

**9/10/80 [2]**

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NY Delegation 9-10-80

Geraldine Ferraro

Sam Stratton

Henry Nowak

Tom Journey

Mario Biaggi

Charles Rangel

NY important, tough

Negative press emphasis

Liberal - Anderson -

2 Rep + others - No discussion

2 man - Wallace, McCarty

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N.Y. Democratic Congressional Delegation

9/10/80

THE WHITE HOUSE  
WASHINGTON

September 10, 1980

MR. PRESIDENT:

Because of a House vote, Members of the New York Delegation are unable to arrive at the White House on time for the scheduled appointment at 11:45 a.m. They can be here no later than 12:15 p.m. Because of House business, it is not possible to schedule the appointment later this afternoon.

I would like to request your approval to delay the appointment until some time between 12 noon and 12:15 p.m.

Approve delay  \_\_\_\_\_

Disapprove delay  \_\_\_\_\_

BOB

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1. THANK YOU, BILL FOR YOUR INTRODUCTION;
2. BRENDAN BYRNE --
3. { WHOSE SERVICE AS GOVERNOR HAS BEEN IN THE TRADITION OF WOODROW WILSON,
4. { AND WHOSE RE-ELECTION HAS BEEN A NEVER-ENDING SOURCE OF INSPIRATION TO ME;
5. CONGRESSMAN PATTEN...CONGRESSMAN JIM HOWARD...MAYOR OTLOWSKI --
6. { I WANT TO BE BRIEF BECAUSE I WANT TO MET PERSONALLY
7. { AS MANY OF YOU AS POSSIBLE BEFORE I HAVE TO LEAVE. /
8. TODAY IS THE NEW JERSEY KICK-OFF OF MY CAMPAIGN,
9. { AND -- JUDGING BY THE RECEPTION AT THE AIRPORT...AT YOUR NEW STEEL MILL...
10. { AND NOW HERE -- I COULD NOT FIND A BETTER GROUP OF DEMOCRATS TO BE WITH. /

(=OVER=) (I KNOW THAT.....)

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1. I KNOW THAT MANY OF YOU SUPPORTED SEN. KENNEDY IN THE PRIMARY,
2. AND, JUST AS HE & HIS SUPPORTERS DID ELSEWHERE,
3. YOU WAGED A TOUGH, FAIR CAMPAIGN.
4. WITH THE CONVENTION BEHIND US, & WITH SEN. KENNEDY NOW HELPING US --
5. { I AM MORE CONFIDENT THAN EVER
6. { THAT THERE WILL BE A TOP-TO-BOTTOM DEMOCRATIC SWEEP IN NEW JERSEY IN NOV. /
7. AND ANOTHER DEMOCRATIC VICTORY THROUGHOUT THE COUNTRY. /
8. { I CAN THINK OF NO BETTER WAY TO UNDERScore THAT DEMOCRATIC UNITY
9. { THAN TO INTRODUCE TO YOU OUR NEW JERSEY STATE CAMPAIGN COORDINATOR,
10. WHO IS HERE WITH ME TODAY -- GERARD DOHERTY.

(=NEW CARD=) (AS MANY OF.....)

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for Preservation Purposes**

1. { AS MANY OF YOU KNOW, GERRY IS A LONG-TIME FRIEND OF THE KENNEDY FAMILY
2. { AND WAS PERSONALLY ACTIVE ✓
3. { IN THE SENATOR'S CAMPAIGN THIS YEAR IN SEVERAL STATES.
4. { IN 1976, GERRY RAN THE CARTER-MONDALE CAMPAIGN IN NEW YORK
5. { AND HELPED DELIVER THAT STATE TO THE DEMOCRATIC COLUMN.
6. I'M VERY HAPPY TO HAVE GERRY'S HELP AGAIN. //
7. ALL OF US UNDERSTAND THE IMPORTANCE OF PARTY UNITY.
8. { WE SAW 12 YEARS AGO HOW THE LACK OF UNITY AFFECTED,
9. { NOT JUST THE CANDIDACY OF HUBERT HUMPHREY -- BUT THE COURSE OF HISTORY.
10. THE SAME IS AT STAKE TODAY --
11. NOT JUST MY CANDIDACY, BUT OUR FUTURE AS A COUNTRY. /

Electrostatic Copy Made (OVER) (THE FUTURE IS.....)  
for Preservation Purposes

1. THE FUTURE IS REALLY WHAT UNITES DEMOCRATS.
2. LONG AGO, WE UNITED FOR A PEACEFUL WORLD --
3. BRINGING PEACE TO THE MIDDLE EAST...NEGOTIATING ARMS CONTROLS...
4. OPENING UP RELATIONS WITH CHINA & THE THIRD WORLD...
5. HELPING OTHER NATIONS TO DEVELOP ECONOMICALLY & TO EXPAND HUMAN RIGHTS.
6. WE ARE UNITED FOR A SECURE NATION --
7. A STRONG DEFENSE...SECURE ENERGY SUPPLIES...
8. & A STRONG FULL-EMPLOYMENT ECONOMY.
9. AND WE ARE UNITED FOR A JUST SOCIETY --
10. FREE FROM DISCRIMINATION...
11. COMPASSIONATE FOR THE SICK, THE ELDERLY, & THE POOR...
12. & WHERE WORKERS HAVE THE RIGHT TO WORK SAFELY & ORGANIZE ~~THEIR~~

Electrostatic Copy Made (=NEW CARD=) (WE HAVE SOME.....)  
for Preservation Purposes

1. WE HAVE SOME IMPORTANT UNFINISHED WORK TO ACCOMPLISH IN THE NEXT 4 YEARS.
2. AS I SAID EARLIER,
3. WE MUST BEGIN TO REBUILD THE INDUSTRIAL BASE OF AMERICA,
4. AND THAT MEANS REBUILDING THE INDUSTRIAL BASE OF NEW JERSEY.
5. WE ALL HAVE A LOT AT STAKE THIS YEAR, -- *THE FUTURE OF OUR COUNTRY -*
6. ~~THE~~ WITH YOUR HELP, *A BETTER LIFE for all AMERICANS*
7. WE WILL WIN IN NOVEMBER & BUILD ~~THE FUTURE WE ENVISION.~~ //

# # #

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N. J. COMMUNITY LEADERS -- JOKE

1. I JUST WANT TO REMIND YOU
2. THAT THE PRESIDENTIAL CAMPAIGN LASTS FOR ONLY 54 MORE DAYS.
3. THEN, YOU CAN GET BACK TO THE REALLY SERIOUS POLITICAL EVENT HERE:
4. THE 1981 GOVERNOR'S RACE.
5. I AM TOLD THAT THE NEXT GOVERNOR OF N.J. MIGHT VERY WELL BE IN THIS ROOM.
6. { EXCEPT, OF COURSE, THIS ROOM ISN'T QUITE LARGE ENOUGH
7. { TO HOLD ALL THE CANDIDATES.
8. { THIS MAY BE THE 1ST GUBERNORATIAL ELECTION IN HISTORY
9. { WHERE THE CANDIDATES OUT-NUMBER THE VOTERS.
10. BRENDAN TELLS ME THAT YOU DON'T FILE TO RUN FOR GOV. OF N.J. ANYMORE.
11. YOU JUST TAKE A NUMBER.

# # #

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THE WHITE HOUSE

WASHINGTON

10

10 sep 80

Frank Moore:

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

Rick Hutcheson

*FINISHED WITH ACTION  
REQUESTED*

*1698*

AS  
NAME Speaker O'Neill

TITLE \_\_\_\_\_

CITY/STATE \_\_\_\_\_

Phone Number--Home (  ) \_\_\_\_\_

Work (  ) 225-5414

Other (  ) \_\_\_\_\_

Requested by *FM/JS*  
Frank Moore

Date of Request 9-10-80

INFORMATION (Continued on back if necessary)

I have taken your advice and intend to send John Sawhill's nomination to the Senate today to be Chairman of the U.S. Synthetic Fuels Corporation. I intend to nominate a strong board and get them to the Senate very quickly. I hope that you find an opportunity to say something supportive about John Sawhill today.

NOTES: (Date of Call 9-10 )

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*Done*

AS

Immediate Action  
Requested

*[Handwritten signature]*

NAME Senator Robert Byrd

TITLE Majority Leader

CITY/STATE \_\_\_\_\_

Phone Number--Home (  ) \_\_\_\_\_

Work (  ) 224-5556

Other (  ) \_\_\_\_\_

Requested by Frank Moore

Date of Request 9-10-80

1697

**INFORMATION (Continued on back if necessary)**

I have taken your advice and intend to send John Sawhill's nomination to the Senate today to be Chairman of the U.S. Synthetic Fuels Corporation. I intend to nominate a strong board and get them to the Senate very quickly. I hope that you find an opportunity to say something supportive about John Sawhill today.

NOTES: (Date of Call 9-10 )

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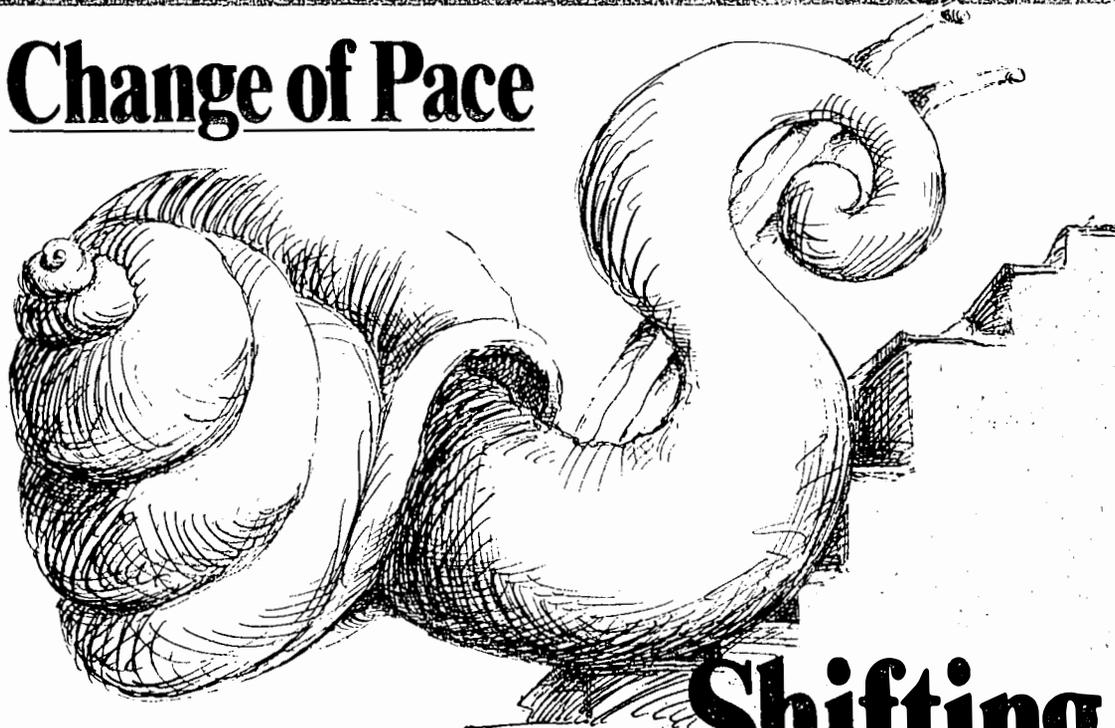
*done - please*

# National Journal

The Embargo's Lessons  
Vetomania

THE WEEKLY ON POLITICS AND GOVERNMENT SEPT. 6, 1980/NO. 36

## Change of Pace



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G. Moss

## Shifting Gears On Recession Aid

1. THANK YOU FOR THE INTRODUCTION, BRENDAN...  
2. PRESIDENT SHIELDS... SENATOR BILL BRADLEY...  
3. MAYOR OTLOWSKI... CONGRESSMAN EDDIE PATTEN:  
4. BEFORE I BEGIN, I WANT TO PAY SPECIAL TRIBUTE TO EDDIE PATTEN,  
5. WHO IS RETIRING FROM CONGRESS AFTER 18 YEARS OF SERVICE.  
6. I HAVE COME TO KNOW EDDIE AS A RESPECTED, COMPASSIONATE, HARDWORKING MAN --  
7. WHO DEVOTED HIS CONGRESSIONAL CAREER TO HELPING THE FORGOTTEN PEOPLE.  
8. I WANT TO THANK HIM PUBLICLY, & WISH HIM GODSPEED IN HIS RETIREMENT.  
9. I WANT TO THANK YOU ALL,  
10. FOR INVITING ME TO HELP DEDICATE THIS PLANT & TO SHARE IN YOUR PRIDE./  
11. MAYOR OTLOWSKI WAS TELLING ME ABOUT THE SLOGAN "PRIDE IN PERTH AMBOY",  
12. AND, LOOKING AROUND ME, I CAN TELL WHY./

CHMN HEFFERNAN

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(=OVER=) (THE NEW PLANT.....)

1. • THIS NEW PLANT FOR THE RARITAN RIVER STEEL COMPANY,
2. • ITS 450 JOBS FOR THE COMMUNITY,
3. • THE MANY NEW BUSINESSES THAT HAVE COME TO PERTH AMBOY RECENTLY,
4. • THE NATURAL BEAUTY OF YOUR RIVERFRONT --
5. THESE ARE MORE THAN ENOUGH REASONS TO BE PROUD./
6. { I CONGRATULATE THE MANAGEMENT OF THIS NEW MILL...
7. { THE INVESTORS...THE SUPPLIERS...THE WORKERS...
8. { THE MAYOR...THE PEOPLE OF PERTH AMBOY...
9. { THE COUNTY & STATE OFFICIALS -- WHO PUT ALL THIS TOGETHER.
10. THIS IS A FINE ACHIEVEMENT, & A REAL SUCCESS STORY.//

(=NEW CARD=) (I UNDERSTAND.....)

