

3/14/79

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FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
memo w/att.	From Mondale to The President (22 pp.) re: Recent Events and Progress Report <i>opened per RAC NLC-126-16-32-1-8 8/6/13</i>	3/14/79	A
memo w/att.	From Aaron to The President (12 pp.) re: Refugee Legislation and Budget Revisions <i>opened per RAC NLC-126-16-32-2-7 8/6/13</i>	3/14/79	A

FILE LOCATION

Carter Presidential Papers- Staff Offices, Office of the Staff Sec. - Pres. Handwriting File
 3/14/79 BOX 122

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THE WHITE HOUSE
WASHINGTON

Q

March 14, 1979

MEMORANDUM FOR THE PRESIDENT

FROM:

FRANK MOORE
BILL CABLE

F.M.
Bill

SUBJECT:

Telephone call from Parren Mitchell(D.-MD)

Parren Mitchell called today to talk to you with regard to an article carried on the front page of the Washington Post about minority businesses and MTN. (copy of article is attached) We contacted Ambassador Strauss and he returned Congressman Mitchell's call and offered to send him some information which will explain the basis for the decisions. He is not waiting for a call from you but is far from satisfied with Ambassador 'Strauss' explanation. You can expect a similar response to these decisions from a substantial number of members. We have already heard from Congressmen William Gray(PA), Addabbo(NY) and Luken(OH).

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U.S. Would Relax Preference To Small and Minority Firms

By Art Pine and Claudia Levy
Washington Post Staff Writers

The Carter administration has agreed to overturn longstanding policy requiring key federal agencies to earmark specified portions of their procurement business for domestic firms, small business, minority enterprises and other groups.

The new procedures, which are expected to provoke a storm of controversy, are part of a long-sought provision in the multilateral trade agreement, which is in the final stages of negotiation.

As part of that trade pact, the United States has agreed to allow foreign producers greater access to bidding on federal contracts here in return for a pledge by European governments and Japan to open up more of

their procurement business to American exporters.

To carry out its part of the agreement, the administration has pledged to relax current restrictions in federal procurement policies that have required key agencies to grant special preferences to domestic firms, small business and minority companies.

Sources said the changes will allow foreign manufacturers to bid on an estimated \$10 billion in added business. In exchange, European governments have promised to lift restrictions on about \$25 billion worth of business to allow U.S. firms to bid.

The difficulty domestically is that, while the changes will help U.S. exporters, they will hurt the very firms that four previous presidents had

See TRADE, A20, Col. 1

Small and Minority Firms Face Loss of Preference

TRADE, From A1

tried to protect. As a result, although the liberalization has been long sought by U.S. policymakers, it may spark some ire.

Rep. Joseph P. Addabbo (D-N.Y.), chairman of the House minority enterprises subcommittee, is expected to make a speech on the House floor today denouncing the provision as a setback for longtime efforts to encourage black-owned businesses.

According to the administration's own figures, the shift would affect approximately \$9 billion worth of the \$18 billion in federal procurement contracts now awarded to small business. Officials yesterday had no separate breakdown for minority firms.

However, administration officials stressed that the tradeoff also would enable U.S. firms, both large and small, for the first time to crack the lucrative foreign government procurement market.

In general, the easing of restrictions would apply only to government purchases whose value exceeded 150,000 "special drawing rights," an accepted international measure that currently

translates into about \$190,000. That figure would rise if the dollar declined.

However, the liberalization would apply only to selected government agencies. It would not affect entities such as the Tennessee Valley Authority, or Defense Department purchases of shoes, steel, textiles and a spate of other specifically exempted items.

Officials said the United States still is negotiating for broader Japanese concessions. The administration wants Tokyo to allow bids on purchases by the Nippon Telephone and Telegraph Corp. and other big firms.

Critics of the administration's action contended that relaxing the small business preferences would in effect leave most government procurement here in the hands of large corporations. Small business now provides about 20 percent of Washington's \$90 billion yearly purchases.

The current "Buy America" order requires federal agencies to award purchase orders to U.S.-based firms unless foreign companies underbid them by at least 6 percent—or up to 12 percent in the case of small businesses and 50 percent in the case of Defense Department contracts.

THE WHITE HOUSE
WASHINGTON

3/14/79

Frank Moore

The attached letter was returned in the President's outbox today and is forwarded to you for appropriate handling. Please hand deliver the letter. An additional copy is also attached for mailing, if you wish, to Secretary Schlesinger.

Rick Hutcheson

cc: Stu Eizenstat
Jody Powell

THE WHITE HOUSE

WASHINGTON

March 14, 1979

To Senator Dennis DeConcini

This is a response to your letter of March 12. While I welcome your views and recognize that the administration of the Department of Energy can always be improved, I continue to have full trust and confidence in Secretary James Schlesinger.

Sincerely,

Jimmy Carter

The Honorable Dennis DeConcini
United States Senate
Washington, D.C. 20510

*He has a very and needs
difficult job, and
all the help he can
support get - He's
got mine - JC*

United States Senate

WASHINGTON, D.C. 20510

March 12, 1979

The President
The White House
Washington, D.C. 20500

ACK. FM/SE
CONGRESSIONAL
LIAISON

MAR 14 1979

cc: Tate

Dear Mr. President:

Your statement that our national energy policy must be the "moral equivalent of war" is truer today than it ever was. Yet, as I am sure you recognize, the Administration has been unable to convince large segments of Congress and the American public of the imperative nature of this policy. As a consequence, our energy problems have worsened.

It is my opinion, Mr. President, that a major cause of the Administration's inability to convince the Nation that we need a true energy policy and to develop such a policy is Secretary of Energy, James Schlesinger. Unquestionably, Mr. Schlesinger is a fine man and a dedicated public official. However, he is, quite simply, the wrong man for the job. I believe that an effective Secretary of Energy must enjoy the confidence of the Congress and the public. Mr. Schlesinger appears to enjoy neither.

Under Secretary Schlesinger's leadership, the new Department of Energy has failed to meet a number of mandates that had previously been met. For example, the agencies that are presently part of DOE were, in earlier years, able to submit their annual report on research and development priorities---the 1978 report has yet to be received. A major task of DOE under the law has been to establish a national strategic petroleum reserve of 250 million barrels. At present, the reserve is already 180 million barrels short of that goal. Incredibly, the Department has not even installed pumps in the reserve fields, making much of the oil useless in the short run.

As late as November of 1978 (eighteen months after the Department's creation), DOE had failed to accomplish minimal organizational tasks, such as written job classification policies, guidelines, review, and completion of the organizational structure---according to the Civil

SU09
EN00
AP00

The President
March 12, 1979
Page Two

Service Commission. The Commission further found a high degree of overclassification of employees.

Another example of questionable management practices was the hiring of two former members of the task force that recruited staff to conduct a management evaluation into allegations of mismanagement. The Department has also been criticized for improper ties to the petroleum and nuclear industries. An example is the recently disclosed contract between DOE and Stone & Weber to draft guidelines for utility rate reform hearings under the National Energy Act. Stone & Weber is a management consultant firm that has many utility companies for clients, posing serious conflict of interest questions and possible violations of federal law.

The same lack of effective and responsive management has been evident in the Department's responsiveness (or lack of it) to requests for information under the Freedom of Information Act. The Department has the highest rate of refusals of requests of any government agency (60%) and also the highest rate of reversals by its own administrative law section (75%).

Within the Congress, the Department is characterized as indecisive and prone to reversing itself because its positions are ill-conceived to begin with. Recent statements by Secretary Schlesinger on the price of Mexican natural gas first seemed to indicate that the price was too high, then objection was made that the price was too low. Without question, the Secretary's handling of the negotiations with Mexico was inept and offensive to our Mexican friends. Continued good relations with our southern neighbor require sensitivity and mutual respect, not antagonism and disrespect.

In short, Mr. President, I believe that the Administration and the Nation would be best served if Mr. Schlesinger resigned his present position in favor of an individual better suited by temperament and background to take command of this most crucial of policy areas.

Sincerely,



DENNIS DeCONCINI
United States Senator

THE WHITE HOUSE

WASHINGTON

March 14, 1979

MEMORANDUM FOR THE PRESIDENT

FROM:

FRANK MOORE *FM.*

SUBJECT:

LETTER TO SENATOR DENNIS DeCONCINI
ATTACHED

I recommend that you sign the attached letter to Senator Dennis DeConcini concerning Secretary Schlesinger. This letter is certain to come up at Jody's briefing tomorrow. I have talked with Stu Eizenstat and Walt Wurfel, and they feel a reference to this letter from you might be more appropriate than a more formal statement.

Attachment

THE WHITE HOUSE
WASHINGTON

March 14, 1979

C

MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE *F.M./RR*

This morning the Senate Governmental Affairs
Committee voted out the Department of Education
bill by a vote of 12-1.

**Electrostatic Copy Made
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5:00 p.m.

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THE WHITE HOUSE
WASHINGTON

March 14, 1979

MEETING WITH MEMBERS OF CONGRESS

Wednesday, March 14, 1979

5:00 P.M. (1 Hour)

~~State Dining Room~~

East Room

From: Frank Moore *F.M.*

I. PURPOSE:

To debrief key Members of Congress on your trip to the Middle East.

II. BACKGROUND, PARTICIPANTS AND PRESS PLANS

A. Background: None Necessary.

B. Participants:

The President,
Secretary Vance
Members of the House:

Bingham, Jonathan
Broomfield, William
Derwinski, Edward
Findley, Paul
Giaimo, Robert
Kazen, Abraham
Moffett, Anthony
Obey, David
Price, Melvin
Rhodes, John
Rostenkowski, Dan
Waxman, Henry
Wolff, Lester
Yates, Sidney

Vice President
Frank Moore
Zbigniew Brzezinski
Jim McIntyre
Brademas, John
Conte, Silvio
Fascell, Dante
Foley, Thomas
Hamilton, Lee
Long, Clarence
Oakar, Mary Rose
O'Neill, Thomas
Rahall, Nick
Rosenthal, Benjamin
Solarz, Stephen
Whitten, Jamie
Wright, Jim
Zablocki, Clement

Participants Continued:

Members of the Senate:

Baker, Howard	Boschwitz, Rudy
Byrd, Robert C.	Church, Frank
Cranston, Alan	Inouye, Daniel
Jackson, Henry	Javits, Jacob
Kennedy, Edward	Levin, Carl
Magnuson, Warren	Metzenbaum, Howard
Moynihan, Daniel	Muskie, Edmund
Pell, Claiborne	Percy, Charles
Ribicoff, Abraham	Sarbanes, Paul
Stennis, John	Stone, Richard
Tower, John	Young, Milton
Zorinsky, Edward	

State Department Officials:

Brian Atwood
Doug Bennet
Bob Flaten

Defense Department Officials:

Secretary Brown
Jack Stempler

C. Press Plan:

Two minute White House press opportunity at the opening of the briefing.

III. TALKING POINTS

None necessary

THE WHITE HOUSE

WASHINGTON

March 6, 1979

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MEMORANDUM FOR THE PRESIDENT

FROM: HUGH CARTER *HC*

SUBJECT: White House Staffing

I am writing to give you a status report on the staffing levels of the White House Office as of 2/28/79.

1. Full-time permanent employees totaled 346, or 5 under the 351 authorized. The vacancies are only temporary, representing mostly recently vacated positions for which replacements were not on board as of 2/28/79.
2. Interns and other temporary employees numbered 9. 4 of these are student-level interns, one is a White House Fellow, and 4 are short-term staff appointments.
3. Intermittent and part-time employees totaled 30. These are mostly stenographers used to fill in for secretaries on sick and annual leave, on an as-needed basis.
4. Consultants totaled 39, 36 of which are advance persons used in the field on Presidential trips. During any given month, however, only a fraction of these may be used, and then only for the number of days necessary.
5. Detailees totaled 17. This is larger than the monthly average for the last 12 months (11), due to the recent addition of the Budget Task Force. We are still, however, well under the figure of the prior administration, which had 25 when we arrived.
6. Volunteers working regular hours numbered 41. This figure excludes occasional volunteers used to assist on greeting cards and in the Comment Office.

Attached is a tabulation of the White House Office by individual department. I shall report to you periodically on this subject.

WHITE HOUSE OFFICE
 RECAPITULATION OF PERSONNEL
 FEBRUARY 28, 1979

	<u>AUTHORIZED</u>	<u>FULL-TIME PERMANENT</u>	<u>TEMPORARIES AND INTERNS</u>	<u>INTERMITTENT AND PART-TIME</u>	<u>CONSULTANTS</u>	<u>DETAILS</u>	<u>VOLUNTEERS</u>
Mr. Brzezinski	2	2	-	-	-	-	-
Mr. H. Carter	2	2	-	-	-	-	-
Mr. Eizenstat	4	4	1	-	-	-	-
Mr. Harden	1	1	-	-	-	-	-
Mr. Hutcheson	3	3	-	1	-	-	1
Mr. Jordan	9	9	3	-	-	2	2
Mr. Kraft	21	21	1	-	1	1	13
Mr. Lipshutz	10	10	-	1	-	-	1
Mr. Martin	2	2	-	-	-	3	-
Mr. Moore	26	26	-	-	-	6	3
Mr. Pettigrew	2	2	-	-	-	-	-
Mr. Powell	26	26	-	1	-	-	7
Mr. Rafshoon	17	16	-	-	17	-	2
Mr. Watson	16	16	-	-	-	-	5
Ms. Weddington	2	2	-	-	-	-	-
Ms. Wexler	7	7	3	-	-	-	3
Mr. Wise	20	20	-	-	20	-	3
First Lady	19	19	1	-	-	1	1
Health Issues	1	-	-	-	-	1	-
I.O.B.	1	1	-	3	1	2	-
Ombudsman	3	2	-	-	-	-	-
Operations/ Administration	16	15	-	-	-	-	-
Telephone	14	14	-	-	-	-	-
Executive Clerk	6	6	-	-	-	-	-
Correspondence	73	73	-	21	-	-	-
Records Mgt.	33	32	-	3	-	1	-
Travel	7	7	-	-	-	-	-
Visitors/ Reception	8	8	-	-	-	-	-
TOTALS	351	346	9	30	39	17	41

THE WHITE HOUSE

WASHINGTON

March 6, 1979

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ADMINISTRATIVELY RESTRICTED

MEMORANDUM FOR THE PRESIDENT

FROM: HUGH CARTER *HC*

SUBJECT: Security Violations

Attached for your information are the security violations for the month of February, 1979.

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THE WHITE HOUSE

WASHINGTON

March 6, 1979

ADMINISTRATIVELY RESTRICTED

MEMORANDUM FOR: CHARLES O'KEEFFE
FROM: HUGH CARTER 
SUBJECT: Security Violations

The President has asked that I make you aware of the following security violation(s):

<u>Date</u>	<u>Name</u>	<u>Nature of Violation</u>
2/8	Charles O'Keefe	Safe containing classified material found open

cc: The President

THE WHITE HOUSE

WASHINGTON

March 6, 1979

ADMINISTRATIVELY RESTRICTED

MEMORANDUM FOR: FRANK PRESS
FROM: HUGH CARTER *HC*
SUBJECT: Security Violations

The President has asked that I make you aware of the following security violation(s):

<u>Date</u>	<u>Name</u>	<u>Nature of Violation</u>
2/16	Nathaniel Fields	Safe containing classified documents found open

cc: The President

THE WHITE HOUSE

WASHINGTON

March 6, 1979

ADMINISTRATIVELY RESTRICTED

MEMORANDUM FOR: CHARLIE SCHULTZE
FROM: HUGH CARTER *HL*
SUBJECT: Security Violations

The President has asked that I make you aware of the following security violation(s):

<u>Date</u>	<u>Name</u>	<u>Nature of Violation</u>
2/21	Lillie Sturniolo	Cabinet containing classified documents found open

cc: The President

THE WHITE HOUSE

WASHINGTON

March 9, 1979

10

MEMORANDUM FOR THE PRESIDENT

FROM: HUGH CARTER *HAC*

SUBJECT: Weekly Mail Report (Per Your Request)

Below are statistics on Presidential and First Family:

<u>INCOMING</u>	<u>WEEK ENDING 3/2</u>	<u>WEEK ENDING 3/9</u>
Presidential	29,910	28,700
First Lady	1,450	1,375
Amy	420	300
<u>Other First Family</u>	<u>70</u>	<u>55</u>
TOTAL	31,850	30,430

BACKLOG

Presidential	3,460	6,630
First Lady	230	160
Amy	0	0
<u>Other</u>	<u>0</u>	<u>0</u>
TOTAL	3,690	6,790



DISTRIBUTION OF PRESIDENTIAL MAIL ANALYZED

Agency Referrals	11%	9%
WH Correspondence	50%	54%
Unanswerable Mail	17%	14%
White House Staff	4%	4%
Greetings Requests	18%	19%
<u>Other</u>	<u>0</u>	<u>0</u>
TOTAL	100%	100%

NOT INCLUDED ABOVE

Form Letters	467	887
Form Post Cards	14,039	4,930
Mail Addressed to White House Staff	16,195	16,153

cc: Senior Staff

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MAJOR ISSUES IN
CURRENT PRESIDENTIAL ADULT MAIL
Week Ending 3/9/79

ISSUES	PRO	CON	COMMENT ONLY	NUMBER LETTERS
Support for Israel	87%	7%	6%	869
Comments re: Energy Situation	0	0	100%	727
Support for FAA Proposals to Expand Air Traffic Control System	0	0	100%	545
Support for Budget Cutbacks for FY 1980	0	99%	1%	399
Support for National Health Plan	86%	14%	0	342
Support for Pelly Amendment to Fishermen's Protective Act of 1967	100%	0	0	202
Support for Deregulation of Trucking Industry	0	100%	0	195
Support for Recognition of People's Republic of China	6%	84%	10%	158
Support for Proposed IRS Guidelines for Determining Tax-exempt Status of Private Schools	0	88%	12%	<u>139</u>
			TOTAL	3,576

THE WHITE HOUSE
WASHINGTON

14 March 79

FOR THE RECORD:

A COPY OF THE ATTACHED WAS
GIVEN TO TIM KRAFT AND ARNIE
MILLER.

THE WHITE HOUSE

WASHINGTON

March 6, 1979

MEMORANDUM FOR THE PRESIDENT

FROM:

TIM KRAFT *TK*

ARNIE MILLER *AM*

SUBJECT:

General Counsel, Equal Employment
Opportunity Commission

On February 6, 1979, you accepted the resignation of Abner W. Sibal as General Counsel of the Equal Employment Opportunity Commission.

The General Counsel is a Presidential appointment with Senate confirmation and serves a four-year term.

The duties of the General Counsel include supervision of all litigation and the management responsibility of a staff of over 380 attorneys across the country. This position requires an individual well experienced in civil rights and employment discrimination litigation, strong leadership ability, and the management skills necessary for the successful and efficient implementation of the vast reorganization of the agency.

The General Counsel is, by statute, independent from the Chair and the other Commissioners, but should be able to work effectively with them. Eleanor Holmes Norton, Chairperson, has been involved in interviewing each of the candidates and joins us in recommending to you Leroy D. Clark.

Professor Clark was the first Black to win tenure at New York University Law School. He has been teaching courses in employment discrimination law, labor law, and criminal law for the past ten years. He has also supervised student's litigation in a clinical program. From 1962 to 1968, he was Assistant Counsel to the

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NAACP Legal Defense and Education Fund. While supervising the litigation and legal staff, he was also involved in trial and appellate litigation under various civil rights statutes. He is highly respected for his legal work in much of the civil rights litigation of the 1960's.

