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*Presidential
appointments*

THE WHITE HOUSE
WASHINGTON

*Admin.
Conference
Council*

Phil,

FYL

Len Garment

11/25



THE WHITE HOUSE

WASHINGTON

November 20, 1974

MEMORANDUM FOR: LEONARD GARMENT
FROM: WILLIAM N. WALKER *Walker*
SUBJECT: Administrative Conference Council

Thank you for your recent note recommending that Phil Areeda replace you as Vice Chairman of the Administrative Conference Council. I am aware of Chairman Anthony's concurrence with your suggestion, and I will initiate those necessary staffing procedures to ensure that this appointment can be made at the appropriate time.



PRIORITY
PRECEDENCE

UNCLAS
CLASSIFICATION

FOR COMMCENTER USE ONLY

FROM: PHIL BUCHEN

TO: DICK CHENEY

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THE WHITE HOUSE
WASHINGTON

*Approved
for*

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.

100-100000

THE WHITE HOUSE
WASHINGTON

*Personnel
Am. Nat Red Cross*

June 12, 1975

MEMORANDUM FOR:

DOUG BENNETT

THRU:

ROD HILLS

R. H. & P.W.B.

FROM:

BILL CASSELMAN

[Signature]

SUBJECT:

American National Red Cross
Board of Governors

This office has reviewed the attached proposed memorandum to the President on the above-cited subject and has no objection thereto.

Enclosure



THE WHITE HOUSE

WASHINGTON

June 9, 1975

MEMORANDUM FOR: COUNSEL'S OFFICE

FROM: PRESIDENTIAL PERSONNEL OFFICE *AW*

SUBJECT: American National Red Cross
Board of Governors

Attached is a copy of our memorandum to the President discussing the appointments to the American National Red Cross Board of Governors.

Please have your office contact Jean Appleby (x2172) in Robin West's office to let us know your opinion of the proposed action in order that we may accurately represent your view in the final decision memorandum. We would appreciate a reply by Friday, June 13, and if we have not heard from your office by that time, we will assume you have no comment on these appointments.

Thank you.

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR THE PRESIDENT

THROUGH: DONALD RUMSFELD

FROM: WILLIAM N. WALKER

SUBJECT: American National Red Cross
Board of Governors

This memorandum seeks your approval of the appointment of Dr. Theodore Cooper and Carla Anderson Hills to the American National Red Cross Board of Governors.

The American National Red Cross Board of Governors governs Red Cross activities including voluntary relief and communication between the American people and their armed forces and national and international relief during times of disaster. Members of the Board are appointed by you for terms of three years.

There are two vacancies on the Board as the result of the retirement of Dr. Richard S. Wilbur and the expiration of the term of James T. Lynn. The following have been recommended to fill these vacancies.

Dr. Theodore Cooper (Resume, Tab A), Republican, is the Assistant Secretary for Health, Department of Health, Education and Welfare. With an extensive background in medicine, he has served as Associate Director and Director of the National Heart and Lung Institute, Professor and Chairman, Department of Pharmacology and Professor of Surgery at the University of New Mexico School of Medicine. As a leader within the Department of Health, Education and Welfare, he has been involved with the National Blood Policy which is supported by the Red Cross. He is recommended by Frank Stanton who feels that Dr. Cooper would be the most suitable liason between the Red Cross and the Department of Health, Education and Welfare.

Approve _____

Disapprove _____

Carla Anderson Hills (Resume, Tab B), Republican, is the Secretary of Housing and Urban Development. As a lawyer, she has served as Assistant Attorney General, Civil Division, for the Department of Justice, Adjunct Professor at the University of



California at Los Angeles and Assistant United States Attorney in Los Angeles. Her legal background from Yale and her present position qualify her to be an effective liason between HUD and the Red Cross, particularly in matters related to federal disaster relief programs for which HUD is responsible. She is recommended by Frank Stanton, Chairman, American National Red Cross, to succeed James T. Lynn.

Approve _____

Disapprove _____

APRIL 21, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

The President today announced his intention to nominate Theodore Cooper, of Bethesda, Maryland, to be Assistant Secretary for Health, Department of Health, Education, and Welfare. He will succeed Charles C. Edwards who resigned effective January 5, 1975.

Dr. Cooper is presently the Acting Assistant Secretary for Health. In 1968, he became the Director of the National Heart and Lung Institute, after having been an Associate Director since 1967. From 1966 to 1968, he was Professor and Chairman, Department of Pharmacology, and Professor of Surgery at the University of New Mexico School of Medicine. He was Director, Center for Cardiovascular Research, St. Louis University, from 1961 to 1965. He had been Assistant Professor of Surgery at St. Louis University from 1960 to 1962. During 1959 to 1960 he was a surgeon for the United States Public Health Service, National Heart Institute.

Dr. Cooper was born on December 29, 1928, in Trenton, New Jersey. He received his B.S. degree from Georgetown University in 1949 and his M.D. degree from St. Louis University in 1954. He received his Ph.D. degree from St. Louis University in 1956.

Dr. Cooper is married to the former Vivian Evans and they have four children.

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Office of the White House Press Secretary

THE WHITE HOUSE

The President today announced his intention to nominate Carla Anderson Hills, of California, to be Secretary of Housing and Urban Development. She will succeed James T. Lynn who was sworn in as Director of the Office of Management and Budget on February 10, 1975.

Since April, 1974, Mrs. Hills has been Assistant Attorney General, Civil Division, for the Department of Justice. From 1962 to March, 1974, she was a partner with the law firm of Munger, Tolles, Hills & Rickershauser of Los Angeles. During this time she also was adjunct professor at the University of California at Los Angeles in the spring of 1972. She served as Assistant United States Attorney in Los Angeles from 1959 to 1961.

She was born on January 3, 1934, in Los Angeles, California. Mrs. Hills studied at Oxford University during 1954 and received her A. B. degree from Stanford University in 1955 and her LL. B. degree from Yale University Law School in 1958. She was admitted to the California State Bar in 1959. She is also a member of the Supreme Court Bar of the United States. She is the co-author of FEDERAL CIVIL PRACTICE (1961) and the editor and co-author of ANTITRUST ADVISOR (1971).

Mrs. Hills is married to Roderick M. Hills and they have four children. They reside in Washington, D. C.

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THE WHITE HOUSE
WASHINGTON

December 30, 1974

President

ALL

MEMORANDUM FOR: BILL WALKER

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

SUBJECT: Proposed Recess Appointment
to the AEC

I am opposed to making any recess appointment unless and until a practical necessity arises. I think it important that the President should retain the option to decide between a recess appointment or an early activation of ERDA and NRC on the basis of the actual facts of an emergency. Either action can be taken in a matter of hours, and requires only that the President sign an appropriate document.

See attached memorandum to me from Dudley Chapman.



THE WHITE HOUSE

WASHINGTON

December 24, 1974

MEMORANDUM FOR: PHILIP W. BUCHEN

FROM: DUDLEY CHAPMAN *DC*

SUBJECT: AEC Request for Recess Appointment

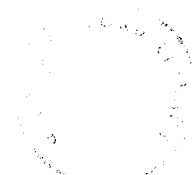
The AEC goes out of existence and will be replaced by its successor agencies, NRC and ERDA, no later than February 8, 1975, or at any time before then that the President signs an Executive Order establishing the latter agencies. All members of the two new agencies have been nominated and confirmed, so they could be established at any time. The present schedule calls for activating them about January 20.

