and former Vice Presidents are not covered under the Federal Tort Claims Act. There is presently no authority for purchasing liability insurance and since the Department of Justice does not recommend extension of coverage under the Tort Claims Act, we believe that a provision for this insurance should be included in any revisions to the law.

The Administration also recommends inclusion of specific authorization in the Former Presidents Act for the White House Communications Agency to supply the former President with communications services during the fiscal year in which he leaves office with reimbursement from the Former Presidents Act appropriation.

This concludes my prepared statement. I am prepared to answer any questions you may have.

EXTENT OF RECOMMENDATIONS

Senator CHILES. Admiral Freeman, your statement focuses on a number of recommendations to expand the authorities of former Presidents. For example, you recommend the transition period be extended; that former President's staff be entitled to the Federal Government employee fringe benefits; authorization be passed to permit Federal employees to be detailed to the former President; you recommend specific authorizations be passed to pay former President travel expenses; you recommend authorization to permit former Presidents to pay for the use of Government or private aircraft; you recommend the deletion of the present limitation on the Former Presidents Act on annual salaries of the former President's office staff; you talk about recommendations for further coverage for the Vice President, two office locations that you talk about.

I trust your statement was cleared by the White House?

Mr. FREEMAN. Yes, I discussed these recommendations with both the White House and the General Accounting Office. These are areas of question that were raised during the administration of both these acts

and which created difficulties for us in making the judgments. We have made the judgments, in many cases, on payments involving these areas. What I am requesting is a clarification.

Obviously, if the sense of the Congress is not to approve such payments, we will administer the act as amended.

COVERAGE OF LEGISLATION

Senator CHILES. It seems like to me you are opening the act up. We are talking about how we try to determine whether the act is too broad now, and whether we should be closing it, and all of your statement is in the ways in which we would open it further. I am almost sorry I held these hearings if we are going to get into a situation where we push for every expansion but a new residence for the Vice President.

Mr. FREEMAN. Senator, I respect highly the Office of the President, as you do. I think that regrettably the original legislation was silent on a number of areas which deal with fairness. I do not believe that employees who are working for a former President should have fringe benefits of anything less than those employees who work for the Federal Government. I don't find anything in my statement that doesn't relate to dealing in fairness with employees who work for former Presidents and former Vice Presidents.

I recognize that the expenses are increasing. However, my own personal position is that I believe we do have an obligation to treat the people fairly. The questions that have been raised here in the hearings have dealt primarily with separation of political, commercial, and public business, and I certainly subscribe to the fact that these must be explored. My statement does not deal with these particular issues, since I think they fall within the province of the Congress to determine what those issues are.

BUDGET PROCESS

Senator CHILES. If you will describe for the committee the budget process through which the funding request of the former Presidents proceed. Does GSA ask for any justification material to be submitted in support of these requests?

Mr. FREEMAN. I will ask Mr. Fontaine to deal specifically with any budget details.

Mr. FONTAINE. Mr. Chairman, generally we will touch base with the staff director, both in the case of former President Nixon and former President Ford, prior to preparing a budget. The resources they are going to need in the upcoming budget year is pretty much granted based on what they feel they need and they know better than we what travel plans, et cetera, the former President has.

Senator CHILES. Based on your interpretation of the current law and the way it is set up, if they are within the dollar figure, they notify you what they want and you provide the funds?

Mr. FONTAINE. Correct, sir.

Senator CHILES. Whether that be for any of these items we talked about in the GAO reports or not?

Mr. FONTAINE. Correct.

OFFICE SPACE FOR FORMER PRESIDENTS

Senator CHILES. Under current law, former Presidents should have suitable office space appropriately furnished. I understand since the level of compensation for a former President is the same as that of a department head, the GSA has applied the same criteria to former Presidents as they do to department heads for providing office space and office furnishings. Describe for the committee what the criteria are for the office space and furnishing for department heads.

Mr. FONTAINE. Mr. Chairman, on our Federal supply schedules we have furniture, desks, and things of that kind which are identified for Cabinet level, and we have generally tried to follow that procedure in furnishing a former President's office with comparable-type furniture and office equipment involving the same dollar level, relatively speaking, that a Cabinet officer would have. Again, with no other guidance in the legislation, we thought that was the fairest comparison to use and an equitable number of dollars are generally spent that way.

SQUARE FEET OF SPACE

Senator CHILES. How many square feet of space is the former President allowed and how much is spent on furnishing and equipping the office?

Mr. FONTAINE. There is no limitation on the amount of square footage for a former President's office space. The former President can designate the place for his office and we have had them in libraries and we have had them in the Waldorf Astoria. It sort of runs the whole gamut, since the legislation does not contain a restriction on either the dollars or square footage or anything else for office space.

It just says suitable office space as they may designate. So there is no standard that can be applied.

Senator CHILES. Well, there is a standard, though, for department heads, is there not?

Mr. FONTAINE. I am not aware of any square footage.

Mr. FREEMAN. There is no legal standard by which you could apply to a department head—there is a tradition of what normally those offices would look like. As I am sure you are aware, the square footage per person in the Federal Government has grown substantially over the last decade, a concern, by the way, that we have overall. As far as there being a specific standard per person, there are some generalized guidelines with which we deal. But most agency heads have reasonable latitude in selecting their offices and the furnishing thereof.

OFFICE SPACE FOR PRESENT FORMER PRESIDENTS

Mr. FONTAINE. Mr. Chairman, I can tell you in the case of Mr. Nixon, it is approximately 8,800 square feet and in the case of former President Ford it is approximately 3,200 square feet. I think in Mr. Nixon's case, it was the Western White House; he just used the space that he used while he was a sitting President.

NIXON'S MOVE TO NEW YORK CITY

Senator CHILES. You are now advertising in the New York papers for space, as I understand, for former President Nixon, approximately 4,000 to 8,000 square feet of space. That is going up a little bit.

Mr. FREEMAN. He has about 8,000 square feet now.

Senator CHILES. Has about 8,000 square feet?

Mr. FREEMAN. Yes, sir. He asked for comparable space. It is going to be difficult to find it in the New York City area.

Senator CHILES. I understand he requested GSA to move his office to suitably furnished office space in New York. From this ad I take it you are intending to comply with that request?

Mr. FREEMAN. Yes, sir. He has indicated to the Agency that he is going to postpone that move to February 1980. But we would intend to move him. Only the official material associated with him would move, and we still are discussing with his staff the provision of furniture, of an official nature, since it may tend to be cheaper than shipping it. Nothing of a personal nature, however, would be included.

CHANGING OFFICE SPACE LOCATION

Senator CHILES. Is there anything in the law which indicates a former President should be situated with office space more than once?

Mr. FREEMAN. No, sir, but there is legislative history that entitles individuals within the Government to move more than once that has been used. I don't think we ought to move every year, but I think there is some latitude on the moves.

Senator CHILES. Legislative history in the Presidential act?

Mr. FREEMAN. No, in very senior military people you get a transitional move when you start, of a temporary nature, then a move to your permanent home of retirement within a year.

Senator CHILES. Well, we have a Transition Act; within a year then we also have a final termination with regard to office allowance, do we not?

Mr. FREEMAN. There is not a limitation on the number of moves if a former President desires to change his office. In this case, we, again, must exercise our judgment. It is not unreasonable to expect a former President, I don't think, to change his location at least once after his transition.

Mr. FONTAINE. This is the first time it has come up.

Mr. FREEMAN. Since this is the first time it has come up, we are going to make a judgment.

Senator CHILES. Have you gotten any written opinion from Justice or your own General Counsel's Office?

Mr. FREEMAN. There isn't anything in the legislation that would prevent a move if requested by a former President. I have no reason to refuse it.

Senator CHILES. Is there anything in the legislation that provides for it? We don't do it normally and we don't find anything in the law to prevent it, do we?

Mr. FREEMAN. No, there is no restriction in the law. I don't consider

the request unreasonable, Senator. If I did, if I thought it was unreasonable, then I would deny it as an unreasonable cost. I don't think it is unreasonable for an individual with the stature of a former President to decide to change his location.

CONGRESSIONAL MOVES

Senator CHILES. I don't think it is unreasonable for me to want to be moved when I leave the Senate back to Florida. Who knows how soon that will be. People might decide that for me. So I don't really think that is unreasonable, but I doubt if you would move me, I doubt if GSA would move me.

Mr. FREEMAN. I think it would be inappropriate for me to comment on this.

Senator CHILES. I doubt if you find anything in the statutes that would prohibit you from moving me.

Mr. FREEMAN. We in GSA provide substantial support to the legislative side on both furniture and furnishings in connection with moves of congressional district offices. It is a judgment call on reasonableness as to what we should provide.

JACKSON PLACE TOWNHOUSE

Senator CHILES. Admiral Freeman, I am sure you are aware included in the GSA budget is money to maintain this four-story townhouse in Washington for the exclusive use of former Presidents. I understand that GSA's space charges for this building would be in excess of $30,000. Who pays the other charges?

Mr. FONTAINE. Mr. Chairman, the problem there with the Jackson Place townhouse is that it is used by so many different people such as Presidential commissions and the like. The White House pretty much has assignment responsibility, although it is in our inventory. A judgment in this regard was made in the late 1960's or early 1970's that we would keep it in our inventory, but the White House would have assignment responsibility. When the Federal buildings fund program came into effect, again, because of the problem of different people occupying it, who would you charge the standard level user charge or prorate this charge, the decision was made not to charge for that space.

Senator CHILES. On whose rolls is it?

Mr. FREEMAN. It is carried in our budget. We pay for it.

Senator CHILES. But it is on the White House property rolls?

Mr. FONTAINE. They have space assignment, they have the final word on who can use it and who can't. We have had former Vice President Agnew in there, we had the Rockefeller Commission in there and a drug commission as well as others.

It has been used by a number of different organizations or people.

COST OF MAINTAINING TOWNHOUSE

Senator CHILES. How much does it cost to maintain a year?

Mr. FONTAINE. About $1,500 a year in utilities and cleaning.

Senator CHILES. That is the utilities. Total space charges would be about $30,000 a year?

Mr. FONTAINE. Based on that location and the square footage, yes, sir.

Senator CHILES. But we don't make those charges to the White House even though they have the decision as to who is going to use it?

Mr. FONTAINE. No, sir.

Senator CHILES. Doesn't the Federal building fund require that those charges be made on all space?

Mr. FREEMAN. I want to review this, Senator.

Senator CHILES. I would like to have you notify us for the record, if you would, when you have reviewed that.

Mr. FREEMAN. I will do so.

Senator CHILES. And if you would, also, give us for the record, who has used it, how often it has been used.

Mr. FREEMAN. Yes, sir.

[The information follows:]

Mr. Chairman, a review of this area indicates that standard level user charges must be imposed on space controlled by GSA, except that the Administrator may exempt anyone from the charge if he determines that "such charges would be infeasible or impractical." (Federal Property and Administrative Services Act of 1949, as amended, section 210(j).) I have, therefore, directed that beginning with fiscal year 1981, a standard level user charge will be imposed on the Jackson Place townhouse. We will delay the collection of the charge until that time in order to allow for the allocation of funds in the appropriate budget; SLUC will be charged to whatever agency occupies the building.

A list of recent occupants of the townhouse is provided below.

Occupancy during President Carter's administration

January 1977—Ford's transition
August 1977—General Torrijos (signing of Panama Canal Treaty)
December 16–21, 1977—President Ford
January 14–15, 1978—President Ford
May 23–26, 1978—President Ford
December 11–15, 1978—President Ford
May 24–26, 1979—President Ford
September 26, 1979—President Ford
October 15–20, 1979—President Ford

FORMER PRESIDENTS ENTITLEMENTS UNDER THE TRANSITION ACT

Senator CHILES. The Presidential Transition Act of 1963 authorized $1 million for each former President and Vice President for use in connection with winding up affairs of their offices. These funds would be made available to a former President for a period not to exceed 6 months from the date of expiration of his term of office. After this 6-month term, then funding is available to a former President under the Former Presidents Act. That's correct, is it not?

Mr. FONTAINE. Yes.

Senator CHILES. Former President Ford—how much was appropriated to him when he left office?

Mr. FONTAINE. $1 million, from which he prorated an amount for the Vice President.

He used approximately $687,000 of that.

Senator CHILES. What are the limitations on what this money can be used for?

Mr. FONTAINE. Literally none.

Mr. FREEMAN. There are no guidelines, specifically, Senator, for utilization of the funds.

Senator CHILES. I understand that the legislative history on these transition funds for former Presidents came about at the time of the assassination of President Kennedy. At that time, funds were needed to defray the expenses of his funeral.

Mr. FONTAINE. That is correct, Senator.

Senator CHILES. Is there a need, do you see, to provide former Presidents with transition funding after they leave office?

Mr. FREEMAN. I think there is a need to provide for transitional funding.

USE OF TRANSITION FUNDING AND PROPOSED CHANGES IN LEGISLATION

Senator CHILES. Should there be some guidelines as to what the uses of that transition fund should be?

Mr. FREEMAN. I think here again it is a question of audit principles.

My understanding is the audits haven't indicated inappropriate expenditures. We always have a judgment call on the unusual. I hesitate myself to recommend a set of cost principles per se. I like to think, between the General Accounting Office and ourselves, we could determine the nature of the expenditures that should be made.

It might be appropriate that the Congress would want to consider and this committee would want to consider the general categories of the types of things they intend to be used by those funds.

Mr. FONTAINE. Mr. Chairman, we have agreed with the GAO that the Transition Act should be amended to apply to the incoming administration only, and the outgoing administration should be immediately provided for under amendments proposed to the Former Presidents Act.

Mr. FREEMAN. This would help clarify the question. They are mixed up in the Transition Act and the Former Presidents Act. If we deal with the former Presidents and former Vice Presidents under the Former Presidents Act, and keep the Transition Act solely for the incoming administration, I think the problem will help solve itself.

Senator CHILES. I would think we should be able to do that.

Mr. FONTAINE. You have conflicts between those two acts. When a former President first leaves office there is no ceiling on the staff salaries under the Transition Act. Under the Former Presidents Act, 6 months later, there is an annual limitation on the staff salaries, with the highest individual rate not to exceed level II of the Executive Schedule. So with a level II and a grade 16 most of the salary limitation would be used.

FORMER PRESIDENT NIXON'S MOVE

Senator CHILES. Did I hear you say, Admiral, that in addition to providing the new space to President Nixon that also you would provide the moving cost?

Mr. FREEMAN. We would move the official records, we would not move personal material. The question will arise as to whether it is more economic to furnish the space in New York with furniture from the

east coast, rather than shipping it all the way across the country. This would be a cost determination.

NEW OFFICE FURNITURE MORATORIUM

Senator CHILES. I understand you currently have a moratorium on the purchase of new office furniture. Is that correct?

Mr. FREEMAN. That applies to everybody, yes.

Senator CHILES. That moratorium is still in effect?

Mr. FREEMAN. Yes.

FORMER PRESIDENT NIXON'S FURNITURE

Senator CHILES. What will you do with his old furniture if you don't ship it?

Mr. FREEMAN. It will be returned to inventory. Under the program which I am now looking at within the agency, furniture which becomes excess in this fashion would be returned to inventory, rehabilitated if we need to, and issued when we get a request for furniture of that type. That program will be new and we are underway to establishing it now.

OFFICE SPACE IN PRESIDENTIAL LIBRARIES

Senator CHILES. I note that some of the former Presidents have provided office space, or office space has been provided for them in the Presidential libraries. Does GSA take that into consideration if office space has been provided in the libraries?

I understand a number of the libraries have a duplicate of the Oval Office.

Mr. FREEMAN. Yes, that is true in one case, and there hasn't been any standard for comparing what they may have at the libraries with what they may have at another office at another area. In some cases former Presidents have chosen to use the library office as their main area.

Since they do travel to those libraries, I think they are entitled to some space within them if they do choose to visit them.

Senator CHILES. But should the taxpayer be responsible for it. We are paying for the upkeep and maintenance of Presidential libraries. If it contains an office, should we pay for that, and then pay for another office as well?

Mr. FREEMAN. We pay now, of course, for the upkeep of the libraries. My personal opinion is that we should be able to provide space to a former President who visited his library, but the expenses for maintenance of his official office under the Former Presidents Act should be separate from that. In other words, normally there is office space within the library, and if he is going to visit we can make arrangements to find space for him when he wants to come.

Mr. FONTAINE. We come down to the two appropriations involved—that for the libraries and that for the Former Presidents Act.

OFFICE SPACE IN PRESIDENTIAL LIBRARIES AND AT ANOTHER LOCATION

Senator CHILES. What I am asking now, though, could you find that you could have it in both places. You could have a Presidential library

that provides for office space, a duplication of the Oval Office, and then down the street or in another town you could have a Presidential office under the Former Presidents Act?

Mr. FREEMAN. Yes, under the current law, that is quite possible.

Mr. FONTAINE. In this connection, the instances that come to mind are that Mr. Eisenhower was in Gettysburg with an office and had another office in Abilene, in the library. Mr. Johnson did have both offices in the library. We did not have separate office space for him anywhere in Austin.

Senator CHILES. What you are saying is, there were at least a couple of the Presidents that did have an office in the library and also an official office somewhere else?

Mr. FONTAINE. Correct.

Mr. FREEMAN. I think it is a case of how extensive the office space facility in the library should be, as related to his official office, for a place for him, if he wants to, to do business at the library area of an archival nature.

Senator CHILES. We thank you very much for your appearance and your testimony. I would like to have included in the record at this point material to provide for the legislative history of the Former Presidents Act of 1958 and the Presidential Transition Act of 1963.

[The material follows:]

RETIREMENT AND OTHER PRIVILEGES FOR FORMER PRESIDENTS

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Is there further morning business? If not, morning business is concluded.

Mr. MAGNUSON. Mr. President, I understand that Calendar No. 43, Senate bill 607, is the unfinished business.

The PRESIDING OFFICER. It will not be automatically laid before the Senate until 2 o'clock, except by unanimous consent.

Mr. MAGNUSON. I ask unanimous consent that the Senate now proceed to consideration of Calendar No. 43, Senate bill 607.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 607) to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a statement from the report of the committee relative to the purpose of the bill.

There being no objection, the statement from the report (No. 47) was ordered to be printed in the RECORD, as follows:

PURPOSE

The principal purpose of this bill is to make provisions for meeting the living expenses and office expenses of former Presidents of the United States. The bill also provides for pensions of $10,000 a year for widows of former Presidents. The bill would be applicable with respect to Presidents whose terms of office are already ended and also with respect to Presidents whose terms of office end in the future.

There are many reasons why legislation of this character is desirable and should be enacted. The Presidency is the greatest office within the gift of the American people. The words and deeds of the man who holds it are of vast significance not only to Americans but to the people of all the world. We expect—and rightly so—that he who holds that office should dedicate himself with a consuming and singleminded purpose to discharging the duties of his office to the best of his ability. In return, we should do all we can to relieve his mind of concern over his personal affairs. This is not only a matter of equity, it is a matter of good business for the American people. The financial cost of maintaining the Presidential office is infinitesimal in relation to the critical importance—even the life-and-death importance—which its decisions have in the lives of all of us.

The interest of the American people in the President does not cease when his term of office has ended. Neither does his obligation to maintain the dignity of that great office, nor his opportunity to be of service to the public good. There has been wide recognition of the fact that a man who serves as President gains a unique and invaluable experience thereby, and that somehow the benefit of this experience should be made available for public service. There have been a number of proposals as to how this might best be done. We do not at this time propose any definitive solution of this matter. We agree that the way should be open to utilize the services of former Presidents when that is appropriate. We are inclined to the view that no attempt should be made to establish a fixed pattern for doing this, but rather that it should be left to be determined in the circumstances of each particular case. However, this is perfectly clear to us: the matter ought not to be determined on the basis of financial stringency in any case. In other words, when and if any former President can be called upon for public service, there ought to be no financial bars standing in the way.

Moreover, any man who serves as President by that very fact becomes an important public figure for the rest of his life. Whether or not he is thereafter called on for any official service, there are many demands upon him in the form of public appearances, correspondence, and otherwise. These are legitimate demands and they should be met; but they can entail substantial expenditures.

With all of this, we expect a former President to engage in no business or occupation which would demean the office he has held or capitalize upon it in any improper way. There are many ways in which a former President can earn a large income, but ought not to. Paradoxically, while his earning power is greatly increased by the fact of his having been President, the field in which it is right and proper for him to use his earning power may well be narrowed far beyond that which is available to other men. We believe that a former President should take very seriously his obligation to maintain the dignity of that office insofar as it appertains to him for the remainder of his life. It follows that there is an obligation upon the Government to see that it is financially possible for him to do so without hardship to himself and his family.

Some men who find themselves in this position may be wealthy enough individually to meet all the demands upon them without financial difficulty. But we do not want to depend on this. With the Presidency, as with other political offices, the opportunity of holding office and meeting its demands should not be confined to the wealthy. In short, the Government should provide adequate compensation and other facilities for former Presidents to enable them without financial hardship to maintain the dignity of the great office they have held, to meet the public demands upon them, and to make themselves available for further public service whenever they are called upon in appropriate cases.

In the judgment of the committee, this bill (S. 307) makes reasonable provisions for this purpose.

The first subsection of the bill, as reported, provides that each former President of the United States shall be entitled, as long as he shall live, to receive a monetary allowance at the rate of $25,000 a year, payable monthly by the Secretary of the Treasury.

Subsection (b) provides that the Administrator of General Services shall provide for each former President an administrative assistant, a secretary, and other secretarial and clerical assistants. All these staff assistants are to be selected and their respective rates of compensation fixed by the former President; but their aggregate compensation is not to exceed the aggregate authorized for the staff of a Senator from the least populous State of the Union.

Subsection (c) provides that the Administrator of General Services shall furnish suitable office space for each former President, located in a Federal building at such place within the United States as the former President shall specify.

Subsection (d) provides the franking privilege for mail sent by each former President. The postal revenues are to be reimbursed out of the general funds of the Treasury in an amount equal to the postage which would otherwise be payable on such mail. This is in line with the policy established by the Congress last year for the reimbursement of the Post Office Department for penalty or franked mails.

Subsection (e) provides that the widow of any former President shall receive a pension at the rate of $10,000 a year. The Congress has from time to time in the past provided pensions at the rate of $5,000 a year for some of the widows of former Presidents by special legislation applicable to particular cases. This bill would establish a provision of general applicability for widows of former Presidents and would fix the rate at $10,000 for those who are already receiving pensions as well as any additional ones not now receiving pensions.

Subsection (f) contains a definition of the term "former President."

Mr. LAUSCHE. Mr. President, the talk is rather loud and broad throughout the country concerning the excessiveness of the cost of government. In reading this bill I discover that it involves an expenditure of only $25,000 a year, to provide certain clerical help and mailing service for retired Presidents.

My respect for former President Hoover and former President Truman is deep. When the bill is approached from the standpoint of the $25,000 a year cost, as against a $70 billion budget, the amount is akin to a drop of rain falling into the ocean.

To me, however, there is a principle involved, and that principle deals with the constant increase in the cost of government. If we urge economy in government, the practice of economy ought to begin at the highest level. We cannot expect economy in the lower echelons unless we who are in charge practice it in those quarters where we set the example and have control. I cannot help thinking of the proverbial camel, the back of which was broken by placing upon it one lone straw. The accumulation of many straws finally broke the camel's back. In my judgment it is the accumulation of these small weights and their addition to the burden which, in finality, is making the cost of government so great.

Based upon the reasoning which I have just expounded, and having respect for the purposes of the bill, realizing that it involves only $25,000, so far as I am concerned, it involves a principle, and I wish to go on record as opposing the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. JOHNSON of Texas. Mr. President, this bill represents in my opinion

Senate Debate on the Former Presidents Act
February 4, 1957

belated recognition of an important fact of American political life.

It is that the President of the United States remains a public figure after he retires from office.

The measure that is before the Senate does not represent a pension or a recognition of past services and past performances. It is based upon the reality that the American people still look to an ex-President for advice, for counsel, and for inspiration in their moments of trial.

The Office of President is one that is unique in this world. Upon the shoulders of the President fall all the burdens of speaking for the Nation; of uniting the people in times of stress and peril; and of making basic decisions of war and peace.

He conducts the foreign policy of the United States; he is the Commander in Chief of our Armed Forces; he is the administrative head of our Government with all its branches and agencies. No man who fills these functions can ever again be a private citizen.

Only 33 men in our history have occupied this exalted but lonely position. Of the 32 former Presidents, only 2 are still living—and those 2 illustrate to perfection the point I am making.

One is former President Herbert Hoover. The other is former President Harry S Truman.

These are men who served their country in trying times. They discharged their obligations to their office with patriotism, with selflessness and with a determination to do what they thought was right.

They had their trials and their tribulations. They were misunderstood by some people, and praised extravagantly by others. They saw things differently, and they acted according to their convictions.

But they were united in their determination to preserve their country. I believe that one of the events of the past decade that truly warmed the hearts of many people was when President Truman called upon former President Hoover to serve the country—and former President Hoover responded enthusiastically.

Mr. President, this is one of the great examples in our history that men can put patriotism above partisanship—country above party.

This bill represents a modest recognition of the public character of a former President. It merely provides:

A $25,000 a year allowance.

An office staff paid on the basis of a sum which shall not exceed the allotment to a Senator from the least populous State of the Union.

Suitable office space.

The franking privilege—with the costs reimbursed by the Treasury.

A pension for the widow of any former President. I am informed that this bill would apply to only three widows.

Personally, I wish that we could find ways and means of making greater use of the services of former Presidents. They have a type of experience and knowledge that can be gained by no other men.

But for the moment, we can content ourselves with taking this one step—a step which rises above partisanship and recognizes the true nature of the greatest office in the world.

A bill identical with this one was considered most carefully during the 84th Congress. It was studied by Democrats and Republicans in the Committee on Post Office and Civil Service, and it was unanimously reported by that committee.

It was considered by the entire membership of the Senate. It was passed by the Senate without a dissenting vote. Today we find on our calendar, as a result of a favorable report by the Committee on Post Office and Civil Service, the identical bill we passed in the 84th Congress, but which died in the House.

I am hopeful that the Senate will take the same action today that it took in the 84th Congress, because such action is merited and deserved.

Mr. MAGNUSON. Mr. President, it might be well to note at this time, following the explanation given by the distinguished Senator from Texas, that former President Herbert Hoover is in the city today and will receive—and probably has already received at a noon luncheon—a high civilian award for the kind of outstanding work the distinguished majority leader has referred to.

Also, I should like to say that I know of no man in the United States who gets more mail than Harry Truman, and I know of no one who likes to answer mail more than Harry Truman does [laughter]; and that mail is more or less of a public nature.

Of course, I am in favor of the bill. However, I should like to offer one thought. I have several times introduced bills and resolutions providing for a constitutional amendment which would make it possible for us to make more use of the abilities of our ex-Presidents by having them appointed Senators-at-large of the United States.

Mr. BYRD. Mr. President, I wish to associate myself with the Senator from Ohio [Mr. LAUSCHE], who has made a very forceful presentation of his reasons for voting against the bill. I am opposed to the bill, and I desire the RECORD to show my opposition to it.

Mr. THURMOND. Mr. President, I should like to associate myself with what the Senator from Ohio [Mr. LAUSCHE] and the Senator from Virginia [Mr. BYRD] have said on the pending bill. I should like the RECORD to show my opposition to it.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 607) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That each former President of the United States shall be entitled, as long as he shall live, to receive a monetary allowance at the rate of $25,000 per annum, payable monthly by the Secretary of the Treasury.

(b) The Administrator of General Services shall, without regard to the civil-service and classification laws, provide for each former President a staff consisting of an administrative assistant, a secretary, and other secretarial and clerical assistants. Persons employed under this subsection shall be selected by the former President and shall be responsible only to him for the performance of their duties. Each former President shall fix basic rates of compensation for persons employed for him under this paragraph which in the aggregate shall not exceed the aggregate amount provided by law for the basic compensation of the administrative assistant, secretary, and other secretarial and clerical assistants authorized for a Senator from the least populous State of the Union; and the persons so employed shall also receive additional compensation at the rates provided by law for employees in the offices of Senators.

(c) The Administrator of General Services shall furnish for each former President suitable office space appropriately furnished and equipped, as determined by the Administrator, located in a Federal building at such place within the United States as the former President shall specify.

(d) Each former President shall be entitled to conveyance within the United States and its Territories and possessions free of postage of all mail matter sent by him under his written autograph signature. The postal revenues shall be reimbursed each fiscal year out of the general funds of the Treasury in an amount equivalent to the postage which would otherwise be payable on such mail matter.

(e) The widow of any former President of the United States shall be entitled to receive a pension at the rate of $10,000 per annum, payable monthly by the Secretary of the Treasury, if such widow shall waive the right to any annuity or pension under any other act of Congress.

(f) As used in this section, the term "former President" means an individual who shall have held the office of President of the United States, and whose service in such office shall have been terminated other than by removal pursuant to section 4, article II, of the Constitution.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill (S. 607) was passed.

Mr. MAGNUSON. I move to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

LEGISLATIVE HISTORY

FORMER PRESIDENTS—RETIREMENT, CLERICAL ASSISTANTS, AND FREE MAILING PRIVILEGES

For text of Act see p. 982

Senate Report No. 47, Feb. 1, 1957 [To accompany S. 607]

House Report No. 2200, July 17, 1958 [To accompany S. 607]

Conference Report No. 2657, Aug. 18, 1958 [To accompany S. 607]

The House Report and the Conference Report are set out.

House Report No. 2200

PART I

THE Committee on Post Office and Civil Service, to whom was referred the bill (S. 607) to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill, as amended, do pass.

PURPOSE OF AMENDMENTS

The purpose of the first amendment, which is technical in nature, is to designate the first subsection of the bill as subsection (a), in order to correct an omission from the bill as passed by the Senate.

The purpose of the second amendment is to limit the maximum aggregate annual rate of compensation which may be paid to any person who is selected and appointed as a member of the staff of a former President, in the manner provided by subsection (a) of the bill, to an amount equal to the maximum aggregate rate of compensation which may be paid to any individual employed in the office of a Senator in the Congress of the United States. In this connection, it is to be noted that such maximum aggregate rate of compensation is established in the amount of $16,300 by section 4(d) of the Federal Employees Salary Increase Act of 1958 (Public Law 85-462).

The purpose of the third amendment is to limit the right granted each former President under the bill to send mail matter free of postage to individual mailings not in excess of 4,000 pieces of mail each month.

The purpose of the fourth amendment is to remove the requirement in the bill for the waiver of any annuity or pension right granted by any other law to a widow of a former President who is granted a pension under this legislation.

The fourth amendment operates in connection with amendment No. 5 which replaces this waiver provision with language specifically repealing the only law now in effect which provides an annuity or pension to any such widow.

FORMER PRESIDENTS—RETIREMENT

STATEMENT

The reported bill provides that each former President (1) shall be paid a $25,000 annuity, (2) shall be furnished staff assistance not to exceed the staff in the office of a Senator from the least populous state, (3) shall be furnished suitable office space, and (4) may use the franking privilege on mail matter not to exceed 4,000 individual pieces a month. The reported bill further provides that no person appointed as a member of the staff of a former President shall receive aggregate compensation in excess of the maximum aggregate rate of compensation payable under the law to an individual employed in the office of a Senator. Also, each widow of a former President is granted a $10,000 annual pension which will be in lieu of any annuity or pension provided for such a widow by any other law.

The annual cost of the annuity and staff assistance for each former President and the annual pension to each widow of a former President will not exceed $150,000, there being only 2 living widows of former Presidents at this time. In addition, the Bureau of the Budget submitted an estimate of $6,241 as the estimated original cost of furnishings for office space to be provided for each former President under this legislation.

This legislation has been pending before the Congress for some time. Originally, in the 84th Congress, there was included a provision for retirement annuities for former Presidents and their widows and similar provisions for former Vice Presidents. Meanwhile, in Public Law 854, 84th Congress, provision was made for the Vice President to receive the same retirement as a Member of Congress.

Presently, the President is virtually the only officer or employee of the Federal Government not covered by some sort of retirement program.

Both President Truman and President Eisenhower, had they not accepted the position of President, at this time would be entitled to Federal annuities—President Truman an annuity as a Senator and President Eisenhower an annuity as General of the Army.

During the entire time this legislation has been before the committee no organization or private individual has requested an opportunity to appear and be heard thereon. The committee has held hearings at which testimony was given by the Honorable John McCormack, majority leader of the House, and the Deputy Director of the Bureau of the Budget, Hon. A. R. Jones. In his testimony, Mr. McCormack outlined some of the reasons for favorable consideration of this legislation. These are as follows:

(1) The office of the President is the greatest office in the world;

(2) Its duties are the most trying and exacting in the world;

(3) A former President is considered a dedicated statesman, available, if desired, for service to our country;

(4) Once a President, always a President;

(5) Such legislation, as the Senate report states, "is not only a matter of equity, it is a matter of good business for the American people";

(6) The interest of the American people in the President does not cease when his term of office has ended;

(7) His responsibility does not end when his term of office has ended;

(8) The public demands, speeches, conferences, advice, correspondence, and otherwise, after his service of President is over continues;

(9) A former President is not expected to engage in any business or occupation which would demean the office he once held;

(10) That one term as President of the United States, never mind two terms, is a lifetime of responsibility and strain, even in a more normal and peaceful world than we have today;

(11) The impact of history in the making under our form of government is the President's sole responsibility as far as foreign affairs is concerned, and it must be a tremendous responsibility, some of the decisions a President of our country has to make, particularly in a period of world history such as that we are now undergoing.

All factors which have justified the establishment of an annuity system for Federal employees generally, members of the Military Establishment, the judiciary, Members of Congress, and others, operate as well and even more forcefully in the case of a former President of the United States.

While the fact that a man has been President may present opportunities for earning a substantial income, the very fact that he is a former President may well place these opportunities for earnings beyond the pale of propriety. The amount of the annuity provided under this legislation —$25,000 a year—is not so great that it could be considered an unusual emolument of office. As for the staff that is provided, as pointed out, this is more of a service to the people than to the President himself in the same manner as a Senator's or Congressman's staff or the large number of Federal employees are a service to the public rather than of service to the Senator, Congressman, or President whichever may be concerned.

The cost of this bill is small, in consideration of the assurance it provides that former Presidents of the United States will not want either for a matter of subsistence or for the necessary clerical employees to answer the letters of the public seeking their advice, views, or comments with respect to public matters. There is probably no greater public service that will be offered at such a small cost than the giving to former Presidents of the wherewithal to communicate to the Nation. It will not only make possible communications with respect to the questions of ordinary citizens but, by providing a proper research staff, will add value to the public statements of the President regarding their accuracy, validity, and timeliness.

Subsection (a) of the bill, as reported, provides that each former President of the United States shall be entitled, as long as he shall live, to receive a monetary allowance at the rate of $25,000 a year, payable monthly by the Secretary of the Treasury.

Subsection (b) provides that the Administrator of General Services shall provide for each former President an administrative assistant, a secretary, and other secretarial and clerical assistants. All these staff assistants are to be selected and their respective rates of compensation fixed by the former President; but the aggregate amount of their compensation is not to exceed the aggregate amount authorized for the staff of a Senator from the least populous State of the Union. No such person

will receive gross compensation in excess of the maximum rate of gross compensation provided for an individual employed in the office of a Senator.

Subsection (c) provides that the Administrator of General Services shall furnish suitable office space for each former President, located in a Federal building at such place within the United States as the former President shall specify.

Subsection (d) extends the franking privileges to mail sent by each former President. The postal revenues are to be reimbursed out of the general funds of the Treasury in an amount equal to the postage which would otherwise be payable on such mail. This is in line with the policy established by the Congress last year for the reimbursement of the Post Office Department for penalty or franked mails. The franking privilege will be limited to the mailing of not in excess of 4,000 individual pieces a month.

Subsection (e) provides that the widow of any former President shall receive a pension at the rate of $10,000 a year. The Congress from time to time in the past has provided pensions for some of the widows of former Presidents by special legislation applicable to particular cases. This bill would establish a provision of general applicability for widows of former Presidents and would fix the rate at $10,000 for any such widow now receiving a pension as well as any additional ones not now receiving pensions. The only existing law providing pensions for an individual widow of a former President is repealed.

Subsection (f) contains a definition of the term "former President."

Subsection (g) repeals the single existing provision of law granting a pension to an individual widow of a former President who now is receiving a pension under such provision of law. The pension provided under such provision of law no longer will be necessary in view of the fact that it is replaced by a $10,000 annuity as provided in subsection (e) of the reported bill.

PART II

THIS report is submitted in order to bring to the attention of the Members of the House of Representatives and of the American public important facts not contained in the committee report on the pending bill, S. 607, which, if enacted into law, for the first time in history will provide gratuities in the form of a pension, a staff of personal assistants, free mailing privileges, and office space and facilities to each former President of the United States.

INADEQUATE PUBLIC NOTICE

There has been no adequate showing of either need or justification for this legislation. Nor is there any evidence that the public supports the legislation or, for that matter, even is aware that it is under active consideration. The legislation originated, was passed by the Senate, and will be brought to the floor of the House of Representatives with singular lack of general public notice. It is true that the minimum essential requirements, such as the printing in the Congressional Record of

53-990 O - 80 - 16

scheduled committee hearings and meetings at which the bill was to be considered, were met. But there was bare compliance—nothing more which would serve the desirable purpose of fully informing the Congress and the public on a matter of this importance.

SUITABILITY OF LEGISLATION QUESTIONABLE

The undersigned Members strongly emphasize that this report is directed solely to serious and as yet unresolved questions relating to the suitability and the desirability of this legislation. This report is not intended to, and does not, reflect in any way on the high dignity of the most important public office the world has even known, the Presidency of the United States, or on any individual who has occupied that office or will do so in the future. The purpose of this report is to heighten and preserve not only the dignity and prestige but, particularly, the strength and effectiveness of the Office of Chief Magistrate of the United States in this period of critical national and international decision which well may shape the future of the world and all humanity. In our judgment, the questions and other matters presented in this report are of such import that they must be resolved before the Congress of the United States takes final action on this legislation.

NEW BRANCH OF THE GOVERNMENT

The enactment of S. 607, at least in its present form, would plunge our form of government into completely unknown and unexplored space by extending Federal activity beyond the bounds prescribed for our Central Government under the supreme law of the United States as set forth in the Constitution. For nearly 170 years we have preserved this sound principle upon which our Republic is founded—in the face of many attempts to break it down. Now, in this seemingly innocuous bill, the Congress is asked to establish what, in effect, would amount to an entirely new and additional branch of the Federal Government. This would create a separate entity, revolving around each and every ex-President, with an aura of official standing yet a wholly undefined relationship to the constitutional functions of the Federal Government. This follows, since otherwise there can be no grounds for burdening the Public Treasury in perpetuity with the cost of the new establishment. In direct contradiction to such relationship, however, there is no semblance of the usual controls and guidelines for governmental activities, and responsiveness to the public necessity would be at the best remote. Thus there would be, under this legislation, a contradiction in terms so far as concerns the operations and activities of former Presidents and their aids on the one hand, and activities of the three existing branches of the Federal Government on the other.

THE SKY IS THE LIMIT

In the light of experience with the mushrooming growth of bureaucracy when opportunity is given, no one can foresee—and the provisions of this bill give no indication—where this new and separate governmental activity will end and what authorities, prerogatives, and purposes it may assume. For example, there is in the bill an extraordinary grant to a private citizen of the privilege of free use of the United States mails.

Aside from the fact that the postal service was created on the fundamental principle that users of the mails should pay for the services they receive—and without imputing any motive to an individual—it is entirely possible that this special privilege could be utilized by the beneficiary thereunder to seek public office and thus obtain material advantage over any other candidate who does not enjoy the privilege. It would be a deterrent to the candidacy of individuals of the position and caliber that we should have in the Congress, were they to be faced at the outset with the certain knowledge that their opponent will be able to conduct a campaign which to all intents and purposes is subsidized from the Federal Treasury to the extent of a $25,000 annual personal income, free office space, free mailing rights, and a large staff of aides to assist in his campaign.

Another important matter which has received no adequate consideration relates to the number of individuals who may, at one time or another, become eligible for benefits under this legislation. At this time there are two living former Presidents. At 1 time there were 5 living former Presidents. No one can foretell how may there may be at a given time in the future. The foregoing discussion would apply to each with equal force and effect.

