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THE WHITE HOUSE
WASHINGTON

10/22/79

Jack Watson

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Rick Hutcheson

Please let Phil

know

CC
 JACK

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TORRES
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THE WHITE HOUSE

WASHINGTON

October 19, 1979

*Jade - You &
Alan & Fritz
See me*

MEMORANDUM FOR THE PRESIDENT

FROM: JACK WATSON *Jack*
ARNIE MILLER *Arnie*

SUBJECT: Secretary of Commerce

J
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N
We have discussed this appointment with the Vice President, Bob Strauss, Anne, Bill Miller, Juanita, Reuben Askew and a number of business people, like Reg Jones, Irv Shapiro, Tom Murphy, Lew Wasserman and others. A consensus has developed that we need someone who will help us to develop support for the Administration in the business community around the country. Therefore, we have looked for people who are respected by our friends in the business community. We have looked for people who are either members of the business establishment or acceptable to it. Additionally, we have looked for people from the Midwest.

Bob Strauss and Bill Miller have helped us to explore the availability of a number of people.

Those who have told us they would not be interested, largely for family and personal reasons, include Peter McColough, Xerox Corp., Ben Heineman, President of Northwest Industries in Chicago, Don Perkins, CEO of Jewel Companies in Chicago, Arjay Miller, retired Dean of Stanford Business School, and John Harper, former head of ALCOA.

We also considered and rejected a number of people for varying reasons.

- . Felix Rohatyn, with Lazard Freres & Co in New York, is respected but known primarily in the New York area and would be better for an assignment like the Energy Security Corporation.
- . Harvey Kapnick recently resigned as CEO of Arthur Andersen in Chicago. We understand there may be problems connected with his resignation, and Strauss felt he would not be particularly helpful developing support for the Administration around the country.
- . Bill Norris of Control Data in Minneapolis is respected, but we felt there was little to be gained from another Minnesota appointment.

- . Louis Cabot of Cabot Corporation in Boston, although respected, does not have the same stature as the others we considered and is a Republican, who would not be helpful in developing support for the Administration according to Lloyd Hackler.
- . John DeButts, retired head of AT&T, is a very conservative Republican who is supporting John Connally.
- . We have received strong recommendations for Ralph Lazarus, CEO of Federated Department Stores in Cincinnati, but have heard from Reg Jones that it is highly unlikely he would want to leave Cincinnati.
- . We still want to look further at Frank Loy, President of Penn Central Corp., who declined an overture from Juanita last year to serve as Under Secretary. He is able, well regarded, and experienced in Washington. However he is not quite of the stature of the people we have discussed above.

As a result of all these discussions, we believe that serious consideration should be given to the following individuals:

J. Irwin Miller

Miller is the retired head of Cummins Engine Co., Inc., Columbus, Indiana. He is 70 years old, still keen, vigorous and active in business affairs. He is on the Board of Directors of AT&T, is a member of the Business Council, is a Trustee of the Ford Foundation and a former member of the Yale Corporation. He chaired LBJ's Commission on Trade Relations with the Soviet Union and Eastern European Nations and co-chaired the UN Commission on Multinational Corporations in 1974.

Miller molded Cummins into a highly successful corporation. His approach to business has been coupled with a strong social conscience and a broad view of the world. He instituted enlightened labor policies at Cummins.

Enormously successful and well-to-do, Miller is a noted philanthropist and humanitarian. He was the first layman ever elected President of the National Council of Churches and was a major force behind its support of civil rights in the 60's. He is also a member of the executive committee of the World Council of Churches. He has been a friend, advisor and colleague of many of the religious, political and business leaders of the 20th century at home and abroad.

While his progressive thinking and espousal of certain social causes has made him somewhat of a maverick in business circles, and has alienated some of the more conservative elements, he is widely respected as one of the great business leaders of our time. His ties to the community are many and strong.

Miller would lend enormous stature to the Administration. He could help significantly to strengthen our ties to that part of the business community from which we can expect support. His appointment would be a signal, not only to business, but in a much broader way to the society that the Administration is able to bring in the highest quality individual. As Ted Hesburgh noted, Miller has the background to advise you on a broad range of domestic and international affairs; Hesburgh also said, "I couldn't think of anyone better in terms of relating to the President on a personal level."

If you appointed him, Irwin Miller would be a different kind of Secretary than many of the other people we have looked at. He would serve more as a Chairman of the Board, while Luther would run the Department. We would expect him to devote a good deal of his time to the public aspects of the job.

Politically, Miller is difficult to classify along traditional lines. While he is a liberal Republican he has often supported and contributed to Democrats. In fact several of the people to whom we talked, like Bob Abboud and Bill Miller, thought he was a Democrat. He is supportive of the Administration and truly wants to help. He would prefer a series of ad hoc assignments rather the Secretary of Commerce position. Bill Miller, who knows him well and has talked with him about the Commerce job, thinks that we would have to convince him to take it. We think that it's worth the effort.

Juanita, while she has recommended Luther Hodges, feels that Miller would be an excellent appointment, and there would be no danger of losing Luther if Miller were appointed.

Comments on Irwin Miller are attached.

We recommend that you authorize Bob Strauss and Bill Miller to talk indepth with J. Irwin Miller to convince him to take the job -- making it clear to him that an important part of the job would be developing public support for the Administration.

_____ approve

_____ disapprove

Other Options - Inside Candidates

While we think there is more to be gained from an appointment from the outside business community, consideration should be given to the following "inside" candidates.

Sol Linowitz - Bob Strauss

A number of people have suggested that Bob Strauss become Secretary of Commerce and Sol Linowitz become Middle East Negotiator. It is an idea that ought to be explored. As you know, Bob is unhappy where he is, Commerce would give him more freedom. He is popular in the business community and could continue to promote the Administration from that vantage point. Linowitz would be perceived as even-handed on the Middle East question and could do the job well with minimum disruption.

Luther Hodges

Luther has a strong following among the small and mid-sized business community and is respected by many of the larger firms. He has done a good job of running the department for the past several months.

Juanita and a number of others have recommended him. The Business Council also approves of him, according to Tom Murphy and Reg Jones.

On the other hand, Luther can make as significant a contribution from the vantage point of the Deputy Secretary position as he can as Secretary. Additionally, we would lose the opportunity to bring in a major figure from the business community.

