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MEMORANDUM

THE WHITE HOUSE  
WASHINGTON

5601

LIMITED OFFICIAL USEACTION

MEMORANDUM FOR THE PRESIDENT

FROM: Brent Scowcroft *BS*

SUBJECT: Follow-on Letter to Chairman Dante Fascell  
of the CSCE Commission

Chairman Dante Fascell of the CSCE Commission has sent you the letter at Tab B responding to your letter of October 2 on the subject of Executive Branch participation in the work of the CSCE Commission established by PL 94-304. Chairman Fascell accepts your proposal for Member-Observer status with the Executive Branch participants. With this the case, it is now appropriate to provide Chairman Fascell with the names of the people you have appointed as Executive Branch Member-Observers. The letter for your signature to Chairman Fascell at Tab A would inform him that you have appointed the following individuals:

The Honorable Mansfield Sprague  
Counsellor to the Secretary for Congressional Affairs  
Department of Commerce

The Honorable Monroe Leigh  
Legal Adviser of the Department of State

James G. Poor  
Principal Deputy Assistant Secretary of Defense  
(International Security Affairs)

To ensure that there is no misunderstanding about the separate roles of the Executive and Legislative Branches -- and the continuing primary role of the Executive for foreign relations and the monitoring of CSCE implementation -- your letter would also again underscore these points for Chairman Fascell.

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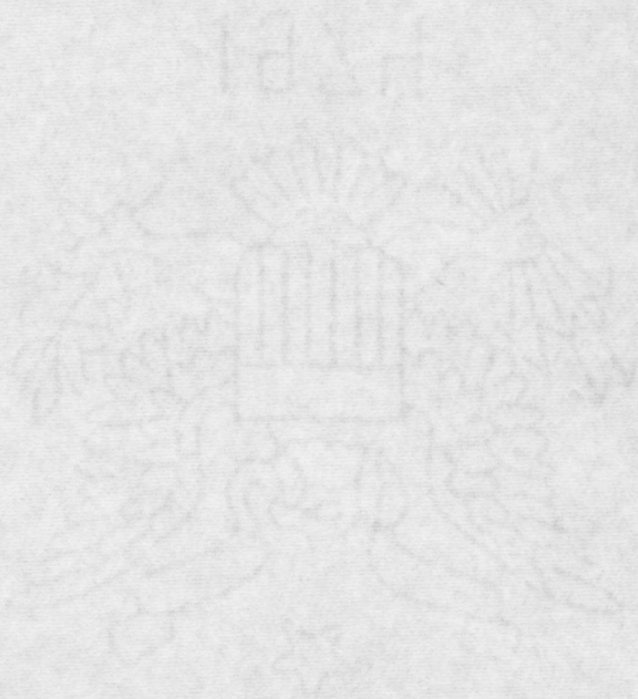
Your appointments of Mansfield Sprague, Monroe Leigh and James G. Poor have been coordinated with the Departments of State, Defense and Commerce. Your letter has been coordinated with Philip Buchen's staff, and the text has been cleared by Douglas Smith in Robert Hartmann's office.

Max Friedersdorf concurs.

RECOMMENDATION

That you sign the letter to Chairman Dante Fascell at Tab A.

A



THE WHITE HOUSE

WASHINGTON

Dear Mr. Chairman:

In my letter to you of October 2, 1976, concerning the Executive Branch Member-Observers of the CSCE Commission, I stated that once it was indicated that the arrangements specified in the letter were acceptable to you I would be advising you of the names of the persons I intended to appoint. As you have indicated in your letter of October 6 that you are in general accord with these arrangements, I am pleased to inform you that I have appointed the following persons as Executive Branch Member-Observers:

The Honorable Mansfield Sprague  
Counsellor to the Secretary for Congressional Affairs  
Department of Commerce

The Honorable Monroe Leigh  
Legal Adviser of the Department of State

Mr. James G. Poor  
Principal Deputy Assistant Secretary of Defense  
(International Security Affairs)

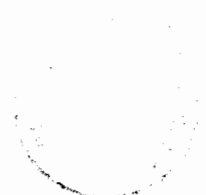
I believe that you are personally acquainted with all three of these persons and that you will agree with me that they are admirably qualified to serve in these important positions. I have directed them to be prepared to undertake their responsibilities immediately.