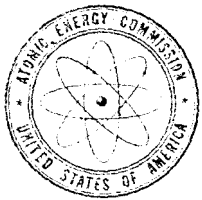
On December 31, the anticipated resignation of an AEC Commissioner will leave that Commission without a quorum until NRC and ERDA replace it. There is no pending business before the Commission that will require a quorum in the absence of some national security emergency, which no one anticipates. The AEC Deputy General Counsel in the attached memorandum raises a question as to whether prior delegations to subordinate people in the agency would be invalidated in the absence of a quorum. I believe there is nothing to this. Bill Anders, however, who will be the Chairman of the NRC, is urging a recess appointment to cover the period approximately January 1 through January 20 as a precaution for national security reasons. Bill Walker is agreeable to the appointment, but insists that this individual be AEC General Counsel Mark Rowden who has already been confirmed as a member of the NRC. He insists on Rowden because he is unwilling to give the President someone who is not fully cleared and qualified to act. Anders insists that it be someone else because he feels that membership on the AEC would taint Rowden. The reasoning is that NRC is strictly regulatory and that Rowden would have developmental responsibilities during his period on the AEC. The point is a small one in any event and unpersuasive since Anders himself will be moving from the AEC to the Chairmanship of the NRC.



I also find the national security argument for making a recess appointment unpersuasive. A very short period of time is involved and, if a practical necessity should arise, the President could act instantly to make a recess appointment. Alternatively, he could at any time bring ERDA and NRC into existence by issuance of an Executive Order. (OMB doesn't want this to happen until January 20 because of transition problems, but I doubt that these would be prohibitive in an emergency.)

My recommendation would be not to make a recess appointment unless and until a practical necessity arises in which that is clearly the best choice. Since a recess appointment can be made instantly, I see no advantage to be gained by doing it in advance, and making the appointment involves the complications described above. (The possibility of a recess appointment will run out when Congress reconvenes, but that is the same time that ERDA and NRC are scheduled to be activated.) Another consideration is that in the event of an emergency important enough to require action by the full Commission, the President might prefer to activate the new agencies rather than leave such a matter to the expiring one. I have attached a memorandum for your signature to Bill Walker expressing this conclusion.





UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

December 23, 1974

Dudley Chapman, Esq.
Associate Counsel to the President
The White House

Dear Mr. Chapman:

Reference is made to our telephone conversations last week with respect to the options available to the President in the event that, by virtue of resignations, there is an inability to assemble a quorum of members of the Atomic Energy Commission.

The question relates specifically to the period which begins on or about December 31, 1974, and terminates upon the establishment of NRC and ERDA under the Energy Reorganization Act of 1974, i.e., February 8, 1975, at the latest.

As I shall discuss infra, the law is not altogether clear with respect to the carrying on of normal business by Commission employees. In certain particulars, however, there would plainly be a legal inability on the part of the employees to perform some of the tasks entrusted to AEC itself.

Section 21 of the Atomic Energy Act establishes a five member Atomic Energy Commission, with a requirement of a quorum of three members "for the transaction of business ***." Section 161n. of the Act authorizes the Commission to "delegate to the General Manager or other officers of the Commission any of those functions assigned to it under this Act except those specified in sections 51, 57b., 61, 108, 123, 145b. ***, 145f., and 161a." Delegations made pursuant to this authority are embodied in the AEC Manual and in appropriate sections of 10 CFR.

From the face of the statute, therefore, it is clear that certain tasks can be exercised only by a quorum of the Commission. As enumerated in section 161n. supra, these deal, in brief, with the following areas:

1. Definition of "special nuclear material" (section 51);
2. Authorization of persons to engage in production of special nuclear material outside of the United States (section 57b.);
3. Definition of "source material" (section 61);
4. "Whenever the Congress declares that a state of war or national emergency exists", the Commission is empowered to suspend licenses, recapture special nuclear material, order the operation of certain nuclear facilities, and order entry into plants and facilities in order to recapture material or operate them (section 108);

5. The execution and entering into force of agreements for cooperation with other countries or international organizations (section 123);
6. The granting of security clearances in the absence of a full field investigation (section 145b.);
7. Determining those positions which require full field investigation by the FBI (section 145f.);
8. The establishment of advisory boards (section 161a).

As to the above items, it is my opinion that the absence of a quorum over a short period appears to be significant only with respect to the exercise of powers during time of war or national emergency.

Apart from these non-delegable tasks, day-to-day operations of the Commission could be carried on through extant delegations, if the validity of those delegations is not affected by the inability to muster a quorum. Whether these delegations remain valid in the absence of a quorum may be subject to question. On the one hand, it can be argued -- under traditional principal-agency concepts -- that the agent's authority lapses with the termination of the capacity of the principal. See Restatement, Agency 2d (1958), sections 121, 122. Taking this view, the inability to muster a quorum could be deemed to create a loss of "capacity" in the principal (AEC) with a resulting termination of outstanding delegations to officers (agents). On the other hand, it can be argued that principal-agent rules are inapposite. Under this view, the problem should be resolved in the context of practical considerations necessary to enable the continuing performance of governmental functions. For these purposes the delegates may be regarded as retaining continual authorization to perform within the scope of their delegations at least over a relatively short period. See Braniff Airways, Inc. v. CAB, 379 F.2d 453, 459 (C.A.D.C. 1967), holding that "once all members have voted for an award and caused it to be issued, the order is not nullified because of incapacity, intervening before the ministerial act of service, of a member needed to a quorum". While this case may be distinguishable, its implications suggest that an agency's employees may lawfully continue to perform certain routine customary functions even though a quorum cannot be mustered. My rapid research on this question reveals no other relevant Federal case.

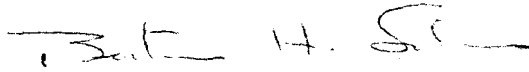
The latter approach -- whereby outstanding delegations remain in effect -- is not without its own problems. First, no one could perform those non-delegable tasks listed above. Second, no truly new business could be transacted; employees' actions should be closely confined to programs and policies already adopted.

Dudley Chapman, Esq.

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In order to obviate these difficulties, it is my view that the more prudent approach, on balance, would involve the exercise by the President of his constitutional power regarding recess appointments.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bertram H. Schur". The signature is written in a cursive style with a long horizontal stroke at the end.

Bertram H. Schur
Associate General Counsel



THE WHITE HOUSE
WASHINGTON

August 30, 1975

*Presidential
appointments
Boating Safety
Adv. Council*

MEMORANDUM FOR: DOUG BENNETT
FROM: PHIL BUCHEN *P.W.B.*
SUBJECT: Appointments to the Boating Safety
Advisory Council

Attached is a letter to me on the above subject from Herb VanderMey of the Michigan Wheel Corporation. I would appreciate your having someone in the office acknowledge this letter. If it happens that this Council is not one filled by Presidential appointments, I would appreciate your referring the letter to the appropriate department and so advising Mr. VanderMey.

