

**The original documents are located in Box C52, folder “Presidential Handwriting, 11/26/1976” of the Presidential Handwriting File at the Gerald R. Ford Presidential Library.**

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THE WHITE HOUSE  
WASHINGTON

November 26, 1976

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR: PHILIP W. BUCHEN  
FROM: JAMES E. CONNOR *JEC*  
SUBJECT: Presidential Papers

The President has reviewed your memorandum of November 24 on the above subject and has approved your sending out the memo on Presidential papers that was attached.

Please follow-up with the appropriate action.


cc: Dick Cheney

THE WHITE HOUSE

WASHINGTON

November 24, 1976

MEMORANDUM FOR THE PRESIDENT

FROM: PHILIP W. BUCHEN 

SUBJECT: Presidential Papers

Attached is a memorandum that I propose to send to the White House Staff concerning the collection of your Presidential papers. It has been staffed by Jim Connor. Jack Marsh, Jim Lynn and Bob Hartmann (Smith), have indicated no objection. Brent Scowcroft made several comments concerning the handling of classified materials, all of which have been incorporated in the memorandum.

Bill Seidman and Jim Cannon offered specific comments. Bill is concerned that no copies of EPB minutes may be taken when various governmental agencies have their own copies. Jim Cannon added the following comment:

"Paragraph 3(d) seems excessively restrictive. For example, it would prohibit a member of the staff from retaining for his records a chronological file of his own memoranda. If this restriction is not specifically required by law, I question the advisability of being this strict."

The memorandum is intentionally restrictive in order to assure that you have control in the future of confidential materials, involving advice and recommendations to you. If members of the staff are allowed to take copies of such materials, it weakens your ability to assert Executive privilege with respect to such items and otherwise to control their release. As long as they remain in the custody of the Presidential Library and/or a governmental agency, you or your agent can be notified of requests for their release and will have the opportunity to assert any privilege that may be applicable on your behalf. Otherwise, staff members could later be faced

with subpoenas from Congressional committees or civil litigants for materials in their custody, which could raise practical problems if you sought to claim privilege. While the standards prescribed in the memorandum are admittedly strict, there is no likely practical alternative if you are to maintain Executive privilege.

RECOMMENDATION

I recommend that you approve the attached memorandum.

MEY

APPROVE

\_\_\_\_\_

DISAPPROVE

Attachment

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR THE WHITE HOUSE STAFF

FROM: PHILIP W. BUCHEN

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.

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.



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Comments given to Barry to do a new memo.

Revised memo up on 11/24/76

## THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: ~~NE~~ November 19, 1976

Time:

## FOR ACTION:

cc (for information):

☒ Jim Cannon      ☒ Jack Marsh  
☒ Max Friedersdorf      ☒ Bill Seidman  
☒ Bob Hartmann      ☒ Brent Scowcroft  
☒ Jim Lynn

FROM THE STAFF SECRETARY

DUE: Date: Monday, November 22, 1976      Time: 10:00 A.M.

SUBJECT: Philip Buchen memo, 11/18/76 re  
Presidential Papers.

## ACTION REQUESTED:

☐ For Necessary Action      ☒ For Your Recommendations  
☐ Prepare Agenda and Brief      ☐ Draft Reply  
☒ For Your Comments      ☐ Draft Remarks

## REMARKS:

Bob Linder - see comments  
 Cannon - see comments  
 OMB (Gen Counsel) approved  
 Scowcroft (see comments)  
 Friedersdorf (defer to Marsh)  
 Seidman - (comments) maybe more  
 Marsh - OK  
 Hartmann - OK

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Jim Connor  
For the President

THE WHITE HOUSE

WASHINGTON

November 18, 1976

MEMORANDUM FOR THE PRESIDENT

FROM: PHILIP BUCHEN *P.*  
SUBJECT: Presidential Papers

Attached is a memorandum which I propose to send to the White House Staff concerning the collection of your Presidential papers.

Recommendation:

That you approve this memorandum.

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

## THE WHITE HOUSE

WASHINGTON

### MEMORANDUM FOR THE WHITE HOUSE STAFF

FROM: PHILIP W. BUCHEN

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, where 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 is 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. 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. These papers and materials for Central Files should be placed in storage boxes available for that purpose from the Staff Secretary, Extension 2206, and should be accompanied by an index listing the file folder titles or other descriptions of the materials deposited.

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 draft of speeches delivered by the staff member, and a legislative proposal; 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 related incoming correspondence, may be retained if the original file 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 as soon as possible. Any offices desiring the assistance of archivists for this purpose should contact Barry Roth who will make the appropriate arrangements.

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.

*Bob Lincoln*

THE WHITE HOUSE

WASHINGTON

November 18, 1976

MEMORANDUM FOR THE PRESIDENT

FROM: PHILIP BUCHEN *P.*  
SUBJECT: Presidential Papers

Attached is a memorandum which I propose to send to the White House Staff concerning the collection of your Presidential papers.

Recommendation:

That you approve this memorandum.

