

9/18/79 [3]

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THE PRESIDENT'S SCHEDULE

Tuesday - September 18, 1979

NOT ISSUED

7:15 Dr. Zbigniew Brzezinski - The Oval Office.

7:45 Mr. Frank Moore - The Oval Office.

8:00 Breakfast with Democratic Congressional Leaders.
(60 min.) (Mr. Frank Moore) - First Floor Family Dining
Room.

10:00 Mr. Hamilton Jordan and Mr. Frank Moore - Oval Office.

✓ # 11:45 Meeting with Mr. John White et al. (Ms. Sarah
(30 min.) Weddington) - The Oval Office.

12:15 Mr. Hedley Donovan - The Oval Office.
(5 min.)

2:00 Attorney General Benjamin R. Civiletti.
(20 min.) The Oval Office.

*Tim Finchem
is doing
briefing paper
I think*

*Annie Miller
is preparing
briefing paper
+ some news*

✓ 4:35 Drop-By Reception in Commemoration of the
(15 min.) 20th Anniversary of the Enthronement of His
Eminence, The Most Reverend Iakovos - State Floor.



C
/

The Secretary

September 14, 1979

MEMORANDUM FOR: THE PRESIDENT
FROM: CHARLES W. DUNCAN, JR. *CWJ*
SUBJECT: Home heating oil

Attached is the latest situation report with respect to the home heating oil supply situation. This report is based on data that became available on Wednesday of this week.

**Electrostatic Copy Made
for Preservation Purposes**

SEP 14 1979

MIDDLE DISTILLATE SITUATION REPORT

The purpose of this Situation Report is to provide the most recent overview of the middle distillate market. Based upon preliminary data, primary heating oil stocks were 202.7 million barrels on September 7, 1979. This is 2.9 million barrels above last year's stock levels at the same point in time and is consistent with the Department's inventory buildup schedule to reach 240 million barrels in October.

From an agricultural standpoint, diesel supplies continued to improve gradually throughout the Nation. 79% of the agricultural reporting districts indicated adequate diesel supplies. However, supplies remained tight in Montana, North Dakota, Kansas and Texas. The percentage of crop reporting districts reporting very tight or tight supplies for harvest related gasoline has also declined. Except for North Dakota and one district in Kansas the Northern Plains are no longer showing supply shortages. Gasoline supplies also improved in the Southcentral Region.

Harvesting has progressed well through the week. Only one state, Minnesota is more than 10 percent behind on harvesting of the major crops. Minnesota has completed 80 percent of its oats harvest and 84 percent of its barley harvest. Oats is 94 percent complete. Barley harvest and spring wheat harvest are 86 percent and 79 percent completed, respectively. Table 1 presents the percent of harvest completed as of September 9. Table 2 presents by agricultural reporting districts the status of diesel supplies.

Truck stop diesel supply appears to be tight but adequate throughout the midwestern States of Michigan, Wisconsin, Ohio, Minnesota, Indiana, and Illinois with no significant problems. The fuel availability situation sees to have stabilized in Montana, Nebraska, and Wyoming with temporary spot shortages occurring only infrequently. These have not interfered with truck movements. No problems have been reported from the rest of the States.

The rail industry has made no complaints about diesel fuel shortages over the past few days. Striking Rock Island Railroad employees set up picket lines affecting the Santa Fe Railroad at Topeka and Wichita, Kansas; Kansas City, Missouri; Amarillo, Texas; and Enid, Oklahoma. Rock Island employees also struck the Kansas City Terminal on September 10, bringing to a halt all transfers of rail cars between trains in

Kansas City. Kansas City Terminal officials have asked a Federal Judge to issue a restraining order. The strike at Duluth/Superior and of the Chicago, Rock Island and Pacific Railroads continues. These labor difficulties are compounded by a strike at the port of Rotterdam, Holland, a major grain import/transshipment point.

Distillate Prices and Credit

The DOE is monitoring refiner, wholesaler and residential heating oil prices. DOE will also fund 15 states to monitor, on a bi-weekly basis, residential heating oil prices. 1/ As of the middle of August, the average national residential price of home heating oil from a survey conducted by several states in cooperation with DOE was 80 cents per gallon, an increase of approximately 27 cents or 51 percent over the December 1978 price.

The results of a telephone survey conducted by DOE (for the period August 13-17, 1979) showed that average posted rack prices for No. 2 heating oil were 65.4 cents per gallon in Boston, 63.6 cents per gallon in Nassau and Suffolk Counties in New York and 62.7 cents per gallon in New Brunswick-Perth Amboy, New Jersey. During August of 1978, rack prices in New England, New York and New Jersey were under 38 cents per gallon. It is clear that there has been a significant increase in heating oil prices over last winter's level.

We are continuing to assess and monitor middle distillate supplies and prices to determine whether supplies will be adequate to maintain price competition. We will also examine, at a public hearing to be conducted September 26, the most effective means to monitor the reasonableness of home heating oil prices and the conclusions of an updated analysis of large refiners' No. 2 distillate costs and revenues. Many of you will attend or be represented at that hearing and I look forward to hearing from you. We will continue to monitor refiner costs and revenues throughout the winter and plan to expand the coverage of that effort.

1/ The states to be funded are the six New England states, New York, New Jersey, Pennsylvania, Minnesota, Wisconsin, Michigan, Indiana, Illinois and Ohio.

We will also shortly schedule a mid-October meeting to review the credit terms offered for sales of heating oil this winter. The forum will be the next meeting of our Fuel Oil Marketing Advisory Committee with appropriate input from all sectors of industry, government and the public.

Our assessment of distillate prices recognizes the escalation in crude oil prices and purchased product costs. But as these costs stabilize there is every reason for refiners to review their prices and margins in light of economic factors for each product as well as the overall Wage-Price Guidelines.

Our on-going dialogue with several refiners indicates that they are evolving price and credit programs comparable to the program announced by Texaco, Inc. Such programs may include measures to assure adequate deliveries to the dealers and consumers at stabilized prices, with at least 30-day net credit. The distillate spot market has moderated in recent weeks and continuing high levels of distillate production and imports and the buildup of stocks give us reason to look for price moderation. The Department of Energy will continue to look for appropriate refiner response.

State governments have similarly begun to talk with dealer associations, individual retail dealers and local jobbers to assure continued margin restraint at their level of commerce throughout the heating season. Such efforts are important to achieve price restraint at every level of recontrolling without sustaining the burdens and rigidities of recontrolling prices at the Federal level or, by delegation, at the state level.

The attached action timetable is a listing in chronological order of the actions to be taken by DOE from August through October 1, 1979, regarding middle distillates.

Table 1

PERCENT OF HARVEST COMPLETED FOR OATS AS OF SEPTEMBER 9, 1979

STATE	ACTUAL	NORMAL	PERCENT OF NORMAL
Illinois	100	100	100
Iowa	100	100	100
Michigan	95	100	95
Minnesota	80	97	82
North Dakota	95	97	98
Ohio	100	100	100
Pennsylvania	98	NA	NA
South Dakota	100	100	100
Wisconsin	90	99	91
9 State Average	94	99	95

PERCENT OF HARVEST COMPLETED FOR BARLEY AS OF SEPTEMBER 9, 1979

Colorado	NA	NA	NA
Idaho	80	75	107
Minnesota	84	93	90
Montana	65	70	93
North Dakota	96	98	98
South Dakota	100	100	100
Wyoming	75	NA	NA
7 State Average	86	87	99

PERCENT OF HARVEST COMPLETED FOR SPRING WHEAT AS OF SEPTEMBER 9, 1979

Idaho	75	75	100
Minnesota	57	86	66
Montana	65	70	93
North Dakota	88	94	94
South Dakota	96	100	96
5 State Average	79	88	99

Table 2

PERCENTAGES OF REPORTERS INDICATING THAT DIESEL FUEL SUPPLIES WERE:

STATES	DEFICIT	TIGHT	ADEQUATE	SURPLUS
	PERCENT			
ALABAMA	3.0	23.9	73.9	2.2
ARIZONA	3.0	33.3	66.7	3.0
ARKANSAS	1.8	14.5	81.8	1.8
CALIFORNIA	0.0	23.6	76.5	0.0
COLORADO	2.2	33.3	64.4	0.0
CONNECTICUT	0.0	0.0	100.0	0.0
DELAWARE	0.0	0.0	100.0	0.0
FLORIDA	5.6	16.7	77.8	0.0
GEORGIA	0.9	10.5	87.7	0.9
IDAHO	2.3	39.5	58.1	0.0
ILLINOIS	0.0	4.5	95.5	0.0
INDIANA	0.0	6.1	93.9	0.0
IOWA	0.0	22.1	76.6	1.3
KANSAS	5.4	35.1	59.5	0.0
KENTUCKY	0.0	6.7	91.6	1.7
LOUISIANA	0.0	16.3	83.7	0.0
MAINE	0.0	0.0	100.0	0.0
MARYLAND	0.0	0.0	100.0	0.0
MASSACHUSETTS	0.0	0.0	100.0	0.0
MICHIGAN	0.0	2.7	96.4	0.9
MINNESOTA	0.4	20.2	78.9	0.4
MISSISSIPPI	1.7	26.7	71.7	0.0
MISSOURI	3.0	21.3	75.7	0.0
MONTANA	10.8	56.9	32.3	0.0
NEBRASKA	0.0	14.9	85.1	0.0
NEW HAMPSHIRE	0.0	0.0	100.0	0.0
NEW JERSEY	0.0	0.0	100.0	0.0
NEW MEXICO	0.0	0.0	100.0	0.0
NEW YORK	4.2	16.7	79.2	0.0
NORTH CAROLINA	0.0	2.5	97.5	0.0
NORTH DAKOTA	5.9	56.7	27.5	0.0
OHIO	0.0	1.2	96.3	2.5
OKLAHOMA	2.1	27.7	70.2	0.0
OREGON	0.0	31.8	68.2	0.0
PENNSYLVANIA	0.0	13.8	84.5	1.7
RHODE ISLAND	0.0	0.0	100.0	0.0
SOUTH CAROLINA	0.0	30.2	69.3	0.0
SOUTH DAKOTA	0.0	15.5	83.6	0.0
TENNESSEE	0.0	10.3	81.7	0.0
TEXAS	2.6	38.7	58.1	0.6
UTAH	0.0	24.0	76.0	0.0
VERMONT	0.0	0.0	100.0	0.0
VIRGINIA	0.0	10.2	89.2	0.0
WASHINGTON	0.0	39.3	61.1	0.0
WEST VIRGINIA	3.4	22.0	74.5	0.0
WISCONSIN	0.0	8.4	91.6	0.0

ACTION TIMETABLE

The following is a listing in chronological order of the actions to be taken by DOE from August 1 through October 1, 1979.