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for Preservation Purposes**

- 1. { I UNDERSTAND THAT THIS MILL IS THE MOST ADVANCED IN THE COUNTRY
- 2. { AND EQUAL TO THOSE ANYWHERE IN THE WORLD.
- 3. IT WILL PRODUCE MORE STEEL PER WORKER THAN ANY MILL ANYWHERE. //

- 4. { THE STEEL RODS PRODUCED HERE ✓
- 5. { WILL COMPETE HEAD-TO-HEAD WITH IMPORTED STEEL RODS.

- 6. { NOT ONLY THAT, THIS MILL WILL USE SCRAP STEEL WE ONCE SHIPPED OVERSEAS ✓
- 7. { TO BE REPROCESSED & THEN SENT BACK & SOLD HERE. //

REPLACE 25% N.E. imports  
of Rods  
← 30% ENERGY  
VS OPEN-HEARTH

- 8. { I AM ESPECIALLY PLEASED WITH YOUR CARE ✓
- 9. { FOR THE HUMAN CONSEQUENCES OF REDEVELOPMENT.

10. •THE RESPECT FOR HISTORICAL BUILDINGS HERE...

11. •THE ENVIRONMENTAL QUALITY BEING PROTECTED...

NO AIR/H<sub>2</sub>O POLLUTION VS BLAST FURNACES  
(MODEL)

12. •THE PRESERVATION OF COMMUNITY LIFE --

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for Preservation Purposes

13. THESE TOO ARE IMPORTANT TO A COMMUNITY. //

(=OVER=) (I CAME HERE.....)

1. I CAME HERE TODAY ESPECIALLY BECAUSE I WANT YOU TO KNOW
2. THAT YOU ARE PART OF SOMETHING
3. VERY IMPORTANT & SPECIAL TAKING PLACE IN AMERICA --
4. THE REBUILDING OF OUR COUNTRY'S INDUSTRIAL BASE. /
5. ONE OF THE MOST IMPORTANT CHOICES BEFORE THE AMERICAN PEOPLE THIS FALL
6. IS HOW WE WILL MEET THE ECONOMIC CHALLENGES OF THE 1980s.
7. THE CONTRASTS BETWEEN THE DEMOCRATIC PROPOSAL  
& THE REPUBLICAN KEMP-ROTH PLAN ARE STARK. /

(=NEW CARD=) (WHAT WE NEED.....)

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1. WHAT WE NEED
2. { IS A CAREFULLY DESIGNED, WELL-TARGETTED & WORKABLE REVITALIZATION PACKAGE
3. { THAT WILL INCREASE INVESTMENT...OFFSET SOCIAL SECURITY TAX INCREASES...
4. { HELP THOSE PARTS OF OUR COUNTRY THAT NEED IT MOST... & HOLD DOWN INFLATION.
5. THAT IS EXACTLY WHAT THE <sup>OUR</sup>~~DEMOCRATIC~~ PLAN WILL DO. /
6. { WHAT WE DO NOT NEED IS AN ELECTION-YEAR TAX CUT
7. { THAT WILL MEAN MASSIVE TAX BREAKS FOR THE WEALTHY
8. { AND MASSIVE INCREASES IN INFLATION TO WORKING PEOPLE.
9. THAT IS EXACTLY WHAT KEMP-ROTH WILL DO.
10. EVEN MANY REPUBLICANS ARE HAVING 2ND THOUGHTS ABOUT IT. //

(=OVER=) (IF WE MAKE.....)  
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for Preservation Purposes

SCRAMBLING  
TO PUT  
FORWARD  
ALTERNATIVES

1. IF WE MAKE THE RIGHT CHOICE,
2. { YEARS FROM NOW, YOU CAN TELL YOUR GRANDCHILDREN
3. { ABOUT THE TIME WHEN AMERICA LEARNED SOME HARD LESSONS,
4. BUT LESSONS WE NEEDED TO LEARN --
5. WHEN WE WENT BACK TO BASICS & REBUILT THE STRONGEST ECONOMY ON EARTH. #
6. YOU CAN TELL YOUR GRANDCHILDREN HOW IT DID NOT HAPPEN ALL AT ONCE,
7. THAT IT WAS NOT SIMPLE OR EASY.
8. IT TOOK A FEW YEARS.
9. IT DID NOT HAPPEN AT ANY ONE PLACE.
10. IT HAPPENED COAST-TO-COAST, IN THOUSANDS OF COMMUNITIES LIKE PERTH AMBOY,
11. { WITH PEOPLE FROM BUSINESS...LABOR...GOVERNMENT...& THE PUBLIC,
12. { WORKING TOGETHER ON PROJECTS LIKE THESE. /

(=NEW CARD=) (BUT ONCE WE.....)

1. BUT ONCE WE GOT STARTED,
2. ONCE THE MACHINERY & FACTORIES & WORKERS WERE IN PLACE --
3. AMERICA OUT-PRODUCED... OUT-BUILT... & OUT-COMPETED  
EVERY OTHER COUNTRY ON EARTH. /
4. { I KNOW THERE ARE SOME CYNICS
5. { WHO SAY THAT AMERICA IS OVER THE HILL, ON THE DECLINE --
6. { THAT OUR PRODUCTIVITY, OUR INGENUITY, OUR QUALITY OF LIFE  
ARE ALL HEADED DOWNHILL. /
7. { BUT MANY OF THE SAME PEOPLE SAID 4 YEARS AGO
8. { THAT THIS COUNTRY WOULD DO NOTHING ABOUT ITS ENERGY PROBLEM.
9. WELL, SINCE THEN, OIL IMPORTS ARE DOWN 24%...
10. WE ARE DRILLING MORE OIL & GAS WELLS THAN ANYTIME IN THE PAST 25 YEARS...
11. AND WE HAVE BEGUN THE MOST MASSIVE REBUILDING OF OUR ENERGY BASE
12. EVER TO TAKE PLACE IN OUR HISTORY. / (=OVER=) (WE ARE TURNING.....)

1. { WE ARE TURNING ENERGY AROUND  
2. { WITH A PARTNERSHIP OF GOVERNMENT, BUSINESS, & THE PUBLIC.  
3. AND WE WILL TURN OUR ECONOMY AROUND THE SAME WAY. //  
4. THE COOPERATION YOU HAVE SEEN HERE --  
5. { WITH A \$12 MILLION LOAN GUARANTEE FROM GOVERNMENT  
6. { ATTRACTING A TOTAL INVESTMENT OF \$140 MILLION FOR THIS PLANT --  
7. THAT COOPERATION IS HAPPENING AGAIN & AGAIN THROUGHOUT THIS COUNTRY.  
8. { IT MEANS NEW JOBS & NEW LIFE FOR COMMUNITIES  
9. { AND NEW OPPORTUNITIES FOR BUSINESS. //

(=NEW CARD=) (THE ECONOMIC RENEWAL.....)

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1. { THE ECONOMIC RENEWAL PROGRAM I ANNOUNCED 2 WEEKS AGO
2. { WILL CREATE A MILLION NEW JOBS IN THE NEXT 2 YEARS. /
3. { MORE IMPORTANT,
4. { WE WILL PUT NEW, MORE EFFICIENT TOOLS IN THE HANDS OF AMERICAN WORKERS.
5. { I'M NOT WORRIED ABOUT THEIR ABILITY TO COMPETE,
6. { IF WE GIVE THEM THE TOOLS & TECHNOLOGY TO DO THE JOB.
7. { AND WE ARE GOING TO DO JUST THAT! //
8. { WE WILL DIRECT INVESTMENTS
9. { TO COMMUNITIES & INDUSTRIES HIT HARD BY ECONOMIC CHANGE.
10. { WE WILL WELCOME FOREIGN INVESTMENTS,
11. { SUCH AS THE CANADIAN INVESTMENT RIGHT HERE IN PERTH AMBOY.
12. { WE WILL HELP RETOOL OUR AUTO INDUSTRY. ↘
13. { TO PRODUCE THE FUEL-EFFICIENT CARS THAT THE PUBLIC WANTS TO BUY. /

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(=OVER=) (WE WILL HELP.....)

1. WE WILL HELP MODERNIZE OUR BASIC INDUSTRIES, LIKE STEEL,
2. AND HELP REBUILD OUR CITIES & TOWNS WITH JOB-PRODUCING INVESTMENTS. /
3. { THE STEEL INDUSTRY IS BENEFITTING FROM A \$550 MILLION AID PROGRAM
4. { BEGUN TWO YEARS AGO BY MY ADMINISTRATION --
5. AID THAT HAS ALREADY MEANT OVER 50,000 JOBS. /
6. WE LIBERALIZED TAX PROVISIONS TO PROVIDE MORE CAPITAL,
7. { AND WE WORKED WITH THE INDUSTRY
8. { TO FIND WAYS TO MEET CLEAN AIR & WATER STANDARDS WITHOUT SACRIFICING JOBS. //
9. { MY RENEWAL PROGRAM
10. { WILL ENCOURAGE OUR UNSURPASSED HIGH-TECHNOLOGY INDUSTRIES
11. { AND EXPAND RESEARCH & DEVELOPMENT.
12. { WE WILL REBUILD OUR TRANSPORTATION SYSTEM
13. { BOTH TO CARRY GOODS & TO IMPROVE PUBLIC TRANSIT. //

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(=NEW CARD=) (FINALLY,.....)

1. FINALLY, WE WILL INVEST HEAVILY IN OUR HUMAN RESOURCES.
2. { WE WILL PROVIDE NEW TRAINING & NEW SKILLS
3. { TO WORKERS HIT HARD BY SUDDEN ECONOMIC CHANGE.
4. { WE WILL STRENGTHEN EXISTING PROGRAMS
5. { FOR THOSE LACKING SKILLS NEEDED IN THE FUTURE. /
6. IN SHORT, IN 1977 WE BEGAN TO LAY A NEW ENERGY BASE FOR AMERICA.
7. IN 1980 WE BEGAN THE NEW INDUSTRIAL BASE.
8. WE ARE LAYING THE BASE FOR FULL EMPLOYMENT --
9. { A BASE OF SECURE ENERGY SUPPLIES... GREATER PRODUCTIVITY...
10. { STEADY ECONOMIC GROWTH... STABLE PRICES... & GROWING COMPETITIVENESS. //

(=OVER=) (YOU WHO ARE.....)

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for Preservation Purposes

1. YOU WHO ARE HERE TODAY HAVE PLAYED AN IMPORTANT ROLE IN THIS.
2. I THANK YOU,
3. THE COUNTRY THANKS YOU,
4. AND I LOOK FORWARD TO GETTING ON WITH THE JOBS WE HAVE BEGUN -- TOGETHER. //

# # #

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for Preservation Purposes**

IT IS A GREAT PLEASURE TO BE WITH YOU TODAY.  
I AM ESPECIALLY HAPPY TO SEE YOUR VERY ABLE SENATOR, BILL  
BRADLEY.

OF COURSE, SENATOR BRADLEY AND I DO HAVE SOME DEEP-  
SEATED PHILOSOPHICAL DIFFERENCES. HE IS A BASKETBALL PERSON  
AND I AM A DYED-IN-THE-WOOL SOFTBALL MAN.

HOWEVER, IN THE INTERESTS OF GOOD GOVERNMENT, WE HAVE  
LEARNED TO PUT ASIDE OUR DIFFERENCES.

I JUST WISH HE WOULD STOP REFERRING TO THE PASSAGE OF HIS  
BILLS AS A "SLAM DUNK."

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(OVER)

(-AND I AM ALWAYS GLAD ...)

\$7400mil) Mass Transit > all previous years combined - 2 -  
Econ Dev Aid > ~~2/3~~ 2/3 of total in last 15 years  
ONLY Ohio > \$ for CINCINNATI PARKS  
AND I AM ALWAYS GLAD TO SEE GOVERNOR BYRNE.

I FEEL IT IS A PERSONAL ACCOMPLISHMENT JUST TO CATCH HIM IN.

BRENDAN HAS WASTED NO EFFORT IN MAKING NEW JERSEY TRULY  
UNIQUE. Electrostatic Copy Made  
for Preservation Purposes

IT IS THE ONLY STATE IN THE UNION WHERE THE SECOND MOST  
IMPORTANT PERSON IS THE GOVERNOR'S TRAVEL AGENT.

I CAN THINK OF NO OTHER PLACE WHERE I, AS A VISITOR,  
CAN TURN TO THE GOVERNOR AND SAY "WELCOME BACK."

unemployment rate 1/77 = 11% 7/80 8% (-29%)  
+ 478,000 jobs

1:30 PM

ENDORSEMENT BY ENVIRONMENTAL LEADERS

Wednesday, September 10, 1980

1:30 p.m.

The Cabinet Room

From: Gus Speth *Gus*  
Anne Wexler *Anne*  
Stu Eizenstat *Stu*

Electrostatic Copy Made  
for [illegible]

I. Purpose

To discuss certain issues with environmental leaders prior to their announcement of their endorsement of your reelection.

II. Background, Participants, Agenda

A. Background

Leaders of virtually all major environmental organizations have decided enthusiastically and unconditionally to endorse you for reelection and have requested this meeting with you to announce their endorsement and discuss certain issues.

Environmental leaders stress their appreciation of your good environmental record (see Attachment A). They are also acutely aware of the sharp differences between the two platforms, and of Governor Reagan's poor record in California and hostile statements since.

They have raised two concerns with us. First, they believe our record was much better in the early years. They note that our League of Conservation Voter's rating fell from 86 in 1978 to 59 in 1979. (Attachment A also lists the positions with which environmental leaders disagree most strongly.) They are hopeful that your second term will recapture the momentum of the 1977-78 years. They are particularly interested in insuring that your appointments to DOI, EPA, CEQ, and USDA are as strong environmentally as those in the first term.