NO VALID COMPARISON TO INACTIVE MILITARY OFFICERS

It is sought to justify this legislation on grounds, among others, that certain high-ranking military officers who are placed on inactive status are entitled to pay and staff assistance. This supposed comparison in truth represents a non sequitur. It does not follow, from the historical policy of military pay and allowances, that a comparable policy is justified with respect to civilian officers of the Government. A general of the Army placed in inactive status is subject to recall. Moreover, the provision for pay while in inactive status represents a part of the pay and allowances authorized by law for his commissioned rank which existed, was known to him, and was relied upon by him at the time he accepted the high commissioned rank and, in fact, when he first became a military officer. In other words, inactive military status pay and staff assistance are not in the nature of a gratuity or pension, nor have they been granted by law after the service on which they are based. In sharp contrast, each President up to this time clearly knew and understood at the time he decided to run, all through his campaign, and at the time he took the oath of office exactly what the emoluments of the office would be—a sure knowledge that there was no provision for a lifetime income and a retinue of personal aids to carry out his wishes in the years after he leaves office. The benefits provided by S. 607, therefore, must be regarded as in the nature of a windfall since they could not have been expected when any individual took office as President in the past.

DIGNITY OF PRESIDENCY REDUCED, NOT ENHANCED

Proponents of this legislation also urge, as the one single factor that most supports their views, that this legislation is necessary to avoid the possibility of indignities and of deterioration in public and world regard for the office of the President of the United States. Let us look at the effect of the bill in the light of this argument. The bill, by its

very terms, would grant a lifetime pension to each former President. It would give each such former President the right to hire clerks and other assistants within an over-all ceiling which could reach $106,000 yearly just for these helpers. It would permit him to send 48,000 pieces of mail a year without purchasing postage stamps as the greater majority of private citizens must do. It would give him free office space, with all the furnishings and trappings. All of this would be at public expense.

Against this background, the probability logically arises that these munificent grants—without any accompanying specific requirements for duties and responsibilities—in fact detract from, rather than enhance, the dignity and the prestige of the office of the President of the United States in the eyes of the American public and of the world. If, in truth, a serious problem exists with respect to the compensation of the President of the United States and with respect to the factors that affect the lives and activities of former Presidents after they leave office, it appears appropriate to reexamine the entire body of the law relating to the needs and requirements of this high office and, after full and complete consideration, to take such steps as may be indicated on the basis of the results of thorough study and all of the facts. No such approach has been taken or even considered in the development of the program embodied in S. 607.

S. 607 IS INDEFINITE AND OBSCURE

As to the bill itself, it is characterized largely by omissions and ambiguities on questions of major importance. The bill directs the Administrator of General Services to provide a staff of assistants for each former President, but does not specify their duties—if any. These are left to the individual former President. The only stipulation is that the total of the staff salaries shall not exceed the amount payable for staff assistance in the office of a Senator from the least populous State. This amount conceivably could range upward to $106,000 per year for each former President in his discretion. There is no limitation on the use that could be made of the assistants. They could perform many types of duties, or no duties at all, and yet be paid from the Public Treasury.

There is no indication as to whether or not these assistants are to be considered as Federal employees. They may or may not be subject to the Hatch Act, which proscribes political activity of Federal employees generally, and the Internal Security Act of 1950, which prohibits the employment of subversives in the Federal Government. Nothing is said concerning the application of the civil-service laws and regulations, work schedules, qualification requirements, and many other rules that apply to Government personnel. There is nothing to show whether or not they will be eligible for civil-service-retirement benefits, low-cost life insurance, paid vacations according to the Federal annual- and sick-leave laws, and many other benefits. The bill does not even show by whom or in what manner these staff assistants shall be paid. Only two things are certain: they will be furnished by the Federal Government and they will be paid by the taxpayers.

UNPRECEDENTED VAGUENESS OF S. 607

The extremely loose and incomplete language of the bill relating to staff assistance is unprecedented in the history of the Post Office and Civil Service Committee. Never before has the committee approved legislation with such wide and dangerous loopholes. It is an open invitation to hangers-on and political hacks who, observing the chance to obtain a sinecure, could exert all kinds of pressure for staff appointments. The ability of a former President—particularly in the case of advanced age and consequent inactivity—to withstand such pressure or make any real use of such a staff is open to serious question. The result well could be that this Congress would be providing not only for the retirement of former Presidents but, also, for the retirement at public expense of a long line of retainers who are just going along for a free ride.

Similarly, the authorization in the bill to provide each former President with "suitable office space appropriately furnished and equipped" at any point within the United States leaves the sky as the limit. Under this broad provision, there is no indication of whose judgment will determine the size and the luxury of the space to be furnished. The cost, therefore, cannot possibly be known. Obviously, too, although not mentioned in the bill, the responsibility for maintenance and replacements in these quarters will devolve upon the United States Treasury so long as they are used. It can only be concluded, therefore, that the rather modest estimate of annual cost set forth in the majority report on this bill is without firm foundation in the bill itself. Moreover, it apparently is based on a consideration of only one former President whereas, as pointed out above, there may be several such former presidents receiving the benefits of this legislation at any given time in the future.

CONCLUSION

We believe that the foregoing discussion sets forth overruling reasons for disapproval of this legislation and strongly recommend the recommittal of S. 607.

JAMES C. DAVIS.
EDWARD J. ROBESON, Jr.
H. R. GROSS.
ALBERT W. CRETELLA.
ELFORD A. CEDERBERG.
AUGUST E. JOHANSEN.
GLENN CUNNINGHAM.

RETIREMENT FOR FORMER PRESIDENTS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 649 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 607) to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. JOHANSEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 144]

Andersen, H. Carl	Dies	Jenkins
Bass, Tenn.	Eberharter	Jones, Mo.
Boggs	Engle	Kearney
Brooks, La.	Friedel	Keating
Burdick	Gordon	Landrum
Carnahan	Harrison, Nebr.	Lesinski
Christopher	Hays, Ark.	McCarthy
Clark	Hillings	McIntire
Cooley	Jackson	Marshall
	James	Matthews

Michel	Sadlak	Talle
Morris	St. George	Taylor
Norrell	Shuford	Tuck
Powell	Sieminski	Udall
Preston	Smith, Kans.	Willis
Radwan	Spence	Withrow
Reece, Tenn.	Springer	

The SPEAKER. Three hundred and eighty-one Members have answered to their names. A quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

RETIREMENT FOR FORMER PRESIDENTS

The SPEAKER. The gentleman from Missouri [Mr. BOLLING] is recognized.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Pending that, I yield myself such time as I may require.

Mr. Speaker, this resolution makes in order consideration of the bill (S. 607), the Presidential retirement bill. It provides for an open rule, with 2 hours of general debate.

The Presidential retirement bill provides for the payment of an allowance to a retired President of $25,000 a year. It provides for the furnishing of administrative and clerical assistance to retired Presidents and in that connection it is my understanding that the chairman of the committee, the gentleman from Tennessee [Mr. MURRAY] will offer an amendment making the total amount available for such assistance $60,000 gross.

Third, it provides for suitable office space for the President.

Fourth, it gives to a retired President the privilege of using the frank 4,000 times per month.

Fifth, it provides a pension of $10,000 annually to widows of former Presidents.

It is my understanding that with the amendment which will be offered by the Committee on Post Office and Civil Service, this legislation is supported by the leadership on both sides of the House as well as being a part of the President's program.

Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. The gentleman from Illinois [Mr. ALLEN] is recognized.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I am opposed to this rule as well as the bill itself. I speak not with any feeling of politics, because we have 1 ex-President a Republican and 1 a Democrat. As far as I am individually concerned, I feel certain that ex-President Hoover would not take advantage of this fund, even though it would be made available to him.

The gentleman from Missouri [Mr. BOLLING] has mentioned that this bill provides for a pension forever—no limitation to it—of $25,000 per year for all ex-Presidents. It also provides $10,000 for the widows of all ex-Presidents. It also provides for the sending out of 4,000 pieces of mail—I do not believe the size was indicated, whether they are bundles or anything else, perhaps political ammunition, 4,000 of those units per month.

The help estimated to be allowed for ex-Presidents, a basic figure of $49,800, which in money itself has been estimated at a basic figure of $49,800, would run from $104,000 to $134,000, depending on how many employees were being used by the ex-President.

In determining that figure this bill would follow the pattern used by a United States Senator from the least populous State. I have determined, by calling, that these figures could run from 30 to 40 employees. They could use them, for instance, for a month or so before election.

Mr. BOLLING. Did the gentleman hear me state that an amendment to this section would be offered by the gentleman from Tennessee providing that the gross amount to be allowed for this kind of assistance would be $60,000?

Mr. ALLEN of Illinois. I am sorry; I did not hear the gentleman say that.

I would say that this bill further provides office space for these employees, office space for any number that might be employed, whether it be 30 or 40, together with equipment like electric typewriters, desks, mimeograph machines, and so forth. There is no limit as to the amount or kind of equipment used by the former President.

I have heard that certain amendments would be offered, but let me say that I am against this bill regardless of any amendments because I feel that both our ex-Presidents are financially better off than our own Government. As you know, we are $275 billion in debt, and within the next few days we will be considering a bill to raise the debt ceiling by $10 billion or $15 billion more. So I say, bearing in mind that both ex-Presidents have written their memoirs, their books, received pretty good money for them, running into the hundreds of thousands of dollars, and the fact that they can and are writing magazine and other articles, that they can if the wish make speeches, I do not believe that either Mr. Truman or Mr. Hoover are starving, but that they are in much better shape financially than our own Government.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Connecticut.

Mr. MORANO. Does the gentleman say that this bill carries $60,000 for administrative and clerical assistants for an ex-President?

Mr. ALLEN of Illinois. The figure in the bill, I think, runs over $100,000.

Mr. MORANO. How does that compare with the clerk hire allowance of a Member of Congress?

Mr. ALLEN of Illinois. It is considerably more than the clerk hire allowance of Members of Congress.

Mr. WAINWRIGHT. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. WAINWRIGHT. I wonder whether the gentleman brought out the fact that the distinguished minority leader, Mr. MARTIN, testified before the committee in favor of the bill.

Mr. ALLEN of Illinois. I understand that the gentleman from Massachusetts [Mr. MARTIN] made certain commitments, but not to the bill as presently before us.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Did our distinguished minority leader define what a Republican was, and his obligations?

Mr. ALLEN of Illinois. I do not think he defined it.

Mr. HOFFMAN. The only loyalty pledge I gave to the party was that I would answer to quorum calls, follow the principles of the party, vote my convictions.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Michigan.

Mr. JOHANSEN. As a member of the Post Office and Civil Service Committee I heard the testimony of the distinguished minority leader, and I will assure the House that the gentleman from Massachusetts did not, in any way, undertake to bind any other Members of the House.

Mr. ALLEN of Illinois. I thank the gentleman.

Mr. BOLLING. Mr. Speaker, I have no further requests for time.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 10 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I am opposed to adoption of the rule, because among other things this proposal, S. 607, comes before the House with an unusual and even unsavory history in the Post Office and Civil Service Committee.

Faced with an unfavorable vote in subcommittee last year, it was reported out without an adverse vote as a courtesy to the subcommittee chairman. It was assumed then that no further consideration would be sought in the 85th Congress.

Suddenly, in March of this year, this presumed corpse showed signs of life, and on March 20, amid one of Washington's worst snowstorms, Speaker of the House RAYBURN, Majority Leader MCCORMACK, and Minority Leader MARTIN appeared without previous notice before the House Post Office and Civil Service Committee. They not only provided warmth for the legislative corpse on that cold, snowy day, they did their best to give it a blood transfusion.

It is to be regretted that our distinguished chairman, Mr. MURRAY, did not provide a shorthand reporter so that the Rules Committee and Members of the House might have had the benefit of the views of that galaxy of distinguished witnesses and especially the answers to the questions that were propounded to them.

It should be sufficient to say that a majority of the Post Office and Civil Service Committee remained so unconvinced and unimpressed that they voted to send the bill back to a subcommittee for further hearings.

Subsequently, Mr. MORRISON, chairman of the subcommittee, attempted to hold a meeting on a day when some of the members were busy with another subcommittee meeting to which witnesses

had been called. He finally canceled that meeting but shortly thereafter, on June 26, with two subcommittee members out of the city and another unable to be present, he—Mr. MORRISON—hurriedly called a meeting of the subcommittee and reported the bill to the full committee.

Let it be noted at this point that, contrary to explicit instructions of the full committee, the subcommitte did not hold further hearings.

On July 17, Mr. MORRISON called the bill before the full committee. With a minimum of discussion, and before a single amendment could be offered, the previous question was moved, adopted, and the bill reported to the House by a vote of 13 to 10.

Then followed one of the most unsavory procedures in connection with this legislative monstrosity. Despite the clear understanding in the full committee that minority members would have until Saturday night, July 19, to file a minority report, the chairman of the subcommittee, Mr. MORRISON, without notification to the minority, filed his report within 2 hours after adjournment of the committee meeting on July 17. Thus the minority was effectively precluded from having its views made a part of the committee report.

This proceeding, I reiterate, is only one of the manipulations by which this bill comes before you accompanied by an aroma so unsavory that it ought to be defeated.

Now, Mr. Speaker, I have tried my level best to learn what ex-President is in such need that Congress should raid the Treasury in this fashion and create a fourth office in Government. To save my soul I cannot find anyone who will tell me what ex-President is barefoot and in danger of missing a meal.

There is not the slightest evidence that former President Hoover wants, needs, or would take a pension and all the trappings as provided in this bill. Nor is there any evidence that President Eisenhower is clamoring to get on the bandwagon.

That leaves former President Truman, and I have yet to see a single witness point a finger in the direction of Missouri and say that there resides the man for whom this bill is designed.

Surely no one will contend that Mr. Truman is in a financial straitjacket. As in the case of President Eisenhower, he received preferential tax treatment on the income from his book. On the basis of his writing ability which he demonstrated when he was President, I have no doubt that he has done well in the book-writing field.

It should also be noted that he is now under contract to the North American Newspaper Alliance to write a series of newspaper articles; that with another member of his family he recently sold to a real estate developer some 220 acres of land immediately adjacent to the Grandview, Mo., airbase, which was conveniently located there during his administration. It may also be noted that earlier this year he is reported to have purchased, with Edwin W. Pauley, a part interest in four oil-producing wells in Alabama, and last but not least, only a short time ago he spent a month vacationing in Europe. None of the accounts of that sojourn in Europe indicate he was compelled to make the trip in steerage.

No, it cannot be said that the wolf is prowling at the Truman door.

The printed hearing shows that I tried hard to ascertain for whom this bill is designed, why it had to be ramrodded through the committee under that kind of pressure.

I should like to call attention to page 8 of the very abbreviated hearings that were held on this bill. I asked the gentleman from Massachusetts (Mr. McCORMACK) this question.

Mr. GROSS. Mr. McCORMACK, what ex-President is in need at the present time? I appreciate your review of history, but I think we ought to get down to the present ex-Presidents.

Mr. McCORMACK. I do not think the legislation is predicated upon the theory of need. I think it is predicated upon the basis of equity and the consideration a former President is entitled to and from the angle of good business or judgment to provide legislation of this type. However, I assume you did not use the word "need" in the sense of the ordinary way it is used, but meant a President whose financial situation is such that the passage of the bill might prompt him to exercise his privilege under the law. I do not know of anyone, although I think it is well known that former President Truman is not a man of any great wealth.

Mr. GROSS. He is not suffering, is he, financially?

Mr. McCORMACK. You use the word "suffering." I do not think that has any relevancy to the basic considerations of the bill. I do not think the question of suffering or need does.

Then, again, with Mr. McCORMACK still testifying:

Mr. GROSS. I still do not understand why there is any bill here at all. Where is the demand for it? What is the purpose of the bill? Simply as an honorarium? For what purpose if not on the basis of need?

Mr. McCORMACK. I think I presented a very clear case in my original presentation as to the justification for this bill: An act of equity; it is good business.

Mr. GROSS. In what way is it good business?

Mr. McCORMACK. Certainly it is good business for the United States of America to recognize the services of a President.

And so forth. But, nowhere is there any indication of who is in need, and if pensions are not predicated upon an assumed basis of need, then the whole system of pensions is wrong.

Then we had before the committee the Deputy Director of the Budget, Mr. A. R. Jones, and I propounded the same line of questions to him:

Mr. GROSS. Who is this bill designed for? What is this all about? Is there a former President in distress or any imminent indication of distress?

Mr. A. R. JONES. I know of no specific person that this is designed for.

Mr. GROSS. Then what is it all about?

Mr. A. R. JONES. In order to provide standby legislation if the occasion should occur.

Mr. GROSS. Of course, it isn't standby legislation. If enacted, then any former President can make use of it.

Mr. A. R. JONES. That is correct.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. As we all know, the gentleman is a member of the Committee on Civil Service, and I would like to ask him this question: In the event that the ex-Presidents get 30 or 40 employees, would they automatically become members of Civil Service and be entitled to a pension or not?

Mr. GROSS. No one knows. The bill is mute on that subject. No one knows what would happen to them. The beneficiaries of the pension would appoint them, of course, but no one knows who would pay them. Congress would have no control over them, so far as I know. That is a good question to ask the sponsors of this bill who refused to permit amendments in committee.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Why do you not put in former Vice Presidents?

Mr. GROSS. I did not write the bill, I will say to the gentleman, and I am not for it.

If it is contended that this legislation is fashioned for ex-President Truman then my response is that any man, including Truman, who has the kind of money that enables him to spend a month or more vacationing in Europe and buy oil wells in this country, cannot be in dire financial straits and in need of a gratuity from the already drained United States Treasury, to the tune of well above $100,000 a year.

With the Federal debt standing close to the $300 billion mark, and President Eisenhower calling upon Congress for an increase in the debt ceiling, the time has come to stop all spending for which there is no demonstrated need. This bill clearly lacks justification and should be given no further consideration.

I hope the rule will be voted down and we can get on to other business.

Mr. BOLLING. Mr. Speaker, I yield 10 minutes to the gentleman from Louisiana (Mr. MORRISON).

Mr. MORRISON. Mr. Speaker, this legislation, in substantially identical form, has been before our committee well over 3 years.

The original bill, S. 1516, 84th Congress, was passed unanimously by the Senate and was referred to the House Post Office and Civil Service Committee on May 9, 1955. It was considered by a subcommittee of which the gentleman from Louisiana (Mr. MORRISON) was chairman in the 84th Congress, but the subcommittee did not take final action.

In the present Congress this bill, S. 607 was passed unanimously by the Senate, and was referred to the Post Office and Civil Service Committee on February 5, 1957. A companion House bill—H. R. 4401—was introduced by the distinguished majority leader, Mr. McCORMACK, on the same day. The full committee held hearings on March 14, 1957, at which the majority leader appeared and testified at length with respect to the purpose and the desirability of this legislation. Representatives of the Bureau of the Budget also appeared and

presented the views of the administration in support of this legislation.

Subsequently, on March 20, 1958, the full committee met in executive session to hear the Speaker, the majority leader, and the majority leader of the House of Representatives who discussed the legislation and gave the committee full information on all factors involved. The Speaker, the majority leader, and the minority leader strongly urged approval of S. 607.

In summary, this legislation twice has been passed unanimously by the other body and has both the support of the administration and strong bipartisan approval of the leadership of this House.

After the meeting of March 20 the committee voted to refer the legislation for consideration to a subcommittee. The subcommittee chairman scheduled a meeting for June 18, 1958, but, being advised that several Members who had expressed opposition to the bill could not be present, agreed to postpone the meeting. The subcommittee then scheduled a hearing at another time, 8 days later, on June 26, 1958. At this meeting, attended by a majority of the members of the subcommittee, the members present voted unanimously to report S. 607 with amendments. The Post Office and Civil Service Committee considered the bill reported by the subcommittee for the greater part of the executive session scheduled for 10 a. m., on July 17 and voted to report this amended bill favorably.

Mr. Speaker, this legislation has been pending for more than a year and a half in the present Congress. Substantially identical legislation was before the committee for the greater part of the 84th Congress. There was not one witness or one organization that asked to be heard, to give their testimony, that was not heard. I do not know of any bill ever before a committee of Congress that had more deliberation, there having been three sessions of the full committee and sessions before two subcommittees.

Mr. Speaker, I want to assure you that there was not any undue limitations of debate at all when final action was taken. Everyone on the committee who was for it spoke and said what he wanted to. Everyone who was against it had ample time to say what he wanted to, and did.

There were exactly 25 minutes between the time I moved approval of the bill and the time that the previous question was moved and ordered. Anyone could have offered amendments during this time, but no one did.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman.

Mr. CEDERBERG. The gentleman knows full well why he had 23 minutes. The parliamentary situation was maneuvered so that no amendments could be offered in the committee at all. We were not allowed to offer any amendments.

Mr. MORRISON. Mr. Speaker, I differ with the gentleman. The gentleman was there, and he had more than ample time. He could have offered 10 amendments, if he had wanted to.

Mr. CEDERBERG. The gentleman knows that that is not the case.

Mr. MORRISON. That is the case. The gentleman had plenty of time, but he did not use it. He used the time to delay, rather than to offer amendments, because he was against the bill. But he could not delay it by offering any amendments after the previous question was ordered. The gentleman had plenty of time in which to put his amendments in, if he had amendments.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman.

Mr. JOHANSEN. Does not the gentleman know that there was no opportunity whatever under the parliamentary situation to offer any amendments?

Mr. MORRISON. The gentleman had full and ample opportunity, as the gentleman from Michigan [Mr. CEDERBERG] did, and as anybody else did, before the subcommittee or before the full committee, but offered no amendments.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield further?

Mr. MORRISON. I yield.

Mr. CEDERBERG. Mr. Speaker, I would like to ask the chairman of the full committee if any amendments were allowed during the debate?

Mr. MORRISON. The gentleman was not cut off. The gentleman did not ask to present any amendments.

Mr. CEDERBERG. The previous question was called for.

Mr. MORRISON. But before that the gentleman took 5 or 10 minutes before the committee and could have offered 10 amendments during that time.

Mr. CEDERBERG. I did not take one minute.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman.

Mr. McCORMACK. If they knew their parliamentary law, they would have known that even after the previous question was ordered, while it cut off debate, it did not cut off the offering of amendments.

Mr. MORRISON. They way I look at this: There is an old adage, when you are arguing a lawsuit and you have not anything concrete on the facts to argue about, that you look at the courthouse or look at the opposing lawyer, and argue the courthouse or the lawyer. As far as this bill is concerned, there was ample opportunity to be heard. Any Member or any witness had ample opportunity to be heard.

CALL OF THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. HARRIS). The Chair will count. [After counting.] One hundred and eighty-six Members are present, not a quorum.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 145]

Andersen, H. Carl	Hays, Ark.	Preston
Bass, Tenn.	Hillings	Radwan
Boggs	Jackson	Sadlak
Brooks, La.	Jenkins	St. George
Burdick	Jones, Mo.	Shelley
Carnahan	Keating	Shuford
Christopher	Landrum	Sieminski
Clark	Lennon	Smith, Kans.
Cretella	Lesinski	Spence
Dies	McCarthy	Springer
Eberharter	McIntire	Talle
Feighan	Marshall	Taylor
Frelinghuysen	Matthews	Thompson, Tex.
Friedel	Michel	Trimble
Gordon	Morris	Tuck
Hagen	Moulder, Mo.	Willis
Harrison, Nebr.	Poage	
	Powell	

The SPEAKER. On this rollcall 365 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

RETIREMENT FOR FORMER PRESIDENTS

The SPEAKER. The Chair recognizes the gentleman from Louisiana.

Mr. MORRISON. Mr. Speaker, as I was saying before the last quorum call, this bill has been unanimously passed by the Senate. It was before our full committee on three occasions and it was before two subcommittees prior to that time. Every witness or organization that asked to be heard had the opportunity to be heard either by a subcommittee or the full committee.

When the full committee convened in order to take up the bill, everyone was given ample opportunity to speak for or against the bill, to say whatever they wanted to say, and if they had wanted to offer amendments that opportunity was given them.

Mr. Speaker, as far as this legislation is concerned, it is only fair and just. The Vice President today is taken care of by retirement legislation. He gets the same retirement as a Member of the United States Senate. Federal judges and Supreme Court Judges get full salary for the remainder of their lives after they have retired.

Why should not the President of the United States receive $25,000 a year as retirement when as President there is no way in the world for him to get any retirement except through a bill of this sort? Members of the House get retirement, Members of the Senate get retirement, the Vice President gets retirement, the Federal judges get retirement, and all of the employees of the Federal Government get retirement. Why discriminate against the highest official we have in these great United States?

As I see it, and as the committee saw it—or it would not have reported the bill favorably—what we are doing here is taking care of ex-Presidents with a very modest retirement after consideration of what he has received and the service he rendered as President of the United States. He cannot live as an ordinary citizen when he retires from the Office of President of the United States.

This bill also takes care of the widows of ex-Presidents. Mrs. Woodrow Wilson at the present time is receiving only $5,000 a year. Under this bill she would get $10,000 a year annually until her death. The $5,000 she has been getting would be canceled out.

Mr. Speaker, there is nothing unfair about this bill. I do not see why this Congress should be put in a position of saying that no man can be President of the United States unless he has tremendous resources, financially and otherwise, to live after he has served as President of the United States.

There is no Member of the House who wants a President of the United States, when he retires from office, to take advantage of the high position of that office and take some job which any ex-President could take with some firm, if he chose, because of his prestige. He could get anywhere from $100,000 to $200,000.

Why should we as Congressmen say that a President—a man who has rendered dedicated service in the highest office of the Nation—should not receive the modest sum of $25,000 per year? And remember, that is subject to the income tax, like the income of everyone else is.

With reference to the office staff, every one knows that $50,000 is not going very far and will not hire more than 4, 5 or 6 people, possibly 8, to take care of the many important duties of a former President and the thousands of pieces of mail that come in and have to be answered by every individual who has served his term in the White House and becomes an ex-President.

I say, let us give the House a chance to debate this bill, let us have full debate, and then go ahead and report the bill favorably.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. WAINWRIGHT].

Mr. WAINWRIGHT. Mr. Speaker, I wonder whether it would be possible to take this bill out of the realm of petty partisan politics. It occurs to me, and, I would so suggest to my friends on this side of the aisle, that while this has been jokingly referred to as a bill for a particular past President, some day the shoe might be on the other foot. We might be the ones who are crying at the bar.

You all know as well as I do that the demands on a past President are continuous, continuous from the moment that he is elected President until the moment the man dies. You all also know that his mail may contain 2,000 or 3,000 letters a day. A President, past or present, receives the kind of mail that needs reply. At the present time he has no staff nor is he authorized any staff to answer this mail.

A third point deals with widows of past Presidents. I do not think there is a Member on either side of the aisle who has ever failed to vote generously for pensions for widows of American servicemen. I would say to you that there is no greater service to our country than that of President of the United States. Consequently, his widow deserves at least equal treatment to that accorded widows of our military servicemen.

Finally, it just seems to me to be somewhat ridiculous to place on a partisan vein an effort to provide mild retirement benefits for the highest political office in the United States of America. I particularly urge my friends to apply common sense to this question. Use standards of fairness and decency, rather than petty vindictiveness.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Speaker, I should like to say at the outset that I associate myself completely with the statement of the gentleman who just spoke, and if we do get into general debate on this bill, I expect to speak in a nonpartisan vein and against the bill. I am opposed to the bill and I am opposed to the rule.

I want to say, first of all, to the distinguished gentleman from Louisiana that I am not disposed to quibble with him at all as to what happened or did not happen in the committee proceedings. I simply say this, whether it was the failure of some of us to have the necessary acute parliamentary knowhow or whether it was the ruling of the chairman that there was no opportunity to present amendments, I simply want to say if the gentleman secures any satisfaction from the knowledge that this wide open, loose legislation has come to this floor under those auspices and under those conditions, he is welcome to all the satisfaction he can get from it. And, I want to say further, the very fact that before this rule is adopted there is proposed here an amendment to reduce the amount of the office staff allowance is the best possible proof that this resolution ought not to be adopted and that this legislation should go back to the committee for proper legislative handling.

In that connection, let me point out that this bill, as has been mentioned, originated in the other body. The other body saw fit in their wisdom to attach the office staff allowance formula to the formula of the office staff allowance of the other body. I raise a very serious question as to what might be the fate of this proposed $60,000 ceiling if it goes to conference with the other body. In that connection let me say that if this limit does not prevail and if we adhere to the schedule of the salary allowance for the staff of a Senator from the least populous State, we are guaranteeing an automatic increase in the amount of that allowance every time an increase is voted in the allowance for a Senator from the least populous State.

In addition to that, may I point out that the bill which was introduced 2 years ago and passed in the other body, and which came before a subcommittee of which I was a member, called for a pension of $22,500. This bill calls for $25,000. We are starting something that will move in only one direction, and that is up.

As a further indication of the very urgent need for legislating in a proper and orderly fashion in this matter, may I direct the attention of the House to the fact that I have heard a dozen proposals, some serious, some offered with a desire to kill the bill and the intent of the bill, that were discussed in the cloakrooms and on the floor of the House this afternoon. That is no way to legislate in this field.

Mr. Speaker, may I further point out that in this bill as presented this afternoon, whether the $60,000 ceiling applies or whether we have the original formula, there is no provision whatever to define the duties of the office staff, to circumscribe them, to describe the status of the staff of a former President with respect to the Hatch Act, with respect to personnel policies and benefits, including retirement benefits of this little bureaucracy that it is proposed to build up around a nonexistent office.

As I hope to develop in the general debate, if the rule and bill are adopted, we will have achieved the ultimate in the bureaucratic breakthrough into the stratosphere of reckless spending if we can start building bureaucracies around nonexistent offices.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, if the rule is adopted it is my purpose to discuss the bill somewhat at length. But I do wish to give notice that I expect to offer three amendments, one to include former Vice Presidents, with the provision that they cannot draw a double retirement. There is another provision that the office shall be in a place which the President shall designate, to which I wish to add the word "continental" to the United States. And inasmuch as the bill does not provide any service to be rendered by those who accept the monetary allowance, I shall ask that they be required to make a report to the Congress and to tell us what we are to do.

Mr. NEAL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. NEAL. Mr. Speaker, I oppose this legislation.

During my recent visits to my District I found outspoken evidence that the people back home are extremely critical of the extravagance of the Congress.

With existing rates of taxation affecting citizens at all levels and with an anticipated increase in support of our national defense, there is much anxiety over the future ability of this country to support existing mandatory annual expenditures imposed on the Treasury by previous sessions of Congress without endangering the Nation's credit.

The people of my District are not pressing Congress for unreasonable demands upon the Federal Treasury. They want economy in all branches of Government. They fear national debt and the inflation it generates. They see their savings and their investments gradually being washed out. They are wondering if individual thrift and initiatives, the foundation of our economy, are rapidly

giving way to paternal government's leveling process.

This is just one of the numerous bills before this session of Congress that places the freewheeling label on too many of its members, a freedom to spend taxpayer's money in reverse to that which most of them would follow in the conduct of their own private business.

I doubt seriously that any man who had been honored by the people to serve as their chief executive would like to be placed in the position of receiving what amounts to charity.

Most ex-Presidents will most likely be able to support themselves in respectable fashion and therefore would prefer to refuse retirement payments from the Nation. Should occasions arise in the future where misfortune befalls a former president, the Nation through its Congress will be happy to make due provisions for relief, a moral responsibility no future Congress would want to evade.

In considering further legislation to create a demand for more and more treasury outgo the Members should put themselves in the place of those citizens who are compelled to undergo considerable self denial to meet tax demands imposed upon them.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. CEDERBERG].

Mr. CEDERBERG. Mr. Speaker, I take this time in order to clear up the question whether or not amendments were allowed in the committee meeting. I have the records of the committee meeting in my hand.

The Chairman recognised Mr. MOSSINOW to present the report of his Subcommittee on S. 607.

Mr. DAVIS moved that S. 607 be referred back to the subcommittee and stated his reasons including the fact that only 4 of the 7 subcommittee members were able to be present when the subcommittee voted to report the bill.

Mr. GROSS seconded the motion.

The Chairman stated that the committee should receive the subcommittee report first.

Mr. MOSSINOW offered a substitute motion, that the committee report S. 607 with the subcommittee amendments, and briefly summarised the report of the subcommittee.

Mr. YOUNG stated a parliamentary inquiry: What motion is before the committee?

The Chairman replied that Mr. MOSSINOW's substitute is before the committee.

Mr. HOLIFIELD moved the previous question on Mr. MOSSINOW's substitute.

The chairman asked that Mr. HOLIFIELD withhold his motion in order to permit further debate. He also pointed out that no further hearings were needed, that all members are completely familiar with the legislation, and that it had been considered a number of times by the committee over the past several years.

Mr. HOLIFIELD moved the previous question.

Mrs. FROST seconded the motion.

Mr. GROSS stated a parliamentary inquiry: Does the motion on the previous question foreclose amendments and cut off debate?

The chairman ruled in the affirmative.

Then it goes on further.

The chairman ordered the yeas and nays and directed the counsel to call the roll.

On the rollcall there was a vote.

Mr. REES asked if this did not mean that no amendments other than the subcommittee amendments are in order?

The chairman ruled in the affirmative.

Therefore, there were no amendments allowed.

That is the official record of the committee.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, there are three persons, the President and two former Presidents who would be the beneficiaries of this legislation: Former President Hoover, who probably would not accept the pension; President Eisenhower, who does not need it and probably would not accept it; and former President Truman. As far as I am concerned, if Mr. Truman wants to continue his cheap, demagogic political activity, let him do it on his own time and at his own expense and not at the taxpayers to the extent of approximately $125,000 per year.

Mr. BOLLING. Mr. Speaker, I yield the remainder of the time to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, we have gone along very well during this session with a minimum of partisan politics. I hope the debate on this bill will go along with the atmosphere of this session to date. Certainly we Democrats have shown our leadership in connection with controversial matters on many occasions during this session and during this Congress.

I regret very much the innuendoes contained in the speech my friend from Iowa [Mr. GROSS] made about former President Truman. There are many things that would be best left unsaid. Of course there is nothing he said that I regret but the innuendo that the gentleman undertook to convey.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MCCORMACK. I mentioned the gentleman; of course, I will yield.

Mr. GROSS. The gentleman is not challenging any of the facts in my statement, is he?

Mr. MCCORMACK. I have no knowledge about some of them. I am not challenging them because I have no knowledge, but I do challenge the manner in which the gentleman expressed himself.

With reference to the last gentleman, he made a very important speech.

Let me call your attention to the fact that former President Truman is backing President Eisenhower in the Middle East and in his foreign policy. We are all types; none of us are the same. We all have our little characteristics and our oddities, and those all can be construed differently. Harry Truman is a fighter; everyone knows that. Everyone knows he speaks directly from the shoulder. Everyone knows he does not have any meanness in his mind at any time.

This bill here is not based on need or anything else. I would be supporting the bill if we did not have a past President who was elected President as a Democrat. I would be supporting this bill if we had past Presidents who had served who were elected as Republicans. You notice I never speak of a President as Democratic or Republican, but as President. He is elected as such. As Presidents they serve all the country.

This to me seems to be common sense. It seems to me wise. This bill is not before us as the result of the request of any individual. There is a pretty universal demand for it. The press of the country are about as universally in support of this bill as I have ever seen them on any public question. Only the other day I placed in the RECORD an editorial from the Boston Herald, and the Boston Herald certainly is not a Democratic newspaper. Why are some of us supporting this bill? We are supporting it because we think it is a wise thing to have on the statute books of our country—not based on need—not based on necessity—but based on decency. We give our five-star generals or their equivalents a pension, and they are entitled to it. That is done by act of Congress. We give them 8 aides—1 colonel, 1 major and 5 enlisted men. I think it is a good thing to do. There are five who already occupy that status—generals and admirals. President Eisenhower occupied the same status until July 12, 1952, when he resigned. These men are in an active status, of course, subject to call. But, in a sense so is a past President of the United States. You and I know that if any President of the United States were to call a former President for service or for any duty that that past President would respond. When a President is in the service, he is Commander in Chief of our Army and Navy by reason of being President. So a former President at the time that he was President of the United States nominated the very men, the five-star officers or their equivalents who are now getting $25,000 a year for life and who now have the 8 aides—1 colonel, 1 major, and 5 enlisted men, and properly so. As I say, at some time or another those five-star officers or their equivalent were nominated by a President of the United States.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MCCORMACK. I yield to the gentleman.

Mr. GROSS. If I recall correctly, the White House asked former President Truman to go over to the Middle East early in 1957 or in the spring of 1957 and, if I recall correctly, the former President did not respond.

Mr. MCCORMACK. My impression is, if I recall correctly, the President of the United States did not invite President Truman. Someone else invited him. That is a little different situation.

Mr. Speaker, let us see what some of the reasons are for this legislation. Let us look back in history. This is 1958, but we all know that the history of yesterday can happen again tomorrow in relation to someone who serves our country as Chief Executive or in relation to his widow.

What is some of the information we have and evidence as to the financial condition of Presidents of bygone generations after they left the office?

In view of the financial difficulties endured by many of the past Presidents of the United States after they have left office it is altogether fitting and proper, it seems to me, and in fact it is morally obligatory, that the Nation provide suita-

bly in a material way for former Presidents and their wives during their lifetime.

And this is not as a matter of need, but as a matter of right which is recognized by the people of the United States through their representatives here in the Congress.

Washington's estate has been estimated at $530,000, but the fact remains that both he and Jefferson ended their days as land-poor country squires. The decline of Virginia plantations, a farm problem of itself today, was the chief cause, but regardless of the cause, that they should have suffered financial embarrassment is inexcusable. In desperation the first President tried to sell sections of Mount Vernon, and Jefferson, who finally mortgaged Monticello for all that he could get and was forced to sell other property as well as his private library, at one time even thought of liquidating Monticello in a lottery. Fortunately public protest and private funds intervened.

James Madison and James Monroe had similar experiences. Madison, who had viewed Jefferson's bankruptcy with alarm, labored painfully with rheumatic hands and failing eyesight to reproduce his notes of the Constitutional Convention in order that he might leave his widow an adequate inheritance. Even so, Dolly Madison sold them to Congress for a fraction of their worth and spent her declining years in the Nation's Capital, as stated by those of her period, in honored, but genteel poverty, her food often supplied from the market basket of her neighbor, Daniel Webster.

James Monroe, even as his predecessors, suffered financial setbacks after his retirement from office. Losing his Virginia estate to creditors, he moved to New York after the death of his wife in 1830 to make his home with his daughter. There he spent his final days living on the charity of relatives.

Andrew Jackson had his financial woes also and to such an extent that on one occasion he was led to write, "Poverty stares us in the face." Need of funds for his beloved foster son, and not for the honor involved, occasioned him, though in ill health, to travel to New Orleans for the 25th anniversary of the famous battle for the honorarium involved.

One has only to go back to President Grant for an example of a former President in really extreme need. Leaving the White House without an occupation he experienced a sequence of financial misadventures which left him penniless. While suffering from cancer of the throat he started writing his memoirs, which after great hardship he succeeded in finishing only a short time before he died. The sale of his memoirs netted his family $450,000.

Widows of former Presidents have fared somewhat better. A few were given grants of the remaining years' salary after the death or assassination of their husbands and others, beginning with Mary Todd Lincoln, were voted a $5,000-a-year pension by Congress.

The disposition of former Presidents is a moral responsibility for the Nation. For example, Great Britain, in recognizing such responsibility to its leaders, provides pensions for its Prime Ministers even as we do for our retired generals and admirals. We should certainly do as well for our former Presidents.

Oh, we are not here as Democrats or Republicans. This is not a measure of that kind. Let a man vote against it if he desires, but let us keep personalities out of it. Let us not repeat the history of our country by not making some provision for Presidents who, after they have left office, have suffered serious financial losses.

