

8/3/77

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memo w/att.	<p>From Brzezinski to The President (4 pp.) re: US Assistance to the Lebanese Army/enclosed in Hutcheson to Brzezinski 8/3/77</p> <p><i>opened per RAC, 2/6/13</i></p>	undated	A

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THE PRESIDENT'S SCHEDULE

Wednesday - August 3, 1977

8:00 Dr. Zbigniew Brzezinski - The Oval Office.

8:30 Senator Russell Long et al. (Mr. Frank Moore).
(30 min.) The Cabinet Room.

9:15 Signing Ceremony for the Surface Mining Control *H.R. 2 and*
(15 min.) and Reclamation Act of 1977. (Mr. Frank Moore). *692*
The Rose Garden.

10:30 Mr. Jody Powell - The Oval Office.

12:30 Lunch with Mrs. Rosalynn Carter - The Oval Office.

1:30 Mr. Charles Schultze - The Oval Office.

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1:30 Mr. Charles Schultze - The Oval Office.

Jackson - Udall

Louise Dunlap

6 years

Standards / states

Not as strong

Surface land rights

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THE WHITE HOUSE
WASHINGTON

August 3, 1977

Jody Powell
Hamilton Jordan

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

Rick Hutcheson

Re: Hapless Beef Thief

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
		EIZENSTAT
X		JORDAN
		LIPSHUTZ
		MOORE
X		POWELL
		WATSON
		LANCE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	KING

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

copies

Mr. Kus.
I thought you
might like to see
that every one makes
mistakes now and
then.
Jed

Pub. Service
C. W.

JAN 21 1977

THE PRESIDENT HAS SEEN.

HE WHO STEALS MY ASSHOLES, STEALETH TRASH....

Court upholds officer's right to laugh at hapless beef thief

A Denver police officer had a right to laugh after catching a thief who broke into a meat warehouse, unlocked the freezer and inadvertently stole 1,200 beef rectums, the Colorado Court of Appeals ruled Thursday.

"In light of the fact that the apparent object of the burglary was edible beef," the court said, "but the actual fruits of the crime consisted of a portion of the animal's anatomy which is frequently referred to in terms of humorous disapprobation, it is not surprising that the officer was "amused".

And since the laughter wasn't a "ploy" to extract a confession from Filbert Maestas of Denver the court allowed the conviction and sentence to stand.

Maestas was sentenced to up to 12 years at the State Penitentiary for conspiracy and for the theft of the 1,200 inedible animal parts.

The Denver District Court trial shows that Maestas wasn't chuckling after being apprehended, and was even more dispirited after the

amused officer informed him of what was in the stolen cardboard boxes.

According to the transcript, the police officer turned to Maestas while driving him to the police station and said with a chuckle, "You wouldn't believe what you took from the building . . . You took 1,200 beef assholes."

"Those were the words you used?" the prosecution attorney asked.

"Those were exact words I used," the policeman said.

Q: Was that how the items had been identified to you?

A: Yes, exactly.

Q: And after making this statement to Mr. Maestas, did he respond to that?

A: Yes, he did.

Q: And what did he say?

A: He said, ". . . If I go to jail for stealing beef assholes, I'm really going to be mad."

Jody -
I ran for two
years -
Sometimes feel
like Mr.
Maestas -
Don't laugh -
J.C.

Jody--

I thought this was something you'd want to have a look at, since the White House news summary seems to have missed it.

Jerry Doolittle

RETURN THIS RECEIPT IMMEDIATELY TO

Rick Hutcheson

REGISTRY NO.

UNCLASSIFIED DESCRIPTION
(Serial No., File No., Subject)

US Assistance to Lebanese Army

DATE

8/3/77

INCLOSURES

ADDRESSEE

Bert Lance

Receipt for communication(s) described above is hereby acknowledged by:

ADDRESSEE'S SIGNATURE

DATE RECEIVED

B. Lance

8-3-77

TO BE RETURNED TO THE WHITE HOUSE OFFICE

CLASSIFIED MATERIAL RECEIPT

16-70400b-1 GPO

THE WHITE HOUSE
WASHINGTON

August 3, 1977

Z. Brzezinski -

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

Rick Hutcheson

cc: Bert Lance

Re: US Assistance for Rebuilding
the Lebanese Army

SECRET ATTACHMENT

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
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X	FROM PRESIDENT'S OUTBOX
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	IMMEDIATE TURNAROUND

ACTION
FYI

*State to have -
open many*

	MONDALE
	COSTANZA
	EIZENSTAT
	JORDAN
	LIPSHUTZ
	MOORE
	POWELL
	WATSON
X	LANCE
	SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
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	EXECUTIVE ORDER

Comments due to
Carp/Huron within
48 hours; due to
Staff Secretary
next day

	ARAGON
	BOURNE
X	BRZEZINSKI -orig
	BUTLER
	CARP
	H. CARTER
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THE WHITE HOUSE

WASHINGTON

SECRET

INFORMATION THE PRESIDENT HAS SEEN.

MEMORANDUM FOR: THE PRESIDENT

FROM: ZBIGNIEW BRZEZINSKI *ZB.*

SUBJECT: US Assistance for Rebuilding
the Lebanese Army

Attached (Tab A) is a memorandum which Cy Vance forwarded as he left for the Middle East, indicating that he will offer President Sarkis \$25 million in military credits to begin rebuilding the Lebanese army. Cy also intends to inform Sarkis that we are prepared to consider providing up to an additional \$75 million through FY 1979, avoiding, however, a commitment for these additional funds.

I concur in telling Sarkis that we will provide the initial \$25 million from available FY 1977 funds. I also agree that any further commitment should be based on your personal approval.

I understand that Bert Lance is sending you a memorandum recommending that Cy not take the action proposed, because no matter how it is phrased, the offer will be viewed by Sarkis as a \$100 million commitment. I believe that Cy's memorandum makes it clear that we are committing ourselves only to \$25 million, but if you so desire, I could advise Cy to be very cautious in discussing the additional funds. I would have to do this tonight, because Cy meets with Sarkis at 6:00 am (Washington time) tomorrow morning.

If you approve in general, no specific action will be required, as Cy will report as indicated on p. 2

Recommend:

Approved.

DECLASSIFIED

Per: Rac Project

ESDN: NLC-126-8-3-1-9

BY: JCS NARA DATE: 2/5/13

Approve _____ *J*

Disapprove _____

SECRET/GDS

THE SECRETARY OF STATE
WASHINGTON

July 31, 1977

~~SECRET~~

MEMORANDUM FOR: THE PRESIDENT
FROM: Cyrus Vance *CV*
SUBJECT: U.S. Assistance for Rebuilding the
Lebanese Army

The Policy Issue. Stability in Lebanon is a major essential if peace is to be achieved in the Middle East. Lacking a national army, the Sarkis government is unable to assert its authority throughout the country. Partition or de facto partition thus remains a possibility. Partition would damage U.S. policy interests in the area, since part of Lebanon could turn into a confrontation state dominated by Palestinians and Lebanese leftists. In the absence of a national army, Syrian forces must remain in Lebanon, posing a constant irritant to Israel. Israel itself remains apprehensive about the sizeable Palestinian armed forces which have found sanctuary in south Lebanon.

Sarkis has asked us for financial assistance in rebuilding a national army, making clear that this will help assure that the army and other national institutions will remain oriented to the West. I am convinced we must help the Lebanese, in a careful, measured way.

Discussions with Sarkis. I therefore intend to inform Sarkis when I meet with him next week that we are prepared to make available \$25 million in Foreign Military Sales (FMS) credit from funds already available in FY 1977. I will explain that we are prepared to consider further credit assistance to a maximum of \$100 million through 1979, depending on our review of their plans for utilizing our first tranche and on Congressional approval of funding.

~~SECRET~~
GDS

DECLASSIFIED

Per: Rac Project

ESDN: NLC-126-8-90-1-9

BY: KS NARA DATE 2/5/13

~~SECRET~~

- 2 -

I would make clear that we are thinking of no more than a three-year program at most. (The proposed points I would make are attached).

Scope. We would not provide any heavy or sophisticated weaponry such as aircraft, tanks, helicopters, TOWs, or heavy artillery. Most equipment would be road transport, communications, rifles, machine guns, mortars, light field artillery, and perhaps armored personnel carriers. With \$25 million, we could equip the Lebanese equivalent of a light, motorized infantry battalion of at least 1,000 men, and perhaps added numbers, since we have been making our analysis on the basis of U.S. Army standards.

In addition, we would plan to offer training to the Lebanese in U.S. military schools. We have budgeted \$50,000 grant for such training this year and \$500,000 for FY 78.

Attitudes of Other Governments. Begin explicitly endorsed a U.S. role in rebuilding the Lebanese Army. Both Assad and Sadat endorsed the concept, and we can count on the backing of Jordan and Saudi Arabia, we believe.

Advance Consultations with Congress. We consulted with the staffs and members of the Senate Foreign Relations Committee and the House International Relations Committee, making clear that we had not made a decision about a program in the Executive Branch. They were extremely pleased with this initiative. Although skeptical of the program at first, the two Committees generally have given their blessing to go ahead with the first tranche and to discuss conditionally further tranches with the Lebanese. We do not need their authority for this first step, but we believe we have laid a solid groundwork for their sympathetic consideration for a possible future program.

Next Steps. After we have talked with the Lebanese, I will report to you on our further thoughts regarding aid to rebuild the Lebanese military forces. I will make no commitment to the Government of Lebanon for aid beyond the first \$25 million tranche without your prior approval.

Attachment:

Proposed Points

~~SECRET~~

SECRET

PROPOSED POINTS TO BE MADE BY SECRETARY VANCE
WITH LEBANESE PRESIDENT SARKIS

U.S. Assistance in the Rebuilding of a
National Lebanese Army

Proposed Points to be Made

-- We are prepared to make available to the Lebanese Government \$25 million in Foreign Military Sales (FMS) credit from funds already authorized for FY 1977. This would be an initial step in U.S. assistance for the rebuilding of Lebanon's national army.

-- We are prepared to consider further credit assistance for Lebanon to a maximum of \$100 million over three years. Before going forward, however, we would wish to review the plans for using the initial \$25 million in credit. Such additional financing would, of course, be conditional on the approval of Congress.

-- We are thinking of no more than a three-year program at most, totaling no more than \$100 million. We will state this publicly in connection with our presentations to Congress, if we decide to go beyond the initial tranche of \$25 million.

SECRET

THE WHITE HOUSE
WASHINGTON

August 3, 1977

Frank Press -

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

Rick Hutcheson

Re: Sea Level Canal - Ecological
Consequences

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

August 1, 1977

good
C
1

MEMORANDUM FOR THE PRESIDENT

FROM: Frank Press *FP*

SUBJECT: Sea level canal, ecological consequences

Your recent statements on a sea level canal in Central America will revive discussion of the potential environmental effects of such an endeavor.

There is some transfer of marine life through the existing Panama Canal and no harmful effects have yet been noted in either ocean as a result. However, there is no question that an unobstructed salt water canal would make movement of marine life between the oceans easier. There is some concern that a number of species could transit a sea level canal and survive, with ecological consequences. Installation of biotic barriers such as temperature or fresh water zones in a sea level canal could prevent adverse ecological change.

The 1970 report of the Atlantic-Pacific Interoceanic Canal Study Commission indicated that there existed a great divergence of views about the ecological consequences of a sea level canal, particularly about the effect of faunal mixing. At the time, the National Academy of Sciences characterized the sea level canal as "a gigantic natural experiment" with unforeseeable consequences.

