

**11/8/78 [2]**

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Memo	Kraft & Miller to Pres. Carter, w/attachments 5 pp., re: recommendations	11/8/78	C

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THE WHITE HOUSE  
WASHINGTON

November 6, 1978

MEMORANDUM FOR:

THE PRESIDENT

FROM:

STU EIZENSTAT *Stu*  
FRANK MOORE

SUBJECT: S.3084 -- Housing and Community Development  
Amendments of 1978

You asked about the reason for the close timing on the Housing and Community Development Amendments of 1978 enrolled bill. It arrived at the White House late afternoon, October 30. OMB and DPS processed this bill in less than 24 hours. The ten day deadline would have afforded the luxury of much more time within which you legally could have made a decision. But in this case, when it came here it was obvious that the legal time limit needed to be expedited, since the bill funded programs (like crime, riot and flood insurance) that would have expired and lapsed by October 31 -- the day after the White House received it. Thus the rush occurred due to the Congress' delay in forwarding the bill.

The bill processing procedure at the Senate and the House has been cumbersome to deal with because of the large number of bills passed in the last two days of the session. From October 23 through October 31, 238 bills have arrived at the White House. Of these, we have already processed 203.

Frank and his staff worked with the House and Senate to expedite bills such as this one and bills for which it was beneficial to the Administration to have signing ceremonies. They also worked with them to hold up on some bills which we did not want to deal with before the election, i.e., meat imports.

THE WHITE HOUSE  
WASHINGTON

11/8/78

Frank Moore

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

Rick Hutcheson

cc: The Vice President  
Hamilton Jordan  
Stu Eizenstat  
Jack Watson

	FOR STAFFING
	FOR INFORMATION
	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND
	NO DEADLINE
	LAST DAY FOR ACTION -

ACTION  
FYI

	ADMIN CONFID
	CONFIDENTIAL
	SECRET
	EYES ONLY

	VICE PRESIDENT
	EIZENSTAT
	JORDAN
	KRAFT
	LIPSHUTZ
	MOORE
	POWELL
	WATSON
	WEXLER
	BRZEZINSKI
	MCINTYRE
	SCHULTZE

	ARAGON
	BOURNE
	BUTLER
	H. CARTER
	CLOUGH
	COSTANZA
	CRUIKSHANK
	FALLOWS
	FIRST LADY
	GAMMILL
	HARDEN
	HUTCHESON
	JAGODA
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	PRESS
	RAF SHOON
	SCHNEIDERS
	VOORDE
	WARREN
	WISE

	ADAMS
	ANDRUS
	BELL
	BERGLAND
	BLUMENTHAL
	BROWN
	CALIFANO
	HARRIS
	KREPS
	MARSHALL
	SCHLESINGER
	STRAUSS
	VANCE

Good work -

THE WHITE HOUSE

WASHINGTON

October 31, 1978

Q  
-

MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE *F. M.*

SUBJECT: Summary of Legislative Activities

Following is a summary and analysis of our activities during the last months of the session, as well as a look towards the planning for next year.

I. Review of Public Works and Energy Efforts

● Some General Observations

-- On the Public Works veto and Energy votes, we entered the final week of each effort with large blocks of "Undecideds". Though there was always perceptible momentum in our favor, the indications of support came one by one.

-- Essential to keeping the momentum on energy was the work of Phil Sharp's task force. Others who were especially helpful included John Murtha, Jim Guy Tucker and George Brown.

● Agency Participation

-- As you know, the Cabinet Secretaries made calls to Members on both Public Works and Energy. Not surprisingly, Secretaries Andrus and Brown were especially effective on Public Works. Secretary Schlesinger carried the day on energy; especially with Republicans over the final twenty-four hours.

-- We brought in two CL people from Commerce and Agriculture for the last week of work on Energy. Both were very effective in persuading Members with whom they had worked closely over the past two years. We intend to do this more frequently as our major initiatives reach the floors of both Houses.

## II. Campaign Activities

Several people on my staff have been asked by the DNC to go out in the field during the last weeks of the campaign to help implement the national GOTV program. Following is a list of our staff and the states where they will be concentrating their efforts:

Les Francis	Statewide and Southern California
Jim Copeland	Northern California
Jim Free	Tennessee, Mississippi, Alabama and, possibly, Michigan
Terry Straub	Massachusetts and Ohio <i>MAINE</i>
Bob Beckel	North Carolina, Iowa, Montana and Colorado

Tom Donilon and Ronna Freiberg will continue to coordinate the appearances of Administration officials.

## III. Planning for 1979

### ● Vice President's Task Force on Legislative Priorities

The staff group has met throughout 1978. Our goal is to have the legislative program in shape by December 1. We want to be able to discuss it both at the mid-term convention and with the new Congress when they return to organize early in December.

### ● Legislative Tracking System

The Coordination Unit of WHCL has begun meeting with the top Agency CL people one-on-one to discuss our planned computerized system to track major legislative initiatives. Richard Harden's office is developing the necessary forms and software and is working with the Agencies on hardware. We plan to include legislation which fits the following categories:

- A. Presidential: Those initiatives of high priority to you.
- B. Administration: Proposals affecting more than one agency or department which require White House involvement and inter-agency coordination.

Terminals will be located in each Agency for the purpose of updating and receiving status reports.

Agencies will have the option of using the system to track legislation of primary importance only to their Department or Office.

