5/5/80 [1]

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THE PRESIDENT'S SCHEDULE

NOT ISSUED

Monday - May 5, 1980

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

9:55 (5 min.) — The Right Honorable Lord Carrington, K.C.M.G., M.C., P.C., M.P. Secretary of State for Foreign and Commonwealth Affairs and Overseas Development (Dr. Zbigniew Brzezinski) - The Oval Office.

10:00 — Mr. Hamilton Jordan and Mr. Frank Moore. The Oval Office.

10:45 — Depart South Grounds via Motorcade en route Sheraton Washington Hotel.

11:00 — Convention '80, National League of Women Voters.

12:00 (60 min.) — Lunch with Vice President Walter F. Mondale. The Oval Office.

1:30 — Mr. James McIntyre - The Oval Office.

2:15 — Meeting with Group of Illinois Legislators. (Ms. Sarah Weddington) - The Cabinet Room.

3:00 (20 min.) — Reception for Delegations to the 20th Mexico-U.S. Interparliamentary Conference. (Mr. Frank Moore) - The Rose Garden.

League of Women Voters
Monday, May 5, 1980

THE WHITE HOUSE
WASHINGTON

LWV 5-5-80

PRES HINGERFELD, POLLY BERGEN
↓ ← SPEC ORGAN - 60 YRS
COM - AGEN '80's
GA SEN - BETTER CLASS OF PRISONERS
PROBS
SOC/ECON JUSTICE - PEACE - STRENGTH
NOT EASY, SIMPLE
ENERGY, INFL #90 Bil/400/Fortune 500
INT RATES, INFL ↘ - PROGRESS
TRANSITION - DEBATE
CONGRESS - FOOD STAMPS - BUDGET
NEED UNITY
ERA - ILL 6/3 = 32/28 = (-)/+26000

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Out-box Monday, May 5, 1980

THE WHITE HOUSE
WASHINGTON

Mayor Marion Barry
Arrington Dixon
Bob Washington
John Hechinger
Wilhelmina Rolark city council
Charlene Drew Jarvis "
Barbara Lett Simmons "
Sonja Guterrez "
Bishop Smallwood Williams*

* The Bishop has done the most work on your behalf. He has a congregation of 3000 and his sermons are broadcast. You got top play yesterday.

KJ

NAME Jack Brooks

1419

TITLE Congressman

CITY/STATE Texas

Phone Number--Home (___)_____

Work (___) 225-6565

Other (___)_____

FM/JM

Requested by Frank Moore

Date of Request 5/5/80

INFORMATION (Continued on back if necessary)

Jack Brooks won renomination by 50.53%, 554 votes. You should call and congratulate him and ask to see him sometime this week. Frank Moore will work out the details.

NOTES: (Date of Call 5-5)

Frank set up m/s

2582

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THE WHITE HOUSE
WASHINGTON

May 2, 1980

MEMORANDUM FOR THE PRESIDENT

FROM: Al McDonald
Rick Hertzberg
Achsah Nesmith

SUBJECT: Presidential Speech:
League of Women
Voters

Scheduled Delivery:
Mon, May 5, 11 AM
Sheraton-Washington Hotel

Your speech to the League is attached.

Clearances

Anne Wexler
Linda Tarr-Whelan for
Sarah Weddington
Ray Jenkins
NSC Staff (Denend)

[Salutations will be updated
no later than 8:30 AM on Monday
by Linda Tarr-Whelan x6585]

Achsah Nesmith
A-1 5/2/80
Scheduled Delivery:
Mon, May 5, 11 AM

Food stamps

League of Women Voters opening statement

President Ruth Hinerfeld, Polly Bergen (co-chair of the National Business Council for the ERA), friends --

It is an honor for me to be with you this morning. I am eager to answer your questions, but before I do, I want to say a few words about some of our common concerns.

The League of Women Voters is a very special organization to our country. You serve as an example to all of what democracy and an informed citizenry really mean.

I have drawn on the skills and broad perspective honed in League work. Your president, Ruth Hinerfeld, is a valued member of my Commission on the Agenda for the 80s. A past League president is my assistant secretary of Energy for the environment -- Ruth Clusen.

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I have been an admirer of the League's work ever since the days I served in the Georgia Senate.

At a time when many politicians in my state were refusing to face up to critical issues, the League quietly but steadily insisted on bringing those issues before the public, championing the cause of freedom and justice and opportunity.

The League was a voice of reason and restraint in a time of rhetorical excess and revolutionary change. I will always be grateful for what your members did in those difficult years.

League members are still performing that kind of service all over our country -- and you have been doing so for 60 years now. America is a better place because you were there.

The League has never restricted itself just to issues of special concern to women. You have fought for social

justice and educational excellence, for a just peace and an end to the nightmare of nuclear confrontation. You have never been afraid to speak out.

Once when the League and others in our state were trying to find better ways to rehabilitate people in our prisons, one of my predecessors as governor was asked what he would do to make rehabilitation programs more successful. His answer was quick and simple: "Get a better class of prisoners."

I suppose that all the tasks of governing would be easier if we could get a better class of problems. Then, quick and simple solutions might be enough. But we all know that the problems our Nation faces are far too difficult and complex for that.

We cannot afford the fantasy of easy answers to the extraordinary challenges of energy, of inflation, of international tensions and threats to peace. We cannot

ignore those very real challenges and go out and find a better class of problems, problems that fit the neat solutions of the past.

The crisis in Iran illustrates those complexities and difficulties. I continue to hold foremost in my mind and heart the safe release of our fellow citizens held hostage there against every precept of law and decency.

I deeply regret that our rescue mission did not succeed. My heart goes out to the brave men who were killed and injured, and to their families. I am sickened by the callous desecration carried out by men who claim to be religious leaders. No foreign nation, no group of terrorists, can be allowed to dictate to the United States. And none can be permitted to interfere unduly with the conduct of our government or with the process of our democracy.

Our sanctions are in place. Our allies will join in

sanctions later this month unless our citizens are released safely. We have pursued every avenue available and we will continue to seek a peaceful solution. Our Nation remains determined to bring our people home safely. In my view, that overriding purpose would no longer be served by my continuing to confine myself to the Washington area.

My first responsibility as President is to maintain our Nation's security. That includes not only military security but also energy security and economic security.

The events in Iran and elsewhere in that region underscore the urgency of confronting our serious problems at home. To be strong overseas, we must be strong at home.

This year, we could spend $85-90 billion for imported oil. That happens to be more than the total net earnings last year of the "Fortune 500" corporations. Put another way, it is about $400 for every man, woman, and child in America -- money that

does not go directly back into our economy to stimulate investment and create new jobs.

That is why I have fought for a national energy policy for three years, an effort that is now paying off. With my initiatives now in place and before Congress, we can cut our imports in half by 1990 and sustain much more of our energy needs with American-produced energy. We now have a windfall profits tax, but we still need the Energy Security Corporation and the Energy Mobilization Board.

Our energy problems add directly to inflation, our most serious domestic problem. Inflation requires us to confront reality directly. That is why I have put in place a tough program of credit restraints, gasoline conservation, voluntary wage and price restraint, structural economic reforms, and a balanced federal budget.

For most Americans, my program will mean some shared

sacrifices. We are protecting those most vulnerable. But the rest of us must do our part. It is a workable and necessary program. It can begin to turn the tide, but only if we, as a people, resolve to work together.

Let us keep in mind what is at stake in this battle. We have the opportunity to make inflation a temporary problem, to accomplish a major realignment in our economic life. That in turn can make possible, in the decades ahead, unprecedented economic expansion and, with it, continued progress toward our goals of social justice.

These are simple truths, but the actions necessary to achieve and sustain them are complex and difficult. You know only too well how many narrow interests -- many of them good in themselves -- are arrayed against those necessary actions. It is here that the League -- with your dedication to responsible, effective, compassionate government -- can help bind our people together.

Our democratic system depends upon each individual citizen keeping informed on the great issues that confront our Nation, able to see the great forces behind the details that often seem to hide our common goals.

At this time especially, those challenges require not only the understanding, but the active cooperation of all of our people.

One final word about an issue that concerns everyone in this room and directly concerns the future of more than half the people of our country -- the Equal Rights Amendment.

[As you know, I came to the Presidency determined to open up to women the opportunity to put their talents, skills and experience to work for our country.

[Six women have served in Cabinet posts in the past 200 years. I am proud that I had the privilege of appointing

three of them. Of the 32 women now on the federal bench, 28 are my appointments. I am proud of that, too.

[In my Administration, women hold policy-making positions that deal with every facet of our national life, from coal mines and transportation to civil and human rights. Although the total number of federal employees has actually gone down, the number of women working for the federal government has actually increased by 26,000.

[All of us want to see the day when this kind of participation is no longer something to talk about -- when it is simply part of the normal political landscape of our country.]*

A great deal has changed for the better in the 60 years since the League was founded as an outgrowth of the successful

*Sarah Weddington very much wants you to stress ERA. She strongly urges you to include the bracketed material in this section. However, if you decide to omit some of it from the opening statement, she hopes you will look for an opportunity to make these points during the question period.

battle for women's suffrage. But equal rights are still not guaranteed to American women in the Constitution of the United States.

[Today in our country the rights of every woman vary, depending on what state she happens to be in. The ERA would provide a single, clear standard by which to measure all laws and actions, a clear criteria for what constitutes equal opportunity and what constitutes discrimination.

[If I felt that the ERA would destroy a single family I would not support it, but that is not the case. It does not threaten a single American family to have women treated as first class citizens. It does not threaten a single family for women to get equal pay for the work they do. The ERA will not interfere with private relationships.]

I have been meeting regularly with representatives of major women's organizations to plan strategy and work out

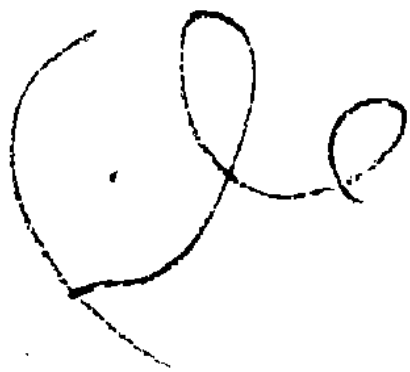
details of what needs to be done month by month, state by state to win this battle. [We are focusing on Illinois, where a vote is expected this month. All of you here know how important this is, not just for the unratified states, but for the country as a whole. Until 38 states have ratified, equality will elude women in every state.]