Ecological impact analysis has improved in the last seven years. Although the Commission concluded that "the risk of adverse ecological consequences stemming from construction and operation of a sea level Isthmian canal appears to be acceptable," it seems appropriate to review our current state of knowledge of this issue. Accordingly, I will initiate an update of the 1970 study and will report to you on the results.

**Electrostatic Copy Made
for Preservation Purposes**

THE WHITE HOUSE
WASHINGTON
August 2, 1977

The Vice President
Stu Eizenstat
Jack Watson
Zbig Brzezinski

The attached is for your
information.

Rick Hutcheson

RE: SEA LEVEL CANAL, ECOLOGICAL
CONSEQUENCES

THE WHITE HOUSE
WASHINGTON

August 3, 1977

Stu Eizenstat
Bob Lipshutz
Jack Watson

The attached note was sent to the
Attorney General. This copy is
for your information.

Rick Hutcheson

Re: Merit Selection Proposal

THE WHITE HOUSE
WASHINGTON

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	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION
FYI

	MONDALE
	COSTANZA
	EIZENSTAT
	JORDAN
	LIPSHUTZ
	MOORE
	POWELL
	WATSON
	LANCE
	SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	KING

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
X	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE WHITE HOUSE
WASHINGTON

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	IMMEDIATE TURNAROUND

TO BELL

ACTION	FYI	
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	/	LIPSHUTZ
		MOORE
		POWELL
	/	WATSON
		LANCE
		SCHULTZE

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	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE WHITE HOUSE
WASHINGTON

8-3-77

To Griffin Bell

Why not support
this merit selection
proposal? I'm
for it -

J.C.

SINCE THEN Seiberling has dispatched a letter to all members of the full committee urging them to help Carter "withstand political pressures" and go the whole way by extending the procedure to the hallowed district judgeships. The White House plainly hopes Judiciary decides that Carter can do without such help. Aides say the President's establishment of the commissions to screen judgeships as high as the circuit court level is a "good start" that ought to be considered a sufficient redemption of his campaign promise, for opens anyway.

There's no telling, however, what this independent Congress of less tradition-bound members will do on any such issue — especially in the House, where they are not directly involved in dispensing this patronage. In a House-Senate conference, of course, the senators could be expected to protect their prerogative and oppose such an amendment. But simply getting that far could be an embarrassment to Carter, who seems always to be confronted with conflicts between his categorical campaign promises and the real world of politics.

SENTIMENT IS growing within the legal community, too, for merit selection of all federal judges. A draft resolution circulated among members of the American Bar Association in advance of its convention this week praises Carter on merit selection but urges him to go all the way.

In declining to do so, Carter may be displeasing the purists, but he is sending a signal to the pols on Capitol Hill that he can play their game. This was a signal conspicuously absent when he inaugurated his relationship with Congress by bloodying its collective nose in the water-projects fight. And in time, the senators may come to see they can avoid getting caught in the middle on patronage by going the merit-selection route.

It's interesting to note that among the Democratic senators who already have established a panel to recommend district judges is Ted Kennedy. Nearly 12 years ago, Kennedy got involved in a horrendous flap by recommending an old family retainer named Francis X. Morrissey to be a district judge. Kennedy finally was obliged to withdraw the nomination. But apparently not many senators care to be saved from themselves by surrendering such sweet patronage.

Germond and Witcover

*Judging by Merit
Will Surface Again*

By Jack W. Germond
and Jules Witcover

As a candidate last year Jimmy Carter reinforced his image as a "different" politician by categorically pledging that, if elected, he would appoint all federal judges "strictly on the basis of merit, without consideration of political aspect or influence."

But that, it seems, was before he became educated to a critical fact of political life here — that there's nothing in the realm of patronage that U.S. senators treasure more than their traditional privilege of recommending choices for all district court judgeships when their party controls the White House. With rare exceptions, such recommendations have been tantamount to appointment to the \$54,500-a-year, lifetime plums.

Earlier this year, Carter moved forcefully to implement his campaign pledge. He created commissions of eminent citizens to recommend appointment of all federal judges — except to the district courts. With a sensitivity for congressional prerogative notably absent in his raid on the pork-barrel water projects, Carter settled for urging the senators to establish voluntarily merit-selection panels of their own for the district court recommendations. So far, senators from a dozen states have acted on this advice, most of them younger members not locked by past practice to the older patronage system.

THE ISSUE of merit selection will be surfacing again soon when Congress acts on legislation adding perhaps 100 or more district judges, legislation giving Carter — and through him the Democratic senators — more first-class patronage in this area than any other President has ever had. The Senate has already passed a bill providing 113 new district judges; the companion bill before the House Judiciary Committee proposes adding 81, and that number is likely to be increased as a result of intense pressure from members of Congress and chief judges complaining about the workload.

The President narrowly escaped one confrontation on the issue earlier this year when an amendment to the authorization bill calling for selection of all district judges on merit rather than political patronage was beaten back in a Judiciary subcommittee by a tie vote. The White House took no position but clearly wanted no part of the amendment, offered by an Ohio Democrat, John Seiberling.

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
<input checked="" type="checkbox"/>	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
	<input checked="" type="checkbox"/>	EIZENSTAT
		JORDAN
		LIPSHUTZ
		MOORE
		POWELL
		WATSON
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		SCHULTZE

	ENROLLED BILL
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THE WHITE HOUSE
WASHINGTON

August 3, 1977

Stu Eizenstat -

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

Rick Hutcheson

Re: Working Women and Children
Under Welfare Plan

3:30

~~THE~~ PRESIDENT HAS SEEN.
THE WHITE HOUSE
WASHINGTON

①
—

August 3, 1977

MEMORANDUM FOR: THE PRESIDENT
FROM: STU EIZENSTAT
BERT CARP
BILL SPRING
FRANK RAINES
SUBJECT: Working Women and Children Under
Welfare Plan

Stu

Senator Long has suggested requiring all women receiving public assistance, with children under the age of 6, to work within the structure of our plan. This idea can be accommodated but must be modified because of the following problems:

- It would require creation of 900,000 additional public service jobs, at a cost of roughly \$6.7 billion.
- It would require the creation of perhaps 1.8 million additional day care slots, at a cost of perhaps \$1.6 billion.
- Under our plan these women are expected (and provided strong incentives) to work part-time. Requiring them to work in full-time employment would appear to have a "vacuum cleaner" effect, reducing the secondary part-time and seasonal labor force.
- A work requirement at age 6 (while popular with the majority of the Congress) will be an additional major rallying point for liberals who oppose the program. These liberals are an important part of your constituency and it would be unfortunate to have a program which both consumes a substantial share of our budget margin and alienates liberals.

private jobs - part time jobs -

2500
Pie School # 1200-1500
6-14 900

POSSIBLE SOLUTION

We recognize the attraction of Senator Long's arguments and the difficulty of remaining with our present position that women with children under age 14 would be encouraged, but not required, to work. We would prefer the following modifications:

- Require women with children between ages 6 and 14 to register with the employment service and to accept part-time work which does not interfere with afterschool care of children. (These women would continue to be eligible on a voluntary basis for full-time employment and would have incentives to take advantage of it). This approach has substantial advantages:
- It establishes age 6 as the starting point of the work requirement.
 - It avoids the day-care problem. Providing day-care to a woman with 3 children so that she can take a full-time job at the minimum wage is simply not a cost-effective proposition, and numbers of child development experts will agree it is harmful to the children and destructive to the family as well.
 - The pattern of secondary labor market participation by these persons (strong at present) would continue.

No one has proposed this.

Senator Long's inclinations are clear:

- The Finance Committee last week adopted his amendment which would require welfare women to work off their existing AFDC benefits at the minimum wage (less than a full work week) with no additional compensation.
- He would like to add to this a tax credit which would encourage employers (including private individuals) to hire low-income persons for purposes including household help. In effect, an additional supplement would go to the employer rather than the employee.
- Senator Long has never been particularly concerned with providing a supplement to

intact families and those who have never been on welfare, but who work in low-wage jobs. Yet the failure to help these people is the principal inequity in the existing system which we are trying to correct, and which you raised in the campaign.

Against the background of his long and deeply held opinions, we believe tough negotiations with Senator Long are inevitable. We would urge that there be a clear quid pro quo for any further concessions -- especially since Senator Long emerged (somewhat unfairly) as the chief villain in the eyes of the liberals during the last round of welfare reform.

The chief disadvantage of the alternative approach we propose is the incentive that it provides to have additional children. Any woman whose oldest child is approaching age 6 will clearly face this incentive. The same incentive is present in the existing AFDC program where a work requirement is currently imposed at age 6.

Therefore, while the alternative approach that we have suggested would be more attractive from a political and legislative point of view, it is less attractive than our original proposal from a policy standpoint.

We have talked with Senator Long's staff and they believe the approach we have advanced would be acceptable on this issue -- but that Senator Long will push for a program along the lines he has advocated for the past few years.

3:30 TODAY
← H →
← H →

TO: TIM KRAFT
FROM: JOANNE HURLEY
SUBJECT: Meeting at 3:30 p.m. With the President
Welfare Reform

Attendees:

Sue Woolsey for Bo Cutter who is out of town.

Hamilton Jordan (maybe)

Jody Powell (Maybe)

Frank Moore

Charlie Schultze

Bill Nordhaus, CEW

Secretary Califano

Henry Aaron , HEW

Frank Raines

Bill Spring

Bert Carp

Stu Eizenstat

Hood
225-2530

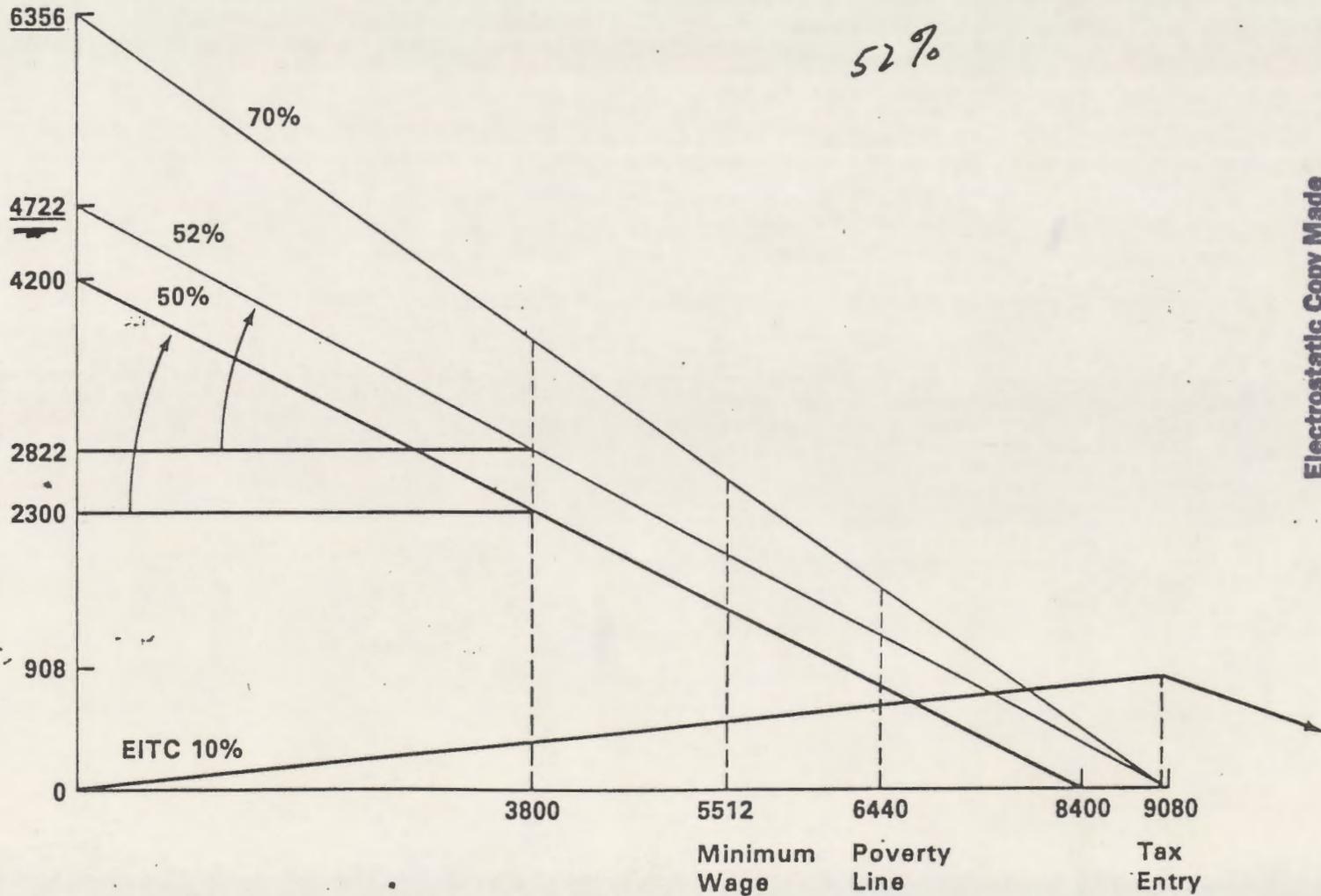
Tom Joe has also been invited -- do not yet know if he will attend.