As I stated in my letter of October 2, we plan to work closely with the Commission. At the same time, with reference to your reply of October 6, I want again to emphasize the need to distinguish between the proper roles of the Executive and Legislative Branches. It is important that the work of the Commission be conducted so as to be consistent with the President's exclusive authority under the

Constitution for the conduct of formal relations with foreign governments. Great care must be taken to assure that the primary authority and responsibility of the President under the Constitution with regard to direct and formal contacts with foreign governments are not confused or misrepresented.

Sincerely,

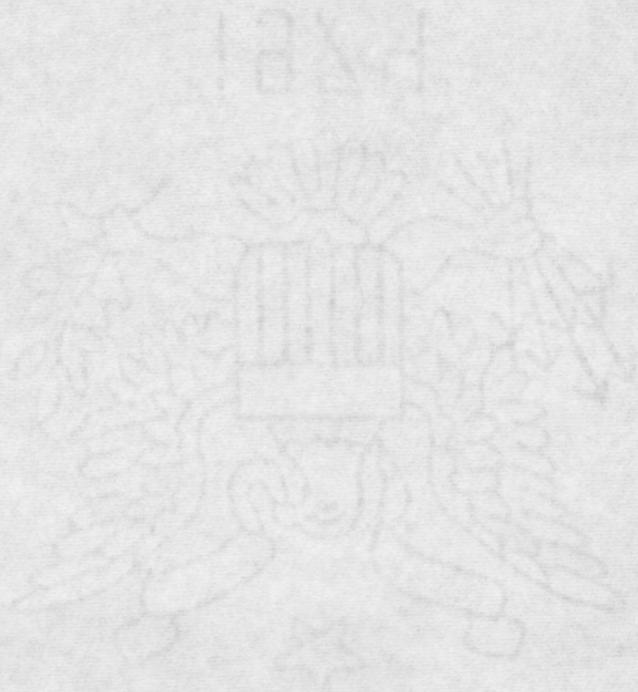
The Honorable Dante Fascell  
Chairman  
Commission on Security and Cooperation in Europe  
House of Representatives  
Washington, D. C. 20515



THE WHITE HOUSE

The Honorable Dante Fascell  
Chairman  
Commission on Security and Cooperation in Europe  
House of Representatives  
Washington, D. C. 20515

B





DANTE B. FASCELL  
CHAIRMAN

COMMISSION ON  
SECURITY AND COOPERATION IN EUROPE  
CONGRESS OF THE UNITED STATES  
WASHINGTON, D.C. 20515

October 6, 1976

OCT 6 1976

The Honorable Gerald R. Ford  
The President  
The White House  
Washington, D.C. 20500

Dear Mr. President:

Thank you for your letter of October 2 and your affirmation of the "deep commitment of the Executive Branch to full cooperation with the Commission on Security and Cooperation in Europe (CSCE)."

I am also pleased that you are ready to appoint the Commissioners from the Departments of State, Commerce and Defense, whose presence on the Commission will formalize and expedite that cooperation. It has always been my feeling -- and my understanding with Secretary Kissinger -- that the Executive Branch Commissioners should participate in the work of the CSCE in accordance with whatever instructions you set to govern their conduct and role. Understanding the policy problems raised by the joint nature of the Commission's membership, I am in general accord with your decision to have the Executive Branch Commissioners act in an observer's role in assisting the Commission's deliberations, investigations and recommendations.

The Commission also intends to continue the practice it has already begun of requesting information and documents from the Executive Branch through the relevant agency or department heads, rather than through those "interim representatives" of the State, Defense and Commerce Departments who have taken part in the Commission's work until now. I am hopeful that use of these channels will provide the necessary information and documentation to the Commission in a prompt manner in order that the staff may expeditiously carry out its tasks.

As you know, Representative Millicent Fenwick of New Jersey was the chief sponsor of the legislation which established the Commission. In testimony before the Subcommittee on International Political and Military Affairs, which I chair, she pointed out how valuable it will be to have one government agency where information on the aftermath of the Helsinki meeting, compiled by the Executive

The President  
October 6, 1976  
Page Two

and Legislative Branches here and abroad, could be pooled and assessed. "I look upon this joint legislative-executive endeavor to produce not only a meaningful and accurate record of European compliance or non-compliance," she said, "but also as an example of intergovernmental cooperation in a most important human field."