The opposition is vocal and well-organized, but if everybody who favors the ERA would let their legislators know how they feel, we would have the battle won. I believe we can win in Illinois. We can win in two more states. We can put equal rights for women in the United States Constitution.

That is what I want, that is what I am working for, and that is what we are going to get -- together.

#

THE WHITE HOUSE
WASHINGTON



THE WHITE HOUSE
WASHINGTON

5/4/80

Mr. President:

Frank would like to schedule the afternoon session with Sen. Byrd for 5 pm today. May I set this up?

✓ yes ___ no

Phil

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ok
J

THE WHITE HOUSE
WASHINGTON

5/5/80
11:30am

Mr. President --

Jack Brooks has a run-off next Saturday. I will get more information&request a telephone call from you to him.

--Frank Moore

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THE WHITE HOUSE
WASHINGTON

05 May 80

Al McDonald

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

Rick Hutcheson

great!
J

THE WHITE HOUSE

WASHINGTON

May 5, 1980

MEMORANDUM FOR THE PRESIDENT

FROM : AL MCDONALD

SUBJECT: Interest Rates

There has been another major reduction in key interest rates today, with the prime dropping up to a full point in several major banks. Chase Manhattan reduced their prime rate to 18 percent (from 18½) and Morgan Guaranty and Harris Trust (Chicago) have moved on to 17½ percent.

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2:15 pm

THE WHITE HOUSE

WASHINGTON

May 3, 1980

MEETING WITH PRO-ERA ILLINOIS LEGISLATORS
Monday, May, 5, 1980
2:15 p.m.
Cabinet Room

From: Sarah Weddington

I. PURPOSE

To assure this bi-partisan group of sponsors and leadership of your commitment to the passage of ERA in Illinois and to urge passage of ERA as a top legislative priority.

To allow them to present specific requests for action for the vote.

II. BACKGROUND, PARTICIPANTS AND PRESS PLAN

A. Background:

The vote on ERA in Illinois will be in mid-May, first in the House where there are approximately 102-105 votes with 107 needed. House hearings were this week and the committee voted in favor 8-4 with two abstentions. (Deputy Assistant Secretary Kathleen Carpenter gave excellent testimony on behalf of Secretary Brown on the role of women in the military today.)

The Senate hearings and vote will be scheduled for late May after the House vote. There are 30 solid votes with 36 needed. Briefing materials are attached.

B. Participants:

Senator Philip Rock, President ProTem of the Senate and recently named a Carter Delegate by the State Committee, Oak Park

Senator Dawn Netsch, Carter delegate and non-machine Chicago

Representative Eugenia Chapman, Carter delegate, Chair of Appropriations, Suburban Chicago

Representative Giddy Dyer, Republican, Suburban Chicago

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Representative Elroy Sandquist (he says you would remember him from Annapolis), Republican, Chicago

Representative James Taylor, Chair of the Black Caucus, Chicago

C. Press Plan: No press planned.

III. TALKING POINTS

A. Importance of the Illinois vote to the future of ERA.

B. Knowledge directly from them on the best course of action to win that battle.

C. Assurance of your commitment to achieve the win and personal request of those present to accomplish that goal.

Attached: Briefing Paper on Illinois

BRIEFING PAPER ON ERA IN ILLINOIS

ERA in Illinois has much broader support in this session:

- Legislative leadership is supporting the bill in both houses.
- A successful labor for ERA rally was held in Chicago by AFL-CIO, UAW, UMW, and Teamsters on April 26.
- Religious leaders are more active.
- Business is being organized for the first time.
- NOW and AAUW have coordinated the activities of grass-roots supporters and are planning a march for 100,000 on May 10.
- Primary election results showed the loss of only one pro and the loss of six anti's (results will not be felt until 1981 session).

There are only three ways to get sufficient votes for passage:

1. Governor Thompson - considered unlikely. Public posture is in favor but "will not twist arms over it". Battle becoming increasingly partisan although two of the members meeting with you are Republicans.
2. Mayor Byrne - has made commitments that Cook County legislators on county payroll will vote right. Speaker Bill Redmond (also a co-sponsor along with Mike Madigan who is a Cook County regular) must deliver this. Richard Daley, Jr. has a vew votes there that he can deliver.
3. Carter delegates or supporters who have voted no in the past. Two are considered particularly key votes:

   Representative Monroe Flinn who is the Majority Whip and a member of the Rules Committee (the only no vote in his downstate District and has no opposition); and,

   Senator Terry Bruce, Assistant Majority Leader and Rules Committee member (ran for Congress and is interested in doing so again; pro-labor record; brother is NEA lobbyist in Springfield; VP is being asked to call and offer to campaign for him).

Representative Jimmy Williams, a strong Carter supporter who is a lame duck, losing his seat to pro-EAR, and the only Chicago suburban Democrat anti-ERA.

The most difficult problem will be the priority issue--particularly with school financing for Chicago still to be resolved. Speaker William Redmond was unable to come because of those negotiations. The other two key sponsors who were unable to attend were Rep. Matejevich (family problem) and Rep. Madigan (Chicago regular).

THE WHITE HOUSE

WASHINGTON

May 2, 1980

MEMORANDUM FOR THE PRESIDENT

FROM: STU EIZENSTAT

SUBJECT: Status Report

AGRICULTURE

Soviet Suspension: We are working with NSC, USDA, State, and others in developing an approach to other major grain exporting nations to seek their continued cooperation. There are increasing signs (a pending grain agreement between the USSR and Argentina and a Canadian request for relaxation of restraints) that the level of cooperation is slipping.

Grain Exporter Talks: We participated in talks with Henry Owen held separately with officers of Continental Grain, Cargill, and Louis Dreyfus regarding the Soviet suspension. Not surprisingly, all oppose the action and feel that it is not worth the cost. Both Cargill and Dreyfus reported their earnings were not as adversely affected as they had anticipated. All firms indicated their worst problem resulted from their affiliates in other exporting countries not being able to ship to the Soviets.

Suspended Soviet Poultry Sales: We have been working with the USDA on measures that might be taken to offset the adverse effects of Goldkist not being able to ship 65,000 tons of frozen poultry to the U.S.S.R. None of the options now being considered are very attractive. Most carry with them the threat of displacing sales by other producers, U.S. or foreign.

Maine Potato Diversion: USDA has agreed to offer Maine potato producers an opportunity to divert a small quantity of potatoes to livestock feed in return for their agreeing to comply with an improved marketing system. This is an action that Senator Muskie worked hard for.

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HIGER EDUCATION REAUTHORIZATION BILL

The Senate Committee on Labor and Human Resources completed mark-up of its higher education reauthorization bill on April 30th. Senator Eagleton performed yeoman's service for the Administration by offering many cost conscious amendments. Unfortunately, only two of these amendments were accepted.

We can report three pieces of good news. First, black college representatives are pleased that the Committee accepted Senator Randolph's amendment adding the Administration-proposed Challenge Grant Program to Title III. Second, Senator Metzenbaum caused minor havoc in the Committee by expressing strong concerns about loan costs. He agreed to report the bill on the condition that the Committee could revisit loan cost issues later if necessary -- e.g., through an amendment or package of amendments offered by the Committee on the floor. Third, Senator Metzenbaum's amendment to extend eligibility for Basic Grants to students attending private elementary and secondary schools failed. However, we will see more action on this volatile issue on the floor.

Although we cannot point to many concrete wins in the mark-up, Eagleton's major efforts and Metzenbaum's frequently expressed concerns about loan costs did set the tone for further serious discussion of cost issues on the floor and in conference.

TERRITORIES

Puerto Rico Olympic Decision: We have been working with Lloyd Cutler to persuade the island's Olympic Committee to reverse the decision to allow individual sports federations to decide whether or not to go to Moscow. Governor Romero, who has been at odds with the committee president, has avidly advocated the boycott. We are committed not to use pressure but simply explain the rationale for the boycott. We hope this will lead to a local decision not to participate.

Gasoline Conservation Fee: Puerto Rico has imposed the fee. The legislature of the other territory eligible to, the Virgin Islands, should take action shortly.

ENERGY

EMB: As you know, the EMB conference concluded. As we anticipated, we're working with Senators Jackson and Johnston to secure broad support from the Senate conferees and are optimistic there will be no major floor fight in either House or Senate.

JUSTICE AND CIVIL RIGHTS

Criminal Code Reform: There is now a fair possibility that a code might be enacted this year. It has been reported by the Senate Judiciary Committee and is expected to reach the floor at any time. "When", will probably depend on the availability of Senator Kennedy. The House Judiciary Committee plans to meet two days each week until mark-up is completed. It is believed that the Committee will report a bill.

Fair Housing: Congressman Edwards would like to bring the bill to the floor as early as May 7. Senate Subcommittee mark-up is scheduled for May 8. Our efforts so far to convince Senator DeConcini to support our version have not been successful. There are some indications that Senator Simpson may be willing to support a variant of our bill. Our hope is that the Subcommittee will report a bill which we can improve at the full committee level.

Institutions Bill: Both the House and the Senate have passed different versions of a bill which would authorize the Attorney General to bring suit whenever he believes that persons in state or local institutions are being held under circumstances which violate their Federal constitutional or statutory rights. (The violation must be a part of a "pattern or practice" rather than an isolated incident.) It is a major step forward in the civil rights field and is especially important to the mental health community. The Senate began consideration of the conference report on April 24. Cloture was finally invoked yesterday on a filibuster led by Senator Thurmond. The conference report is expected to have no difficulty in the House. The bill will probably be presented for your signature within a few weeks.

Cubans and Haitians: Over the last few months, there has been increasing pressure on the Administration to legalize the status of some 40,000 Haitian "boat people" in Florida. The Haitians allege that the regime in Haiti is as repressive as those in Cuba and Cambodia and that they have been denied asylum by the State Department because they are black and because Haiti is a "friendly" nation. White House staff have been meeting with the relevant agencies to develop a solution to the problem.

