

Accessing Records at Modern Presidential Libraries

by Robert Holzweiss

The National Archives and Records Administration (NARA) operates twelve presidential libraries that house the artifacts, photographs, videos, and documents of presidents from Herbert Hoover to William J. Clinton. Visitors to these libraries often remark that the character of each president is reflected in the architecture of the library building and the design of the museum exhibit. Less well known is how each library differs when it comes to accessing presidential records.

The archival staff at each library makes every effort to provide researchers with records that speak to their topics. However, the process for providing these records varies. At the newer libraries (Ronald Reagan, George H.W. Bush, William J. Clinton), access is governed by the Presidential Records Act (PRA); at the older libraries (Hoover through Carter), access is authorized by a deed of gift. Although there are significant differences between PRA and deed-of-gift libraries, the goal of all the libraries remains the same—ready access to historical records.

Although accessing records at both deed-of-gift and PRA libraries can be a frustrating experience, each system has advantages and disadvantages. Understanding these advantages and disadvantages at PRA libraries will reduce frustration and may speed the research process.

Deed-of-gift libraries normally review records and make them available in a systematic manner, so entire collections and series are organized and available for research. Therefore, researchers interested in examining a staff member with specific portfolio (subject area expertise) or even entire offices within the White House will find a broad range of records available. Although researchers cannot demand access if the desired records are not available, they should express their interest to the archives staff, who may provide a timetable for processing and releasing the records.

In contrast, PRA libraries are required by law to respond to requests made under the Freedom of Information Act (FOIA). Although the FOIA allows researchers to demand access to specific records, such requests result in the release of a highly concentrated selection of records. Thus, researchers at PRA libraries—the George Bush Library included—can expect comprehensive coverage of specific subjects but will not get the broader coverage of particular individuals or offices found at deed-of-gift libraries. For example, one request to the George Bush Library for records on the fall of the Berlin Wall and the reunification of Germany produced thousands of pages of responsive records from the files of more than thirty staff members working in a dozen White House offices. Rather than comprehensively review all the records for each staff member, archivists reviewed only those records relevant to the subject of the request. In practice, this means that they may have reviewed only one folder of material from a particular staff member, even if that individual's portfolio included Eastern Europe and Germany.

Because searching for responsive records may yield a significant amount of peripheral material, we at the Bush Library encourage prospective researchers to discuss their FOIA requests with us prior to filing. At a minimum, we will conduct a preliminary search for responsive records and discuss the results. In addition, we often direct researchers to records already available for research. If an FOIA is required to access unprocessed records, we will place it in one of our processing queues. At the Bush Library, FOIA requests for unclassified records totaling less than a thousand pages and for classified records totaling less than five hundred pages are processed fairly quickly. The balance of the requests are placed in the security classified queue (more than 50 percent of the records are classified) or the unclassified queue.

Because of the complexity of FOIA review and the high demand for records, FOIA requests may remain in the queue for a long time. When we prepare to review an FOIA request that is more than six months old, we will contact the requester to make sure the material is still wanted. If it is, we will begin the process of reviewing the records for FOIA exemptions and PRA restrictions (if applicable).

It is important to note that while the PRA governs access to most records at PRA libraries, researchers should expect a slightly different research experience at each facility. Under the PRA, archivists must apply the designated restrictions to all applicable records for a period of twelve years from the end of a president's administration. However, each president can elect to apply all, some, or none of the PRA restrictions to his records for this period. Presidents may also ease the application of restrictions during the twelve-year period. Therefore, each library may release different types of documents. For example, President Reagan eased PRA restriction P2 relating to appointments to federal office (44 U.S.C. Chapter 22 § 2204(a)(2)), while President George H.W. Bush requested that library archivists restrict that information for the full twelve-year period. For George Bush Presidential Records and Dan Quayle Vice Presidential Records, the PRA restrictions expired on January 20, 2005. On that day, archivists began the process of returning formerly restricted materials to the open file. A list of formerly restricted documents can be found on the Bush Library website at http://bushlibrary.tamu.edu/research/released_docs.php.

As Bush Library archivists review FOIA requests for restricted (PRA) and exempted (FOIA) records, they create withdrawal sheets that explain the reasons for the removal or redaction of restricted or exempted documents. These sheets are placed in the folder as place holders to mark the location of withdrawn records. When archivists complete the initial review of an FOIA request, the PRA requires the archives staff to notify the former and incumbent president of our intent to release the records. In addition, Executive Order 13233 provides that the incumbent and former presidents must agree to release the records before we are authorized to make them available for research. When we are advised that we may release the records, we notify the original requester in writing that the requested documents are available. After the records are released, all researchers may review the open records and withdrawal sheets. However, only the original requester is granted certain appeal rights under the Freedom of Information Act.

