

12/22/80 [1]

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WITHDRAWAL SHEET (PRESIDENTIAL LIBRARIES)

FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
memo w/ att.	From McIntyre to The President (4 pp.) re: Defense Budget Decisions	12/17/80	A
memo w/ att.	From McIntyre to The President (3 pp.) re: Defense Budget Decisions, 1981-82	12/22/80	A
memo	From Brown to The President (3 pp.) re: Weekly Activities of Sec. of Defense/enclosed in Hutcheson to Brown 12/22/80	12/19/80	A

FILE LOCATION

Carter Presidential Papers- Staff Offices, Office of the Staff Sec.- Pres. Hand-writing File 12/ 22/80 [1] BOX 216

RESTRICTION CODES

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THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

C

December 19, 1980

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Weekly Report of HHS Activities

Update on Toxic Shock Syndrome. The Department's Centers for Disease Control (CDC) have indicated that the incidence of Toxic Shock Syndrome may be falling. Though current information is not extensive, CDC scientists believe that the disease is lessening, and that they may have identified its causative toxin. If confirmatory studies are positive, CDC will be able then to focus research on the toxin's composition and determine an effective antibiotic for its treatment.

Maternal and Infant Health Workshop. On Monday, I addressed the Surgeon General's Workshop on Maternal and Infant Health. I spoke of this Administration's accomplishments, such as the dramatic increase in the rate of immunization among children to 90 percent, the highest rate in history. I also emphasized the areas still in need of improvement. For example, Black infants have a mortality rate which is twice that of white infants and, among children, age one to four, minority children die at a rate 70 percent greater than that of their white counterparts. Citing the recent failure of the Congress to approve the Child Health Assurance Program, I called for a renewed moral commitment to the concept of equal opportunity which improved child health care represents.

A handwritten signature in cursive script, reading "Patricia Roberts Harris", is written over a large, stylized initial "P".

Patricia Roberts Harris

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for Preservation Purposes**

THE WHITE HOUSE
WASHINGTON

Rick Hutcheson

The attached was returned in
Mrs. Carter's outbox. It is
being forwarded to you for
appropriate handling.

Madeline MacBean

12/22/80

THE WHITE HOUSE
WASHINGTON

12/11/80

R

JACK WATSON

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

Rick Hutcheson

CC: THE FIRST LADY ✓

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11:30 FIAM
Dec 7
Check with Jerry
Sullivan
Scheduled
12/9/80

Log No. 6294

THE WHITE HOUSE
WASHINGTON

SCHEDULE PROPOSAL
DATE: November 21, 1980
FROM: Zbigniew Brzezinski
VIA: Phil Wise

MEETING: Call on you by leaders of the Family Liaison Action Group.

DATE: At your convenience.

PURPOSE: Katherine Keough and Louisa Kennedy have asked to meet with you briefly for a courtesy call to thank you personally for all of your assistance in the hostage crisis. They wish to present you a bouquet of yellow roses.

FORMAT: Oval Office, 15 minutes.

CABINET PARTICIPATION: None.

SPEECH MATERIAL: None required. **Electrostatic Copy Made for Preservation Purposes**

PRESS COVERAGE: Meeting will not be announced.

STAFF: Dr. Brzezinski.

RECOMMEND: State and Dr. Brzezinski.

OPPOSED: None.

PREVIOUS PARTICIPATION: You last met with them on July 23, 1980.

BACKGROUND: FLAG has been extremely effective in dealing with the problems of the hostage families. They have been very cooperative with the Administration and have been genuinely appreciative of your deep concern for the fate of their family members in Tehran. This would provide an occasion to thank them privately for their fortitude and steadfastness. Hopefully there will be an opportunity to do so publicly before January.

Approve Disapprove

THE WHITE HOUSE
WASHINGTON

3:30 p.m.
12/22/80

Mr. President:

For your information, we are currently processing approximately 13 more enrolled bills that will require your review by 12/26/80. We will make arrangements to have them sent to you in Plains as soon as they are ready.

In addition, there are another 35 bills that you will need to review between 12/26/80 and 1/1/81.

In all cases, we will do our best to get them to you with as much advance notice as possible.

Best wishes for a happy holiday.

