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March 7, 1975

Lazarus

To: Ken Lazarus

From: Phil Buchen

Could you work on this --
or have someone over
there do it?



THE WHITE HOUSE

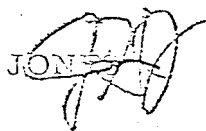
WASHINGTON

March 4, 1975

MEMORANDUM FOR:

JIM CANNON

FROM:

JERRY H. JONES 

I have been advised by Dick Cheney that the President feels the top priority for the Domestic Council right now is to find ways to tighten up on the Food Stamp Program. Would you please pull together an option paper for the President and submit your response to this office.

Thank you.



THE WHITE HOUSE
WASHINGTON

*Domestic
Council*

March 7, 1975

MEMORANDUM FOR : PHIL BUCHEN
FROM : JIM CANNON *Jm*

The President has placed top priority on the Domestic Council to find ways to tighten up on food stamps.

Secretary Butz told the Vice President, Dick Dunham, and me yesterday that he is under court order to "advertise" the availability of food stamps for all who are eligible.

Can you advise us as to whether anything could be done legally about this court order?

Many thanks.

cc: Dick Dunham



THE WHITE HOUSE


WASHINGTON

March 4, 1975

MEMORANDUM FOR:

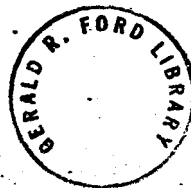
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Agrie

March 7, 1975

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From: Phil Buchen

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Legis

THE WHITE HOUSE
WASHINGTON

March 7, 1975

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Can you advise us as to whether anything could be done legally about this court order?

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cc: Dick Dunham



Barry has the original and says
this is not likely to be a political
issue.

Joseph Long



Agriculture
1000
10/10/70

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF THE GENERAL COUNSEL
WASHINGTON, D. C. 20250

MAR 12 1975

Honorable Philip W. Buchen
Counsel to the President
The White House
Washington, D. C. 20500

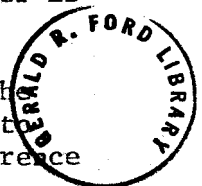
Dear Mr. *W. Buchen* Buchen:

For your information, there follows a summary of matters arising out of the case of Bennett v. Butz, USDC, D. Minnesota, No. 4-73 Civ. 284.

In this civil action filed in June 1973, the plaintiffs, including individual food stamp recipients, an unincorporated association of welfare recipients, and the National Welfare Rights Organization, challenged certain aspects of the Food Stamp Program carried out by this Department under the Food Stamp Act of 1964, as amended (7 U.S.C. 2011-2026). They alleged (1) that the Department's Economy Food Plan, upon which food stamp allotments for participating households are based, does not constitute a nutritionally adequate diet, (2) that the monetary value of the coupon allotments established by the Department is insufficient to purchase the food which makes up the Economy Food Plan, and (3) that the Department has failed to see to it that the several States carry out effective "outreach" pursuant to section 10(e)(5) of the Act (7 U.S.C. 2019(e)(5)), which requires that the plan of operation of each State which desires to participate in the program shall be submitted to the Department for approval and that such plan shall provide, inter alia: "That the State agency shall undertake effective action, including the use of services provided by other federally funded agencies and organizations, to inform low-income households concerning the availability and benefits of the food stamp program and insure the participation of eligible households."

The plaintiffs also sought a preliminary injunction requiring the defendants to obligate the otherwise unobligated balance of the funds appropriated for carrying out the Food Stamp Program for fiscal 1973, a sum then estimated at approximately \$300,000,000.00. The purpose of the relief requested was to preclude the lapse of these funds as of July 1, 1973. On June 25, 1973, the court issued such an injunction. A copy of the court's Findings of Fact, Conclusions of Law and Order is enclosed. The defendants complied with the order.

