Framework Governing Use of Presidential Library Facilities and Staff

What GAO Found

The federal laws specific to presidential libraries focus primarily on the design and construction of library facilities and, once constructed, the deeding of the library facilities, or the rights to use the facilities, to the federal government. NARA building-use regulations outline the permissible and prohibited uses of presidential library facilities by outside organizations. Prohibited uses include profit-making, commercial advertisement or sales, partisan political activities, or sectarian activities. Other laws and regulations govern what federal employees may and may not do in their official capacity. As federal employees, NARA library employees must follow these rules in their interactions with the foundation associated with the library. NARA’s Office of Presidential Libraries has developed a policy manual and standards that address topics such as museum activities and records. This office also works with the NARA General Counsel to develop guidance governing the library–foundation relationship, such as those related to the foundations’ use of library facilities and when and how library staff can support foundation activities. The libraries also have one or more written agreements with their associated foundation that govern different aspects of the relationship. These agreements differ in format, content, and the extent to which they address use of facilities, library and foundation staff relationships, and political activities.

Key Steps in the Establishment of a Modern Presidential Library

- After leaving office or during the President’s second term, the President or his supporters form a foundation and begin fundraising for the library.
- Foundation raises money to construct a presidential library facility.
- Foundation constructs library per NARA architecture and design standards.
- After NARA reports to Congress, NARA and foundation sign an agreement that deeds or gives the exclusive right to use the facility or a portion of the facility to NARA.
- NARA receives operating endowment and then accepts transfer of the facility.
- NARA employees process, preserve, and provide access to the records and manage the museum, education, and public programs.
- Foundation supports educational programs and exhibits.
- Foundation sends letter of offer to NARA with description and plans for the library.
- NARA and foundation discuss library plans.
- After leaving office, the President gives records and other presidential materials to NARA.

Activity conducted by:

- Foundation
- National Archives and Records Administration (NARA)
- Both

Source: GAO.

View GAO-11-390 or key components. For more information, contact Michael Brostek at (202) 512-9110 or brostekm@gao.gov.

Note: Where the library is built on a university campus, the university is also involved in the various stages of library development.