Attachment



Michigan Wheel Corporation

1501 Buchanan S.W., Grand Rapids, Mi. 49502 Ph. (616) 452-6941 Telex: 22-6444
Marine & Industrial Propellers Cable Address: Michmotor



Aug. 26, 1975

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

Dear Phil:

I would like to recommend two men for your consideration to the appointment to the Boating Safety Advisory Council.

The first would be Jules G. Fleder from the public sector who is president of the Westlawn School of Yacht Design, Stamford, Conn., and of course, he is an avid yachtsman. I believe by having him on the Council, BSAC would gain representation from the public educational quarter since Westlawn School has almost 2,000 very dedicated students. In addition, he is a highly qualified designer, fully knowledgeable in both the sail and power boat areas.

Mr. Fleder is a member of the Society of Naval Architects and Marine Engineers, the Society of Small Craft Designers, the Institute of Marine Engineers (England), and is a member of the Technical Board of A.B.Y.C.

He is also a member of the North American Yacht Racing Union, the Navy League of the U.S., the International Oceanographic Foundation, and the New York Yacht Club.

I personally know Jules Fleder and would recommend him highly for this appointment.

The other recommendation is William Shaw who heads the Pearson Yachts Division of Grumman Allied Industries. He is corporate vice president of Grumman, which in addition to its aerospace and other activities is the parent of Grumman Boats, a very well known and respected aluminum canoe manufacturer in Marathon, N.Y.

Pearson, is a famous name in quality sailboats. As division head, Bill Shaw is responsible for all division's programs and performance and it should be pointed out that he is a noted designer of sailboats in his own right.

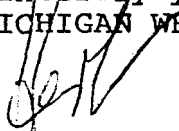
Bill has been active for many years in the American Boat and Yacht Council, in the American Sailing Council, and also vice president of the National Ass'n. of Engine & Boat Mfgs.

I know Bill and would recommend him highly for his integrity and for a job he could do for the committee.

I have also written a letter to Capt. Raymond H. Baetsen, Chief Boating Standards Division of the U.S. Coast Guard.

Whatever you can do, Phil to help these two men along, would certainly be appreciated.

Sincerely yours,
MICHIGAN WHEEL CORP.



H.L. VanderMey
President

HLVM:sh



THE WHITE HOUSE
WASHINGTON

February 14, 1975

EYES ONLY

MEMORANDUM FOR:

COUNSEL'S OFFICE

FROM:

PRESIDENTIAL PERSONNEL OFFICE

SUBJECT:

Chairman, Civil Aeronautics Board
PAS-Level III

Attached is a copy of our proposed memorandum for the President. Please notify Jack Shaw of my office, 2821, to give him your opinion (concur, no opinion, no objection, etc.) of the proposed action so that we can accurately represent your views in the final decision memo.

Since we are trying to fill these vacancies as quickly as possible, please be sure to reply within three days. If we have not heard from you within that time, we will assume you have no comment on the appointment.

Enclosure

Concur in your recommendation.
P.W.B.



THE WHITE HOUSE
WASHINGTON
October 30, 1974

Handwritten notes:
P
E

EYES ONLY

MEMORANDUM FOR: PHILIP BUCHEN

FROM: SAMUEL A. SCHULHOF *Sam*

CONCUR *Will*
WILLIAM N. WALKER

SUBJECT: Civil Rights Commission
Democrat Member
(PAS, WAE, POP)

Attached is a copy of my proposed memorandum for the President. Please notify Andre' LeTendre of my office, 2821, to give him your opinion (concur, no opinion, no objection, etc.) of the proposed action so that we can accurately represent your views in the final decision memo.

Since we are trying to fill these vacancies as quickly as possible, please respond by 3:00 p. m. Thursday, October 31. If we have not heard from you by that time, we will assume that you have no comment on the appointment.

Enclosure

*Telephoned
concurrance 10/31
J.*



THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR THE PRESIDENT

THROUGH: DONALD RUMSFELD

FROM: SAMUEL A. SCHULHOF

CONCUR

WILLIAM N. WALKER

SUBJECT: Civil Rights Commission, Democrat
Member
(PAS, WAE, POP)

There is one Democrat vacancy on this six-member Commission (Legislation at Tab A) due to the acceptance of Father Theodore Hesburg's resignation in 1972. This Commission meets two days a month to investigate civil rights complaints, appraise federal laws and policies, and serve as a clearinghouse for civil rights information. The Commission submits periodic reports to the President and the Congress. The six members serve at the Pleasure of the President and are compensated when actually employed.

Commission incumbents include two blacks, one Spanish-Speaking and one female. Arthur Flemming, Commission Chairman, feels it most important that you appoint a Jewish person to the vacant slot. Flemming contends that while one of the areas of Commission concern is religious discrimination, no Commission member represents the religious minorities.

Congressman William Hudnut strongly recommends the nomination of Murray Saltzman (Resume at Tab B), Senior Rabbi of the Indianapolis Hebrew Congregation. Saltzman is the President of the Indiana Inter-Religious Commission on Human Equality; Jewish Chaplain of the Indiana University Medical Center; a Member of the Greater Indianapolis Progress Committee; and a Member of the Indianapolis Public School Committee for Character Education. He is on the faculty of Marian College holding the Chair of Jewish Studies. He is a participant in a weekly television program Focus on Faith, which seeks to crystalize similarities and differences between Protestantism, Catholicism and Judaism.

Rabbi Saltzman was ordained at the Hebrew Union College in 1956 where he also received his Master's degree. He has served congregations in New York, Maryland and Wisconsin. While serving Congregation B'nai Abraham in Hagerstown, Maryland, he was appointed Chairman of the Mayor's Commission on Human Rights.

Congressman Hudnut is particularly interested in this appointment since he has been re-districted into an area with a high Jewish concentration and Saltzman's appointment would serve to neutralize this constituency in Hudnut's favor. While Hudnut does not expect announcement prior to next week's election, since Saltzman has cleared both his FBI investigation and his conflicts of interest check, Hudnut could notify the Rabbi of his upcoming appointment as soon as you concur.

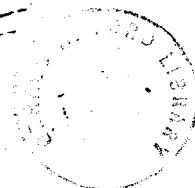
While we all feel it would be advantageous to appoint a woman to the Civil Rights Commission, Anne Armstrong, Bill Timmons and I feel that Hudnut deserves our strong help at this time and that Saltzman is an excellent appointment on the religious grounds.

I therefore recommend the nomination of Murray Saltzman to the Civil Rights Commission.

Decision:

_____ Agree

_____ Disagree



Public Law 85-315

September 9, 1957
(H. R. 6127)

AN ACT

To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Civil Rights Act
of 1957.*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

PART I—ESTABLISHMENT OF THE COMMISSION ON CIVIL RIGHTS

SEC. 101. (a) There is created in the executive branch of the Government a Commission on Civil Rights (hereinafter called the "Commission").

(b) The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three of the members shall at any one time be of the same political party.

(c) The President shall designate one of the members of the Commission as Chairman and one as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office.

(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner, and subject to the same limitation with respect to party affiliations as the original appointment was made.

(e) Four members of the Commission shall constitute a quorum.