I share her sentiments fully, and I intend to do all I can to assure that the Commission conducts itself in a responsible manner, sensitive both to the problems of Executive-Legislative coordination in the area of foreign policy and to the importance of that coordination in fulfilling the role the law has set for the Commission. I see no constitutional problem in the Commission's composition or assignment. I do see a great opportunity, given the will to cooperate on both sides, for the Commission to assist both branches in carrying out a common objective: the fulfillment of an international accord of great significance for the improvement of East-West relations.

As you yourself said before signing the Final Act, "History will judge this Conference not by what we say here today, but by what we do tomorrow -- not by the promises we make but by the promises we keep." I welcome your commitment to the Commission's inquiry into those promises and the subsequent record of performance.

Sincerely,



DANTE B. FASCELL

Chairman

Commission on Security and  
Cooperation in Europe

DBF/mdl

*Staff - 48*

October 6, 1976

Dear Mr. Chairman:

This will acknowledge receipt of your letter under today's date in response to the President's letter to you of October 2 in which he expressed the deep commitment of the Executive Branch to full cooperation with the Commission on Security and Cooperation in Europe.

Please be assured your letter will be transmitted to the President immediately.

With cordial regard.

Sincerely,

Max L. Friedersdorf  
Assistant to the President

The Honorable Dante B. Fascell  
House of Representatives  
Washington, D. C. 20515

MLF:NK:Nk

~~cc:~~ Bill XHyland w/incoming (original) (dispatched)  
cc: Judy Berg-Hansen for the log (dispatched)



## Office of the White House Press Secretary

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THE WHITE HOUSE

The President today announced the appointment of three individuals to serve as Executive Branch Commissioner-Observers to the Commission on Security and Cooperation in Europe. Those individuals represent the Departments of State, Defense and Commerce.

Monroe Leigh, of Bethesda, Maryland, Legal Adviser,  
Department of State.

James G. Poor, of Alexandria, Virginia, Principal Deputy  
Assistant Secretary of Defense (International Security Affairs).

Mansfield Sprague, of the District of Columbia, Counsellor  
to the Secretary of Commerce.

The purpose of the Commission is to monitor the acts of the signatories as they affect compliance with or violation of the articles of the Final Act of the Conference on Security and Cooperation in Europe in particular regard to the provisions relating to Cooperation in Humanitarian Fields. The Commission is also authorized to monitor and encourage the development of programs and activities of the U.S. government and private organizations with a view toward taking advantage of the provisions of the Final Act to expand East-West economic cooperation.

## Office of the White House Press Secretary

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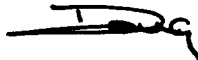
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THE WHITE HOUSE  
WASHINGTON

October 12, 1976

Mr. President,

There was considerable confusion at the Defense Department this morning respecting the individual officials there wished to designate as their representative to this Commission. The State Department will be represented by Monroe Leigh, Legal Adviser; the Commerce Department will be represented by Mansfield D. Sprague, Counsellor to the Secretary and former Assistant Secretary for International Security Affairs at the Department of Defense; and the Defense Department will be represented by James G. Poor, Principal Deputy Assistant Secretary of Defense for International Security Affairs.

A handwritten signature in black ink, appearing to be "J. G. Poor", written over a horizontal line.

THE WHITE HOUSE

WASHINGTON

October 12, 1976

MEMORANDUM FOR THE PRESIDENT

THROUGH: RICHARD B. CHENEY

FROM: DOUGLAS P. BENNETT **DPB**

SUBJECT: Executive Branch Commissioner-  
Observers to the Commission on  
Security and Cooperation in Europe  
(CSCE)

The attached papers are submitted for your signature regarding appointments of the following individuals as Commissioner-Observers to the Commission on Security and Cooperation in Europe.

In accordance with your letter of October 2 to Congressman Dante Fascell, the status of the three Executive Branch Representatives was changed from Members on the Commission on Security and Cooperation in Europe to Executive Branch Commissioner-Observers to the Commission on Security and Cooperation in Europe. Congressman Fascell has agreed in writing to the guidelines you presented in the above noted letter.

