2/25/78

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VLADIMIR HOROWITZ 2/25/78

50 years ago - 1st in U.S.

Pres. Hoover. Carmen - Bizet

USNA = 35 yrs = Rubenstein & RACHMINOFF

CLARITY_ BRILLIANCE_ INTERPRETATION

FEARLESS EXPRESSION & EMOTION

WITH HIM

FREDERIC CHOPIN = BIZET

SCHUMANN = RACHMANINOFF

(JOHN STAFFORD SMITH)

MAKE PIANO SING

(TOSCANINI)

NATIONAL TREASURE

MAESTRO VLADIMIR HOROWITZ

THE WHITE HOUSE
WASHINGTON

FOR THE RECORD:

The President signed the letter on 2/25/78, however, he did not indicate that the letter should be sent. The approval was given on 3/6/78 and thus the letter is dated that day.

THE WHITE HOUSE
WASHINGTON

2/24/78

Mr. President:

OMB and Jody Powell concur.

Rick

THE WHITE HOUSE

WASHINGTON

February 25, 1978

Bob Lipshutz

The attached was returned in the President's outbox today and is forwarded to you for appropriate handling. As the President did not check option on page 4, I will hold the letter to Solomon until I hear from you (he signed letter).

Rick Hutcheson

cc: Hugh Carter
Tim Kraft

RE: DISPOSITION OF PRESIDENTIAL PAPERS

THE WHITE HOUSE
WASHINGTON

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

Bob - As Pres did not check #2 option on p.4, I will hold letter to Solomon until I hear from you (he signed letter)

ACTION	FYI	
		MONDALE
		COSTANZA
		EIZENSTAT
		JORDAN
✓		LIPSHUTZ
		MOORE
		POWELL
		WATSON
		McINTYRE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER

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

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

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

Electrostatic Copy Made for Preservation Purposes

THE PRESIDENT HAS SEEN.

Bob - Talk to Bob Edge & H. Hill then see me

F

THE WHITE HOUSE

WASHINGTON

February 23, 1978

MEMORANDUM FOR THE PRESIDENT

FROM: Robert Lipshutz, Michael Cardozo, Hugh Carter

SUBJECT: Disposition of Presidential Papers

The Subcommittee on Government Information and Individual Rights of the House Committee on Government Operations will hold hearings late this week and March 2-7 on a bill introduced by the Subcommittee's Chairman, Richardson Preyer (D-N.C.). The bill is captioned the "Presidential Papers Act of 1978". The Subcommittee has requested that an Administration spokesperson present your views to the Committee.

Congressmen Ertel and Brademas have introduced a bill dealing with the same subject, but in our opinion, in a manner preferable to that proposed in the Preyer bill.

Each bill provides that "Presidential records" shall be owned, possessed and controlled by the United States and requires that procedures be established within the White House to distinguish between Presidential records and personal papers as they are created and received. Materials relating to personal participation in party politics are considered personal papers. The Preyer bill provides that Presidential records may be disposed of during a President's term only with the Archivist's written approval and with the publication of the disposition schedule in the Federal Register 60 days prior to disposition. The Ertel-Brademas bill requires consultation with the Archivist before records may be destroyed during a President's term.

Under each bill, the Archivist assumes custody of all Presidential records at the end of a President's term and deposits them in a Presidential archival depository.

Neither bill would prevent a former President and his associates from building and offering to the government a Presidential library to house the papers and records of his Administration, as is authorized in the Presidential Libraries Act of 1955.

Both bills significantly affect the right of a former President to control access to those portions of the materials of his Administration defined as "Presidential records". You currently have complete authority to control your access and the access of others to the Presidential records you plan to deposit with the government. The Preyer bill provides that a President's own access to his records would not be restricted in any manner. However, a President could not control the access to those records by any other person, although he could establish restrictions over any personal papers he might donate to the archival depository. The Preyer bill would effect this change by amending the Freedom of Information Act (FOIA) and making it applicable to Presidential records. Pursuant to such amendment, there would continue to be some restrictions on access for: national security information, appointments within the Executive branch, and possible violations of the privacy of the President. Requests under the FOIA for access to Presidential papers would be directed to the Archivist.

The Ertel-Brademas bill would permit a President to control access to the materials of his Administration for a period of up to 15 years from the date of departure from office. Thereafter, the Archivist could continue to restrict certain information which would cause an unwarranted invasion of personal privacy or jeopardize national security interests.