I urge the adoption of the rule and the passage of the bill.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. JOHANSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 254, nays 126, not voting 49, as follows:

[Roll No. 146]

YEAS—254

Addonizio	Dorn, N. Y.	King
Albert	Dorn, S. C.	Kirwan
Allen, Calif.	Doyle	Kitchin
Anfuso	Durham	Kluczynski
Arends	Dwyer	Knutson
Ashley	Edmondson	Lane
Ashmore	Engle	Lankford
Aspinall	Everett	LeCompte
Auchincloss	Evins	Lennon
Ayres	Fallon	Libonati
Bailey	Farbstein	Loser
Baldwin	Fascell	McCormack
Barden	Fenton	McFall
Baring	Fisher	McGovern
Barrett	Flood	McIntosh
Bass, N. H.	Fogarty	McMillan
Bates	Forand	Macdonald
Baumhart	Fountain	MacGregor
Bennett, Fla.	Frazier	Mack, Ill.
Blatnik	Fulton	Madden
Blitch	Garmatz	Magnuson
Boland	Gary	Mahon
Boiling	Gathings	Mailliard
Bonner	Gavin	Martin
Boykin	Glenn	May
Boyle	Granahan	Meader
Breeding	Gray	Merrow
Brooks, La.	Green, Oreg.	Metcalf
Brooks, Tex.	Green, Pa.	Miller, Calif.
Brown, Ga.	Gregory	Miller, Md.
Brown, Mo.	Griffin	Mills
Broyhill	Griffiths	Mitchell
Burleson	Hagen	Montoya
Byrd	Hale	Moore
Byrne, Ill.	Haley	Morano
Byrne, Pa.	Halleck	Morgan
Canfield	Harden	Morrison
Cannon	Hardy	Moss
Carrigg	Harris	Multer
Celler	Haskell	Murray
Chamberlain	Hays, Ohio	Natcher
Chelf	Healey	Nix
Chenoweth	Hébert	Norrell
Church	Hemphill	O'Brien, Ill.
Clark	Heselton	O'Brien, N. Y.
Coad	Hoffield	O'Hara, Ill.
Coffin	Holland	O'Neill
Collier	Holmes	Osmers
Colmer	Holtzman	Ostertag
Cooley	Horan	Passman
Corbett	Huddleston	Patman
Cunningham, Iowa	Hull	Patterson
Curtis, Mass.	Hyde	Pelly
Curtis, Mo.	Ikard	Perkins
Dague	Jarman	Pfost
Davis, Tenn.	Jennings	Philbin
Dawson, Ill.	Johnson	Pilcher
Delaney	Jonas	Porter
Dellay	Jones, Ala.	Price
Dent	Judd	Pruyty
Denton	Karsten	Quie
Diggs	Kean	Rabaut
Dingell	Kearney	Ralns
Dixon	Kee	Reece, Tenn.
Dollinger	Kelly, N. Y.	Rees, Kans.
Donohue	Keogh	Reuss
Dooley	Kilday	Rhodes, Pa.
	Kilgore	Riehlman
Riley	Sisk	Ullman
Rivers	Smith, Miss.	Vanik
Roberts	Smith, Va.	Vinson
Rogers, Colo.	Spence	Vorys
Rogers, Fla.	Staggers	Wainwright
Rogers, Mass.	Steed	Walter
Rogers, Tex.	Sullivan	Watts
Rooney	Teague, Tex.	Westland
Rutherford	Teller	Whitener
Santangelo	Tewes	Wier
Saund	Thomas	Wigglesworth
Saylor	Thompson, La.	Withrow
Scott, N. C.	Thompson, N. J.	Wolverton
Scott, Pa.	Thomson, Wyo.	Wright
Selden	Thornberry	Yates
Sheehan	Tollefson	Zablocki
Sheppard	Udall	Zelenko

NAYS—126

Abbitt	Ford	Norblad
Abernethy	Forrester	O'Hara, Minn.
Adair	Prelinghuysen	O'Konski
Alexander	George	Pillion
Alger	Grant	Poff
Allen, Ill.	Gross	Polk
Andrews	Gubser	Ray
Avery	Gwinn	Reed
Baker	Harrison, Va.	Rhodes, Ariz.
Beamer	Harvey	Robeson, Va.
Becker	Henderson	Robison, N. Y.
Beckworth	Herlong	Robison, Ky.
Belcher	Hess	Schenck
Bennett, Mich.	Hiestand	Scherer
Bentley	Hill	Schwengel
Berry	Hoeven	Scrivner
Betts	Hoffman	Scudder
Bolton	Holt	Seely-Brown
Bosch	Hosmer	Sikes
Bow	James	Siler
Bray	Jensen	Simpson, Ill.
Broomfield	Johansen	Simpson, Pa.
Brown, Ohio	Kilburn	Smith, Calif.
Brownson	Knox	Springer
Budge	Krueger	Stauffer
Bush	Laforo	Taber
Byrnes, Wis.	Laird	Teague, Calif.
Cederberg	Latham	Utt
Chiperfield	Lipscomb	Van Pelt
Clevenger	McCulloch	Van Zandt
Cramer	McDonough	Vursell
Cretella	McGregor	Weaver
Cunningham, Nebr.	McVey	Wharton
Curtin	Mack, Wash.	Whitten
Davis, Ga.	Mason	Widnall
Dawson, Utah	Matthews	Williams, Miss.
Dennison	Miller, Nebr.	Williams, N. Y.
Derounian	Miller, N. Y.	Wilson, Calif.
Devereux	Minshall	Wilson, Ind.
Dowdy	Mumma	Winstead
Fino	Neal	Younger
Flynt	Nicholson	
	Nimtz	

ANSWERED "PRESENT"—1

Roosevelt

NOT VOTING—49

Andersen, H. Carl	Harrison, Nebr.	Powell
	Hays, Ark.	Preston
Anderson, Mont.	Hillings	Radwan
	Jackson	Rodino
Baas, Tenn.	Jenkins	Sadlak
Boggs	Jones, Mo.	St. George
Buckley	Kearns	Shelley
Burdick	Keating	Shuford
Carnahan	Landrum	Sieminski
Christopher	Lesinski	Smith, Kans.
Coudert	McCarthy	Talle
Dies	McIntire	Taylor
Eberharter	Marshall	Thompson, Tex.
Elliott	Michel	Trimble
Feighan	Morris	Tuck
Friedel	Moulder	Willis
Gordon	Poage	Young

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Kearns for, with Mr. Sadlak against.
Mr. Keating for, with Mr. Jenkins against.
Mr. McCarthy for, with Mr. Radwan against.
Mr. Boggs for, with Mr. Burdick against.
Mr. Shelley for, with Mr. Coudert against.

Until further notice:

Mr. Carnahan with Mr. Hillings.
Mr. Friedel with Mrs. St. George.
Mr. Shelley with Mr. McIntire.
Mr. Rodino with Mr. H. Carl Andersen.
Mr. Lesinski with Mr. Jackson.
Mr. Preston with Mr. Michel.

Mr. Landrum with Mr. Smith of Kansas.
Mr. Trimble with Mr. Harrison of Nebraska.
Mr. Marshall with Mr. Taylor.
Mr. Young with Mr. Talle.

The result of the vote was announced as above recorded.

Mr. MURRAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 607) to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 607 with Mr. WALTER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. MURRAY. Mr. Chairman, I regret exceedingly that so much political heat and bias have been generated in the discussion of this measure during the consideration of the rule. This bill should be considered on its merits apart from any personal or political consideration. The measure is not political and is in no way partisan.

As has been stated in the debate on the rule on this bill, the distinguished Speaker of the House, the majority leader, Mr. MCCORMACK, and the minority leader, Mr. MARTIN, all came before our committee and spoke in favor of an annuity or retirement for the ex-Presidents of the United States. I hope that no Member will cast his vote on this bill upon the basis of whether he either likes or dislikes a former President.

As I see it, this legislation is just a proper recognition to the ex-Presidents of our country for their services as President. This legislation is not on a need basis. It is doing honor and justice and showing just and proper recognition to the recipient and holder of the highest position and office in the world.

This legislation was considered fully and fairly by our committee. There was some division, but the bill was reported out favorably. I hope that no Member today will further engage in any political bias or personal favoritism or dislike for any of the two great men who have served as Presidents and are now the only living ex-Presidents of our country.

This committee of course did not consult our two ex-Presidents to see whether or not they wanted this annuity. We did not think it was proper to ask former President Truman or former President Hoover whether he favored this legislation or whether he needed this annuity of $25,000. We did not think it was fitting for us to do so. I can assure you as chairman of this committee that no one has contacted me representing ex-President Truman or ex-President Hoover in behalf of this legislation.

I am sure the great majority of this body will vote overwhelmingly in favor of this legislation. Today the President of the United States is virtually the only officer of the Federal Government not covered by some sort of retirement program.

If ex-President Truman had continued in the Senate instead of becoming President he would today be qualified for retirement under the Congressional Retirement Act. Our present Chief Executive, President Eisenhower, as long as he was a general would be entitled to retirement on an annuity as a general of the Army.

This legislation should appeal to the membership on these grounds:

The Office of the President is the greatest office in the world.

Its duties are the most trying and exacting in the world.

A former President is considered a dedicated statesman, available, if desired, for service to our country.

Once a President, always a President.

Such legislation, as the Senate report states, "is not only a matter of equity, it is a matter of good business for the American people."

The interest of the American people in the President does not cease when his term of office has ended.

His responsibility does not end when his term of office has ended.

The public demands—speeches, conferences, advice, correspondence, and otherwise—after his service of President is over, continue.

A former President is not expected to engage in any business or occupation which would demean the office he once held.

That one term as President of the United States, never mind two terms, is a lifetime of responsibility and strain, even in a more normal and peaceful world than we have today.

The impact of history in the making under our form of government is the President's sole responsibility as far as foreign affairs is concerned, and it must be a tremendous responsibility, some of the decisions a President of our country has to make, particularly in a period of world history such as that we are now undergoing.

I do not know whether former President Truman or former President Hoover will elect to choose this annuity. That is a decision for them personally to make. But, I do think they should be given the opportunity and they should have the right to have this annuity. If they feel that they should receive the annuity that is a matter that they themselves should determine and for them to choose to accept this annuity, if they so desire. I do hope that the Members will consider this legislation from the standpoint of what is good for this country and from the standpoint of what we owe to an ex-President of the greatest nation in the world. I do hope that they will not look at it from a selfish, a political, or a partisan basis. This legislation ought to pass.

Mr. REES of Kansas. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Chairman, at the outset I should like to completely and unqualifiedly associate myself with the very splendid statement made by the distinguished majority leader and by the distinguished chairman of the committee for whom I have the utmost respect. This is not a partisan issue. This is not an issue of personalities.

Mr. CRETELLA. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. One hundred and twelve Members are present; a quorum.

The gentleman from Michigan is recognized.

Mr. JOHANSEN. I would like to add further that this is not only not a partisan issue nor a matter of personalities, but this is not an issue affecting only two living ex-Presidents of the United States. This is permanent legislation and will affect and involve all subsequent former Presidents of the United States. I think we will do well and have a better perspective of the issues involved if we bear that fact in mind.

I think the best way I can sum up my opposition to this bill is to say that I am opposed to institutionalizing and subsidizing the nonexistent office of former President of the United States. As we are all by now surely aware, this is no mere proposal of a pension for former Presidents.

At that point let me suggest that if we are disposed to address ourselves to the problem of a pension for former Presidents, it should be approached on the basis of other existing pension provisions for the executive and legislative personnel, with specific recognition of such factors as length of service, and, parenthetically, one President of the United States served only a little longer than 2 years. I think it should be approached on the matter of financial participation in the pension program by the prospective beneficiary, as is the case with the Vice President of the United States. Finally, I think that the program ought to be integrated into any provisions and pension entitlements to which the former President would be entitled by reason of any other Federal service.

Now having said that, let us address ourselves to the two points of the institutionalizing and subsidizing of a nonexistent office of former President. I observe that my distinguished chairman has repeated the phrase earlier used by the distinguished majority leader in his testimony before the committee when he said, "Once a President, always a President." Now I contend that the record does not quite bear out that interpretation of the status of former Presidents. History does not bear it out with respect either to the attitude of former Presidents themselves or the attitude of their contemporaries toward former Presidents. These attitudes have been as varied and divergent as the individuals who have retired from that exalted office. And because there has been no effort to formalize or institutionalize the status of former Presidents, many of these great men have made invaluable contributions to their country after leaving the White House, according to their own peculiar interests, capacities, and opportunities.

I am sure that the Members of this House from the great State of Virginia are familiar with the still available, published, priceless correspondence between Presidents Adams and Jefferson

and the contributions to the philosophy of government of the distinguished Virginia trinity of Presidents—Jefferson, Madison, and Monroe.

It was no institutionalized or subsidized ex-President, John Quincy Adams, who served 16 brilliant years as a Member of this House, the same Adams who met criticism on the occasion of his first nomination for that office with the comment:

> No person could be degraded by serving the people as a Representative in Congress, nor would an ex-President of the United States be degraded by serving as a selectman if elected by the people.

Perhaps we are as confused today as to what is involved in maintaining the dignity of a former President as were those who criticized ex-President John Tyler for accepting the position of county road overseer in Virginia. Mr. Tyler's answer was not that of a man who needed either a pension or an administrative assistant to maintain that dignity:

> Very well, if the office cannot reflect honor upon me, I will reflect honor on that office.

With no unkindness toward one of our former Presidents, I must observe that neither a pension nor an office staff would have enhanced the dignity of ex-President Buchanan — laboriously writing memoirs seeking to justify policies which, however sincere, had not averted the tragic War Between the States.

As for subsequent public service, unaided by either pension, office staff, or franking privilege, I point out that ex-President Washington became lieutenant general commanding our troops when war with France threatened; ex-President John Quincy Adams, as already noted, became a Member of Congress; Ex-President Johnson became a United States Senator; ex-President Cleveland was returned to the White House after a 4-year absence, and ex-President Taft became an honored Chief Justice of the United States.

And, on the other side of the picture, politics and public sentiment being what they were, I am sure that having had this institutionalizing process ex-President Theodore Roosevelt would not have had one whit more chance of achieving his life's ambition of commanding troops in World War I.

I am sure that the honor that has been achieved and the recognition that has been achieved by Herbert Hoover as ex-President was achieved on account of his innate dignity and would not have been enhanced by this institutionalizing process.

And in that connection I wish the distinguished majority leader were present to hear this: I pay honor to former President Truman, because he recognized the dignity and the talents of Mr. Hoover and availed himself of them for the Nation's benefit.

In other words, it is not any lack of respect, but, on the contrary, my great respect for the Office of the President of the United States and those who have occupied the exalted position which prompts my vigorous opposition to institutionalizing this nonexistent office of former President. I want to keep it a nonexistent office. And in that connection I point out there is a dangerous and detrimental side to this thing when you recall that at one time in the days immediately following Fort Sumter, one former President of the United States, Franklin Pierce, proposed that his four colleagues in the category of ex-Presidents: Van Buren, Tyler, Fillmore, and Buchanan, join him in a meeting in Philadelphia to formulate and proffer unsolicited counsel to President Lincoln. Pierce was a sharp critic of Lincoln's policies, Van Buren, a stanch supporter of Lincoln, squelched the scheme.

What may we be creating, in the way of some future quasi-official interference by former Presidents in event we institutionalize the status of this now nonexistent office?

Those who have served in that office can and will continue to serve their Nation after they leave the Presidency in accordance with their own abilities and the will and temper of the sovereign people. I want to preserve the priceless tradition—as old and venerable as the philosophy expressed by Benjamin Franklin in the Constitutional Convention—that, under the American system, those who have served for a time, by the voters' mandate, as servants, will, at the end of their term, return to the rank of the rulers.

I want to keep that tradition and I urge that you preserve the ancient landmarks with respect to that tradition. Under no condition do I want to see anything faintly suggesting an emergent House of Lords.

And now let me say just a word or two about subsidizing this nonexistent office, and I say this with no criticism whatever. I am citing this quotation with no criticism whatever, but in a television interview with Mr. Truman on February 2 of this year Edward R. Murrow asked Mr. Truman if it was not true that there was a proposal for a $25,000-a-year pension, on which Mr. Murrow observed there would have to be taxes paid; and Mr. Truman said:

> Yes, that is probably all right. Well, that is better than nothing, of course, but then that is a penurious way of taking care of the situation.

Mr. Truman went on and made this interesting observation:

> The thing that is—that is needed worse than anything else is enough help to carry on the—what's left of the Office of the President after he gets out.

I am not being critical of Mr. Truman for that position. I would say that that is one philosophy of an ex-President. I offer by way of contrast the philosophy expressed by former President Coolidge apropos of someone who wanted to invoke his influence, that this individual apparently did not realize that the power had been turned off. I like to keep that conception of a former President—that there is not something left of the Presidency but that under the American tradition the power has been turned off.

What concerns me here is the fact that historically—and please bear in mind I am not talking about living former Presidents, I am talking about all of the former Presidents in the 161 years since we acquired a former President—former Presidents have not always fallen into the category of true political retirees in any sense of the word. Many have remained not only highly controversial figures but active participants in the political arena and even active candidates for the office they once held.

Van Buren, as a former President, was a subsequent nominee of a political party for the White House. Grant in 1880, 4 years out of the White House, if my memory serves me right, was placed in nomination in the Republican Convention for a third term. Cleveland, as I have already observed, was a successful nominee for the Presidency after 4 years out of office. Theodore Roosevelt ran in 1912 after a 4-year retirement. Presumably such situations will be duplicated in the future. Admittedly, they will not be applicable to the present former Presidents.

Mr. DOOLEY. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield to the gentleman from New York.

Mr. DOOLEY. I want to compliment the gentleman on the speech he is making regarding ex-Presidents. Let me ask him, is it not a fact that four of our Presidents experienced the humiliating experience of bankruptcy—Jefferson, Madison, Monroe, and Grant?

Mr. JOHANSEN. There is no question about that whatever. May I point out to the gentleman, however, that the facts of the matter are that since President Theodore Roosevelt, the smallest estate left by any former President was a quarter of a million dollars. The facts are that the present salary of the President of the United States, with his expense allowance, is vastly greater even by inflated values than was that of earlier Presidents. The further fact is that there is no Member of this House, I am certain, who would permit the situation to develop which developed in the cases of those four individuals.

Mr. DOOLEY. I thank the gentleman.

Mr. JOHANSEN. What are we providing, I should like to ask, in the way of taxpayer subsidized staffs, mailing privileges and office facilities, in view of this record of political activity on the part of other former Presidents, in support of such future political aspirations, aspirations completely proper in and of themselves but hardly something to be buttressed by these tax-financed perquisites as former President? And even where there is no direct, personal campaign for restoration to the glory formerly enjoyed, what about the personal or partisan political activities of a person enjoying the prestige of the former Presidency?

Mr. Chairman, I am going to say something, but before I say it I want to observe that I pay tribute to the vigor and forthrightness, under whatever language you want to phrase it, with which former President Truman has always found himself capable of expressing his views and sentiments. I respect him and honor him for it. What I am

asking now, please hear it out because it is not singling Mr. Truman out for criticism, is this. Are the taxpayers now to subsidize the "Give 'em hell" political activities of any former White House occupant in the future, even one of Republican persuasion if, perchance, that party should some day produce an ex-President of that temperament and colorful language?

Surely the experience of the 161 years which have elapsed since this Nation acquired its first former President, should teach us, even in these days of freewheeling extravagance and bureaucratic mushrooming, to exercise better judgment and discretion than is here proposed.

Mr. CRETELLA. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The chair will count. [After counting.] One hundred and one Members are present, a quorum.

Mr. MURRAY. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, I would like to first compliment the distinguished gentleman from Michigan [Mr. JOHANSEN] upon the informative statement which he has just made this body. I join him and join our distinguished chairman of the House Committee on Post Office and Civil Service, the gentleman from Tennessee [Mr. MURRAY], in saying that this legislation should be considered on its merits, without regard to any political partisanship.

Mr. Chairman, I am opposed to this legislation principally because it has not been properly worked out. At a time here when our national debt exceeds $275 billion, at a time when we are already on notice that the President of the United States is going to request this Congress before the end of this session to increase our national debt limit on a temporary basis by $3 billion and on a permanent basis by $10 billion, this is no time to bring to the Congress legislation to spend taxpayers' money which has not been carefully and thoroughly considered in committee.

Now, there are many undetermined matters in this legislation. I hope that if you have not read the committee report you will take the trouble now to get a copy of it and read it. It is short; it is a four-page committee report. Now, you would think that in reading a committee report on a bill which involves as much on an annual basis as this bill will involve it would cover all of the matters of comparative importance that are involved in the legislation. You would think that you could turn to this committee report and find, for instance, what the status of the employees under the former President would be, whether they would be under the Hatch Act, whether they would be able to carry on political activity or not, what their status would be with reference to retirement benefits for themselves when they have served a certain length of time. None of that is provided for in this bill. You cannot find any information on it by reading the committee report.

The fact that it has been announced here during the progress of the debate on the rule that there would be an amendment offered to cut down the amount which this bill carries for salaries of employees in this office demonstrates more strongly than anything I could say to you now that this bill was not properly considered in the committee, either in the subcommittee or in the full committee.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I am glad to yield to the gentleman.

Mr. GROSS. Who proposes to offer that amendment? Does the gentleman know?

Mr. DAVIS of Georgia. I heard the gentleman from Missouri [Mr. BOLLING], who presented the resolution for the Rules Committee, say that an amendment would be offered to provide that the maximum amount which could be paid to employees of this office would be $60,000 per year gross.

Mr. MURRAY. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman.

Mr. MURRAY. I also announced that I would offer the amendment, and I shall do so at the proper time.

Mr. DAVIS of Georgia. I did not hear that statement made by the gentleman. I listened to the debate participated in by the distinguished gentleman, but I did not hear him mention that he intended to offer the amendment.

Mr. CRETELLA. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman.

Mr. CRETELLA. Mr. Chairman, I should like to ask the chairman of our committee whether or not that amendment was offered in the committee, or whether the committee had an opportunity to discuss the contents of the proposed amendment at any time?

Mr. MURRAY. No; but the gentleman had ample opportunity, as every member of the committee did at different times. This bill has been pending before our committee for the last 3 years. Never has anyone offered any amendment to the bill.

Mr. CRETELLA. That is true, but I ask the gentleman now whether, while we were in committee, and prior to the time the vote was taken on this bill, any opportunity was given to any member to offer any kind of amendment, with debate being shut off?

Mr. MURRAY. Certainly, there was. We took over 25 minutes to discuss the bill and no one offered an amendment.

Mr. CRETELLA. Apparently, the gentleman and I do not agree.

Mr. DAVIS of Georgia. Mr. Chairman, in line with the colloquy which has just occurred, the gentleman from Michigan [Mr. CEDERBERG] read from the minutes of the committee, and those Members who were here I am sure heard Mr. CEDERBERG as he read from those minutes. Two members of the committee asked the chairman of the committee whether or not the adoption of the previous question would permit any amendments to be offered or would cut off amendments from being offered, and the chairman answered, yes, it would cut off amendments.

Mr. MURRAY. Mr. Chairman, will the gentleman yield at that point?

Mr. DAVIS of Georgia. I yield to the gentleman.

Mr. MURRAY. There was 25 minutes of discussion before the motion on the previous question was ordered, and no Member offered any amendment. But he was given every opportunity to do so during those 25 minutes.

Mr. DAVIS of Georgia. Mr. Chairman, of course I have great admiration for the chairman of our committee. I have no disposition and no intention to get into any argument with him about his construction of what happened, and I have no intention of getting heated up and emotional about this bill. I am discussing it from the standpoint of merit and the opportunity to perfect it.

Mr. Chairman, I say with respect to what the distinguished gentleman from Tennessee just said, that a member of a committee has the right to rely on the ruling made by the chairman of that committee. And I do not think anyone will dispute that statement. And twice, as the minutes of the committee show, members asked about the opportunity to amend the bill and the chairman said there would be no opportunity if the previous question was ordered. The previous question was ordered then, and cut off the opportunity to offer any amendments. There can be no dispute about that and there is no dispute about it.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from California.

Mr. HOLIFIELD. The gentleman knows how highly I respect him.

Mr. DAVIS of Georgia. That is a mutual feeling.

Mr. HOLIFIELD. I must, on the record, take exception to the statement the gentleman from Michigan [Mr. CEDERBERG] made. We have the record right here. He read part of the record. He did not read it all. As mover of the previous question, I shall not take the gentleman's time now, but when I have time on the floor I shall give the full record as it occurred and show what actually happened.

Mr. DAVIS of Georgia. Certainly the gentleman has the right to do that, but I do not think the gentleman denies that what the gentleman from Michigan read from the minutes is a correct statement.

Mr. HOLIFIELD. I would just have to say that there was an opportunity for 30 minutes additional debate. The motion was made by the gentleman from New York [Mr. WAINWRIGHT] I believe, and the objection was made by the gentleman from Connecticut [Mr. CRETELLA]. I withdrew my motion for the previous question in order that that motion might be made. The gentleman from Connecticut, who is complaining about the right to offer an amendment, was the gentleman who objected to an extension of 30 minutes. The record shows that.

Mr. CRETELLA. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Connecticut.

Mr. CRETELLA. The gentleman from California long before the adjournment of the meeting made the motion for the previous question. As a result of that, some of those on the subcommittee who had supported the bill voted against it because debate was being cut off and amendments were being refused.

Mr. DAVIS of Georgia. Mr. Chairman, certainly I do not think any person familiar with the legislative procedure would feel that under those circumstances this bill had proper consideration or the proper time was allowed to perfect the bill. As I said, the fact that here on the floor today there are going to be offered amendments which it has become obvious are needed for this bill shows it was not properly considered and that there was no proper opportunity to perfect it either in the subcommittee or in the full committee.

During the 12 years I have been a Member of this body I have found that it is bad to try to write legislation on the floor of the House. The place to perfect legislation is in the subcommittee, when it is referred to a subcommittee, or in the full committee when it is not referred to a subcommittee.

The gentleman from Louisiana who sponsored this bill and who was chairman of the subcommittee said that it had had ample deliberation and that nobody asked for an opportunity to present witnesses. Let me ask you this: Would you consider that you had ample opportunity to offer witnesses to come before a subcommittee when the longest notice that was ever given by the chairman of that committee of any meeting was a half a day's notice?

Mr. MORRISON. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Louisiana.

Mr. MORRISON. I think if the gentleman will check with the counsel of the committee he will find there was no witness at any time that asked to appear before either the full committee or the subcommittee who did not get the opportunity. Not only did they know a subcommittee was appointed but it ran throughout the press of the United States that a subcommittee had been appointed. Anybody that had wanted to appear as a witness either individually or as representing an organization had that opportunity, but not one person individually or one person representing any organization asked counsel for the committee, as is the usual procedure, to testify on this legislation.

Mr. DAVIS of Georgia. I wanted to have some witnesses there and I wanted to have some information which had never been brought before either the subcommittee or the full committee.

Mr. MORRISON. I put off the subcommittee meeting just on the gentleman's account, because he was not here. On another committee I had asked that the committee meeting be put off, but the meeting was not put off.

Mr. DAVIS of Georgia. No; the gentleman did not put the committee meeting off, he did not call off one hearing because I was not there. He first called a meeting, one afternoon about 4:30, for 10 o'clock the following morning, when I, as chairman of another subcommittee whose meeting had been set for more than a week, had already subpenaed witnesses to attend the meeting of that subcommittee. The gentleman eliminated it for that reason.

Mr. MORRISON. When I got word of the fact that the gentleman was busy on another committee I called off the meeting of the subcommittee.

Mr. DAVIS of Georgia. That was one time.

Mr. MORRISON. I know, but the session is drawing to a close. How many times does the gentleman want to have a committee meeting called to suit his convenience?

Mr. DAVIS of Georgia. I want an opportunity in any legislation that I am going to vote on to spend the taxpayers' money—I want to have ample opportunity to study a bill and to perfect it.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. FORRESTER. As I understand the gentleman, the gentleman is against this legislation; is that correct?

Mr. DAVIS of Georgia. I certainly am.

Mr. FORRESTER. And I am too. I want to say to the gentleman in all frankness that instead of this legislation dignifying the Presidency, I think it would have a tendency to lower the dignity of that office.

Mr. HOFFMAN. Mr. Chairman, does the gentleman have time to yield?

Mr. DAVIS of Georgia. I yield briefly.

Mr. HOFFMAN. I understood notwithstanding what the RECORD may show tomorrow that the majority leader here today said that the moving of the previous question did not cut off the opportunity to offer other amendments.

Mr. DAVIS of Georgia. That is what he said.

Mr. HOFFMAN. That is not the rule.

Mr. DAVIS of Georgia. It was not the ruling that the chairman of the committee made, either.

Mr. HOFFMAN. Well, there it is.

Mr. DAVIS of Georgia. Will the gentleman cite the rule?

Mr. HOFFMAN. It is rule 17, section IV, and it does cut off all opportunity to offer other amendments. I do not know what he was thinking about.

Mr. DAVIS of Georgia. Certainly, the chairman of the committee ruled that when the question was asked of him.

Now, to get back to the meeting of the subcommittee called by the chairman, the gentleman from Louisiana. That meeting was called one afternoon at 4:30 p. m. for 10 o'clock the next morning. Certainly, there was not opportunity to prepare for witnesses. Those were the two times that the subcommittee was called to a meeting, and with a half day's notice each time.

Mr. MORRISON. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. Does the gentleman dispute that?

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. REES of Kansas. Mr. Chairman, I yield 5 minutes to the gentleman.

Mr. MORRISON. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. No; I cannot yield further unless I can get some more time.

Mr. MORRISON. I will give you 1 minute of my time.

Mr. DAVIS of Georgia. I am glad to yield to the gentleman.

Mr. MURRAY. Mr. Chairman, I yield the gentleman 2 additional minutes.

The CHAIRMAN. The gentleman from Georgia is recognized for 7 minutes.

Mr. MORRISON. Just so that the record may show it, at no time did the distinguished gentleman from Georgia ever ask me as chairman of the subcommittee to hear any witnesses that he might have wanted to be heard, and he had ample opportunity day in and day out to confer both with me as chairman and also with counsel for the committee, if he had had witnesses that he wanted to be heard. And, if he had asked us and told us that he had witnesses that he wanted to be heard, if he had any, I am sure he would have been heard and his witnesses would have been heard.

Mr. DAVIS of Georgia. The gentleman called the subcommittee on two occasions—each time with a half day's notice. I say with all respect to the gentleman that that does not afford time to prepare to bring witnesses to a hearing.

Mr. Chairman, in reference to this amendment that is going to be offered to make the maximum amount to be paid to these employees $60,000, in the first place there was no intention manifested or announced to offer any amendment to this bill until some of us who opposed it appeared yesterday before the Committee on Rules and pointed out some of the absurd provisions in this bill. I pointed it out there, and I had with me to support my statement, the tabulation of clerk hire salary prepared by the disbursing officer, which shows that with $49,000 base salary that could run up to a gross employees' pay of $134,456 per year for the employees of this office of former Presidents. That is so ridiculous and so absurd that they turn up here today and say, "Yes, well, we concede that is too much, and we will offer an amendment to cut it down to $60,000 maximum." Well, I represent a district, Mr. Chairman, which has close to a million people in it. If the maximum is set at $60,000, the best that I can figure out of it is that that will be a base of approximately $32,000 for clerk hire.

That is nearly twice as much as is allowed me now to run an active office representing that many people. It is bad business to write legislation on the floor. This legislation has not been properly considered. It ought to go back to the committee. Hearings should be held on it, and a bill should be brought out which would provide for some of the needed amendments, one of them being, as I pointed out to begin with, something should be said as to what the status of these clerks will be; whether they will be under the Hatch Act; whether they can engage in political activities; what will be their status as to whether they will be

entitled to retirement under the retirement laws of the United States, and whether or not their widows and their survivors will be entitled to participate in the retirement fund. This is quickly hatched up legislation. If it is passed, it will have many imperfections. It will be irresponsible legislation; and, finally, no one has asked for it. There is no demand for it. At a time when our budget for the coming year will be between $75 billion and $80 billion, we should have more consideration for the taxpayers than to put burdens like this on them, for which there is no demand and for which no one has asked.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. GUBSER. During the discussion between the gentleman from Louisiana [Mr. MORRISON] and the gentleman from Georgia, it seemed to me that the point was made that because of the approach of the close of the session it was not possible to give more complete hearings to this legislation.

May I ask the gentleman from Georgia when this bill was introduced first and referred to the Committee on Post Office and Civil Service?

Mr. DAVIS of Georgia. I will say to the gentleman from California that a bill similar to this was introduced and passed in the Senate in the 84th Congress, and sent to the Committee on Post Office and Civil Service. At that time the subcommittee to which it was referred was opposed to it and was about to report it unfavorably. The gentleman from Louisiana [Mr. MORRISON] asked the subcommittee not to do that, but simply not to take action on it. The bill was not passed in the House in the 84th Congress. It was introduced early in the 85th Congress, in February 1957, passed the Senate and has been in the House committee ever since, with no effort made to hold hearings on it, to have witnesses appear, and no effort made to perfect the bill.

Mr. GUBSER. Is it not true that, if legislation similar to this was before the House Committee on Post Office and Civil Service in March 1957, hearings could have been held last year or certainly early this year?

Mr. DAVIS of Georgia. I will say to the gentleman from California that something which passed for a hearing was held on that date, March 14, 1957, and the witnesses who appeared could not give information about even the most rudimentary features of this bill. For instance, we had a representative there from the Bureau of the Budget who was asked what the cost of the bill would be. He said he did not know. He was asked what the cost of the clerk hire would be, and he said he did not know. He was asked what the cost of the franking privilege would be, and he said he did not know. He was asked what the cost of office furniture and equipment would be, and he said he did not know, but he said he would furnish a statement for the record later, which he did.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. FORRESTER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FORRESTER. Mr. Chairman, the proposal to grant a lifetime pension to our former Presidents, to provide them with franking privileges, and to furnish them a staff of clerks and assistants, and to pension their widows, is utterly amazing to me. I can see no benefits which would accrue to the taxpayers of America from the passage of this legislation. I can see many sound and impelling reasons why this type of legislation should not be saddled upon the people of this country.

So far as I am concerned, Mr. Speaker, I do not intend to have any part whatsoever in imposing upon the taxpayers of this country the burden of underwriting the support and maintenance of a person for the balance of this life simply because the voters of this country honored him upon one or two occasions with the highest office within the gift of the people. I simply cannot believe that any ex-President of the United States should have such an exalted opinion of himself as to think that this type of legislation is justified.

I have been advised that ex-President Hoover is a rich man, and that when he assumed the Presidency of the United States, that he refused to accept the salary fixed by law for that office, and remitted it to the United States Treasury. Also, he wants no pension or special privileges.

So far as I know, President Truman has never endorsed this legislation. So far as I know, President Truman has not become an object of charity in any way. President Truman received all the emoluments of that office, and they are his to do with as he pleases; but I cannot believe that President Truman could possibly feel that our Government owes him more material rewards.

It is further my opinion that when any public official leaves public office, he should leave the discharge of the duties of that office to the present occupant. It is my considered belief that even an ex-President of the United States is not entitled to any more favors than are the commonest people of this land.

Why in this world an ex-President will need a staff and clerical assistants simply because he was at one time President, I cannot answer. On the other hand, it would seem to me that if an ex-President wanted to meddle in politics, or, in a kinder vein, continue in politics, he would prefer to do it at his own expense and not through a subsidy of the people of this country who, in the very nature of things, many of whom would not be sympathetic to his views, which he would be allowed to impose upon the people through the subsidy. Certainly he should be willing to make his own living and earn his own way.

I can well understand how an ex-President would need a staff and clerical assistants if he believes that it is his duty to the people to speak up on all legislation, to oppose everyone with whom he disagrees, and to carry on politics generally. On the other hand, if that ex-President could accept the fact that he is an "ex," that he has had his day, that the world can move on without him just as it did before he was even born, and since the people had had the benefit of his services, in a short while he would not need that staff, and his mail would not be so burdensome that he could not place a 4-cent stamp upon a letter.

The franking privilege to be granted cannot be justified. I cannot conceive of any business that an ex-President might be conducting for the public in an official capacity that would warrant the use of the mails free of cost. So far as I am concerned, I do not expect to give it to him, either.

Soon we will have another living ex-President, President Eisenhower. The President may not be a rich man according to the views of some people, but with the rank and file of the people of this country, he is rich. I do not believe that President Eisenhower is disturbed at all over his ability to earn his own living, pay his own way, and support his family, after he leaves the White House, and of course he will leave the White House because there is a constitutional inhibition against a President holding more than two terms, and it is an inhibition that I heartily believe in.

I am hard put to figure out how this legislation was proposed, and why. I am convinced it is not right, and I hope this House will defeat that legislation. I cannot help but believe that legislation of this kind is embarrassing to every man who has held the office of President of the United States. Instead of increasing the dignity of the living ex-Presidents, I believe it cheapens it. I know, and many others know, that sometimes now our Presidents are chosen not because of outstanding ability, but because of geography. But I am not willing to say that any of our Presidents are incapable of earning their own living.

Mr. REES of Kansas. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. CRETELLA].

Mr. CRETELLA. Mr. Chairman, in the discussion of this bill which was started by our distinguished chairman, the gentleman from Tennessee [Mr. MURRAY], his first and opening statement was:

> This bill should be devoid of political heat or personal feeling.

To that I subscribe, but it would appear to me that political heat has been injected into this bill from its very inception. Statements have been made here as to the chronology of events leading to the presentation of this bill before the committee. The original bill in the House was introduced in February of 1957, and there appeared before the committee in March 1957, within 30 days thereafter, our distinguished majority leader alone testifying for this bill. Thereafter there was nothing further said or done about it until a year later when information

came to me as a member of the committee at 10 o'clock at night from another member of the committee advising me that there was going to be some kind of hearing on this bill. On the following day there appeared before the committee the majority leader, the distinguished Speaker of the House, and the minority leader. Nowhere is there a record of the testimony given to this committee by these gentlemen in March of 1958. There is no Member who can put his finger on it, nor can I as a member of the committee tell you exactly what that record would indicate; but, at any rate, that hearing was held.

Mr. McCORMACK. Here is a copy of the hearings.

Mr. CRETELLA. That is March 1957. The one I am talking about was on date of March 1958. That is the one I am referring to, the time when the Speaker of the House, the distinguished majority leader and the minority leader appeared.

The only witness appearing at the time of the hearings which the gentleman just handed to me, a copy of which I have myself, was the distinguished majority leader himself. The gentleman appeared alone. There was a hearing in March of this year, and there is no record of that hearing at all.

It has been said by the chairman of the subcommittee that this legislation has had a rather hectic career. How right he is. I was on the subcommittee in the 84th Congress. The gentleman from Georgia [Mr. DAVIS], was also a member. I am sure he will agree with what I say, that we were going to get out an adverse report, but at the request of the subcommittee chairman Mr. MORRISON, we refrained from doing that. Then, lo and behold the bill found itself back in the full committee again. The subcommittee was then sidetracked, and then by some form of hocus-pocus it got back before a subcommittee again. That is the history of this particular legislation.

Yet it is said that everybody has had an opportunity to be heard on this bill. Our distinguished chairman declined to yield to me for a question when I asked him to yield while he was standing in the well of this House.

That is the road traveled by this bill since February of 1957, and that is comparable to the treatment received, when the bill was under consideration.

The chairman of the subcommittee to which it was again referred, the gentleman from Louisiana [Mr. MORRISON] has said here that every opportunity possible had been offered to those who wanted to appear at the hearings, and in answer to the direct question which I propounded to him he said: "Yes, a notice appeared in the New York Times." Of all places for a notice to appear for a Congressional committee meeting or subcommittee is a New York newspaper, but not the CONGRESSIONAL RECORD.

At no place at any time was anybody given any opportunity to be heard. If there ever was any legislation that has received the hush-hush treatment and railroadings, this bill is it.

Mr. MORRISON. Mr. Chairman, will the gentleman yield?

Mr. CRETELLA. I yield to the gentleman from Louisiana.

Mr. MORRISON. The gentleman speaks about railroading in the committee. I believe if my memory serves me right the chairman of the committee said that this bill had been before the committee and subcommittee for more than a year and a half. In view of that fact it is impossible for anyone to be correct in stating that the bill was railroaded.

Mr. CRETELLA. The gentleman will agree with me, I am sure, that when we held hearings in the 84th Congress before the subcommittee of which the gentleman from Louisiana was the chairman, that it was agreed that there was going to be an adverse report on the bill, and the gentleman asked that we defer such action. Does the gentleman agree to that?

Mr. MORRISON. No; I do not agree to it, because the gentleman had an opportunity to file minority views the same as the majority had the right to file its report.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. CRETELLA. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I wonder if the gentleman in saying there was clear opportunity to file a minority report is talking about the hearings of the subcommittee in the 84th Congress or about the action of the full committee in the 85th Congress when there was an agreement that we had until Saturday night to file our views, which agreement was not kept?

Mr. CRETELLA. As far as the committee report of the 84th Congress is concerned, out of deference to the chairman no committee report was filed. With reference to the majority and minority reports, it was agreed in committee that the minority would have an opportunity to file a report by midnight together with the majority report. I asked the clerk of our committee: Is it not so that the majority report is already prepared now and all ready to be filed, even before the hearings had been completed? And his answer was in the affirmative.

Mr. JOHANSEN. I want to say to the gentleman he is eminently correct.

Mr. CRETELLA. I thank the gentleman.

Mr. MURRAY. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, there has been a great deal of talk today about lack of opportunity and criticism of the chairman of our committee in his handling of the hearings. The gentleman from Tennessee [Mr. MURRAY] and I started on the Committee on Post Offices some 16 years ago. I sat next to him at that time and will be next to him now if I stay on that committee. I have recently been assigned to the committee—about 3 years ago—and I can say that while I have differed with the gentleman from Tennessee on substantive legislation, I have never criticized him from the standpoint of parliamentary procedure or fairness, and I do not do so now.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. Is the gentleman taking anything that I said to mean that?

Mr. HOLIFIELD. No, I am not. I respect the gentleman from Georgia [Mr. DAVIS] very highly. I grant him the right to his convictions on this legislation as I know he grants me the same privilege.

There was some confusion on the parliamentary procedure. The chairman rightly ruled that a motion on the previous question did not leave the committee with opportunity for debate.