Bill Simon

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for Preservation Purposes

12/22/80

GENE EIDENBERG

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

Rick Hutcheson

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HUGH J. GALLEN
GOVERNOR

STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR
STATE HOUSE · CONCORD, NEW HAMPSHIRE 03301

Eidenberg
Keep me
informed -
before DoL
action
J

December 15, 1980

Honorable F. Ray Marshall
Secretary of Labor
Department of Labor Building
200 Constitution Ave.
Washington, DC 20210

Dear Secretary Marshall:

During the course of negotiations which followed our meeting in Washington on the New Hampshire unemployment compensation litigation last month, it has come to the attention of our Attorney General that you may have adequate legal authority to waive imposition of the so-called "sanctions" for the 1978 certifiable tax year.

Further, a Justice Department attorney indicated in a recent telephone conversation with New Hampshire Assistant Attorney General, William Roberts, that Justice had not concurred with your solicitor General that the Department was required to impose the sanctions. Rather, Justice felt that settlement of the 1978 case without imposing the sanctions --- perhaps in conjunction with settlement negotiations on the 1979 case which are currently in progress --- would be possible should your Department display a willingness to do so.

New Hampshire Attorney General, Gregory Smith, has prepared a legal memorandum on the legal issues surrounding your discretionary power to act in this matter. In light of this and other recent events, I request the opportunity for Attorney General Smith and me to meet with you before you make a final determination to decertify the State for 1978. I will make myself available at whatever time and place is convenient for you.

I look forward to your reply.

Sincerely,

Hugh J. Gallen
Hugh J. Gallen

HJG:tcb

cc: President Jimmy Carter
Jack Watson
Gene Eidenberg



STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

STATE HOUSE · CONCORD, NEW HAMPSHIRE 03301

HUGH J. GALLEN
GOVERNOR

December 18, 1980

Honorable F. Ray Marshall
Secretary of Labor
Department of Labor Building
200 Constitution Avenue
Washington, D.C. 20210

Dear Secretary Marshall:

As you may know, my office and the New Hampshire Attorney General were advised on December 5, 1980 that your Department's Solicitor had rendered an opinion holding that you have no legal alternative but to decertify the State for 1978. We asked your office to seek an opinion from the Department of Justice on this point. On December 8, 1980 my office was advised by the White House that your Department had consulted the Department of Justice and that Justice concurred in the opinion of your Solicitor.

Yesterday, New Hampshire Attorney General Greg Smith, Assistant Attorney General William Roberts, and my Counsel Tom Cooper met in Washington with attorneys from the Justice and Labor Departments in an attempt to settle the 1979 conformity case which is scheduled for argument in the 1st Circuit Court of Appeals on January 7, 1981. Despite the information conveyed to my office on Monday, Justice Department attorneys told the Labor Department attorneys and our representatives at that meeting that in the opinion of the Tax Division the Secretary of Labor has discretion in the present posture of the 1978 case to retroactively certify New Hampshire for 1978 and decline to impose any penalties. We also heard that M. Carr Ferguson, Assistant Attorney General in charge of the Tax Division, had communicated that opinion directly to the Solicitor of the Department of Labor. You may also be interested to know that the Congressional Research Service of the Library of Congress concluded on December 15, 1980 in a legal memorandum to Congressman Norman D'Amours that the "...Secretary may in the exercise of his discretion, retroactively certify to Treasury the conformity of the State's program."

Putting aside what is very little controversy over the legal limits of your discretion, we have been told by your representatives that there are only two remaining issues with respect to the 1978 case:

1. Whether, because of the passage of time, we can make the class of potential claimants whole; and,

2. Whether imposition of the sanctions is necessary to ensure that the Department of Labor will be able to effectively administer the nationwide unemployment compensation program.

As to the first, we intend to gather and submit to you in two or three days substantial evidence that the number of eligible claimants who were not afforded coverage as of January 1, 1978 is small and that we made extensive efforts to contact and afford benefits to this newly covered class of employees prior to April 1, 1979, which was the first time claimants were eligible to receive actual unemployment compensation payments under the program. That leaves the question of whether the Department will impose what will amount to punitive sanctions on New Hampshire solely to deter other states from availing themselves of the procedure for judicial review of your decisions provided by law.