<u>DATE</u>	<u>ACTION</u>
August 2	<u>Issued Proposed Rule for Refiner Production Orders</u> - ERA proposes to require refiners to increase distillate production levels equalling the highest three months in 1978. Preliminary ERA analysis indicates that results from this rulemaking could increase distillate production to an industry-wide average yield of 25 percent.
August 3	<u>Began Evaluation of Individual Refiner Progress Towards Goal</u> - ERA is evaluating each of the 32 refiners' distillate inventory levels, production, and imports as a basis for issuing production orders. The review is expected to be completed by August 31.
August 5	<u>ERA and EIA Established Heating Oil Task Forces in Chicago, Boston, and Seattle</u> - Task Forces will evaluate data from DOE state energy offices and trade associations and respond to individual supply problems in their regions.
August 15-16	<u>Hearing on Proposed Refiner Production Rule</u> - Refiners expressed their views with respect to the impact of production targets. These comments are being reviewed and will be taken into account in ERA's study of production orders.
August 22	<u>ERA Begins Second Series of Meetings with Each of the 32 Largest Refiners</u> - ERA will assess their crude runs, production levels, inventory levels, contract status, and progress toward meeting ERA's targets. Candidates for production orders, if any are required, will be determined during this period.

DATEACTION

- August 30 EIA Compiles Results from Homeowner Stock Survey - EIA is visiting a sample of 600 homes to determine the status of homeowner fuel oil levels. This data will help assess the status of homeowner fuel oil storage.
- August 31 ERA Refiner Assessment Study Completion - This study, along with comments from the public hearing and results of refiner meetings are intended to assist ERA in issuing production orders, if necessary.
- August 31 Decision on Extension of Distillate Entitlements
- September 1 DOE/DOT/USDA Heating Oil and Diesel Fuel Task Force and Clearinghouse is Created - The Task Force and Clearinghouse will redirect surplus product; evaluate price and supply demand data; and, serve as a liaison on low-income energy assistance initiatives.
- September 1 DOE Makes Decisions with Respect to the Need For Production Orders - This will ensure adequate middle distillate production and stock levels.
- September 15 EIA Compiles Data from State Energy Offices on Secondary Stock - Fifteen state energy offices are collecting data on secondary stocks in their states. These data will be used to assess degree of shortfall at secondary stock level.
- September 25 EIA Compiles Data from Utility Stocks Survey - DOE does not currently have data on distillate stocks held at utilities. EIA is surveying utilities for this information and will have data available by August 25. These data will be helpful in evaluating the option of allocating distillate to utilities.

ID 793867

THE WHITE HOUSE

WASHINGTON

DATE: 17 SEP 79

FOR ACTION:

SARAH WEDDINGTON

ANNE WEXLER

JIM MCINTYRE

INFO ONLY: THE VICE PRESIDENT

HAMILTON JORDAN

HEDLEY DONOVAN

STU EIZENSTAT

AL MCDONALD

FRANKL MOORE

JODY POWELL

JACK WATSON

SUBJECT: DUNCAN MEMO RE HOME HEATING OIL

+++++

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

+ BY: +

+++++

ACTION REQUESTED:

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

PLEASE NOTE OTHER COMMENTS BELOW:

THE WHITE HOUSE
WASHINGTON
18 Sep 79

Stu Eizenstat

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

Rick Hutcheson

Al McDonald

President did not sign
directive.

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

ADMIN CONFID
CONFIDENTIAL
SECRET
EYES ONLY

ACTION
FYI

	VICE PRESIDENT
	JORDAN
	CUTLER
	DONOVAN
X	EIZENSTAT
X	MCDONALD
	MOORE
	POWELL
	WATSON
	WEDDINGTON
	WEXLER
	BRZEZINSKI
	MCINTYRE
	SCHULTZE
	ANDRUS
	ASKEW
	BERGLAND
	BROWN
	CIVILETTI
	DUNCAN
	GOLDSCHMIDT
	HARRIS
	KREPS
	LANDRIEU
	MARSHALL

	MILLER
	VANCE
	BUTLER
	CAMPBELL
	H. CARTER
	CLOUGH
	CRUIKSHANK
	FIRST LADY
	FRANCIS
	HARDEN
	HERTZBERG
	HUTCHESON
	KAHN
	LINDER
	MARTIN
	MILLER
	MOE
	PETERSON
	PRESS
	SANDERS
	SPETH
	STRAUSS
	TORRES
	VOORDE
	WISE

THE WHITE HOUSE
WASHINGTON

September 13, 1979

*I can't
understand
it
J*

MEMORANDUM FOR: THE PRESIDENT
FROM: STU EIZENSTAT *Stu*
HARRY SCHWARTZ *HKS*
SUBJECT: Establishment of a Small Business
Data Base

Representatives of the small business community have long expressed concern about the lack of an adequate data base within the Federal government on small business. They have asserted that the lack of such a data base inhibits the development of policies and programs which would be more responsive to the needs of small businesses.

SBA and the Department of Commerce have jointly developed a proposal for the creation of an inter-agency committee, to be called the Small Business Data Committee, which would have the mission of developing and implementing a strategy and a design for the creation of a small business data base. This new committee would be chaired by SBA, and would function under the existing Statistical Policy Coordination Committee which is chaired by the Secretary of Commerce.

A Presidential directive to implement this proposal is attached. It has been approved by OMB. We recommend that you sign it. The text has been cleared with the speechwriters.

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for Preservation Purposes**

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THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS
AND AGENCIES

SUBJECT: Establishment of a Small Business Data Base

I am personally aware of the need for data to evaluate accurately the position of the small business sector of the economy. The ability to do this at present is limited. Small business measurements are frequently either too indirect or available too late to be of any use. I have, therefore, directed the Small Business Administration to accelerate the establishment of the data base needed to permit sound and timely analysis of questions pertaining to the small business sector.

The Small Business Administration will need the cooperation of a number of other Federal agencies in this effort, in particular, those currently represented on the Statistical Policy Coordination Committee (SPCC). That committee was established by Executive Order No. 12013 to develop and coordinate all statistical services.

I have directed the Secretary of Commerce, as Chairperson of the SPCC, to establish an interagency committee under SPCC auspices and chaired by the Small Business Administration to coordinate the policy management of the data base project. Major questions of statistical policy shall be referred to the full SPCC, on which the Small Business Administration shall be represented.

The agencies on the SPCC may be represented on the Small Business Data Committee by the officers who represent them on the SPCC, or by other policy level officials. The members of this new interagency committee are directed to give this small business data base effort their personal attention and support. The Office of Federal Statistical Policy and Standards shall serve as Executive Secretariat.

The Committee will develop and implement the strategy and design for formulation of the data base. It will decide size criteria and develop a common set of definitions of small, medium and large businesses. In addition, it will identify other problems and issues relevant to small business to which such a data base should contribute. The Small Business Data Committee shall also be assisted by a technical level working group.

The establishment of this small business data base will solve a long-standing statistical problem.

ID 793854

THE WHITE HOUSE

WASHINGTON

DATE: 14 SEP 79

FOR ACTION: RICK HERTZBERG

INFO ONLY: THE VICE PRESIDENT

JACK WATSON

SUBJECT: EIZENSTAT MEMO RE ESTABLISHMENT OF A SMALL BUSINESS
DATA BASE

+++++
+ RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052) +
+ BY: 1200 PM MONDAY 17 SEP 79 +
+++++

ACTION REQUESTED: YOUR COMMENTS

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

PLEASE NOTE OTHER COMMENTS BELOW:

THE WHITE HOUSE
WASHINGTON
18 Sep 79

The Vice President
Hamilton Jordan
Bob Lipshutz
Hedley Donovan
Stu Eizenstat
Al McDonald
Frank Moore
Jody Powell
Jack Watson
Sarah Weddington
Anne Wexler
Jim McIntyre

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

Rick Hutcheson

EYES ONLY

ADMINISTRATIVELY CONFIDENTIAL

3908

*send orig
to me
after copies*

usual list

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

<input type="checkbox"/>	ADMIN CONFID
<input type="checkbox"/>	CONFIDENTIAL
<input type="checkbox"/>	SECRET
<input checked="" type="checkbox"/>	EYES ONLY

ACTION
FYI

	VICE PRESIDENT
	JORDAN
	CUTLER
	DONOVAN
	EIZENSTAT
	MCDONALD
	MOORE
	POWELL
	WATSON
	WEDDINGTON
	WEXLER
	BRZEZINSKI
	MCINTYRE
	SCHULTZE
	ANDRUS
	ASKEW
	BERGLAND
	BROWN
	CIVILETTI
	DUNCAN
	GOLDSCHMIDT
	HARRIS
	KREPS
	LANDRIEU
	MARSHALL

	MILLER
	VANCE
	BUTLER
	CAMPBELL
	H. CARTER
	CLOUGH
	CRUIKSHANK
	FIRST LADY
	FRANCIS
	HARDEN
	HERTZBERG
	HUTCHESON
	KAHN
	LINDER
	MARTIN
	MILLER
	MOE
	PETERSON
	PRESS
	SANDERS
	SPETH
	STRAUSS
	TORRES
	VOORDE
	WISE

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

C

September 14, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: Gus Speth
Jane Yarn

Gus Speth

SUBJECT: Weekly Report

"The President's 1979 Environmental Program". Enclosed is a copy of a recent CEQ publication based on your August 2 Message on the Environment. We are sending copies to approximately 11,000 people, including environmentalists across the country, members and staff of Congress, heads of agencies and the press.