Here is the way it happened in the committee: I made a query of the chairman and asked him if he would yield to me to move the previous question. I did not offer the previous question. The chairman said to me, "Would you withhold your motion to permit further debate?" And I agreed to do that.

Then the gentleman from Pennsylvania [Mr. CORBETT] said that if the vote on the previous question was put, he would have to vote against it. I withdrew my motion and propounded a unanimous consent request that the vote on the bill be at 11 o'clock. It was then about 10:25 or 10:30.

The gentleman from New York [Mr. WAINWRIGHT] offered a substitute motion or an amendment to my motion—whichever way you wish to put it—that the vote be taken at 11:20, to which I agreed. This extended the time another 30 minutes. At this point the record shows that the gentleman from Connecticut [Mr. CRETELLA] objected. When the objection to an extension of time occurred and there had been debate for some 30 minutes at that time and no motion offered, then I moved the previous question. Debate was closed and the vote was taken.

Mr. CRETELLA. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Connecticut.

Mr. CRETELLA. The gentleman now says we debated this particular question for about 30 minutes, is that correct?

Mr. HOLIFIELD. The committee took it up at 10:10. I do not have the exact time, but I would say—the staff assures me I am right—that some 20 minutes of discussion had preceded my query as to whether the chairman would yield.

Mr. CRETELLA. On this very important bill debate was limited to not more than an hour. The gentleman will agree to that?

Mr. HOLIFIELD. Yes. I will agree about the hour; that the proposal of the gentleman from New York [Mr. WAINWRIGHT] was that we vote at 11:20. That was at 10:10.

Mr. CRETELLA. This was the only day that we were meeting on this particular legislation; is that right?

Mr. HOLIFIELD. It was for the purpose of reporting out the bill.

Mr. CRETELLA. Is it not true that on the postal-pay bill and other bills before that committee the committee sat for weeks and weeks and weeks before bringing out a final bill, with an opportunity to offer all kinds of amendments possible?

Mr. HOLIFIELD. That is true.

Mr. CRETELLA. Before reporting it to the floor of the House?

Mr. HOLIFIELD. It is true that we voted several bills that morning without taking the time for extended debate.

Mr. Chairman, I would like to address myself to the merits of the legislation.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Might I call to the attention of the committee that on July 7, 1953 this House passed without a rollcall vote a bill giving one-half of the salary as a pension to the Comptroller General, to wit, $8,750 if he became disabled, and if he served for 10 years or more with disability or reached the age of 70, the fully salary, in other words, $17,500? I urged that bill, and I spoke for the bill. But, there is plenty of precedent and here is a bill relating to a former President of the United States.

Mr. HOLIFIELD. I think the gentleman is correct, and I am going to call the attention of the House at this time to this fact. Every Justice of the Supreme Court retires at full salary of $35,000, and he can retire at any time he wants to retire. There are 6 officers at the present time in the 5-star position who have retired and are receiving $20,503.40 a year, which is about $1,711.95 per month. Now, these are generals who have served in our Army in an honorary capacity. They are also assigned quarters in any Federal buildings that they choose, which we provide in this bill. They are allowed an officer's aide, which may be from a captain to a colonel, at anywhere from $7,900 to $13,140. They are allowed a chauffeur and a secretary. These are 5-star generals. There are 3- and 4-star generals, 232 of them, who are eligible for retirement at full pay for the rest of their lives. And, I call attention that neither of these classifications make any contribution to the pension which they draw as we in Congress contribute to our own retirement fund.

Now, what happens to a President of the United States after he has served in that office? He still has the honor and the respect of a great many people in this Nation. I have only had occasion personally to know ex-President Hoover and ex-President Truman. I happen to know former President Hoover much better than former President Truman. I was honored, along with the gentleman from Ohio [Mr. BROWN], by being appointed by the now minority leader, the then Speaker of the House, the gentleman from Massachusetts [Mr. MARTIN], to serve on the second Hoover Commission, and for almost 2 years we spent practically every Saturday, in addition to evenings, working on the second Hoover Commission. So, I had a chance to work at the same table with former President Hoover. I can say this—and I am proud to be able to say it—that I never served with a man who tried to do a job, who put in the hours and the hard work on that commission, that he did. There was no member of that commission that put in the number of hours, including myself, that former President Hoover put in. He was entitled to $50 a day as a member of that commission. The Congressional members, of course, were not entitled to that. But, I doubt very much whether he took 1 penny of that. I think he did the work because he was offering a service to the people of the Nation, and I honor him for it. And, he is not of my political party, as you well know.

So, I say that there are people on the floor of this House who have sincere convictions that this is wrong, like my friend, the gentleman from Iowa [Mr. GROSS], and my friend, the gentleman from Georgia [Mr. DAVIS]. And, I honor their position. But, I am not going to get down on the floor or in the gutter and wallow in partisan politics with those who hate President Truman, with those who hate President Eisenhower, or those who hate President Hoover. This is not a matter of emotion, of personal feeling, of bitterness against an individual. We are talking about the prestige of the greatest office of any republic in the world, the office of the Presidency of the United States. We are not talking about a man. We are talking about the obligations and the respect and the duties that go with that office after the man leaves his office.

I am reliably informed that the mail of former President Truman runs to from 100 to 400 letters a day. He has to either answer those letters or ignore them. I am not making a plea for him in this instance, but this is part of the burden. He receives 300 to 400 invitations a month to speak. This is part of the burden that goes with a man who has occupied the office of President of the United States. Undoubtedly the same is true of former President Hoover. He undoubtedly has the same kind of obligations. When our present President, Mr. Eisenhower, leaves that office, do you think his mail will stop? Do you think the respect and the affection of the people who have twice given him that high office in the Nation will cease? It will not. He will continue to get letters and invitations and have public duties. I do not know what his financial position is. I do not know what Mr. Truman's financial position is. This is not a matter of charity, it is not a matter of need. This is not a matter of asking that a former President of the United States come in and on his knees says, "I need charity." This is something that we, the greatest Republic in the world, can do to show that we have respect for the office of President and that we recognize the duties and the responsibilities that he has to carry on after he leaves that office, whether he be a Republican or a Democrat, whether he be a man whom I respect or you respect or whom I like or you like, or not. That has nothing to do with it. Do we want to put this on the basis of charity and need? Do we want him to come in on his knees?

Some of our former Presidents have been in that position. Their names were mentioned here today—Jefferson, Madison, Monroe, some who had to go into the bankruptcy courts or had to sell their precious possessions. Andrew Jackson had to sell his sword, that he used in the preservation of the Union, and his medals, in the latter days of his life.

I do not know whether any such thing will occur in the future. But I say this, that we are big enough, we are responsible enough in this day when we are furnishing millions and hundreds of millions of dollars to assist the dignity of democracy abroad, to do this. Can we be so mean and so little in our soul that we say that we cannot afford $25,000 a year, out of which income tax has to be paid? Can we afford to deny to a President of the United States assistants to handle his mail, when we give generals who serve only for 20 years a salary of $20,000 a year, a chauffeur, a secretary, and a colonel for his aide, or he may even have 3 colonels, if he wants to, at $13,000 apiece?

I cannot believe that the Members of this House are going to quibble over a few thousand dollars to give to a man who was the succesful candidate of either the Republican Party or the Democratic Party for the office of head of this great Republic. Surely we cannot be so small. Surely we can do that which is commensurate with the dignity of this great Nation and of the office, not because of the individual, but because of the office, and because of the responsibilities and the sleepless days and nights that he must have given, regardless who he is, to the welfare and the preservation of this Nation.

Mr. REES of Kansas. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, our delightful and eloquent friend, the gentleman from California [Mr. HOLIFIELD] certainly has pulled out all the tear-jerking stops. An effort worthy of a more justifiable cause. He has been crying all over the place until the tears are ankle deep, about what might happen to some President who some time in the distant future may end 4 or 8 years of service as President at a salary of around a hundred thousand a year—with fringe benefits far more. Assuming what he has said to be all true, what have you to say about the people in our respective Districts? In California maybe they are all rich or wealthy and not in need of anything that heart may desire but in my District there are men and women who just cannot make both ends meet. They are not selling or buying Cadillacs or Fords or any other car. They do not have a job, and do not have enough bread, meat, and potatoes, to say nothing about butter, to get along. Some cannot pay for repairs on the old homes they have owned for years. Many a child is deprived of things she or he should have. Many an old taxpayer—because of the billions spent abroad and the new deal policies—who has always been proud of

his independence has been forced to swallow his pride and go on relief.

You want to give this pension to ex-Presidents. You are in favor of foreign aid. You shove it onto foreign nations by the billions of dollars—even when some do not ask, and give them facilities we cannot have. Today so far as I can learn, no one is asking for this money, but they must take it whether they need it or not. And you must follow a precedent, and to justify the precedent the majority leader cites the case of the former Comptroller General. Sure, in spite of my objection and under suspension, when the Speaker announced that two-thirds, and so on, had voted for it, with but few present, this House did give the Comptroller General, who had served 10 years, a pension of—what was it, $15,500, or $18,000, whatever the salary was?—$18,500 for life.

Lindsay Warren, then Comptroller General, was a wonderfully fine, helpful, able and eloquent Member of this House, and perhaps most of us would have voted for a gift or reward had he been in need or if he wanted it. But when you established the precedent for the Comptroller General, and one for his assistant at $10,000, after 10 years, that was in my opinion a robbery of the taxpayers. There was no justification about it.

I just cannot understand why it is we continue to add to the burdens of our taxpayers, our workers, and force other nations to accept something they have not asked for, or why when we have honored a man by making him President—with all of the emoluments that go with that high office we should add a pension, an office, a staff, and a trouble-making function.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Let me go ahead, please. It is very hard for me to start and it is far more difficult to stop.

What is the purpose of this bill? To grant a pension, that is all. Why is that said? Because if you will read the bill you will observe that not a single duty is imposed upon anyone. It is a gift, nothing else. And to add to the gift, we give the man an office, and we give him assistants. We give him money and facilities and importance so great that he has to hire someone to help him enjoy it. And this at a time when the situation in the country is what it is, a national debt of $276,000,000,000 soon to be increased by $13,000,000,000. When we have, as we have in Michigan as a result of the so-called Democratic policy of taxation and Reuther's wage scale and limited hours of labor, when we have those things in Michigan. Only last week when I happened to be home for a day talking with an executive of the Clark Equipment Co., a big concern which has a plant in the Fourth District at Buchanan, I was advised that they recently built in other States five additional plants; not one in Michigan, oh, no. The Reuthers and Mazeys using the Democratic label, labor in Michigan has driven employers out of the State, so we have an unemployment load that is almost impossible to carry; a load of unemployment payments which we must meet each month. And here you come along with this bill, with not a single thing, let me repeat to you; not a single duty or obligation do we impose upon these former Presidents.

We have a government, and everyone thought it was a fairly good government when it was first conceived, when it was first put on paper, with three departments. Now what do we propose? We establish another agency. We give a President a pension. Undoubtedly, he will be sticking his fine executive nose into the business of the Congress, the courts, and the then existing executive departments. He will be telling us—and I propose to offer an amendment requiring this President who is to be given this salary and this office and these assistants to do something—to tell us what we should do; another agency creating more confusion, spending more money, a new department, Mr. Chairman, which will grow and grow faster than any known weed or agency, with less people on the tax rolls in this country to support it.

We are no longer a free people. The taxes imposed by King George were nothing compared to what is now being done by our Congress. We are carrying out the policies of a Tugwell—we are as the Russians boast—destroying our security by our spending.

Eight years of bitter warfare, with all the poverty, suffering and death that inevitably follows war, gave us a government which our forefathers thought would—and which would have, had we followed it—given us freedom from tyranny. Unfortunately, egotistical individuals with too much leisure time, a comparatively high degree of education, and more money than was good for their own or the country's welfare, have continously sought by shortcuts to reframe our Government.

Even today, there is a bill on which the House will be required to work its will, giving us, in addition to the three separate and independent, though coordinate, branches of our Government, another independent advisory and meddlesome group which will add to the exorbitant cost of our present Government, which already is cumbersome and a load upon the taxpayers' shoulders.

S. 607 will give former Presidents a pension, a clerical force, an office, and the franking privilege. Every Member of the Congress is fully aware of the fact that no Member can be fully cognizant of the powers, duties, and responsibilities which rest upon those who direct governmental activities.

Yet here we go, breeding a new and separate and an independent group which we all know would expand, call for ever-greater appropriations and will inevitably, through meddlesome advice and suggestions, interfere with and act as a curb upon the judicial, the executive, and the legislative branches of our Government.

Just why should a former President, or should we say Presidents, be established as official adviser, or advisers, of the Congress and the executive departments, telling all of us what we should have done, what we should do, and how much better they could run our Government.

The next move may well be to establish an agency or authority with clerical help, ample offices, and adequate appropriations, whose members shall be former Senators and Congressmen, that is, lame-duck Members of the Congress.

This new agency may well be a means of implementing the thinking of Guy Rexford Tugwell, who in 1933 was Assistant Secretary of Agriculture, and in 1934–37 was Under Secretary of that Department.

Rex was supposed to be an intellectual and a liberal and progressive.

Here is what he said:

> Planning will necessarily become a function of this Federal Government; either that or the planning agency will supersede the Government. * * * Business will logically be required to disappear.
>
> This is not an overstatement for the sake of emphasis—it is literally meant.

If an ex-President or ex-Presidents are to enjoy continued officialdom—why should not former members of the Cabinet, of the Senate, of the House, have a like privilege? Is each former President to have a pension, a separate and independent establishment, and, if so, who is to coordinate the views of a Hoover and a Truman?

As it is sometimes said, why not do the job up brown? Why discriminate? Are the suggestions of a former President of greater value than those of a former Senator or Cabinet member?

The country is bankrupt, the limitation on the national public debt is shortly to be again increased. My political opponents have accused me as having too often voted "no." My primary being next Tuesday—if nominated, being up for election next November—why not get in on the bandwagon, get hold of the big bass drum and give her heck?

Grinning backslappers, who promise everything to everyone regardless of the welfare of the taxpayers or of the Nation's security, have in Michigan been winning elections, driving industry from the State, creating unemployment, and opening wide the door to another grievous depression. But, after all, should not the office seeker who desires to be elected go along with whatever may be requested by misled voters or by pressure groups whose members see only the immediate future?

This bill and others to follow will make tax labor slaves of taxpayers.

FREEDOM

But let us forget the financial end. Depressions, no matter how grievous, may have caused a great deal of suffering but seldom did they kill anyone.

This question of freedom, however, is one which we might well consider.

While bankrupting ourselves to aid so-called free peoples, to assist free nations, how about consideration of our own freedom, which, from the beginning of history or, for that matter, from tradition's first days, seems to be the desire of the individual?

Pressure groups throughout the country unceasingly and without end are asking the Congress for substantial benefits for members of their organization, regardless of the effect upon the people as a whole.

Congress has yielded so often and so completely that, as stated, we are now bankrupt. The tax burden upon a comparatively few is destroying, not only the individual's prosperity and efforts to provide for his own old age, but is eating away the foundations from under our national security.

Our aid to other nations has given us a tax burden and debt greater than that imposed, not only upon the people of any other nation or any other nation itself, but upon all other people, all other nations. Let me cite just one example.

In answer to the demand of some people, we have given special consideration to a certain group of farmers. There is no argument to the charge that these special benefits are inevitably followed by controls which tend to destroy freedom of the individual, but that the burden of it is upon the consumer. An editorial from the Sturgis Journal, published at Sturgis, Mich., by Mark P. Haines, wraps it up in a nutshell.

But as long as the people who elect the spenders continue to do so, it is apparent that there will be strong support for the political philosophy of Harry Hopkins, who said that "we shall tax and tax, spend and spend, and elect and elect."

An example of the loss of freedom:

[From the Sturgis (Mich.) Daily Journal of July 26, 1958]

A FARMER FIGHTS WHEAT PENALTIES

Stanley Yankus, Jr., a farmer living on R. F. D. 4, Dowagiac, Mich., is getting national attention because of his resistance to penalties imposed on him for violating commercial wheat quotas established by the United States Department of Agriculture.

The latest incident in this controversy occurred on July 8 when Wendell Miles, United States attorney of Michigan, secured another judgment against Yankus as a penalty for exceeding his wheat quota in 1957.

It is not difficult to become indignant over the plight of this farmer and sympathize with his predicament, but his real quarrel is not with the United States Government and its bureaus, but with his fellow farmers of Michigan who voted overwhelmingly in favor of wheat crop controls. The whole deplorable situation is competently explained in a letter written by Congressman CLARE E. HOFFMAN to Yankus.

"DEAR MR. YANKUS: I have your letter of the 15th which just came in and, if there were anything I could think of which I thought would be helpful, I certainly would do it.

"Wendell Miles, United States attorney, has no choice in the matter.

"The difficulty lies with the law, which, as I told you before, the Democrats put through in 1938 in spite of my opposition and that of many other Republicans.

"The issue of whether it should apply was submitted to the farmers and, at this last election, the farmers in Michigan voted 9,356 in favor of the law and 1,869 against it, a majority of 71 percent.

"Hence, the blame rests, first, upon the farmers and those who asked for it—that is, those who believe to a certain degree in Socialism—then, next, upon the Congress, and finally back to the farmers who were privileged to vote.

"I have never been for this program or for any other Socialistic scheme.

"That is one reason why I have so much personal opposition, why I am regarded as a reactionary—that is, because I oppose the trend toward Socialism which so many think should replace our present constitutional form of government.

"I think the 1942 decision of the Supreme Court which declared the original act constitutional was wrong but there it stands and, until reversed or the law repealed, you are subject to it, as I stated when writing you in 1958."

"Sincerely,

"CLARE E. HOFFMAN."

Mr. REES of Kansas. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, the gentleman from Michigan [Mr. HOFFMAN] has very properly called attention to economic conditions in Michigan and his Congressional District in the light of the further burden that this bill would throw on the taxpayers.

But he does not need to go to his District or mine to find places where money could be spent to satisfy critical human needs rather than upon some ex-President who is living off the fat of the land.

A short time ago stories appeared in the Washington newspapers that there are 1,300 schoolchildren in the District of Columbia who have been unable to attend classes because they did not have shoes.

Tomorrow the House is scheduled to consider a bill providing an increase in social-security benefits. It will provide a 7 percent increase, which will amount to an average, as I understand it, of $3 to $4 a month for the senior citizens, the older people of this country. Yet, here today you would adopt a bill which would provide some former President, and I still do not know who needs it, with a $25,000 a year pension and an expense outlay which can run better than $100,000 a year on top of that. Now I would like to ask either the chairman of the committee or the author of this bill a question or two. When would the services of these employees be terminated? Is there anything in the bill to provide for the termination of their services?

Mr. MURRAY. Mr. Chairman, these employees will serve as long as the ex-president continues to receive the benefits under this act.

Mr. GROSS. Would the gentleman point to the language of the bill and tell me where that is to be found—in what paragraph or in what sentence?

Mr. MURRAY. If the ex-president sees fit to become a recipient of the benefits under this act, he goes on the payroll as an annuitant until he is taken off the payroll of his own free will and request.

Mr. GROSS. That is the gentleman's opinion; is it not, because it is not to be found in this bill. There is no termination for employees in this bill; is that not correct?

Mr. MURRAY. If the gentleman will yield, I would point out to him that he would be just like a regular annuitant who draws the annuity as long as he sees fit to receive it.

Mr. GROSS. Of course, there is no provision in the bill for termination of the services of employees.

Now who pays the salaries of these people? Will the chairman of the committee who now supports this bill tell me who pays the salaries of these employees?

Mr. MURRAY. The gentleman very well knows the answer to that question and I will not answer that—it is too simple.

Mr. GROSS. Tell me in the bill where that provision is to be found. Perhaps, the gentleman from Louisiana, the author of the bill, can tell me who specifically in this bill pays these salaries?

Mr. MORRISON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes; I am glad to yield to the gentleman. I am looking for information.

Mr. MORRISON. I am not the author of the bill as the gentleman thinks. I was merely chairman of the subcommittee that considered the bill. I think, if the gentleman will read the bill, he can answer his own question.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. JOHANSEN. The bill states, and I think the gentleman is entirely in order in raising the questions because the bill is exceedingly vague—the bill states with reference to the office staff that the Administrator of General Services shall, without regard to the civil service and classification law, provide for each former President a staff consisting of administrative assistant, secretarial, and clerical assistants.

Mr. GROSS. That is no further.

Mr. JOHANSEN. It goes no further. It makes no provision for paying for it. It makes no provision for the termination of it. The gentleman's questions are entirely in order and they stand unanswered.

Mr. GROSS. Let me ask some of the proponents of this bill, and I do not care who answers—let me ask this question. Suppose the President should die and the Vice President should succeed him and the Vice President would be in office for 1 week or 1 month. Would he be entitled as a former President to all the benefits of this pension bill, and for the rest of his life, if he served for 1 week?

Mr. MURRAY. If the Vice President became President, then he would draw the annuity based on $25,000 a year for whatever period he served as President.

Mr. GROSS. Yes; plus a $100,000 a year staff and free mailing privileges. Another question. How did you arrive at 4,000 pieces of mail and what constitutes 4,000 pieces of mail? Would 1 piece be a first class letter, or a mailing in 1 piece of 5, 10, or 15 pounds.

Mr. MURRAY. I will say that the subcommittee reached that determination and amended the bill so as to provide for 4,000 pieces of franked mail per month.

Mr. GROSS. Can the gentleman tell me whether this is official mail or unofficial mail? It is not to be found in the bill.

Mr. MURRAY. Certainly, it is official mail and relates to mail for the official use of the ex-President.

Mr. GROSS. Where in the bill does it provide it shall be official mail?

Mr. CRETELLA. Is there any provision in the bill that provides for the termination of employment of this staff upon the death of the Presidents?

Mr. GROSS. That is a question I have asked 2 or 3 times and it is still unanswered.

Mr. CRETELLA. Is there any provision in the bill that terminates the existence of that office by the President, or shall it continue ad infinitum?

Mr. GROSS. There is nothing in the bill. The gentleman is absolutely correct.

Mr. JOHANSEN. Will the gentleman yield?

Mr. GROSS. I yield.

Mr. JOHANSEN. I am confused as to the answer that the gentleman gave about a Vice President serving for a month or 2 weeks. Did they give a categorical answer to that, as to such a former President? Would he have all of the perquisites contained in this bill?

Mr. GROSS. That is the answer.

Mr. CRETELLA. I wanted to be sure that it stood clearly in the record.

Mr. GROSS. That was the answer.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. CEDERBERG. In the full committee did the gentleman have an opportunity to offer amendments to this bill?

Mr. GROSS. Of course not. Neither the gentleman from Michigan nor the gentleman from Iowa had an opportunity to offer amendments, and the minutes of the committee meeting clearly establish that fact.

Mr. Chairman, I yield back the remainder of my time.

Mr. MURRAY. I have only one other speaker.

The CHAIRMAN. Does the gentleman from Kansas have any further requests for time?

Mr. REES of Kansas. I have no further requests for time, Mr. Chairman.

Mr. MURRAY. Mr. Chairman, I yield the remainder of the time to the gentleman from Louisiana [Mr. MORRISON].

The CHAIRMAN. The gentleman from Louisiana is recognized for 23 minutes.

Mr. MORRISON. Mr. Chairman, the distinguished gentleman from Georgia [Mr. DAVIS], seemed to put a lot of emphasis on the question of when meetings of the subcommittee on S. 607 were called. You heard the various interchange of questions and answers. I think there is one thing on which both of us are in complete agreement. He is completely against this bill and I am completely for it. As far as concerns the facts about committee meetings, here are the dates when the various subcommittees were appointed:

A subcommittee was appointed April 17, 1958, to consider this bill. On June 18, more than 60 days later, the subcommittee scheduled a meeting. During that 60 days not one time did any member of the subcommittee, any member of the committee, any Member of Congress, or any citizen or organization, ask to be heard as a witness before the subcommittee.

Then on June 18, when the distinguished gentleman from Georgia [Mr. DAVIS] sent word to me that he could not be present and asked that I postpone the meeting, I did. I have been a member of other subcommittees which scheduled meetings when I was forced to be absent, but I do not believe I ever made a request to postpone a meeting because I could not be present. Nevertheless, I postponed this meeting in deference to the gentleman and 2 or 3 others.

On June 26, 1958, more than a week later, I scheduled the meeting. The gentleman from Georgia had more than a week—8 days to be exact—to give notice to counsel of the committee or to the chairman of any list of witnesses that he desired to be afforded opportunity to be heard. No list of witnesses was furnished by the gentleman, by any member of the subcommittee, by any member of the full committee, or by any Member of the entire membership of Congress. Nor did any individual ask to testify.

On June 26, We met and the members present agreed on 3 or 4 amendments that we thought were important. We adopted those amendments and reported the bill out of the subcommittee unanimously. That was June 26, 1958.

On July 17, three weeks after the subcommittee reported the bill out, the full committee met. During that intervening time not one witness had asked to testify before the committee, even though the full committee had had two previous hearings. The full committee sat there and listened to argument after argument of the members who were opposed. No amendments were offered, although they had ample opportunity to offer 10 or more amendments had anyone wanted to.

Frankly, I am of the opinion they were just against it and that was it. But when the previous question was moved there were more who voted yea than voted nay. So the previous question was ordered; then, under parliamentary procedure, the vote was taken on the bill with the result that more voted for it than voted against it, so the bill was reported favorably.

I do not believe any similar piece of legislation ever had more extensive consideration than was given this bill. I think there were some members who used delaying tactics in the hope that this bill would never come to the floor of the House because they feared it would pass.

Let me say that whereas often I have differed with the chairman of our committee over legislation, he was as fair to all members in the handling of S. 607 as any chairman under whom I have served in the 16 years I have been a Member of this Congress.

Mr. Chairman, it seems to me that this situation is like one with which I was associated in a lawsuit where we did not have much of a defense or argument on our side. The arguments were all on the other side. I asked my associate what we were going to do. He replied "We have only one defense, and we had better try hard to make it work, and that is confusion."

So we tried our defense of confusion. We did the best we could, but it did not last too long because the judge and the jury got tired of our defense, and when the verdict was rendered we lost.

Mr. CRETELLA. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield.

Mr. CRETELLA. Was that same philosophy applied to the consideration of this legislation in the committee?

Mr. MORRISON. No. But I want to compliment the gentleman from Connecticut who claims he did not have enough time in committee, yet when a unanimous consent request was made that an additional 30 minutes of debate be allowed, he objected to the request.

Mr. CRETELLA. Does the gentleman think that 30 minutes on such an important piece of legislation is ample time?

Mr. MORRISON. If the gentleman wants my honest opinion, which I am glad to give him and which I always try to give, I think the chairman gave more than reasonable consideration to everyone interested in the bill, for or against. Of course, that includes the gentleman.

Mr. CRETELLA. Does the gentleman think 30 minutes is sufficient consideration on legislation that will cost the taxpayers of this country $150,000 a year if there is only 1 living ex-President, but which, should there be 5, would cost $750,000 a year?

Mr. MORRISON. I say the gentleman had more than ample time. The bill had been before the committee for over a year and a half. Many bills of comparable importance have been reported to the floor with far less consideration.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I wonder if my good friend from Louisiana, who has spoken so eloquently on confusion, is implying that the gentleman from Michigan has been employing those tactics?

Mr. MORRISON. I am merely going by what the gentleman said. He said a few minutes ago that he was confused.

Mr. JOHANSEN. Is the gentleman from Louisiana implying that the gentleman from Michigan has employed the tactic of confusion in this debate?

Mr. MORRISON. I am going by what the gentleman said. If he is confused, frankly, I, personally, am sorry. I am not confused. I was chairman of the subcommittee and I had more to do with this bill, I guess, than any other member of the committee. I am not confused on it at all.

Mr. JOHANSEN. I congratulate the gentleman on his lack of confusion.

Mr. MORRISON. I thank the gentleman.

Mr. JOHANSEN. I want the record to show that this gentleman from Michigan has not been attempting to meet an honest issue and an honest difference of opinion by stirring up confusion.

Mr. MORRISON. I agree with the gentleman that he did not stir up confusion. He just mentioned the fact that he was confused.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from New York.

Mr. SANTANGELO. I was a member of the committee which held the hearings and took the testimony in connection with this bill. We had before us a member of the Bureau of the Budget during those hearings and we asked him whether he had any idea as to how much it would cost. He said he did not. I would like to know from the gentleman or from anybody else what this bill will cost the Government and what it will cost the taxpayers. I want to evaluate in coming to my own conclusion—I voted for the rule—as to whether or not we think that the dignity of the position of President of the United States and as former President is worth the money which we may pay. But before we can make that evaluation we must know how much it is going to cost. Can the gentleman give us an enlightened statement as to how much this bill is going to cost?

Mr. MORRISON. An amendment will be offered by the chairman of the committee, and if that prevails—and I trust it will—there will be a maximum of $60,000 provided for staff assistance. Office furnishings would amount to approximately $600 a month. Then the amount of the annuity that he gets would be $25,000 a year. Added to that would be the cost of 4,000 pieces of mail per month.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from Iowa.

Mr. GROSS. Who is going to take this pension and have this staff that we are about to propose here?

Mr. MORRISON. If this bill passes, President Truman will be entitled to it and President Hoover will be entitled to it. I have not asked either one whether or not he will take it. I do not know. If the gentleman wants to know, he may ask either one of them.

Mr. GROSS. I thought perhaps the gentleman, being one of the chief sponsors of the bill, could tell me who wants it. I have not found that out yet.

Mr. MORRISON. President Truman has not told me he wants it. Neither has President Hoover.

Mr. GROSS. Does the gentleman think either one of them will take it?

Mr. MORRISON. I am not going to get into an argument with the gentleman. Those two men have the decision to make as to whether they want to take it or not.

Mr. CRETELLA. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from Connecticut.

Mr. CRETELLA. The gentleman has said he has worked hard and diligently on this bill, and I agree with that statement.

Mr. MORRISON. I try to do that on all legislation.

Mr. CRETELLA. On this particular legislation, and I pay tribute to the gentleman for his very diligent application to this particular bill.

Mr. MORRISON. I thank the gentleman.

Mr. CRETELLA. Here is subdivision (c):

> The Administrator of General Services shall furnish for each former President suitable office space appropriately furnished and equipped, as determined by the Administrator, located in a Federal building at such place within the United States as the former President shall specify.

Is there any provision or prohibition in that particular clause that I have just read to prevent the President from wanting a place suitable for himself in his particular locality, then wanting some place as a summer White House, if you will? There is no prohibition in this bill as to the number of places he may request and demand, is there? That is one of the things that the committee never had an opportunity to discuss.

Mr. MORRISON. I know that the gentleman is a reasonable man and, as in the case of all Members, he is given certain prerogatives in connection with the expenses of his Congressional office. He can spend that money in any way he determines will be most effective. I think both former Presidents—or any former President—should have that right, and that regardless whether they are Republicans or Democrats they will use the same discretion the gentleman uses as a Member of Congress in handling the expenses necessary to properly administer the affairs of his offices.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from Kansas.

Mr. REES of Kansas. The gentleman has explained about the diligence he has applied with respect to this legislation and about the subcommittee hearings, which has been talked about a great deal. How many witnesses did the gentleman have before his subcommittee?

Mr. MORRISON. I explained that no one asked to appear and no one did appear. I did not claim that I was the one that was so diligent. I merely accepted the commendation from my distinguished colleague from Connecticut, which I deeply appreciate.

Mr. REES of Kansas. I am asking the gentleman how many witnesses appeared before his subcommittee.

Mr. MORRISON. I have already stated that no one asked to appear and no one did appear. I did note that at one meeting three witnesses appeared before the full committee. They were the Speaker, the majority leader, and the minority leader.

Mr. REES of Kansas. So the subcommitte did not have any witnesses at all.

Mr. MORRISON. Correct.

Mr. REES of Kansas. And that is the testimony we are using today.

Mr. MORRISON. No one else asked to appear. I know of no committee that goes out and tries to influence witnesses to appear before the committee when they do not ask to appear.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. I have been listening all afternoon to an extended debate that seems to center on the gentleman from Louisiana, JIMMY MORRISON. I never had the great pleasure of serving on committee work with the gentleman from Louisiana, but I want JIMMY MORRISON to know that there are a lot of us on this side that think JIMMY MORRISON is one of the fairest and finest guys that was ever elected to the Congress.

Mr. MORRISON. The gentleman is most kind, and I am deeply appreciative of his remarks. I have just a few more minutes, so I do not feel that I can yield further. I would like to get to the merits of the bill.

I believe that every fairminded Member of this House will agree with me as to the merits of this legislation. It should be noted that had Mr. Truman remained in the Senate, he would have been entitled to an annuity. Had President Eisenhower stayed in the service, he would have had an annuity.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from Illinois.

Mr. PRICE. I would like to call the gentleman's attention to the fact that the present incumbent of the White House, upon his retirement, can do this: All he needs to do is to notify the Secretary of the Army of his return to active service, and he promptly comes under the legislation providing for the full salary and full staff of a five-star general.

Mr. MORRISON. I thank the gentleman for his contribution.

As has been said, Federal judges receive their full salaries for life when they retire. A retired Supreme Court Judge receives $10,000 more per year for life than a former President of the United States would receive when he retires under this bill. I do not believe that you can say, as far as this bill is concerned, that $25,000 a year, which is subject to Federal income taxes, is in any way excessive or out of line. I think it is a fair bill and a reasonable bill.

I am sure, also, that any Member of the House who knows the distinguished chairman of our committee, knows down deep in his or her heart that the chairman of the Committee on Post Office and Civil Service is not going to deny anyone who asks to be heard or take advantage of parliamentary procedure to cut off reasonable discussion of legislation. He and I have differed strongly on certain legislation, but he has recognized me, he has given me ample opportunity on all occasions to be heard, and on all occasions has allowed me to propose as many amendments as I wished. He followed this same policy with respect to S. 607.

Mr. Chairman, this bill is meritorious. It has been before the committee a long enough time—much longer than many other bills of similar importance. The bill has been considered by the full committee three times, over a period of more than a year. There have been subcom-

mittee meetings on it twice. I urge favorable action on this bill.

Mr. MURRAY. Mr. Chairman, I ask unanimous consent that all Members who desire to do so may extend their remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mrs. GRANAHAN. Mr. Chairman, I have found much of this debate terribly disturbing and depressing. We are not voting on a bill to give public assistance to Herbert Hoover or Harry Truman. Our committee attempted to consider this matter objectively not so much in terms of the needs of any single individual but of the dignity of the office of President of the United States.

Was it not Ulysses S. Grant who faced destitution after becoming an ex-President? Have not other ex-Presidents experienced want? Have not we, as a Nation and as a people, been shamed by our failure to make adequate provision for the retirement of former Presidents?

Congress has a pension system, and a very generous one. So do all Federal employees. So do all Federal judges—particularly judges, who collect their full pay for the rest of their lives after they retire.

But that is not the point. The point is that when we place a man in the Presidency, we want him to devote his whole time and attention and effort and energy to the job of being President, not of also figuring how he is going to make ends meet when his 4 or 8 years as President have ended.

Furthermore, if we want to call upon our ex-Presidents for counsel and advice in their roles as elder statesmen, we owe it to ourselves—not just to them but to ourselves—to provide necessary office, stationery and clerical expenses. Is a retired five-star general more valuable as an adviser than a former President?

Mr. DAWSON of Utah. Mr. Chairman, for all the esteem and respect which I hold for the office of the President of the United States and for the men who fill and have filled the highest of positions, I must ask my colleagues to consider carefully what they are here being asked to approve.

This bill proposes far more than the assurance that a former President will be able to live out his declining years free from worry and want. It establishes a new, if unnamed, office in our Federal Government, and an office which certainly was never contemplated by this Nation's Foundling Fathers.

This office would have no official duties and no restrictions but it would—or could—have a $100,000-a-year staff, a franking privilege for 48,000 pieces of mail a year and unlimited office space fully equipped and furnished. Moreover, there could be several of these offices functioning at the same time.

My concern is not what these offices probably would be used for, but what they possibly could be used for. We are here being asked to subsidize with tax dollars a potentially powerful propaganda machine which is not a part of, nor responsible to, the legislative, executive, nor judicial branches of our Government. It has no place in our form of government, and I do not think we want to create a place for it now.

Mr. RAY. Mr. Chairman, I rise opposed to S. 607, a bill designed primarily to provide pensions, staff assistance, and office space for former Presidents. If we were not in the financial situation in which the country finds itself, it would be well to have legislation on this subject. Under present circumstances, however, and there not being any ex-President in need of such assistance, it would be, in my judgment, a mistake to saddle the Treasury with possible expenses of more than $100,000 a year.

Mr. MACK of Washington. Mr. Chairman, the legislation now under discussion proposes to give to each former President of the United States a pension of $25,000, free postage on 4,000 letters a month, and also a large staff of employees to be paid out of the Federal Treasury. The cost will be about $100,000 a year for each President throughout his lifetime.

There is no indication that either of our two living past Presidents, Mr. Hoover and Mr. Truman, are in any great financial need.

I intend to vote against devoting time to consider this bill and if time for debate of the bill is granted I will vote against this legislation when it comes up for final passage.

We are told that Congress is now in its closing days. Many important emergency bills are pending and awaiting consideration. This bill, to grant pensions and office help to former Presidents, very properly should be laid aside in order to give the right-of-way in these closing days of this session of Congress to more urgently pressing matters.

Mr. WOLVERTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLVERTON. Mr. Chairman, unfortunately the subject matter of the bill now under consideration lends itself very readily to arguments based on personalities and partisan politics. This was made plain by some of the remarks made during the debate on the rule to make this bill in order. Some of these it might have been better to have left unsaid. The bill does have sufficient merit to entitle it to serious consideration.

The granting of retirement benefits to public officials has become an established policy of our Government. In fact, I do not know of any exception other than the office of President. This, in my opinion, should not be. The office of President is not only the highest honor that can come to a citizen of this country in public service, but it also carries with it a greater responsibility than that of any other position of a public character. The allowance of retirement benefits in no instance fixes the right to receive the same, or the amount to be received, on a basis of need. Nor would such a condition be justified. Therefore, it seems to me that all the arguments that have been made based upon whether either or any former President now living is in need of any financial benefits is beyond the real point at issue. However, it is not inappropriate for us to bear in mind the numerous illustrations taken from our past history, mentioned by the majority leader, the distinguished gentleman from Massachusetts [Mr. MCCORMACK], that showed the distressing financial conditions that were faced by some of our previous Presidents and their widows. This legislation is for the future as well as for the present. No one here today can say that there might not be a real need at some time in the future as in the past.

Furthermore, if retirement benefits are considered appropriate for Supreme Court Justices and other Federal judges together with military personnel and civilian employees of our Government, why should we stop at the office of President? It is my opinion that there is no justifiable reason that should preclude us from adopting this bill to provide benefits to make certain that former Presidents and their widows be enabled to live during their lifetime in a manner commensurate with the high office that has been held by a President of this, the greatest nation in the world.

Mr. REES of Kansas. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Chairman, the right thing to do, in my opinion, is to send this bill back to the committee for further study and consideration. This is evident from statements made by proponents of the bill on the floor this afternoon.

The bill was approved by the other body in February 1957. Brief hearings were held when the author of the bill and two assistants of the Bureau of the Budget testified before the committee. That was in March 1957—almost a year and a half ago. As I recall, a subcommittee was appointed but did not report on the bill. Then a few weeks ago the measure was revived after the leadership of the House testified in support of general legislation to provide retirement benefits for former Presidents. I remind you this bill does not simply provide retirement payments for former Presidents and widows of former Presidents. It provides expenditures of thousands of dollars for expenses in addition thereto. The expense account is estimated at $95,000 to $100,000.

Certainly this bill cannot be classed as emergency legislation in any sense of the word. The proponents of the measure say it is not imminent. But, here you are today, during the last days of the session, insisting that the bill be crowded through the House before the adjournment of the Congress. You waited almost a year and a half before bringing this bill to the House. Why not send it back to the committee. Then give the matter consideration when Congress meets only a few months from now.

This is a poor time for this House to be considering this kind of legislation.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That each former President of the United States shall be entitled, as long as he shall live, to receive a monetary allowance at the rate of $25,000 per annum, payable monthly by the Secretary of the Treasury.

(b) The Administrator of General Services shall, without regard to the civil-service and classification laws, provide for each former President a staff consisting of an administrative assistant, a secretary, and other secretarial and clerical assistants. Persons employed under this subsection shall be selected by the former President and shall be responsible only to him for the performance of their duties. Each former President shall fix basic rates of compensation for persons employed for him under this paragraph which in the aggregate shall not exceed the aggregate amount provided by law for the basic compensation of the administrative assistant, secretary, and other secretarial and clerical assistants authorized for a Senator from the least populous State of the Union; and the persons so employed shall also receive additional compensation at the rates provided by law for employees in the offices of Senators.

Mr. MURRAY. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

Mr. GROSS. Mr. Chairman, I object.