RULES OF PROCEDURE OF THE COMMISSION

SEC. 102. (a) The Chairman or one designated by him to act as Chairman at a hearing of the Commission shall announce in an opening statement the subject of the hearing.

(b) A copy of the Commission's rules shall be made available to the witness before the Commission.

(c) Witnesses at the hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(d) The Chairman or Acting Chairman may punish breaches of order and decorum and unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness; and (3) receive and dispose of requests from such person to subpoena additional witnesses.

(f) Except as provided in sections 102 and 105 (f) of this Act, the Chairman shall receive and the Commission shall dispose of requests to subpoena additional witnesses.

Evidence or
testimony.
Release.

(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than \$1,000, or imprisoned for not more than one year.

(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission is the sole judge of the pertinency of testimony and evidence adduced at its hearings.



(i) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Commission.

(j) A witness attending any session of the Commission shall receive \$4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of \$12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpoena issued on behalf of the Commission or any subcommittee thereof.

(k) The Commission shall not issue any subpoena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpoenaed at a hearing to be held outside of the State, wherein the witness is found or resides or transacts business.

Witness fees.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 103. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of \$50 per day for each day spent in the work of the Commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of \$12 in lieu of actual expenses for subsistence when away from his usual place of residence, inclusive of fees or tips to porters and stewards.

(b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of \$12 in lieu of actual expenses for subsistence when away from his usual place of residence, inclusive of fees or tips to porters and stewards.

DUTIES OF THE COMMISSION

SEC. 104. (a) The Commission shall—

(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

(b) The Commission shall submit interim reports to the President and to the Congress at such times as either the Commission or the President shall deem desirable, and shall submit to the President and to the Congress a final and comprehensive report of its activities, findings, and recommendations not later than two years from the date of the enactment of this Act.

(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

Reports to President and Congress.

Termination of Commission.

GERALD E

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SEC. 408. In any action or proceeding under this title the United States shall be liable for costs the same as a private person.

SEC. 409. Nothing in this title shall affect adversely the right of any person to sue for or obtain relief in any court against discrimination in public education.

SEC. 410. Nothing in this title shall prohibit classification and assignment for reasons other than race, color, religion, or national origin.

TITLE V—COMMISSION ON CIVIL RIGHTS

SEC. 501. Section 102 of the Civil Rights Act of 1957 (42 U.S.C. 1975a; 71 Stat. 634) is amended to read as follows:

“RULES OF PROCEDURE OF THE COMMISSION HEARINGS

“SEC. 102. (a) At least thirty days prior to the commencement of any hearing, the Commission shall cause to be published in the Federal Register notice of the date on which such hearing is to commence, the place at which it is to be held and the subject of the hearing. The Chairman, or one designated by him to act as Chairman at a hearing of the Commission, shall announce in an opening statement the subject of the hearing.

Publication in
Federal Register.

“(b) A copy of the Commission’s rules shall be made available to any witness before the Commission, and a witness compelled to appear before the Commission or required to produce written or other matter shall be served with a copy of the Commission’s rules at the time of service of the subpoena.

“(c) Any person compelled to appear in person before the Commission shall be accorded the right to be accompanied and advised by counsel, who shall have the right to subject his client to reasonable examination, and to make objections on the record and to argue briefly the basis for such objections. The Commission shall proceed with reasonable dispatch to conclude any hearing in which it is engaged. Due regard shall be had for the convenience and necessity of witnesses.

Right of counsel.

“(d) The Chairman or Acting Chairman may punish breaches of order and decorum by censure and exclusion from the hearings.

“(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall receive such evidence or testimony or summary of such evidence or testimony in executive session. The Commission shall afford any person defamed, degraded, or incriminated by such evidence or testimony an opportunity to appear and be heard in executive session, with a reasonable number of additional witnesses requested by him, before deciding to use such evidence or testimony. In the event the Commission determines to release or use such evidence or testimony in such manner as to reveal publicly the identity of the person defamed, degraded, or incriminated, such evidence or testimony, prior to such public release or use, shall be given at a public session, and the Commission shall afford such person an opportunity to appear as a voluntary witness or to file a sworn statement in his behalf and to submit brief and pertinent sworn statements of others. The Commission shall receive and dispose of requests from such person to subpoena additional witnesses.

Executive ses-
sions.

“(f) Except as provided in sections 102 and 105(f) of this Act, the Chairman shall receive and the Commission shall dispose of requests to subpoena additional witnesses.

“(g) No evidence or testimony or summary of evidence or testimony taken in executive session may be released or used in public

Testimony, re-
lease restrictions.



sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission such evidence or testimony taken in executive session shall be fined not more than \$1,000, or imprisoned for not more than one year.

"(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission shall determine the pertinency of testimony and evidence adduced at its hearings.

Transcript
copies.

"(i) Every person who submits data or evidence shall be entitled to retain or, on payment of lawfully prescribed costs, procure a copy or transcript thereof, except that a witness in a hearing held in executive session may for good cause be limited to inspection of the official transcript of his testimony. Transcript copies of public sessions may be obtained by the public upon the payment of the cost thereof. An accurate transcript shall be made of the testimony of all witnesses at all hearings, either public or executive sessions, of the Commission or of any subcommittee thereof.

Witness fees.

"(j) A witness attending any session of the Commission shall receive \$6 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 10 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of \$10 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpoena issued on behalf of the Commission or any subcommittee thereof.

Subpoena of
witnesses.

"(k) The Commission shall not issue any subpoena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpoenaed at a hearing to be held outside of the State wherein the witness is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process except that, in any event, the Commission may issue subpoenas for the attendance and testimony of witnesses and the production of written or other matter at a hearing held within fifty miles of the place where the witness is found or resides or is domiciled or transacts business or has appointed an agent for receipt of service of process.

Organization
statement, etc.
Publication in
Federal Register.

"(l) The Commission shall separately state and currently publish in the Federal Register (1) descriptions of its central and field organization including the established places at which, and methods whereby, the public may secure information or make requests; (2) statements of the general course and method by which its functions are channeled and determined, and (3) rules adopted as authorized by law. No person shall in any manner be subject to or required to resort to rules, organization, or procedure not so published."

SEC. 502. Section 103(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975b(a); 71 Stat. 634) is amended to read as follows:

Payments to
members.

"SEC. 103. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of \$75 per day for each day spent in the work of the Commission, shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from his usual place of residence, in accordance with section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b-2; 60 Stat. 808)."

75 Stat. 339,
340.



SEC. 503. Section 103(b) of the Civil Rights Act of 1957 (42 U.S.C. 1975b(b); 71 Stat. 634) is amended to read as follows:

"(b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from his usual place of residence, in accordance with the provisions of the Travel Expenses Act of 1949, as amended (5 U.S.C. 835-42; 63 Stat. 166)."