Castro's decision to allow any Cuban wishing to leave to do so and the arrival of large numbers of Cubans in Florida has, however, pushed the Haitian situation to one side, at least temporarily. Until recently all arriving Cubans were treated as refugees by the State Department. Because the new refugee law abolished the distinction between persons fleeing Communist and non-communist regimes, and because many Cubans appear to be coming for economic reasons, there is a possibility that many of the Cubans now arriving, will not be deemed refugees.

You will face a difficult political and legal problem with respect to Cuban and Haitian "boat people" denied refugee status. Unless we choose to deport them (unlikely), we will ultimately have to decide whether to legalize their presence through special legislation or by discretionary exercise of the parole authority. We will have some time before that decision will have to be made. It is also a decision on which we will have to consult carefully with the Congress. Whatever solution we ultimately propose for the Cubans will probably have to apply to the Haitians as well.

TRANSPORTATION

Maritime Legislation: The Omnibus Maritime bill passed the House Merchant Marine Committee on April 2. However, the bill has encountered stiff opposition among the affected industries (shipbuilding, liners, bulk carriers) and unions, and faces an uncertain future in this Congress. We are continuing to coordinate the preparation of an Administration response to this bill to help define Administration maritime policy in light of your letter to the Congress of July 20, 1979.

Rail Legislation: The Senate Commerce Committee passed and sent to the Senate a bill providing $750 million in final authorizations for the Northeast rail corridor improvement project, and for a study of additional rail corridors to be conducted by the Comptroller General. This bill responds to issues addressed by the House in title I of H.R. 6837. Attempts will be made to amend the bill on the Senate floor to provide for a $55 million annual authorization. This is opposed by the Administration. If this bill gets to conference, there will be substantial difference between the House and Senate conferees on emerging rail corridors, and the amount of funds that should be authorized for a study and other purposes. We are opposed to the current language in the House bill authorizing $105 million for emerging corridor studies and Amtrak equipment acquisition.

URBAN POLICY

General Revenue Sharing: Your revised General Revenue Sharing proposal was tramsmitted to the Hill two weeks ago. Secretary Miller testified before the House Committee at that time and will testify before the Senate Committee later this month.

The Prospects for our proposals are reasonably good in the House. Some of our formula changes will be adopted and we have a reasonable chance of sustaining our decision to eliminate the States (despite unanimous Republican support for the State share). The prospects for the $500 million transitional aid program are very poor.

The legislation has not been as well received on the Senate side. While we may get some of our formula changes, the majority of the Senate Committee currently appears to favor the continuation of State participation in the program. Senator Bradley intends to offer an amendment to the Senate Budget Resolution adding $900 million for a trimmed down State share. That amendment has a good chance of passage. It probably is a precursor of the Senate Finance Committee's intentions.

Targeted Fiscal Assistance Legislation: The House-Senate Conference is stalled due to the lack of funding for this program in the Senate's version of the Third Budget Resolution. Your calls to Senator Long and Congressman Brooks apparently have not broken the log-jam. Long, particularly, is reluctant to move until the budget issues have been settled. Brooks is willing to agree to a $250 million program in Conference.

EDA Legislation: I expect the House-Senate Conference to reconvene within the next two weeks. We are trying to work out a deal in which the Senate accepts many of the House provisions in the basic EDA program and, in exchange, the House weakens its support of the $2 billion stand-by public works program. The large jump in the unemployment rate will make it more difficult for us to get the House to drop entirely its support for the public works program.

Urban Policy Report: We are working with HUD to review your biennial urban policy report, which is required by law. After substantial negotiating, we expect to have a report that describes your urban policy accomplishments and does not raise expectations too high about the future.

REGULATORY REFORM

Regulatory Reform: Three important markups are scheduled next week. The Senate Judiciary Committee plans a markup on Wednesday and the House Judiciary Committee will begin to mark up its version on Tuesday. In addition, the Senate Governmental Affairs Committee will, for the second time, try to report out S. 1945, Senator Levin's legislative review bill, which we will try to keep bottled up in committee. The regulatory reform legislative task force will work hard to keep unacceptable amendments off the bills such as legislative veto and Bumpers, but it will be difficult and we may soon have to consider whether to continue actively pushing the legislation.

FTC Authorization: We are studying the FTC authorization bill agreed to by the conferees this week; it appears to be above the bottom line you set last week. Many consumer and public interest groups are crediting you with this resolution and the minimally damaging bill. The House and Senate will vote on the conference report next week; there might be a tough fight in the House because of continuing resistance from special interest groups.

Rail Deregulation: The Subcommittee on Transportation and Commerce of the House Interstate and Foreign Commerce Committee reported out the Rail Act of 1980 on April 29. The full committee will proceed to mark up on or before May 12. We are working with the railroads and Rep. Florio (the bill's sponsor) and his staff to obtain passage by the full committee. We anticipate a difficult fight because Chairman Staggers is generally opposed to deregulation and Rep. Eckhardt is likely to offer an amendment to limit the railroads' pricing flexibility, much like the one Russell Long proposed in the Senate.

The Trucking Bill: As Chairman Howard of the House Surface Transportation Subcommittee of Public Works indicated to you in last Wednesday's meeting, he will mark up the trucking bill either late the week of May 5 or early the week of the 12th. He has not yet set a firm date. The bill to be considered is not finalized yet. It will be similar to the Senate bill already adopted (S. 2245), and should be a good bill. It will be a hard fight to keep it from being weakened in subcommittee, however.

SOCIAL SECURITY DISABILITY AMENDMENTS

On Thursday, May 1, the House and Senate conferees completed consideration of the disability amendments. A major provision in the compromise agreement places a limitation on the amount of benefits that may be paid to disabled workers and their dependents. The family benefit limitation is intended to provide better work incentives since recent studies indicate that high benefits payable under present law have constituted a major disincentive to disabled people in attempting rehabilitation or returning to work. The conferees rejected the costly and controversial Bayh amendment which would have waived the five month waiting period prior to receipt of disability benefits once two doctors certify that a terminally ill patient will dieswithin twelve months. The conferees approved a slightly watered down Medigap amendment to establish a voluntary certification program for Medicare supplemental health insurance policies in States that do not have adequate programs to control abuses. A number of provisions were adopted amending the Supplemental Income program for needy aged and disabled people, and the Aid for Families with Dependent Children program for needy children.

U. S. DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

WASHINGTON

May 1, 1980

MEMORANDUM FOR: THE PRESIDENT

FROM: Secretary of Labor Ray

SUBJECT: Courtesy Call with ILO Director General Francis Blanchard

If your schedule permits, I would like to recommend that you meet briefly with the Director General of the International Labor Organization, Mr. Francis Blanchard, on Monday morning, May 5, 1980. I would accompany him to see you.

As you know, the United States rejoined the ILO on February 18, 1980 after an absence of two years. Mr. Blanchard, who is French, proved to be an effective and able ally in our efforts to create conditions which would permit our return to the Organization. We will continue to work closely with him to promote further progress in the ILO.

At 11:00 a.m. I have scheduled a meeting with Mr. Blanchard in my office. That meeting will include Lane Kirkland, Phil Klutznick, David Grove and other key members of our Cabinet Level Committee on the ILO. We plan to discuss a number of political and technical issues which will arise during the forthcoming June ILO Conference. For instance, the Director General has already indicated he anticipates serious problems involving the Middle East. Most likely there will be one or more resolutions against Israel. We expect there may be continuing problems in the Committee on the Application of Conventions and Recommendations concerning the failure of the Soviets and the Eastern European countries to comply with human rights Conventions which they have ratified.

I believe it would be useful for you to meet briefly with Mr. Blanchard Monday morning. The purpose of this courtesy call would be to thank him for his past efforts and encourage him to continue to work towards our common goals in the ILO.

THE WHITE HOUSE
WASHINGTON

5/4/80

Mr. President:

Do you want to squeeze a 10 minute meeting with Blanchard into your monday schedule?

___ yes ___ no

Phil

Susie 523-6043 No time Mon am 2:
J 3:30
Luncheon
underlee clear

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THE WHITE HOUSE
WASHINGTON

05 May 80

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
Al McDonald
Jack Watson

THE WHITE HOUSE

WASHINGTON

Frank
J

May 3, 1980

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE

SUBJECT: Weekly Legislative Report

I. DOMESTIC POLICY ISSUES

1. Energy

EMB/ESC

The EMB conference has completed its work. Staff members are now pulling together the conference report which should be ready for floor votes within three weeks.

ESC conference staff continues to meet on the remaining out titles. Staff agreement exists on most of the remaining items. A meeting of the conference has been tentatively scheduled for Tuesday. The conferees are expected to complete conference action by Memorial Day, and it is anticipated that the bill could reach your desk by July 4.

2. MDB

Treasury CL continues to consult members regarding a 90-10 percent split for the Regional MDB authorization bill for the next Congress. Reaction has been favorable. They fear that if the cut were to go beyond 10 percent, the Senate conferees may be disinclined to support the bill. Trouble could also be expected from the other donor countries. After a more detailed strategy has been formulated, your involvement will be requested.

Consideration of the IDA VI legislation by the House Banking Committee before the May 15 deadline seems to be dependent upon Congressman Reuss' agreement to an Administration package on the regional MDB bill, the IMF quota increase, and the IDA VI bill.

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The Senate Foreign Relations Committee unanimously approved the IDA VI authorization bill on Wednesday. The only amendment to the legislation, offered by Senator Church, limits the first year contribution to IDA to 29 percent of the total replenishment.

This ceiling is acceptable under the replenishment agreement. The Committee emphasized, however, that it supported the entire amount for the replenishment and approved this amendment because of cuts required by the FY 1981 budget.

3. Youth Bill

The House Education Subcommittee met on Tuesday and reported out the amended Goodling substitute. While it was officially a subcommittee meeting, many members of the labor subcommittee attended and offered amendments. Except for Congressmen Miller and Buchanan, there was unanimous approval. These members stopped the Chairman from taking the two portions of the bill to immediate full committee consideration. The subcommittee will meet on Tuesday to consider both titles and put them back together as one bill.

4. Fair Housing

The Senate Judiciary Subcommittee on the Constitution has tentatively scheduled markup on the fair housing amendments, for Thursday.

