9/1/78

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<th>FORM OF DOCUMENT</th>
<th>CORRESPONDENTS OR TITLE</th>
<th>DATE</th>
<th>RESTRICTION</th>
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<tr>
<td>Memo</td>
<td>Brzezinski to Pres. Carter, w/attachments 5 pp., re: Correspondence Foriegn Heads of State</td>
<td>9/1/78</td>
<td>A</td>
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<tr>
<td>Memo</td>
<td>Frank Press to Pres. Carter, w/attachments 7 pp., re:CTB letter</td>
<td>8/25/78</td>
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FILE LOCATION

Carter Presidential Papers-Staff Offices, Office of Staff Sec.-Presidential Handwriting File, 9/1/78 Box 101

RESTRICTION CODES

(A) Closed by Executive Order 12356 governing access to national security information.
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Mr. President:

I think that you should try one of these meetings. I believe that we have got to convince the American people that you are serious about inflation and are continually working on inflation.

I believe that trying one of these meetings as a forum to address the problem of inflation might be useful.

Hamilton Jordan
THE WHITE HOUSE
WASHINGTON
September 1, 1978

MEMORANDUM FOR THE PRESIDENT
FROM: JOE ARAGON
SUBJECT: WHITE HOUSE ANTI-INFLATION BRIEFING

A scheduling request is before you recommending your participation in a White House briefing for business, civic and labor leaders from the communities of St. Louis, Missouri and Hartford, Connecticut on the morning of September 13th in the State Dining Room.

The subject of the meeting is inflation. The purpose of the meeting is to secure the active support of these leaders in the battle against inflation and to kick off a series of anti-inflation town meetings in their respective cities.

St. Louis and Hartford were selected from a group of cities which were visited last month by members of Robert Strauss' staff.

Specifically, the civic leaders who were consulted in those two cities were asked to do two things. First, to support your deceleration guidelines, and second, to help sponsor a forum in their communities on the subject of inflation for the specific purpose of:

(1) having administration officials explain the government's program;

(2) obtaining deceleration commitments from other business and civic leaders in those two communities.

The proposed meeting at the White House on the 13th will bring together about 20 of these leaders from each of the two communities. They would be briefed by Ambassador Strauss, Charlie Schultze and Secretary Blumenthal. The participants would then return to their respective cities and organize the forums.

St. Louis is the first on the schedule and is slated to take place on the 28th of September. Work has already begun there. Hartford would follow soon after on the 6th of October. Work has commenced there as well.
Ambassador Strauss believes that your participation in the White House meeting is essential. It will demonstrate the personal importance you place on the problem of inflation and convey your appreciation of their efforts to take on this very difficult issue in their own communities.

The idea of the inflation forum has been discussed for several months within the inflation task force which is chaired by Strauss and Landon Butler. Anne Wexler, Peter Gould, Barry Bosworth, Curt Hessler and others have all participated in those discussions. In the end a decision was made to proceed even though there are attendant risks.

Labor, for example, has been very recalcitrant. Business leaders, even when supportive are skeptical of how much can be accomplished. Many have expressed the persistent belief that controls are inevitable. Last, it is possible the St. Louis and Hartford meetings might be disappointing.

Notwithstanding these risks, Strauss feels strongly that we must take the battle against inflation outside of Washington. The public needs to know that the government is, in fact, making an effort to work with the leadership of their communities to bring inflation under control. Strauss has pointed out that throughout his travels the most persistent questions have been: "How serious is the administration about fighting inflation?", "Is the President truly committed to the inflation battle?".

These meetings could do a lot to answer these concerns by:

1. educating the public about the causes of inflation;
2. informing them of what the federal government is doing about it (e.g., reducing the deficit, holding down wage increases, deregulation, energy legislation); and
3. obtaining deceleration commitments from businessmen, local governments and, where possible, labor unions.

If St. Louis and Hartford are successful Strauss will want to expand the anti-inflation forums to other cities. Although large and moderate size cities would be natural targets, many small to medium size communities could also be reached through the speakers bureau which we are currently assembling. These smaller cities would only require the attendance of one administration speaker.

A success in St. Louis and Hartford will create the possibility that similar requests for your time might be generated. However, I don't think this has to happen. Your participation on the 13th could be a one time kick-off event.
You could choose not to do any or simply commit to no more than 3 such appearances over the next 6 months. Nevertheless, I recommend you approve the meeting on the 13th.

Schedule me for:  

--- None

--- 13th only

--- 13th and hold decision on others
Frank Moore
Zbig Brzezinski

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

Rick Hutcheson

LETTER TO SEN. BYRD
THE WHITE HOUSE
WASHINGTON

8/30/78

Mr. President:

Congressional Liaison concurs.

Rick
MEMORANDUM

THE WHITE HOUSE
WASHINGTON

ACTION
August 29, 1978

MEMORANDUM FOR: THE PRESIDENT

FROM: ZBYGNIEW BRZEZINSKI

SUBJECT: Letter on SALT from Senator Byrd

Senator Robert Byrd has sent you a letter (Tab B) expressing concern that the SALT TWO agreement might be submitted to the Congress as an executive agreement rather than as a treaty. (The letter has been released to the press.) He takes a strong stand against this prospect, citing the Constitutional Convention and the Federalist Papers on the issue of the special relationship between the Senate and the Executive regarding treaties.

As you know, a number of other Senators have also expressed strong views on this subject, to the point of suggesting that they might vote against a SALT TWO executive agreement on constitutional grounds. However, Senator Byrd's letter clearly represents the most significant statement to date on this issue.

Paul Warnke discussed the treaty/agreement issue a few days ago in New York. His reply is at Tab C.

I have prepared an acknowledgment letter to Byrd (Tab A) for your signature. The letter reemphasizes your position that the decision on the treaty/agreement issue is your perogative and has not as yet been made.

RECOMMENDATION:
That you sign the letter to Senator Byrd at Tab A.

____ Approve

____ Disapprove

Jim Fallows has cleared the text of the letter.
THE WHITE HOUSE
WASHINGTON

for Breakfast
9/1-78

Tom Bradent

- Gati - Inter trade
  > E/B/Lewis
  - Kissinger, etc.
  - Fritz vs. C. David
  - Sc & other state visits
  - Dessen
  - Videla / Fritz
    > C. Robinson
    > ACLA - Monroe / Andy Goodpaten
  - US arms removal
  - Lebanon - press ahead
  - Namibia - 7500 → 5000
  - Nicaragua, Mog, Perez
  - Rhodesia
MEMORANDUM FOR THE PRESIDENT

FROM: GENE EIDENBERG

SUBJECT: Calls to Governors Regarding Energy Legislation

Following your instructions to Jack yesterday, we have called a number of Governors in New England and elsewhere to garner public support for the gas compromise. As a result, Governors Grasso of Connecticut, Snelling of Vermont and Longley of Maine have issued statements.

In addition, the following Governors have issued statements: Shapp of Pennsylvania; Judge of Montana; Herschler of Wyoming, Apodaca of New Mexico and Teasdale of Missouri. These statements will be re-issued from The White House to show the widespread support for the compromise among Governors unable to attend Wednesday's meeting. We will continue this effort next week and expect to have additional statements to release by the middle of the week. We are working closely with Frank Moore in this effort.

Governors Carey and Dukakis have indicated that they cannot issue statements because of the sensitivity of the issue in their re-election campaigns. We believe you should consider calling both Governors to solicit their help.
MEMORANDUM FOR THE PRESIDENT

In the event you haven't seen it, I wanted to send a copy of this Sunday's very supportive editorial in the Los Angeles Times.

[Signature]
Attorney General

attachment

cc: Gerald Rafshoon
Thinking About Carter

It rained on President Carter's parade of white-water rafts in Idaho the other day. Some news reports managed somehow to convey an impression that he had tried to wring a promise of sunshine from a higher authority and had lost again.

For months now, the President has been portrayed as an amateur, a loser, a misfit, a person of such negligible stature as to have to stand on tiptoe to look across a table. Analysts who once found a White House enemies list intolerable now advise the President that what he really needs is a mean streak, the better to punish enemies. Having been criticized during his campaign for not being specific, he is now criticized for trying too hard to keep too many of the promises that he made in the campaign.

We are, and have been, comfortable with the feeling that Carter is pretty much what he seems to be—an earnest and bright man in his 50s, with some expertise in nuclear engineering, business and state government, a sound record on civil rights, a good deal of self-confidence, and an unforced familiarity with the Bible, which seems to put some people off. He is an issues man, and we are comfortable with that, too, because the great political battles in American history should be fought out on the issues.

We are as concerned as anyone that he tried to tackle too many problems too soon—the pork barrel of water projects, nuclear proliferation, the breeder reactor, energy, the Panama Canal, civil-service reform, the Middle East, welfare reform and, everlastingly, inflation. But the long list is less a reflection on the White House than on the kind of world in which we live. Who is to say which of those issues could safely be put off for a year or two?

We do not agree with all of the positions that Carter has taken, although we suspect that he is right more often than he is wrong. But it has not occurred to us to take any of the disagreements as a personal matter, as seems now to have become a habit among many analysts and commentators and, if the polls are accurate, among voters generally.

We have puzzled over this erosion of the President's dignity and credibility, so often based on such trivia as his decision to walk into rooms without Hail to the Chief ringing in his ears. We find the theory that people instinctively cut their leaders down to size too easy, as are the notions that he is dull or that he is a victim of Watergate journalism or the seemingly insatiable thirst for detailed gossip about superstars.

It may be as simple as the fact that presidential decisions have an increasingly immediate effect on our lives, and that our standards for measuring those decisions rise in direct ratio to the effect. It may be that the nation itself is less sure of its purposes and goals and, therefore, less able to measure performance in pursuit of those goals.

Whatever the explanation, it is interesting to note that some analysts perceive an emerging new Carter, with a better understanding of the mechanics of Washington power and a firmer grip on the ears of Congress.

If a change in the President is indeed coming, we hope it will not be too drastic. We have always assumed that Carter's attention to detail has something to do with his service on submarines, where it is hard to sleep nights unless you know that every hatch is tight and every valve is on the right setting. We would not want that to change.

We also hope he keeps slugging away at the issues. Civil-service reform and some of the other issues that fascinate Carter may seem dull to some, but they are the raw materials of progress.
THE WHITE HOUSE
WASHINGTON
September 1, 1978

MEMORANDUM FOR THE PRESIDENT
FROM: HUGH CARTER
SUBJECT: Weekly Mail Report (Per Your Request)

Below are statistics on Presidential and First Family:

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<th>INCOMING</th>
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<td>14,450</td>
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<td>First Lady</td>
<td>1,605</td>
<td>1,075</td>
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<tr>
<td>Amy</td>
<td>150</td>
<td>155</td>
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<tr>
<td>Other First Family</td>
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<td>3,515</td>
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DISTRIBUTION OF PRESIDENTIAL MAIL ANALYZED

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cc: Senior Staff

* Includes 250 Birthday Cards
MAJOR ISSUES IN
CURRENT PRESIDENTIAL ADULT MAIL
Week Ending 9/1/78

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<td>12%</td>
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<td>TOTAL</td>
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(1) SUGGESTIONS RE: MIDDLE EAST SUMMIT CONFERENCE

Contending that a lasting peace can only be established by direct negotiations between the involved parties, writers urge that the president take an even handed approach, and that American efforts be directed toward mediation and conciliation, rather than imposing a settlement.
THE WHITE HOUSE
WASHINGTON

September 1, 1978

MEMORANDUM FOR PHIL WISE
FROM: DAVID RUBENSTEIN
SUBJECT: Photo Session

I would appreciate your arranging a brief photo session with the President for Oliver Miller, who is leaving our staff today to begin a Rhodes Scholarship.

Oliver has been on our staff for the past several months. Prior to that, he worked in the Carter campaign, served as an assistant to Dick Wolbrooke at the State Department, and completed his last year at Yale.

The President may remember Oliver from the early days of the campaign. Oliver was the second person who joined the issues staff, leaving Yale in 1975 prior to graduation. During the primary and general elections, Oliver specialized in a number of key issues, particularly agriculture and education. Throughout the campaign he was an invaluable and dedicated staff member, as he has continued to be at the White House. Oliver has primarily been working with Kitty Schirmer on energy issues for the past several months.

Oliver has an unusual talent for languages, speaking several fluently (including French, Spanish and Chinese). At Oxford, he will probably study Chinese.

Mr. President -- you sent almost congratulatory Miller when his scholarship was announced months ago.
THE WHITE HOUSE
WASHINGTON

September 1, 1978

Frank Moore

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

Rick Hutcheson

cc: The Vice President
    Secretary Brown
    Jim McIntyre

DOD AUTHORIZATION BILL
THE WHITE HOUSE
WASHINGTON

September 1, 1978

To Chairman Melvin Price

Let me assure you of my acknowledgment of the positive and constructive constitutional role of Congress in providing for our national defense, and of my personal appreciation for the leadership you have exhibited so well in consummating this responsibility.

My veto of the Defense Authorization Act (H.R. 10929) was predicated on the overall impact of the entire authorization and appropriation prospects resulting from approval of construction of another B-1B in the 1979 fiscal year. Obviously, my constitutional authority and responsibility were properly exercised. If the veto
should be sustained, I look forward to close cooperation between us to evolve the most effective defense capability for our nation as partners and with a full recognition of the historical and proper interrelationship between Presidents and members of Congress.

The Secretary of Defense and the Director of the Office of Management and Budget will provide whatever information and recommendations you desire, including those items mentioned in your letter to me.

With best wishes,

[Signature]

Jimmy Carter
MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE

SUBJECT: ATTACHED LETTER FROM CONG. MELVIN PRICE

This letter was hand delivered this afternoon. Cong. Price says you can reply if you care to, but he does not necessarily want an answer from any other Administration official.

The closing paragraph on page 6 may indicate that we will have a clear-cut victory next Thursday.

cc: The Vice President
    Secretary Harold Brown
    Jim McIntyre
    Zbigniew Brzezinski
The President
The White House
Washington, D. C. 20500

My dear Mr. President:

I have considered long and carefully your veto message to the Congress on H.R. 10929, the Department of Defense Appropriation Authorization Act for fiscal year 1979. I must tell you that I am disturbed by the substance and the tone of that message, and I am compelled also to express my deep concern about the impression of uncertain leadership in national defense that this veto and related decisions may unintentionally project.

Your message repeatedly makes reference to dollar figures of programs which are, in fact, not in the bill that you vetoed. For example, the message refers to an $800 million reduction in weapons and equipment for the Army and a $200 million reduction in weapons and equipment for the Air Force. The authorization bill that you vetoed, H.R. 10929, makes reductions of only $188.7 million in weapons and equipment for the Army, and actually provides an addition of $80.2 million for the Air Force.