As we review the legislative submission from the Agencies and move toward a determination of Presidential and Administration priorities, we will endeavor to measure the legislative burden we are placing on each committee. We want to be able to discuss scheduling with the Leadership and Committee Chairs in December.

- Agency Congressional Liaison Operations

We have been conducting an ongoing review of Agency congressional liaison operations over the past ten months. I intend to personally visit with CL people in each of the Cabinet-level offices before January. Our coordination unit will also make visits and conduct a number of workshops to focus on the administration of the offices, e.g., grants notification, personnel management and legislative tracking.

- Mid-Term Convention

Most of the WHCL staff will attend to conduct seminars and work with Members of Congress.

- Grants Notification

We have been working with both departmental CL and other White House offices (Kraft and Watson) in the coordination of grant announcements.

Our goal is to establish a grants notification unit that works closely and efficiently with the departments as a clearinghouse for grants and appointments the White House wants to announce.

- Task Force Concept

Multi-agency task forces chaired by White House personnel were effective for Civil Service Reform, the DOD veto and the Public Works veto. The task forces included representatives from DPS, OMB, Anne Wexler's office, Jerry Rafshoon's office,

Media Liaison, WHCL and the relevant Agencies. The daily meetings which were chaired by capable coordinators minimized duplication of effort and the uneasiness typical in such efforts. In short, we have many capable people who respond well to close coordination.

● Use of the Computer

WHCL made good use of a computerized voter analysis system developed by Richard Harden's office. We are able to cross-reference, among other factors, ratings (COPE, ADA, ACA, etc.), relevant votes, administration support level, and vote counts on pending issues. We are also able to quickly assign calls for Cabinet Secretaries and others in the Agencies based on past performance. The use of portable terminals has permitted both rapid updating of vote counts and quick targeting analyses. We look forward to more frequent use of the system in 1979.

IV. Miscellaneous

1. We narrowly missed receiving a \$2½ billion waterway authorization bill at the end of the session. Senator Proxmire put on a stellar performance, taking Senator Gravel to task for almost an hour on the bill's shortcomings while House Members left town in droves. When the bill finally passed the Senate, it failed for lack of a quorum by 50 votes in the House.
2. Senator Gravel has earned almost universal disrespect in the Senate from both Democrats and Republicans because of the way he has taken advantage of the Alaska lands issue. He was rebuked on the record by both Stevens and Durkin. However, some Alaska newspapers are calling him a hero. Although his behavior appears simply erratic to many of his colleagues, we believe he is using the "D-2" issue to build the political base in the state he has never had.
3. Though the going was tough through most of the year, WHCL agrees in hindsight that there were points in June and in late August when our efforts came together and the tide began to shift our way. The sustaining of the DOD veto proved this for us.

4. During the final push many junior Members came to expect a Presidential phone call. We will do what we can to lower such expectations with the new Congress. We hope to spare you the 15 minute calls of the John Dingell sort for many months.

Good

THE WHITE HOUSE  
WASHINGTON

November 8, 1978

Tim Kraft

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

Rick Hutcheson

THE WHITE HOUSE  
WASHINGTON  
November 1, 1978

*all done  
J*

MEMORANDUM FOR THE PRESIDENT

FROM: TIM KRAFT *TK*  
SUBJECT: Campaign Phone Calls

As per your instructions, Hamilton and I are calling many Democratic candidates to urge them to focus on turn-out. There are five campaign calls that I would urge you to make at your earliest convenience, for the reasons cited.

--Hugh Gallen, Democratic Gubernatorial candidate, New Hampshire. A good candidate backed by a united state party with a chance for an upset. We stayed out of state at McIntyre's request, but have tried to funnel help up to Gallen (\$ from the DNC and private sources, Chris Brown sent into the state to devise targeting and GOTV plans). Your call to check and encourage will be well received --- to help the candidate in this situation is good for us, to help elect a Democratic Governor in N.H. would be I don't have to tell you.

Campaign Number - 603/225-5509  
Home Number - 603/444-2841

NOTES:

*Campaign going well. Rosalynn did well. Will call Tues nite.*

--Mayor Caliguiri, Pittsburgh. Thornburgh is running a heavily negative media campaign knocking Flaherty's tenure as Mayor ("he brought Pittsburgh to its knees"). Mayor Caliguiri is going to travel with Flaherty to counter this, but we need to urge the Mayor to use whatever resources he can bring to bear to turn out a good vote in Allegheny County.

Office Number - 412/255-2626  
Home Number - 412/521-8082

NOTES:

*Good turnout - Rally today Pitts → Philly  
Philly turnout very good = + 200,000 out of Philly =  
Race tightening up. Think Pete will win.*

Campaign Phone Calls -

-2-

Mayor Coleman Young. There is concern about turn-out in Detroit, which could make the difference if the Levin-Griffin race tightens up. Also, Fitzgerald is not totally out of Milliken's reach, and, here again, a heavy Detroit turn-out would be a crucial assist.

Office Number - 313/224-3465

Office (Private) - 313/224-6266

Home Number - 313/224-6004

NOTES: Will have record vote Tues. Levin  
(good guy) will win - Fitzgerald has  
good chance - # & unemp news helpful

Warren Smith, Secretary-Treasurer, Ohio AFL-CIO. A key figure in our general election victory in Ohio, his efforts on turn-out might make the difference in a close Celeste-Rhodes race. Encourage him to stay at it night and day.