On the House side, Chairman Edwards is hoping to go before the Rules Committee at any time. Mr. Edwards would like to take H.R. 5200 to the House floor as early as Wednesday (subject to a rule being granted).

5. Regulatory Reform

The House Judiciary Committee will begin full markup of the Administration's Regulatory Reform Bill on Wednesday. The Committee should be able to finish the bill before May 15th. OMB CL hopes to meet with Congressman Jack Brooks on Monday to seek his active support for the bill. Without Brooks' assistance, we will have difficulty fashioning an acceptable bill.

The Senate Judiciary Committee is also scheduled to markup the Kennedy-Culver bill (S. 2147) on Wednesday, but it is unlikely they will actually get to the Regulatory Reform Bill. We still have a major dispute with the Committee over the Regulatory Policy Board. Also we have objected to the Committee staff's apparent willingness to accept the "baby Bumpers" amendment that Senator Thurmond intends to offer.

6. Registration

As you know, Senator Proxmire's subcommittee voted 8-4 in favor of registration. The votes of Senators Laxalt and Schmitt made our margin of victory larger than anticipated. Senator Mathias voted against registration, but stated he might reconsider if the Administration agreed to support the Nunn-Warner military pay amendment.

The full Appropriations Committee is scheduled to reconvene Tuesday and should pass the resolution at that time. We believe that the final vote in full Committee will be approximately 18-10 in favor of registration. However, we are still uncertain of Senators Bumpers, Burdick and McClure.

Assuming that the resolution is favorably reported on Tuesday, it should go to the Senate floor immediately following consideration of the Budget Resolution - probably the week of May 12th. The floor situation is very uncertain and it is clear we have a lot of work to do.

7. EDA Conference

Secretary Klutznick met with Congressman Roe on Thursday to discuss EDA's pending legislation. Roe expressed his willingness to move forward with the conference next week. Roe appears almost willing to work out an agreement with the Administration.

8. Refugees

The Cuban/Haitian refugee problem has created avid interest on the Hill. In addition to the Florida delegation, the Judiciary Committees, the Foreign Relations Committees, the Appropriations Committees, and Black Caucus have become directly involved. The Refugee Task Force has met twice with Members and staff. Unfortunately, we are being forced to respond to a situation which is outrunning policy development.

The Florida delegation is receiving much criticism from local press for a perceived lack of action. They requested a meeting with you this weekend. We have deterred them until Monday by assuring them they will be involved in the policy making process. You will be receiving phone requests for Congressman Dante Fascell and Senators Chiles and Stone early in the week.

9. Rail Deregulation

The Transportation Subcommittee of House Commerce met Tuesday and produced a Railroad Regulatory Reform bill that the Administration can support. The legislation is compre-

hensive, and is much stronger than that passed by the Senate.

Several provisions which we support were removed from the bill. DOT CL will be working with rail labor to try to reach an agreement before full committee markup Wednesday.

10. Trucking Deregulation

The Public Works Transportation subcommittee chaired by Congressman Howard has scheduled markup for Thursday. Howard plans to use the Senate bill as his markup vehicle, however he does plan to make changes in the entry and rate bureau provisions.

II. ANTI-INFLATION

1. First Budget Resolution

House

The House completed action this week on eight of the eleven amendments to the Budget Resolution. Tuesday, the House will vote on the Latta and Rousselot Republican substitutes and the Udall motion to strike reconciliation, all of which we oppose. The committee staff believes that all three amendments will fail and that final passage of the resolution is assured.

Senate

Floor action on the resolution will begin on Monday. Senator Hollings will manage the resolution on the floor and has indicated he will oppose all amendments. This is not surprising since the committee version reflects Senator Hollings' personal priorities.

Over 35 amendments have been proposed. The Cranston substitute cuts Defense outlays by 42.5 billion, adds $3.9 billion to revenues and increases non-defense spending by $6.4 billion. Senate staff and the interest groups do not believe this amendment has a chance to pass the Senate.

A more moderate amendment is the Nelson-Javits amendment, which OMB has been working on with the staff of the Human Resources and Appropriations Committees. This amendment cuts Defense outlays by only $2.0 billion, reduces interest by $400 million, and increases non-defense spending by $2.4 billion. This amendment is likely to receive more support than Cranston. OMB plans to make a final recommendation to you on Monday as to whether or not we should support Nelson-Javits.

2. Appropriations

The subcommittees of the House Appropriations Committee have completed markup on the pending 1980 supplementals and rescissions. Full Committee markup is scheduled for May 12 with floor action to follow on May 15.

Rough calculations indicate that the 1980 budget authority total is about $1.5 billion below our request. The 1981 outlay impact is tougher to estimate; it could be above our budget upon further refinement by the committee staff. The Labor-HEW subcommittee did not approve most of our proposed health manpower rescissions, which may adversely affect the 1981 markup later this month.

The Senate subcommittees will follow right behind the House. They are scheduled to complete markup on 1980 by May 12-13.

3. Legislative Cost Savings

Food and Nutrition Programs

The Child Nutrition Amendments of 1980 are having tough sledding in the House Education and Labor Committee. Chairman Perkins has reported out a bill that has none of the Administration's cost savings; however, Congressman Leon Panetta will introduce our bill and then push hard to rewrite the child nutrition bill on the floor. The total cost savings for our bill is over $530 million, and we hope to obtain an additional $29 million in savings in the appropriations process.

Disability Insurance

The conferees agreed this week to drop the costly Bayh amendment from this bill. Thus, the savings to be achieved will more closely approximate our proposal for both 1981 and the outyears.

Hospital Cost Containment

The primary focus for hospital cost containment legislation in the next few weeks will continue to be in the Senate Finance Committee's consideration of an omnibus package of health amendments. If such a package is adopted by the Committee, Chairman Long believes the Committee is likely to reverse its previous 11 to 9 defeat of hospital cost containment and adopt a revised and updated amendment containing some of the elements of the Administration's bill and generating some, if not all, of the projected savings in the FY 1981 budget.

4. Vinson-Trammell

Since the antiquated provisions of Vinson-Trammell Act became effective once the Renegotiation Board was allowed to expire, the Senate Armed Services Committee is planning a stopgap measure in the Defense Authorization bill. It plans to

include language that will suspend the applicability of Vinson-Trammell profit limiting provisions through 1981, because it is not considered politically feasible to eliminate Defense profit limits in an election year.

5. Problem Bills

Higher Education

The Senate Committee on Labor and Human Resources completed markup on the Higher Education reauthorization on Wednesday. Although some of Senator Eagleton's amendments were accepted by the Committee, the bill to be reported continues to be a serious problem for the Administration.

For the first time, we believe there is some hope to improve this bill on the Senate floor. Senator Williams is interested in doing a Chairman's amendment if some consensus can be reached on the content. The Appropriations Committee will be supportive in this effort. Senator Eagleton can be credited for exerting leadership in the move to cut the cost of this bill.

Asbestos

The Senate Labor and Human Resources Committee reported out the Asbestos bill with no discussion and with unanimous support. This bill should come to the floor by the end of May and should pass easily. A conference is not likely; the House will accept the Senate bill and it will come to you as a veto candidate.

Let our opposition be known early & clearly

III. FOREIGN POLICY ISSUES

1. Muskie Confirmation

Senator Muskie's nomination as Secretary of State will be considered Wednesday in the Foreign Relations Committee. Certainly the Committee will be highly supportive of one of its own, but they will undoubtedly seek commitments on how he intends to consult with them in the future. Muskie probably will be confirmed by the end of the week, possibly on Wednesday after the hearing.

2. Iran

The SFRC plans to hold a hearing on Iran on Thursday. Warren Christopher and Secretary Brown will be the lead witnesses. We expect the hearing to focus on the administration's strategy in continuing to deal with the situation rather than a rehash of the rescue mission. The Committee is concerned about the impact of the Iran crisis on our relations with our allies and about the probability that closer Soviet-Iranian relations will result if the confrontation continues.

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In addition, there is much interest among some Senators on the Administration's view of the War Powers Resolution, particularly the consultation requirement.

3. FY 81 Aid Authorization

The Senate Foreign Relations Committee cut a total of $422 million during its first day of markup on the FY 81 Foreign Assistance Authorization Bill Thursday. However, more than half of this amount results from a change in FMS financing procedures which do not entail any actual program cuts (the change would authorize the use of the the trust fund to fund the program, thereby eliminating the need to appropriate 10 percent of the program amount). By taking this route, the Committee can claim cuts which are more ostensible than real and come close to meeting Frank Church's stated goal of $500 million. There were only minor cuts to development programs. The Committee will take up substantive security issues, including our proposals for expanded Presidential authorities, next Thursday.

We will encounter some problems with the Presidential flexibility provisions but expect to work them out with the Committee. The Committee still plans early floor action once markup is completed.

The House will consider the foreign aid authorization in the Rules Committee next Wednesday and the tentative plan is to bring the bill to the floor on May 13. We expect efforts to cut the bill on the floor, but prospects for final passage look good.

THE WHITE HOUSE

WASHINGTON

05 May 80

Frank Moore

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

Rick Hutcheson

ORIGINAL TO EV SMALL FOR HANDLING AND DELIVERY

THE WHITE HOUSE

WASHINGTON

May 2, 1980

MEMORANDUM FOR THE PRESIDENT

FROM: FRANK MOORE F.M.

SUBJECT: LETTER FROM SENATOR GOLDWATER REGARDING THE WAR POWERS RESOLUTION

Attached is Senator Goldwater's recent letter to you regarding the War Powers Resolution. Also attached is a letter of acknowledgment for your signature. This letter provides an opportunity for you to thank Senator Goldwater for his public support of your decision on the attempted rescue of the hostages. On the morning of your announcement of the mission, Senator Goldwater went on the radio with very strong, supportive statements.

Both the Counsel's staff and Dan Tate believe that it would be inappropriate at this time for the Administration to follow through on Senator Goldwater's suggestion to initiate a review of the War Powers Resolution. However, a response from you reflects our appreciation for his interest and his concern.

