THE PRESIDENT'S SCHEDULE
Monday - December 12, 1977

7:45  Dr. Zbigniew Brzezinski - The Oval Office.

8:15  Mr. Frank Moore - The Oval Office.

8:30  Senior Staff Meeting - The Oval Office.

9:00  Meeting of the Cabinet.  (Mr. Jack Watson).
      (2 hrs.)  The Cabinet Room.

11:00 Mr. Jody Powell - The Oval Office.

12:00 Lunch with Vice President Walter F. Mondale.
      The Oval Office.

1:30  Mr. James McIntyre - The Oval Office.
      (20 min.)

2:00  Budget Appeals Meeting.  (Mr. James McIntyre).
      (2 hrs.)  The Cabinet Room.
stripping desk--

copy has already been sent to mrs. mondale

--ssc
To: Joan

Dec. 12

Dear Jimmy -

Thank you so much for letting us represent our country at Finland's 60th Anniversary of Their Independence. I had a wonderful time and particularly enjoyed getting to know Kosygin.

Fritz arranged a private meeting with him in the Russian Embassy in Helsinki + I told him I would
Tell you that he was a charming man, very healthy, and would live a long time! He laughed and laughed at that.

I asked him for permission to see the Russian Experimental Art, 1910-1930, which is in the storeroom of the State Museum in Leningrad, which the Soviets had
previously denied my seeing, and after Kosygin changed that the art was "nothing" it would I please explain our country's interest in it (Carter Brown of the National Gallery wants to borrow it), two hours after our meeting a cable arrived giving us permission to see it. (It was very abstract: Kandinsky, Chagall + Malevich). Very exciting. Love.
MEMORANDUM TO THE PRESIDENT
FROM: RICK HERTZBERG/JIM FALLOWS
SUBJECT: Phone call to AFL-CIO Convention

The general tone and thrust of your remarks might best be unapologetic, confident, and friendly -- you're grateful for their support in the election and since, we've had a good, solid, productive year working together; next year will be better still.

1. By way of a light introduction, you might consider these ideas:

   --You regret that the press of business kept you from the convention this year, but your absence is partly their doing -- they helped put you in a job that keeps you very busy.

   --Though you couldn't be there, you did spend a day at Camp David this weekend with Hubert Humphrey -- and, as they know, Hubert is a walking, talking, one-man AFL-CIO Convention himself.

   --You're glad that President George Meany decided to stay on the job -- because the youth unemployment problem is bad enough as it is.

   --Politicians respect George Meany not only because of his clout and his wisdom and experience, but also because he's the world's greatest expert on the art of getting re-elected.

2. We've been working together toward common goals for a long time.

   --After eight years of vetoes and obstructionism, the Administration in Washington and the labor movement are finally dealing with each other as friends and allies.

   --No group had more to do with your election than the labor movement and the AFL-CIO.
--No group has helped more with many of the tough problems you've faced this year.

--We've worked together on tough problems like Social Security, energy, minimum wage, mine safety, strip mining, undocumented aliens, and measures to help the economy.

--This is Human Rights Week, and there is no more passionate supporter of a U.S. foreign policy that stands for human rights than the AFL-CIO.

3. We'll need each other's help more than ever in the coming year to attack the problems that face our nation.

--Our recovery is still too sluggish, and we're going to need strong action to create jobs for American workers.

--We need business confidence, but we need labor confidence, too—the confidence of the labor movement and the confidence of a job for every American who is willing and able to work.

--You'll need their help to get job-creating tax relief and some solid, meaningful tax reform.

--You're counting on their support on these issues and on crucial problems like welfare, consumer protection, Hatch Act reform, the Panama Canal treaties, and continuing the thrust on human rights.

--You and Fritz Mondale and the labor movement are going to be fighting side by side to get the labor law reform bill through the Senate, and George Meany will be with you when you sign that bill into law.

4. Again, you regret you couldn't be with them physically this time—but you hope it's the only AFL-CIO convention you'll ever have to miss.

# # #
MEMORANDUM FOR THE PRESIDENT

FROM: Charlie Schultze

SUBJECT: Advance estimate of retail sales

This afternoon the Department of Commerce released the advance estimate for November retail sales.

The news is good. The October advance estimate was revised upward and November sales increased nicely. The following table summarizes the data:

<table>
<thead>
<tr>
<th></th>
<th>September to October</th>
<th>October to November</th>
<th>September to November</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total retail sales</td>
<td>2.7</td>
<td>1.5</td>
<td>4.3</td>
</tr>
<tr>
<td>Total, excluding autos</td>
<td>1.7</td>
<td>1.6</td>
<td>3.3</td>
</tr>
</tbody>
</table>

If these estimates hold up, the fourth quarter GNP will include a very good rise in consumer purchases, even after adjustment for inflation.
THE WHITE HOUSE
WASHINGTON

December 12, 1977

Jack Watson

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

Rick Hutcheson

RE: CABINET DINNER -- CHRISTMAS
THE WHITE HOUSE  
WASHINGTON

<table>
<thead>
<tr>
<th>ACTION FOR STAFFING</th>
<th>FOR INFORMATION</th>
<th>FROM PRESIDENT'S OUTBOX</th>
<th>LOG IN/TO PRESIDENT TODAY</th>
<th>IMMEDIATE TURNAROUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>MONDALE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COSTANZA</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EIZENSTAT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JORDAN</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LIPSHUTZ</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MOORE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>POWELL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WATSON</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McIntyre</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCHULTZE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ENROLLED BILL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AGENCY REPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CAB DECISION</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EXECUTIVE ORDER</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ARAGON</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BOURNE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BRZEZINSKI</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BUTLER</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CARP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H. CARTER</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CLOUGH</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FALLOWS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FIRST LADY</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HARDEN</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HUTCHESON</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JAGODA</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gammill</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>KRAFT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LINDER</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MITCHELL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MOE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PETERSON</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PETTIGREW</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>POSTON</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PRESS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCHLESINGER</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCHNEIDERS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>STRAUSS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>VOORDE</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WARREN</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MEMORANDUM TO: THE PRESIDENT
FROM: Jack Watson
Jane Frank
December 2, 1977
RE: Christmas Dinner with the Cabinet

We suggest that sometime before you leave for Christmas you invite the entire Cabinet and spouses to a private dinner at the White House. It would be a festive and special occasion for them—one in which friendships among them and between them and you could be strengthened.

Approve

Disapprove

---

Electrostatic Copy Made
for Preservation Purposes
THE WHITE HOUSE
WASHINGTON

December 12, 1977

Frank Moore

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

Rick Hutcheson

RE: CALL TO CHAIRMAN PERKINS
RE WELFARE REFORM SUBCOMMITTEE
| ACTION FYI | MONDALE                     | ENROLLED BILL              |
|           | COSTANZA                    | AGENCY REPORT              |
|           | EIZENSTAT                   | CAB DECISION               |
|           | JORDAN                      | EXECUTIVE ORDER            |
|           | LIPSHUTZ                    | Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day |
|           | MOORE                       |                            |
|           | POWELL                      |                            |
|           | WATSON                      |                            |
|           | McINTYRE                    |                            |
|           | SCHULTZE                    |                            |
|           | ARAGON                      | KRAFT                      |
|           | BOURNE                      | LINDER                     |
|           | BRZEZINSKI                  | MITCHELL                   |
|           | BUTLER                      | MOE                        |
|           | CARP                        | PETERSON                   |
|           | H. CARTER                   | PETTIGREW                  |
|           | CLOUGH                      | POSTON                     |
|           | FALLOWS                     | PRESS                      |
|           | FIRST LADY                  | SCHLESINGER                |
|           | HARDEN                      | SCHNEIDERS                 |
|           | HUTCHESON                   | STRAUSS                    |
|           | JAGODA                      | VOORDE                     |
|           | GAMMILL                     | WARREN                     |
CONGRESSIONAL TELEPHONE CALL

TO: Chairman Carl Perkins (D-Ky. 7)  
225-4935 (office)

DATE: Today, December 8, 1977

RECOMMENDED BY: Bill Cable

PURPOSE: To thank Chairman Perkins for his successful efforts today in the Welfare Reform Subcommittee.

BACKGROUND: Today, the Welfare Reform Subcommittee by a 12-6 vote adopted the Administration proposal to cash out the food stamp program. Chairman Perkins offered the motion in the face of substantial opposition from organized labor. He clearly went out on a limb for us and was responsible for no fewer than 6 votes. In addition, his district is severely impacted by the coal strike where food stamps are the only means to keep the miners fed during the strike.

DATE OF SUBMISSION: December 8, 1977

Approved by Frank Moore: F.M.
THE WHITE HOUSE
WASHINGTON
December 12, 1977

Stu Eizenstat

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

Rick Hutcheson

RE: DEFERRAL OF TAXATION ON FOREIGN PROFITS UNTIL REPATRIATION — LETTER TO KIRBO
THE WHITE HOUSE  
WASHINGTON

<table>
<thead>
<tr>
<th>ACTION FYI</th>
<th>FOR STAFFING</th>
<th>FOR INFORMATION</th>
<th>FROM PRESIDENT'S OUTBOX</th>
<th>LOG IN/TO PRESIDENT TODAY</th>
<th>IMMEDIATE TURNAROUND</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>MONDALE</td>
<td>COSTANZA</td>
<td>EIZENSTAT</td>
<td>JORDAN</td>
<td>LIPSHUTZ</td>
</tr>
<tr>
<td></td>
<td>MOORE</td>
<td>POWELL</td>
<td>WATSON</td>
<td>McINTYRE</td>
<td>SCHULTZE</td>
</tr>
<tr>
<td></td>
<td>ARAGON</td>
<td>BOURNE</td>
<td>BRZEZINSKI</td>
<td>BUTLER</td>
<td>CARP</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>H. CARTER</td>
<td>CLOUGH</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FALLOWS</td>
<td>FIRST LADY</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>HAREN</td>
<td>HUTCHESON</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>JAGODA</td>
<td>GAMMILL</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ENROLLED BILL</th>
<th>AGENCY REPORT</th>
<th>CAB DECISION</th>
<th>EXECUTIVE ORDER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| KRAFT | LINDER | MITCHELL | MOE | PETERSON | PETTIGREW | POSTON | PRESS | SCHLESINGER | SCHNEIDERS | STRAUSS | VOORDE | WARREN |
|-------|--------|----------|-----|----------|-----------|--------|-------|-------------|------------|---------|--------|--------|--------|
December 6, 1977

Mr. Charles H. Kirbo  
King & Spalding  
2500 Trust Company Tower  
Atlanta, Georgia 30303

Dear Charlie:

Last night (December 5) the President returned my call at my home. The subject was the deferral of taxation on foreign profits until repatriation. I am told by Reginald Jones of the General Electric Company that the President favors the elimination of this deferral provision from the law. Mike Blumenthal wants to retain it and obviously the business community wants it retained for reasons set forth in the memorandum attached hereto. (See Exhibit A.)

During my conversation with President Carter, I told him I would be sending a memorandum on the subject to him through you. Please see Exhibits A and B accompanying this letter.

Kind regards.

Sincerely,

JPA/ces  
enclosures

Electrostatic Copy Made for Preservation Purposes
December 5, 1977

MEMORANDUM TO: Mr. J. Paul Austin
FROM: William P. McClure

1) Deferral benefits only operations in countries with tax rates lower than that of the United States, and therefore its elimination would encourage those countries to increase their rates up to the U.S. rate. Thus, the total tax payment by such operations would not be changed, but the tax revenue which would otherwise go to the U.S. would be retained by the foreign countries.