It has been assumed by some people, therefore, that the intent of your message is to indicate that corresponding reductions have to be made in the Defense appropriation bill to provide for the funding of the Nimitz-class nuclear aircraft carrier (CVN) that was authorized in H.R. 10929. Such, however, still fails to explain statistics used in your message. For example, your message refers to "up to $500 million for research and development -- for programs proposed in my FY 1979 budget but deleted by one or another Congressional action." The authorization bill sent to you, H.R. 10929, reduced research and development (R&D) only $209.5 million. This is a reduction of only 1.7 percent from the amount you requested and the authorization remaining, $12.3 billion, is an 8 percent increase over the amount provided last year.
The explanation of your statement would seem to be that the reference to "one or another Congressional action" includes appropriation action as well. However, the only appropriation action completed at the time of your veto message was the House passage of the Defense appropriation bill. An examination shows that total R&D reductions from the authorization and appropriation process as of the date of your message is less than $400 million. We have no explanation of your reference to a $500 million reduction.

Similarly, your statement makes reference to elimination of $500 million in readiness funds. Most of the readiness items to which you refer -- such as repair of weapons, ship overhauls, communications and logistics support -- are provided for in operation and maintenance funds which are not subject to annual authorization. At the same time, however, your message fails to acknowledge specific actions taken by Congress in H.R. 10929 in personnel authorizations to improve the readiness of our forces, including increases to provide more training time, additional civilian manpower for aircraft maintenance activities, and steps to improve the readiness of the Ready Reserve forces.

I understand that you are opposed to a nuclear aircraft carrier, but here again the position and the statistics of the Administration are confusing.

The veto message states your opposition to a nuclear aircraft carrier and that, therefore, $2 billion could have been saved by following your Administration's recommendations.

I would remind you, however, that subsequent to the submission of your budget, but prior to House floor consideration of H.R. 10929, I received a letter from the Secretary of the Navy supporting the inclusion of a conventional aircraft carrier (CVV) costing $1.575 million in this year's authorization. The difference between the Administration position and the committee position at that point, therefore, was not $2 billion, but rather the difference between a CVN and a CVV.

Can we not assume that the Secretary of the Navy speaks for your Administration on matters affecting the Navy?

Your veto message makes no mention of the Secretary's letter, but indicates that a conventionally-powered carrier would be requested in the budget next year "at a saving of $1 billion for that single ship."

The authorization bill provides $1.930 billion for a Nimitz-class CVN.

The cost of the CVN includes approximately 13 years of nuclear fuel. The $1.575 million estimate for the CVV is a current estimate for a ship which has not yet been designed. The estimate is surely conservative at this point. The estimate does not include the cost of 13 years of fuel.
On a one-to-one comparison, therefore, I don't know how your Administration can state that building one CVV instead of one CVN would save $1 billion.

If only one more large carrier is to be built, the cost comparison, I believe, would be very close. The operational advantages of the CVN over the CVV are well-known and acknowledged on both sides, and I believe Members of Congress can make their own comparison and determine whether the nuclear capability is worthwhile at a slight additional cost.

Let me call to your attention that Senator Hart of Colorado, a Democrat and one of the most vigorous spokesmen in Congress for going to smaller carriers has vigorously supported H.R. 10929 as a vehicle for moving to a small carrier strategy in the future, has stated that the single CVN would cost only $355 million more than the CVV even if the latter "does not experience large cost overruns common with a new ship design," and has asked his colleagues to override your veto.

Statements repeatedly emanate from your Administration that three large conventional carriers could be built for the price of two nuclear carriers. If indeed that statement is correct, it is only pertinent if we are planning to build three or more large carriers. However, the fact is we are planning to build only one.

All of the witnesses for your Administration, including the most vigorous proponents of going to smaller carriers in the future, concurred that we should have 12 large carriers deployed. All of your Defense Department witnesses made clear that to have 12 carriers deployed, 13 are required since one carrier is always in the shipyard undergoing overhaul.

The question, therefore, is if we are building one more large carrier, should it be nuclear or conventional?

On each occasion this year when the House of Representatives was faced with the question of whether or not to build a nuclear carrier, a substantial majority supported the CVN. Equally substantial support has been voiced in the Senate. To veto a bill after this expression of Congressional intent suggests an unwillingness to accept the Congressional role in the defense decision-making process.

I am disturbed also, Mr. President, because even if the dollar amounts referred to in your message could be verified, the allegation that reductions made by the Congress mean simply a cut in combat capability, evidences a failure to understand the dynamics of the authorization and appropriation process.
Subsequent to the submission of the budget, reductions are made with the concurrence of, or even at the request of the Department of Defense because of program cancellations, program delays, or contract modifications which were not anticipated at the time the budget was drawn. In H.R. 10929, in the area of procurement alone, more than $1 billion can be identified which was eliminated for these reasons. In other words, the funds could not responsibly be obligated now even if authorized and appropriated.

Examples are the Navy Trident submarine, where a $911.9 million reduction was made because of a program delay; the Mark 46 torpedo, where a reduction of $28.7 million was made because the Navy informed us of a cost-saving in the program; and the Army XM-1 tank program, where the Army informed us that $127.4 million originally requested was not needed as a result of contract modifications.

So the implication throughout the message that funding a $2 billion carrier necessarily means a $2 billion cut in needed programs elsewhere is simply not correct.

Your message further states that reductions were made "to stay within Congressional budget limits." This statement fails to recognize the simple fact that Congress has not completed action on the Second Budget Resolution. Therefore, the final "Congressional budget limits" on national defense have not yet been established.

I can only conclude, Mr. President, that you have been ill-advised on the process of Congressional authorization and appropriation.

I am concerned that your message may lead to other statements by Administration officials which are incorrect. In a speech to the American Legion Convention on August 22, the Secretary of Defense stated, "spending money on spare parts, unit training, and field exercises may not grab the headlines. But . . . this is the right way at the right time to neutralize the Soviet buildup. That is what the President had in mind, as I said earlier, when he sent the Defense authorization bill back to the Congress last week . . . ." H.R. 10929 did not make any significant reductions in the authorization requested for initial spare parts, it provided more manpower authorization than requested in order to increase the amount of training, and it did not address any requests for funds for field exercises. The latter are provided through operation and maintenance appropriations not subject to annual authorization. Certainly, such misleading public statements should be avoided.
In the time since your veto message was received, no further explanation has been submitted by the Administration and, in fact, the military departments indicate they have been directed not to respond to Congressional inquiries on the message.

I must ask you, therefore, Mr. President, to direct your advisors to submit an explanation of the basis for the estimates used in your veto message, together with a list of specific additions and deletions opposed by your Administration.

I state to you categorically that none of the additions or deletions made in H.R. 10929 by my committee were inspired by a desire to find funding for a nuclear aircraft carrier. Each of the programs in the bill was considered independently on its merits. The assumption that reductions were sought in advance to provide funding for the nuclear carrier fails to appreciate the months and months of hearings and analyses by Congressional committees.

Indeed, Mr. President, perhaps my principal concern with your message is the tone with which the actions of the Congress are addressed. Nowhere do I find any recognition that the Congress is capable of making an independent contribution to the weapon development process. Implicit throughout your message is the charge that Members of Congress, in order to support a particular weapon system, knowingly voted for a bill that weakens our national defense.

This charge is most grievous to me.

I have served in public office for more than 40 years and in all of more than 32 years in the House of Representatives I have had special responsibilities in the areas of national defense and nuclear energy policy. In these areas I have worked with every President since Harry Truman. At no time have I supported any particular system or any special interest at the price of our overall national defense. I have always worked to strengthen our national defense and I think H.R. 10929 would do that. While the Congress made a number of changes in the bill, both additions and deletions, they are not inconsistent with the number of changes we have made annually in such legislation.

I have the utmost respect for the present Secretary of Defense as I have had for most of his predecessors, but I have failed to observe any conclusive evidence of infallibility in the Department of Defense.
The burden of your message is that Congress does not have a place in defense policy-making except insofar as it is prepared to "rubber stamp" recommendations of the Executive Branch. I reject that philosophy.

I believe the Congress deserves to be treated as a partner in defense decision-making, not as a poor relation.

Finally, Mr. President, I must express to you my deep concern about the picture we are presenting to the world of our willingness to provide necessary leadership. I am concerned about what appears to be a propensity to forgo those military capabilities that we do well.

You may recall that I wrote to you a year ago expressing my concern about the impact on national defense capability of a series of decisions which include the cancellation of the B-1, the cancellation of the short range attack missile (SRAM), the termination of production of the Minuteman III missile, and the slowdown of development funding for the MX missile system. At that time, I expressed the hope that the Congress could work with the Administration to provide necessary defense systems. Since that time, we have had the cancellation of production of the enhanced radiation weapon, the indecision in response to the demonstrated need to protect the vulnerability of our land-based ICBMs, the proposed withdrawal of forces from Korea, and now the veto of a Defense authorization bill and a determined effort to stop another large aircraft carrier.

I am deeply concerned as to the cumulative effect of all of these actions on our defense capability and equally concerned as to their effect on the perception of potential adversaries as to our willingness to meet our national security commitments.

For all of the above reasons, Mr. President, I must reluctantly tell you that I cannot accept the reasoning in your veto message and on September 7 I shall ask the House of Representatives to vote to override your veto of H.R. 10929.

Respectfully yours,

[Signature]

Melvin Price
Chairman
Committee on Armed Services
MEMORANDUM TO THE PRESIDENT

FROM: HAMILTON JORDAN

DATE: SEPTEMBER 1, 1978

SUBJECT: NATURAL GAS TELEPHONE CALLS

I recommend that you make the following telephone calls to persons who can be helpful on the natural gas vote:

--David Rockefeller, Chairman of the Board, Chase Manhattan Bank. Although Chase has not officially taken a position on the natural gas compromise, they are perceived by the Senate as being opposed to the bill. A mid-level officer of the bank sent a letter to the Business Roundtable which doubted the impact of the natural gas bill on inflation and the decline of the dollar; this letter has been sent by our opponents to every Senator, and it is being used effectively to counter Bill Miller's arguments in favor of the legislation.

Willard Butcher, President of Chase, attended the luncheon on Wednesday with Strauss, Schlesinger, and Miller; and a group of Chase executives is spending three hours at the Department of Energy this afternoon to get further information on the legislation. At the present time, Chase maintains that it has no position; you should urge Rockefeller instead to move aggressively to support the legislation and to counter the impression that Chase is currently working against us.

--Robert Wingerter, Chairman, Libby-Owens-Ford Company.

Mr. Wingerter attended the Wednesday afternoon briefing by Strauss, Schlesinger, and Miller for glass, textile and paper companies. Although the glass industry had been actively working against the legislation before this meeting, they were genuinely impressed by the presentation, and are now reconsidering their position.

Mr. Wingerter is also reconsidering his position, but he is the most "hard-line" of the glass company executives at the meeting. If he decides to support the legislation, we will be assured of the active help of the glass industry.

The glass company officials have some concerns about the legislation which might be possible to satisfy with colloquies on the floor during the debate. You should thank Mr. Wingerter for approaching this subject with an open mind, assure him that Secretary Schlesinger will work with the industry to clarify any matters which can be addressed at this
late date, and urge that he consider actively supporting our position. The glass company officials were particularly impressed with the argument that a better bill is highly unlikely in the foreseeable future.

--William A. Klopman, Chairman, Burlington Industries. Mr. Klopman also attended the Wednesday afternoon briefing. Like the other members of the textile industry, his formal position before the meeting was opposition to the bill because it does not deregulate gas rapidly enough. Our follow-up phone calls, however, indicate that we made a strong impression on the textile executives, and that there is now a chance for their support. Klopman is particularly important because of Burlington's position in the industry.

You should thank Klopman for attending the briefing, acknowledge that the bill is not perfect but that it is the only realistic possibility in the foreseeable future, and ask for Mr. Klopman's active support.

--George Stinson, Chairman, National Steel. Stinson attended the briefing for steel executives a week ago, and has privately told Bob Strauss that he will help. You should thank Stinson for his offer to help, and ask him to give specific attention Senators Heinz and Schweiker.

--Irving Shapiro. DuPont's management generally feels that this bill will hurt their company far more than it would help. Nevertheless, Shapiro has refused to take a position, largely because of his personal relationship with you. As you know, he is no longer President of the Business Roundtable.

In the last few days, Irving has told Strauss that he is privately willing to help where he can, and he has, in fact, called Joe Biden. Although the bill will probably have an adverse affect on his company, he believes it should nevertheless be passed for the good of the country. You should thank him for his help, and urge him to do as much as he can with other influential chief executives around the country.

--Robert O. Anderson, Chairman, Atlantic Richfield Company. ARCO is going all out to help, and Thornton Bradshaw, ARCO's President, has taken a highly visible position in support. You should thank Mr. Anderson and acknowledge Mr. Bradshaw's help.

Attached for your information is an information sheet put out by ARCO urging support of the natural gas compromise.
Jack Warren, President  
Goldrus Drilling Company  
900 First City National  
Houston, Texas 77003  
(713) 658-8286

Jack Warren has literally been working full-time on the natural gas compromise bill for the last six months. His work has been largely out of his personal regard for you, Secretary Schlesinger and a sense of what is good for the country—plus his disapproval of the obvious greed of some other people in the industry.

Jack's wife's name is Dorothy. You have met him in Houston, New Orleans and number of times in the White House.

Talking Points

1. You should thank him for his help.

2. Tell him that you will ask Chairman Ullman to grant a one-year extension to the IDCs, coupled with some sort of energy tax, so Warren can use this for some Republican votes in the Senate and the House.

Ullman has wisely been playing the bad guy, using IDCs as leverage over independents and saving it for this time. Stu Eizenstat and I met with Bobby Shapiro yesterday. Ullman is now ready to play this card. Schlesinger agrees. We will then use IDCs next year for additional energy taxes.
George P. Brown, retired Chairman, Brown & Root Construction Company. Brown & Root in Houston is one of the world's largest construction companies. Mr. Brown met with Bob Strauss last week, and agreed to help on the natural gas bill. The construction industry has a big stake on the outcome of this legislation because of the Alaska gas pipeline, but the industry has not as yet shown much organized support.

Mr. Brown is also an important natural gas producer in his own right.

You should thank Mr. Brown for his offer to help, and urge that he put particular emphasis on developing organized support for the legislation by the construction industry.
Cardinal Luciani of Venice was elected Pope John Paul I at 11:15 a.m. this morning. He was elected on the second ballot. His age is 65.
THE WHITE HOUSE
WASHINGTON

September 1, 1978

Frank Press

The attached was returned in the President's outbox today and is forwarded to you for appropriate handling. The "send thank you letter" note is from the President, not from Dr. Brzezinski.

Rick Hutcheson
cc: Zbig Brzezinski

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Fresh: The "send" column letter is from The Doc and from 1/3
MEMORANDUM FOR THE PRESIDENT

FROM: Frank Press

SUBJECT: CTB Letter

Three distinguished nuclear weapon scientists have written you (Tab A) to present a positive assessment of stockpile reliability under a CTB. They are Norris Bradbury, Director of the Los Alamos Laboratory from 1945-1970; Carson Mark, Chief Theoretician at Los Alamos from 1947 to 1973; and Dick Garwin, a highly regarded consultant on nuclear weapons and other defense-related technologies. You are already familiar with their arguments which were presented in the report of my CTB Review Panel, which included Carson Mark.