Attachments

cc: Lloyd Cutler
Dan Tate

THE WHITE HOUSE

WASHINGTON

May 2, 1980

Dear Barry:

Thank you for your letter and the enclosed material regarding the War Powers Resolution.

I deeply appreciate your statements in support of my decision to attempt to rescue our fellow Americans being held captive in Iran. I am determined to persevere in securing their release. In that effort, I value your continued, resolute support.

Sincerely,

Jimmy Carter

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

BARRY GOLDWATER
ARIZONA

United States Senate

WASHINGTON, D.C. 20510

COMMITTEES:
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AVIATION
COMMUNICATIONS
SELECT COMMITTEE ON INTELLIGENCE
VICE CHAIRMAN

April 28, 1980

Ack by P/Cutler
CONGRESSIONAL
LIAISON

APR 28 1980

002680CL

cc: NSC, OMB, Tate

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

Dear Mr. President:

The other day as we sat around the table at your office and the War Powers Act kept popping up, I couldn't help but think of the many times I so vociferously and almost violently opposed the passage of that Act.

You will recall that President Nixon vetoed it and a Vietnam-stung Congress overrode the veto. President Ford was violently opposed to this Act because he understood, as you now understand, that it does nothing but tie the hands of the Commander-In-Chief at a time when hands should not be tied.

Frankly, I don't think it is any business of the Congress what the President is planning in the way of covert or clandestine movements that are in the interests of the freedom of our people. I would suggest to you that you have your staff study the material which is enclosed with the possible idea that you might, at some time, want to take a position on this piece of legislation which bodes nothing but trouble for anyone who occupies your seat.

With respect,

Barry Goldwater

5405

STATEMENT BY SENATOR BARRY GOLDWATER OF ARIZONA BEFORE THE

SENATE COMMITTEE ON FOREIGN RELATIONS

July 13, 1977

Mr. Chairman, I am pleased to join you at your hearings to review the War Powers Resolution.

Now, Mr. Chairman, I believe the Resolution is a very dangerous tampering by Congress with the ability of the nation to protect its people and its freedoms. Far from seeing any need for strengthening the present law, I would prefer to see it stripped of all its mandatory provisions and replaced with a "sense of the Senate" declaration.

As the law now stands, it is certain to initiate a crisis between some future President and a Congress who will have different beliefs as to the necessity for certain military action. The survival of our nation, or of the way of life as our people now know it, may depend upon the outcome of that conflict.

For example, if the War Powers Resolution had been in effect in 1941, it likely would have blocked defensive initiatives by President Roosevelt, whose vision of the national self-interest was broad enough to recognize that America's own defense against totalitarian aggressors was linked to helping Britain survive the assault from Nazi Germany.

Now, I can remember that in mid 1941, public opinion polls revealed a decrease in support for aid to Britain. A vast majority of Americans thought sending war material to Britain was pouring

it down the sink. Europe seemed lost.

That same summer of 1941, the House of Representatives passed an 18-month extension of the Selective Service Act by the closest margin possible--203-202. One vote had saved the Army!

Yet, President Roosevelt sent the U.S. Army to occupy Greenland and Iceland without consulting Congress in advance. In fact, he acted in violation of an express restriction that Congress had enacted only a year before prohibiting the use of troops outside the Western Hemisphere.

In July, he ordered U.S. warships to convoy supplies sent to Europe to protect military aid going to Britain and the Soviet Union. By September, our ships were attacking German Submarines. There was no authorization from Congress.

Now, I would like to ask: Would the same Congress that extended the draft by only one vote have acted under the War Powers Resolution to approve the use of warships against German submarines? Would Congress, in the summer of 1941, have granted specific authority, as required under the War Powers Resolution, for U.S. troops to remain in Iceland, some 2,300 miles away from the United States, in the face of imminent hostilities that could erupt at any moment?

Or, rather, would Congress have allowed the 60-day grace period of the War Powers Resolution to elapse, after which President Roosevelt would have been required to bring back our troops from Iceland and Greenland and to end the convoys which were protecting the British lifeline in the Atlantic?

Or, even before allowing the 60-day period to go by, would it not have been likely that Congress would have passed a Concurrent Resolution under section 5(c) of the War Powers Resolution directing President Roosevelt to halt those uses of the Armed Forces immediately?

Testing the War Powers Resolution by this actual historical scenario, we can see that it probably would have led to disaster in the face of the Nazi onslaught against the civilized world. How can we have any confidence that a similar situation will not recur in the future where an isolationist Congress is pitted against a far-sighted President whose personal initiatives are the only thing standing between the nation and disaster.

Mr. Chairman, I not only believe the War Powers Resolution is a potentially dangerous obstacle to the national security, I believe it is unconstitutional.

Now, it is bewildering to me how anyone can read into the Constitution something that isn't there, nor appears in any interpretation given to it by the Supreme Court, but that is what Congress is doing when it attempts to demark the boundaries between its War Powers and those allotted to the President.

There are voluminous authorities that I could array in support of the independent War Powers of the President, but we would be here from now until tomorrow if I made all of these a part of my statement. Instead, let me just summarize for you the major areas of disagreement between myself and those who assert for Congress the authority to define the President's or the Congress' War Powers.

First, spokesmen for Congressional supremacy read into the Constitution something that is not written there. They act as if the Constitution itself contains a provision specifically reading that "the President shall at all times be subject to whatever rules and regulations the Congress may enact, and the Congress shall have power, notwithstanding any other provision of this Constitution, to define the war powers of the President." This, however, is nowhere in the Constitution.

Second, they assume the power "to declare war" means the same thing as the power "to commence, control and direct the use of the armed forces in any and all kinds of situations." Again, this is not what the Constitution says.

Actually, the Framers did not put too much importance upon declarations of war. The contemporary understanding of the declaration in the 18th century was that it was never required for defensive military actions.

The Framers made a distinction between "defensive" and "offensive" war, intending to restrain the President from wars of conquest and aggression, but allowing him to attend to the nation's defense, when he believed it necessary.

Third, it is assumed that Congress can use its power of the purse to legislate policy restrictions over the President's use of the armed forces whenever it wishes. However, this is a boot-strap argument.

Congress is lifting itself up by the boot-straps by making the assumption that it has authority to limit the President's powers. If it does not have the power to control the President's ability to

defend the country, then Congress cannot acquire that power by using a rider in an Appropriation Act.

In other words, Congress cannot do what would be otherwise unconstitutional for it to do, simply by writing a limitation into an appropriations statute. For example, the Supreme Court held that a provision of the Appropriation Act of November 15, 1943, was unconstitutional which provided that none of the funds contained in that Act should be paid to certain named federal employees.*

Thus, the Supreme Court has held that Congress' use of appropriations riders is limited by the Constitution. To assume that Congress can use an appropriation law to prohibit the President from spending monies for the use of the Armed Forces in a particular way or place is to argue in a circle by assuming in the first place that Congress does have the power to curb the President's defensive use of the Armed Forces.

Fourth, those who uphold the pre-eminence of Congress in the war powers field ignore the legal significance of more than 200 incidents in which American Presidents have used the Armed Forces for defensive purposes in hostilities or imminent hostilities without the prior, specific approval of both Houses of Congress.

Even since George Washington threatened Spain with armed force if it did not open the Mississippi River to American navigation, Presidents have taken military action in defense of vital American interests without coming to Congress for its prior approval or in the face of known opposition by Congress.

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* United States v. Lovett, 328 U.S. 303 (1946).

Even Thomas Jefferson, who is often quoted as being against unilateral military action, himself unilaterally sent a naval squadron into the Mediterranean with orders to protect our merchant ships against attack from the Barbary Powers. His orders directed the U.S. commander on the scene to protect our commerce "by sinking, burning or destroying their ships & vessels wherever you shall find them."

These military operations took place all over the world, not just in the Western Hemisphere, and represent a consistent pattern by U.S. Presidents of responding to foreign threats against our citizens and vital interests by using whatever degree of force was necessary, and technologically available, at any given moment in history.

It is true that many of the early precedents took place against pirates or stateless natives, rather than organized governments, but there were many exceptions to this rule, and as the number of nation-States increased, the number of Presidential military actions involving formal States increased along with the historical development of the nations themselves.

According to the Supreme Court, a long practice such as this one can fix the construction of the Constitution by the courts. Thus, the historical record does have legal significance as a source of interpreting the Constitution and cannot be dismissed out of hand.

While repeated violation of the Constitution cannot make constitutional what was unconstitutional to start with, the Supreme Court has looked to "usage" as the decisive reason for

upholding the validity of the very practices under question in at least four important cases.*

Fifth, spokesmen of Congressional supremacy neglect substantial historical evidence that the Framers knew of and blamed the Articles of Confederation for the system which allowed the Continental Congress to dangerously interfere with the conduct and planning of military affairs during the American Revolution. They also overlook the fact that the obvious remedy for this defect was augmentation of Executive power.

Most of the Framers had witnessed at firsthand the incompetency of Congressional meddling into military policy which had almost destroyed the success of General Washington's war efforts. In contrast, they knew that prompt and firm military steps which had been taken by the Chief Executives of the States of Massachusetts and New Hampshire, just before the Constitutional Convention met, had successfully crushed rebellions in those States after reluctant and divided legislatures had failed to act. This certainly influenced their view of the value and need for an Executive officer with independent defense powers.

Sixth, the exponents of Congress' powers fail to consider the fact that there was a strong shift in the 1780's towards giving the Executive office greater powers of independent action for the public defense than was true in the 1770's. It is striking that each of the two State charters revised in the 1780's alloted strong defense powers to the Chief Executive.

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* Stuart v. Laird, 5 U.S. 298, 308 (1803); McPherson v. Blacker, 146 U.S. 1, 27, 35-36 (1892); United States v. Midwest Oil Co., 236 U.S. 459, 472-73 (1915); Myers v. United States, 272 U.S. 52, 152 175 (1926).

Seventh, those who argue for Congressional dominance in the field of war powers forget that delegates to the Constitutional Convention were very concerned with restraining exactly this kind of superior position for the Legislative Branch. In a passage quoted in the Federalist Papers, Thomas Jefferson explained: "One hundred and seventy three despots would surely be as oppressive as one." He added: "An elective despotism was not the government we fought for...."