Second, they are endorsing you despite the fact that some of their constituents are supporting Anderson. They are concerned that we not "backslide" on a number of our positions where they could be embarrassed. We have discussed these issues with them and you can give them assurances on these issues. The principal ones are covered in your talking points.

B. Participants

Approximately 20 environmental leaders will be in attendance (see the attached list). Tom Kimball of the National Wildlife Federation will be the principal spokesperson in announcing the endorsement and chairing the meeting from their side. This is another in a series of meetings with environmental leaders, although not all the people in this meeting have been in previous ones.

### C. Agenda

You will open the meeting with a brief one minute statement with the press present. The press will leave and Tom Kimball will make a statement on the endorsement and may cover some of the concerns mentioned above. You will then respond, covering the issues where they are most concerned that we maintain our position. You then should call on Tom Kimball to lead a discussion for the remainder of the meeting.

After the meeting, the environmental leaders will meet with the press outside the West Wing. Tom Kimball, Russ Peterson of the National Audubon Society (a Republican), and Marion Edey of the League of Conservation Voters, will read statements of endorsement and answer questions. Their statements will include criticisms of Anderson and his record. They intend to point out that a vote for Anderson is a vote for Reagan. All of the environmental leaders will be speaking as individuals since most of their organizations are proscribed from political activity.

Recommendations for your opening remarks, your response to Tom Kimball and for positions on current issues are included in your talking points. We recommend that, whether or not Tom Kimball raises them in his statement on the endorsement, you cover in your response to Tom Kimball the items where they are most concerned, as listed on the attached suggested response. In any area where you feel more detail is needed, Stu, Cecil and Gus are prepared to comment.

### III. Press Plan

The White House Press Corps -- augmented by certain environmental writers -- will be present for your opening remarks only.

The environmentalists are seeking to have the endorsement widely covered and we are working with them on that. They are making the endorsement early for maximum impact on grass root constituencies. A written statement from you on the endorsement will be released after the environmentalists meet with the press and can be used by them for campaign purposes.

### IV. Talking Points

Talking points for your remarks during the three segments of the meeting requiring comments or discussion by you have been prepared with the speechwriters and are attached. We have also attached for your review your statement on the endorsement to be released after the meeting.

Agenda

Meeting with Environmental Leaders  
Wednesday, September 10, 1980  
Cabinet Room, 1:30 P.M.

1. Opening Remarks by The President (Press Present)
2. Press Leaves
3. Statement by Tom Kimball, National Wildlife Federation
4. Response by the President
5. Discussion (President calls on Tom Kimball)
6. Press Conference by Environmental Leaders -- Outside West Wing

LIST OF ATTENDEES FOR SEPTEMBER 10 ENVIRONMENTAL LEADERS MEETING

Marion Edey  
League of Conservation Voters

Russell Peterson  
National Audubon Society

Tom Kimball  
National Wildlife Federation

---

John Adams  
Natural Resources Defense Council

Brent Blackwelder  
American Rivers Conservation Council

Janet Brown  
Environmental Defense Fund

Bill Butler  
Environmental Defense Fund

Michael McCloskey  
Sierra Club

Chuck Clusen  
The Alaska Coalition

Jim Cohen  
Environmental Task Force

Elizabeth Davenport  
Environmental Action

Louise Dunlap  
Environmental Policy Center

John Grandy  
Defenders of Wildlife

Destry Jarvis  
American Heritage Alliance

Jack Lorenz  
The Izaak Walton League

Dick Munson  
The Solar Lobby

Rafe Pomerance  
Friends of the Earth

Lewis Regenstein  
The Fund for Animals

Christine Stevens  
Animal Welfare Institute

Bill Turnage  
The Wilderness Society

Michael McCabe  
Coordinator  
Earth Day '80

---

Administration Officials

Gus Speth  
Chairman  
CEQ

Cecil Andrus  
Secretary  
Department of Interior

Doug Costle  
Administrator  
EPA

Anne Wexler  
Assistant to the President

Stu Eizenstat  
Assistant to the President  
for Domestic Affairs and Policy

Bob Harris  
Member  
CEQ

Barbara Blum  
Deputy Administrator  
EPA

[No salutations.]

Hertzberg  
A-2; 9/9/80  
Scheduled Delivery:  
Wed., Sept. 10; 1:30 PM

Opening Remarks: Meeting with Environmental Leaders

1. THIS IS ANOTHER IN THE SERIES OF MEETINGS I HAVE HAD WITH ENVIRONMENTAL LEADERS. YOU ARE WELCOME HERE. AS LONG AS I AM PRESIDENT, YOU ALWAYS WILL BE.
  2. THERE ARE FEW THINGS I CARE ABOUT MORE DEEPLY THAN OUR ENVIRONMENT -- BOTH THE ENVIRONMENT OF OUR NATION AND THE GLOBAL ENVIRONMENT OF WHICH IT IS A PART. THAT IS WHY OUR PARTNERSHIP OVER THE LAST 4 YEARS AND NOW IN THIS CAMPAIGN MEANS SO MUCH TO ME.
  3. MOST OF THE TIME, OVER THESE LAST FOUR YEARS, WE HAVE BEEN ON THE SAME SIDE. WE HAVE HELPED EACH OTHER -- BUT THE REAL BENEFICIARIES HAVE BEEN THE AIR AND WATER AND SOIL AND THE NATURAL HERITAGE OF OUR COUNTRY.
  4. OUR JOINT ENVIRONMENTAL RECORD IS EXCELLENT -- AND WE MUST KEEP ON WORKING TOGETHER TO MAKE IT BETTER STILL.
- ¶ AS YOU KNOW, MY TOP ENVIRONMENTAL PRIORITY IS THE ALASKA LANDS BILL. WORKING TOGETHER WITH HOUSE AND SENATE LEADERS, WE ARE GOING TO GET FROM THE CONGRESS THE STRONGEST LEGISLATION WE CAN TO PROTECT AMERICA'S LAST GREAT WILDERNESS. I AM COMMITTED TO THAT GOAL.
- ¶ WE ARE ALSO GOING TO KEEP WORKING TOGETHER ON OTHER CRITICAL LEGISLATION, SUCH AS LAWS TO CLEAN UP HAZARDOUS WASTES.

5. WE HAVE A SOLID RECORD TO POINT TO IN MANY KEY AREAS.

FOR EXAMPLE --

- ¶ MAINTAINING THE QUALITY OF OUR AIR AND WATER;
- ¶ PROTECTING ENDANGERED WILDLIFE;
- ¶ AND EMPHASIZING ENERGY CONSERVATION AS A CRUCIAL PART OF BUILDING A SECURE ENERGY FUTURE.

6. WE BEGIN THE 1980s WITH THE KNOWLEDGE THAT CITIZEN COMMITMENT TO ENVIRONMENTAL QUALITY REMAINS STRONG. I SHARE THAT COMMITMENT -- FULLY AND PASSIONATELY. YOUR PRESENCE AROUND THIS TABLE TODAY IS SYMBOLIC -- BUT IT IS MORE THAN THAT. CONCERN AND CARE FOR OUR ENVIRONMENT IS A CENTRAL, INTEGRAL PART OF EVERY DECISION I MAKE AS PRESIDENT. I PLAN TO KEEP IT THAT WAY FOR THE NEXT FOUR YEARS.

7. AHEAD OF US LIE TOUGH NEW CHALLENGES OVER THE WISE USE OF OUR NATURAL RESOURCES AND THE STEWARDSHIP OF OUR ENVIRONMENT. THERE IS ONLY ONE WAY WE CAN MEET THOSE CHALLENGES SUCCESSFULLY -- AND THAT'S TOGETHER.

8. I APPRECIATE YOUR COMING TODAY. I KNOW THERE ARE SPECIFIC ISSUES YOU WANT TO REVIEW WITH ME, AND I WOULD BE HAPPY NOW TO DISCUSS THESE WITH YOU.

# # #

RESPONSE TO TOM KIMBALL

- o Tom, I appreciate very much your endorsement. I feel particularly pleased that all of you here today support Vice President Mondale and me for a second term and I hope your efforts in 1980 will do as much for us as it did in 1976.
- o As I said a few minutes ago, I am personally committed to carrying on with a sound environmental program and your help will be crucial to me during the next few years. I also know that there are some specific areas which concern you deeply and that you would like to discuss. Let me say first, that overall, you and I have no disagreement over the basic environmental issues -- for clean air and clean water, a safe and liveable environment, and a need to continue to take appropriate action to maintain the quality of our land and life.
- o On the key outstanding issues, in almost all cases, I have taken what I feel to be a strong environmental position:
  - On Alaska - I have already mentioned my commitment to work for the best bill we can get out of the Congress. We will support the efforts of Congressman Udall and his colleagues.

- On the Water Projects Authorization Bill now pending - I remain opposed to this type of legislation and I will not approve a bill that unwisely spends billions of the taxpayer's dollars on uneconomic or poorly planned water projects.
- On Stripmining Legislation - I am opposed to any weakening amendments and I have instructed my Administration to work hard with the Congress to see that this does not occur. (Note: They may press you to commit to a veto. We suggest you stick with the position articulated here.)
- On the Energy Mobilization Board - I recognize that this is a very sensitive issue for environmentalists and I know we have not been in complete agreement on the need for the EMB. We pledge that we will continue to work closely with you towards an acceptable result.
- o I believe that we will be able to work in harmony on these issues through the remainder of this session of Congress and beyond. I know that your endorsement today comes with strong feelings not only towards what we together have already achieved, but also with a desire to maintain our policies in the key areas I have just mentioned. I can assure you that I intend to keep our positions intact.

o I know you are also concerned about second term appointments.

I can assure you that my second term appointments will be as good as those in the first in the areas you care about, and that you will be consulted as fully as in 1976.

## DISCUSSION

- o In addition to the issues mentioned above, which most probably will be raised by the group, if you do not, there are two other issues which are on the agenda:

-- Barrier Island Legislation - This legislation (to protect undeveloped barrier islands from overdevelopment by Federally-supported programs or through private means) is viewed as the principal initiative of the Year of the Coast. The environmentalists are concerned that the Administration has not been in support of either House or Senate bills now pending. (We have recommended deferral of legislation at this time until the Secretary of the Interior completes a lengthy study, requested by you in your Environmental Message of 1977.)

In response, we recommend you indicate your interest in barrier islands protection, note that you have requested a study of the issue, and tell the group that as soon as the study is ready, we look to its recommendation for legislative action. (We do not expect the study in time for the current session of Congress. If the bill does come down this year, we may end up recommending approval.)

-- FY 1982 Budget - Their concerns stem from the pattern of cuts we made in the original FY 81 budget in order to balance it. For example, the Land and Water Conservation Fund was cut in Interior but water projects were not and they feel that the cut was disproportionate. We recommend

that you state that any cuts in FY 81 will not necessarily be a precedent for future budgets.

## President's Statement

I welcome and appreciate the endorsement Vice President Mondale and I have received today from the nation's environmental leaders. There are few things I care about more deeply than preserving our air, our land, and our water -- not only the environment of our own nation, but also the global environment that our children will inherit. I have a long-standing commitment to improving our environment. Working together, we can prevail in November and continue the progress of the past four years, rather than turning back the clock to the dark ages of environmental neglect.

The environmental record of my Administration is an excellent one, and we will continue to work on major unresolved issues. My highest environmental priority -- passage of the Alaska lands bill -- is one of these. Together, we will work with Congressman Udall and other leaders in the House and Senate to get from the Congress the strongest legislation protecting Alaska that we can secure. My Administration is committed to that goal. The Alaska bill as well as other critical legislation, such as laws to clean up hazardous wastes, are among those where overwhelming public support for government action reflects the continuing, solid

commitment the American people have to a safe and healthy environment.

There have also been other key areas -- such as maintaining the quality of our air and water, protecting endangered wildlife and emphasizing energy conservation and solar energy -- where we have made impressive progress and I am proud of our achievements in these areas.

We now begin the 1980s with the knowledge that citizen commitment to environmental quality remains strong. I am determined that my Administration will continue to be environmentally sensitive. Environmental concern is a central, and an integral part of the decisions we make and we plan to keep it that way.

**Electrostatic Copy Made  
for Preservation Purposes**

[No salutations.]  
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for Preservation Purposes

Hertzberg  
A-2; 9/9/80  
Scheduled Delivery:  
Wed., Sept. 10; 1:30 PM

1:30 PM

Opening Remarks: Meeting with Environmental Leaders

1. THIS IS ANOTHER IN THE SERIES OF MEETINGS I HAVE HAD WITH ENVIRONMENTAL LEADERS. YOU ARE WELCOME HERE. AS LONG AS I AM PRESIDENT, YOU ALWAYS WILL BE.

2. THERE ARE FEW THINGS I CARE ABOUT MORE DEEPLY THAN OUR ENVIRONMENT -- BOTH THE ENVIRONMENT OF OUR NATION AND THE GLOBAL ENVIRONMENT OF WHICH IT IS A PART. THAT IS WHY OUR PARTNERSHIP OVER THE LAST 4 YEARS AND NOW IN THIS CAMPAIGN MEANS SO MUCH TO ME.

*Long range  
impact  
profound*

3. MOST OF THE TIME, OVER THESE LAST FOUR YEARS, WE HAVE BEEN ON THE SAME SIDE. WE HAVE HELPED EACH OTHER -- BUT THE REAL BENEFICIARIES HAVE BEEN THE AIR AND WATER AND SOIL AND THE NATURAL HERITAGE OF OUR COUNTRY.

4. OUR JOINT ENVIRONMENTAL RECORD IS EXCELLENT -- AND WE MUST KEEP ON WORKING TOGETHER TO MAKE IT BETTER STILL.

¶ AS YOU KNOW, MY TOP ENVIRONMENTAL PRIORITY IS THE ALASKA LANDS BILL. WORKING TOGETHER WITH HOUSE AND SENATE LEADERS, WE ARE GOING TO GET FROM THE CONGRESS THE STRONGEST LEGISLATION WE CAN TO PROTECT AMERICA'S LAST GREAT WILDERNESS. I AM COMMITTED TO THAT GOAL.