Anne Wexler

Irv Shapiro, Tom Murphy, and Reg Jones report that the Business Council thinks we should seriously consider Anne. They feel she has a high degree of credibility with business and has done a very good job. You should be aware that we would probably lose Luther if Anne were appointed.

COMMENTS ON
J. IRWIN MILLER

COMMENTS ON J. IRWIN MILLER

Paul Austin, Coca Cola

Irwin Miller would be a great choice. To a hard shell antediluvian Republican, his social and humanitarian views would appear unacceptable. . . but I wouldn't pay any attention to those people. I don't think they constitute a large segment of the community.

Father Ted Hesburgh, President, Notre Dame University

Miller is a first-rate person, and would be an absolutely superb choice as Secretary of Commerce. I don't know if you could get him, though. He is one of the top 4 or 5 people in the business community. He is an ethical, decent human being, and is brighter than any business executive I know. He has the respect of the business community, and is public-service oriented. Miller has the ability to attract excellent people to work with him. Also, I couldn't think of anyone better in terms of relating to the President on a personal level. Miller has the background which would enable him to advise the President on a wide range of domestic and international issues. He would probably enjoy the challenge of this job. He is still very active and vigorous, and his age should not be viewed negatively. I recommend him without reservation. In terms of capability and conscientiousness, he is the best you could find.

Bill Miller

Irwin Miller is an outstanding choice. He is a Democrat. He is enormously well-to-do. He is reasoned, rational, mature and has excellent ties to the business community. He has broad experience in the world, a sense of community, a very positive attitude toward issues like redistribution of wealth. I've always felt he should be tapped for a big assignment.

Irving Shapiro, DuPont

Miller is a good man; he's a little old and different from the crowd; unique. I wouldn't say he was a part of the club, but he would be acceptable to it.

Robert McKinney, Former Chairman, Federal Home Loan Bank Board

J. Irwin Miller is a very able person. He is a broad-minded Republican, and would bring stature to the position. He has always been outspoken and was a strong supporter of Rockefeller, and active in that wing of the party. He

McKinney Comments - Continued

probably rubbed some people the wrong way -- the more conservative thinkers (Goldwaters) -- because of his liberal tendencies. He has been very active in Church affairs, which would probably be appreciated by the President. Miller would do a good job, but I think you could probably find someone who is even more outstanding as a potential Commerce Secretary.

Robert Abboud, First National Bank of Chicago

He's a Democrat, one of the great men and great businessmen of our time. He hasn't kept up his membership in the fraternity per se, but I don't know anyone in the business community who doesn't respect him. I would prefer Don Perkins; I think you need a merchant in that job, but Miller is one of the great businessmen of our time. (Note: Perkins is not interested.)

Henry P. Chauncey, Secretary of Yale

Miller is one of our greatest living Americans. He is a totally vigorous 71. He has superb judgment, is an excellent manager. He is every bit a team player; he will fight for his point of view but when a decision is made, he'll support it and back you up.

Tom Murphy, General Motors

I have the highest regard for Miller. He's a great fellow, still very active. I've worked with him in connection with the United Negro College Fund. His age may be a factor. At times, his espousal of certain causes has created problems and some (in the business community) will react negatively and feel you could do better.

Bob Wald, Senior Partner, Wald, Harkrader & Ross

I would recommend that you look at Irwin Miller. While his age may be perceived as a problem, he'd be an excellent choice.

Reg Jones, General Electric

Miller is an outstanding choice. He is eminently respected by the business community. You couldn't do better.

Henry Ford

Irwin Miller is a super guy. Although he's 70, he's quite vigorous, with a lot on his plate. He's respected in the business community; overall, you couldn't get a better man.

Jack Post, NAM

Miller is kind of a maverick with fairly far-out views. He does a lot of talking about social responsibility. He wouldn't be universally acclaimed; you'd get some polite criticism.

Derek Bok

Miller is a very, very interesting idea, an imaginative one. He has an enviable record; I don't know if he may be too old? Cummins is a 1st class company.

Dr. Arthur S. Flemming, Chairman, Commission on Civil Rights

I have had the opportunity to become very well acquainted with Irwin Miller. He would be a superb choice as Commerce Secretary, and the country will be very fortunate if he accepts. He is truly a superior person from every point of view. He has been a leader in so many fields, and his contributions to his community have been outstanding. He is a broad-gauged person. He would be a fine Cabinet member in the sense that he could advise the President on so many different matters. His background and experience would be a tremendous asset to the President. He would be viewed as an excellent choice by the civil rights community.

COMMENTS ON
LUTHER HODGES

COMMENTS ON LUTHER HODGES

Arthur Levitt, Jr., Chairman of the Board of Governors and CEO, American Stock Exchange, Member WH Conference on Small Business

I have worked with Luther in connection with the White House Conference on Small Business. He has been one of the two or three most helpful people I've worked with. He has done a good job in representing the Administration and has a very strong following among the small and mid-sized business community. The larger companies have not been negative toward him. He is perceived as being a good guy with practical business experience, and that is seen as a refreshing and welcome change. As Commerce Secretary Luther could be expected to be very up-front with the business community, an effective advocate of the Administration's policies.

These are comments on Luther; if I was asked to choose between him and someone else, I might pick another candidate. It just depends on who is under consideration.

Lou Harris

Luther has always been a diligent, hard-working person, and is extremely loyal to who ever he is working for/with. He is a good public servant. He has a keen appreciation of the relationship between the business community and government. Luther has been a superb spokesman for the Administration. He has become a national figure, and has earned the respect of the banking community, the investment community -- the business community as a whole. He's bright, young, and works very well with people. He would be a good choice for Commerce Secretary.

(John DeButts would be excellent, but his wife would never let him take the job.)

John Goodfriend, Solomon Bros., New York

I've known Luther Hodges for approximately 10 years. I don't give excess praise to anyone. He would be a perfectly acceptable candidate for Secretary of Commerce. He knows the ins and outs of the business community. He would do a reasonably good job on the corporate side, a very good job on the banking side, and I'm not qualified to comment on the international side. I would prefer a credible public spirited business person like Reg Jones of GE, who is an outstanding member of the business community, or John DeButts.

