



DEPARTMENT OF STATE
BRIEFING MEMORANDUM

S/S

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December 2, 1976

MEMORANDUM:

TO: The Secretary
FROM: L - Monroe Leigh
Your Papers

At Larry's suggestion, I have prepared the following talking points in the event you wish to discuss the status of your papers with the President.

You should be aware that on November 30, Philip Buchen issued a memorandum (attached) to all White House staff. Paragraph 2 of the memorandum asserts that "personal files do not include any copies, drafts or working papers that relate to official business." Although you are not now a White House staff member, a question may arise as to whether this statement might be extended to some of your telephone memoranda.

An additional problem is raised by paragraph 3(d) of the memorandum, which prohibits a staff member from retaining even a copy of any document that relates to recommendations, briefings or advice to the President. This might be used to cast a cloud on copies of White House papers that are going to the Library of Congress.

Talking Points:

-- I have given much thought about what to do with my papers when I leave office. Clearly, all

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original government records will remain in Presidential files or in State Department and NSC files.

-- Yet, I know I will need access to my files in the future -- not only for my writing, but also for testimony I am sure I will have to give in the future.

- I want you to know I have made an arrangement with the Library of Congress to have a collection of my papers donated and stored there, under conditions which fully satisfy government security requirements.

-- The collection would include personal papers, both from my years in government and from prior years. The collection would also include copies of government papers I have personally worked on or reviewed -- with the understanding that all original government papers would be at the State Department, NSC or in Presidential files.

-- You should know that there is a considerable precedent. The Library of Congress now holds the papers of 27 former Secretaries of State (see Tab 2).

Attachments:

1. Buchen memorandum of November 2.
2. List of former Secretaries of State with papers at Library of Congress.

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THE WHITE HOUSE
WASHINGTON

November 30, 1976

MEMORANDUM FOR THE WHITE HOUSE STAFF

FROM: PHILIP W. BUCHEN *P.W.B.*

SUBJECT: PRESIDENTIAL PAPERS

The President intends to arrange for the deposit of papers related to his administration as President in a library similar to the libraries for papers of other Presidents. There they will be preserved and made accessible for research and reference purposes, along with his papers that are related to the other public offices he has held and to his political activities. For historical purposes, it is most important that the library collection be complete and comprehensive and that there be no omission or loss of documents which may have historical value.

This memorandum sets forth guidelines for handling the papers and other materials in the custody of various members of the President's staff that apply to the papers of the White House Office, the Domestic Council, the Economic Policy Board, the Energy Resources Council, and the Council on International Economic Policy and to the Presidential files of the National Security Council. The papers of staff members within other offices of the Executive Office of the President, e.g., OMB, CEA, CEQ, STR, OTP, etc., are subject to the requirements of the Federal Records Act and will be handled accordingly. Any questions concerning these guidelines should be raised at the earliest possible time with Barry Roth, Extension 2397.

1. Prior to departure from the President's staff, each staff member should turn over all the papers and other materials in his or her possession to Central Files with the exception of his or her purely personal papers or materials. Official papers classified Secret and higher, including compartmented intelligence documents, should be turned in to the Staff Secretary. Campaign

related materials as well as official materials are to be preserved and deposited in Central Files. To the extent practicable, official and campaign materials should be separated before being sent to Central Files. Papers and materials for Central Files should be placed in storage boxes available for that purpose from Frank Matthews, Ext. 2240, and should be accompanied by an index listing the file folder titles or giving other descriptions of the contents in each box.

Material classified Secret and above being turned in to the Staff Secretary should be placed in boxes or large manila envelopes, securely taped, and accompanied by an unclassified listing of contents on the outside. The box or envelope itself should be clearly marked with the highest level of documents it contains and include the name of the individual or office submitting the material.

2. Purely personal files and materials, including original documents, may be taken by the departing staff member. Such files include correspondence unrelated to any official or campaign duties performed by the staff member; daily appointment records and telephone logs; personal copies of books, pamphlets and periodicals; folders of newspaper or magazine clippings; copies of records of a personal nature relating to a person's employment or service; and personal copies of photographs, proclamations, commissions or similar commemorative items. Personal files do not include any copies, drafts or working papers that relate to official business or the campaign.
3. A staff member may make a copy or may retain an extra copy of a document which embodies original intellectual thought contributed by the staff member or any of his assistants, such as the product of research, the notes or drafts of speeches delivered by the staff member, and drafts of proposed legislation; and the copy of any other document written or signed by the staff member that is included in his or her chronological files, along with a duplicate of each related incoming letter or memorandum, may be retained if the original incoming document remains in the Presidential papers; provided, however, no copies may be retained of any documents which come within any of the following categories:

- (a) Material classified for reasons of the national security under Executive Order 11652;
- (b) Restricted data under the Atomic Energy Act of 1954, as amended;
- (c) Information supplied to the government under statutes which make the disclosure of such information a crime; or
- (d) Memoranda of all types written to the President; other documents that contain recommendations or advice made directly or indirectly to the President; proposed drafts of speeches or statements for the use of the President; schedule proposals to the President; briefing papers used in discussions with the President and records made of such discussions; minutes of meetings of the EPB, ERC, and similar cabinet-level organizations; personnel recommendations or evaluations, and the like.