On October 11, 1974, the court filed its Memorandum and Order on the merits of the case, a copy of which is also enclosed. It refused to rule on the issue on the adequacy of the Economy Food Plan in deference



to pending litigation in the District of Columbia on the same issue. However, the court directed the defendants to make available for immediate expenditure the funds which had previously been obligated pursuant to its preliminary injunction, and to take a number of actions to implement outreach in accordance with the guidelines set forth in the court's memorandum. Further, the order, amended on November 27, 1974, directed the defendants to submit to the court a report specifying the actions which had been taken pursuant to such order.

After extensive consultation within the Department, it was decided that a recommendation against appeal of the court's order would be submitted to the Department of Justice. This decision was made in consideration of the fact that the Food Stamp Act had been amended in 1973 to provide that sums appropriated for the program shall remain available until expended, and that the other relief afforded the plaintiffs was not unduly burdensome to the defendants, particularly in view of the statutory outreach provisions. The Department of Justice did not file an appeal.

On January 20, 1975, the defendants, pursuant to the court's amended order, filed their report. It included, among other things, a statement that the funds in question had been made available for expenditure and a proposed instruction to the States which was designed to remedy the deficiencies which the court found with respect to the States' outreach efforts.

On February 14, 1975, the plaintiffs filed a motion to determine whether an order should be issued to show cause why the defendants should not be held in contempt and for additional relief to implement the court's amended order of October 11, 1974. Pursuant to negotiations between counsel for the parties on March 3 and 4, 1975, a stipulation and consent order were agreed upon, the purpose of which was to spell out those actions to be undertaken by the defendants which would be considered to constitute compliance with the court's order. With relatively minor substantive changes, but with the inclusion of a specific timetable for the carrying out of various actions, the stipulation agreed to was similar in content to the defendants' plan as submitted to the court on January 20, 1975.

Plaintiffs have filed approximately 20 other "outreach" cases in which both federal and State defendants have been named. The plaintiffs have entered into stipulations in those cases agreeing that the cases would be dismissed upon compliance by the defendants with the court's order in the Bennett case.



We shall be pleased to furnish such further information on this matter as you may request.

Sincerely,



John A. Knebel
General Counsel

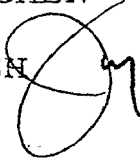


MEMORANDUM

THE WHITE HOUSE
WASHINGTON

March 14, 1975

TO: PHILIP W. BUCHEN

FROM: JAY T. FRENCH 

Attached, in Tab A, is an anonymous letter from an employee at the Department of Agriculture alleging violations of civil service laws and regulations. He also suggests that an investigation would be appropriate but points out that Agriculture's Office of Investigation had ^s reason to be biased.

I recommend you sign the following memo to Chairman Hampton of the Civil Service Commission which is set forth in Tab B.



THE WHITE HOUSE

WASHINGTON

March 14, 1975

MEMORANDUM TO: ROBERT E. HAMPTON
CHAIRMAN
CIVIL SERVICE COMMISSION

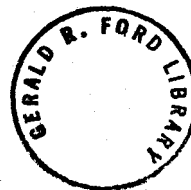
FROM: PHILIP W. BUCHEN *P.W.B.*

SUBJECT: Alleged Violations of Civil Service
Laws and Regulations at the
Department of Agriculture

The attached anonymous correspondence is referred to you for appropriate handling. Would you please keep me informed of any action you take.

I call your attention to the writer's contention that the Office of Investigation at the Department of Agriculture is prejudiced in this matter.

Attachment



ITEM WITHDRAWAL SHEET
WITHDRAWAL ID 00635

Collection/Series/Folder ID No. : 001900069
Reason for Withdrawal : DR,Donor restriction
Type of Material : MEM,Memo(s)
Creator's Name : Robert Hampton
Receiver's Name : Philip Buchen
Description : re allegations of improper person
nel practices at the Department of Agriculture
Creation Date : 04/25/1975
Date Withdrawn : 05/06/1988

MATERIALS FILED IN

"MUSHROOM" FILE

cc: VanderLaan, Robert
Rini, Nicholas
✓ Special Trade
Representative
Martin, Lewe
Domestic Council
Agriculture