Unfortunately, FOIA filers are often frustrated when they review their requests immediately after they are released. Requests for large bodies of classified material contain many withdrawal sheets identifying records exempted from release because they contain national security (classified) information. In most cases, these are the very records that have the greatest research interest. To gain access to these records, it is best to plan an initial visit to the library with the understanding that a second visit may be required.

The first visit will permit the review of all the available records that did not fall within the exempted categories of the Freedom of Information Act or the restricted categories of the PRA. If the PRA restrictions have expired (i.e., if the twelve-year period is over), this review may yield substantive (but unclassified) records. In addition, researching the records provides an opportunity to review the withdrawal sheets. Researchers can use the information on the withdrawal sheets to request a current classification review (also known as a declassification review or mandatory review) for documents of interest. The mandatory review (MR) request is an application for a declassification review of a particular document. The archives staff will then send the document(s) for review to the relevant equity agencies—the Department of Defense, for example, or the State Department. When the equity agencies return the document(s) and notify the library that their reviews are complete, we will let the requester know whether declassification of the document(s) was denied, partially granted (with redactions), or fully granted (total declassification). As a large body of declassified records becomes available for research, a second visit may be warranted, as these newly released documents will yield a substantial amount of additional information. Please note that once records are released under the FOIA or declassified through the MR process, the records are available to all researchers.

Developing a two-trip research plan for PRA libraries helps the library staff manage researchers' expectations, particularly during their initial research visits. It also enables researchers to request documents that speak directly to their research projects without needlessly filling the declassification system with documents of no immediate interest.

Declassification policy at the George Bush Library has evolved since our presidential and vice presidential records became subject to the FOIA on January 20, 1998. Initially, we sent all exempted (classified) records for a declassification review automatically, because we assumed that FOIA requesters desired access to all records related to their requests, including all classified records. After ten years of referring all classified records for review—a process called agency referral—we realized that most requesters are not interested in every classified document. In addition, the administrative work required to track each document, together with the enormous volume of records referred to agencies, significantly delayed the declassification process. Therefore, beginning in April 2007, the Bush Library no longer automatically referred all exempted (classified) records for declassification at the conclusion of the initial FOIA review. As previously stated, we now encourage researchers to file mandatory review requests for specific documents. The change in policy has reduced the administrative workload and increased the speed of the declassification process.

Of course, the move to declassification through the mandatory review process increased the size of the MR queues. To be fair to all researchers, we treat MR requests in the same way that we treat FOIA requests: first in, first out. We also created two queues: a short queue to expedite MR requests of less than fifty pages or five individual documents and a long queue for all other requests. Researchers seem to be pleased with the change in the declassification process and have filed hundreds of MR requests for records of interest. To facilitate the MR process, we are pleased to assist researchers with their requests by searching the inventory of exempted records to locate specific documents of interest.

Although researchers filing new mandatory review requests may still encounter delays in receiving their records, Bush Library researchers interested in subjects reviewed between seven and ten years ago will find a wealth of declassified records in the open file. Of particular interest are records concerning the First Persian Gulf War, Bosnia and Yugoslavia, Operation Just Cause (Panama) and Operation Restore Hope (Somalia). The library also has a number of smaller foreign policy FOIA requests available for research, including economic summits in Paris (1989), London (1991), and Munich (1992); NATO summits; bilateral summits with various world leaders; and a number of requests for specific countries including Bahrain, Peru, Rwanda, South Africa and Taiwan. Please contact us for a comprehensive list of available requests or view our FOIA finding aids on the Bush Library website at http://bushlibrary.tamu.edu/research/finding_aids/foia.php.

Documents currently in the declassification pipeline include all records related to the fall of the Berlin Wall and German reunification and a substantial body of records on the dissolution of the Soviet Union, the coup against Mikhail Gorbachev and the creation of the Commonwealth of Independent States. Unclassified records concerning these topics are already available for review. Declassified materials will be returned to the open file as they are released. If you would like to be notified when declassified records are returned to the open file for these or any other FOIA requests, please contact us.

Although the FOIA and mandatory review processes are complex, skilled researchers with a sound understanding of the procedures at each PRA library can use these laws to gain access to documents detailing decision-making at the highest levels of government. The archives staff at each presidential library is ready to assist you with planning for your research. Each library also funds selected research projects. Please consult individual library web pages for funding availability. You may find contact information for each library at <http://archives.gov/presidential-libraries/>. If you are planning to research the presidential or vice presidential papers of George Bush or the vice presidential papers of Dan Quayle, please feel free to contact the George Bush Library at (979) 691-4041, email us at Library.Bush@nara.gov, or visit our website at <http://bushlibrary.tamu.edu/>.

Robert Holzweiss, Ph.D.

Supervisory Archivist
George Bush Presidential Library
1000 George Bush Drive West
College Station, TX 77845
(979) 691-4074
Robert.Holzweiss@nara.gov