We recommend that you agree to the presentation of testimony on your behalf covering the following points:

1. Support the statutory transfer of the records of a President to the government of the United States at the conclusion of a President's term in office.

APPROVE ✓ (Recommended) DISAPPROVE _____

2. Oppose those parts of the Preyer bill which would amend the FOIA to bring Presidential papers under the Act. Presently, the White House is excluded from the FOIA. To endorse the Preyer-FOIA amendment would cause a chilling effect on the White House staff and on members of your administration who communicate with you. Presidential aides and appointees should not have to worry that their communications might be accessible to the press or the public soon after an administration has ended. As the Director of Presidential Libraries advised: "We should not tread too closely on the heels of the makers of history. If we restrain ourselves now, we will have a richer history as a result." We recommend that you oppose the applicability of the FOIA to the papers of a former President.

APPROVE ✓ DISSAPPROVE_____
(Recommended)

3. We recommend that you support a provision permitting a President to control access to his Presidential records for a specified period of time. The majority report of the Public Documents Commission (1977) recommended that the President be permitted to limit access for up to 15 years. The principal argument for limiting access is to encourage free, blunt communications by and to a President, without fear of immediate publication or accessibility after a Presidential term ends. For that reason the White House is presently exempted from the FOIA - to prevent a chilling effect which would discourage candid discourse. President Ford's counsel has advised us that President Ford retained the right to limit access to his records for up to 13 years, because that period covered three Presidential elections. To create the appearance of greater openness, consistent with your campaign promises, you may want to recommend a period of up to 12 years during which access may be limited. We are divided on this issue by our desire for greater openness, and by our realization that many members of your administration are relatively young and may be serving in government when your papers, and their communications to you, become accessible, whether it be in 12 or 15 years.

Support 12 years -- recommended by Lipshutz

APPROVE_____ DISAPPROVE_____

Support 15 years -- recommended by H. Carter and Cardozo & Jody

APPROVE ✓ DISAPPROVE_____

4. Both the Preyer and the Ertel-Brademas bills would permit you to retain control and access to the records of your first term, but provide that "Presidential records" created after January 20, 1981 become the property of the United States and must be transferred to the custody of the Archivist immediately upon departure from office; the records then become subject to the control and access established in the legislation. Accordingly, we could find ourselves in a situation where you control access to the records of your first term, but do not control access to the records of your second term. We recommend that the testimony request that any enacted legislation not be applicable to the incumbent President when the bill is passed.

APPROVE ✓ DISAPPROVE _____
(Recommended)

In August you agreed that certain steps should be taken with respect to the disposition of your papers and the establishment of a Presidential library. At that time, we felt there was no need to accelerate an announcement of your plans or to encourage the many colleges, universities and individuals interested in establishing a Carter Presidential Library. However, we feel the timing is now appropriate to state your intentions with respect to your papers. This can be accomplished by the execution of the attached letter to Jay Solomon as Administrator of GSA. Your intentions would be stated in the testimony and the public release of a copy of this letter would accompany such testimony. We are working on a codicil to your will reflecting your intentions with respect to your Presidential papers.

APPROVE _____ DISAPPROVE _____
(Recommended)

We feel that Jay Solomon is the most appropriate person to deliver testimony on your behalf before the subcommittee. We also considered Col. John Dunn and the Archivist (he will be testifying in any event). Please indicate your approval/disapproval of Jay Solomon.

APPROVE ✓ DISAPPROVE _____
(Recommended)

THE WHITE HOUSE

WASHINGTON

March 6, 1978

To Administrator Jay Solomon

It is my belief that the official papers and other historical materials produced during the administration of a President represent an important part of our nation's history. Such materials should be permanently preserved and should be made available for historical review. The Presidential Libraries Act of 1955, permits a President to arrange for the preservation of official, historical materials received or generated during his or her administration in a presidential archival depository.

The purpose of this letter is to advise you of my intention to offer for deposit with the United States government the official papers and other historical materials received and produced during my presidency. I plan to offer these materials for deposit in a presidential archival depository.

Prior to the termination of my term as President, I will convey to the Archivist of the United States all rights, title and interest which I may have in such papers and historical materials. It is also my intention to work with Dr. James B. Rhoads, Archivist of the United States and you, as Administrator of General Services, in locating and planning a facility appropriate to serve as a presidential archival depository for my papers.