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3 Aug 77

ILLUSTRATION OF REFORM PROPOSAL

Benefits



Electrostatic Copy Made for Preservation Purposes

4 persons

52%

*1978 dollars

Earnings

THE WHITE HOUSE
WASHINGTON

August 3, 1977

Stu Eizenstat
Frank Moore

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

Rick Hutcheson

Re: Clean Air Act

THE WHITE HOUSE
WASHINGTON

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	IMMEDIATE TURNAROUND

ACTION
FYI

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	POWELL
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	HUTCHESON
	JAGODA
	KING

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE WHITE HOUSE
WASHINGTON

August 3, 1977

MEMORANDUM FOR THE PRESIDENT
FROM STU EIZENSTAT
KITTY SCHIRMER
SUBJECT CLEAN AIR ACT

Stu

made calls
J

Very Good
J

As you have probably heard, the Clean Air Act Conferees reached final agreement last night. The resolutions of the auto emissions and the non-deterioration issues are extremely good from our point of view.

Auto emissions

				<u>Administration recommendation</u>		
	HC	CO	NOx	HC	CO	NOx
'78-79	1.5	15	2.0	1.5	15	2.0
'80	.41	7.0	2.0	.41	3.4	1.5
'81 -on	.41	3.4*	1.0**	.41	3.4	1.0

* upon application to the Administrator in 1979, which demonstrates need, a waiver of the CO requirement, up to a level of 7.0, is available for model years 1981 and 1982. In 1983 3.4 must be met.

** a waiver up to 1.5 NOx is available through model year 1983 for two types of cars -- diesels, and exotic engine types, the latter being limited to 50,000 units or 5% of a manufacturer's fleet, whichever is the larger.

The warranty on performance was reduced from 5yrs/50,000 miles to 24 mos/24,000 miles, except a specific warranty remains a requirement for 5 yrs/50,000 miles on the actual emission control devices (such as the catalyst).

Some inspection and maintenance is required in non-attainment areas, and dealers will be required to certify that their cars meet the standards at the time of sale.

Prevention of Significant Deterioration

The Conference agreement is very close to what the administration recommended, and is slightly stronger than last year's conference bill. It is a significant improvement over the very weak "Breux" amendment contained in the House bill.

We would recommend that you call Senators Muskie and Randolph and Congressmen Staggers and Rogers to congratulate them on the bill, and thank them for their efforts in getting a strong, comprehensive bill out before the August recess. There were many who believed it could not be done.

We also recommend that you call John Dingell to put some of the bitterness he has expressed behind us. When the House came forward with the proposal last night, he was totally silent and obviously disappointed. You might tell him that you know that he disagrees with the result, but that you are grateful that a showdown with the industry was avoided, and you look forward to continuing to work with him in the energy area, where you and he are in agreement.

Frank Moore concurs with these recommendations.

We will also be preparing letters to Muskie and Rogers which thank both them, and the members of their staffs, who have been so cooperative throughout the last six months.



Jimmy Carter

President of the United States of America

To: Rodney O'Gliscain Kennedy Minott, of California, Proctoring:

Reposing special trust and confidence in your Integrity, Prudence, and Ability, I have nominated and by and with the advice and consent of the Senate do appoint you Ambassador Extraordinary and Plenipotentiary of the United States of America to

Sweden,

authorizing you hereby to do and perform all such matters and things as to the said place or Office do appertain, or as may be duly given you in charge hereafter and the said office to hold and exercise during the pleasure of the President of the United States for the time being.

In testimony whereof, I have caused the Seal of the United States to be hereunto affixed.

Done at the City of Washington this _____ day of _____
in the year of our Lord one thousand nine hundred and seventy-seven and of the
Independence of the United States of America the two hundred and second

By the President:

Jimmy Carter

Secretary of State.

THE WHITE HOUSE
WASHINGTON
August 3, 1977

Stu Eizenstat

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

Rick Hutcheson

RE: THREE MAJOR FLAWS IN
CALIFANO'S WELFARE REFORM
PROPOSAL

THE WHITE HOUSE
WASHINGTON

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handcarry

ACTION
FYI

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<input type="checkbox"/>	LANCE
<input type="checkbox"/>	SCHULTZE

<input type="checkbox"/>	ENROLLED BILL
<input type="checkbox"/>	AGENCY REPORT
<input type="checkbox"/>	CAB DECISION
<input type="checkbox"/>	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

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<input type="checkbox"/>	BOURNE
<input type="checkbox"/>	BRZEZINSKI
<input type="checkbox"/>	BUTLER
<input type="checkbox"/>	CARP
<input type="checkbox"/>	H. CARTER
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<input type="checkbox"/>	SCHNEIDERS
<input type="checkbox"/>	STRAUSS
<input type="checkbox"/>	VOORDE
<input type="checkbox"/>	WARREN

THE PRESIDENT HAS SEEN.

MEMORANDUM TO THE PRESIDENT FROM RUSSELL B. LONG

SUBJECT: THREE MAJOR FLAWS IN SECRETARY CALIFANO'S WELFARE REFORM PROPOSAL

*To Stu -
We must be
prepared to
answer these
questions -
J.C.*

Distinguishing between need and dependency. -- Many persons who strongly advocate increasing welfare benefits have concentrated their attentions on wanting to meet the needs of the poor. What they have not faced up to is the problem of dependency. While one might like to give the poor what they need in a simple, direct manner, the successes and failures of various Government programs over the past decades tend to show that the way benefits are given to the poor have a bigger impact than the amount of the benefits. It seems to be true that people value things according to the amount of their own effort that goes into obtaining them. Paying an employable person a benefit based on need (the essence of the welfare approach) has not decreased dependency--it has increased it. It has not encouraged work--it has discouraged it. It has not added to the dignity of the lives of recipients, but it has aroused the indignation of the taxpayers who must pay for it.

The welfare approach over the years has brought with it an invitation to defraud the Government--by pretending that a father has deserted when he in fact lives with the family, by failing to report earnings, by falsifying information. The welfare approach has brought with it an invitation to avoid responsibility--when the father of a child born out of wedlock has not owned up to his paternity and the mother felt it was not in her interest to identify him. All those features of the present welfare system would be encouraged--with even greater rewards--under the proposed "reform."

The new child support program that became effective in 1975 holds great promise for enforcing parental responsibility. But a substantial enrichment of welfare benefits for doing nothing can only aggravate the kinds of abuses that the welfare approach inevitably gives rise to.

Goal of welfare reform. -- The goal of welfare reform should be to reward the things our society values and to discourage the things our society abhors. This means setting up a program that will reduce dependency on welfare while increasing benefits to low-income workers with families. The taxpaying public will only be willing to pay more for welfare reform if it means less money to pay recipients for doing nothing and more money in the form of wages and wage supplements to low-income persons who work.

* * * * *

FLAW # 1: THE HEW PROPOSAL CONTEMPLATES PAYING A TWO-TIER BENEFIT TO FAMILIES HEADED BY AN EMPLOYABLE ADULT: (1) A BASIC BENEFIT OF ABOUT \$2,000 (ALSO PAYABLE IF THE FAMILY HEAD REFUSES A JOB); OR (2) A BENEFIT OF ABOUT \$4,000 TO A FAMILY IF A JOB OR TRAINING SLOT CAN'T BE FOUND.

The problem. -- This contemplated two-tier payment plan is the feature that will turn what is intended to be a work-oriented program into a guaranteed minimum income program. While in theory benefits can be cut when a person refuses to take a job, the courts have gone so far in their rulings on due process that it can involve many months and a great deal of expensive legal work before the benefits can be cut. The legal obstacles are so great that it is better to draw the program in such a way as to avoid them.

Furthermore, a work requirement cannot be successful if an individual wants to make his employer fire him. There is no way to avoid this problem if a program starts out by paying benefits for doing nothing and then tries to cut back on them if a work requirement is not met. Again, the "client" would be entitled to a lawyer, a hearing, a trial, an appeal -- and all at Government expense.

Note on family breakup. -- Persons who favor guaranteeing a minimum income to families headed by a father often argue that without this guaranteed minimum income, the father is encouraged to abandon his family so that they can get welfare benefits. This argument is more a matter of faith than fact, for the evidence does not support this contention. If it were true, then States that pay AFDC benefits to families with an unemployed father should show a lower proportion of deserted children on their AFDC rolls -- since the father would have no incentive to desert in order for the family to go on welfare. In fact there is no pattern of this sort whatever. Indeed, the results of recent income maintenance experiments run by HEW seem to show that providing a guaranteed income to intact families made family breakup more likely rather than less likely. What seems to be happening is that once on the rolls, the family starts "playing the welfare game."

The answer to the desertion problem is not a multi-billion dollar guaranteed minimum income program. Instead, the answer is (1) to continue to improve operation of the child support program which became effective in 1975 (this program may already have contributed importantly to the leveling off of AFDC growth that has taken place); and (2) to pay the additional benefits to families through the earned income tax credit, which is available only to family heads who support their own children.

* * * * *

FLAW # 2: THE HEW PROPOSAL CONTEMPLATES THE CREATION OF AT LEAST A MILLION JOBS BUT HAS NO INCENTIVE FOR PRIVATE EMPLOYERS TO CREATE JOBS.

The problem. -- Even if the two-tier feature of the HEW proposal is eliminated, the success of the new program in improving the lives of low-income families depends on the creation of perhaps a million or more jobs that do not now exist. The key to this is creation of jobs in the private sector. While many useful public service jobs can be created (and the burden of creating them will be eased if they are limited to 32 hours per week), the program will provide a better life for low-income families and be much less expensive to the extent that private sector employment is increased.

* * * * *

FLAW # 3: THE HEW PROPOSAL WOULD PLACE A MOTHER IN THE EMPLOYABLE CATEGORY ONLY IF HER YOUNGEST CHILD WAS AT LEAST 14 YEARS OF AGE.