It is my understanding that, even though you do have discretionary authority to waive the imposition of sanctions, your staff may recommend their imposition. I am sure it is not necessary for me to set forth at length the harsh consequences such economic sanctions would have on the New Hampshire business community. Although I fully understand the public interest in the orderly operation of F.U.T.A., I can honestly say to you that I do not see how any reasonable person could weigh, on the one hand, the disastrous consequences to the New Hampshire community of imposing these penalties and, on the other hand, the interest in the orderly operation of your department and conclude that imposition of sanctions is warranted. The Department has retroactively approved state unemployment compensation laws in the past and, as far as I have been able to determine, never imposed these penalties. The sanctions themselves are not graded in any way to take into account the intent or the actions of the state that suffers them. Beyond that as you know they are imposed on members of the private business community who are not parties to controversies such as this, whose decisions could not have affected the outcome, and who are innocent of any wrongdoing. In this case we have lost at every stage of the administrative and judicial proceedings, we have taken steps to conform our law in every material respect for 1978, and have stood willing for weeks now to do anything else which may be required to meet both in law and in fact your standard of conformity. I do not see how our experience could conceivably encourage any other jurisdiction to take the same course. Under these circumstances your interest in deterrence has been more than adequately served.

This has not been a pleasant experience for those of us in government. It has been an especially trying time for all members of the New Hampshire business community, and those who are economically dependent upon it. Businessmen in large and small New Hampshire enterprises are now in the process of making business judgments about the potential consequences of the imposition of these penalties. Among the alternatives they are facing are the prospect of laying off employees, and in some cases closing their doors and going out of business.

Secretary F. Ray Marshall
December 18, 1980
Page Three

It is clear to our representatives present at yesterday's negotiations that there is a willingness on the part of all parties to settle the 1979 conformity case. The 1979 case involves substantially the same issues -- particularly with respect to coverage of claimants -- that were litigated in the 1978 case. I believe that resolution of the 1978 conformity situation can and should form a basis for any settlement we reach on the 1979 case.

Before you make a final decision in the 1978 case, I again respectfully request the opportunity to meet with you to discuss the issues I have raised in this and related correspondence.

Sincerely,

A handwritten signature in cursive script that reads "Hugh J. Gallen". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Hugh J. Gallen

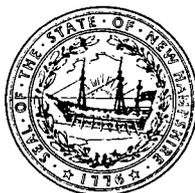
HJG:jmr

cc: President Jimmy Carter
Jack Watson
Gene Eidenberg

THE STATE OF NEW HAMPSHIRE

ACTING ATTORNEY GENERAL
GREGORY H. SMITH

ASSISTANT ATTORNEYS GENERAL
JOHN T. PAPPAS
EDWARD N. DAMON
WILBUR A. GLAHN, III
E. TUPPER KINDER
DEBORAH J. COOPER
ANDREW R. GRAINGER
DAVID W. MARSHALL
JAMES E. TOWNSEND
THOMAS P. COLANTUONO
WILLIAM B. ROBERTS
DAVID W. JORDAN
DAVID L. HARRIGAN
MARK H. PUFFER
ANNE R. CLARKE
MARC R. SCHEER



THE ATTORNEY GENERAL
STATE HOUSE ANNEX
25 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301

ASSISTANT ATTORNEYS GENERAL
DONALD J. PERRAULT
RICHARD C. NELSON
JEFFREY R. COHEN
PAUL W. HODES
~~MARTHA V. GORDON~~
MARTIN R. JENKINS
PETER W. MOSSEAU
BETSY S. WESTGATE
MARTHA V. GORDON
PETER C. SCOTT, JR.
EDWARD L. CROSS

ATTORNEYS
MICHAEL A. PIGNATELLI
BRIAN T. TUCKER
PAUL BARBADORO
LORETTA S. PLATT

December 19, 1980

The Honorable Hugh J. Gallen
Office of the Governor
State House
Concord, New Hampshire 03301

Your Excellency:

On Wednesday Tom Cooper, Bill Roberts and I met in Washington with lawyers from the Departments of Justice and Labor to discuss settlement of the 1979 FUTA conformity case, which is scheduled for argument in the 1st Circuit Court of Appeals in Boston. I believe as a result of that conference that we can, without any great difficulty, settle the 1979 case before the argument on January 7.