Prior to his employment with the NAACP Fund, Leroy Clark served as Staff Counsel of the Civil Rights Division of the New York State Attorney General's Office. While Clark has not managed a staff as large as the Equal Employment Opportunity Commission's General Counsel staff, he has a good reputation as a manager on a smaller scale at the NAACP. He has the leadership ability to guide the office through its reorganization and provide the training for 99 new attorneys that will be hired by the agency.

Professor Clark is also the founding member of the prestigious National Conference of Black Lawyers. He is a consultant to the Legal Services Corporation and an Arbitrator for the American Arbitration Association and Federal Mediation and Conciliation Service.

Bob Lipshutz and Louis Martin join us in recommending the appointment of Leroy D. Clark as General Counsel of the Equal Employment Opportunity Commission.

RECOMMENDATION:

Nominate Leroy D. Clark as General Counsel of the Equal Employment Opportunity Commission.

_____ approve

_____ disapprove

LEROY D. CLARK
New York, New York

EXPERIENCE

1974 - Present Arbitrator (American Arbitration Association, Federal Mediation and Conciliation Service)

1968 - Present Professor of Law, New York University, School of Law

1962 - 1968 Assistant Counsel, N.A.A.C.P. Legal Defense and Education Fund, Inc.

1961 - 1962 Staff Counsel, Attorney General's Office, State of New York

EDUCATION

1956 City College of New York, B.A.
Phi Beta Kappa

1958 Completion of Fellowship, Clinical Psychology, New York University

1961 Columbia University, School of Law, LL.B.

CONSULTANT

Ford Foundation, Legal Services Corporation

ORGANIZATIONS AND ACTIVITIES

National Conference of Black Lawyers
Society of American Law Teachers
American Arbitration Association
Association of American Law Schools
Association for Union Democracy (Advisory Council)
Mayor's Committee on Racial Bigotry in Schools, 1969-70
Commission on Juvenile Justice Standards (Institute for Judicial Administration and American Bar Association, Co-Sponsors) 1974-76.

COMMENTS ON LEROY D. CLARK

Norman Reddick, Dean, New York University Law School

"I hired Professor Clark over ten years ago. He was not brought on staff of the Law School as a product of affirmative action, but because of his excellent academic credentials. He is an excellent teacher, a person of stature and a good scholar. He would make an excellent appointment to government."

Elaine Jones, General Counsel, NAACP Legal Defense and Education Fund

"Leroy Clark has good administrative skills. He is worthy of high consideration. He has a first rate legal mind, and a strong civil rights background. He is highly respected by all in the civil rights community."

Judge Robert Carter, Southern District of New York

"I have known Leroy Clark for over ten years. I think very highly of him. He is a competent lawyer, has a good mind and good judgment. He is imaginative and has a good grasp of the law. Scores high."

Judge Constance Motley, Southern District of New York

"I worked with Leroy at the NAACP Legal Defense Fund for over five years. He assisted me with many cases. He is very well qualified; strong background in civil rights litigation. A good trial attorney and a good teacher. He has excellent potential and the requisite scholarship requirements for the position."

Professor Thomas Christianson, New York University Law School and Member of the American Arbitration Association

"Professor Clark is a close colleague of mine. I have worked with him on various committees and he has developed an excellent program on employment discrimination law here at the Law School. He is well liked by students and is a mentor to many. He handles situations extremely well--always cool. He is highly respected. As an Arbitrator, Leroy Clark, I am sure, will be elected to the National Academy of Arbitrators soon. He has the requisite employer-union acceptance necessary as an Arbitrator. While I have not seen his work as an administrator and manager, judging from his past work and performance, I am sure he has excellent potential for management."

THE WHITE HOUSE
WASHINGTON

14 march 79

FOR THE RECORD

A COPY OF THE ATTACHED WAS
GIVEN TO TIM KRAFT, ARNIE MILLER.

THE WHITE HOUSE
WASHINGTON

C

March 7, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: TIM KRAFT *TK*
ARNIE MILLER *AM*

SUBJECT: Advisory Committee to the Pension
Benefit Guaranty Corporation

The Advisory Committee to the Pension Benefit Guaranty Corporation was established under the 1974 Employee Retirement Income Security Act to advise the Board of Directors of the Corporation. The Corporation guarantees basic pension benefits in covered private plans if they terminate with insufficient assets.

The Advisory Committee is bipartisan and composed of seven members, two of which represent employer interests, two represent labor interests, and three public members. Tenure is three years.

There is presently a vacancy in the public member category. We recommend your appointment of Phyllis Spielman.

Phyllis Spielman (Minnesota): Presently Administrator of the Pension Protection Division of the Minnesota Department of Labor and Industry. Formerly Administrative Assistant to various committees in the Minnesota House of Representatives and assisted in the preparation of the state's pension laws. Mrs. Spielman is recognized for her work with rights of senior citizens and pensions. She is recommended for appointment by the Vice President.

Secretary Marshall, Secretary Blumenthal and Secretary Keps are in concurrence with this appointment.

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RECOMMENDATION:

Appoint Phyllis Spielman as a public member to the
Advisory Committee of the Pension Benefit Guaranty
Corporation.

approve

disapprove

J

RESUME
of
PHYLLIS SPIELMAN
(Mrs. Gordon Spielman)
4155 Summit Lane
White Bear Lake, Minnesota 55110

EDUCATION BA degree, Mankato State College, 1972, Cum Laude:
History major, English and Journalism minors.

SCHOOLS ATTENDED

- 1936-39 Hamline University - Major in History and Political Science; minor in English and Inter-collegiate Debate for pre-law. Honor student.
- 1940-41 George Washington University, Washington, D.C. Courses: History and Economic Problems, Social History, Far East Political Science.
- 1969-72 Mankato State College (now University). Completion of credits in History, English and American Literature, and Journalism for a BA degree. BA degree Cum Laude.
- 1974-75 University of Minnesota - Labor Education Services Industrial Relations Center for Continuing Education and Extension. Courses: Labor Law, Industrial Accident Benefits.

EMPLOYMENT RECORD

- 1939-40 Administrative Assistant and researcher, U.S. Senate, Office of Senator Ernest Lundeen, Washington, D.C.
- 1940-41 Congressional Information Division, Library of Congress, Washington, D.C.
- 1941-44 Time Magazine, New York City. Typist, news department; advanced to public opinion department as coordinator of reporter surveys on political trends.
- 1947-72 Co-owner and co-publisher of Trimont Progress and Ceylon Herald, Martin County, Minnesota. Editor-Publisher in 1972.
- 1973 Legislative Aide for House Majority Caucus, Minnesota -- House of Representatives, St. Paul.
- 1973-74 Administrative Assistant for Labor-Management and Transportation Committees, Minnesota House of Representatives.

EMPLOYMENT RECORD CON'T

1974 Currently Administrator, Pension Protection Division, Minnesota Department of Labor and Industry, St. Paul. (See details of position responsibilities on pages 3 and 4)

ORGANIZATIONAL MEMBERSHIP AND PUBLIC SERVICE

Martin County Newspaper Association - President, 1 year
 Southern Minnesota Weekly Newspaper Ass'n - Secretary, 2 years
 Martin County Democratic-Farmer-Labor Club - Chairwoman, 15 years.

Member of:

Sigma Delta Chi, National Journalistic Fraternity Minnesota
 Professional Journalism Society Minnesota Press Women

JOB-RELATED TRAINING

Metropolitan State College, St. Paul - Public Sector Collective Bargaining and Arbitration, June 17 - August 19, 1974.

University of Nevada - Mediation, Conciliation and Arbitration Conference - 5-day intensive course, May 1974; accompanied Minnesota Legislators to this conference.

Bureau of National Affairs Conferences on ERISA, its laws and changes, participant rights, etc., St. Thomas College, St. Paul, 1975-1976.

International Foundation of Benefit Plans Conference on ERISA, participant rights, preemption and portability legislation forthcoming, Minneapolis, May 18, 1977.

PENSION LEGISLATION EXPERTISE

Minnesota Pension Protection law - assisted in research and drafting of law, set up committee hearings on proposed legislation; met with industry representatives to seek compromises prior to passage of law, interviewed numerous organizations regarding bill and other legislative proposals; accompanied Senator John Chenoweth and Rep. Stan Enebo to Washington to confer with Congressmen on problems of unlimited federal preemption of state law without adequate safeguard for fully operative federal reinsurance.

JOURNALISM AWARDS

National Press Women's Award - first place, photography, 1963.

State awards:

1st place - photography in daily or weekly, Minnesota Press Women, 1970 (included competition with metropolitan dailies).

2nd place - personal column, Minnesota Newspaper Association, 1961 (competition - included all non-metro news papers in state).

1st place - editorial in weekly, Minnesota Press Women, 1970.

1st place - photography in daily or weekly, Minnesota Press Women, 1971.

2nd place - Interview in daily or weekly, Minnesota Press Women.

2nd place Editorial in weekly, MPW, 1970.

3rd place - Women's photography division, Minnesota Newspaper Association, 1960.

RESPONSIBILITIES OF PRESENT POSITION

As administrator of the Pension Protection Division, Minnesota Department of Labor and Industry, I set up the full operation of the division following passage of the Minnesota Law which became effective April 10, 1974 prior to ERISA. My responsibilities included organizing and implementing the whole procedure for receiving and processing cases of pension rights violations. This involved doing the actual investigations of the complaints through both office and field investigation, meeting with employers and employees to seek compromise settlements, and preparing basic facts of cases for litigation, when necessary. Actual litigation is handled by the Office of the Attorney General, State of Minnesota.

Currently we have two major cases now before the courts: The White Motor Case involving over 1,000 workers retired or with vested rights, and company liabilities in the area of \$13 to \$19 million; and the Allied Structural Steel case involving salaried employees with company liabilities in the area of \$185,751.

The White case is on appeal to the U.S. Supreme Court and the Allied case is in the U.S. District Court of Appeals.

In addition, the Pension Division has handled over 300 complaints, informing people of their rights under state and federal law, and referring to the area office of the U.S. Department of Labor, Minneapolis those cases where that office has jurisdiction.

The Minnesota Legislature added to the responsibilities of the Minnesota Department of Labor and Industry and this Pension Division in its 1977 session by providing through statute for cooperation with the Minnesota Department of Human Rights in processing age discrimination cases related to pensions. Implementing the procedural machinery of that cooperation is my responsibility. This also requires implementation of coordination with the U.S. Department of Labor which also handles age discrimination cases for those from age 40 to 65. Minnesota's law covers those 18 and above with no cap on the age limit.

NOTE: The above responsibilities are detailed to provide insight into the area of public responsibility and representation, plus the pension law expertise, that are required for my position as administrator of the Pension Division, Minnesota Department of Labor and Industry. This has been buttressed with long public service in the newspaper field, plus a direct participation in the legislative sphere as herein detailed.

ADVISORY COMMITTEE TO THE PENSION BENEFIT
GUARANTY CORPORATION

INDEPENDENT

~~Board of Directors~~
~~Board of Directors~~

AUTHORITY: P.L. 93-406, Title IV, Sec. 4002(h), 83 Stat. 1005,
September 2, 1974

METHOD: Appointed by the President

MEMBERS: SEVEN members from among individuals recommended by the Board of Directors of the Pension Benefit Guaranty Corporation. Of the seven members, two shall represent the interests of employee organizations, two shall represent the interests of employers who maintain pension plans and three shall represent the interests of the general public.

Members shall be chosen on the basis of their experience with employee organizations, with employers who maintain pension plans, with the administration of pension plans, or otherwise on account of outstanding demonstrated ability in related fields. Of the members serving on the Advisory Committee at any time, no more than four shall be affiliated with the same political party. (BI-PARTISAN)

CHAIRMAN: The President shall designate one member as Chairman at the time of the appointment of that member.

Continued

ADVISORY COMMITTEE TO THE PENSION BENEFIT
GUARANTY CORPORATION

Pension Benefit Guaranty Corporation
Department of Labor

TERM:

THREE YEARS, except that, of the members first appointed, one of the members representing the interests of employee organizations, one representing the interests of employers, and one representing the interests of the general public shall be appointed for terms of two years each, one of the members representing the interests of the general public shall be appointed for a term of one year, and the other members shall be appointed to full 3-year terms.

An individual appointed to fill a vacancy occurring other than by the expiration of a term of office shall be appointed only for the unexpired term of the member he succeeds. (NOT HOLDOVERS)

SALARY:

Members shall, for each day, including traveltime, during which they are attending meetings or conferences of the committee or otherwise engaged in the business of the committee, be compensated at a rate fixed by the Corporation which is not in excess of the daily equivalent of the annual rate of basic pay in effect for grade GS-18, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence.

PURPOSE:

Advise the Corporation as to its policies and procedures relating to the appointment of trustees in termination proceedings, investment of moneys, whether plans being terminated should be liquidated immediately or continued in operation under a trustee, and such other issues as the Corporation may request from time to time. The Advisory Committee may also recommend persons for appointment as trustees in termination proceedings, make recommendations with respect to the investment of moneys in the funds, and advise the Corporation as to whether a plan subject to being terminated should be liquidated immediately or continued in operation under a trustee.

~~CONFIDENTIAL~~

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

1553

~~CONFIDENTIAL~~

March 14, 1979

ACTION

MEMORANDUM FOR: THE PRESIDENT
FROM: DAVID AARON *DA*
SUBJECT: Refugee Legislation and Budget Revisions (U)

Jim McIntyre's memorandum presents two approaches to the problem of the number of refugees to be admitted into the U.S. during the remainder of FY 1979 and during FY 1980 and 1981. (C)

State, Justice, and HEW favor an announcement now that during this period the United States intends to accept 10,000 refugees per month (excluding Cubans). The primary advantage of this approach is that it establishes longer term budget and policy guidance which responds to Congressional desires. Its principal drawback is that its long-term character may be seen to encourage additional refugees to leave Indochina, though I doubt they need any. (C)

OMB supports the acceptance rate of 10,000 per month through FY 1979, but recommends that program announcements for FY 1980 and 1981 be held until just before the start of those fiscal years. Also, OMB would direct the agencies to attempt to find ways to reduce refugee flows to the U.S. toward the long-term rate of 50,000 per year called for in the Administration refugee bill. The point of this alternative, which is more complex from a budget and management standpoint, is to try to reduce refugee flows in the out years.

However, given the refugee camp populations in Southeast Asia, and predicted Soviet emigration (including the current backlog in Rome) there is little chance that the U.S. program could be reduced over the next two to three years without severe international and domestic repercussions. Therefore, I recommend that you use this opportunity to establish longer term guidance (through FY 1981) for the U.S. refugee program. (C)

RECOMMENDATION

That you approve the State, Justice, and HEW option in Jim McIntyre's memorandum (Option 1). (C)

Approve _____

Disapprove _____

~~DECLASSIFIED~~
Per: Rac Project

~~CONFIDENTIAL~~

Review on March 13, 1985

~~CONFIDENTIAL~~

ESDN: NLC-126-16-32-2-7
BY: KS NARA DATE 7/29/13

THE WHITE HOUSE
WASHINGTON

Bill -

On hold
till ~~in~~ indefinite
time (OMB
Revising)

Original memo
w/OMB.

M.

THE WHITE HOUSE
WASHINGTON

Rick--

3/13

and
on indefinite hold
called action

Sue Woolsey from OMB

(4844) called - They want
to pull the ^{McIntyre} Refugee Entry Policy
memo that has already
been staffed. Apparently
John White just got back
& disagrees with it.

Marisa.

ID 790955

THE WHITE HOUSE

WASHINGTON

DATE: 14 MAR 79

Sen. L. Mc
House: Opt I

FOR ACTION: STU EIZENSTAT *abandoned*

FRANK MOORE (LES-FRANCIS)

ZBIG BRZEZINSKI

INFO ONLY: THE VICE PRESIDENT

HAMILTON JORDAN

JODY POWELL

JERRY RAFSHOON

SUBJECT: REVISED MCINTYRE MEMO RE REFUGEE LEGISLATION AND BUDGET REVISIONS

+++++

+ RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052) +

+ BY: 1200 PM FRIDAY 16 MAR 79 +

+++++

ACTION REQUESTED: YOUR COMMENTS

STAFF RESPONSE: () I CONCUR. () NO COMMENT. () HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:

OLD comments in safe

McIntyre memo

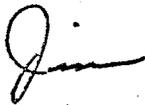
EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

MAR 9 1979

MEMORANDUM FOR: THE PRESIDENT

FROM: James T. McIntyre, Jr. 
Director

SUBJECT: Refugee legislation and budget revisions

This memorandum requests your decision on the number of refugees the Administration now intends to admit into the United States over the next three years. Your decision has far-reaching international and domestic implications and is needed for upcoming hearings in the Congress.

Last March you determined an Administration policy on refugees. The 95th Congress failed to pass legislation implementing that policy, although the cognizant subcommittees were generally receptive. A new Administration bill, proposed by State, Justice, and HEW, has been transmitted to this Congress, and Senator Kennedy will begin Judiciary Committee hearings on March 14. The number of expected refugee entries will be requested by the committee.

Several developments over the past year make advisable a restatement of Administration policy, accompanied by revised immigration and refugee assistance legislation and revised budget estimates.

- During the past year refugee outflows from Indochina and the Soviet Union have sharply increased (as high as 20,000 monthly for the former and 4,000 monthly for the latter). The Attorney General has repeatedly exercised his parole authority to allow entries above the 17,400 annual limit in current immigration law. These higher outflows have also increased budget costs for care and maintenance of refugees abroad and transportation to and resettlement in the U.S.
- Various committees and Members of Congress, in particular Senators Kennedy and Inouye and Representatives Rodino, Holtzman and Fascell, have called for an early Administration overview of refugee policy and assistance. There is some indication that several Members believe that there is a good chance for legislation to be enacted this year.
- The authorized Select Commission on Immigration and Refugee Policy will not report before September 1980. Recent refugee developments do not allow such a delay in adopting a refugee policy.

- The Attorney General wants refugee immigration policy to be legislated by the Congress. He is reluctant to continue ad hoc paroles, since to do so weakens congressional resolve to legislate.

The Administration's proposed legislation largely reiterates the principles you set out a year ago with some liberalizations. It will--

- establish a normal flow quota of 50,000 to be allocated by the President among groups of refugees (reflects March 1978 decision);
- authorize the President to increase at the beginning of each fiscal year the normal flow quota of 50,000 (new proposal);
- authorize the President, upon consultation with the judiciary committees, to admit emergency situation refugees beyond the annual normal flow, if an unforeseen emergency refugee situation exists and entry is of grave humanitarian concern, is in the national interest, and entry cannot be accomplished under the normal flow quota (reflects March 1978 decision.);
- revise and expand slightly the authorities for refugee resettlement activities in the U.S., now administered by HEW, and extend them to all refugees (They are now limited to refugees from the Western Hemisphere and Indochina.) (new proposal); and
- authorize an increase in the appropriation authorization of the Emergency Refugee and Migration Assistance Fund from \$25 to \$50 million, thereby allowing the President to seek an additional \$25 million contingency appropriation to be readily available to meet any emergency situation beyond the normal flow (new proposal)

Because of recent events illustrating the uncertainty of refugee developments abroad, all interested parties agree with the provision providing flexibility in the determination of annual normal flow quotas. Initial discussions on the Hill by Dick Clark indicate acceptance of such flexibility.