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ISSUES YOU WANT TO REVIEW WITH ME, AND I WOULD BE HAPPY NOW  
TO DISCUSS THESE WITH YOU.

# # #

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End  
Ship mine  
Rivers & harbors  
Nuclear waste - 2 yr SRS reviews  
Regulatory reform  
Let Cons fund \$2 ea year.  
20% Sofar  
Coastal Zone Mgmt Act in House (+)  
Barber Defends Legis - Admin (-)  
Endangered Species more \$

## Attachment A

### I. Major Administration Environmental Accomplishments

1. Executive actions and progress in legislation to protect Alaska lands.
2. Enactment and implementation of Stripmining law.
3. Strengthening and reauthorization of Clean Air and Water Acts, and their effective enforcement at EPA.
4. Enactment and implementation of Nuclear Non-Proliferation Act in context of overall policy of halting push toward plutonium and commercial breeder reactors.
5. Development of comprehensive, environmentally sensitive nuclear waste management policy.
6. Initiation of new policies and program to reform water resource development; opposition to wasteful water projects.
7. Establishment of goal of a 20% solar U.S. for the year 2000; impressive solar funding and initiatives, such as Solar and Conservation Bank.
8. Establishment of energy conservation as cornerstone of national energy policy; impressive initiatives and funding.
9. Steady expansion of system of protected national lands: parks, trails, wilderness areas, scenic rivers.
10. Reauthorization (twice) of Endangered Species Act, while preventing serious weakening.
11. Major new policies and programs to:
  - protect workers and public from cancer-causing and other hazardous substances;
  - promote public transportation, make highway planning more environmentally sensitive;
  - revitalize urban areas and contain sprawl.

### II. Major Areas of Disagreement with Environmental Community

1. Support for Energy Mobilization Board.
2. Support for large-scale synthetic fuels development.
3. Not implementing nuclear power as last resort concept (for example, in context of Nuclear Licensing Bill).

4. Pursuing off-shore oil leasing in Georges Bank off Mass.; California and Alaska off-shore lease proposals
5. Not proposing larger designations of wilderness areas in National Forests (RARE-II).
6. Signing water projects legislation directing completion of Tellico Dam.
7. Pattern of Administration FY 1981 budget cuts worked out with Congress and others, e.g. cuts in Land and Water Conservation Fund.
8. Not putting acid rain (SO<sub>2</sub>) controls in Administration's utility oil backout proposal to Congress.

C  
—

Statement of Environmentalists and Conservationists

We the undersigned environmentalists and conservationists support President Carter's bid for re-election. We offer this endorsement as private citizens on behalf of no organization or membership. On balance, we believe President Carter has been sensitive to environmental concerns and committed to conservation principles. He has done more than any other President to protect the natural wonders of Alaska, to control strip mining, to abate pollution, to promote energy conservation and solar energy, to conserve wildlife on public lands, and to oppose wasteful and environmentally damaging public works projects. We believe he very clearly represents the Presidential candidate of choice this November 4, and pledge our assistance as individuals to see him re-elected.

*Electrostatic Copy Made  
for Preservation Purposes*

*John H. Adams*

John H. Adams

*Destry Jarvis*

Destry Jarves

*Brent Blackwelder*

Brent Blackwelder

*Thomas E. Kimball*

Thomas E. Kimball

*William A. Butler*

William A. Butler

*Jack Lorenz*

Jack Lorenz

*Janet W. Brown*

Janet Welsh Brown

*Mike McCabe*

Mike McCabe

*Charles Clusen*

Charles Clusen

*Michael McCloskey*

Michael McCloskey

*James H. Cohen*

James Cohen

*Richard Munson*

Richard Munson

*Louise Davenport*

Elizabeth Davenport

*Russell Peterson*

Russell Peterson

*Louise Dunlap*

Louise Dunlap

*Rafe Pomerance*

Rafe Pomerance

*Marion Edey*

Marion Edey

*Lewis Regenstein*

Lewis Regenstein

*John W. Grandy*

John W. Grandy

*Christine Stevens*

Christine Stevens

*Oliver A. Houck*

Oliver A. Houck

*William Turnage*

William Turnage

THE WHITE HOUSE  
WASHINGTON

9/10/80

JACK WATSON  
ARNIE MILLER

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

Rick Hutcheson

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for Preservation Purposes

THE WHITE HOUSE  
WASHINGTON  
September 9, 1980

Jack  
Proceed  
J

MEMORANDUM FOR THE PRESIDENT

FROM: Jack Watson  
Arnie Miller

SUBJECT: Final Recommendations - Board Members,  
Synthetic Fuels Corporation

As you know, in addition to the Chairman/CEO, the Synfuels Corporation will have six part-time Board Members. The law requires that no more than four of the seven Board Members be from one political party.

As we discussed with you earlier we divided the six part-time seats into the following categories: Labor, the Rocky Mountain/Western States, Women, Minorities, and Industrialists.

In August you approved two people whom we recommend that you now proceed to nominate.

#### Minorities

Frank Savage, a Democrat, is Vice President and Manager of the Investment Management Department at Equitable Life. Savage, who is black, has compiled an outstanding record managing billions of dollars of investments, including substantial energy-related investments. He is 42, and his appointment would be a strong signal that we are recognizing a new generation of black business leadership. Savage will serve if asked.

#### Women

Catherine Cleary, a Republican, is Chairman/CEO of the First Wisconsin Trust Company of Milwaukee. She would bring strong financial and general business skills to the Board, and told Bill Miller she would serve if asked.

Changed circumstances have led us to re-examine the other four positions.

#### Labor

We know your reluctance to appoint Lane Kirkland and Irv Shapiro to the Synfuels Board after they have agreed to co-chair the Economic Revitalization Board. Landon has not talked to Lane about an alternative labor representative. He is pretty certain that Lane would want Martin Ward, the President of the Plumber's Union who

(2)

also chairs the AFL-CIO's Energy Committee. Ward is not well known and is clearly a major step down from Lane. Landon recommends strongly that we not replace Kirkland with Doug Fraser because of internal labor politics.

On reflection, we think you should nominate Lane. He has national stature, is very able and ranks with the other proposed Board Members. Unlike Irv, Lane is an institutional representative, and his appointment to this as well as other boards and commissions is not likely to raise concerns that you are relying on a limited number of advisers. If you don't agree, we can nominate Ward. *ok*

#### Rocky Mountain/Western States

We had earlier discussed Bruce Rockwell, the Chairman/CEO of Denver's Colorado National Bank with you. He would be a good choice, but he raises some political difficulties for us in Colorado. While Rockwell is a supporter, other candidates who are more strongly identified with you have emerged. However, they are not as qualified substantively.

Therefore, we think Cecil Andrus would be an excellent way out of the problem. He has frequently stated publicly his intention to resign at the end of the first term. Counsel advises we could nominate him now and he could assume his Board duties upon his resignation. The Western Governors respect him, he has the confidence of the environmental community, and he knows energy, especially coal. Frank's staff tells us Cecil is highly regarded on the Hill. Secretary Duncan is concerned that industry would be negative to Cecil, because of his reputation as an environmentalist. Bill Miller suggests that we think through the question of appearances before we appoint a former Cabinet member along with the three Cabinet members who will serve as ex-officio Board Members. We doubt that the ex-officio members will attract much attention and think that Cecil's pluses outweigh any negatives. As you know, this appointment was not Cecil's idea. He told us that if you wanted him to he would be pleased to serve. *ok*

#### Industrialists

As you know, you asked Irv Shapiro to serve on the Synfuels Board before he agreed to co-chair the Economic Revitalization Board (ERB). We think he is prepared to handle both assignments, and accepted the ERB post knowing he had agreed to serve on the Synfuels Board. There are compelling reasons not to appoint Irv to both, however, and we discuss below candidates who would be very good for the two positions reserved for industrialists. If you agree, how do you want to approach Irv?

\_\_\_\_\_ Will you call him?

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✓ Do you want Jack to call him?

The following three people would be very good for these two positions:

- . Ruben Mettler - Chairman/CEO of TRW. Mettler, a California Republican, would bring tremendous technical and managerial expertise to the Corporation. TRW is probably the country's most successful high technology company, and is deeply involved in energy. Bill Miller, Charles Duncan and Harold Brown rate him very highly. Mettler would serve if asked. ok
- . Frank Cary - Frank, an Independent, is enormously respected in the business community. He will serve if asked. ok
- . John DeButts - DeButts, a Republican, has less exposure to high technology and major industrial development than Mettler or Cary, but is interested in synfuels. He is highly regarded within the business community. DeButts told Bill he might serve if asked but it would depend on who the chairman is.

Because Irv has strongly recommended that we appoint Reg Jones to the Revitalization Board and because Reg also chairs the President's Export Council, we did not approach him about his interest in the Corporation.

Other

Bob Strauss and Charles Duncan have reiterated their strong support for Robert Stewart, Chairman of First International Bancshares of Dallas. Stewart, an Independent, has a good business record and has been strongly endorsed by the Texas business and political leadership. Strauss strongly advocates his appointment, and mentions it to Jack every time he sees him.

Appointing another regional banker in addition to Cleary would not strengthen the Board, however. In fact, it would weaken it since you could then only appoint one industrialist. Since First International Bancshares is heavily involved in financing major petroleum and other energy companies, Counsel has also advised that Stewart would encounter serious conflict of interest problems. If you want to go ahead with Stewart, we recommend that he be asked in to talk with Lloyd before any decision is made.

(4)

We believe under any circumstances that the Board should be enlarged. We recommend that a technical amendment be introduced after the election to do this. We could then add several members, including Stewart.

RECOMMENDATIONS

If you approve the recommendations below, the composition of the Board will be as follows:

- . Democrats (3) - Savage, Kirkland, Andrus
- . Republicans (2) - Cleary, Mettler
- . Independents (1) - Cary

*All ok JC*

We recommend that you appoint:

- . Frank Savage (D) and Catherine Cleary (R).

\_\_\_\_\_ approve \_\_\_\_\_ disapprove

- . Lane Kirkland (D) as the labor representative.

\_\_\_\_\_ approve \_\_\_\_\_ disapprove

- . Ruben Mettler (R) and Frank Cary (I) as the industrialists.

\_\_\_\_\_ approve \_\_\_\_\_ disapprove

If you agree, we will inform Savage, Cleary, Kirkland, Mettler and Cary. We think you should call Cecil.

*I called Cecil  
J*

2:30 PM

THE WHITE HOUSE

WASHINGTON

September 10, 1980

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MEMORANDUM FOR THE PRESIDENT

FROM: LOUIS MARTIN *LM*

SUBJECT: DROP-BY RECEPTION FOR THE MINORITY  
TELECOMMUNICATIONS SYMPOSIUM, THE EAST ROOM,  
THURSDAY, SEPTEMBER 11, 1980

I. PURPOSE

To greet participants in a symposium and reception given in honor of the successful Minority Telecommunications Development Program.

II. BACKGROUND

The Minority Telecommunications Development Program was established by the President in January 1978 to coordinate the efforts of the Federal Government and private industry to increase minority ownership and control of broadcasting outlets. The program is comprised of three major elements; regulatory action, Federal loans and grants, and private industry efforts. To date, it is the single most successful administration effort to assist minority businesses. It has increased the number of minority-owned broadcasting facilities by 100% from 62 to 124.

III. PROGRAM, PARTICIPANTS, AND PRESS

A. Program: The participants will meet in room 450 of the Old Executive Office Building at 12:30 p.m. They will be briefed on developments in the communications industry that are of particular interest to minorities by Charles Ferris, Chairman of the FCC; Henry Geller, Administrator of the National Telecommunications Information Agency; and Karen Hastie Williams, Director of the Office of Federal Procurement Policy in the Office of Management and Budget. At 2:00 p.m. the group will be escorted to the East Room to hear remarks by the President followed by a reception in the State Dining Room. The scenario for the reception is attached.

- B. Participants: Approximately 250 persons will be in attendance. They will include the owners and managers of many of the minority broadcast facilities; representatives from broadcast trade associations; and potential new broadcast facility owners. Representatives from the FCC and NTIA will also attend.
- C. Press: White House Photographer and open press opportunity.

IV. TALKING POINTS

Talking points will be provided by the speechwriters.

THE WHITE HOUSE

WASHINGTON

September 10, 1980

MEMORANDUM TO: THE PRESIDENT  
FROM: GRETCHEN POSTON *GP*  
SUBJECT: SCENARIO FOR RECEPTION MINORITY TELE-  
COMMUNICATIONS DEVELOPMENT,  
SEPTEMBER 11, 1980, 2:00 PM.

2:20 PM            Guests arrive North Portico from 450 EOB and  
                         proceed to seating in East Room.

2:30 PM            THE PRESIDENT arrives State Floor and proceeds  
                         to East Room doorway.

                         THE PRESIDENT is announced into East Room and  
                         proceeds to platform for remarks.

2:40 PM            At conclusion of remarks, THE PRESIDENT departs  
                         State Floor.

                         Guests proceed to State Dining Room for  
                         reception.

4:00 PM            Guests depart Residence.

THE WHITE HOUSE

WASHINGTON

September 10, 1980

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SUBJECT: SCENARIO FOR RECEPTION-MINORITY TELE-  
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2:20 PM Guests arrive North Portico from 450 EOB and proceed to seating in East Room.

2:30 PM THE PRESIDENT arrives State Floor and proceeds to East Room doorway.  
THE PRESIDENT is announced into East Room and proceeds to platform for remarks.