We of course want to settle the 1979 and 1978 cases together since the same laws and regulations apply to both years. (I have just learned that the very same law was certified by the Secretary for 1980.) However, we have been told for several weeks now that Labor cannot settle 1978 because they have no discretion to do so in a situation such as this where the matter is not in active litigation. Justice Department lawyers told us at the meeting in Washington that, in their opinion, the Secretary of Labor has discretion to settle the 1978 case with us in its present posture, and decline to impose the 50 million dollar penalty on New Hampshire businesses. Justice also told us that their opinion was communicated by Mr. Ferguson, the Assistant Attorney General in charge of the Tax Division, to the Solicitor for the Department of Labor. This is significant because in my view it virtually eliminates the only obstacle to settling the 1978 case, and also because, as you know, it makes it clear that Labor has not been completely forthright in suggesting that Justice concurred with their opinion that the law prohibited them from settling the 1978 case.

Although Labor officials would not concede that the issue of "discretion" has been resolved in our favor, they did tell us that only two issues remain to be resolved before a final decision

Legal Counsel (603) 271-3658
Charitable Trusts (603) 271-3591
Antitrust Section (603) 271-3640
(603) 271-3685



Consumer Protection (603) 271-3641
Criminal Justice (603) 271-3671
Eminent Domain (603) 271-3675
Environmental Protection (603) 271-3679
Employment Security Counsel (603) 271-3712

one way or the other on the 1978 case:

1. Whether we can make whole all those who became eligible under federal law for 1978 and;

2. Even if we do, whether the Department of Labor should impose punitive sanctions on the state and business in New Hampshire to make an example of us so that other states would be deterred from seeking judicial review of the Secretary's decisions as we did in accordance with the appeal procedure established in the federal legislation by Congress.

I. The lack of injury to the eligible class.

In 1979 we not only conformed our law retroactively to cover calendar year 1978, but we think we can demonstrate that in a timely manner we notified and paid most of those newly eligible in 1979, thus our law conformed as it was applied.

The Federal law to which we must conform, required that we cover certain governmental and non-profit employees beginning January 1, 1978. It is important to note, however, that no benefits under the new coverage are paid for any year under the system until after April 1 of the next year. The Secretary, as you know determines whether our law conforms for any year by October 31 of that year. Because our legislation covering the 1978 base year was passed in June 1979, we were not certified for 1978.

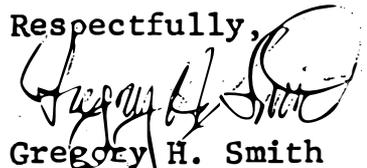
However, New Hampshire took steps to notify people in the newly eligible class, who had worked in 1978, in early February or March 1979. The earliest date on which we were required by federal law to make payments to the newly eligible class was April 1, 1979. We are gathering substantial evidence that we identified most of the new 1978 beneficiaries in a timely manner, and paid them full benefits beginning in mid 1979, when our law became effective. We believe we can demonstrate that there are very few people, if any, actually harmed by the 8 month delay in passing our conformity legislation.]

II. Making an example of New Hampshire.

It seems to me that the only real reason the Department of Labor has so far refused to settle the 1978 case with us is to make an example of us to deter other states from seeking judicial review as we did. Neither the claimed "lack of discretion" nor real injury are on closer scrutiny reasons for

not certifying us for that year, because in everyone's view but the Department of Labor, they have discretion to settle, and there are, I believe very few people, if any harmed in any way. I find the continued consideration by the Department of Labor of these sanctions, unreasonable. Because it appears they have used such discretion in the past, and never imposed the penalties, I think such action is arbitrary and so unfair as to raise questions of abuse of discretion at some level of the decision making process. The 1978 case in my view reduces to this single issue. We have repeatedly expressed a willingness to settle this case on any terms the Department will set forth. We have not been given any basis for the current impasse beyond those I have outlined in this memorandum. Under these circumstances and I find it hard to believe any reasonable person would conclude there is any legitimate purpose served by penalizing New Hampshire.