Dick Clark, State, Justice and HEW propose to indicate to the Senate Judiciary Committee on the 14th, and other committees soon thereafter, that the Administration currently estimates that normal flow entry numbers will be 120,000 annually through 1981. This current estimate might well increase later. The agencies propose that 1979 supplementals and 1980 budget amendments reflecting the 120,000 annual normal flow be transmitted to the Congress immediately. Those requests would also include additional amounts needed by State for the care, maintenance and resettlement of Indochinese, Soviet and African refugees abroad. Current 1979 State appropriations and 1980 budget requests are inadequate because of the sharp increases in refugees in those areas and will be exhausted

in April. If entry of 120,000 is authorized through 1981 and increased care and maintenance is provided for refugees abroad, the total refugee appropriations are estimated as follows:

	(Millions of dollars)					
	1979		1980		1981	
	BA	0	BA	0	BA	0
In Budget - State	160	111	152	173	154	153
- HEW refugee aid	227	227	166	216	156	167
Total in budget	<u>387</u>	<u>338</u>	<u>318</u>	<u>389</u>	<u>310</u>	<u>320</u>
Additional - State	52	52	128	91	104	102
- HEW refugee aid	15	15	64	64	83	83
- Other Fed. costs	14	14	48	48	67	67
Total <u>additional</u>	<u>81</u>	<u>81</u>	<u>240</u>	<u>203</u>	<u>254</u>	<u>252</u>

The additional estimates above are not yet firm. Indeed, the State amounts in 1980 and 1981 may be \$20-\$25 low, but short of substantially reducing the annual entry below 120,000 and/or limiting our care and maintenance contributions to the United Nations to aid refugees abroad, any downward adjustments to the additional estimates I may recommend to you after further review can only be minimal.

The entry of 120,000, or any number above a 50,000 normal, flow would tend to exert an undesirable pull effect on refugees by inducing more of them to seek asylum in the U.S. and reducing incentives for them to remain at home or seek asylum elsewhere. It might also weaken the pressures on countries of first asylum to accept refugees for permanent resettlement. The entry of 120,000 annually will require HEW appropriations to be increased substantially. The 100% reimbursement to the States for income support, medical costs, and social and educational services provided for needy refugees for two years, coupled with the matching Federal portion for such activities will be expensive. Furthermore, additional appropriations are likely to be required to the extent refugees utilize food stamps and receive supplemental security income payments. Increased HEW budget requests of the magnitude indicated above for newly arriving refugees are bound to be controversial in view of the many reductions in social services proposed in the 1980 budget. Questions of national priorities are likely to be raised by the elderly, blacks, Hispanics and urban leaders. A large flow of refugees into the country may also result in additional pressures from State and local governments for Federal funding to cover social service costs of illegal aliens.

On the other hand, a restrictive entry policy will also have sharp repercussions. Our national humanitarian reputation would suffer. Sharp diplomatic reactions would be forthcoming from Malaysia and Thailand,

perhaps resulting in their refusal to continue as countries of first asylum. Our ability to influence other nations (France, Canada, Australia, etc.) to continue taking refugees would be weakened. Sharp criticism would be evoked from certain Members of Congress (Kennedy especially) and from refugee and church organizations. All are aware of the 120,000 proposal. Any significant reductions below 120,000 would sharply reduce the flow of Indochinese because of the strong pressures to accept all Soviet refugees desiring to come to the U.S. (now estimated to be 36-40,000 annually).

While State, Justice and HEW do not propose entry numbers lower than 120,000, I believe you should consider some alternative normal flow entry estimates for the period May 1979 - September 1981.

OPTION 1. Accept proposed 120,000 annual rate through 1981, subject to actual review and Presidential determination prior to each year, and request additional appropriations of \$74, \$200 and \$238 million for 1979-81. (State, Justice and HEW recommendation)

- Provides a definite entry policy and budget overview as Congress desires.
- Meets currently foreseeable "needs" resulting from the present Indochinese and Soviet refugee situation. Includes 7,000 monthly Indochinese entries which State has conveyed to ASEAN nations and the UN as the U.S. goal and 3,000 others largely to accommodate increased outflows of Soviet Jews.
- Entry numbers are likely to be controversial, especially among black and Hispanic communities, in view of 1980 budget stringencies for social services.
- Several Members of Congress and refugee and church groups are aware of the 120,000 proposal and approve it.

OPTION 2. Authorize normal flow entry of 90,000 annually through 1981, subject to actual Presidential determination prior to each year, and transmit lower budget estimates of \$74, \$141, and \$176 million for 1979-81.

- Sets an arbitrary, lower entry number that could accommodate currently foreseeable Soviet refugees (36-40,000) and continue substantial Indochinese entries.
- Provides a definite entry policy and budget overview as the Congress desires.
- May lessen black and Hispanic resentment, but entry of 90,000 will result in some objections.
- Disappoints Malaysians and Thais who expect increased flows of Indochinese to the U.S. (7,000 monthly) as essential to their

granting temporary asylum to refugees, particularly "boat cases", and risks sharp diplomatic reaction and refusal to accept such refugees on a temporary asylum basis.

- Would evoke criticism of inadequacy from some Members of Congress (Kennedy especially) and refugee and church organizations.

OPTION 3. Approve entry of an additional 50,000 refugees during the May-September 1979 period, but inform the Congress that an annual "normal flow" of 50,000 refugees is expected in fiscal years 1980 and 1981. Instruct the agencies to develop a quota system and restrict refugees to this number. Request lower additional appropriations of \$74, \$59, and \$20 for 1979-81 reflecting only the impact of the one time 50,000 addition (in the May-September period.) While the legislation would authorize the President to increase the "normal flow" above 50,000 at the beginning of each fiscal year, the President would announce his intention not to do so under the circumstances now prevailing in Eastern Europe and S.E. Asia. ("Emergency situation" procedures would be available for unexpected upheavals; e.g., Iran, etc.)

- Provides a definite entry policy and budget overview with a minimum budget impact.
- Minimizes adverse reaction from the black and Hispanic communities and reduces the impact on "impacted" localities (e.g., Southern California and Texas).
- May discourage Indochinese from departing. (State disagrees and claims local conditions are the determining factor in decisions to leave.)
- Better assures successful resettlement efforts by American voluntary agencies and sponsors.
- Would result in sharp objections from Malaysia and Thailand and seriously risks the former refusing to accept "boat cases" even temporarily.
- Ignores continuing large outflow from Indochina and Soviet Union. Internal pressures in U.S. would be toward accommodating all of Soviet flow (36-40,000) leaving only 10-14,000 entries for Indochinese and others.
- Would evoke sharp congressional, church and refugee organization objections.

OPTION 4. A variant of Option 3 would be to authorize entry of an additional 50,000 during the May-September 1979 period and state that the fiscal year 1980 normal flow will be determined in September 1979. Instruct the Secretary of State, with the assistance of the Attorney General and the Secretary of HEW, to develop a plan by August 1 that includes disincentives and/or limitations directed toward the reduction

of refugee immigrants toward the normal flow number of 50,000 set out in the legislation proposed by the three agencies. Announce entry flows for 1980 and 1981 in August or September in the context of that plan. (OMB recommendation)

- Minimizes apparent budget costs which may lessen black and Hispanic resentments.
- Softens the objections set out in Option 3, since it would not foreclose a 1980 "normal flow" higher than 50,000.
- Fails to provide a definite entry policy and budget overview now thereby continuing a policy of ad hoc entry decisions until August thus complicating refugee and budget planning.

	Option 1: 120,000 flow	
	1979 supplemental:	\$ 74 million
	1980 amendment:	\$200 million
	Option 2: 90,000 flow	
	1979 supplemental:	\$ 74 million
	1980 amendment:	\$141 million
	Option 3: 50,000 more refugees only	
	1979 supplemental:	\$74 million
	1980 amendment:	\$59 million
	Option 4: 50,000 more refugees only	
	1979 supplemental:	\$74 million
	1980 amendment:	\$59 million

After you have decided among the options above, we will prepare for your signature the relevant budget revisions for early transmittal to the Congress.

Date: 3/10/79

MEMORANDUM

FOR ACTION:
 EIZENSTAT
 MOORE
 BRZEZINSKI

FOR INFORMATION:
 THE VICE PRESIDENT
 JORDAN
 POWELL
 RAFSHOON

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: MCINTYRE MEMO, "REFUGEE LEGISLATION AND BUDGET REVISIONS"

YOUR RESPONSE MUST BE DELIVERED
 TO THE STAFF SECRETARY BY:

TIME: 12:00 PM

DAY: TUESDAY

DATE: March 13

ACTION REQUESTED:

Your comments

Other:

STAFF RESPONSE:

I concur.

No comment.

Please note other comments below:

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. (Telephone 7052)

FOR ACTION

FYI

FOR STAFFING

FOR INFORMATION

FROM PRESIDENT'S OUTBOX

LOG IN/TO PRESIDENT TODAY

IMMEDIATE TURNAROUND

NO DEADLINE

LAST DAY FOR ACTION

		VICE PRESIDENT
		JORDAN
		EIZENSTAT
		KRAFT
		LIPSHUTZ
		MOORE
		POWELL
		RAFSHOON
		WATSON
		WEXLER
		BRZEZINSKI
		MCINTYRE
		SCHULTZE
		ADAMS
		ANDRUS
		BELL
		BERGLAND
		BLUMENTHAL
		BROWN
		CALIFANO
		HARRIS
		KREPS
		MARSHALL
		SCHLESINGER
		STRAUSS
		VANCE

ARONSON

BUTLER

H. CARTER

CLOUGH

CRUIKSHANK

FIRST LADY

HARDEN

HERNANDEZ

HUTCHESON

KAHN

LINDER

MARTIN

MILLER

MOE

PETERSON

PETTIGREW

PRESS

SANDERS

WARREN

WEDDINGTON

WISE

VOORDE

ADMIN. CONFIDEN.

CONFIDENTIAL

SECRET

EYES ONLY

ID 790955

THE WHITE HOUSE

WASHINGTON

DATE: 14 MAR 79

FOR ACTION: STU EIZENSTAT

FRANK MOORE (LES FRANCIS)

ZBIG BRZEZINSKI

INFO ONLY: THE VICE PRESIDENT

HAMILTON JORDAN

JODY POWELL

JERRY RAESHORN

SUBJECT: REVISED MCINTYRE MEMO RE REFUGEE LEGISLATION AND BUDGET REVISIONS

+++++

+ RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052) +

+ BY: 1200 PM FRIDAY 15-MAR 79 +

+++++

ACTION REQUESTED: YOUR COMMENTS

STAFF RESPONSE: () I CONCUR. () NO COMMENT. () HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:

Senate Liaison: No Comment

House Liaison (Beckel): Go along with Option 1.

3/10

Date: 3/10/79

MEMORANDUM

FOR ACTION: EIZENSTAT MOORE BRZEZINSKI

FOR INFORMATION: THE VICE PRESIDENT JORDAN POWELL RAFSHOON
--

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: MCINTYRE MEMO, "REFUGEE LEGISLATION AND BUDGET REVISIONS"

→ Renewal

YOUR RESPONSE MUST BE DELIVERED TO THE STAFF SECRETARY BY: TIME: 12:00 PM DAY: TUESDAY DATE: March 13

ACTION REQUESTED:

Your comments

Other:

STAFF RESPONSE:

I concur.

No comment.

Please note other comments below:

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required

OLD

2

- The Attorney General wants refugee immigration policy to be legislated by the Congress. He is reluctant to continue ad hoc paroles, since to do so weakens congressional resolve to legislate.

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02A

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OLD

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- Several Members of Congress and refugee and church groups are aware of the 120,000 proposal and approve it.

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- Ignores continuing large outflow from Indochina and Soviet Union. Internal pressures in U.S. would be toward accommodating all of Soviet flow (36-40,000) leaving only 10-14,000 entries for Indochinese and others.
- Would evoke sharp congressional, church and refugee organization objections.

OPTION 4. A variant of Option 3 would be to authorize entry of an additional 50,000 during the May-September 1979 period and state that the fiscal year 1980 normal flow will be determined in September 1979. Instruct the Secretary of State, with the assistance of the Attorney General and the Secretary of HEW, to develop a plan by August 1 that includes disincentives and/or limitations directed toward the reduction

OLD

6

of refugee immigrants toward the normal flow number of 50,000 set out in the legislation proposed by the three agencies. Announce entry flows for 1980 and 1981 in August or September in the context of that plan. (OMB recommendation)

- Minimizes apparent budget costs which may lessen black and Hispanic resentments.
- Softens the objections set out in Option 3, since it would not foreclose a 1980 "normal flow" higher than 50,000.
- Fails to provide a definite entry policy and budget overview now thereby continuing a policy of ad hoc entry decisions until August thus complicating refugee and budget planning.

_____ Option 1:	120,000 flow		
	1979 supplemental:	\$ 74 million	
	1980 amendment:	\$200 million	
_____ Option 2:	90,000 flow		
	1979 supplemental:	\$ 74 million	
	1980 amendment:	\$141 million	
_____ Option 3:	50,000 more refugees only		
	1979 supplemental:	\$74 million	
	1980 amendment:	\$59 million	
_____ Option 4:	50,000 more refugees only		
	1979 supplemental:	\$74 million	
	1980 amendment:	\$59 million	

After you have decided among the options above, we will prepare for your signature the relevant budget revisions for early transmittal to the Congress.

~~SECRET~~



THE VICE PRESIDENT
WASHINGTON

~~SECRET/SENSITIVE~~

March 14, 1979

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MEMORANDUM FOR THE PRESIDENT

FROM: THE VICE PRESIDENT *WJ*
SUBJECT: RECENT EVENTS AND PROGRESS REPORT

The attached report highlights items of potential interest on the economic and domestic policy, national security and Congressional fronts. Stu, Charlie, NSC, OMB and Frank have contributed.

A political note: the New York Times reported on Monday that Governor Carey said he had no intention of running for President in 1980 and that he would support you if you sought re-election. His remarks were made in response to a question on a radio call-in program. He said:

"I'm supporting the President and I'm grateful for the help he has extended New York."

Following the program Carey was questioned by reporters. He re-confirmed the statement saying that if you were to officially announce your intention to run, "I would declare for him the very same day."

~~SECRET/SENSITIVE~~

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for Preservation Purposes

(This memorandum is
unclassified when removed
from attachments)

DECLASSIFIED
Per, Rac Project
ESDN; NLG-126-16-32-1-8
BY KS NARA DATE 7/24/13

ECONOMY AND DOMESTIC AFFAIRS

I. THE ECONOMY

A. Economic News

During the past week, the economy has continued to show substantial strength. Unfortunately, the rate of inflation has continued at an intolerable level. Specifically:

- o Employment grew strongly in February, rising 347,000 while the number of unemployed edged down 2,000 -- lowering the unemployment rate from 5.8 percent to 5.7 percent and bringing the total employment increase since December 1976 to 7.9 million.
- o Black and other minority unemployment rates remain high, and minority teenage unemployment rates continue at very high levels (above 35% for black youth). While the number of minority youth working has increased substantially since January 1977 (up from 575,000 in January '77 to 714,000 last month), this progress has been swamped by the increase in labor force participation.
- o The Producer Price Index rose 1.0 percent in February. This index has risen at over a 10% rate for six months. Food prices rose 1.6 percent. Prices for other finished goods rose 0.9 percent, and capital equipment prices rose 0.8 percent.
- o The trade deficit worsened in January, rising from \$1.7 billion in December to \$3.1 billion. Exports dropped slightly, while imports jumped \$1.2 billion, led by a \$500 million increase in oil imports and a \$400 million increase in machinery.
- o Productivity during the fourth quarter of 1978 rose at a 2.1 percent annual rate, but for the year as a whole productivity growth amounted to only 0.5 percent.
- o Retail sales rose modestly in January and February, but measured a slight decline when adjusted for inflation.
- o The value of the dollar has remained stable inching up slightly this month.

I. THE ECONOMY

A. Economic News (cont...)

o Durable goods orders are currently very strong, causing CEA to believe that the strength of the economy in 1979 will come from increased business fixed investment and inventory accumulation rather than consumption.

B. Economic Policy

The Economic Policy Group has been meeting intensively during the past week to evaluate the performance of the economy and to identify additional steps which might be taken to help curb inflation. You may receive recommendations following further review and analysis. Areas under review by the EPG include: monetary policy and consumer credit; administrative steps to help moderate food price inflation; and COWPS recommendations for more aggressive monitoring of price performance by large and medium sized firms.

C. Teamsters Negotiations

On Tuesday, March 6, the Teamsters presented to the employers an "economic" package for the first time (the current contract expires March 31). Although the specific terms of the proposal have not been released by the parties (the Union refused a government request for the information and the employers promised to provide the terms as soon as they have costed out the package), it is obvious from conversations with people in the industry and press reports that the package substantially exceeds the Administration's wage standards.

The wage standards were revised in December to provide significant relief in the so-called "maintenance of benefits" area. This area was of particular concern to the Teamsters Union. In late February, Teamster officials met privately with Bob Strauss and Jack Gentry to discuss the guidelines further. The recommendations (or interpretations) they sought at that time would have produced a settlement in the neighborhood of 12 to 13% during the first year of the new agreement.

I. THE ECONOMY

C. Teamsters Negotiations (cont...)

The Teamsters were told on March 6 that these further proposed changes or modifications were unacceptable to the Administration and then formally submitted to the employers the economic package that is now on the table.

On Monday, March 12, the employers indicated that they found the Union's economic proposals totally unsatisfactory and that the employers were going to seek a settlement within the wage standards. Following a brief meeting, Fitzsimmons and the employers jointly called Wayne Horvitz of the Federal Mediation and Conciliation Service to request that he intervene in the negotiations. Horvitz agreed to meet with the parties Tuesday (March 13).

Horvitz will stay in close touch with Landon Butler, Secretary Marshall, and Jack Gentry as the negotiations progress. In the interim, efforts are underway to insure that the Administration is prepared for the possibility that the current impasse could lead to a Teamsters strike.

II. ENERGY

A. Energy News

NSC reports that Iranian production reached 2.5 million barrels on Tuesday, up 500,000 barrels from Friday. An NSC paper and a March 12 report from the Department of Energy on the world oil market are provided at Tab 1.

B. Energy Policy

The Interagency Working Group chaired by Stu Eizenstat is nearing completion of its work. A decision paper will be submitted to you by Monday at the latest including decision or issue papers on:

- o oil pricing
- o SPRO policy;
- o Alaskan oil swaps;
- o lead in gasoline;

II ENERGY

B. Energy Policy (cont...)

- o environmental waivers for use of high sulfur fuels;
- o federal government conservation activities;
- o timing for implementation of contingency plans; and
- o mandatory wheeling of electric power to minimize use of oil fired facilities.

Stu and Frank Moore have contacted many of the key members of Congress on oil pricing and other issues. The working group is coordinating preparation of a speech draft with Jerry Rafshoon.

III. ETHICS IN GOVERNMENT ACT

The Justice Department and the Office of Government Ethics have met to resolve differences over the regulations which will be issued today (March 13). Judge Bell, Chairman Campbell and Stu all agree that some technical changes in the statute should be proposed to clarify ambiguities concerning post employment activities. An evaluation is underway of whether more significant amendments may be necessary. A memorandum will be submitted to you within the next two to three days.

