

**[12/20/79-Not Submitted-DF]**

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

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

ACTION  
FYI

<input checked="" type="checkbox"/>	VICE PRESIDENT
<input checked="" type="checkbox"/>	JORDAN
<input checked="" type="checkbox"/>	CUTLER
<input type="checkbox"/>	DONOVAN
<input type="checkbox"/>	EIZENSTAT
<input type="checkbox"/>	MCDONALD
<input checked="" type="checkbox"/>	MOORE
<input checked="" type="checkbox"/>	POWELL
<input type="checkbox"/>	WATSON
<input checked="" type="checkbox"/>	WEDDINGTON
<input type="checkbox"/>	WEXLER
<input type="checkbox"/>	BRZEZINSKI
<input type="checkbox"/>	MCINTYRE
<input type="checkbox"/>	SCHULTZE
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<input type="checkbox"/>	ANDRUS
<input type="checkbox"/>	ASKEW
<input type="checkbox"/>	BERGLAND
<input type="checkbox"/>	BROWN
<input type="checkbox"/>	CIVILETTI
<input type="checkbox"/>	DUNCAN
<input type="checkbox"/>	GOLDSCHMIDT
<input type="checkbox"/>	HARRIS
<input type="checkbox"/>	KREPS
<input type="checkbox"/>	LANDRIEU
<input type="checkbox"/>	MARSHALL

<input type="checkbox"/>	MILLER
<input type="checkbox"/>	VANCE
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<input type="checkbox"/>	BUTLER
<input type="checkbox"/>	CAMPBELL
<input type="checkbox"/>	H. CARTER
<input type="checkbox"/>	CLOUGH
<input type="checkbox"/>	CRUIKSHANK
<input type="checkbox"/>	FIRST LADY
<input type="checkbox"/>	FRANCIS
<input type="checkbox"/>	HARDEN
<input type="checkbox"/>	HERTZBERG
<input type="checkbox"/>	HUTCHESON
<input type="checkbox"/>	KAHN
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<input type="checkbox"/>	MARTIN
<input type="checkbox"/>	MILLER
<input type="checkbox"/>	MOE
<input type="checkbox"/>	PETERSON
<input type="checkbox"/>	PRESS
<input type="checkbox"/>	SANDERS
<input type="checkbox"/>	SPETH
<input type="checkbox"/>	STRAUSS
<input type="checkbox"/>	TORRES
<input type="checkbox"/>	VOORDE
<input type="checkbox"/>	WISE

THE WHITE HOUSE

WASHINGTON

Date: December 20, 1979

MEMORANDUM

**FOR ACTION:**

Lloyd Cutler  
Frank Moore  
Jody Powell  
Sarah Weddington

*-hold for TR  
+ Callen - near 1/1*

**FOR INFORMATION:**

The Vice President  
Hamilton Jordan

*hold for  
comments from  
Koff & Callen*

**FROM:** Rick Hutcheson, Staff Secretary

**SUBJECT:** EIZENSTAT WEXLER MEMO RE NATIONAL GAY TASK FORCE QUESTIONNAIRE

**YOUR RESPONSE MUST BE DELIVERED TO THE STAFF SECRETARY BY:**

**TIME:** IMMEDIATE TURNAROUND

**DAY:**

**DATE:**

**ACTION REQUESTED:**

Your comments

Other:

**STAFF RESPONSE:**

I concur.

No comment.

*Please note other comments below:*

*DF memo being redone*

**PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.**

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately. (Telephone, 7052)

THE WHITE HOUSE

WASHINGTON

December 19, 1979

MEMORANDUM FOR: THE PRESIDENT  
FROM: ANNE WEXLER *AW*  
STU EIZENSTAT *Stu*  
SUBJECT: National Gay Task Force Questionnaire

The National Gay Task Force sent questionnaires to all the major Presidential candidates seeking their positions on matters of concern to the gay community. We do not intend to seek your views on each questionnaire drafted by constituent groups seeking the positions of the candidates. In virtually every case your record and promises provide ample resources to respond to such inquiries. But the sensitivity of the press and general public to gay issues insure that the responses to this questionnaire will receive wider dissemination and analysis than in the typical case. For that reason, we believe it is important for you to personally approve the recommended responses or to modify them to reflect your true positions.