In brief, they assert that stockpile reliability can be maintained indefinitely by rebuilding weapons to exact specifications when necessary, refraining from marginal improvements which could result in uncertainty in weapon performance, providing strong support for stockpile maintenance and exemption on national security grounds from EPA or OSHA restrictions if necessary. While these steps would not eliminate the long-term reliability problem, as the authors suggest, I believe they would contribute significantly in reducing the risks of a CTB. Related measures will be included in the Safeguards Plan which is being developed by the SCC. The authors' letter is being widely disseminated and may be helpful in balancing the CTB debate.

Attachment

Electrostatic Copy Made for Preservation Purposes

DECLASSIFIED
Per, Rac Project
ESDN: NLC-146-14-13-1-1
By 55, NARA Date 6/4/13
August 15, 1978

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

Dear Mr. President:

As individuals long involved in the conception, design, manufacture, test, and maintenance of many of the United States' nuclear and thermonuclear weapons, we want you to know of our judgment on a question which has assumed considerable prominence in connection with the Comprehensive Test Ban Treaty ("CTBT"). That is the question of the degree of assurance in the continued operability of our stockpiled nuclear weapons in the absence of any possibility of testing with significant nuclear yield (for instance, with testing limited to laboratory-type experiments.)

As you know, the assurance of continued operability of stockpiled nuclear weapons has in the past been achieved almost exclusively by non-nuclear testing--by meticulous inspection and disassembly of the components of the nuclear weapons, including their firing and fuzing equipment. Problems encountered in this inspection are normally validated by additional sampling and solved by the remanufacture of the affected components. This program is, of course, supplemented by the instrumented firing of the entire nuclear weapon with inert material replacing the fissile materials, and the entire program thus far described would be unaffected by the requirements of a CTBT. It has been exceedingly rare for a weapon to be taken from stockpile and fired "for assurance."

It has also been rare to the point of non-existence for a problem revealed by the sampling and inspection program to require a nuclear test for its resolution. There are three acceptable approaches to the correction of deficiencies without requiring nuclear testing:

1) Remanufacture to precisely the original specifications.

2) Remanufacture with minor modifications in surface treatment, protective coatings, and the like, after thorough review by experienced and knowledgeable individuals.

3) Replace the nuclear explosive by one which has previously been tested and accepted for stockpile.

A fourth option, to replace the troubled nuclear system by one not already prooftested may result in improved performance, lesser use of special nuclear materials, or the like, virtues which have more to do with improvement of the stockpile than with confirming its operability.

We believe that the key question to be answered by those responsible for making and maintaining nuclear weapons is

"Can the continued operability of our stockpile of nuclear weapons be assured without future nuclear testing? That is, without attempting or allowing improvement in performance, reductions in maintenance cost, and the like, are there non-nuclear inspection and correction programs which will prevent the degradation of the reliability of stockpiled weapons?"
Our answer is "yes," and we now discuss the reasons why knowledgeable people may have answered "no" to seemingly similar questions.

First, we confined ourselves essentially to the question, "If the stockpile is not required to improve, can it be kept from degrading?" Others may have had in mind the normal work of the weapons laboratories, by which nuclear weapons are continuously made somewhat more efficient, less costly in terms of nuclear materials, adapted to new packaging requirements, and safer to handle—for instance by the substitution of insensitive explosive. We have participated in such programs and find them both interesting and useful. Were these "improvement programs" carried out long enough without nuclear testing, the weapons thus affected would indeed have uncertain performance; the solution under a CTBT would be to forego such programs in order not to sacrifice stockpile reliability to a desire for minor improvement in performance.

Second, it is true that certain deficiencies have in the past been corrected by the replacement of the affected nuclear system by another one, following a test certifying the replacement model as ready for stockpile. This corrective measure would not be available under a CTBT. But the examples normally cited need not have been corrected in this way; for instance one Polaris warhead problem could readily have been solved by remanufacture with an acceptable change of surface treatment on the component which had caused the problem. The change of nuclear system was not absolutely necessary for the correction of the problem observed.

Finally, it is sometimes claimed that remanufacture may become impossible because of increasingly severe restrictions by EPA or OSHA to protect the environment of the worker. We note that additional protective measures which might be an intolerable cost burden in the manufacture of cardboard or of lightbulbs or of aircraft brakes are easily affordable in connection with the nuclear stockpile. Thus if the worker's environment acceptable until now for the use of asbestos, spray adhesives, or beryllium should be forbidden by OSHA regulations, those few workers needed to continue operations with such material could wear plastic-film suits (supplied with external air) commonly used for isolation against germs and against certain pharmaceuticals. It would be wise also to stockpile in appropriate storage facilities certain commercial materials used in weapons manufacture which might in the future disappear from the commercial scene.

It has been suggested that under a CTBT a President or Congress or the Department of Energy might not provide funds for stockpile maintenance inspection and correction, or that a President might not provide a requested exemption from OSHA or EPA requirements. We see no reason to assume that the national security bureaucracy will not continue to serve the national interest, and we would welcome a statement in conjunction with a CTBT that non-nuclear testing, inspection, and remanufacture where necessary will be fully supported in order to ensure the continued operability of stockpiled nuclear weapons.

We believe that the Department of Energy, through its contractors and laboratories, can through the measures described provide continuing assurance for as long as may be desired of the operability of the nuclear weapons stockpile. We are making this statement available to others in the Executive and the Congress.

Sincerely Yours,

Norris E. Bradbury
J. Carson Mark

Richard L. Garwin
BIOGRAPHIES

Norris Bradbury was the immediate successor to Robert Oppenheimer when, in 1945, Dr. Bradbury became Director of the Los Alamos scientific laboratory and served in that capacity for a quarter of a century until 1970. A physicist and member of the National Academy of Sciences, Dr. Bradbury was also Professor of Physics at the University of California during this period and is a recipient of the Legion of Merit and of the Fermi Award.

Richard Garwin has been a consultant to the Los Alamos Laboratory for almost three decades, since 1950, and is highly regarded in the national security community for his in-depth technical analyses of an extremely broad range of defense issues. A physicist and member of both the National Academy of Sciences and the National Academy of Engineering, he has served as a member of the President's Science Advisory Committee, as a member of the Defense Science Board and as a consultant to the Arms Control and Disarmament Agency, among other agencies.

J. Carson Mark was head of the Theoretical Division of the Los Alamos Scientific Laboratory from 1947 to 1973. This Division was responsible for, and played a key role in, the conception and design of U.S. nuclear and thermonuclear weapons in the fifties and sixties. He continues to be involved in considerations of weapons effects and with the problem of the maintenance of a nuclear weapons capability under nuclear test limitations.

Phone numbers at which the signatories can be reached are --
Bradbury: 505-662-5068
Garwin: 914-945-2555
Mark: 505-667-7612
THE WHITE HOUSE
WASHINGTON
9/1/78

Tim Kraft
Jim Gammill

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

Rick Hutcheson

PRESIDENT'S COMMISSION ON MENTAL
RETARDATION
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For Staffing
From President's Outbox
Log In/To President Today
Immediate Turnaround
No Deadline
Last Day For Action

Admin Confidential
Confidential
Secret
Eyes Only
MEMORANDUM FOR THE PRESIDENT

FROM: TIM KRAFT

SUBJECT: President's Committee on Mental Retardation

There are seven appointments to be made to the President's Committee on Mental Retardation. Secretary Califano has sent a list of seven persons whom he recommends. Mrs. Carter has seen the list and approves with one exception. She would like to see Fred Girardeau added. We have made that substitution with the approval from the Secretary's office.

Aileen Weiss (South Carolina): Director of Speech and Hearing Programs at Fort Jackson. Recommended by Senator Hollings, Congressman Spence, Dick Riley and Jesse Hill.

Edward Quilligan (California): Professor of Obstetrics and Gynecology and Associate Vice President for Health Affairs at the University of Southern California.

Charles Halpern (District of Columbia): Associate Professor at Georgetown Law Center and Director of the Institute for Public Interest Representation.

Shirley Miller (Georgia): Chairperson of the Human Rights Committee of the Atlanta Association for Retarded Citizens and President of the Board of the Mental Health Association of Metropolitan Atlanta. Recommended by Senators Talmadge and Nunn.
Andy Chang (Hawaii): Director of the Department of Social Services and Housing for the State of Hawaii. Recommended by Senators Matsunaga and Inouye.

Herbert J. Cohen (New York): Director of the Bronx Developmental Services and Professor of Pediatrics at Albert Einstein College of Medicine.

Frederic L. Girardeau (Kansas): Senior Scientist, Bureau of Child Research and Associate Professor, Department of Special Education at the University of Kansas; Associate Professor of Community Health, University of Kansas Medical School. Recommended by Mrs. Carter.

RECOMMENDATION:

Appoint the slate as listed above to the President's Committee on Mental Retardation.

__________________________ approve

__________________________ disapprove
LEEN A. WEISS

D.O.B. March 11, 1931

4431 Ivy Hall Drive
Columbia, South Carolina 29206

Phone: 782-5025

Resident of Columbia since 1968; previously lived in Spartanburg, So. Car. Has lived in South Carolina for the past twenty-four years. Native of New York City.

Marital Status: Married

No. of Children: Three, Ages: 21, 18 and 13
(Daughter, Vicki, has been a resident at Whitten Village for the past fifteen years.)

Education: Masters Degree, Purdue University, 1954
Major: Speech Pathology Minor: Clinical Psychology

Professional Experience:

1952 - Speech Therapist; Camp Oakhurst, New Jersey, A Camp for Mentally Retarded and Multihandicapped Children.
1952-54 - Graduate Assistant and Instructor, Purdue University.
1955-58 - Speech Pathologist, part-time, Spartanburg Speech and Hearing Clinic.
1960 to present - Adjunct Professor, College of Education, University of South Carolina. Courses taught: Educ. 589, Speech and Language Problems of the Mentally Retarded; Educ. 581, Principles of Speech Correction for the Classroom Teacher and Educ. 785, Language Impairment in Children.
1960-63 - Speech Pathologist, Whitten Village, part-time, assisted in the development of a speech and hearing therapy program for the residents of Whitten Village.
1961-64 - Instructor, Speech Pathology, Western Carolina University, summer sessions only.
1968 to present - Head, Speech and Hearing Program, Military Dependent School, Fort Jackson, South Carolina, four days per week.
1974 to present - Speech Pathologist, part time consultant, Pediatric Clinic, Moncrief Army Hospital, Fort Jackson, So. Carolina.
1976 - Visiting Instructor, University of New Mexico, in area of Communicative Disorders, summer session only.

Non-Clinical or Instructional Professional Assignments:

1976 - Co-developer of Multi-media Slide Tape Presentation, entitled, "Who Steals Children's Dreams," which describes new trends in interdisciplinary programs for handicapped children in the schools, developed at the Univ. of So. Car
1978 - Participant in video-tape presentation entitled, "Parental Perspectives," which describes the various emotional stage and feelings which are faced by parents of handicapped children, produced at the University of South Carolina.
Post-Masters Courses Completed:

1974 - "Guidance Techniques for Classroom Teachers," at the University of South Carolina.
        "Team Approaches for the Learning-Disabled Student," University of South Carolina.
1976 - "Judevine Method, Autistic Children," conducted by the Judevine Training Institute, Converse College, short course.

Special Activities and Distinctions Related to the Mentally Retarded:

1) Served as one of the founders, on a volunteer basis, of the Spartanburg School for Handicapped Children; presently known as the "McCarthy School" in the Charles Lea Center in Spartanburg, which provides educational and rehabilitative services to mentally retarded and physically handicapped children in Spartanburg County and surrounding areas.

2) Served on the Board of Directors of the McCarthy School during the first three years of its development.

3) While a member of the staff of the Spartanburg Speech and Hearing Clinic served as the Speech Pathologist/Therapist at the McCarthy School. In this capacity consulted with teachers and many parents concerning the communicative problems of handicapped children.

4) While serving as a member of the Whitten Village staff, on a part-time basis, completed a research project in language development for severely language delayed trainable mentally retarded children.

5) As the speech and language consultant to the Pediatric Clinic at Moncrief Army Hospital have provided evaluations, including consultations with parents, for a number of mentally retarded children.

6) As Director of the Speech and Hearing Programs at the military dependent schools at Fort Jackson have responsibility for developing and implementing programs for speech and language evaluation and therapy for the mentally retarded children enrolled at the Fort Jackson Schools.

7) Member of the Whitten Village Parents Organization.

8) Served on the Board of Directors of the Whitten Village Parents Organization.

9) Member of the Institutional Avoidance and Institutional Reform Committee of the South Carolina Department of Mental Retardation, 1974-75.

Served on the Speakers Bureau for the South Carolina Jaycees Camp Hope Project. In this capacity have made presentations to a number of Jaycee Chapters in South Carolina and have appeared on television to promote Jaycee Camp Hope Week. Also, participated in the dedication ceremonies of Camp Hope and the Clemson University Outdoor Research Laboratory on Lake Hartwell.
11) Co-Chairman of Task Force, "Advocacy Program for the Handi-
capped," Friends of the Retarded, Columbia, South Carolina.

12) On a number of occasions have served as a reviewer of
project proposals for funding by the South Carolina Dept.
Education in the area of programs for the handicapped.

Professional and Associated Lay Organizations:

American Speech and Hearing Association, hold Clinical Certi-
ficate of Competence from the A.S.H.A.
South Carolina Speech and Hearing Association
South Carolina Association for Retarded Citizens
South Carolina Society for Autistic Children
Friends of the Retarded, Greater Columbia Area
EDWARD JAMES QUILLIGAN, M.D.