IV. REORGANIZATION

During your trip, work has been proceeding on the reorganization initiatives in the Congress and within the Administration. The following briefly highlights significant events:

1. The Department of Education bill (H.R. 2444) was introduced in the House with 72 co-sponsors. Markup in Senate should start this week.
2. The Natural Resources Reorganization Legislative Task Force is up and running.
3. The regulatory reform bill and message will be ready for Presidential announcement by the end of the month.

IV. REORGANIZATION (cont...)

4. An EOP Task Force, chaired by John White, is developing trade reorganization proposals in conjunction with the MTN proposals.
5. OMB is conducting final consultations with the agencies and Congressional Committees on the Alaska Federal Inspector. A reorganization plan will be ready by April, although we must negotiate with the Governmental Affairs and Government Operations Committees to get on their schedules.
6. The Foreign Assistance reorganization plan and message have been drafted and circulated for comment. OMB is negotiating timing with the Congressional Committees.

V. NATIONAL HEALTH PLAN

Announcement of the Administration's approach has been delayed pending Presidential meetings with George Meany, Doug Fraser and Senator Kennedy, which will be set up upon your return. HEW and EOP are working to develop Administration testimony for Senator Long's hearings on March 27. Pursuant to your earlier decision, a White House Task Force under Dick Moe has been established for the national health plan.

VI. WELFARE REFORM

Draft language for the legislation will be discussed with the Hill and interest groups over the next few days in a final effort to negotiate compromises which will be presented to you in a decision memorandum.

VII. LAWSUIT ON PROGRESSIVE HYDROGEN BOMB ARTICLE

Last week, the Attorney General filed suit to enjoin publication of an article, entitled "How a Hydrogen Bomb Works", in The Progressive magazine. The article is believed to contain reference to at least two of the basic concepts of thermonuclear weapon design that remain classified as "Restricted Data" under the Atomic Energy Act of 1954. Publication might therefore secure an advantage to other nation's efforts to develop thermonuclear weapons and

VII. LAWSUIT ON PROGRESSIVE HYDROGEN BOMB ARTICLE (cont...)

would be injurious to the United States. The Attorney General decided to file suit only after several efforts to convince the editors of the magazine to withhold publication failed. (At the same time, there is some question as to whether the Administration was too slow in reacting to notification that the article was to be published).

An action to enjoin publication presents difficult constitutional and statutory issues. Under the First Amendment, the Government bears a "heavy burden" in justifying any prior restraint of speech and the courts have traditionally viewed such attempts with disfavor. However, in cases such as this the Atomic Energy Act authorizes injunctive actions to protect United States security. As a result, groups concerned with First Amendment rights have not opposed the Attorney General's efforts. And significantly, editorials in major newspapers, including the New York Times, have been supportive of the Administration on this issue. It is therefore unlikely that the case will become highly controversial, as was the situation in the Pentagon Papers litigation.

VIII. NORTH CAROLINA DESEGREGATION CASE

Secretary Califano has personally taken charge of the case. HEW officials are meeting with representatives of the University in North Carolina today (March 13). HEW is under a March 14 deadline for decision. The Secretary will reach a judgment on the appropriate course of action, pending the outcome of Tuesday's discussions.

IX. CONSTITUTIONAL CONVENTION

We are increasingly convinced that White House and Hill efforts have successfully stopped the possibility of a Constitutional convention in the near future. Lt. Governor Tommy O'Neill of Massachusetts is heading a private coalition to fight the convention proposals on a continuing basis. The group will be having an organizational meeting this Friday here in Washington. The White House will be working closely with this group.

X. RAIL DEREGULATION PACKAGE.

Stu and Secretary Adams have worked out final details of the rail deregulation package. Secretary Adams reviewed Stu's concerns and agreed to modify his proposals regarding abandonments and general rate increases. We have tentatively scheduled release of the package on Thursday at a White House briefing with Stu and Secretary Adams.



Congressional

CONGRESSIONAL ACTIVITIES

In addition to the weekly legislative report dispatched to Jerusalem on Monday, Frank Moore has prepared the attached update covering; FY 79 rescissions; Real Wage Insurance; Hospital Cost Containment; Debt limit and the AMTRAK Route Reduction, and; PRC/Taiwan Legislation.

THE WHITE HOUSE

WASHINGTON

March 13, 1979

MEMORANDUM TO THE PRESIDENT

FROM: Frank Moore

SUBJECT: Addendum to Weekly Legislative Report

I. DOMESTIC ISSUES

1. FY 79 Rescissions

-- Your health rescission package will reach the Senate floor Wednesday. This will be the first major budget issue of the year and is being hard fought by both sides. The outcome is still in doubt, although we have a slight lead; there is a substantial number still in the undecided/unknown category. Work on the vote count is continuing tonight (Tuesday).

-- With Senator Magnuson's help, we were able to come out of the Senate committee with \$2,200,000 more than the House. Senator Kennedy will offer an amendment on the floor to replace substantial funds. We have convinced Senator Johnston to offer an amendment incorporating your original figures in the hope that this will aid Magnuson's tactical position.

-- The vote is receiving substantial press attention. Many conservative Republicans (Hatch, Thurmond), who have been urging a balanced federal budget, will probably vote against us tomorrow. This has not escaped the press' attention.

2. Real Wage Insurance

-- Treasury's immediate goal at this time is to keep RWIP alive until March 31. Prospects for success of the program have diminished over the past two weeks due primarily to the fear of increased budget exposure (above the \$2.5 billion we have earmarked for FY 80).

-- Fourteen Democratic Members of Ways and Means asked Treasury to submit a range of options to put a limit on expenditures under RWI. Four options have

been presented, but only two are regarded by Treasury as "minimally acceptable". Congressmen Downey, Gephardt and Corman are canvassing their colleagues to determine whether or not any of the four options are viable politically.

3. Hospital Cost Containment

-- Tuesday there was an attempt to kill HCC in the Commerce Committee by Members of the Health subcommittee who recommended the termination of joint hearings with the Health subcommittee of Ways and Means. Chairman Waxman was forced to go along with them.

-- Minority and conservative subcommittee Members are pushing strongly for a resolution overturning the Speaker's mandated deadline for reporting the bill. Subcommittee headcount for the overall bill is 8-10 against us at this time. We will have to work this committee hard in an effort to turn it around.

4. Debt Limit

-- The House will take up the debt limit extension -- for the second time this session -- on Thursday, March 15. Jones (Oklahoma) is determined to propose an amendment which would extend the limit until sometime in 1981, but which would require a balanced budget by that time.

-- Treasury and WHCL have a list of approximately 60 Members to contact prior to the vote Thursday. Congressman Dick Gephardt is leading the forces in support of the extension for the Leadership.

-- To demonstrate the seriousness of the issue, Secretary Blumenthal has sent a letter to Chairman Ullman informing him that, unless the debt limit is extended, Treasury will "stop all checks" on April 3. Previous warnings have been viewed by the House as bluffs, but the Secretary is warning the Congress that this is not a bluff.

5. AMTRAK Route Reduction

-- We won a test vote in the Senate Commerce Committee today when it voted 13 to 1 to recommend our budget figure of \$552 million for AMTRAK in FY 80.

II. FOREIGN ISSUES

Taiwan Legislation -- Completed

-- Both Senate and House completed action Tuesday on the Taiwan legislation (Senate: 90-6; House: 345-55). Conference will start early next week. While the results are not perfect in every respect, our bills survived substantially intact and provide a basis for our unofficial relations with Taiwan.

-- We beat amendments to toughen the security provisions in both Houses. Efforts to reestablish some form of official relations with Taiwan were also beaten. Our only significant setback occurred on the diplomatic property issue. We had pushed the Senate very hard during a preceding fight over a Percy amendment to toughen the security provisions, and the Senate took its pound of flesh on the diplomatic property issue. The legal effect of the property provisions adopted is in some doubt, and the PRC can probably still pursue remedies in the courts if they wish. We also lost a nuisance amendment by Ashbrook which prevents reprogramming funds for the Institute until the new fiscal year. Our feeling is that we lost that vote more on budget than on policy grounds. We feel certain that we can take care of it in Conference.

-- Church, Javits and Byrd did an outstanding job for us in the Senate. While we had some Republican support on all issues, the tone was more partisan than usual on foreign policy issues. On the House side, Zablocki fought hard and successfully for his bill despite his concerns about normalization policy, and Broomfield supported him.

THE WHITE HOUSE

WASHINGTON

March 12, 1979

~~CONFIDENTIAL~~

MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE

SUBJECT: Weekly Legislative Report

DECLASSIFIED

Per, Rac Project

ESDN: NLC-126-16-32-1-8

BY 165 NARA DATE 7/29/15

I. DOMESTIC ISSUES1. Congressional Action on Rescission Bill

-- At full Committee action Thursday, the Senate Appropriations Committee voted to rescind \$724 million of the \$915 million proposed for rescission. This included \$600 million for a HUD subsidy program and \$96 million for HEW programs, such as doctor and nursing capitation and the NIH child health building.

-- Lawton Chiles offered an amendment to rescind \$465 million in CETA Title VI (countercyclical) funds. This amendment, which we opposed, was defeated 13 to 11 in a close vote.

2. Real Wage Insurance

-- The Teamsters dealt a blow to RWI Friday that could prove to be fatal. They are seeking a first year wage increase of 12 to 14 percent. WHCL is pessimistic about the future of RWI under these circumstances.

3. Hospital Cost Containment

-- On Monday, Secretary Califano and Alfred Kahn were the Administration witnesses at a joint hearing of the Commerce and Ways & Means Health Subcommittees. Bill Cable attended the hearing and reported that it went well. Chairman Ullman has announced his support. Tomorrow the Health Subcommittee of Senate Finance will hear Califano and Kahn.

-- Kennedy's Health Subcommittee of Human Resources is tentatively scheduled to mark-up a bill March 21-22; Finance is expected to mark-up on March 22-23.

4. Food Stamp Cap

-- Last Tuesday, the Senate Agriculture Committee narrowly defeated Senator Lugar's motion to retain the cap on food

stamp spending and to reduce your food stamp budget request by \$738 million. The near party-line vote was 8-9 with Senator Talmadge's vote being the last and deciding vote to be cast. U.S.D.A. contacted Talmadge to let him know his vote would probably be the critical one and he has let us know that he voted with us only because of our specific and urgent request.

5. Sugar

-- The first serious threats on sugar legislation emerged in the final House Agriculture Committee hearing last Tuesday. A labor spokesman stated sugar industry field workers could accept no less than \$4 per hour (above our \$3.20 to \$3.30). If corn state legislators oppose the bill, we're not much improved over last year's impasse, despite a substantial increase in support prices offered by the Administration.

6. Nuclear Carrier

-- A nuclear carrier may well be an issue again this year. Last week, Bennett's House Armed Services Seapower Subcommittee reported out a shipbuilding authorization which adds \$477 million for a Nimitz Class CVN.

7. Debt Ceiling

-- For the second try, the Ways and Means Committee has reported out a bill raising the ceiling to \$830 billion through September 30 of this year. It will be considered on the floor on Thursday. Congressman Fowler will probably offer an amendment cutting the ceiling further in order to give Members the opportunity for a conservative vote.

-- The matter is complicated by two factors. First, the Republican Campaign Committee has sent out telegrams to newspapers in all districts where Democrats voted against the rule to allow a "balance the budget amendment" saying that the Members did not even let the House vote on a balanced budget. As a consequence, some of last week's affirmative votes may change. Second, Congressman Jones has an amendment that would extend the Debt Limit for two years, with a balanced budget mandated after that. This has been attracting a lot of attention and co-sponsors from the freshmen. The rule allowing such an amendment will probably be defeated and cause us to lose freshmen votes. Hence, the vote is quite unpredictable.

II. FOREIGN POLICY ISSUES

1. PRC/Taiwan

-- The Senate took up the China/Taiwan legislation again on Monday and passed the Twin Oaks amendment 49-36. This is the only amendment of any consequence to pass either House to date. The Senate is expected to finish voting on Tuesday. The House will take the legislation up again Tuesday, but it is uncertain when they will complete action. WHCL, State, and DOD continue to coordinate efforts on the Hill.

2. Refugee Legislation

-- With the submission to the Congress of the Administration's comprehensive refugee legislative proposal, the following developments have occurred:

- In the Senate, Kennedy is expected to introduce the bill immediately. The first hearing is scheduled before the Senate Judiciary Committee on Wednesday. Coordinator for Refugee Affairs, Dick Clark, will testify. (Clark's own nomination hearing for appointment as Ambassador-at-Large is on the SFRC agenda for March 13.)
- In the House, cooperation with the Judiciary Committee is threatened by a March 8 Washington Post article indicating the close working relationship between the Administration and Kennedy. Rodino, piqued by the article, has at least momentarily lost his enthusiasm for introducing the bill.
- The House Foreign Affairs Committee marked up the State Department Authorization last Thursday. The bill contains supplemental appropriation figures for the refugee program. This bill should reach the floor before the Easter Recess.

3. North Yemen Situation

-- The full scope of our effort to assist North Yemen will surface publicly this week as your national security emergency determination and the waivers of 36b notifications are received by Congress. Lee Hamilton's subcommittee on the Middle East held an open hearing on Monday.

-- State reported good expressions of support in closed-door meetings with the HFAC and SFRC last week. However, State CL reports that failure to consult before major decisions were made seriously limited enthusiasm for the initiative. Many Members may now feel they have a free hand to criticize if things go wrong.

4. Security Assistance Mark-Ups

-- The House Foreign Affairs Committee has scheduled a Tuesday mark-up on security assistance legislation. The African and Near East and Europe Subcommittees have already held mark-up sessions. Final votes are pending in the Africa Subcommittee on proposals to: convert SSA for Swaziland, Malawi and Lesotho to development assistance; eliminate the proposed \$10.5 million in FMS for Zaire; reduce FMS for Kenya from \$26 million to \$16 million; eliminate \$0.5 million in FMS for Botswana; increase FMS for Liberia by \$4.5 million to a total of \$5.9 million; and add \$10 million in FMS credits to the Tunisian program.

-- The Near East and Europe Subcommittee will recommend that the SSA program be split into an economic support fund (ESF) and a peace-keeping operations fund. The Subcommittee added \$13 million in ESF for Cyprus, and deleted \$15 million from Syria and \$38 million from the Magarin Dam. The Subcommittee has agreed to make funds available for Syria and Jordan if you determine and certify to the Congress that Syria and Jordan are acting in good faith to achieve further progress toward a comprehensive Middle East peace settlement. The Subcommittee, in its draft report, noted that the differing military aid requests for Greece and Turkey are consistent with past aid ratios to the two states.

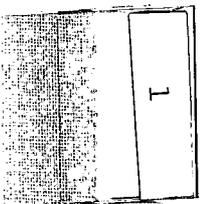
III. MISCELLANEOUS

Reorganization -- Chairman Talmadge commented, predictably, at Wednesday's Senate Agriculture Committee meeting about the proposed Department of Natural Resources. Introducing Forest Service Chief John R. McGuire, Talmadge noted that Interior Secretary Andrus has been quoted as saying that his first act after reorganization would be to fire Chief McGuire. McGuire is enormously popular with production-oriented Members of Congress, and Talmadge said he hoped Andrus would not follow through on the threat if the reorganization plan is approved.

HEARINGS

Significant hearings involving Administration officials this week include:

<u>DATE</u>	<u>WITNESS</u>	<u>COMMITTEE</u>	<u>SUBJECT</u>
3/13 Tuesday	Secretary Bergland	Senate Agriculture	Trade with PRC
	Secretary Califano Dr. Kahn	Senate Finance	Hospital Cost Containment
	Admiral Turner	House Appropriations	SALT Verification
	Secretary Claytor	House Budget	FY 80 DOD Budget
3/14 Wednesday	Attorney General Bell	House Appropriations	DOJ Appropriations
	Secretary Blumenthal	House Appropriations	Budget Request for Multilateral Development Bank
3/15 Thursday	Deputy Attorney General Civiletti	Senate Budget	Government Program Fraud and Abuse



NATIONAL SECURITY COUNCIL

~~SECRET~~

March 13, 1979

INFORMATION

MEMORANDUM FOR: ZBIGNIEW BRZEZINSKI
HENRY OWEN

FROM: JAMES COCHRANE *J*

SUBJECT: Oil Intelligence (U)

Iranian crude oil production today was 2.5 million barrels, up 500,000 barrels from Friday. At the March 26 OPEC Ministerial, Ali Ardalan, Iran's Minister of Economic Affairs and Finance, will state that Iran is technically unable to produce more than 3-3.5 million barrels per day during the next three months. The key to the outcome of the OPEC Ministerial is the Saudi reaction to this information, both their production response (moving above or below the current daily take of 9.5 million barrels) and their position on price. The Saudis appear to want the OPEC Ministerial to result in immediate imposition of what would have been fourth quarter 1979 prices. The Algerians want to add a \$3.70 per barrel surcharge to the OPEC posted price; the Nigerians want \$1.20. The three African members (Libya, Nigeria, and Algeria) are meeting later this week to discuss this matter. (S)

On March 26, the OPEC Ministers will have to weigh the Iranian production information, and the Saudi production response, with estimates of market demand. It is evident that consensus on price has not yet been reached and therefore such a consensus can be shaped by energy decisions taken within the major oil-consuming nations. (S)

cc: Rutherford Poats

~~SECRET~~

Review on March 13, 1985

DECLASSIFIED
Per: Rac Project
ESDN: NLC-126-16-32-1-8
BY: KS NARA DATE 7/24/13

OIL MARKET SUMMARY

IRAN OIL SITUATION

- o Oil production was expected to hold at about 1.7 MMB/D for about the next 10 days with some 1.0 MMB/D available for export, according to U.S. Embassy Tehran on March 5.
- o On March 7, crude output reportedly reached 2 MMB/D with 1.3 MMB/D available for export.
- o NIOC's Chairman Hasan Nazih announced that Iran's short-term aim is to produce 3 MMB/D, after which a decision will be made on whether "it is in Iran's interest" to adjust the figure.
- o Nazih said in a radio-TV interview on March 8 that sales would be on a spot basis and prices would depend on international market conditions. Nazih said prices would continue to be denominated in U.S. dollars. Barter deals will be abandoned in favor of cash payments for the Iranian oil. In other points, Nazih said that:
 - The Consortium is "virtually dead in our eyes," and individual negotiations have started with some of the member companies.
 - Iran intends to remain a member of OPEC.
 - Natural gas exports to the USSR will resume shortly, but the IGAT-2 gas pipeline project to the USSR and Europe will be reappraised.
 - Korean, Filipino, Palestinian and other foreign personnel might be required, but in general they would be recruited only when needed.

SPOT MARKETProducts

Rotterdam spot product prices continued to fall last week from the February 23 highs (in \$ per gallon for gasoline and gasoil, \$ per barrel for residual):

<u>Product</u>	<u>March 9</u>	<u>March 2</u>	<u>Feb. 23</u>	<u>%Drop</u>
Gasoline (98 Octane)	.8444	.8653	.9839	16.5
Gasoil	.7341	.9256	1.05	43.0
Residual (1% sulfur)	17.42	19.22	21.10	21.1

IA Comment: This is a further indication of buyer resistance to high prices, since gasoline prices would not normally decline just prior to the motoring season. This is especially true given the low gasoline yield of European refineries - about 24% of the crude barrel processed (about half the U.S. refinery gasoline yield).