Bumpers Amendment on Regulatory Reform. CEQ has joined numerous other agencies within the Administration in lobbying against the so-called "Bumpers Amendment" offered on the Senate floor. The amendment would remove the traditional deference accorded by courts to administrative agencies' interpretation of laws they administer. Were such an amendment to become law, it would stimulate new litigation and would subject agency regulations to a much greater risk of successful challenge in court by private parties. Agencies would be forced to operate under many different courts' interpretations of a given law, rather than continuing a uniform interpretation.

Wirth Amendment Memorandum. I regret that the memorandum which Cece, Doug, and I sent to you regarding the Wirth Amendment may have caused us embarrassment by its having become publicly known. I wish to assure you that it has been and will continue to be my policy to treat such advice to you as strictly confidential.

Enclosure

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VETERANS ADMINISTRATION
OFFICE OF THE ADMINISTRATOR OF VETERANS AFFAIRS
WASHINGTON, D.C. 20420
SEPTEMBER 14 1979

C

TO : The President
THRU : Rick Hutcheson, Staff Secretary
FROM : Administrator of Veterans Affairs

VA Presidential Update

Max [Signature]

Handicapped Award - On Oct. 4, the 10 Outstanding Handicapped Federal Employees for 1979 will receive awards. A VA employee has been honored each year since the awards were established 12 years ago. The 1979 VA honoree is Hilliard A. Carter, 38, a black social work associate at our Hines, Ill., Medical Center. Carter was a VA patient at Hines after losing both arms and his sight in combat in Vietnam. He has since earned B.S. and Master's degrees in rehabilitation and counseling, and has become an inspiration to patients he works with at Hines. Precluded from the use of Braille by his handicap, he has used his phenomenal memory and recording devices to help patients reach their rehabilitation goals, and also has found time to assist in community rehabilitation programs.

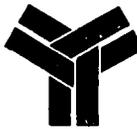
Elderly Survivors - Now . . . 114 years after the end of the war . . . the number of Civil War widows drawing VA pension has dropped below the 100 mark. Of the 90 widows receiving pensions, about two-thirds are widows of Union veterans and one-third are Confederate veteran widows. In addition, 135 "children" (helpless since childhood) of Civil War veterans are receiving VA payments. We are also paying 40 widows and 11 "children" survivors of veterans of the Indian Wars.

"New" Veterans - Department of Defense has now ruled that 18 women - ranging in age from 80 to 93 - are eligible for WW I benefits from VA. The 18 served in France as French-speaking members of the Signal Corps Female Telephone Operators Unit. We are personally contacting all 18 to offer assistance.

Collection Progress - Earlier, we reported sending nearly 141,000 names of "overpaid" and "unlocatable" veterans to IRS. IRS has now provided us addresses on 90% of these veterans, enabling VA to zero in on its continuing collection efforts. Our matching of overpayment records with VA home loan applications continues to pay dividends. The last monthly report shows cash recoveries of 45.4% of a little over \$1 million owed, and another 24.3% to be satisfied through repayment plans and benefit payment withholdings.

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Community WASHINGTON, D.C. 20506
Services Administration



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MEMORANDUM TO THE PRESIDENT

ATTENTION: Rick Hutcheson, Staff Secretary
FROM: Graciela (Grace) Olivarez
Community Services Administration
SUBJECT: Weekly Report of Significant Agency Activities
(September 9 - 15, 1979)

Graciela Olivarez

Energy Fuel for the Poor

As I reported last week, we are working with Texaco Inc. and the Department of Energy on a plan to provide energy fuel deliveries to low-income and elderly people, extend credit to oil jobbers and hold the line on home-heating oil prices. Our progress last week enabled us to work with Jack Watson's staff in preparing a telegram for your signature encouraging the Presidents of 27 major oil companies to follow the Texaco lead. Next week, we will complete a plan for Texaco emergency fuel deliveries through this Agency's network. We have suggested to Secretary Duncan and Jack Watson that a meeting then be called with the other major oil companies to discuss their participation in the energy fuel delivery plan.

Hispanic Heritage Week

In celebration of Hispanic Heritage Week, the Community Services Administration (CSA), together with seven other agencies, hosted a very successful reception at the Meridian House with live entertainment from several embassies. Approximately 300 people attended. In addition, CSA featured a panel with: Rep. Robert Garcia (D-N.Y.); Baltazar Corrada, Commissioner of Puerto Rico; Aida Berio, Director of Latino Community Affairs; Maria Elena Torano from the National Association of Spanish Broadcasters, and Wilma Espinoza, President of the Mexican American Women's National Association. I was the guest speaker at the Forum of Hispanic Organizations luncheon and am scheduled to be the keynote speaker at Chicanos Por la Causa's Hispanic Heritage Week activities in Phoenix, Arizona. Also, I am to be the Grand Marshall for the East Los Angeles Parade coordinated by the Comite Mexicano Civico Patriotico. I am attaching CSA's brochure which illustrates various aspects of Hispanics countless historical and cultural contributions.



THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

September 14, 1979

MEMORANDUM FOR: The President
Attention: Rick Hutcheson, Staff Secretary

SUBJECT: Weekly Report of Major Departmental Activities

Congress Moves Closer to New Department of Education.

The House-Senate Conference Committee met Thursday, September 13, and completed work in one session on the legislation creating a Department of Education. All objectionable amendments of the House bill were deleted and the Rosenthal amendments, which would strengthen the Office for Civil Rights, were accepted by the Senate. The bill is expected to go to the Senate floor for consideration shortly. HEW will be moving in conjunction with the White House and OMB staffs to secure enactment of this important legislation.

House to Act on Hospital Cost Containment. The House Commerce Committee is expected to consider hospital cost containment legislation September 18, 19, and 20. Health Subcommittee Chairman Waxman will move in full Committee with a substitute for the Administration's bill which will include several provisions adopted in Ways and Means with the Administration's concurrence.

Chicago Submits ESAA Waiver. The Chicago School Board delivered on September 13 to the Department an application for waiver of ineligibility under the Emergency School Assistance Act (ESAA). The application must show that the ESAA violations earlier found by the Department have ceased to exist. By statute the Department must decide whether to grant the waiver by September 15. The prospects for a waiver are poor.

HEW Helps Hurricane Victims -- Hurricane David. HEW grantees under the Emergency Medical Services (EMS) Program provided vital services to hurricane victims throughout the southeastern seaboard. In Beaufort County, South Carolina, for example, Emergency Medical Teams directed operations for 10 shelters in public schools and assisted in evacuating 7,500 people from low-lying areas. EMS grantees activated plans by mobilizing paramedics, nurses and hospital-based physicians. Coordination with police, rescue squads, fire departments, Red Cross and civil defense officials was established.

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Trial Set for North Carolina vs. Harris. Beginning on January 7, 1980 and running continuously, the trial will be heard in Washington, D.C. The Administrative Law Judge (ALJ) has issued other orders bearing on procedures, the exchange of information, and the scope of the ALJ's authority. We will be reporting other significant developments in future reports.

A handwritten signature in black ink that reads "Patricia Roberts Harris". The signature is written in a cursive, flowing style with a large initial "P".

Patricia Roberts Harris



THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D.C. 20410

②

September 14, 1979

MEMORANDUM FOR: The President
Attention: Rick Hutcheson, Staff Secretary

SUBJECT : Weekly Report of Major Departmental Activities

Senate Confirms New Appointees. On Wednesday, September 12, the Senate voted 97 - 0 to confirm Moon Landrieu as Secretary of HUD. Shortly before this vote was taken I was confirmed as Chairman of the Federal Home Loan Bank Board on a 95 - 0 vote. Discussions as to when Secretary-designate Landrieu and I will officially assume our new duties are now taking place.

New Housing Reservations Announced. The reservation of more than \$726 million for financing of over 20,000 housing units for the elderly and handicapped was announced this week. These funds will be used to finance either new construction or substantial rehabilitation of existing structures in 44 states and Puerto Rico. Nationally, the reservations include 18,227 units for the elderly and 2,217 units for non-elderly handicapped persons.

National Hispanic Heritage Week. A week-long schedule of special films and exhibits relating to National Hispanic Heritage Week will be climaxed on Friday, September 14, by a speech that Cesar Chavez, president and founder of the United Farm Workers of America of the AFL-CIO, will deliver to HUD officials and employees.

States and HUD Cooperate in Providing Consumer Information. The first in a series of 15 consumer forums co-sponsored by participating State governments and HUD was held in Albany, New York, on September 6 and 7. Over 500 citizen consumers and public officials representing the State and numerous local community organizations and public interest groups attended the Albany forum. A full range of assistance programs was discussed, with emphasis on adaptive reuse and revitalization.

Three Mile Island Funding Approved. Final approval has been given for federal funding in the amount of \$411,671 to conduct socio-economic studies in Central Pennsylvania as a follow up to the nuclear accident at Three Mile Island. Notification of the funding approval was made to Pennsylvania Governor Richard Thornburgh in a letter from Thomas C. Maloney, Chairman of the Federal Regional Council and the Federal Government's chief liaison with the State. The federal agencies involved in the funding include: the Economic Development Administration; the Community Services Administration; the Department of Energy and HUD.

A handwritten signature in cursive script that reads "Jay Janis".

Jay Janis
Acting Secretary

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C

THE SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

September 14, 1979

REPORT TO THE PRESIDENT

In our July 20 report we indicated that use by the Soviet military of trucks produced at the Kama River factory did not constitute a violation of U.S. export controls because the relevant U.S. export licenses placed no restrictions on use of Kama trucks by the Soviets. The decision to approve export licenses for Kama without such end-use restrictions was made at the highest levels of the Nixon Administration and reflected the judgment that even if the Soviet military were to make use of Kama trucks, any contribution they would make to Soviet military capability would not be significant or detrimental to U.S. security.

A great deal of misinformation has been circulating on the Hill and in the press on this subject, with critics arguing that Kama River demonstrates a laxness in U.S. export controls. As a consequence, amendments which are inconsistent with the Administration's position on the pending export administration legislation have been proposed and adopted in the House.