SEC. 504. (a) Section 104(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975c(a); 71 Stat. 635), as amended, is further amended to read as follows:

"DUTIES OF THE COMMISSION

"SEC. 104. (a) The Commission shall—

"(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

"(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion or national origin or in the administration of justice;

"(3) appraise the laws and policies of the Federal Government with respect to denials of equal protection of the laws under the Constitution because of race, color, religion or national origin or in the administration of justice;

"(4) serve as a national clearinghouse for information in respect to denials of equal protection of the laws because of race, color, religion or national origin, including but not limited to the fields of voting, education, housing, employment, the use of public facilities, and transportation, or in the administration of justice;

"(5) investigate allegations, made in writing and under oath or affirmation, that citizens of the United States are unlawfully being accorded or denied the right to vote, or to have their votes properly counted, in any election of presidential electors, Members of the United States Senate, or of the House of Representatives, as a result of any patterns or practice of fraud or discrimination in the conduct of such election; and

"(6) Nothing in this or any other Act shall be construed as authorizing the Commission, its Advisory Committees, or any person under its supervision or control to inquire into or investigate any membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority, any private club or any religious organization."

(b) Section 104(b) of the Civil Rights Act of 1957 (42 U.S.C. 1975c(b); 71 Stat. 635), as amended, is further amended by striking out the present subsection "(b)" and by substituting therefor:

"(b) The Commission shall submit interim reports to the President and to the Congress at such times as the Commission, the Congress or the President shall deem desirable, and shall submit to the President and to the Congress a final report of its activities, findings, and recommendations not later than January 31, 1968."

SEC. 505. Section 105(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975d(a); 71 Stat. 636) is amended by striking out in the last sentence thereof "\$50 per diem" and inserting in lieu thereof "\$75 per diem."

75 Stat. 339,
340.

77 Stat. 271.

Reports to the
President and
Congress.



Powers.

SEC. 506. Section 105(f) and section 105(g) of the Civil Rights Act of 1957 (42 U.S.C. 1975d (f) and (g); 71 Stat. 636) are amended to read as follows:

"(f) The Commission, or on the authorization of the Commission any subcommittee of two or more members, at least one of whom shall be of each major political party, may, for the purpose of carrying out the provisions of this Act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued in accordance with the rules of the Commission as contained in section 102 (j) and (k) of this Act, over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman. The holding of hearings by the Commission, or the appointment of a subcommittee to hold hearings pursuant to this subparagraph, must be approved by a majority of the Commission, or by a majority of the members present at a meeting at which at least a quorum of four members is present.

Ante, p. 250.

"(g) In case of contumacy or refusal to obey a subpoena, any district court of the United States or the United States court of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce pertinent, relevant and nonprivileged evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof."

SEC. 507. Section 105 of the Civil Rights Act of 1957 (42 U.S.C. 1975d; 71 Stat. 636), as amended by section 401 of the Civil Rights Act of 1960 (42 U.S.C. 1975d(h); 74 Stat. 89), is further amended by adding a new subsection at the end to read as follows:

"(i) The Commission shall have the power to make such rules and regulations as are necessary to carry out the purposes of this Act."

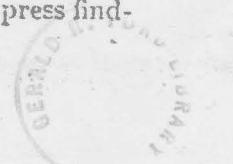
TITLE VI—NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

SEC. 601. No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Rules governing grants, loans, and contracts.

SEC. 602. Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 601 with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President. Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express find-

Approval by President.



Rabbi Murray Saltzman
Indianapolis Hebrew Congregation
6501 North Meridian Street
Indianapolis, Indiana 46260
Phone: 317-255-6647
Home: 257-0669

- Family Life:** Born - Brooklyn, New York 11-26-29.
Married to Esther E. Herskowitz 6-24-53.
Three children, Debra, 17; Josh, 16; Oren, 13.
- Education:** James Madison High School, Brooklyn, New York
Syracuse University 1947-49; University of Cincinnati (B.A.)
1949-51; Hebrew Union College-Jewish Institute of Religion
(Cincinnati, Ohio - B.H.L., M.H.L.) 1951-56. Ordained Rabbi
1956. Oriental Seminary, Johns Hopkins University 1959-62.
(Work toward Ph.D in Intertestamental Literature.) Hebrew
Union College-Jewish Institute of Religion (New York)
graduate program studies 1965-67.
- Positions:** 1956-58, Congregation Emanu-El B'ne Jeshurun, Milwaukee,
Wisconsin, Assistant Rabbi.
1958-62, Congregation B'nai Abraham, Hagerstown, Maryland,
Rabbi.
1962-67, Temple Beth El, Chappaqua, New York, Rabbi
1967-Present, Indianapolis Hebrew Congregation, Indianapolis,
Indiana, Senior Rabbi.
- Activities:** Civic :
Member, Youth Commission, Milwaukee, Wisconsin
Chairman, Mayor's Commission on Human Rights, Hagerstown,
Maryland.
President, Mental Health Society of Norther Westchester
Member, Religious Advisory Committee, National Conference of
Christians and Jews of Westchëster.



President, Indiana Inter-Religious Commission on Human Equality.
Board Member, Greater Indianapolis Progress Committee; WIFE
Radio Station Community Advisory Committee; Governor's Commission on Sex Education; Board of Education Committee Washington Township Schools; Inter-Religious Consultations; Southern Christian Leadership Conference (Indianapolis Chapter);
Panel Member weekly TV program (CBS affiliate in Indiana),
"Focus on Faith."

Professional:

Executive Board, New York Board of Reform Rabbis; Commission on Synagogue Administration, Union of American Hebrew Congregations; Commission on Marriage, Central Conference of American Rabbis.

Board Member - Indianapolis Jewish Welfare Federation;
Indianapolis Jewish Community Relations Council; Indianapolis Jewish Education Association; Bonds for Israel Rabbinic Cabinet.
Jewish Chaplain, Indiana University Medical Center, Fort Harrison, Indianapolis V.A. Hospital.

Educational:

Faculty Member Marian College, Indianapolis, Indiana. In 1969 appointed to Loeb Chair of Jewish Studies at Marian College.
Also taught at Indiana University-Purdue University, Indianapolis Campus; Christian Theological Seminary, Indianapolis; St. Maur's Catholic Seminary, Indianapolis.
Lecturer for Jewish Chautauqua Society.

Honors:

National Fraternity AEP for Service to Youth, 1958
Certificate of Distinguished Citizenship, Governor J. Millard Tawes, Maryland, 1961.

Publications:

The "Christian Century;" "The Jewish Digest;" "Brotherhood;"
Sunday Supplement, "Indianapolis Star;" "The Jewish Post."



*Comsat
Board*

October 4, 1974

MEMORANDUM FOR: Don Rumsfeld
FROM: Phil Buchen
SUBJECT: COMSAT Board Members

Confirming our earlier talk: rather than having the President renominate Fitzsimmons for the COMSAT Board, we should concur in recommending to the President that he go with a slate of

1. George Meany
2. Fred Donner
3. Ed David

I assume you will pass this on to Bill Walker or other person responsible.

