

Giuliani's Papers Go to Private Group, Not City: Friends of the ...

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By DAVID M. HERZHENHORN

For most former mayors of New York City, the trip into the dusty files of history began with hundreds of boxes of mayoral papers and artifacts being carted from City Hall across Chambers Street to the Municipal Archives in the old Surrogate's Court. There, city archivists undertake a long, slow process of sorting and indexing.

Aides and friends of Rudolph W. Giuliani, however, decided that he deserved better. So, on Dec. 24, just a week before leaving office, Mr. Giuliani's staff hammered out an unusual agreement with the city's Department of Records and Information Services, giving custody of all of his mayoral papers and artifacts to a private nonprofit group that Mr. Giuliani will control.

All of the records from Mr. Giuliani's eight years in office — thousands of files from City Hall and Gracie Mansion, appoint-

Friends of the former mayor will decide what records to make public.

ment books, photographs, audiocassettes and other relics — are now stashed in a rented storage facility in Queens called the "fortress," and a private archival consulting firm is drawing up plans for how to showcase them.

But the transfer of these items, which remain city property, into the custody of the nonprofit group, the Rudolph W. Giuliani Center for Urban Affairs Inc., has drawn the ire of some archivists and historians, who fear that Mr. Giuliani will try to filter history to bolster his image. And some worry

that access to these documents could be restricted, a practice they say would be in keeping with the Giuliani administration's style at City Hall.

"It's particularly a terrible idea, because the Giuliani administration had a very dismal record on making information accessible to the public," said Michael Wallace, a historian and co-author of "Gotham: a History of New York to 1898."

He added, "So we have no reason whatsoever to assume that under his own personal auspices, we would be more likely to get good access."

To Anne Phillips, the president of the New York Archival Society, the former mayor "has circumvented the procedure."

"First," she said, "everything is scrutinized by the archivists and what's deemed

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of historical value is then sent to the archives for permanent storage. He didn't do that. He just took everything out." She added, "We don't know what he's going to keep."

The organizers of the Giuliani Center for Urban Affairs, including former Deputy Mayor Anthony P. Coles, envision something along the lines of a presidential library — part mayoral archives, part urban think tank — that will pay homage to Mr. Giuliani. The contract with the city, they note, prohibits the destruction or disposal of documents.

"The center should be wonderful," said Saul Cohen, a lawyer and long-time friend of Mr. Giuliani who is president of the nonprofit group. Mr. Cohen said the Giuliani center might become part of an existing library that will "reflect what we think is the very important legacy of the mayor and the admiration that people have for him throughout the country."

Mr. Cohen said the group planned to raise hundreds of thousands of dollars in private contributions and would base its decisions on the recommendations of the Winthrop Group, the private archival consulting firm working on the project.

"You retain experts; you listen to the experts," he said. "You get the thing done in a professional manner."

The plans for a mayoral library and archives center were first reported in *The Daily News* this month, and the debate accelerated this week after terms of the contract were disclosed in *The Village Voice*, including a clause giving Mr. Giuliani the right to restrict access to any document in which he has a "personal interest."

Mayors typically retain control over their personal papers. Former Mayor Edward I. Koch, for example, donated his private papers to La Guardia Community College but has restricted public access to them until Jonathan Soffer, who is writing a book about the Koch administration, is finished using them.

But Mr. Koch and other critics said Mr. Giuliani should not decide what is public and what is private. "I

freedom-of-information laws.

"I think that anything that makes it more difficult to get information is unfortunate," Mr. Bloomberg said. "But some of these documents are documents that the mayor has a right to have, and I am sympathetic if he would prefer that you didn't look at them. The law is clear. You have a right to get those documents under the freedom-of-information law, and Mayor Giuliani would certainly comply with that law."

Idilio Gracia-Penã, a former city archivist and commissioner of records, said the transfer of the Giuliani papers disregarded procedures that had been in place since the modern city archives were created in 1950.

Mr. Gracia-Penã said that while some mayors donated their private papers — John V. Lindsay gave his to Yale University and David N. Dinkins gave his to Columbia — public City Hall records always remained in the archives, even if outside archivists were brought in to help work on them, as when staff members from the La Guardia and Wagner Archives at La Guardia Community College helped index Mr. Koch's records.

Rather than creating a separate Giuliani library, Mr. Gracia-Penã suggested increasing funds for the Municipal Archives. "The archives has never been funded properly," he said.

Mr. Wallace, the historian, seconded the idea. "I have great regard for the Municipal Archives," he said. "It would be great if Rudy would push even now for a bigger budget for the Municipal Archives so we could do all of these things properly."

Envisioning archives along the lines of a presidential library.

think everything that you do when you are in the office as mayor is the city's," Mr. Koch said, noting that he took no public records with him when he left office.

"There is no fine line," he said. "It seems to me that the line is bright red. I don't see how the city could give physical possession of records to Giuliani, which it seems they did, and give them physical control of them so that people can't see them."

The city can terminate the contract with 90 days' notice, but the Bloomberg administration said it had no plans to do so.

At Mayor Michael R. Bloomberg's news conference at City Hall yesterday, Gabe Pressman, the veteran WNBC-TV reporter, suggested that Mr. Giuliani's plans might "thwart historians." But Mr. Bloomberg disagreed, saying he believed that Mr. Giuliani would abide by the city's