Eighth, proponents of Congressional war powers, fail to explain--if the Framers meant to provide Congress with the power to choose when to employ the Armed Forces, the power to halt any military activity at any time, the power to restrict the geographical areas where the Armed Forces shall be deployed and to set numerical limits upon deployments in specific places--why then did the Framers not say so in clear words of the kind they had available for use in the existing Articles of Confederation and some State Constitutions, which specifically reserved the War Powers to the legislature?

The men who wrote constitutions in the 1770's and 1780's knew how to give the legislature extensive powers if they wanted to and the fact that they did not spell this intent out in plain language in the Constitution is an indication that they did not mean for Congress to have supremacy over the defensive war powers.

Ninth, those who claim for Congress the ultimate war powers totally overlook and fail to discuss interpretations of the Constitution by at least six sitting members of the Supreme Court who have written that it is the President who holds "primary" responsi-

bility for the conduct of foreign policy.

For example, Justice Stewart, joined by Justice White, has written that the Constitution endows the President with "a large degree of unshared power in the conduct of foreign affairs and the maintanence of our national defense...." Similarly, Justice Blackmun has written that Article II of the Constitution placed in the Executive Branch "the responsibility for the nation's safety."*

Now, when several of the present Supreme Court Justices write that the President has the lead role in foreign policy and the responsibility for the nation's safety, this should at least require an answer from people, who claim that Congress has the primary responsibility for these things, to say why they think their interpretation of the Constitution would prevail with Justices who appear to be taking the opposite position.

Mr. Chairman, in concluding I would suggest making one amendment to the War Powers Resolution. I ask that you add a provision in the law making it easier for the validity of the statute to be tested on Constitutional grounds. In this way, we may settle these legal questions and remove doubts about exactly what is this nation's ability to defend itself.

---

* New York Times Co., v. United States, 403 U.S. 713, 729 (1971); (Stewart and White); 741 (Marshall); 761 (Blackmun); First Nat'l. City Banco Nacional De Cuba, 406 U.S. 759, 767 (Burger and Rehnquist) (1972).

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ARTICLE

The War Powers Resolution Tested: The President's Independent Defense Power

J. Terry Emerson

PAGE 187

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THE WHITE HOUSE
WASHINGTON

05 May 80

Frank Press

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

Rick Hutcheson

cc: Zbig Brzezinski
Henry Owen

Frank -
Good memo -
Check w Henry
re Venice summit
agenda - At least
for my briefing
book

THE WHITE HOUSE

WASHINGTON

May 5, 1980

MEMORANDUM TO THE PRESIDENT

FROM: Frank Press FP

SUBJECT: Carbon Dioxide Increases

Chancellor Schmidt and others have raised with you the possibility of a CO_2-induced climatic change in the next century and its impact on our energy policy. At my request, the National Academy of Sciences has examined the social and economic consequences of the increase in atmospheric carbon dioxide. A copy of their report is attached as TAB A.

The report emphasizes the following points:

- The carbon dioxide issue is clouded by critical uncertainties as to the sources of carbon dioxide, the airborne concentrations, the climate response, the likelihood and timing of sea-level increases, and the socio-economic impact. Even in agriculture, which will be one of the most affected areas, there could be both positive effects (e.g., enhancement of photosynthesis) and negative effects (e.g., reduced rainfall in some regions).

- The changes and the costs and benefits are likely to be very unevenly distributed across the globe. The biggest problems may result from changed patterns in the distribution of rainfall -- the semitropical arid belt may expand, severely affecting agriculture in primarily the poorer countries with reduced capacity to adapt.

- Although carbon dioxide increase is inherently an international issue, it will be intensely divisive because of the uneven distribution of costs and benefits and because of the overlay of other issues: nuclear power, preservation of the environment, central economic planning, and "north versus south."

- The NAS believes that better understanding of the climatic consequences will emerge in 5-10 years. The Nation's principal efforts in the near term, therefore, must be focused on research to acquire this improved knowledge, but with as low a political profile as possible until we reduce the uncertainty. Meanwhile, the Nation would be well advised to keep open all relevant policy and technological options.

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NATIONAL RESEARCH COUNCIL
ASSEMBLY OF MATHEMATICAL AND PHYSICAL SCIENCES

2101 Constitution Avenue Washington, D. C. 20418

CLIMATE RESEARCH BOARD

April 18, 1980

Dr. Philip Handler
President
National Academy of Sciences
2101 Constitution Avenue
Washington, D.C. 20418

Dear Dr. Handler:

In a letter dated January 2, 1980, Dr. Press requested that the Academy assess for him, as promptly as possible, the likely foreseeable social and economic consequences of an increasing concentration of atmospheric carbon dioxide. He also requested a judgment on any implications for policy.

We were appointed members of a panel under the Climate Research Board and asked to provide such an assessment. It was understood that we would have to base our conclusions on what is currently understood about the likely increases in atmospheric carbon dioxide and the relation of carbon dioxide to climate. We took as a basis for our discussions the scientific consensus on the climatic effects of increased atmospheric carbon dioxide as presented, for example, in the 1977 Geophysics Study Committee report, Energy and Climate, and the 1979 report of an ad hoc Climate Research Board panel, Carbon Dioxide and Climate: A Scientific Assessment. We were aware that questions had recently been raised about the magnitude of

The National Research Council is the principal operating agency of the National Academy of Sciences and the National Academy of Engineering to serve government and other organizations

the projected climate changes.* We acknowledge that the range of uncertainty in estimates of future influences on climate is indeed wide. However, we have accepted the judgments of qualified members of the panel and other experts we consulted that these recent estimates of extremely small effects are based on incomplete assessments that unrealistically omit important feedback processes. Starting from these premises, we undertook to use our best judgment about the social and economic context on which any climate changes would impinge during a period that is half a century or more in the future. We did not undertake new research. Most of what we report must therefore be recognized as a collective judgment rather than as a scientific finding.

Society has developed in a relatively stable global pattern of climate. We face the possibility of a markedly different climate in 50 years in consequence of the continuing buildup of atmospheric carbon dioxide. Furthermore:

> This issue is inherently and inescapably international in character. The phenomenon is global: different countries will be affected differently, but none will be immune. No single nation can forestall undesirable consequences by its own actions alone.
>
> It is linked to other intensely controversial problems: energy, environment, population, economic growth, north-south conflict, unequal distribution of resources and wealth, pollution across boundaries, migration.
>
> Its implications are inherently divisive. Climate change will benefit some and harm others. Advanced countries will be major carbon users but may suffer the least. Adverse changes in climate are usually felt in the increasing frequency and severity of familiar extremes, such as drought; whether carbon dioxide is the cause and who is to blame will be inherently difficult questions to resolve.

*R. E. Newell and T. G. Dopplick (1979). Questions concerning the possible influence of anthropogenic carbon dioxide on atmospheric temperature. J. Appl. Meteorol. 18, 822-825.
S. B. Idso (1980). The climatological significance of a doubling of earth's atmospheric carbon dioxide concentration. Science 207, 1462-1463.

Critical Uncertainties

The credible range of effects is extremely broad. By the middle of the next century, we may have a climate almost as different from today's as today's is from the peak of the last major glaciation. At the other extreme, we may only experience noticeable but not necessarily unfavorable effects around mid-century or later.

Uncertainties lie in four principal areas:

1. Sources of carbon dioxide. The magnitude of future injections of carbon dioxide will depend on how the world's population obtains its energy and, to some extent, uses its land. Projections based on today's technology may prove irrelevant if new energy sources and ways of life compete successfully against coal burning.

2. Airborne concentrations. Carbon dioxide in the atmosphere is part of a complex carbon cycle. The nonatmospheric reservoirs of carbon are in the aggregate much larger than the atmospheric. Projections of future airborne concentrations depend on the uncertain partitioning of carbon dioxide among the reservoirs.

3. Climate response. Increases in atmospheric concentrations affect the energy exchange of the climate system. Changes in climate must be estimated from models of the entire system--the atmosphere, oceans, ice and snow, and land surface. There is uncertainty about the magnitude, timing, and global distribution of climate changes even for a given change in carbon dioxide concentration.

4. Socioeconomic impact. Even in agriculture, which will be one of the most affected activities, there would be both positive effects (e.g., of enhanced carbon dioxide on photosynthesis) and negative effects (e.g., of reduced rainfall in some regions), and there are uncertainties about genetic adaptation of crops, irrigation techniques, and dietary developments. Other impacts are similarly uncertain if only because they are decades into the future.

There is assuredly enough economically accessible fossil fuel--primarily coal--to inject into the atmosphere several times as much carbon dioxide as it now holds. That is not in dispute. But it is not certain how much will be burned or how rapidly. Once established, elevated carbon dioxide levels would then almost certainly persist for many centuries.

In addition to problems of adjusting to a gradually changing climate, there may be thresholds or discontinuities. At some point within the range of carbon dioxide increases that known reserves of fuels could produce, the floating Arctic Ocean sea ice would disappear in summer, radically altering the meteorology of the northern hemisphere, with consequences that are not now predictable. Another concern is the West Antarctic Ice Sheet. A warmer climate with warmer oceans might cause it to disintegrate over a period of a decade to centuries, raising sea levels by about 15 to 20 feet, enough to jeopardize many of the world's cities. We have not examined any of the protective measures--whatever they may be--that might be considered, nor have we assessed the plausibility of the contingency itself.

It is also possible that the required rate of adjustment to changes in climate will be very great. Fossil-fuel consumption may indeed increase steadily; increments of carbon dioxide may become harder to absorb in the biosphere and ocean, an increasing proportion remaining airborne; whatever the climatic response, the pace of adaptation required could well accelerate.

There is a further point that is not adequately suggested by the term "climate change." Food production is not just a function of average rainfall or temperature; changes in the variability of climate would affect food production.