The problem. -- In only about 10 percent of AFDC families is the youngest child 14 years of age or older. HEW's proposed definition of employability fails to cope with the need to reduce the size of the present welfare population--and it fails to recognize the changes in work patterns that have occurred over the past quarter century. When the AFDC program was enacted in 1935, a time of high unemployment, it was assumed that the appropriate place for a mother was in the home. In effect, AFDC represented a payment to the mother to take care of her children.

In 1975 (the most recent figures available), 43 percent of all mothers with children under age 18 worked--double the proportion who worked in 1950, a quarter century earlier. The percentage of working mothers with no pre-school children increased from 33 percent to 55 percent during the same period. The most dramatic increase occurred in the case of mothers with children under six years, an increase from 14 percent to 39 percent.

Percentage of Mothers Participating in the Labor Force

<u>Year</u>	<u>All Mothers</u>	<u>Mothers with children under 6 years old</u>	<u>Mothers with children 6 years to 17 years only</u>
1950	22%	14%	33%
1960	30%	20%	43%
1970	42% ↗	32% ↗	52% ↗
1975	43%	39%	55%

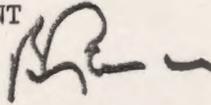


EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

August 1, 1977

SIGNATURE

MEMORANDUM FOR: THE PRESIDENT

FROM: Bert Lance 

SUBJECT: Proposed Fiscal Year 1978 Budget Amendment for the
Legislative Branch and 1978 Supplemental Appropriations
for the Environmental Protection Agency and the
Department of Health, Education, and Welfare

Attached for your approval are the following requests for funding in 1978:

- \$272 thousand for the legislative branch for the Library of Congress. Requests from the legislative branch are required by law to be transmitted without change.
- \$69 million for the Environmental Protection Agency to continue and help to complete the areawide waste treatment management planning programs undertaken by areawide planning agencies.
- \$1,719 thousand for the Department of Health, Education, and Welfare to compensate the State of Washington for the cost of improvements to property improperly conveyed to the State under the surplus property program.

The fact sheets attached to this memorandum provide the details on each of these requests.

RECOMMENDATION

That you sign the letter transmitting these requests to the Congress.

Attachments

THE WHITE HOUSE
WASHINGTON

August 3, 1977

Secretary Marshall

The attached was returned
in the President's outbox.

Rick Hutcheson

cc: Stu Eizenstat
Jack Watson

RE: ARTICLE ON DEKALB MAY LOSE
FUNDS IF JOBS REMAIN UNFILLED

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

to Marshall

ACTION	FYI	
		MONDALE
		COSTANZA
	/	EIZENSTAT
		JORDAN
		LIPSHUTZ
		MOORE
		POWELL
	/	WATSON
		LANCE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	KING

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

DeKalb May Lose Funds If Jobs Remain Unfilled

By JOHN REETZ

DeKalb County may lose a large part of a \$2 million federally funded job program designed to put unemployed people to work because the county has been unable to fill even half of the vacant jobs.

"The tragic thing is here we have money, we have work to be done, but we have no people applying," said Curtis James, executive assistant to County Commission Chairman Walt Russell.

Unless 106 of the federally funded jobs are filled by July 31, the county stands to lose the unused portion of the grant, supplied under the Comprehensive Education and Training Act (CETA).

James said Monday that fewer than 20 of the 106 necessary jobs had been filled by Monday.

The money was allocated to DeKalb on May 13, with the provisions that at least half of the work force be hired and be at work by July 31, according to James.

Enough funds are available to fund more than 200 jobs.

James said at least some people who put in job applications with the county "indicated they would rather be on unemployment" than take a county job.

County officials are blaming the poor hiring rate on the stiff eligibility requirements that accompany the CETA grant.

In order to qualify for one

of the CETA jobs, a family of two cannot bring in more than \$3,930 per year.

Potential applicants must also meet other, minimal requirements spelled out by the federal government. County CETA director Gloria Close said her office receives an average of five to 10 calls per day from people interested in the jobs, but they cannot meet the federal requirements.

If the jobs are not filled by July 31, DeKalb will lose all of the remaining grant money, but the people already hired will be able to continue with the county, James said.

County officials had originally hoped to use the extra employees to carry out special projects, such as cleaning storm drains and cutting of

firewood at a county landfill.

"The ultimate purpose of this program was to put people to work," James said. "Up to this point we've tried our best to get the information out, but for whatever reason we're not getting the response."

DeKalb has openings for typists, laborers, truck drivers, tradesmen, technicians, supervisors and managers, ranging in pay from \$3 to \$6 per hour.

Applications are being accepted at five county CETA offices.

DeKalb's latest countywide unemployment rate, not including Atlanta-in-DeKalb, is about 4.2 per cent, James said.

Freed Lobsterman Says Cuba Seized Second Boat

KEY WEST, Fla. (UPI) — An American lobster boat fired on and seized by Cuban gunboats last Thursday sailed into home port Monday with its skipper munching doughnuts he requested as a welcome present.

In a radio conversation Sunday, DeNichilo said he saw another vessel — either American or Mexican — being forced by Cuban authorities into the harbor at Santa Lucia.

As soon as the boat docked, the master of the Bounty, Nicholas DeNichilo, and the vessel's 22-year-old cook, Sheila Almquist, were questioned by U.S. Coast Guard, Customs and Immigration officials.

Raymond C. Vanyo of Key West, owner of the \$300,000 boat, rode a speedboat out to meet and board the Bounty at sea. He took along a box of doughnuts the skipper had requested by radio as he approached Key West's ship channel.

To Ray Marshall
J.C.

Sun days are here!

Protect your eyes with our professional-quality

Photo-Sun-glasses

Regular and Prescription Bifocals & Trifocals
Ask us to show you how Photochromatic sunglasses turn dark in sun, light indoors.

Digby's

OPTICIANS OF DECATUR

542 CHURCH ST.
TEL. 373-6558
Joe Digby, President

THE WHITE HOUSE
WASHINGTON

August 3, 1977

Stu Eizenstat
Jack Watson

The attached was returned in the President's outbox. The President approved the denial of this request for a disaster declaration and the papers have been forwarded to Bob Linder for appropriate handling.

Rick Hutcheson

Re: Request for Major Disaster
Declaration - New York - Denial

*logged
8/2
14 pgs.*

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

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		MONDALE
		COSTANZA
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		LIPSHUTZ
		MOORE
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X		WATSON
		LANCE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	KING

	KRAFT
	LINDER
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	PETERSON
	PETTIGREW
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	STRAUSS
	VOORDE
	WARREN

89/3/77
THE WHITE HOUSE

WASHINGTON

August 2, 1977

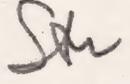
THE PRESIDENT HAS SEEN.

MEMORANDUM FOR:

THE PRESIDENT

FROM:

STU EIZENSTAT
LYNN DAFT



SUBJECT:

Request for Major Disaster Declaration -
New York

Attached is Secretary Harris' recommendation that you deny Governor Carey's request for a major disaster declaration due to the effects of the recent power outage in New York City.

We have talked at some length with the FDAA staff and they have indicated that the damage due directly to the blackout could legally fit within a disaster declaration, since the key variable is the subjective judgment of whether the impact is within the capability of the state and local government. Because of New York's financial plight it could be plausibly argued that this was not within their capability, despite their \$100 million contingency fund.

While we have kept political considerations out of disaster declarations, the magnitude and ramifications of the New York situation may place this particular declaration in a category by itself. Of course, the federal government has already provided several million dollars to New York as a result of the power failure and subsequent rioting.

You may wish to grant a disaster declaration limited solely to the damages following the power shortage, excluding such a declaration for the damages resulting from the subsequent looting. Then by administrative action damages due to the power shortage would be assessed and only those would be covered, which would be relatively limited.

Of course, the political questions are not only one-sided, since there is some feeling by Congressmen, in states whose disaster declarations have been turned down, that it would be improper to declare New York a disaster area. Their concerns tend to focus on the looting and burning rather than on the direct impact of the power failure, which was due to a lightening bolt.

I understand that Hamilton has talked to you about this issue and that you have generally made your wishes known to him. However, I did want to indicate that such a disaster declaration would be within the bounds of reason and legality.



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL DISASTER ASSISTANCE ADMINISTRATION
WASHINGTON, D.C. 20410

OFFICE OF THE ADMINISTRATOR

IN REPLY REFER TO:

Honorable Hugh L. Carey
Governor of New York
Albany, New York 12224

Dear Governor Carey:

This is in further response to your recent request for a major disaster declaration because of the impact of the recent power failure and resultant civil disturbances on New York City.

Local and State governments have the primary responsibility for disaster relief. Federal disaster assistance provided under the Disaster Relief Act of 1974, Public Law 93-288, is supplementary in nature and is only provided when effective response to a disaster is beyond the capabilities of the State and local governments.

On July 15, 1977, the Administrator of the Small Business Administration (SBA) designated the five-county area comprising New York City, as well as Westchester County, as eligible for long-term, low-interest rate disaster loan assistance. Loans under this program can be made available to replace plants and equipment damaged as a result of civil disorders. In addition, economic injury disaster loans can be made available to provide working capital for business owners until repairs are made and inventories are replenished. It is estimated that SBA loan assistance will total \$100 million.

Individuals unemployed as a result of the civil disturbances are eligible under existing unemployment insurance programs. Self-employed individuals left unemployed as a result of this incident would be eligible for assistance under the economic injury disaster loan program of SBA. Temporary housing facilities are being made available by the Department of Housing and Urban Development from its inventory of acquired properties. This housing will remain available until either the original units are repaired or substitute housing can be obtained. Our assessment did not reveal any other requirements for assistance to individuals.

In addition to the estimated \$100 million that will be provided by SBA, the Federal Government has already made available \$6.35 million in grants. This includes funds for: the criminal justice system; the hiring of 2,000 youths for debris clearance; community based economic development in low-income areas; technical assistance teams for legal affairs and related matters; and, funds to aid small businesses. In addition, the Department of Housing and Urban Development has made available rehabilitation loans in the amount of \$5 million for community development. The Economic Development Administration (EDA) of the U.S. Department of Commerce is continuing to work with City officials to determine whether current EDA programs may be further applicable to the City's needs. It appears that the funds made available by the Federal Government will substantially meet the City's requirements.

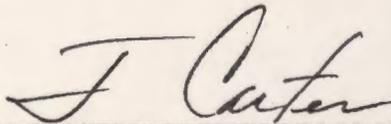
In view of the Federal assistance being provided for the rebuilding of damaged areas and for other purposes, it appears that the other costs incurred by the city are not of sufficient severity or magnitude to warrant Federal assistance under the Disaster Relief Act of 1974.

We have given your request careful review and consideration. Based on our assessment of this situation, and in view of the Federal assistance programs which have been made available, we have concluded that this situation does not appear to be beyond the effective response capabilities of the State and local governments. Accordingly, I must inform you of our decision not to recommend to the President that he declare a major disaster in this instance.

Sincerely,

Thomas P. Dunne
Administrator

Concurrence:



Date: _____

THE WHITE HOUSE
WASHINGTON

. August 3, 1977

Stu Eizenstat
Bob Lipshutz

Enrolled Bill H. R. 7556 - Depts
of State, Justice and Commerce,
the Judiciary, and Related Agencies
Appropriation Bill, 1978 was signed
by the President and givento Bob
Linder for appropriate handling.

Please note the President approved
the attached statement.