Office Number - 614/224-8271

Home Number - 614/263-8280

NOTES: Even more: 4000 workers in precincts.  
Not much interest

Bruce King, Gubernatorial candidate, New Mexico. Enjoys a slight lead over Joe Skeen (who came within 3,700 votes of Apodaca in '74). The state party had wanted you or the VP to swing through, but we just didn't get the Southwest in the October schedule. (Miss Lillian went to a fundraiser in Santa Fe last week). King may be the last major Democratic officeholder. The Congressional delegation appears as though it will stay intact; King will be the only state-wide Democrat that can hold the Party together.

NOTES: Lillian did great job  
Will call Tues night

Campaign Number - 505/982-4281

Home Number - 505/832-4239

11/8/78

THE WHITE HOUSE  
WASHINGTON

Change City of Hartford 11% → 5-6%  
Greater Hartford only 4-5%

Inflation for 10 yrs. - too high  
W & P controls / recession / Voluntary  
standards

My reasons: Budget. work force -  
fed pay - deficit - regulations

I will be tough & persistent

John Driscoll - A72/cio

Edwin Bates - Ine

Mary Heslin - Consum

11/8/78

THE WHITE HOUSE

WASHINGTON

5 3/4 - cut 1/2 %  
400-500

Public  
Purchases

Driscoll

Income tax

---

will help

Hosp Cost Cont  
Regulation

Bates

---

Inc food prices  
Health Care Cost

Heslin

---

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# the c CEN

the christian CENTURY

NOVEMBER 8, 1978

JAMES M. WALL  
EDITOR

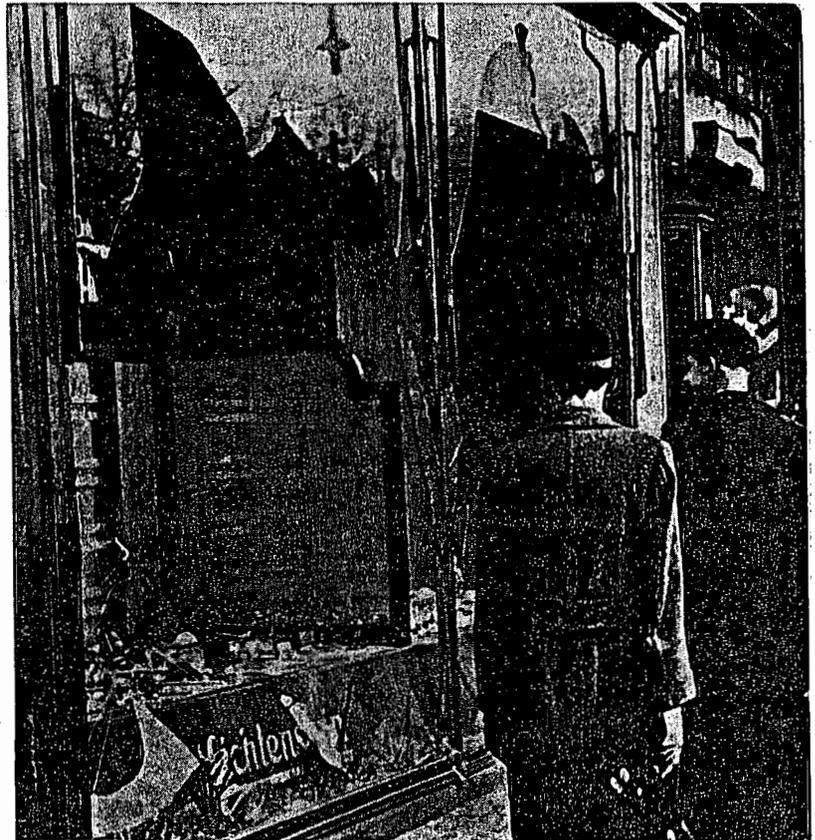
407 SOUTH DEARBORN STREET  
CHICAGO, ILL. 60605  
312 - 427-5380  
HOME 312 - 279-7166



## Judaism in America Today

'The Churches: Where  
from Here?' Series

Eugene B. Borowitz



The window of a Jewish shop in Berlin broken on Kristallnacht, 1938.

## Mordecai Kaplan: Prophet of Pragmatic Theology

Richard E. Wentz

## Sheep-Stealing in Suburbia's Schools

Carter at Midterm

A Post-Auschwitz  
Catholic

## Juvenile Criminals: Who Damned Them?

Wheaton, Illinois. No doubt there is something to that. If a Glen Ellyn evangelical parent were transferred to Salt Lake City, we have no doubt that he or she would protest most loudly, far more raucously than did the nine ministers, if Mormon majorities there should set out to proselytize their youngsters in public high school lunchrooms. The situations are not merely similar; they are exact parallels. Power is here overriding constitutional guarantees that protect minorities. Some school officials have asked how else they could teach morality or give moral examples without permitting these practices. Evidently they have not considered that if these practices are illegal and unconstitutional, they are teaching scorn for law and are exemplifying immorality.

### III

Since the Clergy Council as a group refused to get involved in "further polemic," the Glen Ellyn teapot has become less tempestuous. The "jealous-envious" clergy are back from summer slump to being busy. The proselytizers roam freely in the halls. A few courageous souls still press for a fair and legal statement of policy, but the power of the majority will probably prevail. Still, we are left with a few concerns.