2) Deferral allows the tax incentives given by low tax rate countries to be effective for subsidiaries of U.S. companies. Our treaty program with less developed countries, including Israel, is dependent on deferral of U.S. tax on foreign subsidiaries of U.S. companies.

3) Since practically all industrialized countries allow
deferrals, its elimination would place a higher tax burden on the income of U.S. owned foreign subsidiaries and place them at a competitive disadvantage with foreign owned companies.

4) To the extent that the elimination of deferral results in increased repatriation of profits to the U.S., foreign countries will levy withholding taxes which will benefit neither the company nor the United States.

5) The tax law does not provide an overall incentive to invest overseas since the investment tax credit is limited to investments made in the United States, and that benefit is substantially greater than any benefit obtained from deferral.

William P. McClure

WPM/ses
THE WHITE HOUSE
WASHINGTON

December 12, 1977

Hamilton Jordan

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

Rick Hutcheson

cc:  Jim Gammill

RE: BOARD OF DIRECTORS, COMSAT
**THE WHITE HOUSE**  
WASHINGTON

<table>
<thead>
<tr>
<th>FOR STAFFING</th>
<th>FOR INFORMATION</th>
<th>FROM PRESIDENT'S OUTBOX</th>
<th>LOG IN/TO PRESIDENT TODAY</th>
<th>IMMEDIATE TURNAROUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACTION</td>
<td>FYI</td>
<td>ACTION</td>
<td>FYI</td>
<td></td>
</tr>
<tr>
<td>MONDALE</td>
<td>COSTANZA</td>
<td>EIZENSTAT</td>
<td>JORDAN</td>
<td>LIPSHUTZ</td>
</tr>
<tr>
<td>ARAGON</td>
<td>BOURNE</td>
<td>BRZEZINSKI</td>
<td>BUTLER</td>
<td>CARP</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MEMORANDUM FOR THE PRESIDENT

FROM: HAMILTON JORDAN

SUBJECT: Board of Directors, Communications Satellite Corporation (COMSAT)

Communications Satellite Corporation (COMSAT) is a corporation created by Congress but is wholly privately owned. The idea was to take the technology developed at taxpayers expense in the space race and insure its use and continued development to create a global satellite communication system accessible to all countries. COMSAT has been very successful both technically and financially.

There are fifteen (15) members of the Board of Directors. Twelve are elected by the stockholders and three are Presidential appointees. They function as the corporate board and the three Presidential appointments are considered to be extremely prestigious.

George Meany has served on the Board since its inception. He has been an active and positive force. The officers of COMSAT urge his reappointment.

Jesse Hill, as you know, is recognized as a leader in both the business and the black community. He is a member of several business and governmental boards and has taken an active interest in them. He is President-elect of the Atlanta Chamber of Commerce. Hill would be the first black to be on the COMSAT Board.

Lee Kling is also a successful businessman who has served on a number of civic and business boards. Lee comes with a strong recommendation from Bob Strauss, who has known him for years and who worked closely with Lee at the DNC. In addition, Lee recently has been very helpful to us on Panama, both by lobbying
the Senate and raising funds for the Committee of Americans for Canal Treaties, Inc.

RECOMMENDATION

Appoint the following people to the COMSAT Board of Directors:

George Meany
Jesse Hill
Lee Kling

approve   disapprove

[Signature]

Electrostatic Copy Made for Preservation Purposes
JESSE HILL, JR.

EXPERIENCE:

1973 to Present
President and Chief Executive Officer, Atlanta Life Insurance Company

1970 to 1973
Vice President - Actuary
Member, Board of Directors, Atlanta Life Insurance Company

1957 to 1970
Actuary

1954 to 1957
Acting Actuary

1952 to 1954
Military Service - Korean War

1950 to 1952
Acting Actuary

1949 to 1950
Actuarial Assistant

EDUCATION:

1947
Graduated, Lincoln University, B.S.

1949
Graduated, University of Michigan, M.E.A.

1972
Honorary Doctorate Degree, Morris Brown College

1974
Honorary Doctorate, Clark College

AFFILIATIONS:

Member Board of Directors, Delta Airlines

Member Board of Directors, Rich's Inc.

President, Enterprise Investments

President, Atlanta Inquirer, Inc.

Member Board of Directors, H.J. Russell Enterprise

Member American Academy of Actuaries,
Atlanta Actuarial Club & Southeastern Actuarial Club

Black, Male
Democrat
Age - 51
Comments on Jesse Hill

A. H. Stern, Chair, Trust Company

"I know Hill well and feel that he is solid, has sound judgment and is bright. He gets along well with others. He is very busy and has a tendency to become overly committed; however, he does come through".

Ivan Allen, Jr., Chair, Ivan Allen Company

"I have known Hill for many years. He is a great American and gets along well with others. I would recommend him highly for anything. Hill is just absolutely, unequivocally great".

Richard Lesher, President, U.S. Chamber of Commerce

"He had to check Hill out before he became a member of the Chamber of Commerce, conducted a very thorough check and found no problems".

"Hill is outstanding and a great addition to the Chamber of Commerce".

"Hill is articulate and intelligent and knows his facts and figures".

"He has not known Hill long, but would give him a triple "A" rating".

David Garrett, Jr., President, Delta Airlines

"He is one of the finest businessmen in our part of the country".

"He is on our board and has not missed a meeting in three years".

"He is very knowledgeable and a valued member of the community".
S. Lee Kling  
802 Bluesprings Lane  
St. Louis, Missouri 63131

EXPERIENCE:

1976 to Present  Chair of the Board and Chief Executive Officer, First State Banc-shares
1975  Director of Reed Shaw Stenhouse Ltd.
1965 to 1975  President of Insurance Consultants, Inc.
1958 to 1965  Vice-President, General Insurers, Inc.
1950 to 1958  Insurance Broker, General Insurers, Inc.

OTHER ACTIVITIES:

1973 to 1977  National Finance Chairman of the Democratic National Committee
1973 to 1977  Executive Committee Member, Democratic National Committee
1977  Vice-Chairman of Regional Commerce & Growth Association of St. Louis (Chamber of Commerce)
1977  Co-Chairman of the Democratic House and Senate Campaign Committee Annual Dinner

EDUCATION:

1942 to 1946  New York Military Academy
1946 to 1950  Washington University, St. Louis

White, Male  
Democrat  
Age - 49
Comments on Lee Kling

Robert S. Strauss, Special Representative for Trade Negotiations

"Lee is one of those rare people that does what he says he will do. He is intelligent, sophisticated and totally loyal. He is a team player and is committed to the President. He strikes a good balance between the average guy and business. I don't know anyone I would recommend more".

Floy Warmann, President, Total Communications and Missouri Terminal Oil Company

"Lee and I have been partners in the banking business. He has a good business sense and is quite successful. He is diplomatic, is an astute statesman and has great capability in times of stress. Lee would be an outstanding appointment".

Franklin A. Jacobs, President, Falcon Products, Inc.

"He is eminently qualified. He is Chairman of the Board of the tenth largest bank in Missouri and is one of the most respected businessmen in St. Louis. He is a Vice President of the Regional Commerce and Growth Committee and has that position because of his reputation as a good businessman".

John G. McMillian, Chairman and President, Northwest Energy Company

"I cannot speak too highly of him. I've known Lee both professionally and personally for ten years. We have served together on several boards. He is active and is always prepared. He is bright and knows how to deal with people very well".

Elliot Stein, President, Scherck Stein and Franc, Inc.

"I have known Lee since grade school. He is intelligent, has good business judgment and knows how to handle people. He serves on a number of civic boards and is always a valued addition".
George Meany

EXPERIENCE:

1952 to Present  
President, AFL-CIO

1948 to 1952  
Director, Labor's League for Political Education

1939 to 1948  
Secretary-Treasurer, American Federation of Labor

1934 to 1939  
President, New York State Federation of Labor

1932 to 1934  
Vice President, New York State Federation of Labor

1922 to 1932  
Business Agent, New York Local 463, UA

EDUCATION:

1910  
Graduated from Public School System of New York

White, Male
Democrat
Age - 83
Mr. President:

No comment from Schultze or Eizenstat.

Rick
MEMORANDUM FOR: THE PRESIDENT
FROM: SECRETARY OF LABOR
SUBJECT: INTERNATIONAL ECONOMIC COOPERATION

During our breakfast meeting of December 9, it was mentioned that the OPEC surplus was one of the reasons for our continuing budget deficit. That is, our budget deficit is making up for part of the purchasing power that is being siphoned away from the U.S. economy by our purchases of imported oil.

One way to moderate that phenomenon is to find ways to invest the world's surplus funds in employment-producing investments. OPEC investments in water development projects, for example, will increase world demand for machinery and steel pipe. Employment, profits, and government revenues will increase. If, instead, these funds remain in idle bank deposits, then neither employment nor revenues will increase.

If World Bank loans to the developing nations were to increase substantially, then we could reduce some of our trade deficit and budget deficit simultaneously. At the same time, we could encourage the world economy to produce goods and services in a way that would promote world stability and human rights. An international development policy that encouraged investment in labor-intensive rural development, water resources, and energy and in programs to promote basic human needs would increase jobs for U.S. workers and provide balanced growth in the developing countries. The alternative of investing in electronics, textiles, or other light manufacturing will foster import competition to the U.S. and encourage unhealthy migration from rural to urban areas in the developing world. Increasing self-sufficiency of the developing nations in agriculture and energy through projects directed to that end would, moreover, help moderate the world's long-run inflation problem.
It seems, therefore, that there is a potential for simultaneously reducing unemployment and the federal deficit in the immediate future and for reducing inflation over the longer term. We may need to consider mechanisms other than the World Bank, such as loans from OPEC countries to the less developed world that are subsidized and/or partially guaranteed by the stronger economies including the United States.

It may be especially opportune to launch a program of this type now while the OPEC countries are undecided about whether or not to increase oil prices. The Sadat initiative creates a favorable environment for a U.S. response directed to world economic cooperation. You may wish to test the receptivity of other world leaders, including King Khalid of Saudi Arabia, towards economic cooperation of this type.
THE WHITE HOUSE
WASHINGTON
December 13, 1977

The Vice President
Stu Eizenstat
Jack Watson
Charles Schultze
Zbig Brzezinski

The attached is forwarded to you for your information.