PRODUCING COUNTRY ACTIONS

- OPEC Ministers plan a consultative meeting in Geneva on March 26. Should the delegations vote, even in mid-session, to convert to a special meeting, official decisions on such matters as pricing and production levels could be made.
- Al Utayba, OPEC's President and UAE's Oil Minister announced that future oil sales by OPEC to consumer nations should depend on whether they help the Arab countries to arrive at a rightful solution to the Palestine situation. He plans to propose an OPEC blacklist of companies capitalizing on decreased Iranian exports to make excessive profits.

CONSUMER COUNTRY ACTIONS

- South Africa, which produces no oil of its own and has been 80% dependent on Iranian supplies, is accelerating development of its SASOL I and II facilities to convert coal to oil. The goals are as follows:

<u>Plant</u>	<u>% of petroleum needs by date</u>	
SASOL I	Current	10%
I and II	1980	28%
I; II (doubled)	1982	50%

The \$2 billion needed for the expansion would be paid for by raising 93-octane gasoline by 23¢ to about \$1.70 per gallon.

OPEC: PRICE REACTION TO IRANIAN CRISIS

Countries Which Have Announced Official Price Increases
(\$/bbl.)

	<u>Official Price</u> Jan. 1, 79	<u>Current</u> <u>Price</u>	<u>Increase</u>	<u>(000 b/d)</u> <u>Export</u> <u>Volume</u>	<u>Effective</u> <u>Date</u>
Abu Dhabi	14.10	15.12	1.02	1470	Feb. 15 79
Qatar	14.03	15.05	1.02	500	Feb. 15 79
Saudi Arabia ^{1/}	13.34	14.55	1.21	1000	Jan. 1 79
Libya	14.52	15.90	1.38	2200	Mar. 3 79
Kuwait	12.83	14.05	1.22	2200	Feb. 20 79
Venezuela (fuel oil)	(11.40-16.49)	(13.50-19.00)	2.25	600	Mar. 1 79
Iraq	13.29	14.49	1.20	3000	Feb. 20 79

Summary: Average^{2/} surcharge of \$1.26/bbl. affecting some 11 mmb/d or 40 percent of projected first quarter OPEC exports.

Countries Which Have Announced Intention to Raise Prices

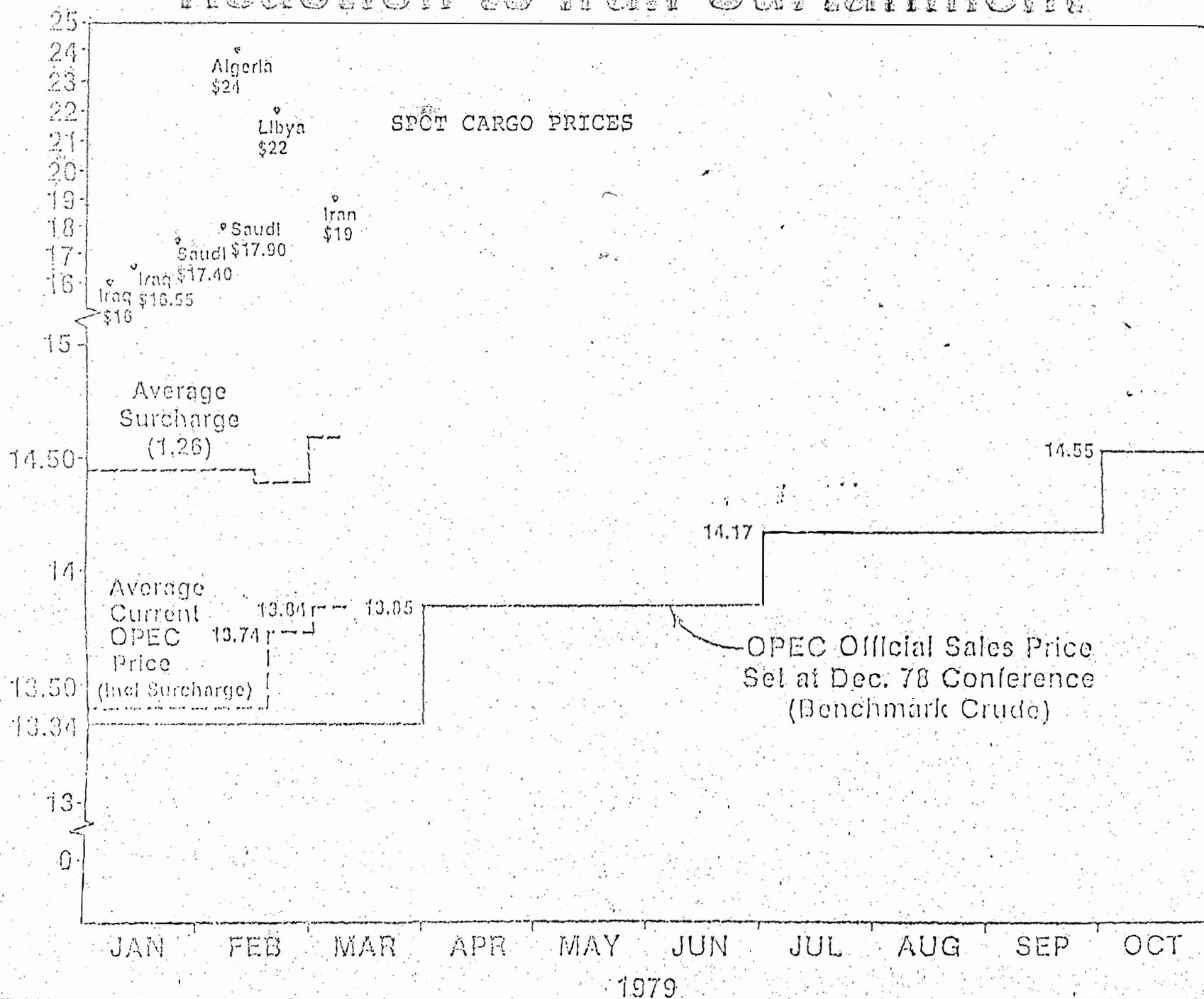
Algeria	14.80			1100	
Venezuela	14.69			1500	
Ecuador	12.97			200	

^{1/} The Saudis are charging 4th quarter 1979 prices for that portion of current output which exceeds their average annual ceiling of 8.5 mmb/d.

^{2/} Weighted by volume.

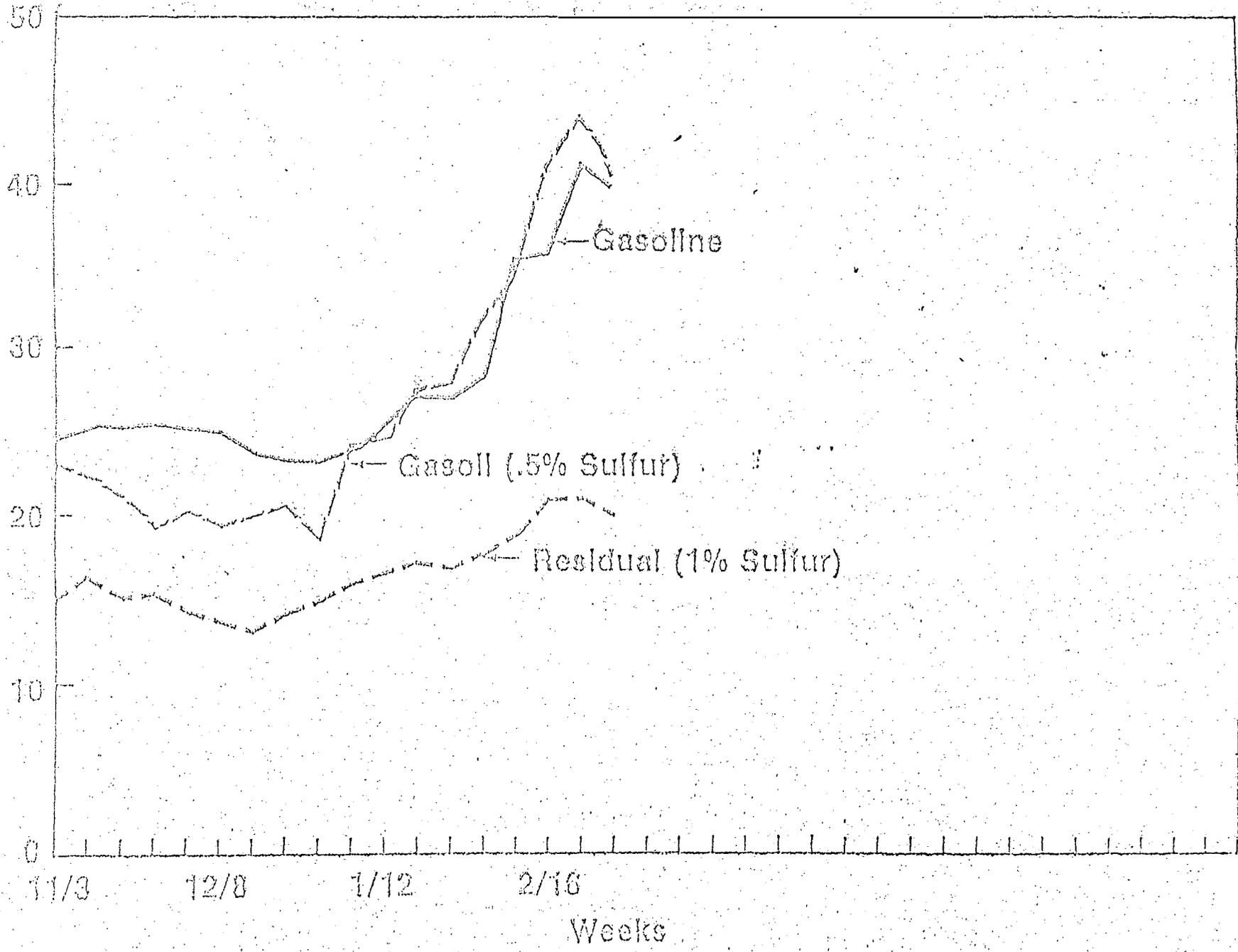
Office of International Affairs
March 12, 1979

OPEC: Crude Oil Price Reaction to Iran Curtailment



Rotterdam Spot Product Prices

\$/bbl



THE WHITE HOUSE
WASHINGTON

14 Mar 79

Louis Martin
Hamilton Jordan
Tim Kraft

The attached was returned in the President's outbox today and is forwarded to you for your information.

Rick Hutcheson



cc Harry
J

THE WHITE HOUSE

WASHINGTON

March 12, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: LOUIS MARTIN

SUBJECT: CRITICAL BLACK CONCERNS

We are in constant contact and communication with a wide cross-section of national and local grass roots Black community leaders. Some remain supportive but many are growing more and more critical of Administration positions. Most of this criticism revolves around the "austere" budget. We have sought to clarify some of the misconceptions and misinterpretations of the budget issue through special briefings, conferences and literature. The agitation and debates continue. Against this backdrop, listed below are current Black concerns which warrant immediate attention.

I. The unemployment statistics for February, released on Friday, March 9, 1979, reveal that Black youth unemployment jumped from 32.7 to 35.5. Although this is a one month report, the figures are alarming.

It goes without saying the Black unemployment is an explosive issue and youth unemployment -- and idleness -- in the Black community is doubly explosive.

Despite the restoration of countercyclical funds for cities with high unemployment and despite the fact that more Black teens are at work, I believe that some special efforts are needed now.

I think it is important to try to defuse some of the defeatism in the highly charged Black communities. The looting that occurred in Baltimore and the recent looting in Washington during the snow emergency -- when hundreds of Blacks reported for snow shoveling jobs that had already been filled -- emphasize the need for attention.

Many national and local leaders, including some Black elected officials, are placing most of the blame for the current unrest on the widely publicized "austere" budget which includes a cut in summer youth jobs. They do not buy the linkage between the battle on inflation and the need to cut job programs.

In this connection, the Northeast-Midwest Institute, a research arm of a coalition of 213 Northeastern and Midwestern Congressmen, issued a report last week charging that the new urban policy directives to aid areas with high unemployment have been ignored. The report claims that only three out of 35 civilian agencies met the Administration's goal last year of setting aside 2 percent of their procurement dollars for communities with high jobless rates.

Finally, I believe that it would be in the national interest to request an immediate budget review in order to find a way to restore funds cut from job programs, especially the summer youth job program. Further, I recommend a major speech on the employment issue which would help boost the morale of the Black community.

Ham (II. The question of Black nominations to the Federal judiciary continues to be an issue of intense Black concern. The public assurances of Attorney General Bell that Blacks, other minorities and women are going to be well represented seem to be in sharp contrast to media reports of the failure of merit commissions and Senators to recommend such candidates. The widely discussed case of Nathaniel Jones of the NAACP who was reported to be slated for the Circuit Court continues to be disturbing to Blacks in Ohio and in the national NAACP family.

I have been informed that Black appointments to the Interstate Commerce Commission, Civil Aeronautics Board, Federal Reserve Board and the International Trade Commission are pending. We hope also to get some Blacks appointed to Inspector General posts. Such appointments would go far to counter the negativism of those Blacks who claim that the Administration is not living up to its promises.

**Electrostatic Copy Made
for Preservation Purposes**

THE WHITE HOUSE
WASHINGTON

9:10
6m

3/14/79

CBS news has just reported
that the Israeli Cabinet voted
15-2 in favor of the proposals.

just announced about 10 minutes
ago in Israel....NSC doesn't
have any paper on it yet, but
this is what CBS is running.

per rick inderfurth

rk

By MCDoub

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THE WHITE HOUSE
WASHINGTON

3/14/79

Tim Kraft
Arnie Miller

The attached was returned in the
President's outbox today and is
forwarded to you for appropriate
handling.

Rick Hutcheson

ADMINISTRATIVELY CONFIDENTIAL

THE WHITE HOUSE
WASHINGTON

March 13, 1979

*Tim -
ok, but clear
- Hugh Gallen.
Silvio was often
hard to find in
1976
J*

MEMORANDUM FOR THE PRESIDENT

FROM:

TIM KRAFT *TK*
ARNIE MILLER *AA*

SUBJECT:

Board of Visitors to the United States Military Academy

The Board of Visitors to the United States Military Academy meets annually to inquire into the morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, academic methods and other matters relating to the Academy.

The Board of Visitors is made up of nine members of Congress and six members are appointed by you and serve three year terms.

There is presently a vacancy on the Board. We recommend the appointment of:

Sylvio L. Dupuis (New Hampshire): President, Catholic Medical Center; Mayor of the City of Manchester from 1971 - 1975; President, United Health Systems Agency. Member: American Academy of Hospital Administrators; and consultant to the American Optometric Association. Member of the Board of Directors of the Manchester Gas Company, and the Manchester Bank. Served with the New Hampshire Air National Guard between 1957 - 1965.

RECOMMENDATION:

Appoint Sylvio L. Dupuis to the Board of Visitors of the U. S. Military Academy.

✓ approve *see note* _____ disapprove

J

Home: Sylvio L. Dupuis, O.D.
451 Coolidge Avenue
Manchester, NH 03102
603 622-6623

Business: Catholic Medical Center
200 Hanover Street
Manchester, NH 03104
603 668-8915

EDUCATION

B.S. and O.D. Degrees Cum Laude, Illinois College
of Optometry, Chicago, Illinois 1957
St. Anselm's College, Manchester, NH

PROFESSIONAL
EXPERIENCE

January 1975
to
Present

President, Catholic Medical Center, Manchester,
First Chief Executive Officer of this 264 bed acute
care/general hospital; instituted \$16 million capital
development program for this merged health facility.
Developed management system for the hospital with
an annual budget of \$20 million and 1000 employees.

1971
to
1975

Mayor, City of Manchester, NH. Elected 40th
Mayor of the largest city in the State November 2,
1971. Reelected November 6, 1973. Presided over
an annual budget of \$40 million; developed a five year
capital budgeting system and mass transit system.

1957
to
1971

Optometrists, Senior Partner in professional associa-
tion of Dupuis, Michaud, Collins, Noury and Allard.

COMMUNITY
SERVICE

Director, Manchester Gas Company
Director, Manchester Bank
Director, Currier Gallery of Art
Director, New Hampshire Performing Arts Center
Director, Greater Manchester Chamber of Commerce
Trustee, Manchester Boys Club
Trustee, Trinity High School
Incorporator, Forum on New Hampshire's Future
President, Health Education Consortium, Inc.

OTHER
ACTIVITIES

Member, Democratic State Committee, County Com-
mittee, and City Democratic Committee
Past member, Democratic State Executive Committee
Alternate Delegate, 1974 Democratic Mini-Convention
100 Club Fund Raising Committee
Active in many Democratic campaigns - local, state
and national, 1964-1975

PROFESSIONAL
MEMBERSHIPS

United Health Systems Agency, President
American Academy of Hospital Administrators
American College of Hospital Administrators
American Hospital Association
Catholic Hospital Association
New Hampshire Hospital Association, Member,
Council on Planning and Programs
New England Task Force on Primary Health Care
New England Health Promotion Council, Treasurer
American Optometric Association, Consultant
Division of Public Health Optometry
American Management Association

DISTINCTIONS

- 1978 - Recipient of Brotherhood Award, National Conference of Christians and Jews
- 1975 - Recipient of Granite State Award, University of New Hampshire
- 1975 - Doctorate of Humane Letters, Notre Dame College, Manchester, New Hampshire
- 1968 - U. S. Jaycees Distinguished Service Award
- 1967 - New Hampshire Optometrist of the Year

MILITARY
SERVICE

Served with the New Hampshire Air National Guard between 1957 and 1965. Entered as Airman and was commissioned First Lieutenant while on active duty during the Berlin Crisis of 1961 - 1962.

PERSONAL

Date of Birth: June 2, 1934
Height: 5' 11"
Health: Excellent
Married to the former Cecile Pellerin, R. N., four children, Jeanne-Marie, Michelle, Marc and Mary.

MILITARY ACADEMY, BOARD OF VISITORS TO THE UNITED STATES

Independent

AUTHORITY: 10 U. S. C. 4355

METHOD: Appointed by the President

MEMBERS: SIX, appointed by the President

TERMS: THREE years

Two members appointed each year before
December 31st for a period of three years.

Vacancies to be filled for the unexpired
portion of the term for which predecessor
was appointed.

SALARY: Not more than \$5.00 per day and to be reimbursed
for actual expenses of travel while performing duties
as a member of the Board.

THE WHITE HOUSE

WASHINGTON

March 13, 1979

MEMORANDUM FOR THE PRESIDENT

FROM:

TIM KRAFT *TK*

ARNIE MILLER *AAA*

SUBJECT:

Board of Visitors to the United States Naval Academy

The Board of Visitors to the United States Naval Academy meets annually to inquire into the morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, academic methods and other matters relating to the Academy.

The Board of Visitors is made up of nine members of Congress and six members are appointed by you and serve three-year terms.

There is presently a vacancy on the Board of Visitors. We recommend the appointment of Walter Leonard.

Walter Leonard (Tennessee): President, Fisk University; formerly Assistant Dean at Harvard University. Principal drafter of the Harvard Plan adopted by the Supreme Court in the Bakke case. Member of the National Conference of Black Lawyers, and the Association of American Law Schools on Bakke. Graduate of Atlanta University Graduate School of Business Administration and the Howard University School of Law.