Birth: June 18, 1925 - Cleveland, Ohio

Education: B.A. Ohio State University, 1947  
             M.D. Ohio State University, 1951

Career:  
         Internship and Assistant Residency, Ohio State University Hospital 1951-1954  
         Resident in Obstetrics and Gynecology, Western Reserve University Hospitals, Cleveland, Ohio 1954-1956  
         Instructor in Obstetrics and Gynecology, Western Reserve School of Medicine 1956-1957  
         Assistant Professor of Obstetrics and Gynecology, Western Reserve 1957-1963  
         Professor, Western Reserve School of Medicine 1963-1965  
         Chairman and Director, Department of Obstetrics and Gynecology, Cleveland Metropolitan General Hospital, Cleveland, Ohio 1963-1965  
         Professor of Obstetrics and Gynecology, UCLA School of Medicine, Los Angeles, California 1965-1966  
         Chief, Obstetrics and Gynecology, Harbor General Hospital, Torrance, California 1965-1966  
         Professor and Chairman, Department of Obstetrics and Gynecology, Yale University School of Medicine 1966-1969  
         Professor and Chairman, Department of Obstetrics and Gynecology, USC School of Medicine, Los Angeles, California 1969-1978  
         Chief of Professional Services, Women's Hospital, Los Angeles County-USC Medical Center, Los Angeles, California 1969-1978  
         Associate Vice President of Health Affairs, USC School of Medicine 1978-  
         Associate Chief of Professional Services, Women's Hospital, Los Angeles County-USC Medical Center, Los Angeles, California 1978-  
         Professor, USC School of Medicine 1978-  

Military Service: 2nd Lt., Infantry, A.U.S. 1944-1946

Medical Societies:  
                  Cleveland Society of Obstetrics and Gynecology 1956  
                  Fellow, American College of Obstetricians and Gynecologists 1956  
                  American Medical Association 1956  
                  Society for Gynecologic Investigation (President 1969-70) 1958
Medical Societies:

Central Obstetrics and Gynecological Society 1959
American Association of University Professors 1961
Association of Professors of Gynecology and Obstetrics 1965
(Secretary-Treasurer 1967-70) (President 1975-76)
Council Member, Society for Gynecologic Investigation 1965-1968
Associate Examiner, American Board of Obstetrics and Gynecology 1966
New Haven Obstetrical Society 1967-1969
American College of Obstetricians and Gynecologists-Member, 1967
Committee on Education in Obstetrics and Gynecology in Medical Schools
ACOG, District I - Chairman Committee on Continuing Education of the General Practitioner 1967-1968
New York Obstetrical Society 1968
Continental Ob-Gyn Travel Club
Mid-Eastern Ob-Gyn Travel Club
Fellow, American Gynecological Society 1969
Los Angeles Obstetrical and Gynecological Society 1969
American Association of Planned Parenthood Physicians 1969
American Association of Obstetricians and Gynecologists 1970
Pacific Coast Obstetrical and Gynecological Society 1974
American Gynecological Society (Vice President 1978-79) 1971

Honors:

Central Society Prize in Obstetrics 1954
Fellow Yale Chapter Sigma Xi 1967
M.A. (Hon.) Yale University 1966
Fellow Silliman College (Yale) 1968
Ohio State University Centennial Achievement Award 1970
A.O.A. 1975
Alumni Achievement Award, Ohio State University College of Medicine 1976
EDWARD JAMES QUILLIGAN, M.D.

Page 3

Other Activities:

- Board of Directors, Community Health Care Center Plan, Inc. 1967-1970
- Member, Test Committee National Board of Medical Examiners 1968
- Connecticut State Board of Examiners in Midwifery 1968-1969
- Editor, American Journal of Obstetrics and Gynecology 1970-
- National Consultant in Obstetrics and Gynecology to the Surgeon General of the United States Air Force 1972-
- Member, Advisory Editorial Board of Obstetrical and Gynecological Survey 1972
- Advisory Panel, National Foundation March of Dimes 1973-1978
- Director, Division of Maternal and Fetal Medicine of American Board of Obstetrics and Gynecology 1973-
- Member, Advisory Committee on Obstetrics and Gynecology, California Medical Association 1973-
- Member, Department of Health, Education and Welfare Study Section 1969-1974
- Member, National Institute of Child Health and Human Development, Maternal and Child Health Research Committee 1974-1975
- Chairman, National Institute of Child Health and Human Development, Maternal and Child Health Research Committee 1975-1976
- Board of Directors, Charles R. Drew Postgraduate Medical School 1975-
- Member, President’s (USC) Panel on Promotions and Appointments 1975-1978
- Chairman, USC School of Medicine Promotions Committee 1974-1977
- Chairman, USC School of Medicine Committee on Private Practice 1973-
- Senior Councillor, Los Angeles Obstetrical and Gynecological Society 1975
- Editorial Board of Current Problems in Obstetrics and Gynecology, Year Book Medical Publishers, Chicago 1977
BIBLIOGRAPHY

Edward James Quilligan, M.D.

Review Journals


CURRICULUM VITAE

Charles R. Halpern
Visiting Professor of Law
Stanford Law School
Stanford, California 94305
(415) 497-3055

Home Address: 691 Mirada Avenue
Stanford, California 94305
(415) 328-4148

Born: Buffalo, New York
November 16, 1939

Education: B.A. cum laude, 1961, Harvard College
LL.B., 1964, Yale Law School, Order of the Coif

Honors: Honorary Fellow and Commencement Speaker, University of Pennsylvania Law School, 1973

Law School Activities: Board of Editors, Yale Law School

Professional Experience:

Visiting Professor of Law, Stanford Law School, 1977-78

Council for Public Interest Law: executive director, 1975-77; member of the Council, 1975-present


Mental Health Law Project: co-founder, 1972; attorney, 1972-75; trustee, 1972-present

Arnold & Porter, Washington, D.C., associate, 1965-69

Law Clerk, Judge George T. Washington, U.S. Court of Appeals for the District of Columbia Circuit, 1964-65

Activities in Legal Education

1969-72: overall responsibility for establishing and designing clinical education program at Center for Law and Social Policy. Negotiation with Pennsylvania, Yale, Stanford, UCLA, and Michigan Law Schools, regarding full semester credit for students enrolled in Center program. Program included four hours per week seminar course, in addition to supervised clinical experience.
1970-75: supervising attorney in clinical program, Center for Law and Social Policy and Mental Health Law Project

1974, summer: Visiting Fellow, Institute of Comparative Law, University of Florence, Florence, Italy

1974, summer: Faculty, Eighth Annual Seminar on Recent Developments in American Law, co-sponsored by New York University Law School and the University of Naples, Naples, Italy

1975, summer: Faculty, Salzburg Seminar in American Studies, Salzburg, Austria

1974-present: Founding member, Board of Governors, Society of American Law Teachers

Other Activities:

Member, Institute of Medicine, National Academy of Sciences, 1972-present

Member, American Bar Association Commission on the Mentally Disabled, 1973-present

Vice-president, National Legal Aid & Defender Association, 1976-present

Director, Accountants for the Public Interest, 1976-present

Director, National Resource Center for Consumers of Legal Services, 1976-present

Member, Academy for Contemporary Problems, Columbus, Ohio, 1973-75

Member, Professional Advisory Board, National Association for Mental Health, 1973-75

Member, Committee for Public Justice, New York, New York, 1972-present

Consultant, National Institute of Mental Health, regarding model mental health legislation, psychosurgery, human experimentation, 1974-75

Consultant, President's Committee on Mental Retardation, 1973

Trustee, Citizen's Communication Center, Washington, D.C., 1972

Trustee, Project on Corporate Responsibility, 1969-70
Director and Secretary, Public Law Educational Institute (publisher of Selective Service Law Reporter), 1968-69

Secretary, Institute for Policy Studies, Washington, D.C., 1967-69

Publications


Balancing the Scales of Justice: Financing Public Interest Law in America, Book-length report of the Council for Public Interest Law, 1976. (General supervisory responsibility)
SHIRLEY CARVER MILLER

Young Harris, Georgia 30582
(404) 379-3881
or
16-G Peachtree Towers
300 West Peachtree Street
Atlanta, Georgia 30308
or
Office of Lieutenant Governor
418 State Capitol
Atlanta, Georgia 30334


Education: Graduated Young Harris College, 1954.


Politics: One of 89 Georgians who comprised the original "Peanut Brigade" to campaign for now-President Jimmy Carter in 1976; in July of 1976, Mrs. Miller ran her own campaign for Ninth District Delegate to the National Democratic Convention, and won over 18 other candidates; worked in Zell Miller's campaigns through his successful bid for Lieutenant Governor of Georgia.

Volunteer: Chairwoman, Human Rights Committee, Atlanta Association for Retarded Citizens (AARC); formerly Chairwoman, Advocacy Committee of the AARC; member, board of the Mental Health Association of Metropolitan Atlanta; President of board of Georgia Advocacy Office.

Awards: The Georgia Association for Retarded Citizens Amelia Rowan Award, its highest honor, for her work in advocacy on behalf of the mentally retarded; the Bobby Dodd Award, top laurel of the AARC to the individual or group who has done the most for advancement of the mentally retarded.

Comments: Bobby Dodd, in presenting Mrs. Miller the award named for him in May of 1977, remarked, "She stood on principles and on a strong belief in the dignity and rights of handicapped individual in the face of public criticism ... determination to correct a wrong, the lives of thousands of retarded citizens have been made better."

Advocacy: "I see advocacy as being able to help people to assume the responsibility which is theirs in their own communities of protecting and fighting for the rights of the disabled. This can best be accomplished through volunteer, one-to-one advocacy and committees organized in communities and regions to look out for those of our citizens who need our special attention and concern."
Of his wife Shirley, Georgia Lieutenant Governor Zell Miller has said, "She is the motor and mainspring of our life, but she lets me do the driving."

Mrs. Miller, a compassionate and hard-working woman, met the now-Lieutenant Governor when she was a student at Young Harris College and Zell travelled on weekends from the University of Georgia and later the Marine Corps base to his home.

She worked by his side as Zell served in the Georgia Senate, and actively campaigned for him when he ran for Congress in Georgia's Ninth District in 1964. When he lost that race, Shirley went to work for the Bank of Hiawassee. They moved to Atlanta in 1967 when Zell was appointed to the Georgia Department of Corrections. She later worked for the Citizens and Southern Bank until Zell's election as Lieutenant Governor in 1974.

Shirley is fond of saying, "Since 1974 I have been unemployed, but working harder than ever. If this is unemployment, I think I want to go back to work."

In 1976 she travelled to New Hampshire with 89 other Georgians who comprised the original "Peanut Brigade" to campaign for now-President Jimmy Carter. In July of that same year she ran her own campaign for Ninth District delegate to the National Democratic Convention and won an overwhelming victory.

Shirley Miller is known throughout Georgia for her longstanding devotion to humanitarian causes, particularly in Mental Health and Mental Retardation. Last year she received the Bobby Dodd Award, which is the highest laurel from the Atlanta Association for Retarded Citizens. The Georgia Association for Retarded Citizens has also awarded Shirley its top honor, the Amelia Rowan Award, for her role as Chairwoman of.
the Advocacy Committee of the Association and as a member of the board of the Mental Health Association of Metropolitan Atlanta.

Some two years ago, Shirley was awarded a granddaughter, Asia, whom she describes as her greatest source of current recreation.
PERSONAL DATA ON ANDREW I. T. CHANG

Age: 37

Length of Residence in Hawaii: 37
Spent much of his early life in the Ala District (Wall Street area) of Honolulu. He was raised among the poor.

Current Residence: Aiea, Oahu

Education: St. Louis High School, June, 1957
Bachelor of Science in Education, June, 1961, Oregon State University
Master's Degree in Social Work, June, 1964, University of Hawaii

Marital Status: Married, 3 children

In September 1974 he was appointed Director of the Department of Social Services and Housing. This is the position which he holds today.

He had served as Deputy Director of the Department from October 1, 1971 until his appointment as Director.

He served as Director of the State of Hawaii Office of Economic Opportunity from March 1971 to September 30, 1971.

Prior to that he was a Program Specialist in the latter office from September 1969 to February 28, 1971.

From January 1969 to September 1969, Mr. Chang was Chief of Cooperative Community Health Programs under the Regional Medical Program of Hawaii, where he assisted in the cooperative development of effective and innovative health programs for the poor.

From September 1967 to January 1969, Mr. Chang was Acting Deputy Director of the Honolulu Community Action Program, Inc.

Prior to that he was for nine months in 1967, Group Homes Supervisor of the Salvation Army Children's Facilities in Honolulu; and he was for five months a Social Worker with the Catholic Social Services in Honolulu.

Four months after receiving his Master's Degree in Social Work from the U.H. in 1964, Mr. Chang attended for three months the Basic Officer's Medical Service Corps Training Center, U.S. Army at San Antonio, Texas. From January 1965 to September 1966, he was a Captain and served under the Chief of Psychiatric Services as Chief of Social Services (in Mental Hygiene Consultation Services) at the Army Dispensary at Fort Meyer, Arlington, Virginia.
Married - Marion E. Cohen
Linda E. - b.d. 8/15/62
Gerald D. - b.d. 7/26/66
Seth M. - b.d. 5/6/70

Residence: 34 Potters Lane
New Rochelle, New York
Telephone: (914) BE 5 - 8836

Professional Address: Albert Einstein College of Medicine
Rose F. Kennedy Center
Bronx, New York 10461
Telephone: (212) 430-2440

Education:
Stuyvesant High School, New York City 1949—1951
Columbia College, New York City - Degree B.A. 1951—1955
State University of New York
Downstate Medical School, New York City—Degree M.D. 1955—1959

Medical Training:
Pediatric Internship—Bellevue Hospital, New York City 1959—1960
Pediatric Residency - New York Hospital, New York City 1960—1962

Military Service:
Active Duty - U.S.P.H.S. - Surg: (R) 1962—1964
Reserve - U.S.P.H.S. - S.A. Surg. (R) 1964-

Academic Affiliations:
Assistant in Pediatrics - Cornell Medical School 1961—1962
Instructor in Pediatrics - Tulane Medical School 1962—1964
Fellow in Developmental Neurology & Pediatric Rehabilitation - Albert Einstein College of Medicine 1964—1966
Assistant Professor of Pediatrics - Albert Einstein College of Medicine 1966—1971
Assistant Professor of Rehabilitation Medicine - Albert Einstein College of Medicine 1968—1974
Associate Professor of Pediatrics - Albert Einstein College of Medicine 1971—1976
Associate Professor of Rehabilitation Medicine - Albert Einstein College of Medicine 1974–
Professor of Pediatrics, Albert Einstein College of Medicine 1976–
Administrative Appointments:

Assistant Director, Children's Evaluation and Rehabilitation Clinic of the Albert Einstein College of Medicine
1966-1968

Associate Director, Birth Defects Center - Albert Einstein College of Medicine
1968-1972

Deputy Director, Children's Evaluation and Rehabilitation Clinic of the Rose Fitzgerald Kennedy Center for Research in Mental Retardation and Human Development
1968-1970

Director, Children's Evaluation and Rehabilitation Clinic of the Rose Fitzgerald Kennedy Center for Mental Retardation and Human Development
1970-1973

Director, Bronx Developmental Services and Developmental Center - New York State Department of Mental Hygiene
1971-

Assistant Director, University Affiliated Facility, Mental Retardation Training Program, Albert Einstein College of Medicine
1972-1974

Director, Rose F. Kennedy Center-University Affiliated Facility, Albert Einstein College of Medicine
1974-

Grant and Project Awards:

Director, Developmental Disability Project on "Early Identification & Treatment of Developmentally Disabled Infants"
1972-1976

Director, Vocational Rehabilitation Grant Project on "Normalization in Care for the Retarded"
1973-1976

Co-Director, Children's Bureau Training Grant in the Care of the Handicapped Child
1973-1974