Comments on Luther Hodges, con't

John Caldwell, Vice President, International Division, U.S. Chamber of Commerce

I've known Luther Hodges a little less than one year. He has the necessary stature to serve as Commerce Secretary, and is highly respected by the business community. The President should select someone who would bring an established set of credentials and track record to the position, to eliminate, to the extent possible, start-up time in running the department. This will determine the degree to which the momentum toward the trade reorganization is continued. If the Administration - the President - wants to give meaning to the reorganization scheme, he must appoint people who will give further impetus to that reorganization. The reason I would recommend Luther is the aspect of management continuity - he knows the Department and all the players, and would be able to pick up the ball and run with it. He has made a good, favorable impression on the business community.

Dick Jenerette, Donaldson, Lufkin and Jenerette, New York

I've known Luther for about 25 years, so I'm very biased in his favor. He is a rare combination of a good businessman and a sensitive human being. He knows what has to be done and covers all the bases. He is very diplomatic. In terms of integrity and honor he is first-rate. He is a national name and has the necessary stature for a Cabinet level position, and his appointment would reflect credit on the Administration. He would be a good spokesman for the President because he is knowledgeable on the critical issues and problems facing the country. Luther is economically literate - really an excellent candidate. I don't know who your other alternatives are; Reg Jones would probably bring more stature to the position, or Irv Shapiro.

THE WHITE HOUSE
WASHINGTON
10/22/79

Stu Eizenstat
Frank Press

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Rick Hutcheson

cc: Lloyd Cutler
Jack Watson
Jim McIntyre

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	ASKEW
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	BROWN
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	DUNCAN
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	KREPS
	LANDRIEU
	MARSHALL

	MILLER
	VANCE
	BUTLER
	CAMPBELL
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	CLOUGH
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	SPETH
	STRAUSS
	TORRES
	VOORDE
	WISE

THE WHITE HOUSE
WASHINGTON

10/19/79

Mr. President:

Cutler, Watson and OMB
concur with Stu and
Frank Press.

Rick

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY

WASHINGTON, D.C. 20500

October 19, 1979

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MEMORANDUM TO THE PRESIDENT

FROM: Stu Eizenstat and Frank Press *EP*

SUBJECT: Administration Review of Ionizing Radiation Problems

During the past year, an interagency task force comprised of HEW (chair), DOE, DOD, VA, EPA, NRC, and DOL examined research, protection, compensation, public information, and interagency coordination of programs relating to ionizing radiation. The study was triggered by reports of leukemia in small numbers of individuals exposed to fallout from atomic bomb tests in Nevada and Utah in the 1950s and exposed to nuclear radiation in naval shipyards in recent years. The study was undertaken as a result of a May 9, 1978, Presidential directive.

After preparation of a number of reports by interagency work groups, consultation with Congress, scientists, public interest and environmental groups, the nuclear industry, the medical profession and other groups, the Task Force issued a report (attached) in June 1979, followed by an August 2, 1979, memo from Secretary Califano (attached) and comments from heads of other agencies on the Task Force and EOP offices.

This memorandum summarizes briefly the major findings and recommendations. Only two issues require Presidential resolution: (1) the matter of DOE's role in health-related radiation research and (2) the proposed Radiation Policy Council.

DECISION ISSUE: Role of DOE in Health-Related Radiation Research

Research on biological and health effects of ionizing radiation has been supported primarily by the Atomic Energy Commission (now DOE) for more than two decades. At present, DOE supports 63% of this work, HEW 20%, and the rest is scattered across DOD, EPA, VA, NASA, and USDA. Congress has ordered HEW and EPA and NRC to report on the prospects of their doing more research. The AEC was accused by environmentalists and some scientists of arbitrarily terminating support for research that seemed to show hazards from use of low-level ionizing radiation. As a result, there is sentiment within and outside the government for shifting the source of funds so that the majority of health-related research comes from the health and regulatory agencies. HEW and EPA argue that it is incompatible for one agency to sponsor work both to enhance the use of a technology and to assess its potential adverse consequences.

DOD, VA, and, of course, DOE reject this criticism. (The memo from Secretary Schlesinger is attached.) These agencies point to the excellent record of basic radiation-related biomedical research sponsored by DOE (AEC), and to the possible political motivations of critics of admittedly controversial decisions to terminate certain epidemiological studies. These agencies also charge that HEW has an analogous conflict, in supporting the use (and over-utilization) of radiation for medical purposes (x-rays and radioisotopes), and a poor record of stimulating independent research in this area. Finally, they argue that DOE in this Administration should not necessarily be penalized for misdeeds of 5-20 years ago, and DOE insists that health-related research is critical to their technology assessment role. OMB recommends that this decision be postponed and the funding be decided annually in the usual budget process. //

DPS and OSTP believe that the credibility of the government's efforts to protect against radiation and the credibility of the Administration's concern with radiation would be enhanced if there were some transfer of research from DOE to HEW. Indeed, such a transfer would be the most dramatic result of the Task Force's deliberations and would claim more attention than the establishment of new organizational structures.

OPTIONS

1. Continue DOE's present role (DOE recommends) _____

Pro

DOE has a good program of biological and health-effects research

DOE can assure long-term support for registries and other follow-up studies more readily than can NIH's grant mechanism

HEW and EPA programs are likely to grow independently

Con

Does nothing to quell criticisms of the quality and objectivity DOE research, especially in the human studies (epidemiology) area

Ignores the recommendation of a year-long study which you established

2. Direct the new Radiation Research Committee chaired by HEW (NIH) to determine what, if any, transfers, are necessary (DOD, VA recommend) _____

Pro

Allows a gradual, studied approach, over 2-3 years
Would likely yield a shift of funding source toward DHEW,
away from DOE

Con

Appears indecisive: just bucks the decision to another Committee
A committee of research people would not be suited to make what
are primarily budgetary and political judgments.
Puts an unfair burden on the Research Committee, which needs a
collegial atmosphere for objective review of the quality and
appropriateness of research; a perceived mission to remove funds
from the largest player (DOE) would be destructive to such collegiality

- 3. Direct OMB and OSTP to establish, in the preparation of the FY 81 budget, a research program ~~in DHEW (NIH and CDC)~~ on the long-term low-level effects of ionizing radiation. ~~Do so through transfer of funds and relevant staff and programs from DOE and through provision of funds and staff as appropriate within the HEW ceiling. Reduce DOE's share of the total federal effort to less than one-half. (HEW, DPS, OSTP recommend)~~

Will decide where to allocate research funds within '81 budget

✓ ✓

Pro

The cross-agency budget review would be used, rather than relying on a committee of research people to make an important budget decision

The human effects (epidemiology) studies of low-level exposures would be the target for shifts. Such a shift from DOE plus any increase at DHEW would achieve the objective of making DOE the supporter of less than a majority of the research on biological effects of radiation.