Rick Hutcheson

RE: INTERNATIONAL ECONOMIC COOPERATION
<table>
<thead>
<tr>
<th>ACTION</th>
<th>FYI</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>MONDALE</td>
<td></td>
</tr>
<tr>
<td></td>
<td>COSTANZA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>EIZENSTAT</td>
<td></td>
</tr>
<tr>
<td></td>
<td>JORDAN</td>
<td></td>
</tr>
<tr>
<td></td>
<td>LIPSHUTZ</td>
<td></td>
</tr>
<tr>
<td></td>
<td>MOORE</td>
<td></td>
</tr>
<tr>
<td></td>
<td>POWELL</td>
<td></td>
</tr>
<tr>
<td></td>
<td>WATSON</td>
<td></td>
</tr>
<tr>
<td></td>
<td>McIntyre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SCHULTZE</td>
<td></td>
</tr>
<tr>
<td>ENROLLED BILL</td>
<td>AGENCY REPORT</td>
<td>CAB DECISION</td>
</tr>
<tr>
<td>EXECUTIVE ORDER</td>
<td>Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ACTION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ARAGON</td>
<td></td>
</tr>
<tr>
<td>BOURNE</td>
<td></td>
</tr>
<tr>
<td>BRZEZINSKI</td>
<td></td>
</tr>
<tr>
<td>BUTLER</td>
<td></td>
</tr>
<tr>
<td>CARP</td>
<td></td>
</tr>
<tr>
<td>H. CARTER</td>
<td></td>
</tr>
<tr>
<td>CLOUGH</td>
<td></td>
</tr>
<tr>
<td>FALLows</td>
<td></td>
</tr>
<tr>
<td>FIRST LADY</td>
<td></td>
</tr>
<tr>
<td>HARDEN</td>
<td></td>
</tr>
<tr>
<td>HUTCHeson</td>
<td></td>
</tr>
<tr>
<td>JAGODA</td>
<td></td>
</tr>
<tr>
<td>Gammill</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ACTION</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>KRAFT</td>
<td></td>
</tr>
<tr>
<td>LINDER</td>
<td></td>
</tr>
<tr>
<td>MITCHELL</td>
<td></td>
</tr>
<tr>
<td>MOE</td>
<td></td>
</tr>
<tr>
<td>PETERSON</td>
<td></td>
</tr>
<tr>
<td>PETTIGREW</td>
<td></td>
</tr>
<tr>
<td>POSTON</td>
<td></td>
</tr>
<tr>
<td>PRESS</td>
<td></td>
</tr>
<tr>
<td>SCHLESINGER</td>
<td></td>
</tr>
<tr>
<td>SCHNEIDERS</td>
<td></td>
</tr>
<tr>
<td>STRAUSS</td>
<td></td>
</tr>
<tr>
<td>VOORDE</td>
<td></td>
</tr>
<tr>
<td>WARREN</td>
<td></td>
</tr>
</tbody>
</table>
THE WHITE HOUSE
WASHINGTON
December 12, 1977

The Vice President

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

Rick Hutcheson
cc: Hamilton Jordan
RE: POSITION FOR KEN CURTIS

ADMINISTRATIVELY CONFIDENTIAL
Mr. President,

I think we should offer some position to Ken Curtis.

[Signature]
MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE

Senator Muskie telephoned me today to express his concern over the Ken Curtis situation. He said he does not blame you personally but believes that lower echelon members of the White House staff are responsible for Curtis' problems.

The Senator said that it should be kept in mind that Ken Curtis may well be one of the Senators from Maine before your term in office is through. He said that the people of Maine are extremely upset over the treatment of Ken Curtis and the Senator believes that a statement of support from you would be very helpful.
The latest poll, which will be out next Monday, shows the President has improved his public standing from 46 - 52 negative last time to 50 - 48 positive now. H says the improvement is due entirely to the perception that the President has made great strides toward peace in the Middle East. His ratings on the handling of the Middle East have gone up dramatically, from 48 - 44 negative to 63 - 29 positive.

The President has also improved his ratings on his handling of energy and foreign policy, but only slightly. On his dealings with Congress, the figures are the same.

On inspiring confidence in the White House, he has jumped from 49 - 46 negative to 53 - 43 positive. H again attributes this to the Middle East and the leadership the President is providing. He added parenthetically that if we had not been supportive of Sadat and the Cairo conference, all of the ratings would have plummeted.

He makes the point that from now on only specific and visible accomplishments, like the movement toward peace in the Middle East that he is identified with, will further improve the President's ratings. He points to the energy bill as another. He asked how people would regard the signing of an energy bill. 32% said it would be a major victory, 41% a minor victory, and 19% no victory.
The Vice President
Hamilton Jordan
Jody Powell

The attached was returned in the President's outbox and is forwarded to you for your information. The original has been given to Ken Curtis.

Rick Hutcheson

RESIGNATION OF KEN CURTIS -- PRESIDENT'S STATEMENT
<table>
<thead>
<tr>
<th>ACTION</th>
<th>FYI</th>
<th>FOR STAFFING</th>
<th>FOR INFORMATION</th>
<th>FROM PRESIDENT'S OUTBOX</th>
<th>LOG IN/TO PRESIDENT TODAY</th>
<th>IMMEDIATE TURNAROUND</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Send orig to Ken Carter

<table>
<thead>
<tr>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>MONDALE</td>
</tr>
<tr>
<td>COSTANZA</td>
</tr>
<tr>
<td>EIZENSTAT</td>
</tr>
<tr>
<td>JORDAN</td>
</tr>
<tr>
<td>LIPSHUTZ</td>
</tr>
<tr>
<td>MOORE</td>
</tr>
<tr>
<td>POWELL</td>
</tr>
<tr>
<td>WATSON</td>
</tr>
<tr>
<td>McINTYRE</td>
</tr>
<tr>
<td>SCHULTZE</td>
</tr>
<tr>
<td>ENROLLED BILL</td>
</tr>
<tr>
<td>Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARAGON</td>
</tr>
<tr>
<td>BOURNE</td>
</tr>
<tr>
<td>BRZEZINSKI</td>
</tr>
<tr>
<td>BUTLER</td>
</tr>
<tr>
<td>CARP</td>
</tr>
<tr>
<td>H. CARTER</td>
</tr>
<tr>
<td>CLOUGH</td>
</tr>
<tr>
<td>FALLOWS</td>
</tr>
<tr>
<td>FIRST LADY</td>
</tr>
<tr>
<td>HARDEN</td>
</tr>
<tr>
<td>HUTCHESON</td>
</tr>
<tr>
<td>JAGODA</td>
</tr>
<tr>
<td>GAMMILL</td>
</tr>
<tr>
<td>KRAFT</td>
</tr>
<tr>
<td>LINDER</td>
</tr>
<tr>
<td>MITCHELL</td>
</tr>
<tr>
<td>MOE</td>
</tr>
<tr>
<td>PETERSON</td>
</tr>
<tr>
<td>PETTIGREW</td>
</tr>
<tr>
<td>POSTON</td>
</tr>
<tr>
<td>PRESS</td>
</tr>
<tr>
<td>SCHLESINGER</td>
</tr>
<tr>
<td>SCHNEIDERS</td>
</tr>
<tr>
<td>STRAUSS</td>
</tr>
<tr>
<td>VOORDE</td>
</tr>
<tr>
<td>WARREN</td>
</tr>
</tbody>
</table>
STATEMENT BY PRESIDENT CARTER

I deeply regret that Ken Curtis will be leaving his position as chairman of the Democratic National Committee.

At my request, he came to Washington to accept the chairmanship. He did not seek that important office, rather I sought him out because of the qualities of leadership, fairness his dedication to the principles and aspirations of the Democratic Party.

When he advised me of his desire to resign and return to Maine, I asked him to remain until a successor could be found. He will not be easy to replace.

Ken Curtis was of great assistance to me, my staff and Administration in our very challenging first year in office. He was a helpful and effective partner in many Administration and Democratic Party actions. He is a valued and trusted friend, and I will miss him.

Jimmy Carter
Calls made Friday night, December 9, on the statement by the President regarding Ken Curtis' resignation:

**Portland, Maine:**

State AP Wire
TV: WCSH-TV
     WGAN-TV
     WMTW-TV
Radio: WCSH
       WGAN

**Bangor, Maine:**

TV: WABI-TV
    WEMT-TV
    WLBJ-TV
Radio: WABI
      WLBJ

**Augusta, Maine:**

State UPI Wire
THE WHITE HOUSE
WASHINGTON
December 12, 1977

The Vice President

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

Rick Hutcheson

RE: CONSUMER AGENCY LEGISLATION
<table>
<thead>
<tr>
<th>ACTION</th>
<th>FYI</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>MONDALE</td>
<td></td>
</tr>
<tr>
<td>COSTANZA</td>
<td></td>
</tr>
<tr>
<td>EIZENSTAT</td>
<td></td>
</tr>
<tr>
<td>JORDAN</td>
<td></td>
</tr>
<tr>
<td>LIPSHUTZ</td>
<td></td>
</tr>
<tr>
<td>MOORE</td>
<td></td>
</tr>
<tr>
<td>POWELL</td>
<td></td>
</tr>
<tr>
<td>WATSON</td>
<td></td>
</tr>
<tr>
<td>McIN TYRE</td>
<td></td>
</tr>
<tr>
<td>SCHULTZE</td>
<td></td>
</tr>
<tr>
<td>ARAGON</td>
<td></td>
</tr>
<tr>
<td>BOURRE</td>
<td></td>
</tr>
<tr>
<td>BRZE ZINSKI</td>
<td></td>
</tr>
<tr>
<td>BUTLER</td>
<td></td>
</tr>
<tr>
<td>CARP</td>
<td></td>
</tr>
<tr>
<td>H. CARTER</td>
<td></td>
</tr>
<tr>
<td>CLOUGH</td>
<td></td>
</tr>
<tr>
<td>FALLows</td>
<td></td>
</tr>
<tr>
<td>FIRST LADY</td>
<td></td>
</tr>
<tr>
<td>HARDEN</td>
<td></td>
</tr>
<tr>
<td>HUTCHESON</td>
<td></td>
</tr>
<tr>
<td>JAGODA</td>
<td></td>
</tr>
<tr>
<td>GAMMILL</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>ENROLLED BILL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AGENCY REPORT</td>
</tr>
<tr>
<td></td>
<td>CAB DECISION</td>
</tr>
<tr>
<td></td>
<td>EXECUTIVE ORDER</td>
</tr>
<tr>
<td>Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>KRAFT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LINDER</td>
</tr>
<tr>
<td></td>
<td>MITCHELL</td>
</tr>
<tr>
<td></td>
<td>MOE</td>
</tr>
<tr>
<td></td>
<td>PETERSON</td>
</tr>
<tr>
<td></td>
<td>PETTIGREW</td>
</tr>
<tr>
<td></td>
<td>POSTON</td>
</tr>
<tr>
<td></td>
<td>PRESS</td>
</tr>
<tr>
<td></td>
<td>SCHLESINGER</td>
</tr>
<tr>
<td></td>
<td>SCHNEIDERS</td>
</tr>
<tr>
<td></td>
<td>STRAUSS</td>
</tr>
<tr>
<td></td>
<td>VOORDE</td>
</tr>
<tr>
<td></td>
<td>WARREN</td>
</tr>
</tbody>
</table>
MEMORANDUM FOR THE PRESIDENT

FROM: ESTHER PETerson

SUBJECT: Consumer Agency Legislation

As you requested, I am attaching a description of the new consumer agency legislation, as well as a text of the bill itself.

This legislation meets the need for meaningful consumer participation in agency decisionmaking and responds to the most important concerns about the original bill which were voiced by the business community and shared by many Members of Congress. It also reorganizes federal consumer programs resulting in a net savings of more than $10 million over the initial two-year costs of the OCR.

Attachment
HR 9718 would create within the executive branch an Office of Consumer Representation (OCR). The OCR would be headed by an Administrator appointed by the President, with the advice and consent of the Senate (Sec. 3(a); pp. 2-3).