Rick Hutcheson

cc: Robert Linder

14 pages
July

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

Note statement for release

ACTION
FYI

	MONDALE
	COSTANZA
X	EIZENSTAT
	JORDAN
X	LIPSHUTZ
	MOORE
	POWELL
	WATSON
	LANCE
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THE WHITE HOUSE

WASHINGTON

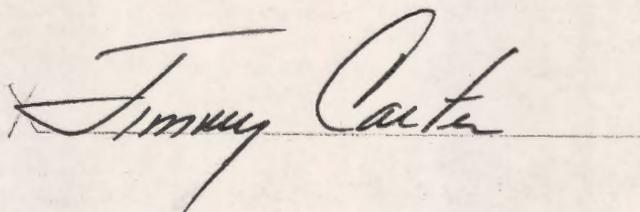
The Speaker of the
House of Representatives

Sir:

I ask the Congress to consider an amendment to the request for appropriations for the fiscal year 1978 in the amount of \$272,000 for the legislative branch and proposed supplemental appropriations for fiscal year 1978 in the amount of \$69,000,000 for the Environmental Protection Agency and in the amount of \$1,719,000 for the Department of Health, Education, and Welfare.

The details of these proposals are set forth in the enclosed letters from the Director of the Office of Management and Budget and the Librarian of Congress. I concur with their comments and observations.

Respectfully,

A handwritten signature in cursive script, reading "Jimmy Carter", is written over a horizontal line. The signature is fluid and stylized, with the first letters of "Jimmy" and "Carter" being prominent.

Enclosures

8/2/77

THE WHITE HOUSE

WASHINGTON

August 2, 1977

MEMORANDUM FOR:

THE PRESIDENT

FROM:

BOB LIPSHUTZ
STU EIZENSTAT

*Bob
Stu*

SUBJECT:

Enrolled Bill H.R. 7556 -- Departments of State, Justice and Commerce, the Judiciary, and Related Agencies Appropriation Bill, 1978

It is our recommendation, after speaking with the Department of Justice, that you sign the above-captioned bill with a slightly revised statement from that originally submitted, simply noting your constitutional objection to the so-called "Myers Amendment," which interferes with implementation of the amnesty program.

This would give notice sufficient to justify a subsequent decision not to comply, based on a formal opinion by the Attorney General. It also would permit a subsequent decision to settle the issue in court.

We do not believe that a veto would be politically appropriate since the Administration's constitutional objections were not raised forcefully with the appropriate members of Congress during the legislative process.

However, after laying the proper political groundwork, and with your general statement as suggested above, we should be in a good position to instruct the Justice Department not to defend the constitutionality of the provision, and also instruct them and the affected Departments and Agencies to disregard the provisions of this Amendment.

- Option 1 -- Approve Bill with prepared statement.
(We recommend)
- Option 2 -- Veto Bill.
- Option 3 -- Approve Bill without statement.

Slightly revised proposed statement is attached.

PROPOSED STATEMENT

I am signing H.R. 7556, the Departments of State, Justice, and Commerce, the Judiciary and related agencies appropriation act for fiscal year 1978. I wish, however, to express my strong disagreement with Section 706 of this Act. On January 21, 1977, pursuant to my power under the Constitution, I issued a Proclamation granting, with certain exceptions, an unconditional pardon for Vietnam-era violators of the Selective Service laws. By Executive Order I directed the Attorney General to take certain actions to implement the pardon Proclamation. Section 706 purports to prohibit the use of funds appropriated under this Act to carry out the Executive Order. The prohibition relates to the three types of action called for by the Executive Order: dismissal of indictments for certain violations of the Selective Service laws, termination of investigations regarding those violations, and permitting entry into the United States of aliens who might be excludable because of possible violation of the Selective Service laws.

The first two aspects of Section 706 will have no real practical effect because the matters in question -- dismissal of indictments and termination of investigations -- do not actually depend upon the expenditure of funds by the Department of Justice. The third aspect is intended to preclude entry of certain aliens who, as a result of the pardon and the Executive Order, may be entitled to enter. I am advised by the Department of Justice that this aspect of Section 706 is unconstitutional. It amounts to interference with the pardon power which is invested in the President by the Constitution. Moreover, it would be a bill of attainder because it would impose punishment, without judicial trial, upon an easily ascertainable group. In addition, certain applications of Section 706 would constitute a denial of due process.

Jimmy Carter

THE WHITE HOUSE
WASHINGTON

. August 3, 1977

Stu Eizenstat
Bob Lipshutz

Enrolled Bill H. R. 7556 - Depts
of State, Justice and Commerce,
the Judiciary, and Related Agencies
Appropriation Bill, 1978 was signed
by the President and givento Bob
Linder for appropriate handling.

Please note the President approved
the attached statement.

Rick Hutcheson

cc: Robert Linder

THE WHITE HOUSE
WASHINGTON

August 3, 1977

Frank Moore -

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

Rick Hutcheson

cc: Stu Eizenstat
Tim Kraft

Re: Scheduling of SBA Bill Signing
Ceremony

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
X		EIZENSTAT
		JORDAN
		LIPSHUTZ
X		MOORE
		POWELL
		WATSON
		LANCE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	KING

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

August 2, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE *F.M.*

SUBJECT: Scheduling of SBA Bill Signing Ceremony

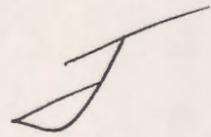
Because of the difficulty in preparing this bill for signature, we have determined, after consultation with all of the affected parties, that a bill signing ceremony on Thursday, August 4, just prior to the DOE signing would be most beneficial.

This week we have scheduled the following bill signings:

Wednesday, August 3	Strip Mining
Thursday, August 4	SBA DOE
Friday, August 5	Youth Employment Juvenile Delinquency (tentative pending final passage)

Approve August 4 Signing of SBA Bill

Disapprove



Electrostatic Copy Made
for Preservation Purposes

THE WHITE HOUSE
WASHINGTON

August 3, 1977

Stu Eizenstat
Z. Brzezinski

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

Rick Hutcheson

Re: Staffing and Management of
International Economic Issues

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
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		COSTANZA
X		EIZENSTAT
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	ENROLLED BILL
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	CAB DECISION
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	BOURNE
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	MOE
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	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

MEMORANDUM

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

July 29, 1977

Ste & Zbig:
good
J

MEMORANDUM FOR: THE PRESIDENT

FROM: ZBIGNIEW BRZEZINSKI *ZB*
STU EIZENSTAT *Stu*

SUBJECT: Staffing and Management of
International Economic Issues

As you instructed, we have met to work out an approach to ensure that domestic and foreign policy considerations are adequately brought to bear in the staffing and management of international economic issues for your decision. We believe that the following arrangement will best achieve this objective:

1. Mike Blumenthal will be asked that Brzezinski and Eizenstat participate ex officio in his EPG Steering Group (Blumenthal, Lance, Schultze, and Cooper). The Group would consider economic issues of major significance and designate a lead agency to prepare the necessary analysis and options.

2. On international economic issues, Eizenstat and Brzezinski will use the following guidelines to determine which of them would work with the lead agency and manage the policy process for your decision:

-- International economic issues where the primary considerations are matters of general economic/domestic policy would be managed by Eizenstat.

-- International economic issues where the primary considerations are matters of foreign/defense policy would be managed by Brzezinski. When appropriate, an issue managed by Brzezinski would be taken up at a PRC meeting chaired by Mike Blumenthal (with Eizenstat in attendance.)

-- Eizenstat and Brzezinski would consult closely on all international economic issues, and the one managing a particular issue would include the views of the other in the memorandum which goes to you.

3. International economic issues which do not arise through the Steering Group would be handled by Eizenstat and Brzezinski in accordance with the guidelines set forth above.

Electrostatic Copy Made
for Preservation Purposes

THE WHITE HOUSE
WASHINGTON

August 3, 1977

Frank Moore

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

Rick Hutcheson

cc: Bob Lipshutz
Zbig Brzezinski

RE: LETTER TO SENATOR DENNIS
DE CONCINI

THE WHITE HOUSE
WASHINGTON

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	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
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		COSTANZA
		EIZENSTAT
		JORDAN
	X	LIPSHUTZ
X		MOORE - <i>cf. 2/1/77</i>
		POWELL
		WATSON
		LANCE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
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	JAGODA
	KING

	KRAFT
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	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

~~SECRET~~
THE WHITE HOUSE
WASHINGTON

Mr. President:

The attached suggested response to Sen. DeConcini was drafted by Treasury, and has been cleared by NSC.

Rick

THE WHITE HOUSE

WASHINGTON

August 3, 1977

To Senator Dennis DeConcini

I am pleased to respond to your letter of July 18, concerning language for the Senate Appropriations Committee report on H.R. 7797 designed to implement my policy on human rights. I certainly appreciate your support of my position on Congressman Young's statutory prohibition against direct or indirect assistance to Vietnam, Cambodia, Laos, Mozambique and Angola during consideration of the bills in Committee and the fact that, instead of submitting statutory language, you limited yourself to expressing your views in the Committee report.

I have carefully examined your Supplemental views in the Committee report. Let me explain my position on the language you propose. As emphasized in our conversation, my Administration is fully committed to advancing the cause of human rights through the international development banks as well as in other ways. I strongly believe, however, that we should use our influence in those institutions to promote human rights without adopting an overly rigid approach, and one which would risk subverting the integrity and effectiveness of the banks in promoting economic and social development in the poorer countries. I have therefore opposed any provisions which would require the United States to vote against any loan to a country where human rights are violated.

The position of the Conference on the Omnibus Multilateral Development Institutions Act of 1977, which rejected the imposition of a mandatory "no" vote against assistance to any country which engages

in a consistent pattern of gross violations of internationally recognized human rights, represents a preferable approach. It recognizes that while, under certain circumstances, a "no" vote might be the best course of action in achieving our common human rights objectives, action other than a negative vote might best serve the cause of human rights under other circumstances.

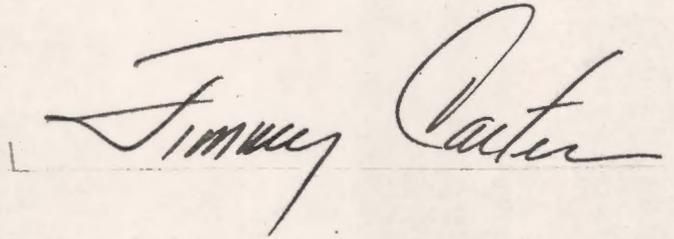
While I appreciate and share the spirit in which your proposed report language was offered, I strongly believe it represents too rigid an approach to the problem. The automatic "no" vote would frustrate our human rights policy and would not be the most effective vehicle for advancing the cause of human rights through the international development banks.

Automatic "no" votes tend to isolate the United States without stopping loans to offending countries. Several member countries that are sympathetic with our human rights objectives have not been prepared to support us in negative votes on human rights; they are more likely to support us in other, more flexible, efforts to advance the cause of human rights through these institutions.

A multi-faceted approach, as espoused by my Administration has already borne concrete results. For example, we have been successful recently in persuading three offending countries to withdraw sizable loan applications which were at an advanced stage, pending improvement in the human rights situation in these countries. In view of the above experience, I hope that you can support the approach taken by the Conference on the pending authorizing legislation for the international development banks.

I trust that you understand my position on this matter and hope that when the appropriations bill is considered on the floor of the Senate, there will be no further human rights amendments introduced.