The Clerk read as follows:

(c) The Administrator of General Services shall furnish for each former President suitable office space appropriately furnished and equipped, as determined by the Administrator, located in a Federal building at such place within the United States as the former President shall specify.

(d) Each former President shall be entitled to conveyance within the United States and its Territories and possessions free of postage of all mail matter sent by him under his written autograph signature. The postal revenues shall be reimbursed each fiscal year out of the general funds of the Treasury in an amount equivalent to the postage which would otherwise be payable on such mail matter.

(e) The widow of any former President of the United States shall be entitled to receive a pension at the rate of $10,000 per annum, payable monthly by the Secretary of the Treasury, if such widow shall waive the right to any annuity or pension under any other act of Congress.

(f) As used in this section, the term "former President" means an individual who shall have held the office of President of the United States, and whose service in such office shall have been terminated other than by removal pursuant to section 4, article II, of the Constitution.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 3, after "That" insert "(a)."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 12, after the period insert: "The aggregate rate of compensation payable to any such person shall not exceed the maximum aggregate rate of compensation payable to any individual employed in the office of a Senator."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 23, after the comma insert: "not in excess of four thousand individual pieces a month."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 3, line 7, strike out all after the comma down to and including all of line 8, page 3.

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment, page 3, line 14, insert:

"(g) The act of February 28, 1929 (45 Stat. 2338), is hereby repealed."

The committee amendment was agreed to.

Mr. MURRAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MURRAY: Page 2, line 6, strike out all matter after the word "exceed" down to, but not including, the period in line 12 and insert in lieu thereof "$60,000 per annum."

Mr. MURRAY. Mr. Chairman, paragraph (b) on page 1 of the bill reads as follows:

(b) The Administrator of General Services shall, without regard to the civil-service and classification laws, provide for each former President a staff consisting of an administrative assistant, a secretary, and other secretarial and clerical assistants. Persons employed under this subsection shall be selected by the former President and shall be responsible only to him for the performance of their duties. Each former President shall fix basic rates of compensation for persons employed for him under this paragraph which in the aggregate shall not exceed the aggregate amount provided by law for the basic compensation of the administrative assistant, secretary, and other secretarial and clerical assistants authorized for a Senator from the least populous State of the Union; and the persons so employed shall also receive additional compensation at the rates provided by law for employees in the offices of Senators.

This amendment would limit the maximum aggregate compensation for employees of an ex-President so that the total under this bill would not be over $60,000. Some of the members of the Committee on Post Office and Civil Service who oppose this bill have said, "Under this section an ex-President might appoint 15 or 20 employees, and the whole cost could run from $104,000 to $135,000." The purpose of this amendment is to fix the maximum cost for all clerical assistance at $60,000. That is the maximum.

Mr. Chairman, I ask the adoption of the amendment.

Mr. JOHANSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHANSEN. Mr. Chairman, at what point would it be possible to offer an amendment either to the committee amendment to the bill or as an amendment directly to the bill deleting all portions of the provisions except the pension provision?

The CHAIRMAN. This bill is just one section. It would be in order to offer an amendment at any time.

Mr. JOHANSEN. Mr. Chairman, I send an amendment to the desk.

The CHAIRMAN. There is now an amendment pending.

Mr. GROSS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as I understand it, a Member of the Senate from the least populated State has a base of almost $50,000 a year for clerical hire with a top of $16,300 that can be paid to any one person. Under the base of nearly $50,000, and depending upon the number of employees, a Senator from the least populated State might spend up to $107,000 a year on an office force. Now you want to limit this to a total of $60,000, as I understand it. On what basis do you make this arbitrary cut, may I ask the chairman of the committee?

Mr. MURRAY. Because some of you Members object to the cost of this bill, we are going half way and trying to satisfy you about the cost of it.

Mr. GROSS. What formula did you use? Is it just an arbitrary cut? Did you just pick $60,000 out of the air as a good round figure to deal with?

Mr. MURRAY. No; I figured that $60,000 should be the aggregate, maximum amount, for all employees, and therefore offered the amendment.

Mr. GROSS. Does the gentleman think a former President is going to have enough employees with $60,000 a year? Does not the gentleman think he is going to shortchange him? Does the gentleman think it is in keeping with the dignity of the office, when the former President had a great many more employees when he was in the White House? Let us get this thing back in proper perspective. You are not dealing fairly with the dignity of the office when you cut this to $60,000. Let us get back into the clouds again.

Mr. Chairman, I am opposed to the amendment.

Mr. JOHANSEN. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

Amendment offered by Mr. JOHANSEN, to the amendment offered by Mr. MURRAY: Page 1, strike out lines 7 to 10, inclusive, and all that follows down to line 3 on page 3.

Page 3, line 4, strike out "(e)" and insert "(b)."

Page 3, line 9, strike out "(f)" and insert "(c)."

Page 3, line 14, strike out "(g)" and insert "(d)."

Mr. JOHANSEN. Mr. Chairman, the effect of this amendment to the amendment offered by the distinguished chairman is very simple and may be very briefly stated. It strikes out all of the provisions of this bill except the $25,000 a year pension for former Presidents and the $10,000 a year provision for the widows of former Presidents.

I will be very frank to say to my colleagues that it would be my preference that we could have an amendment which would limit this provision to the present former Presidents and the present widows in order that we might by proper legislative process set up a retirement program for future former Presidents consonant with the retirement policies we have now for the members of the legislative branch and the other members of the executive branch. But the purpose of this amendment is to go to the heart of the most objectionable feature of this very loosely drawn and ill-defined bill. The purpose is to eliminate the subsidization of an office staff and franking privileges and office space—the subsidization of a nonexistent office. There would be no attempt or pretense made under this amendment that we would somehow continue what was referred to as "whatever is left of the Presidency". It would be an affirmation of the principle that when the power is turned off, the power is turned off. I certainly strongly urge the adoption of this amendment in lieu of the open end, loosely drawn and ill-defined bill which covers all of these other purposes.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield.

Mr. ARENDS. If I understand the gentleman correctly, if the gentleman's amendment is adopted, it will provide $25,000 for any retired President and $10,000 for his widow—period; is that right?

Mr. JOHANSEN. That is correct.

Mr. MURRAY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am sure that if the amendment offered by the gentleman from Michigan were adopted, he would not then vote for the bill. This amendment would strike out the provision for staff assistance for ex-Presidents. It would strike out this section:

> The Administrator of General Services shall furnish for each former President suitable office space appropriately furnished and equipped, as determined by the Administrator, located in a Federal building at such place within the United States as the former President shall specify.

In other words, it would strike out that entire language providing for the supplying of staff assistance, quarters, and equipment. Also, it would strike out the provision of subsection (d) which gives the ex-President the franking privilege for mail not in excess of 4,000 individual pieces a month. Every ex-President has voluminous correspondence. He has an enormous amount of mail. He certainly should be entitled to the franking privilege of 4,000 pieces of mail a month.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. MURRAY. I yield.

Mr. MILLER of California. We have good precedent for providing this clerical assistance to ex-Presidents. Five-star admirals and five-star generals get aides and clerical assistance and a certain limited staff that are assigned to them during the period of their lifetime.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. MURRAY. I yield.

Mr. JOHANSEN. Apropos that point, I would like to say to the gentleman from California that it may be a precedent, but it is not necessarily a good one. The gentleman realizes certainly that there is a profound difference between a military officer who is not expected to and would not engage in political activity, and a former President of the United States.

Mr. MILLER of California. I like the gentleman's remarks about a five-star general not engaging in political activity—it stands on its own.

Mr. MURRAY. Mr. Chairman, I appeal to the Members to vote down this amendment offered by the gentleman from Michigan.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just wish to say to the gentleman from California [Mr. MILLER] who again raised the issue of military officers versus former Presidents that a military man knows when he becomes an officer in the Army that a pension is provided for him upon retirement. But no present ex-President has any right to expect a pension or any of the other benefits in this bill because they knew very well when they ran for the office of President that no pension awaited them.

Mr. DAVIS of Georgia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this amendment will not hurt this bill. It will improve it. The gentleman from Tennessee has objected to it on the ground, as he says, that the former President needs an office and that he needs clerical help and he needs postage and so forth.

I call attention to this, that the Truman Library in Missouri is now costing the taxpayers approximately $149,000 per year. When this bill was before the Rules Committee, my recollection is that the gentleman from Missouri (Mr. BOLTING) during the discussion said that former President Truman now has an office in the Truman Library in the State of Missouri. We pay for operating and administrative expenses, $74,000 per year; for housekeeping, heating, and so forth, $75,000 per year. So that is a total of $149,000. Certainly if you are talking about former President Truman, that will provide him with an adequate office. Certainly there are people employed there who could perform any duties that he would want performed.

Mr. MURRAY. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. MURRAY. Is it not true that the Truman Library is a Federal building now?

Mr. DAVIS of Georgia. It is true that he now has an office in it, according to the gentleman from Missouri [Mr. BOLTING].

Mr. MURRAY. But it is a Federal building.

Mr. DAVIS of Georgia. It is true that we pay $149,000, according to the staff who got this information for me. I say if he has an office there now he can continue to use the office, and certainly at an expense of $149,000 a year he can have plenty of clerks and stenographers to do any work required.

Mr. MURRAY. If the gentleman will yield further, it is my understanding that President Truman, through solicitation of various friends throughout the United States, raised the money for this library, and then gave it to the Federal Government. If former President Truman wants to maintain his office there, he can do so under this bill.

Mr. DAVIS of Georgia. That is irrelevant to what I am saying. I am saying this amendment will improve this bill. I am saying that with the taxpayers already paying $149,000 for operating expenses there, he can have an office there as he uses it now, and he can use some of the help that is there.

Mr. MURRAY. If this amendment is approved will you then support the bill?

Mr. DAVIS of Georgia. I probably would. I would not say definitely that I would, but I probably would.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. GUBSER. I have no idea of what the possible vote on this bill will be, but judging from the vote on the rule, a definite possibility exists that it could be defeated. I know at least one vote, and possibly many, many more which would be in favor of this legislation if it provided only a pension for former Presidents of the United States, and did not provide office help and office quarters, and so forth. Speaking as one person, I would vote in favor of the bill if this amendment were carried, but I must, out of principle, oppose it if the amendment is not agreed to.

Mr. DAVIS of Georgia. This amendment will improve the bill, and I hope it is adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. JOHANSEN) to the amendment offered by the gentleman from Tennessee (Mr. MURRAY).

The question was taken; and on a division (demanded by Mr. JOHANSEN) there were—ayes 127, noes 76.

So the amendment to the amendment was agreed to.

So the amendment was agreed to.

The CHAIRMAN. The question recurs on the amendment offered by the gentlemen from Tennessee, as amended.

The amendment as amended was agreed to.

Mr. CHELF. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and my colleagues, I appear before you today in the interest of this legislation which seeks to create the right of honorable retirement for a job well done for all former Presidents of the United States. In the future, under this legislation, there will always be the possibility of one or more ex-Presidents who may elect to receive retirement no matter what his political beliefs may be. As a former Commander in Chief of our Army, Navy and Air Force, our former Presidents will be available and accessible in the event

their experience and abilities are needed or required in any emergency.

Mr. Chairman, if there ever was a time during the history of our Nation that the combined talents, know-how, experience, and training of our two living former Presidents are needed to help us solve the many complex problems with which we are presently confronted—this is that time. Let us make no mistake about it or lull ourselves to sleep over the international situation because, quite frankly, our relationship, at the present time, with the various countries of the world is most precarious.

At this time our country is particularly blessed in having two splendid gentlemen who have served as Presidents of the United States of America. One of these distinguished gentlemen is a Republican, a conservative, and truly an elder statesman; while the other outstanding gentleman is a Democrat, inclined to be liberal, and is a real American.

The Honorable Herbert Hoover has had long and varied experience as a public servant. In addition to his having served as the President of the United States, he has served in various capacities throughout the years, both prior to his term as President and since that time as chairman of various boards and commissions which have added luster to his good name. You will recall that during World War I, President Wilson designated Mr. Hoover to distribute adequately, efficiently, and humanely, food, clothing, medical supplies, and other aid to stricken peoples, scarred and marked by the ravages of war.

Mr. Hoover recently served as active Chairman of the Commission on Organization of the Executive Branch of the Government, and, as usual, made a most valuable contribution to his country.

The Honorable Harry S Truman served as United States Senator from the great State of Missouri for approximately 10 years. He gained national stature and prominence by serving as chairman of the Truman investigating committee. In 1944, he was nominated and elected by the people of this country to serve as Vice President under President Roosevelt. He had hardly settled down into his office as Vice President when, without warning, Mr. Truman found himself being sworn in as President of the United States.

Whether we agree with Mr. Truman's politics, his policies, his methods, or his achievements, there is one thing that I feel that all of us will be bound to admit, he served our Nation courageously and honorably and at the most crucial time in our history. He has never been and is not now a demagog, as one member of my delegation has stated. He lays it on the line—"face up." I admire him for it. While Mr. Truman was President I believe that I voted to override his veto on 5 out of 8 occasions but we always remained good friends—with the utmost respect for each other.

In my opinion, no man ever was confronted with the decisions that he had to make as Commander in Chief of approximately 12 million men to conclude successfully World War II and to help lead our country, and the world, for that matter, which was tottering on the brink of destruction back to a sound, sane postwar status.

My colleagues, it was President Harry S Truman who had to make the decision as to whether or not the atom bomb would be dropped on Hiroshima and on Nagasaki. I know and you know that this good man had to take decisions of such magnitude to the Lord in prayer. Frankly, I do not think that any person could make such a momentous decision without calling on Almighty God for help and guidance.

Mr. Chairman, I feel very deeply about this particular situation. In my heart, I know full well that there are tens of thousands of our young men who are living in happiness today due to the decision made by President Truman to drop these bombs, each then carrying death and destruction equivalent to 50,000 tons of TNT. Today I am reliably informed that an A-bomb or H-bomb is far more deadly and devastating—many times over.

It took real courage to issue that order that acted as a certain death warrant to thousands of civilians. Nevertheless, we were at war, a horrible bloody war, and it was either the Japanese or our soldiers who had to die. Had not Mr. Truman made the decision at the time, place, and manner in which he did, World War II would have surely continued longer and the million casualties in blood and the billions in gold and treasure that we lost might conceivably have been doubled.

The opposition that I have encountered to this legislation is, unfortunately, due to prejudice against one or the other of the two former Presidents. Such an attitude is strictly unfair because you and I know that we cannot legislate by prejudice.

Any man who has served his country in as many capacities as these two distinguished men, and, in addition, has served as President of the United States, is certainly entitled to the same retirement benefits as any other civil servant or a Member of Congress if they are in need of same. Upon request, their advice, counsel, views, and ideas on domestic and foreign policies could be made readily available to all of us on Capitol Hill. Actually, I think that they, as former Presidents, ought to be made "guest Members" of the House and Senate, without a vote. Such action on our part would give our past Presidents an honorable, working, active, useful retirement.

I do not know of anything that could be either more cruel, shortsighted, or tragic than to place our former Presidents on an inactive status and then to gently but firmly relegate them and their talents into oblivion.

At the present time, our former Presidents are somewhat reluctant to visit Washington, or to speak out on matters of foreign and domestic interest. I am sure that they would be happy to say what was on their minds and in their hearts—if only asked.

As a guest Member in the House and Senate, the country would have the full benefit of their services, and their vast experience without any embarrassment to themselves. If we allow this chance to tap this storehouse of knowledge and experience to go "over the hill," shame on us for we will have truly missed the gangplank and, with it, the boat. I think it would be a healthy thing for the country to have at least 1 or 2 persons who upon invitation could sound off on an issue without having to worry about his reelection or any voter repercussions. Truly, it would be refreshing and beneficial to have these elder statesmen sitting amongst us. It would be America at her best and in her finest tradition.

On April 25, 1955, the Louisville Courier-Journal printed an editorial entitled "A Forum Is Needed, Not Just a Pension." I quote:

> But they (Truman and Hoover) would hold positions of recognized distinction. * * * Freed of all thought of elective harassment, and representing the people at large, they could at their best provide the country with a continuous wealth of experienced statesmanship. It is an asset that should not go begging.

There is a great deal more that I could say with respect to the qualifications of these outstanding Americans and why they ought to be permitted to sit along beside us with floor privileges—but since I realize I am speaking to men who understand and appreciate the accomplishments of our former Presidents it would, therefore, waste your valuable time to go into further detail. We ought to give our former Presidents an honorable, active, useful retirement. At least they should have with their retirement, a staff, and the privileges of the frank.

In conclusion please let me say that I am reliably informed that Mr. Truman is forced to spend several thousand dollars a year, practically his entire yearly income, on stamps, stationery, and secretarial help in order to answer the vast daily mail that he receives from the American public. This is a public service and he ought to have the privilege of the frank. It is as necessary and proper for him to have it, as it is for a Member of Congress. We are all serving the people and attending to the people's business.

Former Presidents Hoover and Truman will continue to have luster and prestige long after their accusers and detractors shall have passed on into oblivion.

I urge you to pass this legislation.

Mr. HOFFMAN. Mr. Chairman, I have three amendments at the desk. Instead of asking for a vote of them I ask that they be printed at this point in the RECORD, together with my remarks. I assume the RECORD would show that they were rejected.

The CHAIRMAN. The gentleman withdraws the amendments.

(The amendment referred to follows:)

> Amendments offered by Mr. HOFFMAN: Page 1, line 3, after the word "President" insert "and each former Vice President" and the same language after the word "President" wherever the word occurs in the bill.
>
> Page 2, line 18, after the period, insert a new paragraph:
>
> "(c-1. Each former President who accepts such monetary allowance shall, on the convening of each Congress and every third month thereafter while Congress is in ses-

sion, submit to the Congress a message and his opinion on the state of the Union and its then financial condition; his opinion on the advisability of future specific legislation; and send up specific bills to promote the general welfare of the people and the security of the Republic."

Page 2, line 19, after the word "the" insert "continental."

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 607) to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes, pursuant to House Resolution 649, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. Unalterably opposed to the bill.

The SPEAKER. The gentleman reasonably qualifies.

The Clerk will report the motion.

The Clerk read as follows:

Mr. GROSS moves to recommit the bill S. 607 to the House Post Office and Civil Service Committee.

Mr. MURRAY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. JOHANSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. JOHANSEN) there were—ayes 165, noes 45.

Mr. JOHANSEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and forty-five Members are present, a quorum.

So the bill was passed.

A motion to reconsider was laid on the table.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that the House insist on its amendments to the bill (S. 607) to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes, request a conference with the Senate, and that the Speaker appoint conferees.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. MURRAY]? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. MURRAY, MORRISON, and REES of Kansas.

Without objection, the title of the bill S. 607 will be amended to read as follows: "An act to provide retirement benefits to former Presidents of the United States and their widows."

There was no objection.

BENEFITS TO FORMER PRESIDENTS OF THE UNITED STATES

I. PRESIDENTIAL RETIREMENT BENEFITS

Prior to 1958, Presidents leaving office were obliged to rely upon their own financial resources for their livelihood. The only Federal pension benefits for which they could be eligible were those incident to service in the Federal career service, in Congress, or the military. Also, if eligible, they could receive social security benefits. Public Law 85-745, approved August 25, 1958, established a standard pension policy for retiring Presidents. Sections of the Act have been amended and the benefits have been substantially increased.

A former President is defined as "an individual who shall have held the office of President of the United States, and whose service in such office shall have been terminated other than by removal pursuant to section 4, article II, of the Constitution" (3 U.S.C. 102, note). The cited section of the Constitution is that which provides for the removal of a President from office subsequent to the impeachment for and conviction of treason, bribery or other high crimes and misdemeanors.

Under PL 85-745, as amended, a former President is eligible for the following benefits:

A. Pension: The former President will receive an annual retirement allowance equal in amount to the sum paid to officials at Level I of the Executive Salary Schedule (PL 91-658; January 8, 1971; 84 Stat. 1963). The pension is currently $66,000 per annum and is equal to the salary rate for heads of executive departments. (See Appendix A).

Public Law 91-658 states that "such allowance shall not be paid for any period during which such former President holds an appropriate or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate."

B. Staff Allowance: A sum of $96,000 per annum shall be provided for aggregate staff salary (PL 91-231; April 9, 1970; 84 Stat. 198). Any one person may not exceed the annual rate of pay for Level II of the Executive Schedule -- currently

$44,600. The Administrator of General Services shall provide the funding for staff and staff will be chosen by the former President.

C. Office Space: The Administrator of General Services shall furnish suitable office space appropriately furnished and equipped, as determined by the Administrator, at such place within the United States as a former President shall specify.

D. Free Mailing Privileges: A former President may send nonpolitical mail within the United States and its territories and possessions as franked mail (PL 93-191; December 18, 1973; 87 Stat. 742).

E. Protection: Subject to the direction of the Secretary of the Treasury, the United States Secret Service is authorized to protect the person of a former President (as well as his wife and minor children) during his lifetime unless such protection is declined (PL 89-186; September 29, 1965; 79 Stat. 791).

F. Health Care: As a general rule, the Federal Government does not provide hospitalization or other health benefits to former Presidents or their families as a part of the pension and benefit packages for former Presidents. According to the Civil Service Commission, a President is eligible to enroll in the group health plans available to Federal employees (see Special Notes under this section for information on individuals).

Under 5 U.S.C. 301, the head of a military department may prescribe regulations for the government of his department and the distribution and performance of its business. Under that authority the Secretaries of the Army, Navy, and Air Force may designate individuals for care at the medical facilities under their charge. The Army, in Army Regulation 40-3, paragraph 4-57, and the Navy, in BUDMEDINST 6320.31-Section H, paragraph 4, have such regulations. Such designees may receive necessary care and treatment at military medical facilities and are charged the general reimbursement or outpatient rate (as determined by the Office of Management and Budget) unless otherwise directed by the Secretary.

The Office of the Secretary of Defense sent a memorandum, dated May 23, 1968, to the Secretaries of the military departments requesting

that they issue a standing designation that all former Presidents, their wives, widows and minor children be eligible for health care in the medical facilities under their charge.

SPECIAL NOTES ON INDIVIDUAL FORMER PRESIDENTS:

A. Herbert Clark Hoover: Mr. Hoover was still living at the time the Former Presidents Act (PL 85-745) was enacted. From August 1958 until his death (October 20, 1964), Mr. Hoover took advantage of his eligibility for the pension and staffing allowances. (See Appendices B and C for expenditure data.)

B. Harry S. Truman: Mr. Truman left office January 20, 1953. Between that time and August 1958 he received no pension benefits as a former President. See Appendices B and C for information on monies available to Mr. Truman until his death, December 26, 1972.

Former President Truman was covered by Blue Cross-Blue Shield and Medicare. In 1966, according to staff at the Truman Library in Independence, Mo., President Johnson made a trip to Independence to present former President and Mrs. Truman with Medicare cards nos. 1 and 2. Mr. Truman received his medical care at Research Hospital in Kansas City, Mo. and it was there he died.

C. Dwight David Eisenhower: Mr. Eisenhower was eligible for allowances and benefits under the Former Presidents Act from January 20, 1961 until his death on March 28, 1969. He was reinstated as a General of the Army under PL 87-3 (March 22, 1961; 75 Stat. 5). Under that Act he was authorized to receive the pension available to him as a former President and no pay or allowance as General of the Army. However, there was special provision made in the fomer Presidents' staffing allowance of $50,000 because of the military assistants assigned to him. That allowance was reduced by an amount equal to that paid, by the U.S. Army, for military aides assigned to him as General of the Army. (See Appendices B and C for further fiscal details.)

D. Lyndon Baines Johnson: Mr. Johnson was eligible for full benefits as a former President from January 20, 1969 until his death January 22, 1973. He was also the first former President to be eligible to receive funds under the Presidential Transition Act (see Section V -- Presidential Transition,

for further details). (Further financial data on pension money received is presented in Appendices B and C.)

Staff at the Johnson Library in Austin, Texas were unable to provide information on Mr. Johnson's health care and insurance coverage. From the New York Times index for the period from January 1969 until his death, it was determined that he received care at Brooke General Army Hospital in San Antonio, Texas (March 3, 1970; NYT 27:3)(January 15, 1971; NYT 12:7) (January 23, 1971; NYT 26:6), at the University of Virginia Hospital in Charlottesville, Virginia hospital on an emergency basis (April 8, 1972; NYT 27:3), at Brooke (April 12, 1971; NYT 1:1), at Brooke (July 25, 1972; NYT 20:1) and once again at Brooke (November 23, 1972; NYT 44:1). He died at his ranch in Texas January 22, 1973.

E. Richard Milhous Nixon: Although Mr. Nixon left office prior to the expiration of his elected term, he remains eligible to receive benefits under the Former Presidents Act. A resignation from office carries with it the proper procedures under which a person can be defined as a former President under 3 U.S.C. 102, note. It has also been determined that he is eligible to receive funds under the Presidential Transition Act. The particulars of that transition are discussed under Section V of this report.

Mr. Nixon resigned from office August 9, 1974. On August 29, 1974 President Gerald R. Ford requested the Congress to appropriate $850,000 for former President Nixon. The funds were intended to cover Mr. Nixon's transition from office, his pension, and related expenses. $400,000 was requested for obligations under the Former President's Act. After a good deal of debate in Committees and on the floor of the House and Senate, it was determined that $100,000 would be appropriate (Supplemental Appropriations Act of 1975; PL 93-554; December 27, 1974; 88 Stat. 1771, at 1782) as funding to cover the Government's responsibilities under the Former President's Act through fiscal 1975. See Section V and Appendix D of this report for a detailed breakdown of these funds in conjunction with the transitional funding.

Shortly afer leaving office Mr. Nixon was hospitalized for phlebitis and underwent surgery. He received care in a non-governmental hospital facility in Long Beach, California. According to press secretary Ron Ziegler, Mr. Nixon paid all medical, hospital and surgical costs out of his pocket. Apparently he had not enrolled himself and Mrs. Nixon in one of the Federal

employee group health plans while in office. Also, as far as it can be determined, it was Mr. Nixon's own choice not to receive care at any of the nearby military medical facilities. At the time, October 1974, he could have been admitted to Camp Pendleton Naval Hospital, for example. According to the New York Times (October 31, 1974): 31), it was determined that "that military facility does not have the sophisticated testing equipment available at Long Beach Memorial." Staff at the Office of Patient Affairs, Bureau of Medicine and Surgery of the U.S. Navy responded to an inquiry on that issue that if the Naval Hospital had not had whatever equipment was necessary to suitably treat the former President, the equipment would have been flown in from another facility.

II. BENEFITS AVAILABLE TO PRESIDENTIAL WIDOWS AND SURVIVING CHILDREN

Prior to the Former Presidents Act of 1958, the widows of Presidents usually did not receive a pension. There were some instances, however, when Congress enacted special legislation to provide a pension to certain Presidential widows. Among those granted pensions in that manner were Mrs. Abraham Lincoln ($3,000 per annum; 1870; 16 Stat. 653) and Mrs. Ulysses S. Grant ($5,000 per annum; 1885; 24 Stat. 653). Prior to a general franking privilege for Presidential widows, it was the responsibility of Congress to enact legislation according that privilege in individual cases. For example, Mrs. Woodrow Wilson was granted the use of the frank after the death of former President Wilson in 1924 (43 Stat. 1359).

Currently, the following benefits are available to Presidential widows:

A. Pension: A monetary allowance, at a rate of $20,000 per annum is payable monthly to the widow of a former President. (Note: for the purposes of this report, due to the definition of former President in the Act, it is necessary to refer to a person having died in office, as well as those having served out their terms or having resigned, as being former Presidents.) She must waive the right to any other annuity or pension to which she is entitled under any other Act of Congress. The allowance

(1) commences on the day after the former President dies; and

(2) terminates on the last day of the month before she dies or remarries.

If she remarries after reaching 60 years of age, the allowance is continued. The pension is not payable for any period during which she

holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia if she is paid other than at a nominal rate. (PL 91-658; January 8, 1971; 84 Stat. 1963.)

B. Free Mailing Privileges: The surviving spouse of a former President may send nonpolitical mail within the United States and its territories and possessions as franked mail. (PL 93-191; December 18, 1973; 87 Stat. 737, at 742.)

C. Protection: Under the direction of the Secretary of the Treasury, the United States Secret Service is authorized to protect the person of a widow of a former President, until her death or remarriage, and minor children of a former President until they reach the age of sixteen, unless such protection is declined. (PL 90-608; October 21, 1968; 82 Stat. 1198.)

SPECIAL NOTES ON INDIVIDUAL PRESIDENTIAL WIDOWS AND FAMILIES

A. Edith Bolling Galt Wilson: As noted in the introduction to this section, Mrs. Wilson was granted the use of the postal frank through a special act of Congress in 1924. From February 3, 1924, the date on which Mr. Wilson died, until the passage of the Former President's Act in 1958, Mrs. Wilson was not receiving a pension. From August 1958 until her death, December 28, 1961, she received the $10,000 per annum allowance as the widow of a former President. (Detailed fiscal data is presented in Appendices B and C.)

B. Anna Eleanor Roosevelt Roosevelt: President Roosevelt died in office April 12, 1945. From that time until August 1958, Mrs. Roosevelt received no pension from the Federal Government. She was active as a delegate to the United Nations from 1945 until 1952. From August 1958 until her death, November 7, 1962, she did receive the annual $10,000 allowance.

C. Elizabeth Virginia (Bess) Wallace Truman: At the time, January 20, 1953, Harry S. Truman left the Presidency there were no pension benefits available to former Presidents. However, when Mr. Truman died (December 26, 1972), Mrs. Truman became eligible for the $20,000 annual pension.

The U.S. Postal Service granted Mrs. Truman the use of the franking privilege pending passage of PL 93-191 which provides the privilege to the surviving spouse of each former President.

D. Mary Geneva (Mamie) Doud Eisenhower: Upon the death of former President Dwight D. Eisenhower (March 28, 1969), Mrs. Eisenhower became eligible for the widow's pension. There has been some question as to whether she receives a pension as the widow of a former President or as the widow of a General of the Army. In Appendices B and C the fiscal data on Federal monies received by Mrs. Eisenhower indicate that she has been receiving the Presidential widow's pension.

Prior to the enactment of PL 93-191 (87 Stat. 737, at 742), which provides the franking privilege to all widows of former Presidents, Mrs. Eisenhower was authorized to use the frank under PL 91-10 (April 25, 1969; 83 Stat. 7).

E. Jacqueline Lee (Jackie) Bouvier Kennedy Onassis: After the death of John F. Kennedy, on November 22, 1963, Mrs. Kennedy was eligible to receive the pension available to the widow of a former President. Due to the unusual circumstances surrounding the death of the President, Congress enacted special legislation intended to assist Mrs. Kennedy in responding to the tremendous volume of mail received daily and in sorting the papers of Mr. Kennedy.

Public Law 88-195 (December 11, 1963; 77 Stat. 348) provided that:

1. Mrs. Kennedy would have lifetime franking privileges for mail sent within the United States, its possessions, and the Commonwealth of Puerto Rico;
2. The Administrator of General Services would, for a period of twelve months, furnish, supply and equip suitable office space at such place within the United States specified by Mrs. Kennedy;
3. For the same period, the Administrator of General Services would provide office staff, chosen by Mrs. Kennedy (The aggregate compensation was not to exceed $50,000 per annum with no person reciving compensation at a rate exceeding the maximum rate of compensation payable to any individual employed in the office of a Senator);
4. The Secretary of the Treasury, through the United States Secret Service, was authorized to protect the person of Mrs. Kennedy and her minor children for such period of time, not in excess of two years, immediately following enactment of that Act, as she might request. (NOTE: PL 89-186, approved September 15, 1965 (79 Stat. 791) provided that protection for a period of four years after the death of a former President; PL 90-145, approved November 17, 1967 (81 Stat. 466) extended the protection to March 1, 1969; and PL 90-608, approved October 21, 1968 (82 Stat. 1198) changed the protective provisions to those cited above under "C. Protection".); and
5. An appropriation be made of $64,000 for the staff assistance and for a sum not to exceed $15,000 toward the expenses incident to the death and burial of former President Kennedy, including undertakers' charges and the expenses of transportation.

At the time of the enactment of PL 88-195, it was noted that within a period of less than two weeks following the assassination of President Kennedy,

Mrs. Kennedy received 293,000 letters and 26,000 telegrams. Until September 1964, the office staff assigned to Mrs. Kennedy was housed in the Executive Office Building in Washington, D.C. At that time the office and staff were moved to a four-room office suite on Park Avenue in New York City. PL 88-195 provided a $50,000 staffing fund for a twelve-month period ending December 11, 1964. PL 88-507 (August 30, 1964; 78 Stat. 640, at 653) appropriated a further $25,000 for the six-month period ending June 30, 1965, placing the staffing allowance on a fiscal year basis. For the fiscal year ending June 30, 1966, $50,000 was appropriated under PL 89-128 (August 16, 1965; 79 Stat. 520). A reduced sum of $30,000 was appropriated for the fiscal year ending June 30, 1967 (PL 89-555; September 6, 1966; 80 Stat. 663). The reduction was made at the request of Mrs. Kennedy. She informed Congress that the mail had declined per day from 300 or more letters to approximately 100. In January 1967, Mrs. Kennedy requested that her office staffing allowance be terminated in that she no longer needed Federal funds for her correspondence and official business. Therefore, no further appropriations were made for that purpose.

Mrs. Jacqueline Kennedy married Aristotle Socrates Onassis on October 20, 1968. As of October 1, 1968, she requested that her annual pension be terminated. Under the provisions of PL 85-745, the Former President's Act, she would have been allowed to retain the pension. (Subsequent amendments to that Act provide that the pension will be withdrawn upon remarriage.) On October 21, 1968, PL 90-608 was enacted which, among other things, provided that the widow of a former President would no longer receive Secret Service protection after her remarriage. Therefore Mrs. Onassis is no longer protected by Federal agents. Caroline Kennedy has received no Federal protection since her sixteenth birthday, November 27, 1973. John F. Kennedy, Jr. was eligible for the protection until November 25, 1976, his sixteenth birthday.

As of this writing, the only Federal benefit available to Mrs. Onassis is the franking privilege.

F. Claudia Alta (Lady Bird) Taylor Johnson: From the death of former President Lyndon B. Johnson, January 22, 1973, until the present, Mrs. Johnson has been eligible for and has been receiving the full benefits available to the widow of a Former President.

The U.S. Postal Service granted Mrs. Johnson the use of the franking privilege pending passage of PL 93-191 which provides the privilege to the surviving spouse of each former President.

III. LEGISLATIVE HISTORY OF THE FORMER PRESIDENTS ACT AND ITS AMENDMENTS

A. Public Law 85-745 [S. 607]; 72 Stat. 838, approved August 25, 1958

Senate Report (Post Office and Civil Service) No. 47, February 1, 1957
House Report (Post Office and Civil Service) No. 2200, July 17, 1958
Conference Report (Committee on Conference) H. Rept. No. 2657, August 18, 1958
Congressional Record, vol. 103 (1957):
Debated and passed the Senate, February 4, 1957
Congressional Record, vol. 104 (1958):
Debated and passed the House, July 30, 1958
Conference report agreed to in Senate, August 16, 1958
Conference report agreed to in House, August 21, 1958

FORMER PRESIDENTS -- RETIREMENT, CLERICAL ASSISTANTS, AND FREE MAILING PRIVILEGES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:

(a) Each former President of the United States shall be entitled, as long as he shall live, to receive a monetary allowance at the rate of $25,000 per annum, payable monthly by the Secretary of the Treasury.

(b) The Administrator of General Services shall, without regard to the civil-service and classification laws, provide for each former President an office staff. Persons employed under this subsection shall be selected by the former President and shall be responsible only to him for the performance of their duties. Each former President shall fix basic rates of compensation payable to any such person shall not exceed the maximum aggregate rate of compensation payable to any individual employed in the office of a Senator. Each individual appointed under this subsection to a position on the office staff of a former President shall be held and considered to be an employee of the Government of the United States for the purposes of the Civil Service Retirement Act, the Federal Employees Compensation Act, and the Federal Employees' Group Life Insurance Act of 1954.

(c) The Administrator of General Services shall furnish for each former President suitable office space appropriately furnished and equipped, as determined by the Administrator, at such place within the United States as the former President shall specify.

(d) Each former President shall be entitled to conveyance within the United States and its Territories and possessions free of postage of all mail matter sent by him under his written autograph signature. The postal revenues shall be reimbursed each fiscal year out of the general fund of the Treasury in an amount equivalant to the postage which would otherwise be payable on such mail matter.

(e) The widow of any former President of the United States shall be entitled to receive a pension at the rate of $10,000 per annum, payable monthly by the Secretary of the Treasury, if such widow shall waive the right to any annuity or pension under any other Act of Congress.

(f) As used in this section, the term "former President" means an individual who shall have held the office of President of the United States, and whose service in such office shall have been terminated other than by removal pursuant to section 4, article II, of the Constitution.

B. Public Law 86-682 [H.R. 2339]; 74 Stat. 578, at 663 and 730; approved September 2, 1960

House Report (Judiciary) No. 36, February 17, 1959
Senate Report (Judiciary) No. 1763, June 28, 1960
Congressional Record, vol. 105 (1959):
Amended and passed the House, March 2, 1959
Congressional Record, vol. 106 (1960):
Amended and passed the Senate, July 2, 1960
House concurred in Senate amendments, August 24, 1960

AN ACT TO REVISE, CODIFY, AND ENACT INTO LAW, TITLE 39 OF THE UNITED STATES CODE, ENTITLED "THE POSTAL SERVICE."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:

The general and permanent laws relating to the Post Office Department and the postal service are revised, codified and enacted as Title 39, United States Code -- "The Postal Service" and may be cited as "39 U.S. Code, § ", as follows:...

§4165. Mailing privilege of former Presidents
A former President may send all his mail within the United States and its Territories and possessions as franked mail...

§4167. Reimbursement for franked mailings...
(b) The postage on mail matter sent through the mails under the franking privilege by former Presidents shall be paid by reimbursement of the postal revenues each fiscal year out of general funds of the Treasury in an amount equivalent to the postage which would otherwise be payable on the mail matter.

Section 12. [Technical language repealing PL 85-745(d).]

C. Public Law 88-426 [H.R. 11049]; 78 Stat. 400, at 412; approved August 14, 1964

Senate Report (Post Office and Civil Service) No. 1121, June 26, 1964
House Report (Post Office and Civil Service) No. 1388, May 11, 1964
Conference Report (Committee on Conference) H. Rept. No. 1647, August 3, 1964
Congressional Record, vol. 110 (1964):
Passed the House, June 11, 1964
Passed the Senate, July 2, 1964
House agreed to Conference report, August 4, 1964
Senate agreed to Conference report, August 4, 1964

GOVERNMENT EMPLOYEES SALARY REFORM ACT OF 1964

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:...

Sec. 124. Subsection (b) of the first section of the Act entitled "An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes," approved August 25, 1958 (72 Stat. 838; 3 U.S.C. note fol. 102), is amended by striking out $50,000" and inserting in lieu thereof "$65,000".

D. Public Law 89-554 [H.R. 10104]; 80 Stat. 378, at 532, 565, 592 and 660; approved September 6, 1966

House Report (Post Office and Civil Service) No. 901, August 31, 1965
Senate Report (Post Office and Civil Service) No. 1380, July 1, 1966
Congressional Record, vol. 111 (1965):
Debated and passed the House, September 7, 1965
Congressional Record, vol. 112 (1966):
Debated and passed the Senate, July 25, 1966
House agreed to Senate amendments, August 11, 1966

AN ACT TO ENACT TITLE 5, UNITED STATES CODE, "GOVERNMENT ORGANIZATION AND EMPLOYEES", CODIFYING THE GENERAL AND PERMANENT LAWS RELATING TO THE ORGANIZATION OF THE GOVERNMENT OF THE UNITED STATES AND TO ITS CIVILIAN OFFICERS AND EMPLOYEES.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the law relating to the organization of the Government of the United States and to its civilian officers and employees, generally, are revised, condified, and enacted as title 5 of the United States Code, entitled "Government Organization and Employees", and may be cited as "5 U.S.C., § ", as follows:...

Subpart G -- Insurance and Annuities

CHAPTER 81 -- COMPENSATION FOR WORK INJURIES...

§8101. Definitions

For the purposes of this subchapter --

(1) "employee" means --...

(E) an individual appointed to a position on the office staff of a former President under section 1(b) of the Act of August 25, 1958 (72 Stat. 838);...

CHAPTER 83 -- RETIREMENT

SUBCHAPTER III -- CIVIL SERVICE RETIREMENT

§8331. Definitions

For the purposes of this subchapter --

(1) "employee" means --...

(I) an individual appointed to a position on the office staff of a former President under section 1(b) of the Act of August 25, 1958 (72 Stat. 838);...

CHAPTER 87 -- LIFE INSURANCE

§8701. Definition

(a) For the purpose of this chapter, "employee" means --...