2:40 PM At conclusion of remarks, THE PRESIDENT departs State Floor.  
Guests proceed to State Dining Room for reception.

4:00 PM Guests depart Residence.

Rec 7:25 am  
9/11/80

O.K.

September 10, 1980

gsp

MEMORANDUM FOR THE PRESIDENT

FROM: Al McDonald  
Gordon Stewart

SUBJECT: Presidential Talking  
Points: Minority  
Telecommunications  
Conference Reception

Scheduled delivery:  
Thu, Sept 11, 2:30 p.m.  
East Room

Your talking points for this reception  
are attached.

Copies have been sent to Pat Caddell  
and Jerry Rafshoon. Jody will write  
his comments on this original before  
giving it to you.

Clearances

Louis Martin  
Commerce Dept  
David Rubenstein  
Raul Tapia  
OMB

[Salutations to be updated  
by Ray Miller on x6662 no later  
than 10:00 AM)

Gordon Stewart  
A-1, 9/10/80  
Scheduled Delivery:  
September 11, 1980

2:30

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Minority Telecommunications Talking Points

1. CHARLES FERRIS (Chairman of the Federal Communications Commission), HENRY GELLER (Assistant Secretary for Communications and Information), DARLENE PALMER (Manager of the Minority Telecommunications Development Program), LADIES AND GENTLEMEN --
2. WELCOME TO THE WHITE HOUSE. AS PRESIDENT I MUST MAKE MANY DIFFICULT DECISIONS IN THIS BUILDING EVERY DAY. IN ADDITION TO WEIGHING ALL THE FACTORS AND DETAILS I ASK TWO FUNDAMENTAL QUESTIONS IN EACH CASE -- "WHAT EFFECT WILL MY DECISION HAVE ON INDIVIDUAL LIVES?" AND, "WHAT WILL ITS EFFECTS BE ON THE FUTURE OF OUR COUNTRY?"
3. THOSE WERE THE QUESTIONS I ASKED IN JANUARY OF 1978 WHEN I ESTABLISHED THE MINORITY TELECOMMUNICATIONS DEVELOPMENT PROGRAM. I KNEW THAT MINORITIES SEEKING TO BE INVOLVED IN BROADCASTING FACED SUCH OBSTACLES AS OBTAINING INITIAL FINANCING, LACK OF TECHNICAL TRAINING, AND A SHORTAGE OF AVAILABLE STATIONS TO BUY BECAUSE SO MANY WERE ASSIGNED LONG AGO.
4. I ALSO KNEW THAT PARTICIPATION IN BROADCASTING WAS ESSENTIAL TO PROMOTING PROGRESS AMONG MINORITIES AND THEIR ABILITY TO CONTRIBUTE TO OUR NATION'S FUTURE. THEREFORE WE HAD TO HELP.
5. THE PROGRAM HAS BEEN A COMPLETE SUCCESS. SINCE IT BEGAN, MINORITY OWNED AND OPERATED FACILITIES HAVE INCREASED BY 100 PER CENT, FROM 62 TO 124. AT THE WHITE HOUSE THIS JULY,

WE SPONSORED A SUCCESSFUL COMMERCIAL BROADCASTING AND TECHNOLOGY CONFERENCE FOR MINORITY WOMEN FROM ACROSS THE NATION.

6. WE ARE GOING TO ACCELERATE THIS PROGRESS IN THE YEARS AHEAD. THE FCC UNDER CHAIRMAN FERRIS IS ACTING TO CREATE ABOUT 1000 NEW RADIO STATIONS. JUST THIS WEEK THEY PROPOSED A NEW CLASS OF TV STATIONS. MANY OF THESE NEW STATIONS WILL BE TARGETED FOR MINORITY GROUPS, SO WE CAN CONTINUE TO INCREASE DIVERSITY IN OUR BROADCASTING SYSTEM.

6. THE KIND OF PROGRESS ACHIEVED BY YOUR PROGRAM CAN BE SEEN THROUGHOUT THIS ADMINISTRATION. FOR EXAMPLE, WE HAVE ALREADY MORE THAN DOUBLED THE AMOUNT OF FEDERAL BUSINESS GOING TO MINORITY-OWNED CONTRACTORS. NOW WE ARE MOVING TO TRIPLE IT. AS YOU KNOW, THE SUPREME COURT HAS FINALLY RULED THAT THE REQUIREMENTS FOR A 10 PER CENT SET-ASIDE FOR MINORITY BUSINESSES IS CONSTITUTIONAL. I AM PLEASED TO SAY THAT WE ARE ALREADY AHEAD OF THEM IN OUR ECONOMIC DEVELOPMENT ADMINISTRATION PROGRAMS, WHERE 18 PER CENT NOW GOES TO MINORITY BUSINESS.

7. WE HAVE ESTABLISHED AN APPRENTICESHIP PROGRAM IN GOVERNMENT FUNDED SCIENCE AND ENGINEERING RESEARCH PROJECTS WHICH ALLOWS 1000 MINORITY HIGH SCHOOL GRADUATES THIS SUMMER -- AND 2000 NEXT SUMMER -- TO WORK IN THE FIELDS OF TECHNOLOGY VITAL TO OUR NATION'S FUTURE.

8. I DON'T WANT TO QUOTE A LOT OF STATISTICS TODAY, BUT AS YOU ALL KNOW VERY WELL IT CAN BE TOUGH TO GET YOUR MESSAGE ACROSS IF YOU DON'T OWN YOUR OWN BROADCASTING STATION. IF

THERE IS ANY ONE SINGLE STATISTIC MORE IMPORTANT TO OUR NATION'S FUTURE THAT WAS COMPILED DURING MY ADMINISTRATION IT IS THIS: IN THREE-AND-A-HALF YEARS AS PRESIDENT I HAVE ALREADY APPOINTED MORE BLACKS AND WOMEN AND HISPANICS TO THE FEDERAL BENCH AND TO OTHER POSITIONS OF AUTHORITY IN OUR GOVERNMENT THAN ANY OTHER PRESIDENT IN HISTORY.

9. THESE ARE NOT JUST MY VICTORIES, THEY ARE OURS -- AND I NEED YOUR HELP IN ANOTHER ESSENTIAL BATTLE RIGHT NOW. THE YOUTH EMPLOYMENT BILL WILL OPEN CAREERS FOR TWO-AND-ONE-HALF MILLION YOUNG PEOPLE. *IF WE IN GOV'T WANT YOUNG PEOPLE TO HAVE FAITH IN US, WE MUST KEEP FAITH WITH THEM.* WHEN THE LEADERS OF CONGRESS WERE HERE FOR BREAKFAST YESTERDAY I CALLED IT MY MOST IMPORTANT LEGISLATIVE PRIORITY. IT HAS PASSED THE HOUSE. WILL YOU HELP ME GET IT THROUGH THE SENATE?

10. NONE OF THESE IMPORTANT FIGHTS -- INCLUDING THE ONE REPRESENTED BY YOU HERE TODAY -- ARE EVER EASY. ONLY A FEW WEEKS AGO PRESIDENT MUGABE STOOD IN THIS ROOM AND JOINED US IN CELEBRATING A GREAT VICTORY -- THE INDEPENDENCE OF ZIMBABWE. TODAY WE TOO CELEBRATE GREAT PROGRESS. I AM PLEASED TO RENEW MY COMMITMENT TO OUR MINORITY TELECOMMUNICATIONS DEVELOPMENT PROGRAM -- AND KEEPING THIS COUNTRY MOVING IN THE RIGHT DIRECTION FOR MANY YEARS TO COME.

# # #

THE WHITE HOUSE

WASHINGTON

September 10, 1980

MEMORANDUM FOR: THE PRESIDENT

FROM: Stuart E. Eizenstat

Attached for your consideration is a letter from Lane Kirkland which offers his views on our FSB proposal.

Attachment

# AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

## EXECUTIVE COUNCIL

LANE KIRKLAND  
PRESIDENT

THOMAS R. DONAHUE  
SECRETARY-TREASURER

GEORGE MEANY  
PRESIDENT EMERITUS

PAUL HALL  
THOMAS W. GLEASON  
S. FRANK RAFTERY  
MARTIN J. WARD  
ALBERT SHANKER  
EDWARD T. HANLEY  
WILLIAM H. McCLENNAN  
DAVID J. FITZMAURICE  
ALVIN E. HEAPS  
FRED J. KROLL  
WAYNE E. GLENN

JOHN H. LYONS  
FREDERICK O'NEAL  
GEORGE HARDY  
WILLIAM SIDELL  
GLENN E. WATTS  
ANGELO FOSCO  
J. C. TURNER  
KENNETH T. BLAYLOCK  
WM. W. WINPISINGER  
JOHN J. O'DONNELL  
ROBERT F. GOSS

PETER BOMMARITO  
JERRY WURF  
AL H. CHESSEY  
MURRAY H. FINLEY  
SOL C. CHAIKIN  
CHARLES H. PILLARD  
LLOYD McBRIDE  
EMMET ANDREWS  
WILLIAM H. WYNN  
JOHN DeCONCINI  
DANIEL V. MARONEY



815 SIXTEENTH STREET, N.W.  
WASHINGTON, D.C. 20006

(202) 637-5000

September 9, 1980

The President  
The White House  
Washington, D.C.

**Electrostatic Copy Made  
for Preservation Purposes**

Dear Mr. President:

The AFL-CIO is pleased to have had the opportunity to review the unemployment compensation federal supplemental benefits proposals being developed by your Administration. We applaud the swiftness of your effort to deal quickly with the serious problem of unemployment and we share your desire to put an effective Federal Supplemental Benefit program in place as quickly as possible.

We believe, however, that the proposals being considered, in several respects, fall short in dealing fairly and effectively with the widening problem of prolonged joblessness.

One of the matters of major importance is the trigger for qualifying for the new benefits. The AFL-CIO urges that the Administration's program make its requirements no higher than those that are in effect for the present program of extended benefits. In fact, the AFL-CIO has testified before Congress in support of qualifying triggers that would be even more liberal than that now in current law. The proposals that we have examined would set the triggers at such high levels that it is likely that at least half of those workers now eligible for extended benefits would not qualify for the new program.

As we understand the proposal that is being given most serious consideration, a national threshold of 4.5% insured unemployment rate would have to be met and a second, higher, state trigger would have to be met as well in order to qualify. Under this formula, hard-hit states would be exempt from the national trigger only if their joblessness were over a 7% insured unemployment rate. If this were to happen, only two states would qualify and all other badly-hurt states would be triggered off when the national IUR fell slightly.

We are aware of the budgetary considerations being given to this measure and its potential cost. However, we are deeply concerned about any formula that has the effect of stripping workers from deserved aid after long unemployment in hard-hit areas. A worker in a hard-hit area should not be faced with the dilemma of receiving assistance through his 39th week, but nevertheless finds himself ineligible in his or her 40th week solely because employment improved slightly in a far-removed part of the nation.

Further, a trigger based on a 13-week moving average seasonally adjusted insured unemployment rate (IUR) that excludes those on extended benefits would be highly restrictive and harmful. This provision and the two-trigger device would, we feel, make ineligible for this program as many as half of the workers in the U.S. who are eligible under the present extended benefit program.

We have two other concerns with the proposals we have examined:

The proposal for a requirement of 32 weeks of work or wage equivalent in a base period far exceeds any present state requirement. This provision would be most harmful where full-time, permanent workers have now suffered long periods of intermittent work and layoffs. The ineligibility would fall most heavily on the permanent member of the work force, not the casual worker who is restricted by current state work requirements.

Finally, we are concerned over the proposed termination date for the program. One calendar year is far too short a time. The Administration estimate that unemployment could be as high as 8.2% by the fourth quarter of 1981 testifies to the need for this program into the future. We urge that it be made a permanent part of your anti-recession program.

The AFL-CIO feels most strongly that a program of Federal Supplemental Benefits is urgently needed and we urge that it be moved forward in the Congress as swiftly as possible. Such a program must help all American workers and their families who have borne the brunt of this recession. Any restrictions that make it more difficult for these workers to qualify would be most unfair.

I strongly urge that every consideration be given to these suggestions so that we can join with you in working for this program's swift enactment.

Sincerely,

A handwritten signature in black ink, appearing to read "Lane Kirkland". The signature is written in a cursive, flowing style with a large, prominent initial "L".

President

①

September 3, 1980

MEMORANDUM

TO : The President

FROM : S/CPR - Abelardo L. Valdez *AV*

REF : Schedule of Speaking Engagements for September  
and October, 1980

I have been invited to speak to various audiences during the next two months mostly in Texas, California and Michigan. I thought I should inform you of my travel plans and let you know of my total support during the coming months. Please let me know if there is anything which I can do to assist you, in addition to the speaking engagements which I have already accepted. Enclosed is a copy of my travel schedule for the next two months.

Enclosure:  
As stated

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...