Director, United Cerebral Palsy Fellowship Training Program
1973-

Director, Federal Developmental Disability Grant of National Significance: Demonstration of a model Accountable State-Operated Community-Based Developmental Disability Agency, Bronx Developmental Services
1976-

Hospital Affiliations:

Chief of Pediatrics, U.S.P.H.S. Hospital, New Orleans, La. 1962-1964

Assistant Visiting Physician, Charity Hospital, New Orleans, La. 1962-1964

Assistant Attending, Attending Pediatrician, Abraham Jacobi Hospital, New York 1964-

Assistant Visiting Pediatrician, Lincoln Hospital, Bronx, New York 1965-1977

Attending Pediatrician - Hospital of the Albert Einstein College of Medicine 1967-
Community and Consultant Activities:
Consultant - Bureau for Handicapped Children, Department of Health, N.Y.C.
For:  a) Medical Rehabilitation Programs  
b) Special School Programs  
Consultant - Jewish Board of Guardians of New York for the Henry K. Ittleson Center  
Consultant - Bronx United Cerebral Palsy Developmental Training Program  
Medical Director, Bronx Brain Injured Public School Program  
Member - Committee on Mental Retardation, Section III, Dist. II, American Academy of Pediatrics  
Chairman of the Sub-Committee on the Neurologically Impaired Child of Academy District Chapter  
Executive Committee, Federation of Bronx Mental Health Agencies  
Member - Advisory Board, United Cerebral Palsy Assoc., National Collaborative Project To Improve Services for Atypical Infants and Their Families

Medical and Professional Societies:
Diplomate, American Board of Pediatrics  
Fellow, American Academy of Pediatrics  
Fellow, American Academy of Mental Deficiency  
Fellow of the American Academy for Cerebral Palsy  
Member of the Section on Child Development, American Academy of Pediatrics  
Member, Ambulatory Pediatric Association  
Member, Board of Directors American Association of University Affiliated programs.
Member, American Academy of Pediatrics Committee on Handicapped Children

Scholarships and Fellowships:
1. Ford Foundation Early Admission Scholarship at Columbia  
2. N.I.H. Fellow in Developmental Neurology and Pediatric Rehabilitation  
3. Special Fellow U.C.P. Research and Education Foundation

Awards:
Distinguished Humanitarian Award from the Institute for Applied Human Dynamics


Publications (continued):


Abstracts:


Albert Einstein College of Medicine Faculty and Hospital Committees:
Chairman, Elections Committee of the Pediatric Department 1969-71
Curriculum Committee, Pediatric Department 1968-71
Medical Records and Utilization Committee, Jacobi Hospital 1970-71
Pediatric Advisory Council 1971-73
Faculty Senator
**Visiting Faculty Appointments:**
- Assistant Professor - Ithaca College 1965-74
- Associate Professor - New York School of Psychiatry 1972-75

**Special Appointment:**
- Appointed by the Commissioner of Mental Hygiene to represent Mental Retardation on the New York City Mental Health Area Committee 1972-75

**Professional Advisory Board Membership**
1. Comprehensive Epilepsy Center, Albert Einstein College of Medicine 1975-
2. Albert Einstein - Department of Mental Hygiene, Rockland Research Unit Affiliation 1976-
3. New York State Association for Learning Disabilities 1977-
4. Foundation for Children with Learning Disabilities 1977-
5. Working Organization for Retarded Children 1977-

**National Institution of Health Study Section Membership**
- Member, Developmental Behavioral Sciences Study Section 1978-
DESCRIPTION OF MAJOR CURRENT PROFESSIONAL RESPONSIBILITIES:

Director, Bronx Developmental Services -

Created and organized an innovative State sponsored, medical school affiliated program designed to provide community mental retardation services in an urban community. Now directs a network of geographically distributed community units providing crisis intervention and advocacy services. These units are also involved with new program development and training. In addition, other units offer specific treatment programs for the mentally retarded and developmentally disabled. A current staff of 220 are distributed in 11 operating units at ten separate locations. In 1976-1977, 2,332 people received 135,000 services in BDS' programs. Currently, approximately 12,000 outpatient visits or services are provided each month to an average of 1,200 clients per month. In addition, an inpatient census of 10 is maintained in a short-term intensive treatment unit which served 43 children last year and a half-way house for 7 adults is also operated. The program has received a Federal Grant of National Significance to demonstrate its accomplishments and develop new methodologies in training, client information systems, program evaluation and community education.

Bronx Developmental Services is also responsible for planning and will in the near future be utilizing the Bronx Developmental Center, a new 300,000 square foot facility with a capacity to provide extensive specialized residential and outpatient services.

Director, Rose F. Kennedy Center University Affiliated (UAF) Training Program -

The UAF Training Program coordinates training for professionals and para-professionals in the field of mental retardation. The UAF has established training relationships with 24 colleges or graduate school programs to train personnel in this field. In 1976-77, 49 physicians and 413 non-medical professionals and para-professionals or other students received training related to developmental disabilities in UAF related service programs. In addition, during the past 2 1/2 years, the UAF organized: a) A seminar on "Current Issues in Mental Retardation" for 25 New York City Family Court Judges; b) Two workshops on "Community Mental Retardation Needs" and "The Willowbrook Consent Decree and its effect on the Community" for Bronx legislators, program providers and consumers; c) An in-service program for all Bronx Board of Education Teachers of the mentally retarded; d) A workshop on "Language Disorders and Emotional Disturbance" attended by 350 participants; e) A workshop for 150 dentists and their assistants on the "Dental Management of the Handicapped Child." f) A workshop on the "Developmentally Disabled Adolescent" attended by 150 Occupational Therapists; g) A workshop series "Current Trends in Mental Retardation Services" attended by 22 Child Care Agency executives and policy makers; h) A workshop attended by 150 community and agency leaders and staff on "Group Home and Community Residence Development"; i) A workshop on Community Outreach to staff of seven Kennedy Foundation supported center; j) A workshop for HEW Region II Developmental Disability Council members and staff on "Present and Future Directions in Developmental Disabilities; k) A Workshop for Health Facility Surveyors on "Current Concepts in Mental Retardation Services."
The attached was returned in the President's outbox. It is forwarded to you for your information.

Rick Hutcheson
MEMORANDUM FOR THE PRESIDENT

FROM: Frank Moore

SUBJECT: Status of Civil Service Reform and DOD Veto

I. Civil Service Reform

As you know, on Thursday, August 24, the Senate passed the Civil Service Reform Act by a vote of 87 to 1. Prior to passage 17 amendments were adopted on the floor, only four of which are of significance. But none of them are -- at first glance, at least -- terribly troublesome.

Cranston offered a Veterans' Preference amendment which terminates preference for retired Majors and above and strengthens existing preference for disabled Vets and certain other categories of Veterans. This seems to be a significant shift from Cranston's original position of all-out opposition to a modification in Veterans' Preference and could be regarded as a real gesture of cooperation.

The House is scheduled to take up the bill on Thursday, September 7, and it remains our hope that we will get a final vote either late Thursday night or sometime Friday. However, it is entirely conceivable that the bill will be carried over to the following week. The major stumbling block in the House continues to be Congressman Clay's problems with Title VII (Labor-Management Relations).

However -- and this has been kept highly confidential -- some tentative agreements on Title VII problems have been reached by Udall, Ford, Clay, Scotty Campbell and John White representing the Defense Department. If the agreements hold together, Udall will offer the package as a substitute for the current Title VII. The substitute will bring the Title closer to the Administration's original proposal. Udall hopes ultimately that the substitute will be agreeable to Ford, Clay, the Administration, the APL-CIO, and, most significantly, Congressman Derwinski. There are still two significant areas where we remain in disagreement with Udall and the others involved in these negotiations. These are management rights and employee rights to representation in an internal investigation which might lead to disciplinary or other adverse actions.
We believe a slight wedge has been driven between Ford and Clay and that Ford is now leaning toward Udall and seems more amenable to a compromise than does Clay. Scotty Campbell has remained in constant contact with Udall and Derwinski over the recess and Udall has assured Scotty that he will be working on Clay aggressively prior to the House reconvening next week.

We have continued to generate outside pressure in the hopes of focusing public and political attention on the problems in the House:

- A DNC-sponsored telephone bank is making over 100 calls to key districts where Members of the House support us but where we are in need of their active support and their pressure on Clay.

- Dick Pettigrew has had telephone conversations with the editors of approximately 50 newspapers in districts of Members who have indicated they are undecided on Civil Service Reform, especially Veterans' Preference.

A letter from Scotty Campbell to all House Members stressing the importance of the bill and commenting on the Senate actions will go to the Hill early next week.

Our vote counts show almost 300 votes in favor of Civil Service Reform in the House and we continue to lead on Veterans' Preference by a vote of approximately 180 to 140 with 110 or so being undecided. It is entirely possible we could win on Veterans' Preference if the trend continues.

II. DOD Veto

I concur with the attached memo from Dick Moe.
MEMORANDUM FOR THE PRESIDENT

FROM: RICHARD MOE

SUBJECT: STATUS REPORT ON DOD AUTHORIZATION BILL

There is now very little doubt that your veto will be sustained in the House next Thursday. All but 18 of the House members have been contacted personally -- the 18 were either unreachable or leaders of the opposition -- and our latest tally shows the following results:

- 173 firmly committed to vote to sustain
- 32 probably will vote to sustain
- 68 undecided
- 44 probably will vote to override
- 114 firmly committed to vote to override

Dan Tate reports that we are in just as good shape in the Senate. That being the case, we believe it is unnecessary that you make any calls. The Vice President, Harold and Zbig are continuing to call the undecideds and leaners, and they can easily complete the list.

In addition, we have targeted the districts of the undecideds and leaners with special TV and radio interviews by Harold, Zbig and others. There was a special White House briefing Tuesday with veteran and defense association groups, many of which were initially opposed to the veto but which, as a result of the briefing, were at least neutralized on the issue. Finally, we are getting a comprehensive Q and A fact sheet to all members answering those questions most commonly raised about the veto.

In short, our working group feels fairly good about the whole thing. Knowing of your other obligations this next week, we will impose on your time only if absolutely necessary.
DOD and OMB have now agreed on a list of items we would like to see added to the authorization bill once the CVN is removed. In order to maximize the chances for successful negotiations, we have all agreed to seek nothing that we have not asked for before, and also to insist on the removal of nothing except the CVN. Harold is making initial contacts with Stennis and Price to get a reading and to express our desire to cooperate with them in reconstructing the bill. It is our goal to have the negotiations well under way by the time of the vote.
September 1, 1978

Stripping --

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

Rick Hutcheson
MEMORANDUM FOR THE PRESIDENT

FROM: JACK WATSON

Attached is a short note from you to Julian Carroll which I recommend you send. Julian will be a strong and consistent ally over the next year.
THE WHITE HOUSE
WASHINGTON

August 31, 1978

To Governor Julian Carroll

This is just a short note to thank you for your support. It is deeply appreciated.

I was pleased and gratified by the meeting you organized for the Governors with me on the natural gas compromise. Your strong leadership and statements to the press following the meeting have been of immediate help.

I look forward to working with you in your new role as Chairman of the National Governors' Association. Your election to this important post is good news to me personally.

Sincerely,

The Honorable Julian M. Carroll
Governor of the State of Kentucky
State Capitol
Frankfort, Kentucky 40601
MEMORANDUM FOR: THE PRESIDENT
FROM: STU EIZENSTAT
SUBJECT: Meeting with Secretary Brock Adams

The Secretary wants to discuss three items with you:

1) His hosting of a Chinese delegation later this month.

2) His trip to London next week as your representative to the International Air Show. In London he will be discussing both international aviation and maritime matters with top officials including the Minister of Trade Edmund Dell.

NOTE: As you are aware we are conducting a wide ranging review of our maritime policy due for completion and your decisions in November. The British are keenly interested in the outcome of this study.

3) Truck and Rail Issues. A number of related decisions are upcoming in these areas. Next year we will propose railroad and possibly trucking legislation. The teamsters negotiations are beginning at a time when we have two appointments to make to the ICC. On September 11 there will be a meeting of top White House Staff to discuss how we should proceed on these related matters. Since we will be providing you with detailed background papers on these issues later I recommend that you postpone any decisions at this time.
FOR THE PRESIDENT
FROM GRETCHEN POSTON

DATE: 31 August 1978

SUBJECT: VISIT OF ANDRE' PREVIN

Andre' Previn, conductor of the London and Pittsburgh Symphonies, and performing artist at the White House (OAS dinner - 1977) will be visiting tomorrow with his son, Matthew, and Matthew's nanny, Narra Harrington.

I have spoken with Phil Wise, and Mr. Previn and party are scheduled to visit with you at 11:00 A.M., immediately after which they will have a guided tour of the White House, and lunch with me in the Staff Mess.

Mr. Previn has collaborated with writer Tom Stoppard ("Rosencrantz and Guildenstern Are Dead") in the production now at the Kennedy Center "EGBDF" - which is making a huge hit. I am attaching the review of the show from yesterday's Washington Post for your information and review.

Copy to Mrs. Carter with attachment
The Music

Dazzling Punctuation to The Humor and the Pathos

By Paul Hume

Tom Stoppard and Andre Previn have written, in “Every Good Boy Deserves Favour,” a play with music in the same great tradition as Hofmannsthal and Richard Strauss when, in “Der Rosenkavalier,” they created what they called “a comedy with music.”

This, too, is a comedy, but at that point all similarities end. However, in “EGBDF,” the music creates pathos, underscores irony, and bites satirically. It punctuates the dialogue, emphasizes its subtleties and intensifies its humor and its barbs.

As Stoppard has not hesitated to speak of the KGB, Pravda and a system that uses children against parents and vice versa, so Previn has not failed in his brilliant use of music reminiscent of Shostakovich and Prokofiev to frame the mental aberrations, personal and official, that are the heart of the play.

The brilliance of Previn’s music is that it so devastatingly recalls the worst abuses of the era in which Andrei Zhdanov and the Soviet Central Committee, under the banner of “Soviet Realism,” alternately condemned and greatly rewarded compositions of Russia’s two leading composers for reasons no rational musician could ever understand.

But “rationality” is the root of the Stoppard-Previn drama, and its absence a central factor. The more its audiences know about the ups and downs of the great works of Russian music in the past 50 years, the more they will enjoy the inside musical jokes that light up the evening.

Previn achieves his ends in dazzling manner, with the full resources of the Pittsburgh Symphony. At the beginning, they do the mining, seeming to play, but actually not making a sound, exactly like some of the mindless avant-garde music of recent years. Every note of the score is Previn’s except for the perfect intrusion of a dozen measures of Tchaikovsky’s “1812 Overture.” The entrance of Col. Rozinsky, accompanied by an outburst from the organ, fortissimo, and registered in the most blatant manner possible, is a monument of vulgarity.

There is a reminder of an exquisite Prokofiev waltz, and a touching Shostakovich elegy.

“The music has no life of its own outside of this play,” Previn insists. However, either of the late composers would be proud to have a suite excerpted from it.