PWB:ed

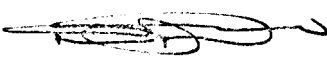


THE WHITE HOUSE
WASHINGTON

September 7, 1974

Phil B
FV 1

MEMORANDUM FOR THE PRESIDENT

THROUGH: GENERAL ALEXANDER HAIG
FROM: DAVID J. WIMER 
SUBJECT: Three Members, Communications Satellite Corporation
(COMSAT) Part-Time, Three Year Terms, PAS--WOC

Candidates for the three members of the COMSAT Board of Directors who are appointed by the President have previously been approved. One nomination, that of Dr. Edward David, is on the Hill. Announcements on the renomination of Frank Fitzsimmons and reappointment of Frederic Donner can be made immediately upon your approval. My recommendations earlier evoked the following responses:

David

Concurrences - Burch, Bush, Cole, Flanigan (strongly), Harlow, Malek and Timmons.

No Response - You as Vice President.

Donner

Concurrences - You as Vice President, Ash, Baroody, Burch, Bush, Cole, Malek and Timmons.

Fitzsimmons

No staffing process in effect.




THE WHITE HOUSE

WASHINGTON

September 7, 1974

MEMORANDUM FOR THE PRESIDENT

THROUGH: GENERAL ALEXANDER HAIG

FROM: DAVID J. WIMER 

SUBJECT: Three Members, Communications Satellite Corporation
(COMSAT) Part-Time, Three Year Terms, PAS, WOC

The purpose of this memorandum is to recommend three individuals for the three vacant member positions on the Board of Directors of the Communications Satellite Corporation.

COMSAT was created by Public Law 87-624 as a private communications satellite corporation and is not an agency or establishment of the United States Government. However, three members of the Board of Directors shall be appointed by the President of the United States for three-year terms, by and with the advice and consent of the Senate, and the remaining members shall be elected by the stockholders of COMSAT.

The recommended candidates for all three positions have previously been approved. They are:

Dr. Edward David, replacing Rudolph Peterson whose term expired in May 1973. His nomination was finally sent to the Hill on May 21, 1974. Hearings have not been held, presumably because the Senate wishes to act on all three nominations simultaneously.

Frederic G. Donner for reappointment to his present term which expired in May 1974. His reappointment has not been announced, pending clearances which have now been completed.

Frank E. Fitzsimmons for renomination to the term which expired in May 1972. His nomination, previously not acted upon by the Senate, is ready for announcement if you concur with waiving Fitzsimmons' clearances as was previously done. (This is the case with many labor leaders according to Counsel, since security never quite meets the standard tests.)



Background on the candidates is as follows:

Dr. Edward Emil David, Jr. is 45 years old, B. E. E., Georgia Institute of Technology, S. M., Sc. D., Massachusetts Institute of Technology. He is currently Executive Vice President, Gould, Inc. in Chicago. From 1970 to 1972 he was Science Advisor to the President and Director of the Office of Science and Technology. He joined Bell Laboratories in 1950 and served in various capacities and ultimately as Executive Director, Research, Communications Systems Division.

Our checks indicate Dr. David served the former President well while science advisor although he was not a strong administrator. His loyalty, strong support of the Administration, and his policies were his strong suits. He is a registered Republican. Tom Whitehead, Office of Telecommunications Policy and Jim Cavanaugh of the Domestic Council recommended Dr. David highly for this position. Checks indicate he would indeed be an asset to COMSAT. I recommend he be appointed.

DECISION:

Stay with David

 Agree

 Disagree

Frederic G. Donner is 72 years old, A. B., University of Michigan. He is currently Chairman of the Board of the Alfred P. Sloan Foundation. Previously he was with the General Motors Corporation. He started with General Motors in 1926 and in 1958 was named Chairman of the Board and Chief Executive Officer. He has served on the Board of Directors of General Motors since 1942. He retired from the company in 1967. He is a registered Republican.

Mr. Donner was originally appointed to the Board of COMSAT on October 2, 1964 and our checks indicate he has been an asset to the Board. Donner may only serve for two more years, depending on his health. Dean Burch and Tom Whitehead have recommended Mr. Donner highly for reappointment to this part-time post. I concur and recommend he be reappointed.

DECISION:

Reappoint Donner

 Agree

 Disagree



Frank E. Fitzsimmons is 66 years old, no degree, and has been President of the Teamsters Union since 1971. He entered the labor movement as an official in 1937 when he became a business agent of a Teamster Local in Detroit. His registration is unknown but he has, of course, been one of the previous Administration's few strong labor leader supporters.

Fitzsimmons was nominated as a Member, COMSAT on May 18, 1972 for a term of three years to replace George Meany whose term had expired and who chose not to be renominated. Due to the rivalry between Meany and Fitzsimmons, Meany used his influence in the Senate to block Fitzsimmons' confirmation. We again nominated Fitzsimmons on January 16, 1973 and no action was again taken by the Senate for the same reason. In both 1972 and 1973, Alex Butterfield waived the FBI clearance normally required for Presidential Appointees. At Fred Buzhardt's direction, he was recently submitted for a full field FBI. As expected, he did not pass it. Also, he has never completed and submitted the conflict of interest forms.

We must now decide whether or not we wish to resubmit him for COMSAT. The situation on the Hill is the same as before and we have no reason to believe that Fitzsimmons will be confirmed or brought to the point of a hearing. If we do not renominate Fitzsimmons this could publicly indicate our lack of confidence in a man who has been extremely supportive of the Administration and in effect indicate that Meany has won one over Fitzsimmons. You should also be aware that only eight months remain on this three year term.

I previously recommended that clearances be waived and we renominate Fitzsimmons. This recommendation was accepted. The issue is now one of how much support you wish to demonstrate to the Teamsters. On the other hand, you may not feel it makes sense at this time to rubber stamp this renomination.

DECISION:

Renominate: Fitzsimmons _____

Look for another candidate _____

cc: Bob Hartmann ✓



October 4, 1974

MEMORANDUM FOR: Don Rumsfeld
FROM: Phil Bushen
SUBJECT: COMSAT Board Members

Confirming our earlier talk: rather than having the President renominate Fitzsimmons for the COMSAT Board, we should concur in recommending to the President that he go with a slate of

1. George Meany
2. Fred Donner
3. Ed David

I assume you will pass this on to Bill Walker or other person responsible.

PWB:ed



October 4, 1974

MEMORANDUM FOR: Don Rumsfeld
FROM: Phil Buchen
SUBJECT: COMSAT Board Members

Confirming our earlier talk: rather than having the President renominate Fitzsimmons for the COMSAT Board, we should concur in recommending to the President that he go with a slate of

- 1. George Meany**
- 2. Fred Denner**
- 3. Ed David**

I assume you will pass this on to Bill Walker or other person responsible.

PWB:ed



October 4, 1974

MEMORANDUM FOR: Don Rumsfeld
FROM: Phil Bushen
SUBJECT: COMEAT Board Members

Confirming our earlier talk: rather than having the President nominate Fitzsimmons for the COMEAT Board, we should concur in recommending to the President that he go with a slate of

- 1. George Menny**
- 2. Fred Donner**
- 3. Ed David**

I assume you will pass this on to Bill Walker or other person responsible.

PWB:ed



October 4, 1974

MEMORANDUM FOR: Don Rumsfeld
FROM: Phil Bushen
SUBJECT: COMBAT Board Members

Confirming our earlier talk: rather than having the President nominate Fitnessmen for the COMBAT Board, we should concur in recommending to the President that he go with a slate of

- 1. George Meany**
- 2. Fred Donner**
- 3. Ed David**

I assume you will pass this on to Bill Walker or other person responsible.