Potential Impacts of Climate Change

Economic impacts of changing climate would certainly be felt in agriculture. Changes in precipitation would be most significant and most conspicuous, but changes in temperature and growing seasons, sunlight, and the frequency of storms would also be important. Shifts in climate zones and in the loci of agricultural activity may create new combinations of soil and climate to which existing crops and farming practices would be imperfectly adapted. Marine resources, including fisheries, are also sensitive to changes in ocean chemistry and climate. The increased concentration of carbon dioxide should, up to a point, directly increase the rate of photosynthesis and improve water utilization and nitrogen fixation by plants in agriculture. (Artificially enhanced carbon dioxide is now used to increase productivity in commercial greenhouses.) The net effect on aggregate food production, which depends on many complex factors, is uncertain and would depend greatly on the rate of climate change and the ability of different peoples to adapt; the most serious consequences are likely to be in the distribution of gains and losses among areas of the world.

What is certain is that established patterns of agriculture would have to change, and in some areas might be disrupted.

Other direct effects of climate change, e.g., on energy demand, navigation, tourism, appear of lesser significance than food production, but we cannot say they will be negligible. Second-order effects may prove important, e.g., conversion of stable permafrost to impassable bog. Our welfare is linked to the stable functioning of many ecosystems; disturbances can have unexpected consequences. For example, outbreaks of agricultural pests or certain human diseases may be triggered by changes in climatic conditions.

It is worth remarking that the major foreseeable effects of carbon dioxide will be a different distribution of climate, not the creation of entirely new kinds of climate. The present climates of the globe span an exceedingly wide range from the Arctic to the desert. Indeed, the migration to and throughout the new world subjected large numbers of people--together with their livestock, food crops, and culture--to drastically changed climate.

The overall economic cost (or benefit) of the sort of climate change associated with a doubling of carbon dioxide may be no more than a few percent of world gross national product (GNP). But the seriousness cannot be assessed in GNP alone. The geographical pattern of climate change may produce a drastically unequal distribution of impacts. For example, northern countries might benefit, despite disruption, from a general warming; on the other hand, an expansion of subtropical arid regions would affect primarily the poorer countries. Developed countries with advanced and diverse agriculture, and in which agriculture accounts for a relatively small proportion of the GNP, would probably be better able to adapt to change than would less-developed ones, which are strongly dependent on agriculture. It seems that climate change might well tend to make the already poor still poorer and increase the differences between north and south, rich and poor, developed and developing. We emphasize again the uncertainties: substantial changes could occur within forty or fifty years and be accelerating in mid-century, or could be delayed many decades beyond.

Responses to Change in Climate

Although climate change would certainly affect agriculture, technologically advanced agriculture has proved to be quite resilient under climate change. Modest changes have been

accommodated in this century, and the ability of crops to prosper under a range of climatic conditions has been greatly extended through genetic improvements. Further advances may aid agricultural adaptation to climate changes.

Changes in availability of water are the single most significant consequence of climate change that we foresee through the next century. Present use of water for agriculture is highly inefficient in most countries. Improvements in irrigation and water delivery could increase production even in the face of declining precipitation. The obstacles are as much legal and institutional as technological. Changes in water supply also affect the availability of water of adequate quality for industrial and human consumption. However, large-scale, long-distance transfers of water currently seem unlikely; most opportunities for large-scale, gravity-fed transfer have already been exploited, and rising energy costs will discourage pumped long-range water transfers. For the most part, regional water needs will have to be met by regional resources. While modest precipitation decreases in areas well supplied at present could be accommodated, similar decreases in some currently marginal semiarid regions and increases in the frequency of drought could have serious impacts.

Migration has historically been the principal means of adapting to climate change. But today's political barriers hamper migration, and national boundaries are not likely to be more open in the future. If migration out of climatically impoverished areas is not feasible, transfer payments and other technology and capital to aid local adaptation to climatic change may have to be considered for such areas.

Preventing or delaying the increase in carbon dioxide would have to be done mainly by restricting the use of fossil fuels, although management of land and forests could also contribute. Only coal is likely to be economically available in the quantities required to double or more than double the airborne carbon dioxide. Known coal reserves are mainly concentrated in a few major countries: the United States, the Soviet Union, and China together hold most of the known reserves. Emissions can therefore be controlled only if these countries, which agree on little at present, agree in the future not to exploit for their own use or make available to other countries without restriction this part of their natural wealth, or if most of the consuming countries can agree to restrict their imports. Moreover, in our judgment the Soviet Union and the United States--because of their geographical extent and general economic development--are

likely to be among the nations most able to adapt to, or even benefit from, climate change.

In the absence of attractive alternative energy sources, voluntary control of coal use and coal exportation by any of the three major coal-holding nations would be unlikely unless it were clear that the unfavorable consequences of climate change significantly outweighed the benefits of coal exploitation. Similarly, self-imposed restrictions on energy demand by countries without coal would hardly find ready acceptance unless this self-denial was obviously in their own best interests; for each nation individually it would not be. Technological aid to fuel-poor developing nations for development of alternative energy sources is therefore an attractive policy to the extent that it can reduce their fossil-fuel needs. In summary, restraint on fossil fuel will require global cooperation, reductions in energy demand, and the widespread introduction of alternative energy sources.

Policy Choices under Uncertainty

Carbon dioxide and climate are not the only uncertainties in our future. In the next half century, world population will probably double and global GNP will, one hopes, increase by a larger multiple. Comparable changes took place between the early years of this century and today. If we had attempted in 1900 to predict the world of 1980, we might well not have foreseen air travel, nuclear energy, space exploration, recombinant DNA, and digital computers. Future technology may overshadow, in both benefits and damages and their differential impacts among peoples, the effects of carbon dioxide. Significant progress in weather modification, water management, development of alternative energy sources, or agricultural technology would change our assessment of the problem.

Some implications of increased concentration of carbon dioxide, however, are clear:

1. Our immediate problem is uncertainty itself. We must reduce that uncertainty through research. We discuss this further below.

2. Research notwithstanding, uncertainty will persist. Even as the dimensions of the problem become clearer, it may be necessary to base preventive and adaptive policies on uncertain predictions.

3. We must recognize now that increases in energy consumption using fossil fuels will have increasingly undesirable climatic effects.

4. We and the main energy-consuming countries must keep open a number of options for energy and not become committed to an extended period of unrestricted fossil-fuel use.

5. Agriculture would be most certainly affected, especially through changes in the availability of water. We should enhance the resilience of agriculture to changing climate, through research in the adaptability and diversity of species, irrigation techniques, and water conservation and transport.

6. Climate changes will produce increased pressures in some parts of the world for migration within and across national boundaries, a potential source of conflict.

7. Climate changes, and measures to prevent them as well, would constitute for some countries an adverse redistribution of resources and could generate demands for compensation.

8. Current capabilities give no grounds for hoping that controlled weather modification could compensate for global changes in climate. Breakthroughs in climate control could alter this assessment, but there is no assurance that any breakthroughs would be less divisive in their effects than the climate changes that would occur in their absence.

9. Slowing the growth in fossil-fuel combustion will make adaptation to climate change easier and may permit more absorption of carbon into nonatmospheric sinks. It will also permit conversion to alternative energy sources at a lower cumulative carbon dioxide concentration, and it is likely that the sooner we begin the transition from fossil fuels the easier the transition will be.

10. Carbon dioxide is but one of a class of "global commons" issues that includes chlorofluoromethanes and acid rain. The precedents we set in dealing internationally with any of these issues, in regulation or research, will influence how we deal with carbon dioxide.

11. There is an intricate linkage of carbon dioxide with other intensely divisive issues: nuclear power and preservation of the environment, markets and central economic planning,

"north versus south" and the gap between developed and developing nations, and even OPEC and the demand for oil.

Implications for Research

Present knowledge is an insufficient basis for international action to prevent climate changes or to adapt to them. Two kinds of knowledge and capability should be improved. First, we need to reduce the uncertainties about future carbon dioxide injections, their climatic effects, and the social and economic implications. It will be important to verify observationally the model predictions of climate change as soon as possible by carefully designed monitoring programs. Continued research in ocean chemistry and dynamics, the biogeochemical cycling of carbon, the myriad processes that influence climate, and the building and validation of climate models will be necessary. We must also learn much more about the impacts of a climate change on human activities, especially agriculture and its complex interaction with society. This first stream of research to clarify the links between our actions and their consequences will enable us to measure the problem and to assess its importance with respect to other societal issues. Second, we need to learn more about how we might adapt to climate change or prevent it. Our discussion above has indicated some of the knowledge needed in agricultural technology, energy production, and management of forests and soils.

Recommendations for Near-Term U.S. Policy

Better understanding will emerge slowly, but knowledge can probably be made to grow faster than the problem. The information needed to choose a balance of adaptation and prevention should be of much better quality in five or ten years. But this information will be of little value if options are not available. We must ensure that options for adaptation and prevention remain open.

The challenge is to progress toward an international consensus on the carbon dioxide issue while minimizing its factious involvement with other issues and its own divisive aspects. The carbon dioxide issue should appear on the international agenda in a context that will maximize cooperation and consensus-building and minimize political manipulation, controversy, and division.

Our understanding of the issue has been developed in the context of research on climate, its changes, and their

interaction with mankind. A World Climate Program, led by the World Meteorological Organization, has been established to improve the world's ability to cope with contemporary climate, natural climate fluctuations, and man-made climate changes. Most of the research necessary to improve our understanding is at least conceptually provided for in this program. Moreover, as part of this program, several international organizations are organizing a sequence of activities to develop a cross-cutting "Plan of Action" specifically relating to the assessment of the carbon dioxide issue. Thus, a relatively nonpolitical and broadly supported framework for international study exists. The effectiveness of these activities is as yet unproven.

In view of the uncertainties, controversies, and complex linkages surrounding the carbon dioxide issue, and the possibility that some of the greatest uncertainties will be reduced within the decade, it seems to most of us that the near-term emphasis should be on research, with as low a political profile as possible. We should emphasize that this is both a technical and a political judgment. Another point of view represented on the panel is that further research will not fundamentally change our perception of the issue; in this view, the need for preventive measures is already apparent and urgent.

Most of the things one would want to do now to prepare for dealing with the carbon dioxide problem are things one would want to do for other reasons. Overdependence on a single energy source has already proven to be unwise; development of alternative energy sources is clearly necessary. Energy production has many troublesome environmental effects, including carbon dioxide; we should study how to alleviate them. Climate variability already causes problems; we want in any event to learn more about climate and its interaction with society. The past teaches us that significant natural climate changes are likely; we should consider how to cope with their impacts, whether induced by nature or man. The carbon dioxide problem increases the urgency of this research; it does not fundamentally change its nature.