RECOMMENDATION:

Appoint Walter Leonard to the Board of Visitors to the United States Naval Academy.

approve

disapprove



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President, Fisk University
17th Avenue, North
Nashville, Tenn 37203
tel: 615-329-1750/329-8555

Employment:

Oct, 1977 to present	President, Fisk University
1971-1973	Assistant Dean and Assistant Director of Admissions and Financial Aide at Harvard University
1971-1973	Educator, Special Assistant to President of Harvard University
1969-1971	Assistant Dean and Assistant Director of Admissions and Financial Aide at Harvard

(Handled many of Harvard's problems in reference to admission of women; helped get more blacks admitted to Harvard Law School; directed symposium on Black Lawyers in America Today at Harvard.

Education:

1947-1950	Savannah State College
1959-1960	Morehouse
1961-1962	Atlanta University Graduate School of Business Administration
1968	Howard University School of Law

Special Activities:

Principal drafter of the Harvard Plan which was approved and in effect, adopted by the Supreme Court (Bakke Case). The Affirmative Action Program became a model at a number of other universities.

Did some work with the National Conference of Black Lawyers and the National Bar Association and Association of American Law Schools on Bakke.

Recently presented a paper on Bakke at the ABA annual meeting in New York, and before that collaborated with Mr. McGeorge Bundy, President of Ford Foundation, several other college and university people, and people from industry on a position paper on Bakke.

Publications:

Numberous publications including a book "Black Lawyers". Also did a rather extensive piece on DeFunis and Bakke cases.

NAVAL ACADEMY, BOARD OF VISITORS TO THE UNITED STATES

Independent

AUTHORITY: 10 U.S.C. 6953, as of August 31, 1956

METHOD: Appointed by the President

MEMBERS: SIX

TERM: THREE years. (Two members to be appointed
each year before December 31st)

Vacancies to be filled for the unexpired
portion of the term for which predecessor was
appointed.

SALARY: Not more than \$5 per day and to be reimbursed
for actual expenses of travel while performing
duties as a member of the Board.

PURPOSE: The Board shall inquire into the morale and discipline
the curriculum, instruction, physical equipment, fiscal
affairs, academic methods, and other matters relating
TO THE Academy which the Board decides to consider.

President, Fisk University
17th Avenue, North
Nashville, Tenn 37203
tel: 615-329-1750/329-8555

Employment:

Oct, 1977 to present	President, Fisk University
1971-1973	Assistant Dean and Assistant Director of Admissions and Financial Aide at Harvard University
1971-1973	Educator, Special Assistant to President of Harvard University
1969-1971	Assistant Dean and Assistant Director of Admissions and Financial Aide at Harvard

(Handled many of Harvard's problems in reference to admission of women; helped get more blacks admitted to Harvard Law School; directed symposium on Black Lawyers in America Today at Harvard.

Education:

1947-1950	Savannah State College
1959-1960	Morehouse
1961-1962	Atlanta University Graduate School of Business Administration
1968	Howard University School of Law

Special Activities:

Principal drafter of the Harvard Plan which was approved and in effect, adopted by the Supreme Court (Bakke Case). The Affirmative Action Program became a model at a number of other universities.

Did some work with the National Conference of Black Lawyers and the National Bar Association and Association of American Law Schools on Bakke.

Recently presented a paper on Bakke at the ABA annual meeting in New York, and before that collaborated with Mr. McGeorge Bundy, President of Ford Foundation, several other college and university people, and people from industry on a position paper on Bakke.

Publications:

Numberous publications including a book "Black Lawyers". Also did a rather extensive piece on Defunis and Bakke cases.

NAVAL ACADEMY, BOARD OF VISITORS TO THE UNITED STATES

Independent

AUTHORITY: 10 U.S.C. 6968, as of August 31, 1956

METHOD: Appointed by the President

MEMBERS: SIX

TERM: THREE years. (Two members to be appointed
each year before December 31st)

Vacancies to be filled for the unexpired
portion of the term for which predecessor was
appointed.

SALARY: Not more than \$5 per day and to be reimbursed
for actual expenses of travel while performing
duties as a member of the Board.

PURPOSE: The Board shall inquire into the morale and discipline
the curriculum, instruction, physical equipment, fiscal
affairs, academic methods, and other matters relating
TO THE Academy which the Board decides to consider.

THE WHITE HOUSE

WASHINGTON

March 13, 1979

MEMORANDUM FOR THE PRESIDENT

FROM:

TIM KRAFT ^{TK}
ARNIE MILLER ~~AM~~

SUBJECT:

Board of Directors of the
Corporation for Public Broadcasting

There is a vacancy on the Corporation for Public Broadcasting Board of Directors, which must be filled by a non-Democrat.

Michael Kelley of Virginia has been recommended by many people, including James Dickey, the poet, and Majority Leader Robert Byrd.

Dr. Kelley is Associate Professor of English at George Mason University and is part-time producer at WAMU public radio. He has been affiliated with several different public radio and television stations. He has worked on the staffs of Senator John Kennedy, Senator William Purtell and President Eisenhower (part time). His field is English Literature (Chaucer) and his program for WAMU is bluegrass music.

RECOMMENDATION:

Nominate Michael R. Kelley for the Board of Directors of the Corporation for Public Broadcasting.

approve

disapprove

J

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for Preservation Purposes

Dr. Michael R. Kelley
3623 Parklane Road
Fairfax, Virginia, 22030
(703) 591-6333

RESUME

Age: 38

Birthplace: Washington, D. C.

Children: 1

Ph. D. English Literature and Linguistics, Catholic University of America, 1970.

M. F. A. Speech and Drama, Catholic University of America, 1965.

Employment Experience -- Academic

1975-Date: Associate Professor of English, George Mason University, Fairfax.

1970-1975: Assistant Professor of English, George Mason University, Fairfax.

1967-1970: Lecturer in English, Catholic University of America, Washington, D. C.

Employment Experience -- Non-Academic

1976-Date: Program Producer (Part-Time) WAMU-FM, Public Radio, Washington, D. C.

1965-1967: News Director, WASH-WDON Radio, Washington, D. C.

1963-1965: Program Director, WDON Radio, Washington, D. C.

1962: Production Director, WKCW Radio, Warrenton, Virginia.

1961: Staff Announcer, WQMR-WGAY Radio, Washington, D. C.

1958-1961: (Summers, weekends) Correspondence Secy., The White House, Washington

Summer, 1957: Clerk: Office of Senator William Purtell (Connecticut).

Summer, 1956: Clerk: Office of Senator John F. Kennedy (Massachusetts).

Instructional Television Series

1970-1971: Executive Producer, coordinator, and developer of Time for English -- a three-level, 90 half-hour color television series of instruction in beginning, intermediate, and advanced English for adult foreign speakers, utilizing the teaching techniques of modern applied linguistics. Originally broadcast on the ABC, CBS, and NBC Network affiliates in Washington, D. C., and on the Post-Newsweek stations in Miami and Jacksonville, Florida, the programs are now available for international distribution through the Great Plains National Instructional Television Library at the University of Nebraska in Lincoln. Time for English was a wholly volunteer effort.

Consulting

February, 1974: Lectured on teaching English as a foreign language to teachers in the Fairfax County School System at a special workshop on the subject.

January, 1972: Advisor to WCBS Television in New York on the use of television in teaching English as a foreign language, in New York City and on the CBS Network.

Publications

Books

Flamboyant Drama: A Study of The Castle of Perseverance, Mankind, and Wisdom (Carbondale: Southern Illinois University Press, Forthcoming, 1979).

Contributing Editor, Modern Humanities Research Association, Annual Bibliography of English Language and Literature (Leeds: Leeds Univ. Press), Vols. 50, 51, 52.

General Editor, Time for English Exercises; 3 vols. (Washington: D. C. Public Schools and D. C. Department of Human Resources, 1971).

Publications, Cont'd. -- Articles

- "Antithesis as the Principle of Design in Chaucer's Parlement of Foules," Chaucer Review (Forthcoming, 1979).
- "Everyman," "The English Moralities," and "The Macro Plays." Three articles for Lexikon des Mittelalters in Artemis Verlag (Artemis Verlag, Zurich and Munchen, 1976-in progress).
- "Chaucer's House of Fame: England's Earliest Science Fiction," Extrapolation, 16 (December, 1974), 7-17.
- "Fifteenth-Century Flamboyant Style and the Castle of Perseverance," Comparative Drama, VI (1972), 14-27.
- "English for Foreign Speakers -- A Television Solution," Audiovisual Instruction (November, 1972), 25, ff.
Reprinted in, The Congressional Record (January 31, 1973), Page S 1680, ff.
Abstracted in, Language and Language Behavior Abstracts (University of Michigan) VII, Number 1 (1973).
- "Eggs Benedictine," Sunday Magazine, The Sunday Star Newspaper, Washington, D. C. (August 17, 1969).
- Various movie, play, and record reviews in local Washington, D. C. publications.

Papers Delivered at Conferences

- May 1976: "Constructional Harmony in Chaucer's Parliament of Fowls." Delivered at the 11th Conference on Medieval Studies, Western Michigan University.
- May, 1975: "Unification Through Constructional Design in the Canterbury Tales." Delivered at the 10th Conference on Medieval Studies, Western Michigan University

University-wide Elected Offices

- 1975-1978: Chairman, The College of Arts and Sciences
1975-1978: Secretary, The Faculty Senate and the General Faculty
1973-1975: Secretary, The College of Arts and Sciences

Awards and Grants

- April, 1978: George Mason University, Faculty Research Grant.
December, 1972: George Mason Foundation, Inc., Grant for Research in England.
Fall, 1971: \$5,000 Grant to Time for English from the National Home Library Foundation for the national distribution of the programs.
May, 1971: AAUW Mass Media Award for Public Service Television to Time for English
February, 1971: Public Welfare Foundation Grant to Time for English to publish Time for English Exercises.
1968-1970: NDEA-IV Fellowship for Ph. D. Study.
1959-1960: Eugene and Agnes E. Meyer Foundation Fellowship, Johns Hopkins Univ.
1958-1959: Johns Hopkins University, Open Scholarship.

References

- Dr. Robert C. Krug, Academic Vice President, George Mason University, Fairfax.
Dr. Leon E. Boothe, Dean of the College of Arts & Sciences, George Mason University
Dr. George W. Grayson, Virginia House of Delegates, Richmond, Virginia

Records
PV (EOP)
PV (RO)
Handbook
Gen, Index

Public Broadcasting

BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING

Independent

AUTHORITY: 81 Stat. 369,
P.L. 90-129, approved November 7, 1967.

METHOD: Nominated.

MEMBERS: Fifteen. Not more than eight from the same political party.

CHAIRMAN: The President shall designate one of the members first appointed to the Board as Chairman; thereafter the members of the Board shall annually elect one of their number as Chairman.

TERM: Six years. A member nominated to fill a vacancy occurring prior to expiration of a term shall be appointed for the remainder of such term. The initial appointees terms begin on date of incorporation and expire, five at end of two years; four years; six years. No member is eligible to serve in excess of two consecutive terms of six years each. (Holdover.)

SALARY: \$100.00 per day.

PURPOSE: The initial Board serves as incorporators. The Corporation is to facilitate the development of noncommercial educational radio and television broadcasting.

THE WHITE HOUSE

WASHINGTON

March 13, 1979

MEMORANDUM FOR THE PRESIDENT

FROM:

TIM KRAFT
ARNIE MILLER

TK
AA

SUBJECT: National Capital Planning Commission

The National Capital Planning Commission is responsible for the preparation and adoption of a comprehensive, consistent and coordinated plan for the National Capital.

The Commission is composed of twelve members, including the Secretary of Defense, Secretary of Interior, Administrator of GSA, the Mayor of the District of Columbia, Chairman of the District of Columbia Council, and the Chairmen of the House and Senate District of Columbia Committees. The Mayor appoints two public members and the remaining three public members are appointed by you to serve for terms of six years.

Within the public representation, one member must reside in Maryland and one in Virginia. There is presently a vacancy on the Commission for a Maryland resident.

We recommend your appointment of Helen M. Scharf to the Commission.

Helen M. Scharf (Bethesda, Maryland): Presently Vice Chairperson of the Montgomery County Planning Commission and a Commissioner with the Maryland Capital Park and Planning Board. Former member of the Montgomery County Board of Education, 1953-60; former member of the Montgomery County Citizens Planning Association, 1961-69. Active member of the League of Women Voters since 1941. Highly recommended by James Clark, President of the Maryland Senate.

RECOMMENDATION:

Appoint Helen M. Scharf to the National Capital Planning Commission.

approve

disapprove



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for Preservation Purposes**

RÉSUMÉ

of

HELEN M. SCHARF

7428 Hampden Lane, Bethesda, Maryland 20014

Birthplace: Born and raised in Washington, D.C.

Education: B.A. George Washington University 1926

Employment: Art Department, supervisory capacity, Public Schools of Washington, D.C. - Fifteen years

Family Status: Married to John G. Scharf
One son and one daughter, both residents of Montgomery County

Residence: Montgomery County, Maryland, since 1932

Party Affiliation: Democrat, registered since 1934

Organization Memberships:

League of Women Voters, since 1941
Montgomery County Womans Suburban Democratic Club, since 1961
Montgomery County Citizens Planning Association, 1962-1969
Committee of One Hundred for the Federal City, 1963-64
American Planning Association APA (formerly ASPO), since 1973
National Recreation and Park Association, since 1973

Public Office:

Member Montgomery County Board of Education, 1953-1960
Appointed in 1953
Elected in 1954 Vice President 1955
Re-elected in 1958 President 1956

Commissioner - The Maryland National Capital Park and Planning Commission and Vice-Chairman Montgomery County Planning Board
Appointed in 1973 Re-appointed in 1975 (Four-year Term)

Citizen Committee Appointments:

Chairman of committee to study the administrative status of school cafeterias - appointed by Board of Education 1950

Citizen Committee Appointments: (Contd.)

Member of committee to study school construction practices, appointed by Board of Education 1952

Member of Committee to review and amend the General Plan for Montgomery County - appointed by County Council 1967

Member of Blue Ribbon Committee to prepare new zones for the central business districts and Metro transit station areas, appointed (by Montgomery County Council 1977. Results - CBD-1, CBD-2, CBD-3 ((Chairman of sub-committee to develop the zones for use in transit station areas. Results - TS-R and TS-M zones

ACTIVITY HIGHLIGHTS

LEAGUE OF WOMEN VOTERS, Since 1941

Montgomery County League

Local Government Chairman, Legislative Chairman 1945-50

Member, Mass Transportation Committee 1964-65

Chairman, Oral History Committee (recording of Montgomery County Readers - transcripts and tapes on file in Rockville Library, Municipal Room) 1970-73

Maryland State League

Director, Vice-President, liaison with local Leagues 1950-53

Washington Metro League of Women Voters 1965-71 (now called National Capital Area League of Women Voters)

I was a regular observer of the meetings of the National Capital Regional Planning Council and then COG in the years 1964-70

Chairman of the 1966 publication The Challenge of Metropolitan Washington, a survey of regional governance, local state and federal agencies that served the Washington Metropolitan area.

This publication was used as a study guide by area local leagues in reaching a consensus on the most feasible organization to deal with mutual problems in this multi-jurisdictional area. COG was the final choice.

Activity Highlights: (Contd.)

Chairman of the 1970 publication Metropolitan Washington "Who Makes the Decisions?" My responsibility as Chairman included assembly and arrangement of all data, publishing and the distribution of 5,000 copies to elected officials and local Leagues throughout the National Capital Area.

By 1970 COG had adopted the Year 2000 Plan and had become the only comprehensive regional planning agency in the area. Though COG had begun to deal with regional needs by setting up both policy and technical committees and embracing the Transportation Board, this publication identified area-wide problems still to be addressed. Water supply and water quality, air quality and employment were among them.

MONTGOMERY COUNTY BOARD OF EDUCATION 1953 - 1960

Vice President 1955

President 1956

Integration of the Montgomery County public schools was accomplished for both pupils and teachers, in the period between 1954 and 1958.

In 1954 when the Supreme Court ruled racial segregation in public schools to be unconstitutional, I offered a motion to set up a fourteen member citizen committee to recommend a policy for integration of our schools. Though the motion passed, the committee's recommendation reflected disparate philosophies of the Board members. The recommendation was to proceed slowly, integrating one grade a year beginning with the kindergarten through the twelfth grade.

In 1955, when the Court reaffirmed its 1954 decision, a newly elected Board rejected the year by year approach and opted for an early start on total integration, both pupils and teachers. Integration began in the urbanized lower county where the number of blacks was small in proportion to the white population. Sub-standard negro schools were closed and both children and teachers were re-distributed to the white schools.

In the rural areas there was some resistance, especially where new modern negro schools had replaced substandard buildings. Care had to be taken to treat each school alike in the distribution of blacks and whites, utilizing both black and white school buildings in the integration process. By 1958 integration of Montgomery County public schools was practically complete.

Activity Highlights: MC Board of Education:(Contd.)

The decade 1950-60 was a period of tremendous growth in the Montgomery County public school system. The suburbs expanded faster than we could provide schools and schools could not be built until sewer and water and improved roads were ready, all of which lagged behind residential development.

This experience brought the MNCPPC and the Board of Education together to form a coordinating committee to share information on proposed subdivisions and master plans and the Board of Education began a realistic program of advance land acquisition, keeping ahead of the escalating land prices.

Montgomery County Woman's Suburban Democratic Club

Observer of all County Council Meetings 1962-64

Wrote copy for newsletter 1962-64

Montgomery County Citizens Planning Association 1961-1969

Director, Vice President

Chairman of committee to review and testify on Study of County Government Public Administration Services (PAS).

Studied General Plan - 1962. Advocated its adoption in 1964.

Protested plans that were in violation of the General Plan.

Studied master plans and significant zoning applications and testified at public hearings.

MONTGOMERY COUNTY PLANNING BOARD - 1973 to present

During my six years on the Planning Board I have taken part in the development of sector plans for the central business districts of Friendship Heights, Bethesda, Silver Spring and Wheaton as well as for the transit station areas of Grosvenor, Nicholson Lane, Twinbrook, Forest Glen, Glenmont, and the Takoma Park Metro impact areas.

Montgomery County Planning Board: (Contd.)

New master plans for Germantown, Boyds, Shady Grove, Kensington, Cabin John, East Silver Spring and North Silver Spring have been adopted in this period. Germantown, identified as a corridor (I-270) city on the General Plan, was our first master plan embracing the concept of staging development to coordinate with the necessary public facilities, sewer, water and roads. As a Planning Board member I have chaired citizen advisory committees for five of these plans.

During the past five years the Montgomery County Planning Board has also produced, in annual increments, an official Growth Policy to manage county growth. A major element of this policy is a staging plan that will be related to the timing of public facilities.

The Montgomery County planning program of these years, 1973-1979, has produced nationally recognized innovative planning techniques, both for land use management and master planning for parks, recreation and open space. It has given me an exceptional and privileged experience of working with a talented staff under the leadership of an inspiring Chairman and a County Council of competent and dedicated individuals.

The MNCPPC has jurisdiction to review all federal installations in Maryland and on many occasions this Commission has worked with National Capital Planning Commission on local and federal plans of mutual interest which has familiarized me with the federal planning process.