- Sept. 6 - Austin, Texas, 12:00 Noon, Remarks at Luncheon with Secretary of Education
- 4-6 p.m. Reception by Lt. Governor Hobby
- Sept. 7 - Austin, Texas, Meeting with Secretary of Education and others at LBJ School Library
- Sept. 8 - San Antonio, Texas, Deliver opening address at the Educational Hearings on Bilingual Education
- 7 p.m. - Dinner hosted by San Antonio Mayor honoring Ambassador and Mrs. Llado from Spain
- Sept. 10 - Washington, D.C. 6:30 p.m. Federal Bar Association Panel participant topic an overview of Inter-American problems in business, finance, and legal activities
- Sept. 13 - Morning Goliad, Texas, All day dedication activities involving Texas and Mexican Governors, Bishops, and other officials. State of Texas dedicates statue of hero Ignacio Zaragosa, gift presented by Mexico
- Evening Address Mexican/American Democrats of Texas in San Antonio (approx. 1,000 persons)
- Sept. 14 - San Antonio, Texas, City function commemorating Hispanic Heritage Week
- 7:30 p.m. - Dinner given by San Antonio Mayor honoring President Portillo's Representative to Texas
- Sept. 15 - San Marcos, Texas, 10:30 a.m., Southwest Texas University, Address students, faculty, and community for "Hispanic Heritage Week"
- 11:45 a.m. Luncheon for guest speakers and University administrators
- Sept. 16 - San Antonio, Texas, 6:30 p.m. Address the San Antonio Zonta Club of Zonta International at the annual meeting dedicated to International relations (U.S./Latin America)
- Sept. 17 - San Antonio, Texas 7:30 a.m. - Breakfast with members of the Economic Committee of the San Antonio Chamber of Commerce
- 10:30 a.m. - coffee and remarks for Hispanic Week to employees of Security Command Section at Kelly Air Force Base

2)

- Sept. 17 - San Antonio, Texas 11:45 a.m. Address at luncheon, employees of Kelly Air Force Base (350 expected in attendance) Topic: Related to Hispanic Heritage Week - Challenges and Opportunities in the 80's
- Sept. 18 - Washington, D.C., Activities for President's  
19 inauguration for The American University
- Sept. 26 - Address Texas State Democratic Convention  
Speak at HAD Meeting (Hispanic American Democrats)  
Speaking arrangements are being made by Mr. Ben Reyes
- Sept. 29 - New York, Assist Secretary of State at U.N.  
Oct. 3 General Assembly
- Oct. 4 - El Paso, Texas, Arrangements in process by Travis Johnson
- Oct. 6 - San Francisco, Address to be delivered at:  
7 6th, Reception at 6 p.m., Remarks to Consulate Corps and International Hospitality Center
- Oct. 7th - Luncheon, 12:00 noon - Black and Hispanic Chamber of Commerce, and various community civic organizations
- 5:00 p.m. - World Affairs Council
- Oct. 8 - San Jose, California - Address HAD Meeting  
Arrangements are being made by Omar Barbarossa
- Oct. 17 - Laredo, Texas Meeting arranged by Judith Zafferini
- Oct. 18 - San Antonio, Texas-Address rally to be arranged by HAD (Omar Barbarossa)
- Oct. 19 - Alice, Texas-Address rally, arranged by Rufino and Rosemary Lopez (Carter Delegate to DNC)
- Oct. 20 - Corpus Christi, Texas-Address rally arranged by Dr. Hector Garcia and Mr. Ruben Bonilla
- Oct. 23 - Albuquerque, New Mexico - Address Hispanic Science Conference (Dr. Henry Casso, Chairman)
- Oct. 29 - Detroit, Michigan - Address SER-Jobs for Progress Banquet
- Oct. 30 - Rallies to be scheduled in Texas, California and Florida  
Nov. 4

3)

\*\*Interviews will be scheduled in each city with media (T.V., local newspaper, and radio).

9/10/80

HAMILTON JORDAN

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

Rick Hutcheson

THE WHITE HOUSE  
WASHINGTON

# CARTER/MONDALE RE-ELECTION COMMITTEE, INC.

Electrostatic Copy Made  
for Preservation Purposes

Robert S. Strauss, Chairman  
Tim Kraft, National Campaign Manager  
S. Lee Kling, Treasurer

2000 L STREET, N.W., WASHINGTON, D.C. 20036

(202) 887-4700

September 9, 1980

*Ham*  
*J*

MEMORANDUM FOR THE PRESIDENT

FROM: HAMILTON JORDAN *H.J.*  
RE: NEW YORK SENATE PRIMARIES

Attached are telephone numbers for the Senate candidates running in today's New York primary. Given our political situation and the critical nature of New York State in this election, I recommend that you call the winner and the losers of the Democratic Primary. We expect that either Meyerson or Holtzman will win the Democratic race. Neither Meyerson nor Holtzman will be enthusiastically supportive of your candidacy. You should express your congratulations to the winner and state that our campaign, headed by Joel McCleary in New York, stands ready to work in close contact with the Senate candidate to carry the Democratic line in New York. A tight, well coordinated and vigorous campaign in New York is all the more necessary given the Liberal Party endorsement of Congressman Anderson. The Senate winner should understand that we will commit the resources to New York necessary to carry that critical state.

The Liberal Party has endorsed Jacob Javits. Javits is in trouble in the Republican Primary and may be defeated by Hempstead Town Supervisor Alfonse D'Amato, a conservative who has waged a personal campaign against Javits, spotlighting Javits' age (76) and health. Should Javits lose the Republican primary he will still appear on the Liberal line. He is more important in terms of attracting votes to the Liberal Party than John Anderson is. Javits has said that, should he lose the Republican Primary, he may not support Ronald Reagan. Should Javits lose the Republican Primary I recommend that you call him. You should mention that you are aware of the type of campaign D'Amato ran against him and of Javits' critical contributions to this country's foreign policy over the years on the Senate Foreign Relations Committee.

The call has several purposes:

- a) To call a senior and respected member of the Senate after the toughest fight of his life.
- b) He will have to make a decision whether to support Reagan.

*NY*  
*Javits 1:2*  
*D'Amato*  
*Holly 46*  
*Myer 31*  
*7R*  
*G 35-*  
*M 1:28*  
*St 26*

Page Two

- c) He will have to decide whether to run at all if he only has the Liberal Line.
- d) It will be to our advantage to have you make a soft and gracious call to Javits given the decisions he is going to have to make.

Should you call Javits you must first mention your intention to the Democratic winner who should understand our purposes. The call to Javits should not take on the questions before him directly but rather should be friendly, complimentary and understanding of his defeat by D'Amato.

Attachment

# CARTER/MONDALE RE-ELECTION COMMITTEE, INC.

Robert S. Strauss, Chairman  
Tim Kraft, National Campaign Manager  
S. Lee Kling, Treasurer

2000 L STREET, N.W., WASHINGTON, D.C. 20036

(202) 887-4700

September 9, 1980

Elizabeth Holtzman Call # 1688

Hallaron House  
212/755-4000  
From 9:00 PM till results are all in.  
To contact Holtzman on Wednesday call  
Donna Samuels at 212/859-4421.

- o Was on Judiciary Committee
- o Upset Emanuel Celler
- o Main thrust is human rights and equality
- o Harvard Law School Graduate
- o Parents alive and she has a twin brother
- o She is single

*done*

*"Very important that  
President win"*

John Lindsay Call # 1689

Sheraton Center  
212/581-1000 Ext. 1718 or 2401  
212/873-8444 (home)

- o Main thrust is problem with cities and civil rights
- o 2 terms mayor
- o Republican before being mayor
- o Has two daughters and a son
- o Wife, Mary, very important in his campaign

*"Will give all out  
support"*

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for Preservation Purposes

Bess Meyerson Call # 1690

New York Sheraton  
Grand Ballroom  
212/247-8000

- o Main thrust is consumer consciousness and movement to the cities
- o Commissioner on Consumer Rights
- o Parents alive and live in the Bronx
- o Divorced and has one daughter named Barra
- o Spokesperson for Jewish issues

*Discouraged - "Will run for  
Irish seat in Knesset or for  
Mayor of Jerusalem"*

Page Two

John Santucci Call # 1691

Campaign Office  
212/523-6353 or 523-6354

District Attorney's Office  
212/520-2200

- o Main thrust is a better society through better family
- o Reflects conservative element
- o District Attorney of Queens
- o Married and has several children

Jacob Javits Call # 1692

Roosevelt Hotel  
212/661-7470

- o Serves on Committee of Foreign Relations
- o Elected in 1956 (24 years)
- o 76 Years Old

*Will be eager to help  
Wants to meet Pres @ WH*

*Will stop by WH  
for coffee*

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for Preservation Purposes

2:00 PM

CARTER/MONDALE PRESIDENTIAL COMMITTEE, INC.  
2000 L STREET, N.W., WASHINGTON, D.C. 20036  
(202) 887-4700

Robert S. Strauss, Chairman  
Tim Kraft, National Campaign Manager  
S. Lee Kling, Treasurer

September 9, 1980

MEMORANDUM FOR THE PRESIDENT

FROM: Robert S. Strauss  
THRU: Rick Hutcheson  
RE: Meeting with Felix Rohatyn  
DATE: September 10, 1980, Wednesday  
TIME: 2:00 p.m.  
PLACE: Oval Office

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for Preservation Purposes

I. PURPOSE

To obtain formal endorsement from Felix Rohatyn.

II. BACKGROUND, PARTICIPANTS, PRESS

A. Background

Felix Rohatyn is the former Chairman of New York's Municipal Assistance Corporation, and enjoys great credibility with the financial community in New York and throughout the nation. Rohatyn is current with Lazared Freres in New York. He is tentatively scheduled to appear on Meet the Press this coming Sunday, September 14.

B. Participants

The President, Robert S. Strauss, Felix Rohatyn

C. Press

1. White House photographer
2. Following your meeting, an endorsement briefing for the press, with Rohatyn and Strauss, is scheduled for approximately 2:15.

III. Talking Points

1. Thank Rohatyn for endorsement.
2. Stress the importance of his credibility and respect within the financial and business community.
3. Stress the importance of his active support in the campaign, and the valuable role he could play in speaking out on economic issues.

THE WHITE HOUSE  
WASHINGTON

9/10/80

FRANK MOORE

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

Rick Hutcheson

PM

Received 9:55 AM 9/10/80

1693

NAME Congressman Ed Jenkins

TITLE D-Georgia

CITY/STATE \_\_\_\_\_

Requested by Frank Moore

Date of Request 9-10-80

Phone Number--Home ( ) \_\_\_\_\_

Work ( ) 225-5211

Other ( ) \_\_\_\_\_

CALL SHOULD BE MADE BEFORE 10:00 a.m.

INFORMATION (Continued on back if necessary)

It looks like Ed Jenkins has the deciding vote in the Vanik Subcommittee which will be deciding to override your decision on reduction of tariffs on imported leather wearing apparel. Ed is familiar with the arguments. You should tell him that you need him to vote with you; that you do not want to be embarrassed by being overridden.

NOTES: (Date of Call 9-10)

OK - will count votes

Electrostatic Copy Made for Preservation Purposes

September 10, 1980

I AM PROUD TO ANNOUNCE TODAY MY CHOICE FOR THE CHAIRMAN  
OF THE SYNTHETIC FUELS CORPORATION.

THIS CORPORATION FOR ENERGY SECURITY IS A CORNERSTONE  
OF OUR NATIONAL ENERGY POLICY. IT IS OUR MAIN INSTRUMENT IN  
CUTTING THE INTOLERABLE DEPENDENCE ON FOREIGN OIL WHICH THREATENS  
OUR ECONOMIC VITALITY AND OUR NATIONAL SECURITY.

THE CORPORATION WILL USE AMERICAN RESOURCES, AMERICAN  
KNOW-<sup>LEDGE</sup>~~HOW~~, AND AMERICAN LABOR TO ENCOURAGE PRODUCTION OF 2 MILLION  
BARRELS A DAY OF SYNTHETIC FUELS BY 1992. IT WILL CREATE HUNDREDS  
OF THOUSANDS OF JOBS TO DESIGN, BUILD AND OPERATE THE PLANTS  
WHICH WILL TURN OUR COAL, SHALE, SANDS AND OTHER RESOURCES  
INTO SYNTHETIC FUELS.

THE GOVERNING BODY OF THE CORPORATION, ITS BOARD OF  
DIRECTORS, WILL BE AUTHORIZED TO COMMIT UP TO \$88 BILLION TO  
STRENGTHEN OUR COUNTRY AND LITERALLY TO CHANGE THE WAY WE LIVE.

THIS EFFORT WILL BE LARGER THAN THE MARSHALL PLAN, THE INTERSTATE  
HIGHWAY PROGRAM AND THE MOON SHOT -- ALL PUT TOGETHER.

I HAVE, THEREFORE, SEARCHED THROUGHOUT THIS COUNTRY FOR A CHAIRMAN  
AND SIX BOARD MEMBERS OF THE VERY HIGHEST CALIBER. AFTER AN  
ARDUOUS SEARCH, I BELIEVE WE HAVE SUCCEEDED IN THIS GOAL.

I AM NOMINATING JOHN SAWHILL AS CHAIRMAN OF THE BOARD  
AND CHIEF EXECUTIVE OFFICER OF THE CORPORATION. JOHN HAS A  
DEEP KNOWLEDGE OF ENERGY POLICY AND TECHNOLOGY, HAS COMPILED A  
BRILLIANT RECORD OF MANAGEMENT IN BOTH THE PRIVATE AND THE PUBLIC  
SECTORS, AND IS AN OUTSTANDING EDUCATOR AND ECONOMIST.

HE HAS SERVED THE NATION WELL AS DEPUTY SECRETARY OF  
ENERGY SINCE 1979. HE CAME TO THIS ADMINISTRATION AFTER AN  
OUTSTANDING TENURE AS PRESIDENT OF NEW YORK UNIVERSITY. JOHN  
IS VIGOROUS AND IS TOTALLY DEDICATED TO MAKING THE CORPORATION  
THE SPEARHEAD OF OUR DRIVE TO ATTAIN ENERGY INDEPENDENCE.

THE SIX BOARD MEMBERS HAVE ALSO BEEN SELECTED. THEY  
WILL BE ANNOUNCED TOMORROW AS SOON AS PROPER NOTIFICATIONS  
HAVE BEEN COMPLETED.

September 10, 1980

IT IS IRONIC THAT THIS ANNOUNCEMENT COMES ON A DAY WHEN  
I AGAIN HAVE THE RESPONSIBILITY TO SET THE RECORD STRAIGHT BECAUSE  
OF A FALSE ALLEGATION BY GOVERNOR REAGAN.