We have an urgent request from Congressman Bingham, floor manager of the Export Administration legislation, for a full account of the Kama River decision. I believe that it is desirable to tell the Congress and the public the full story of Kama River, including why the decision to approve the export licenses was consistent with U.S. law and long-standing U.S. policy. ~~Attached~~ is the full account, which I expect to provide, after receiving comments from State, Defense, and NSC.

The Department recently imposed its first civil penalty under the anti-boycott law that you signed in 1977 and that became effective last year. Under a consent agreement, we ordered a Swiss subsidiary of Continental Grain Company to pay a \$20,000 fine, the maximum civil penalty allowable under the law. That decision was received very favorably by the major Jewish organizations. We believe that this and other enforcement actions will motivate American companies and their foreign subsidiaries to comply with the law and will demonstrate your Administration's commitment to a vigorous anti-boycott program.


Juanita M. Kreps

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U. S. DEPARTMENT OF LABOR
OFFICE OF THE SECRETARY
WASHINGTON

9

September 14, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: THE SECRETARY OF LABOR *By*

SUBJECT: Major Departmental Activities
September 10-14

National accord. The most significant development during the week was the problem we encountered with the AFL-CIO on the pay/price program.

You are thoroughly familiar with the issues and I hope we can make a decision that will enable us to maintain our relationships with the AFL-CIO.

Rock Island Railroad Strike. On Thursday, Stu Eizenstat, Neil Goldschmidt, Bob Bergland and I met to work out a solution to the strike. We have come up with an agreement which if acceptable to both parties will settle the strike over the next several days. Administration representatives are meeting with the parties today.

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Office of the Attorney General
Washington, D. C. 20530

September 14, 1979

Principal Activities of the Department of Justice
for the Week of September 10 through September 14, 1979

1. Meetings and Events

Hearings on Criminal Code Reform have begun in the Senate and House. The Attorney General opened testimony before the Senate Judiciary Committee on September 11 stressing his support for the Senate draft, S.1722. The Attorney General met with the National Women's Political Caucus for a successful luncheon on September 11 to discuss litigation on sex-related issues and the appointment of women to the bench and the Department. Sarah Weddington attended the luncheon. The Attorney General spoke Tuesday evening to the Third Circuit Judicial Conference on the FBI Charter. On Thursday, the Attorney General met and congratulated members of the Organized Crime Strike Force who were responsible earlier this month for the conviction of eight labor and business executives in the Miami Waterfront payoff and intimidation case.

2. Judicial Selection

There are currently 144 federal judgeship vacancies (110 under the new law and 34 regular vacancies). The President has signed off on 116 candidates for these vacancies and they are in various stages of the selection and nomination process. This leaves 28 vacancies (15 under the new law and 13 under regular vacancies) not yet presented to the President. Of the 116 candidates, 58 are pending at the Senate (52 under the new law and 6 under regular vacancies), 10 are pending at the White House (7 under the new law and 1 under regular vacancies) with the remainder still under evaluation. The Senate during this Congress has confirmed 50 judicial appointments (42 under the new law and 8 under regular vacancies).

3. Court Improvements Package - "Bumpers Amendment"

Last Friday afternoon, September 7, Senator Bumpers succeeded in attaching a rider to the omnibus court improvement package to amend the Administrative Procedure Act to prohibit

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a court from upholding a rule or regulation of an agency unless its validity is established by a preponderance of the evidence; the Act presently provides for a presumption of validity. Justice will be conferring with the White House and OMB concerning strategy in opposing the Bumpers Amendment.

4. Investigation of Activities Related to South America

On Friday, September 7, the Department confirmed a grand jury investigation into possibly illegal activities on behalf of the Government of South Africa in the United States.

5. Hispanic Heritage Week

Hispanic Heritage Week was observed at the Department of Justice this week. The Attorney General hosted a reception in honor of the occasion on Friday afternoon and sent telegrams to the Governor and Ambassador of Mexico regarding the observance.



THE SECRETARY OF THE TREASURY
WASHINGTON 20220

September 14, 1979

MEMORANDUM FOR THE PRESIDENT

Subject: Highlights of Treasury Activities

1. THE DOLLAR

Expectations that the German mark will soon be revalued against other currencies in the European Monetary System contributed to speculative buying of marks this week, and consequent pressure on the dollar in the exchange market. The dollar remained firm against the Japanese yen, however, and appreciated against U.K. sterling.

2. CHRYSLER

There were two developments this week. First, it appears that the Company has finally decided to drop its pursuit of tax credit legislation and, instead, work on a loan guarantee approach. Second, the Company has requested a meeting at the Treasury tomorrow. We do not know whether they will have an overall business and financial plan tomorrow to present to us as we have requested. Nor do we know whether any plan they are developing will be acceptable.

3. WINDFALL PROFITS TAX

Secretary Duncan and I met with Chairman Long. On the basis of our conversation we are hopeful that the Senate Finance Committee will report out a satisfactory windfall profits tax bill.

4. LABOR CONSULTATIONS

a. We were not successful in finalizing an understanding on the second year wage-price program. An option paper has been submitted for your decision.

b. Continuing discussions on a broader accord with labor leadership will be affected by the wage-price decision.


G. William Miller



Department of Energy
Washington, D.C. 20585

September 14, 1979

MEMORANDUM: THE PRESIDENT
FROM: CHARLES W. DUNCAN, JR. *CWJ*
SUBJECT: Weekly Activity Report
September 10 - 14, 1979

1. Home heating oil: I have attached a separate detailed report on the heating oil supply situation based on the most recent data we have. The situation looks quite good.

Throughout next week I am meeting with the Chief Executive Officers of various heating oil refiners as a follow up to your telegram concerning the Texaco announcement. I am hopeful that additional refiners will respond with encouraging announcements as to price, credit and emergency supply.

Over the weekend or early next week, DOE will issue a draft study of "Refiners No. 2 Distillate Cost and Revenues between July 1976 - June 1979". This study will be followed by opportunity for public comment and a public hearing on September 26. The subject of the study is extremely complicated, but the basic conclusion is that refiners' revenues from heating oil sales between January and June of 1979 have exceeded revenues which would have been realized if controls had not been lifted in July 1976. The report points out that on a full year basis there may not be net revenues greater than costs. During the spring and summer months covered by the report, refiners are drawing down older, lower priced stocks. In the fall and winter months when they are working off current higher priced stocks, the profit margins will fall. However, for the most recent six months, the conclusion is that refiners have charged more for home heating oil that can be justified based on cost increases in this period. The public hearing is intended to allow refiners and other interested parties to react to this draft study so that a final report can later be issued.

2. Mexican natural gas: We met with the pipeline companies who will be purchasing the Mexican gas if an agreement can be reached, and with Executive Branch components

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concerned with the substance of the negotiations. We have completed the necessary Congressional liaison. There is an agreed position and a decision memorandum has been forwarded to you.

3. DoE budget: I have completed my review of the DoE budget and it went to OMB today. There may be some problems in folding into the budget new initiatives now developing, but we have worked out an expedited system for getting these through the OMB process.

4. Energy policy: The Executive Council of the Energy Coordinating Committee met twice this week. We are making good progress in bringing all of our diverse action teams into a single coordination process. I have been urged by Hamilton Jordan, Anne Wexler, and Jim McIntyre not to transfer existing legislative tracking efforts to DoE. I have agreed to leave this operation in the White House.

THE CHAIRMAN OF THE
COUNCIL OF ECONOMIC ADVISERS
WASHINGTON

September 15, 1979

cc Charlie
C
-

MEMORANDUM FOR THE PRESIDENT

From: Charlie Schultze ^{cls}

Subject: Weekly Report

Wage-Price Standards

A good bit of my time this week has been devoted to negotiations with John Dunlop and AFL-CIO representatives over an acceptable "charter" for a Tripartite Pay Committee in the context of seeking a broader "accord" with labor. From our meeting last week, you are aware of the results (or lack thereof) to date.

National Health Insurance

CEA staff has joined OMB and DPS in a review of the bill drafted by HEW from the final specifications. There are many problems, but we expect that they can be worked out in time for the bill to go up next week.

Humphrey-Hawkins

On September 20, I am testifying before Gus Hawkins' subcommittee which is holding hearings on progress to date under the Humphrey-Hawkins bill. This will be an occasion for harassing us over the actual and expected increase in unemployment and our budget policies. Next January, in making the five-year economic projections mandated by the bill, we must decide whether or not to modify the timetable for reaching the 4% unemployment, and 3% inflation goals specified in the bill for 1983. The rate of economic growth and the speed of reduction in inflation needed between 1980 and 1983 to meet those targets are, by a wide margin, unrealistically high. Without committing you to any final decision, I plan in my testimony to lay the groundwork for a modification of the timetable next January. Unless you disagree, I believe it is better to take some lumps now from the Humphrey-Hawkins supporters rather than waiting until next year.

ok

THE WHITE HOUSE
WASHINGTON

18 Sep 79

Secretary Goldschmidt

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

Rick Hutcheson

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

ADMIN CONFID
CONFIDENTIAL
SECRET
EYES ONLY

ACTION
FYI

	VICE PRESIDENT
	JORDAN
	CUTLER
	DONOVAN
	EIZENSTAT
	MCDONALD
	MOORE
	POWELL
	WATSON
	WEDDINGTON
	WEXLER
	BRZEZINSKI
	MCINTYRE
	SCHULTZE
	ANDRUS
	ASKEW
	BERGLAND
	BROWN
	CIVILETTI
	DUNCAN
X	GOLDSCHMIDT
	HARRIS
	KREPS
	LANDRIEU
	MARSHALL

	MILLER
	VANCE
	BUTLER
	CAMPBELL
	H. CARTER
	CLOUGH
	CRUIKSHANK
	FIRST LADY
	FRANCIS
	HARDEN
	HERTZBERG
	HUTCHESON
	KAHN
	LINDER
	MARTIN
	MILLER
	MOE
	PETERSON
	PRESS
	SANDERS
	SPETH
	STRAUSS
	TORRES
	VOORDE
	WISE



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

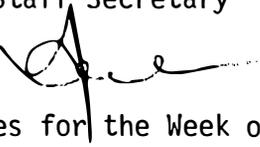
C

September 14, 1979

MEMORANDUM FOR THE PRESIDENT

THROUGH: Rick Hutcheson, Staff Secretary

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for Preservation Purposes**

FROM : Neil Goldschmidt 

SUBJECT: Significant Issues for the Week of September 10

Confirmation Hearings - I have responded to many questions from members of the Senate Commerce Committee which were submitted to me following my hearing. The staff of the Committee will poll Committee members early next week, and I am hopeful that my confirmation will be considered soon by the full Senate.