DOE would maintain capability to devise tests appropriate to actual exposures related to nuclear technologies

DOE presumably would be reaffirmed to support ecological and animal work, which has been of good quality and little or no controversy.

Con

Transfer of some ongoing work may cause disruptions of research projects
No shift would occur until FY 81

DECISION ISSUE: ESTABLISH AN INTERAGENCY RADIATION POLICY COUNCIL

The Task Force and all participating agencies recommend the establishment of a Radiation Policy Council, comprised of high-level officials from all Federal agencies with major regulatory, operational, or research responsibilities in the field of ionizing radiation. It would advise on broad radiation protection policy; coordinate Federal activities that use or control use of radiation; resolve problems of jurisdiction and recommend legislation; ensure effective liaison with States and the Congress; and provide a forum for public input. It would have a four-year sunset provision.

Pro

Need for continuing resolution of public issues and inter-agency jurisdictional disputes.
The research and compensation committees do not deal with the more general issues of radiation protection and public education. Would be a visible sign of Administration attention and a focus for public input.

Con

Would have difficulty in fulfilling its mandate without fairly considerable staff capability -- much more than the handful of persons envisioned by the Task Force to be provided by the chair, presumably EPA.

Approve

Disapprove _____

Tentative, only if staffed within EPA

If approved, who should chair the Council and provide staff?

Option 1: EOP or rotating chair (VA and DOE recommend) _____

Pro

No favorites
Leaves EPA time to shore up its capabilities

Con

Is indecisive
Raises difficulties about staffing

Option 2: EPA chair (re-evaluate in two years)
(all other agencies, DPS, OSTP recommend)

Pro

For radiation protection and radiation information focus, EPA clearly has lead responsibility and should enhance its capability
Demonstrates Administration attention to environmental concerns
Makes EPA responsible for staff

Con

Two agencies dubious about EPA's capabilities and objectivity

INFORMATIONAL SUMMARY OF OTHER RECOMMENDATIONS

1. Establish an Interagency Radiation Research Committee to review the support and continuation of support for various Federally-supported studies. All agree that the Director of the National Institutes of Health, Dr. Fredrickson, should chair the Interagency Committee, as he does the Committee mandated by the Congress. Committee approval should be required for all health-related radiation research decisions and the Committee should assist OMB in a cross-agency budget review each year.
2. Increase Health-related Research on Radiation Effects Sponsored by HEW (NIH). All agencies concur. The magnitude of such effort should be decided by competent scientific review, under the NIH procedures, with oversight and review by the interagency committee. EPA, CDC, FDA, and NSF also might seek to increase their level of effort.
3. Provide Access to IRS Records for Follow-up Studies. It is often impossible to carry out epidemiological studies of people exposed years earlier because of lack of information. HEW and Department of Treasury and OMB have agreed to examine the need for legislation to provide access to IRS records to get mailing addresses of exposed individuals for follow-up studies; such legislation already exists for occupational exposures.
4. Establish Criteria for Evaluating Compensation Cases. This is a thorny issue, wrapped in the general philosophy about compensation for victims of all sorts of misfortune and in the politicized fearfulness about nuclear energy. It is impossible to ascertain whether a person with leukemia or any other form of cancer, who was exposed to radiation beyond the natural sources of exposure, developed the malignancy from radiation exposure or from some other cause. There are two categories of potential claimants: (a) those exposed directly as part of government programs, such as the Nevada test program or the naval shipyards workers, both civilian and military; (b) those in the general environment of Federal or other radiation activities, including citizens downwind from Nevada tests or in the area of a nuclear power plant.

For civilians exposed, you have already established a Task Force, involving DOL, DOJ, VA and DOE to examine criteria for award or exclusion of compensation. The Compensation Task Force also will look at questions concerning compensation of workers and veterans that were raised by this Task Force.
5. Improve Public Information. The Task Force agreed that reliable and better distributed information is needed for health care personnel and patients, for workers exposed to radiation on the job, for those living near facilities using radioactive materials, and for the general public. The credibility of government information in this arena is certain to be challenged, putting a premium on reliability and clarity of information. This task was left to the proposed Radiation Policy Council (above).

6. Enhance Protection Against Excessive Radiation Exposures. Half of average radiation exposures comes from natural sources (cosmic and ultraviolet radiation, granite and other rock formations). Half comes from man-made sources, of which 90 percent is from diagnostic medical and dental examinations. There is no doubt that the medical and dental uses are excessive in aggregate and calibrated and monitored poorly in many places. You issued a "guidance" on this matter in January, 1978, but much more needs to be done, especially in the private sector. Decreased diagnostic x-ray use will also coincide with your hospital and out-of-hospital cost-containment efforts. A number of other actions to upgrade monitoring technology, review exposure standards, and strengthen state radiation control programs drew unanimous concurrence.

The only issue here was institutional: which agency should have lead responsibility? EPA has had lead responsibility and has been given poor ratings by all. After much discussion, the Task Force has recommended EPA be reaffirmed as lead agency, and EPA has promised a better effort.

DECISION

Issue Executive Orders to implement recommendations.