TODAY IN CLEVELAND, GOVERNOR REAGAN, WITHOUT ONE SHRED  
OF SUPPORTING EVIDENCE, CHARGED THAT THE POLICIES OF THIS  
ADMINISTRATION "DISCOURAGE THE DISCOVERY AND PRODUCTION OF ENERGY"  
IN THIS COUNTRY.

GOVERNOR REAGAN IS WRONG. HE HAS AGAIN MADE AN ACCUSATION  
WITHOUT CHECKING THE FACTS.

LET ME TELL YOU THE TRUTH.

MORE OIL WELLS WILL BE DRILLED IN THE UNITED STATES THIS

YEAR -- 1980 -- THAN IN ANY OTHER YEAR IN THE ENTIRE HISTORY OF

THIS COUNTRY. AND SOME EXPERTS ARE PREDICTING THAT NEXT YEAR

WILL SET A NEW ALL-TIME RECORD.

AS OF MONDAY OF THIS VERY WEEK, <sup>75%</sup> MORE OIL ~~AND GAS~~ WELLS

WERE BEING DRILLED IN THE UNITED STATES THAN AT ANY TIME IN

*UP DRAMATICALLY  
COAL PRODUCTION ALL  
TIME HIGH.  
/ CRUDE OIL PROD INCREASED  
THIS YEAR - ONLY 2<sup>nd</sup> TIME IN DECADE*

~~25 YEARS, AND I MIGHT ADD -- 75% MORE OIL WELLS THAN AT THE~~  
SAME TIME FOUR YEARS AGO WHEN THE REPUBLICAN PARTY CONTROLLED  
THE WHITE HOUSE AND THE EXECUTIVE BRANCH.

THESE ARE NOT MY FIGURES. THEY ARE FIGURES FROM THE  
OIL AND GAS INDUSTRY ITSELF. SOME OF THEM WERE REPORTED IN THE  
WALL STREET JOURNAL THIS VERY MORNING.

I DO NOT INTEND TO ALLOW MY REPUBLICAN OPPONENT TO  
CONTINUE TO MISREPRESENT THE FACTS -- ABOUT THIS ADMINISTRATION  
OR ABOUT AN ISSUE SO IMPORTANT TO THIS COUNTRY AS ENERGY.

#

#

#

THE WHITE HOUSE  
WASHINGTON

9/10/80

FRANK MOORE

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

Rick Hutcheson

cc: ATTORNEY GENERAL CIVILETTI  
JIM MCINTYRE  
STU EIZENSTAT  
LLOYD CUTLER  
COMMISSIONER KURTZ

<input type="checkbox"/>	FOR STAFFING
<input type="checkbox"/>	FOR INFORMATION
<input checked="" type="checkbox"/>	FROM PRESIDENT'S OUTBOX
<input type="checkbox"/>	LOG IN/TO PRESIDENT TODAY
<input type="checkbox"/>	IMMEDIATE TURNAROUND
<input type="checkbox"/>	NO DEADLINE
<input type="checkbox"/>	FOR APPROPRIATE HANDLING
<input type="checkbox"/>	LAST DAY FOR ACTION

ACTION  
FYI

*6x*  
*CL*  
*deliver*  
*letter*  
*cc also*

<input type="checkbox"/>	ADMIN CONFID
<input type="checkbox"/>	CONFIDENTIAL
<input type="checkbox"/>	SECRET
<input type="checkbox"/>	EYES ONLY

<input type="checkbox"/>	VICE PRESIDENT
<input type="checkbox"/>	JORDAN
<input checked="" type="checkbox"/>	CUTLER
<input type="checkbox"/>	DONOVAN
<input type="checkbox"/>	EIDENBERG
<input checked="" type="checkbox"/>	EIZENSTAT
<input checked="" type="checkbox"/>	MCDONALD
<input checked="" type="checkbox"/>	MOORE
<input type="checkbox"/>	POWELL
<input type="checkbox"/>	WATSON
<input type="checkbox"/>	WEDDINGTON
<input type="checkbox"/>	WEXLER
<input type="checkbox"/>	BRZEZINSKI
<input checked="" type="checkbox"/>	MCINTYRE
<input type="checkbox"/>	SCHULTZE
<input type="checkbox"/>	ANDRUS
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<input type="checkbox"/>	HARRIS
<input type="checkbox"/>	HUFSTEDLER
<input type="checkbox"/>	LANDRIEU
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<input type="checkbox"/>	MILLER
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<input type="checkbox"/>	AIELLO
<input type="checkbox"/>	BUTLER
<input type="checkbox"/>	CAMPBELL
<input type="checkbox"/>	H. CARTER
<input type="checkbox"/>	CLOUGH
<input type="checkbox"/>	FIRST LADY
<input type="checkbox"/>	HARDEN
<input type="checkbox"/>	HERTZBERG
<input type="checkbox"/>	HUTCHESON
<input type="checkbox"/>	KAHN
<input type="checkbox"/>	MARTIN
<input type="checkbox"/>	MILLER
<input type="checkbox"/>	MOE
<input type="checkbox"/>	MOSES
<input type="checkbox"/>	PETERSON
<input type="checkbox"/>	PRESS
<input type="checkbox"/>	RECORDS
<input type="checkbox"/>	SANDERS
<input type="checkbox"/>	SHEPPARD
<input type="checkbox"/>	SPETH
<input type="checkbox"/>	STRAUSS
<input type="checkbox"/>	TORRES
<input type="checkbox"/>	VOORDE
<input type="checkbox"/>	WISE

THE WHITE HOUSE  
WASHINGTON  
September 9, 1980

MEMORANDUM FOR THE PRESIDENT

FROM

STU EIZENSTAT *Stu*  
LEE DOGOLOFF *Lee*

SUBJECT

DISCLOSURE OF IRS-HELD INFORMATION  
FOR LAW ENFORCEMENT PURPOSES

Attached is a letter from Sam Nunn to you on his revised amendments to the Tax Reform Act of 1976. These bills would permit freer disclosure of IRS-held information for Federal law enforcement purposes. On May 8, Senators Nunn and Chiles discussed this legislation with you. Since that time, we have worked with Nunn's staff to develop mutually agreed upon provisions which would permit greater disclosure while protecting privacy interests. The only provision of the revised Nunn bills we do not recommend supporting is the redisclosure of information to state law enforcement authorities. The IRS feels strongly that wider dissemination of this information could result in its misuse and a substantial infringement of taxpayers' privacy. We agree with this assessment.

While Correspondence has suggested that we respond to the Senator, we believe it important for you to answer directly for the following reasons:

1. Senator Nunn has stated that he will not introduce the revised bills without a clear indication from you of Administration support.
2. It would be appropriate for you to comment personally on these amendments since you met with the Senator on this issue last May.
3. The White House has worked closely with the Senator and his staff on these bills for over ten months.
4. We believe that the letter will help get the bill passed.

The attached response has been cleared by Congressional Liaison and the speechwriters, and reflects the concerned agencies' position.

OMB concurs.

ABRAHAM RIBICOFF, CONN., CHAIRMAN  
HENRY M. JACKSON, WASH.  
THOMAS F. EAGLETON, MO.  
LAWTON CHILES, FLA.  
SAM NUNN, GA.  
JOHN GLENN, OHIO  
JIM SASSER, TENN.  
DAVID H. PRYOR, ARK.  
CARL LEVIN, MICH.

CHARLES H. PERCY, ILL.  
JACOB K. JAVITS, N.Y.  
WILLIAM V. ROTH, JR., DEL.  
TED STEVENS, ALASKA  
CHARLES MC C. MATHIAS, JR., MD.  
JOHN C. DANFORTH, MO.  
WILLIAM S. COHEN, MAINE  
DAVID DURENBERGER, MINN.

RICHARD A. WEGMAN  
CHIEF COUNSEL AND STAFF DIRECTOR

## United States Senate

COMMITTEE ON  
GOVERNMENTAL AFFAIRS  
SENATE PERMANENT SUBCOMMITTEE  
ON INVESTIGATIONS  
WASHINGTON, D.C. 20510

August 19, 1980

SUBCOMMITTEE:  
SAM NUNN, CHAIRMAN  
HENRY M. JACKSON, VICE CHAIRMAN  
THOMAS F. EAGLETON, MO.  
LAWTON CHILES, FLA.  
JOHN GLENN, OHIO  
JIM SASSER, TENN.  
CHARLES H. PERCY, ILL.  
JACOB K. JAVITS, N.Y.  
WILLIAM V. ROTH, JR., DEL.  
CHARLES MC C. MATHIAS, JR., MD.  
WILLIAM S. COHEN, MAINE  
MARTY STEINBERG  
CHIEF COUNSEL  
LA VERN J. DUFFY  
GENERAL COUNSEL  
W. P. GOODWIN, JR.  
STAFF DIRECTOR  
JOSEPH G. BLOCK  
CHIEF COUNSEL TO THE MINORITY

The President  
The White House

Dear Mr. President:

I am enclosing drafts of amendments to my bills -- S. 2402, S. 2404, and S. 2405 -- which are the result of the meeting that Lawton Chiles and I had with you on May 8 regarding the illegal narcotics problem and subsequent consultations between the staff of the Permanent Subcommittee on Investigations and members of the Domestic Policy Staff, the Justice Department, and the Internal Revenue Service.

In my opinion, these amendments incorporate your desires to expand the privacy protections afforded to information provided to IRS by individuals -- as opposed to corporations and other entities -- and our joint desires to expand the role of IRS in cooperative law enforcement.

Under these proposals, an ex parte court order would be required before IRS could disclose tax returns or any other information provided to IRS by or on behalf of an individual taxpayer to whom such information relates. An individual would be defined as a "natural person or a corporation, partnership, association, union or other entity consisting of no more than one owner, shareholder, partner, associate, member, or principal," which would include small, so-called alter-ego corporations and partnerships.

There is only one section of the proposed amendment to S. 2402 on which we have been unable to reach agreement. That section permits the Justice Department to redisclose tax returns and other tax information to state authorities for use in state felony prosecutions. Your Administration is reluctant to endorse this proposal, but I believe it should remain in my bills for the following reasons.

Adm Em / Eisenstat  
CONGRESSIONAL  
LIAISON

AUG 27 1980  
003969

cc: OMB\*, Tate, DOS\*, TRES\*

First, redisclosures to state officials would be made only when the Justice Department obtains an ex parte order from a federal district court to do so. In other words, the Department would have to repeat the court order procedures under which it originally obtained tax returns and individual tax information. In the case of non-return information, which would not require a court order for original disclosure to Justice, the redisclosure court order would provide a significantly increased privacy protection.

Second, a number of state and local law enforcement officials -- including several in Georgia -- have expressed to me their support for this provision. By and large they agree with me that this form of federal assistance should be provided under the safeguards contained in my bill.

And third, if you will agree to support this provision, we will have developed a compromise position which should greatly increase the prospects of our passing remedial legislation in this Congress.

I greatly appreciate the time and effort that you and the members of your staff have put forward, your overall support of this legislative endeavor, and the emphasis you have put on making the IRS once again a full partner in federal law enforcement. I sincerely hope that you can now give your unqualified support for our joint position on these bills.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sam Nunn', with a large, stylized initial 'S'.

Sam Nunn  
Chairman

Enclosures

Insert short statement of purpose here:

CALENDAR No. \_\_\_\_\_

AMENDMENT No. \_\_\_\_\_

96th CONGRESS

2d SESSION

(The numbers above will be filled in by the Office of Secretary of the Senate.)

S. 2402  
H. R.

IN THE SENATE OF THE UNITED STATES

Referred to the Committee on \_\_\_\_\_ and ordered to be printed.

Ordered to lie on the table and to be printed.

AMENDMENT

Intended to be proposed by Mr. Nunn

to S. 2402, a bill <sup>(insert title of bill below)</sup> to insure the confidentiality of information filed by individual taxpayers with the Internal Revenue Service pursuant to the Internal Revenue Service Code and, at the same time, to insure the effective enforcement of Federal and State criminal laws and the effective administration of justice.

~~On page xxx, line xxx, insert the following:~~ Strike all after the enacting clause and insert in lieu thereof the following:

That paragraph (1) of subsection (b), section 6103 of the Internal Revenue Code of 1954 (26 U.S.C. 6103) is amended to read as follows:

"(1) RETURN INFORMATION.--The term 'return information' means  
"--(A) any tax or information return, declaration of estimated tax, or claim for refund required by, or provided for or permitted under the provisions of this title which is filed with the Secretary by, on behalf of, or with respect to any person, and any amendment or supplement thereto, including supporting schedules, attachments, or lists which are supplemental to, or part of, the returns so filed, (or information taken therefrom) and

"--(B) any information provided to the Secretary by or on behalf of an individual taxpayer to whom such information relates."

Sec. 2. Paragraph (2) of subsection (b), section 6103 of the Internal Revenue Code of 1954 (26 U.S.C. 6103) is amended as follows:

"(2) NONRETURN INFORMATION.--The term 'nonreturn information' means--

"(A) any information, other than return information, which the Secretary collects, prepares, obtains, or receives with respect to a taxpayer or return relating to the determination of the existence, or possible existence of liability (or the amount thereof) of any person under this title for any tax penalty, interest, fine, forfeiture, or other imposition or offense, (including whether a return was filed and whether the taxpayer's return was, is being, or will be examined or subject to other investigation or processing) and

"(B) any part of any written determination or any background file document relating to such written determination (as such terms are defined in section 6110(b)) which is not open to public inspection under section 6110, "but such term does not include data in a form which cannot be associated with, or otherwise identify, directly or indirectly, a particular taxpayer."

Sec. 3. Paragraph (3) of subsection (b) of the Internal Revenue Code of 1954 (26 U.S.C. 6103) is amended to read as follows:

"(3) INDIVIDUAL TAXPAYER.--The term 'individual taxpayer' means any natural person or a corporation, partnership, association, union, or other entity consisting of no more than two owners, shareholders, partners, or members.