Restoring Service on the Rock Island Railroad - In close cooperation with White House staff, the Department of Labor and the Department of Agriculture, we have proposed decisive and coordinated action to restore essential grain movement service on the strike-bound Rock Island Railroad. The ICC will issue directed service orders under which other rail carriers will utilize Rock Island equipment to operate. The Rock Island is bankrupt and cannot restore service on its own. This course of action allows us to proceed quickly to an effective restructuring of the Rock Island which is in the best interest of shippers, the government, and the efficiency of our national rail system.

The Rock Island situation and problems of other private freight railroads, along with concern about the future of ConRail, in the Midwest, are generating interest in rail deregulation. Senators Cannon and Long wrote to me this week indicating their interest in working with the Administration to develop a compromise bill that they can get through the Committee and perhaps the Senate this Fall. Railroad presidents are meeting today to try to develop a united industry position. The railroads are also meeting with large shippers and we understand that they are getting close to agreement on the essentials of a deregulation bill.

The prospects for a rail deregulation bill have brightened substantially.

Energy Legislation - Legislation to implement the transportation portion of your energy initiative has been introduced in Congress.

Independent Truckers - Although we are continuing to work on solving the problems of independent truckers, we have indications that there may be a work stoppage as of midnight September 15 in the following states: California, Florida, Pennsylvania, Rhode Island, and Tennessee. Given that many truckers are still recovering financially from the last strike and that they still lack a national organization, we cannot forecast how fast or how far a work stoppage may spread.

good

Airport Development Aid Program - Federal Aviation Administrator Bond testified before the Senate Commerce Committee in support of the Administration's bill to reauthorize and improve the Airport Development Aid Program. Senator Cannon has introduced his own bill which differs in several significant respects from the Administration's bill. Hearings in the House begin next week. FAA Administrator Bond again will testify. No rival to the Administration bill has emerged on the House side.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

THE ADMINISTRATOR

September 14, 1979

REPORT TO THE PRESIDENT

FROM: Douglas M. Costle

This week there were no actions of significant importance to call to your attention.

A handwritten signature in black ink, appearing to read "Douglas M. Costle".

THE WHITE HOUSE
WASHINGTON

18 Sep 79

The Vice President
Stu Eizenstat
Frank Moore

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

Rick Hutcheson

Sarah Weddington
Jim McIntyre

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

ADMIN CONFID
CONFIDENTIAL
SECRET
EYES ONLY

ACTION
FYI

X	VICE PRESIDENT
	JORDAN
	CUTLER
	DONOVAN
X	EIZENSTAT
	MCDONALD
X	MOORE / <i>Cape land</i>
	POWELL
	WATSON
X	WEDDINGTON
	WEXLER
	BRZEZINSKI
X	MCINTYRE
	SCHULTZE
	ANDRUS
	ASKEW
	BERGLAND
	BROWN
	CIVILETTI
	DUNCAN
	GOLDSCHMIDT
	HARRIS
	KREPS
	LANDRIEU
	MARSHALL

	MILLER
	VANCE
	BUTLER
	CAMPBELL
	H. CARTER
	CLOUGH
	CRUIKSHANK
	FIRST LADY
	FRANCIS
	HARDEN
	HERTZBERG
	HUTCHESON
	KAHN
	LINDER
	MARTIN
	MILLER
	MOE
	PETERSON
	PRESS
	SANDERS
	SPETH
	STRAUSS
	TORRES
	VOORDE
	WISE

THE WHITE HOUSE
WASHINGTON

9/17/79

Mr. President:

No objection from OMB or
Congressional Liaison.

Rick

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THE WHITE HOUSE
WASHINGTON

*ok
Support it
JC*

MEMORANDUM FOR: THE PRESIDENT

FROM: THE VICE PRESIDENT
STU EIZENSTAT *Stu*

SUBJECT: Campaign Contribution Reform Act
of 1979

Your guidance is needed on what position we should take on the "Campaign Contribution Reform Act of 1979," H.R. 4970.

BACKGROUND

As you know, the public financing of Congressional campaign bill is dead for this Congress. As a compromise measure, the bipartisan House coalition that supported public financing has introduced H.R. 4970. (Key sponsor - David Obey, plus 120 co-sponsors including Frank Thompson, John Brademas, Phillip Burton, Mo Udall, John Anderson and Tom Railsback.) The bill's purpose is to reduce the influence of Political Action Committees (PACs) on House campaigns.

Obey has stressed that special interest money from PACs in House campaigns:

- Totaled \$25 million in 1978, an increase of 70% over the \$14.7 million in 1976. It equaled more than 25% of the campaign dollars received by all House candidates.
- 22 candidates received over \$100,000 in PAC funds. The number of candidates receiving more than \$50,000 in PAC money increased from 57 in 1976 to 176 in 1978.
- More than half of 1978 freshman members received in excess of \$50,000 from special interest PACs.

To cope with this growing special interest money problem, H.R. 4970 would reduce the amount of money a PAC could contribute to a House candidate. Specifically, it would:

- Cut by 50% the maximum amount a PAC may contribute. At present, PACs may give a candidate \$5,000 per election (primary, runoff, general) or a maximum of \$15,000. Under the bill, PACs would be limited to a maximum contribution of \$5,000 overall, unless the candidate was involved in a runoff in which case the PAC could contribute up to \$7,500.

- Limit the total amount an individual House candidate could receive from all PACs combined to \$50,000 per election sequence (i.e. from one general election to the next. At present, there is no such aggregate limit.)
- Prohibit PACs, political consultants, and others from extending credit in excess of \$1,000 for more than 30 days with respect to campaign services involving media advertising or direct-mail fundraising for a House candidate. House sponsors believe that such long term credit actually amounts to a contribution which should not be allowed.

No date has been set for House floor consideration of the bill, but it is likely that it will be on the agenda during the last two weeks of September. Passage will be difficult, but it does stand a reasonable chance. Although H.R. 4970 is limited to House campaigns, Senators Kennedy, Packwood and Stafford have introduced a similar bill in the Senate limiting PAC contributions to Senate candidates. (It omits the \$50,000 contribution limit provision in light of much larger Senate campaign costs.) Passage, even for the bill which is limited to House elections, will be very difficult, and a filibuster likely. There will certainly not be enough time for Senate consideration of such a controversial measure this year. As with public financing, Republicans, Conservative Democrats and miscellaneous other members, supported by the PACs, business, trade associations and other groups oppose this bill. Supporters include the bipartisan Congressional coalition, Common Cause, and Labor.

RECOMMENDATION

For all of the reasons that you strongly supported public financing of Congressional campaigns, we believe you should support this bill which has similar objectives. As the statistics above indicate, the PAC problem is severe, and growing. This bill would lessen the influence of PACs, and cause candidates to rely more heavily on individual contributions. It is entirely consistent with the statements you have been making on the influence of special interest groups.

Since it is extremely unlikely that this bill will pass this Congress, we do not think you should publicly be out front on the legislation. However, we do believe that as a matter of policy and politics you should indicate your support, and we should quietly work for passage.

Let us note that neither the House nor Senate bills address PAC contribution limits for Presidential campaigns, and it is our feeling that we should not urge such coverage. In light of public financing for Presidential campaigns, the PAC problem is not critical in this context. The percentage of PAC money in Presidential campaigns is very

small compared to their percentages in House and Senate campaigns. House and Senate staff as well as Common Cause advise us that there is no need to make a statement with respect to the role of PACs in Presidential campaigns, believing there has been no strong case made against them there. If asked our position on this, we can simply say that because of public financing of Presidential campaigns, the amounts spent by PACs on these campaigns is comparatively small, PAC contributions only affect Presidential primaries, as of this date they have not been a problem, and we agree with the House and Senate decision not to cover Presidential campaigns in their bills.

Sarah Weddington and John White at the DNC believe you should support this bill. Tim Kraft has no objections. Unless you disagree, we will tell members that you support H.R. 4970 and offer to help pass it.

ID 793855

THE WHITE HOUSE

WASHINGTON

DATE: 14 SEP 79

FOR ACTION: FRANK MOORE *-nc*

JIM MCINTYRE *-nc*

INFO ONLY: BOB LIPSHUTZ *concur*

JODY POWELL

SARAH WEDDINGTON

ANNE WEXLER *6/20/79*

SUBJECT: VICE PRESIDENT AND EISENHOWER MEMO RE CAMPAIGN
CONTRIBUTION REFORM ACT OF 1979

+++++

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

+ BY: +

+++++

ACTION REQUESTED: IMMEDIATE TURNAROUND

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

PLEASE NOTE OTHER COMMENTS BELOW:

ID 793855

THE WHITE HOUSE

WASHINGTON

DATE: 14 SEP 79

FOR ACTION: FRANK MOORE

JIM MCINTYRE

INFO ONLY: BOB LIPSHUTZ

JODY POWELL

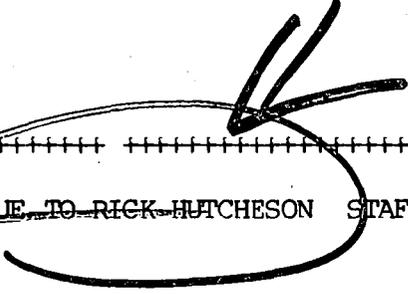
SARAH WEDDINGTON

ANNE WEXLER

SUBJECT: VICE PRESIDENT AND EIZENSTAT MEMO RE CAMPAIGN
CONTRIBUTION REFORM ACT OF 1979

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

+ BY:  +

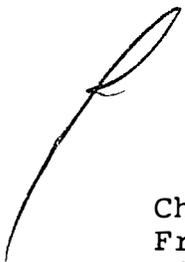
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ACTION REQUESTED: IMMEDIATE TURNAROUND

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

PLEASE NOTE OTHER COMMENTS BELOW:





THE WHITE HOUSE
WASHINGTON
18 Sep 79

Chairman Campbell
Frank Moore
Jim McIntyre

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

Rick Hutcheson

Rick Hertzberg

Note: The President edited
the memo before signature.
The original has been given
to Bob Linder for handling.