The major function of the OCR is to represent the interests of the people of the United States as consumers of goods and services (Sec. 5(a); p.8). Whenever the OCR Administrator determines that an agency proceeding may substantially affect an interest of consumers, he may, as of right, intervene as a party. The Administrator must comply with all rules of procedure governing participation for all other parties (Sec. 6(a); pp. 9-10). However, the Administrator may participate only as a "friend of the court," as opposed to a party, in a proceeding to impose a fine (Sec. 6(c); p. 11). In addition, the Administrator is also authorized to represent the concerns of small business to the extent consistent with those of consumers (Sec. 15(4); pp. 30-31).

The Administrator is further authorized to institute judicial review, or intervene in a court proceeding, to challenge an adverse agency decision, but only "to the extent that any person, if aggrieved, would have a right of judicial review by law" (Sec. 6(d)(1); pp. 11-12). Further, if the Administrator did not participate in the original agency proceeding, he may seek judicial review only "to the same extent and in the same manner" as any other person not a participant in the proceeding and only if the consumers' interests would not otherwise be adequately represented (Sec. 6(d)(2); p. 12). Before exercising his judicial review authority regarding a non-regulatory, executive branch agency decision, the Administrator must provide the President 30 days advance notice of his intention to seek judicial review (Sec. 6(d)(4); pp. 12-13).

The Administrator may not intervene in proceedings before State or local agencies and courts unless he is invited to do so (Sec. 6(h); p. 14).

In addition to its advocacy functions, the Administrator would also:

(1) Establish a consumer complaints clearinghouse to funnel complaints to the appropriate agencies (Sec. 7; pp. 14-16);

(2) Disseminate helpful information to the public on consumer products and services, problems generally
encountered by consumers, and federal agency proceedings and regulations that affect consumers (Sec. 8; pp. 16-17);

(3) Encourage and support consumer-related research (Sec. 9; pp. 17-19); and

(4) Report annually to the President and Congress on the effectiveness of federal consumer programs and on federal regulations which are found to be contrary to legislative intent or in conflict with or duplicative of regulations of another federal agency (Sec. 4(d); pp. 7-8).

In performing his functions, the Administrator may seek information only from other federal agencies; but the type of information that may be obtained is limited by various exemptions similar to those in the Freedom of Information Act (Sec. 10; pp. 19-23).

HR 9718 incorporates a reorganization of federal consumer programs which directs the transfer of 20 programs to the OCR where they can be more efficiently handled. In addition, it directs OMB to recommend an additional $10 million in budget reductions of federal consumer programs (i.e., the Ford consumer representation plans). (Sec. 14; pp. 26-30.) Since the bill authorizes for appropriation $15 million for FY 1978 and $17 million for FY 1979, the reorganization plan would result in a net savings of more than $6 million over the first year costs, and $4 million over the second year costs, of the OCR (Sec. 19; p. 34).

The legislation exempts certain federal agencies or programs from OCR's advocacy functions. Those exemptions include the Central Intelligence Agency; FBI; National Security Agency; the national security functions of the Departments of State, Justice, Defense, and Energy and the Nuclear Regulatory Commission; a labor dispute or agreement; and Department of Agriculture proceedings directly concerning the market price of, or loans, price supports or payments for raw agriculture commodities (Sec. 17; pp. 32-33).

Finally, the legislation includes a five-year sunset provision (Sec. 22; pp. 35-36).
Differences Between the Original Bill (HR 6805) and the Substitute Bill (HR 9718)

On October 25, 1977, 25 members of Congress introduced a substitute consumer agency bill (HR 9718) designed to give consumers a meaningful voice in government decision-making, but structured to respond to reservations that some Members had to the original bill (HR 6805). The major changes incorporated in HR 9718 are the following:

- There would be a major reorganization of federal consumer programs. Through the transfer or phasing out of existing consumer programs which would duplicate the OCR's activities or which have become ineffective, more than $10 million will be saved over the costs of the OCR in its initial two years.

- OCR would have no interrogatory power. It could not require business to answer interrogatories or to file mandatory reports.

- OCR would have no greater rights of judicial review from a federal agency decision than any business entity. This equality of judicial review rights would extend both to instances where OCR was a party or participant in a proceeding and where it was not.

- OCR would have no greater rights than any business entity to use a host agency subpoena or other discovery powers during a proceeding.

- OCR would be authorized to represent the interests of small business as consumers of regulated goods and services.

- OCR would have no authority to set up product testing laboratories.

- OCR would have no authority to set up regional offices.

- OCR would be required to report to Congress on any rules or orders of a federal agency found to be in conflict with or duplicative of those of another agency.

- OCR would be required to report to Congress on the impact of intervention (including delays) on the effectiveness and efficiency of the regulatory process.

- OCR would be required to notify the President 30 days in advance of its intention to seek judicial review of an executive branch, non-regulatory action.
### Index to HR 9718

<table>
<thead>
<tr>
<th>Section</th>
<th>Subject</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Statement of Findings</td>
<td>1</td>
</tr>
<tr>
<td>3</td>
<td>Establishment</td>
<td>2</td>
</tr>
<tr>
<td>4</td>
<td>Powers and Duties of Administrator</td>
<td>4</td>
</tr>
<tr>
<td>5</td>
<td>Functions of the Office</td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>Representation of Consumers</td>
<td>9</td>
</tr>
<tr>
<td>7</td>
<td>Consumer Complaints</td>
<td>14</td>
</tr>
<tr>
<td>8</td>
<td>Consumer Information and Services</td>
<td>16</td>
</tr>
<tr>
<td>9</td>
<td>Research</td>
<td>17</td>
</tr>
<tr>
<td>10</td>
<td>Information Gathering</td>
<td>19</td>
</tr>
<tr>
<td>11</td>
<td>Limitations on Disclosure</td>
<td>23</td>
</tr>
<tr>
<td>12</td>
<td>Protection of the Consumer Interest in Administrative Proceedings</td>
<td>24</td>
</tr>
<tr>
<td>13</td>
<td>Saving Provisions</td>
<td>25</td>
</tr>
<tr>
<td>14</td>
<td>Transfer of Programs, Operations, and Activities</td>
<td>26</td>
</tr>
<tr>
<td>15</td>
<td>Definitions</td>
<td>30</td>
</tr>
<tr>
<td>16</td>
<td>Conforming Amendments</td>
<td>31</td>
</tr>
<tr>
<td>17</td>
<td>Exemptions</td>
<td>32</td>
</tr>
<tr>
<td>18</td>
<td>Nondiscrimination</td>
<td>33</td>
</tr>
<tr>
<td>19</td>
<td>Appropriations</td>
<td>34</td>
</tr>
<tr>
<td>20</td>
<td>Effective Date</td>
<td>34</td>
</tr>
<tr>
<td>21</td>
<td>Separability</td>
<td>34</td>
</tr>
<tr>
<td>22</td>
<td>Termination</td>
<td>35</td>
</tr>
</tbody>
</table>
IN THE HOUSE OF REPRESENTATIVES

October 25, 1977

Mr. Brooks (for himself, Mr. Wright, Mr. Rosenthal, Mr. Horton, Mr. Fascell, Mr. McCloskey, Mr. Preyer, Mr. Jenrette, Mr. Kostmayer, Mr. Bolling, Mr. Conte, Mr. Dicks, Mr. Gilman, Mr. Hollenbeck, Mr. LeFante, Mr. Mineta, Mr. Pritchard, Mr. Steed, Mr. Thornton, Mr. Tucker, Mr. Harris, Mr. Steers, Mr. Moffett, Mr. Waxman, and Mr. Evans of Colorado) introduced the following bill; which was referred to the Committee on Government Operations

A BILL

To establish an Office of Consumer Representation and to re-organize certain consumer programs in order to secure within the Federal Government effective protection and representation of the interests of consumers, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That this Act may be cited as the “Consumer Representation and Reorganization Act of 1977”.

STATEMENT OF FINDINGS

Sec. 2. The Congress finds that the interests of consumers are inadequately represented and protected within
the Federal Government; that such interests are adversely
affected when Government rules, regulations, or orders are
contrary to legislative intent or are duplicative or conflict-
ing in purpose or implementation; and that vigorous repres-
tentation and protection of the interests of consumers, essen-
tial to the fair and efficient functioning of a free market
economy, require the establishment of an Office of Consumer
Representation and the reorganization of certain existing
consumer programs.

ESTABLISHMENT

SEC. 3. (a) There is hereby established as an inde-
dependent agency within the executive branch of the Govern-
ment an Office of Consumer Representation. The Office shall
be directed and administered by an Administrator who shall
be appointed by the President, by and with the advice and
consent of the Senate. The Administrator shall be a person
who by reason of training, experience, and attainments is
exceptionally qualified to represent the interests of con-
sumers. There shall be in the Office a Deputy Administra-
tor who shall be appointed by the President, by and with the
advice and consent of the Senate. The Deputy Administrator
shall perform such functions, powers, and duties as may be
prescribed from time to time by the Administrator and shall
act for, and exercise the powers of, the Administrator during

1. the absence or disability of, or in the event of a vacancy in
2. the office of, the Administrator.
3. (b) There shall be in the Office a General Counsel
4. and not to exceed five Assistant Administrators appointed
5. by the Administrator.
6. (c) No employee of the Office while serving in such
7. position may engage in any business, vocation, or other em-
8. employment or have other interests which are inconsistent with
9. his official responsibilities.
10. (d) The Administrator, Deputy Administrator, General
11. Counsel, and Assistant Administrators after holding such offi-
12. ce, shall neither represent nor advise in a professional ca-
13. pacity a regulated party or association representing a regu-
14. lated party on any issue pending during the term of their
15. employment by the Office and concerning which they were
16. involved in a decisionmaking capacity. The Administrator,
17. Deputy Administrator, General Counsel, and Assistant Ad-
18. ministrators shall, for a period of two years following the
19. termination of their employment by the Office, neither
20. represent nor advise in a professional capacity any regulated
21. party or any association representing a regulated party with
22. regard to any matter in which the Office participated be-
23. fore a Federal agency or in the courts during their
24. employment.
POWERS AND DUTIES OF THE ADMINISTRATOR

SEC. 4. (a) The Administrator shall be responsible for the exercise of the powers and the discharge of the duties of the Office, and shall have the authority to direct and supervise all personnel and activities thereof.

