

FOR IMMEDIATE RELEASE

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## Office of the White House Press Secretary

THE WHITE HOUSE

## FACT SHEET

## PRESIDENT FORD DEEDS PAPERS TO THE UNITED STATES GOVERNMENT

President Ford has donated the papers and other historical materials of his years in public life to the Federal Government for preservation in the State of Michigan.

## I. MATERIAL DONATED TO THE UNITED STATES

A. Scope and Content.

By his deed, President Ford gives to the United States all of his papers, documents, correspondence, notes, books and other publications, photographs, films, recordings, works of art, and similar historical materials that relate to his candidacy for and election or appointment to public office, including his service as a Member of Congress, Vice President, and President, and to his other political and public activities since 1948. The gift includes papers documenting President Ford's service in Congress, which are now deposited at the University of Michigan. The gift excludes certain personal papers and possessions, such as those President Ford received from his family. In the future, the President may give additional materials to the Government under terms of this agreement.

B. Estimated Volume.

Materials relating to congressional service	625	cu. ft.*
Vice-Presidential service	230	cu. ft.
Presidential service	<u>10,500</u>	<u>cu. ft.</u>
TOTAL	11,355	cu. ft.

\*A cubic foot of documentary material contains from 2,000 to 2,500 pieces of paper.

## II. PARTIES TO THE AGREEMENT

A. President Ford conveys to the United States for deposit in the national archival system the materials described above, and disposes of his rights, title, and interest in the materials in accordance with the conditions described below.

B. The Archivist of the United States accepts the materials on behalf of the United States, and pledges to maintain and administer them in accordance with the conditions specified; and further agrees to maintain and operate a Presidential archival depository, subject to the completion of the legal requirements of the Presidential Libraries Act (44 U.S.C. 2107-08).

C. The President of the University of Michigan agrees to provide facilities for temporary storage of the archival materials and to make the university's best efforts to raise the necessary funds for and accomplish the design and construction of an archival facility.

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### III. CONDITIONS OF THE AGREEMENT

#### 1. Division of materials.

The Ford historical materials are to be divided into two collections: the archival collection, consisting of papers, records, photographs, illustrations, sound and video recordings, and other archival materials, is to be located in a facility on a campus of the University of Michigan at Ann Arbor, Michigan; and the museum collection, comprising all other items and objects of an historical, artistic, or commemorative value, is to be located in a facility to be provided in Grand Rapids, Michigan. Together the two facilities will constitute the Presidential archival depository.

#### 2. Temporary storage.

Until permanent facilities are provided at Ann Arbor and Grand Rapids, either or both collections may be temporarily stored in appropriate facilities at the University of Michigan or at other locations determined by the Archivist.

#### 3. Processing.

Processing by U.S. Government archivists is to begin as soon as possible after the relocation of the materials to Ann Arbor, Michigan, and is aimed at providing early public access.

#### 4. Access to the materials.

a. Ford materials will be administered generally in accordance with standards for access recently adopted by the Society of American Archivists which call for equal terms of access, promulgation of finding aids, and reasonable terms of restrictions upon access and use.

b. The Ford materials are to be available to him and, with his permission, to former members of his staff who may have authored or otherwise contributed to the materials.

c. The Ford materials will be made available for current official business of the incumbent President and specified members of his White House staff, provided that certain conditions are met and assurances to observe stated restrictions are made.

d. Subject to any right, defenses, or privileges which the Government or any organization or person might invoke, the materials will be available to subpoena or other lawful process.

e. The Ford materials are to be reviewed and the following categories closed in accordance with provisions of the law:

(i) Material relating to personal, family, and confidential business affairs.

(ii) Material relating to investigations, appointments and personnel matters.

(iii) Material involving communications made in confidence to Gerald R. Ford or between his advisors.

(iv) Material that might be used to harass or injure any living person or to interfere with a person's right of privacy or right of association.

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- (v) Material prohibited from disclosure by a Federal statute.
- (vi) Material which might prejudice foreign relations or adversely affect national security.
- (vii) Materials that are security-classified pursuant to law or Executive Order.

f. Material falling under restriction shall not continue to be closed beyond January 20, 1990, a period of 13 years, except for materials that continue to be protected by law or Executive order, and particular materials identified by the director of the library to require further restriction under then existing circumstances. Further, any of the restricted materials may be opened at an earlier date if the basis for restricting them is no longer applicable.

#### 5. Literary property rights.

President Ford conveys to the United States any literary property rights that he may have in the unpublished portions of the donated materials, but he reserves copyright in works he has already published or may publish in the future.

#### 6. Executory interest in the University.

President Ford's conveyance provides that, should the United States not abide by the terms and restrictions of his deed as determined by a court of competent jurisdiction, possession of the materials, including all rights, title, and interest therein, shall be transferred to and vest in the University of Michigan.

#### 7. Presidential and Congressional privilege.

The conveyance does not affect any rights or obligations that a President or a former President, Vice President, or Member of Congress may have to assert and enforce any applicable privilege with respect to confidential portions of the materials.

### IV. COMPLETION OF THE PLAN

The University of Michigan plans to construct a building on a campus of the University at Ann Arbor which it will offer to the Government for use as an archival depository for President Ford's papers and other historical materials. In Grand Rapids, Michigan, local civic organizations are expected to donate to the Government a suitable building to house the museum collection and exhibits. The Administrator of General Services is authorized to accept such offers of facilities after he has submitted a report to Congress and observed a 60-day waiting period or received congressional approval of his plan. His report to Congress must include:

- a description of land, building, and equipment offered as a gift or made available for use as a Presidential archival depository.
- a statement of terms of the proposed agreement, if any, for use of land, buildings, and equipment.

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- a description of papers, documents, and other historical materials to be housed in the proposed depository.
- an estimate of annual cost to the Government to operate the depository.

V. BACKGROUND

1. Every President has had to arrange for the disposition of his Presidential papers and other historical materials. Most early Presidents removed them as private property; their heirs in some cases donated or sold them to the United States. The Library of Congress has 23 collections of Presidential papers. Other collections are in private repositories.
2. Modern Presidents from Herbert Hoover to Lyndon Johnson, acting pursuant to applicable law, have deposited their papers with the National Archives for administration in a system of Presidential libraries. In each case, however, the final transfer of title to the United States was not completed until after the death of the President. Richard Nixon's Presidential materials are in custody of the U.S. Government as a result of congressional enactment of the Presidential Recordings and Materials Preservation Act. Former President Nixon is currently challenging the constitutionality of that act in the Supreme Court.
3. Presidential library programs include provision of research services, presentation of historical exhibits, acquisition of additional historical materials and printed items, publication activities, convocation of scholarly meetings and conferences, and conduct of oral history programs.
4. During fiscal year 1976, over 1-1/2 million persons visited the Presidential library museums, and over 6,000 visits were made by researchers to the Presidential archives.
5. Presidential libraries now hold more than 112 million pages of documents and 6 million feet of motion picture film.
6. Locations of these facilities:

Herbert Hoover Library	West Branch, Iowa
Franklin D. Roosevelt Library	Hyde Park, New York
Harry S. Truman Library	Independence, Missouri
Dwight D. Eisenhower Library	Abilene, Kansas
John F. Kennedy Library	Waltham, Massachusetts*
Lyndon B. Johnson Library	Austin, Texas

\*Temporary quarters in the Federal Records Center pending completion of the Kennedy Library building on the Harbor Campus of the University of Massachusetts.

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