- 4/15/75 letter to Philip Buchen from Nicholas J. Rini
(with copy to Michigan Senator Robert VanderLaan)
- 4/22/75 memo to Ken Gunther forwarding letter of 4/15 with
further reference to the material sent on 3/5 (copy of
letter to Michigan Senator Robert Vanderlaan)
and
- 3/25/75 letter from Lewe B. Martin (Pope Ballard & Loos)
to Nicholas J. Rini, attaching Petition of Mushroom
Processors Association to the President to Negotiate
Agreements on Canned Mushrooms under Section 204 of
the Agricultural Act of 1956.
- 4/29/75 - Memo from Frederick B. Dent sending cy of 4/28 letter
to Michigan Senator Robert VanderLaan concerning the
mushroom matter and Nicholas Rini, and returning our
memo of 4/22 to Ken Gunther since he feels the letter to
Sen. VanderLaan provides the response to both of the letters.



Agriculture

Monday 5/12/75

10:45 Checked with Secretary Buts' office and got the following address:

Orville Freeman
President
Business International Corporation
One Dag Hammarskjold Plaza
New York, New York 10017

(212) Plaza 9-7700



THE WHITE HOUSE
WASHINGTON
May 15, 1975

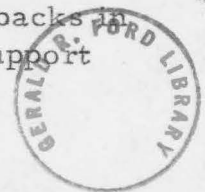
Agriculture

*see
Domestic
Council*

MEMORANDUM FOR: JIM CANNON
THROUGH: PHIL BUCHEN *T.W.B.*
FROM: KEN LAZARUS *KL*
SUBJECT: Food Stamps

I have reviewed your draft memorandum to the President on the referenced subject and offer the following:

1. As a general observation, I am impressed with the general thrust of the memo in that it attempts to eliminate certain inequities and inefficiencies and to improve enforcement procedures rather than approaching the subject simply on the basis of its budgetary impact.
2. The original enactment of the food stamp program was based, in substantial part, upon a need to make adequate use of food surpluses -- a condition which no longer exists. The program is now viewed principally as another element of federal welfare initiatives. Therefore, I believe it is necessary to view the various issues posed by this program in the context of the overall reform of federal welfare programs.
3. Recognizing however, that overall reform is a long-range project, the following observations are offered on the various short-term options which are presented:
 - (a) Food stamps for strikers. In view of the fact that chances for Congressional adoption of this proposal are slim to none, I would hesitate to provoke the wrath of labor.
 - (b) Addicts and alcoholics. It is my understanding that only minimal savings can be realized by cutbacks in this area. Therefore, I would hesitate to support the option.



- (c) College students. My visceral reaction is to support the elimination of the work exemption for college students. Additionally, on the basic question of eligibility, the current scheme fails to focus upon the family unit which I believe is the traditional approach of welfare programs.
- (d) Income eligibility. Would it be realistic to suggest the inclusion of an additional option to exclude from the food stamp program all individuals who do not qualify as welfare recipients?
- (e) Specific plans. Of the specific plans which are presented, I would support #3: "Set a single \$100 national standard but continue categorical eligibility and include a special deduction for the aged of \$50."



THE WHITE HOUSE

WASHINGTON

October 30, 1975

Dear Mrs. Farley:

Thank you for your letter of July 5, 1975, which expresses your concern for puppy mills.

The U. S. Department of Agriculture (USDA) is concerned for the care and humane treatment of animals. The Animal Welfare Act, administered by the Department, provides for "creature comforts" for all warmblooded animals whether used for research purposes, exhibition, or held for sale (wholesale) as pets.

Dealers who sell puppies wholesale must be licensed by the Department. Standards for the humane care and treatment of puppies on the dealers' premises and during transportation must be maintained or the dealers are subject to prosecution. Department personnel performed approximately 23,000 unannounced inspections of dealers' premises last year to ensure compliance with the regulations and standards. In addition, inspections were performed at air terminals.