As for the opening scene, rarely have orchestral musicians been so openly and wretchedly abused by any man saying out loud what many conductors have often said privately. It’s a good thing this character was clearly a lunatic.

That all this should be seen and heard in the city where Mstislav Rostropovich is now conductor, having been deprived of his Soviet citizenship because of cultural offenses against the state, is a further thundering footnote.
FROM: ANNE WEXLER
STU EIZENSTAT

I. PURPOSE

To express our support for the position these agricultural energy users have taken in support of the National Gas Conference Report; to reassure the group that the implementation of the bill will justify their support; and to develop a strategy for using their influence to help pass the conference report.

II. BACKGROUND, PARTICIPANTS, AND PRESS PLAN

A. Background

1. This group is a coalition of major agricultural users of energy, particularly natural gas. The coalition includes agricultural supply cooperatives (National Council of Farmers), general farm organizations (National Grange), farm commodity groups (National Association of Wheat Growers, National Broiler Council, National Milk Producers Federation), and food processors and handlers (National Food Processors Association, United Fresh Fruit Association).

2. This coalition publicly announced, about 10 days ago, its support for the natural gas conference report. The current coalition is actually a sub-group of a continuing group known as the Agricultural Energy Users Conference. Although all of the participants in the meeting will be
strong supporters of the conference report, not all members of the "Energy Users Conference" are supporting the report. For instance, the American Farm Bureau is supporting an immediate deregulation; and the National Farmers Union is supporting a position much less favorable to gas producers than the conference report.

3. This meeting does not require that you spend as much time urging support for the bill as was the case yesterday to the Governors and the gas users, for those attending this meeting are already fully aboard. This meeting is designed less to gain their support than it is to thank them, reassure them about implementation, and ask them to work with us in a coordinated manner.

4. The coalition attending the meeting is clearly concerned about the Administration's commitment to implement the two major provisions in the bill of direct concern to the agricultural community.

   • Under Title II, agricultural uses of natural gas are permanently exempted from the bill's incremental pricing provision, where substituted fuels are not economically practicable or reasonably available. "Agricultural uses" is thus placed in the same high priority category of gas users as residences, hospitals and schools.

   • Under Title IV, agricultural uses will have a curtailment priority that is higher than all natural gas uses except homes, small commercial establishments, hospitals and schools. This priority extends to natural gas for crop drying, irrigation fuel, agricultural production, food processing, and processing for feed stock use for the production of fertilizer.

5. As a result of these two special provisions in the bill, agricultural users are in effect receiving three special benefits from the legislation:

   (1) The interstate supply of natural gas will be greatly increased, thereby making more gas available to agricultural users;
(2) Preferred price will be paid for this gas.

(3) Supplies will be curtailed much less frequently (at present, agricultural use is not given a preference above industrial use for the purpose of curtailment).

5. Although the coalition is strongly supporting the bill, as a result of these special benefits to agricultural users, it does have a principal concern—that the advantages gained under the curtailment and incremental pricing provisions will not be full implemented by the Department of Energy. In the view of the coalition, the Department of Energy, particularly the Federal Energy Regulatory Commission, is unconcerned with the needs of agricultural users and will not treat them more favorably than under the current law. In essence, the coalition's concern is that practices used for many years by low level civil servants will continue and the commitment to the new law will not be reflected in the day to day operation of the Department of Energy.

6. That principal concern, which Secretary Schlesinger will discuss early in the meeting, was exacerbated by a telegram sent yesterday by Senator Hansen to agricultural organizations throughout the country (attached). The telegram states that the legislative provisions granting priority and special benefits to agricultural users are in fact dependent upon the administrative whims of the Federal Energy Regulatory Commission. Completely ignored by the telegram was the fact that the determinations necessary to ensure implementation of the agricultural benefits in the bill can be made quickly and through rule-making by FERC; case by case determinations—which account for the enormous backlog at FERC—are not necessary for the agricultural provisions to be implemented.

7. By the time that you enter this meeting, at 9:45 a.m., the concerns about the Hansen telegram, and inadequate DOE implementation of the agricultural provisions will have been thoroughly discussed. You will not need to spend very much time on the subject. As the suggested talking points indicate, the most
important thing for you to do is briefly indicate the importance throughout the country of getting energy legislation this year, thanking the coalition for its support, assuring the coalition that we are committed to prompt and diligent implementation of the agricultural provisions, encouraging them to help us with key Members of Congress.

B. Participants -- Coalition -- List of attendees attached

Administration

9:00 a.m.  Ambassador Strauss welcomes the coalition.

9:05 a.m.  Vice President Mondale makes opening remarks.

9:10 a.m.  Secretary Bergland.

9:15 a.m.  Secretary Schlesinger briefly reviews the bill, discusses agricultural provisions, and takes questions.

9:30 a.m.  Ambassador Strauss discusses political strategy.

9:35 a.m.  General questions and answers.

9:45 a.m.  The President.

9:55 a.m.  Note: if you desire, the remaining five minutes could be used for individual photographs; the coalition leaders have indicated that such photographs would be greatly appreciated; but there is no commitment or expectation that you will have such photographs made.

C. Press Plan

White House photo and press pool.
III. TALKING POINTS

1. I want to thank you for coming to the White House today to let us discuss the natural gas bill with you. I know that the Vice President, Ambassador Strauss, Secretary Schlesinger, and Secretary Bergland have been talking to you about the bill and about our commitment to its agricultural provisions. I very much appreciate your support of the bill -- your support is not only in the interests of agricultural energy users throughout the country, but also in the national interests.

2. It is critical that we pass a natural gas bill and a national energy plan this year:
   - World is watching;
   - Test of national will;
   - National need for energy policy;
   - Value of the dollar;
   - Trade deficit;
   - Inflation.

3. The natural gas bill is not perfect; it is a compromise, however, which is fair, balanced and workable:
   - Does not represent my original position;
   - Does not favor producers over consumers, or consumers over producers;
   - Provides needed producer incentives to expand gas supplies;
   - Protects users such as yourselves from unnecessarily high prices.

4. As Secretary Schlesinger and Secretary Bergland have no doubt told you, we are committed to prompt and diligent enforcement of the bill's agricultural priority and incremental pricing provisions:
   - We supported both the priority and the incremental pricing exemption for agricultural uses;
   - We believe those provisions are necessary to protect our agricultural users from high gas prices or gas curtailments;
   - We want to make certain that those provisions are enforced as soon as the legislation is enacted and will take administrative action to make certain enforcement meets the spirit and letter of the law;
• After enactment, you might meet with the top staff officials from the Department of Energy and the Department of Agriculture to review implementation of the agricultural provisions.

5. The Administration needs your help if we are to pass this bill before Congress adjourns. We need to work together to ensure Senate passage of the gas bill. You might help us to do the following:

• Coordinate your legislation efforts with Frank Moore and Jim Schlesinger;
• Help educate others in the agricultural community about the bill;
• Make certain that your members are informed about the bill and are contacting their Congressional representatives;
• Contact directly your own Senator and Representative;
• Speak out for the bill in your local communities;

6. If you would like, I would appreciate the opportunity to have a picture with each one of you before you leave.
THE WHITE HOUSE
WASHINGTON

ATTENDEES:

ROBERT WAGER
President
American Bakers Association

THOMAS B. HOUSE
President
American Frozen Food Institute

ROBERT C. LEIBENOW
President
Corn Refiners Association, Inc.

ROBERT M. MULLIGAN
Administrative Assistant
International Association of Ice Cream Manufactures

JOHN F. SPEER, JR.
Executive Vice President
Milk Industry Foundation

CARL SCHWENSEN
Executive Assistant
National Association of Wheat Growers

CHARLES D. HARTMAN
Vice President
Energy and Natural Resources
National Council of Farmer Cooperatives

JIM WANKO
Executive Vice President
Society of American Florists and Ornamental Horticulturists

PATRICK B. HEALY
Secretary
National Milk Producers Federation

LLEWELLYN HENLEY GERSON
Director of Government Relations
United Fresh Fruit and Vegetable Association

GERALD A. KARSTENS
Vice President (Energy)
American Feed Manufacturers Association, Inc.

RICHARD T. O'CONNELL
President
Chocolate Manufacturers Association

JOHN W. SCOTT
National Master
National Grange

GEORGE WATTS
President
National Broiler Council

FREDERICK HEINKEL
President
Midcontinent Farmers Association

CHARLES CAREY
President
National Food Processors Association

GEORGE H. LAWRENCE
President
American Gas Association
I urge you to encourage your members to work for the defeat of the natural gas pricing bill to be considered by the Senate during the week of September 4. If this proposal is enacted, American farmers will face the prospect of seeing day-to-day farming decisions influenced by a federal regulatory agency.

The bill would put millions of American farmers and ranchers under the thumb of the Federal Energy Regulatory Commission, which would administer the agricultural priority allocation and pricing aspects of the proposal. While the bill would prohibit curtailment of gas delivery for "essential agricultural use," the determination of what uses are "essential" would be up to the Federal Energy Regulatory Commission, in consultation with the Secretary of Agriculture. Moreover, the commission could order agricultural users of natural gas to switch to other "economically practicable" and "reasonably available" fuels.

The commission can't begin to keep up with the caseload it has now much less with what it would inherit under this bill. One can visualize crops perishing in the fields while applications for "priority" allocation of gas for crop-drying or irrigation languish at the bottom of some bureaucrat's in-basket.

American agriculture has a crucial stake in the outcome of the debate over natural gas pricing. What could be more disastrous for farmers consumers and the economy than allowing decision-making affecting perishable commodities to be hundered by a federal regulatory agency that is already literally years behind on its workland?

The commission has well over a thousand employees and will soon hire 325 more, and still it has a backlog of 20,000 cases, some of which have been pending for over ten years. The average gas case takes almost four years to decide. The situation is bad enough already, but if the pending gas legislation is enacted, farmers will be hopelessly lost in a regulatory jungle.

I hope you will contact members of the Senate to express your opposition to the pending compromise and your support for a scaled-down proposal that would essentially maintain the status-quo, while giving the President authority to allocate gas where needed from the intrastate market.

I would favor total deregulation of natural gas. Others sharing my opposition to this bill want more regulation than it provides, what unites these diverse factions against the pending bill is our recognition that it is worse than no bill at all. I hope you will help insure its defeat.

Sincerely,

Senator Clifford P. Hansen, Ranking Republican, Senate Energy and Natural Resources Committee.
August 31, 1978

MEMORANDUM FOR THE PRESIDENT

From: Charlie Schultze

Subject: Employment and Unemployment in August

Tomorrow (Friday, September 1) at 9:00 a.m., the Bureau of Labor Statistics will release figures on employment and unemployment for August. Employment grew slowly last month, but the unemployment rate declined again, from 6.2 percent in July to 5.9 percent in August. The reduction in unemployment occurred because the total number of people in the labor force declined a little.

The strength of demand for labor is reflected better in the employment figures than in the unemployment rate. Total employment (as measured by the household survey) rose about 150,000 last month, and that is the average monthly rate of increase over the past three months. It is about half the average monthly gain during the first five months of the year. The slower growth of employment has been particularly evident in manufacturing; also, State and local governments, which were adding to their payrolls earlier in the year, have reduced their number of employees slightly in recent months.

The slower growth of employment in manufacturing reflects the moderation in the pace of economic expansion that has been evidenced in retail sales, industrial production and other economic indicators. Employment in the nondurable goods industries has declined over the past two months, and the length of the work week has also been reduced. Firms in these industries are responding promptly to the slowdown in consumer buying -- in order to avoid an undesired inventory buildup. The slight decline in State and local government employment, on the other hand, probably reflects mainly the end of the stimulus from increases in public service employment.
With labor demand moderating, some rise in the unemployment rate is very likely over the next couple of months. The labor force has been approximately unchanged since June, and growth is likely to resume soon. When it does, the unemployment rate will probably bounce back to the 6.1 to 6.4 percent range that has generally prevailed since early this year.

One piece of rather good news -- the rise in average wage rates (as measured by the hourly earnings index) increased very moderately in August. Wage rates are running 8.1 percent above a year ago, but the increase over the past six months has been at about a 7 percent rate, the same as in the same period of 1977. It was at about this time last year, however, that the trend of wage rate increases began to accelerate. It remains to be seen whether developments of a year ago will be repeated.
ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR THE PRESIDENT
FROM: FRANK MOORE
TIM KRAFT
SUBJECT: CAMPAIGN POLLING RESULTS

Attached is a summary of recent polling results in major senatorial and gubernatorial campaigns. It is provided to give you a general overview of where some of the races are, but I want to stress three things:

1. This information is for your personal knowledge only. We have promised a number of campaigns that we would not make these results public.

2. As you well know, polls can change dramatically in a short period of time, and this should not be viewed as a prediction for who will win.