1. Wouldn't it be nice if Black Muslims, Orthodox Jews and Unification Church representatives would converge on the corridors and dining halls of the Glenbard schools, there as minorities to witness against the illogic of the majority position?

2. Wouldn't it be nice if District 87 would ask the National Association of Evangelicals or the more thoughtful theologians, historians and social thinkers at Wheaton College to lead some seminars on the tradition that gave birth to Young Life and Campus Life? We know many responsible members of these and other such groups. They know how their forefathers had to fight unthinking and sometimes tyrannous majorities for the rights some of these descendants neglect to allow in a new generation. We do not write off the association or the college or all the leadership of evangelical organizations, some of whose ardent agents have broken the rules of the

## Point Counterpoint

+ SITTING there in reverie when she suddenly returned from the market with food, I said:

On this most holy day of my own birth, I am only a little higher than the angels.

You—I heard her mumble from the kitchen into which she had disappeared—are higher than a kite.

WAYNE LEISER.

American game. The Glenbard high schools might go back to their sole business of educating, instead of turning themselves into a shooting range, where high schoolers who may be in the "wrong" kind of churches will be fair game. □

## Carter at Midterm

+ UNDER the best of circumstances, a midterm assessment of Jimmy Carter's presidency would be a difficult, if not impossible, undertaking. The task is not made easier by the current rash of political "scorecards" kept by commentators and analysts—a ritual as predictable and stylized as a Balinese temple dance and useful only to journalists who otherwise would have to go out and dig up some news. For the rest of us, the exercise merely diverts attention from the fundamental realities of national life.

### I

The effectiveness of a president can be determined only by a judgment on how he has met the major problems of his times. As a general rule, those problems do not fall into categories where the solutions can be classified as "hits, runs and errors." This rule applies with special force to the contemporary scene, which is one of transition—not just in terms of political dynasties but also in terms of profound changes in social and economic institutions. What counts in such an age is overall presidential leadership rather than the acceptance or rejection of specific proposals.

The fact of the transition is readily apparent even though it would be difficult to predict the direction in which it is going. We have come to the end of a presidential series which was launched by Franklin Delano Roosevelt and which closed with Richard M. Nixon. It consisted of more than four decades of "strong" presidents, most of whom were committed to the proposition that it is legitimate to use the powers of the federal government to reshape society. On the whole, the American people agreed with them.

Now we are not so sure. In the wake of Watergate, Vietnam and mounting welfare costs, the national mood can best be defined as skepticism. Whereas a few years ago the major question was "Which programs are best?" politicians are now finding that their strongest affirmative response comes when they ask, "Shouldn't you be left alone for a change?" To interpret this reaction as a desire to return to the "good old days" of Herbert Hoover and Calvin Coolidge (one of the romantic fantasies of the ultraconservatives) would be a mistake. But Proposition 13 and the adverse reaction of Congress to proposals for tighter federal controls over our lives

make it clear that the articulate part of our population does not want to continue in the direction in which we have been going.

In this context, Mr. Carter's real problem was to re-establish the working relationship between the presidency and the people. He was confronted with the need to re-establish confidence both in the integrity and the capacity of the executive office. Using achievement of these objectives as a criterion of performance, the only possible verdict falls somewhere in the range of mixed to negative.

Mr. Carter's personal integrity seems to have survived the financial troubles of Burt Lance, the mild drug flap involving his physician friend Peter Bourne, and the eccentric social behavior of some members of the White House staff. Even with a considerable amount of travel, I have met no one who suspects Carter of being "a crook." Of course, the scandals thus far have been somewhat nitpicking—at worst, reflections of insensitivity and breaches of decorum (coupled with some financial carelessness) rather than venality. In my mind, it is doubtful that the public has paid much attention. In any case, the fact remains that the president is still regarded as unblemished.

The more serious problem involves capacity. It is not at all difficult to find people who have doubts about Carter's experience, while it is very difficult to find people who regard him as efficient and "in charge" of the situation in Washington. There can be little doubt that he has been hurt by the rather undiplomatic statements of Andrew Young in regard to freedom in the United States and by the open dissent of one or two White House staff members in regard to his policies on race and women's liberation. The trouble here is not so much with the statements and the dissent but with a vaguely defined impression that he is not the master in his own household. Such impressions can be deadly.

The so-called "legislative victories" will do little if anything to offset the president's internal problems. Issues such as energy and civil-service reform are somewhat esoteric to the average citizen, and the tax picture is, at best, muddied. Mr. Carter's veto of the "pork barrel" bill may draw some cheers, but the encomiums will be forgotten quickly, and nothing will remain but resentment in the districts that lost anticipated projects. There is nothing here that contributes to the picture of a forceful man who is in firm control of the government.

### II

All of this is reflected in the current rumblings among professional Democrats which may foreshadow the emergence of an opposition candidate for the nomination in the 1980 convention. Such things do not happen to presidents so early in the game. They are a sign that party members are

uneasy about their own positions because they regard Mr. Carter as one who is losing strength and who, in the process, might lose strength for them also.