(9) an individual appointed to a position on the office staff of a former President under section 1(b) of the Act of August 25, 1958 (72 Stat. 838);...

Sec. 8. [Technical language repealing the last sentence of section 1(b) of PL 85-745. That sentence was replaced with the foregoing language in title 5.]

E. Public Law 90-206 [H.R. 7977]; 81 Stat. 613, at 642; approved December 16, 1967

House Report (Post Office and Civil Service) No. 722, September 28, 1967
Senate Report (Post Office and Civil Service) No. 801, November 21, 1967
Conference Report (Committee on Conference) H. Rept. No. 1013, December 7, 1967
Congressional Record, vol. 113 (1967):
Passed the House, October 11, 1967
Passed the Senate, November 29, 1967
House agreed to Conference report, December 11, 1967
Senate agreed to Conference report, December 12, 1967

AN ACT TO ADJUST CERTAIN POSTAGE RATES, TO ADJUST THE RATES OF BASIC COMPENSATION FOR CERTAIN OFFICERS AND EMPLOYEES IN THE FEDERAL GOVERNMENT, AND TO REGULATE THE MAILING OF PANDERING ADVERTISEMENTS, AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Postal Revenue and Federal Salary Act of 1967"...

TITLE II -- FEDERAL SALARY INCREASES..

Sec. 224...

(c) Section 1(b) of the Act of August 25, 1958 (72 Stat. 838); 3 U.S.C. 102, note), as amended, is amended by striking out "$65,000" and inserting in lieu thereof "$80,000", and by striking out the fourth sentence therein and inserting in lieu thereof the following: "The annual rate of compensation payable to any such person shall not exceed the highest annual rate of basic pay now or here-

after provided by law for positions at level II of the Executive Schedule under section 5313 of title 5, United States Code". [The $80,000 is for staff allowance.]

[NOTE: Effective October 1, 1975 that rate is $44,600 per annum under PL 94-82 (August 9, 1975; 89 Stat. 419). According to the staff of the General Services Administration Budget Office the pay rate ceiling was not increased October 1, 1976 due to the restriction on use of appropriated funds under PL 94-440 (October 1, 1976; 90 Stat. 1439, at 1446).]

F. Public Law 91-231 [S. 3690]; 84 Stat. 195, at 198; approved April 15, 1970

Senate Report (Post Office and Civil Service) No. 91-763, April 7, 1970
House Report (Post Office and Civil Service) No. 91-992 (to accompany H.R. 16844), April 9, 1970
Congressional Record, vol. 116 (1970):
Debated and passed the Senate, April 8, 1970
Debated and passed the House, amended, in lieu of H.R. 16844, April 9, 1970
Senate concurred in House amendment with amendments, April 9, 1970
Debated in House, April 13, 1970
House concurred in Senate amendments, April 14, 1970

AN ACT TO INCREASE THE PAY OF FEDERAL EMPLOYEES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Employees Salary Act of 1970"...

Sec. 7. The third sentence of subsection (b) of the first section of the Act of August 25, 1958, as amended (3 U.S.C. 102, note), is amended by striking out "$80,000" and inserting in lieu thereof "$96,000". [The $96,000 is for staff allowance.]

G. Public Law 91-658 [S. 437]; 84 Stat. 1961, at 1963; approved January 8, 1971

Senate Report (Post Office and Civil Service) No. 91-1092, August 12, 1970
House Report (Post Office and Civil Service) No. 91-1469, September 24, 1970
Congressional Record, vol. 116 (1970):
Passed the Senate September 10, 1970
Passed the House, amended, December 7, 1970
Senate concurred in House amendments, December 29, 1970

AN ACT TO AMEND CHAPTER 83 OF TITLE 5, UNITED STATES CODE, RELATING TO SURVIVOR ANNUITIES UNDER THE CIVIL SERVICE RETIREMENT PROGRAM, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That...

Sec. 6. The Act of August 25, 1958 (72 Stat. 838; 3 U.S.C. 102, note), is amended as follows:

(1) Subsection (a) is amended to read as follows:

"(a) Each former President shall be entitled for the remainder of his life to receive from the United States a monetary allowance at a rate per annum, payable monthly by the Secretary of the Treasury, which is equal to the annual rate of basic pay, as in effect from time to time, of the head of an executive department, as defined in section 101 of title 5, United States Code. However, such allowance shall not be paid for any period during which such former President holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate.";

(2) Subsection (e) is amended to read as follows:

"(e) The widow of each former President shall be entitled to receive from the United States a monetary allowance at a rate of $20,000 per annum, payable monthly by the Secretary of the Treasury, if such widow shall waive the right to each other annuity or pension of which she is entitled under any other Act of Congress. The monetary allowance of such widow --

"(1) commences on the day after the former President dies;
"(2) terminates on the last day of the month before such widow --
"(A) dies; or
"(B) remarries before becoming 60 years of age; and
"(3) is not payable for any period during which such widow holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate."; and

(3) Subsection (f) is amended to read as follows:
"(f) As used in this section, the term 'former President' means a person --
"(1) who shall have held the office of President of the United States of America;
"(2) whose service in such office shall have terminated other than by removal pursuant to section 4 of article II of the Constitution of the United States of America; and
"(3) who does not then currently hold such office.".

H. Public Law 93-191 [H.R. 3180]; 87 Stat. 737, at 742; approved December 18, 1973

House Report (Post Office and Civil Service) No. 93-88, March 21, 1973
Senate Report (Post Office and Civil Service) No. 93-461, October 10, 1973
Conference Report (Committee on Conference) H. Rept. No. 93-712, December 11, 1973
Congressional Record, vol. 119 (1973):
Considered and passed the House, April 11, 1973
Considered and passed the Senate, amended, October 11, 1973
Senate agreed to Conference report, December 11, 1973
House agreed to Conference report, December 17, 1973

AN ACT TO AMEND TITLE 39, UNITED STATES CODE, TO CLARIFY THE PROPER USE OF THE FRANKING PRIVILEGE BY MEMBERS OF CONGRESS, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That ...

Sec. 4. (a) Section 3214 of title 39, United States Code, is amended to read as follows:

"§3214. Mailing privilege of former President; surviving spouse of former President.

"A former President and the surviving spouse of a former President may send nonpolitical mail within the United States and its territories and possessions as franked mail. Such mail of a former President and of the surviving spouse of a former President marked 'Postage and Fees Paid' in the manner prescribed by the Postal Service shall be accepted by the Postal Service for transmission in the international mails.".

(b) The table of sections of chapter 32 of title 39, United States Code, is amended by striking out --

"3214. Mailing privilege of former Presidents."

and inserting in lieu thereof --

"3214. Mailing privilege of former President; surviving spouse of former President."....

Sec. 7. Section 3216 of title 39, United States Code, is amended to read as follows:

"§3216. Reimbursement for franked mailings...

"(b) Postage on, and fees and charges in connection with, mail matter sent through the mails under section 3214 of this title shall be paid each fiscal year, out of any appropriation made for that purpose, to the Postal Service as postal revenue in an amount equivalent to the postage, fees, and charges which would otherwise be payable on, or in connection with, such mail matter.".

IV. U.S. SECRET SERVICE PROTECTION

In 1962, Congress enacted legislation (PL 89-829; October 15, 1962; 76 Stat. 956) which directed the U.S. Secret Service to provide protection to the person of a former President, at his request, for a reasonable period after he left office. That law has since been amended several times and the Secret Service is now directed, under 18 U.S.C. 3056, to provide protection "to the person of a former President and his wife during his lifetime, the person of a widow of a former President until her death or remarriage, and minor children of a former President until they reach sixteen years of age, unless such protection is declined..." (PL 99-608; October 21, 1968; 82 Stat. 1198).

According to the Public Affairs Office at the Secret Service persons in those categories who are now receiving Secret Service protection are:

Richard M. and Pat Nixon

Mrs. Lyndon B. Johnson

Mrs. Dwight D. Eisenhower

Mrs. Harry S. Truman

Secret Service protection for John F. Kennedy, Jr. terminated as of November 25, 1976, his sixteenth birthday.

The Secret Service does not, as a rule, release specific cost data of protective activities. They have stated in the past that knowledge of the cost for any individual activity could jeopardize that activity's effectiveness. The costs for the protective activities are generally housed in the budget items for Secret Service which are cited as direct programs: (1) suppressing counterfeiting and investigating check and bond forgeries, (2) protection of White House, Executive Office Building and grounds, and Foreign Diplomatic Missions, and (4) Executive direction. The fiscal year 1975 appropriation for the Secret Service (direct program) was $80,113,000. The appropriation for fiscal year 1976 was $107,950,000. Under PL 94-363, $112,650,000 was appropriated for the Secret Service during Fiscal 1977. The budget requests and appropriations presented in the U.S. Budget Appendix, Fiscal 1977 for the U.S. Secret Service programs appears as follows (p. 621):

Programs (in thousands of dollars)

	1975 actual	1976 estimate	Fiscal Transitional Quarter estimate	1977 estimate
1. Suppressing counterfeiting and investigating check and bond forgeries	$65,628	$ 92,297	$27,559	$ 93,080
2. Protection of White House, Executive Office Building and grounds, and foreign diplomatic missions	13,339	14,405	3,773	13,901
3. Safeguarding Government securities and protection of Treasury buildings	974	1,067	281	1,801
4. Payments to State and local Governments for protection of foreign diplomatic missions under extraordinary circumstances	---	---	---	2,000
5. Executive direction	172	181	47	188
Total direct program	$80,113	$107,950	$31,660	$110,250

Shortly after Lyndon Johnson left office there was a report that the number of Secret Service personnel assigned to protect him was twenty-six ("26 Secret Servicemen Protecting Johnson," Washington Post, February 1, 1969). The Public Affairs Office at the Secret Service affirmed that this was generally true, varying with the activity in which the former President was involved. When a person under Secret Service protection is traveling, the Secret Service detail is larger than when he is somewhere in residence. It was reported in February 1975 that there were thirty Secret Service agents assigned to Richard Nixon ("Nixon Losing Transitional Staff; Lonely, Ill, He Looks to New Role," New York Times, February 9, 1975: 1 and 36).

The text of 18 U.S.C. 3056 as it relates to the protection of former Presidents and families reads:

18 U.S.C. 3056. Secret Service powers.

(a) Subject to the direction of the Secretary of the Treasury, the United States Secret Service, Treasury Department, is authorized to protect the person of the President of the United States, the members of his immediate family, the President-elect, the Vice President or other officer next in order of succession to the office of the President, and the Vice President-elect; protect the person of a former President and his wife during his lifetime, the person of a widow of a former President until her death or remarriage, and minor children of a former President until they reach sixteen years of age, unless such protection is declined;....

The following items summarize the changes made in the Secret Service mandate for the protection of former Presidents since 1962. Those statutes which relate only to Mrs. John F. Kennedy and her children are included under the "Special Notes" summaries in section II of this report.

1962 -- (PL 87-829; October 15, 1962; 76 Stat. 956) Authorized the protection of the Vice President, without requiring his request therefor, and any officer next in the order of succession to the office of President, the Vice President-elect, and of a former President, at his request, for a reasonable period after he leaves office.

1965 -- (PL 89-186; September 15, 1965; 79 Stat. 791) Substituted the provision for the protection of the person of a former President and his wife during his lifetime and the person of a widow and minor children of a former President for a period of four years after he leaves or dies in office, unless the protection is declined, for the provision calling for the protection of a former President, at his request, for a reasonable period after he leaves office.

1968 -- (PL 90-608; October 21, 1968; 82 Stat. 1190, at 1198) Substituted the death or remarriage of a former President's widow and the attainment by his minor children of age 16 for the passage of a period of four years after he leaves or dies in office as being the events which terminate Secret Service authority for protection of the widow and minor children of a former President.

V. PRESIDENTIAL TRANSITION

It is only relatively recently that the problems involved in the transition from one President and his administration to another have received much formal or corrective attention.

Until well into the 20th century, the President-elect spent his time until the inauguration choosing his Cabinet and making other plans, but largely was removed from current events in Washington. The incumbent President and the rest of his administration became "lame-duck" and found it difficult to make or carry out substantive decisions. After the inauguration, the new President and his Cabinet found themselves with a lack of authoritative information concerning pending functional policy questions.

The Congress significantly reorganized the high level of staff and planning support needed for transitions in 1963 with its enactment of the Presidential Transition Act (3 U.S.C. 102 note, amended; 78 Stat. 153). This Act authorizes appropriation of funds and other assistance for the President-elect and Vice President-elect (and the outgoing President and Vice President) in the transition from one administration to another.

Section 3 of the Act authorizes the Administrator of the General Services Administration to:

> provide, upon request, to each President-elect and each Vice-President-elect, for use in connection with his preparations for the assumption of official duties as President or Vice President necessary services and facilities....

Section 4 also authorizes the Administrator of GSA to:

> provide; upon request, to each former President and each former Vice President, for use in connection with winding up the affairs of his Office, necessary services and facilities of the same general character as authorized by this Act to be provided to Presidents-elect and Vice Presidents-elect.

Eisenhower-Kennedy Transition

Although the transition from President Dwight D. Eisenhower to President John F. Kennedy did not benefit from the 1963 Act, it was planned and staffed. President-elect Kennedy recognized the necessity of communication with the administration still in office. In 1960, he designated the prominent attorney and former White House aide Clark Clifford as his transition representative. The same year, the Brookings Institution conducted a study for both Presidential candidates Nixon and Kennedy on the problems of transition. President Kennedy made use of the papers prepared by Brookings and his personal staff, and in 1962 he supported the legislation to provide for the authorization of funds to assist the President-elect and the outgoing President during the transition period.

Johnson-Nixon Transition

Under President Lyndon B. Johnson's initiative, the transition period of 1968-69 was the smoothest and most cooperative of any previous transfer of presidential power. Well before the election, President Johnson invited the candidates, Vice President Hubert H. Humphrey, former Vice President Richard M. Nixon, and Governor George Wallace, to the White House for personal consultations and policy briefings. Charles S. Murphy was appointed by President Johnson to serve as transition representative between the White House and

the candidates. After the 1968 election, President-elect Nixon conferred with the President and several Cabinet members.

President Johnson was the first former President to receive benefits under the Presidential Transition Act of 1963 (See Appendix D). The Act authorized the appropriation of $900,000 to cover transition expenses (see PL 90-550, Oct. 4, 1968, Independent Offices and Department of Housing and Urban Development Appropriation Act, 1969) until June 30, 1970. The Administrator of General Services decided that the $900,000 should be divided equally between the incoming and outgoing administrations: $375,000 was allocated to both President Johnson and President-elect Nixon; and $75,000 was allocated to both Vice President Humphrey and Vice President-elect Spiro T. Agnew. President Johnson was unable to complete his transition within the 6 month allotted time, and the Congress granted a request to extend his appropriation from 6 to 18 months.

While still a Presidential candidate, Mr. Nixon appointed Franklin B. Lincoln, Jr., a member of his law firm and former Defense Department official, to be his personal representative on transition matters. Shortly after the 1968 election, President-election Nixon met with his staff to plan the organization of the incoming administration. Paul McCracken was selected to be the chairman of 21 task forces studying various subjects, i.e. tax legislation and urban affairs. The final task force reports were delivered to President-elect Nixon before his inauguration.

In order to keep the surviving former Presidents in touch with their successors in the White House, President Richard Nixon created on February 14, 1969, the position of Special Assistant to the President for Liaison with Former Presidents (Executive Order 11456):

> By virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:
>
> SECTION 1. There shall be in the White House Office a Special Assistant to the President for Liaison with Former Presidents (referred to hereinafter as the Special Assistant).
>
> SEC. 2. (a) On behalf of the President, the Special Assistant shall maintain channels of communication between the President and each former living President of the United States, to the end that (1) each such former President shall be kept abreast of such developments as the President may desire; and and (2) the President may avail himself of the counsel and advice of any or all of such former Presidents with respect to major matters, particularly of a national security nature, currently, confronting the President.
>
> (b) The Special Assistant shall also —
>
> (1) Keep each former President currently informed of the major aspects of such principal international and domestic problems as the President directs;

> (2) Arrange to secure from such former Presidents, or any of them, and convey to the President, their views on such issues as the President may designate; and
> (3) Arrange to secure and convey to the President such views as any of the former Presdients may wish to communicate to the President on any issue of current interest or concern....

President Nixon appointed Gen. Robert L. Schulz to serve as Special Assistant.

Nixon-Ford Transition

The unprecedented series of events culminating in President Nixon's resignation from office complicated the process of transition from the Nixon administration to the administration of President Gerald R. Ford.

Briefly, Vice President Spiro T. Agnew pleaded "no contest" to charges of income tax fraud and resigned his office on October 12, 1973. House Minority Leader Gerald Ford was nominated by President Nixon to become the new Vice President, and on December 6, 1973, Mr. Ford was sworn in. President Nixon resigned his office on August 9, 1974, and Gerald Ford was sworn in as President of the United States.

Following the vice presidential resignation, questions arose as to the legality of services and facilities being provided by the Government for former Vice President Agnew. The General Accounting Office notified the Secretary of the Treasury by letter on February 15, 1974, that no legal authority existed for Secret Service protection of former Vice President Agnew, and that future payments made for that purpose would be disallowed. The protective services which were being provided for Mr. Agnew were discontinued as of February 17, 1974. The General Services Administration did not rely on the Transition Act in providing the staff services and facilities to Mr. Agnew, but an appropriation for operating expenses of the Public Buildings Service of GSA. In a March 13, 1974 letter to Representative John E. Moss, Comptroller General Elmer B. Staats stated that salaries of the former Vice President's staff were being paid under the authority of the appropriation for "Special Assistance to the President," found in the Treasury, Postal Service, and General Government Appropriation Act, 1974 (PL 93-143, Oct. 30, 1973):

> ...in view of the lack of any clear legislative history that the funds under the appropriation in question can only be used to defray expenses when a person is holding office as Vice President and especially the President's discretion in the matter, we are unable to conclude that such funds are not legally available to enable a former Vice President, who resigned during his term of office, to perform a task which the President deems to be of assistance to him and for which the appropriation would have been available while the former Vice President held office....

> The Counsel to the President advises us that "it is expected" that the staff services and facilities being provided for Mr. Agnew will not be continued beyond the first part of April 1974.

Comptroller General Staats also expressed the opinion that the GSA expenditures for former Vice President Agnew were legally proper.

There was much controversy as to whether former President Nixon was eligible for funds under the Presidential Transition Act and the Former President's Act, since by his resignation he had left office before his full term had ended. The General Services Administration requested an opinion by the Department of Justice on August 13, 1974. Acting Assistant Attorney General Mary C. Lawton responded by letter on August 15, 1974, that Mr. Nixon qualified for benefits under both Acts:

> The Former President's Act provides certain benefits to "former Presidents." A former President is defined in Section (f) as a person who has been President, is not currently President, and who was not removed from office pursuant to impeachment and conviction in the Senate. The statutory language is unambiguous and Mr. Nixon clearly meets the statutory definition of a former President.
>
> Section 4 of the Presidential Transition Act authorized the Administrator to provide certain benefits to each "former President".... The Presidential Transition Act was enacted subsequently to and with full knowledge of the Former President's Act definition of a former President.... The fact that Mr. Nixon's departure occurred before the end of the four year term to which he has been elected does not alter his similar need to wind up his affairs and make determinations regarding the various papers and effects accumulated during his term of office.

Vice President Ford did not receive funds under the Presidential Transition Act as a former Vice President since he left that office to succeed to the Presidency.

Under normal circumstances, the Presidential transition funds are available for 6 months immediately following the retirement of the President from the White House. The Former Presidents Act, as interpreted by the General Accounting Office, goes into effect at the end of the 6 month transition period and continues throughout the lifetime of the President. Because of Mr. Nixon's sudden departure from office, the Congress had not appropriated the funds necessary to carry out the Transition Act provisions. Since transition expenditures were incurred immediately after President Nixon resigned, provision was made through other sources by GSA to cover necessary expenses until supplemental appropriations legislation had been acted on by the Congress (see Appendix D).

Transition plans were initiated by Vice President Ford's close friend and former law partner Philip W. Buchen, who concluded in early May 1974 that events would force an untimely end to the 37th Presidency and a hurried beginning of the 38th. Unknown to Vice President Ford, Buchen conducted several meetings to discuss details for the change of Government in the event President Nixon resigned. Clay T. Whitehead, a Nixon adviser on telecommunications policy, former Governor William W. Scranton, Senator Robert P. Griffin, former Representative John W. Byrnes, Bruce N. Harlow of Procter and Gamble and former Nixon aide, and William G. Whyte of U.S. Steel, assisted Philip Buchen in formulating the essential elements of the transition. The morning of Mr. Ford's swearing in as President, Rep. Byrnes and Philip Buchen met with Mr. Ford at his home to brief the Vice President on the transition group's recommendations.

Ford-Carter Transition

From the standpoint of planning, President-elect James E. Carter enters the transition period better prepared than any recent predecessor.

Although "transition" was not formally mentioned in the Carter campaign, the planning for a Carter administration began in earnest after the April 27, 1976, Pennsylvania primary. Jack Watson, an Atlanta attorney, was appointed by Jimmy Carter to head the transition staff in preparation for a new administration. He was responsible for drafting a detailed transition blueprint, which included timetables and work-flow charts. Known, after the Democratic Convention in July, as the "Carter-Mondale Policy Committee", the transition staff was comprised of lawyers, academicians, and government officials working out of a suite of offices in Atlanta, Georgia.

By way of background for the Carter transition, Jack Watson read all the transition papers submitted to Presidents-elect Kennedy and Nixon. In addition, he consulted with Clark Clifford, who headed the Kennedy transition in 1960, and his Harvard Law School friend Philip Areeda, who worked on the Nixon transition.

The day following the Presidential election, President Ford conceded victory to Mr. Carter and offered his complete support in the transition to a new national leadership. In a telegram to President-elect Carter he stated: "I want to assure you that you have my complete and wholehearted support as you take the oath of office this January. I also pledge to you that I and all members of my administration will do all that we can to assure that you begin your term as smoothly and as effectively as possible."

On November 10, 1976, it was announced that the Carter transition planning group would open its headquarters at the Department of Health, Education, and Welfare building in Washington, D.C. Director of that office is Barbara Blum, who was a deputy director of President-elect Carter's campaign. President Ford selected his legislative assistant Jack Marsh to act as liaison with the Carter group and to head a White House transition staff.

A late November meeting was scheduled between the President and President-elect in Washington, D.C., and included a briefing by President Ford's Cabinet members. Secretary of State Henry Kissinger and other Cabinet members travelled to Plains, Georgia to discuss foreign and domestic policy matters with President-elect Carter and Vice President-elect Walter Mondale. President-elect Carter's designated State department representative W. Anthony Lake will be located in a State Department office.

The 94th Congress provided for increased funding for Presidential transition (See section IV -- Public Law 94-499; October 14, 1976; 90 Stat. 2380). $2,000,000 is designated for the use of the President-elect and the Vice President-elect and $1,000,000 is designed for the former President and the former Vice President. The appropriations making these funds available were enacted under two statutes. The texts of those appropriations appear in Appendix D.

VI. LEGISLATIVE HISTORY OF THE PRESIDENTIAL TRANSITION ACT OF 1963 AND ITS AMENDMENTS

A. Public Law 88-277 [H.R. 4638]; 78 Stat. 153; approved March 7, 1964

House Report (Government Operations) No. 301, May 15, 1963
Senate Report (Government Operations) No. 448, August 23, 1963
Conference Report (Committee on Conference) H. Rept. No. 1148, February 20, 1964
Congressional Record, vol. 109 (1963):
Debate on passage of H.R. 4638 in House, July 25, 1963
Debate on passage of H.R. 4638 in Senate, October 17, 1963
Congressional Record, vol. 110 (1964):
Debate on adoption of conference report in Senate, February 23, 1964
Debate on adoption of conference report in House, February 25, 1964

PRESIDENTIAL TRANSITION ACT OF 1963

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Presidential Transition Act of 1963."

PURPOSE OF THIS ACT

SEC. 2. The Congress declares it to be the purpose of this Act to promote the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President. The national interest requires that such transitions in the office of President be accomplished so as to assure continuity in the faithful execution of the laws and in the conduct of the affairs of the Federal Government, both domestic and foreign. Any disruption occasioned by the transfer of the exe-

cutive power could produce results detrimental to the safety and well-being of the United States and its people. Accordingly, it is the intent of the Congress that appropriate actions be authorized and taken to avoid or minimize any disruption. In addition to the specific provisions contained in this Act directed toward that purpose, it is the intent of the Congress that all officers of the Government for which they exercise responsibility and authority as (1) to be mindful of problems occasioned by transitions in the office of President, (2) to take appropriate lawful steps to avoid or minimize disruptions that might be occasioned by the transfer of the executive power, and (3) otherwise to promote orderly transitions in the office of President.

SERVICES AND FACILITIES AUTHORIZED TO BE PROVIDED TO PRESIDENTS-ELECT AND VICE-PRESIDENTS-ELECT

SEC. 3(a) The Administrator of General Services, referred to hereafter in this Act as "the Administrator," is authorized to provide, upon request, to each President-elect and each Vice-President-elect, for use in connection with his preparations for the assumption of official duties as President or Vice President necessary services and facilities, including --

(a) Suitable office space appropriately equipped with furniture, furnishings, office machines and equipment, and office supplies, as determined by the Administrator, after consultation with the President-elect, the Vice-President-elect, or their designee provided for in subsection (e) of this section, at such place or places within the United States as the President-elect or Vice-President-elect shall designate;

(2) Payments of the compensation of members of office staffs designated by the President-elect or Vice-President-elect at rates determined by them not to exceed the rate provided by the Classification Act of 1949, as amended, for grade GS-18: Provided, That any employee of any agency of any branch of the Government may be detailed to such staffs on a reimbursable or nonreimbursable basis with the consent of the head of the agency; and while so detailed such employee shall be responsible only to the President-elect or Vice-President-elect for the performance of his duties: Provided further, That any employee so detailed shall continue to receive the compensation provided pursuant to law for his regular employment, and shall retain the rights and privileges of such employment without interruption. Notwithstanding any other law, persons receiving compensation as members of office staffs under this subsection, other than those detailed from agencies, shall not be held or considered to be employees of the Federal Government except for purposes of the Civil Service Retirement Act, the Federal Employees' Compensation Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959;

(3) Payment of expenses for the procurement of services of experts or consultants or organizations thereof for the President-elect or Vice-President-elect, as authorized for the head of any department by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a), at rates not to exceed $100 per diem for individuals;

(4) Payment of travel expenses and subsistence allowances, including rental of Government or hired motor vehicles, found necessary by the President-elect or Vice-President-elect, as authorized for persons employed intermittently or for persons serving without compenation by section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b-2), as may be appropriate;

(5) Communications services found necessary by the President-elect or Vice-President-elect;

(6) Payment of expenses for necessary printing and binding, notwithstanding the Act of January 12, 1895, and the Act of March 1, 1919, as amended (44 U.S.C. 111);

(7) Reimbursement to the postal revenues in amounts equivalent to the postage that would otherwise be payable on mail matter referred to in subsection (d) of this section.

(b) The Administrator shall expend no funds for the provision of services and facilities under this Act in connection with any obligations incurred by the President-elect or Vice-President-elect before the day following the date of the general elections held to determine the electors of President

and Vice President in accordance with title 3, United States Code, sections 1 and 2, or after the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President.

(c) The terms "President-elect" and "Vice-President-elect" as used in this Act shall mean such persons as are the apparent successful candidates for the office of the President and Vice President, respectively, as ascertained by the Administrator following the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2.

(d) Each President-elect shall be entitled to conveyance within the United States and its territories and possessions of all mail matter, including airmail, sent by him in connection with his preparations for the assumption of official duties as President, and such mail matter shall be transmitted as penalty mail as provided in title 39. United States Code, section 4152. Each Vice-President-elect shall be entitled to conveyance within the United States and its territories and possessions of all mail matter, including airmail, sent by him under his written autograph signature in connection with his preparations for the assumption of official duties as Vice President.

(e) Each President-elect and Vice-President-elect may designate to the Administrator an assistant authorized to make on his behalf such designations or findings of necessity as may be required in connection with the services and facilities to be provided under this Act. Not more than 100 per centum of the total expenditures under this Act for any President-elect or Vice-President-elect may be made upon the basis of a certificate by him or the assistant designated by him pursuant to this section that such expenditures are classified and are essential to the national security, and that they accord with the provisions of subsections (a), (b), and (d) of this section.

(f) In the case where the President-elect is the incumbent President or in the case where the Vice-President-elect is the incumbent Vice President, there shall be no expenditures of funds for the provision of services and facilities to such incumbent under this Act, and any funds appropriated for such purposes shall be returned to the general funds of the Treasury.

SERVICES AND FACILITIES AUTHORIZED TO BE PROVIDED TO FORMER PRESIDENTS AND FORMER VICE PRESIDENTS

SEC. 4. The Administrator is authorized to provide, upon request, to each former President and each former Vice President, for a period not to exceed six months from the date of the expiration of his term of office as President or Vice President, for use in connection with winding up the affairs of his office, necessary services and facilities of the same general character as authorized by this Act to be provided to Presidents-elect and Vice-Presidents elect. Any person appointed or detailed to serve a former President or former Vice President under authority of this section shall be appointed or detailed in accordance with, and shall be subject to, all of the provisions of section 3 of this Act applicable to persons appointed or detailed under authority of that section. The provisions of the Act of August 25, 1958 (72 Stat. 838; 3 U.S.C. 102, note), other than subsections (a) and (e) shall not become effective with respect to a former President until six months after the expiration of his term of office as President.

AUTHORIZATION OF APPROPRIATIONS

SEC. 5. There are hereby authorized to be appropriated to the Administrator such funds as may be necessary for carrying out the purposes of this Act but not to exceed $900,000 for any one Presidential transition, to remain available during the fiscal year in which the transition occurs and the next succeeding fiscal year. The President shall include in the budget transmitted to the Congress, for each fiscal year in which his regular term of office will expire, a proposed appropriation for carrying out the purposes of this Act.

Approved March 7, 1964.

B. Public Law 94-499 [H.R. 14886]; 90 Stat. 153; approved October 14, 1976

House Report (Government Operations) No. 1442, August 27, 1976
Senate Report (Government Operations) No. 1322, September 28, 1976
Congressional Record, vol. 122 (1976):
Considered and passed House, September 1, 1976
Considered and passed Senate, September 30, 1976

PRESIDENTIAL TRANSITION ACT AMENDMENTS

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended to read as follows:

"SEC. 5. There are hereby authorized to be appropriated to the Administrator such funds as may be necessary for carrying out the purposes of this Act, except that with respect to any one Presidential transition —

"(1) not more than $2,000,000 may be appropriated for the purposes of providing services and facilities to the President-elect and Vice President-elect under section 3, and

"(2) not more than $1,000,000 may be appropraited for the purposes of providing services and facilities to the former President and former Vice President under section 4.

The President shall include in the budget transmitted to Congress, for each fiscal year in which his regular term of office will expire, a proposed appropriation for carrying out the purposes of this Act."

(b) Section 3(a)(3) of the Presidential Transition Act of 1963 is amended by striking out "at rates not to exceed $100 per diem for individuals."

SEC. 2. Section 3(a)(2) of the Presidential Transition Act of 1963 is amended by striking out "or nonreimbursable".

SEC. 3. The amendment made by the first section of this Act shall take effect on --

(1) the date of the enactment of this Act, or

(2) October 1, 1976,

whichever is later.

Approved October 14, 1976.

APPENDIX A

CHRONOLOGY OF PENSIONS UNDER THE FORMER PRESIDENTS ACT

I. FORMER PRESIDENTS

Pension	Effective Date	Statutory Authority
$25,000 per annum	August 25, 1958	PL 85-745, August 25, 1958, 72 Stat. 838.
60,000 per annum	January 8, 1971	PL 91-658, January 8, 1971, 84 Stat. 1961, at 1963. Related to recommendations submitted to Congress in February, 1969 pursuant to PL 90-206, December 16, 1967, 81 Stat. 613, at 643.
63,000 per annum	October 1, 1975	PL 94-82, August 9, 1975, 89 Stat. 419; PL 91-656, January 8, 1971, 84 Stat. 1946; and PL 91-658, January 8, 1971, 84 Stat. 1961, at 1963.
66,000 per annum	October 1, 1976	PL 94-82, August 9, 1975, 89 Stat. 419; PL 91-656, January 8, 1971, 84 Stat. 1946; and PL 91-658, January 8, 1971, 84 Stat. 1961,

at 1963. [NOTE: According to the Budget Office at GSA the limitation on use of appropriated funds under PL 94-440 (October 1, 1976, 90 Stat. 1439, at 1446, Fiscal 1977 Legislative Branch Appropriations) does not apply to the pension for former Presidents.]

II. WIDOWS OF FORMER PRESIDENTS

Pension	Effective Date	Statutory Authority
$10,000	August 25, 1958	PL 85-745, August 25, 1958, 72 Stat. 838.
20,000	January 8, 1971	PL 91-658, January 8, 1971, 84 Stat. 1961, at 1963.

APPENDIX B

FORMER PRESIDENTS ACT -- AMOUNT APPROPRIATED BY PRESIDENT

	FY 1959	FY 1960	FY 1961	FY 1962	FY 1963	FY 1964	FY 1965	FY 1966
President Hoover	$ 81,750	$103,000	$103,000	$103,000	$113,000	$110,000	$110,000	$ --
President Truman	61,250	77,000	77,000	77,000	87,000	84,000	84,000	99,000
President Eisenhower	--	--	50,000	100,000	110,000	106,000	106,000	126,000
President Johnson	--	--	--	--	--	--	--	--
President Nixon	--	--	--	--	--	--	--	--
Mrs. Johnson	--	--	--	--	--	--	--	--
Mrs. Truman	--	--	--	--	--	--	--	--
Mrs. Wilson	8,500	10,000	10,000	10,000	--	--	--	--
Mrs. Eisenhower	--	--	--	--	--	--	--	--
Mrs. Roosevelt	8,500	10,000	10,000	10,000	10,000	--	--	--
Mrs. Kennedy	--	--	--	--	--	--	10,000	10,000
TOTAL	$160,000	$200,000	$250,000	$300,000	$320,000	$300,000	$310,000	$235,000

	FY 1967	FY 1968	FY 1969	FY 1970	FY 1971	FY 1972	FY 1973	FY 1974
President Hoover	--	--	--	--	--	--	--	--
President Truman	$ 99,000	$107,000	$135,000	$146,500	$161,500	$199,000	$194,000	--
President Eisenhower	126,000	134,000	162,000	32,000	--	--	--	--
President Johnson	--	--	--	146,500	161,500	199,000	194,000	--
President Nixon	--	--	--	--	--	--	--	--
Mrs. Johnson	--	--	--	--	--	--	--	$ 20,000
Mrs. Truman	--	--	--	--	--	--	--	20,000
Mrs. Wilson	--	--	--	--	--	--	--	--
Mrs. Eisenhower	--	--	--	10,000	20,000	20,000	20,000	20,000
Mrs. Roosevelt	--	--	--	--	--	--	--	--
Mrs. Kennedy	$ 10,000	10,000	10,000	--	--	--	--	--
TOTAL	$235,000	$251,000	$307,000	$335,000	$343,000	$418,000	$408,000	$ 60,000

	FY 1975	FY 1976	FY 1977
President Hoover	--	--	--
President Truman	--	--	--
President Eisenhower	--	--	--
President Johnson	--	--	--
President Nixon	$100,000	$210,000	$215,000
Mrs. Johnson	20,000	20,000	20,000
Mrs. Truman	20,000	20,000	20,000
Mrs. Wilson	--	--	--
Mrs. Eisenhower	20,000	20,000	20,000
Mrs. Roosevelt	--	--	--
Mrs. Kennedy	--	--	--
Payment to Postal Service for Widow Franked Mail	--	5,000	5,000
Fiscal Transitional Quarter	--	68,500	--
TOTAL	$160,000	$343,500	$280,000

NOTE: The information contained in Appendix B was obtained from the Budget Office of the General Services Administration. The General Services Administration is responsible for the administration of the Former Presidents Act.

APPENDIX C

FORMER PRESIDENTS ACT — AMOUNTS APPROPRIATED AND OBLIGATED BY PRESIDENT

	President Hoover	President Truman	President Eisenhower	President Johnson	President Nixon	Mrs. Johnson	Mrs. Truman	Mrs. Wilson	Mrs. Eisenhower	Mrs. Roosevelt	Mrs. Kennedy	Total
FY 1959												
Appropriations	$ 31,750	$ 61,250	—	—	—	—	—	$ 5,500	—	$ 5,500	—	$160,000
Obligations	74,873	55,129	—	—	—	—	—	5,500	—	5,500	—	147,002
FY 1960												
Appropriations	103,000	77,000	—	—	—	—	—	10,000	—	10,000	—	200,000
Obligations	94,407	64,696	—	—	—	—	—	10,000	—	10,000	—	179,103
FY 1961												
Appropriations	103,000	77,000	$ 50,000	—	—	—	—	10,000	—	10,000	—	250,000
Obligations	93,439	69,776	62,247	—	—	—	—	10,000	—	10,000	—	244,512
FY 1962												
Appropriations	103,000	77,000	100,000	—	—	—	—	10,000	—	10,000	—	300,000
Obligations	101,672	71,950	87,614	—	—	—	—	10,000	—	10,000	—	261,236
FY 1963												
Appropriations	113,000	87,000	110,000	—	—	—	—	—	—	10,000	—	320,000
Obligations	105,591	63,550	83,586	—	—	—	—	—	—	10,000	—	267,727
FY 1964												
Appropriations	110,000	34,000	106,000	—	—	—	—	—	—	—	—	300,000
Obligations	101,898	72,758	100,695	—	—	—	—	—	—	—	—	275,351
FY 1965												
Appropriations	110,000	84,000	106,000	—	—	—	—	—	—	—	$10,000	310,000
Obligations	76,889	74,289	108,090	—	—	—	—	—	—	—	10,000	269,268
FY 1966												
Appropriations	—	99,000	126,000	—	—	—	—	—	—	—	10,000	235,000
Obligations	—	75,685	103,195	—	—	—	—	—	—	—	10,000	183,680
FY 1967												
Appropriations	—	99,000	126,000	—	—	—	—	—	—	—	10,000	235,000
Obligations	—	78,251	108,482	—	—	—	—	—	—	—	10,000	196,733

	President Hoover	President Truman	President Eisenhower	President Johnson	President Nixon	Mrs. Johnson	Mrs. Truman	Mrs. Wilson	Mrs. Eisenhower	Mrs. Roosevelt	Mrs. Kennedy	Total
FY 1968												
Appropriations	—	$107,000	$134,000	—	—	—	—	—	—	—	$10,000	$251,000
Obligations	—	77,926	114,139	—	—	—	—	—	—	—	10,000	202,065
FY 1969												
Appropriations	—	135,000	162,000	—	—	—	—	—	—	—	10,000	307,000
Obligations	—	76,858	65,356	$ 11,000*	—	—	—	—	—	—	10,000	152,214
FY 1970												
Appropriations	—	146,500	32,000	146,500	—	—	—	—	$10,000	—	—	335,000
Obligations	—	83,249	15,304	25,000*	—	—	—	—	10,000	—	—	133,553
FY 1971												
Appropriations	—	161,500	—	161,500	—	—	—	—	20,000	—	—	343,000
Obligations	—	104,029	—	122,122	—	—	—	—	20,000	—	—	246,151
FY 1972												
Appropriations	—	199,000	—	199,000	—	—	—	—	20,000	—	—	418,000
Obligations	—	122,375	—	123,337	—	—	—	—	20,000	—	—	265,712
FY 1973												
Appropriations	—	194,000	—	194,000	—	—	—	—	20,000	—	—	408,000
Obligations	—	68,023	—	99,441	—	—	—	—	20,000	—	—	187,464
FY 1974												
Appropriations	—	—	—	—	—	$20,000	$20,000	—	20,000	—	—	60,000
Obligations	—	—	—	—	—	20,000	20,000	—	20,000	—	—	60,000
FY 1975												
Appropriations	—	—	—	—	$100,000	20,000	20,000	—	20,000	—	—	160,000
Obligations	—	—	—	—	98,368	20,000	20,000	—	20,000	—	—	158,368
FY 1976												
Appropriations	—	—	—	—	210,000	20,000	20,000	—	20,000	—	—	270,000**
Obligations	—	—	—	—	190,774	20,000	20,000	—	20,000	—	—	250,774**
FY 1977												
Appropriations	—	—	—	—	215,000	20,000	20,000	—	20,000	—	—	275,000**

*Pension only

**Total does not include $5,000 for payment to Postal Service for widows' franked mail. Actual FY 1976 obligations for this payment were $3,558.

NOTE: The information contained in Appendix C was obtained from the Budget Office of the General Services Administration. The General Services Administration is responsible for the administration of the Act.