Sincerely,

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

The Honorable Dennis DeConcini
United States Senate
Washington, D.C. 20510

Dennis: You can judge our performance on this matter during the coming year & then make a final judgment. I'll always welcome your direct evidence of abuse. J

July 19, 1977

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

Dear Mr. President:

Pursuant to our conversation about the human rights amendment to the International Financial Institutions section of H.R. 7797, I prepared report language (as opposed to statutory language) designed to implement your most eloquently articulated policy on human rights. As you know, I was originally prepared to accept the retention of Congressman Young's statutory prohibition against direct or indirect assistance to Vietnam, Cambodia, Laos, Mozambique and Angola. Although the full Appropriations Committee agreed to include a directive to our representatives to the various international financial institutions, there was no agreement on the specific language. We are presently trying to work out the details.

There is some disagreement within the Subcommittee, however, over my proposed language. The argument has been raised that it is too forceful. Quite frankly, the language strikes me as wholly consistent with your stated policies. I respectfully request, Mr. President, that you and your advisors examine the enclosed statement to determine if it is acceptable.

If no agreement is possible, I have already indicated to the Chairman of the Subcommittee that I am reserving the right to take the human rights case to the full Senate. Should that occur, the only alternative that will be available is statutory language, carrying with it the force of law rather than the expectations of the Committee.

Since time is of the essence, Mr. President, I would be most grateful if you could inform the Chairman of the Subcommittee and myself of your views as soon as possible.

With sincere personal regards, I remain.

Sincerely yours,

DENNIS DeCONCINI
United States Senator

DDC/RRX
Enclosures

cc: Senator Inouye

The Committee notes with approval the Administration's refreshing departures with respect to human rights and the conduct of foreign policy. Admittedly, the attempt to forge a policy combining an emphasis on humane values with a realistic appraisal of the political, military, and economic forces at play in the cauldron of international power politics poses a host of perplexing and formidable challenges. The Committee, however, believes that such an approach is consistent both with the highest principles of the American philosophical heritage and the long-term policy objectives of this country. Accordingly, the Committee urges the President and responsible officials to continue seeking a course of action that does justice to both humanitarian aspirations and strategic imperatives.

In his conduct of foreign policy, the President has given voice to the principles of human rights which have traditionally been espoused by the Congress. We are firmly convinced that these principles should be the foundation of our foreign assistance programs. Our conviction holds as strongly for American participation in international agencies and programs as it does for our bilateral efforts. Therefore, we direct the representatives of the United States to the various international financial institutions (i.e., the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Asian Development Bank, and the Inter-American Development Bank) to vote against any loan, extension of financial assistance, or technical assistance to any country which engages in a consistent pattern of gross violations of internationally recognized human rights. At a minimum, such violations of would include: torture and cruel, inhumane, or degrading treatment or punishment; prolonged detention without charges; flagrant denial of the right to life, liberty, and security of person; and the encouragement of international

terrorism by affording refuge to individuals engaging in air piracy, kidnapping, and assassination. The Committee directs the U.S. representatives to the aforementioned international financial institutions to vote in the manner prescribed in this paragraph, unless the President determines that the assistance provided through the institutions is either required by the security interest of the United States or is directed specifically to programs that serve the basic needs of the citizens of the country in question.

to Ms. Regina Mellon Department
of the Treasury
Office
of the
Secretary
room: _____ date: 8/1

Enclosed is the President's
response to Senator DeConcini's
letter of July 19.

Deputy Assistant Secretary
Legislative Affairs
Colbert I. King
room 3132
phone 566-5736

THE WHITE HOUSE

WASHINGTON

Date: August 2, 1977

MEMORANDUM

FOR ACTION:
Frank Moore
✓ Zbig Brzezinski (*see note*)

FOR INFORMATION:
Stu Eizenstat
Jack Watson
Jim Fallows

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: President's draft response to Senator DeConcini's letter of July 19.

YOUR RESPONSE MUST BE DELIVERED TO THE STAFF SECRETARY BY:
TIME: 10:00 ~~NOON~~
DAY: THURSDAY *wed*
DATE: August 4, 1977

ACTION REQUESTED:

Your comments

Other:

STAFF RESPONSE:

I concur.

No comment.

Please note other comments below:

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

THE WHITE HOUSE
WASHINGTON

<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

*just in last letter
Fraser's cover*

ACTION	FYI	
		MONDALE
		COSTANZA
	<input checked="" type="checkbox"/>	EIZENSTAT
		JORDAN
		LIPSHUTZ
<input checked="" type="checkbox"/>		MOORE
		POWELL
	<input checked="" type="checkbox"/>	WATSON
		LANCE
		SCHULTZE

<input type="checkbox"/>	ENROLLED BILL
<input type="checkbox"/>	AGENCY REPORT
<input type="checkbox"/>	CAB DECISION
<input type="checkbox"/>	EXECUTIVE ORDER

Comments due to
Carp/Huron within
48 hours; due to
Staff Secretary
next day

<input type="checkbox"/>	ARAGON
<input type="checkbox"/>	BOURNE
<input checked="" type="checkbox"/>	BRZEZINSKI
<input type="checkbox"/>	BUTLER
<input type="checkbox"/>	CARP
<input type="checkbox"/>	H. CARTER
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<input checked="" type="checkbox"/>	FALLOWS
<input type="checkbox"/>	FIRST LADY
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<input type="checkbox"/>	JAGODA
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<input type="checkbox"/>	SCHNEIDERS
<input type="checkbox"/>	STRAUSS
<input type="checkbox"/>	VOORDE
<input type="checkbox"/>	WARREN

MEMORANDUM
OF CALL

TO: Rick

YOU WERE CALLED BY— YOU WERE VISITED BY—

N.S.C. - Verman

OF (Organization) Brown

PLEASE CALL \rightarrow PHONE NO. CODE/EXT. _____

WILL CALL AGAIN IS WAITING TO SEE YOU

RETURNED YOUR CALL WISHES AN APPOINTMENT

MESSAGE

concur in response
to Senator DeLoon
except - remove
underlining from
word "against" first
page - do you want
first page

RECEIVED BY Trudy | DATE 8/3 | TIME 10:05

STANDARD FORM 63
REVISED AUGUST 1967
GSA FPMR (41 CFR) 101-11.6

GPO : 1969-048-16-80341-1 232-389

63-108

redon?

THE WHITE HOUSE

WASHINGTON

Dear Senator DeConcini:

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The position of the Conference on the Omnibus Multilateral Development Institutions Act of 1977, which rejected the imposition of a mandatory "no" vote against assistance to any country which engages

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I trust that you understand my position on this matter and hope that when the appropriations bill is considered on the floor of the Senate, there will be no further human rights amendments introduced.

Sincerely,

Jimmy Carter

The Honorable
Dennis DeConcini
United States Senate
Washington, D.C. 20510

Date: August 2, 1977

MEMORANDUM

FOR ACTION:
Frank Moore
Zbig Brzezinski

FOR INFORMATION:
Stu Eizenstat
Jack Watson
Jim Fallows

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: President's draft response to Senator DeConcini's
letter of July 19.

YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: 12:00 NOON

DAY: THURSDAY

DATE: August 4, 1977

ACTION REQUESTED:

Your comments

Other:

STAFF RESPONSE:

I concur.

No comment.

Please note other comments below:

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

to: Ms. Regina Mellon Department
Office of the Treasury
Office of the Secretary
room: _____ date: 8/1

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Deputy Assistant Secretary
Legislative Affairs
Colbert I. King
room 3132
phone 566-5736

THE WHITE HOUSE

WASHINGTON

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Sincerely,

Jimmy Carter

The Honorable
Dennis DeConcini
United States Senate
Washington, D.C. 20510

Date: August 2, 1977

MEMORANDUM

FOR ACTION:
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Zbig Brzezinski

FOR INFORMATION:
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FROM: Rick Hutcheson, Staff Secretary

SUBJECT: President's draft response to Senator DeConcini's
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TO THE STAFF SECRETARY BY:

TIME: 12:00 NOON

DAY: THURSDAY

DATE: August 4, 1977

ACTION REQUESTED:

Your comments

Other:

STAFF RESPONSE:

I concur. *as*

No comment.

Please note other comments below:

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to: Ms. Regina Mellon Department
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room: _____ date: 8/1

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Deputy Assistant Secretary
Legislative Affairs
Colbert I. King
room 3132
phone 566-5736

THE WHITE HOUSE

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Jimmy Carter

The Honorable
Dennis DeConcini
United States Senate
Washington, D.C. 20510

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The Honorable Dennis DeConcini
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE
WASHINGTON

August 3, 1977

Frank Moore -

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

Rick Hutcheson

cc: Tim Kraft

Re: Strip Mining Legislation

THE WHITE HOUSE
WASHINGTON

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	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
		EIZENSTAT
		JORDAN
		LIPSHUTZ
	▼	MOORE
		POWELL
		WATSON
		LANCE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	KING

	X KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE WHITE HOUSE
WASHINGTON

~~250~~

Check spelling
on 2nd name
J

Spelling OK per
Records office

Electrostatic Copy Made
for Preservation Purposes

THE WHITE HOUSE
WASHINGTON
August 3, 1977

Bert Lance

The attached was returned in the President's outbox and is forwarded to you for your information. The signed original has been forwarded to Bob Linder for appropriate handling.

Rick Hutcheson

RE: FY 1978 BUDGET AMENDMENT
FOR THE LEGISLATIVE BRANCH
AND 1978 SUPPLEMENTAL
APPROPRIATIONS FOR EPA AND
HEW

THE WHITE HOUSE
WASHINGTON

August 2, 1977

THE PRESIDENT HAS SEEN.

MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE *Fm.*

The attached letter regarding strip mining legislation was delivered today from Senators Bumpers and Anderson.

I know you have tried all day to reach Senator Bumpers by phone and I will talk with the Senator when the return call comes in. I did, however, think you might want to see the attached comments before H.R. 2 is signed.

*Should, KITTY prepare A STATEMENT
Re SURFACE OWNERS FOR SIGNING?*

*Yes - be strong
J*

*Also, I want to meet
with Bumpers, Anderson & Andrews
before 9/1/77 re this
J*

HENRY M. JACKSON, WASH., CHAIRMAN

FRANK CHURCH, IDAHO
LEE METCALF, MONT.
J. BENNETT JOHNSTON, LA.
JAMES ABOUREZK, S. DAK.
FLOYD K. HASKELL, COLO.
DALE BUMPERS, ARK.
WENDELL H. FORD, KY.
JOHN A. DURKIN, N.H.
HOWARD M. METZENBAUM, OHIO
SPARK M. MATSUNAGA, HAWAII

CLIFFORD P. HANSEN, WYO.
MARK O. HATFIELD, OREG.
JAMES A. MCCLURE, IDAHO
DEWEY F. BARTLETT, OKLA.
LOWELL P. WEICKER, JR., CONN.
PETE V. DOMENICI, N. MEX.
PAUL LAXALT, NEV.

United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES

WASHINGTON, D.C. 20510

August 1, 1977

GRENVILLE GARSIDE, STAFF DIRECTOR AND COUNSEL
DANIEL A. DREYFUS, DEPUTY STAFF DIRECTOR FOR LEGISLATION
D. MICHAEL HARVEY, CHIEF COUNSEL
W. O. CRAFT, JR., MINORITY COUNSEL

The Honorable Jimmy Carter
The President
The White House
Washington, D.C. 20500

~~SE~~ FM → P
-2 AUG 1977

Dear Mr. President:

H.R. 2, the stripmining bill, is now on your desk. In general, the bill is a step forward, long needed to serve a proper balance between the needs for energy and a livable environment. But because of one provision in the bill, that relating to surface-owner consent, we ask that you seriously consider disapproving it. The bill could promptly be re-passed by the House and Senate without the offending section and be returned to you for signature within as little as 30 days.