I have asked my attorney to draft a codicil to my will. The codicil will effect transfer of the official papers and historical materials received or produced during my presidency to

the Archivist of the United States, should I die prior to the formal conveyance of my rights and title in these materials to the Archivist. I expect this codicil to be completed shortly.

I look forward to working with you and Dr. Rhoads on this project.

Sincerely,

Jimmy Carter

The Honorable Jay Solomon
Administrator of General Services
Washington, D.C. 20405

ID 781005 THE WHITE HOUSE

WASHINGTON

DATE: 24 FEB 78

FOR ACTION: STU EIZENSTAT JODY POWELL

JIM MCINTYRE

INFO ONLY: THE VICE PRESIDENT HAMILTON JORDAN

SUBJECT: LIPSHUTZ/CARDOZO/H.CARTER MEMO RE DISPOSITION OF PRESIDENTIAL PAPERS

+++++++++++++++++++ +++++++++++++++++++ +++++++++++++++++++

+ RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052) +

+ BY: +

+++++++++++++++++++ +++++++++++++++++++ +++++++++++++++++++

ACTION REQUESTED: IMMEDIATE TURNAROUND IS REQUESTED

STAFF RESPONSE: (✓) I CONCUR. ( ) NO COMMENT. ( ) HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:

THE WHITE HOUSE

WASHINGTON

February 23, 1978

MEMORANDUM FOR THE PRESIDENT

FROM: Robert Lipshutz/Michael Cardozo/Hugh Carter

SUBJECT: Disposition of Presidential Papers

The Subcommittee on Government Information and Individual Rights of the House Committee on Government Operations will hold hearings late this week and March 2-7 on a bill introduced by the Subcommittee's Chairman, Richardson Preyer (D-N.C.). The bill is captioned the "Presidential Papers Act of 1978". The Subcommittee has requested that an Administration spokesperson present your views to the Committee.

Congressmen Ertel and Brademas have introduced a bill dealing with the same subject, but in our opinion, in a manner preferable to that proposed in the Preyer bill.

Each bill provides that "Presidential records" shall be owned, possessed and controlled by the United States and requires that procedures be established within the White House to distinguish between Presidential records and personal papers as they are created and received. Materials relating to personal participation in party politics are considered personal papers. The Preyer bill provides that Presidential records may be disposed of during a President's term only with the Archivist's written approval and with the publication of the disposition schedule in the Federal Register 60 days prior to disposition. The Ertel-Brademas bill requires consultation with the Archivist before records may be destroyed during a President's term.

Under each bill, the Archivist assumes custody of all Presidential records at the end of a President's term and deposits them in a Presidential archival depository.

Neither bill would prevent a former President and his associates from building and offering to the government a Presidential library to house the papers and records of his Administration, as is authorized in the Presidential Libraries Act of 1955.

Both bills significantly affect the right of a former President to control access to those portions of the materials of his Administration defined as "Presidential records". You currently have complete authority to control your access and the access of others to the Presidential records you plan to deposit with the government. The Preyer bill provides that a President's own access to his records would not be restricted in any manner. However, a President could not control the access to those records by any other person, although he could establish restrictions over any personal papers he might donate to the archival depository. The Preyer bill would effect this change by amending the Freedom of Information Act (FOIA) and making it applicable to Presidential records. Pursuant to such amendment, there would continue to be some restrictions on access for: national security information, appointments within the Executive branch, and possible violations of the privacy of the President. Requests under the FOIA for access to Presidential papers would be directed to the Archivist.

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We recommend that you agree to the presentation of testimony on your behalf covering the following points:

1. Support the statutory transfer of the records of a President to the government of the United States at the conclusion of a President's term in office.

APPROVE_____ DISAPPROVE_____
(Recommended)

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2. Oppose those parts of the Preyer bill which would amend the FOIA to bring Presidential papers under the Act. Presently, the White House is excluded from the FOIA. To endorse the Preyer-FOIA amendment would cause a chilling effect on the White House staff and on members of your administration who communicate with you. Presidential aides and appointees should not have to worry that their communications might be accessible to the press or the public soon after an administration has ended. As the Director of Presidential Libraries advised: "We should not tread too closely on the heels of the makers of history. If we restrain ourselves now, we will have a richer history as a result." We recommend that you oppose the applicability of the FOIA to the papers of a former President.