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

*to Linda for Beitz per
 type
 add note: Note
 that the Press
 edited the
 memo
 before signing*

ADMIN CONFID
CONFIDENTIAL
SECRET
EYES ONLY

ACTION
FYI

	VICE PRESIDENT
	JORDAN
	CUTLER
	DONOVAN
	EIZENSTAT
	MCDONALD
✓	MOORE
	POWELL
	WATSON
	WEDDINGTON
	WEXLER
	BRZEZINSKI
✓	MCINTYRE
	SCHULTZE
	ANDRUS
	ASKEW
	BERGLAND
	BROWN
	CIVILETTI
	DUNCAN
	GOLDSCHMIDT
	HARRIS
	KREPS
	LANDRIEU
	MARSHALL

	MILLER
	VANCE
	BUTLER
✓	CAMPBELL
	H. CARTER
	CLOUGH
	CRUIKSHANK
	FIRST LADY
	FRANCIS
	HARDEN
✓	HERTZBERG
	HUTCHESON
	KAHN
	LINDER
	MARTIN
	MILLER
	MOE
	PETERSON
	PRESS
	SANDERS
	SPETH
	STRAUSS
	TORRES
	VOORDE
	WISE

THE WHITE HOUSE
WASHINGTON

9/18/79

Rick --

Please have retyped.

Thanks--Susan

THE WHITE HOUSE
WASHINGTON

9/17/79

Mr. President:

Stu Eizenstat concurs with
the attached recommendation.

Rick/Bill



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

*Susan
retype
J*

September 14, 1979

ACTION MEMORANDUM FOR: THE PRESIDENT *JM*
FROM: James McIntyre, Frank Moore, Scotty Campbell *SM*
SUBJECT: Executive, Legislative and Judicial Pay *SC*

By law, Federal executives, Members of Congress and judges receive each year the same pay raise granted to General Schedule employees. Last year, as part of your efforts to hold down wage and price increases, you suggested that these top Federal officials should forego the 5.5% which GS employees received. Congress complied with that proposal by providing in the Legislative Appropriations Act that no funds should be expended for those increases. As that provision expires on September 30, the officials involved could automatically begin receiving that 5.5% on October 1. They could also receive this year's 7% on the first pay period thereafter, unless another appropriation limitation is enacted before October 1. Together these increases would total 12.9% because of compounding.

Since top officials obviously should not be allowed to receive an increase of that size, we believe that another limitation should be included in the Appropriation bill this year. However, we do not believe you should propose again that Executive Branch officials be given no increase at all. More than 28,000 Executive Branch officials are involved, ranging from cabinet members down to GS-15s. Inflation hits these officials, as it hits all other Americans, yet they have had no salary increases at all since March 1977. During the ensuing 2 1/2 years, the purchasing power of their salaries has dropped 20%. They are in no danger of starving, of course, but many are at an age when they face college expenses for their children and have other substantial financial commitments.

So, it seems only fair that they should be allowed some modest increase this year. We would suggest that their increase be limited either to the 5.5% they would normally have received last year, or to this year's 7%. Either amount is substantially below the 12.9% that would otherwise occur and, together with last year's freeze, would clearly indicate that these officials are carrying their share of the fight against inflation.

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Unfortunately, congressional raises are tied by law to executive and judicial salaries. Historically, Congress has been unwilling to let executive and judicial pay rates rise unless their rates do also. While most Congressmen seem to want to raise their own pay, they are fearful of the voter's reaction. Last June, the House first voted top officials a 5.5% raise and then reversed that action when opponents forced a recorded vote.

Nevertheless, we do not think you should take on the burden of advocating a congressional pay raise. We suggest in the attached proposed letter that you simply urge an executive branch raise, and take no position on congressional increases. When questions arise, we suggest responding simply that is a matter for Congress to decide.

Speaker O'Neill is relying on Congressman Murtha of Pennsylvania to carry the pay issue forward. Cong. Murtha has told us that he plans to try again shortly to get a raise for congressmen (and the others). He thinks he has - or can get - sufficient votes to pass it. To that end, the Legislative Appropriations Subcommittee has sent to the full Committee a bill containing a 7% increase for top officials of all three branches.

We are especially concerned that a reasonable pay raise be obtained for the Senior Executive Service for several reasons:

- o When we were trying to encourage people to enter the SES, you authorized us to set salary rates which included a 5.5% increase this October. While we pointed out to them that these rates would be dependent upon favorable congressional action, we feel we took on a moral obligation to try our very best to get these rates for them.
- o Since 90% of the SES executives are career people, they experienced 7 years of frozen salaries prior to the 1977 raise. It would be very demoralizing for these employees - upon whom much of the success of government programs depends - to find that they are in for another long period of pay freezes. Yet, with the election next year, Congress is highly unlikely to vote for pay raises in that year. So this is our last opportunity until 1981.

- o Many SES members are eligible for retirement and will find it economically very advantageous to do so if salaries are to remain frozen while retirement incomes (which are indexed to the CPI) mount rapidly. We fear that we will face a serious drain of our ablest and most experienced executives.
- o We may also find it more difficult to recruit senior executives from the private sector, as our SES rates fall further and further behind comparable private sector salaries.
- o Employees at 5 pay levels - GS-15 to Executive Level V - are now paid the same rate of \$47,500. Since these employees' responsibilities vary substantially, this produces disturbing inequities. This condition will worsen each year that executive salaries are frozen while GS rates are not. For example, 9,000 more employees will reach the \$47,500 ceiling this October if executive rates are not raised.

Recommendation

For those reasons, we urge that you approve the attached letter to Speaker O'Neill.

Attachment

THE WHITE HOUSE

WASHINGTON

To Speaker Tip O'Neill

Within the next few weeks, the House of Representatives will be dealing with the issue of pay raises for the Members of Congress. Its decision will directly affect the pay of Federal judges and top managers in the Executive Branch.

If no action is taken, the pay rates for the top officials in the Executive Branch will go up by nearly 13 percent next month. An increase of this size is clearly unacceptable, in view of the sacrifices we are asking of everyone in the Nation in our battle with inflation.

On the other hand, I do not think a continued absolute freeze on the pay of Federal officials is acceptable. For the last ten years, their pay rates have lagged behind changes in our economy, and there has been no increase at all since March 1977, at the start of this Administration.

One of the principal goals of this Administration has been to strengthen the quality of Federal program management, and the Civil Service Reform Act recognizes the importance of financial incentives in spurring outstanding performance. I am concerned that a continuation of the absolute freeze on Federal managers' pay will be harmful to these efforts.

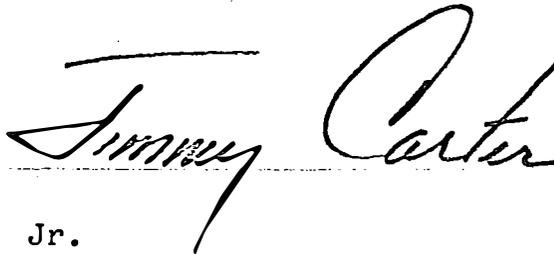
My concern stems from such other considerations as these:

- o The great bulk of these executives are career people who experienced 7 years of frozen salaries prior to the 1977 raise. It would be very demoralizing for these employees -- upon whom much of the success of government programs depends -- to find that they are in for another long period of pay freezes.

- o Many of the career executives are eligible for retirement and will find it economically very advantageous to retire if salaries remain frozen while retirement incomes (which are indexed to the CPI) increase rapidly. We may face a serious drain of our ablest and most experienced executives.
- o We may find it more difficult to recruit senior executives from the private sector, as our executive pay rates fall further and further behind comparable private sector salaries.
- o Employees at 5 pay levels -- GS-15 to Executive Level V -- are now paid at the same rate. Since these employees' responsibilities vary substantially, this produces disturbing inequities. This condition will worsen each year that executive salaries are frozen while GS rates are not. For example, 9,000 more employees will reach the common ceiling this October if executive rates are not raised.
- o Both the Congress and the President share a responsibility for the long-term viability of the salary-setting system. We should recognize that, in a time of inflation, we must make reasonable annual adjustments. Otherwise, the quadrennial commission that deals with major salary adjustments will have to propose salary increases so large as to be politically unrealistic.

Therefore, I strongly urge that the House take favorable action when it considers pay legislation, allowing an increase of not more than 7 percent for top officials in the Executive Branch. Reducing the 13 percent increase which would otherwise occur to that level would clearly indicate that Federal officials are sharing the burden of the fight against inflation, while recognizing their legitimate needs.

Sincerely,

A handwritten signature in cursive script that reads "Jimmy Carter". The signature is written in black ink and is positioned to the right of the typed name.