Respectfully,



Gregory H. Smith
Acting Attorney General

eb

WASHINGTON
12/22/80

FRANK MOORE
JACK WATSON
HUGH CARTER

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

Rick Hutcheson

12/22/80

JACK WATSON
LLOYD CUTLER

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

Rick Hutcheson

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THE WHITE HOUSE
WASHINGTON

December 16, 1980

MEMORANDUM FOR JACK WATSON

FROM: LLOYD CUTLER

SUBJECT: CARTER INAUGURAL TRUST FUND

*Jack -
Let's transfer
maximum amount
to use by library,
with minimum
constraints*

Lnc

J

Based on a first review of the trust papers, I have the following suggestions:

(a) If the trustees conclude that it is not "necessary" to use a portion of the trust corpus for the purposes of the trust (supporting activities related to inaugural activities), that portion would become "surplus" and the trustees could give it to any non-profit IRS-approved entity, such as the proposed Presidential Library.

(b) As for the portion of the corpus which the trustees find "necessary" to carry out the purposes of the trust and not "surplus," part of this "necessary" portion could also be contributed to the President Carter Library to collect and exhibit materials related to President Carter's inaugural and the 1981 inaugural. Indeed, this exhibit could well include a retrospective history of all Presidential inaugurals, just as President Johnson's Library includes retrospective exhibits on FDR and a number of other presidents.

I think it would be imprudent for the trustees to utilize the entire corpus for gifts to the President Carter Library under (a) and (b) above, but the trustees might reasonably conclude that since a significant portion of the funds raised for the Carter inaugural were left over, and a substantial amount has been contributed to the 1981 inaugural (more than the Ford inaugural trust contributed to the Carter inaugural), half to two-thirds of the balance might be contributed to the President Carter Library under (a) and (b) above.

(c) The trustees also have the power to terminate the trust if they determine, in their sole discretion, that "the purposes of the trust have been fully accomplished or, for any reason, cannot be accomplished."

Upon termination the trust fund can be given to any other IRS-approved non-profit corporation, such as President Carter's Library. Since the purposes of the trust include "future inaugurations" and not just the 1981 inauguration alone, it would be difficult for the trustees to conclude that the purposes of the trust have been fully accomplished unless they give the funds to a non-profit organization which commits to use them to contribute to future inaugurations or to maintain inauguration exhibits, or both. Conceivably, the trustees might work out an arrangement with the President Carter Library under which the Library agreed to use the funds for these purposes.

I would also recommend that the trustees obtain a private counsel's opinion supporting their decisions.

TREE LIGHTING 12/18/80

THEME - PARADE of PEACE is FAITH

4TH XMAS. HOPED - HOSTAGES

FAMILIES = ONLY STAR of HOPE

SILENT PRAYER Electronic Copy Made
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CHRISTIAN. PRESIDENT

LAND of MANY FAITHS = FREE

RELIGION - HISTORY → HATE

LET FAITH → LOVE ^{even for} UNATTRACTIVE

GOD'S WAYS NOT ALWAYS OURS

THAT'S

WHY WE NEED FAITH

FARMER = WINTER, RAIN, COLD,
HEAT

FAITH - NOT IDLE

INSTRUMENTS of LOVE

PRAYER. WANTED KING. GOT BABY

GA WRITER - LILLIAN SMITH

"MEMORY of A LARGE XMAS" CHAIN GANG

Christmas Tree Lighting -- December 18, 1980

C

EXPORT-IMPORT BANK OF THE UNITED STATES

WASHINGTON, D.C. 20571

**FIRST VICE PRESIDENT
AND
VICE CHAIRMAN**

December 18, 1980

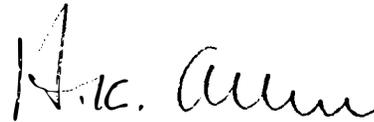
Dear Mr. President,

Shortly before the arrival of Prime Minister Robert Mugabe in the United States I sent you an Eximbank status report on the Wankie Project in Zimbabwe.

The Board of Eximbank approved on November 20, 1980 a credit for the Wankie Project in the amount of \$33,300,000 to support exports in the amount of \$51,263,000.

I shall probably not have the opportunity to express to you personally my appreciation for the outstanding job you have done as President. History's record of these past four years will be one of the brightest chapters in the story of our country. I am grateful to you.