(b) In addition to any other authority conferred upon him by this Act, the Administrator is authorized, in carrying out his functions under this Act, to:

1. Subject to the civil service and classification laws, select, appoint, employ, and fix the compensation of such officers and employees as are necessary to carry out the provisions of this Act and to prescribe their authority and duties;

2. Employ experts and consultants in accordance with section 3109 of title 5, United States Code, and compensate individuals so employed for each day (including traveltime) at rates not in excess of the maximum rate of pay for grade GS-18 as provided in section 5332 of title 5, United States Code, and while such experts and consultants are so serving away from their homes or regular place of business, pay such employees travel expenses and per diem in lieu of subsistence at rates authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently;

3. Appoint advisory committees composed of such private citizens, including consumer and business representatives, and officials of the Federal, State, and local governments as he deems desirable to advise him with respect to his functions under this Act, and pay such members (other than those regularly employed by the Federal Government), while attending meetings of such committees or otherwise serving at the request of the Administrator, compensation and travel expenses at the rate provided for in paragraph (2) of this subsection with respect to experts and consultants; members of an advisory committee, to be appointed as consumer representatives shall, whenever practicable, constitute the majority membership of any such advisory committee and shall be individuals who by reason of training, experience, and attainments are exceptionally qualified to represent the interests of consumers;

4. Promulgate, in accordance with the applicable provisions of chapter 5 of title 5, United States Code, such rules, regulations, and procedures as may be necessary to carry out the provisions of this Act, and assure fairness to all persons affected by the Office's actions, and to delegate authority for the performance of any function to any officer or employee under his direction and supervision;
1. (5) utilize, with their consent, the services, personnel,
2. and facilities of other Federal agencies and of State
3. and private agencies and instrumentalities;
4. (6) enter into and perform such contracts, leases,
5. cooperative agreements, or other transactions as may be
6. necessary in the conduct of the work of the Office and
7. on such terms as the Administrator may deem appropri-
8. te; with any agency or instrumentality of the United
9. States, or with any State, territory, or possession, or any
10. political subdivision thereof, or with any public or pri-
11. vate person, firm, association, corporation, or institution;
12. (7) accept voluntary and uncompensated services,
13. notwithstanding the provisions of section 3679 (b) of
14. the Revised Statutes (31 U.S.C. 665 (b));
15. (8) adopt an official seal, which shall be judicially
16. noticed;
17. (9) encourage the development of informal dispute
18. settlement procedures involving consumers; and
19. (10) conduct conferences and hearings and other-
20. wise secure data and public views necessary to carry out
21. the purposes of this Act.
22. (e) Upon request made by the Administrator, each
23. Federal agency is authorized and directed to make its ser-
24. vices, personnel, and facilities available to the greatest prac-
25. 1

26. (d) The Administrator shall transmit to the Congress
27. and the President not later than February 1 of each year a
28. report which shall include a comprehensive statement of the
29. activities and accomplishments of the Office during the pre-
30. ceding calendar year including a summary of consumer com-
31. plaints, received and actions taken thereon. Each such report
32. shall include—
33. (1) a summary and evaluation of selected major
34. consumer programs of Federal agencies, including, but
35. not limited to, comment with respect to the effectiveness
36. and efficiency of such programs as well as deficiencies
37. noted in the coordination, administration, or enforce-
38. ment of such programs;
39. (2) an identification of and comment on any rule,
40. regulation, or order of a Federal agency found by the
41. Administrator, in the course of his activities under this
42. Act, to be contrary to legislative intent or in conflict
43. with or duplicative of a rule, regulation, or order of
44. another such agency; and
45. (3) an assessment of the impact of intervention and
46. participation by the Office and by other persons and
agencies on the effectiveness and efficiency of the administrative processes of the Government.

FUNCTIONS OF THE OFFICE

SEC. 5. (a) The Office shall, in the performance of its functions, advise the Congress and the President as to matters affecting the interests of consumers and promote the interests of the people of the United States as consumers of goods and services made available to them through the trade and commerce of the United States.

(b) The functions of the Office shall be to:

1. represent the interests of consumers before Federal agencies and courts to the extent authorized by this Act;

2. encourage and support research, studies, and testing leading to a better understanding of consumer products and improved products, services, and consumer information, to the extent authorized in section 9 of this Act;

3. submit recommendations annually to the Congress and the President on measures to improve the operation of the Federal Government in the protection and promotion of the interests of consumers;

4. publish and distribute material developed pursuant to carrying out its responsibilities under this Act.

functions, advise the Congress and the President on matters affecting the interests of consumers and promote the interests of the people of the United States as consumers of goods and services made available to them through the trade and commerce of the United States.

The functions of the Office shall be to:

1. represent the interests of consumers before Federal agencies and courts to the extent authorized by this Act;

2. encourage and support research, studies, and testing leading to a better understanding of consumer products and improved products, services, and consumer information, to the extent authorized in section 9 of this Act;

3. submit recommendations annually to the Congress and the President on measures to improve the operation of the Federal Government in the protection and promotion of the interests of consumers;

4. publish and distribute material developed pursuant to carrying out its responsibilities under this Act.
1. and rules of procedure of general applicability governing
2. the timing of intervention or participation in such proceeding
3. or activity and, upon intervening or participating therein,
4. shall comply with Federal agency statutes and rules of procedure of general applicability governing the conduct thereof.

5. The intervention or participation of the Administrator in any Federal agency proceeding or activity shall not affect
6. the obligation of the Federal agency conducting such proceeding or activity to assure procedural fairness to all participants.

11. Except as provided in subsection (c), the Administrator may intervene as a party or otherwise participate in any Federal agency proceeding in which
12. subsection 553, 554, 555, or 557 of title 5, United States Code, or any other statute, regulation, or practice
13. authorizes a hearing, or which is conducted on the record after opportunity for an agency hearing.

18. Except as provided in subsection (a)(i) in any Federal agency proceeding not covered by paragraph
19. or (ii) or any other Federal agency activity, the Administrator may participate or communicate in any manner
20. that any person may participate or communicate under Federal agency statutes, rules or practices. The Federal
21. agency shall give consideration to the written or oral
22. submission of the Administrator. Such submission shall
23. be presented in an orderly manner and without causing
24. undue delay.

28. (b) At such time as the Administrator determines to
29. intervene or participate in any Federal agency proceeding
30. under subsection (a) of this section, he shall issue
31. publicly a written statement setting forth his findings under
32. subsection (a), stating concisely the specific interests of
33. consumers to be protected. Upon intervening or participating,
34. he shall file a copy of his statement in the proceeding.
35. (c) In any Federal agency proceeding seeking
36. primarily to impose a fine for forfeiture, which the agency may
37. impose under its own authority for an alleged violation of a
38. statute of the United States on a rule, order, or decree
39. promulgated thereunder and which on the opinion of the
40. Administrator may substantially affect the interests of consumers, the Administrator upon his own motion, or upon writ
41. on request made by the officer or employee who is charged
42. with the duty of presenting the case of the United States or
43. the Federal agency in the proceeding or action, may trans
44. mit to such officer or employee all evidence and information
45. in the possession of the Administrator relevant to the proceeding or action and may in the discretion of the Federal
46. agency or court appear as amicus curiae and present written
47. for an argument to such agency or court.
would have a right of judicial review by law; the Administrator may institute, or intervene as a party in or proceedings in a court of the United States involving judicial review of any Federal agency action in which the Administrator did not intervene or participate. The Administrator may institute or intervene as a party in or proceedings in a court of the United States involving judicial review of any Federal agency action in which the Administrator did not intervene or participate.

1. The participation of the Administrator in a proceeding for judicial review of an agency action shall not alter the effect of the scope of review otherwise applicable to such agency action.

2. The Administrator's judicial review authority under paragraphs (1) and (2) of this subsection shall not be exercised as to a Federal agency activity described in subsection (a) (2) of this section unless the Administrator provides the President with thirty days' advance notice of his intention to seek such review, except that such notice to the President under this paragraph of intent to seek judicial review is not required when: the Federal agency activity involved is that of an independent regulatory agency or an entity within the executive branch of Government whose principal functions are of a regulatory nature.

(e) When the Administrator determines it to be in the interests of consumers, he may request the Federal agency concerned to initiate such proceeding or to take such other action as may be authorized by law with respect to such agency. If the Federal agency fails to take the action requested, it shall promptly notify the Administrator of the reasons for its failure and such notification shall be a matter of public record. To the extent that any person aggrieved would have a right of judicial review by law, the Administrator may institute a proceeding in a court of the United States to secure review of the action of a Federal agency or its refusal to act.

(f) Appearances by the Office under this section shall be in its own name and shall be made by qualified representatives designated by the Administrator.

(g) In any 'Federal agency proceeding' in which the Office is intervening or participating pursuant to subsection (a) (1) of this section, the Office is authorized to request the Federal agency to issue, and the Federal agency shall issue such orders as are authorized by the Federal agency's
14 statutory powers, for the copying of documents, papers, and 15 records, summoning of witnesses, production of books and 16 papers, and submission of information in writing to the same 17 extent, upon the same statement or showing, and subject to 18 the same requirements, as are applicable to requests for such 19 orders from any other interested or participant. 

20 (1) The Administrator is not authorized to intervene in 21 proceedings or actions before State or local agencies, and 22 courts, except that she or he may file her or his opinion in 23 such action.

24 (j) Nothing in this section shall be construed to preclude the Administrator, from communicating with or procuring, 25 by public notice, or by other means, the cooperation of Federal, State, or local agencies or courts of times and in manners not inconsistent with 26 owner, or agency rules.

27 CONSUMER COMPLAINTS

28 (a) The Office shall receive, evaluate, develop, act on, and transmit complaints to the appropriate 29 Federal or State entities concerning actions or practices 30 which may be detrimental to the interests of consumers.

31 (b) Whenever the Office receives from any source, or 32 develops on its own initiative, any complaint or other information affecting the interests of consumers, and determines 33 there is probable cause to believe an action as defined in 34 subsection (c), the complaint shall be referred to an action 35 taken under this section.

36 (c) The Office shall maintain an up-to-date listing of all consumer complaints of significant significance for public inspection and copying. It shall also make available for public inspection and copying the Office's records of non-significant complaints and other public information.

1. a rule or order of a Federal agency or officer, 2 or 3 court, 4 judgment, decree, or order of any court of 5 the United States involving a matter of Federal law, 6 it shall take such action within its authority as may be 7 desirable, including the proposal of legislation, and shall 8 promptly transmit such complaint or other information to 9 the Federal agency or officer charged with the duty of 10 enforcing such law, rule, order, judgment, or decree, for 11 appropriate action.

12. The Office shall ascertain the nature and extent of 13 action taken with regard to respective complaints and other 14 information transmitted under subsection (b) of this section.

15. The Office shall promptly notify producers, distributors, retailers or suppliers of goods and services of complaints of significant significance concerning them received or developed under this section.

16. The Office shall maintain a public document room 17 containing an up-to-date listing of all signed consumer com- 18 plaints of significant significance for public inspection and copying.

19. In all cases, the Office shall have the right to file complaints with the agency, commission, or other body that the Office has, after careful investigation, determined should be considered in the public interest.
he has requested confidentiality;
2. the complaint identity is protected when
3. the party complained against has had sixty
4. days to comment on such complaint and such comments
5. have been considered by the Commissioner before
6. final decision is made.

As a result of the complaint, the Office shall make recommendations to the
Federal agencies with respect to research, studies, analyses, and other
information with respect to consumer products and services available to
consumers, and affect the performance and duties of such Federal
agencies, and shall notify the Federal agencies of their
recommendations.

The Office shall carry out its duties,
functions, and powers described in this Act in cooperation with the
Federal agencies.

In the discharge of its duties, the Office shall prepare and make public
recommendations to the Federal agencies and conduct studies and evaluations
on consumer products and services, by receiving and reviewing
complaints from consumers and other persons.