APPROVE ✓ DISSAPPROVE _____
(Recommended)

3. We recommend that you support a provision permitting a President to control access to his Presidential records for a specified period of time. The majority report of the Public Documents Commission (1977) recommended that the President be permitted to limit access for up to 15 years. The principal argument for limiting access is to encourage free, blunt communications by and to a President, without fear of immediate publication or accessibility after a Presidential term ends. For that reason the White House is presently exempted from the FOIA - to prevent a chilling effect which would discourage candid discourse. President Ford's counsel has advised us that President Ford retained the right to limit access to his records for up to 13 years, because that period covered three Presidential elections. To create the appearance of greater openness, consistent with your campaign promises, you may want to recommend a period of up to 12 years during which access may be limited. We are divided on this issue by our desire for greater openness, and by our realization that many members of your administration are relatively young and may be serving in government when your papers, and their communications to you, become accessible, whether it be in 12 or 15 years.

Support 12 years -- recommended by Lipshutz

APPROVE _____ DISAPPROVE ✓

Support 15 years -- recommended by H. Carter and Cardozo

APPROVE ✓ DISAPPROVE _____

This strikes me as a silly idea if the aim is to look one year more open than Jerry Ford.

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4. Both the Preyer and the Ertel-Brademas bills would permit you to retain control and access to the records of your first term, but provide that "Presidential records" created after January 20, 1981 become the property of the United States and must be transferred to the custody of the Archivist immediately upon departure from office; the records then become subject to the control and access established in the legislation. Accordingly, we could find ourselves in a situation where you control access to the records of your first term, but do not control access to the records of your second term. We recommend that the testimony request that any enacted legislation not be applicable to the incumbent President when the bill is passed.

APPROVE ✓ DISAPPROVE _____
(Recommended)

In August you agreed that certain steps should be taken with respect to the disposition of your papers and the establishment of a Presidential library. At that time, we felt there was no need to accelerate an announcement of your plans or to encourage the many colleges, universities and individuals interested in establishing a Carter Presidential Library. However, we feel the timing is now appropriate to state your intentions with respect to your papers. This can be accomplished by the execution of the attached letter to Jay Solomon as Administrator of GSA. Your intentions would be stated in the testimony and the public release of a copy of this letter would accompany such testimony. We are working on a codicil to your will reflecting your intentions with respect to your Presidential papers.

APPROVE ✓ no second page attached so difficult to approve DISAPPROVE _____
(Recommended)

We feel that Jay Solomon is the most appropriate person to deliver testimony on your behalf before the subcommittee. We also considered Col. John Dunn and the Archivist (he will be testifying in any event). Please indicate your approval/disapproval of Jay Solomon.

APPROVE _____ DISAPPROVE _____
(Recommended)

THE WHITE HOUSE

WASHINGTON

Dear Mr. Solomon:

It is my belief that the official papers and other historical materials produced during the administration of a President represent an important part of our nation's history. Such materials should be permanently preserved and should be made available for historical review. The Presidential Libraries Act of 1955, permits a President to arrange for the preservation of official, historical materials received or generated during his or her administration in a presidential archival depository.

The purpose of this letter is to advise you of my intention to offer for deposit with the United States government the official papers and other historical materials received and produced during my presidency. I plan to offer these materials for deposit in a presidential archival depository.

Prior to the termination of my term as President, I will convey to the Archivist of the United States all rights, title and interest which I may have in such papers and historical materials. It is also my intention to work with Dr. James B. Rhoads, Archivist of the United States and you, as Administrator of General Services, in locating and planning a facility appropriate to serve as a presidential archival depository for my papers.

I have asked my attorney to draft a codicil to my will. The codicil will effect transfer of the official papers and historical materials received or produced during my presidency to

ID 781005 THE WHITE HOUSE

WASHINGTON

DATE: 24 FEB 78

FOR ACTION: STU EIZENSTAT JODY POWELL — concur

JIM MCINTYRE — concur

FRANK MOORE

INFO ONLY: THE VICE PRESIDENT HAMILTON JORDAN

SUBJECT: LIPSHUTZ/CARDOZO/H.CARTER MEMO RE DISPOSITION OF PRESIDENTIAL PAPERS

++++++++++++++++++++ ++++++++++++++++++++ ++++++++++++++++++++

+ RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052) +

+ BY: +

++++++++++++++++++++ ++++++++++++++++++++ ++++++++++++++++++++

ACTION REQUESTED: IMMEDIATE TURNAROUND IS REQUESTED

STAFF RESPONSE: ( ) I CONCUR. ( ) NO COMMENT. ( ) HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:

ID 781005 THE WHITE HOUSE

WASHINGTON

Correspondence
retyping
letter

DATE: 24 FEB 78

FOR ACTION: STU EIZENSTAT JODY POWELL

JIM MCINTYRE

INFO ONLY: THE VICE PRESIDENT HAMILTON JORDAN

SUBJECT: LIPSHUTZ/CARDOZO/H.CARTER MEMO RE DISPOSITION OF PRESIDENTIAL PAPERS

RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052)
BY:

ACTION REQUESTED: IMMEDIATE TURNAROUND IS REQUESTED

STAFF RESPONSE: ( ) I CONCUR. ( ) NO COMMENT. ( ) HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:

1045

THE WHITE HOUSE
WASHINGTON

February 25, 1978

Stu Eizenstat
Jim McIntyre

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

Rick Hutcheson

cc: Landon Butler

RE: CIVIL SERVICE REFORM-LABOR MANAGEMENT

THE WHITE HOUSE
WASHINGTON

2/24/78

Mr. President:

No objection from
Landon.

Rick

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for Preservation Purposes

THE WHITE HOUSE

WASHINGTON

FEB 24 1978

MEMORANDUM FOR THE PRESIDENT

FROM: STU EIZENSTAT
JIM McINTYRE

SUBJECT: Civil Service Reform-Labor Management Issue

As you know, we have been negotiating with representatives of the AFL-CIO and the American Federation of Government Employees about securing their support for the civil service reform initiative, scheduled to be sent to Congress on Wednesday of next week, March 1. In exchange for their support for civil service reform, they seek Administration support for changes in the legal structure governing labor-management relations in the federal sector.

Attached is draft language on the labor-management issue, for inclusion in the message to Congress, which will accompany the legislation and reorganization plan. If you approve, Scotty Campbell will transmit this language to Ken Blaylock, President of the AFGE, and to Tom Donahue, as the Administration's final offer. The language was prepared by Scotty and representatives of OMB, Defense, and the Domestic Policy Staff after several drafts had been exchanged with the labor representatives. We believe that Blaylock and Donahue will accept this resolution, but cannot be certain.

Scotty spoke with Blaylock earlier this morning to discuss the practical consequences of the unions' acceptance of this language. Blaylock stated that if he approves the language, the AFL-CIO Executive Council, now meeting in Bal Harbour, will pass a resolution on Monday, February 27, declaring support for the civil service reform package; if a deal cannot be struck, he said, the Council will pass an alternative resolution declaring opposition. In practice, we believe that their support will mean that they will support, or at least not oppose, Congressional approval of the reorganization plan. However, we do not know whether the AFGE will ultimately support all elements of the legislative package, regardless of what the AFL-CIO resolution says. Mindful of that caveat, OMB, Scotty Campbell and my staff nevertheless believe that the concessions reflected in the draft language are worth making to the unions, to secure a declaration of support and acquiesence in the reorganization plan.

You will note that the proposed language specifically offers only the creation of a Federal Labor Relations Board (which you previously approved and which all agencies support) and arbitration which is also supported by all agencies.

The draft language contains three elements:

1. Inclusion of a Federal Labor Relations Authority (FLRA) in the reorganization plan (the main portion of which, as you know, will split the Civil Service Commission into an Office of Personnel Management and a Merit Systems Protection Board). In your action on the civil service reform decision memorandum, you approved this proposal.

2. A pledge to develop, in the process of enacting the civil service reform legislation, a new section on labor-management relations which will specifically include authorization to establish collectively bargained arbitration procedures for the resolution of employee grievances, as an alternative (for members of bargaining units) to the Merit Systems Protection Board appeals process.

3. General rhetoric stating that the new labor-management section will "improve" collective bargaining in the federal sector, with no specific commitment as to the nature of any such provisions (apart from the arbitration proposal noted above). In other words, the nature of such additional provisions will be determined by the politics of securing adoption of the legislation.

Scotty has told Blaylock that he will try to transmit our final offer to him as soon as possible, before the AFL-CIO vote. He is conferring with the Senate Governmental Affairs Committee and House Governmental Operations Committee about the possible addition of the "FLRA" proposal in the reorganization plan.