Approve _____

Disapprove _____

ID 794594

THE WHITE HOUSE

WASHINGTON

DATE: 19 OCT 79

FOR ACTION: LLOYD CUTLER *— cmans* ~~AL MCDONALD~~ *w/DPS*

JIM MCINTYRE *— cmans*

INFO ONLY: THE VICE PRESIDENT

FRANK MOORE

JODY POWELL

JACK WATSON ~~—~~

SUBJECT: EIZENSTAT PRESS MEMO RE ADMINISTRATION REVIEW OF IONIZING RADIATION PROBLEMS

+++++
 + 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:

[Handwritten signature]

C

**REPORT OF THE
INTERAGENCY TASK FORCE
ON THE HEALTH EFFECTS
OF IONIZING RADIATION**

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decision by
Tuesday*

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

AUG 2 1979

MEMORANDUM FOR THE PRESIDENT

FROM : The Secretary of Health, Education, and Welfare

SUBJECT: Radiation Exposure Inquiry

In a memorandum that you initialed, Messrs. Eizenstat and Brzezinski asked me in May 1978 to work with the Secretary of Defense, the Secretary of Energy, and the Administrator of Veterans' Affairs to coordinate formulation of a program on the health effects of ionizing radiation. Subsequently, the Nuclear Regulatory Commission, the Environmental Protection Agency, and the Department of Labor were added to the addressees of the White House request.

This memorandum responds to your assignment. It is the last memorandum I will send to you as Secretary of Health, Education, and Welfare. These recommendations and the attached report represent more than 15 months of hard work by people in this Department and throughout the Government.

I make the recommendations contained in this memorandum on the basis of my profound concern that the Government protect the public health in the area of low level radiation as effectively as possible. I make these recommendations without any bureaucratic stake in the outcome.

You asked that the program include:

- o A research program to determine the effects of radiation on human populations exposed to it;
- o A public information program to inform people who might have been affected and the general public about Federal agency activities;
- o A plan for ensuring that persons adversely affected by radiation exposure receive the care and benefits to which they may be or should be entitled;
- o Recommendations on steps to be taken to reduce radiation exposure in the future.

To carry out this directive, I established an Interagency Task Force on the Health Effects of Ionizing Radiation, chaired by the General Counsel of HEW. The Task Force included a high level official from each of seven agencies: HEW, the Department of Defense (DoD), the Department of Energy (DoE), the Department of Labor (DOL), the Environmental Protection Agency (EPA), the Nuclear Regulatory Commission (NRC), and the Veterans Administration (VA).

The Task Force conducted its proceedings openly, consulting with interested members of Congress and their staffs, scientists representing different viewpoints on radiation, public interest and environmental groups, representatives of the nuclear power industry and of the medical professions, State agencies, labor unions, and veterans' organizations.

The Task Force addressed only ionizing radiation for a variety of reasons: The agencies involved with non-ionizing radiation are quite different; and a task force established by the Office of Science and Technology Policy is addressing non-ionizing radiation.

The Task Force issued its final report in June and made several major findings:

- o There is inadequate coordination among Federal agencies.

The Task Force found that coordination of radiation protection and research activities among the fifteen Federal agencies engaged in radiation use, study, and control has been ad hoc and inadequate. In addition, there are both overlaps and gaps in statutory authorities. These problems contribute to the public perception that the government has failed to address radiation issues in an effective and credible way.

- o DoE currently dominates research into the health effects of radiation.

Research into the health effects of ionizing radiation is dominated by DoE, an agency which is responsible for developing nuclear weapons and promoting and developing energy sources that can involve some exposure to

radiation. Although numerous agencies have research needs in this area, DoE conducts or supports more than 60 percent of research on the biological effects of ionizing radiation and more than 75 percent of the portion dealing with the effects on humans.

o Additional research is needed.

While more is known about the effects of ionizing radiation than is known about the effects of most other environmental and occupational hazards, there remain serious gaps in our knowledge about low-dose effects of radiation. In addition, improved access to records is necessary to facilitate epidemiologic research.

o Great difficulties exist in resolving radiation-related claims.

A number of persons are seeking care and benefits for injuries that may have resulted from radiation exposures, yet most programs do not have criteria for deciding radiation-related claims. The major barrier to resolving claims is the difficulty in distinguishing cancer and other injuries that may be radiation-related from those that are not.

o The greatest opportunity at present to reduce exposure to radiation lies in controlling unnecessary medical and dental exposures.

The Food and Drug Administration (FDA) estimates that a substantial number of exposures of medical and dental patients to radiation are unnecessary and can be eliminated. This is significant, since more than 90 percent of all exposure to man-made radiation comes from medical and dental sources.

o There is a lack of reliable public information.

Many people are concerned about radiation but do not have ready sources of information to answer questions.

These findings led the Task Force to recommend the establishment of a comprehensive and coordinated program on the health effects of ionizing radiation. It recommended changes in the institutional framework for handling both of the government's two major activities: the setting of radiation protection standards and the carrying out of research. In addition, the Task Force recommended many specific changes to improve Federal oversight

of the public's health and safety with respect to ionizing radiation. Members of the Task Force unanimously approved the final report and its recommendations and submitted it to me and to the heads of other Task Force agencies.

With two exceptions, described below, I am recommending that you adopt the Task Force's recommendations.

Following are the broad-based institutional changes that I recommend in the Federal government's program on the health effects of ionizing radiation:

- o Establish a radiation policy council which would be responsible for advising on broad radiation protection policy, chaired by EPA. (This differs from the Task Force recommendation that the chair be appointed by you from among the agencies represented on the committee.)
- o Establish an interagency research committee to coordinate research activities with respect to the health effects of ionizing radiation, chaired by the National Institutes of Health (NIH).
- o Shift the balance of funding and management of research in this area from DOE to NIH and other agencies that have health-related missions. (This differs from the Task Force's recommendation, as described on p. 7.)
- o Improve the capacity of Federal compensation programs to resolve claims of persons who believe their injuries to be the result of radiation exposure. You have established an interagency task force to study the compensation issue, which should consider this Task Force's recommendations.

The following sections describe in more detail and seek your approval of these recommendations affecting institutional arrangements and others concerning programmatic improvements.

I. INSTITUTIONAL ARRANGEMENTS

In one of its most important and difficult tasks, the Task Force examined ways to improve the coordination and credibility of the Federal government's handling of issues relating to the use, study, and control of ionizing radiation. The Task Force recommended changes in the organization and coordination of Federal radiation protection and research activities.

A. Radiation Policy Council

The Federal Government is both a major user (e.g., medical x-rays, radiation therapy, weapons production) and a regulator (e.g., power generation) of sources of radiation. One of the most important issues considered by the Task Force was how to coordinate the activities of the Federal agencies involved to ensure that workers and the general public are adequately protected from unnecessary exposure to radiation.