Section 714 of H.R.2 forbids the leasing of any federal coal under privately owned surface without the consent of the surface owner. "Surface owners," for this purpose, include persons who live on the land, those who conduct farming or ranching operations on the land, and those who derive a significant part of their income from farming or ranching operations on the land. In the states of Wyoming, Montana, North Dakota, and South Dakota, the United States owns 96 billion tons of strippable coal. The surface over 50 billion tons of that federal coal is owned by someone other than the United States. If the bill becomes law, much of this coal will either not be mined at all, or will be mined only after payment of whatever price the surface owner demands for his consent. The bill places no limitation on the compensation that surface owners may receive.

Most of this land was conveyed in the early 20th century by the government to homesteaders for nominal consideration. Congress at that time wisely reserved the mineral rights, and as a result the underlying coal belongs to all the people of this country. But now that this coal is needed, the people are going to be required by H.R.2 to buy their own coal from surface owners. Electric utility rate payers will bear a tremendously increased cost because of this provision.

To get an idea of the probable cost, consider that the average thickness of coal veins in Wyoming and Montana is

The Honorable Jimmy Carter
Page Two
August 1, 1977

about 50 feet. Such a deposit will produce 85,000 tons of coal an acre. The going rate right now for surface-owner consent is 50¢ a ton, which would come to \$42,500 an acre. If there is a section of land, or 640 acres, with a 50-foot seam of coal under it, and that is not at all uncommon in Montana and Wyoming, that section of land would be worth \$27,200,000. The total estimated cost in increased utility rates would probably be between \$50 billion and \$250 billion.

Speculators are already on the scene to take advantage of this provision. According to the National Coal Daily, the Kanab Corporation of Houston, Texas, has already acquired 5,800 acres of the right to consent in Campbell County, Wyoming.

The provision might be defensible if it were limited to farmers who are actually on the land. It is not so limited. Many large corporations can qualify as surface owners. Nor is the protection confined to persons who are already on the land or own it as of the date of enactment of the bill. Anyone can be a "surface owner" who has met the requirements of the bill for three years next preceding the Secretary of Interior's decision to lease, a decision that may take place many years in the future.

The Senate provision, which the conferees rejected and which is therefore no longer in the bill, would have amply protected the equities of surface owners. Under its terms, no federal coal would be leased without surface owner consent unless the Secretary of the Interior first found that such leasing was required in the national interest. Even after that finding, surface owners would receive as compensation double the amount of any decrease in the market value of their interest in the land, plus two years' worth of lost income, plus the costs of relocating their business or home, plus any other damages they might be able to prove. This provision is far more liberal than any rule familiar to the law, but still would allow the nation to have access to its own coal at less than the exorbitant price required by H.R. 2.

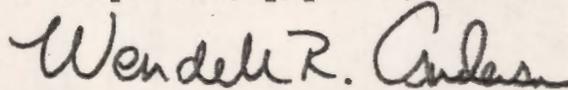
A motion to recommit the bill to conference with instructions to reconsider this Section failed in the Senate by a vote of 53 to 43. Conference reports, as I am sure you know, are almost always agreed to, and motions to recommit at this stage of the consideration of a bill are rarely successful. For a motion to recommit to receive 43 votes is

The Honorable Jimmy Carter
Page Three
August 1, 1977

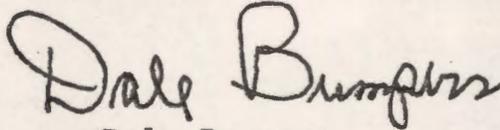
strong evidence of widespread dissatisfaction in the Senate with the surface-owner protection provisions of the bill. In fact, we believe that a majority of the Senate would be relieved and pleased if you were to disapprove the bill for this reason.

Your courtesy and consideration are much appreciated.

Respectfully yours,



Wendell R. Anderson



Dale Bumpers

DB:alj

THE WHITE HOUSE
WASHINGTON

August 3, 1977

Stu Eizenstat
Jack Watson

The attached was returned in the President's outbox and is forwarded to you for your information. The signed original has been forwarded to Bob Linder for appropriate handling.

Rick Hutcheson

cc: Bob Linder

RE: MEMO TO SECRETARY BERGLAND
ON THE AGRICULTURAL
CONSERVATION PROGRAM (ACP)

l-2

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
<input checked="" type="checkbox"/>	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
	<input checked="" type="checkbox"/>	EIZENSTAT
		JORDAN
		LIPSHUTZ
		MOORE
		POWELL
	<input checked="" type="checkbox"/>	WATSON
		LANCE
		SCHULTZE

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	CAB DECISION
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	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE
WASHINGTON

July 29, 1977

MEMORANDUM FOR: THE PRESIDENT

FROM: STU EIZENSTAT *Stu*
LYNN DAFT *Lynn*

SUBJECT: Memorandum to Secretary Bergland
re: the Agricultural Conservation
Program (ACP)

The attached memorandum was prepared pursuant to your request.*
There is no specific mention of channelization since this is
not a major practice under ACP.

We have worked with the OMB staff in the preparation of this
memorandum.

*see next page

AGRICULTURE AND RURAL DEVELOPMENT

Farm Bill: Working with USDA and OMB to promote Administration position with bill coming to the House floor July 15.

Sugar: Trying to fight-off Congressional attempts to undermine our proposed payment program. Should succeed if we can offer some assurance that we will consider other measures (higher tariff?) if international negotiations fail. International exploratory talks resume next week.

World Hunger: A proposal for use of the PRM process to determine Administration policy on this topic is being circulated among appropriate senior staff. USDA and AID are preparing background material.

National Forest Timber Bidding: We are still working on a paper for you on this topic. Should be completed early next week.

Agricultural Conservation Program: Will be providing you a memo to send Secretary Bergland requesting a thorough review of this program. *include channelization ? -*

Interagency Food and Agricultural Policy Coordination: Have worked with Secretary Bergland in preparation of a proposed memorandum for you to send establishing an interagency working group. On its way.

Duty Free Treatment for Sugar Imports: Are collecting comments on a memo to you from Bob Strauss. Will forward by early next week.

Drought Assistance Program: Working with USDA on an assessment of designation of eligible areas and general effectiveness of program delivery.

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR THE SECRETARY OF AGRICULTURE

Though I recently asked the Congress to consider a proposed supplemental appropriation for the Agricultural Conservation Program, I wanted you to know that I did so with reservation. I am concerned that our soil conservation programs, and this program in particular, are not as effective as they could or should be.

I fear that we have about 3,000 separate conservation programs with little national guidance or problem-solving orientation, and, consequently, that the emphasis is on yield enhancing practices rather than the more enduring conservation measures.

I understand that past shortcomings in the ACP are partially a result of requirements contained in the annual USDA appropriations bill that prohibits you from establishing a list of appropriate conservation practices. I urge you to work for an amendment that would provide you with the authority to establish a national list of practices from which counties could choose and, more importantly, that the amendment provide that any practices not included on the list would not be available for cost sharing.

I also understand that you have recently launched a full-scale review of the Department's land and water conservation programs. I hope that a thorough evaluation of the ACP can be made a part of this review and ask that you keep me closely advised of its progress.

Jimmy Carter

4 P.M. Posting ---

Advised - Lynn Daft, Frank Moore and
Jack Watson

88/4/77

Tell Butler
Derrick & then
others
J

THE WHITE HOUSE
WASHINGTON

August 3, 1977

MEMORANDUM FOR:

THE PRESIDENT

FROM:

STU EIZENSTAT
LYNN DAFT

Stu

SUBJECT:

Recommendation for an Emergency
Declaration Due to Drought -
South Carolina

In the attached memorandum, Secretary Harris recommends that you declare an emergency for the State of South Carolina due to severe drought conditions which have impeded the growth of feed grains and hay. Livestock owners in the affected areas are faced with high purchases of hay and feed grains and a number of producers may be required to liquidate their herds without emergency assistance. Emergency assistance would be required in 17 of the 26 counties requested by the Governor and a determination on the 9 remaining counties will be made upon receipt of additional information. It is estimated that Federal aid will cost \$4,000,000 through December 31, 1977.

We concur with Secretary Harris' assessment and recommend that you grant the declaration.

Electrostatic Copy Made
for Preservation Purposes

8.3

Tuesday:

Sent out today - enclosure
for handwriting file

Doris Austin

28
enc
SC

CAPRICORN RECORDS

cc: Phil Walden
I read the article
last week & was
proud of all of
you -

Jimmy

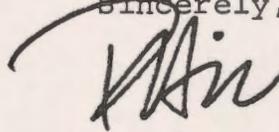
July 28, 1977

Dear Mr. President:

I thought the enclosed article from the New York Times (July 24th) would be of interest to you.

My warmest regards to you and your family.

Sincerely,



Phil Walden

The President
The White House
Washington, DC 20503

Electrostatic Copy Made
for Preservation Purposes

THE WHITE HOUSE
WASHINGTON

August 3, 1977

The Vice President

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

Rick Hutcheson

cc: Stu Eizenstat
Jack Watson
Bert Lance
Zbig Brzezinski
Frank Press

RE: BASIC RESEARCH POLICY

THE WHITE HOUSE
WASHINGTON

/	FOR STAFFING
	FOR INFORMATION
	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
/		EIZENSTAT
		JORDAN
		LIPSHUTZ
		MOORE
		POWELL
/		WATSON
/		LANCE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
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/	BRZEZINSKI
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	HUTCHESON
	JAGODA
	KING

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
/	PRESS
	SCHLESINGER
	SCHNEIDERS
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	VOORDE
	WARREN

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
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ACTION	FYI	
X		MONDALE
		COSTANZA
	X	EIZENSTAT
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	MOE
	PETERSON
	PETTIGREW
	POSTON
X	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

~~SECRET~~

THE WHITE HOUSE
WASHINGTON

Mr. President:

Eizenstat, Lance, Brzezinski
and Press concur with the
Vice President.

Rick



THE PRESIDENTIAL EXECUTIVE SECRETARIAT

THE VICE PRESIDENT
WASHINGTON

July 21, 1977

MEMORANDUM FOR: THE PRESIDENT
FROM: THE VICE PRESIDENT 
SUBJECT: BASIC RESEARCH POLICY

As you will recall, we had talked about a review of basic research functions in the federal government as a follow up to the meeting with university and foundation officials.

Background

The federal government supports 70% of all basic research performed, about \$3 billion in FY 78. Most of the research is carried out in the universities (70%). Between 1968 and 1976, federal expenditures for basic research have declined by about 15% in constant dollars. Industrial expenditures on basic research have declined in a similar fashion. Since some 30% of the growth in GNP between 1950 and 1970 is attributable to new knowledge stemming from basic research, the matter deserves careful review.

Academic science is not in imminent danger, but several far reaching trends are underway. Fewer universities are reportedly conducting research of the highest quality and even the best are showing deterioration in the quality of laboratory equipment. Research opportunities for young investigators have declined markedly. A shakeout was perhaps in order, but has it gone too far?

Memorandum to the President
Page Two
July 15, 1977

Basic research constitutes approximately 10% of the overall federal R & D budget. It need not be a budget threat since a modest redistribution of funds from development might yield support sufficient to correct the downward trend. The FY 78 Ford and Carter budgets permitted about 3% real growth in basic research, reversing the previous trend. The issue is whether or not to continue this reversal of the previous eight years' decline. Another issue is the possibility of a greater role for universities in mission organizations (AID, DOD, EPA, DOE, etc.).