We recommend that you approve this language for inclusion in the message. All parties concur.

✓ Approve _____ Disapprove _____ Other

February 24, 1978

In 1962, President John F. Kennedy issued Executive Order 10988, establishing a labor management relations program in the Executive Branch. The Executive Order has demonstrated its value through five Administrations. I believe that the time has come to increase its effectiveness.

Therefore, in the Reorganization Plan being sent to the Congress, I am abolishing the Federal Labor Relations Council and transferring its functions, along with related functions, of the Assistant Secretary of Labor for Labor Relations, to a newly established Federal Labor Relations Authority. The Authority will be composed of three full-time members appointed by the President with the advice and consent of the Senate.

I have also directed my Administration to develop, as part of Civil Service reform, a Labor-Management Relations legislative proposal by working with the appropriate Congressional Committees, Federal employees and their representatives. The goal of this legislation will be to make executive branch labor relations more comparable to those of the private sector, while recognizing the special requirements of the Federal government and the paramount public interest in the effective conduct of the public's business. This will facilitate civil service reform of the managerial and supervisory elements of the Executive Branch, free of union involvement, and, at the same time, improve the collective bargaining process as an integral part of the personnel system for Federal workers.

It will permit the establishment through collective bargaining of grievance and arbitration systems, the cost of which will be largely borne by the parties to the dispute. Such procedures will largely displace the multiple appeals systems which now exist and which are universally perceived as too costly, too cumbersome and ineffective.

Original in Case 11/28/77

1044

THE WHITE HOUSE
WASHINGTON

February 25, 1978

Bob Lipshutz
Stu Eizenstat

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

Rick Hutcheson

cc: Bob Linder

CAB DECISION - TRANS-MEDITERRANEA AIRWAYS DOCKET 30255

THE WHITE HOUSE
WASHINGTON

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

ACTION	FYI	
		MONDALE
		COSTANZA
	✓	EIZENSTAT
		JORDAN
	✓	LIPSHUTZ
		MOORE
		POWELL
		WATSON
		McINTYRE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER

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

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

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

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR THE PRESIDENT

FROM: BOB LIPSHUTZ
STU EIZENSTAT

SUBJECT: CAB Decision re Trans-Mediterranean Airways (Docket 30255)

The CAB has renewed and amended Trans-Mediterranean Airways' permit to allow three roundtrip cargo flights between Lebanon and New York each week. Subsequent to the Board's action, the Department of State concluded an exchange of diplomatic notes with the Lebanese government in which State agreed to recommend that TMA have four roundtrip flights per week instead of three. The Board has no objection to this change.

We therefore recommend that you sign the attached letter to the Board, directing the CAB to submit a revised order authorizing four roundtrip flights per week for TMA.

✓ Approve _____ Disapprove

THE WHITE HOUSE

WASHINGTON

To Chairman Alfred Kahn

I have reviewed your proposed order (Docket 30255) dated July 8, 1977, which would amend the foreign air carrier permit of Trans-Mediterranean Airways, S.A.L.

I note that our government has recently exchanged diplomatic notes with the government of Lebanon. The notes confirm that the Department of State will recommend that the permit authorize four weekly roundtrip flights instead of the three flights authorized in the Board's order. I understand that the Civil Aeronautics Board participated in the discussions with the Lebanese and has been informed of this request.

For these reasons I am not approving the Board's present order. Instead I request that the Board submit, on an expedited basis, a revised order authorizing four roundtrip flights per week for TMA.

Sincerely,

Jimmy Carter

The Honorable Alfred E. Kahn
Chairman
Civil Aeronautics Board
Washington, D.C. 20428

1043

THE WHITE HOUSE
WASHINGTON

February 25, 1978

Stu Eizenstat
Bob Lipshutz
Zbig Brzezinski

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

Rick Hutcheson

cc: Bob Linder

RE: EXECUTIVE ORDER: AMENDING THE GENERALIZED SYSTEM OF PREFERENCES

THE WHITE HOUSE
WASHINGTON

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

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

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER

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

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		HUTCHESON
		JAGODA
		GAMMILL

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

LAST DAY FOR ACTION: March 1

THE WHITE HOUSE

WASHINGTON

February 23, 1978

MEMORANDUM FOR THE PRESIDENT

FROM: BOB LIPSHUTZ
STU EIZENSTAT

RE: Proposed Executive Order "Amending the Generalized System of Preferences"

The Generalized System of Preferences (GSP) is a means of assisting developing countries by according duty free treatment to some of their products. The GSP is revised periodically to reflect changed economic circumstances both in this country and in the beneficiary countries.