The Office shall issue its annual report to the Congress, which shall include
recommendations to the Federal agencies and the results of its studies and
evaluations.
practicable extent within their capability, such tests as the
2 Administrator may request in the exercise of his functions
3 under section 6 of this Act, regarding products, services, or
4 any matter affecting the interests of consumers. Such tests
5 shall, to the extent possible, be conducted in accordance
6 with generally accepted methodologies and procedures; and
7 in every case when test results are published, the methods
8 and procedures used shall be available along with
9 the test results. The results of such tests may be used or
10 published only in connection with proceedings in which the
11 Office is participating or has intervened pursuant to section
12 6. In providing facilities and staff upon request made
13 in writing by the Administrator, Federal agencies—
14 (1) may perform functions under this section without
15 regard to section 3648 of the Revised Statutes (31
17 (2) may request any other Federal agency to supply
18 such statistics, data, progress reports, and other infor-
19 mation as the Administrator deems necessary to carry
20 out his functions under this section and any such other
21 agency is authorized and directed to cooperate to the
22 extent permitted by law by furnishing such materials;
23 and
24 (3) may, to the extent necessary and authorized
25 acquire or establish additional facilities and purchase
26 additional equipment for the purpose of carrying out the
27 purposes of this section.
2. The duty of the agency in each case to make a determination on whether or not the situation is an exception and to make available an identification of the records described in the request if the agency is so disposed, shall be in addition to any other duty of the agency created by regulations of the National Archives and Records Administration.

3. The duties prescribed by paragraphs (1), (2), and (3) of this section shall apply to any party to a suit or controversy before any court or administrative hearing officer or board.

4. The provisions of paragraphs (1), (2), and (3) of this section shall apply in the light of any act of Congress or Federal rule of court which is applicable because of the nature of the case or the problem presented.

5. The provisions of paragraphs (1), (2), and (3) of this section shall apply in the light of any act of Congress or Federal rule of court which is applicable because of the nature of the case or the problem presented.
The Internal Revenue Code of 1954, (26 U.S.C. 6103), nothing in this Act shall be construed as providing for or authorizing access by the Administrator to information solely from a tax return or tax return information, as defined by section 6103(b) of such Code, except as provided by law, except limitations, on disclosures...

There shall be included in the exceptions stated in section 552(b) of title 5, United States Code, shall govern the release of information by any officer or employee of the Office...

Any officer or employee of the Office shall disclose to the public, or to any State or local agency any information which was received solely from a Federal agency if such agency has notified the Administrator that the information is within the exceptions stated in section 552(b) of title 5, United States Code, and the Federal agency has determined that the information should not be made available to the public, except that, if such Federal agency has specified that such information may be disclosed in a particular form or manner, such information may be disclosed in such form or manner.

(c) The following additional provisions shall govern the release of information by the Administrator pursuant to any authority conferred by this Act, except information released through the presentation of evidence in a Federal agency or court proceeding pursuant to section 6...
(1) The Administrator, in releasing information concerning consumer products and services, shall determine that (A) such information, so far as practicable, is accurate, and (B) no part of such information is prohibited from disclosure by law. The Administrator shall comply with any notice by a Federal agency pursuant to subsection (b) of this section, that the information should not be made available to the public or should be disclosed only in a particular form or manner.

(2) In the dissemination of any test results or other information which directly or indirectly disclose product names, it shall be made clear that (A) not all products of a competitive nature have been tested, if such is the case, and (B) there is no intent or purpose to rate products tested over those not tested or to imply that those tested are superior or preferable in quality over those not tested.

(3) Notice of all changes in, or any additional information which would affect the fairness of information previously disseminated to the public, shall be promptly disseminated in a similar manner.

PROTECTION OF THE CONSUMER INTEREST IN ADMINISTRATIVE PROCEEDINGS

SEC. 12. Every Federal agency in considering any action which may substantially affect an interest of consumers, including but not limited to, the issuance or adoption of rules, regulations, guidelines, orders, standards, or formal policy decisions, shall—

(1) notify the Office at such time as notice of the action is given to the public or at such times and in such manner as may be fixed by agreement between the Administrator and each agency, with respect to the consideration of specific actions, or, when notification of a specific action or proceeding is requested in writing by the Office, apply formal and all due process in such action or proceeding.

(2) In the Office's consideration of specific actions or, when notification of a specific action or proceeding is requested in writing by the Office, apply formal and all due process in such action or proceeding.

In taking any action under paragraph (2), upon request of the Office of in those cases where a public announcement would normally be made, the Federal agency concerned shall indicate concisely in a public announcement of such action the consideration given to the interests of consumers.

This section shall be enforceable in a court of the United States only upon petition of the Office.

SEC. 13. (a) Nothing contained in this Act shall be construed to alter, modify, or impair the statutory responsibility and authority contained in section 201 (a) (4) of the Federal Property and Administrative Services Act of
13949, as amended (40 U.S.C. 481 (a) (4) ), or of any provision of the antitrust laws, or of any Act providing for the regulation of the trade or commerce of the United States, or to prevent or impair the administration or enforcement of any such provision of law.

(b) Nothing contained in this Act shall be construed as relieving any Federal agency or any authority or responsible agency or any authority or responsible agency to protect and promote the interests of the consumer.

9. TRANSFER OF PROGRESS, OPERATIONS, AND ACTIVITIES

SEC. 14. (a) The functions being performed by the entities enumerated in subsection (b) of this section and all records, funds, and properties utilized in connection therewith shall be transferred to the Office within one hundred and twenty days of the effective date of this Act.

(b) The following entities shall be subject to the provisions of subsection (a) of this section:

(1) Office of Rail Public Counsel, Interstate Commerce Commission;

(2) Legal and Consumer Research Sections, Office of the Consumer Advocate, Civil Aeronautics Board;

(3) Office of the Commission (consumer representation function), Postal Rate Commission;

(4) Consumer Information Office, Consumer Product Safety Commission;
Office of Public Affairs, Federal Aviation Administration.

Traffic Safety Administration, Department of Transportation.

Consumer Affairs Director, National Highway Traffic Safety Administration, Department of Transportation.

Special Assistant to the Secretary for Consumer Affairs, Department of Transportation.

Office of Intergovernmental Relations and Special Programs, Federal Energy Administration.

Consumer Information Center, General Services Administration.

Advisory Group to the Commissioner of Internal Revenue, Department of the Treasury; and

Consumer Affairs and Special Impact Committee, Department of Energy.

Except to the extent prohibited by law, the Director of the Office of Management and Budget is authorized and directed to review all other Federal programs and activities which have a consumer information, advocacy, or related function and identify those which would overlap, duplicate, or conflict with the functions performed by the Office. This review shall be carried out as a part of the President's first budget review process following establishment of the Office.

(2) The Director of the Office of Management and Budget shall, one week after the submission of the President's budget to the Congress, report to the Committees on Appropriations and Government Operations of the House of Representatives and Appropriations and Governmental Affairs of the Senate the results of the review required by paragraph (1) of this subsection. Such report shall include (A) all activities identified as a part of the Office of Management and Budget's review; (B) a description of those activities including their costs during the fiscal year and how those activities overlap, duplicate, or conflict with the responsibilities of the Office; and (C) the budgetary recommendations to the Congress to eliminate such activities. Such budgetary reduction recommendations shall be no less than $10,000,000 in the ensuing fiscal year.

(3) Nothing in this subsection shall be construed to prohibit the Director of the Office of Management and Budget from including in the report required by paragraph (2) of this subsection, comments on the consumer related activities of independent regulatory agencies that overlap, duplicate, or conflict with the functions performed by the Office.
1. Act, shall be responsible for incorporating such programs, operations, and activities as are or may ultimately be trans-ferred in such manner and to such extent as he deems consistent with the Office's responsibilities under section 5 of this Act, and for issuing such organizational directives as he deems appropriate to carry out the purposes of this section.

(e) The Administrator shall include in his second annual report, as provided in section 4 (d), a full accounting of the implementation of this section to date.

DEFINITIONS

SEC. 15. As used in this Act—

(1) the term "Office" means the Office of Consumer Representation;

(2) the terms "agency", "agency action", "party", "person", "rulemaking", "adjudication", and "agency proceeding" shall have the same meaning as set forth in section 551 of title 5, United States Code;

(3) the term "consumer" means any person who uses for personal, family, or household purposes, goods and services offered or furnished;

(4) the term "interests of consumers" means any concerns of consumers involving the cost, quality, purity, safety, durability, performance, effectiveness, dependable, and availability and adequacy of choice of goods and services offered or furnished to consumers;

(5) the term "small business entity" means any person, including a family farming operation or enterprise, that, together with such person's affiliates, including any other person with whom such person is associated by means of a franchise agreement, does not have assets exceeding $15,000,000; or does not have more than the annual equivalent of twenty-five full-time employees; and

(6) the term "State" includes any State or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Canal Zone, Guam, American Samoa, and the Trust Territories of the Pacific Islands.
(b) Section 5815 of such title is amended by adding at the end thereof the following:

"(114) Deputy Administrator, Office of Consumer Representation."

c) Section 5916 of title 5, United States Code, is amended by adding at the end thereof the following new paragraphs:

"(141) General Counsel, Office of Consumer Representation.

(142) Assistant Administrators, Office of Consumer Representation."

EXEMPTIONS

SEC. 17. This Act shall not apply to the Central Intelligence Agency, the Federal Bureau of Investigation, or the National Security Agency, or the national security or intelligence functions (including related procurement) of the Departments of State, Justice, and Defense (including the Departments of the Army, Navy, and Air Force), of the Nuclear Regulatory Commission, and of the Department of Energy, or to a labor dispute within the meaning of section 13 of the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", approved March 28, 1932 (28 U.S.C. 113), or of section 2 of the Labor Management Relations Act (29 U.S.C. 152), or to a labor agreement within the meaning of section 201 of the Labor Management Relations Act, 1947 (29 U.S.C. 171): Provided, That nothing in this Act shall be construed to authorize the Administrator to intervene as a party or otherwise participate: (1) in any proceeding of the United States Department of Agriculture directly affecting or directly concerning (A) the market price of or loans, price supports, or payments for raw agricultural commodities, including crops (including, but not limited to, wheat, feed grains, soybeans, cotton, wool, rice, peanuts, tobacco, sugar, fruits, and vegetables), livestock, poultry, eggs, and dairy products, and (B) programs administered by the Soil Conservation Service, the Farmers Home Administration, the Rural Electrification Administration, or the Federal Crop Insurance Corporation, or (2) in any proceeding concerning Public Law 480 programs.

NONDISCRIMINATION

SEC. 18. No person shall on the ground of sex, age, or handicap be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity carried on or receiving Federal assistance under this Act. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. However, this
1. remedy is not exclusive and will not prejudice or deny any
2. other legal remedies available to a discriminatee.
3. 19. APPROPRIATIONS
4. § 20. SEC. 19. There are hereby authorized to be appropri-
5. ated to carry out the provisions of this Act: $15,000,000
6. for the fiscal year ending September 30, 1978; and $17,-
7. 000,000 for the fiscal year ending September 30, 1979.
8. 21. EFFECTIVE DATE
9. § 22. (a) This Act shall take effect ninety calendar
10. days following the date on which this Act is approved, or
11. on such earlier date as the President shall prescribe and
12. publish in the Federal Register.
13. (b) Any of the officers provided for in this Act may
14. (notwithstanding subsection (a)) be appointed in the man-
15. ner provided for in this Act at any time after the date of the
16. enactment of this Act. Such officers shall be compensated
17. from the day they first take office at the rates provided for
18. in this Act.
19. 22. SEPARABILITY
20. § 21. If any provision of this Act is declared un-
21. constitutional or the applicability thereof to any person or
22. circumstance is held invalid, the constitutionality and effec-
23. tiveness of the remainder of this Act and the applicability
24. thereof to any persons and circumstances shall not be
25. affected thereby.