The one exception is the novel possibility of elevated ocean levels due to disintegration of the West Antarctic ice sheet. Research bearing directly on the likelihood and timing of such a development is needed, and an exploration of protective and adaptive measures should be initiated. (The problem of "rising" sea levels due to land subsidence and the silting of river bottoms is itself not new, and the first stages should be to assemble what is already known, both in the United States and abroad.)

In all of this, we need to keep in mind that this earth is the only planet we have on which to live. We humans have made major changes in our environment without yet destroying its ability to support us. This may demonstrate great resilience in the earth's life-support systems; but we may just have been lucky. As we grow in numbers and power, we will make ever greater demands on our planet, and there is no guarantee that we will not get into trouble in ways that we have not yet discovered or even imagined.

Conclusion

To sum up, carbon dioxide will pose exceedingly difficult and divisive policy questions for all the world's nations individually and collectively. We do not know enough to address most of these questions right now. We believe we can learn faster than the problem can develop. This learning can be done while we address with increasing urgency the problems of living with changing resources of energy, land, and climate.

Sincerely,

Ad Hoc Study Panel on Economic and Social Aspects of Carbon Dioxide Increase
Thomas C. Schelling, Chairman

McGeorge Bundy	Herman Pollack
Abram J. Chayes	Roger R. Revelle
Charles W. Howe	Joseph Smagorinsky
Bruce K. MacLaury	Robert M. White
William Nierenberg	Sylvan Wittwer
William Nordhaus	George Woodwell

[Salutations will be updated
no later than 11 AM on Monday
by Patty DeSouza x7750.]

Thomas Teal
Draft A-1; 5/2/80
Scheduled delivery:
Mon, May 5, 3 PM
Rose Garden

Talking Points for 20th Mexico-U.S. Interparliamentary Conference Delegates

1. SENATOR GAMBOA, CONGRESSMAN DE LA GARZA, SENATOR DeCONCINI, REPRESENTATIVES OF TWO GREAT AMERICAN NATIONS:

2. IT IS A PLEASURE TO WELCOME YOU TO THE WHITE HOUSE. IN THE TWO YEARS SINCE YOU WERE HERE LAST, RELATIONS BETWEEN OUR TWO COUNTRIES HAVE HAD THEIR DIFFICULT MOMENTS, BUT THE FUNDAMENTAL FRIENDSHIP BETWEEN US REMAINS STRONG.

3. IN FACT, NEVER BEFORE HAVE MEXICO AND THE UNITED STATES ACCOMPLISHED SO MUCH TOGETHER AS DURING THE ADMINISTRATIONS OF PRESIDENT LOPEZ PORTILLO AND MYSELF. HE AND I HAVE HAD THREE PRODUCTIVE MEETINGS SINCE I TOOK OFFICE. AT OUR FIRST MEETING IN 1977 WE CREATED THE US-MEXICO CONSULTATIVE MECHANISM, AND UNDER ~~THAT MECHANISM~~ IT WE HAVE ACHIEVED AGREEMENT ON A BROAD RANGE OF IMPORTANT BILATERAL ISSUES. THESE INCLUDE CIVIL AVIATION; TOURISM; PRISONER EXCHANGES; EXTRADITION; MARITIME BOUNDARIES; ENVIRONMENT AND SANITATION; NATURAL DISASTER CONTINGENCY PLANNING; NATURAL GAS SALES; AGRICULTURAL COMMODITIES; URBAN PLANNING; AND THE CONTROL OF SMUGGLING AND NARCOTICS.

4. ~~THE WORK OF THE CONSULTATIVE MECHANISM~~ CONTINUES, AND WE NOW LOOK FOR AN EARLY CONCLUSION OF CURRENT NEGOTIATIONS ON A JOINT CONTINGENCY OIL-SPILL AGREEMENT, A STOLEN VEHICLES

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AND AIRCRAFT AGREEMENT, AND AN ELECTRICITY TRANSFER AGREEMENT.

5. THESE ARE NOT THE ONLY ISSUES UNDER ACTIVE STUDY ON BOTH SIDES. RECENTLY, FOR EXAMPLE, WE BEGAN DISCUSSIONS ON THE CREATION OF A WORKING GROUP ON AGRICULTURE UNDER THE CONSULTATIVE MECHANISM. GIVEN THE EXPANDING TRADE IN FARM PRODUCTS BETWEEN OUR TWO COUNTRIES, WE SHARE PRESIDENT LOPEZ PORTILLO'S INTEREST IN THIS PROPOSAL, AND WE PLAN TO PURSUE IT.

6. I HAVE MADE SEVERAL APPOINTMENTS THAT UNDERLINE THE IMPORTANCE I ATTACH TO OUR RELATIONS WITH MEXICO. I NAMED ROBERT KRUEGER AS U.S. COORDINATOR FOR MEXICAN AFFAIRS, I and RECENTLY APPOINTED A NEW AMBASSADOR TO MEXICO, WHOSE DEDICATION AND EXPERTISE GIVE HIM UNIQUE QUALIFICATIONS FOR THE JOB. JULIAN NAVA HAS DEVOTED HIS CAREER TO THE STUDY OF LATIN AMERICAN AFFAIRS. I HAVE ALSO APPOINTED FATHER HESBURGH TO HEAD A SPECIAL COMMISSION ON IMMIGRATION QUESTIONS AND TO WORK CLOSELY WITH MEXICAN OFFICIALS TO SOLVE OUR PROBLEMS IN THIS AREA.

7. PERHAPS THE MOST DRAMATIC SYMBOLS OF THE STRENGTH OF OUR RELATIONSHIP ARE THE GROWTH OF TOURISM AND TRADE, BOTH OF WHICH WORK SO DIRECTLY TO THE BENEFIT OF BOTH OUR COUNTRIES.

8. THE NUMBER OF NORMAL BORDER CROSSINGS BETWEEN THE UNITED STATES AND MEXICO EXCEEDS ONE MILLION PERSONS EVERY DAY -- THE LARGEST SUCH TRANS-BORDER TRAFFIC ON EARTH.

9. TRADE BETWEEN OUR TWO COUNTRIES INCREASED BY 46% LAST YEAR, AND BY AN ALMOST EQUALLY ASTONISHING FIGURE THE

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YEAR BEFORE. NOW THAT MEXICO HAS DECIDED NOT TO JOIN GATT, OTHER ARRANGEMENTS WILL MAY HAVE TO BE MADE TO ENSURE THAT GROWTH IN OUR TRADE CAN CONTINUE WITHOUT RUNNING INTO PROTECTIONIST OBSTACLES. WE WILL BE INTERESTED TO LEARN WHAT ALTERNATIVES TO GATT THE MEXICAN GOVERNMENT MAY PROPOSE FOR OUR JOINT CONSIDERATION.

10. FINALLY, LET ME RE-EMPHASIZE OUR SOLID COMMITMENT TO THE TRADITIONAL TIES OF FRIENDSHIP AND COOPERATION BETWEEN THE UNITED STATES AND MEXICO. OUR 2000-MILE BORDER HAS BECOME A SYMBOL OF GOODWILL AND OF THE BONDS OF HERITAGE, CULTURE, GEOGRAPHY, AND DEMOCRATIC PRINCIPLE THAT UNITE OUR TWO PEOPLES. FOR MILLIONS, THOSE BONDS ARE ENHANCED BY FAMILY LINKS AND A COMMON ANCESTRY. AND FOR THOSE OF YOU HERE TODAY, THOSE BONDS ARE STRENGTHENED BY A COMMON DEVOTION TO REPRESENTATIVE GOVERNMENT THAT BRINGS THE VOICE OF THE PEOPLE INTO THE HIGHEST DECISION-MAKING PROCESS.

11. AS EACH NATION PURUES ITS NATIONAL DESTINY, WE ARE CONFIDENT THAT OUR RELATIONSHIP WILL REMAIN FOREVER A MODEL OF COOPERATION, UNDERSTANDING, FRIENDSHIP, TRUST AND RESPECT.

THANK YOU.

# # #

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20TH MEXICO-US INTERPARLIAMENTARY CONFERENCE DELEGATES 5/5/80

1. SENATOR GAMBOA, CONGRESSMAN DE LA GARZA, SENATOR DeCONCINI,
   REPRESENTATIVES OF 2 GREAT AMERICAN NATIONS:
2. IT IS A PLEASURE TO WELCOME YOU TO THE WHITE HOUSE.
3. IN THE 2 YEARS SINCE YOU WERE HERE LAST,
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5. BUT THE FUNDAMENTAL FRIENDSHIP BETWEEN US REMAINS STRONG.
6. IN FACT, NEVER BEFORE HAVE MEXICO & THE UNITED STATES
7. ACCOMPLISHED SO MUCH TOGETHER
8. AS DURING THE ADMINISTRATIONS OF PRESIDENT LOPEZ PORTILLO & MYSELF.
9. HE & I HAVE HAD 3 PRODUCTIVE MEETINGS SINCE I TOOK OFFICE.

NOT AVOID OR DELAY DIFFICULT ISSUES

(=OVER=) (AT OUR 1ST.....)

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1. AT OUR 1ST MEETING IN 1977 WE CREATED
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2. AND UNDER IT WE HAVE ACHIEVED AGREEMENT ON A BROAD RANGE
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4. EXTRADITION; MARITIME BOUNDARIES; ENVIRONMENT & SANITATION;
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6. AGRICULTURAL COMMODITIES; URBAN PLANNING;
7. AND THE CONTROL OF SMUGGLING & NARCOTICS.
8. WE NOW LOOK FOR AN EARLY CONCLUSION OF CURRENT NEGOTIATIONS
9. ON A JOINT CONTINGENCY OIL-SPILL AGREEMENT,
10. A STOLEN VEHICLES & AIRCRAFT AGREEMENT,
11. AND AN ELECTRICITY TRANSFER AGREEMENT. (=NEW CARD=) (RECENTLY, GIVEN)

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(=OVER=) (FINALLY, LET ME RE-EMPHASIZE.....)

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THAT UNITE OUR TWO PEOPLES.

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