In my view, the rumblings have little chance of erupting into the kind of explosion that can deny Mr. Carter the renomination if he really wants it. It is unlikely that they can even become so unpleasant as to persuade him to quit without seeking a second term—as happened to Lyndon B. Johnson. Only once in our history has a political party said No to a sitting president who wanted a second term. There are many Democrats who are not very happy with the chief executive, but to turn to someone else would certainly provoke a disastrous split in their ranks which could lose for them not only the White House but many other elective positions as well. That is a prospect to make the most schismatic partisan think twice.

So far as the press is concerned, Mr. Carter is currently basking in the warm glow of his so-called legislative victories plus the very real prospect of peace between Israel and Egypt. But no one experienced in the vicissitudes of Washington life takes such popularity seriously. It can go as quickly as it came, and for the administration there are certain to be several ups and downs before this term is ended. Press popularity is like a roller coaster in an amusement park except that sometimes the last few swings are only down.

### III

When all of these factors are added together, they simply do not come to very much. We appear to be just about where we were when Mr. Carter took over nearly two years ago. There has certainly been nothing that could be identified as a "new direction" for either our government or our society. Legislative "achievements" have been compromised by so many amendments to the presidential proposals that they survive largely as titles. Carter has demonstrated some strength over the Congress and the Congress has demonstrated some strength over Carter. The country has found a solution to the problem of the Panama Canal, and the world is on the path to some peace in the Middle East—important achievements, but not central to the historical role of this administration.

The reality is that there are not enough data to make a sound judgment. Mr. Carter has an excellent opportunity to be renominated and re-elected in view of the kind of opposition that is apparent right now. But when it comes to the crucial question—has he succeeded in re-establishing the position of the presidency so that it can cope with the new realities of life in the post-Watergate and post-Vietnam worlds?—the best that can be said is to render the Scots verdict of "not proven"!

GEORGE E. REEDY.

THE WHITE HOUSE

WASHINGTON

November 8, 1978

MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE *F.M. Moore*  
TIM KRAFT *T.K.*

RE: YESTERDAY'S ELECTION RESULTS

This will summarize yesterday's mid-term election results. In the Senate, two races, Virginia and Texas, are yet to be finally decided. The Republicans are favored in both cases. If we were to lose both, the Democrats will have gained 5 Republican Senate seats and the Republicans will have gained 7 for a net gain of two in the Senate for the Republicans. There will be 18 new members of the Senate. The balance will be 59-D; 41-R.

There are 18 new governors. The Democrats lost 9 and gained 4 for a net loss of 5. This counts as a Republican victory the Texas seat which is still undecided but leaning toward the Republican. The balance will be 32-D; 18-R.

In the House all but 4 or 5 races are decided. Thirteen Democratic incumbents were defeated and 5 Republican incumbents were defeated. At this point we project our losses at somewhere between 10 and 14. If the undecided races go the way they are leaning, our losses will be 11 or 12 in the House.

The following are brief highlights from each state:

ALABAMA

We retained both Senate seats and the governor's seat with Don Stewart, Howell Heflin and Fob James winning. No surprises in the House.

ALASKA

The Republicans retained the Senate seat and the governor's seat with Ted Stevens and Jay Hammond.

ARKANSAS

Bill Clinton took the governorship and David Pryor the Senate seat for Democrats. We lost one open seat, the

2nd (it was Democrat, Jim Guy Tucker's seat). Republican Ed Bethune defeated Doug Brandon for the seat.

#### ARIZONA

Bruce Babbit retained the governorship for the Democrats.

#### CALIFORNIA

Governor Brown has been re-elected. Three incumbents were defeated in the House John McFall (14th); John Krebs (17th); and Mark Hannaford (34th). All three were Democrats. With 8 new congressmen in the open seats and the 3 Republicans replacing the defeated Democrats, there will be 11 new members of the House from California.

#### COLORADO

Senator Haskell was defeated and Governor Lamm won. No change in the make-up of the House.

#### CONNECTICUT

Governor Grasso was re-elected. We picked up Republican Sarasin's 5th District seat with Bill Ratchford winning.

#### DELAWARE

Senator Biden was re-elected.

#### FLORIDA

Democrat Bob Graham won the governorship. In the House: we retained the 2 open Democratic seats with Earl Hutto winning the 1st and Dan Mica the 11th. We also pick up two Republican held seats. In the 9th District, Bill Nelson defeated former Senator Ed Gurney, and in the 12th Congressman J. Herbert Burke was defeated by Ed Stack.

#### GEORGIA

We retained seats in the Senate and the Governor's Mansion. Virginia Shapard was defeated in the 6th District.

#### HAWAII

Governor Ariyoshi won.

IDAHO

Governor Evans was re-elected. No change in the House make-up.

ILLINOIS

Governor Thompson and Senator Percy were re-elected. The Republicans picked up the 22nd District with Dan Crane defeating Terry Bruce. Ab Mikva is leading by several hundred votes in the 10th.

INDIANA

Democratic Congressman David Cornwell was defeated in the 8th District.

IOWA

Governor Ray was re-elected and Senator Clark defeated. In the House, Democratic Congressman Mike Blouin was defeated in the 2nd District.

KANSAS

Bill Roy was soundly defeated by Nancy Kassebaum in the Senate race. Governor Bennett was defeated, in a surprise, by Democratic Speaker of the House, John Carlin. In the House, Democratic Congresswoman Martha Keys was defeated in the 2nd District.

KENTUCKY

Senator Huddleston was re-elected. The Republicans picked up the 6th District seat held by Democratic Congressman John Breckinridge.