The majority of people who raise dogs and cats for sale as pets are genuine animal lovers, and they do their best to provide humane care and proper facilities. As with any business operation, there are some individuals in the pet animal breeding business who are concerned only with financial gains. This type of operation results in publicity which brands the entire industry as inhumane, when in fact the majority of breeders show genuine concern for their animals. They know that just as fine cattle demand a high price, so do well-cared-for puppies.

A proposed amendment to the Animal Welfare Act, H. R. 5808, has been introduced in Congress by Congressman Thomas S. Foley. If passed into law, this amendment

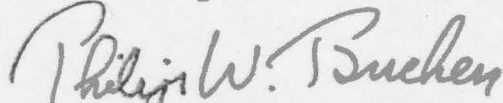


Agric.

would require health certificates for certain animals shipped in commerce and would also require that dogs and cats be at least 8 weeks old before they are shipped. This law would also prohibit the shipping of dogs c.o.d. Stopping this type of delivery would not prevent a purchaser from refusing an animal found to be ill or refusal for any other reason. Some provision must be made for care and treatment prior to returning ill animals to solve this problem.

We appreciate your taking time to write about humane care for animals. The Department does and intends to continue to enforce the provisions of the Animal Welfare Act.

Sincerely,



Philip W. Buchen
Counsel to the President

Mrs. John R. Farley
7420 Venetian Way
West Palm Beach, Florida 33406



THE WHITE HOUSE

WASHINGTON

Agric

March 10, 1976

Dear Earl:

Word has reached me from Grand Rapids that you are going to be appearing there the middle of this month. If you have not already seen the open letter to you which appeared in the local newspaper, I am enclosing one. Obviously the people of Grand Rapids want you to like their city.

I understand you will be going to the campus of Grand Valley State Colleges. That is an institution which is dear to my heart because I spent six years in planning and developing the campus and getting the college started from scratch. Bill Seidman also had a major role in getting this college started and was the first chairman of its Board of Control.

I hope you will enjoy your visit.

Sincerely,



Philip W. Buchen
Counsel to the President

The Honorable Earl Butz
Secretary of Agriculture
Washington, D. C. 20250

Enclosure



Dear Mr. Butz: Don't Look Now, but Grand Rapids Emerges as a Stylish City



Jan
Blaich

The question everyone will be waiting to have answered when Earl Butz comes to town in mid-March is: Has he picked up any of the rumors rustling around a variety of national publications that Grand Rapids is something more than a midwest hick town?

If Mr. Butz hasn't gotten the word about Grand Rapids yet, a lot of other people in the country have.

This national curiosity about a president's hometown is almost unprecedented, at least in recent memory. For some reason, there didn't seem to be much public interest in Whittier, Calif. And Presidents Johnson, Kennedy, Eisenhower and Roosevelt were all more closely associated with family estates, farms, or ranches than "hometowns".

Only Harry Truman invoked a sense of coming from a community. Independence, Mo., became forever implanted in imaginations of Americans as the prototypical small town where everyone knows everyone else, and people probably still sit on front porches.

And now we have Grand Rapids. Is there anything else behind the national fascination with our city other than being the hometown of President Ford? The trigger to piquing curiosities about Grand Rapids unquestionably came from Washington, and the least likely of sources: the National Endowment for the Arts. Grand Rapids a cultural innovator? Indeed yes, said the people at Endowment. To observers of the visual arts, Grand Rapids had already provided several surprises by accomplishing benchmark projects with sculpture in public places.

The history of the Calder as the first public sculpture project funded by the National Endowment is well-known. Perhaps less known to many people in Grand Rapids is how our city and that project were touted around the country as a favorite example of the ripple effects that can occur in a community as a result of such a project (even to include providing a logo for city stationery, billboards and garbage trucks).

Countless references to the Calder and Grand Rapids have been made in national publications to the point that most of us who used to clip articles have given up keeping track.

In rapid succession came other sculpture projects that claimed national attention, including the Sculpture Off the Pedestal project masterminded by the Art Museum's Women's Committee. Not that commissioned sculpture placed in urban settings was anything new—one expected that sort of thing in

New York or Los Angeles. But in Grand Rapids?

