

[6/1/79-Not Submitted-DF]

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THE WHITE HOUSE
WASHINGTON

DF

6/1/79

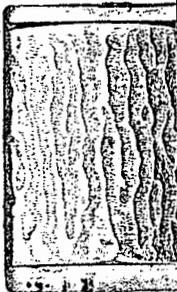
TO: STU EIZENSTAT
FROM: RICK HUTCHESON

Rick

Phil says the President cannot do this. Phil and Jody think that this event is appropriate for either the Attorney General or the Vice President, but not for the President.

Regarding the proposed Message -- just go ahead and send it to me when it's ready. There's no need to ask the President about it in advance.

Thanks.



THE WHITE HOUSE

WASHINGTON

May 30, 1979

MEMORANDUM FOR: THE PRESIDENT

FROM: STU EIZENSTAT *Stu*
FRANK WHITE

SUBJECT: FBI Charter Legislation

The Attorney General has submitted for Administration clearance the Department of Justice's proposal for a legislative charter for the Federal Bureau of Investigation. Our expectation is that the Charter will be approved within the next few days. The Attorney General would like to have it introduced in the beginning of June.

Our submission of an FBI Charter to Congress is of major historical importance; it represents the first time that the authorities and responsibilities of the FBI have been brought together under one statute. It comes at a time when both the public is in need of a firm assurance that the FBI is acting properly under the law and the FBI of reassurance that it will be allowed to carry out its legal duties with certainty, confidence, and effectiveness. While the Charter itself cannot prevent the reoccurrence of past abuses, it should act as a significant deterrent.

Justice's bill reflects three fundamental objectives:

- o The Charter should be short. It should be a document of broad principles not procedure. It should enumerate the FBI's jurisdiction, functions and powers and the limitations thereon but should leave to the Attorney General the power to issue detailed procedures and guidelines.
- o The investigative power of the FBI should be limited, with few exceptions, (and even then only with significant procedural safeguards) to the detection, prevention, and prosecution of federal crimes. This will prevent unrestricted accumulation of information concerning individuals not suspected of criminal conduct.

- o The Charter should strike a proper balance between the true needs of law enforcement and important civil liberties guaranteed by our Constitution. The greater the potential level of intrusion of a particular investigative technique, the higher investigative standard and level of approval required.

Justice drafted the legislation in close cooperation with us, the Vice-President's and Senator Kennedy's staff.

Recommendation

The press has been very interested in the development of a charter for the FBI. When it was mistakenly rumored that the Attorney General was no longer interested in a charter, within days, several newspapers, including the Washington Post and the New York Times, issued editorials urging that the effort not be abandoned. Your submission of a charter will be viewed as a very positive step. In light of the importance of the issue and the media coverage which it will receive, we recommend that you issue a presidential message to accompany the bill, and that there be a White House press briefing to announce transmittal of the bill to Congress. Senator Kennedy and other sponsors would be invited to attend. If you chose not to do the press briefing, it could appropriately be done by the Vice President especially in light of his long term personal interest in this area and the important role he played in the drafting process. The Attorney General strongly supports these recommendation.

Decision

Message to Congress on Charter Legislation

_____ Approve

_____ Disapprove

Press Briefing

_____ Disapprove

_____ Approve -- for the Vice President

_____ Approve -- for you

2309

THE WHITE HOUSE

WASHINGTON

Date: May 30, 1979

MEMORANDUM

FOR ACTION:

- ✓ Bob Lipshutz concurs (attached)
- ✓ Jody Powell attached
- ✓ Jerry Rafhsoon no comment
- ✓ Phil Wise (attached)
- ✓ Fran Voorde (attached)

FOR INFORMATION:

THE VICE PRESIDENT
Frank Moore

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: Eizenstat memo re FBI Charter Legislation

YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: 12:00 P.M.

DAY: Friday

DATE: June 1, 1979

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)

2309

THE WHITE HOUSE
WASHINGTON

Date: May 30, 1979

MEMORANDUM

FOR ACTION:

- Bob Lipshutz
- Jody Powell
- Jerry Rafhsoon
- ✓ Phil Wise
- Fran Voorde

FOR INFORMATION:

THE VICEPRESIDENT
Frank Moore

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ACTION REQUESTED:

Your comments

Other:

This is definitely a VP event - it
should not even go to President with any

STAFF RESPONSE:

I concur.

No comment.

Please note other comments below:

recommendation for his participation

Phil

2309

THE WHITE HOUSE
WASHINGTON

Date: May 30, 1979

MEMORANDUM

FOR ACTION:

Bob Lipshutz
Jody Powell
Jerry Rafhsoon
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 Fran Voorde

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Your comments

Other:

STAFF RESPONSE:

I concur.

No comment.

5/30

Please note other comments below:

I suggest the AG do it
Jan

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

2309

Date: May 30, 1979

MEMORANDUM

FOR ACTION:

- Bob Lipshutz
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Your comments

Other:

STAFF RESPONSE:

I concur.

No comment.

Please note other comments below:

R. J. F.

2309

THE WHITE HOUSE
WASHINGTON

Date: May 30, 1979

MEMORANDUM

FOR ACTION:

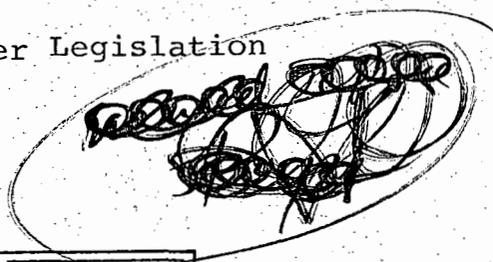
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Your comments

Other:

STAFF RESPONSE:

I concur.

No comment.

Please note other comments below:

I do not favor Pres. participation.
He does to much of this. The V.P.
or Beel would be fine.
why do we need the sponsor to
come down?

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.