LOUISIANA

Democrat Buddy Leach retained the 4th District seat being vacated by retiring Congressman Joe Waggoner.

MAINE

Senator Hathaway was defeated by Congressman Bill Cohen. Democratic Attorney General Joe Brennan is the new Governor of Maine. No change in the House make-up.

MASSACHUSETTS

Paul Tsongas defeated Ed Brooke. Democrat Ed King has been elected Governor. We retained both the open seats with Jim Shannon in the 5th and Nick Mavroules in the 6th.

MARYLAND

Harry Hughes was elected governor. We picked up a House seat in the 8th District where Mike Barnes defeated Congressman Newton Steers.

MICHIGAN

Carl Levin defeated Senator Griffin. Governor Milliken was re-elected. In the House we picked up two Republican seats. In the 3rd District Howard Wolpe defeated incumbent Republican Congressman Garry Brown. In the 19th, Don Albosta defeated Republican Congressman Al Cederberg.

MINNESOTA

Both Senate seats and the governorship were lost.

MISSISSIPPI

Democrat Maurice Dantin was defeated by Congressman Thad Cochran. Independent Black candidate, Charles Evers, received over 20%. In the House, we failed to pick up the 4th District seat vacated by Cochran.

MISSOURI

No change in the House and no state-wide races.

MONTANA

Max Baucus won the Senate race. We retained Baucus' 1st District seat.

NEBRASKA

J.J. Exon won the Senate seat. Republican Congressman Charles Thone was elected governor. No change in the House make-up.

NEVADA

Republican Attorney General Robert List defeated Lt. Governor Rose for the governorship.

NEW HAMPSHIRE

Hugh Gallen has defeated Governor Thompson. Senator McIntyre was defeated.

NEW JERSEY

Bill Bradley won Senator Case's seat. In the House, Congresswoman Helen Mayner was defeated in the 13th District.

NEW MEXICO

Bruce King was elected again as governor. Toney Anaya was defeated in his Senate bid by Republican Domenici.

NEW YORK

Governor Carey was re-elected. We picked up the 23rd District seat vacated by Congressman Caputo. Peter Peyser was the victor here. We lost the 1st District seat vacated by the retirement of Congressman Otis Pike.

NORTH CAROLINA

Helms defeated Ingram.

NORTH DAKOTA

No change.

OHIO

Rhodes defeated Celeste for the governorship. We lost Congressman Charles Carney in the 19th but gained the Republican open seat in the 3rd with the victory of Tony Hall.

OKLAHOMA

Democrats took the governorship and the Senate seat.

OREGON

Atiyeh defeated Governor Straub. Senator Hatfield was re-elected. No House changes.

PENNSYLVANIA

Pete Flaherty was defeated. In the House three incumbents were defeated: Eilberg, Fred Rooney and Joe Ammerman. All are Democrats. We picked up a Republican seat in the 23rd with Gene Atkinson's victory.

RHODE ISLAND

Senator Pell and Governor Garrahy were re-elected.

SOUTH CAROLINA

Pug Ravenal lost. Dick Riley won. We lost one House seat, the 4th, where Max Heller was defeated.

SOUTH DAKOTA

Republican Larry Pressler defeated Don Barnett for the Senate seat. Roger McKellips lost to Republican William Janklow for the governorship. The 1st District race has not been decided. There will be a recount.

TENNESSEE

Senator Baker has been re-elected. Lamar Alexander defeated Jake Butcher for the governorship.

TEXAS

Hill and Krueger are trailing. We lost two House seats. Bob Gammage has lost in the 22nd and Nelson Wolff failed to hold onto Krueger's House seat in the 21st.

UTAH, VERMONT

No change.

VIRGINIA

The Senate race has not been decided. We retained the same balance in the House.

WASHINGTON

Al Swift retained Lloyd Meed's 2nd District seat and Mike Lowry defeated Republican Congressman Jack Cunningham.

WEST VIRGINIA

Senator Randolph was re-elected.

WISCONSIN

Governor Schreiber has been defeated. Congressman Cornell was defeated in the 8th District.

WYOMING

Governor Herschler was re-elected.

05

THE WHITE HOUSE  
WASHINGTON

Rick Hutcheson

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

Madeline MacBean

11/21/78

**Electrostatic Copy Made  
for Preservation Purposes**

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THE WHITE HOUSE  
WASHINGTON

R,

You have already received  
a copy of this letter

m

A handwritten signature in black ink, appearing to be a stylized 'R' or 'P' followed by a horizontal line.

5  
Electronic Copy Made

For Preservation Purposes



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

*Pos  
info  
J*

*RF*

OCT 31 1978

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

Dear Mr. President:

Per your request, we are submitting the following information on the road and utility projects underway at Catoctin Mountain Park.

1. Widening, rerouting, and resurfacing of the main park road for approximately 4.5 miles. This is the road that runs past the entrance to Camp David. This project is to provide a safe park road for visitors and reduce maintenance. The old road was too narrow for current day recreational vehicles; was not designed for the many school buses that bring children to the camps; the turns were too sharp, and the shoulders too narrow. It is also intended to reduce maintenance by putting in larger culverts to carry off the road drainage.

The reason we are relocating the road in the vicinity of the Camp David entrance is to reduce the steepness of the road by rerouting it slightly around the mountain rather than as it is now, over the mountain. This will also reduce the traffic jams that occur on the present road due to people stopping to view the fenced-in area and the entrance to Camp David.