Note: For your easy reference we have stated each of the five questions posed by the NGTF in parentheses immediately before the recommended response to that point.

POSITION OF PRESIDENT CARTER ON CERTAIN ISSUES  
OF CONCERN TO THE GAY COMMUNITY

During his Administration, President Carter has emphasized the protection of the human rights of all people. The President has strongly opposed unlawful discrimination against any person on the basis of race, color, sex, religion, national origin, or sexual orientation.

The following responses of the President are addressed to the questions stated in the November 9 letter from the National Gay Task Force:

- (1. Will you continue the precedent you established of an "open door" to White House and administration officials for lesbian and gay representatives?)

1. It has been the President's goal to receive the views of the gay community in regard to all major policy and program issues and appointments. The President's policy is to expand the involvement of the American people in their government. For too long, the doors of the Federal government were closed to too many Americans. He has opened those doors and intends to see that they remain open.

(2. Will you reaffirm your commitment to nominate people who are sensitive to lesbian and gay concerns and make a commitment to appoint open lesbians and gay men who are qualified to administration positions, regulatory bodies, judicial seats, and Presidential advisory groups? Will you solicit suggestions and comments on prospective nominees?)

2. A. In all of his appointments to high office, the President has required that any nominee be sensitive to the civil rights and civil liberties of all Americans.
- B. The President is committed to continuing his policy of appointing qualified individuals to high offices without discrimination based on race, color, sex, religion, national origin, or sexual orientation.
- C. It is the President's policy to seek out suggestions for appointments from as many constituencies as possible, including the gay community, and to seek their comments on any potential nominee under consideration for appointment.

(3. Will you support a plank in your party's platform for lesbian and gay rights, using the model designated:

We affirm the right of all lesbian and gay Americans to full participation in the social political and economic life of the country without fear of prejudice or reprisals based on sexual orientation. To support this commitment and give life to this principle, we call for an Executive Order prohibiting discrimination on the basis for sexual orientation in all government employment and government programs and further we support the enactment of legislation to protect the civil rights of gay people and the repeal of all laws which are used to stigmatize persons on the basis of sexual orientation.)

3. The President will make decisions on the platform of the Democratic Party as that process evolves. The President is receptive to appropriate platform provisions supporting

the full participation of all Americans in the social, political and economic life of this country without regard to sexual orientation. Such platform provisions should be developed through the Democratic Party platform process, and the Carter/Mondale campaign will fully participate in this effort.

(4. Will you sign an Executive Order similar to that called for in the proposed party plank, ending discrimination in Federal employment and services?

4. Last year the President signed into law the Civil Service Reform Act of 1978 which prohibits discrimination for or against job applicants or employees of the Federal government because of private, non job-related behavior such as sexual orientation. He will continue to explore what other actions, including an executive order, are necessary to prohibit such discrimination, but no decision has been made at this time.

(5. Will you commit your administration to the passage of the Federal gay rights bill (H.R. 2074) which now has 50 co-sponsors in the House?)

5. The President supports the concept of non-discrimination on the basis of sexual orientation such as contained in H.R. 2074, but he has not yet committed his support to the details of any particular legislation dealing with this subject. Although H.R. 2074 has been introduced, it has not been scheduled for a hearing at this time. As the legislative process proceeds, the President will consider the more specific legislative details.

We have reviewed our proposals with our supporters among the gay community and they would like stronger responses to questions 3 (gay rights plank), 4 (Executive Order barring discrimination in federal personnel areas) and 5 (gay rights legislation).

o The Democratic Party Platform. Senator Kennedy and Governor Brown have endorsed in one way or another a Democratic Party Platform plank providing for gay rights. Rather than endorsing the suggested platform plank, we have drafted your report as being receptive to appropriate platform provisions supporting the full participation of all Americans without regard to sexual orientation. We do not believe endorsement of a specific plank would

be politically appropriate under any circumstances because from the viewpoint of the Democratic party it might be preferable to have gay issues dealt with in the appropriate platform planks dealing with personnel, human rights, etc. The operative sentence is the second sentence of your answer to question number three. The options are:

- \_\_\_\_\_ Specifically support platform provisions affirming gay rights. (Not recommended)
  - \_\_\_\_\_ Announce receptivity to appropriate platform provisions affirming full participation. (Recommended)
  - \_\_\_\_\_ State your support for the full participation without regard to sexual orientation, but do not relate the statement directly to the platform; (Our second choice)
  - \_\_\_\_\_ Make no statement on full participation or gay rights by deleting the second sentence in answer three. (Not recommended)
- o An Executive Order prohibiting discrimination for or against job applicants or employees in all Federal employment. Governor Brown, Senator Kennedy, and Ronald Reagan apparently will support the signing of such an Executive Order. We do not recommend that you announce an intention to sign such an Executive Order both because you would then be pressured to do so too early while the other candidates would have no obligation to do so until they came into office, and because it is not clear that an Executive Order is the appropriate action. It is Scotty Campbell's interpretation that the Civil Service Reform Act deals with most of the discriminatory problems although it does not reach all federal agencies. We have drafted an answer following Scotty's line of reasoning but indicating that we will continue to explore additional actions which might be necessary. The options are:
- \_\_\_\_\_ Specifically endorse the Executive Order. (Not recommended)
  - \_\_\_\_\_ Announce that you believe the Civil Service Reform Act covers most of the area and that you are continuing to look into what other actions might be necessary. (Recommended)
  - \_\_\_\_\_ Announce that you believe the Civil Service Reform Act covers most of the area and that you are continuing to explore what other actions might be necessary, but not including issuing an Executive Order. (Our second choice)

- o Gay Rights Legislation (H.R. 2074). To our knowledge, only Governor Brown will support specific legislation. We feel that consistent with your statements on human rights and statements during the 1976 campaign, you can support the concept of nondiscrimination on the basis of sexual orientation such as contained in H.R. 2074, but without committing to that specific legislation. H.R. 2074 has 50 co-sponsors in the House and has been introduced by Senator Tsongas and others in the Senate. No hearings have been scheduled as yet and the more knowledgeable gay rights leaders agree that movement on this legislation at this time would not be advisable. The options are:

- \_\_\_\_\_ Endorse H.R. 2074. (Not recommended)
- \_\_\_\_\_ Announce your support of nondiscrimination on the basis of sexual orientation such as contained in H.R. 2074, but without endorsing that specific legislation. (Recommended)
- \_\_\_\_\_ Announce your support of the concept of nondiscrimination but without relating that support to any legislation, and specifically stating that you have not as yet decided on legislation. (Our second choice)
- \_\_\_\_\_ State that no such legislation is needed at this time. (Not recommended)

We will revise the position statement for any changes which you might make from our recommendations. These positions will be communicated by the Campaign Committee, under Tim Kraft's signature.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

December 21, 1979

MEMORANDUM FOR RICK HUTCHESON

FROM: SARAH WEDDINGTON *SW*

RE: Eizenstat-Wexler Memo Re National Gay  
Task Force Questionnaire

I believe that appropriate people involved in our positioning as we go into the campaign should have an opportunity to look over this proposed questionnaire and participate in the discussions. It seems to me this will be a very important issue and should be treated with appropriate deliberateness.

For example, I would like Pat Caddell to have an opportunity to look over this memo, and know that he will be out of town until later next week. I am furnishing a copy to his office today, but do feel he should have time to look it over. Similarly I know that Tim Kraft, who is currently in Iowa, will not have an opportunity to look it over due to the holiday season until a week or so from now.

I will be submitting some suggestions of my own, but I do feel that nothing should go in on this memo until after the holidays in order to give appropriate people an opportunity to discuss this issue and have a consolidated position.

I have spoken to Jody Powell and he agrees with me in this matter.

cc: Stu Eizenstat, Anne Wexler, Lloyd Cutler, Frank Moore,  
The Vice President, Hamilton Jordan, Jody Powell

THE WHITE HOUSE

WASHINGTON

December 19, 1979

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FROM: ANNE WEXLER *AW*  
STU EIZENSTAT *Stu*  
SUBJECT: National Gay Task Force Questionnaire

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