The law requires that an annual review be made of the GSP and that the President make any revisions within the first two months of a calendar year based on the prior year's data. Bob Strauss as STR has submitted the attached proposed Executive Order (Tab A) containing recommended revisions of the GSP. Some of the revisions are mandatory under the applicable law and some are discretionary; each of the four annexes to the Order contains both mandatory and discretionary changes.

The proposed revisions fall into three categories:

1) Most of the modifications in the GSP are mandatory. These changes will result in the withdrawal of duty free treatment of imports worth $488 million in 1977.

2) The Order also provides for redesignation of some articles from countries whose 1977 imports fell below the statutory ceilings that had disqualified them in prior years. The items eligible for redesignation are listed at Tab B. Such redesignations are discretionary, and they have been screened for economic and political sensitivity. That is, certain items eligible for redesignation have not in fact been redesignated, e.g., sugar, glassware, leather wearing apparel. Those items at Tab B which are not being redesignated are denoted by an asterisk; all others are being redesignated. The redesignations account for a 1977 import value of $168 million.

3) Certain changes in GSP product coverage are recommended as a result of interagency economic review. These recommendations represent a consensus of agencies participating in the Trade Policy Committee. The changes, along with a brief rationale for each, are listed at Tab C.

Bos Strauss recommends that you endorse the entire package. No interested agencies object. We recommend that you approve the entire package by signing the Order at Tab A. The deadline for approval is March 1. Strauss recommends that you issue the Order by Monday, February 27.

✓
_____Approve _____Disapprove

EXECUTIVE ORDER

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AMENDING THE GENERALIZED SYSTEM OF PREFERENCES

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, including Title V and Section 604 of the Trade Act of 1974 (88 Stat. 2066, 19 U.S.C. 2461 et seq.; 88 Stat. 2073, 19 U.S.C. 2483), and as President of the United States of America, in order to modify, as provided by Section 504(c) of the Trade Act of 1974 (88 Stat. 2070, 19 U.S.C. 2464(c)), the limitations on preferential treatment for eligible articles from countries designated as beneficiary developing countries, and to adjust the original designation of eligible articles taking into account information and advice received in fulfillment of Section 503(a) and 131-134 of the Trade Act of 1974, it is hereby ordered as follows:

Section 1. In order to subdivide existing items for purposes of the Generalized System of Preferences (GSP), the Tariff Schedules of the United States (TSUS) are modified as provided in Annex I, attached hereto and made a part hereof.

Sec. 2. Annex II of Executive Order No. 11888 of November 24, 1975, as amended, listing articles that are eligible for benefits of the GSP when imported from any designated beneficiary developing country, is further amended as provided in Annex II, attached hereto and made a part hereof.

Sec. 3. Annex III of Executive Order No. 11888, as amended, listing articles that are eligible for benefits of the GSP when imported from all designated beneficiary countries except those specified in General Headnote 3(c)(iii) of the TSUS, is amended by substituting therefor the new Annex III, attached hereto and made a part hereof.

Sec. 4. General Headnote 3(c) (iii) of the TSUS, listing articles that are eligible for benefits of the GSP except when imported from the beneficiary countries listed opposite those articles, is amended by substituting therefor the new Annex IV, attached hereto and made a part hereof.

Sec. 5. The amendments made by this Order shall be effective with respect to articles that are both: (1) imported on or after January 1, 1976, and (2) entered, or withdrawn from warehouse, for consumption on or after March 1, 1978.

Jimmy Carter

THE WHITE HOUSE,

1042

THE WHITE HOUSE

WASHINGTON

February 25, 1978

Doug Huron

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

Rick Hutcheson

LETTER TO MARCUS EASTMAN

THE WHITE HOUSE

WASHINGTON

February 24, 1978

To Marcus Eastman

I was sorry to learn of your recent illness, but I am glad to know that your recovery is progressing so well.

Your son, Ron, has been of great assistance as counsel to my campaign committees and as General Counsel to the Democratic National Committee. I am sure you are proud of his achievements.

Best wishes.

Sincerely,

Jimmy Carter

Mr. Marcus Eastman
6718 Callaghan Road
San Antonio, Texas 78229