This project began in September 1977 and was to be completed in the fall of 1978. Progress has been delayed by heavy winter snow and inclement weather. Heavy rains in the spring completely closed the project. It is now estimated that work will continue (weather permitting) through the fall of 1979.

It might be of interest to note that the project is one whereby the existing road material is recycled, additional asphalt added, and then placed back down on the road; all as a conservation effort.

2. Construction of a new water system and reservoir for Camp David. This project includes the construction of an underground reservoir approximately  $\frac{1}{2}$  mile west of the entrance to Camp David. Most utility construction within the park was begun in 1937. Additions were made through the 1940's and 1950's. Age and obsolescence required replacement of this system, as costs to maintain it have become excessive.

I trust the above adequately responds to your concerns.

Sincerely,



David F. Hales  
Deputy Assistant Secretary  
for Fish and Wildlife and Parks

THE WHITE HOUSE  
WASHINGTON

8/7/78

Mr. President:

Patt Derian has requested  
a meeting with you to discuss  
future human rights initiatives.

- set up meeting
- set up meeting after vacation
- disapprove meeting
- other

Phil

*Check with  
Warren or Cy  
first  
J*

**THE WHITE HOUSE**

WASHINGTON

## SCHEDULE PROPOSAL

DATE: November 8, 1978  
 FROM: Zbigniew Brzezinski  
 VIA: Phil Wise

MEETING: Call on you by Assistant Secretary of State for Human Rights and Humanitarian Affairs Patricia M. Derian

DATE: Anytime during the period December 1 - 8.

PURPOSE: She wishes to review with you our two year record on human rights and to share her thoughts on the future.

FORMAT: -Oval Office  
 -Secretary Vance, Zbigniew Brzezinski  
 Jessica Tuchman Mathews  
 -20-30 minutes

CABINET PARTICIPATION: Secretary Vance

SPEECH MATERIAL: None

PRESS COVERAGE: None

STAFF: Zbigniew Brzezinski

RECOMMENDED: Secretary Vance

OPPOSED: None

PREVIOUS PARTICIPATION: You have not met with Secretary Derian to discuss her responsibilities

BACKGROUND: You have before you a proposal to participate in a major White House event to commemorate the December 10 30th Anniversary of the Universal Declaration of Human Rights. This event would serve to underscore your support for a vigorous human rights policy. In addition, a mid-term assessment of your human rights policy is currently underway, to be completed by the end of November. Thus, a meeting with Pat Derian would be useful and timely during the suggested timeframe.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

THE WHITE HOUSE

WASHINGTON

November 8, 1978

MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE *F.M.*  
TIM KRAFT *TK*

RE: ELECTION PHONE CALLS

We recommend your making the following calls:

- > Bruce King, Governor, New Mexico
- > Carl Levin, Senator-elect, Michigan
- > Senator Bill Hathaway, defeated in his Senate race in Maine
- > John Carlin, Governor-elect *visited*

Ab Mikva, leading in his re-election bid in the 10th of Illinois

~~Bill Ratchford, Congressman elect, 5th of Connecticut~~ *F.M.*

Howard Wolpe, defeated Republican incumbent, Garry Brown, 3-Michigan

Bill Nelson, Congressman-elect, 9th of Florida

Joe Brennan, Governor-elect of Maine *you met on APZ*

J.J. Exon, Senator-elect, Nebraska

Mike Lowry, defeated Congressman Jack Cunningham, 7th of Washington.

- > Bob Matsui, Congressman-elect, 3rd of California
- > DON STEWART - ALABAMA, SENATOR
- > Hugh Gallen - gov. elect, N.H.

Dick Celeste, defeated candidate for Governor of Ohio

THE WHITE HOUSE  
WASHINGTON

11/8/78

Attorney General Bell

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

The signed original of the Executive Order has been given to Bob Linder, the Chief Executive Clerk, for action.

Rick Hutcheson

cc: The Vice President  
Hamilton Jordan  
Bob Lipshutz  
Jody Powell  
Bob Linder

THE WHITE HOUSE

WASHINGTON

November 6, 1978

MEMORANDUM FOR THE PRESIDENT

FROM: BOB LIPSHUTZ *BL*

RE: Standards and Guidelines for Merit Selection  
of District Court Judges

Pursuant to your direction, I have redrafted the proposed Executive Order and submitted it to the Attorney General.

He in turn has consulted with Senators Kennedy, Morgan and Bumpers and his report is set out on the attached memorandum.

Attached is the Executive Order in two forms, one of which leaves in paragraph 1-201(h) and the other which deletes this paragraph.

I concur with the recommendation of the Attorney General, that you sign the copy of the Order which deletes that particular paragraph.

\_\_\_\_\_  
Approve with para.  
1-201(h) included  
(in the original  
draft as revised by  
you.)

A

\_\_\_\_\_  
Approve with deletion  
of para. 1-201(h) (as  
recommended by Senator  
Kennedy, the Attorney  
General, and me.)

B



Office of the Attorney General  
Washington, D. C. 20530

November 6, 1978

MEMORANDUM FOR THE PRESIDENT:

Re: Standards for Merit Selection of District Judges

I have discussed the proposed executive order with Senator Kennedy. He likes everything about it except paragraph 1-201(h) which provides that among other standards to be considered in evaluating nominees, one should be whether the appointment would help "meet a perceived need of the district court in which the vacancy exists, including the need for a certain professional background or legal expertise, or geographic distribution."