The Honorable Thomas P. O'Neill, Jr.
Speaker of the
U.S. House of Representatives
Washington, D.C. 20515

ID 793894

THE WHITE HOUSE

WASHINGTON

*O'Neill
letter being
replied*

DATE: 17 SEP 79

FOR ACTION: STU EIZENSTAT

HEDLEY DONOVAN

JODY POWELL

AL MCDONALD

INFO ONLY: THE VICE PRESIDENT

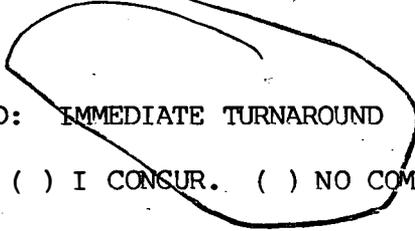
SUBJECT: MCINTYRE MOORE CAMPBELL MEMO RE EXECUTIVE, LEGISLATIVE
AND JUDICIAL PAY

+++++

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

+ BY: +

+++++



ACTION REQUESTED: IMMEDIATE TURNAROUND

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

PLEASE NOTE OTHER COMMENTS BELOW:

THE WHITE HOUSE
WASHINGTON
18 SEp 79

ARnie Miller

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

Rick Hutcheson

Hamilton Jordan

FOR STAFFING
FOR INFORMATION
FROM PRESIDENT'S OUTBOX
LOG IN/TO PRESIDENT TODAY
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FOR APPROPRIATE HANDLING
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ACTION
FYI

	VICE PRESIDENT
X	JORDAN
	CUTLER
	DONOVAN
	EIZENSTAT
	MCDONALD
	MOORE
	POWELL
	WATSON
	WEDDINGTON
	WEXLER
	BRZEZINSKI
	MCINTYRE
	SCHULTZE
	ANDRUS
	ASKEW
	BERGLAND
	BROWN
	CIVILETTI
	DUNCAN
	GOLDSCHMIDT
	HARRIS
	KREPS
	LANDRIEU
	MARSHALL

	MILLER
	VANCE
	BUTLER
	CAMPBELL
	H. CARTER
	CLOUGH
	CRUIKSHANK
	FIRST LADY
	FRANCIS
	HARDEN
	HERTZBERG
	HUTCHESON
	KAHN
	LINDER
	MARTIN
X	MILLER
	MOE
	PETERSON
	PRESS
	SANDERS
	SPETH
	STRAUSS
	TORRES
	VOORDE
	WISE

THE WHITE HOUSE
WASHINGTON

September 17, 1979

10

MEMORANDUM FOR THE PRESIDENT

FROM: ARNIE MILLER *AM*
SUBJECT: Presidential Appointment

I join Secretary Harris in recommending Joan Z. Bernstein as the General Counsel of the Department of Health, Education, and Welfare.

Ms. Bernstein is currently the General Counsel of the Environmental Protection Agency. Prior to joining EPA, Ms. Bernstein was an attorney and partner in the Washington, D.C. law firm of Baker, Hostetler, Frost and Towers.

Sarah Weddington concurs.

RECOMMENDATION:

I recommend that you nominate Joan Bernstein to be the General Counsel of the Department of Health, Education, and Welfare.

approve disapprove

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THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

September 7, 1979

MEMORANDUM FOR THE PRESIDENT

To succeed Richard I. Beattie as General Counsel, I recommend that you nominate Joan Z. Bernstein. She has been the General Counsel of the Environmental Protection Agency since July of 1977.

The Office of General Counsel is my principal source of legal advice. Given the particularly difficult and sensitive areas of this Department's responsibility, it is very important that I have a superb General Counsel. This is a critical hotspot for tough issues related to radiation, immunization, civil rights, drug regulations, and social welfare.

Prior to joining the EPA, Ms. Bernstein was an attorney and partner with the Washington, D.C. law firm of Baker, Hostetler, Frost and Towers for one year. From 1970 to 1976, she was with the Bureau of Consumer Protection of the Federal Trade Commission. Ms. Bernstein's last three years were spent as Deputy Director and Acting Director of the Bureau.

Ms. Bernstein is a graduate of the University of Wisconsin and Yale Law School.

I recommend Ms. Bernstein in the highest terms. She will be able to move quickly and confidently into the position of General Counsel. I believe she will be a dedicated and loyal Presidential Appointee.

Ms. Bernstein's resume is attached.


Patricia Roberts Harris

RESUME

Joan Zeldes Bernstein (Jodie)

Born: March 17, 1926
Galesburg, Illinois

EDUCATION

Primary and Secondary: Galesburg Public Schools
University of Wisconsin,
Economics, B.A., 1948
Yale Law School, L.L.B., 1951

PRESENT POSITION & RESPONSIBILITIES

As General Counsel of the Environmental Protection Agency, I serve as principal legal adviser to the Administrator or Deputy Administrator. In addition, I counsel the Administrator in the formulation of policy and policy choices involved in the administration of major statutes. As a result, I am constantly involved in significant issues of administrative law, both substantive and procedural.

Because of my interest and experience in regulatory reform acquired as head of the Bureau of Consumer Protection, Federal Trade Commission, I have been assigned unusual "program responsibility for procedural reform." The Administrator has asked me to develop and implement several major changes. For example, we have recently proposed a comprehensive revision of the procedures governing issuance of water permits. We believe that the new procedures will substantially reduce delays, thus saving Government and business resources. Similarly, we are moving toward consolidating permit requirements.

These projects require extraordinary legal skills because we are largely breaking new ground.

PROFESSIONAL AND ACADEMIC REFERENCES

Douglas M. Costle, Administrator, Environmental Protection Agency
Barbara Blum, Deputy Administrator, Environmental Protection Agency
William Drayton, Jr., Assistant Administrator for Planning & Management, Environmental Protection Agency
Patricia M. Wald, Assistant Attorney General for Legislation, Department of Justice

Miles Kirkpatrick, former Chairman, FTC; Morgan, Lewis and Bockius, 872-5000
 Robert Pitofsky, Commissioner, Federal Trade Commission
 Peter Barter Hutt, former General Counsel, FDA; Covington and Burling, 452-6000
 C. Brian Dillion, Past President, Antitrust Section, ABA; Baker and Botts, Houston, Texas
 Daniel Mayers, Wilmer, Cutler and Pickering, Washington, D.C.
 Robert Wald, Wald, Harkrader and Ross, Washington, D.C.
 Arnold Lehrman, Wilmer, Cutler and Pickering; U.S. Chamber of Commerce
 Victor G. Rosenblum, Northwestern University Law School, Chicago
 Thomas I. Emerson, Professor, Constitutional and Administrative Law, Yale Law School
 Joseph Goldstein, Yalw Law School
 Robert Hunt, Associate Dean, University of Washington Law School

PROFESSIONAL EXPERIENCE

Associate Attorney, Sherman and Sterling, New York, New York
 August 1951 - August 1952

Associate Attorney, Dahlstream, Schiff, Waite and Hardin,
 Chicago, Illinois, November 1952 - November 1953

Associate Attorney, William B. Wolf, Jr., Washington, D.C.,
 November 1968 - October 1970

Bureau of Consumer Protection Federal Trade Commission,
 Washington, D.C., in the following positions:

Trial Attorney - October 1970 - November 1971

Assistant to Director - November 1971 - February 1973

Acting Director - February 1973 - September 1973

Deputy Director - September 1973 - October 1975

Acting Director - October 1975 - June 1976

Partner, Baker, Hostetler, Frost and Towers, Washington, D.C.
 June 1976 - July 1977

General Counsel, Environmental Protection Agency, Washington
 July 1977 - to - Present

PROFESSIONAL PARTICIPATION

Member, Council of the Administrative Law Section, American
 Bar Association

Member, Standing Committee on Environmental Law, American Bar
 Association

Agency Representative to Administrative Conference (serving
 on Committee on FTC Rulemaking)

Chairman, Consumer Protection Committee, Antitrust Section,
 American Bar Association - 1973 - 1977

American Association of Corporate Counsel (Annual Two-Day
 Seminar Program), Chicago, October 1974, Speaker

Eighth New England Antitrust Conference, Boston, November 1974

American Bar Association Annual Meeting, Speaker in the Administrative Law Section Program, Atlanta, 1976
Practising Law Institute, "Federal Administrative Law Practice and Procedure," May 1977

CONTRIBUTIONS DURING GOVERNMENT SERVICE

While serving at the Federal Trade Commission, I created a formal mechanism to produce simple, easily understandable regulations. I was also responsible for developing systematic review of past actions, which on one occasion resulted in eliminating 700 pages in the Code of Federal Regulations (out of date, etc.).

I was responsible for the first programmatic budget concept. For the first time, the Commission was able to evaluate policy options because the budget documents presented choices as to programs documented with cost benefit analysis.

As head of the Bureau of Consumer Protection, Federal Trade Commission, I had primary responsibility for implementing Magnuson-Moss rulemaking. In that role, I developed the first funded public participation in administrative proceedings program. The Commission delegated authority to determine the scope of participation by outside interest groups as well as level of the funding. Several Congressional committees, which scrutinized implementation of the program, praised its effectiveness and fairness. As a result, it has been used as a model in proposed legislation.

BIOGRAPHY

JOAN Z. BERNSTEIN

Professional Experience

August 1951 August 1952	Associate Attorney	Sherman & Sterling New York, New York
November 1952 November 1953	Associate Attorney	Dahlstream, Schiff, Waite & Hardin Chicago, Illinois
November 1968 October 1970	Associate Attorney	William B. Wolf, Jr. Washington, D.C.
October 1970 November 1971	Trial Attorney	Bureau of Consumer Protection, Federal Trade Commission
November 1971 February 1973	Assistant to the Director	Bureau of Consumer Protection, FTC
September 1973 October 1975	Deputy Director	Bureau of Consumer Protection, FTC
October 1975 June 1976	Acting Director	Bureau of Consumer Protection, FTC
June 1976 July 1977	Partner	Baker, Hostetler, Frost & Towers, Washington, D.C.
July 1977 Present	General Counsel	Environmental Protection Agency

Honors

Member, Board of Editors of Yale Law School
Phi Kappa Phi
Outstanding Senior Woman Annual Alumni Award, University of
Wisconsin, 1948
Mortar Board - Selected in Junior year; President in Senior year
Superior Service Award - Federal Trade Commission, February 1972
Nominee of Federal Trade Commission for Federal Woman's Award

Professional Participation

Council Member, Administrative Conference of the United States, 1979
Nominated to serve on Council of the Administrative Law Section,
American Bar Association, 1977

Chairman, Consumer Protection Committee, Antitrust Section, American
Bar Association, 1973-1977

Practising Law Institute, "Antitrust in Action," December 1973,
participant.

The Conference Board (National Industrial Conference Board), 1972,
speaker.

American Association of Corporate Counsel (Annual two-day seminar
program), Chicago, October 1974, speaker.

American Bar Association annual meeting, speaker in the Adminis-
trative Law Section program, Atlanta, 1976.

Practising Law Institute, "Federal Administrative Law Practice
and Procedure," 1977.

Education

Galesburg, Illinois, public schools

University of Wisconsin, Economics, B.A., 1948

Yale Law School, L.L.B., 1951

THE WHITE HOUSE
WASHINGTON

18 Sep 79

Bob Lipshutz

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
Anne Wexler
Jim McIntyre

The signed original has been
given to Bob Linder for handling.