TERMINATION

§ 23. (a) This Act shall terminate five years after
the effective date of this Act, and the Office of Consumer
Representation shall be abolished as of the date of such
termination.

(b) The President shall—

(1) commencing two years prior to the date of
termination specified in subsection (a), conduct a
review of the Office's overall performance including,
but not limited to, a study of the Office's effectiveness
in accomplishing its general purposes and promoting
the general welfare; and

(2) not later than twelve months prior to the termi-
nation date specified in subsection (a), make public
and submit to each House of Congress a report on the
finding of the investigation conducted pursuant to para-
graph (1), such report to include a recommendation that
the authority of this Act be extended, that the Office
be reorganized, or that the authority of this Act be
allowed to lapse.

c) The committees of the House and of the Senate
having primary oversight responsibility with respect to the
Office shall, not later than six months prior to the ter-
mination date specified in subsection (a), conduct an inquiry
into the performance and effectiveness of the Office and
To establish an Office of Consumer Representation and to reorganize certain consumer programs in order to secure within the Federal Government effective protection and representation of the interests of consumers, and for other purposes.

By Mr. Brooks, Mr. Wright, Mr. Rosenthal, Mr. McGee, Mr. Person, Mr. Jenrette, Mr. Kasten, Mr. Dobbs, Mr. Mineta, Mr. Pritchard, Mr. Steed, Mr. Sistrers, Mr. Moffett, Mr. Waxman and Mr. Evans of Colorado.
Dear Colleague:

We are writing to urge your support for new legislation which will be offered on the House floor as a substitute to H.R. 6805 (the bill to establish an Agency for Consumer Protection).

The substitute legislation, which creates an Office of Consumer Representation, makes far-reaching changes in the committee-reported bill. For example,

-- it eliminates the consumer agency's authority to issue interrogatories to business entities;

-- it gives the Office only the same rights as are now enjoyed by any business entity to seek judicial review from a Federal agency decision or to use another agency's discovery powers during a formal proceeding;

-- it authorizes the Office to advocate the interests of small business as consumers of goods and services;

-- it requires the Office to report to Congress on conflicting or duplicative Federal regulations and orders;

-- it requires the Office to notify the President 30 days in advance of its intention to seek judicial review of an Executive branch, non-regulatory action; and

-- it requires a consolidation of existing consumer programs that will result in a net savings to the taxpayer of $7 million over the Office's first year's cost.

A complete description of how the substitute differs from H.R. 6805 is contained on the attached fact sheet.

Some of us have opposed or expressed serious reservations about enactment of the Agency for Consumer Protection bill. But the substitute legislation, which was fashioned with the goodwill and active involvement of both critics and supporters of the Agency, provides the American consumer with an effective voice in Washington without giving the consumer advocate more authority before the government than any private party and without unnecessary powers that some felt might be used to harass business.

Sincerely,
THE CONSUMER REPRESENTATION AND REORGANIZATION ACT OF 1977

* Creates an Office of Consumer Representation (OCR), to represent consumer interests before federal agencies and courts.

* Transfers the resources of 26 existing consumer programs totaling $11.6 million to the new OCR and requires OMB to cut an additional $10 million in consumer-related spending from the FY-79 budget request. This amounts to a net savings of $7 million above the $15 million cost of the OCR in its first year.

HOW DOES OCR DIFFER FROM THE AGENCY FOR
CONSUMER PROTECTION IN H.R. 6805?

* A statutory reorganization would consolidate existing consumer programs now scattered throughout the federal government (see above).

* OCR would have no greater rights than those rights already enjoyed by advocates for business interests--

  ** OCR would have no interrogatory power. It could not require business to answer interrogatories or to file mandatory reports.

  ** OCR would have no greater rights of judicial review from a federal agency decision than any business entity. This equality of judicial review rights would extend both to instances where OCR was a party or participant in a proceeding and where it was not.

  ** OCR would have no greater rights than any business entity to use a host agency subpoena or other discovery powers during a proceeding.

* OCR would be authorized to represent the interests of small business as consumers of regulated goods and services.

* OCR would have no authority to set up product testing laboratories.

* OCR would have no authority to set up regional offices.

* OCR would be required to report to Congress on any rules or orders of a federal agency found to be in conflict with or duplicative of those of another agency.

* OCR would be required to report to Congress on the impact of intervention (including delays) on the effectiveness and efficiency of the regulatory process.

* OCR would be required to notify the President 30 days in advance of its intention to seek judicial review of an Executive Branch, non-regulatory action.
INFORMATION

December 12, 1977

MEMORANDUM FOR: THE PRESIDENT
FROM: ZBIGNIEW BRZEZINSKI
SUBJECT: Note from Senator Culver on SALT Leaks

Senator Culver has sent you a personal note (Tab A) expressing his concern about the problem of SALT leaks. I have sent him a letter emphasizing our own concern about this matter and assuring him that the Administration has not authorized any of the leaks which have taken place.
THE WHITE HOUSE
WASHINGTON
December 12, 1977

Stu Eizenstat

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

Rick Hutcheson

cc: Bob Linder
RE: PRIVACY
Mr. President:

No objections from staff.

Rick
<table>
<thead>
<tr>
<th>ACTION FYI</th>
<th>FOR STAFFING</th>
<th>FOR INFORMATION</th>
<th>FROM PRESIDENT'S OUTBOX</th>
<th>LOG IN/TO PRESIDENT TODAY</th>
<th>IMMEDIATE TURNAROUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>MONDALE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COSTANZA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EIZENSTAT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JORDAN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LIPSHUTZ</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MOORE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>POWELL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WATSON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McINTYRE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCHULTZE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ARAGON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BOURNE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BRZEZINSKI</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BUTLER</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CARP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H. CARTER</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CLOUGH</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FALLOWS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FIRST LADY</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HARDEN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HUTCHESON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JAGODA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GAMMILL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>KRAFT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LINDER</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MITCHELL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MOE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PETERSON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PETTIGREW</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>POSTON</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PRESS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCHLESINGER</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SCHNEIDERS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>STRAUSS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>VOORDE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WARREN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MEMORANDUM FOR: THE PRESIDENT
FROM: STU EIZENSTAT
     RICK NEUSTADT
     JOE ONEK
     STUART LEMLE
SUBJECT: Privacy

After the Privacy Protection Study Commission's report was submitted to you in July, it was circulated to the agencies for comment. Their responses indicate wide differences of opinion on what should be done and a need for further study. Several Congressional committees are preparing to move next year on various aspects of the Commission's report and are seeking Administration positions.

We suggest that, rather than responding piecemeal, we undertake a comprehensive study of the issue, using the new Domestic Policy Review System. An Issue Definition Memorandum to launch that effort is attached for your approval. It has been circulated to the affected agencies, and it incorporates all their major suggestions.

This study will provide you decision memos in February on any specific issues on which Congress is moving rapidly and a comprehensive decision memo in June that will allow you to send Congress an overall privacy message or to respond to individual bills in the context of an overall policy.

This study would be co-chaired by the Commerce Department and the Domestic Policy Staff. Commerce is involved because the new Communications and Information Policy unit that is replacing the EOP Office of Telecommunications Policy will have more privacy expertise than any other agency. The Domestic Policy Staff would be co-chairing because the privacy issue cuts across agency jurisdictions and extensive coordination will be needed.

We suggest that this and future Issue Definition Memoranda be signed by Stu Eizenstat, rather than you. That tracks the NSC's PRM process, in which the memos launching the studies are
approved by you but signed by Zbigniew Brzezinski. We think that procedure is desirable because some of these studies will be controversial. Having the memoranda signed by staff will keep your visibility down and allow you the option of personal involvement and visibility once the study is done and the issues are laid out.

Attachment
MEMORANDUM FOR:

The Secretary of State
The Secretary of the Treasury
The Secretary of Defense
The Attorney General
The Secretary of Commerce
The Secretary of Labor
The Secretary of Health, Education, and Welfare
The Director, Office of Management and Budget
The Assistant to the President for National Security Affairs
The Administrator, General Services Administration
The Counsel to the President
The Special Assistant to the President for Consumer Affairs

FROM: Stuart E. Eizenstat

SUBJECT: Issue Definition Memorandum: Interagency Review of Privacy Policy

Purpose of Study

The President has directed that the issue of privacy be studied through the new Domestic Policy Review System. A Coordinating Committee will analyze and provide options concerning the recommendations of the Privacy Protection Study Commission, pending legislative proposals, and related privacy issues. The Committee will be co-chaired by the Secretary of Commerce and myself and will consist of the addressees.

Issues this study should address include:

--the threat to privacy posed by advances in computing and electronic communications and the potential for technology to provide solutions;

--how to limit the collection, use, and distribution of information about individuals;

--how to assure that records about individuals are accurate and relevant;

--how to afford individuals sufficient access to records about themselves and opportunity to correct those records;
--how to assure the privacy of the mails and other communications systems;

--the role of the Federal Government in regulating non-Federal information systems and in providing information services to non-Federal users.

Structure of Study

The study will be divided into six areas (some of which are interrelated.) The lead agencies for each area will analyze the relevant Privacy Commission recommendations and other proposals and will identify action options, with their pros and cons. The lead agencies will work closely with all other affected agencies and will reflect those agencies' views in the reports. They will also consult with the Congress and interested members of the public.

1. **Collection and Management of Federal Records** (Lead Agencies: OMB and Commerce)

Despite improvements resulting from the Privacy Act of 1974, the Government may be collecting too many records, and its collection and management procedures may inadequately protect individuals' privacy. In addition, a policy is needed on the distribution of such information, and the adequacy of the Executive Branch's privacy oversight procedures should be evaluated. Changes in the Privacy Act and other legislative and administrative options should be studied.

2. **Federal Agency Access to Information About Individuals** (Lead Agencies: Counsel to the President and Justice)

Extensive personal information is contained in records held by Federal, state, and local governments; banks and other financial institutions; medical care providers; insurance companies; telecommunications companies; and others. Guidelines are needed to resolve the conflict between privacy and Federal agencies' needs for such information to support law enforcement, regulatory oversight, compliance monitoring, personnel investigations, and related matters. In addition, the adequacy of existing controls on Federal agencies' access to the mails and telecommunications systems should be reviewed.

3. **Privacy Safeguards for Health, Education, and Social Service and Public Assistance Records** (Lead Agency: HEW)

This study should consider the need for improved controls on the collection, content, use, and distribution of such records. It should take into account the distinction between records held by Federally-supported activities and other records. In
addition, it should consider the need for privacy safeguards on records held by other Federally-supported activities, such as research and statistical records.

4. State and Private Records and Communications (Lead Agencies: Special Assistant to the President for Consumer Affairs and Commerce)

The desirability of Federal regulation of state and local government records and of private sector records, including banking, consumer credit, mailing lists, and insurance records, should be studied. Consideration should be given to the compatibility of Federal record keeping practices with those of state and local governments which are interconnected with the Federal systems. The privacy of electronic funds transfer systems and private sector computerized records and communications systems should also be evaluated. This study should avoid duplication of the areas covered in #3.

5. Private Sector Personnel and Employment Records (Lead Agency: Labor)

The desirability of extending privacy safeguards to these records should be evaluated. Consideration should be given to whether such safeguards should be mandatory or voluntary.