Senator Kennedy believes that this should be deleted or that we should add an affirmative action factor to it. We refer to affirmative action in paragraph 1-104(a) and thus I think we should delete paragraph (h). It really adds nothing as a standard that would not be considered as a matter of course. Moreover, I find that it was taken from the circuit court standards where such factors would need to be considered given the multi-state geographical problem as well as the collegiality of a court of appeals.

I have tested the questionnaire on Senators Morgan and Bumpers, as well as on Senator Kennedy, and I am satisfied that we have a workable system. I hope that the executive order will be signed tomorrow as scheduled.

Once it is signed, I will proceed to contact all Senators by letter and most by telephone to explain the system and to urge the use of selection commissions.

Respectfully,

*Griffin B. Bell*

Griffin B. Bell

EXECUTIVE ORDER  
- - - - -

STANDARDS AND GUIDELINES FOR THE MERIT  
SELECTION OF UNITED STATES DISTRICT JUDGES

By virtue of the authority vested in me as President by the Constitution and the statutes of the United States of America, including Section 7(a) of the Omnibus Judgeship Act of 1978, providing that the President shall promulgate and publish standards and guidelines for the selection of nominees for United States district court judgeships, it is hereby ordered as follows:

1-1. Nomination of District Judges.

1-101. Whenever a vacancy occurs in a district court of the United States, the President shall nominate as district judge to fill that vacancy a person whose character, experience, ability, and commitment to equal justice under law qualifies that person to serve in the federal judiciary.

1-102. The Attorney General shall assist the President by recommending to the President persons to be considered for appointment who are qualified to be district judges and by evaluating potential nominees. The Attorney General shall receive recommendations of such persons from any person, commission or organization.

1-103. The use of commissions to notify the public of vacancies and to make recommendations for district judge is encouraged. The Attorney General shall make public the suggested guidelines for such commissions.

1-104. Before making recommendations, the Attorney General shall consider whether:

(a) Public notice of the vacancy has been given and an affirmative effort has been made, in the case of

each vacancy, to identify qualified candidates, including women and members of minority groups;

(b) The selection process was fair and reasonable;

(c) The person or persons recommended meet the standards for evaluation set forth in Section 1-2 of this Order.

1-105. In evaluating proposed nominees, consideration will be given to reports of Department of Justice investigations and all other relevant information concerning potential nominees and their qualifications.

1-2. Standards for Evaluating Proposed Nominees.

1-201. The standards to be used in determining whether a person is qualified to serve as a district judge are whether that person:

(a) Is a citizen of the United States, is a member of a bar of a state, territory, possession or the District of Columbia, and is in good standing in every bar in which that person is a member;

(b) Possesses, and has a reputation for, integrity, good character, and common sense;

(c) Is, and has a reputation for being, fair, experienced, even-tempered and free of biases against any class of citizens or any religious or racial group;

(d) Is of sound physical and mental health;

(e) Possesses and has demonstrated commitment to equal justice under law;

(f) Possesses and has demonstrated outstanding legal ability and competence, as evidenced by substantial legal experience, ability to deal with complex legal problems, aptitude for legal scholarship and writing, and familiarity with courts and their processes;

(g) Has the ability and the willingness to manage complicated pretrial and trial proceedings, including the ability to weigh conflicting testimony and make factual

determinations, and to communicate skillfully with jurors and witnesses;

(h) Would help meet a perceived need of the district court in which the vacancy exists, including the need for certain professional background or legal expertise, or geographic distribution.

1-3. Amendments of Existing Orders.

1-301. Section 3(b) of Executive Order 12059 of May 11, 1978 is amended to read as follows:

"(b) The Panel for the District of Columbia Circuit shall have the additional function of recommending nominees for the United States District Court for the District of Columbia. In exercising this function, the panel shall use the standards set forth in Executive Order and shall forward its recommendations to the Attorney General."

1-302. Executive Order 12084, of September 27, 1978 is amended in the following respects:

(1) Section 1-202(d) is amended to read as follows:

"(d) report to the Attorney General, within the time specified in the notification, the results of its activities, including a list of persons whom the Commission considers to be best qualified to fill the vacancy."

(2) Section 1-203 is amended to read as follows:

"1-203. In evaluating potential nominees, the Commission shall use the standards prescribed in Executive Order ."

EXECUTIVE ORDER

- - - - -

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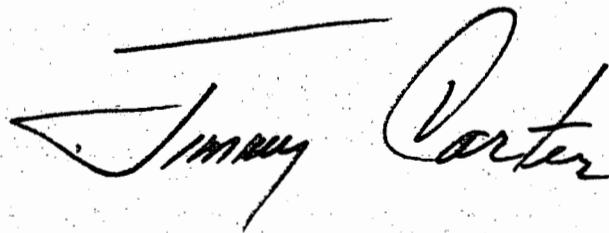
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(2) Section 1-203 is amended to read as follows:

"1-203. In evaluating potential nominees, the Commission shall use the standards prescribed in Executive Order ."

A handwritten signature in cursive script that reads "Jimmy Carter". The signature is written in dark ink and is positioned in the lower right quadrant of the page.

THE WHITE HOUSE

, 1978.