PWB:ed



THE WHITE HOUSE
WASHINGTON

November 10, 1975

*Consumer Product
Safety Commission*
[Signature]

MEMORANDUM FOR: DOUG BENNETT
FROM: KEN LAZARUS *KL*
SUBJECT: Chairmanship, Consumer Product
Safety Commission

Yesterday I received a phone call at home from Dorothy Parker, Counsel to Senator Fong on the Senate Judiciary Committee.

Apparently, Dorothy has just recently mounted an effort to be considered for the position noted above. In this regard, she indicated to me that she was being supported by Senators Fong, Hruska, Kennedy and Scott (Pa.). Further, she indicated that Senator Fong had spoken with Max Friedersdorf and had been assured that her name would be included on any slate of candidates to be presented to the President.

Phil Buchen asked me to call this matter to your attention. Mrs. Parker's resume is attached.

Attachments



8 *Harv. J. Legis.* 123, 1971; "The Illusion of Usurpation: Judicial Scrutiny of the FCC," 52 *B.U.L. Rev.* 659, 1972; "The Moral Implications of the Cuban Missile Crisis," 41 *The American Scholar* 276, 1972; "Marihuana: A Further View," 31 *Fed. B.J.* 258, 1972 (co-author); "Not by Honesty Alone," *N.Y. Times*, Nov. 13, 1974 (co-author).

PAPP, Peggy Antonides, legis. asst. to Rep. Lujan, 1—N. Mex. Home, 607 Malcolm Place, Alexandria, Va. Born Aug. 30 in Chicago, Ill. to Anton F. and Marian (Peterson) Antonides. Married June 25, 1966 to John G. Papp. Denison Univ., 1956—57; Univ. of Colo., 1958—61, B.A.; George Wash. Univ.; Univ. of Va. 1961—66, foreign svc. ofcr., State Dept.

PARKER, Dorothy, minority counsel, Subcom. on Refugees and Escapees, Sen. Judiciary Com. Home, 1600 S. Joyce St., Apt. B1511, Arlington, Va. Born Jan. 30, 1916 in New York City to Bernard Johnston and Clara (Landsman) Botwin. Married Feb. 12, 1962 to Benjamin M. Parker. Barnard Coll., 1932—35, B.A.; Columbia Univ. Law Sch., 1935, LL.B. converted to J.D. 1938—63, practicing atty.; 1941—45, consultant, U.S. Ofc. of Censorship; 1965—70, asst. to dep. gen. counsel, HEW; 1970—73, minority counsel, Subcom. on Constitutional Amend. and 1973—present, minority counsel, Subcom. on Refugees and Escapees, Sen. Judiciary Com.

PARKHURST, Thomas Michael, dist. rep. to Rep. McHugh, 27—N.Y. Home, Whitney Point, N.Y. Born July 23 1941 in Buffalo, N.Y. Married Sept. 10, 1961 to Melanie Lou Dahlgren; children, Michael, Leonard and Ellen. Harpur Coll., 1959—64, B.A.; SUNY at Buffalo, 1966—68, M.S.W. 1964—70, casework supv., Binghamton Dept. of Social Svc.; 1970—75, dir., Broome Co. Ofc. for Aging.

PARKS, David Leroy, asst. to Rep. Mann, 4—S. Car. Home, 317 Piedmont St., Spartanburg, S. Car. Born Oct. 26, 1936 in Woodruff, S. Car. Married Dec. 16, 1961 to Willa Baylor Dillard; children, Robyn and Gina. S. Car. State Coll., 1954—56; Benedict Coll., 1956—58, B.S.; Furman Univ., 1970—71. 1958—73, teacher. Member: exec. bd., Piedmont Community Action Agency; exec. bd., Spartanburg County Council; exec. bd., Charles Lea Ctr.; NAACP; Progressive Men Club; Spartanburg County Mental Health Assn.; United Teaching Profession.

PARRISH, Max R., legis. asst. to Sen. McClellan, Ark. Legal res., Little Rock, Ark. Home, 4531 Q Street, NW, Wash., D.C. Born Sept. 26, 1940 in Jackson, Tenn. to William Carl and Mamie (Fanning) Parrish. Univ. of Tenn., 1960—64, A.B. cum laude; N.Y.U. Law Sch., 1964—66; Univ. of Ark. Law Sch., 1967—70, J.D.; George Wash. Univ. Law Sch., 1970—74, LL.M.; Phi Eta Sigma, Omicron Delta Kappa. U.S. Army svc., 1966—68; Capt., USAR. 1970—71 and 1972—74, asst. counsel, Subcom. on Criminal Laws, Sen. Judic. Com.; 1971—72, prof. staff mbr., Sen. Com. on Govt. Opns. Member: Amer. and Ark. Bar Assns., Unitarian Church.

PARTRIDGE, B. Waring III, admin. asst. to Rep. Myers, 25—Pa. Legal res., S. Windham, Vt. Home, 2016 37th St., NW, Wash., D.C. Born Nov. 28, 1944 in Greenwich, Conn. to Benjamin Waring and Cora (Cheney) Partridge. Yale Univ., 1962—67, B.A.; Harvard Univ., 1964; Sword & Gate. Enlisted as ensign, U.S. Navy 1967; released as Lt., 1971; after svc. aboard *USS Wasp*; Natl. Def. Ribbon, Vietnam Svc. Ribbon with 3 campaign stars, Repub. of Vietnam Campaign Ribbon, Navy Achievement Medal with Combat "V", Repub. of Vietnam Cross of Gallantry; Lt. USNR.

PATRICK, David Scarborough, admin. asst. to Rep. Nichols, 3—Ala. Home, 6630 Elk Park Ct., Alexandria, Va. Born Feb. 13, 1948 in Birmingham, Ala. to Charles Hugh and Mary (Scarborough) Patrick. Married June 30, 1967 to Sharon Elaine Spitzer. Samford Univ., 1966—70, B.A., 1970—71, M.A.; George Wash. Univ., 1971—73, M.A. in govt.; Scottish Rite Fellow, Pi Gamma Mu. Member: First Baptist Church of Alexandria.

PATTEN, George L., legis. asst. to Sen. Chiles, Fla. Legal res., Starke, Fla. Home, 6702 Perry Penny Dr., Annandale, Va. Born Aug. 9, 1941 in Tallahassee, Fla. Married Feb. 14, 1970 to Layne F. Ferguson; child, Lisa J. Stetson Univ., 1959—61; Fla. State Univ., 1962—63—65; Univ. of Fla., 1966—67, B.S.; Pi Kappa Delta, Alpha Epsilon Rho, Sigma Delta Chi, Green Circle, Sigma Nu. 1967—69, special asst. atty. gen., State of Fla.; 1969—70, admin. asst. to Fla. Senate; 1970—pres. govt. rep. to law firm; 1971—pres., legis. asst. to Sen. Chiles.