By this time, art watchers were ready for anything from Grand Rapids, and they were certainly not disappointed. There was a Robert Morris earth sculpture project at Belknap Park that had implications for park planning and soil erosion control; a Calder rooftop painting that called attention to providing pleasing aerial views, and finally a fish ladder designed by Joe Kinnebrew that stretched the limits of the concepts of sculpture in an unheard of application.

The fish ladder furthermore drew attention from outside the circle of art lovers in Washington and elsewhere. Environmentalists and urban planners became admirers of the project, and admiring of Grand Rapids. An article about the fish ladder appeared last fall in *Fortune* magazine, of all places.

Just a few weeks ago, the *Saturday Review* came up with another look at Grand Rapids. Again, the story centered around our astonishing success in innovative art projects. But this time, Grand Rapids was also cited as the kind of medium-size city that might be thought of as a model for other cities in revitalization of city centers.

The approach in Grand Rapids, according to author and architectural critic, William Marlin, is not a grand plan to dazzle the world, but an attempt to make a gain on the city's deteriorating environment "five yards at a time, Vince Lombardi style" with what we have at hand.

Rehabilitation of the old federal building for use as a community arts center is a first rate example of this pragmatic approach, says Marlin. He observes that the award-winning proposed design for the building is a juxtaposition of old and new that is "symbolic of Grand Rapids' own struggle with its overall resources, and will set an example nationwide as many communities now undertake reuse of similiar federal properties."

And so, while it is true that all of this attention focused on Grand Rapids is in large part because this is the President's hometown, there is much more to it than that. Grand Rapids has emerged as a city with unexpected vitality and style, with some suggestion of leadership in problem solving and creativity for other cities.

It's nice that a lot of people know that now, except perhaps Mr. Butz. But the most important thing about all of the flattery and attention may be that people of Grand Rapids will recognize and appreciate their own accomplishments and measure them in terms of how far we have yet to go in achieving the revitalization of our city.

THE WHITE HOUSE
WASHINGTON

Make copy of
Bill Ledman
P.

Sent
3/19/76



OFFICE OF
THE SECRETARY OF AGRICULTURE

March 15, 1976

Mr. Philip W. Buchen
The White House

Dear Phil:

Thanks for your note of March 10 relative to your own interest in Grand Valley State College.

I was much impressed with it. It's young, but it is pervaded by a healthy spirit of growth. I know it makes a tremendous contribution there.

Paul Johnson told me of your own contribution to this, as well as that of Bill Seidman. And "Doc" Grysen also told me about it. They're all very grateful for the tremendous contribution both of you made in getting the college organized, and giving it guidance during it's early years.

Jerry Ford has so much support in that district that he ought to go back there someday and run for King.

He would make it unanimously!

With warm regards, I am

Sincerely yours,



EARL L. BUTZ



*Agriculture
Secretary*

THE WHITE HOUSE

WASHINGTON

October 4, 1976

MEMORANDUM FOR: DICK CHENEY
FROM: PHIL BUCHEN *P.*
SUBJECT: Secretary of Agriculture

When the Secretary of Agriculture resigned today, the Under Secretary, unless otherwise directed by the President, automatically became Acting Secretary. However, under the Vacancies Act (5 U.S.C. 3345, et seq.), he may serve as Acting Secretary for not more than 30 days, even though the Congress has adjourned sine die and the Senate cannot receive a nomination.

In order to avoid legal challenges to actions taken by the Acting Secretary after the expiration of this 30-day period, the President will have to make a recess appointment of a new Secretary within 30 days. For your information, the holder of such a recess appointment would serve as Secretary rather than Acting Secretary, and would be entitled to the salary and other perquisites of the Secretary. Finally, the holder of a recess appointment in this situation would be eligible to serve (subject to the pleasure of the President) as Secretary until the end of the first session of the 95th Congress, without being subject to confirmation.