6. International Information Issues (Lead Agency: State)

The international implications of proposed U.S. legislation on privacy and of foreign privacy legislation will be studied by the Task Force on Information, Computer, and Communication Policy, chaired by the Department of State. This Task Force shall examine pending legislation in key foreign countries and provide continuing review of developing U.S. legislative proposals resulting from the work of the domestic privacy review, with a view to harmonizing legislation and extending the protection of national laws to data residing in other countries. The results will be included in the domestic study as appropriate.

Schedule

First Meeting of Coordinating Committee and Other Affected Agencies: December 19

Lead Agencies' Response Memoranda Due: March 31

Final Decision Memorandum for the President Due: May 31
Some issues may have to be dealt with at a more rapid pace to meet Congressional schedules; the lead agencies should identify any such issues by December 19. The international unit may move on a different schedule. Any national defense or foreign policy issues raised by the study shall be handled through the National Security Council.

cc: The Secretary of the Interior
The Secretary of Agriculture
The Secretary of Housing and Urban Development
The Secretary of Transportation
The Secretary of Energy
The Director, Office of Science and Technology Policy
The Director of Central Intelligence
The Administrator, Veterans Administration
The Chairman, Civil Service Commission
The Chairman, Federal Trade Commission
The Chairman, Federal Reserve System Board of Governors
The Chairman, Federal Communications Commission
The Chairman, Commission on Civil Rights
The Postmaster General
THE WHITE HOUSE
WASHINGTON
December 9, 1977

The Vice President
Midge Costanza
Hamilton Jordan
ob Lipshutz
Frank Moore (Les Francis)
Jody Powell
Jack Watson
Zbig Brzezinski
Jim Gammill
Frank Press

The attached is forwarded to you for your information. If you wish to comment, please call by close of business today.

Rick Hutcheson

RE: PRIVACY
## Action List

<table>
<thead>
<tr>
<th>Action</th>
<th>FYI</th>
</tr>
</thead>
<tbody>
<tr>
<td>MONDALE</td>
<td>COSTANZA</td>
</tr>
<tr>
<td>EIZENSTAT</td>
<td>JORDAN</td>
</tr>
<tr>
<td>LIPSHUTZ</td>
<td>MOORE</td>
</tr>
<tr>
<td>POWELL</td>
<td>WATSON</td>
</tr>
<tr>
<td>McINTYRE</td>
<td>SCHULTZE</td>
</tr>
</tbody>
</table>

---

**FOR STAFFING**

- FOR INFORMATION
- FROM PRESIDENT'S OUTBOX
- LOG IN/TO PRESIDENT TODAY
- IMMEDIATE TURNOVER

---

**Call by CB Fri if you wish to comment.**

- ENROLLED BILL
- AGENCY REPORT
- CAB DECISION
- EXECUTIVE ORDER

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

---

**FOR INFORMATION FROM PRESIDENT TODAY.**

<table>
<thead>
<tr>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARAGON</td>
</tr>
<tr>
<td>BOURNE</td>
</tr>
<tr>
<td>BRZEZINSKI</td>
</tr>
<tr>
<td>BUTLER</td>
</tr>
<tr>
<td>CARP</td>
</tr>
<tr>
<td>H. CARTER</td>
</tr>
<tr>
<td>CLOUGH</td>
</tr>
<tr>
<td>FALLOWS</td>
</tr>
<tr>
<td>FIRST LADY</td>
</tr>
<tr>
<td>HARPED</td>
</tr>
<tr>
<td>HUTCHSON</td>
</tr>
<tr>
<td>JAGODA</td>
</tr>
<tr>
<td>GAMMILL</td>
</tr>
</tbody>
</table>

---

<table>
<thead>
<tr>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>KRAFT</td>
</tr>
<tr>
<td>LINDER</td>
</tr>
<tr>
<td>MITCHELL</td>
</tr>
<tr>
<td>MOE</td>
</tr>
<tr>
<td>PETERSON</td>
</tr>
<tr>
<td>PETTIGREW</td>
</tr>
<tr>
<td>POSTON</td>
</tr>
<tr>
<td>PRESS</td>
</tr>
<tr>
<td>SCHLESINGER</td>
</tr>
<tr>
<td>SCHNEIDERS</td>
</tr>
<tr>
<td>STRAUSS</td>
</tr>
<tr>
<td>VOORDE</td>
</tr>
<tr>
<td>WARREN</td>
</tr>
</tbody>
</table>
MEMORANDUM

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE
WASHINGTON

INFORMATION
12 December 1977

TO: THE PRESIDENT
FROM: RICK HUTCHeson
SUBJECT: Memos Not Submitted

1. BEN BROWN MEMO recommending that you establish your presidential library at the Atlanta University Center. This would be "a powerful affirmation of your commitment to cultural pluralism... and to the positive role that black colleges... have had upon our society."

2. CHARLES WARREN MEMO reporting on the status of CEQ's efforts to simplify and codify laws affecting wildlife conservation. CEQ has consulted with a wide range of federal and state agencies, and interested organizations and individuals. A decision memo will be coming to you at some future date.

3. BRZEZINSKI MEMO. Sen. Culver sent you a note expressing his concern about the problem of SALT leaks. Brzezinski has acknowledged this in your behalf.

Electrostatic Copy Made
for Preservation Purposes
Dear Mr. President,

I wanted to let you know how strongly I am opposed to anonymous leaks on SALT from whatever source.

I have conveyed my views to Mr. Aaron in lieu of Dr. Brzezinski. I enclose for your a summary of my public statement on this matter.

Respectfully, John Culver
CULVER ASKS HALT
TO ADMINISTRATION SALT LEAKS

(WASHINGTON, D.C., Nov. 18) -- Senator John Culver (D-Iowa) today called on President Carter "to halt the selective disclosures by administration sources of sensitive details of the SALT negotiations and to lay before the American people as much about the emerging agreement as can properly be released at this time."

As an example of new SALT leakage, this time by the executive branch, Culver cited a front page article in today's New York Times under the headline, "Major Concession on Cruise Missiles by Soviets Reported." The article said the Soviet Union had altered its previous position on the testing, deployment and range of the cruise missile.

Culver said he had telephoned the White House to protest the Times story.

"These negotiations are too critical to our national and global security to be subjected to a guerrilla war of leaks," Culver commented. "One leak begets another. I cannot believe that the continuing negotiations are helped in any way by a running series of stories about who conceded what this week."

"Less than two weeks ago," Culver said, "a number of my Senate colleagues and I condemned and called for an investigation of apparent leaks regarding hearings before the Senate Armed Services Committee." Culver noted that he had previously deplored the leaks of sensitive information, by advocates as well as opponents of the tentative agreements, as being harmful to the negotiations.
In the past, there have been other potentially damaging revelations attributed to executive branch sources. Now we have yet another anonymous account that appears to be part of an administration selling job. All of these apparently unauthorized disclosures should be thoroughly investigated."

"The public is entitled to know as much about the ongoing negotiations as can be told without hurting our national security interests in these crucial talks.

In order to clear the atmosphere, the administration should set ground rules regarding disclosure that are fair and understandable to all parties concerned.

"If some of the people now providing information to the press have the authority to declassify sensitive details, then they should speak openly, accurately and on the record.

"And decisions about what can be safely disclosed should not be made by individuals at will, but only after a careful review process by responsible authorities that balances the public's right to know with the precise requirements of diplomatic confidentiality."
The attached is forwarded to you for your information.

Rick Hutcheson

RE: WILDLIFE LAW REFORM
MEMORANDUM FOR THE PRESIDENT

FROM: Charles Warren
       Gus Speth
       Marion Edey

SUBJECT: Wildlife Law Reform

You requested in your 1977 Environmental Message that the Council consult with federal agencies and in six months time report to you "the steps that should be taken to simplify, coordinate, and codify the body of law affecting wildlife conservation." This memorandum summarizes the results of the Council's six-month consultation effort and sets out the steps that the Council will take pursuant to the Environmental Message directive.

To develop wildlife law reform recommendations, the Council consulted with federal agencies responsible for wildlife management and protection, 22 state fish and wildlife departments, 10 national and local citizen organizations, and interested individuals. Twenty-eight recommendations have been produced that have received broad support of these agencies, organizations, and individuals.

Next, these recommendations will be circulated to the affected federal agencies for their formal review, approval, and comment. We expect that most of the recommendations will be formally approved.

Finally, the Council will submit to you a wildlife law reform decision memorandum which defines appropriate options where agency disagreement exists and which requests approval of the recommendations that received uniform agency support.
The recommendations are designed to simplify the body of wildlife law itself as well as the administration and enforcement of the law. Among the major goals that would be achieved by the recommendations are the following:

- coordination of federal and state wildlife conservation goals and programs by (i) clarifying the objectives of the Fish and Wildlife Coordination Act and (ii) encouraging states to develop long-range fish and wildlife management plans;

- reformation of federal agency wildlife permit processes by (i) consolidating the agencies' ministerial functions into a single clearing house, (ii) eliminating inconsistencies between closely related programs, and (iii) developing clear and specific permit issuance criteria;

- improvement of federal enforcement capabilities by (i) eliminating discrepancies in existing laws and (ii) enhancing agency enforcement flexibility;

- reformation of international and interstate wildlife trade regulations by (i) eliminating unnecessary requirements and (ii) consolidating similar regulatory authorities.
THE WHITE HOUSE
WASHINGTON

December 8, 1977

Bob Lipshutz

The attached is forwarded to you for your information.

Rick Hutcheson

RE: PROPOSED SITE FOR PRESIDENTIAL LIBRARY
<table>
<thead>
<tr>
<th>ACTION FyI</th>
<th>FOR STAFFING</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FOR INFORMATION</td>
</tr>
<tr>
<td></td>
<td>FROM PRESIDENT'S OUTBOX</td>
</tr>
<tr>
<td></td>
<td>LOG IN/TO PRESIDENT TODAY</td>
</tr>
<tr>
<td></td>
<td>IMMEDIATE TURNAROUND</td>
</tr>
</tbody>
</table>

**FOR STAFFING**

- MONDALE
- COSTANZA
- EIZENSTAT
- JORDAN
- LIPSHUTZ
- MOORE
- POWELL
- WATSON
- mcINTYRE
- SCHULTZE

**FOR INFORMATION**

- ENROLLED BILL
- AGENCY REPORT
- CAB DECISION
- EXECUTIVE ORDER

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

**FYI**

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

**FYI**

- KRAFT
- LINDER
- MITCHELL
- MOE
- PETERSON
- PETTIGREW
- POSTON
- PRESS
- SCHLESINGER
- SCHNEIDERS
- STRAUSS
- VOORDE
- WARREN
December 1, 1977

MEMORANDUM

TO: President Carter

FROM: Ben Brown

SUBJECT: Proposed Site for Presidential Library

I recommend that you establish your Presidential Library and any related museum at the Atlanta University Center after your second term of office is completed. The decision to locate the facility at AUC would both symbolically and in real terms be a powerful affirmation of your commitment to cultural pluralism and your sensitivity to the profound and positive role that black colleges and their graduates, administrators and faculty have had upon our society.

It is interesting to note that the Atlanta University Center is conducting a national drive to build a joint library, a facility that will serve all six member institutions. The campaign, under the leadership of Paul Austin, has already raised $4.5 million toward a $21 million goal. If you were to decide affirmatively on this suggestion, the two drives could be linked to the benefit of both.

A presidential library situated beside the university library that contains the country's greatest records of Black scholarship and experience would be one of America's most remarkable cultural resources.