Sincerely yours,



H.K. Allen

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

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THE WHITE HOUSE
WASHINGTON

December 19, 1980

MEMORANDUM FOR THE PRESIDENT

FROM: ESTHER PETERSON

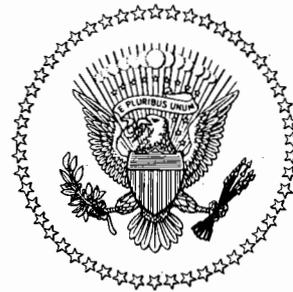
SUBJECT: Status of the Working Group on
a Hazardous Substances Export Policy

At your meeting scheduled for Monday with the Export Council and with environmentalists, you may be asked about the Hazardous Substances Export Policy I have been working on. Here is some background information:

- For the past 2-1/2 years, a 24-agency working group which CEQ and I co-chair, has been reviewing and developing recommendations regarding Federal policy on the export of hazardous substances that are banned or whose use is significantly restricted in the United States. The products involved include certain chemicals, pesticides, drugs, and consumer products. The working group was formed in the wake of international controversy over U.S. exports of TRIS-treated sleepwear, which had been banned by the Consumer Product Safety Commission, and the pesticide Leptophos, which had not been licensed by the EPA for use in this country.
- Unrestrained export of dangerous products can erode foreign confidence in U.S. products and can damage our relations with other countries. While the United States should not impose its standards on other countries, the working group concluded that it does have a moral responsibility, consistent with your emphasis on human rights, to help mitigate the deleterious effects of its exports on the citizens and environment of other nations.
- On August 12 of this year, after four previous drafts and numerous consultations with industry and citizen groups, the working group published a proposed policy in the Federal Register for public comment. The proposal had four main components:
 - (1) Reforms designed to increase the efficiency and effectiveness of U.S. efforts to notify

foreign governments of the hazards associated with particular exports. (These notifications are already required by statute; the proposed reforms would establish uniform procedures and minimum content requirements for notifications.)

- (2) Development and distribution to foreign governments of an annual summary of U.S. regulatory actions, banning or significantly restricting the sale or use of hazardous substances.
 - (3) Provision for stepped-up U.S. efforts to obtain improved international hazard alert systems, export notification programs, and uniform hazard labeling.
 - (4) A process for using, in a very few instances, the authority you have under the Export Administration Act to control the export of extremely hazardous substances where export control would further significantly the foreign policy interests of the United States.
- After reviewing public comments on the proposal, we refined the policy and circulated for final agency review a draft executive order. Of the 24 agencies on the working group, virtually all are in accord with the first three elements of the proposal; however, several agencies have raised some concerns about the fourth element -- the use of export control authority. This part of the proposal was also criticized by sizeable segments of the business community and some members of Congress.
 - My office and CEO are now meeting with agencies to discuss their comments and to make further refinements in the proposal. We plan to forward to you shortly a decision memorandum and a proposed executive order for your consideration.



The Export Imperative

**Report to the President
Submitted by
The President's
Export Council**

***December 1980
Washington, D.C.***

VOLUME I

12/22/80

Secretary Miller
Stu Eizenstat

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

Rick Hutcheson

THE WHITE HOUSE
WASHINGTON

December 22, 1980

To Bill Miller
advise
J

MEMORANDUM FOR THE PRESIDENT

FROM: STU EIZENSTAT *Stu*
JEFFREY FARROW *JF*

SUBJECT: Improving Commercial Credit for Women

One of the priority recommendations of the White House Conference on Small Business was that you urge the Federal Reserve Board to impose record-keeping requirements on member banks for commercial loans to women. You announced September 19 that you would do this in signing the Regulatory Flexibility Act. This would improve enforcement of the Equal Credit Opportunity Act, which prohibits lending discrimination on the basis of sex. Presently, the banks are allowed to discard applications for loans under \$100,000 after 90 days, unless the applicant has requested that the paperwork be retained.

We have attached a memorandum from you to Chairman Volcker which acts on this Conference recommendation. The memorandum urges that the Federal Reserve Board adopt a proposed rule it published in 1978. The rule would establish a record-keeping requirement for all small business loan applications, not merely those submitted by women-owned businesses. In addition, we have included in the memorandum a suggestion that the Federal Reserve Board and other bank regulatory agencies consider requiring banks to publish small business loan data by sub-groups.