APPENDIX D

PRESIDENTIAL TRANSITION ACT -- AMOUNTS APPROPRIATED BY TRANSITION

1) Johnson-Nixon transition -- The Independent Offices and Departments of Housing and Urban Development Appropriation Act, 1969 (Public Law 90-550, October 4, 1968) authorized the following:

EXPENSES, PRESIDENTIAL TRANSITION

For expenses necessary to carry out the provisions of the Presidential Transition Act of 1963 (3 U.S.C. 102, note), $900,000, to remain available until June 30, 1970.

2) Nixon-Ford transition — The Supplemental Appropriations Act, 1975 (Public Law 93-554, December 27, 1974) contained the following provisions for the funds appropriated to former President Nixon:

EXPENSES, PRESIDENTIAL TRANSITION

For expenses necessary to carry out the provisions of the Presidential Transition Act of 1963 (3 U.S.C. 102 note), $100,000 to be available until February 9, 1975, as authorized by law: Provided, That the aggregate salaries of all employees detailed on a nonreimbursable basis under the authority of the Presidential Transition Act of 1963, during the period beginning with the enactment of this Act, and ending February 9, 1975, shall not exceed $70,000.

3) Ford-Carter transition -- Provisions for this Presidential transition were contained in the Treasury, Postal Service, and General Government Appropriation Act, 1977 (Public Law 94-363, July 14, 1976):

EXPENSES, PRESIDENTIAL TRANSITION

For expenses necessary to carry out the provisions of the Presidential Transition Act of 1963, as amended (3 U.S.C. 102, note), $900,000.

An additional amount was appropriated in the Supplemental Appropriations Act, 1977 (Public Law 94-438, September 30, 1976) to provide for the increase in Presidential transition funds authorized by the Presidential Transition Act amendments (Public Law 94-499, October 14, 1976, 90 Stat. 2380):

EXPENSES, PRESIDENTIAL TRANSITION

For an additional amount to carry out the provisions of the Presidential Transition Act of 1963, as amended (3 U.S.C. 102, note), $2,100,000, to remain available until September 30, 1977.

APPENDIX E

PRESIDENTIAL LIBRARIES

Private individuals or groups have raised and donated funds whereby libraries have been built to honor former Presidents without cost to the Federal Government. At the present time the papers of Herbert Hoover, Franklin Roosevelt, Harry Truman, Dwight Eisenhower and Lyndon Johnson are housed in the libraries bearing their names. The John F. Kennedy Library is now in the

planning stages. During fiscal year 1975 there were 1,304,000 visitors to the existing Presidential library museums.

After each library has been completed and paid for, the organization responsible for the funding, building and furnishing of the Presidential archive deeds the property to the Federal Government. Administration of the facility and the papers therein becomes, at that point, the responsibility of the National Archives and Records Service of the General Services Administration. (For statutory authority reference see 44 U.S. Code 2101 and 2108.)

In addition to operating expenses incurred by the National Archives and Records Service, each Presidential Library has a trust fund wherein monies derived from admissions and publications sales are collected and then expended on library programs concerned with tourism. The Public Buildings Service of the General Services Administration is responsible for the operation and maintenance of the physical plant. Included within these expenditures are the costs of cleaning, utilities, operation of mechanical equipment, security, and minor repairs and improvements.

While it has not been possible to secure a breakdown of the expenditures of the Public Buildings Service in support of the libraries, the following information was provided in appropriations hearings for fiscal 1977 by the National Archives and Records Service in justifying their request for funds for the administration of the libraries:*

> Presidential Libraries -- Manuscripts, books, prints, films, and other historical materials received from former Presidents or acquired from their contemporaries are catalogued, preserved, and services at the respective libraries. In response to public demand, all library programs are being accelerated to hasten the review and opening of historical materials heretofore kept closed by donor restrictions or by security classification....

Cost and man-years for FY 1975 and projected levels for FY 1976 [including the fiscal transitional quarter] are as follows:

	1975 Actual	1976 Program	1976 TQ	1977 Estimated	Change from 1976
Hoover	$ 258,495	$ 282,000	$ 72,000	$ 284,000	+ $ 2,000
Roosevelt	400,444	450,000	115,000	454,000	4,000
Truman	389,388	438,000	115,000	482,000	44,000
Eisenhower	443,107	488,000	128,000	513,000	25,000
Kennedy	561,851	590,000	150,000	614,000	24,000
Johnson	659,709	648,000	165,000	655,000	7,000
Nixon Records	99,850	138,000	35,000	140,000	2,000
Ford Records Liaison	----	20,000	5,000	20,000	----
Library Planning and Direction	343,460	318,000	85,000	321,000	3,000
Total Performance Costs	$3,156,304	$3,372,000	$870,000	$3,483,000	+ $111,000
Man-Years	172.5	175.0	----	179.0	4.0

---

* U.S. Congress. House. Committee on Appropriations. Subcommittee on the Treasury, Postal Service, and General Government Appropriations. Treasury, Postal Service and General Government Appropriations for Fiscal Year 1977. Hearings, 94th Congress, 2d Session, March 8, 1976. Part 5, page 167 -- General Services Administration.

The following is a listing of the addresses and telephone numbers for contacting or visiting the Presidential Libraries:

Herbert Hoover Library
West Branch, Iowa 52358 (319) 643-5301

Franklin D. Roosevelt Library
Hyde Park, New York 12538 (914) 229-8114

Harry S. Truman Library
Independence, Missouri 64050 (816) 833-1400

Dwight D. Eisenhower Library
Abilene, Kansas 67410 (913) 263-4751

John F. Kennedy Library (not a permanent facility)
380 Trapelo Road
Waltham, Massachusetts 02154 (617) 223-7250

Lyndon Baines Johnson Library
Austin, Texas 78712 (512) 397-5137

LEGISLATIVE HISTORY OF THE PRESIDENTIAL TRANSITION ACT OF 1963

PRESIDENTIAL TRANSITION ACT OF 1963

For text of Act see p. 401

Senate Report (Government Operations Committee) No. 448, Aug. 23, 1963 [To accompany H.R. 4638]

House Report (Government Operations Committee) No. 301, May 15, 1963 [To accompany H.R. 4638]

Report (Conference Committee) No. 1148, Feb. 20, 1964

[To accompany H.R. 4638]

Cong. Record Vol. 109 (1963)

Cong. Record Vol. 110 (1964)

DATES OF CONSIDERATION AND PASSAGE

House July 25, 1963, Feb. 25, 1964

Senate Oct. 17, 1963, Feb. 24, 1964

The Senate Report and the Conference Report are set out.

Senate Report No. 448

THE Committee on Government Operations, to whom was referred the bill (H.R. 4638) to promote the orderly transfer of the Executive power in connection with the expiration of the term of office of a President and the inauguration of a new President, having considered the same, report favorably thereon, without amendment, and recommend that the bill do pass.

PURPOSE

This bill would vest in the Administrator of General Services the authority to provide, upon request, to each President-elect and each Vice-President-elect necessary services and facilities, including suitable office space, payment

of staff salaries, travel expenses, communications services, printing and binding, and postage, subject to appropriations provided therefor, during the transition period between election and inauguration. The bill also would authorize the Administrator of General Services to provide, upon request, to each former President and each former Vice President, for a period not to exceed 6 months from the date of the expiration of his term of office as President or Vice President, for use in winding up the affairs of his office, similar services and facilities which shall be in addition to those authorized by the terms of 3 U.S.C. 102, note.

The bill, as introduced in its original form, was amended by the House of Representatives in several minor respects in order to clarify some of its provisions, and an amendment was also included to provide a limitation on appropriations for the purposes of the bill of $1,300,000 in any 1 fiscal year.

Under existing law (Public Law 85–745, Aug. 25, 1958, 72 Stat. 838, 3 U.S.C. 102, note), former Presidents are authorized for life a monetary allowance of $25,000 per annum, an office staff provided by the Administrator of General Services to be paid an aggregate of no more than $50,000 per annum, suitable office space, and free conveyance of mail within the United States and its territories and possessions. H.R. 4638 would authorize, in addition thereto, for former Presidents, in connection with winding up the affairs of office and for a 6-month period, only, office space, compensation for staff personnel and experts, travel expenses for himself and members of his staff, communications, printing and binding, and postal expenses. These latter benefits would also extend, for the 6-month period, the same benefits to former Vice Presidents who are not now covered by existing law.

BACKGROUND

The proposed legislation is requested by the President and is based upon recommendation No. 8 of the President's Commission on Campaign Costs established by Executive Order 10974 of November 8, 1961. The recommendation reads as follows:

> In 1952–53, the cost to a special Republican committee of the transition period between the election and the inauguration exceeded $200,000. In 1960–61, the cost to the Democratic National Committee totaled at least $360,000. These funds were used largely to pay for office space, communications, staff salaries, and transportation. These costs have increased the financial pressures on the parties. They are not partisan costs, however, and they should not be a charge on the parties. The persons primarily involved are no longer candidates for office; they are the President-elect and Vice-President-elect of the United States.
>
> We endorse proposals to "institutionalize" the transition from one administration to another when the party in power changes. Important reasons for doing so exist wholly aside from the costs to the parties. The new President must select and assemble the staff to man his administration, and they in return must prepare themselves for their new responsibilities.
>
> We recommend that the outgoing President be authorized to extend needed facilities and services of the Government to the President-elect and his associates. We also recommend that funds be appropriated, to be spent through normal governmental channels, for that purpose.

LEGISLATIVE HISTORY

In its report (H.Rept. 301) to the House, the House Committee on Government Operations stated:

> This bill deals with the transfer of Executive power when there is to be a change of administration. It is related to the problem of campaign financing because it was estimated by the Commission that in 1952–53, the cost of a special Republican committee of the transition period between the election and the inauguration of President Eisenhower exceeded $200,000. In 1960–61, the cost to the Democratic National Committee for the transition period preceding the inauguration of President Kennedy totaled at least $360,000. Other costs were borne by private individuals and groups. There may have been a time in American history when a President could take power with few preliminaries. But the size and complexity of our Federal Government today, to say nothing of the difficult domestic and international problems that the President must face, make it a vital necessity that the machinery of transition be as smooth as possible and that sufficient resources are at hand to properly orient the new national leader in whatever manner is required.
>
> The President-elect must make his plans and select his staff, and we should recognize these as legitimate functions of Government and as legitimate expenses of Government. Under present conditions, a new President, in one sense, begins working for the Government the morning after the election.
>
> This committee is aware that both President-elect Eisenhower and President-elect Kennedy were given the cooperation of their predecessors and access to what information they needed. This is as it should be. But the time has come to formalize the process. To leave these matters to the discretion of the existing President and the President-elect could conceivably have unfortunate results. We should guard against the possibility of noncooperation, remote as it may be.
>
> The limitation of $1,300,000 for expenditures in any one fiscal year seems a reasonable one in view of the estimates presented. This can be changed by future legislation if experience so dictates. Any request for funds must, of course, be strictly justified before the appropriation is made by Congress.
>
> A question was raised during the hearing on the bill about the possible use of the authority here granted to pay the expenses of office-seekers who on their own initiative may visit the President-elect or Vice-President-elect. It is the committee's intention that the funds made available to the President-elect and the Vice-President-elect shall not be used to pay the transportation and other costs of office-seekers and others who visit them on their own initiative.
>
> Similarly, in a case where an incumbent President is re-elected but a new Vice President is chosen it would not seem necessary that the provisions of this bill should apply. An incumbent President would be in a position to provide assistance to his own Vice-President-elect.

HOUSE ACTION

H.R. 4638 was amended in the House of Representatives, upon recommendations of the House Committee on Government Operations. The following extracts from House Report 301, set forth an explanation of the amendments, and a summary of the provisions of the bill, as amended.

PRESIDENTIAL TRANSITION ACT

No. 1. The purpose of this amendment is to enable members of the office staffs of the President-elect and Vice-President-elect to be covered by the named acts for purposes of retirement, workmen's compensation, life insurance and health benefits even though they are not Government employees. Persons appointed for less than a year are excluded from coverage by Civil Service Commission regulations except where coverage is retained by continuity with other Federal employment. Persons temporarily appointed, without continuity (as would be the case here), would be entitled to credit for retirement purposes if they later acquired coverage in other employment.

No. 2. This is a rewriting of this section for technical reasons only. It authorizes the payment of travel expenses and subsistence allowances.

No. 3. This is also a technical rewriting and provides for the payment of printing and binding.

No. 4. This amendment strikes the language "free of postage" as unnecessary and adds "air mail".

No. 5 and No. 6. Have the same effect as No. 4.

No. 7. This amendment provides that the staffs of out-going Presidents and Vice Presidents, whether new appointees or detailed from other departments, shall have the same status as those of Presidents-elect and Vice-Presidents-elect. Both the stricken language in the bill and the second sentence of the amendment have the effect of delaying the operations of the 1958 law relating to former Presidents except for their allowance or the pension for their widows. The GSA reported that "H.R. 4638 provides for furnishing services and facilities similar to those specified in the 1958 act. The simultaneous administration of two acts, providing for similar services, would generate considerable fiscal and management problems requiring a former President to designate under which act he was requesting services and facilities."

No. 8. This incorporates a limitation on appropriations for the purpose of this bill of $1,300,000 in any one fiscal year.

SUMMARY OF PROVISIONS

Section 1 of the bill gives the title: "The Presidential Transition Act of 1962."

Section 2 declares its purpose to promote the orderly transfer of Executive power during the several months of transition from one administration to the other. It states the intent of Congress that all officers of the Government conduct their affairs so as to avoid disruptions and to generally promote the orderly transfer of power.

Section 3 authorizes certain services to be provided by the General Services Administration to Presidents-elect and Vice-Presidents-elect, such as office space, compensation for staff personnel and experts, travel expenses, communications, postage, etc. The Administrator of the General Services Administration is given the responsibility of ascertaining the apparent successful candidates for the Offices of President and Vice President following the general elections. The President-elect and Vice-President-elect may each designate an assistant to make designations or findings of necessity for services and facilities. Not more than 20 percent of the total expenditures may be confidential. The provisions of the bill will not be available

to a President-elect or Vice-President-elect if either or both is an incumbent of that office.

Section 4 authorizes necessary services and facilities to outgoing Presidents and Vice Presidents for a period of 6 months in order to wind up their affairs.

Section 5 authorizes the Congress to appropriate funds not exceeding $1,300,000 to carry out the purposes of the act.

PRESIDENT'S COMMISSION ON CAMPAIGN COSTS

MEMBERS OF THE COMMISSION

Alexander Heard, dean of the Graduate School, University of North Carolina; author of "The Costs of Democracy."

V. O. Key, Jr., professor of government, Harvard University; author of various books on American politics.

Dan A. Kimball, president, Aerojet-General Corp.; Secretary of the Navy, 1951–52; chairman, Los Angeles Host Committee for 1960 Democratic National Convention; chairman, Southern California Democratic Committee for Kennedy-Johnson, 1960.

Malcolm C. Moos, adviser to the Rockefeller Bros. on public affairs; professor of political science, Johns Hopkins University; administrative assistant to President Eisenhower, 1958–61; chairman, Republican State Central Committee of Baltimore, 1954–58.

Paul A. Porter, partner, Arnold, Fortas & Porter; chairman, Federal Communications Commission, 1944–46; director of campaign publicity, Democratic National Committee, 1944.

Neil O. Staebler, Democratic national committeeman from Michigan; chairman, Michigan Democratic State Central Committee, 1950–61; chairman, Democratic National Advisory Committee on Political Organization, 1955–60.

Walter N. Thayer, president, New York Herald-Tribune; member, Finance Committee, Citizens for Eisenhower-Nixon, 1952; member, United Republican Finance Committee of New York, 1954–60, treasurer, 1958–60; national finance chairman, Volunteers for Nixon-Lodge, 1960.

John M. Vorys, partner, Vorys, Sater, Seymour & Pease; Member, U. S. House of Representatives, 1939–59; Ohio member, National Republican Congressional Committee, 1949–54.

James C. Worthy, partner, Cresap, McCormick & Paget; Assistant Secretary of Commerce, 1953–55; president, United Republican Fund of Illinois, 1959–60; president, Republican Citizens League of Illinios, 1961–62; member, Republican National Finance Committee, 1959—.

LETTER OF TRANSMITTAL FROM THE PRESIDENT OF THE UNITED STATES TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

THE WHITE HOUSE,
May 29, 1962.

HON. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.
HON. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. PRESIDENT (DEAR MR. SPEAKER): The election of the President of the United States is the supreme expression of the free choice of the

American people. By our free choice, we vote and in other ways participate in the politics of our democracy. One form of political participation is the contribution of money to support the candidates and party each of us prefers.

For the citizens' free choice to be exercised meaningfully, they must be well informed about opposing candidates, parties, and issues. To achieve this, candidates and parties must have the financial means to carry their views to the voters. In a constituency as vast as the Presidential, the costs of reaching the electorate are high, necessarily putting great financial burdens on the candidates and the parties they represent at the polls.

In these days when the public interest demands basic decisions so essential to our security and survival, public policy should enable presidential candidates to free themselves of dependence on large contributions of those with special interests. Accordingly, it is essential to broaden the base of financial support for candidates and parties. To accomplish this, improvement of public understanding of campaign finance, coupled with a system of incentives for solicitation and giving, is necessary.

In October 1961, I appointed a distinguished, bipartisan Commission on Campaign Costs to take a fresh look at the problems of financing presidential campaigns. I am gratified at the enthusiastic bipartisan reception accorded the Commission's unanimous report, and I am pleased to transmit herewith legislation designed to carry out five of its important recommendations. Other recommendations do not require legislation, and I intend to help carry them out through other means. I now ask you to join me in supporting in broad outline the constructive proposals of the Commission, which have received the approval of both majority party chairmen and of former Presidents Harry S. Truman and Dwight D. Eisenhower, and former presidential candidates, Thomas E. Dewey, Adlai E. Stevenson, and Richard M. Nixon.

Although the Commission devoted its attention to the problems of campaign costs for presidential and vice presidential candidates only and its recommendations go only to such campaigns, it pointed out that "* * * it is our view that the measures we propose would have a desirable effect on all political fundraising." The Congress may therefore wish to consider the applicability of any of the recommended practices to campaigns other than presidential or vice presidential. It may also wish to explore the subject of campaign financing for elections other than presidential and vice presidential either through standing committees, a special committee, or by means of a specially constituted advisory commission of the type that has produced the report upon which the proposals I am recommending today rest.

If the financial burdens of presidential campaigns are to be widely shared, then some system of incentives must be established to encourage broad solicitation and giving. The Commission recommended for an experimental period including two presidential elections, and I propose a system of tax incentives for political contributions, which would include two alternatives available to the taxpayer, as follows: (1) A tax credit against Federal income tax for 50 percent of contributions up to a maximum of $10 in credits a year and (2) a tax deduction for political contributions for the full amount of the contribution up to a maximum of $750 per tax return per year (the Commission in its report recommended $1,000). The contributions eligible for tax benefits would include those made to the national committee of a political party and to one political committee designated by the national committee to receive such contributions in each State. The tax incentive program is an effort to encourage political giving as educational and charitable giving have been encouraged for many years by tax benefits. It is designed to give party solicitors an additional tool to help stimulate individuals to contribute money, in nonelection as well as election years.

The Commission stated that if the measures it recommended do not accomplish their purposes, alternative approaches would have to be examined, and it recommended that consideration by given to the match-

ing incentive plan outlined in its report. I urge the Congress to study this plan, since it is an original and imaginative approach and would encourage concentrated party effort in broadening the financial base of presidential campaigns. Under the matching incentive plan, contributions in amounts of $10 or less per person raised by designated political committees would be deposited by those committees with the U. S. Treasury, where the money would be matched by a like sum from Government appropriations. The combined total would be used to pay authorized types of expenses, payments being made by Government check direct to sellers of campaign goods and services. The total sum to be matched could be limited by statute.

To increase public confidence in the ways campaigns are financed, I urge the repeal of present Federal limits on receipts and expenditures of interstate political committees and on the amounts individuals can contribute to such committees for use in presidential nominations and election campaigns. Since present ceilings have proven to be ineffective and existing practices violate the spirit, if not the letter, of the law, an effective system of disclosure and publicity to reveal where money comes from and goes in such campaigns has been proposed. Full and effective disclosure is the best way to control both excessive contributions and unlimited expenditures.

One bill I am submitting would require candidates for President and Vice President to report contributions and expenditures in nomination and election campaigns. As one who participated in a presidential campaign, I heartily endorse this recommendation. I also endorse the proposition that all political committees campaigning for candidates for President and Vice President, and raising or spending as much as $2,500 in a year, should be required to file periodic campaign fund statements.

Furthermore, reporting requirements should go beyond present law in two important respects. Reporting requirements should reach individuals and families contributing or spending, singly or in combination, $5,000 or more per year in the aggregate, in connection with the nomination or election campaign of one or more candidates for President or Vice President. And for reasons inherent in the dramatic growth of bipartisan citizenship and public affairs programs undertaken in recent years by corporations, labor unions, trade associations, and other groups, the Commission has recommended that reports be required of both individuals and groups spending $5,000 or more for bipartisan or multipartisan political activities in any year.

It is essential that all reports be submitted to a Registry of Election Finance, a central repository having responsibility to receive, examine, tabulate, summarize, publicize, and preserve the reported data. The proposed legislation would place the registry under the Comptroller General, with a registrar, appointed by him, and with a bipartisan Board of Advisers providing guidance.

Radio and television broadcasts are an essential but expensive means of reaching a vast electorate. To help reduce costs for presidential candidates, I propose the temporary suspension in 1964 of the "equal time" provision in section 315 of the Communications Act with respect to presidential and vice presidential candidates. A similar suspension in 1960 worked well, and the broadcasting industry is eager to provide free time and facilities for such political uses. I believe temporary suspension, rather than permanent repeal, desirable, so that the Congress can periodically review broadcasting and campaigning practices that occur under ever-changing conditions.

Traditionally, the political parties have had to pay the costs of the President-elect and Vice-President-elect during the transition period between the election and the inauguration of a new administration. It is entirely desirable and appropriate that the Federal Government provide funds for paying the reasonable and necessary costs of installing a new administration in office. There are important reasons, aside from costs, to institutionalize the change in party power from one administration to

another. An incoming President must select and assemble responsible public officials who must prepare themselves for their new responsibilities. Thus I recommend that the outgoing President be authorized to extend needed facilities and services of the Government to the President-elect and his associates. For this purpose, funds should be appropriated to be spent for specified activities through normal Government channels, as the draft legislation provides.

The political parties would be substantially assisted in the registration of voters if the Post Office Department were authorized to cooperate with them by making available change-of-address records. Post offices already extend such cooperation to local election authorities.

The problems of political finance are not limited to any political party, but are common to all, and all will benefit from action on the legislation herewith transmitted. Enactment of these proposals will go a long way to improve the political climate.

Copies of the five draft bills are attached.

Sincerely,

JOHN F. KENNEDY.

CONFERENCE REPORT NO. 1148

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4638) to promote the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment strikes out a sentence in the House bill that provides that not more than 20 percent of the total expenditures under the act for any President-elect or Vice-President-elect may be made on the basis of a certificate by him or his assistant that such expenditures are confidential and are in accordance with subsections (a), (b) and (d) of section 3 of the act. The House recedes with an amendment restoring the stricken sentence but reducing the percentage from 20 to 10 percent and striking the requirement that these expenditures be confidential and substituting therefor the more stringent requirement that these expenditures be classified and essential to national security.

Amendment No. 2: This amendment reduces the amount authorized to be appropriated annually from $1,300,000 provided in the House bill to $500,000. The House recedes with an amendment fixing the authorization at $900,000.

Amendment No. 3: This amendment provides that the authorization for appropriations be on the basis of each Presidential transition and makes each such appropriation available for expenditure during the fiscal year in which the transition occurs and the next succeeding fiscal year. The House recedes.

WM. L. DAWSON,
JACK BROOKS,
DANTE B. FASCELL,
JOHN B. ANDERSON,
FRANK HORTON,

Managers on the Part of the House.

SUBCOMMITTEE RECESS

Senator CHILES. The subcommittee will stand in recess until 10 o'clock tomorrow morning, when we will consider Secret Service protection for former Presidents, wives, and/or widows.

[Whereupon, at 12:01 p.m., Wednesday, November 7, the subcommittee was recessed, to reconvene at 10 a.m. Thursday, November 8.]

OVERSIGHT—COST OF FORMER PRESIDENTS

THURSDAY, NOVEMBER 8, 1979

U.S. SENATE,
SUBCOMMITTEE ON TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT, COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEE ON CIVIL SERVICE AND GENERAL SERVICES, COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, D.C.

The subcommittees jointly met at 10 a.m., in room 1318, Everett McKinley Dirksen Office Building, Hon. Lawton Chiles (chairman), Subcommittee on Treasury, Postal Service, and General Government, Committee on Appropriations and Hon. David Pryor (chairman), Subcommittee on Civil Service and General Services, Committee on Governmental Affairs, presiding.

Present: Senators Chiles, Pryor, and Schmitt.

DEPARTMENT OF THE TREASURY

U.S. SECRET SERVICE

STATEMENTS OF:
ROBERT CARSWELL, DEPUTY SECRETARY
RICHARD DAVIS, ASSISTANT SECRETARY
H. STUART KNIGHT, DIRECTOR

COSTS AND AUTHORITY

Senator CHILES. Good morning.

The subcommittee this morning will continue its oversight hearings on the cost of former Presidents to the U.S. taxpayer. The focus in today's hearings will be the cost of Secret Service protection that is provided to former Presidents, their wives, their minor children under the age of 16, and the widows of former Presidents. The cost of providing these services is displayed in the chart behind me and has increased from approximately $50,000 in 1964 to over $7.9 million in fiscal year 1980.

Authority for the Secret Service to protect our former Presidents was first enacted in 1962. At that time protection was provided for only a "reasonable time" after the President requested such protection. In 1965 the statute was changed to extend the protection provided to a former President for his lifetime.

Protection for former First Ladies was first provided in legislation following the assassination of John F. Kennedy. When first enacted the legislation applied only to Mrs. Kennedy and her children and only authorized protection for 2 years.

In late 1965, however, the wife, widow, and minor children of a former President were added to the list of those entitled to protection on a permanent basis. Even though Congress has not expanded the scope of protection for former Presidents, their wives, widows, and minor children since 1965, the cost of providing that protection has escalated more than 150 times in 16 short years. The purpose of these hearings is to learn how we can bring these costs back into control.

We are pleased to have Deputy Secretary Robert Carswell with us this morning as well as Assistant Secretary Richard Davis and Mr. Knight, the Director of the Secret Service. Mr. Carswell, why don't you proceed with your statement?

PROTECTIVE MISSION OF THE SECRET SERVICE

Mr. CARSWELL. Thank you, Mr. Chairman.

I appreciate the opportunity to testify today in this oversight hearing to discuss with you a number of the issues involving the protective mission of the Secret Service.

In particular, pursuant to the committee's request, I will discuss issues related to the protection of widows of former Presidents, the protection of former Presidents themselves, and the protection of individuals other than those specifically enumerated in section 3056 of title XVIII.

There are two underlying premises which are relevant to a consideration of these issues. The first is that Secret Service protection is associated with the Presidency. The nature of this protection reflects the security risks involved in having a relation to that office. Thus, under its authorizing statute, Secret Service protection is provided for those who are or have been President, their family members, and those seeking the office.

Similarly, the statute also provides for the protection of those who have equivalent positions in other countries and are subject to similar risks—visiting heads of state and government.

This concept has more than theoretical significance. It is in providing this type of all-encompassing protection—that is, in establishing a secure environment for the protectees—where the expertise of the Secret Service exists. This does not mean that the Service should use the same techniques and the same resources in support of all its protectees. Adjustments should be and are made to reflect the actual security problems involved in the different situations with which it deals.

However, comprehensive protection is considerably more complex than simply providing a driver and/or bodyguard to escort someone from place to place, basic measures in which the Secret Service has no more expertise than other agencies. Therefore, to the extent examination of particular issues show that assistance of this latter type is all that is really required, the need for continuing a Secret Service role should not escape close scrutiny.

Our second underlying premise is that it is important to maintain a reasonable balance between the protective and the investigative responsibilities of the Secret Service. Protection as practiced by the Service is more than a bodyguard function. It involves investigation, analysis, and detailed advanced planning. It also involves responsibility for the safety

of our most important leaders. It is, therefore, important that the Service have available high caliber people with the training and capability to perform these functions. If the mission of the Service were solely protection or overly weighted in that direction, the Department would be concerned about its ability to attract the high quality people needed for this job. In addition, the ability to rotate people between permanent protection and criminal investigations assists in dealing with the tedium and other problems sometimes associated with providing protection on a long-term basis.

PROTECTION OF FORMER FIRST LADIES

I would now like to turn to protection of former First Ladies.

The protection of former First Ladies was first provided for, as you noted in your opening statement, in legislation following the assassination of President John F. Kennedy. When first enacted, the legislation applied only to Mrs. Kennedy and her children and only authorized protection for 2 years.

In late 1965, however, the wife, widow, and minor children of former Presidents were added to the list of those entitled to protection under section 3056.

This authorization continued for a period of 4 years after the President left or died in office.

This time limit was extended in 1967 to March 1, 1969, for widows and children receiving protection at the time of enactment.

Finally, in October of 1968, basic protective authority was again amended to provide protection on a permanent basis for spouses of former Presidents and for a widowed former First Lady until her death or remarriage and for minor children of a former President until they reached 16 years of age. An option to decline protection was also included in the amendment.

The question of whether it is necessary to have this automatic Secret Service "protection for life" for former Presidents' widows has been raised at various times since 1972, but it has not produced any changes in the law. We fully agree that it is appropriate for this subcommittee to review the issue at this time.

As Director Knight indicated in testimony before this committee in May of 1979, from a security perspective, there does not appear a need to provide continuous protection to widows of former Presidents. There simply have not been frequent threats to or incidents directed at these individuals. The Department, thus, is prepared to support legislation that would terminate Secret Service protection for these individuals 6 months after the death of the former President. Any such legislation should take into account, however, the possibility that specific threats or other events might create a temporary need for Secret Service protection. These situations can be accommodated by providing the Secretary of the Treasury with the authority to restore such protection if needed in particular cases.

While elimination of Secret Service protection for these individuals is justified, other support for them may be appropriate. As a result of their participation in public life at the highest level, these individuals

53-990 O - 80 - 20

have lost a large measure of their privacy. The committee thus might want to consider providing them with a driver and/or some form of escort. This could be done directly or by providing an increased expense allowance for this purpose.

Finally, the Department believes that any legislation in this area should be prospective. Its terms should not apply to those wives or widows of former Presidents now receiving protection.

PROTECTION OF FORMER PRESIDENTS

I now would like to turn to the protection of former Presidents.

Authority for the Secret Service's protection of our former Presidents was included in section 3056 in 1962. The law at that time provided for protection, if requested, for a "reasonable time" after the President left office. Protection was extended to a former President's lifetime in 1965. This protection may still be declined.

Providing Secret Service protection to former Presidents is appropriate. These individuals have occupied the highest level in our country and inevitably have been involved in numerous controversies, they have become persons about whom strong feelings are held and they have lost any prospect of privacy.

The degree to which there is a security need for this protection will, of course, vary. Certain individuals are bound to be more controversial than others, and certainly, over time, attitudes about individuals change and feelings often become less intense. As Director Knight noted in his May testimony, traditionally the number of threats directed at a former President declines as time passes. Nevertheless, it is difficult to say there is a clear time when, as a general rule, the risks to former Presidents are sufficiently reduced so as to negate the need for Secret Service protection. The situation may well vary among individuals. Considering all these factors, we do not believe new legislation is needed in this area.

STATUTORY LIMITATION ON PROTECTION

It has also been suggested that statutory limits be placed on the extent of Secret Service protection by limiting, for example, the number of trips on which a former President could receive protection. We do not believe that such an approach should be adopted. Former Presidents are public people and inevitably will travel. If it is believed that these individuals should have protection, then they should have it wherever they go and without limitation. The protection provided would simply be of little value if the person then proceeded to take a number of trips without protection.

LIMITATION ON PROTECTION WHILE IN TRAVEL STATUS

Senator CHILES. Do you think regardless of where the former President decides he wants to go, or how many trips he decides to make, or what he is doing on those trips, that the taxpayers should pay for those trips? What if one of the former Presidents decided right now that he would like to go to Iran, can you imagine what kind of costs would be involved in that?

Do you think there is a limitation that should be placed on that? You had to come to me and ask for additional money for an emergency supplemental because you had overspent your budget, and the reason you told us that you overspent that budget was because of protection of former Presidents during their travel. And you couldn't even project what your budgetary needs were going to be. And so you had to have an emergency supplemental or you were going to be violating the law and spending more than had been set aside for this purpose. That is what rang the bell with me that there needed to be some kind of limitation.

Your testimony now is, there doesn't need to be any limitation whatsoever.

Mr. CARSWELL. It is a dilemma. If you feel, as I think the Congress has felt in the past, and I suspect we would all agree is appropriate now, if we feel that former Presidents are to be protected, then they have to be protected. Once you have a protective system in place where we protect them sometimes and not others, I am afraid at that point it is illusory. The dilemma, therefore, is not whether there should be a limit, but whether protection should or should not be effected.

I don't see any way of having effective protection if you say on certain occasions, under certain conditions, former Presidents won't get protection. Because then if there really is a threat outstanding against someone, the person who is making that threat will simply wait until the occasion when the protectee is not protected. It is a dilemma.

HYPOTHETICAL TRIP OF A FORMER PRESIDENT

Senator CHILES. Let me give you a hypothetical case. Suppose a former President decided that he wanted to go and make a speech and he was going to be paid for that speech anywhere from $5,000 to $13,000. I understand that is within the range for which former Presidents have been paid for speeches. In this hypothetical case, suppose this former President was going to travel from Palm Springs to Ann Arbor, Mich., and make that speech and have the protection to go with it. If we added to that the Secret Service protection, travel costs for an employee to travel with him, do the advance work and an employee to accompany the former President when he makes the trip, if we included the per diem and the staff work and the travel and the salaries, I understand that it would cost the taxpayers in excess of $16,000 for that trip.

If that is the circumstance, it seems like to me we almost would be better off to pay the former President directly rather than have the people in Ann Arbor pay him or the students, whoever is paying the fee there, because it would be cheaper to pay him to stay home.

It is one thing to say former Presidents need to travel. I don't think they should be closeted, but if former Presidents decide they want to go on lecture tours to raise some money for themselves and it is costing the taxpayer more money to cover that kind of travel and that kind of protection, than the former Presidents are actually getting—then there is something wrong with our system. There is some deviation with what we started off to do, and that is to provide security protection for this former President, and I am all for that.

I think protection should be provided for former Presidents. But to say there needs to be no limitation on it when we see these cost escalations is something I don't agree with. I don't think the reality of the situation is too different from my hypothetical case.

Mr. CARSWELL. I can't comment on the figures. I assume they are close to accurate.

Senator CHILES. I added some other things in there because the Secret Service, as you know, never likes to be pinned down as to what a particular trip costs because somebody can figure that backward as to how much protection is being provided.

I don't know how the heck you do that, to tell you the truth. Because of your concern for that, I threw a few other things in it. I think our figures are very reasonable. I think the cost would be that much or more.

Mr. CARSWELL. If we are talking about a cost question, I suppose one has to consider whether it is appropriate to give the former President the option of some kind of a limit on what can be spent for whatever purpose. If we go that route, though, in effect you are making him make a choice as to whether he will be protected.

LIMITATION ON PROTECTION OF FORMER PRESIDENTS

Senator CHILES. If we are going to give him $69,000 a year, if we are going to give him a library and a museum, if we are going to give him the staff allowance of $150,000 a year, it seems like to me at some point we can put some limitation on what his protection is going to be.

If we gave him nothing and he had to go out there and fend for himself in the world, that would be one thing. But we are trying to see that we don't leave a former President penniless, that we don't make him a destitute, that we don't make him have to go and engage in all kinds of commercial enterprises. But he can elect to engage in those commercial enterprises, and if he decides that he is going to do that and go on traveling tours, or whatever else a former President might decide to do, again maybe there should be limitations on what we pay for. You talked about the morale of the Secret Service, you talked about the fact that the Service should be known just as being in the protection business. I don't think those are concerns that may be in the future. I think those are concerns that are here, present today for the Service.

I think they are very real if you are going to attract the highest and brightest caliber of people to engage in the Secret Service. It can't be that all they are going to do is provide protection.

Mr. CARSWELL. Again, from the Service's standpoint, the dilemma is solely whether you can provide episodic protection effectively. If the limit is designed to get at a situation where it is costing the U.S. taxpayers money to permit a President to earn additional fees, whatever, I suppose we want to be sure the limit would give the President, in that kind of a situation, the right to reimburse the Government for protection.

In other words, it wouldn't be simply the limit that he couldn't supplement. Then at least it would be his choice as to whether he did have effective protection or not.

COST OF PROTECTING FORMER PRESIDENTS AND/OR WIDOWS OF FORMER PRESIDENTS

Senator CHILES. When I look at the figures of $7.9 million, and that is the cost of the former Presidents and/or widows of Presidents, that indicates to me that it is just a little more than perhaps the public should be obligated to pay. We have fulfilled our duty, especially when we pay these people $69,000 and then we are talking about another $7.9 million for protection. We would be better to pay them a little more money and ask them to stay home.

Mr. CARSWELL. I don't know whether that's fair, and I am not sure it is in the national interest to ask them to stay home. I think the Nation gets significant benefits out of former Presidents going out and speaking on public issues.

Senator PRYOR. Maybe we could bring the people to the former President, rather than the President to the people. Have you ever thought about that, Senator Chiles? We might arrange that.

I am being facetious; I am sorry.

Senator CHILES. Perhaps we could talk about the question in a different way. It seems that we are paying the $69,000 so that the former President will have some income. We are paying the staff allowance so that he will not have to go into his own pocket, as Harry Truman was doing and others were doing before in regard to answering letters, and all of those things that we know former Presidents are going to have on top of them. We are giving him those kind of things. It seems like if we are doing that, either there should be some limitation on what the former President should go out and do for pay. In other words, if the former President is going to go on that hypothetical trip and going to make that speech, if he is going to be paid for that speech, and if they are going to pay his travel, maybe they should pay the Secret Service travel. Maybe they should pay for the actual out-of-pocket expense of the taxpayer for that trip. But when those who invite the former President to speak don't pay that, and the former President takes money for the talk, in effect he is able to earn money at the expense of the taxpayers because it is taxpayers who are really paying for the largest part of the trip.

Mr. CARSWELL. Well, the taxpayers certainly have cause to reimburse an expense or pay for an expense of that trip. I am not actually sure they are paying the President. The analysis is if the President wants to do something, it has the ancillary effect of costing the taxpayer more than the President himself got.

On the other hand, the trip itself may have had some other benefit for the American people in terms of what the President said to whom and so on.

COST OF PROTECTION COMPARED TO COST OF LIBRARIES

Senator CHILES. Another comparison is with the Presidential libraries and museums that we are now paying $9.5 million for this year. That is a world of money, but we are paying almost that much for the protection. We have got the libraries all across the country. We have a number of those libraries and we heard testimony earlier about how many people visit them and about the scholars that use them. But here we are paying out in protection as much as we are paying for the maintenance, upkeep, renovation and even new additions for this entire library system.

That is a comparison that seems kind of strange to me.

Mr. CARSWELL. I don't want any remarks interpreted that the Treasury Department wants to spend a lot of money on this. It is a dilemma, however, as to how to do it when we are involved in the travel and other expenses and necessity of having to protect an increasing number of people every year.

CONTINUATION OF DEPUTY SECRETARY CARSWELL'S OPENING STATEMENT

Senator CHILES. I interrupted you in your statement. I will let you go ahead and finish it.

Mr. CARSWELL. It involves the third issue. Would you like me to go through it?

Senator CHILES. Go right ahead.

PROTECTION OF INDIVIDUALS NOT ENUMERATED IN TITLE 18 U.S.C. 3056

Mr. CARSWELL. The third issue is the protection for individuals not enumerated in section 3056.

The Secret Service, acting on the President's instructions, has in numerous situations provided protection for individuals not within any of the then existing categories of protectees included in its authorizing statute.

Relying on their constitutional authority as Chief Executive, various Presidents, going at least back as far as President Franklin Roosevelt, ordered protection for visiting heads of state.

President Truman ordered protection on foreign trips for Secretaries of State; President Johnson ordered protection for Senator Kennedy in 1968; President Nixon ordered protection for former Vice President Humphrey for 6 months, for Dr. Kissinger, for Senator Kennedy in 1972, and for Governor Rockefeller on an official trip to Latin America; President Ford ordered protection for Vice President-designate Rockefeller and Mrs. Carter, Mrs. Dole, and Mrs. Mondale prior to the enactment of legislation; and President Carter ordered protection for Senator Kennedy in September 1979. In addition, at varying times, the Secretary of the Treasury has received Secret Service protection.