PATTERSON, Martha Priddy, legis. asst. to Rep. Eckhardt, 8—Texas. Home, 2000 S. Eads, Apt. 603, Arlington, Va. Born Jan. 14, 1949 in Louisville, Ky. Married June 12, 1971 to Richard Odell

Patterson, 1
Kappa, Alpi
Assns., Corr

PEARSON,
Govt. Opns.
June 15, 19
B.S.; Univ.
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Clark, Va. Pa
1970—72; P
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1973; "Haiku,"
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Women's Pol. C

PERDUE, W. I
Waterbury Ct.
Cheryl Ann Ha
magna cum lau
Dept. of Touris

PERIAN, Carl
Fisheries Com.
Lewis Alvin an
Helen Marie. U
resch. dir., 196
asst. to Rep. Jo
1973—74, prof.

PERIAN, Julia
Suitland, Md. B

THE WHITE HOUSE

WASHINGTON

November 5, 1975

COB

EYES ONLY

MEMORANDUM FOR:

COUNSEL'S OFFICE

FROM:

PRESIDENTIAL PERSONNEL OFFICE *DPB*

SUBJECT:

Chairmanship, Consumer Product
Safety Commission

Attached is a copy of our proposed memorandum for the President. Please notify Jack Shaw of my office, 2821, to give him your opinion (concur, no opinion, no objection, etc.) of the proposed action so that we can accurately represent your views in the final decision memo.

Since we are trying to fill these vacancies as quickly as possible, please be sure to reply within three days. If we have not heard from you within that time, we will assume you have no comment on the appointment.

Enclosure

THE WHITE HOUSE
WASHINGTON

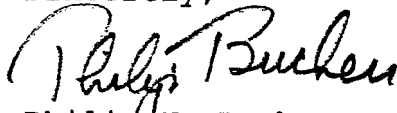
March 27, 1975

Dear Mr. James:

Thank you very much for your letter of March 18 and for the assistance you have provided in suggesting qualified candidates for the Board of the Corporation for Public Broadcasting.

I believe this matter is now proceeding to an early conclusion, but if I find that there is any further help you might provide, I shall let you know.

Sincerely,

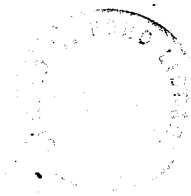


Philip W. Buchen
Counsel to the President

Mr. Sidney L. James
Public Broadcasting Service
475 L'Enfant Plaza West, S. W.
Washington, D. C. 20024

Pres. Appoint.

CPB Board



PUBLIC BROADCASTING SERVICE

475 L'ENFANT PLAZA WEST, S. W., WASHINGTON, D. C. 20024 • (202) 488-5000

March 18, 1975

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

Dear Mr. Buchen,

At last it seems that the proposed list of candidates for the Corporation for Public Broadcasting board has become unstuck by reason of some withdrawals due to attendant delays. At least that is the word that was passed at the meeting of the CPB board last week.

Subsequently, in the interest of moving that long-felt problem to solution, I made arrangements with Mr. Walker's office to have Ralph B. Rogers, chairman of the board of the Public Broadcasting Service, submit some names of highly qualified citizens on behalf of the 152 public television licensees. His letter to Mr. Walker is enclosed.

While these suggestions are all eminently suited for individual selection, they also serve to indicate the kind of people we know public television considers essential to a balanced board.

As we all sincerely hope that this important matter can be brought to a conclusion, I would be most appreciative if you could take a look in and let me know if there is any more that we can do.

With warmest personal regards.

Respectfully yours,



Sidney L. James

Enclosure:
letter to Mr. William N. Walker
dated March 18, 1975.

PUBLIC BROADCASTING SERVICE

485 L'ENFANT PLAZA WEST, S. W., WASHINGTON, D. C. 20024 • (202) 488-5000

RALPH B. ROGERS
CHAIRMAN OF THE BOARD

March 18, 1975

Mr. William N. Walker
Director of the Presidential
Personnel Office
The White House
Washington, D.C. 20500

Dear Mr. Walker,

As you know, there is no single question of greater consequence facing the institution of American public broadcasting than the eight appointments the President must make to the board of directors of the Corporation for Public Broadcasting. Mr. Sidney James has asked me to make some recommendations for the President's consideration.

There are men and women in every section of the country and from every walk of life who could be considered for these appointments. It is important that the appointees, in addition to being persons of outstanding character and reputation, be cognizant of the tremendous responsibility they will have to serve all the people in an impartial and nonpartisan manner. They must not be subject to conflicts of interest or any other pressures or pressure groups.

Enclosed is a list which indicates not only people who, in my opinion, would make excellent appointees, but also the caliber of people who should be sought.

If I can be of further service, please let me know.

Sincerely,

Enclosures:

1. list of suggested appointees
2. additional suggestions



Suggested Appointees
to the
Board of Directors
CORPORATION FOR PUBLIC BROADCASTING

Mr. Robert S. Benjamin

current chairman of the board, Corporation for Public
Broadcasting.
member of the board, United Artists Corporation.

Mrs. Allan E. Charles

vice chairman of the board of trustees, Stanford
University.
president, Rosenberg Foundation.
chairman of the board of the public television station
in San Francisco.
member of the board of governors of the Public
Broadcasting Service.

Mrs. Edward N. Cole

member of the board of the Detroit public television
station.
member of the board of governors of the Public
Broadcasting Service.

Dr. Emmett Conrad

surgeon, community leader.
member of the board of education, Dallas Independent
School District.
member of the board of the Dallas public television
station.

Mr. Ralph W. Ellison

writer, historian.
Albert Schweitzer Professor of Humanities, New York
University.
member of the Carnegie Commission on Educational
Television.
member of the board of trustees of the New York City
public television station.

Reverend Theodore N. Hesburgh

president, University of Notre Dame.

Mrs. Margaret McDermott

vice chairman, Dallas County Community College.
former president, Dallas Museum of Fine Arts.
member of the board of the Dallas public television
station.

.../

Suggested Appointees
to the
CPB Board of Directors

- 2 -

Mr. John D. Rockefeller 3d

member of the Carnegie Commission on Educational
Television.
until 1970, member of the board of the Corporation
for Public Broadcasting.
member of the board of trustees of New York City's
public television station.

Mr. Frank Stanton

president, American National Red Cross.
former president, Columbia Broadcasting System.

Dr. Clifton R. Wharton, Jr.

president, Michigan State University.
former member, Public Broadcasting Service Board
of Governors.

Mr. Leonard Woodcock

president, United Automobile Workers.

Mr. Frank Wozencraft

Assistant Attorney General of the United States,
1966-69.
former member, Public Broadcasting Service Board
of Governors.

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ADDITIONAL SUGGESTIONS

A few of my colleagues have recommended the following people whom they feel are eminently qualified for the CPB board.

Mr. Edwin Bayley

dean, School of Journalism, University of California
at Berkeley.

former executive, National Educational Television
(NET) and the Peace Corps.

Mr. Schuyler G. Chapin

general manager, Metropolitan Opera, New York City.

Mr. John Hope Franklin

writer, historian.

chairman, Department of History at the University of
Chicago.

Mr. Melvin Laird

former Secretary of Defense.

senior counselor to the Reader's Digest.

Mr. S. Dillon Ripley 3d

director, Smithsonian Institution.

Mrs. Beverly Sills

coloratura soprano.

member of the board, Wolfe Trapp Farm Park for the
Performing Arts.

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