D.C.

NATIONAL CAPITAL PLANNING COMMISSIONIndependentAUTHORITY:

D.C. Code 1-1002
 P.L. 93-198, Title II, Sec. 203 (87 Stat. 781) of
 December 24, 1973 (effective January 2, 1975)

METHOD:

Ex officio and see below

MEMBERS:

TWELVE members as follows:

Secretary of the Interior
 Secretary of Defense
 Administrator of the General Services Administration
 Commissioner of the District of Columbia
 Chairman of the District of Columbia Council
 Chairman of the Senate District of Columbia Committee
 Chairman of the House District of Columbia Committee

OR

such alternates as each such person may from time to time designate to serve in his stead.

TWO citizens appointed by the Commissioner of the District of Columbia with experience in city or regional planning.

THREE citizens appointed by the President with experience in city or regional planning.

NOTE: Of the three citizen members appointed by the President, at least one shall be a bona fide resident of Virginia and at least one shall be a bona fide resident of Maryland.

CHAIRMAN:

Designated by the President

Continued

NATIONAL CAPITAL PLANNING COMMISSION

Independent

TERM:

SIX YEARS, except that of the members first appointed by the President, one shall serve two years and one shall serve four years. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. (NOT HOLDOVERS)

The members first appointed under this law (P. L. 93-198) shall assume their office on January 2, 1975.

SALARY:

Citizen members shall receive \$100 for each day engaged in the actual performance of duties in addition to reimbursement for necessary expenses incurred in the performance of such duties.

PURPOSE:

Prepare and adopt a comprehensive, consistent, and coordinated plan for the National Capital, which plan shall include the Commission's recommendations or proposals for Federal developments or projects in the environs, and those District elements, or amendments thereto, of the comprehensive plan adopted by the Council and with respect to which the Commission has not determined a negative impact to exist, which elements or amendments shall be incorporated into such comprehensive plan without change.

NOTE:

The provision which in effect transfers authority to appoint any citizen member shall not take effect until January 2, 1975.

THE WHITE HOUSE

WASHINGTON

March 13, 1979

C

MEMORANDUM FOR THE PRESIDENT

FROM:

TIM KRAFT *TK*
ARNIE MILLER *AAA*

SUBJECT:

Advisory Commission on Intergovernmental Relations

There are several vacancies on the Advisory Commission on Intergovernmental Relations. Openings exist for two Governors, one Democrat and one Republican. The National Governors' Association, as required by law, has submitted the names of John Dalton, Robert Ray and Richard Riley.

The term of one Republican county officer has expired. The National Association of Counties, as required by law, recommends Doris Dealaman of New Jersey and Sandra Smoley of California.

With the agreement of Jack Watson's staff, we recommend John Dalton, Richard Riley and Doris Dealaman.

RECOMMENDATION:

Appoint the following people to the Advisory Commission on Intergovernmental Relations:

Governor John Dalton of Virginia
Governor Richard W. Riley of South Carolina
County Freeholder Doris W. Dealaman of New Jersey

approve

disapprove

J

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for Preservation Purposes

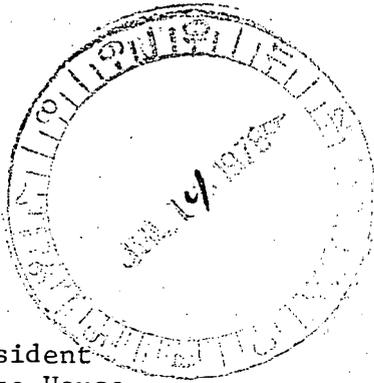


National Governors' Association

William G. Milliken
Governor of Michigan
Chairman

July 13, 1978

Stephen B. Farber
Director



The President
The White House
Washington, D.C. 20500

Dear Mr. President:

On behalf of the National Governors' Association, I am pleased to transmit to you the following nominations for vacancies on the Advisory Commission on Intergovernmental Relations:

To succeed Governor Richard Kneip, Governor Bruce Babbitt of Arizona and Governor Joseph Teasdale of Missouri.

To succeed Governor Otis Bowen, Governor John Dalton of Virginia and Governor Robert Ray of Iowa.

Sincerely,

Chairman

National Association of Counties

Offices • 1735 New York Avenue N.W., Washington, D.C. 20006 • Telephone 202/785-9577

December 20, 1978

President Jimmy Carter
The White House
Washington, D.C. 20500

Dear Mr. President:

The National Association of Counties (NACo) is presently represented on the U.S. Advisory Commission on Intergovernmental Relations by Lynn Cutler, Black Hawk County, Iowa; William Beach, Montgomery County, Tenn. and Doris Dealaman, Somerset County, New Jersey. Mrs. Dealaman's term has expired.

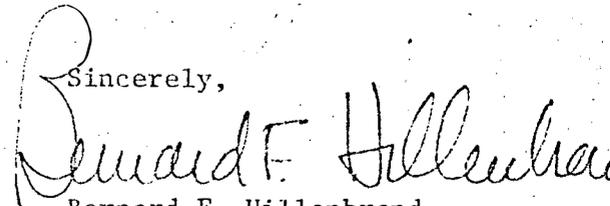
NACo would like to formally renominate and urge reappointment of Mrs. Dealaman to continue her excellent work on this body. She would continue as the Republican Party member.

Under the provisions of P.L. 86-380 and P.L. 89-733 we understand an obligation to submit two names for consideration. As the second, NACo nominates:

Sandra Smoley, Supervisor
Sacramento County
827 Seventh Street
Sacramento, California 95814

Resumes of the above named nominees are attached. If you require further information, please contact Bruce Talley of the NACo staff.

Sincerely,



Bernard F. Hillenbrand
Executive Director

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Independent

CHAIRMAN: Designated from among members
VICE CHRMN: of the Commission

Wad

TERM: TWO YEARS; members shall be eligible for reappointment; and members shall serve until their successors are appointed. (HOLDOVERS) Where any member ceases to serve in the official position from which originally appointed his place on the Commission shall be deemed to be vacant.

SALARY: Members who are Members of Congress, officers of the Executive Branch of the Federal Government, Governors, or full-time salaried officers of city and county governments shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expenses Act of 1949, as amended), and other necessary expenses incurred by them in the performance of duties vested in the Commission. All other members of the Commission shall receive compensation at the rate of \$50 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission unless prohibited by State or local law.

PURPOSE: To bring together representatives of the Federal, State, and local governments for the consideration of common problems.

11455, formerly set out as a note under this section, prescribed the compensation of the Director of the Office, and authorized the Director to appoint such personnel as he deems necessary and to obtain the services of experts and consultants.

Legislative History. For legislative history and purpose of Pub.L. 86-380, see 1959 U.S.Code Cong. and Adm.News, p. 2593.

§ 4272. Declaration of purpose

Because the complexity of modern life intensifies the need in a federal form of government for the fullest cooperation and coordination of activities between the levels of government, and because population growth and scientific developments portend an increasingly complex society in future years, it is essential that an appropriate agency be established to give continuing attention to intergovernmental problems.

It is intended that the Commission, in the performance of its duties, will—

(1) bring together representatives of the Federal, State, and local governments for the consideration of common problems;

(2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation;

(3) give critical attention to the conditions and controls involved in the administration of Federal grant programs;

(4) make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system;

(5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation;

(6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and

(7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

Pub.L. 86-380, § 2, Sept. 24, 1959, 73 Stat. 703.

Historical Note

Legislative History. For legislative history and purpose of Pub.L. 86-380, see 1959 U.S.Code Cong. and Adm.News, p. 2593.

CHAPTER 53.—ADVISORY COMMISSION ON INTER-
GOVERNMENTAL RELATIONS

- Sec.
4271. Establishment.
4272. Declaration of purpose.
4273. Membership of the Commission; appointment of members;
term.
4274. Organization of the Commission.
- (a) Initial meeting.
- (b) Chairman and Vice Chairman.
- (c) Vacancies in membership.
- (d) Termination of service in official position from which
originally appointed.
- (e) Quorum.
4275. Duties of the Commission.
4276. Powers and administrative provisions.
- (a) Hearings; oaths and affirmations.
- (b) Cooperation by Federal agencies.
- (c) Executive director.
- (d) Appointment and compensation of other personnel;
temporary and intermittent services.
- (e) Applicability of other laws to employees.
- (f) Maximum compensation of employees.
4277. Compensation of members.
4278. Authorization of appropriations.
4279. Receipt of funds; consideration by Congress.

§ 4271. Establishment

There is established a permanent bipartisan commission to be known as the Advisory Commission on Intergovernmental Relations, hereinafter referred to as the "Commission".

Pub.L. 86-380, § 1, Sept. 24, 1959, 73 Stat. 703.

Historical Note

Termination of Office of Intergovernmental Relations. Ex.Ord.No.11435, Feb. 14, 1939, 34 F.R. 2209, formerly set out as a note under this section, which established the Office of Intergovernmental Relations and prescribed its functions, was revoked by section 4 of Ex.Ord.No.11890, Dec. 14, 1972, 37 F.R. 28315, set out as a note under section 201 of Title 3, The President. Section 5 of Ex.Ord.No.11890 transferred the records, property, personnel and funds of the Office of Inter-

governmental Relations to the Domestic Council.

Office of Intergovernmental Relations; Authorization of Appropriations; Compensation of Director; Appointment of Personnel; Experts and Consultants. Pub.L. 91-153, Dec. 30, 1969, 83 Stat. 849, authorized the appropriation of such sums as may be necessary for the expenses of the Office of Intergovernmental Relations, established by Ex.Ord.No.

§ 4273. Membership of the Commission; appointment of members; term

(a) The Commission shall be composed of twenty-six members, as follows:

(1) Six appointed by the President of the United States, three of whom shall be officers of the executive branch of the Government, and three private citizens, all of whom shall have had experience or familiarity with relations between the levels of government;

(2) Three appointed by the President of the Senate, who shall be Members of the Senate;

(3) Three appointed by the Speaker of the House of Representatives, who shall be Members of the House;

(4) Four appointed by the President from a panel of at least eight Governors submitted by the Governors' Conference;

(5) Three appointed by the President from a panel of at least six members of State legislative bodies submitted by the board of managers of the Council of State Governments;

(6) Four appointed by the President from a panel of at least eight mayors submitted jointly by the National League of Cities and the United States Conference of Mayors; and

(7) Three appointed by the President from a panel of at least six elected county officers submitted by the National Association of Counties.

(b) The members appointed from private life under paragraph (1) of subsection (a) of this section shall be appointed without regard to political affiliation; of each class of members enumerated in paragraphs (2) and (3) of subsection (a) of this section, two shall be from the majority party of the respective houses; of each class of members enumerated in paragraphs (4), (5), (6), and (7) of subsection (a) of this section, not more than two shall be from any one political party; of each class of members enumerated in paragraphs (5), (6) and (7) of subsection (a) of this section, not more than one shall be from any one State; at least two of the appointees under paragraph (6) of subsection (a) of this section shall be from cities under five hundred thousand population.

(c) The term of office of each member of the Commission shall be two years; members shall be eligible for reappointment; and, except as provided in section 4274(d) of this title, members shall serve until their successors are appointed.

Pub.L. 86-380, § 3, Sept. 24, 1959, 73 Stat. 704; Pub.L. 89-733, §§ 1, 2, Nov. 2, 1966, 80 Stat. 1162.

Historical Note

1956 Amendment. Subsec. (a)(6). Pub.L. 89-722, § 1, substituted "National League of Cities" for "American Municipal Association."

Subsec. (a)(7). Pub.L. 89-733, § 1, substituted "National Association of Counties" for "National Association of County Officials."

Subsec. (c). Pub.L. 89-733, § 2, inserted provision that members shall serve

until their successors are appointed, except as provided in section 4274(d) of this title.

Legislative History. For legislative history and purpose of Pub.L. 86-359, see 1959 U.S. Code Cong. and Adm. News, p. 2853. See, also, Pub.L. 89-722, 1956 U.S. Code Cong. and Adm. News, p. 2302.

§ 4274. Organization of the Commission—Initial meeting

(a) The President shall convene the Commission within ninety days following September 24, 1959 at such time and place as he may designate for the Commission's initial meeting.

Chairman and Vice Chairman

(b) The President shall designate a Chairman and a Vice Chairman from among members of the Commission.

Vacancies in membership

(c) Any vacancy in the membership of the Commission shall be filled in the same manner in which the original appointment was made; except that where the number of vacancies is fewer than the number of members specified in paragraphs (4), (5), (6), and (7) of section 4273(a) of this title, each panel of names submitted in accordance with the aforementioned paragraphs shall contain at least two names for each vacancy.

Termination of service in official position from which originally appointed

(d) Where any member ceases to serve in the official position from which originally appointed under section 4273(a) of this title, his place on the Commission shall be deemed to be vacant.

Quorum

(e) Thirteen members of the Commission shall constitute a quorum, but two or more members shall constitute a quorum for the purpose of conducting hearings.

Pub.L. 86-380, § 4, Sept. 24, 1959, 73 Stat. 705.

Historical Note

Legislative History. For legislative history and purpose of Pub.L. 86-359, see 1959 U.S. Code Cong. and Adm. News, p. 2853.

§ 4275

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Pub.L. 86-

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§ 4275. Duties of the Commission

It shall be the duty of the Commission—

- (1) to engage in such activities and to make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in section 4272 of this title;
- (2) to consider, on its own initiative, ways and means for fostering better relations between the levels of government;
- (3) to submit an annual report to the President and the Congress on or before January 31 of each year. The Commission may also submit such additional reports to the President to the Congress or any committee of the Congress, and to any unit of government or organization as the Commission may deem appropriate.

Pub.L. 86-330, § 5, Sept. 24, 1959, 73 Stat. 705.

Historical Note

Legislative History. For legislative - 1959 U.S.Code Cong. and Adm.News, p. History and purpose of Pub.L. 86-330, see 2399.

4276. Powers and administrative provisions—Hearings; oaths and affirmations

(a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this chapter, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or members thereof.

Cooperation by Federal agencies

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this chapter.

Executive director

(c) The Commission shall have power to appoint, fix the compensation of, and remove an executive director without regard to the civil service laws and chapter 51 and subchapter III of chapter 53 of Title 5. Such appointment shall be made solely on the basis of fitness to perform the duties of the position and without regard to political affiliation.

Appointment and compensation of other personnel: temporary and intermittent services

(d) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the civil service laws and chapter 51 and subchapter III of chapter 53 of Title 5, and without reference to political affiliation, shall have the power—

- (1) to appoint, fix the compensation of, and remove such other personnel as he deems necessary,
- (2) to procure temporary and intermittent services to the same extent as is authorized by section 15 of the Administrative Expenses Act of 1946 but at rates not to exceed \$50 a day for individuals.

Applicability of other laws to employees

(e) Except as otherwise provided in this chapter, persons in the employ of the Commission under subsections (c) and (d)(1) of this section shall be considered to be Federal employees for all purposes, including—

- (1) the Civil Service Retirement Act, as amended,
- (2) the Federal Employees' Group Life Insurance Act of 1954, as amended,
- (3) annual and sick leave, and
- (4) the Travel Expense Act of 1949, as amended.

Maximum compensation of employees

(f) No individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of the rate provided for grade 18 under the General Schedule, except that the executive director of the Commission may be paid compensation at any rate not exceeding the rate prescribed for level V in the Federal Executive Salary Schedule of the Federal Executive Salary Act of 1964.

Pub.L. 86-380, § 6, Sept. 24, 1959, 73 Stat. 705; Pub.L. 88-426, Title III, § 306(e), Aug. 14, 1964, 78 Stat. 429; Pub.L. 89-733, §§ 3, 4, Nov. 2, 1966, 80 Stat. 1162.

Historical Note

References in Text. The civil service laws, referred to in subsecs. (c) and (d), are classified generally to Title 5, Government Organization and Employees.

Section 15 of the Administrative Expenses Act of 1946, referred to in subsec. (d), was repealed in the general revision of Title 5, and the provisions are now covered by section 2169 of Title 5.

The Civil Service Retirement Act, as amended, referred to in subsec. (e), was repealed in the general revision of Title 5, and the provisions are now covered by sections 1205, 3323 and 5331 et seq. of Title 5.

The Federal Employees' Group Life Insurance Act of 1954, as amended, referred to in subsec. (e), was repealed in

THE WHITE HOUSE
WASHINGTON

14 Mar 79

Tim Kraft
Arnie Miller

The attached was returned in the President's outbox today and is forwarded to you for appropriate handling.

Rick Hutcheson



FOR ACTION
FYI

	FOR STAFFING
	FOR INFORMATION
/	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND
	NO DEADLINE
	LAST DAY FOR ACTION

	VICE PRESIDENT
	JORDAN
	EIZENSTAT
/	KRAFT
	LIPSHUTZ
	MOORE
	POWELL
	RAFSHOON
	WATSON
	WEXLER
	BRZEZINSKI
	MCINTYRE
	SCHULTZE
	ADAMS
	ANDRUS
	BELL
	BERGLAND
	BLUMENTHAL
	BROWN
	CALIFANO
	HARRIS
	KREPS
	MARSHALL
	SCHLESINGER
	STRAUSS
	VANCE

	ARONSON
	BUTLER
	H. CARTER
	CLOUGH
	CRUIKSHANK
	FIRST LADY
	HARDEN
	HERNANDEZ
	HUTCHESON
	KAHN
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	MARTIN
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	MOE
	PETERSON
	PETTIGREW
	PRESS
	SANDERS
	WARREN
	WEDDINGTON
	WISE
	VOORDE

	ADMIN. CONFIDEN.
	CONFIDENTIAL
	SECRET
	EYES ONLY

THE WHITE HOUSE
WASHINGTON

March 12, 1979

*Does
Atty Gen
recommend?*

MEMORANDUM FOR THE PRESIDENT

FROM: TIM KRAFT *TK*
ARNIE MILLER *AM*

SUBJECT: United States Tax Court

On December 21, 1978, you approved Mr. Scott B. Lukins to be nominated to the present vacancy on the United States Tax Court. Mr. Lukins declined to serve last week.

We recommend that you nominate Arthur L. Nims, III, of New Jersey, as Judge of the United States Tax Court.

Mr. Nims is 55 years old and since 1961 has been a partner in McCarter & English in Newark, New Jersey. During the past year, Mr. Nims has served as Secretary of the Section of Taxation, American Bar Association, and also served as Chairman of the Section of Taxation, New Jersey State Bar Association, from 1961 to 1971.

The ABA's Committee on Appointments to the Tax Court was unanimously enthusiastic about Mr. Nims' appointment to the Tax Court.

Mr. Lipshutz recommends this appointment.

RECOMMENDATION

Nominate Arthur L. Nims, III to be a Judge of the United States Tax Court.

_____ approve

_____ disapprove

THE WHITE HOUSE

WASHINGTON

March 6, 1979

MEMORANDUM FOR THE PRESIDENT

FROM:

TIM KRAFT *TK*

ARNIE MILLER *AM*

SUBJECT:

General Counsel, Equal Employment
Opportunity Commission

On February 6, 1979, you accepted the resignation of Abner W. Sibal as General Counsel of the Equal Employment Opportunity Commission.

The General Counsel is a Presidential appointment with Senate confirmation and serves a four-year term.