A staff member who has had access to materials among the Presidential Papers who subsequently needs to inspect them, for his personal use, will be permitted to do so after their accession in the Presidential library, subject to such restrictions as may be generally applicable at the time of the requested inspection.

The cooperation and assistance of each staff member in the collection of such materials is requested. This includes materials not only in your office but those materials pertaining to your official duties which you may have other than at your present office.

In order to assist in the collection of these materials for the President, staff members should begin depositing them in Central Files or with the Staff Secretary, as appropriate, as soon as possible. It is expected that staff offices will deposit all inactive files no later than mid-December and the bulk of any remaining files by January 10. Any offices desiring the assistance of archivists for this purpose should contact Barry Roth who will make the appropriate arrangements.

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By way of a reminder, gifts received from a foreign government valued in excess of \$50 are property of the United States Government and must be deposited directly with the Chief of Protocol, along with information concerning the identity of the donor and the circumstances of the gift.

Below are listings of the Memorabilia Division and the names of their former proprietors of State. The following are the most valuable memorabilia, with an indication of the date and name of acquisition.

Collection Title	Year Acq.	Amount	Responsible
Beard, Thomas F	60,000	1917 (1918)	1422-40
Black, Jeremiah	10,000	1918 (1918)	1422-40
Blaine, James G.	7,000	1918 (1918)	1422-40
Bryce, William Jennings	20,000	1918 (1918)	1422-40
Calhoun, John	1,500	1918 (1918)	1422-40
Clay, Henry	4,000	1918 (1918)	1422-40
Clyburn, John H.	1,000	1918 (1918)	1422-40
Conroy, Peter	1,000	1918 (1918)	1422-40
Crane, William E.	1,000	1918 (1918)	1422-40
Evans, William H.	1,000	1918 (1918)	1422-40
Fish, William	1,000	1918 (1918)	1422-40
Gibson, Robert C.	1,000	1918 (1918)	1422-40
Hall, Daniel	1,000	1918 (1918)	1422-40
Hughes, Charles Smith	1,000	1918 (1918)	1422-40
Hull, Cordell	1,000	1918 (1918)	1422-40
Johnson, John	1,000	1918 (1918)	1422-40
Kane, William C.	1,000	1918 (1918)	1422-40
Leahy, John	1,000	1918 (1918)	1422-40
McCarthy, James	1,000	1918 (1918)	1422-40
Moore, William J.	1,000	1918 (1918)	1422-40
Quinn, James	1,000	1918 (1918)	1422-40
Tracy, Richard	1,000	1918 (1918)	1422-40
Washburn, John	1,000	1918 (1918)	1422-40
Wheeler, John	1,000	1918 (1918)	1422-40
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Memorandum

LIBRARY OF CONGRESS

TO : Mr. John J. Kominski
General Counsel

Via : Director, Department of Research

FROM : John C. Broderick
Chief, Manuscript Division

noted JK 11-29-76

DATE: November 23, 1976

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SUBJECT: Holdings of the Manuscript Division

Among the holdings of the Manuscript Division are the papers of many former Secretaries of State. The following are the most sizable collections, with an indication of the dates and means of acquisition:

<u>Collection Title</u>	<u>Item Count</u>	<u>Acquired</u>	<u>Secretaryship</u>
Bayard, Thomas F.	60,000	1933 (gift)	1885-89
Black, Jeremiah	10,000	1918 (purchase)	1860-61
Blaine, James G.	7,000	1935 (gift)	1881, 1889-92
Bryan, William Jennings	28,000	1926 (gift)	1913-15
Buchanan, James	1,500	1918 (gift)	1845-49
Clay, Henry	4,500	1899 (gift)	1825-29
Clayton, John M.	1,300	1904 (purchase)	1849-50
Colby, Bainbridge	2,500	1955 (gift)	1920-21
Day, William R.	15,000	1960 (deposit)	1898
Evarts, William M.	12,000	1939 (gift)	1877-81
Fish, Hamilton	12,000	1938 (gift)	1869-77
Gresham, Walter Q.	12,000	1930 (gift)	1893-95
Hay, John	60,000	1952 (gift)	1898-1905
Hughes, Charles Evans	61,000	1934 (gift)	1921-25
Hull, Cordell	140,000	1951 (gift)	1933-44
Jefferson, Thomas	25,000	1848 (purchase)*	1789-94
Knox, Philander Chase	8,450	1929 (gift)	1909-13
Lansing, Robert	12,000	1929 (gift)	1915-20
Madison, James	12,500	1837 (purchase)*	1801-09
Marcy, William L.	15,000	1915 (gift)	1853-57
Monroe, James	4,000	1849 (purchase)*	1811-17
Olney, Richard	28,000	1924 (gift)	1895-97
Root, Elihu	66,000	1919 (gift)	1905-09
Sherman, John	111,000	1911 (gift)	1897-98
Van Buren, Martin	6,000	1904 (gift)	1829-31
Washburne, Elihu D.	37,000	1904 (gift)	1869
Webster, Daniel	2,500	1901 (gift)	1841-43, 1850-52

*date of acquisition by the Government; transferred to the Library in 1903.

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From the list above it is clear that approximately half the Secretaries of State in our national history, whose service accounted for well over half the time in that office, are represented by substantial bodies of personal papers in this Division.