Attachments

THE WHITE HOUSE

WASHINGTON

October 12, 1976

MEMORANDUM FOR THE PRESIDENT

THROUGH: RICHARD B. CHENEY  
FROM: DOUGLAS P. BENNETT **DPL**  
SUBJECT: Commission on Security and  
Cooperation in Europe (PA-WOC)

This memorandum requests that you appoint James G. Poor, Monroe Leigh, and Mansfield Sprague as the Commission-Observers to the Commission on Security and Cooperation in Europe.

The Commission was created by S.2679. Its purpose is to monitor the acts of the signatories as they affect compliance with or violation of the articles of the Final Act of the Conference on Security and Cooperation in Europe in particular regard to the provisions relating to Cooperation in Humanitarian Fields. The Commission is also authorized to monitor and encourage the development of programs and activities of the U.S. government and private organizations with a view toward taking advantage of the provisions of the Final Act to expand East-West economic cooperation.

The Commission is composed of 15 members as follows:

- (1) Six members of the House of Representatives appointed by the Speaker (four Majority, two Minority), one of whom shall be appointed Chairman by the Speaker;
- (2) Six members of the Senate appointed by the President of the Senate (four Majority, two Minority);
- (3) One member of the Department of State appointed by the President;



- (4) One member of the Department of Defense appointed by the President;
- (5) One member of the Department of Commerce appointed by the President.

Recommended Candidates:

STATE

Monroe Leigh, currently is the Legal Adviser of the Department of State. Prior to that appointment he was a Lecturer on Legal Problems of International Trade, University of Virginia Law School. He has formerly served as the Assistant General Counsel for International Affairs, Office of the Secretary of Defense and has been a Member of the United States Mission to the North Atlantic Council in London and Paris. A graduate of Hampden-Sydney College and the University of Virginia Law School, Mr. Leigh has been a partner with the firm of Steptoe and Johnson since 1961. Mr. Leigh resides in Bethesda, Maryland.

Secretary Kissinger recommends this appointment.

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

DEFENSE

James G. Poor, currently is Principal Deputy Assistant Secretary of Defense (International Security Affairs). Prior to that appointment he was with the Energy Research and Development Administration. He has formerly served with the Atomic Energy Commission and in the Department of Defense. He is a resident of Alexandria, Virginia.

Secretary Rumsfeld recommends this appointment.

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

COMMERCE

Mansfield Sprague, 65 years old, currently is Assistant to the Secretary for Congressional Affairs. Prior to joining the Commerce Department, he was a consultant with AMF in Washington, D.C. Mr. Sprague first joined AMF in 1958 and served in their New York office as Vice President for Public and Industrial Relations. In 1967, he was appointed Vice President of AMF's Washington operation and served in that capacity until December, 1975. From 1957-58, he was Assistant Secretary of Defense for International Security Affairs. From 1955-57, he was General Counsel of the Defense Department. From 1936-55, he was an attorney with the Connecticut law firm of Bordman, Stoddard and McCarthy. Mr. Sprague has long been active in Republican politics. During the 1950's, he was the Republican State Chairman of Connecticut, Republican Speaker of the House in the Connecticut State Legislature and twice ran for Senate. Mr. Sprague is a registered Republican in the District of Columbia.

Secretary Richardson recommends this appointment.

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

THE WHITE HOUSE

WASHINGTON

October 12, 1976

MEMORANDUM FOR THE PRESIDENT

THROUGH: RICHARD B. CHENEY

FROM: DOUGLAS P. BENNETT **DPB**

SUBJECT: Commission on Security and  
Cooperation in Europe

Attached for your signature is an Order to appoint the following-named persons to be Executive Branch Commissioner-Observers on the Commission on Security and Cooperation in Europe:

James G. Poor, Principal Deputy Assistant  
Secretary of Defense for International Security  
Affairs, Alexandria, Virginia.

Monroe Leigh, Legal Adviser, Department of State,  
Bethesda, Maryland.

Mansfield D. Sprague, Counsellor to the Secretary of  
Commerce for Congressional Affairs, Washington, D. C.

ORDER

- - - -

I hereby appoint the following-named persons to  
serve as Executive Branch Commissioner-Observers on the  
Commission on Security and Cooperation in Europe:

James G. Poor, Principal Deputy Assistant  
Secretary of Defense for  
International Security Affairs

Monroe Leigh, Legal Adviser of the  
Department of State

Mansfield D. Sprague, Counsellor to  
the Secretary of Commerce for  
Congressional Affairs

THE WHITE HOUSE