Recommendation

I would propose the following procedure for examining these questions:

1. Initial study by Frank Press and Bo Cutter (OMB) with input from university presidents and heads of R & D agencies (NSF, ERDA, NASA, NIH, DOD Director of Research, NOAA).
2. Review of study by Vice President, Stu Eizenstat, and Secretaries Brown, Califano, Kreps, Bergland and Doctor Schlesinger.
3. Report and recommendation to the President
4. Establish monitoring committee (one meeting per year) with Science Advisor as convenor. Committee maintains liaison with university presidents.

I believe that a procedure like this could ease the concern and uncertainty in the universities.

Approve _____ ✓
Discuss _____

*Do not overemphasize
University concern - Jim
not interested in a
"college aid fund"
Concept - J*

THE WHITE HOUSE

WASHINGTON

Date: July 29, 1977

MEMORANDUM

FOR ACTION:

Stu Eizenstat

Jack Watson

Bert Lance *concur + comments*

Zbig Brzezinski *concur by phone*

Frank Press *concur*

FOR INFORMATION:

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: The Vice President's memo dated 7/21/77 re Basic Research Policy.

YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:

TIME: 12:00 NOON

DAY: Monday

DATE: August 1, 1977

ACTION REQUESTED:

Your comments

Other:

STAFF RESPONSE:

I concur.

No comment.

Please note other comments below:

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

Date: July 29, 1977

MEMORANDUM

438

FOR ACTION:

Stu Eizenstat

Jack Watson

Bert Lance

Zbig Brzezinski

Frank Press

FOR INFORMATION:

X C Carp
Stein

FROM: Rick Hutcheson, Staff Secretary

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DATE: August 1, 1977

ACTION REQUESTED:

 Your comments

Other:

STAFF RESPONSE:

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Please note other comments below:

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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 VICE PRESIDENT
WASHINGTON

July 21, 1977

MEMORANDUM FOR: THE PRESIDENT
FROM: THE VICE PRESIDENT *W. F. Sullivan*
SUBJECT: BASIC RESEARCH POLICY

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Background

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Memorandum to the President

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Recommendation

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2. Review of study by Vice President, Stu Eizenstat, and Secretaries Brown, Califano, Kreps, Bergland and Doctor Schlesinger.
3. Report and recommendation to the President
4. Establish monitoring committee (one meeting per year) with Science Advisor as convenor. Committee maintains liaison with university presidents.

I believe that a procedure like this could ease the concern and uncertainty in the universities.

Approve _____

Discuss _____

Date: July 29, 1977

MEMORANDUM

FOR ACTION:
 Stu Eizenstat
 Jack Watson
 Bert Lance
 Zbig Brzezinski
Frank Press *JP*

FOR INFORMATION:

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: The Vice President's memo dated 7/21/77 re Basic Research Policy.

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 TO THE STAFF SECRETARY BY:**
 TIME: 12:00 NOON
 DAY: Monday
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ACTION REQUESTED:

Your comments

Other:

STAFF RESPONSE:

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No comment.

Please note other comments below:

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

MEMORANDUM TO: RICK HUTCHESON
FROM: BOWMAN CUTLER
SUBJECT: The Vice President's 7/21/77 Memo on Basic Research Policy

We concur with the general value of organizing an interagency study of the status of basic research support. We are making provisions for such a study as part of the Fall review of the FY 1979 budget.

On the specific steps outlined by the Vice President:

- Item 1 is currently being implemented.
- Items 2 & 3 may be an unweildy process for handling the initial report which will be developed as part of the Fall budget process. We believe that OMB should take the lead, working with Dr. Press on the initial effort.
- Item 4 should prove to be useful, but should be scheduled early in the budget formulation process (late June or early July) to be most valuable.

MEMORANDUM
OF CALL

TO:

YOU WERE CALLED BY— YOU WERE VISITED BY—

NSC
OF (Organization)

PLEASE CALL → PHONE NO. CODE/EXT. _____

WILL CALL AGAIN IS WAITING TO SEE YOU

RETURNED YOUR CALL WISHES AN APPOINTMENT

MESSAGE

Concur - Basic Research!
Blicy
Bourne

RECEIVED BY _____ DATE _____ TIME _____

STANDARD FORM 63
REVISED AUGUST 1967
GSA FPMR (41 CFR) 101-11.6

GPO : 1969-048-16-80341-1 832-389

63-108

THE WHITE HOUSE
WASHINGTON

August 3, 1977

Frank Moore

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

Rick Hutcheson

cc: Zbig Brzezinski

RE: REPLY TO SENATOR CASE ON
VIOLATIONS OF THE SINAI II
AGREEMENT

*L-2
9/15/77*

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION
FYI

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	LIPSHUTZ
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	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

MEMORANDUM

THE PRESIDENT HAS SEEN. 4845

THE WHITE HOUSE
WASHINGTON

ACTION

August 2, 1977

MEMORANDUM FOR: THE PRESIDENT

FROM: ZBIGNIEW BRZEZINSKI *ZB*

SUBJECT: Reply to Senator Case

As a follow-up to your meeting on June 23, Senator Case has provided a memorandum on violations of the Sinai II agreement (Tab B).

RECOMMENDATION

That you sign the attached letter to Senator Case, telling him of the reassurances we have received from Egypt and Israel on their respective observances of Sinai II. (Tab A)

THE WHITE HOUSE
WASHINGTON

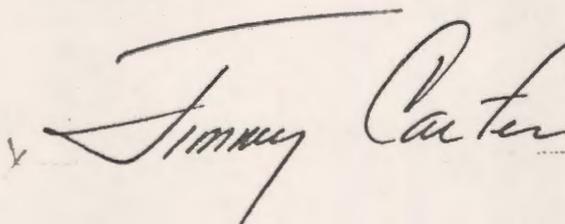
To Clifford Case

Thank you for your letter of July 19 in which you expressed concern about violations of the Sinai II agreement.

I fully agree that such violations are detrimental to the overall peace effort in the Middle East. Accordingly, I have communicated to the leaders of Egypt and Israel my hope that there will be scrupulous adherence to the Sinai II agreement. Both President Sadat and Prime Minister Begin subsequently made statements which have reassured me that each recognizes the necessity to avoid actions which might detract from their common objective of an early meeting of the Geneva Conference.

In regard to the question of violations of Sinai II, I was especially gratified by the early July exchange of messages between Prime Minister Begin and General Gamasy. We believe these messages, relayed through the good offices of United Nations General Siilasvuo, were constructive and that the issue has been attenuated at least for the time being.

Sincerely,

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

The Honorable Clifford Case
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE
WASHINGTON

August 3, 1977

Hamilton Jordan
Bob Lipshutz
Bunny Mitchell

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

Rick Hutcheson

RE: APPOINTMENTS TO THE DISTRICT OF
COLUMBIA SUPERIOR COURT

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		COSTANZA
		EIZENSTAT
X		JORDAN
X		LIPSHUTZ
		MOORE
		POWELL
		WATSON
		LANCE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	KING

	KRAFT
	LINDER
X	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

August 2, 1977

MEMORANDUM FOR THE PRESIDENT

FROM:

HAMILTON JORDAN
ROBERT LIPSHUTZ
BUNNY MITCHELL

7-19
R L M

RE:

Appointments to District of Columbia
Superior Court

Two vacancies have arisen on the Superior Court for the District of Columbia. Of the six candidates submitted by the D. C. Judicial Nomination Commission, we recommend that you appoint Frederick Weisberg and Carlisle Pratt. The Attorney General concurs with both recommendations.

Weisberg, white, is an exceptionally able lawyer. He would also be the first judge ever appointed from the ranks of the local Public Defender Service, widely regarded as the finest unit of its kind in the country. Local prosecutors, defense lawyers and judges all give Weisberg the highest marks, saying he would be both thoughtful and fair.

Approve Weisberg's appointment Disapprove

Carlisle Pratt is a seasoned, older black lawyer who has been engaged in both criminal and civil practice in the District for 25 years. He is quietly competent and has had a breadth of experience; most recently he has become one of the city's experts in the law relating to the establishment of professional corporations.

Approve Pratt's appointment Disapprove

[Handwritten signature]

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE
WASHINGTON

②

MR. NARAL GODREJ

MRS. SOONU GODREJ

MISS GULSERENE DASTUR

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THE PRESIDENT HAS SEEN.

THE WHITE HOUSE
WASHINGTON

August 3, 1977

MR. PRESIDENT

SENATOR HOLLINGS CALLED ON MONDAY
JUST TO LET US KNOW THE SENATOR
WAS HAVING A WEDDING RECEPTION
FOR JOE BIDEN AND HIS BRIDE
IN THE SENATE CAUCUS ROOM OF
THE OLD SENATE OFFICE BUILDING
TONIGHT FROM 6 TO 8:00 P.M.

YOU AND MRS. CARTER ARE CORDIALLY
INVITED.

TIM KRAFT

*Regrets
J*

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

August 3, 1977

C
12:15 p.m.

MEMORANDUM FOR THE PRESIDENT

FROM:

FRANK MOORE *F.M.*

The Eckhardt-Wilson natural gas pricing compromise that was agreed to in the ad hoc committee was just adopted by a voice vote in the House. We had hoped to have a recorded vote on this amendment to spot potential problem areas for the subsequent amendment which is now being debated.

The House is now debating the Brown-Krueger deregulation substitute. Our count shows 208 Democrats and Republicans supporting the committee position and 197 supporting Brown-Krueger. It is going to be very close. This vote should come before 1:30 p.m. today. Then, they will take up the 5¢ gas tax which has very little chance.

Tomorrow we should get down to the alternative amendments for rebate of the wellhead tax.

The Senate has ten hours of debate scheduled on FEA amendments.

I am going to the Hill; my staff will know how to reach me if you need me.

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THE WHITE HOUSE
WASHINGTON

August 3, 1977

Bob Lipshutz
Hamilton Jordan.

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

Rick Hutcheson
RE: HOWARD SAMUELS

THE WHITE HOUSE
WASHINGTON

FOR STAFFING
FOR INFORMATION
<input checked="" type="checkbox"/> FROM PRESIDENT'S OUTBOX
LOG IN/TO PRESIDENT TODAY
IMMEDIATE TURNAROUND

ACTION	FYI
	MONDALE
	COSTANZA
	EIZENSTAT
	JORDAN
<input checked="" type="checkbox"/>	LIPSHUTZ
	MOORE
	POWELL
	WATSON
	LANCE
	SCHULTZE

ENROLLED BILL
AGENCY REPORT
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SCHNEIDERS
STRAUSS
VOORDE
WARREN

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE
WASHINGTON

August 2, 1977

I agree
J

MEMORANDUM FOR THE PRESIDENT

FROM: Bob Lipshutz *BJ*

I wish to reiterate my suggestion that you give consideration to appointing Howard Samuels, of New York, to head a nation-wide effort for the purpose of enlisting and organizing massive volunteer support for many of the activities which can help communities, states, and the nation as a whole.

Earlier this year Howard did make some carefully prepared presentations to Greg Schneiders and Sam Brown.

Whether his services were utilized on a volunteer, part time basis, or on a full time basis, I believe he has the experience and interest which would make him outstanding in such a role. As you are aware, he has been anxious to be of assistance to the Administration ever since your election. Few people who helped us in the campaign demonstrated as much organizational ability as did he. |

cc: Hamilton Jordan

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for Preservation Purposes**