EPA, the agency charged with providing guidance to Federal agencies on basic exposure limits, has over the years given a low priority to its responsibilities to provide radiation guidance. Recently, EPA has moved to increase significantly its commitment to these activities. The scope of EPA's authority is ambiguous in some areas, however, leading some other agencies to dispute its authority to provide guidance to them in their areas of responsibility. The Task Force considered two methods for coordinating radiation activities -- a lead agency approach and an interagency radiation council.

I support -- and I urge you to adopt -- the Task Force's recommendations to coordinate overall Federal radiation policy:

- o That a radiation policy council be established to be comprised of high level officials from all Federal agencies with major regulatory, operational, and research responsibilities in the field of radiation. It should be terminated automatically after four years unless the President decides otherwise.
- o The council should:
 - Advise on the formulation of broad radiation protection policy;
 - Coordinate Federal activities related to radiation use and control;
 - Resolve problems of jurisdiction among the agencies and recommend legislation to fill gaps in authority;

- Ensure effective liaison with the States and the Congress;
- Provide a forum for public participation and comment.
- o One of the council's first tasks should be to conduct a review of the guidance authority now exercised by EPA and the statutory authorities of other agencies to determine the appropriate scope of guidance, how the setting of guidance can be improved, and how its implementation can be reviewed to assure appropriate modifications in the future.
- o The council should be responsible for ensuring that the major recommendations of the Task Force on reduction of exposure and public information are implemented as soon as possible.

The council would centralize responsibility to review policy development on radiation-related issues and encourage coordination among the many agencies with relevant authorities. Since the sources and uses of radiation are varied, it is difficult for a single agency to provide leadership in all areas. The establishment of such a council is supported by most groups and individuals concerned with radiation protection.

I believe that EPA should remain as lead agency in establishing guidance authority bearing on radiation protection and recommend that you appoint EPA to chair the policy council. The policy council should have a small budget and immediate staff of 3-4 persons. EPA is probably the appropriate agency to provide the staff and budget support as needed.

Decision

- o Establish council as overall advisory and coordinating body as described.
yes _____ no _____
- o Appoint EPA to chair the council.
yes _____ no _____

B. Interagency Research Committee

While research on the health effects of ionizing radiation has been concentrated largely in DOE, numerous agencies have research needs in this area. The Congress has recognized the need to broaden the research effort in this area by directing several different agencies to expand their research activities:

- o HEW has been directed to establish a comprehensive program of research into the biological effects of low-level ionizing radiation and to review existing Federal agency research programs;
- o NRC and EPA, in consultation with HEW, have been directed to conduct preliminary studies of epidemiologic research into the health effects of low level ionizing radiation and to report to the Congress on the feasibility of options for study.

The Task Force recommended that steps be taken to improve coordination of the research effort on the health effects of low-level radiation and to ensure that different agencies' research needs were met. I support the following Task Force recommendations to accomplish these goals:

- o An interagency radiation research committee should be established, chaired by the National Institutes of Health and including representatives from all major research and regulatory agencies.
- o The interagency committee would be directed to perform the following functions:
 - Assure that the Federal government conducts a comprehensive research program on the biological effects of ionizing radiation;
 - Establish appropriate research priorities and coordinate agency research programs;
 - Ensure that the research needs of regulatory agencies will be addressed, by research agencies as well as by the regulatory agencies themselves;

- Identify appropriate agencies to fund research, according to guidelines developed by the committee;
- Review agency budgets and report to the Office of Management and Budget and to the President on the adequacy of support for radiation research;
- Develop criteria for research management, following a review by the National Academy of Sciences of Federal research management practices in this area;
- Review the status of on-going research projects;
- Ensure prompt dissemination of research results and promote the exchange of substantive ideas among scientists employed by Federal agencies.
- Provide a point of contact to groups and individuals outside government who are concerned with radiation research issues and seek their advice, consultation, and participation in the work of the committee.

In addition, the chair of the committee would be directed to consult regularly with the chair of the policy council.

Finally, I recommend that you require that the Director of NIH/Chair of the committee provide a separate report which describes whether sufficient research is being undertaken with respect to the health effects of ionizing radiation and, if not, what additional research is needed.

Decision

- o Establish an interagency research committee, as described.

yes _____ no _____

- o Appoint NIH to chair the committee.

yes _____ no _____

- o Require that the Director of NIH/Chair of the committee provide a separate report to OMB and the President.

yes _____ no _____

C. Agency Research Roles

The Task Force members agreed that the research roles of health and regulatory agencies should be increased in relation to the role of DoE. It considered recommending either increasing the future radiation research budgets of NIH and other research agencies, without increasing DoE's or transferring a portion of DoE's budget to those agencies.

However, it was not able to agree on either approach. As a compromise, it recommended that:

- o NIH assume a lead role in funding research.
- o Other health-oriented agencies like EPA, FDA, the Center for Disease Control, and the National Science Foundation expand their research roles in this area.
- o The research committee review existing programs and proposed research agenda, determine whether it is appropriate to transfer portions of DoE's research budget to other agencies, and, if transfer is appropriate, recommend which projects to transfer.

My recommendation goes beyond the Task Force's on this issue. I feel strongly that the major responsibility for research into the health effects of low-level radiation should be placed on an agency which has health-related research as its primary responsibility. The credibility of government-supported research in this area will be compromised if the major source of funding continues to be the agency responsible for developing nuclear weapons and developing and promoting energy sources that result in radiation exposure.

The inherently schizophrenic nature of this dual mission has already damaged the credibility of the government's effort to protect the public health; indeed there are responsible scientists who believe it has damaged the public health itself.

I believe that the balance of resources should be shifted from DoE to NIH and other health-related agencies over the next 2-3 fiscal years. A gradual building up of other agencies' research budgets, without shifting resources from DoE, would take too long and, in view of the other research priorities these agencies have, there is some question about whether a large increase primarily in this one area of research would be justified.

Other agencies disagree with this position. DoD opposes any shift in funding. DoE and EPA believe that the research committee should consider this issue, without prejudgment of whether or not any transfer should occur. The view of these agencies is that management of scientific studies in this field requires considerable specialized expertise as well as rapport with scientists and institutions that have performed this type of research in the past. They believe that DoE now possesses this expertise and these connections, whereas it will take NIH and others considerable time to develop them.