Sec. 4. Paragraphs (1), (2), (3), and (4) of subsection (i), section 6103 of the Internal Revenue Code of 1954 (26 U.S.C. 6103) are amended to read as follows:

"(1) DISCLOSURE OF RETURN INFORMATION.--

"(A) Disclosure pursuant to order of judge or magistrate--

"Return information shall, pursuant to, and upon the grant of, an ex parte order by a Federal district court judge or magistrate as provided by this paragraph, be open, but only to the extent necessary as provided in such order, to inspection by or disclosure to officers and employees of the Department of Justice personally and directly engaged in and solely for their use in, preparation for any administrative, judicial, or grand jury proceeding (or investigation which may result in such a proceeding) pertaining to the enforcement of a specifically designated Federal criminal statute (not involving tax administration) to which the United States or such agency is or may be a party. The order may provide for continuous disclosure if such disclosure is justified under subparagraph (B)(iii).

"(B) Application for order.--The Attorney General, the Deputy Attorney General, an Assistant Attorney General, a United States Attorney, or the Attorney in Charge of a Criminal Division Organized Crime Strike Force may authorize an application to a Federal district court judge or magistrate for the order referred to in subparagraph (A). Upon such application, such judge or magistrate may grant such order if he determines on the basis of the facts submitted by the applicant that--

"(i) there is reasonable cause to believe, based upon information believed to be reliable, that a specific criminal act has been committed or is being committed;

"(ii) the information is sought exclusively for use in a Federal criminal investigation or proceeding concerning such act; and

"(iii) there is reasonable cause to believe that the information may be relevant to a matter relating to the commission of such criminal act.

"However, the Secretary may decline to disclose any return information under this paragraph if he determines and certifies to the court that such disclosure would

identify a confidential informant or seriously impair a civil or criminal tax investigation.

"(C) Duty of the Secretary.--The Secretary or his designee shall disclose to the appropriate attorney for the Government (referred to in subsection (B) above) such return information ordered disclosed pursuant to paragraph (i)(1)(A) of this subsection as soon as practicable following receipt of an ex parte court order issued pursuant thereto.

"(D) Further Disclosure.--An attorney for the Government (referred to in subsection (B) above) may further disclose any return information, which has been disclosed to him pursuant to an ex parte order, to such other Federal Government personnel or witness as he deems necessary to assist him during the criminal investigation or in preparation for the administrative, judicial, or grand jury proceeding which formed the basis for such order.

"(2) DISCLOSURE OF NONRETURN INFORMATION.--

"(A) Upon written request from the head of a Federal agency, the Inspector General thereof, or in the case of the Department of Justice, the Attorney General or his designee, the Secretary shall disclose nonreturn information as soon as practicable to officers and employees of such agency personally and directly engaged in, and solely for their use in, or preparation for any administrative, judicial, or grand jury proceeding (or investigation which may result in such a proceeding) described in paragraph (1)(A). Such request shall set forth--

"(i) the name and address of the taxpayer with respect to whom such nonreturn information relates;

"(ii) the taxable period or periods to which the nonreturn information relates;

"(iii) the statutory authority under which the proceeding or investigation is being conducted, and

"(iv) allegations of criminal conduct giving rise to the proceeding or investigation.

"However, the Secretary may decline to disclose any nonreturn information under this paragraph if he determines that such disclosure would identify a confidential informant or seriously impair a civil or criminal tax investigation.

"(B) The head of an agency, an Inspector General, or the Attorney General or his designee may further disclose such nonreturn information to such Federal Government personnel or witness as he deems necessary to assist him during the criminal investigation or in preparation for the administrative, judicial, or grand jury proceeding which formed the basis for such request.

"(C) For purposes of this paragraph, the name, address, and social security number of the taxpayer, whether a taxpayer filed a return for a given year or years and whether there is or has been a criminal investigation of a taxpayer shall be treated as nonreturn information.

"(3) SECRETARY'S DUTY TO DISCLOSE INFORMATION CONCERNING POSSIBLE CRIMINAL ACTIVITIES.--

"(A) The Secretary shall disclose as soon as practicable and in writing nonreturn information which may constitute evidence of a violation of Federal criminal laws to the extent necessary to apprise the head of the appropriate Federal agency or his designee charged with the responsibility for enforcing such laws. For purposes of the preceding sentence, the name and address of the taxpayer shall be treated as nonreturn information.

"(B) In addition to the above disclosures, when the Secretary makes a recommendation to the Department of Justice for prosecution for violation of the Internal Revenue Code, any return or nonreturn information reviewed, developed, or obtained during the tax investigation, which information may constitute evidence of a violation of Federal criminal laws, shall be furnished to the Department of Justice.

"(C) However, the Secretary may decline to disclose any information under the above paragraphs if he determines that such

disclosure would identify a confidential informant or seriously impair a civil or criminal tax investigation.

"(4) USE IN JUDICIAL OR ADMINISTRATIVE PROCEEDING.-- Any information obtained under paragraph (1), (2), or (3) may be entered into evidence in accordance with the Federal Rules of Evidence or other applicable law in any administrative, judicial, or grand jury proceeding pertaining to enforcement of a specifically designated federal criminal statute (not involving tax administration) or any ancillary civil proceeding to which the United States or any agency thereof is a party. Any such information may be disclosed to the extent required by order of a court pursuant to section 3500 of Title 18, United States Code, or Rule 16 of the Federal Rules of Criminal Procedure, or other applicable discovery requirements, such court being authorized in the issuance of such order to give due consideration to congressional policy favoring the confidentiality of return and nonreturn information as set forth in this title. However, any information obtained under paragraph (1), (2), or (3) shall not be admitted into evidence in such proceeding if the Secretary determines and notifies the Attorney General or his designee or the head of such agency that such admission would identify a confidential informant or seriously impair a civil or criminal tax investigation, unless a court shall otherwise direct such disclosures."

Sec. 5. Amend subsection (i), section 6103 of the Internal Revenue Code of 1954 (26 U.S.C. 6103), by adding new paragraphs (5), (6) and (7) and by renumbering existing paragraphs (5) and (6) accordingly as paragraphs (8) and (9):

"(5) EMERGENCY CIRCUMSTANCES.-- Under emergency circumstances involving an imminent danger of physical injury to any person, serious physical damage to property, or flight from prosecution, the Secretary or his designee may disclose information, including return information, to the extent necessary to apprise the appropriate Federal agency of such emergency. As soon as practicable thereafter, the Secretary or his designee shall notify the Department of Justice

of his actions with respect to this paragraph, and the Department shall thereupon notify the appropriate United States district court or magistrate of such disclosure pursuant to emergency circumstances.

"(6) ASSISTANCE OF IRS IN JOINT TAX AND NONTAX INVESTIGATIONS.--

No portion of this section shall be interpreted to preclude or prevent the Internal Revenue Service from assisting the Department of Justice or any other Federal agency in joint tax and nontax investigations of criminal matters which may involve income tax violations, nor shall any portion of this section be interpreted to preclude or prevent the Internal Revenue Service from investigating or gathering relevant information concerning persons engaged in criminal activities which may involve income tax violations.

"(7) REDISCLOSURE TO STATE AUTHORITY OF INFORMATION OBTAINED FOR FEDERAL CRIMINAL INVESTIGATION OR PROCEEDING.--

"An official authorized to apply for a disclosure under section 6103(i) may make application to a district judge or magistrate for an ex parte order to disclose to the appropriate State Attorney General or District Attorney any return or nonreturn information in his possession which is relevant to the violation of a State felony statute. The application shall set forth the name and address of the taxpayer, the taxable period or periods to which the information relates; a description of the information sought to be disclosed; and the State felony violation involved. Such judge or magistrate may grant such order if he determines on the basis of the facts submitted by the applicant that--

"(A) there is reasonable cause to believe, based upon information believed to be reliable, that a specific State felony violation has occurred or is occurring; and

"(B) there is reasonable cause to believe that the information may be relevant to a matter relating to the commission of such violation."

Sec. 6. Paragraph (k) (4) of section 6103, Internal Revenue Code of 1954 (26 U.S.C. 6103) is amended to read as follows:

"(4) DISCLOSURE TO COMPETENT AUTHORITY UNDER INTERNATIONAL CONVENTION.-- Return of nonreturn information may be disclosed to a competent authority of a foreign government which has an income tax or gift and estate tax convention, treaty on mutual assistance, or other convention relating to the exchange of tax information with the United States but only to the extent provided in, and subject to the terms and conditions of, such treaty or convention. When return or nonreturn information is sought pursuant to the terms of a treaty on mutual assistance in criminal matters for use in an investigation or proceeding not related to the tax laws of the requesting foreign country, disclosure may be made for the use of officials of the requesting country, but only after a United States district judge or magistrate issues an ex parte order that there is

"(A) reasonable cause to believe that the information sought may be relevant to a matter relating to the commission of a specific criminal act that has been committed or is being committed against the laws of the foreign country, and

"(B) that the information is sought exclusively for use in such foreign country's criminal investigation or proceeding concerning such act."

Sec. 7. Technical Conforming Amendment.

(a) Amend subsection (b), section 6103 of the Internal Revenue Code of 1954 (26 U.S.C. 6103) by adding a new paragraph (4), as follows, and by renumbering existing paragraph (4) through (9) accordingly:

"(4) COMBINED INFORMATION.-- The term 'combined information' means any combination of taxpayer identity information, return information described in paragraph (1)(b), and, or, nonreturn information described in paragraph (2)."

(b) Amend subsections (a), (b)(7) and (8), (d), (f), (g) (1), (3), (4), and (5), (h), (i) (6) and (7) as redesignated, (j) (3), (4), (5), and (6) of section 6103 of the Internal Revenue Code of 1954 (26 U.S.C. 6103), by striking "returns or return information",

and "return or return information" wherever such terms appear and nonreturn information" in lieu of "returns and return information" and "return information or nonreturn information" in lieu of "returns or return information" and "return of return information".

(c) Amend subsections (c), (e) (6), (g) (2), (k) (1), (3), and (6), and (p) (2) (B) and (3), (c) (I) (III), and the last sentence of subsection (d), of section 6103 of such Code (26 U.S.C. 6103) by striking "return information" wherever such term appears and substituting in lieu thereof "combined information".

(d) Amend subsection (h) (2) (B) and (4) (B) of section 6103 of such Code (26 U.S.C. 6103) by striking "such" and inserting in lieu thereof "the".

(e) Amend subsection (l) (1) (B) of section 6103 of such Code (26 U.S.C. 6103) by striking "return".

(f) Amend subsection (b) of section 6108 of such Code (26 U.S.C. 6108) by striking "return information (as defined in section 6103 (b) (2))" and inserting in lieu thereof "combined information (as defined in section 6103(b) (4))".

Insert short statement of purpose here:

CALENDAR No. \_\_\_\_\_

AMENDMENT No. \_\_\_\_\_

96th CONGRESS

2d SESSION

(The numbers above will be filled in by the Office of Secretary of the Senate.)

S. 2404  
H.R.

IN THE SENATE OF THE UNITED STATES

Referred to the Committee on \_\_\_\_\_ and ordered to be printed.

Ordered to lie on the table and to be printed.

AMENDMENT

Intended to be proposed by Mr. Nunn

to S. 2404, a bill to provide penalties for unauthorized disclosure of tax information. (Insert title of bill below)

~~XXXXXXXXXXXXXXXXXXXX~~

viz: ~~On page xxxxy line xxxxy, insert the following~~ Strike all after the enacting clause and insert in lieu thereof the following:

That section 7213 of the Internal Revenue Code of 1954 (26 U.S.C. 7213) is amended to strike the terms "return or return information" and "returns or return information" wherever they appear and insert in lieu thereof the term "return or nonreturn information".

Sec. 2. Section 7213 of title 26, United States Code, is amended by adding a new subsection (d), as follows, and by relettering existing subsection (d) as subsection (e):

"(d) It shall be an affirmative defense to a prosecution under this section that such disclosure of return or nonreturn information resulted from a good faith, but erroneous, interpretation of section 6103 while a Federal employee was acting within the scope of his employment or duties."

Insert short statement of purpose here:

CALENDAR No. \_\_\_\_\_

AMENDMENT No. \_\_\_\_\_

96th CONGRESS

2d SESSION

(The numbers above will be filled in by the Office of Secretary of the Senate.)

S. 2405  
H.R. \_\_\_\_\_

IN THE SENATE OF THE UNITED STATES

Referred to the Committee on \_\_\_\_\_ and ordered to be printed.

Ordered to lie on the table and to be printed.

AMENDMENT

Intended to be proposed by Mr. Nunn \_\_\_\_\_

(Insert title of bill below)

to S. 2405, a bill to provide for civil damages for unauthorized disclosures of tax information.

~~XXXXXXXXXXXXXXXXXXXXXXX~~

~~viz: On page xxx, line xxx, insert the following:~~ Strike all after the enacting clause and insert in lieu thereof the following:

That section 7217A of the Internal Revenue Code of 1954 (26 U.S.C. 7217) is amended to strike the terms "returns or return information" and "return or return information" wherever they appear, to insert in lieu thereof the term "return information" and to strike the term "return information" wherever it appears and to insert in lieu thereof the term "return or nonreturn information"; and to amend subsection (a) to read as follows:

"(a) General rule.--Whenever any employee of a Federal agency knowingly, or by reason of negligence, discloses return or nonreturn information (as defined in section 6103(B)) with respect to a taxpayer in violation of the

Amendment to S. 2405

provisions of section 6103, such taxpayer may bring a civil action for damages exclusively against such agency. Whenever any person other than an employee of a Federal agency knowingly, or by reason of negligence, discloses return or nonreturn information with respect to a taxpayer in violation of the provisions of section 6103, such taxpayer may bring a civil action directly against such person.

"The district courts of the United States shall have jurisdiction of any action commenced under the provisions of this section."