While the Presidential power to order this protection has been exercised by many Presidents over many years, some have argued that there is no authority for the President to order such protection. We do not concur with that view. Nonetheless, we do feel that it would be appropriate to develop legislation that would create a formal statutory mecha-

nism for providing protection to persons not included in section 3056 under limited circumstances.

DRAFTING OF LEGISLATION ON PROTECTION

We look forward to working with this committee in determining how best such legislation can be drafted. In doing so, there are a number of issues that must be addressed. For instance, should this authority rest with the President or the Secretary of the Treasury? Under what circumstances should the protection be authorized? We do not yet have the answers to all the questions. It is important, however, that any such statute make clear that this protection should be provided in the truly exceptional case. And that it be provided quickly in emergency situations. It should assure that the protection is provided when, as discussed at the beginning of my testimony, Secret Service type protection, that is comprehensive protection, is genuinely required.

Mr. Chairman, that concludes my statement. I will be happy to respond to any additional questions you may have.

Senator CHILES. Thank you.

On your last point. I am very happy to see you are talking about the need to statutorily find how that extralegal protection be granted. I differ with your conclusion that there is a legal basis for providing that protection.

PROTECTION OF FORMER VICE PRESIDENT AGNEW

I think the General Accounting Office, in its letter of February 15, 1974, and we will put this in the record, pointed out to then Secretary of the Treasury, "As you are aware, this office has considered the question of whether the protective service being provided by the Secret Service at your direction—pursuant to the request of the President—for former Vice President Agnew are authorized by law. We have concluded they are not so authorized."

[The letter follows:]

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., February 15, 1974.

The SECRETARY OF THE TREASURY.

DEAR MR. SECRETARY: As you are aware this office has considered the question of whether the protective services being provided by the Secret Service at your direction—pursuant to the request of the President—for former Vice President Agnew are authorized by law. We have concluded that they are not so authorized.

The statute authorizing Secret Service protection is 18 U.S.C. 3056(a). It provides in this respect as follows:

> Subject to the direction of the Secretary of the Treasury, the U.S. Secret Service, Treasury Department, is authorized to protect the person of the President of the United States, the members of his immediate family, the President-elect, the Vice President or other officer next in the order of succession to the Office of President, and the Vice President-elect; protect the person of a former President and his wife during his lifetime, the person of the widow of a former President until her death or remarriage, and minor children of a former President until they reach 16 years of age, unless such protection is declined; protect the person of a visiting head of a foreign state or foreign government and, at the direction of the President, other distinguished foreign visitors to the United States and official representatives of the United States performing special missions abroad; * * * and perform such other functions and duties as are authorized by law * * *.

(See also Public Law 90-331, set out as a note to 18 U.S.C. 3056, providing for pro-

tection of "major Presidential or Vice Presidential candidates who should receive such protection.")

Section 3056(a) of title 18 thus provides specifically for protection of an incumbent Vice President and of a Vice President-elect, and for protection of a former President during his lifetime, but not for protection of a former Vice President. Moreover, the Congress has provided for certain services and facilities to be made available to former Vice Presidents, without including specific provision for Secret Service protection (act of Mar. 7, 1964, Public Law 83-277, 78 Stat. 153), and for protection of candidates for Presidential or Vice Presidential office (Public Law 90-331). It is thus beyond question that there is no statutory authorization for Secret Service protection of Mr. Agnew.

Nor can we agree with the reported contention of the Treasury Department that the President has "inherent Executive power" to order Secret Service protection of Mr. Agnew. We believe that the President's power "must stem either from an act of Congress or from the Constitution itself." *Youngstown Sheet and Tube Co.* v. *Sawyer*, 343 U.S. 579 (1952). In this case, as already noted, the acts of Congress provide no basis for the claim of Presidential power to order protection for Mr. Agnew.

With respect to the question of constitutional authority to order such protection, we note that section 3056(a) of title 18 gives the President certain discretionary authority to order protection of distinguished foreign visitors to the United States (other than heads of state) or of official representatives of the United States performing special missions abroad. Also, we are aware that, in the legislative history of the act of January 5, 1971, Public Law 91-651, 84 Stat. 1940, which added that discretionary provision to section 3056(a), there is a statement by the Treasury Department that the President has "inherent constitutional authority" to order protection of distinguished foreign visitors. (S. Rept. No. 91-1463, 91st Cong., 2d sess. 2.) However, the circumstances there involved were that the Department of State had traditionally provided protection for foreign visitors under its general responsibilities for state visits, that this was considered to be a "foreign affairs function," and that the proposed legislation merely transferred the existing responsibility from the State Department to the Secret Service. Your Department there made no such claim of Executive power as is apparently now being asserted; the letter from the Acting Secretary of the Treasury transmitting the proposed legislation stated that "it is our view that the President now has the inherent constitutional authority to direct the Secret Service to perform the functions *which would be authorized by this legislation*" (S. Rept. No. 91-1463, p. 3, emphasis supplied)—i.e., the protection of foreign visitors and official American representatives abroad. Moreover, and notwithstanding the claimed Executive authority, the Secretary of the Treasury requested and obtained specific statutory authority for the performance of the functions in question.

We would agree that, under his constitutional duties to "receive Ambassadors and other public Ministers" (article II, section 3), and to make treaties subject to Senate advice and consent (article II, section 2), the President can provide for protection of distinguished foreign visitors to this country or of official representatives of the United States while they are abroad. Whether he could order the Secret Service to take over such functions from the Department of State without statutory authority it is unnecessary to decide, since the Congress saw fit to give him specific legislation to accomplish this purpose. However, in that situation, it is clear that the claim of inherent Executive power finds its justification in furtherance of the President's performance of a constitutional duty, the conduct of foreign affairs. No such justification in terms of any constitutional duty of the President has, insofar as we know, been claimed in connection with the protection of Mr. Agnew, and none appears to this office to be present. We must conclude that the reported claim of inherent Executive power is without foundation. Hence, and since there is no statutory authority for furnishing Secret Service protection to Mr. Agnew, the furnishing of such protection is without authority of law.

We understand that the protection service is still being provided and that the Department of the Treasury intends to continue it at least until sometime in April. We must advise, in light of the foregoing, that appropriations for the operations of the Secret Service are not available to pay the costs of furnishing Secret Service protection to former Vice President Agnew. Therefore future payments made for such purpose will be disallowed by our office. Recognizing the administrative problems involved in discontinuing the protection being furnished, the disallowances will be made on any payments made after February 17, 1974. The concerned certifying officers should be immediately so informed.

Copies of this decision are being sent to the respective chairmen of the Committees on Appropriations of the House and the Senate, to Representative John E. Moss, and to other Members of Congress who have inquired to us concerning this matter.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

INHERENT POWER OF THE PRESIDENT TO AUTHORIZE SECRET SERVICE PROTECTION

Senator CHILES. We could get into a long hassle as to what is the inherent power of the President.

I am sure that it is a justifiable issue that should be argued in the courts. But I think it lends itself, if you adopt the inherent power theory to questions of where you stop and the limits of what the Secret Service could be ordered to do by the President. If we had an Imperial President in the future we could find greater abuses.

There is no limitation how that would be exercised.

I think it has grown sort of like Topsy in past years. I think there is a necessity for having some flexibility as to situations that could arise. You can't enumerate all of those in the statute and you probably don't want to enumerate them, but I think we will be working on trying to draft some way of providing a mechanism that when that extraordinary circumstance does come up, that it can be dealt with.

Senator PRYOR. Mr. Chairman, may I ask a question?

Senator CHILES. Sure.

PROTECTION AFFORDED MRS. EISENHOWER

Senator PRYOR. Mr. Carswell, the other evening, I was watching television and one of the networks showed an interview with Mrs. Eisenhower made shortly before her death.

The question was raised to Mrs. Eisenhower about the protection that she had, protection that she needed. It seemed to me from her statements, at that time that she didn't find a real need for what we might call Secret Service protection, or someone who had been trained to a very high degree in protection and police skills. Instead, she needed a person who could drive her, take care of some of the smaller chores or maybe to look after her in a crowd situation, because in a crowd situation there could be some problem with people pressing in on a personality and probably a crowd psychology does develop there.

PARAPROTECTION

We are moving into the area now of paralegal assistance in our legal profession, paramedical assistance in our medical and health delivery professions. Is the Secret Service doing anything in this area? Are we talking about just pure Secret Service trained individuals, or are we talking about the possibility of going into a para-Secret Service type individual?

Mr. CARSWELL. The Secret Service operates under a statute that says it is supposed to provide protection. Secret Service has always interpreted that protection in this gambit of Presidential protection, that is

the Congress intended us to protect Presidents and if they added other people to that list, they must have felt that that is what was intended. I certainly agree with what you are implying. Clearly Mrs. Eisenhower was simply not in need of the kind of protection that a President requires.

The question of whether Secret Service should provide also a type of lower level security is a difficult issue because I think the Secret Service doesn't want to get into the business of being a chauffeuring service. That doesn't mean Mrs. Eisenhower should not have had a chauffeur or somebody to go through crowds with her, but that kind of skill is available in other agencies and is provided by other agencies. GSA is in the business of providing services that don't require the level of skill that is required by Secret Service protection.

SERVICES PROVIDED BY THE GENERAL SERVICES ADMINISTRATION

Senator PRYOR. What services does GSA provide?

Mr. CARSWELL. They do provide many services. The point is that general services are not really the Secret Service's specialty. I would suggest that if the First Ladies are to be provided other types of service, another agency is probably the appropriate place to go to get that service, rather than set up what would necessarily be a very small and hard-to-recruit-for situation in the Secret Service. It will just take a lot of administration and additional expense that we would prefer to avoid.

The GSA, for instance, does provide building security services now. I don't mean necessarily GSA, but they are in the business, after all, of providing rescue services the President gets beyond protection.

DEGREES OF PROTECTION

Senator PRYOR. But right now, we don't make any real difference in degrees of protection in the statute itself.

Mr. CARSWELL. We obviously do in the sense that if there are threat situations, the level of protection goes up significantly.

Senator SCHMITT. In terms of numbers?

Mr. CARSWELL. Numbers of people, advance protection techniques, and so on.

Senator PRYOR. In this area right here, I would just like to ask, isn't it true the more removed an individual, either former President or widow, or family, is from the White House in terms of time in years, that probably less protection is needed for that individual or for that family?

Mr. CARSWELL. Yes, I think it is clear, at least in regard to widows, after some very brief time, there is just no history of threats and no history of real exposure to the types of situations that protection, real protection, is designed to prevent.

There would be, I suppose, an occasion where a particular First Lady became a target for some reason or another and you may want to provide an emergency-type situation.

But basically, after looking back through the record as we have done, there is no case to be made that a former First Lady, after some relatively limited period of time after the President's death requires protection.

CANDIDATE NOMINEE PROTECTION

Senator PRYOR. My final question, Mr. Chairman, for the moment relates to candidate protection rather than Presidential protection, or the widows or children.

How do you determine whether or not the Secret Service is going to assign someone, some agent or agents to a candidate seeking the Presidency?

Mr. CARSWELL. There is a very elaborate statutory scheme for that, that basically the Secretary of the Treasury makes a decision, but he does it after consulting with a special advisory committee which consists of five members, the Speaker and minority leader on the House side and majority and minority leader on the Senate side plus——

Senator PRYOR. I am not questioning what you have done in the past, or what you are doing in the present. I know it is a very complex and very sensitive issue. I am very hopeful that all the candidates seeking the Presidency will be adequately protected, but I sometimes wonder how those decisions are made; why, for example, Senator Kennedy now has protection and Larry Pressler does not, or that some of the other individuals seeking the Presidency do not have protection.

Maybe they have asked not to have protection. I think it is a very close question and it is a close call, oftentimes, on your part. I just wonder if the language could be cleared up.

CANDIDATE NOMINEE GUIDELINES

Mr. CARSWELL. I would be glad to submit for the record, Senator, the guidelines that the advisory committee adopted last week, or the week before last, and that will indicate the basis under which we are operating and expect to operate in this campaign.

[The information follows:]

ADVISORY COMMITTEE GUIDELINES FOR ASSIGNMENT OF SECRET SERVICE PROTECTION TO PRESIDENTIAL CANDIDATES PURSUANT TO PUBLIC LAW 90–331

I. INTRODUCTION

Public Law 90–331 places upon the Secretary of the Treasury (the Secretary) responsibility for determining, from time to time after consultation with an advisory committee (the "committee"), those persons who qualify as a major Presidential and Vice Presidential candidate (major candidate) and thus should be furnished with Secret Service protection, unless declined. The committee consists of the Majority Leader of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and one additional member to be selected by the members of such committee. These guidelines will assist the committee in advising and the Secretary in determining who are the "major Presidential or Vice Presidential candidates who should receive * * * protection * * *"

II. PERSONS DEFINED AS MAJOR CANDIDATES

A. NOMINEES FOR OFFICES OF PRESIDENT AND VICE PRESIDENT

The nominees for the Office of President and Vice President of any party shall be deemed to be major candidates when the candidate for the Office of President of that party in the preceding Presidential election received 10 percent or more of the total number of popular votes received by all candidates for the Office of the President of the United States.

B. CANDIDATES IN PRIMARY ELECTIONS

Prior to the national conventions of the candidate's party, a candidate seeking the nomination for President of a party shall be deemed to be a major candidate when:

1. The candidate has publicly announced his or her candidacy;

2. The candidate is seriously interested in, and actively campaigning on a national basis for the office for which his or her candidacy has been announced; and

3a. The candidate has (i) qualified for and remains qualified for matching payments under sections 9031 through 9042 of title 26, United States Code in an amount of at least $100,000 for the Presidential campaign for which nomination is sought (whether or not the candidate declines matching funds) and (ii) has received additional contributions totaling $900,000 or more in compliance with the Federal election campaign laws; or

3b. The candidate, in two consecutive primary elections, has received at least 10 percent of the total number of votes cast for all candidates of the same party for the same office in such primary election.

4. The candidate is seeking the nomination of a party whose nominee is eligible for protection under IIA.

III. COMMENCEMENT AND DURATION OF PROTECTION OF MAJOR CANDIDATES

A. COMMENCEMENT OF PROTECTION

No protection shall be furnished pursuant to Public Law 90-331 earlier than January 11, 1980. On or after such date, protection shall be commenced forthwith upon a determination by the Secretary that a person is a major candidate.

B. DURATION OF PROTECTION

Protection shall not be withdrawn so long as a major candidate continues to qualify under the terms of section II.

IV. GENERAL

Nothing contained herein shall preclude the Secretary, after consultation with the committee, from providing protection to a major candidate although the requirements and conditions contained in parts II and/or III of these guidelines have not been met.

CANDIDATE NOMINEE GUIDELINES

Mr. CARSWELL. I think Senator Kennedy's situation raised a somewhat different issue. I would suppose we all agree the threat level for him is in a sense high. There have been requests for protection—I don't have the list here—from other candidates, names of which I rather doubt you would recognize. So there is that problem. I think there have not been requests from major candidates whose requests have been turned down as yet. But we would expect to deal with those, the Secretary would expect to deal with those by following guidelines and if any individual situation came up, he would consult with the advisory committee and then deal with it.

I am not sure we need statutory changes in that area. I think the system is functioning reasonably well.

But there is a real dilemma and there are a lot of people who announce one way or another are running for President but can't raise any money and no popular support for them. So what do you do? And we can't really protect everybody.

Senator PRYOR. Well, there are a lot of crazy people out there who have some kind of crazy thoughts when they see somebody running for President. It excites them to the degree that we don't understand the psychology of those situations. I certainly don't.

Mr. Chairman, I know that when I was Governor, the only time in 4 years I even came close to needing anyone to help protect me, was one time when I couldn't get some guy two tickets to the Razorback football game. He jumped on me at War Memorial Stadium.

Senator SCHMITT. That is a pretty significant threat.

Senator PRYOR. It is a very real threat when you can't get in to see the Razorbacks play. So you never know what happens. Thank you, Mr. Chairman.

Senator CHILES. Senator Schmitt?

Senator SCHMITT. Thank you, Mr. Chairman.

POSSIBLE EFFECTS OF KIDNAPING THE WIDOW OF A FORMER PRESIDENT

Two areas concern me. One, do you attempt to make a prospective analysis of "what if" on a particular subject—what if, for example, the widow of a former President were kidnaped. What is the position that that puts the country or President in? Are you going to have to answer specifically to make that kind of analysis in determining whether or not Secret Service protection is warranted?

Mr. CARSWELL. The kidnap kind of issue for a widow of a former President, I suppose that involves a decision as to whether you think that exposure is significantly different for that widow than for any other prominent citizen in the United States.

After all, she at that point has no connection with the Government at all, and in her own right——

Senator SCHMITT. A very strong historical connection.

Mr. CARSWELL. That is right, but she would have no present connection, and there are plenty of other citizens around who would have, I suppose, something close to that level. I mean, a Senator, I suppose, could be kidnaped and held for ransom in a similar kind of situation and a leading Senator would have, I think, all the same policy issues as you would have if the widow of a former President was in a sense kidnaped.

Senator SCHMITT. I am not sure the emotional issues would be the same, however. One question is that you are in the public light by choice and certainly after the death of your husband, who was a former President, I think the situation does change, and I think the emotional situations would change.

Senator CHILES. Are you saying you wouldn't want to count on the public to provide the ransom money for a Senator?

Senator SCHMITT. I would not.

Mr. Chairman, I would hate to see their decision. I would not try to force them to make that decision. It might be embarrassing.

Mr. CARSWELL. I think the protection, as we read the legislative history, was designed to give people coverage because they are in, or have been in positions of power and they draw, because of that fact, threats, and people who are prepared to carry them out. At least with former Presidents, that apparently continues after they leave office, and Secret Service records of what those threat situations are do continue. That is not the case for widows of former Presidents. They are not subject to the same direction of interest.

Senator SCHMITT. I understand the historical thing. But I also am very much concerned about a rapidly changing world situation, forgetting whether it is widows or anybody else. Does part of your threat assessment include the exposure of a country, as a whole, to a threat, particularly one of extortion or kidnaping against an individual who might otherwise be protected.

Mr. CARSWELL. Clearly, when we provide protection to anybody on that list, a kidnaping situation is one of those that we would be guarding against. So it would be a failure of the system to get involved in that.

CONTINGENCY PLANS

There are, of course, contingency plans, and have been contingency plans in the terrorism area that the President's committee has been considering as to how one handled that kind of hostage situation. It is not an unfamiliar situation. We have never really focused it particularly on widows of former Presidents.

I think it is a more general problem, and we approach it as a more general problem. I don't know whether that answers your question or not. It is not an area, however, that we have been neglecting.

STATUTORY AUTHORITY FOR PROTECTION

Senator SCHMITT. The GAO has questioned Secret Service protection of persons not entitled to protection under 18 U.S.C. 3056, paragraph (a), from the standpoint that the Secret Service lacks authority in such cases to obligate its appropriation.

You have indicated that you think those persons presently being protected all come within your statutory authority. However, GAO stated in 53 Comptroller General 600, 1974, that the Secret Service did not have such authority in the case of former Vice President Agnew.

GAO said the President's power to direct the Secret Service must come from an act of Congress or within the Constitution, therefore, you could question the President's present order to protect Senator Kennedy on a statutory ground.

I think we all, as you have indicated, agree that there is a significant threat in this case. However, did you consider, in light of the grayness of the statutory authority, providing advisory authority to a private group financed by the Kennedy campaign or by some other source? Was that an option?

Mr. CARSWELL. I don't know any advisory group that could provide the same level of protection.

Senator SCHMITT. There are plenty of highly qualified private security groups. Henry Kissinger used one once his Secret Service protection was withdrawn. Is it an option for the Secret Service to act in an advisory capacity to insure your expertise and knowledge available, say, for Senator Kennedy to a private advisory group?

Mr. CARSWELL. I should clear up the Senator Kennedy issue. He is now protected under the authority of Public Law 90–331 which is the candidate protection statute. The advisory committee made that recommendation and Secretary Miller concurred.

Senator SCHMITT. I understand that, but he is being protected at the request of the President.

Mr. CARSWELL. No, he is not.

Senator SCHMITT. He was. They changed it now?

Mr. CARSWELL. Initially Senator Kennedy was protected at the direction of the President.

Senator SCHMITT. All right.

Mr. CARSWELL. It is a moot issue now.

INHERENT AUTHORITY FOR THE PRESIDENT TO AUTHORIZE PROTECTION

Senator SCHMITT. Well, it is not because we have been talking here about the question of what statutory authority do you need in order to proceed like this. It may be that you proceed without that statutory authority. Recognizing the existence of a real threat, however, I am looking for some alternative way which would come under current statutory authority.

Mr. CARSWELL. In the last 3 years, the President has exercised this once. In this one situation, it lasted for 3 weeks. Obviously, things could have happened where he might have thought he had to do it on other occasions. I just don't know. It depends on who you are talking about and what the situation is.

If you look through that list of what former Presidents used the inherent authority for, you will find a number of situations ranging all the way from Secretaries of State, who didn't happen to be covered in those days, and the State Department didn't then have its own security force.

Senator CHILES. Well, we had a Secretary of State who didn't trust his own security and used Secret Service protection and demanded it, whether he had his own security or not. So don't say it was when the Secretary of State didn't have security.

Mr. CARSWELL. President Truman used it when this was the case.

Senator CHILES. I am talking about more recent days.

Senator SCHMITT. What I am trying to get at is, do you consider the alternative which is rather than the expenditure of resources of the Secret Service, which we all agree throughout this whole year of discussion with you are stretched very thin, have you looked at other alternatives by which your expertise would be made available without having to expend the great resources of personnel on the job?

Mr. CARSWELL. I agree with you. Obviously this is the President's decision. This can only happen if the President authorizes it.

SECRET SERVICE VERSUS PRIVATE PROTECTION

Senator SCHMITT. There is some question whether he had the statutory authority. Let's set that aside. We will deal with that. I am asking you now, do you consider the alternative of being an adviser to a private group which is providing protection for those persons who may not come under statutory language, but still represent a national resource?

Mr. CARSWELL. It has only happened once this term. So I can only say as to what was considered at the time that Senator Kennedy requested Secret Service protection.

Senator SCHMITT. Did you consider that at the time?

Mr. CARSWELL. The answer is, that something had to be done promptly, and the Secret Service was the only consideration. I think it is a fair question to raise whether we should have given more consideration to see whether there was another way that could have been worked out.

If you need protection, you have got to move.

Senator SCHMITT. Could you supply to the committee if that option could be exercised in future times?

Mr. CARSWELL. I don't think there was any other option, considering the time span.

Senator SCHMITT. If it is an option to consider in the future where you see a developing possibility of a request for Secret Service protection, please supply that information.

Anybody who got caught by surprise by the need to provide Secret Service protection for Senator Kennedy or some kind of protection just wasn't paying attention.

Mr. CARSWELL. There are some technical problems that may be worth mentioning. One of the ways the Secret Service tries to get effective protection on a candidate or anybody else is by using intelligence information and threat information that it has in its files about that individual and about others and about organizations and groups that may be planning threats against these people. That information is normally classified and the Secret Service would not normally want to make that available to anybody else.

So it does limit the way that you could work with an outside group. I am not saying you couldn't work it all out somehow by getting their people cleared, et cetera, but to do that in any kind of an expeditious basis, I suspect, would be difficult.

DISSEMINATION OF INFORMATION

Senator SCHMITT. The whole thing you are supposed to be good at is anticipation, you can see a developing situation. I realize if you suddenly, instantaneously have a threat develop that you never anticipated, you have to move. Let's say that I—better yet, Senator Chiles decided he wanted to run for President and he perceived and could demonstrate there was a threat in that case.

Senator CHILES. Is this a draft?

Senator SCHMITT. This is a draft. Why not, you don't have as many in it as we do. Because of his ethical stature in the Congress, if Senator Chiles wanted to have a private protection service until such time the law was clearly applicable to his candidacy, could he request the Secret Service to advise that private protection service that was going to be funded out of his campaign resources or personal resources, to help them in their protection of his candidacy?

Mr. CARSWELL. I am sure Stu will be glad to talk to them and we would help them as much as we could.

Senator SCHMITT. Would you provide for the record the kind of assistance you conceivably could provide in that kind of an example?

Mr. CARSWELL. We would be glad to.

Senator SCHMITT. I think it is an option where we could save some money. It is possibly an option by which Presidential protection, if desired by the former President, could be augmented provided the Secret Service could work with the private protection service.

Mr. CARSWELL. We will be glad to submit a paper on that, sir.

[The information follows:]

The Secret Service could, on a limited basis, provide a private protection firm some protective training assistance. However, the Government Employees' Training Act, 5 U.S.C. 2301, et seq., would place some restrictions on providing this training to non-Government personnel.

PRIVATE PROTECTION OF MR. KISSINGER

Senator SCHMITT. Have you in any way cooperated with former Secretary Kissinger's private protection service?

Mr. KNIGHT. Senator, that really wasn't necessary inasmuch as the bulk of his people formerly worked for us. They were already familiar with our procedures.

Senator SCHMITT. What about information that might be pertinent——

Mr. KNIGHT. That I do not know, but I can find that out.

Senator SCHMITT. Can you supply that for the record?

Mr. KNIGHT. Yes.

[The information follows:]

The Secret Service cooperates with former Secretary Kissinger's private protection service in the same manner as other individuals or their security when we receive threat information. If threats are received targetting an individual (for these purposes this means an individual not protected by a Federal agency or covered by any Federal statute) this information would be provided by the appropriate Secret Service field office to: (a) State or local law enforcement authorities; and (b) in some instances, directly to the concerned private protection service, i.e., those with former Secretary Kissinger.

Our policy is always to advise the local authorities that have the legal jurisdiction, but in cases where the threat seems imminent, we would expeditiously alert those immediately involved to hopefully preclude any harmful situation. This of course applies to occurrences within the geographical limitations of the United States. If the threat affects travel by the individual in an oversea situation, then we would pass the information to the State Department for appropriate action/notifications.

It should also be noted that in evaluating our own protective needs for any given area, we draw upon intelligence as well as threat information that may have been provided to us through our exchanges with other intelligence and/or law enforcement agencies. At times that information is classified. This factor as well as aspects of the privacy act would obviously limit some of our exchange with any private protection service/individual. In those cases where specific threats are involved, it would be incumbent upon the originating agency to provide sufficient information to the intended victim and appropriate local/State authorities. We of course would lend our assistance where necessary in the passing of this information.

Senator SCHMITT. Thank you, Mr. Chairman. I will have some other questions for the record, if I might.

Senator CHILES. Fine.

POSSIBLE TERMINATION OF PROTECTION FOR WIDOWS OF FORMER PRESIDENTS

As I understand it, your testimony is that you would support new legislation that would provide for a termination period for protection of the widows of former Presidents?

Mr. CARSWELL. That is correct, sir.

Senator CHILES. I think, Mr. Knight, you have testified before that you do not see now a serious threat level to the wives of former Presidents?

Mr. KNIGHT. That is correct, Mr. Chairman.

Senator CHILES. I understand the pension of former Presidents' widows has been $20,000 since 1971 and this has not been adjusted since that time, is that correct?

Mr. CARSWELL. I am not sure what year it was originally passed. So far as I know, there has been no adjustment made.

GENERAL SUPPORT FOR WIDOWS OF FORMER PRESIDENTS

Senator CHILES. Mr. Knight your agents have close contact with the widows of former Presidents as they now provide them with round-the-clock protection. How do these women currently handle their correspondence? Do they hire secretarial help at their own expense? Is there a need that you are specifically aware of to provide the widows of former Presidents with secretarial or other help?

Mr. KNIGHT. I am not sure I am your best witness, Mr. Chairman. Any information I have would be secondhand or thirdhand.

It is my understanding some former First Ladies do have some stenographic or clerical assistance for which they pay themselves, others may not. I really don't feel competent to answer that.

Senator CHILES. I think one of the things that I am kind of concerned with is that in no way are we trying to cut off the protection to widows of former Presidents. Do we want to denigrate their status to say the country does not feel they have an important function? When I look at the fact we are now paying them $20,000 a year, and that has been in effect since 1971, as a pension, and we are spending over a million and a half dollars a year to protect them, again, I think something is out of balance, way out of balance, and I think we would be much better off to provide some more equitable pension. Perhaps in that issue should be some kind of lump compensation to give them the ability to use that as part of the assistance if they want to. You don't want to create a whole office allowance and go through all of that again, but do something there and be able to terminate this one and a half million dollars that it is today. You said before that this is a serious morale problem for your agents——

Mr. KNIGHT. Yes, that is correct.

Senator CHILES [continuing]. To sit across the street or to sit in a house in a situation which there is really no discernable threat.

Mr. KNIGHT. That is correct.

Senator CHILES. And you had to rotate these people very frequently, I believe you said, because of that morale situation.

Mr. KNIGHT. As frequently as we can, given today's cost to move some of them.

RESTRICTIONS ON OBTAINING INTELLIGENCE INFORMATION

Senator SCHMITT. One more question, Mr. Chairman. Congress has enacted legislation which has limited the need by which the Service can obtain intelligence information in support of its operational programs; is that correct? Would you say you have been limited now versus what might have been possible 10 years ago?

Mr. KNIGHT. I testified previously, Senator, that for a variety of factors, not confined to legislation, we do receive less information now than we did,

Senator SCHMITT. Does that include the transmission of information from the FBI?

Mr. KNIGHT. Yes.

Senator SCHMITT. Have these limitations had any effect on a number of individuals you must assign to a particular person?

Mr. KNIGHT. As I have previously testified, when comprehensive information concerning the level of threat that a protectee may face is lacking, the only prudent course is to increase the number of Special Agents assigned. However, I think that this is a very poor substitute for adequate and timely information. Increased staffing is at best only a partial compensation, but is really the only alternative we have.

Senator SCHMITT. So one way we might provide for lower costs is to work out a procedure by which intelligence information could be gathered and made available to you, but with the appropriate safeguards I think everybody wants to insure there.

Mr. KNIGHT. That certainly should be considered, yes.

Senator SCHMITT. Have you made recommendations on what regime of intelligence information gathering and transfer would be of use to you?

FBI CHARTER

Mr. KNIGHT. Well, last week we testified before your colleagues in the Senate Judiciary Committee on the FBI charter.

As you know, the charter calls for promulgation of guidelines concerning intelligence gathering and dissemination, and we received assurances from the Department of Justice and the FBI that when those guidelines are promulgated, we certainly will be consulted. A continuing dialog has been going on between both Justice and the FBI and ourselves on what we perceive to be our needs in this area.

Senator SCHMITT. Is there anything that the Congress should say in the consideration of that legislation, say statutorily about this issue?

Mr. KNIGHT. We would hope that the legislation will recognize that the Service does have a unique responsibility and a special need, and that accommodations should be made for those things we feel are absolutely necessary.

Senator SCHMITT. Would you transmit recommendations to the Justice Department before the promulgation process begins?

Mr. KNIGHT. Yes, absolutely.

Senator SCHMITT. What about for intelligence?

Mr. KNIGHT. That really is not a problem to us at this time.

Senator SCHMITT. That information——

Mr. KNIGHT. We feel comfortable with what we are now getting.

Senator SCHMITT. Thank you, Mr. Chairman.

PROTECTION FOR THE SECRETARY OF THE TREASURY

Senator CHILES. My understanding is the present Secretary of the Treasury now does not have Secret Service protection, is that correct?

Mr. CARSWELL. He may have had it on one or two occasions on a trip, but that is all.

Senator CHILES. He does not have around-the-clock protection?

Mr. CARSWELL. No.

Senator CHILES. He does not have it on every trip?

Mr. CARSWELL. That's correct.

PHASING OUT PROTECTION OF A FORMER PRESIDENT

Senator CHILES. In your statement, you said that you didn't know how to determine the time to begin the phasing out of protection of a former President. Do you think that is ascertainable or able to be determined? We do have testimony from Mr. Knight earlier that the threats to the lives of former Presidents, historically had decreased as they have been away from office. Is it not discernible at some time that you could stop that protection?

Mr. CARSWELL. I don't know what the mechanical test is. Clearly at some point as to a particular President when the threat level goes down to nothing, he is confined to indoors, yes, I think it is no longer appropriate to provide that protection. It is very hard, though, given the controversial nature of some of our Presidents, to assure at what point they feel they may become no targets.

Senator CHILES. Well, if the legislation either set forth some period of time or provided for a review that would have to be done for the protection to be extended beyond the initial period of time and allow either the President or a commission you would set up to extend that protection, if it was necessary, that would cover that situation.

Mr. CARSWELL. I wouldn't see anything wrong with that kind of an approach. What bothers me, I don't know what arbitrary number you could be sure was right. So you would have some way to look at it again when you hit whatever that time bracket is you think is appropriate.

Senator CHILES. We thank you very much for your appearance and testimony today.

SUBCOMMITTEE RECESS

This concludes our hearings on cost of former Presidents to U.S. taxpayers. The subcommittee will now stand in recess, subject to call of the Chair.

[Whereupon, at 11:15 a.m., Thursday, November 8, the hearings were concluded and the subcommittee was recessed, to reconvene at the call of the Chair.]

LIST OF WITNESSES, COMMUNICATIONS, AND PREPARED STATEMENTS

	Page
Andrews, Harold C., General Accounting Office	9
Bedrick, Barry, attorney, Office of General Counsel, General Accounting Office	201
Broderick, John, Assistant Librarian for Research Services, Library of Congress	135
Prepared statement	135
Carswell, Robert, Deputy Secretary, U.S. Secret Service, Department of the Treasury	307
Chambers, John Whiteclay, II, Columbia University History Department	171
Prepared statement	172
Chiles, Hon. Lawton, U.S. Senator from Florida	1
Questions submitted by	158
Davis, Richard, Assistant Secretary, U.S. Secret Service, Department of the Treasury	307
Dulaney, H. G., letter from	193
Eirich, Donald, Associate Director, Logistics and Communications Hearings, General Accounting Office	9
Prepared statement	9
Fontaine, Raymond, Deputy Assistant Administrator for Management, Policy and Budget, General Services Administration	221
Freeman, Adm. Rowland, Administrator, General Services Administration	143, 221
Johnson, Lady Bird, letter from	8
Kirkendall, Richard, American Historical Association	159
Knight, H. Stuart, Director, U.S. Secret Service, Department of the Treasury	307
McCormick, Adoreen, Legislative Liaison Officer, Library of Congress	135
Pullen, Don, Team Director, Audit Group, General Accounting Office	201
Pryor, Hon. David H., U.S. Senator from Arkansas	5
Prepared statement	5
Questions submitted by	152
Schmitt, Hon. Harrison H., U.S. Senator from New Mexico	6
Society of American Archivists, prepared statement	163
Staats, Elmer B., Comptroller General of the United States, letter from	315
Truman, Bess, letter from	7
Voris, Al, San Francisco Regional Office, General Accounting Office	201
Voss, Allen, Director, General Government Division, General Accounting Office	201
Prepared statement	202

SUBJECT INDEX

CONGRESSIONAL WITNESSES

Page

Presidential libraries:
- Changed circumstances ... 3
- Cost of former Presidents to the U.S. taxpayer (table) ... 2
- Costs and authority ... 1
- Costs related to former Presidents and their widows (graph) ... 2
- Financial situation of past Presidents ... 3
- Growth of the budget ... 3
- Hearing schedule ... 4
- Reform legislation ... 3

DEPARTMENT OF THE TREASURY

U.S. SECRET SERVICE

Authority for protection, statutory ... 322
Authorize Secret Service protection, inherent power of the President to ... 317, 323
Candidate nominee guidelines ... 319
Cost of protecting former Presidents and/or widows of former Presidents ... 313
Cost of protection compared to cost of libraries ... 314
Costs and authority ... 307
FBI charter ... 327
General Services Administration, services provided by the ... 318
Information:
- Dissemination of ... 324
- Intelligence, restrictions on obtaining ... 327

Kidnaping the widow of a former President, possible effects of ... 321
Legislation on protection, drafting of ... 315
Limitation on protection:
- Former Presidents, of ... 312
- Statutory ... 310
- While in travel status ... 310

Paraprotection ... 317
Plans, contingency ... 322
Private protection of Mr. Kissinger ... 325
Protection, degrees of ... 318
Protection of:
- Candidate nominees ... 319
- Former First Ladies ... 309
- Former Presidents ... 310
  - Phasing out ... 328
- Former Vice President Agnew ... 315
- Individuals not enumerated in title 18, U.S.C. 3056 ... 314
- Mrs. Eisenhower ... 317
- Secretary of the Treasury ... 328
- Widows of former Presidents, possible termination of ... 326

Secret Service:
- Protective mission of the ... 308
- Versus private protection ... 323

Trip of a former President, hypothetical ... 311

GENERAL ACCOUNTING OFFICE

	Page
Approaches, alternative	20
Approval process, congressional	133
Audit of former President funds	214
Audits, annual	215
Bills to provide for the acceptance and maintenance of Presidential libraries, and for other purposes (1955) (H.J. Res. 330, H.J. Res. 331, H.J. Res. 332)	41
Centers, regional	37
Centralized versus decentralization	127
Cost escalation of system	128
Decentralized libraries/centralized museums	38
Depository, central	37
Document retention, criteria for	129
Duties of former Presidents' staff	218
Dwight D. Eisenhower Library, Abilene, Kans. (chart)	125
Expenditures:	
Guidelines for office allowance	217
Questionable	217
Travel	218
Former President Commission	219
Franklin D. Roosevelt Library, Hyde Park, N.Y. (chart)	124
Funding for former Presidents, level of	216
Gerald R. Ford Library, Grand Rapids and Ann Arbor, Mich. (chart)	127
Harry S. Truman Library, Independence, Mo. (chart)	125
Herbert Hoover Library, West Branch, Iowa (chart)	124
John F. Kennedy Library, Boston, Mass. (chart)	126
Legislative history	17
Legislative intent, actual program compared to	17
Library:	
Growing function of	19
Savings from centralized	121
Size, growth in	18
Space, total	127
Lyndon B. Johnson Library, Austin, Tex. (chart)	126
Museum component, eliminate	37
Museums, transition to	20
Office space, Presidential	130
President Ford's Library and Museum, former	128
President negotiates library, sitting	133
Presidential Libraries Act	16
Presidential Libraries System: A Review (report)	21
Private income to help replace appropriations	216
Recommendations to Congress	214
Space additions at Federal expense	122
Storage and microcopying, centralized	38

GENERAL SERVICES ADMINISTRATION

Alternatives	145
Budget process	224
Congressional moves	227
Construction standards, Federal	146
Disposal, criteria for	150
Former Presidents:	
Benefits to	265
Entitlements under the Transition Act	228
Office space for	225
Personal records	158
Square feet of space	225
Former Presidents Act	222
House debate on	242
Legislative history of the	234
Senate debate on the	232

Page

Jackson Place townhouse 227
Cost of maintaining 227
Legislation:
Coverage of 224
Use of transition funding and proposed changes in 229
Legislative history of the Presidential Transition Act of 1963 298
Library, centralized 149
Moratorium, new office furniture 230
Museum component, reducing 144
Nixon's move to New York City 226
Office space location, changing 226
Operational costs:
Controlling 145
Increasing 144
Personal papers 144
President Nixon Library, former 150
President Nixon's move, former 229
President Nixon's furniture, former 230
Presidential libraries, office space in 230
Another location 230
Presidential museums 147
Presidential Transition Act 222
Program development inconsistent with legislative intent 147
Proposals, administration clarification 223
Recommendations, extent of 223
Space added by GSA 148
Transfer of title 148

LIBRARY OF CONGRESS

Cost of Presidential papers activities 141
Microfilm and interlibrary loan system 139
Preservation methods of major collections of papers 141
Presidential collections, growth of the Library's 138
Presidential library system, purpose of 142
Presidential papers, use of 139
Satisfaction of users 140

NONDEPARTMENTAL WITNESSES

American Historical Association:
Centers for historical research 160
Centralization of papers 160
Library of Congress program, views regarding 162
Museum function 161
Presidential libraries, personal use of 159
Visit Washington, need to 162
Columbia University History Department:
Assassination attempt 185
Authority, expansion of 187
Clarification needed 196
Commercial activities, avoidance of 184
Double pensions 182
Federal funds for personal enrichment, use of 194
Former Presidents:
As public figures 198
Dignity of 185
Opposition to office allowances for 186
Pensions for 186
Plight of early 183
Purpose of assistance to 191
Role of 188

Columbia University History Department—Continued
Former Presidents—Continued
Page
Standard of living of 185
Travel of 184
Former Presidents house in District of Columbia 194
Harry Truman, situation of 186, 192
Imperial former Presidency, the 190
Income generated, use of 195
Lyndon Johnson, advocacy of 187
"Presidents Emeritus," by John Whiteclay Chambers II (article) 166
Publishing company advances 195
Security protection 197

○