I believe that research funding could be shifted without losing valuable scientific expertise. The National Labs, for example, would continue undoubtedly to perform much of the radiation research regardless of where the funding and supervision were housed.

HEW has a strong interest in radiation research, particularly since it is responsible for helping ensure public safety in the area of medical x-rays. It is true that HEW has not played as strong a role in the past as it could have with respect to research in this area, but that is changing. The Director of NIH has established an Interagency Committee on Research into the Health Effects

of Ionizing Radiation, which includes representatives from all of the radiation-related agencies. That Committee is conducting a comprehensive review of radiation research and has already begun coordinating research efforts in some areas, including followup studies of the accident at Three Mile Island and a study of residents downwind from the Nevada atomic bomb test site. In addition, NIH is assuming greater responsibility in this area by enlarging significantly its own research effort on ionizing radiation.

Decision

- o Shift a significant portion of research funding and management from DoE to NIH and other health and regulatory agencies over the course of the next 2-3 fiscal years.

yes _____ no _____

If yes, how should it be accomplished?

_____ Shift a significant portion of research funding and management from DoE to NIH and other health and regulatory agencies over the course of the next 2-3 fiscal years. (Recommended)

_____ Increase research budgets of health and regulatory agencies, leaving DoE's as it is.

_____ NIH assume a lead role; other health oriented agencies like EPA, FDA, CDC, and NSF expand research roles; research committee reviews existing programs and the research agenda and determines which, if any, portions of DoE's budget should be transferred to other agencies.

_____ Other

D. Care and Benefits

You have recently established a task force to study compensation of persons who may have developed radiation-related illnesses as a result of exposure to nuclear weapons tests, particularly civilians residing

downwind from test sites. In addition, the task force will look at questions concerning compensation of workers and veterans that were raised by this Task Force. I recommend that the compensation task force also consider carefully the recommendations of this Task Force on care and benefits as it formulates its own recommendations.

Decision

- o Direct the compensation task force to consider the care and benefits recommendations of the Interagency Task Force on the Health Effects of Ionizing Radiation.

yes _____ no _____

II. PROGRAMMATIC IMPROVEMENTS

In addition to these important institutional changes, the Task Force made, and I support, a number of other significant recommendations to improve the Federal government's programs in the health effects of ionizing radiation.

While the following is not a comprehensive list of Task Force recommendations, I believe these are the recommendations that call for Presidential direction. Many of these, and others that are not included on this list, can be considered and implemented by the policy council once you have made decisions on the basic policy issues.*

A. Records and Privacy

The Administration's "Privacy of Researchers Records Act," if enacted, will significantly improve access to necessary Federal records, with safeguards to protect the privacy of individuals. In addition, the Task Force recommended certain other steps that can be taken within HEW to improve such access and I have directed the appropriate HEW components to implement them.

*The Task Force report, containing its recommendations is attached.

However, one important obstacle remains in this area. The Internal Revenue Code, with one limited exception, prohibits IRS or SSA from disclosing return information for research purposes. In some cases, researchers' access to this information could be crucial to the success of a research project because of the time, expense, and risk of failure in relying exclusively on decentralized local resources for the identification and location of study subjects.

The Task Force recommended the following action, which I support:

- o The Department of the Treasury and the Secretary of Health, Education, and Welfare should prepare a legislative proposal to amend the Internal Revenue Code to authorize the Internal Revenue Service and the Social Security Administration to disclose return information that is necessary for epidemiologic research with appropriate safeguards to protect the privacy of individuals whose records are disclosed.

Decision

- o Direct the Departments of Treasury and HEW to consider the need for a legislative proposal to amend the Internal Revenue Code as described and to develop a proposal, if needed.

yes _____ no _____

B. Reduction of Exposure

Half of radiation exposure is from man-made sources. The most significant exposure from man-made sources occurs during purposeful exposure of medical and dental patients to radiation for diagnosis of disease. The Task Force recommended that the following measures be taken to reduce exposure primarily from these sources:

- o Each potential opportunity for radiation exposure reduction should be reviewed in terms of its feasibility, cost, and the risks and benefits it would provide to society.

- o A program should be undertaken to reduce radiation exposure from medical sources.
- o Federal agencies should undertake on full and open review of existing exposure standards.
- o Human exposure and environmental monitoring should be expanded and better measurement technology developed.
- o State radiation control programs should be strengthened to help them to take on more responsibility for exposure reduction.

I recommend that the policy council consider these, and other recommendations of the Task Force on exposure reduction and where appropriate, develop recommendations for implementing them.

Decision

- o Refer Task force recommendations on exposure reduction to the policy council.

yes _____ no _____

C. Public Information

Information programs should be developed for the following target audiences, adapted to their needs and using appropriate channels of communication.

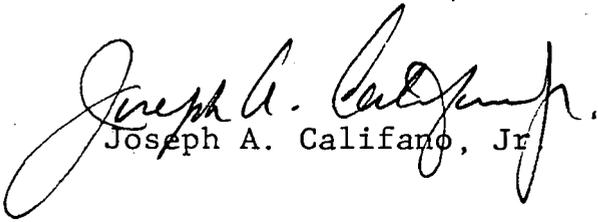
- o Health care personnel and patients
- o Workers exposed to radiation on the job
- o Persons exposed as a result of atmospheric nuclear tests
- o Those who live near facilities using radioactive materials
- o The general public

I recommend that the policy council consider what type of public information programs should be developed for each of these groups and to recommend steps to implement such programs.