3. These figures should not be used alone as a guide to Presidential travel.

Attachment
## RECENT POLLING RESULTS IN MAJOR SENATORIAL RACES

<table>
<thead>
<tr>
<th>State</th>
<th>Name of Poll</th>
<th>Date/Sample</th>
<th>Dem. %</th>
<th>Rep. %</th>
<th>Und. %</th>
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</thead>
<tbody>
<tr>
<td>Colorado</td>
<td>Cambridge Survey Research</td>
<td>June/500</td>
<td>Haskell-46%</td>
<td>Armstrong-38%</td>
<td>16%</td>
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<tr>
<td>Illinois</td>
<td>Gannett News Service</td>
<td>May/1003</td>
<td>Seith-30%</td>
<td>Percy-42%</td>
<td>26%</td>
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<tr>
<td>Iowa</td>
<td>Iowa Poll (Des Moines Register)</td>
<td>July/600</td>
<td>Clark-49%</td>
<td>Jepsen-39%</td>
<td>12%</td>
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<tr>
<td>Kansas</td>
<td>Roy Campaign</td>
<td>August</td>
<td>Roy-42%</td>
<td>Kassebaum-39%</td>
<td>19%</td>
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<tr>
<td>Maine</td>
<td>Hathaway's own</td>
<td>August</td>
<td>Hathaway-34%</td>
<td>Cohen-34%</td>
<td>32%</td>
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<tr>
<td>Massachusetts</td>
<td>Cambridge</td>
<td>July</td>
<td>Guzzi-49%</td>
<td>Brooke-38%</td>
<td>13%</td>
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<td>Michigan</td>
<td>Detroit News</td>
<td>August</td>
<td>Levin-42%</td>
<td>Griffin-46%</td>
<td>12%</td>
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<tr>
<td>Minnesota</td>
<td>Minnesota Poll (Minneapolis Tribune)</td>
<td>July/610</td>
<td>Andersen-40%</td>
<td>Boschwitz-56%</td>
<td>4%</td>
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<td>Minnesota</td>
<td>&quot;</td>
<td>July/610</td>
<td>Fraser-63%</td>
<td>Durenberger-27%</td>
<td>10%</td>
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<tr>
<td>Mississippi</td>
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<tr>
<td>New Hampshire</td>
<td>Three-way Republican primary. No relevant polls.</td>
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<td>New Jersey</td>
<td>Eagleton Institute</td>
<td>May/?</td>
<td>Bradley-36%</td>
<td>Bell-17%</td>
<td>47%</td>
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<tr>
<td>North Carolina</td>
<td>Dick Dresner</td>
<td>August</td>
<td>Ingram-39%</td>
<td>Helms-46%</td>
<td>15%</td>
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<td>Oklahoma</td>
<td>Runoff, Boren and Edmunson.</td>
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<td>South Carolina</td>
<td>Peter Hart</td>
<td>August</td>
<td>Ravenel-39%</td>
<td>Thurmond-49%</td>
<td>12%</td>
</tr>
<tr>
<td>Texas</td>
<td>Cambridge Survey Research</td>
<td>Late July/600</td>
<td>Krueger-41%</td>
<td>Tower-43%</td>
<td>17%</td>
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<td>State</td>
<td>Dem. %</td>
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<td>Virginia</td>
<td>None available. Miller believed ahead about 2:1.</td>
<td>Randolph-44%</td>
<td>Moore-44%</td>
<td>12%</td>
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### RECENT POLLING RESULTS IN MAJOR GUBERNATORIAL RACES

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<th>State</th>
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<th>Date/Sample</th>
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<th>Rep. %</th>
<th>Und. %</th>
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<tbody>
<tr>
<td>California</td>
<td>Mervin Field</td>
<td>Late May/1327</td>
<td>Brown-45%</td>
<td>Younger-44%</td>
<td>11%</td>
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<td></td>
<td>(Caddell believes Brown now up by about 8 points.)</td>
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<tr>
<td>Colorado</td>
<td>None available. Contested Republican primary.</td>
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<tr>
<td>Connecticut</td>
<td>Cambridge Survey Research</td>
<td>March/?</td>
<td>Grasso-41%</td>
<td>Sarasin-32%</td>
<td>28%</td>
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<tr>
<td>Florida</td>
<td>Not available</td>
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<tr>
<td>Idaho</td>
<td>Not available</td>
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<tr>
<td>Illinois</td>
<td>Mid-America Research</td>
<td>June/?</td>
<td>Bakalis-40%</td>
<td>Thompson-51%</td>
<td>9%</td>
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<tr>
<td>Kansas</td>
<td></td>
<td></td>
<td>Carlin-32%</td>
<td>Bennett-34%</td>
<td>34%</td>
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<tr>
<td>Minnesota</td>
<td>Minnesota Poll</td>
<td>July/610</td>
<td>Perpich-49%</td>
<td>Quie-45%</td>
<td>6%</td>
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<td></td>
<td>(Minneapolis Tribune)</td>
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<tr>
<td>Nebraska</td>
<td>Nebraska Poll</td>
<td>April/1527</td>
<td>Whelan-27%</td>
<td>Thone-46%</td>
<td>27%</td>
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<tr>
<td></td>
<td>(Omaha World Telegram)</td>
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<tr>
<td>New Mexico</td>
<td></td>
<td></td>
<td>King-54%</td>
<td>Skeen-37%</td>
<td>9%</td>
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<tr>
<td>New York</td>
<td>Source unavailable-poll done for A.G. candidate</td>
<td>July/?</td>
<td>Carey-30%</td>
<td>Dureya-50%</td>
<td>20%</td>
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<tr>
<td>New Mexico</td>
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<tr>
<td>Ohio</td>
<td>Robert Teeter</td>
<td>July/?</td>
<td>Celeste-42%</td>
<td>Rhodes-46%</td>
<td>12%</td>
</tr>
<tr>
<td>Oregon</td>
<td>GMA Research</td>
<td>June/384</td>
<td>Straub-38%</td>
<td>Atiyeh-50%</td>
<td>12%</td>
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<td></td>
<td>(Metro Portland)</td>
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<tr>
<td>Pennsylvania</td>
<td>Not available. Flaherty is believed well ahead.</td>
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<tr>
<td>South Carolina</td>
<td>Source unavailable-poll done for Riley</td>
<td></td>
<td>Riley-56%</td>
<td>Young-20%</td>
<td>24%</td>
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<tr>
<td>Tennessee</td>
<td>None available</td>
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<td>State</td>
<td>Name of Poll</td>
<td>Date/Sample</td>
<td>Dem. %</td>
<td>Rep. %</td>
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<tr>
<td>Texas</td>
<td>Louis, Bowles + Grove</td>
<td>June/?</td>
<td>Hill-68%</td>
<td>Clements-16%</td>
<td>16%</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Milwaukee Sentinel</td>
<td>July</td>
<td>Schreiber-51%</td>
<td>Kasten-29%</td>
<td>20%</td>
</tr>
</tbody>
</table>
THE WHITE HOUSE
WASHINGTON
9/1/78

Frank Moore
Zbig Brzezinski

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

Rick Hutcheson

LETTER TO SEN. BYRD

RECEIVED
SEP 16 1980
CENTRAL FILES
MEMORANDUM FOR: THE PRESIDENT
FROM: ZBIGNIEW BRZEZINSKI
SUBJECT: Letter on SALT from Senator Byrd

August 29, 1978

Senator Robert Byrd has sent you a letter (Tab B) expressing concern that the SALT TWO agreement might be submitted to the Congress as an executive agreement rather than as a treaty. (The letter has been released to the press.) He takes a strong stand against this prospect, citing the Constitutional Convention and the Federalist Papers on the issue of the special relationship between the Senate and the Executive regarding treaties.

As you know, a number of other Senators have also expressed strong views on this subject, to the point of suggesting that they might vote against a SALT TWO executive agreement on constitutional grounds. However, Senator Byrd's letter clearly represents the most significant statement to date on this issue.

Paul Warnke discussed the treaty/agreement issue a few days ago in New York. His reply is at Tab C.

I have prepared an acknowledgment letter to Byrd (Tab A) for your signature. The letter reemphasizes your position that the decision on the treaty/agreement issue is your perogative and has not as yet been made.

RECOMMENDATION:
That you sign the letter to Senator Byrd at Tab A.

_____ Approve

_____ Disapprove

Jim Fallows has cleared the text of the letter.
MEMORANDUM FOR: ZBIGNIEW BRZEZINSKI
THROUGH: MADELEINE ALBRIGHT
FROM: ROGER MOLANDER
SUBJECT: Letter to the President on SALT from Senator Byrd

Senator Robert Byrd has written the President a letter/shot across the bow (Tab B of Tab I) strongly advising that the SALT TWO agreement be submitted to the Senate as a treaty, rather than being submitted to both Houses as an executive agreement. (You should be aware that Byrd has released the letter to the press.) Byrd cites the Constitutional Convention and the Federalist papers as clearly establishing a "peculiar propriety" between the Senate and the Executive with regard to treaties.

As you know, the Senate has taken a very dim view of the possibility of an executive agreement. Many Senators sympathetic to SALT have privately indicated that they might very well vote against a SALT TWO executive agreement strictly on constitutional grounds. In fact, many Senate staff members expect that Jackson (or even one of the Senators sympathetic to SALT) will shortly introduce a Senate resolution damning the executive agreement idea -- and get 90 votes. (There is some concern that this could give Jackson an opening round "victory" over the Administration on SALT.)

As Paul Warnke noted at the Foreign Policy Association meeting a few days ago (Tab C of Tab I), the difference between a treaty and an agreement will probably be only a matter of seven votes, since 60 votes will be needed for cloture. While it remains to be seen whether any votes will be lost on constitutional grounds, this does remain a possibility. In fact, such grounds could provide many fence-sitters an excuse to vote against the treaty.

While the President has indicated that he is not yet prepared to make a decision on this issue, Senator Byrd's letter is an important statement on the Senate view of this issue and further discussion with the President is warranted.
Attached at Tab I is a memo for the President conveying Byrd's letter. I have included an acknowledgement for the President to send to Byrd which states his current position on this issue. In the interim, this matter should be put on the agenda for the next foreign affairs breakfast.

RECOMMENDATION

That you sign the memo to the President at Tab I.
August 15, 1978

The President
The White House
Washington, D.C.

Dear Mr. President:

I understand that consideration is being given to the submission of a strategic arms pact with the Soviet Union -- if and when one is successfully negotiated -- to the House and Senate for their joint action. This course of action would involve treating the pact as an "agreement" rather than a treaty.

With great respect for your prerogatives as Chief Executive, I must strongly urge you not to take this course. In the field of foreign affairs the roles of the Executive and the Congress are restricted by the principles of the Constitution. The limitations, indeed the requirements of Article II, Section 2, with regard to the treaty-making power cannot be lightly waived. As set forth unambiguously in that section, the United States may become a party to a treaty only through the action of the President, by and with the advice and consent of two-thirds of the Senate.

An international pact which is so significant to the security interests of the United States must, I believe, receive full status as a treaty which meets the full and only Constitutional definition of a treaty: one which is submitted to the Senate and must obtain a "super majority" in that body before it may be ratified by the Executive. As discussed at the Constitutional Convention and in the Federalist Papers, Article II, Section 2 was intended to impart a "peculiar propriety" to the union of the Executive and the Senate in the treaty area. It is incumbent upon both the Senate and the Executive to maintain this special relationship. If such an arms limitation pact is successfully negotiated, I strongly believe that the basic document should be submitted to the Senate in the form of a treaty.

A strategic arms pact with the Soviet Union is of such consequence that it must merit the confidence of the American people and broad support within the Senate.
I hope that a good SALT treaty, fully protective of our security interests and those of our allies, can be negotiated. I believe this to be a matter of highest importance. We want to do all in our power to reduce the threat of nuclear conflict. However, such a pact must be sound in every respect and able to withstand the Constitutional test of advice and consent.

Sincerely,

Robert C. Byrd
Majority Leader
At the Foreign Policy Association meeting on August 23, Mr. Paul Warnke was asked if SALT TWO might be submitted to the Congress as an Executive Agreement instead of a Treaty, if it appeared that a Treaty could not be gotten through the Senate. His reply:

"That, of course, is an option. I think that in terms of the ratification process, it would not make an awful lot of difference because, of course, in order to invoke cloture you would need 60 votes in the Senate anyway; so it is a question of six or seven votes as compared to the problem of getting ratification through both Houses of Congress. It is a decision that, I think, will be made on the basis of Congressional sentiment as much as on any other consideration. It is considered that SALT would be a treaty but, of course, as 1985 comes closer, it begins to look like a short-term Executive Agreement. But, of course, as I say, that decision remains open. Obviously, it will be made in close consultation with the Congress."
To Senator Robert Byrd

Thank you for your letter of August 15 about the form of the emerging SALT TWO agreement. When the 1985 expiration date was agreed on in 1974, the Administration's intention was clearly to submit the agreement as a treaty. Since then, however, the continued delay in completion of the agreement has raised the question of whether it might be more appropriate to make SALT TWO an executive agreement, like the five-year Interim Agreement.

[Option: (note on the attached) I have not reached a decision on this issue.] I will, of course, want to discuss it with you and the other members of the Congressional leadership as we move to completion of SALT TWO. This is one of several important issues on which I value and appreciate your counsel.

The Honorable Robert C. Byrd
United States Senate
Washington, D.C. 20510
To Senator Robert Byrd

Thank you for your letter of August 15 on the matter of the form of the emerging SALT TWO agreement. I have not as yet made a final decision on whether to submit the SALT TWO agreement as a treaty or as an executive agreement. While the original intention in 1974 [when the 1985 expiration was agreed] was clearly to submit the agreement as a treaty, the continued delay in completion of the agreement gives rise to the issue of whether it might be more appropriate to make SALT TWO an executive agreement, like the five-year Interim Agreement.

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The Honorable Robert C. Byrd
United States Senate
Washington, D.C. 20510
ACTION

MEMORANDUM FOR: THE PRESIDENT
FROM: ZBIGNIEW BRZEZINSKI
SUBJECT: Letter on SALT from Senator Byrd

Senator Robert Byrd has sent you a letter (Tab B) expressing concern that the SALT TWO agreement might be submitted to the Congress as an executive agreement rather than as a treaty. (The letter has been released to the press.) He takes a strong stand against this prospect, citing the Constitutional Convention and the Federalist Papers on the issue of the special relationship between the Senate and the Executive regarding treaties.

As you know, a number of other Senators have also expressed strong views on this subject, to the point of suggesting that they might vote against a SALT TWO executive agreement on constitutional grounds. However, Senator Byrd's letter clearly represents the most significant statement to date on this issue.

Paul Warnke discussed the treaty/agreement issue a few days ago in New York. His reply is at Tab C.

I have prepared an acknowledgment letter to Byrd (Tab A) for your signature. The letter reemphasizes your position that the decision on the treaty/agreement issue is your perogative and has not as yet been made.

RECOMMENDATION:

That you sign the letter to Senator Byrd at Tab A.

_____ Approve

_____ Disapprove

Jim Fallows has cleared the text of the letter.
To Senator Robert Byrd

Thank you for your letter of August 15 about the form of the emerging SALT TWO agreement. When the 1985 expiration date was agreed on in 1974, the Administration's intention was clearly to submit the agreement as a treaty. Since then, however, the continued delay in completion of the agreement has raised the question of whether it might be more appropriate to make SALT TWO an executive agreement, like the five-year Interim Agreement.

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Paul Warnke was challenged on the treaty/agreement issue a few days ago in New York. His reply is at Tab C.

I suggest that we discuss this subject with Cy, Ham, and the Vice President at an early date in order to confirm our public position on the issue and the timing for a decision.

I have prepared an acknowledgement letter to Byrd (Tab A) for your signature. The letter reemphasizes your position that the decision on the treaty/agreement issue is your perogative and has not as yet been made.

RECOMMENDATION

That you sign the letter to Senator Byrd at Tab A.

_______ Approve

_______ Disapprove
**DOCUMENT DESCRIPTION**

TO:  
FROM:  
DATE: 5 Aug  

**SUBJECT:** Salt  

**Expanded Subject (If needed):**  

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**Due Date:** 8-25  

**COMMENTS:**  

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**Dispatch/Instructions**  

M/F'd  

Filed: PA 8/20/60
United States Senate  
Office of the Majority Leader  
Washington, D.C.  20510

September 1, 1978

The President  
The White House  
Washington, D.C.

Dear Mr. President:

Enclosed is the letter about which I spoke last evening, and which went to most of the Senators in both political parties.

With warm regards.

Respectfully yours,

Robert C. Byrd  
Majority Leader

Enclosures:
August 31, 1978

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

Dear :

The Natural Gas Policy Act of 1978 has perhaps been the most divisive, emotional, and controversial issue that has faced the Senate (as we saw last fall) during the 95th Congress; yet, in many ways it is the most important legislation that has confronted the 95th Congress.