3923

	FOR STAFFING
	FOR INFORMATION
/	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
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	LAST DAY FOR ACTION

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	CONFIDENTIAL
	SECRET
	EYES ONLY

ACTION
FYI

/	VICE PRESIDENT
	JORDAN
/	CUTLER <i>C. L. Lusk</i>
	DONOVAN
/	EIZENSTAT
	MCDONALD
	MOORE
	POWELL
	WATSON
	WEDDINGTON
/	WEXLER
	BRZEZINSKI
/	MCINTYRE
	SCHULTZE
	ANDRUS
	ASKEW
	BERGLAND
	BROWN
	CIVILETTI
	DUNCAN
	GOLDSCHMIDT
	HARRIS
	KREPS
	LANDRIEU
	MARSHALL

	MILLER
	VANCE
	BUTLER
	CAMPBELL
	H. CARTER
	CLOUGH
	CRUIKSHANK
	FIRST LADY
	FRANCIS
	HARDEN
	HERTZBERG
	HUTCHESON
	KAHN
	LINDER
	MARTIN
	MILLER
	MOE
	PETERSON
	PRESS
	SANDERS
	SPETH
	STRAUSS
	TORRES
	VOORDE
	WISE

THE WHITE HOUSE
WASHINGTON

September 14, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: BOB LIPSHUTZ *BL*

RE: Proposed Executive Order: Awards for
Special Capability in the Visual and
Performing Arts and in Creative Writing

An existing Executive Order authorizes a Presidential Commission to designate 121 secondary school students as Presidential Scholars. These individuals are selected solely on the basis of outstanding academic ability.

The Commission believes that increased incentive and encouragement is needed for high school students gifted in the arts. For that reason, the Commission, in conjunction with Stu Eizenstat's and Anne Wexler's staffs, has proposed the attached Order which would permit an additional 20 Presidential Scholars to be chosen at large from among students who have demonstrated ability and accomplishment in the visual and performing arts and in creative writing. It is expected that the 20 students will be chosen equally from among five disciplines--music, dance, art, theater, and creative writing--and that an effort will be made to make the selections evenly between the sexes and on a dispersed geographic basis.

The Commission unanimously supports this Order, which has been approved by Justice and OMB. We recommend that you sign it.

Approve

Disapprove

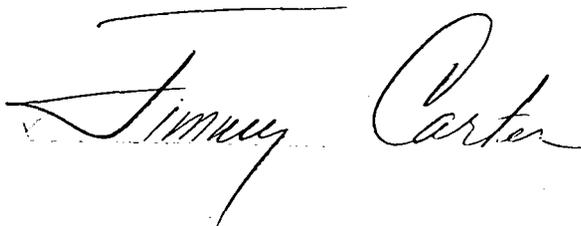
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EXECUTIVE ORDER

AWARDS FOR SPECIAL CAPABILITY IN THE
VISUAL AND PERFORMING ARTS AND IN
CREATIVE WRITING

By the authority vested in me as President by the Constitution and statutes of the United States of America, Section 2 of Executive Order No. 11155 is hereby amended by adding thereto the following paragraph:

"(5) In addition to the Presidential Scholars provided for in paragraphs (3) and (4) above, the Commission may choose other Presidential Scholars not exceeding twenty in any one year. These Scholars shall be chosen at large, from the jurisdictions referred to in paragraph (3), on the basis of outstanding scholarship and demonstrated ability and accomplishment in the visual and performing arts or in creative writing."

A handwritten signature in cursive script that reads "Jimmy Carter". The signature is written in dark ink and is positioned to the right of the main text of the executive order.

THE WHITE HOUSE,

THE WHITE HOUSE

WASHINGTON

18 Sep 79

Anne Wexler
Rick Hertzberg

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

Rick Hutcheson

Checked by Hertzberg and
okayed; given to Bob Linder
for appropriate handling.

3922

THE WHITE HOUSE
WASHINGTON

9/17/79

Mr. President:

The attached proclamation,
"National Day of Prayer,"
is based on a Joint Resolu-
tion of Congress and was
cleared by the speechwriters.

Rick/Bill

Memo - Pls send to Anne's office & see if they know of any problems re this.

Thanks. [Signature]

ACTION
FYI

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	VICE PRESIDENT
	JORDAN
	CUTLER
	DONOVAN
	EIZENSTAT
	MCDONALD
	MOORE
	POWELL
	WATSON
	WEDDINGTON
X	WEXLER
	BRZEZINSKI
	MCINTYRE
	SCHULTZE
	ANDRUS
	ASKEW
	BERGLAND
	BROWN
	CIVILETTI
	DUNCAN
	GOLDSCHMIDT
	HARRIS
	KREPS
	LANDRIEU
	MARSHALL

	MILLER
	VANCE
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	CRUIKSHANK
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	KAHN
	LINDER
	MARTIN
	MILLER
	MOE
	PETERSON
	PRESS
	SANDERS
	SPETH
	STRAUSS
	TORRES
	VOORDE
	WISE



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

GENERAL COUNSEL

September 17, 1979

MEMORANDUM FOR: THE PRESIDENT
FROM: WILLIAM M. NICHOLS *Nichols*
SUBJECT: NATIONAL DAY OF PRAYER, 1979

Enclosed is a proposed proclamation for National Day of Prayer.

The draft proclamation was prepared in Bernard Aronson's office at our request and has been retyped in this office for form and legality.

The proposed proclamation is based upon a joint resolution of the Congress approved April 17, 1952 (36 U.S.C. 185; 66 Stat. 64) which called upon the President to set aside a suitable day each year, other than a Sunday, as a National Day of Prayer.

Until recently National Day of Prayer was traditionally observed on the third Wednesday in October. However, in recent years the date has varied (e.g. December 18, 1974; July 24, 1975; May 14, 1976; December 15, 1977 and October 7, 1978). This year October 3 has been chosen for this particular observance in order that it may not conflict with the other many observances already scheduled for the month of October and to comply with the request of the Chaplains of the Senate and House respectively that it not conflict with any of the religious holidays.

The proposed proclamation has the approval of the Director of the Office of Management and Budget.

Enclosures

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*I presume you
also checked with
some of the religious
leaders of America
JC*

NATIONAL DAY OF PRAYER, 1979

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

The history of our country is a history of triumph over adversity. Time after time, we have overcome threats from within and without. Over the generations, wars, depressions, and internal differences and bigotry in various forms have struck at the foundations of our society. As we have met these challenges together, the bonds between us as Americans have grown stronger.

We endure and remain a land of hope because of the basic goodness and strength of our people and because the God of us all has shown us His favor.

The decisions we make today on arms, economics, social justice and global responsibilities echo into the future of the world. We accept our responsibilities and make our choices with all the will and determination at our command, but always in the full knowledge that we are finally in the hands of God. In the words of the prophet Zechariah, "Not by might, not by power but by my spirit saith the Lord of Hosts." (4:6)

Recognizing this, the Congress by joint resolution approved April 17, 1952 (36 U.S.C. 185; 66 Stat. 64) has called upon the President to set aside a suitable day each year as a National Day of Prayer.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby proclaim Wednesday, October 3, 1979, as a National Day of Prayer. I ask all Americans to join with me on that day to recommit ourselves to God, to each other and to the towering ideals of truth, justice, fairness, brotherhood, and love which our Nation has cherished and protected. Let us pray for the will and

THE WHITE HOUSE
WASHINGTON
18 Sep 79

Arnie Miller

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

Rick Hutcheson

Tom Beard

3924

*Maion - Pls call
 Path Dept to check the
 status of report for
 Ma. Idea files, now
 Asst Secy at State, to become
 Ambassador to Austria.
 Thanks.
 TB*

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cc Tom Beard

VICE PRESIDENT
JORDAN
CUTLER
DONOVAN
EIZENSTAT
MCDONALD
MOORE
POWELL
WATSON
WEDDINGTON
WEXLER
BRZEZINSKI
MCINTYRE
SCHULTZE
ANDRUS
ASKEW
BERGLAND
BROWN
CIVILETTI
DUNCAN
GOLDSCHMIDT
HARRIS
KREPS
LANDRIEU
MARSHALL

MILLER
VANCE
BUTLER
CAMPBELL
H. CARTER
CLOUGH
CRUIKSHANK
FIRST LADY
FRANCIS
HARDEN
HERTZBERG
HUTCHESON
KAHN
LINDER
MARTIN
/ MILLER
MOE
PETERSON
PRESS
SANDERS
SPETH
STRAUSS
TORRES
VOORDE
WISE

THE WHITE HOUSE
WASHINGTON

9/18/79

rick hutcheson --

please determine status
of nomination/recommendation
therefor

thanks--susan clough

Thomas E. Bryant, M.D.

Susan -
status?
J

September 17, 1979

Dear Rosalynn:

Mathea Falco, the Assistant Secretary of State for International Narcotic Matters is the State Department's choice to be the new Ambassador to Austria. I think you will recall her from the first Latin America trip briefing.

Apparently the President is to make the final decision this week. While I don't anticipate any problem, a good word from you on her behalf would certainly help.

In my opinion she would be an excellent choice. I have known her since she graduated from the Yale Law School and have observed her work for the Senate Juvenile Justice Committee, in the private sector (with me and with Peter Bourne) and at State. She is very intelligent, hard working and dedicated to the public good. She was an early and active Carter supporter. (Her husband, Oscar Garcia, just went to work with Arnie Miller in the White House personnel office.)

I gather that everyone is "for" her, but I would hate to see it get off track. A good word from you will make sure that it doesn't!

Thanks,

Tom

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for Preservation Purposes**

breakfast with democratic congressional
leaders 9/18/79

THE WHITE HOUSE
WASHINGTON

Leadership, - Demo 9-18-79

Home heating oil. + 29 mb, 8/15 80⁺, +222

Defense budget / SALT

SU troops / SALT (BB: winnable)

Panama = There =

40 widows of Indian Wars, 90 WBS

EMB - no serious com votes

WPT - " " " "

ESC. no work sessions in En Com

(Sen Banking + House Commerce +)

Rationing conference is obstacle

Legislative vetoes proliferate

Mikva & other nominations = will move

HCC

Do Ed

SALT verification +

SB. No public -
Bellman L -
De Concini -
Long -