The duties of the General Counsel include supervision of all litigation and the management responsibility of a staff of over 380 attorneys across the country. This position requires an individual well experienced in civil rights and employment discrimination litigation, strong leadership ability, and the management skills necessary for the successful and efficient implementation of the vast reorganization of the agency.

The General Counsel is, by statute, independent from the Chair and the other Commissioners, but should be able to work effectively with them. Eleanor Holmes Norton, Chairperson, has been involved in interviewing each of the candidates and joins us in recommending to you Leroy D. Clark.

Professor Clark was the first Black to win tenure at New York University Law School. He has been teaching courses in employment discrimination law, labor law, and criminal law for the past ten years. He has also supervised student's litigation in a clinical program. From 1962 to 1968, he was Assistant Counsel to the

NAACP Legal Defense and Education Fund. While supervising the litigation and legal staff, he was also involved in trial and appellate litigation under various civil rights statutes. He is highly respected for his legal work in much of the civil rights litigation of the 1960's.

Prior to his employment with the NAACP Fund, Leroy Clark served as Staff Counsel of the Civil Rights Division of the New York State Attorney General's Office. While Clark has not managed a staff as large as the Equal Employment Opportunity Commission's General Counsel staff, he has a good reputation as a manager on a smaller scale at the NAACP. He has the leadership ability to guide the office through its reorganization and provide the training for 99 new attorneys that will be hired by the agency.

Professor Clark is also the founding member of the prestigious National Conference of Black Lawyers. He is a consultant to the Legal Services Corporation and an Arbitrator for the American Arbitration Association and Federal Mediation and Conciliation Service.

Bob Lipshutz and Louis Martin join us in recommending the appointment of Leroy D. Clark as General Counsel of the Equal Employment Opportunity Commission.

RECOMMENDATION:

Nominate Leroy D. Clark as General Counsel of the Equal Employment Opportunity Commission.

approve

disapprove

THE WHITE HOUSE

WASHINGTON

March 7, 1979

MEMORANDUM FOR THE PRESIDENT

FROM:

TIM KRAFT *TK*
ARNIE MILLER *AM*

SUBJECT:

Advisory Committee to the Pension
Benefit Guaranty Corporation

The Advisory Committee to the Pension Benefit Guaranty Corporation was established under the 1974 Employee Retirement Income Security Act to advise the Board of Directors of the Corporation. The Corporation guarantees basic pension benefits in covered private plans if they terminate with insufficient assets.

The Advisory Committee is bipartisan and composed of seven members, two of which represent employer interests, two represent labor interests, and three public members. Tenure is three years.

There is presently a vacancy in the public member category. We recommend your appointment of Phyllis Spielman.

Phyllis Spielman (Minnesota): Presently Administrator of the Pension Protection Division of the Minnesota Department of Labor and Industry. Formerly Administrative Assistant to various committees in the Minnesota House of Representatives and assisted in the preparation of the state's pension laws. Mrs. Spielman is recognized for her work with rights of senior citizens and pensions. She is recommended for appointment by the Vice President.

Secretary Marshall, Secretary Blumenthal and Secretary Kreps are in concurrence with this appointment.

RECOMMENDATION:

Appoint Phyllis Spielman as a public member to the Advisory Committee of the Pension Benefit Guaranty Corporation.

approve

disapprove

J

THE WHITE HOUSE
WASHINGTON

March 15, 1979

TO: ARNIE MILLER

FROM: BOB LIPSHUTZ

PER YOUR TELEPHONE CONVERSATION.



United States Department of Justice

OFFICE OF THE ASSOCIATE ATTORNEY GENERAL

WASHINGTON, D.C. 20530

March 15, 1979

*For Tax Court
memo*

MEMORANDUM

TO: Judge Bell
FROM: Mike Egan
RE: Tax Court appointment

While we have nothing to do officially with Tax Court appointments, Bob Lipshutz wants your sign-off on the appointment of Arthur L. Nims, III. Nims' Martindale listing is attached. Carr Ferguson and I both consider him well qualified for the job. The other person under consideration was Mike Baum, but there is a feeling that recent appointments of persons from the government require the appointment of a private practitioner in this case. I concur with this.

You will notice that Nims is a graduate of the University of Georgia law school.

If you will indicate your approval and return this memorandum to me, I will inform Lipshutz.

Attachment

*JLC
GRB
3/15/79*

MATTSON, MADDEN, POLITO & LOPRETE (Continued)

(J.D., 1968). Member: Essex County, Monmouth County, New Jersey State, Federal and American Bar Associations.

REPRESENTATIVE CLIENTS: Shell Oil Co.; Ford Motor Co.; Citles Service Oil Co.; Roadway Express Inc.; New Jersey Manufacturers Insurance Co.; Chubb & Son Inc.; Allstate Insurance Co.; Consolidated Freightways Inc.; Eastern Express, Inc.; Victory Optical Manufacturing Co.; Mooney Brothers Corp.; Prudential Property & Casualty Insurance Co.; Carriers Insurance Co.; C. S. Green & Co., Inc.; North American Van Lines; Carolina Freight Lines Inc.; Yellow Freight Systems, Inc.; Township of Passaic (Morris County); Cooper-Jarret, Inc.; Protective Insurance Co.; Branch Motor Express Co.

American Bar Associations; State Bar of Georgia.

John R. Pidgeon, born East Orange, New Jersey, December 29, 1949; admitted to bar, 1975; Pennsylvania; 1977, New Jersey. Preparatory education, University of New Hampshire (B.A., cum laude, 1971); legal education, Seton Hall University (J.D., 1975). Fraternity: Phi Alpha Delta. Appellate Moot Court Board. Member: Allegheny County, Pennsylvania, New Jersey State and American Bar Associations.

McCARTER & ENGLISH

General Practice 550 BROAD STREET

Telephone: (201) 622-4444

NEWARK, NEW JERSEY 07102

MEMBERS OF FIRM

Woodruff J. English, born Elizabeth, New Jersey, April 28, 1909; admitted to bar, 1935, New Jersey. Preparatory education, Princeton University (A.B., 1931); legal education, Harvard Law School (LL.B., 1934). Member: Essex County, New Jersey State and American Bar Associations; The Association of the Bar of the City of New York; American Law Institute; American Judicature Society; American Society of Hospital Attorneys. Fellow, American College of Probate Counsel.

Francis E. P. McCarter, born New Brunswick, New Jersey, September 10, 1917; admitted to bar, 1948, New Jersey. Preparatory education, Princeton University (A.B., 1939); legal education, Harvard Law School (J.D., 1947). Member: Essex County, Monmouth County, New Jersey State and American Bar Associations.

Arthur C. Hensler, Jr., born Littleton, New Jersey, 1916; admitted to bar, 1947, New Jersey. Preparatory education, Amherst College (A.B., 1939); legal education, Yale Law School (J.D., 1946). Member: Essex County, New Jersey State and American Bar Associations.

Arthur L. Niins, III, born Oklahoma City, Oklahoma, January 3, 1923; admitted to bar, 1949, Georgia; 1955, New Jersey. Preparatory education, Williams College (B.A., 1947); legal education, University of Georgia (LL.B., 1949) and New York University (LL.M., 1954). Special At-

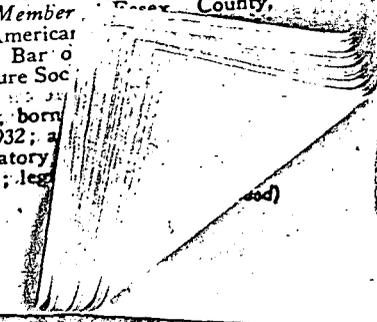
torney, Office of Chief Counsel, Internal Revenue Service, New York and Washington, D. C., 1951-1955. Member: Essex County, New Jersey State (Chairman: Section on Taxation, 1969-1971) and American (Secretary, Section on Taxation; 1977-) Bar Associations; American Law Institute.

Eugene M. Haring, born Washington, D. C., May 16, 1927; admitted to bar, 1955; New Jersey. Preparatory education, Princeton University (A.B., 1949; A.M., 1951); legal education, Harvard Law School (J.D., 1955). Fraternity: Phi Beta Kappa. Member: Essex County, Mercer County, New Jersey State and American Bar Associations; American Law Institute; International Association of Insurance Counsel; American Judicature Society.

Julius B. Poppinga, born Hubbard, Oregon, October 24, 1928; admitted to bar, 1956, New Jersey; 1957, New York. Preparatory education, Wheaton College, Illinois (A.B., 1950); legal education, University of Michigan (J.D., 1956). Fraternity: Order of the Coif. Associate Editor, Michigan Law Review, 1955-1956. Member: Essex County, New Jersey State and American Bar Associations; The Association of the Bar of New York; American Judicature Soc

George C. Witte, Jr., born New Jersey, December 11, 1932; admitted to bar, New Jersey. Preparatory education, New Jersey State University (B.A., 1954); leg

AV Rating



THE WHITE HOUSE
WASHINGTON

14 Mar 79

The Vice President
Zbig Brzezinski

The attached was returned in
the President's outbox today and
is forwarded to you for appropriate
handling.

Rick Hutcheson

~~CONFIDENTIAL~~

E.O. 12356, SEC. 3.4(b)

WHITE HOUSE GUIDELINES, FEB. 24, 1983

BY Jag NARS, DATE 5/2/90

FOR STAFFING
FOR INFORMATION
FROM PRESIDENT'S OUTBOX
LOG IN/TO PRESIDENT TODAY
IMMEDIATE TURNAROUND
NO DEADLINE
LAST DAY FOR ACTION -

ACTION
FYI

ADMIN CONFID
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SECRET
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THE WHITE HOUSE

WASHINGTON

CONFIDENTIAL

March 12, 1979

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/

MEMORANDUM FOR: THE PRESIDENT

FROM: ZBIGNIEW BRZEZINSKI

SUBJECT: Vice President's Visit to South America

The Vice President has requested your approval for him to visit Brazil and Venezuela on March 25-28. He postponed this trip because of your visit to Egypt and Israel and has rescheduled it in keeping with his conversation with you and your talks with the Presidents-elect of Brazil and Venezuela. There is presently no conflict on your schedule that would make these dates inconvenient.

RECOMMENDATION

That you approve the Vice President's trip to Brazil and Venezuela on March 25-28.

APPROVE



DISAPPROVE

CONFIDENTIAL

DECLASSIFIED
 E.O. 12356, SEC. 3.4(b)
 WHITE HOUSE GUIDELINES, FEB. 24, 1983
 BY Jay NARS, DATE 5/2/90

THE WHITE HOUSE
WASHINGTON

14 Mar 79

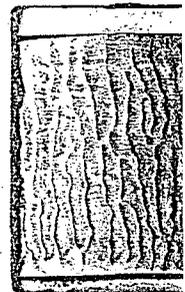
Frank Moore

The attached was returned in the President's outbox today and is forwarded to you for appropriate handling.

Rick Hutcheson

The Vice President
Stu Eizenstat
Hamilton Jordan
Jack Watson

2D 790951



<input type="checkbox"/>	FOR STAFFING
<input type="checkbox"/>	FOR INFORMATION
<input checked="" type="checkbox"/>	FROM PRESIDENT'S OUTBOX
<input checked="" type="checkbox"/>	LOG IN/TO PRESIDENT TODAY
<input type="checkbox"/>	IMMEDIATE TURNAROUND
<input type="checkbox"/>	NO DEADLINE
<input type="checkbox"/>	LAST DAY FOR ACTION -

return to me to reach

ACTION
FYI

<input type="checkbox"/>	ADMIN CONFID
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<input checked="" type="checkbox"/>	VICE PRESIDENT
<input checked="" type="checkbox"/>	EIZENSTAT
<input checked="" type="checkbox"/>	JORDAN
<input type="checkbox"/>	KRAFT
<input type="checkbox"/>	LIPSHUTZ
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<input type="checkbox"/>	VANCE

Administratively
Confidential

THE WHITE HOUSE

WASHINGTON

March 12, 1979

*Frank -
I sympathize
with you!
J*

~~CONFIDENTIAL~~

MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE
SUBJECT: Weekly Legislative Report

I. DOMESTIC ISSUES

1. Congressional Action on Rescission Bill

-- At full Committee action Thursday, the Senate Appropriations Committee voted to rescind \$724 million of the \$915 million proposed for rescission. This included \$600 million for a HUD subsidy program and \$96 million for HEW programs, such as doctor and nursing capitation and the NIH child health building.

-- Lawton Chiles offered an amendment to rescind \$465 million in CETA Title VI (countercyclical) funds. This amendment, which we opposed, was defeated 13 to 11 in a close vote.

2. Real Wage Insurance

-- The Teamsters dealt a blow to RWI Friday that could prove to be fatal. They are seeking a first year wage increase of 12 to 14 percent. WHCL is pessimistic about the future of RWI under these circumstances.

3. Hospital Cost Containment

-- On Monday, Secretary Califano and Alfred Kahn were the Administration witnesses at a joint hearing of the Commerce and Ways & Means Health Subcommittees. Bill Cable attended the hearing and reported that it went well. Chairman Ullman has announced his support. Tomorrow the Health Subcommittee of Senate Finance will hear Califano and Kahn.

-- Kennedy's Health Subcommittee of Human Resources is tentatively scheduled to mark-up a bill March 21-22; Finance is expected to mark-up on March 22-23.

4. Food Stamp Cap

-- Last Tuesday, the Senate Agriculture Committee narrowly defeated Senator Lugar's motion to retain the cap on food

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WHITE HOUSE GUIDELINES, FEB. 24, 1983
BY *[Signature]* NARS DATE *4/2/80*

stamp spending and to reduce your food stamp budget request by \$738 million. The near party-line vote was 8-9 with Senator Talmadge's vote being the last and deciding vote to be cast. U.S.D.A. contacted Talmadge to let him know his vote would probably be the critical one and he has let us know that he voted with us only because of our specific and urgent request.

5. Sugar

-- The first serious threats on sugar legislation emerged in the final House Agriculture Committee hearing last Tuesday. A labor spokesman stated sugar industry field workers could accept no less than \$4 per hour (above our \$3.20 to \$3.30). If corn state legislators oppose the bill, we're not much improved over last year's impasse, despite a substantial increase in support prices offered by the Administration.

6. Nuclear Carrier

-- A nuclear carrier may well be an issue again this year. Last week, Bennett's House Armed Services Seapower Subcommittee reported out a shipbuilding authorization which adds \$477 million for a Nimitz Class CVN.

7. Debt Ceiling

-- For the second try, the Ways and Means Committee has reported out a bill raising the ceiling to \$830 billion through September 30 of this year. It will be considered on the floor on Thursday. Congressman Fowler will probably offer an amendment cutting the ceiling further in order to give Members the opportunity for a conservative vote.

-- The matter is complicated by two factors. First, the Republican Campaign Committee has sent out telegrams to newspapers in all districts where Democrats voted against the rule to allow a "balance the budget amendment" saying that the Members did not even let the House vote on a balanced budget. As a consequence, some of last week's affirmative votes may change. Second, Congressman Jones has an amendment that would extend the Debt Limit for two years, with a balanced budget mandated after that. This has been attracting a lot of attention and co-sponsors from the freshmen. The rule allowing such an amendment will probably be defeated and cause us to lose freshmen votes. Hence, the vote is quite unpredictable.

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II. FOREIGN POLICY ISSUES

1. PRC/Taiwan

-- The Senate took up the China/Taiwan legislation again on Monday and passed the Twin Oaks amendment 49-36. This is the only amendment of any consequence to pass either House to date. The Senate is expected to finish voting on Tuesday. The House will take the legislation up again Tuesday, but it is uncertain when they will complete action. WHCL, State, and DOD continue to coordinate efforts on the Hill.

2. Refugee Legislation

-- With the submission to the Congress of the Administration's comprehensive refugee legislative proposal, the following developments have occurred:

- In the Senate, Kennedy is expected to introduce the bill immediately. The first hearing is scheduled before the Senate Judiciary Committee on Wednesday. Coordinator for Refugee Affairs, Dick Clark, will testify. (Clark's own nomination hearing for appointment as Ambassador-at-Large is on the SFRC agenda for March 13.)
- In the House, cooperation with the Judiciary Committee is threatened by a March 8 Washington Post article indicating the close working relationship between the Administration and Kennedy. Rodino, piqued by the article, has at least momentarily lost his enthusiasm for introducing the bill.
- The House Foreign Affairs Committee marked up the State Department Authorization last Thursday. The bill contains supplemental appropriation figures for the refugee program. This bill should reach the floor before the Easter Recess.

3. North Yemen Situation

-- The full scope of our effort to assist North Yemen will surface publicly this week as your national security emergency determination and the waivers of 36b notifications are received by Congress. Lee Hamilton's subcommittee on the Middle East held an open hearing on Monday.

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Page 4 of 5

-- State reported good expressions of support in closed door meetings with the HFAC and SFRC last week. However, State CL reports that failure to consult before major decisions were made seriously limited enthusiasm for the initiative. Many Members may now feel they have a free hand to criticize if things go wrong.

4. Security Assistance Mark-Ups

-- The House Foreign Affairs Committee has scheduled a Tuesday mark-up on security assistance legislation. The African and Near East and Europe Subcommittees have already held mark-up sessions. Final votes are pending in the Africa Subcommittee on proposals to: convert SSA for Swaziland, Malawi and Lesotho to development assistance; eliminate the proposed \$10.5 million in FMS for Zaire; reduce FMS for Kenya from \$26 million to \$16 million; eliminate \$0.5 million in FMS for Botswana; increase FMS for Liberia by \$4.5 million to a total of \$5.9 million; and add \$10 million in FMS credits to the Tunisian program.

-- The Near East and Europe Subcommittee will recommend that the SSA program be split into an economic support fund (ESF) and a peace-keeping operations fund. The Subcommittee added \$13 million in ESF for Cyprus, and deleted \$15 million from Syria and \$38 million from the Magarin Dam. The Subcommittee has agreed to make funds available for Syria and Jordan if you determine and certify to the Congress that Syria and Jordan are acting in good faith to achieve further progress toward a comprehensive Middle East peace settlement. The Subcommittee, in its draft report, noted that the differing military aid requests for Greece and Turkey are consistent with past aid ratios to the two states.

III. MISCELLANEOUS

Reorganization -- Chairman Talmadge commented, predictably, at Wednesday's Senate Agriculture Committee meeting about the proposed Department of Natural Resources. Introducing Forest Service Chief John R. McGuire, Talmadge noted that Interior Secretary Andrus has been quoted as saying that his first act after reorganization would be to fire Chief McGuire. McGuire is enormously popular with production-oriented Members of Congress, and Talmadge said he hoped Andrus would not follow through on the threat if the reorganization plan is approved.

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HEARINGS

Significant hearings involving Administration officials this week include:

<u>DATE</u>	<u>WITNESS</u>	<u>COMMITTEE</u>	<u>SUBJECT</u>
3/13 Tuesday	Secretary Bergland	Senate Agriculture	Trade with PRC
	Secretary Califano Dr. Kahn	Senate Finance	Hospital Cost Containment
	Admiral Turner	House Appropriations	SALT Verification
	Secretary Claytor	House Budget	FY 80 DOD Budget
3/14 Wednesday	Attorney General Bell	House Appropriations	DOJ Appropriations
	Secretary Blumenthal	House Appropriations	Budget Request for Multilateral Development Bank
3/15 Thursday	Deputy Attorney General Civiletti	Senate Budget	Government Program Fraud and Abuse