In the first place, it is an issue that has been before Congress, off and on, for almost 40 years. Presidents Truman and Eisenhower vetoed bills dealing with the subject. The Natural Gas Act of 1939 is the controlling law; yet, in the four decades that have since intervened, the gas industry and the energy market have greatly changed. The old law of the late 1930's does not meet the conditions and circumstances of the late 1970's--as witnessed during the energy crisis of the winter of 1977.

The Natural Gas Policy Act of 1978 has been before the 95th Congress now for 16 months. Senate and House conferees spent many months in hammering out a conference report. On an issue so surrounded with controversy and complexity, and so involving regional, parochial, and vested interests, it is impossible to devise a solution that is completely pleasing and agreeable, in every respect, to any single one of us. But the conference report is the best that was practicably possible under the circumstances.

To reject that conference report now would be to admit that the Senate is unable or unwilling to deal with a growing problem--a problem that simply will not go away. To reject the conference report would be an admission to the American people that the Senate cannot rise above regional differences to deal with a problem that is vital to the interest of the nation. To reject the conference report would be to see 16 months of onerous, hard work--literally thousands of man hours--go down the drain.

August 31, 1978  
Page Two

To reject the conference report would be to say to the OPEC countries, to our industrial and NATO allies, and to the world that the United States cannot discipline itself to deal with the energy problem at home, and, thus, is incapable of providing world leadership in dealing with a global problem. This bill is a symbol abroad of American self-discipline, fortitude, and determination to solve our energy needs.

To reject the conference report will have an adverse impact on the dollar abroad, on our international trade balance, on the fight against inflation, and on our ability to increase production of energy and meet consumer needs.

I respectfully urge support of the conference report. Any effort to recommit the conference report will effectively kill the bill. In the first place, the recommittal proposal which has been circulated would be ineffective as a solution to the problem, even if the House conferees would agree. Moreover, the Emergency Natural Gas Act of 1977 was enacted on the promise that national energy policy legislation would be subsequently proposed by the Administration. The Administration kept that promise in submitting its legislative proposal on April 20, 1977. The Senate made several changes in the Administration's legislation, but the Natural Gas Policy Act of 1978--albeit not perfect--is a linchpin of that policy. To reject it now would be to admit that the Senate cannot, or is unwilling to, adopt a national energy policy.

Finally, to recommit the conference report at this late hour in a Congress that will, hopefully, adjourn sine die before many more weeks, would be to deliver the coup de grace to the bill. If the Senate is going to kill the bill, it would be better to deliver the death stroke directly, and thus make it indubitably clear to the American people precisely what we have done, than to kill the bill by the indirect procedurally fatal approach of recommittal of the conference report.

I write this letter with the utmost respect for all Senators who may disagree with the position I have taken above, but I respectfully and urgently hope that you will support it.

Sincerely yours,

Robert C. Byrd
Majority Leader

Enclosure
THE NATURAL GAS PRICING CONFERENCE REPORT

Mr. ROBERT C. BYRD, Mr. President, I have never lost faith in the strength and the ability of the U.S. Senate to meet the greatest challenge of the 95th Congress—confronting the energy problem.

I have never wavered in my confidence that the natural gas pricing bill has had a heartfelt success as far as that of a hummingbird. You have seen the proverbial cat that has myped live. This bill has had more lives than that proverbial cat. It has been pronounced dead, it times, 100 times. I have seen testosmes after comb stan-none erected over this bill, and it is still living; it still has life in it. I am not willing to concede that the bill is dead, and I am not willing to concede that this Senate will not pass that legislation. I am not willing to give up, and I do not think the others who support the leg-islation are ready to give up either.

The energy problem is an insidious enemy, and it lies in deception. It is difficult to act on crisis legislation when no crisis is perceived. The human days do not stimulate memories of bitter cold winters and gas shortages, rivers lost, our factories shut down, employees out of Work, schools closed, and residential consumers without heat in their home.

For those decades the issue of natural gas pricing, and its solution, has eluded Congress and the Nation. The grilles arched, the beacon head is the Normandy on our shore, and they expect us to meet this challenge.

If we do not face this problem, in this case, the battle is the war, and we will have not meetings, our momentum, and some would say, our fortune. This is the way it will be perceived by our friends, as well as by our enemies.

Rightly or wrongly, this energy legislation is the issue on which our image turns ahead. This was made explicit during conversations I had in Europe with Prime Minister Callaghan, and with the leaders in Belgium. For Congress to adjourn sine die without a solution would be a gross violation of our inability to meet a problem that affects every man, woman, and child in this Nation. To adjourn sine die without a solution would be—through inaction—to further emasculate the power of the dollar overseas.

Mr. President, under the conference report, consumers would be protected as more natural gas is made available through incentives for greater production. Gas shortages arise to Job layoffs; this is definitely not in the interests of the working man and woman of this country.

As a price, it is important to remember that the price set forth in the conference report are only ceiling prices. Many energy economists doubt prices will reach the ceiling.

Since last year, average wellhead prices in the interstate markets have been driven down as a result of the report's various incentives which would help to lower prices.

The incentives are designed to elicit greater supplies. As this occurs, the higher price would have a significant effect on inflation. The conference estimate is that the inflation rate would be less than one half of a percent.

If greater domestic gas supplies help to reduce gas of oil imports, consumers also will benefit from a more favorable trade balance.

If the conference report, consuming States would be better served without the measures, interstate consumers would be worse off.

Everyone who represents interstate gas consumers should realize now that consumers without adequate gas supplies are not well protected.

 Interstate pipelines which lose industrial customers because of insufficient deliveries face no-co growth future. Loss of sales to interstate industrial customers will push prices to interstate residential customers. Moreover, the loss of gas sales to industrial customers probably will raise the price of even more oil, much of which would have to be imported.

Increased gas supplies is not the only protection afforded interstate consumers under the conference report. The incremental pricing policy which the conference designed would protect residential, as well as industrial consumers. Increases in the price of gas sold to residences would be borne primarily by low-income industrial consumers.

Maintaining adequate supplies and cushioning the price impact on residential consumers is particularly important to the middle- and lower-income groups in the interstate market. If interstate gas supplies continue to decline, it will be most burdensome financially for the middle- and lower-income families to switch to another fuel, particularly for residences with gas-fired boilers and appliances. The loss of purchasing power of those who live on the margin would be significantly lower if supplies decline. Enactment of the natural gas conference report would work to prevent this.

Mr. President, those who oppose this legislation are honorable men, and no one would doubt their motives. But I believe that insight and vision dictate that we meet the energy challenge we accepted earlier in this Congress, Mr. President, we have been deliberating on this now for 14 months. And this is an issue that has been around the Congress for 30 years, and the American people expect Congress to deal with this problem.

If Congress rejects this legislation, then the American people are going to believe that Congress cannot come to grips that Congress does not have the fortitude, it does not have the vision, it does not have the courage and the determination to deal with the foremost problem facing this country, and we can look at the image of Congress before the American people, which is already not too good, will be made even worse.

In addition, Mr. President, the image of this country before the world is not going to be good. The American people will realize that the American Congress is not willing to come to grips with this problem, and our RTIO allies will believe that the American Congress is not willing to resolve the problems that would be brought about by this bill, which in my discussions with Chancellor Schmuit, Prime Minister Callaghan, and other leaders in Europe, was the No. 1 problem on their minds.

Finally, there are two elements, and if only one is indicated in the affirmative by a majority of this body, we will have assessed this failure of an energy policy.
CONGRESSIONAL RECORD — SEPTEMBER 20, 1973

WASHINGTON, August 25, 1973

Mr. ROBERT C. BYRD. I thank the Senator.

Mr. President, I have said enough at this time. This is such a very difficult issue. It cuts across regional lines, across parochial interests. It cuts across deep, deep feeling.

Mr. President, if this conference report is killed, then we cannot with what we have. We continue with no deregulation. There are those who say, "If we kill the bill, we will get a better one next year." Do not bet on it. Do not bet on it.

Mr. President, I ask unanimous consent that a document entitled "Preliminary Statement of the Natural Gas Comprohese" and a document entitled "Summary of the Major Provisions in the Natural Gas Conference Report" be printed in the Record, as follows:

POSTER IN SUPPORT OF THE NATURAL GAS CONFERENCE REPORT

The world is watching to see if we can do it right with our energy problem. In view of the President's pledge to foreign leaders, and the insanity of the dollar, we cannot afford to fail.

It will increase supplies of our premium fuel for the nation's consumers while providing new certainty and new markets for the nation's producers.

Substantial quantities of natural gas will flow into the interstate market at rates below that of disfavored alternate fuels.

This bill will make possible the construction of the Alaska pipeline possible. Together with increased production of lower 48 states this could mean a 20 percent increase in interstate supplies.

This, in turn, could result in savings of well over $1 million barrels per day of imported oil by 1981, and to $5 billion a year in our balance of payments.

The national gas market created by this bill will allow consumers to compete in the interstate market to flow into the interstate market where it will.

The bill provides critical new incentives and certainty for the nation's producers of natural gas.

It opens up the interstate market to interstate demand.

It provides certain, incentive prices. It removes unnecessary FERC regulatory requirements on all new natural gas.

It removes the unnecessary association with recent Supreme Court decisions and simplifies federal regulations.

Increased supplies of natural gas at prices below alternate foreign fuels will be available for both homes and commercial users. Under the bill the incremental pricing provisions, the price of gas that the nation will increase for residential and small users at prices below the cost of any other substitute fuels.

In almost every region of the country, the industrial gas price in 1981 will still be below the price of distillate—assuming world oil prices stay constant—and one-quarter the price of electricity.

Significantly, the price of natural gas to industrial users, including the incremental pricing provisions, will be lower under this bill than the price would be under the President—Pearson—Bentsen deregulation bill but without incremental pricing.

There will also be expanding use of gas in industry, particularly the special process uses for which gas is best suited.

Under this bill, there will again come up enough gas at economical prices to resume

Enactment of the Compromise will:

Create a natural gas interstate market.

Greatly increase supplies for industry and homes.

Cut the consumers more than existing use.

Substantially reduce imports. Provide home consumers. Provide natural gas utilities of gas for new home hook-ups. Provide the Compromise will:

Back-up needed gas production in the interstate market.

Continue the trend of declining prices in the interstate market.

Lead to the increasing use of higher priced foreign energy.

Continue to occupy the Congressional calendar with a debate on natural gas in the coming years.

Destroy the possibility for acting on a comprehensive energy program this year.

The Country needs your help in this important effort to pass first natural gas bill in twenty years. The alternatives to passage are unacceptable from both a national and international perspective. Too much is at stake for this bill to fail.

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Bob Lipshutz

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 Hutcherson

cc: Bob Linder
    Jim McIntyre
MEMORANDUM FOR THE PRESIDENT
FROM: BOB LIPSHUTZ
RE: Executive Order re Presidential Commission on World Hunger

The attached Executive Order would establish an advisory commission to develop data on the causes of world hunger and malnutrition, review existing programs and studies on this subject, and make recommendations to reduce the problem. The 20-member commission would terminate on June 30, 1980.

I recommend that you sign the Order.

[Signature]

APPROVE

DISAPPROVE

Add on 9/4 as directed by the President.
EXECUTIVE ORDER

PRESIDENTIAL COMMISSION ON WORLD HUNGER

By the authority vested in me as President by the Constitution of the United States of America, and in order to create in accordance with the Federal Advisory Committee Act (5 U.S.C. App. I) an advisory commission on the problems of hunger and malnutrition, it is hereby ordered as follows:

1-1. Establishment of Commission.

1-101. There is established the Presidential Commission on World Hunger.

1-102. The membership of the Commission shall be composed of not more than 20 persons from among citizens in public and private life as follows:

(a) Sixteen members shall be appointed by the President, who shall designate a Chairman and two Vice Chairmen.

(b) The President of the Senate and the Speaker of the House of Representatives are each invited to designate two Members of their respective Houses to serve on the Commission.

1-2. Functions of the Commission.

1-201. The Commission shall develop factual data as to the causes of world hunger and malnutrition. It shall review existing authorities and programs, public and private, national and international, which seek to address the problems of hunger and malnutrition; and, shall assess the extent to which those programs are meeting their objectives, and why.

1-202. In developing its data and assessing existing programs, the Commission shall review existing studies on world hunger and malnutrition, conduct additional studies where necessary, and hold such hearings or inquiries as may be helpful.
1-203. The Commission shall develop recommendations designed to significantly reduce world hunger and malnutrition; and, shall develop various options for harnessing available resources to carry out those recommendations, including policy options for improving the capacity of the United States to reduce the problems of world hunger and malnutrition.

1-204. In developing its recommendations, the Commission shall encourage public participation by holding hearings, issuing reports, and coordinating, sponsoring, or overseeing projects, studies, and other activities related to the understanding of the problems of world hunger and malnutrition. The maximum use shall be made of past and ongoing related government efforts of that nature.

1-205. The Commission shall coordinate its functions with local, state, national, and international agencies and organizations where appropriate.

1-206. An interim report on the status of its work and on its tentative recommendations shall be submitted to the President no later than July 31, 1979.


1-301. The Commission may establish subcommittees. Private citizens who are not members of the Commission may be included as members of subcommittees.

1-302. The Commission may request any Executive agency to furnish such information, advice, and services as may be useful for the fulfillment of the Commission's functions under this Order. Each agency shall designate an agency liaison with the Commission and shall, to the extent permitted by law and overriding priorities, and within the limits of available funds and personnel resources, furnish such information, advice, and services to the Commission upon the written request of the Chairman of the Commission.

1-303. The Commission is authorized to appoint and fix the compensation of a staff and such other persons as may be
necessary to enable it to carry out its functions. The
Commission may obtain services in accordance with the
provisions of Section 3109 of Title 5 of the United States
Code, to the extent funds are available therefor.

1-304. Each member of the Commission and its subcommittees
may receive, to the extent permitted by law, compensation
for each day he or she is engaged in meetings of the
Commission or its subcommittees at a rate not to exceed the
daily rate now or hereafter prescribed by law for GS-15 of
the General Schedule, and may also receive travel expenses,
including per diem in lieu of subsistence, as authorized by
law (5 U.S.C. 5702 and 5703) for persons employed
intermittently in the government service.

1-305. The General Services Administration shall
provide administrative services, facilities, and support
to the Commission on a reimbursable basis.

1-306. All necessary expenses incurred in connection
with the work of the Commission shall be paid from the
appropriation for "Unanticipated Needs" in the Executive
Office Appropriations Act, 1978, or from such other funds
as may be available.

1-307. The functions of the President under the
Federal Advisory Committee Act (5 U.S.C. App. I), which are
applicable to the Commission, except that of reporting
annually to the Congress, shall be performed by the
Administrator of General Services as provided by Executive
Order No. 12024 of December 1, 1977.


1-401. The Commission shall conclude its work and
submit a final report to the President at least 30 days
prior to its termination, including its recommendations for
improving the United States' capacity to reduce the problems
of hunger and malnutrition.
1-402. The Commission shall terminate on June 30, 1980, or earlier as directed by the President.

THE WHITE HOUSE