Sarah Weddington joins us in recommending that you sign the memorandum. Charlie Schultze, Treasury, and OMB have no objection.

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THE WHITE HOUSE

WASHINGTON

MEMORANDUM TO PAUL A. VOLCKER
CHAIRMAN OF THE FEDERAL
RESERVE BOARD

I convened the White House Conference on Small Business last January to receive recommendations on how the government could help small business men and women.

One of the priority recommendations made by the Conference delegates was that the Federal Reserve Board establish record-keeping requirements for commercial loans to women which would permit effective monitoring of performance under the Equal Credit Opportunity Act. I agree with the delegates' recommendation and urge that the Board act favorably on its proposal to extend to 25 months the recordkeeping requirements for small business loans.

In addition, I suggest that the Federal Financial Institutions Examination Council, which plans to study in the near future the feasibility and usefulness of requiring depository institutions to compile and publicly disclose information regarding small business loans, consider as well the feasibility and usefulness of categorizing the information by subgroups such as women-owned business.

12/22/80

Bob Dunn:

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

Rick Hutcheson

THE WHITE HOUSE
WASHINGTON

12/22/80

Mr. President:

A copy of the attached has been
given to the First Lady.

Bill

cc Bob Dunn
Comment
J

December 19, 1980

MEMORANDUM

TO: THE PRESIDENT

FROM: BOB LIPSHUTZ *BL*
CHARLES KIRBO
HUGH CARTER *HC*

RE: PROCEDURAL OUTLINE REGARDING THE PRESIDENTIAL LIBRARY

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On December 9, 1980, we met in Atlanta to discuss this matter, and we wish to make the following recommendation at this time. We suggest that the following schedule be adopted, subject of course to modifications and additions from time to time:

(1) Based upon the information previously furnished to you, particularly regarding other Presidential Libraries, and all other available information, you personally should make the decision on the basic "concept" of your Library, including its goals and objectives.

(2) With reference to the site of the Library, we recommend that you personally meet with the Mayor of Plains, Georgia, in order to give this community the personal recognition which it undoubtedly feels should be given to it, regardless of your ultimate decision on the location of the Library.

(3) Concurrently, authorize us to contact other communities who have shown an interest in locating the Library in their cities, and ask them to supplement information previously given with a final input regarding the site. This apparently would include Atlanta, Macon, and Athens.

(4) We recommend that, reasonably soon thereafter, you make the decision relative to the community in which the Library is to be located, without specifying the particular site in that community.

(5) Should you decide to locate the Library in Atlanta, authorize us to supplement the information which we already have relative to the Great Parks Property, and obtain information about other potential sites such as Georgia Tech, Emory University, etc.

(6) Authorize Bob Lipshutz to take the appropriate legal action to establish the non-profit corporation (foundation) which will handle the fund raising, construction, etc., and which will hold title to the property until it is conveyed to the United States Government after completion.

(7) Trustees should be selected to manage the corporation-foundation. However, at the beginning, we recommend that you have only a very few trustees, but with the authorization to expand this considerably in the future if that is deemed desirable. In addition to being responsible for management, trustees might be selected for their ability at fund raising, etc.

(8) Financing. Once the concept, and perhaps estimated costs of the Library has been determined, a financing program should be developed and implemented promptly. There are a number of alternative, and not necessarily mutually exclusive, methods of financing the construction of the Library. We recommend that the responsibility for handling the finances be divided between two persons:

(a) A treasurer, who would be responsible for financial management matters such as the budget, investment of surplus funds, negotiations for construction and other contracts, etc.; and

(b) A finance chairman, who would be responsible for fund raising.

(9) After the basic concept of the Library has been determined, architectural planning should commence. We suggest that a few architects be requested to act as an advisory committee for the purpose of determining the method by which the architect for the Library will be selected, as well as other matters.

(10) Personnel for the Library corporation-foundation ultimately will have to include staff persons and volunteers. We do not have any specific recommendations concerning utilization of such persons at this time.

We will be glad to get with you and Rosalynn at a time and place convenient to you, for the purpose of discussing this memorandum and any other aspects of the Library planning which you wish.

RJL/mj