Decision

o Refer Task Force recommendations on public information to the policy council.

yes _____ no _____


Joseph A. Califano, Jr



Department of Energy
Washington, D.C. 20585

August 14, 1979

MEMORANDUM FOR:

THE PRESIDENT

FROM:

JIM SCHLESINGER

SUBJECT:

Califano Memorandum Regarding
Radiation Exposure Inquiry

In a memorandum dated August 2, 1979, Joe Califano made recommendations to you relating to the Interagency Task Force on the Health Effects of Ionizing Radiation. The Department of Energy supports the recommendations of the Task Force and strongly disagrees with two recommendations of Mr. Califano that differ from those of the Task Force:

1. "Establish a radiation policy council which would be responsible for advising on broad radiation protection policy, chaired by EPA." As the memorandum notes, this recommendation differs from the Task Force recommendation that the chair be appointed by the President from among the agencies represented on the committee. I do not object to EPA ultimately being named by you to chair the council, but believe that you should have ample opportunity to consider alternatives and possibly rotating chairmanship.
2. "Shift the balance of funding and management of research in this area from DOE to NIH and other agencies that have health-related missions." Mr. Califano's memorandum, pages 9-11, discusses at length the extensive departure of this recommendation from the Task Force recommendation. I disagree with going beyond the Task Force findings for the following reasons:
 - a. Mr. Califano's recommendation, in our view, does not accomplish anything of substance beyond what the Task Force recommends. Proceeding under the Task Force recommendations, I fully expect to see HEW and other government agencies' activities and budgets increase in this area. For example, HEW may wish to develop or enhance ionizing radiation research programs in

areas not now adequately addressed or funded such as in radiation epidemiological studies of fall-out around the Nevada Test Site or the long-term health of radium dial painters. In short, I support the Task Force recommendation that HEW/NIH assume an expanded role in research on ionizing radiation in a coordinated manner and with an orderly transition from DOE leadership.

- b. DOE must remain in a position to carry out high quality health effects research supporting its national defense and energy technology development mission. Not only does the Department have an impressive record of accomplishments in the ionizing radiation field, but it also has the researchers, equipment and facilities required to expand knowledge in this important area. In short, regardless of which Washington agency sponsors the research, the performance will remain the same and use the same talented and productive individuals that DOE has supported in the past.
- c. The argument for hurriedly shifting health effects research pertaining to ionizing radiation raises broader questions that in my view lead to an ill-advised conclusion. DOE believes that it has a major role in health effects research bearing on all energy technologies that it develops--not just nuclear. In assessing which technologies we seek to develop (or remedial action which may be required), we take health and environmental effects integrally into account in our decision-making process. Our policy-making is directed towards proceeding with economical energy supply in an acceptable manner from the point of view of environment and public health. We do not believe DOE health research represents a "conflict of interest," but rather a central factor in our ultimate decisions.

In summary, I believe the Task Force recommendations are well balanced and well considered and that you should accept them and direct their implementation.

~~CONFIDENTIAL~~

THE WHITE HOUSE
WASHINGTON

10-22-79

To V.P. Mondale

Shortly before Joe Califano left
New he made a proposal to W.C.
to resolve the differences with them
on the University integration issue.
My understanding is that the W.C.
Officials are now ready to accept
the proposal.

Please check with Pat Harris
& give me a summary of any
remaining elements of the dispute.

J.C.

cc Sec. Harris

"DETERMINED TO BE AN ADMINISTRATIVE MARKING
CANCELLED PER E.O. 12812 AND
NSA/CSS/ISS/MEMO OF MARCH 16, 1993"

THE WHITE HOUSE
WASHINGTON
10/22/79

The Vice President
Zbig Brzezinski

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

Rick Hutcheson



~~SECRET~~

THE DEPUTY SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

Electrostatic Copy Made
for Preservation Purposes

October 19, 1979

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Significant Actions, Secretary and Deputy Secretary
of Defense (October 13-19, 1979)

Dr. Brown's Schedule: Harold is in Korea today attending the second plenary session of the US-ROK Security Consultative Meeting. He is scheduled to leave for Tokyo later this afternoon and meet with Prime Minister Ohira, Foreign Minister Sonoda, and Director General of the Japan Defense Agency Yamashita. He is scheduled to testify before the Senate Armed Services Committee on Tuesday, October 23.

Continuing Resolution: The continuing resolution enacted on October 12 allowed us to pay most of the Department's military members on October 15, the normal pay date. Civilians received two payments--one on October 12th for the September portion of their pay, the other on October 15 for the October portion of their pay. Hopefully, hardships were kept to a minimum through the efforts we took to prepare and preposition paychecks and to send advance listings to financial institutions for electronic fund transfers.

Although the continuing resolution solved our most urgent pay problem, I am concerned that a similar crisis will reoccur if the FY 80 Appropriations Bill is not passed before the continuing resolution expires on November 20. It would be more than unfortunate if our people were subjected to the possibility of no paychecks in two consecutive months.

Visit of Egyptian Ambassador: I met with Ambassador Ghorbal and General Aber Ghazala on October 16 to discuss an "urgent" message from Vice President Hosni Mubarak. Mubarak advised that he believes that Egypt needs increased military aid from the U.S. He urged "parity of treatment" with Israel, particularly in light of the growing threat from Libya. I, in turn, assured the Egyptians that we are sympathetic to their concerns and will do all we can to assist them in modernizing their armed forces. I also emphasized that although it would not be possible for us to fund all of their requests, we would continue to address each of their defense needs.

Classified by DEP SEC DEF
Declassify on 19 Oct 1985

Jay 2/20/90
~~SECRET~~

SEC DEF CONTIN No. X-04642

Surveillance Towed Array Sensor System (SURTASS): The third phase of the SURTASS sea test was conducted to measure the system's detection capability and tracking performance against a surface-towed projector and a hull-mounted projector. No SURTASS array failures occurred during the 172 hours of testing, bringing array MTBF to 211 hours compared to the goal of 180 hours. More importantly, two Soviet SSBNs on patrol south of Bermuda were detected during the test at ranges of approximately 500 miles using initial target location data from the Bermuda SOSUS array. A TECHEVAL is currently being conducted.

Defense Activities in Chicago and Cleveland: As you know this past week we agreed in principle with Chicago city officials to relocate the Air Force aviation facilities at O'Hare International Airport to another site at the airport. The alternate site selected will need to be reviewed by OMB and Congress before the property exchange can take place.

We also agreed that the Headquarters of the Defense Contract Administration Services Region (DCASR) now located at O'Hare will not be relocated in a new facility at the airport as previously announced. Instead, the headquarters functions of DCASR for the Chicago and Cleveland regions will be consolidated at an existing facility in Cleveland, Ohio. This is a rare example of a base realignment which is cost-effective and welcomed by all concerned political delegations.

W. Graham Clayton