                     Approve                      Disapprove

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR THE WHITE HOUSE STAFF

FROM: PHILIP W. BUCHEN

SUBJECT: PRESIDENTIAL PAPERS

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and campaign materials should be separated before being sent to Central Files. These papers and materials for Central Files should be placed in storage boxes available for that purpose from the Staff Secretary, Extension 2206, and should be accompanied by an index listing the file folder titles or other descriptions of the materials deposited.

*memo  
to Frank  
Matthews*

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 draft of speeches delivered by the staff member, and a legislative proposal; 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 related incoming correspondence, may be retained if the original file document remains in the Presidential papers; provided, however, no copies may be retained of any documents which come within any of the following categories:
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  - (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.

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*put in some  
information on  
who to call  
H etc x*

*not everyone  
going to  
Chief of  
Staff  
LH*

## THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: November 19, 1976

Time:

## FOR ACTION:

cc (for information):

Jim Cannon

Jack Marsh

Max Friedersdorf

Bill Seidman

Bob Hartmann

Brent Scowcroft

Jim Lynn

Alan Greenspan

FROM THE STAFF SECRETARY

DUE: Date:

Monday, November 22, 1976

Time:

10:00 A.M.

SUBJECT:

Philip Buchen memo, 11/18/76 re  
Presidential Papers.

## ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☒ For Your Comments☐ Draft Remarks

## REMARKS:

*Phil why no copies of  
EPB minutes where  
every dept. of govt  
has their own  
set?*

*JWB*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Jim Connor  
For the President

## THE WHITE HOUSE

WASHINGTON

November 22, 1976

MEMORANDUM FOR: JAMES CONNOR  
FROM: BRENT SCOWCROFT *BS*  
SUBJECT: Presidential Papers

With regard to Mr. Buchen's proposed memoranda to the White House staff of November 18, we offer the following comments and recommended changes:

Page 1, numbered paragraph 1, line five: After sentence ending "...materials.", add "(Official papers classified Secret and higher, including compartmented intelligence documents should be turned in to the Staff Secretary.)"

RATIONALE: These papers should not be co-mingled with less sensitive materials. It is our understanding that Central Files does not accumulate papers classified Secret and above. In addition, they do not have appropriate clearance to receive compartmented intelligence documents.

Page 2, first paragraph: An addition should be made as follows:

"(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.)"

RATIONALE: Classified material should be marked externally with both classification and office for control, storage, and shipping purposes.

*cc to Barry Roth*

Page 3, penultimate paragraph, line 3: After "Central Files" add  
"....or with the Staff Secretary, as appropriate...."

RATIONALE: Conforms to above recommended changes.

## THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: November 19, 1976

Time:

FOR ACTION:

cc (for information):

Jim Cannon

Jack Marsh

Max Friedersdorf

Bill Seidman

Bob Hartmann

Brent Scowcroft

Jim Lynn

Alan Greenspan

976 NOV 19 PM 1 28

FROM THE STAFF SECRETARY

DUE: Date:

Monday, November 22, 1976

Time:

10:00 A.M.

SUBJECT:

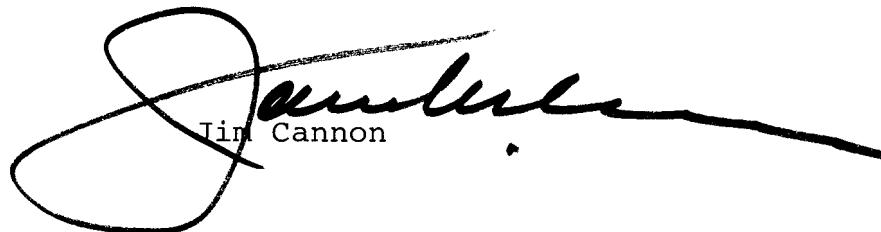
Philip Buchen memo, 11/18/76 re  
Presidential Papers.

## ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☒ For Your Comments☐ Draft Remarks

## REMARKS:

Paragraph 3(d) seems excessively restrictive. For example, it would prohibit a member of the staff from retaining for his records a chronological file of his own memoranda. If this restriction is not specifically required by law, I question the advisability of being this strict.

  
Jim CannonPLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

11/19/76  
Jim Connor  
For the President

## THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: November 19, 1976

Time:

FOR ACTION:

cc (for information):

Jim Cannon

Jack Marsh

Max Friedersdorf

Bill Seidman

Bob Hartmann

Brent Scowcroft

Jim Lynn

Alan Greenspan

FROM THE STAFF SECRETARY

DUE: Date: Monday, November 22, 1976

Time: 10:00 A.M.

SUBJECT: Philip Buchen memo, 11/18/76 re  
Presidential Papers.

## ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☒ For Your Comments☐ Draft Remarks

REMARKS:

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If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Jim Connor  
For the President

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: November 19, 1976

Time:

FOR ACTION:

cc (for information):

Jim Cannon

Jack Marsh

Max Friedersdorf

Bill Seidman

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Alan Greenspan

FROM THE STAFF SECRETARY

DUE: Date:

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10:00 A.M.

SUBJECT:

Philip Buchen memo, 11/18/76 re  
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## ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☒ For Your Comments☐ Draft Remarks

REMARKS:

11/22/76  
Recommend Approval  
D. J. Smith  
for R.J. H.  
or mm.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Jim Connor  
For the President